Congressional Record

PROCEEDINGS AND DEBATES

OF THE

FIRST SESSION OF THE SIXTY-SIXTH CONGRESS

OF

THE UNITED STATES
OF AMERICA

VOLUME LVIII—PART 4

JULY 28 TO AUGUST 23, 1919

(Pages 3213–4258)



43033



WASHINGTON
GOVERNMENT PRINTING OFFICE
1919

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

HTUOMLAW COLLEGE LIBRARY

Congressional Record.

PROCEEDINGS AND DEBATES OF THE SIXTY-SIXTH CONGRESS
FIRST SESSION.

SENATE.

MONDAY, *July 28, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we feel the added weight of responsibility when we come to call upon Thy name, for Thou are committed to justice and to truth and to right. When we call upon Thy name we commit ourselves to that for which Thou dost stand in the universe. We pray Thee to help us to be true to our committal, to renew our covenant with God, to live each day in the light of Thy countenance and in harmony with Thy will, and discharge all the duties that Thou hast placed upon us in calling us to this office. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of Friday last, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills:

S. 180. An act to incorporate Near East Relief;

S. 1378. An act to authorize the Central Railroad Co. of New Jersey to construct a bridge across the navigable waters of the Newark Bay, in the State of New Jersey;

H. R. 6342. An act to authorize the construction of a bridge across the Pend Oreille River at the town of Usk, in the State of Washington;

H. R. 6434. An act authorizing the construction of a bridge and approaches thereto across Red River, about 2 miles above its confluence with the Washita River, near Preston, Grayson County, Tex.;

H. R. 6438. An act authorizing the counties of Aiken, S. C., and Richmond, Ga., to construct a bridge across the Savannah River at or near Augusta, Ga.;

H. R. 6450. An act to amend an act entitled "An act to amend an act entitled 'An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department, approved September 2, 1914,' as amended";

H. R. 6692. An act to extend the time for the construction of a bridge across the White River, at or near Forsyth, Mo.;

H. R. 6805. An act to authorize the county of Dougherty, State of Georgia, to construct a bridge across the Flint River, connecting Broad Street, in the city of Albany, said State and county, with the Isabella Road, said county and State;

H. R. 7775. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and

H. R. 7657. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The message also announced that the House had passed the bill (S. 1361) further extending the time for the commencement and completion of the bridge or bridges authorized by an act entitled "An act to amend an act to authorize the Dauphin Island Railway & Harbor Co., its successors or assigns, to construct and maintain a bridge or bridges, or viaducts, across the water between the mainland, at or near Cedar Point, and Dauphin Island, both Little and Big; also to dredge a channel from the deep waters of Mobile Bay into Dauphin Bay; also to construct and maintain docks and wharves along both Little and Big Dauphin Islands," approved June 18, 1912, as extended by an act approved June 30, 1916, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 687. An act for the relief of Frank Pinkley;

H. R. 753. An act for the relief of Susie Currier;

H. R. 2452. An act for the relief of Charles A. Carey;

H. R. 3844. An act for the relief of Della James;

H. R. 5228. An act granting the consent of the Congress to the city of Minneapolis, a municipal corporation, to construct, maintain, and operate a bridge across the Mississippi River;

H. R. 5648. An act for the construction of a bridge across the Rainy River between Spooner, Minn., and Rainy River, Province of Ontario, Canada; and

H. R. 6222. An act to remove a certain tract of land in Cristobal, Canal Zone, from the operation and effect of the Executive order of the President of December 5, 1912, pursuant to the act of Congress of August 24, 1912 (37 Stat., chap. 390, p. 565).

The message also announced that the House had passed a concurrent resolution providing that when the House adjourns on Saturday, the 2d day of August, it stand adjourned until 12 o'clock meridian, Tuesday, the 9th day of September, in which it requested the concurrence of the Senate.

ENROLLED JOINT RESOLUTION SIGNED.

The message further announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. 147) to ratify and confirm from and including July 1, 1919, obligations incurred pursuant to the terms of certain appropriations for the fiscal year 1920; and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a petition of the Merchants and Manufacturers' Association of Washington, D. C., praying for a substantial increase in the police force and fire department of the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. SPENCER presented a memorial of sundry citizens of St. Joseph, Mo., remonstrating against the passage of the so-called Kenyon-Kendrick bill providing for Federal control of the meat-packing industry, etc., which was referred to the Committee on Agriculture and Forestry.

Mr. CAPPER presented a petition of the executive board, district No. 14, United Mine Workers of America, of Pittsburg, Kans., praying for amnesty for political prisoners in Federal penitentiaries, which was referred to the Committee on the Judiciary.

Mr. PAGE presented a memorial of the Holy Name Society, of Ludlow, Vt., remonstrating against the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. KELLOGG presented a petition of sundry citizens of St. Cloud, Minn., praying for Government ownership and control of railroads, which was referred to the Committee on Interstate Commerce.

REPORTS OF COMMITTEES.

Mr. SHEPPARD, from the Committee on Military Affairs, to which was referred the bill (S. 1637) for the relief of Albert H. Campbell, reported it without amendment and submitted a report (No. 109) thereon.

Mr. KELLOGG, from the Committee on the Judiciary, to which was referred the bill (S. 2224) to incorporate the Recreation Association of America, reported it without amendment and submitted a report (No. 110) thereon.

COMMISSIONED PERSONNEL OF THE ARMY.

Mr. WADSWORTH. From the Committee on Military Affairs I report back favorably without amendment the bill (S. 2622) to provide necessary commissioned personnel for the Army until June 30, 1920, and I submit a report (No. 111)

thereon. I was instructed by the Committee on Military Affairs at a meeting held on Friday morning last to ask unanimous consent for the immediate consideration of this bill. I therefore make that request.

The VICE PRESIDENT. Is there objection?

Mr. KING. Reserving the right to object, I merely ask the purpose——

Mr. NELSON. Let the bill be read for information.

The VICE PRESIDENT. It will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That until June 30, 1920, the Secretary of War is authorized and directed to maintain such commissioned personnel in addition to officers of the permanent establishment as in his judgment may be necessary for the proper performance of the functions of the Military Establishment, and to retain at their temporary grade such officers of the Regular Army as he may deem necessary: *Provided*, That additional officers so maintained shall be selected so far as practicable from officers who served during the emergency and are applicants for appointment in the permanent establishment: *Provided further*, That after September 30, 1919, the total number of commissioned officers held in active service under this act shall at no time exceed 18,000.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

Mr. WADSWORTH. Mr. President, I think it due the Senate that I give a very brief explanation of the situation. I think I am justified in saying that this bill is the inevitable logical outcome of the Army appropriation bill which was passed by Congress and signed by the President July 11.

Under that bill the commissioned and enlisted strength of the Army for the fiscal year 1919 and 1920 was regulated or fixed in effect by the appropriation in the bill for the pay of officers and enlisted men. The amount appropriated for pay of the Army was placed at such a figure as to compel the discharge from the Army of all emergency officers commissioned during the war, their discharge to be completed by September 30 next. At that time the Army will be reduced to the figure fixed in the national defense act, the law known as the Hay-Chamberlain law, that figure to be approximately 225,000 men and 11,000 Regular Army officers.

The situation created by the appropriation act can be illustrated by a very few figures which the War Department has supplied to the committee. We will take, for instance, the Construction Division of the Army. There are to-day 12 regular officers in the Construction Division and 682 emergency officers. When September 30 comes the 682 emergency officers must have been discharged, leaving only 12 officers to supervise the maintenance, operation, and repair of every Army post, every port of embarkation, every storage warehouse, every installation put up by the Army during the war or owned by the Army before we went into the war, throughout the entire United States, a task plainly impossible of performance by 12 officers.

Mr. KING. Will the Senator permit an inquiry?

Mr. WADSWORTH. Certainly.

Mr. KING. Are there not officers in other branches of the service available for assignment to the performance of the work just referred to by the Senator?

Mr. WADSWORTH. No; there are not, without still further robbing those other branches of the service. I will continue with a few more illustrations, although I do not——

Mr. NELSON. May I ask the Senator a question? Does this measure relate to such officers as are in control of such camps as Camp Humphreys, in Virginia?

Mr. WADSWORTH. It relates to all officers.

Mr. NELSON. Are they called construction officers?

Mr. WADSWORTH. The men who built Camp Humphreys were officers of the Construction Division, and the men who keep in repair and maintain and operate the utilities of such camps are under the orders of officers of the Construction Division of the General Staff.

Mr. NELSON. At one time they had as many as 30,000 men, whom they called engineers, who devoted most of their time to building a concrete road from Alexandria to the camp. Now, is it the purpose to continue such work as that?

Mr. WADSWORTH. No; this bill has nothing to do with road construction. It affects only the commissioned personnel of the Army for the rest of the fiscal year.

Mr. NELSON. We found another thing in connection with that camp. When men sought their discharge there as privates they were very reluctant to give them a discharge, and I got the impression, and I know others did, that they were anxious to retain as many privates as possible, in order that they could retain a large number of officers. The privates were needed to give color to the retention of the officers.

Mr. WADSWORTH. This bill bears no relation whatever to that situation at Camp Humphreys.

In the Motor Transport Corps there are 96 regular officers and 2,528 emergency officers. The whole corps will be reduced September 30 to 96 commissioned officers, and that corps has charge of all the transportation of the Army other than rail transportation and water transportation; it supervises all the horse-drawn vehicles, all the motor trucks, and all the passenger automobiles.

In the Quartermaster Corps there are 214 regular officers and 4,393 emergency officers. All the emergency officers must go by September 30, if no measure of relief is secured. It will be utterly impossible for 214 quartermaster officers to continue the quartermaster work of the Army during this fiscal year at the scale at which it must be continued unless we are content to let property utterly perish and go without any care whatsoever.

In the Air Service there are 222 regular officers and 3,997 emergency officers. As I said in the Senate the other day, of the 222 regular officers very few are flyers.

Mr. NELSON. Will the Senator allow me a further interruption?

Mr. WADSWORTH. Certainly.

Mr. NELSON. What assurance can the committee give us that the Quartermaster Department will dispose of all the surplus food they have now on hand left since the war? Are officers needed in large numbers for that purpose if they propose to hold the products and not dispose of them?

Mr. WADSWORTH. The committee has been assured upon several occasions that it is not the intention or desire of the War Department to hold back that food surplus.

Mr. NELSON. What assurance have we that they will dispose of those surplus food products and put them on the market so that the people of the United States can have the benefit of them?

Mr. WADSWORTH. I can only tell the Senator from Minnesota what is being done now. I do not know what will be done a month from now or six months from now. The plan of the War Department as to food products, particularly with reference to vegetables, ham, and bacon, was to invite the municipalities of the country to take relatively large quantities of these goods and sell them in their local municipal markets.

Mr. NELSON. Now——

Mr. WADSWORTH. Just a moment, and I will complete my answer. Unfortunately a great many municipalities in the United States have no right under their charters to purchase and to sell food, and the number of municipalities who can do that officially is relatively small.

I will say to the Senator that an effort is being made here in the city of Washington to dispose of surpus foodstuffs sent here from the Army stores in Baltimore to be sold in the municipal market here. Some of those sales were made, I believe, last week, and they are yet to continue. This is the first attempt the Government has ever made to peddle surplus stuff by retail upon the market. That is all the information I can give the Senator on that point. It has no bearing whatever on this bill except that officers will be required to manage the business, because only a commissioned officer can carry financial responsibility for the Government in the Army.

Mr. NELSON. Will the Senator allow me to make the remark that up to this time we have had all these reserve officers in the Quartermaster's Department, have we not?

Mr. WADSWORTH. And many more.

Mr. NELSON. And yet with all this number of reserve officers and the others, they have not been able to dispose of these food products up to this time. They have held them in chancery, as it were, for the benefit of the packers and others.

Mr. WADSWORTH. They have made several efforts to sell the goods and have been thus far not particularly succcessful.

Mr. SHERMAN. Will the Senator yield for an inquiry?

Mr. WADSWORTH. Certainly.

Mr. SHERMAN. The wholesale grocers of the United States protest against dumping upon the market all those Army supplies.

Mr. NELSON. But the people of the United States, the consumers, are not protesting.

Mr. SHERMAN. No; they are not. May I make a further inquiry? Does the Senator have any information as to why the War Department is holding vast quantities of lumber at various points? At Camp Grant, Ill., there are 14,500,000 feet of lumber that would be available for building purposes, and there can be no purchase made of it. It is not properly stacked and is warping, and the excessive wet weather that has prevailed there is making it assume a condition where it will not be merchantable very much longer.

Mr. WADSWORTH. I can not answer the question. I know nothing of the lumber situation.

Mr. SHERMAN. I call the attention of the Senator to the fact that it is not only matters of food, but that various articles of merchandise are involved that will be a total loss to the Government unless used. The prices in the general market are at a figure where these surplus lines ought to be turned loose so as to reduce the price, if possible.

Mr. WADSWORTH. A good many instances could be recited of the deterioration of Government supplies which are standing exposed to the weather. Let me say to the Senator from Illinois there are 9,000 Army trucks at Aberdeen standing in the open air, exposed to the weather. The Chief of Staff told the Military Affairs Committee that they simply can not take care of this enormous surplus of supplies, such as trucks and food, unless Congress gives them the needed personnel with which to do it. Unless the present plan goes through, and it must go through under the Army appropriation bill, they simply will not have enough officers to do it.

Mr. POINDEXTER. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Washington.

Mr. POINDEXTER. What does the Secretary of War say about this condition? Is he merely an ornamental figure of the War Department, or does he pay any attention to the condition to which the Senator refers?

Mr. WADSWORTH. I assume, of course, the Secretary of War does pay attention to it, but I remind the Senator from Washington that I am not defending the War Department. I am stating some facts which confront the country as well as the War Department, and in stating those facts I do not defend the War Department.

Mr. NELSON. Will the Senator yield to me a moment further?

Mr. WADSWORTH. Certainly.

Mr. NELSON. Will the practice continue under this proposed legislation of appointing a lot of civilian clerks and giving them commissions, making them majors and captains and lieutenants, who are performing no other duty than that of an ordinary civilian clerk? Will that practice continue under this legislation, or will it be ended?

Mr. WADSWORTH. No; this legislation does not contemplate new commissions. It contemplates retaining in the service in a very much reduced number officers who are now in the service.

Mr. NELSON. Does it contemplate retaining civilian clerks with commissions?

Mr. WADSWORTH. Only those persons who are now commissioned officers. I can not tell the Senator or the Senate which officers are going to be retained. I can tell them the aggregate number that are authorized for retention in this bill. There will be approximately 8,000 emergency officers kept upon the pay roll for the rest of the present year, which, added to approximately 10,000 regular officers who hold their commissions in accordance with law, makes an aggregate of 18,000 officers for the United States Army for the rest of the fiscal year, as contrasted with 160,000 officers that the Army had on November 11, 1918.

The most serious situation is in the Medical Department. We now have 1,159 regular officers and 17,315 emergency officers in the Medical Corps. If some relief is not granted, the 17,315 surgeons in the Medical Corps, who are emergency officers, must all be discharged by September 30, leaving only 1,100 officers in the Medical Corps to take care of our wounded and operate all our hospitals. It will simply mean that two-thirds of the hospitals must be closed and the wounded sent to private institutions. We must keep some more officers. We can not afford to be confronted with any such state of affairs.

I took occasion to state when the Army appropriation bill passed the Senate under the conference report that the pay appropriation in the bill was so low that in three or four months, according to my judgment, a deficiency appropriation must be asked. It is now asked, in effect, and the reason for asking it has been made so clear to the Military Committee that its report on this bill was unanimous. This request is made, therefore, even earlier than I anticipated.

Mr. TRAMMELL. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Florida.

Mr. TRAMMELL. Will the chairman of the committee state if it is contemplated that any of the officers who are to be discharged under this order prior to September 30 will be accepted and received into the Regular Army?

Mr. WADSWORTH. It has nothing to do with the Regular Army.

Mr. TRAMMELL. Is it contemplated that any of them after receiving their discharge from the emergency corps shall very shortly threafter be taken into the Regular Army?

Mr. WADSWORTH. I can only tell the Senator the situation with reference to the commissioned personnel under the national-defense act under which the figures must be reduced by September 30 in order to comply with the terms of the Army appropriation bill. There are approximately 11,000 regular officers under the terms of the national-defense act. There are about 1,500 vacancies existing to-day in the regular commissioned personnel which they are attempting to fill. They hope, of course, to fill them by selecting the best of the emergency officers who will consent to take the grade of second lieutenant, because the grades must be filled from the bottom. If the vacancies are filled the regular commissioned personnel will amount to about 11,000 men. That number is authorized by law to-day, and they want between 7,000 and 8,000 emergency officers authorized to be retained in the service merely to the end of this fiscal year; that is the purpose of this bill. It was made clear to the Military Committee that the Army would simply be a wreck in the management of these tremendous supplies, and the settlement of an enormous number of contracts. There are $2,000,000,000 worth of contracts unsettled.

The War Department estimates that 500 officers must serve on the boards adjusting these contracts, and a host of other things which I shall not take the time of the Senate in explaining unless some Senator requests me to do so.

Mr. SPENCER. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Missouri.

Mr. SPENCER. Mr. President, there are to-day 36,000 wounded soldiers who are being cared for by what we may call the temporary medical force of the Army. On September 30 next it is estimated that there will be 24,000 wounded soldiers to be cared for, without taking into consideration the ordinary number of sick and injured soldiers in the Regular Army, which at that time will amount to 225,000 men. The wounded soldiers referred to are the pathetic residuum of this war. If this bill does not pass, on September 30 those 24,000 wounded soldiers will have no medical attention, for on that date, under the Army bill as we have passed it, every one of the temporary medical officers must be discharged and will be out of the service.

The Medical Department comes to the committee and says that we are letting 17,000 officers go, while the minimum of our requirement is for 14,000 officers to remain.

Mr. WADSWORTH. That is in addition to the Regulars.

Mr. SPENCER. And 619 vacancies in the regular service are to be filled. That is the minimum requirement of this bill.

Mr. KING. Will the Senator from New York permit an inquiry?

Mr. WADSWORTH. I will.

Mr. KING. We passed a bill recently authorizing the organization of a civilian commission, of which Mr. Hare was chairman, to make disposition of the surplus supplies of the War Department. I was wondering to what extent there had been turned over to him the surplus supplies, and if, when that was consummated, it would not relieve the Army of the duty of disposing of these funds and handling them and therefore not call for such a large number of officers as is contemplated by this bill?

Mr. WADSWORTH. Let me say to the Senator from Utah that no supplies are physically turned over to Mr. Hare's organization; the duty of selling them is turned over to his organization; but until they are sold the supplies are the property of the War Department and must be cared for by commissioned officers of the Army, who carry property accountability under the law. Mr. Hare's organization has nothing to do with the care or preservation of the property; the Army continues to care for it, to store it, to protect it, to transport it, and to do all, in a physical sense, that has to be done with it. All Mr. Hare does is to sell it. So Mr. Hare takes none of the burden away from the Army in caring for that property.

Mr. KING. Does the Senator from New York know what reason exists for the lack of celerity of disposition of these supplies by the War Department? Every day we read that millions of dollars worth of supplies are spoiling, and the deterioration is so great that they are becoming valueless and have to be thrown away. Did anything appear before the committee as an excuse for the delay in making sales of these surplus products?

Mr. WADSWORTH. We have had various explanations relating to specific products, but I can not say to the Senator from Utah that we have had a complete explanation of the whole situation given to us in such form that I can answer the question of the Senator from Utah. In some things they have done very well, and in other things, I think, they have done rather badly. There is no one answer that will cover the whole topic.

Mr. KIRBY. Mr. President, this request of the War Department is imperative, and it seems to me it ought to be granted.

We have had 4,800,000 men under arms; we have had over 200,000 officers with those men; we have still over 700,000 men under arms or in the Army; and we can not possibly govern that Army as an organization and conduct the affairs of the Government with the few officers that are provided under the law as it now stands. The passage of this bill is absolutely imperative, according to the explanation made by the War Department; and it seems to me that nothing more would be needed to demonstrate that than to show how many officers we have had, to how few we are now reduced, and the condition of the supplies and munitions that are still on hand by the Government which must be taken care of.

Mr. SMITH of Georgia. Will the Senator allow me to ask him a question?

Mr. KIRBY. Yes.

Mr. SMITH of Georgia. What is the exact number of additional officers which under this bill we shall save from those now in the service?

Mr. KIRBY. We shall retain about seven or eight thousand additional officers for one year; that is all that is estimated for.

Mr. SMITH of Georgia. How large an Army would the department be able to officer with that additional number of officers?

Mr. KIRBY. It is only expected that they will be retained for one year.

Mr. SMITH of Georgia. I mean during the next year. Do not misunderstand me. I am intensely in favor of saving officers enough to handle an Army of 500,000 men for the next 12 months.

Mr. KIRBY. The Regular Army is to be cut down, as I understand, to 225,000 men and about 9,000 officers. The department must have at least seven or eight thousand additional officers in order to take care of conditions which now exist.

Mr. FLETCHER. It is not a question of finding additional officers, but of continuing emergency officers to the extent of about 8,000?

Mr. KIRBY. That is all. The bill merely provides for officers in addition to those who are in the Regular Army, as provided for in the last Army bill.

Mr. SMITH of Georgia. May I ask the Senator from New York a question?

Mr. WADSWORTH. Yes.

Mr. SMITH of Georgia. Will this retention of a portion of these officers put us in some respect in better shape to enlarge the Army during the next 12 months? If we should need 500,000 men, would this increase furnish sufficient officers to take care of them?

Mr. WADSWORTH. It would not. This will give us officers enough to command an army of 225,000 or 235,000 plus the number of officers absolutely necessary to take care of the wounded and of the tremendous properties which were left over from the war. That is all.

Mr. SMITH of Georgia. My only regret is that the committee has not gone further and saved for us officers enough so that we may be in a position quickly to organize an army of 500,000 men during the next 12 months.

Mr. WADSWORTH. Mr. President, Senators ought to remember that it is comparatively easy to demobilize an army. We can discharge the men rapidly; we can discharge the officers rapidly, but it is exceedingly difficult to demobilize the supplies and the installations. Until those are demobilized we have got to maintain a commissioned personnel which is comparatively top-heavy, in a sense, in order to take care of those installations and those supplies. That is the purpose of this bill, and if something of this sort is not done it will simply mean that hundreds of millions of dollars worth of property belonging to the service will utterly perish and thousands of sick and wounded soldiers will go without medical care.

Mr. SMITH of Georgia. Will the Senator from New York permit me to ask him another question?

Mr. WADSWORTH. Certainly.

Mr. SMITH of Georgia. If we should need an army of 500,000 men during the next 12 months, where would we turn to get our officers to handle them quickly?

Mr. WADSWORTH. We should simply have to call for the officers who have beeen discharged to volunteer again and to come back into the service.

Mr. SMITH of Georgia. After we have retired them, after they have gone back into business, after they have sought places, we should have to call them back into the service again instead of keeping them during a period of threatened disturbance.

Mr. WADSWORTH. If my recollection is correct, on November 11 last we had in the Army 160,000 commissioned officers, while under this bill we shall have but 18,000 officers, all told.

Mr. SPENCER. Will the Senator from New York yield for a question?

Mr. WADSWORTH. Yes.

Mr. SPENCER. Does the Senator remember the number of officers provided for in the Army appropriation bill which was passed by the Senate and went to conference?

Mr. WADSWORTH. The number of officers was not mentioned in the Army appropriation bill, but the pay appropriation really governed the number. As the appropriation was raised more officers could be retained, while as the appropriation was lowered more officers must be discharged. The best computation the committee can make after consultation with the Chief of Staff is to the effect that as the appropriation bill passed the Senate and went to conference it would have paid approximately 18,000 officers, just what the pending bill authorizes; in other words, if we have confidence in the estimates of the War Department, the Senate Military Affairs Committee and the Senate itself made a proper and accurate computation and passed a bill which was adequate to the needs of the service, no more and no less; but that bill was radically changed on the insistence of the House of Representatives.

Mr. NELSON. Then, Mr. President, if I understand the Senator correctly, the bill really provides officers for an Army of 400,000 men?

Mr. WADSWORTH. No.

Mr. NELSON. And when all these officers are secured there will have to be some privates for them to command.

Mr. WADSWORTH. This bill provides officers for an Army of 225,000 men and additional officers assigned solely and entirely to the duty of taking care for the next fiscal year of an enormous amount of property the Government owns, which has nothing to do with the size of the Army, but which is left over from the war with Germany.

Mr. NELSON. Can not that work be done by privates and noncommissioned officers?

Mr. WADSWORTH. Not under the law.

Mr. NELSON. Could we not enact a law allowing privates and noncommissioned officers to do that work instead of high-salaried commissioned officers?

Mr. WADSWORTH. If the Senator is willing that Congress shall enact a statute conferring upon a private soldier responsibility and accountability for Government property, that can be done; but under the law to-day only a commissioned officer is authorized to handle Government property. He is held accountable for it, and has authority over the enlisted men in caring for it. It would be utterly unfair to saddle the responsibility upon an enlisted man for the care of Government property when he would have no authority over anybody.

Mr. SMOOT. Will the Senator permit an interruption?

Mr. WADSWORTH. I yield.

Mr. SMOOT. I wish to ask the Senator a question. He just made the statement that this bill is to provide for a certain number of officers for the coming fiscal year. Does not the Senator mean the present fiscal year?

Mr. WADSWORTH. I meant the present fiscal year.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AFFIDAVITS IN MILITARY TRIALS.

Mr. KING. From the Committee on the Judiciary I report back favorably with amendments the bill (S. 2236) relating to affidavits required by the act entitled "An act to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war."

Mr. LENROOT. I ask unanimous consent for the immediate consideration of the bill just reported by the Senator from Utah. It is a very important bill, and I am sure will require no debate.

Mr. KING. I shall be glad to join in the request of the Senator from Wisconsin. The report of the committee is unanimous.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. The amendments were, on page 1, line 9, after the word "war," to insert "(40 Stat. L., p. 440)"; and on page 2, line 4, after the word "thereof" and the period, to insert "Any person who shall make or use any affidavit as aforesaid, knowing it to be false, shall be guilty of a misdemeanor and shall be punishable by imprisonment not to exceed one year or by a fine not to exceed $1,000, or both, in the discretion of the court," so as to make the bill read:

Be it enacted, etc., That where any judgment has been entered since March 8, 1918, in any action or proceeding commenced in any court where there was a failure to file in such action the affidavits required by section 200 of article 2 of the act approved March 8, 1918, entitled "An act to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war" (40 Stat. L., p. 440), the plaintiff may file an affidavit stating that the defendant or defendants, in default in such judgments, are not at the time of such filing and were not at the time of the entry of such judgment in the naval or military service of the United States, and upon the filing of such affidavit the court may enter an order that such judgment shall stand and be effective as of the date of the entry thereof. Any person who shall make or use such an affidavit as aforesaid knowing it to be false shall be guilty of a misdemeanor and shall be punishable by imprisonment not to exceed one year or by fine not to exceed $1,000, or both, in the discretion of the court.

The amendments were agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PRINTED MATTER IN FOREIGN LANGUAGES.

Mr. KING. Mr. President, a few days ago the bill (S. 2524) to prohibit the transmission through the mails of matter printed, written, or multigraphed in any foreign language under certain conditions and circumstances was referred to the Committee on Post Offices and Post Roads. This was done inadvertently. It belongs to the Judiciary Committee, which committee is considering two other bills of like character. I ask that the Committee on Post Offices and Post Roads be discharged from the further consideration of the bill, and that it be referred to the Committee on the Judiciary.

The VICE PRESIDENT. Without objection, it is so ordered.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KIRBY:

A bill (S. 2636) to amend an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920," approved July 9, 1919; to the Committee on Military Affairs.

By Mr. WADSWORTH:

A bill (S. 2637) to amend an act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916; to the Committee on Military Affairs.

By Mr. SHERMAN:

A bill (S. 2638) concerning suits at law against the District of Columbia for injuries to persons and property; to the Committee on the District of Columbia.

By Mr. SMITH of Georgia:

A bill (S. 2639) to authorize the Secretary of the Treasury to pay to Mrs. Elizabeth Braddy, of Gibson, Glascock County, Ga., the sum of $601.75, the value of 145 war-savings stamps which were destroyed by fire on the 26th day of May, 1918; to the Committee on Claims.

A bill (S. 2640) for the relief of Ethel Williams; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 2641) for the relief of the legal representative of W. H. Mills, deceased; to the Committee on Claims.

By Mr. THOMAS:

A bill (S. 2642) granting a pension to Schuyler C. Morgan; to the Committee on Pensions.

By Mr. MOSES:

A bill (S. 2643) to donate a captured German cannon to the city of Somersworth, N. H.; to the Committee on Military Affairs.

By Mr. STANLEY:

A bill (S. 2644) granting an increase of pension to George W. Tarter (with accompanying papers); and

A bill (S. 2645) granting an increase of pension to Thomas Griffin (with accompanying papers); to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 2646) for the relief of Mary E. Bingham;

A bill (S. 2647) for the relief of Isaac V. Mohn;

A bill (S. 2648) for the relief of James Russell (with accompanying paper);

A bill (S. 2649) for the relief of Gust Mihleder, formerly a second lieutenant of Infantry, United States Army; and

A bill (S. 2650) for the relief of the survivors of McLean's Pennsylvania Regiment and their widows and children; to the Committee on Military Affairs.

A bill (S. 2651) to determine what obligation, if any, exists under the treaty with Spain of 1819 to relieve the estate of Richard W. Meade, deceased; to the Committee on Foreign Relations.

A bill (S. 2652) granting an increase of pension to Margaret M. Conard;

A bill (S. 2653) granting a pension to Annie Mary Turner;

A bill (S. 2654) granting a pension to Frank F. Snyder;

A bill (S. 2655) granting a pension to Denny Ross Griffith;

A bill (S. 2656) granting an increase of pension to Marie G. Harding;

A bill (S. 2657) granting a pension to William R. Miller;

A bill (S. 2658) granting a pension to Charles G. Meyer;

A bill (S. 2659) granting a pension to Leonardo S. Twesten;

A bill (S. 2660) granting an increase of pension to James M. P. Brookens (with accompanying paper);

A bill (S. 2661) granting pensions to soldiers confined in so-called Confederate prisons;

A bill (S. 2662) granting an increase of pension to John R. Devlin;

A bill (S. 2663) to increase the pensions of the blind who served in the War with Mexico or the Civil War; and

A bill (S. 2664) granting an increase of pension to Thomas Hartman (with accompanying papers); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 2665) for the relief of Prof. William H. H. Hart, principal of the Hart Farm School and Junior Republic for Dependent Children, to establish Hart University and to provide for its maintenance and support (with accompanying papers); to the Committee on Claims.

By Mr. SHIELDS:

A bill (S. 2666) for the relief of the estate of Eli Pettyjohn (with accompanying paper); to the Committee on Claims.

By Mr. NORRIS:

A bill (S. 2667) providing for the sale and distribution of the surplus merchandise, commodities, and foodstuffs in the possession of the War Department, or such merchandise, commodities, and foodstuffs as may hereafter be declared surplus by the War Department; to the Committee on Military Affairs.

By Mr. WADSWORTH:

A joint resolution (S. J. Res. 78) to permit the payment of obligations entered into by the War Department prior to July 11, 1919; to the Committee on Military Affairs.

By Mr. STANLEY:

A joint resolution (S. J. Res. 79) exempting the Dixie Highway from the prohibition contained in the act approved July 11, 1919; to the Committee on Military Affairs.

BREWERS' PROPAGANDA.

Mr. NELSON submitted the following resolution (S. Res. 136), which was read, considered by unanimous consent, and agreed to:

Resolved, That the report of the Subcommittee on the Judiciary, who were directed to report the result of their investigation relating to charges made against the United States Brewers' Association and allied interests, be printed as a Senate document.

BREWING, GERMAN, AND BOLSHEVIK PROPAGANDA.

Mr. NELSON submitted the following resolution (S. Res. 137), which was read, considered by unanimous consent, and agreed to:

Resolved, That the report and hearings entitled "Brewing and liquor interests and German and Bolshevik propaganda" held before the Committee on the Judiciary in the Sixty-fifth Congress be printed as a Senate document and that 300 additional copies be printed for the use of the Senate Committee on the Judiciary.

PROPOSED TREATY AMENDMENT RELATIVE TO LOANS.

Mr. SHERMAN. I offer a Senate resolution and ask to have it read and referred to the Committee on Foreign Relations.

The resolution (S. Res. 139) was read, as follows:

Resolved by the Senate, That the treaty of peace with Germany as contained in Document 49, Sixty-sixth Congress, first session, be, and is hereby amended by adding thereto article 441, to read as follows:

"In any loans or money advanced by the United States of America on the credit of any of the allied or associated powers in the war with Germany that no deduction, credit, or set-off shall be allowed because of any bond, obligation, or other evidence of indebtedness issued by the Confederate States of America or by any State acknowledging its allegiance to or associated with such confederacy or any bond, obligation, or other evidence of indebtedness issued by any State, county, district, municipality, or other branch of such State or State government which has heretofore been and still is remaining unpaid, whether the same be held by any such foreign government or by any citizen or subject thereof."

Mr. SHERMAN. Mr. President, allow me to say a word. A number of British investors in repudiated, uncollected, and unsalable bonds recently had an annual meeting, and I notice very great activity among those gentlemen in London right now. It is that which led to the introduction of the resolution.

The VICE PRESIDENT. The resolution will be referred to the Committee on Foreign Relations.

THE OIL SITUATION.

Mr. POINDEXTER. I submit a Senate resolution requesting the Federal Trade Commission to investigate and report to the Senate on the market prices of fuel oil, especially on the Pacific coast. I ask that the resolution be read, and then I shall ask unanimous consent for its immediate consideration.

The resolution (S. Res. 138) was read, as follows:

Resolved, That the Federal Trade Commission is hereby requested to investigate and report to the Senate the causes of recent advances in the market price in the United States, especially on the Pacific coast, of fuel, oil, kerosene, gasoline, and other petroleum products; and in reporting the foregoing the said commission is requested to take into consideration and report the sources of oil supply for the United States; and particularly for the Pacific coast; the annual production of the same for several years last past, with especial reference to the years 1914 to 1919, inclusive; the corporate or other agencies by which the business of oil production, oil refining, oil distribution, and oil marketing, including petroleum, and all its products, is and has been conducted in the past and at the present time, with special reference to the particular period mentioned above, and to these activities on the Pacific coast, and to the Standard Oil Co. of California, the Union Oil Co., and the General Petroleum Co., and other companies engaged in this business on the Pacific coast; and to report to the Senate what, if any, combinations in restraint of trade between those engaged in this business, or unfair competition on the part of any of these or other agencies engaged in said business have existed during the said period, or do exist at the present time, and if such combinations, restraint, or unfair competition have existed or do exist, what, if any, effect the same have had upon the market price of fuel oil, gasoline, and other petroleum products especially on the Pacific coast and especially with reference to the price charged to the ultimate consumer of the same. The said commission is also requested to report to the Senate any suggestions or recommendations which may be agreed upon by the said commission relative to the removal of such combinations in restraint of trade, or unfair competition if the same exists, or other suggestions or recommendations relative to the cost, market price, production, distribution, and sale to the Government or to private consumers of fuel oil, gasoline, kerosene, or other petroleum products.

Mr. CUMMINS. Mr. President, I should like to ask the Senator from Washington whether his resolution embraces a report upon the profits that are being made by these companies in the sale of oil in the western part of the country? I should like to have verified or disproved some of the charges that have been made to me concerning the profit which these companies have been making in the sale of oil. I simply ask whether that is included in the resolution of the Senator from Washington.

Mr. POINDEXTER. It is, Mr. President; and in that connection I desire to submit and ask that there be printed as a portion of my remarks a very carefully prepared statement on the subject that the Senator from Iowa has just mentioned, and the various phases of the subject covered by this resolution, prepared by Mr. Philip D. Macbride, of Seattle, Wash.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

FUEL OIL CONSUMERS' COMMITTEE
OF THE PACIFIC COAST,
July 24, 1919.

Hon. MILES POINDEXTER,
United States Senator,
Washington, D. C.

DEAR SENATOR: A situation has arisen on the Pacific coast, on account of the outrageous price of fuel oil, that is all but unbearable. In an effort to reach the situation the consumers have made a complaint to the Seattle Chamber of Commerce and that body has appointed a committee with Mr. Philip D. Macbride as chairman to investigate the matter and to do whatever can be done to remedy the situation.

I herewith appeal to you in the name of this committee for your powerful assistance in this matter. I hand you a copy of an outline of the fuel-oil situation on the Pacific coast, which has been prepared by Mr. Macbride, after much careful investigation. This statement or outline is reliable. I am quite sure, after looking it over, you will see that our people are entitled to relief. This is a matter that affects very nearly every citizen, for it will be seen from the inclosed statement that the cost of fuel oil enters directly as an important factor in the high cost of living.

On behalf of the consumers of fuel oil on the Pacific coast I assure you of the greatest appreciation of any efforts you may feel justified to put forth to remedy this situation.

Very respectfully, yours,

JAMES WESLEY BRYAN,
Special representative Fuel Oil Consumers'
Committee of the Pacific coast.

OUTLINE OF FUEL OIL SITUATION ON THE PACIFIC COAST IN GENERAL.

PACIFIC COAST OIL SUPPLY.

There are produced in the United States about 360,000,000 barrels of crude petroleum per annum. Of this, California produces, roughly, 100,000,000. Oil from this State is the only supply available to Pacific coast consumers. Mexican oil, the cheap oil of the Gulf ports and the eastern coast, is not offered on the Pacific coast. This is due to two reasons—the great distance to be covered in the transportation of the oil in tankers and the control by interested California producers and allied interests of the Mexican fields and methods of transportation.

Fuel oil is the usual residuum of crude oil after removal by refining of gasoline, kerosene, distillate, and many other valuable commodities. California is the leading State in number of refineries and amount of oil refined, probably due to the fact that over two-thirds of all California crude oil is refinable, i. e., containing a high enough percentage of gasoline to warrant refining. (Report of State Mineralogist of California, 1919.)

The value of the refining products of a barrel of California crude is difficult to determine owing to the wide variation in gravity and quality of oil. However, a conservative estimate is $2 for these commodities, with about two-thirds of a barrel of fuel oil remaining.

USES OF FUEL OIL.

Most of the western railways use oil for fuel. Uncle Sam's warships, the Shipping Corporation Fleet, and nearly all steam vessels, large and small, depend on oil. Bakers use it to bake bread, factories use it, hospitals and hotels are heated with it. In all these different uses substitution of other fuel is well-nigh impossible. In some localities coal can not be obtained. Plants have been equipped for oil; modern ships are constructed to be oil burners; to change would involve ruinous expense.

Prices.

THAT SOARING MOVEMENT.

In 1915 the price of crude oil at the well was around 40 cents; of fuel oil at Los Angeles, 60 cents. To-day the base price of crude has soared to $1.23, and fuel oil at Los Angeles brings $1.60—a threefold raise in four years—and the end is not in sight. Only a few weeks ago (June 10) the higher grades of crude were advanced from 1 cent to 5 cents per barrel.

COST OF PRODUCTION.

It is very difficult to fix a uniform cost of production for petroleum. A generous Providence furnished the raw product, and a beneficent Government has allowed its easy exploitation. Chance enters into the cost of production to a large extent. Depth of well, character of ground, quantity and quality of oil obtained, all these and many other elements vary infinitely.

By tabulating the reports of various operating and dividend-paying companies the State mineralogist has arrived at the following average operating costs per barrel: In the highest-cost district of the State, 38 cents; in the lowest-cost district of the State, 23 cents.

HOW PRICES ARE FIXED.

They are set by the Standard Oil Co. of California. This corporation posts a scale of prices for crude oil at the well, and this scale is adopted by the other refining companies. This same corporation sets the price for which it will sell refined products and fuel oil, and forthwith the other four marketing companies (all smaller) are of the same mind and adopt the Standard's prices as theirs.

Only a few months ago the United States Navy called for bids for furnishing fuel oil for warships stationed on the Pacific coast. Tenders were made by the three companies who market fuel oil, the Union Oil Co., the General Petroleum Co., and the Standard Oil Co. of California. The requirements were for 4,000,000 barrels at Los Angeles, 3,000,000 at Puget Sound, and 2,500,000 at Honolulu. The tenders were all the same—$1.60 a barrel in California, $1.85 at Seattle, and $2.15 at Honolulu. The United States Shipping Board had the same experience. In both cases all bids were rejected. In this connection the following editorial from the Chicago American is interesting as to the situation on the eastern coast:

"Whoever does the bookkeeping, pricing, and planning for the big Standard Oil Co. must have frequent headaches to keep it all going.

"Last Monday the Government announced that it wanted to buy 34,000,000 barrels of oil to be used this coming year.

"The Government wanted some oil delivered in New York City. On that the Standard Oil Co. of New York did not bid. The Standard Oil Co. of New Jersey offered oil to the Government in New York at 98 cents per barrel, plus 7 cents for delivery.

"In Boston it was the Standard Oil Co. of New York that offered oil to the Government at $1.73 per barrel.

"In Philadelphia the Atlantic Refining Co., a branch of the Standard Oil, bid $1.36½ per barrel, plus delivery charges.

"In Baltimore the Standard Oil Co. of New Jersey offered oil at 98 cents, and made the bid at Norfolk, Va.

"Don't get dizzy.

"The Standard Oil Co. of Louisiana offered the Government oil at 80 cents a barrel in New Orleans. And at Tampico, Mexico, the place whence all this oil comes, the Standard Oil offered to supply the Government at 44½ cents per barrel.

"The bids were made after taking from the oil by superior scientific process the gasoline and various by-products. From a barrel containing something over 40 gallons of oil are taken about 7 gallons of gasoline, which sells to the public at varying prices. In one State, where there is a fight on, it sells for 8 cents now; in New York it sells for 26 cents. In New York the company gets $1.82 for the gasoline in a barrel of oil, other sums for the other by-products, then sells the barrel of residue, which contains its full value, as ship fuel, and is safer, at the interesting prices quoted above.

"When you read that the Government buys oil in New York for 98 cents a barrel and pays in Philadelphia, where the freight from Tampico is cheaper, $1.36½ a barrel from the same company, it makes you realize how it happens that the Standard Oil stock is worth more after the trust was "busted up" by the Government lawsuit than it was before."

WHY PRICES FIXED BY STANDARD OIL.

The Standard Oil Co. of California produces 22 per cent of the entire output of the State, or two and one-half times as much as the next largest producer. With seven other corporations the Standard Oil produces over 70 per cent of the entire output. (Report of State Mineralogist of California, 1919.) But production is only the beginning. The producer is helpless without market, and the Standard Oil is the market. By virtue of its controlling position in regard to pipe lines, refineries, storage tanks, and tank steamers and by reason of the widespread character and great financial power of the organization of which it is a part, it sells to a wider market and can, if the directing forces desire, undersell any ambitious competitor. (The Standard Oil Co. of California has 1,000 miles of main-trunk pipe line, enormous storage facilities for oil, three immense refineries with a total capacity twice as great as any other company, and a large fleet of tank steamers. Its sales department has 358 substations, 152 service stations, and 1,123 motor vehicles.) For the past three years a policy of harmony with producers and other oil companies appears to have prevailed. Prior to 1916 the Union Oil Co. was an aggressive opponent and business was eagerly sought. Apparently the increasing demand for crude due to the European war led the leaders of both corporations to the opinion that more money could be made by harmony and higher prices. This move benefited the small producers; in fact, everybody except the general public. The entry of the United States into the war gave the opportunity for a complete welding of interests. The director of oil (Mr. Mark L. Requa), himself a California oil man, turned the direction of the California industry very largely over to the petroleum war-service committee (Mr. Bedford's statement, Oil Age for June), a voluntary body made up of representatives of the Standard Oil, Union Oil, General Petroleum, Associated Oil, and Shell Companies. Affairs under their guidance moved so very smoothly that with the close of the war the general arrangement is to be continued under an organization known as the American Petroleum Institute. (Mr. Requa's address to the National Petroleum Congress, in Petroleum Record, April, 1919.) All Government regulation ended May 15, 1919. Mr. Requa becomes vice president of the Sinclair Oil Co. The Pacific coast director, Mr. Folsom, resigned some months ago to become assistant to the president of the General Petroleum Co.

PRICES NOT GOVERNED BY SUPPLY AND DEMAND.

The reason constantly advanced by oil men for the enormous increase in price is that due to war conditions demand exceeds supply, and a graphic chart shows the declining stocks of California oil and corresponding increase in price. While the war continued the stocks of oil were heavily drawn upon and decreased rapidly, but the turn came last September, and ever since stocks above ground have been increasing rapidly. By April California stocks of crude oil exceeded those of April, 1918, by over 2,000,000 barrels. (Mining and Oil Bulletin, Los Angeles Chamber of Mines, June.) In May the stock was increased by over 800,000 barrels. For the United States as a whole it may be noted that stocks increased over 2,000,000 barrels in March and one and a half million in April.

PROFITS.

By whom obtained: The total capitalization of all (California) oil companies is $361,566,769. Dividends paid during the year amounted to 7.6 per cent on this entire amount.

"The capitalization of the smaller and purely producing companies is $161,425,494 and the 1918 dividend rate was 5 per cent. The added profits attending marketing and refining are therefore considerable." (Report of State Mineralogist of California, 1919.)

Producing oil companies	144
Marketing companies	11
Total	155
Dividends, 1918:	
Producing oil companies	$7,520,854
Marketing companies	19,984,138
Total	27,504,992

(Report State Mineralogist, 1919. Note that these figures are based on capitalization and dividends, not investment and profits. Of the amount shown as dividends for marketing companies, the Standard Oil Co. of California alone paid out approximately $12,500,000.)

PROFITS OF STANDARD OIL CO. OF CALIFORNIA.

The investment.

Without going back to the inception of the company, it is sufficient to say that after a 46 per cent dividend in 1909 the capital stock was, in 1912, increased from $25,000,000 to $50,000,000. In 1914 it was again increased to $100,000,000, the additional shares being paid for by two stock dividends, one of 50 per cent in 1916 and one of 33⅓ per cent on the then outstanding stock in 1917, the effect of these two stock dividends being to double the issued capital stock without cash investment on the part of the stockholders. On December 31, 1918, the company's surplus account was over $15,000,000, representing additional profits not distributed as dividends. In addition to the stock dividends, the company has regularly paid in quarterly installments a cash dividend amounting to 10 per cent per annum on outstanding stock, increasing in amount as the stock was increased by stock dividends. In 1918 and 1919 additional special 2½ per cent dividends had been declared, bringing the rates for these years to 12½ per cent per annum.

1918 REPORT (S. O. OF CAL.).

"The earnings for 1918, after deducting all operating and marketing expenses, were $44,276,521.82. From this there was written off for depreciation $3,895,757.69, for depletion $6,022,227.65, a total of $9,917,985.34. There was also deducted for estimated income and excess-profits tax $19,405,462.10, leaving a net profit carried to surplus of $14,953,037.38, or about 12.73 per cent of the capital and surplus as of December 31, 1918." (Annual statement to stockholders for 1918, S. O. Co. of Cal.)

Before analyzing this statement, compare it with the previous annual statements of profits and depreciation:

Profit.

1914	$12,771,398
1915	12,974,655
1916	21,263,520
1917	30,377,073
1918	44,276,521

Depreciation.

1914	2,713,060
1915	3,444,709
1916	3,658,216
1917	5,897,326
1918	9,917,985

DEPRECIATION AND DEPLETION.

Nineteen hundred and eighteen apparently was a bad year for these items. They amount to nearly double what they did for 1917 and nearly four times as much as in 1914. Based on the only depreciable assets of the trial balance, it appears that for a single year more than 11 per cent of the plant account and inventories other than petroleum products was charged off. At this rate refineries, steel ships, pipe lines, office buildings, lands, and all would be depreciated and depleted to nothing in less than 10 years. Possibly the higher rates of the excess and war-profits tax had something to do with charging off this $10,000,000.

CORPORATION TAX.

For 1918 the Standard Oil Co. of California estimated its tax at $19,500,000. What will they pay for 1919? Assuming that their business is the same as 1918 (and there is every prospect that it will be better), and allowing that the same liberal allowance is made for depletion and depreciation, the tax for 1919 will amount to approximately $8,000,000. In other words, the lower rates in 1919 as provided by the revenue act of 1918 will reduce the tax of the Standard Oil Co. of California $11,000,000 below that of last year.

SUMMARIZING.

The prices for 1919 remain at the highest level of 1918. The first half of the year indicates that the volume of business will equal or exceed 1918. (Petroleum Record, July, 1919.) The earnings shown by the half-year's statement of the Union Oil Co. of California show an increase of operating profits over 1918. (Referred to later.) The Standard Oil Co. of California made a profit of $44,000,000 for 1918. Aside from depletion and depreciation, the only deduction from this for 1919 will be an approximate tax of $8,000,000, leaving $36,000,000 clear profits for 1919. Allowing $6,000,000 for depletion and depreciation, there still remains a net return of $30,000,000 on a capital stock of

$100,000,000. But be it remembered that $50,000,000 of that capital is stock dividend declared since 1916, which is in addition to regular cash dividends averaging about 17 per cent on the $50,000,000 capital of 1916. So that if 1919 net profits are honestly computed they will, after all deductions, exceed 60 per cent on the investment.

The Union Oil Co. of California is the second largest oil company in the State. It has an outstanding capital stock of $43,571,500, and has paid a total of $43,889,183.50 in dividends. It pays at present 10 per cent per annum. Its surplus and operating reserve approximates $22,800,000.

The report of its directors, July 1, 1919, gives an opportunity for comparison with 1918 operation. It shows:

Profit:	
Six months, 1918	$6,450,000
Six months, 1919	7,900,000
Increase	1,450,000

This is an increase for 1919 of 22 per cent.

STOCK-MARKET PROFITS.

The following is a quotation from the Petroleum Record for June:

"Amalgamated Oil sold on the Los Angeles Exchange on January 2, 1918, for $45 per share; on January 2, 1919, for $59 per share; and on May 14, 1919, the day this was written, for $75 per share. Associated Oil quotations for the corresponding dates show $57, $70, and $89.37½, respectively. General Petroleum shows $86.25, $133, and $166. Union Oil for the same three dates is quoted $115.50, $119.50, and $144.

"Stocks bought on the opening day of 1918 and held until May 14, 1919, would have yielded the investor the following profit per share: Amalgamated, $33; Associated, $36.25; General Petroleum, $79.75; Union, $28.50."

The Standard Oil of California is not listed on any exchange. (Quotations on the New York curb for Standard Oil Co. of California indicate a value of $285 per share; in other words, that in spite of stock dividends, the earning power of the shares is believed by the owners to be worth nearly three times the par value. July 25, $316.)

CONCLUSION.

BLIGHTING EFFECT.

The high price of fuel oil affects all classes of the public. It is a basic commodity. As an illustration, a large area adjacent to Puget Sound is water locked. Tens of thousands of people are dependent upon boat transportation. Fuel oil is by far the largest single item of operating cost of a steam vessel. By reason of its excessive price rates have been raised and service has been cut down. For water-locked communities nothing has a more blighting effect than deterioration of boat service. The marketing of their produce, their intercourse with the world, their very existence, is dependent upon the maintenance of service. Some routes are being abandoned; all are seriously affected.

Other illustrations: The United States is being called upon to meet railroad deficits. A considerable part of the deficits of the western railroads is caused by the exorbitant price of oil. Congress appropriates funds for the Navy. Part of these funds go to pay the enormous profits of the Standard Oil Co. of California and the other oil monopolists.

Wherever fuel is used, whether in transportation, manufacturing, or heating, it is a basic element in the cost of production, and is ultimately paid by the public.

THE REMEDY.

An investigation should be ordered by Congress into the price of fuel oil on the Pacific coast. In the opinion of the writer, the prevailing price should be cut in two. A price of 80 cents a barrel at Los Angeles would save the Pacific coast consumers (Government and private) more than $50,000,000 a year. True, it would lop eighteen or twenty million dollars off the annual profits of the Standard Oil Co. of California, but there would still remain some $25,000,000 of profits to this company, which would permit an ample allowance for depreciation and income tax and leave a handsome return on the investment.

Respectfully submitted.

PHILIP D. MACBRIDE.

The VICE PRESIDENT. Is there any objection to the present consideration of the resolution?

Mr. THOMAS. I think the resolution had better go over until to-morrow.

The VICE PRESIDENT. The resolution will go over under the rule and be printed.

Mr. POINDEXTER. Mr. President, I should like to say just a word in connection with this resolution which goes over until to-morrow.

In 1915 the price of crude oil at the well on the Pacific coast was about 40 cents. The price of fuel oil at Los Angeles was 60 cents. To-day the base price of crude oil has soared to $1.23, and fuel oil at Los Angeles brings $1.60—a threefold increase in four years—and I am informed that instead of there being any prospect of a reduction of prices the best information obtainable is that there will be further increases of prices.

The manner in which this affects the people of the Pacific coast—particularly the Pacific coast, because the prices there are so very much higher than they are in any other part of the country—is illustrated by even a superficial consideration of the uses to which the people of the Pacific coast, on account of the great amount of petroleum which is produced on that coast, have come to make of fuel oil in the conduct of their industries.

In the first place, of course, it affects water transportation. A very large part of the population of the State of Washington is absolutely dependent upon water transportation. They have no means of travel, no means of shipment of supplies, except by water. They are water locked. They depend upon a great number of small boat lines which operate on Puget Sound and other waterways of the western part of the State. Nearly all of the boats engaged in water transportation on those lines use oil for fuel, and a doubling and trebling of the price of oil has so affected these lines that they have been compelled in many instances, on account of the losses which have ensued, to suspend operation of a part of their boats, with the result that transportation is interfered with and in some places cut off.

Fuel oil is also used by bakeries and by a great many factories; it is used in hospitals, and the hotels are heated by it; and the facilities of the hospitals and bakeries and hotels, as well as of the boats, are so arranged that they can not substitute coal or any other fuel for fuel oil.

Now, Mr. President, just one other word.

It is usually said that the extraordinary increase in the price of fuel oil on the Pacific coast is due to the war; that it is due to the operation of the law of supply and demand; that the supply of fuel oil is menaced by reason of the extraordinary consumption of the war; that the demand has increased, and consequently that prices go up.

The answer to that is that the war has been over now for eight months; that the stocks of oil that were accumulated for war purposes are still on hand to a large extent; that the consumption of it has decreased; and that in the application of the law of supply and demand the prices to the consumer should go down. But instead of that they continue to go up. The prices which consumers are required to pay for fuel oil, instead of being lower than they were at the date of the armistice, are higher. It is an anomalous situation. It is one which affects the most fundamental and vital conditions of industry and of life itself in a great section of the country.

The statement which I have asked to be printed in the RECORD, carefully prepared and quite comprehensive and covering the different phases of this subject, also points out the enormous difference in the price of fuel oil on the Pacific coast and the price on the Atlantic coast, although the State of California produces approximately 100,000,000 of the 360,000,000 barrels annual production of petroleum in the United States.

Mr. CUMMINS. Mr. President——

Mr. POINDEXTER. I yield to the Senator from Iowa.

Mr. CUMMINS. Is it not true that the railroads in the western part of the country very largely use fuel oil in the movement of their trains?

Mr. POINDEXTER. Yes; that is true. I had the pleasure in the latter part of April last of riding on a locomotive across the Siskiyou Mountains, in northern California, going over the border line between the States of Oregon and California in a double-header train, and had occasion to see the actual use of fuel oil in the engines. I learned, in talking with the engineer, that practically all of the engines of that road are now equipped for the use of fuel oil, and, of course, without radical changes, they are not available for the use of any other fuel.

Mr. CUMMINS. I know, as a result of inquiry or examination, that a very large, and, as I think, unnecessary, expense is being entailed upon the railroads of the country every day on account of the extraordinary and indefensible price of oil in California. I hope the investigation proposed by the Senator from Washington will be made as rapidly as possible, because sooner or later we must find some remedy for the extraordinary situation now confronting us.

Mr. THOMAS. Mr. President——

Mr. POINDEXTER. I yield to the Senator from Colorado.

Mr. THOMAS. I have no objection whatever to the adoption of this resolution, except that as it is phrased it would seem to

require the duplication of an inquiry which, I understand, has not yet been completed in regard to the conditions in the Middle West; and, of course, the Senator does not want that any more than I do. I am perfectly willing that the resolution shall be taken up this morning if it can be so phrased as to prevent this duplication of work, for which there can be, I think, no necessity.

Mr. POINDEXTER. Is the inquiry in regard to conditions in the Middle West to which the Senator refers being conducted by the Federal Trade Commission?

Mr. THOMAS. Yes.

Mr. POINDEXTER. I assume, Mr. President, that, as a matter of fact and as a matter of necessity, almost, that being the same body to which this matter is referred, they will not duplicate their work. I scarcely see how they could. If they have obtained information in the investigation to which the Senator from Colorado refers, they will use that, in so far as it is applicable, in making their report on this subject.

Mr. THOMAS. That is possible; but it would also have the effect of postponing a report on that situation, for which a number of us are waiting.

Mr. POINDEXTER. I would not want it to have that effect, and I do not think it necessarily would have that effect.

Mr. THOMAS. I do not know that it would; but I merely wanted the Senator to understand that my objection was not based upon the merits of his resolution but was merely for the purpose of ascertaining that fact in the interim.

Mr. POINDEXTER. I am very glad to know that.

Just one word further, Mr. President: This information which has been submitted to me contains the statement that while the war continued the stocks of oil were heavily drawn upon and decreased rapidly; but the turn came last September, and ever since stocks above ground have been increasing rapidly. In April California stocks of crude oil exceeded those of April, 1918, by over 2,000,000 barrels. In May stocks were increased by over 800,000 barrels. For the United States as a whole it may be noted that stocks increased over 2,000,000 barrels in March and 1,500,000 barrels in April. This condition of affairs, it seems to me, unanswerably demonstrates that there is no reason in the supposed law of supply and demand for the continued increase of the already exorbitant prices charged for this necessary product.

Mr. PHELAN. Mr. President, I should like to ask the Senator if he has investigated the activities of foreign Governments in acquiring through various agencies the oil of the world, and whether he thinks on that account there may possibly be a disposition on the part of the American oil companies to protect themselves in advance by raising the price?

I do not for a moment desire to intimate that the excess cost of oil, as explained by the Senator, should be tolerated if there is any way to avoid it, either by representations made through the Trade Commission or by legislation, because oil has come to mean the industrial life of the country; and it is the difference between success and failure in enterprise and between success and failure of the merchant marine and of the Navy itself—the control of oil by one nationality or another.

As I understand the resolution will come up to-morrow for discussion, I shall be glad to submit some information at that time. In the meantime, I desire to say that I sympathize with the Senator in his desire to regulate the price, notwithstanding that oil is, par excellence, a California product. I should like now to put in the RECORD a statement published in the New York World of last Saturday, showing the extraordinary profits of the Standard Oil Co. of New Jersey—information given to the country for the first time by its application last week to list on the New York Stock Exchange its securities, which theretofore had been dealt in only on the curb, for the very purpose, it is explained, of concealing information concerning the profits and business of the company. It seems that the Standard Oil Co. is now giving publicity to its affairs, which reveals to us for the first time in authentic form the extraordinary profits of that corporation.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

NEW JERSEY STANDARD OIL PUTS $100,000,000 STOCK ON MARKET—ISSUE OF PREFERRED SHARES FIRST EVER TO BE ISSUED AND FIRST TO BE LISTED FOR TRADING ON THE STOCK EXCHANGE—PUBLISHED BALANCE SHEET ALSO BREAKS PRECEDENT—SHOWS EARNINGS FOR SEVEN YEARS $454,589,139 AND DIVIDENDS OF $177,008,940—ASSETS AND RESERVES NOW EXCEED BILLION.

"The Standard Oil Co. of New Jersey yesterday issued an announcement which surprised Wall Street by smashing Standard Oil tradition in these three respects:

"1. It made known the issue of $100,000,000 of 7 per cent preferred stock to carry on the 'development campaign' launched by the company after the armistice was signed. This is the first public offering ever made by any Standard Oil Co.

"2. The new securities will be listed on the Stock Exchange, becoming the first Standard Oil stock to be listed there. Hitherto Standard Oil stock has been traded on the curb in order to keep the earnings secret.

"3. The new policy of publicity was adopted and a complete balance sheet and statement of earnings and dividends for the seven years between 1912 and 1918, inclusive, which had been sent to shareholders, was made public. It was the first statement of its kind ever offered to the public by any Standard Oil Co., and it was the first of its kind that even shareholders had ever seen.

ASSETS AND RESERVE EXCEED BILLION.

"Figures were given to the public in a statement by A. C. Bedford, chairman of the board of the Standard Oil Co. of New Jersey, which is the most powerful of the 33 companies of the old trust.

"Mr. Bedford's statement contained a consolidated balance sheet as of December 31, 1918, showing total assets of $691,316,969. The balance sheet shows assets of net value of $562,543,025. Nominal liabilities were shown as follows: Capital stock, $98,338,300; reserve for annuities, $492,315; surplus, including reserve for working capital, $463,712,409.

"Earnings, Federal taxes, and dividends since the Standard Oil dissolution suits were also given. The total earnings for seven years 1912–1918 were $454,589,139.89; the Federal taxes paid and accrued, $72,712,720.05; the earnings after deducting these taxes, $381,876,419.84; the dividends, $177,008,940.

"The company's new campaign plans to push its products to the uttermost quarters of the world. There is a world-wide demand for petroleum and its products for fuel purposes, as well as for use in internal-combustion engines, which have reached a great stage of development in all civilized countries. The supply is scarcely sufficient, notwithstanding the great development of the Wyoming and Caddo fields and the recent discovery of rich oil-producing lands in Texas. Standard Oil proposes to carry the American product to every land where oil has become a necessity.

"Mr. Bedford's statement gave the reasons for and purposes of the new issue as follows:

"'The policy of the company has been to finance its growth from current earnings, but in view of conditions now existing and having regard to the present necessity of the diversion of a considerable proportion of these earnings to excess-profits and other war taxes, your directors feel that it is advisable to increase the capital employed in its business by the amount of the proposed issue of preferred stock.

"'It is the intention to utilize this new capital in the financing of the further development of the company's equipment and resources, which plans are already under way. These include measures for insuring the continuity of a substantial proportion of this company's future supply of crude oil, as well as maintaining a cash reserve against contingencies, the active prosecution of the company's program of enlarging its refining facilities, the expansion of its transportation systems, and the extension of its distributing plants.'

ASSETS MULTIPLY, CAPITAL FIXED.

"A statement from the company describing the new capitalization plan was issued yesterday, as follows:

"'While it has been known that the assets of the parent of all the Standard Oil organizations have been steadily multiplying through the reinvestment annually of surplus earnings, the capital has remained at a more or less nominal and arbitrary figure at which it was left when the Supreme Court issued its dissolution decree. This amount was $98,338,300, which is all in common stock. During the life of the company there has been no further capitalization of assets, but their growth and present value is generally understood to be fairly accurately measured by the price of $740, which is the present market for the shares.

"'The issue of $100,000,000 just announced is in the form of a 7 per cent preferred cumulative nonvoting security. As this stock is being offered to shareholders at par, it is doubtful if much of the stock will escape from the 8,000 existing shareholders of the New Jersey corporation.

SECURED BY $562,000,000.

"'The balance sheet issued in connection with the notice to the shareholders—the first exhibit of the kind that they have ever seen—shows that although the company's assets are entered at cost, less depreciation, that is, below the price at which they were constructed or acquired many years ago and not at present-day values, they amount to $562,000,000, upon which the

$100,000,000 of preferred stock which the holders of the common will receive at par is a first charge.

"'A statement of net earnings and taxes by years since the Standard Oil dissolution suit shows that, with the exception of the special distribution in 1913 of $40 per share made from repayments by former subsidiaries of cash which had previously been advanced by the parent company, the dividends paid during the years 1913 to 1918, inclusive, have been uniform, the surplus earnings having been reinvested and employed in the business.

"'The last published balance sheet of the Standard Oil Co. (New Jersey) appeared at the time of the Government suit, and showed net assets as of December 31, 1906, including the 33 companies afterwards distributed, of $359,400,193.31. The balance sheet for December 31, 1918, issued in connection with the current financing, shows net assets of $562,543,025.81. This is interesting in that it indicates the growth of the company and that the assets of to-day are over $200,000,000, or nearly 60 per cent in excess of those shown in 1906, prior to the distribution.

"'The present issue has been underwritten by J. P. Morgan & Co.'

STANDARD OIL NET EARNINGS $381,876,419 IN SEVEN YEARS.

"The following statement, issued yesterday by the Standard Oil Co. of New Jersey, shows earnings and dividends for the years 1912–1918, inclusive, with income and war taxes deducted from the earnings of the year on which they were calculated:

Year.	Earnings before deducting Federal taxes.	Federal taxes paid and accrued.	Earnings after deducting Federal taxes.	Dividends paid.
1912	$35,397,717.37	$289,830.33	$35,107,887.04	$19,667,660.00
1913	46,168,955.06	477,085.57	45,691,869.49	[1] 59,002,980.00
1914	31,798,849.62	341,215.45	31,457,634.17	19,667,660.00
1915	61,396,922.73	619,679.39	60,777,243.34	19,667,660.00
1916	72,426,692.36	1,634,633.19	70,792,059.17	19,667,660.00
1917	105,785,858.91	25,019,916.97	80,765,941.94	19,667,660.00
1918	101,614,143.84	[2] 44,330,359.15	57,283,784.69	19,667,660.00

[1] Under "Dividends paid" for the year 1913 there is included the distribution of $40 per share made from repayments by former subsidiaries of cash which had previously been advanced by this company.
[2] 1918 taxes subject to adjustment.

"By adding the year-by-year earnings given out in the above table the World finds that the total earnings for the seven years covered by the statement were $454,589,139.89.

"The Federal taxes, paid and accrued, for the seven years were $72,712,720.05.

"The earnings for the seven years, after deducting Federal taxes, were $381,876,419.84.

"The dividends paid in the seven years amounted to $177,008,940."

Mr. POINDEXTER. Mr. President, the statement which I have already submitted to the Senate contains detailed information of the profits of the companies engaged in the production and distribution and marketing of petroleum and its products on the Pacific coast, and bears out the statement which the Senator from California has just made. In that connection I may say that these profits amount to nearly double what they did for 1917, nearly four times as much as in 1914, and that if they are continued in 1919 at the same proportion and ratio indicated by that portion of the year which is already past they will amount to in the neighborhood of 60 per cent upon the investment of these companies.

Most interesting and enlightening data is given as to the very large dividends paid upon capital stock by these companies, and then very large dividends distributed among the stockholders under the name of cash dividends; then in addition to that the doubling and the quadrupling of the capital stock of the company, without any additional investment, by stock dividends among the stockholders; all of which is shown here and it is I think reliably stated after a very careful investigation. In fact, this report which I have submitted is a very complete report in itself.

The chief benefit it seems to me of obtaining action upon the resolution which I have introduced would be the official confirmation of these facts which I am satisfied exist, and which are fully set out in this statement, to get verification for them. There is sufficient information here. I have no doubt that it is reliable, but the country and the Congress would feel much more sure of their ground in any proceedings they may care to take in this matter if the data is verified and officially confirmed. That is the purpose and object of the resolution.

The VICE PRESIDENT. The resolution goes over under objection.

HOUSE RECESS.

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives, which was read:

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on Saturday, the 2d day of August, it stand adjourned until 12 o'clock meridian, Tuesday, the 9th day of September.

Mr. CURTIS. I move that the Senate concur in the resolution of the House.

The resolution was concurred in.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Claims:

H. R. 687. An act for the relief of Frank Pinkley;

H. R. 753. An act for the relief of Susie Currier;

H. R. 2452. An act for the relief of Charles A. Carey; and

H. R. 3844. An act for the relief of Della James.

The following bills were severally read twice by their titles and referred to the Committee on Commerce:

H. R. 5228. An act granting the consent of the Congress to the city of Minneapolis, a municipal corporation, to construct, maintain, and operate a bridge across the Mississippi River;

H. R. 5648. An act for the construction of a bridge across the Rainy River between Spooner, Minn., and Rainy River, Province of Ontario, Canada;

H. R. 6222. An act to remove a certain tract of land in Cristobal, Canal Zone, from the operation and effect of the Executive order of the President of December 5, 1912, pursuant to the act of Congress of August 24, 1912 (37 Stats., ch. 390, p. 565);

H. R. 6342. An act to authorize the construction of a bridge across the Pend Oreille River at the town of Usk, in the State of Washington;

H. R. 6434. An act authorizing the construction of a bridge and approaches thereto across Red River, about 2 miles above its confluence with the Washita River, near Preston, Grayson County, Tex.;

H. R. 6438. An act authorizing the counties of Aiken, S. C., and Richmond, Ga., to construct a bridge across the Savannah River at or near Augusta, Ga.;

H. R. 6450. An act to amend an act entitled "An act to amend an act entitled 'An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department,' approved September 2, 1914,' as amended";

H. R. 6692. An act to extend the time for the construction of a bridge across the White River at or near Forsyth, Mo.; and

H. R. 6805. An act to authorize the county of Dougherty, State of Georgia, to construct a bridge across the Flint River, connecting Broad Street, in the city of Albany, said State and county, with the Isabella Road, said county and State.

The following bills were each read twice by their titles and referred to the Committee on Pensions:

H. R. 7775. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and

H. R. 7657. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

THE CALENDAR.

The VICE PRESIDENT. The morning business is closed.

Mr. WALSH of Montana obtained the floor.

Mr. PITTMAN. I ask unanimous consent that the Senator from Montana be permitted to continue his speech until its conclusion and that we then proceed under Rule VIII with the calendar.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

ARTICLE 10 OF THE LEAGUE OF NATIONS.

Mr. WALSH of Montana. Mr. President, I shall not take it amiss at all to be interrupted at any time during the course of my remarks by any Senator who desires to have further information concerning my views upon any feature of the question considered or who may care to test the argument by applying it to a given state of facts. I shall expect, however, a return of the courtesy to this extent, that no effort be made to inject the speech of another Senator into the midst of my own.

ARTICLE 10.

Article 10 of the covenant for a league of nations, being the introductory chapter of the treaty of peace signed at Versailles, June 28, continues to draw a large share of the criticism to which the proposal for such a league is being sub-

jected. Following promptly upon the publication of the original draft in the month of February last, the feature adverted to was made the subject of a most vehement philippic by the senior Senator from Iowa, who insisted, assuming the success of the plan proposed to preserve peace, that the world was to be "put in a strait-jacket," and the political existence and territorial boundaries and possessions of the nations now dividing the earth among themselves confirmed forever, a project as monstrous as it is chimerical. Lest it be thought by any that his position was misunderstood or misconstrued, the following terse sentences are quoted from his address:

We agree absolutely, positively, unreservedly to preserve the territorial independence and the political independence of all the nations parties to the league and for all time to come.

We are solemnly asked to guarantee that the boundaries of nations, as they now exist or as they will exist when the peace conference has redrawn the map of Europe, Asia, Africa, and Oceanica, shall remain without change forever.

The same idea was expressed, perhaps less directly but not less clearly, by the junior Senator from Pennsylvania in his speech of June 17, 1919, supporting his resolution looking to a separation, for the purpose of consideration, of Chapter 1 of the treaty from the remainder thereof, in which he said:

I ask simply that we be given a breathing pause after we finish our battles before we obligate ourselves to maintain for all time the territorial status quo which is to be set up by this treaty.

Before proceeding further it will be well to have in mind just what the nations of the earth are asked to subscribe to in this much-discussed article of the covenant. It reads as follows:

The members of the league undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league. In case of any such aggression, or in case of any threat or danger of such aggression, the council shall advise upon the means by which this obligation shall be fulfilled.

I repeat what has been asserted over and over, and admitted by silence in the face of the assertion, that it is only as against "external aggression" that any member binds itself to preserve "the territorial integrity and existing political independence" of any other. There is no mistaking the meaning of the words "external aggression" as used in the article quoted. Beyond cavil and beyond controversy their use limits our obligation to the case of war by one nation against another, to a war waged or threatened from outside the bounds of the nation imperiled, as distinguished from an internal uprising or insurrection of the citizens or subjects of the nation against which the warlike movement is directed.

It was clearly intended by the language used to preserve the sacred right of revolution asserted in the Declaration of Independence, and no attempt has been made by anyone, upon analysis to assign any other significance to it. Indeed, neither of the two eminent Senators mentioned has ventured to call the attention of his colleagues or the country to the qualifying expression "external aggression" in the article they so fiercely denounce or to harmonize its use with the import they assign to the article. I find it difficult to understand this silence on their part. It would seem as though one occupying the position of either, who for the enlightenment of his countrymen on a matter of such transcendent importance to them assumes to act as the expositor of this great covenant, would either offer some explanation accounting for the use of the language in question consistent with the interpretation he gives to the Article, or would hasten to assure them that he had spoken unreflectingly and receded from the position he had taken in reference to it.

It is a perfectly gratuitous assumption that the political map of the world can never undergo any change unless nations are permitted to wage aggressive warfare against each other. All South and Central America revolted and the several independent Governments thereof established themselves within the territory forming part of the vast domain of Spain, except in the case of Brazil, which asserted and maintained its independence against Portugal, of whose territory it formed a part. Were the league in existence when these great changes were occurring, neither Spain nor Portugal could have called upon any other nation signatory to the treaty for aid in keeping her colonies in subjection. Article 10 would have offered no obstacle whatever to the transformation had the league been operating when the events transpired in consequence of which a whole continent and more was changed from colonial dependencies to independent Republics.

Florida passed, by peaceful purchase, from the dominion of Spain to become an integral part of the United States. Louisiana, out of which have been carved ten great States of the Union, was not acquired by conquest, but by purchase. Alaska, once a part of the great Russian Empire, became United States territory in like manner. A portion of Arizona was purchased of Mexico; the Danish West Indian Islands only recently became a part of our possessions by purchase; and the Canal Zone was transferred to us by the Republic of Panama upon various considerations, including our guaranty to preserve its independence and territorial integrity as against all external aggression. The Sandwich Islands were annexed on the solicitation of the people thereof, at least that portion which controlled its Government. The German Empire was constituted by the voluntary act of the various Kingdoms and principalities that fell under the domination of Bismarck and his royal master through the events leading up to and culminating in the Franco-Prussian War. After centuries of vain effort by England to subjugate Scotland, the two countries coalesced through the act of union of the Scottish Parliament in 1607, James then being the sovereign of both Kingdoms. Sweden and Norway, becoming united through the Napoleonic wars, peaceably separated in 1905. The colonial possessions of European countries in various parts of the world were acquired largely through discovery and colonization, not by conquest.

It is conceded, of course, that changes in territorial bounds or the obliteration of nations through foreign aggression, if the league shall prove a success, can not occur. The very purpose of entering into it is to prevent any nation from robbing its neighbor. But changes will continue to be wrought, as they have been in the past, by peaceful negotiation between independent nations as well as by internal commotion or revolution, both in the form of the government and in the jurisdiction over which any particular nation exercises its sway. Siberia may separate itself from Russia and proclaim and maintain its independence; Ireland or Egypt may revolt and a new republic arise administered from the banks of the Liffey or the Nile. Article 10 constitutes no obstacle, nor would any nation by reason of any obligation incurred by virtue of it be required to lend any aid whatever to Russia in the one case or to Great Britain in the other. It is against external aggression only that our country is asked to bind itself to extend aid. The covenant in that respect is to all intents and purposes like the special treaty into which we are asked to enter with France, by which we promise to go to her aid should Germany make war upon her, only the French treaty specifically mentions certain acts preparatory or threatening in character upon the part of Germany upon the occurrence of which our active assistance may be called for.

It is in preserving the right of revolution that the covenant is distinguished from the Holy Alliance of which so much has been heard in this debate. Whatever may have been its pious phrases or whatever professions of altruistic purposes may have been voiced by it, the world knows now, as indeed it knew at the time the convention was entered into, that the real object of those whose work it was was to preserve the monarchic institutions and despotic rule that characterized the time against the rising tide of democracy, swelled by the success of our revolution, and suppressed but not subdued by the collapse of the effort to establish a republic in France.

But it is asserted, though Article 10 does not obligate one member to aid another in suppressing an insurrection of its own citizens or subjects, yet should a revolution among such be set on foot and another country should come to the aid of the revolutionists and with them make war upon the nation thus assailed, it would be the duty of all other members of the league to join it in repelling the aggressor, thus uniting its forces with the rebellious nationals of the imperiled State, and in this connection it is asserted that were such a convention in force when the American colonies of Great Britain revolted we should never have gained our independence.

It might be said in this connection that the twentieth century is not the eighteenth. A scheme to preserve the peace of the world built upon the important fact that the great nations of the earth are self-governing democracies obviously would not fit in with conditions as they existed when the stupid and obstinate George III and his ministers, kindred spirits, drove the people of the Colonies into rebellion.

If present-day notions prevalent in England of government in her colonies beyond the seas were dominant in the eighteenth century, there probably never would have been any American Revolution. But I deny that but for the aid of France we should never have achieved independence. It was in the year before our alliance with that country that Chatham said in the House of Lords:

I know that the conquest of English America is an impossibility. You can not—I venture to say it—you can not conquer America. You may swell every expense and every effort still more extravagantly; pile and accumulate every assistance you can buy or borrow; traffic and

barter with every pitiful German prince that sells and sends his subjects to the shambles of a foreign prince; your efforts are forever vain and impotent.

And two years before, in another speech before that august body, he adopted the language of a friend familiar with America, who said to him that—

You might destroy their towns and cut them off, perhaps, from the superfluities, perhaps the conveniences, of life; but that they were prepared to despise your power and would not lament their loss while they have their woods and their liberty.

Lecky, the historian of England in the eighteenth century, says:

To any statesman who looked upon the question without passion and without illusion it must have appeared evident that if the English Colonies resolved to sever themselves from the British Empire it would be impossible to prevent them.

Incidentally it may be remarked that under the league of nations it would have been impossible for England to have employed mercenary Hessians to reduce the colonies, 30,000 of whom were sent here. It is not improbable that but for their aid the war would have been over before the alliance with France was negotiated. This desperate resort of the King and his ministers was resolved upon only because there was a complete absence of alacrity and enthusiasm in England in enlisting for the war, and an offer to take Irish Catholics, until now excluded, into the army yielded nothing. Moreover, we must not deceive ourselves into the belief that France was actuated by an exalted sentiment of sympathy with our oppressed people engaged in a noble and arduous struggle for liberty. In the announcement to the commissioners of the King's determination to recognize the new State, it was expressly declared that the French Government entered into the new relation with the infant Republic from no purely disinterested motives in favor of the Americans, but on the ground that it was manifestly to the interest of France that the power of England be diminished by the separation of the colonies. It will be remembered that it was only 15 years before that the great territorial possessions of France in the New World were wrested from her by Great Britain and the colonies of the former in hither India passed in like manner to her rival.

I have no disposition to minimize the invaluable aid we had from France in the War for Independence nor to abate one jot or tittle from the just claim she has upon our gratitude because of it. Undoubtedly the successful termination of the struggle was hastened by her participation in it. The comments indulged in concerning her joining us in that war were made, first, to indicate how difficult it is to conceive of a league of nations in operation in the world of that day, ruled, as it was, not by self-governing democracies, but by intriguing monarchs exercising autocratic power and dominated by the idea of conquest, and, second, to emphasize the fact that the history of the world affords few examples of a nation, from wholly disinterested motives, from a genuine sympathy with the oppressed and in a holy love of liberty, coming to the aid of revolutionists striving to establish their independence.

The intervention of the United States in behalf of the Cuban insurrectos was proclaimed by our orators at the time as being unique in that regard, and yet we came out of it with Porto Rico and the Philippines to balance the cost of the war, and Cuba, which it was long feared might some time become a base of military operations against our country, bearing such a relation to us as to remove largely that peril. On the other hand, ambitious monarchs with imperialistic aims have often excused their invasion of the territory of friendly neighbors upon the pretext that they came to assist rebellious subjects struggling against oppression to regain their ancient rights and liberties. History is so replete with the story of wars thus precipitated as to make it unnecessary to particularize. In many instances the uprising was fomented from abroad in order to afford an excuse for intervention that culminated in conquest.

It can not be denied that theoretically Article 10 may prove an obstacle to the establishment of the independence of subject people by denying to them the cooperation of sympathetic nations. Admonished by the lessons of history, the obstacle must be regarded as negligible. I am disposed to accord those opponents of the league of nations who assail the covenant on that ground, every just credit to which they may be entitled for devotion to the cause of liberty the world over, and I entertain no doubt that in most instances it is a genuine and deep-seated sentiment. It is a trait of the American character in which we all share, though some parade it less than others. But it is worthy of remark that those who most stoutly assail this feature of the covenant avow with equal vehemence and insistence that we must "keep out of the quarrels of Europe." In one and the same breath they assert, in effect, that if Ireland should rise in revolt against the tyranny of Great Britain we would violate the most sacred precepts of the fathers by participating in the strife, even in aid of the Irish; yet they declaim against Article 10 because by it we agree not to do so. They assert that if Germany should undertake 10 years hence, or 6 months hence, for that matter, to reduce Poland, or if Prussia, Russia, and Austria should arrange a new partition of the young republic and proceed to execute it by force of arms, we violate Washington's sage counsel by intervening with other members of the league to prevent it, yet they profess themselves the only true friends of struggling freemen.

The senior Senator from Idaho enjoys the good fortune of being regarded as the champion of Irish independence, and yet at every opportunity he protests, as he did no later than Friday last, that the United States should never under any circumstances interpose in any European controversy—that is, as he expressed it, should "stay out of European affairs."

It is not difficult to discern in the discussions in relation to Article 10 a studied effort, usually insidious, but not infrequently direct, to arouse the prejudices of our citizens of Irish birth or descent against the league. "Take the case of Ireland purely for the purpose of illustration," say these shrewd disputants. "Suppose Ireland were to rise in rebellion and some other country were to come to her aid, and with her jointly make war upon England, would not the United States then be obliged to go to the aid of the British Empire?"

Before entering upon the line of thought opened up by this inquiry, propounded, in substance, recently by the junior Senator from Washington, whose opposition to the league is, like that of the Senator from Idaho, fundamental and irreconcilable, I indulge in some reflections concerning the sentiments of the people of the United States toward the people of Ireland in their efforts, extending through the centuries, to relieve themselves of an offensive alien government. In this connection I venture to assert, with the very highest respect and even affection for the two Members who uttered them, that there is little concurrence in the hearts of the American people in the strictures lately uttered on this floor on the action of the Senate in expressing sympathy with the aspirations of the Irish for a government of their own choice. I do not agree that there was either impertinence or impropriety in the expression, for reasons to which I shall advert. It will be profitable to both this country and Great Britain, in their relations to each other, if the latter can be made to understand how deep-seated on this continent is the hope feebly expressed in the resolution. It is a disservice to her as well as to the United States to encourage the belief that the resolution reflects only the sentiments of a fraction of the American people, or that it is confined to those of Irish birth or blood, or the irreconcilables among them, or that the resolution represents only a competition among contending political parties for the "Irish vote" and has no other significance.

The sympathy of the people of this country, as stated, goes out spontaneously to every submerged nationality aspiring to an independent life. But there are abundant reasons why that sympathy is particularly keen in the case of the Irish. It is not alone that there are in this country at least 20,000,000 of Irish birth or Irish ancestry, whose desire as American citizens to preserve peace between the United States and the British Empire is forever at war with the feeling engendered by the story of the impartial historian of British misrule in Ireland and barbarous oppression of the Irish. The feeling of kinship dates back to the days of our own struggle for independence. The very fight that was being waged here culminating in the break was at the time in progress in Ireland. It had its parliament as each of the American Colonies had its legislature or assembly. British statesmen asserted the right of the Parliament of Great Britain to tax Ireland and generally to regulate its affairs exactly as they contended it had the right to impose whatever burdens it thought fit upon the American Colonies. The right thus asserted had been exercised so freely and harshly as to be grievously repressive of Irish industry and to drive the so-called Scotch-Irish in great numbers to America, while the penal laws, which Montesquieu declared "could have been made only by devils and should be registered only in hell," caused their Catholic brethren to seek the same asylum. Swift, Flood, and Grattan had successively led Irish opinion in protest against the same usurpations with reference to Ireland of which the American patriots complained. Franklin visited Dublin on the eve of the outbreak, before independence was seriously contemplated, to confer with Irish leaders over common wrongs. The Continental Congress, assembled speedily after the engagement at Lexington, on July 28, 1775, adopted an address to the people of Ireland in justification of the course of the Colonies, in which their official representatives said:

Accept our most grateful acknowledgments for the friendly disposition you have always shown toward us. We know that you are not without your grievances. We sympathize with you in your distress * * *

and we acknowledge, with pleasure and gratitude, that your nation has produced patriots, who have nobly distinguished themselves in the cause of humanity and America.

The struggle against the pretensions of the British Parliament to "legislate in all cases whatsoever" throughout the Empire went on contemporaneously in Ireland and in America, each being mutually helpful to the other. Beset by enemies at home and abroad, Spain having recently become a participant in the war, the English Parliament, by an act passed in 1782, recognized, in effect, Grattan's contention "that his most excellent majesty, by and with the advice and consent of the lords and commons of Ireland, are the only power competent to enact laws to bind Ireland." The negotiations for peace with America were even then pending, and Greene says that—

The grant of independence to the one great dependency [Ireland] made it easier to recognize the freedom of the other [America].

The substantial independence of Ireland thus gained was of short duration, however. In the year 1800, during the ministry of the younger Pitt, the Irish Parliament, in which, it may be remarked, no Roman Catholic was eligible to membership or permitted to sit, upon the solicitation of the British ministry passed the so-called Act of Union, by which it ceased to exist and the power to legislate for Ireland was transferred to the Parliament sitting in London. The historian last referred to—a standard English writer, bear in mind—tells us that the assent of the perfidious Irish representatives was "bought with a million in money and with a liberal distribution of pensions and peerages," and he adds that "base and shameless as were such means, Pitt may fairly plead that they were the only means by which the bill for the union could have been passed." From that day to this the agitation has gone on to undo the work thus consummated. O'Connell, whose transcendent genius Wendell Phillips disclosed to America, devoted his life to the repeal of the Act of Union. Twenty years after his death the movement, now come to be known as the cause of Home Rule, came under the direction of Isaac Butt, and then of Parnell and his successors. In 1885 Gladstone forfeited the premiership on the defeat in the Commons of his first home-rule bill. He returned, however, and secured the approval by the popular branch of Parliament of the second home-rule bill in 1893, which was, however, thrown out by the Lords by a vote of 419 to 41.

The opposition of the aristocracy of England being inveterate, notwithstanding the cause had the approval of the masses, it became necessary to re-form the English constitution so as to deprive the House of Lords of its power of veto. This was accomplished in 1911 when an act was approved providing that if a bill should be passed by the Commons in three successive sessions it should become a law without the concurrence of the Lords. Thereupon a home-rule bill was three times passed, being rejected by the Lords on its presentation to them by a vote of 326 to 69, the tedious proceedings being prolonged until the eve of the Great War.

Meanwhile the ultimate effective passage of the bill being assured, its antagonists in Ulster, the northern Province of Ireland, under the leadership of Sir Edward Carson, began preparing to resist by force of arms the institution of the new government. Guns and ammunition were with scarcely any attempt at concealment imported from Germany and "volunteers" were drilled for the approaching conflict. When the nationalists, to meet this situation, at which the Government winked, did a little gun running on their own account, a number were ruthlessly shot down by the soldiery. Sir John French and other officers holding high command in the army exacted a promise from the ministry that they should not be called upon to coerce Ulster, and when the vacillating ministers endeavored to withdraw their agreement he resigned. The storm in Europe having broken, the home-rule bill was suspended for a year, or the duration of the war. Carson was rewarded for his treason by being made attorney general and French for his insubordination by being assigned to a major command on the Continent. In desperation the Irish people have resolved to make no further appeal to the British Parliament, or send representatives to it, but to set up a government of their own, to yield obedience to no other but upon compulsion, and to appeal to the judgment of mankind to sustain them in their resistance to a Government that supinely—I almost said pusillanimously—permits itself to be overawed by a fraction of one of the four Provinces of the island, and that hangs one class of its citizens for deeds that bring rewards to another. In this resolve there is substantial unanimity, as disclosed by recent elections, save among the Protestants of Ulster, whose forbears were planted there to insure the permanency of English rule, and who, it may be remarked, constitute little more than a majority of the population of that Province—900,000, approximately, as against 700,000 Roman Catholics, who make up three-fourths of the total population of the island, numbering about 4,000,000.

In this recital of facts of contemporary history I do not rely upon any partisan chronicler. "I tell you that which you yourselves do know," or which you can ascertain readily from any of the ordinary works of reference.

Why should not the American Senate, in the exasperating state of affairs briefly reviewed, express its sympathy with the aspirations of the people of Ireland in a struggle so intimately associated with that through which our independence was achieved? This sentiment is no recent growth. It is

* * * no sapling, chance-sown by the fountain
Blooming at Beltane, in winter to fade.

At the climax of the agitation carried on by O'Connell for the Repeal of the Act of Union in 1843, monster meetings, indicative of popular accord, were held in the principal cities of the United States, at which addresses were made by many of the leading statesmen of the day. The common conviction and hope of the people of this country were voiced by President Tyler, who said:

I am the decided friend of the repeal of the Legislative Union between Great Britain and Ireland. I ardently and anxiously hope that it may take place, and I have the utmost confidence that Ireland will have her own parliament in her own capital in a very short time. On this great question I am no half-way man.

We hastened to express to them our sympathy when we were fellow sufferers and felt in need of their moral support in our resistance to alien rule. Why should we not now express the hope that is general, if not universal, in this country that they may soon realize their hope of a government of their own choice? We have earned the right to speak at least with the frankness of a friend to Great Britain, remembering that but two short years ago her representatives were here, virtually confessing defeat in the war and frantically appealing to us to hasten into the fray, lest all should be lost before our aid could be made effective.

We have earned the right to say to her that her treatment of Ireland is a constant menace to the amity we are desirous of preserving unimpaired between the two countries.

There is not a controversy that arises between them, however trivial in fact, the seriousness of which is not magnified by reason of the irritating factor of Ireland's wrongs. Some day an inconsequential blaze may be fanned into a conflagration. Should any dispute with Britain ever arise upon which the people of the United States are otherwise nearly evenly divided, it is scarcely disputable that our citizens of Irish blood would be found massed against a peaceful settlement, not because they are willing to involve this country in the horrors of another world war with the sole object of securing independence for Ireland, but because they would approach the consideration of the question from the standpoint of American interest and honor, with an inherited prejudice against Britain, which, unfortunately, recent action and inaction touching Ireland have done little to eradicate.

The present controversy over the treaty and the covenant, and particularly Article 10 thereof, is illustrative of the idea I attempt to elucidate. The only element in this country among whom the opponents of the league have met with any marked success in their efforts to discredit it is the Irish, with whom, it is evidently believed, and not without reason, that it would be effective to charge that British statesmen had a hand in preparing the covenant, and played no unimportant part in devising the scheme submitted for our approval, as a part of the treaty.

There are individual opponents of the league, many of them; but no particular *class* of our citizens is arrayed against it except the Irish, many of whom, including men of the most conservative habits of thought, of high character, and distinguished ability, whose services throughout the war have been of inestimable value, are bitter against the entire work of the Peace Congress, which gave freedom to practically every submerged nation of Europe except the Irish. The thoughtful recognize that the people thus favored occupied territory which belonged to the subjugated nations—enemy territory of which the congress was obliged to make such disposition as would most certainly assure the future peace of the world, having in mind that we had encouraged rebellion in those parts and incited their people to set up independent governments, the more speedily to bring the conflict to a successful close. The nations assembled at Versailles were all interested in organizing the liberated peoples into buffer States. They could say to Germany and to Austria, "Sign here." They could not say so to Great Britain. She had not been conquered. Moreover, no nation, save our own, appeared to have even a sympathetic interest in Ireland. Notwithstanding these considerations, even the conservative class mentioned are not happy over the outcome.

I join in the assertion that there is no people and no nation to which the principle of self-determination is more distinctly applicable than to the Irish people and Ireland. It is refreshing to note that the peril in which our relations to Great Britain stand from the cause to which I have adverted is being recognized by her statesmen and publicists.

In a recent address Gen. Smuts said that the most pressing of all questions before the Empire is the Irish question, and he added:

> It has become a chronic wound whose septic effects are spreading to our whole system, and through its influence on America is beginning to poison our most vital foreign relations. * * * Unless it is settled on the great principles which form the basis of this Empire, this Empire must cease to exist.

In one of a series of letters recently appearing in the London Times, reproduced in American journals, advocating the immediate grant of dominion home rule to Ireland, is this significant comment:

> At the center of the Empire is the weakness of the Irish quarrel. It is felt at its farthest confines; it hampers our foreign policy; it is an open breach for our enemies. The British people can not afford to wait. A disease which restricts action can not afford to wait.

If we have no duty in the premises we may with entire propriety say to Great Britain that we are looking to her promptly to apply the principle of self-determination, announced by President Wilson and indorsed by her in her hour of extremity, to Ireland.

Having said thus much, I return to the inquiry of the Senator from Washington. "How about Ireland? If its people should rise in rebellion and some other nation should come to their assistance and with them make war upon England, would not the United States be obligated to aid in repelling the attack?" Undoubtedly. That is the plain requirement of Article 10. But if Ireland *should* attempt to establish her independence against Great Britain by force of arms, what country other than the United States is likely to go to the aid of the former? Germany? She is reduced to military impotence, and we believe we have made it impossible for her to make headway for at least a century against either France or Great Britain. France? Plainly she is not and has not been at any time for over a century a match for Britain, whose fast ally she now is. Russia? When she was a power in Europe and the rivalry of the two nations over territory in Asia gave rise to the bitterness expressed by Kipling in the poem of the bear who walks like a man, she prudently avoided an open conflict with England—at least since the Crimean War.

But let us be guided by the lessons of history. Spain joined forces with the Irish revolutionists in 1603, and yet Ireland did not secure her independence. France under Louis XIV came to their aid in 1688, but, though the Irish gained undying fame under Sarsfield, independence was not achieved. France again sent aid to the revolutionists of 1798, but the effort of that year was a failure. The Napoleonic wars rocked Britain to its base, and Pitt suicided in dismay at what he conceived to be the approaching dissolution of the Empire, but the occasion afforded Ireland no opportunity of which she was able successfully to avail herself. And now we have witnessed Britain threatened by the aspirations of the mad militarists of Germany, the most powerful organization for the purposes of war that ever turned the glad earth into a very hell, but the occasion brought only additional martyrdom to Irish patriots.

I had a letter from a gentleman residing in Detroit, a very respectful letter, condemning my attitude on the league of nations, because, he said, if Ireland should rise in revolt and Spain were to come to her aid we should be obliged to make war on Spain. It is difficult for one to reason with a mind which conceives of Spain engaging in any such enterprise. The people of Spain have not, in modern times at least, exhibited that deep devotion to the cause of liberty in the abstract or attachment to their Hibernian brethren which might warrant imaginative minds in supposing that they might be willing to commit national suicide by waging war on Great Britain to secure the independence of Ireland.

No single nation, save the United States, is to-day in the same class as a military power with the British Empire. There must be a union of powers against her to afford the opportunity which it is said Article 10 denies to Ireland; in other words, another world war. Are Senators prepared to leave open for fomentation another world war on the chance of a change in the government of Ireland? Let me remind them again that in two world wars by which the earth was devastated since we became a Nation, Irish independence was not attained. What reason is there for believing that the next will be more fortunate in that respect?

I am a Senator of the United States, a representative of the people of Montana. If I am satisfied, as I am, that the future peace and well-being of this country will be promoted by entering into this covenant, devised in the hope that war may be no more, what right have I to hesitate because of the bare chance that at some remote time in the future, under conditions which no man can foresee, out of another world war, Ireland may emerge a free nation? I prefer to hope that the end may be attained some other way. If it is said the hope is vain, I reply that the history of 700 years establishes that the one we are said to close is no less so.

If we permit ourselves to reflect as practical men, dismissing the chimera considered, there will be found some advantage even to Ireland in the covenant and even in article 10. If there is a valid excuse for the continuance of English domination over Ireland, it is that otherwise the latter would become a base of military operations against her by any enemy of Great Britain. At least it is speciously assigned that an independent Ireland could be reduced speedily by any foe of the former and afford him a convenient base.

In one of the Times articles to which reference has been made, in which dominion home rule is advocated as against an independent republic, the writer asserts that the latter is impossible, and adds:

> It would be superfluous to investigate the reasons in detail. The most cogent of them are strategic and concerned with British inviolability, and the safety of British trade routes. Even were Ireland friendly, the peril involved would be great.

As under article 10 an independent Ireland would be guaranteed by all the world against attack from an outside quarter and England, in like manner, even from an enemy operating from Ireland, that argument loses whatever force it has. The fragile structure of England's justification for the perpetuation of the present relation would lose its main prop.

Moreover, Article 11 would afford Ireland an opportunity, either directly or through a friendly power, to bring her claims to the attention of the league. It is as follows:

> Any war or threat of war, whether immediately affecting any of the members of the league or not, is hereby declared a matter of concern to the whole league, and the league shall take any action that may be deemed wise and effectual to safeguard the peace of nations. In case any such emergency should arise, the secretary general shall, on the request of any member of the league, forthwith summon a meeting of the council.

I have heretofore expressed the view that under that article the council can only advise, that its purpose is to afford a forum before which any condition likely to disturb the peace of the world may be discussed.

The contention advanced rather than argued on the floor that under it the league could aid or call on its members to aid in suppressing insurrection is utterly inadmissible. I suspect that Senators having hastily expressed the view that our country bound itself on entering the league to aid in suppressing rebellion within the dominions of another, having Article 10 in mind, and finding that contention refuted by its plain language, they sought to justify the untenable position taken by reference to Article 11. It will be observed that the nations obligate themselves in unmistakable language in Article 10. They do not agree by Article 11 to do anything. They clearly defined and narrowly limited the power of the council in the case of a war of aggression contemplated by Article 10. Its power in such case is simply to "advise upon the means by which this obligation shall be fulfilled." Article 10 is superfluous if the contention referred to be sound. Why should the nations entering into the covenant cautiously frame Article 10 so as to bind themselves by its terms only to preserve each other from external aggression, if by Article 11 they were obligated at the call of the council to protect each other from internal uprisings as well? Why should they carefully limit the council by Article 10 to advising simply upon the means by which the obligation thereof shall be fulfilled, if by Article 10 it is invested with plenary power? Observe that by Article 10 it is not the league that guarantees to preserve each member against external aggression, as the United States, by the Constitution, guarantees to each member of the Union a republican form of government and to protect it against invasion, but the members of the league undertake, each severally, undertakes, as in Article 10 recited. The reason for this distinction is obvious. The Government of the United States, it was contemplated by the Constitution, was to have an Army and a Navy. It was to be provided with the means whereby the protection which was guaranteed could be afforded.

The league having no army nor navy and no means of securing either did not make any guaranty, entered into no obligation by Article 10 further than to advise as to the means by which the obligation entered into by the members—by each member—should be fulfilled, a provision inserted in the covenant obviously to promote harmonious action. Article 11 must be interpreted in the light of this situation. The league can not

make war, having no means to do so, and none of the nations entering into the covenant have bound themselves therein to engage in war, or, for the matter of that, to do anything else. Accordingly, when it is said therein that the league "shall take any action that may be deemed wise and effectual to safeguard the peace of nations" it can not mean that the league is empowered to do anything more than to advise or recommend. The same may be said of the clause in Article 3, to the effect that "any matter within the sphere of action of the league or affecting the peace of the world" may be dealt with at meetings of the council. A forum is provided by Article 11 through which the opinion and judgment of the world may be invoked.

It is suggested, however, that the opportunity thus opened is withdrawn by the later provision found in Article 15, which deals with the case of a dispute arising between two members of the league, as follows:

If the dispute between the parties is claimed by one of them, and is found by the council to arise out of a matter which by international law is solely within the domestic jurisdiction of that party, the council shall so report and shall make no recommendation as to its settlement.

This paragraph, it will be recalled, was not found in the original draft. It was incorporated in the revised draft in the vain hope that American critics of the league might be appeased. It will be noted that it does not forbid the council to *hear* the cause, but simply precludes any recommendation as to the settlement of the dispute.

It is by no means indisputable, either, that the institution of a new system of government in Ireland, in view of the consideration heretofore dwelt upon, is a *purely* domestic question. We declined to regard the revolt in Cuba, which resulted ultimately in its independence, as such, so intimately did the conditions affect the life of our own people. Gen. Smuts recognizes quite clearly, as is to be gathered from his observations heretofore quoted, that the question has an international aspect.

It may not be inappropriate in this connection to remark that though the covenant in various provisions employs the very language of the draft submitted by Gen. Smuts, a circumstance which led the Senator from Idaho to assert, doubtless accurately, that it was the one which became the groundwork of the covenant, there was no equivalent for Article 10 in the Smuts plan, a sufficient refutation of the charge that it was cunningly inserted especially to insure the integrity of the British Empire.

Mr. KELLOGG. Mr. President——

The VICE PRESIDENT. Will the Senator from Montana yield to the Senator from Minnesota?

Mr. WALSH of Montana. Certainly.

Mr. KELLOGG. If the Senator prefers, I will wait until he is through.

Mr. WALSH of Montana. No.

Mr. KELLOGG. I wish to ask the Senator one or two questions with relation to the construction of article 10, if he has finished with that.

Mr. WALSH of Montana. I shall be very glad to yield to the Senator at this time.

Mr. KELLOGG. I wish to ask the Senator what he deems the proper construction of article 10, as to whether he agrees with the Senator from Virginia [Mr. SWANSON], whose statement I now read? Referring to article 10, and especially the latter part of it, the Senator from Virginia said:

This insures that the burden under this article will be fairly and properly distributed. While each member of the league makes a solemn pledge of mutual protection, yet each reserves its right of judgment as to duty and obligation in each case as it arises and the means by which it shall be discharged. Thus, under article 10, no troops of the United States could be sent to engage in war without the advice of her representatives in the council and the approval of her Congress. This insures us against undue burdens and impositions. It leaves the extent of our moral and political obligations to our own sense of honor, and we ourselves measure the just demands upon our plighted promise.

Does the Senator agree with that statement?

Mr. WALSH of Montana. Of course, it would be rather difficult for me to attempt to analyze everything said there, but I agree, as I have been able to follow it, with the general idea expressed in the language quoted by the Senator.

I may say to the Senator, however, that I went into that question at some considerable length, as the Senator may recall, in an address which I delivered to the Senate on June 11, and my views about the matter are very tersely expressed in this brief paragraph which I read:

Article 10 is unassailable on constitutional grounds. In its substantive part it is, to all intents and purposes, a treaty of alliance. It concludes, "In case of any threat or danger of such aggression the council shall advise upon the means by which this obligation shall be fulfilled."

Then I add:

The purpose of this clause is obviously to secure concert of action, but it is left to each nation to determine for itself the recommendation of the council, notwithstanding whether the occasion calls for action in fulfillment of its obligation and how that obligation ought to be discharged.

Mr. KELLOGG. Is there not under the first provision of the article an absolute promise to guarantee the territorial integrity and political independence of every country a member of the league without regard to the second provision?

Mr. WALSH of Montana. Undoubtedly that is true.

Mr. KELLOGG. And if it is necessary in carrying out that promise, does the Senator from Montana understand that we would be obliged to send an Army to any country requiring that Army to repel external aggression?

Mr. WALSH of Montana. There is a possibility beyond question. I have so stated.

Mr. KELLOGG. But I understand the Senator from Virginia [Mr. SWANSON] claims that not only are the recommendations of the council advisory merely, but as to the extent of our obligation it is for the Congress of the United States to determine the justness of the demand.

Mr. WALSH of Montana. I agree with that.

Mr. KELLOGG. Then there can not be an absolute obligation to send an Army any time we are called upon.

Mr. WALSH of Montana. Undoubtedly we are obligated to carry out that agreement and preserve the territorial integrity and political independence of every member of the league. Now, some member of the league may feel that its independence or its territorial integrity is imperiled by a certain power and may call upon us to redeem our obligation. It is for the Congress of the United States to say whether the conditions require us under that to send the Army.

Mr. KELLOGG. For instance, take the case of Ireland. If some country should come to Ireland's assistance in a rebellion against England and England should call upon us for an Army, it is not the view of the Senator from Montana that we should shock the public conscience of this Nation by sending an Army, but that Congress at that time should judge of the justness of the cause and whether we were required to send it or not.

Mr. WALSH of Montana. No; the Senator can not so understand me. That is not the situation at all. We will put a situation. Ireland rises in insurrection, Spain is mobilizing her army, and England says, "We are endangered by this mobilization of Spain's; it is directed against us; come to our assistance." We take advice from our representatives in Spain, who tell us that that is not the purpose of the organization at all, that they are just out there training. The Congress of the United States will determine whether the occasion has arisen for carrying out that obligation or has not arisen.

Mr. KELLOGG. And if Congress determines the occasion has not arisen, we have not violated our contract. Is that the view of the Senator?

Mr. WALSH of Montana. Certainly we have not.

Mr. KELLOGG. Then it must be left, in the Senator's view, for Congress at the time to decide whether the United States will come to any nation's assistance.

Mr. WALSH of Montana. Whether that obligation is actual at that time and whether we are called upon to aid or not. Who else would decide it?

Mr. KELLOGG. I agree not with that position, but that we have the constitutional power to enter into a treaty of alliance. I do not doubt that at all, but the advisability of entering into such a treaty is entirely another proposition.

Mr. WALSH of Montana. I am very glad the Senator has opened up that inquiry, because he knows perfectly well that ofttimes one nation having a treaty of alliance with another would call upon the other to make good its obligation under the treaty of alliance, and the other would say, "We do not think the conditions require it."

Mr. WILLIAMS. Germany and Italy during this war, for instance.

Mr. KELLOGG. I think we should consider with great care any clause in any treaty which calls upon this country to send an Army to maintain the integrity of all the nations of the world in these troubled times.

Mr. WALSH of Montana. I quite agree with the Senator that we ought to carefully consider every single provision of this covenant before we give our consent to it.

Mr. JONES of New Mexico. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from New Mexico?

Mr. WALSH of Montana. Certainly.

Mr. JONES of New Mexico. May I not suggest that article 10 only obligates us to preserve the independence of the other countries, but does not specify the agencies which shall be employed in such preservation; and would it not be a very proper question for the United States at the time to consider whether war is necessary at all or not?

Mr. WALSH of Montana. Undoubtedly; the Congress of the United States might conclude that they could fully meet the requirements of the case by economic pressure, by an embargo, and that would fully meet the obligation of article 10.

Mr. KELLOGG. Mr. President, if the Senator will permit one other question, I do not understand the Senator to claim that under article 11 there is any obligation to engage in war or abide by any recommendation?

Mr. WALSH of Montana. On the contrary, I assert that there is not. That contention, however, if I may be permitted to designate the names, is made by the Senator from Illinois [Mr. McCORMICK] and the Senator from New Mexico [Mr. FALL].

Mr. KELLOGG. I have never made any such assertion.

Mr. WALSH of Montana. No; I fully exonerate the Senator.

SHANTUNG.

The provisions of the treaty in relation to Shantung have become the subject of spirited controversy. It is insisted that they not only work a grievous wrong upon China, but that under Article 10 the United States obligates itself to perpetuate that wrong by guaranteeing to Japan the title to the peninsula which she acquires by the treaty. It is aside from the subject of this discussion to canvass the demerits of the provisions themselves. I say demerits, because if they have any merits I have been unable to discover them. I concern myself with the attack on Article 10 in connection therewith. It is no secret that the provisions in question are assailed as a part of the effort to reject the treaty to accomplish the defeat of the covenant for a league of nations with which the name of President Wilson is so intimately associated, rather than to vindicate any injustice done to China. From this general statement an exception should, perhaps, be made as to the junior Senator from Nebraska.

I assume, for the purpose of discussion, that Japan acquires virtual sovereignty over the entire Shantung Peninsula, that China was robbed of this territory by Germany, of which I entertain no doubt, and that in justice it ought to be restored to the former and not confirmed to Japan, now occupying it, having taken it from Germany with her other possessions in the East. This was a substantial contribution to the general happy result, among other things, making relatively safe the transport of troops across seas from Australia, New Zealand, and the Orient generally. But it was taken from China and ought to go back to her, as the so-called gentleman's agreement admits it should, and as Japan has promised in her treaty of 1915 with China it should. But we are not left in doubt that Japan insisted upon retaining whatever rights Germany acquired by virtue of her treaty in 1898 in the peninsula. It is understood that a secret treaty was made with Great Britain and France on her entering the war that Japan should thus profit in the event of victory, and though our representatives were under no obligation to respect that treaty, or any other secret treaty between the Allies in the disposition of conquered territory, it is comprehensible how the representatives of Japan should attach such importance to it in the partition, and particularly how the Japanese at home should. Their plea for the recognition of racial equality had been rejected. According to current report they made accession to their demands with reference to Shantung the price of their further participation in the deliberations of the Congress. Naturally British and French representatives, considering their treaty, were disposed to acquiesce. China had equally agreed by her treaty of 1915 with Japan that the latter should succeed to the rights of Germany in Shantung, but insisted that she had been diplomatically forced into that treaty. President Wilson eventually yielded that Japan might be induced to come into the league. That is what hurts. "Wilson saved the league by giving Shantung to the Japs" expresses equally malice toward the builder and his creation.

Mr. NEW. Mr. President, will the Senator permit a question?

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Indiana?

Mr. WALSH of Montana. Certainly, I yield.

Mr. NEW. As I understand the Senator, the price asked of us in order to obtain Japan's membership in the league of nations was our acquiescence in the effort to compel China to give up the Province of Shantung to her most feared enemy. Is that correct?

Mr. WALSH of Montana. I assume for the purpose of discussion that that was the case.

Does the Senator from Nebraska [Mr. NORRIS], who professes his attachment to the plan of a league of nations, believe that had he been the negotiator or had we been represented by some other statesmen at Versailles, the hold of Japan on Shantung would have been loosened, either with or without a covenant for a league? He asks us to reject the treaty. Does he believe that further negotiation with Japan, at another congress, will right the wrong of which he complains?

Mr. WILLIAMS. Mr. President, I wish to ask the Senator a question in connection with what the Senator from Nebraska [Mr. NORRIS] would have done if he had been in Paris instead of Mr. Wilson being there at the time. If the Senator from Nebraska had been clothed with the authority and the President had been here at home, suppose he had undertaken to bluff Japan out of Shantung, how could the bluff have been followed up except by a threat of war, and how honorably could a threat of war have been followed up except by war? So I should like to know whether the Senator from Nebraska would be willing to put the selective draft upon the American people in order to take Shantung back from Japan and give it to China, because Japan is now in possession, at any rate, whether rightfully or wrongfully.

Mr. WALSH of Montana. I was about to express the same idea.

Mr. WILLIAMS. I beg the Senator's pardon for anticipating him.

Mr. WALSH of Montana. If the treaty is rejected, Shantung remains with Japan and will remain with Japan until she restores it to China of her own free will or until she is compelled to do so by force of arms. Are Senators prepared to make war upon Japan to compel the evacuation of Shantung? China loses no territory by the treaty; she simply does not get back what she lost to Germany 21 years ago. But what does the world gain, what does China gain by the league, and particularly by article 10? Germany has not been the only aggressor against China. England and France have despoiled her. Japan and Russia fought over Manchuria, a Chinese Province. Korea has become Japanese territory. The partition of China is an eventuality to which the world has been looking for a generation. Moreover, ever since the Russo-Japanese War the keenest apprehensions have been felt lest Japan should some day conquer the whole of China or bring it under her dominion in some other way, and with its millions and its limitless resources venture upon the subjugation of the world, precipitating a contest between the white and the yellow races. This is the real "Yellow Peril." Now, while China does not get back Shantung, which she lost 21 years ago, she does get, if she signs the treaty, the obligation of all the civilized nations of the earth, by virtue of Article 10, that never again need she fear the loss of a foot of territory by foreign aggression. Japan has Shantung, keeping it under a more or less indefinite gentleman's agreement to surrender it to China, not to speak of her treaty with that country referred to, but the world has her promise, her solemn treaty obligation, never to violate the soil of China with a purpose to annex a foot of it, and China has the undertaking of forty or more nations of the earth, including its great powers, to come to her aid should the neighborly pact be broken by Japan. The Shantung section of the treaty is not satisfactory, but the compensations are so great that it would be madness—yea, midsummer madness—in our country to reject it on that account.

Perhaps too much attention has been paid to the criticism of Article 10, too little to its merits.

On a former occasion I referred to it as the soul and spirit of the covenant. It is the greatest guaranty of peace that document affords. It is because it is such that those who for one reason or another wish to see the plan proposed defeated or rendered ineffective, if adopted, desire to emasculate Article 10 by "amendments." Its effect was made plain by a colloquy occurring in the debate, in the course of which the senior Senator from Missouri, descanting upon his favorite theme that under the covenant the United States would be called upon to "police Europe," explained that by Article 10, if Bulgaria should make war upon Roumania, the boys of this country would have to go to the aid of Roumania to repel the invader. It apparently had never occurred to him, however, or he had never permitted himself to consider, that the boys of Great Britain would equally have to go—indeed, the boys from every part of the far-flung British Empire, as well as the boys of France and Italy and Spain and Norway and Denmark, of Brazil and Argentina, with those of a half hundred lesser nations—and that Bulgaria, in that situation, would probably take counsel with herself and determine that after all it would be more profitable to submit whatever differences she may have

with Roumania to the arbitrament of the executive council of the league.

If I have any proper conception of the underlying principle of the league, and particularly of Article 10, it is the same as that which has secured peace among individuals comprising a nation or a community. When gold was first discovered in Montana adventurers from all parts of the country flocked there. With these hardy argonauts, the distinctive American type, came also a horde of miscreants who roamed the plains, scourged for their crimes from their former homes, ready to—

Rob, murder, and commit
The oldest sins the newest kind of ways.

There was no government of any kind. Every man carried a gun for the defense of his person and his property and was quick to use it. Soon, however, the law-abiding organized a rude government. In substance, each member of the community agreed to give up the use of his gun except for defense, and each, in effect, solemnly obligated himself to defend the life and property of every other member. The whole community held itself in readiness to be called out at any moment to make good the guaranty. Our annals disclose with what thoroughness the obligation was fulfilled. No man was permitted to be the judge of his own cause and to exact by violence reparation for any wrong done him or which he conceived had been done him. A tribunal was constituted before which he might have a hearing, and which undertook to do justice between him and the party accused. The vital principle of the arrangement was that every man promised at once to come to the aid of any who should be attacked, to hunt down the aggressor and visit upon him punishment befitting his crime, and to do so without any reference to the merits of the controversy, if there were any controversy. A wrong done one was an offense against all.

All government can be traced to the same necessity, and the same tacit understanding, though the development was more rapid and dramatic with us, owing to the suddenness with which remote regions in our great territory became populous. Article 10 is the application of the same idea to the nations of the earth. It is the embodiment of the notion expressed by the senior Senator from Massachusetts in his Union College address delivered on June 9, 1915, in which, advocating the plan of a league of nations to preserve the peace of the world, he said:

Turn it back and forth as we may, there is no escape from the proposition that the peace of the world can be maintained, as the peace and order of a single community are maintained, as the peace of a single nation is maintained, by the forces which united nations are willing to put behind the peace and order of the world.

There are just two ways by which "the forces" of the "united nations" can be "put behind the peace of the world"—either by the creation of an international force, against which public opinion outside of France is generally arrayed, or by an agreement such as that evidenced by Article 10, by which the nations agree to provide the force as occasion shall arise.

Senators profess to fear, even assert, that by reason of the obligation we incur under Article 10, should the treaty be ratified, we shall be continually involved in wars in all parts of the world, often between petty States in whose quarrels we have no concern. But we have been warned by the late war that we may most unexpectedly be involved, however remote from us the scene of initial hostilities may be or though we have no interest whatever in the controversy that precipitates them. Senators lose sight, however, really only seem to lose sight, of the fact that under the operation of Article 10 there can not be the recurring wars of which they declaim. Inadvertently they admit this even in the midst of their denunciations. The junior Senator from Washington, in an address delivered on Independence Day at Rochester, N. Y., pursuing the argument he has so vigorously made in the Senate that the Monroe doctrine is destroyed by the league, vociferated: "The Monroe doctrine has done more to preserve peace for 100 years than all the leagues of nations ever formed." Yes, and how has the Monroe doctrine preserved peace? Because through it the United States declared in effect its purpose to make war upon any European nation that should attempt to violate the soil of an American Republic; because we voluntarily and without any reciprocal agreement or other consideration bound ourselves and avowed our purpose to "preserve as against external aggression the territorial integrity and political independence" of the Republics of the Western Hemisphere.

In his speech of June 17, 1919, the junior Senator from Pennsylvania, in an effort to meet the suggestion that he must at one time have harbored views contrary to those he now avows of the power of our Government to enter into a treaty obligating it to make war, since as Attorney General he acted as the legal adviser of the President who negotiated the treaty with Panama under which its territorial integrity and political independence were guaranteed by the United States, remarked, touching that treaty, that we did not desire to have the territory adjacent to the canal, its "immediate environment," to use his language, "vexed by war." That consideration afforded an additional reason, inducing us, as a matter of policy, to enter into the obligation; but it plainly affects not at all the question of the power of the President and the Senate to enter into the treaty. We might take the view that it would not be to our interest that any territory adjacent to ours should be vexed by war—Mexico, for instance. The treaty before us is founded upon the idea that there is a public policy in seeing, so far as that end can be achieved, that no part of the earth shall be vexed by war. The Senator, for whose ability his colleagues as well as his countrymen have a profound regard, ought to make another attempt to harmonize the views he entertained in 1904 with that he now proclaims, or otherwise remove the evident inconsistency between them. The treaty with Panama accomplished the end which the Senator says the United States had in view in entering into it. The territory adjacent to the canal has not been vexed by war since. Why? Because the United States served notice upon the world by it that we would make war upon any nation that should invade Panama, no matter what provocation it might have. Here is the stipulation:

ARTICLE 1. The United States guarantees and will maintain the independence of the Republic of Panama.

If it were not for this treaty, assuming that Panama would ever have come into existence but for our aid, it would long since have been involved in a fratricidal war with Colombia. Costa Rica is even now engaged in war with Nicaragua, bordering on her north, but she has the prudence not to take up arms against Panama, which adjoins her territory on the south. There is a dispute concerning the line that divides them, but Costa Rica will arbitrate the question. She will never fight about it.

The Senator from Pennsylvania, in his speech of March 1, 1919, advanced the idea that the proposed league is a league for war and not for peace, because, he said, under the covenant war is permissible in seven cases and mandatory in three, one of the three being by virtue of Article 10. The junior Senator from California, in his peculiarly forceful style, following the same line of reasoning, denounces the league as a "war trust." In exactly the same sense the treaty with Panama was a treaty for war, not a treaty for peace. But peace was the result. Of course, the covenant contemplates war, both mandatory and permissible. The very purpose of a league of nations such as that being considered is, as expressed by President Roosevelt, "not only to keep the peace among themselves but to prevent, by force, if necessary, its being broken by others."

It is quite impossible to follow all the inconsistencies of the opponents of this great work of the statesmanship of the world.

An immense amount of sarcasm has been expended on the assumption, quite in contrast with the line of comment considered, that it proceeds upon a theory that mankind has suddenly been regenerated and will hereafter be controlled by the noblest ideals of justice and Christian charity. The senior Senator from Missouri has exercised his talents along this line without stint. One group attacks the league because it contemplates war; another because it is founded on wholly impractical notions of human perfection. In truth, it recognizes the inveterate character of greed, vanity, selfishness, and allied vices in humanity—in nations as well as in individuals. They now assert themselves, restrained, only feebly, perhaps, by the precepts of the Gospel or an intelligent perception of self-interest. The league attempts only to add, in the case of nations, the coercion which even primitive man found essential to his welfare in the case of members of his little community.

Mr. WILLIAMS. Mr. President, I think that England and Ireland, and America, too, which has so much in common with both, so many hereditary reasons to honor both, may all three be grateful to the Senator from Montana [Mr. WALSH] for the manner in which he has divested himself of blood prejudice and traditionary prejudice and brought the cold light of nonpartisan, unimpassioned reason to bear upon the question which he discussed this morning.

Mr. President, his address is not in keeping but is very much in contrast with a great many things that we have lately heard in this body. It is very much in contrast with the effort of the Senator from Missouri [Mr. REED] to scare us to death about negroes and other colored races, forgetting that it will be rather difficult to make Chinese and Japanese cooperate against the United States or against the white races. They are very much more likely to be at daggers' point with one another and neither can effect any entente cordiale with either of the "Nigger

Republics" in the league. It was also quite in contrast with the attempt of the Senator from Illinois [Mr. SHERMAN] to scare us to death about the Pope, poor old man over there in Rome saying his prayers and trying to be nice to everybody as well as his age may permit. It was also very much in contrast with the attempt to scare us to death about Japan in Shantung the other day. In its moderation and conservatism it was very much in contrast with the misrepresentation, if not falsehoods, that were urged in that connection. An area of something like 100,000 square acres was magnified into 56,000 square miles, and a population of 50,000 was magnified into a population of some 27,000,000 to 57,000,000—nobody criticizing the league seemed to know which. That was the exaggeration made by no less man than the leader of the Progressives upon the other side—the "pendulous progressives," as Sam Blythe called them, because they are always waving in the air, dependent upon where committee assignments are—and by no less a man than the stand-pat, old-school Republican leader, the Senator from Massachusetts [Mr. LODGE].

I took the liberty the other day of calling their attention to the mistakes they had made in population and area and expressed the hope that they would of themselves correct them. I anticipated that at least one of them would correct the error as soon as he found it out. This morning, Mr. President, the Washington Post published an article from ex-President Taft, which I am going to ask to have inserted in the RECORD as an absolute reply to what was said by the Senator from Massachusetts, and what was said by the Senator from Idaho on these points, and as proving the total misapprehension upon their part or else of the attempt to totally misrepresent the facts to the American people. Whichever may be the case, I confess I hardly know which. I now ask unanimous consent to have the article by ex-President Taft inserted in the RECORD as a part of my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The article referred to is as follows:

TAFT SAYS FAILURE TO YIELD TO JAPAN MEANT NEW WAR—DECLARES WILSON'S COURSE IN ACQUIESCING IN SHANTUNG GRANT TO SAVE LEAGUE OF NATIONS WAS STATESMANLIKE—CONTENDS WORST THING THAT COULD HAPPEN TO CHINA WOULD BE FAILURE OF LEAGUE.

(By William Howard Taft.)

The outburst in the Senate by Senator BORAH and others with respect to the Shantung Province is not, of course, as "highly unimportant" as Senator REED'S cry of negro domination or Senator SHERMAN'S fright at the restoration of the temporal power of the Pope has become. But in the end this new issue is not likely to affect the ratification of the treaty.

The exact facts in respect to the Shantung matter have not been set forth as clearly and fully as could be desired. What Germany had in China was granted her by China at the time of the Boxer troubles by way of an indemnity for the killing of her minister, Baron Kettler, and was one of the concessions to foreign powers which grew out of the rising against the foreigners in the time of the dowager empress. That which Germany seems to have secured was a lease, with political and exclusive dominion for 100 years, over the town of Kiaochow, with 50 000 inhabitants, together with the economic right to construct a railway through the Province of Shantung, which Germany and China should jointly operate and which Germany might police.

NO POLITICAL DOMINION.

The superficial area over which Germany was given absolute political dominion was about 200 square miles. She acquired no other governmental control, except the indirect influence of operating and policing a railway through a great province of 40,000,000 inhabitants. To represent this as a cession of political dominion over them and their country is, of course, inaccurate.

When Japan was induced to unite with Great Britain and France and Russia against Germany one of the inducements offered her, it seems, was a transfer of German rights in China. She thereupon proceeded to conquer Kiaochow, a work of considerable difficulty, and establish herself in possession of the German holdings. She then policed the Pacific for the Allies and drove Germany out of that very large part of the globe. She also helped to guard transports from Australia and other countries of the allied nations into the Mediterranean.

When the question arose as to the disposition to be made of German colonies and holdings outside of Germany, Japan claimed these rights in Shantung as a part of the contract under which she entered the war. The contract, of course, did not bind the United States, but it did bind the other Allies.

NOT IMMEDIATE RESULT OF WAR.

It related to a status which was not the immediate result of war and which had been established for 15 years when the war began. It would have been well if these German encroachments upon Chinese independence and territory could have been wiped out as a result of the war, but in view of the circumstances it was exceedingly difficult to secure the consent of Japan.

Japan is one of the great powers. Japan has more of the Prussian spirit than any of the nations still strong. She has gained wealth and power out of the war. She is a nation whose alliance with Germany in the future might be dangerous to the peace of the world. She is a nation whom it is important to have as a cooperating member of the league of nations to secure peace. She is a nation whose disposition to encroach on China needs restraint. The other results of the Boxer rebellion, with the territorial acquisition of the other Governments, are not to be changed. In other words, the reform under the league of nations and the principles declared in the 14 points can not practically be made retroactive in every case.

CALLS IT STATESMANLIKE COURSE.

Of course, we deprecate Japan's insistence on retaining German rights, but we would be unreasonable if we did not realize how exceedingly difficult it was for the President to change a situation created before he was a factor in it. It is said that he yielded on the Shantung business in order to save the league of nations. Be it so. That was the statesmanlike course to pursue. Suppose instead of that insistence upon a restoration of Kiaochow and the economic rights to China had led Japan to refuse to subscribe to the league of nations and to stand out against such a peace settlement. Her then position in the world would have been a constant threat. Germany would promptly take advantage of her attitude and an alliance between the two would be quite certain. The necessary result of such an alliance would be the beginning of a new alignment, ultimately to result in another war.

How much prejudiced is China by this result of the war? Japan is not likely to have any more spirit of encroachment than Germany would have had. Senator BORAH and Senator JOHNSON were certainly not in favor of our going to war with Germany to take the Shantung rights away from her. Are they in favor of doing so now with Japan? Do they advocate conscription for the purpose?

SEES WILLINGNESS TO EXAGGERATE.

Are they really stirred by love of China and the Chinese? How earnest should we regard such eloquent periods coming from those who are demanding the maintenance of our isolation and are painting in lurid colors the certain sacrifices of our soldiers in remote wars under article 10? Is it not fair to say that this outcry is only another evidence of a willingness on the part of extreme opponents of the league to exaggerate the effect of any feature of the treaty, to defeat the league of nations?

The worst thing that could happen to China would be the failure of the league of nations. Japan could then work her exploiting purpose with China with little or no restraint from us. The league of nations offers to China a full opportunity to bring Japan before the tribunals of the league and before the considered public opinion of the world over any schemes of Japan to secure further dominion over the Chinese Republic.

The provisions of article 10 and article 15 of the league are drafted with great care to bring before the league disputes over such attempted encroachments and to restrain the exercise of power over the weaker nation. The unanimous recommendation of the council, exclusive of Japan, or a unanimous recommendation of the countries represented in the council, excluding Japan, and of a majority of the other nations members of the assembly would impose a limit on any affirmative action of Japan against China, which Japan, under the league, must abide and acquiesce in.

"NO FRIENDS OF CHINA," HE SAYS.

The membership, therefore, of China and Japan in the league is of the highest importance to China and greatly more to be desired than the mere restoration to China of Kiaochow and the economic rights in the Shantung Railway, long ago parted with. They are no friends of China who seek by agitation of this Shantung matter to destroy the league of nations and to leave China without any of its protection against Japan.

An amendment striking out the Shantung provisions of the treaty insisted on by the Senate will certainly be objected to by Japan and by the allied powers, who are bound to Japan by contract in this matter, and will greatly delay the ratification of the treaty and endanger the league of nations. It is not possible that the moderate Republicans of the Senate will consent to be led into such an unwise step.

Mr. WILLIAMS. Mr. President, to proceed: When my good friend, the Senator from Connecticut [Mr. BRANDEGEE], of whom I am personally very fond—and I think I am chiefly fond of him because of the fact that he is an out-and-out Republican partisan and I am an out-and-out Democratic partisan, and we can at least put our fingers on one another, and do not belong to the crowd of "uplifters" in one party and so-called "progressives" in the other, who simply "uplift" themselves into Senate committee assignments or "progress" themselves into public office—at any rate, when the Senator from Connecticut appeared the other day in an apparently extemporaneous manner, as if he were speaking impromptu, you know, such is my universal good nature, such is my amiability, such is my love of my kind, that I thought that the front he was putting on was the real building behind it. I absolutely thought that he was not posing; I thought that he had risen in a momentary impromptu condition of mind to express his indignation because the President of the United States had been, in his opinion, feloniously concealing something from the American people, to wit, the fourth article of the Anglo-Franco-American treaty. I had no idea that he and other Senators had met the night before and discussed what he should do the next day; I had no idea that he came upon the floor duly "advised with" and instructed to make this "impromptu" attack.

It reminded me a little bit of a man who was running against me for office. One day his friends, in an "impromptu" and "extemporaneous" way, did him the honor of carrying him up the street in a chair—"chairing" him, as the English say. It turned out, however, that a carpenter three days before had nailed handles to the chair whereby four men could "chair" my opponent. When that fact was discovered the "chairing" did not amount to much.

I do not know whether what I am now going to read is true or not, but as to that I will ask the Senator from Connecticut:

The attack on the President was deliberately planned and carefully staged in advance. It developed to-day that Senators LODGE, KNOX, BRANDEGEE, and BORAH held a conference late last evening—

This was published, I believe, on Friday morning, the day after the Senator from Connecticut made his speech—

and discussed the matter of reprisal against the President at length. It was determined to execute the program carried into effect to-day.

That is the "impromptu" rebuke.

Mr. President, in the discovery of this mare's nest, this English-French-American treaty, declaring that America and England will protect France from an unprovoked attack from Germany, the average uninformed, unsophisticated American citizen last Friday, after the Senator had spoken and solemnly "rebuked," would have imagined that the Senator from Connecticut had just discovered it—that he was a great political Columbus. In order to prove that it was true, the Senator from Massachusetts [Mr. LODGE], whose lips and tongue and countenance demonstrated awe and registered tragedy, read the treaty in the original French. Think of it! The solemn demonstration of the President's felonious concealment! He said, "Here is article 4, in French; the Senator from Connecticut [Mr. BRANDEGEE] is not misrepresenting things; and to prove it, I will read it in the original French"! However, as a matter of fact, the whole thing had been published in the Associated Press in the United States of America on July 3, the day after Clemenceau had communicated it to the French Corps du Legislatif. I received on my plantation in Mississippi, even before the treaty was published in full here by the Associated Press, a telegram from the New York Times, I believe it was—at any rate, from a New York paper—asking me what I thought the Senate would do about the Franco-American treaty. I did not know what it was, and wired back to know what it was, for I was out on my plantation, 12½ miles from a railroad or telegraph station, so that the telegram had to be communicated to me by telephone. The question asked me was whether I thought the Senate of the United States would ratify the treaty. My reply was, "God alone knows what the Senate of the United States will do, but I know what it ought to do; it ought to ratify it." The French people ought not to be left as they are in fear of another unprovoked attack from Germany over Belgium's or some other nation's body—maybe Switzerland next time—whenever Germany again reinstates herself, ought not to be left to overwhelm France while the great English-speaking race in England, Australia, South Africa, and the United States is getting ready. Germany ought to be told by solemn treaty utterance—told beforehand—just what she has to expect if she attempts a repetition of her attempt to murder neutral or enemy while asleep and unexpectant of assault.

Even I knew it on the plantation that long ago. Is it possible to believe that a Senator residing in the Hub of the Universe and another in the wide-awake little Nutmeg State had the information take them by surprise on Friday last?—take them so much by surprise that one had to support the veracity of the other's statement of the existence of article 4 by reading it "in the original French"?

This was the mare's nest; and not only does the Senator from Connecticut discover it, and not only does the Senator from Massachusetts, with that wise way about him that makes everything he says at least look impressive, prove it by the original French text, but there comes along Col. Harvey, who has been hating Wilson ever since Wilson, in his first race, virtually confessed to him that he thought his cooperation worse than his enmity, and writes himself into the fame of professed ignorance on the subject. This is what the New York Times or the New York World—I have forgotten from which paper I cut this clipping—says, and I am reading this to keep the Senator from Utah from objecting to my putting it into the RECORD.

Mr. SMOOT. Oh, no; the Senator can put anything into the RECORD he desires.

Mr. WILLIAMS. Well, you always scold me about it. The editorial is headed, "Col. Harvey's newest mare's nest," and reads:

The regular hebdomadal mare's nest of Harvey's Weekly takes the form in the current issue of the French treaty, the text of which is printed in full on the theory that "to the best of our knowledge it has not been published in this country, which seems strange, if we are correctly informed that it has appeared in England."

Wonder of wonders! This great editor of a great weekly is quoted to the effect that to "the best of our knowledge" this treaty had not been published in the United States at the date of his editorial.

Yet it was carried in full by the Associated Press on July 3, and publications of an agreement thought to have been negotiated between us and France was published as Paris news prior to that. Here is this great, wise statesman, who hates the President, discovering this mare's nest and saying that "if he is correctly informed it had not appeared in the United States, although it had appeared in England." The editorial continues:

It may interest the editor of Harvey's Weekly to know that the full text of the French treaty was printed in the New York evening newspapers of July 3 and in the morning newspapers of July 4, the treaty having been made public by the French foreign office on the evening of July 2. Probably Col. Harvey was so busy draping the American flag around him preparatory to celebrating the Fourth of July that he had no time to read the newspapers, but what interests us even more than the colonel's latest mare's nest is the letter sent out to Republican—

Republican *what?* Listen—

campaign contributors from the headquarters of the Republican national committee at 452 Fifth Avenue, Tuesday, July 22, over the signature of Will H. Hays, the chairman.

Has it struck you that when ex-Senator Root, a great Republican of Nation-wide repute, had to communicate his views to the United States he communicated them to the chairman of the national Republican campaign committee? Has it struck you that when Taft's confidential letter had to be stolen and published it was stolen somewhere around or about the Republican campaign committee headquarters? Has it ever struck you that if you were Root or if you were Taft you would write a letter to the American people and not to "My dear Will," addressed as "the chairman of the Republican national executive campaign committee"? Has it struck you that if you had written a letter to "Dear Will," the chairman of the Republican national executive campaign committee, that you would have been big enough to say that you were trying to make a party issue out of the league of nations? An ordinary Mississippi planter, with ordinary honesty, would have done one of two things: He would either have taken into his confidence the people of America by a public letter or he would have taken into his confidence only the Democratic Party, and only the executive working campaign part of it; but if so, he would have made no secret of the fact that his party was trying to make a partisan issue of it.

It is in keeping with what went before. First, there was a Republican round robin. It has its partisan beginning there. Here is our friend from Missouri over on this side scaring us to death with "niggers," and here is our friend from Illinois on the other side scaring us to death with the poor old Pope, bless his dear old heart—they tell me he is as good an old fellow as exists anywhere in the world and is more anxious to lead his flock to make their peace with God than he is to capture the league of nations. I do not believe in his infallibility, even in matters of faith, but a great many people as good as I do believe in it. Then on Friday comes the climax, when these gentlemen were scaring us to death about the pretendedly concealed duplicity of the President of the United States in deceiving the American people by secreting and hiding and covering over with leaves article 4 of the French-American-English treaty, although it had been published in full all over the United States on July 3—carried by the Associated Press—the most public thing in the United States, except, perhaps, an executive session of the Senate.

I read further from the editorial referred to. Will H. Hays, under his signature as chairman, sends this out from Republican headquarters as a Republican campaign document:

You will of course hear of and no doubt will see in full the editorial by Col. George Harvey—

I do not know how he ever got to be a colonel, but they call him "Colonel" in this article at any rate—

published this week in Harvey's Weekly, relative to the proposed Franco-American treaty. I want to be sure that you see this, with its remarkable subject matter; hence this letter calling your attention to it.

With sincerest personal regards.

Then follows his signature. "I want to be sure that you see this"!

This letter was written July 22. Poor George Harvey. If he ever had been a sure-enough colonel, he would have had a hard time keeping up with his regiment; would have been 20 days behind all rumors of its whereabouts. The editorial then goes on:

Will Hays could hardly be expected to read the newspapers either; but what arouses our curiosity in the light of this correspondence is to know whether Col. George Harvey is working for the Republican national committee or the Republican national committee is working for Col. George Harvey. Or do they split 50-50 on street sales and new subscriptions to the Weekly?

But let us leave all this picayunish stuff. Ah, Mr. President, a man could go through the Lord's prayer and find fault with it here and there provided he put his own interpretation upon it. A friend of mine said to me the other day, "I do not like one thing in the Lord's prayer; it says 'lead us not into temptation,' whereas it ought to say 'teach us to resist temptation.'" He did not know he was doing anything remarkable; he was just sitting in judgment on the Son of God; that was

all, just as a lot of the gentlemen who see sun specks all the time are sitting in judgment on the work of Clemenceau, "The Tiger"; David Lloyd-George, the greatest intellect and the best poised man of this generation; and Woodrow Wilson, whose name will go sounding down the aisles of time when no man in America called upon to name the membership of the Senate will be able to name three of them. Five great nations, represented by their best intellects and as an analytical result of five years' war and suffering, come together and do the best they can. Woodrow Wilson goes over there and gets, out of the tangled web of hate and fear, the best he can. He could not get everything, and because he could not get everything Senators here looking through smoked glasses at the sun see a great big speck, and one of them says, "My goodness, George, that is the sun itself; do you not see it?" Everything outside of it is only a rim of radiance, and of visions, and of idealism, but the real, dark spot, the real speck, is the thing you and I are looking at.

These gentlemen tell us our sovereignty is attacked. If you go out of the Chamber and smoke a cigar, that is an assertion of your sovereignty. If the Senator from Colorado [Mr. THOMAS] and I agree we will not smoke any more cigars for a month, along come the Senator from Idaho [Mr. BORAH] the Senator from Connecticut [Mr. BRANDEGEE] and the Senator from Massachusetts [Mr. LODGE] and say "THOMAS, you and WILLIAMS are sacrificing your sovereignty." Whenever you reserve the right to do whatever in the mischief you please you are maintaining your sovereignty; whenever you assert the right to refuse and agree to refuse to do something you have concluded to be wrong and agree with another, to be guided by God-given law and right and ethics and honor and honesty and agree with two or three other people that they shall be guided by it as well as you, you are all sacrificing your "sovereignty."

Mr. President, in that connection I ask permission to insert in the RECORD a manuscript sent me by John P. Miller, an old friend of mine, who for years was around Washington as one of the reporters and signed article writers of the Baltimore Sun. I want every Senator in this body, if he can find the time, to read it. I insert it simply because it deals with the whole matter of so-called surrender of sovereignty in a shorter and more terse and more convincing and persuasive way than I can, and it will save your time as well as mine to have it inserted.

The PRESIDENT pro tempore. Without objection, the matter will be inserted in the RECORD.

The matter referred to is as follows:

"The concerted line of attack upou the league of nations is illogical, if not insincere. In a perusal of the argument advanced in opposition to the treaty the impression is constantly recurrent that the assumed unfamiliarity of the general public with international procedure and the underlying principles governing the relations of one nation with another is presumed upon.

"The objections to the league upon which opponents rely in their efforts to prevent ratification could not be valid unless the treaty by its terms delegated sovereign power to the council of the league. In the absence of such a delegation of power there is no force in the line of argument advanced by the opposition.

"But if the treaty did delegate power that would be a sufficient reason for every patriotic citizen of this and other nations to at once repudiate it. There would be no occasion to invoke other objections and alleged structural defects. The whole thing would be bad and it would be rendered no worse and no better by reason of some detail of the modus operandi of procedure.

"It is to be presumed that if anywhere in this treaty could be found a clause which by assertion or implication delegates sovereign power to the supreme council of the league of nations, Senators of acknowledged familiarity with international procedure and international law who are opposing the treaty would have discovered it and concentrated their efforts upon making this fact clear to the public and would not have wasted a word or a moment in the discussion of mere details of the treaty.

"The mere assertion, to be sure, has frequently been made that the league, in its permanent organization, was endowed with some sort of supersovereignty, but this assertion has never been sustained by any citation of phrase, clause, or paragraph in the treaty which might bear such interpretation. The citations relied upon for this assertion are such in character as may be found in almost any treaty of consequence entered upon by two or more nations.

"While it must be assumed that opposition Senators themselves can not be ignorant of the distinction between an agreement not to exercise some sovereign right and an agreement that some other authority shall assume your sovereign powers, yet it may be that they are warranted in assuming that the distinction is sufficiently vague to the public mind to enable them to deceive the public and give plausibility to an assertion which is utterly without warrant. It should be a fair assumption on the part of the public that if opponents to the league of nations who have had years of experience on the Foreign Relations Committee of the Senate or have served their terms as Secretary of State with a chart of international relation spread before them, could find in this treaty any delegation of sovereign power they would waste no time in further analysis of the document and would not indulge in specious argument to arouse the suspicion that provisions of the treaty which are proper and necessary to its execution have some sinister and remote significance.

"It may be that the general public, who have had no special occasion to give thought to the subject, have but an indefinite idea of what 'sovereignty' is, but it is not to be assumed that men whose duty it is to give advice and consent as to treaties have failed to give thought to this subject.

"The struggle between democracy and autocracy, which has been in progress since the vision of liberty first enlightened the mind of man, has been nothing more nor less than a contest between two theories of sovereignty. Autocracy is the assertion of sovereign power over the people. Democracy, expressed in terms of government, is the exercise for the people of sovereign power derived from the people. Autocracy speaks of the 'sovereign lord.' Democracy speaks of the 'sovereign people.'

"Disassociated and isolated, sovereignty dwells supreme with the individual. The organization of society and of government is based, not upon an inherited authority but upon the surrender of some sovereign right by the citizen to the community, by the community to the State, and by the State to the central government. In a democracy the sovereignty is no more than what has been delegated to it by its people. That sovereignty is supreme.

"An agreement granting, extending, qualifying, or in some manner prescribing the exercise of some sovereign right is what constitutes a treaty between nations. A nation without treaty obligation has the sovereign right to enter upon an unjustifiable and an unprovoked war upon another nation. Any two or more nations have the sovereign right to enter into a treaty engagement not to go to war without just cause and provocation, and to prescribe means by which the justice of a cause of war may be determined. In entering upon such an agreement each nation is exercising its sovereign power in agreeing not to perform a certain sovereign act or to qualify the conditions under which it may be performed. The authority to grant or to accede to a special thing or condition is more sovereign than is the exercise of power to seize that which is in possession of another.

"An agreement between foreign nations that neutral vessels shall not be seized and searched upon the high seas would not be a surrender of sovereign power on the part of any nation, but it would be the abandonment of a practice which has been exercised by nations as a sovereign right. The agreement of one nation to go to the support of another when unjustly invaded is the exercise of a sovereign right, not an abandonment. The right to assume obligations and even to accept conditions is inherent to sovereignty. The United States has a sovereign right to discriminate as to tariff rates and tonnage dues and port regulations; it also has the sovereign right to apply the most-favored-nation principle to the commerce of all nations at its own ports.

"In the present treaty, as in all other treaties that this Nation has entered upon, the question at issue is one of policy. No question of surrender of sovereign power is involved. The pretense of anything else must be subject to a suspicion of insincerity unless concrete evidence that the treaty does surrender sovereignty can be produced.

"If the sovereignty of any nation has been sacrificed or jeopardized by this treaty, this effect extends to every nation that is a member of the league, and the negotiators for each of the nations have either been blind or have betrayed their countries by the most gigantic conspiracy of treason that the mind of man can conceive of. Such a charge as this must be substantiated before the treaty for a league of nations can be stigmatized as imperialistic.

"A pledge by a group of nations that each will forego or place conditions upon the exercise of some sovereign right is neither an imperialistic compact nor a surrender of sovereign power. The most violent opponent of this treaty, unless he be utterly ignorant of international affairs and the principles of government, knows this to be true.

"This treaty was made in the name of democracy, based upon the principles of democracy, and a result of the triumph of democracy throughout the world. It marks the victory of the

'sovereign people' over the 'sovereign lord.' An association of governments controlled by democratic principles can not be measured by the standards of autocratic power. There can be no similarity of purpose or effect between an alliance among nations in support of the 'sovereign-lord' theory of government and one among nations to extend recognition to the 'sovereign-people' theory of government.

"The merging of national sovereignty into one autocratic power is possible only when sovereignty is recognized as a power over and independent of the people. The close association of popular sovereignties, on the contrary, is essential to the extension of democracy and is inherent to its fundamental principles. 'United we stand; divided we fall' applies to democracy throughout the world.

"Unless the theory of our Government is merely a barren ideal, the sovereignty delegated to the National Government by the Constitution is not a supersovereignty but is the collective sovereignty of the people, organized and exercised under constituted authority to render it consistent and effective.

"If those familiar phrases which are presumed to reflect the underlying principles of our Government, 'sovereign people,' 'inalienable rights,' are not merely sounding phrases to be incorporated with party platforms and to give flattering unction to oratory, it would seem to imply a lack of confidence in the virtue of democracy to voice any apprehension at its extension to the rest of the world. Unless we are ready to concede that the application of our theory of government has proven a failure; that there is no such thing as 'sovereign State' or 'sovereign people'; that no inherently 'inalienable rights' survive in citizen or State, apprehension of danger through the league of nations is not warranted and obstruction to the progress of democracy throughout the world is not defensible.

"Neither in theory nor practice have the citizens of the United States surrendered their right of sovereignty even to their own Government. In democracy government is but an authorized agency with power of attorney to act in all matters of common national concern. The power does not reside in our National Government to take from the people or the State any rights that are reserved under the Constitution. The power does abide with the people, however, to extend or to qualify the powers of the Federal Government by constitutional amendment procured through the action of an adequate number of States. When it is realized just what the character of American sovereignty is under a democratic form of government, how can there be any suggestion that this sovereignty can in any way be impaired by implication in a treaty with foreign nations?

"The outstanding feature of this treaty is not that the United States surrenders its authority, jeopardizes its principles, or recognizes a supersovereignty, but that all nations party to the compact accept the democratic theory of sovereignty which concedes the source of all authority to be the peoples of the nations, the right of self-determination by the people of each nation being inviolable.

"In this treaty the theory of 'sovereign lord' is abandoned, and with its abandonment the danger of establishing an imperialism is dispelled.

"In every article and paragraph of the treaty that has to deal with matters correlated with the exercise of sovereign power, the sovereignty of every nation is scrupulously regarded.

"The provisions for the enforcement of decisions arrived at through the league contemplate no action which might not be taken by any group of nations acting independently of each other, and being in concert by the mere chance of circumstances. The league provides an orderly and rational method of arriving at the just determination of any question involving the relations between nations, but does not assume to exercise authority over any nation. If it is the sovereign right of a nation to go to war with another nation, with or without just cause, with no other guide than its own arbitrary will, is it not also the sovereign right of a nation to remain at peace with the rest of the world? If it is the sovereign right of a nation to remain at peace, does not a declaration of war against it by another nation violate its sovereignty? The most drastic provision of the treaty is that of article 16, which provides:

"Should any member of the league resort to war in disregard of its covenants under articles 12, 13, or 15, it shall ipso facto be deemed to have committed an act of war against all other members of the league, which hereby undertake immediately to subject it to the severance of all trade or financial relation, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking States, and the prevention of all financial, commercial, or personal intercourse between the national of the covenant-breaking State and the national of any other State, whether a member of the league or not.

"This provision protects the sovereignty of the nation which does not want to go to war, and the penalty is one which might, under the present order of things, without any league of nations, be put into effect by any nation having the power to do so. Such action by a nation or group of nations directed against an offending nation would not be a violation of international law as now recognized. This provision extends no power to nations who become members of the league of nations which they do not now possess collectively or severally. The thing contemplated has just happened, without the intervention or instrumentality of a league of nations.

"The much-discussed article 10, guaranteeing territorial integrity against foreign aggression, is in its very essence a recognition of independent sovereignty. It is a reciprocal obligation to respect and defend nationality. The council undertakes merely to 'advise' upon the means by which the obligation shall be fulfilled. The honor of each nation is involved in the fulfillment of this obligation, which is one for its own defense no less than for the defense of its associates, but the manner of its fulfillment and whether, in fact, an occasion for intervention has arisen, is left to the self-determination of each Government. Each nation will be governed by its established method of procedure and its moral standard.

"The principles embodied in the treaty, the language employed, and the things provided for accentuate recognition of the sovereign independence of every nation entering the league. The right of self-determination and independent existence and freedom from depredation of marauding neighbors is the pervading spirit of the treaty.

"If the league were a cloak for imperialism, would not the exploitation of Germany, a conquered nation, have been resorted to in fulfillment of this object? But the sovereignty of even Germany is scrupulously regarded. By the standards of imperialism Germany would have fallen to the allied nations as the spoils of war and been employed in the building of empire. But the suggestion of war for conquest is repudiated by the terms and very spirit of the treaty. The right of self-determination has been extended to people liberated, and territory alienated from the German Empire has not been appropriated by the Allies, but has been given freedom and independence, with association and government determined by the natural choice and affiliation of its population. The treaty throughout presents the antithesis of imperialism.

"Taken one by one, the obligations assumed and pledges made by nations in becoming members of this league do not disclose a single instance where sovereignty is surrendered directly or by implication.

"Participation in the formulation of a code of international law is not a surrender of sovereignty, but, on the contrary, is an act of sovereignty.

"The obligation of obedience to laws so made is no more an act of subjugation on the part of a nation than is obedience to the law of the land an abandonment of liberty on the part of a citizen. In both cases the one obligated to obey the law has participated in its making.

"No sacrifice of sovereignty is involved in the acceptance of an obligation to observe the rules of justice and to scrupulously respect all obligations. Neither a nation or individual can suffer loss of character from this. It is an obligation always implied, which can not be disregarded without the sacrifice of integrity and honor.

"An obligation not to resort to violence when avoidable is one that can always be assumed without loss of honor or independence. Upon it depends the peace and good order and morals of communities and nations alike.

"Participation in the establishment and operation of an agency for inquiry, the determination of facts, agreement, and advice as to the enforcement of obligation is a legitimate procedure on the part of a government, and no sovereign power is extended to this agency unless it is expressly empowered to perform acts of sovereignty. No action by the council or delegates of the league of nations authorized by this treaty involves the exercise of sovereign authority, and no sacrifice of sovereign power by any nation is involved in an agreement to conform to certain prescribed conditions, applicable to all other nations, in the performance of certain acts which are of sovereign right, but have relation to and effect upon the rights of other nations.

"The obligations of this treaty are no more onerous than those of good citizenship, and their benefit to society is corresponding.

"An obligation of honesty and decency—which is all that this treaty imposes—in no way abridges the sovereign rights of citizens or nations, and, without a league, it lies within the right

of nations, either separately or collectively, to punish any nation that violates these obligations.

"Of course this treaty, like other treaties and all other laws of the land, is subject to our Constitution. No declaration of this fact is necessary; and to make it would imply that the contrary might be true if this reservation were not expressed, amounting to an acknowledgment of subservience inconsistent with national dignity.

"JOHN P. MILLER."

Mr. WILLIAMS. Mr. President, one more thought and I shall quit. Here are other mare's-nest discoverers who have found out that we have all gone to pieces because when we get into the council there are 6 votes, I believe, or 4 votes to our 1, and when we get into the league itself there are some twenty-odd votes to our 1. What a stupid thing that is. If it had been known before the Constitution was ratified that there were going to be 48 States in this Union and each one of the 48 was to have two representatives in the Senate, imagine a man coming to me or to you and saying, "If you enter that body there will always be 94 men against you." What would your reply be? It would be: "Possibly 94 men might be against me, but it is inconceivable that they should be unless I should be mighty nearly dead wrong." You tell me that there would be 94 Senators against Mississippi with her two representatives, but you forget that at some time or other Mississippi might, accidentally at any rate, be right; and if she was accidentally right there would be a few other men in the Senate representing other communities in the United States with sense enough to see it, and, having sense enough to see it, with patriotism enough to recognize it by their votes.

Suppose every State in the original thirteen Colonies, or say the original nine—because we said this thing was going into operation if nine adopted the Constitution, deliberately leaving out the others if they did not—suppose each one had said: "Why, there will be in the Senate of the United States 16 votes, Rhode Island, against your 2; 16 votes, Virginia, against your 2; 16 votes, Massachusetts, against your 2." The answer would have been: "Oh, yes; but Rhode Island or Massachusetts or Virginia, provided they were right, would probably be a part of the majority sometimes and not always just two, and if either was so dead wrong as always to have nobody else with her, then she ought to overslaughed."

Now we come to chauvinism—this dead-set, mean, selfish, egotistical idea that leads a man, as a citizen of a nation, to say: "I want my nation left free and untrammeled to do whatever it pleases. I do not want to enter into any entangling agreement with anybody to do anything, whether it is right or wrong. I want to be left free at the time to judge for myself." What would become of a municipal society composed of individuals founded upon that sort of basis?

Suppose the Senator from Utah, as a citizen of the State of Utah, went out and said: "I decline to be trammeled; I decline to enter into an agreement to abide by the pistol-toting law, or by the homicide law, or by the thievery law, or by anything else. I will do right myself. I am my own sovereign, responsible to nobody but God, and at the right time I will do the right thing, and I want to be left free to say when I shall do it and where I shall do it and how I shall do it." Could you get civilization in a State out of citizens of that persuasion? Suppose each State in the Union said that to the other States in the Union. Could you get civilization in the American Union out of that? Why is it that thus far you have never gotten any civilization in the international world? Just simply because one nation after another, in blind chauvinism, has uttered that infernal, stupid selfishness. What is the difference between the American who says it and Bernhardi and Treitschke and these other Prussians who preached the unlimited and illimitable right of a State to do whatever it pleases whenever it pleases, and who have said that the only limitation upon the right of a State is the power and might of the State?

You tell me that now and then the league of nations may decide against the United States. I imagine it will. We are not popes. We are not infallible. We do not even pretend to be. But I will undertake to say that whenever it does do it it will be because the United States is plainly and palpably and obviously wrong, because they will have to decide it by a unanimous vote of all the nations except the United States, the United States, as an interested party, being excluded from the vote, just as the Senate would decide a question against Mississippi by practically a unanimous vote over Mississippi's two votes, Mississippi being thereby substantially excluded from the vote. Can you conceive that that would happen unless Mississippi was plainly and palpably and obviously wrong?

If you get in the league a unanimous vote of everybody except the interested parties, it will be a clear demonstration beyond all peradventure of a doubt that one or the other of the interested parties is wrong.

Suppose you had had this league of nations when Germany undertook to invade Belgium. That would have been one of the few questions in the world where the league of nations would have sat down with a vote against Germany; but even there, probably, Austria would have voted with Germany.

Now, Mr. President, another favorite argument against this league of nations—I am not making any set speech; I was just roused by a few things the Senator from Montana mentioned; he told how the opponents of the league have grown sarcastic. "You can not change human nature," they say. "You are visionaries."

You can not change human nature! What a stupid, barbarous utterance that is! If human nature had not been changed from the day that our ancestors were drinking mead and beer out of the skulls of their enemies, this world would have been in a mighty bad fix. If human nature had not been changed, even at that date, from the original time when their remote ancestors perhaps ate one another whenever they found them, and ate one another raw because they were not sufficiently enlightened to know how to build a fire, the world in their day even would have been in a bad fix; and if human nature had not changed from the day of Jesus Christ, and the precious leaven that He had thrown in it to leaven the whole lump, from what it was then to what it is even now, as bad as the world is even now, we would be in a much worse fix.

Why, there is no way of securing progress, there is no way of going forward from savagery to barbarity, and from barbarity to civilization, and from civilization to enlightenment, except by changing human nature. So much so is that the fact that the only thing lacking in a successful adoption and operation of this league of peace is the will of humanity to have it and to make it work; the minute you can change humanity's will to the point where men want it, they will get it. Indeed, they will not have to get it; they will have it already. If you make up your minds to *want* it, you will *have* it.

Oh, miserable politicians, miserable heathen without knowing it, who imagine that while they are nominally Christians they are really Christians, tell us, "Well, you can not change human nature. War and fighting are a part of human nature, and you must have them all the time, and you can not settle difficulties in any other way." Can you not? The Senator from Montana described to-day how they quit settling difficulties that way and began to settle them in other ways out in the mining camps in Montana. They proceeded to settle them first by self-appointed vigilance committees and then by regularly organized courts. What had happened? They had changed the human nature of the camp, and the human nature that was not willing to be changed was kicked out of the camp; and every nation upon this globe that is not willing to change its human nature far enough to leave questions in controversy to fair arbitral determination, instead of going around and cutting one another's throats by way of settlement, will be kicked out of the civilized arena, and ought to be kicked to death. What will happen to them will be what happened in the mining camps. The persistent criminals who did not want to "surrender their sovereignty" were lynched. The fellow that did not accept the new order and was not willing to change his nature that far was just simply carried out and hung to the limb of a tree.

Oh, Senators, you who talk that way! Is America one of the countries that deserves to be lynched? Is she one of the countries that wants to preserve the so-called right to do whatever she pleases when strong enough to do it? She may want to do wrong. If so, she deserves to be restrained by the conscience of the world.

It is not a bad thing now and then for the civilized opinion of mankind to brand an individual or a nation as the enemy of all humankind. If we had had anything of this sort before this war had started, Germany would have found out that instead of her fighting France over the prostrate body of Belgium she would have to fight the civilized world, and Austria would have found out that instead of having in prospect, as she thought, the easy game of swallowing and digesting Serbia she would have to swallow and digest the entire world. Austria would have arbitrated her difference with Serbia. Germany would never have invaded Belgium.

Oh, "you can not change human nature"! What was Christ born for? What was Socrates born for? What was Savonarola born for? Why did the Son of God come to the earth? You have changed your human nature either for the bad or the good. Some of us have not changed it very much

for the good, but we had the opportunity, and we could have done it; and it is a lie to say that you can not change human nature. With God's help, you can change it upward and upward and onward and onward more and more. As Thomas Jefferson said, "You can not hope for the perfection of human nature, but you can hope for its indefinite perfectability."

Sun specks, mare's nests, new discoveries of presidential sins! Why, you would think, to hear a lot of gentlemen over there and some other gentlemen over here as well, that the President of the United States had gone to Europe and committed felony, or treason, or something of that sort. Why, I read this morning a speech purporting to come from a Senator over there, pronounced in a church, saying that any man who votes for this league of nations was from his standpoint comparable to Benedict Arnold. Think of that! A man who at the very worst entertains a dream of international peace, entertains Tennyson's dream, entertains Jesus Christ's dream, entertains the dream of Immanuel Kant, and at the worst may be mistaken about it, at the very worst is unpractical, is to be compared with Benedict Arnold! Why? Because he wants to bind this Nation, in cooperation with other nations, to keep the peace of the world, and not uselessly and aggressively and offensively go to the business of throat cutting rather than go to the business of summoning a fair board of arbitration to sit in judgment upon quarrels and decide them.

Oh, you say they may decide wrong. Of course they may. I have represented clients in ten or a dozen lawsuits where the court went wrong, in my opinion; but it was a great deal better for the court to decide the issue than it was for my client and the other lawyer's client to cut each other's throats. The chief good about municipal law and about international law for the preservation of peace is not that the decision shall always be right, but that there shall be a decision and an end of litigation. If you can not bring it around in any other way in municipal matters, you bring it around by statute of limitations. Many a dishonest man has owed an honest debt to which he has pleaded the statute of limitations, but the world has thought that it was better to have an end of litigation than it was to let it go on forever and be renewed from one term to another and from one generation to another.

Senators, however finespun your webs, you can not get away from the common ethics and common sense and common morality of this proposition of bringing about a measure of world peace by a world agreement. You can take up the treaty and quarrel with this provision and that, and so can I. I do not like the Shantung provision. I do not like the idea of trying the Kaiser of Germany, although most of you do. I would do as my boy advised—shave him, have an international barber shave him every other day, and turn him loose, the miserable, cowardly whelp, to meet with the contempt of all humanity all over the whole world. I would not run the slightest risk of making a martyr out of Hohenzollernism. I can find some other things there that I do not like; but when I compare the specks on this sun with this sun itself, which, as I hope, shall shed light to all mankind, giving men courage, giving women hope, giving children a promise of the future. giving education in the world a chance, giving progress an opportunity, under the wings of the angel of peace, a chance to grow from one generation to another, adding the fruits of one generation to the fruits of those gone before, and inviting the new generations to forget the ugly past, what care I about Shantung, and what care I about the Kaiser? I started to say, what care I about the Monroe doctrine? But I will not say that, because the Monroe doctrine is by the treaty absolutely salvaged and saved.

In the first place, all that the Monroe doctrine ever did was to pronounce upon our part that we would defend the political independence and the territorial integrity of South and Central American countries. This league defends the political independence and the territorial integrity of all the member nations in the world. Moreover, as if that were not enough, as if we wanted to be left, without any help or assistance, sole guardian of the territorial integrity and the political independence of South and Central America, Mr. Wilson comes back with the instrument excepting from the operation of the league of nations the Monroe doctrine, eo nomine, by specific name mentioned in the treaty itself; and they say it is misdescribed!

Why, what if it is? Suppose I named MARK SMITH and said he had a very pale countenance. Suppose you knew MARK SMITH. Would the fact that I had described his countenance inaccurately keep him from being MARK SMITH? And would the fact that some people said that the Monroe doctrine was not "a regional understanding" keep it from remaining the Monroe doctrine any more than MARK would cease to be MARK because I had said his countenance was pale?

Mr. President, I am not a pious man. Hardly a day passes over my head when I can thank God for many things good that I have done and when I would not pray Him to forgive me for a good many things wrong that I have done; but I hope the time will never come when God can curse me because, having had the opportunity of doing something toward the ultimate peace of the world and toward saving the lives of men and the happiness of women and the future of children, I failed to do it because I saw specks on the sun.

Mr. BRANDEGEE. Mr. President, the major portion of the Senator's address I shall not refer to, because I have heard it many times and it contains nothing in which I am particularly interested at the present time. I do not care to discuss the coming of Christ or the doctrine of chauvinism or the color of the face of the Senator from Arizona, or many of the other interesting topics with which the Senator from Mississippi has entertained the Senate. What I do wish to say, however, is that on the 24th day of July I placed in the RECORD, and it appears on pages 3075, 3076, and 3077 of the CONGRESSIONAL RECORD, an article from Harvey's Weekly. I stated at the time that I did not vouch for the article. In that article appears a statement as follows, speaking of the Franco-American treaty:

> In any case, to the best of our knowledge, it has not yet been published in this country.

After I had retired from the Senate that day, I understand that the Senator from Nebraska [Mr. HITCHCOCK] made the statement that it had been published in the papers of July 3——

Mr. THOMAS. July 2; the afternoon of July 2 and July 3.

Mr. BRANDEGEE. July 2 and 3?

Mr. WILLIAMS. No; July 3.

Mr. THOMAS. Yes; the afternoon of July 2.

Mr. BRANDEGEE. I beg pardon; I do not want to settle the dispute between the two Senators.

Mr. WILLIAMS. No; there is no dispute about July 3, but I never saw it in the paper of July 2.

Mr. BRANDEGEE. Well, I did not see it in either, and I do not take it as particularly important whether it was July 2 or 3. At any rate, upon one of those dates the Senator from Nebraska says the Associated Press had carried it in the papers in this country. Be that as it may, that is totally irrelevant to anything that I said. I do not care whether the Associated Press or any other press printed that treaty in this country on that date or any other date. What I do care about is this:

The President, when he submitted to the Senate the treaty of Versailles—the treaty of peace with Germany—stated:

> I shall presently have occasion to lay before you a special treaty with France, whose object is the temporary protection of France from unprovoked aggression by the power with whom this treaty of peace has been negotiated. Its terms link it with this treaty. I take the liberty, however, of reserving it, because of its importance, for special explication on another occasion.

Mr. President, so far as I have been advised, that treaty has not yet been laid before the Senate. According to the article in Harvey's Weekly and the article in the London Times and the article in the Paris Figaro, article 4 was in that treaty, and it reads as follows:

> The present treaty will be submitted to the Senate of the United States at the same time as the treaty of Versailles is submitted to the Senate for its advice and consent to ratification. It will be submitted before ratification to the French Chamber of Deputies for approval. The ratifications thereof will be exchanged on the deposit of ratifications of the treaty of Versailles at Paris, or as soon thereafter as shall be possible.

Now, Mr. President, when the tripartite treaty—what is called the triple pact—was published in the London Times it was some sort of an official paper, because the British Government, as I understand, submits its treaties through what are called White Papers, and the London Times is considered to be official when it publishes them; and the London Times of July 4 stated, as appears upon page 3078 of the RECORD:

> The text of the Franco-British and Franco-American treaties signed at Versailles on the day when the peace treaty was signed (June 28) is issued as a White Paper (Cmd. 221).

Mr. President, the gravity of this situation is not at all whether this treaty has been published in some newspaper in this country. It appears by article 4 of the treaty itself that the President of the United States, the head of our peace commission, the man who negotiated this treaty and, so far as he could, executed it and set the seal of his approval upon it, agreed in the treaty to lay it before the Senate of the United States at the same time that he laid the treaty of Versailles before us. He did not do it. The frivolous and silly explanation was attempted to be made, when I put that article in the RECORD on July 24, that "at the same time" meant some time or other, so long as it got here before the other one got out. I venture to say there is no lawyer in this country fit to try a cow case who will say that when two things are to be done at the same time that phrase can be complied with if one of them is done at one time and another one at any other

old time. It is absurd on the face of it. The charge stands unexplained and undenied. So far as anybody who can read the English language can understand or see, the President has violated article 4 of the treaty which he himself drafted.

Now, I do not pretend to say why, and he has not as yet said why. He has violated it, and the violation can not be atoned for. He has violated it beyond redemption. He can never perform the stipulation of that article. If he laid the treaty before us to-morrow, he has still violated the treaty which he drew, because he agreed solemnly to lay it before the Senate when he laid the other treaty before the Senate, and he has not done it.

He also stated that the two treaties were linked together, and what he has linked together we ought to be able to consider together. They were both laid simultaneously before the British House of Commons and considered together. They were laid simultaneously before the French Chamber of Deputies and are now being considered together. Only one of them has been laid before this body. That is the charge. Col. Harvey only said that "according to the best of our knowledge" it had not been published in this country. Well, it appears that it had been published in this country. He has made no misstatement. It was quite a while ago, but a mere newspaper publication of an alleged pact in this country is not the submission of it to the Senate. A treaty can not be submitted to the Senate except by the President of the United States, the other branch of the treaty-making power.

Mr. President, when the President of the United States submits a treaty to the Senate of the United States he is supposed to give the reason why it ought to be ratified and why he made it. Now, we are asked to consider the treaty of Versailles, the treaty of peace with Germany. The Committee on Foreign Relations for a week or two has been considering it, and we have asked for information. The President says he is unable to get the papers together to give us information for some time. He can not tell us which papers he will give us or when. We are entitled to have the President's reasons for the negotiation of the Franco-American treaty before the Committee on Foreign Relations at the same time we are considering the treaty of peace with Germany. They are linked together, the President says, and we are entitled to know if one of them should be passed why the other should be ratified or whether they both need to be ratified.

Treaties ought not to be extracted from the United States Senate piecemeal, getting one if you can, and then come and demand the other. What the President has linked together let no man put asunder, least of all himself. It is necessary for the Senate of the United States to have that treaty and to have the President's reasons for making it.

If I had my way I would not proceed one day further in the consideration of the treaty of Versailles in view of what the President of the United States himself has told us and in view of the fact that France and England have both treaties before their parliaments. I would not proceed one day further with the consideration of this treaty until I had the other link. I would not take one link and have the other gentleman keep the other link. I want to know what the two links are for and why they should not be kept together. I think we are entitled to it, and I think the country is entitled to it, and the charge can not be brushed away or sidetracked by a mere statement in Harvey's Weekly that he did not know the treaty had been published in this country, which is an absolutely irrelevant matter.

The Senator from Mississippi [Mr. WILLIAMS] talks about a conference that had been held between the junior Senator from Pennsylvania [Mr. KNOX], the Senator from Idaho [Mr. BORAH], the Senator from Massachusetts [Mr. LODGE], and myself. The only conference that was held was when I saw this article in Harvey's Weekly charging that the President had broken the treaty which he had made himself. I could not believe it. I said there must be some mistake about it, and not being familiar with treaty-making myself I went to the two best men, one of whom had been Secretary of State and Attorney General of the United States, and the other chairman of the Committee on Foreign Relations, and who has made more treaties than Mr. Wilson ever has or ever will, and asked them if it was possible that article 4 could be in this treaty. We got the London Times and the Paris Figaro and found it was in both their copies of the treaty, and so we assumed that it must be in this copy. The Senator from Nebraska [Mr. HITCHCOCK] sat there the other day while I read this purported treaty from Harvey's Weekly and said that he had an authentic copy of the treaty in his pocket, and he pulled it out. I said let the Senator produce it. If this one is not authentic let him produce the authentic one. Why one Senator should have an authentic copy of the Franco-American treaty and the Senate as a whole or the Committee on Foreign Relations should be denied it, I do not know. He said he has an authentic copy of that treaty which the President up to date has neglected to lay before the Senate. There was no conference besides that. Before I read an article in a public print charging the President with having violated the treaty that he himself had made I wanted to be satisfied that article 4 was still in the treaty. When I found that the British House of Commons had acted upon almost the same treaty, when I found that it was printed in the London Times and the Paris Figaro as being in it, I thought prima facie it was in it. If it is not in it, anybody can deny it now. It is not too late.

The Senator wonders why former Senator Root writes to Mr. Hays giving his opinion about this treaty. He wrote to Mr. Hays because Mr. Hays wrote him a letter and asked for his opinion. That is the reason, at least, that ex-Senator Root gave me.

Mr. President, as I said when I rose, I care nothing about the rambling remarks of the Senator, after he finished trying to answer the charge I made by abusing the man who had made a trivial mistake, if it was a mistake, in an irrelevant matter, and by generally denouncing those who do not take his views of this treaty. I stick to my statement that in my opinion the President has violated the treaty, and if I can have my way we will not proceed any further in the consideration of the Versailles peace treaty until he lays before us the Franco-American treaty and gives us his reasons for negotiating it.

DAUPHIN ISLAND RAILWAY & HARBOR CO.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 1361) further extending the time for the commencement and completion of the bridge or bridges authorized by an act entitled "An act to amend an act to authorize the Dauphin Island Railway & Harbor Co., its successors or assigns, to construct and maintain a bridge or bridges, or viaducts, across the water between the mainland, at or near Cedar Point, and Dauphin Island, both Little and Big; also to dredge a channel from the deep waters of Mobile Bay into Dauphin Bay; also to construct and maintain docks and wharves along both Little and Big Dauphin Islands," approved June 18, 1912, as extended by an act approved June 30, 1916, which was, on page 2, after line 10, to insert:

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. BANKHEAD. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

DEPARTMENT OF EDUCATION.

Mr. SMITH of Georgia. Mr. President, about two years ago a committee of educators, composed of presidents of leading colleges and men prominent in educational work throughout the United States, conferred with me as to the importance of establishing a department of education, with a member of the Cabinet at its head. These men were active workers in different Christian religious denominations, earnestly seeking to serve their fellow men, their country, and their God, by broadening educational opportunities for our children and citizens.

As nothing concerns more our national life than the education of our citizens, it needed little argument to enlist my active interest in the proposed measure.

After free discussion a committee was appointed to draft a tentative bill. The bill was worked over a number of times, and finally, about 12 months ago, I introduced a bill providing for the creation of a Department of Education, with a secretary in the President's Cabinet, and copies of the bill were sent to those interested in the subject in various parts of the United States for further criticism and suggestion. Modifications were made in the bill, and it was again introduced during the last Congress changed somewhat in details. It has been, since that time, reviewed and criticized by committees from various organizations.

The bill introduced in the House by Judge TOWNER, H. R. 7, and by myself in the Senate, S. 1017, still contains much of the bill which was pending at the last session of Congress, but changes which seemed to improve the original bill have been made.

The National Education Association has a membership of 35,000. It was organized in 1857, and many of our ablest college presidents and educators have presided over its meetings. Committees of this organization aided in the revision of the bill, and at the July meeting of the association the bill received the cordial approval of its members.

I request to print, without reading, the resolutions passed by the National Education Association.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The resolutions referred to are as follows:

THE SMITH-TOWNER BILL.

Resolution adopted by National Education Association, Milwaukee meeting, July, 1919:

This association has urged for years that education should be given just recognition by the Federal Government, and that a department of education should be established. The war has so emphasized the importance of education from a national standpoint that the necessity of the immediate consideration of this question is universally recognized.

Moreover, a commission on the emergency in education, appointed by this association one year ago, acting under the instruction of the association, prepared a bill creating a department of education with a secretary in the President's Cabinet, and authorizing the appropriation of $100,000,000 to encourage the States in the promotion of education, particularly in the removal of illiteracy, the Americanization of immigrants, physical and health education, teacher preparation, and the equalizing of educational opportunities, and

This association, through its commission, and with the cooperation of other great national organizations, secured the introduction of this bill in the Sixty-fifth Congress, and more recently its introduction in the Sixty-sixth Congress in a carefully revised and perfected form, known as the Smith-Towner bill, H. R. 7 and S. 1017: Therefore

Resolved, That this association gives its hearty and unqualified indorsement to the Smith-Towner bill, H. R. 7 and S. 1017, now before the Sixty-sixth Congress, and instructs the official staff of this association to use all honorable means to secure its passage.

Mr. SMITH of Georgia. Mr. President, the American Federation of Labor and the American Federation of Teachers have given the measure a hearty indorsement.

I request to print, without reading, their resolutions.

The PRESIDENT pro tempore. If there is no objection, it is so ordered.

The resolutions referred to are as follows:

Resolution No. 123, by Delegate Charles B. Stillman, of the American Federation of Teachers.

Whereas in accordance with the instructions of the last convention, the executive council of the American Federation of Labor, working with the American Federation of Teachers and the National Education Association, has cooperated in the preparation and introduction of the educational bill, H. R. 7, which creates a Federal department of education and appropriates $100,000,000 to be apportioned among the States to aid in the payment of more adequate teachers' salaries, in the equalization of educational opportunities, in the removal of illiteracy, in Americanization of immigrants, in physical education, and in the preparation of competent teachers; and

Whereas the present period of reconstruction is revealing even more clearly than the preceding period of the war the need for a national educational policy to secure coordination among the States, and to promote national welfare, efficiency, and unity; and

Whereas the threatened collapse of our schools, which influenced the action of the last convention, is still more imminent now, through the forcing out of our best teachers by the thousands by sheer economic pressure, and through the refusal of young men and women of ability and independent spirit to prepare themselves for a calling which does not offer a self-respecting living; and

Whereas the ultimate national need is for educated manhood and womanhood, a need which will become more urgent in the period we are entering; and

Whereas the recent past has forced upon us a realization of the necessity of more effective physical education, of the removal of illiteracy, and of the Americanization of immigrants; and

Whereas in the fields of vocational and agricultural education, the value of the stimulus to the States of Federal appropriations available to a State on its meeting specified standards, and on the appropriation by that State of equal amounts, has been proved by experience; therefore, be it

Resolved, That this thirty-ninth convention of the American Federation of Labor, in conformity with the recommendation of the preceding convention, indorse the educational bill, H. R. 7, and instruct the president and executive council to use the full influence of the American Federation of Labor in its support.

Adopted.

Mr. SMITH of Georgia. Mr. President, the Good Government Club of Cleveland, Ohio, has given the bill its indorsement, which I request to print without reading.

The PRESIDENT pro tempore. Without objection, the request is granted.

The resolutions referred to are as follows:

THE OHIO STATE GOOD GOVERNMENT CLUB,
Cleveland, Ohio, July 12, 1919.

To the honorable United States Senate.

GENTLEMEN:

Whereas it is a deplorable fact, revealed by our selective service conscription, that there are over 5,000,000 people in the United States who can not read or write—thousands useless to their country for lack of understanding, handicapped thereby in transmitting their ideals; and

Whereas there is no reason for such a condition in an enlightened government: Therefore be it

Resolved, That the Federal Government must solve the educational question to facilitate its own growth and development; that democracy is based on an enlightened citizenship; and, further, that it is the province of the Government to preserve its own entity; and that

Whereas the Hoke Smith bill, known as S. 1017, is the best solution thus far advanced to meet the requirements and produce the long-hoped-for results:

Therefore, We respectfully request the United States Government, in Congress lawfully assembled, to give careful consideration to the bill designated above.

Very respectfully, yours,

THE OHIO STATE GOOD GOVERNMENT CLUB.
By C. L. CASE, *Chairman.*
J. H. DAVIS, *Secretary.*

Mr. SMITH of Georgia. Mr. President, the Jane Jefferson Democratic Club of Colorado indorsed the bill.

I request to print, without reading, their action.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

JANE JEFFERSON DEMOCRATIC CLUB, INCORPORATED,
Denver, Colo., June 25, 1919.

Hon. HOKE SMITH,
United States Senate, Washington, D. C.

MY DEAR SENATOR SMITH: The Jane Jefferson Democratic Club of Colorado takes pride and pleasure in indorsing the Smith-Towner bill (S. 1017 and H. R. 7) introduced by you and Congressman HORACE MANN TOWNER, respectively.

This club is a State-wide organization and has been in existence over twenty years, doing effective organization and political work. Its membership is composed of many of the leading women of Colorado, State and county officials, club leaders, Mothers' Congress officers, educational leaders; in fact, all women eminent in all walks of life, as well as the great voting rank and file, who, after all, in a democracy, are those who count.

This club believes that the passage of this bill is essential to the best type of after-the-war educational reconstruction, and it congratulates you and Congressman TOWNER on assuming responsibility for this piece of great constructive legislation.

Trusting that the measure may be enacted into law before the adjournment of the special session of the Sixty-sixth Congress, I am,

Very sincerely,

ANNIE PARKER HYDER (Mrs. J. B.),
Acting Secretary of the Jane Jefferson Democratic Club.

Mr. SMITH of Georgia. Mr. President, the New Jersey State Federation of Women's Clubs has indorsed the bill.

I request to print, without reading, their letter.

The PRESIDENT pro tempore. Without objection, leave is granted.

The letter referred to is as follows:

NEW JERSEY STATE FEDERATION OF WOMEN'S CLUBS,
DEPARTMENT OF LEGISLATION,
June 26, 1919.

To the Hon. HOKE SMITH,
Senator from Georgia, Washington, D. C.

SIR: I am instructed, as representative of the State Federation of Women's Clubs, composed of 200 organizations aggregating 22,000 women of this State, to write you indorsing H. R. 7, known as the "Smith-Towner bill." We feel that the need for a system such as outlined in the bill is great, and we believe that this need has been capably met in this proposed legislation. We respectfully ask, therefore, that you act favorably on this measure.

Very truly, yours,

JESSIE BUCHANAN,
Secretary.

Mr. SMITH of Georgia. The New York Section of the Council of Jewish Women has indorsed the bill.

I request that without reading it be printed.

The PRESIDENT pro tempore. If there is no objection, the request is granted.

The letter referred to is as follows:

NEW YORK SECTION OF THE COUNCIL OF JEWISH WOMEN,
New York, July 15, 1919.

Hon. HOKE SMITH,
Senate Chamber, Washington, D. C.

MY DEAR MR. SENATOR: I have to-day written to the Hon. WILLIAM S. KENYON, chairman of the Committee on Education and Labor, Hon. WILLIAM M. CALDER, and Hon. JAMES W. WADSWORTH, jr., urging them to do everything they can to support your national education bill, as follows:

"The New York Section of the Council of Jewish Women, comprising over 3,500 members, heartily indorses the national education bill introduced by Senator HOKE SMITH, and respectfully urges you to do everything you can to secure its passage.

"This bill provides for a Federal Department of Education to aid the States in the work of abolishing adult illiteracy, of carrying through an effective Americanization program, of providing physical education and health service for school children and adults, of securing better teacher training and compensation, of assuring standardization of educational facilities throughout the country. This bill is the most far-reaching national education bill ever proposed, and its passage would result in great benefits to our country."

Very truly, yours,

TISSIE T. LEHMAN,
(Mrs. Irving Lehman,)
Chairman Committee on Legislation.

Mr. SMITH of Georgia. The League of Foreign Born Citizens has indorsed the bill. I request that without reading it be printed.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The resolutions referred to are as follows:

Whereas there is now pending before the Congress of the United States a bill known as the Smith-Towner bill creating a Department of Education with a secretary in the President's Cabinet and authorizing an appropriation of $100,000,000 to encourage the States in the furtherance of education; and

Whereas the passing of said bill will promote the education of native illiterates, of persons unable to understand and use the English language, and of other resident persons of foreign birth; will provide for cooperation with the States in the education of such persons in the English language, the fundamental principles of government and citizenship, the elements of knowledge pertaining to self-support and home making, and in such other work as will assist in preparing such illiterates and foreign-born persons for successful living and intelligent American citizenship; and

Whereas the grave menace of illiteracy and of the nonassimilation of the foreign born was made strikingly manifest during the war; and

Whereas no problem of reconstruction more intimately concerns the development of a sound citizenship and a complete Americanism amongst the peoples dwelling in our midst; and

Whereas we believe that a great advance in solving the problem of illiteracy and building for a more complete Americanism will be accomplished through the wider use of the common language, English, as provided for in the proposed law: Therefore be it

Resolved, That the League of Foreign Born Citizens, numbering many thousands of peoples of different nationalities united in love and loyalty to America and to its institutions, does hereby indorse and urge the passage of the Smith-Towner bill; and be it further

Resolved, That a copy of these resolutions be sent to the members of the committees of the United States Senate and House of Representatives and to the Senators and Representatives from the State of New York; and be it further

Resolved, That the chairman of the committee on legislation, or some other member to be designated by the president, be present in Washington at any date or dates that may be fixed for public hearing on said bill.

Dated New York, July 17, 1919.

LEAGUE OF FOREIGN BORN CITIZENS,
By NATHANIEL PHILLIPS, *President*.
By CHAS. HENRY LEE,
Administrative Secretary.

Mr. SMITH of Georgia. Mr. President, the education department of the General Federation of Women's Clubs has indorsed the bill.

I will read an extract from a letter issued by their educational department, addressed to their members:

To members of the General Federation:

America's women have always championed public education. We now have an opportunity unprecedented in the history of our country to do effective service in support of this great cause.

There is before Congress a bill, introduced as House bill 7, by Congressman HORACE MANN TOWNER, of Iowa, and as Senate bill 1017, by Senator HOKE SMITH, of Georgia, which is the most important educational measure ever proposed in the United States.

This bill provides for the establishment of a Federal department of education with a secretary of education in the President's Cabinet, and for an annual appropriation of $100,000,000 with which to aid the States in stamping out illiteracy, in Americanization, in the equalization of educational opportunity, and the improvement of rural schools, in the promotion of health education and recreation, and in raising the standards of teacher training and compensation.

The measure is as nearly perfect as it is possible to prepare, and has the enthusiastic support of the General Federation of Women's Clubs; of the National Education Association; of the American Federation of Labor; of the American Federation of Teachers; and of the Mothers' Congress and Parent-Teachers' Association.

Thoroughly democratic, and absolutely necessary, unless we are to lose the fruits of our victory over aristocracy and absolutism, this measure has unlimited potentialities for good, and must not be allowed to fail. Its passage will mean more to the cause of education in the United States than any law ever enacted by Congress.

Cordially, yours,

THE EDUCATION DEPARTMENT.

Many other organizations, including school boards and chambers of commerce, have indorsed the measure. Indeed, so far as I know, the only discordant note of opposition has come from certain Catholic organizations, based, I must believe, upon a misapprehension of the bills.

In the Morning Star, printed in New Orleans, on May 31, I find the statement that the Federation of Catholic Societies condemn the Smith-Towner educational bill as un-American and un-Christian, and certain resolutions were reported as adopted which I request to have printed without reading them.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

Rev. M. Kenny, S. J., read this section of the report of the Committee on Education:

"Whereas Catholic education, and particularly our parochial school system, are indispensable nurseries of religion and of the virtues essential to true civic character and to the maintenance of Christian civilization; and

"Whereas the Constitution of the Nation and of the States guarantees religious liberty to every citizen and strictly defines the authoritative boundaries of State and Federal power; and

"Whereas certain legislative measures now introduced in Congress and various legislatures aim, directly and indirectly, to weaken, emasculate and destroy religious schools and educational individuality, and to subject all schools, in finance and curriculum, to a centralized bureau of political nationalization in Washington, thus robbing State and family and individual of their God-given rights: Therefore be it

"*Resolved*, That we, the representatives of the Catholic Federated Societies of Louisiana, are unanimously opposed to such measures as both un-American and un-Christian, and earnestly urge our people to support our Christian schools with increased unanimity and loyalty, and to combine with all Christian and patriotic citizens in opposing, by voice and pen and vote and every constitutional instrument, the advocacy, adoption, and advocates of those subversive and destructive educational schemes, thus erecting an impregnable barrier against this sinister menace to religion and Constitution, to family and Nation; be it further

Resolved, That copies of this resolution be forwarded to the President and Cabinet of the United States, to the President of the Senate, the Speaker of the House, and to our State and National Representatives."

Mr. SMITH of Georgia. Mr. President, the Morning Star on the same date commended the "magnificent stand which the Federation of Catholic Societies has made against the Smith educational bill which is to be reintroduced into Congress under the name of the Smith-Towner bill."

The Star of the same issue quoted from a paper called "America," declaring that the Smith bill was for the Prussianization of the public schools and that the Smith-Bankhead bill, for the Americanization of illiterates, was a scheme scarcely less dangerous.

On July 1, 1909, at Peru, Ill., the National Benedictine Educational Association of America adopted a platform of educational reconstruction condemning the Smith-Towner bill. I request that it be printed in the RECORD.

The PRESIDENT pro tempore. If there is no objection, it is so ordered.

The matter referred to is as follows:

BENEDICTINE NATIONAL EDUCATIONAL ASSOCIATION PROTESTS AGAINST AUTOCRACY IN EDUCATION.

JULY 1, 1919.

Assembled at a time when the war-worn peoples of the globe watch with anxiety the threatening triumph of might over right, of tyranny over democracy, of international chaos over organized government, The National Benedictine Educational Association of America, convened in St. Bede College, Peru, Ill., and representing independent institutions in the States of Oregon, Washington, Minnesota, Illinois, New Hampshire, New Jersey, Pennsylvania, Missouri, Kansas, Arkansas, Virginia, North Carolina, Alabama, Georgia, and Florida, hereby reproclaims its solemn conviction that education is the bulwark of freedom, and invites the universal cooperation of serious-minded American citizens upon the platform of educational reconstruction that here follows:

1. Federal cooperation with our free and self-controlled educational activities we recognize and welcome as an ally of educational freedom. Federal domination we condemn as educational tyranny.

2. The spirit of liberty, the fountainhead of our national Constitution, serves to condemn any governmental agency that tends to disregard or abolish the God-given right of each and every American father to create and control for his child a school which satisfies the dictates of his conscience.

3. Power to create and control the school depends on the power to control the man that creates the school.

4. Consequently, Federalization of all school moneys, the essential feature of the Smith-Towner bill, is the death knell of educational freedom.

5. Consequently, the voters of America will employ all legitimate agencies, and the final sanction of the ballot box, against a measure subversive of the educational freedom guaranteed to our families and our States by a Constitution that has lately been rewritten in the life-blood of their sons and brothers. Shall the educational tyranny of Bismarck, after devouring with cynical smile the flower of American manhood, ride with our returning armies across the Atlantic to complete in Washington what it began in Berlin?

Mr. SMITH of Georgia. Mr. President, I trust these attacks upon the bills to create a Department of Education have been due to a lack of knowledge of the real provisions of the bills on the part of those who made them. I can not believe that these attacks represent the mature views of any considerable number of our citizens. Rather, I believe, they have been inspired by addresses such as that recently delivered by Rev. E. D. L. McDonnell, S. J., of Loyola College, Baltimore, Md. The address to which I refer was reported in the Washington Post on the 16th day of June. I send to the desk of the Secretary of the Senate some extracts from that report, which I ask to have read.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

[From The Washington Post, June 16, 1919.]

PRIEST ATTACKS BILL.—REV. MR. MCDONNELL WARNS OF MENACE IN EDUCATIONAL ACT.—SPEAKS TO G. U. GRADUATES.—DECLARES SENATOR HOKE SMITH'S MEASURE FOR DEPARTMENT OF EDUCATION WOULD MEAN "DICTATOR" IN WASHINGTON.

A bitter attack upon Senator HOKE SMITH'S educational bill and similar measures pending in Congress creating a Department of Education was made yesterday by the Rev. E. De L. McDonnell, S. J., of Loyola College, Baltimore, Md., in a baccalaureate sermon delivered before the graduating classes of Georgetown University.

* * * * * * *

WARNS OF AN "OVERSEER."

Dr. McDonnell referred to the proposed legislation as "designed to place the whole educational machinery of the country under the control of one autocratic overseer here in Washington," and described it as "the most dangerous and viciously audacious bill ever introduced into our halls of legislation, having lurking within it a most damnable plot to drive Jesus Christ out of the land."

* * * * * * *

Dr. McDonnell continued:

"And now, last of all, but by no means least of all, our freedom is still further threatened, and still greater power is to be given to the Central Government, and State rights are still further to be weakened by a bill in Congress, the Hoke Smith educational bill, by which the whole educational machinery of the country is to be placed under the control of one autocratic overseer here in Washington.

* * * * * * *

"But there is another aspect of this bill which, for us Catholics and for every right-thinking American, must seem much more serious, for whilst the bill does nothing ostensibly against religion, in effect it aims at banishing God from every schoolroom, whether public or private, in the United States.

* * * * * * *

"This bill destroys all freedom of education, takes away the sacrosanct duty and right of parents to educate their own children and the right of the children to be so educated. It is a direct assault upon religion and it penalizes Jesus Christ, His faith and all who believe and teach it."

Mr. SMITH of Georgia. Mr. President, this address embodies three distinct charges against the pending bills to create a department of education.

First. That the whole educational machinery of the country is to be placed under the control of one autocratic overseer here in Washington.

Second. That the bill takes away the duty and right of parents to educate their own children and the right of the children to be so educated.

Third. That the bill would banish God from every schoolroom and is a direct assault upon religion.

Each of these charges is so utterly false that it is difficult to understand how anyone could have been willing to make them. It is especially difficult to understand how a preacher of the Gospel of Jesus Christ could have been their author.

I request now to have printed in the RECORD, without reading, Senate bill 1017, which is almost identical with House bill No. 7, introduced by Congressman TOWNER.

The PRESIDENT pro tempore. If there is no objection, the request is granted.

The matter referred to is as follows:

SIXTY-SIXTH CONGRESS, FIRST SESSION. S. 1017.

IN THE SENATE OF THE UNITED STATES.

May 28, 1919.

Mr. SMITH of Georgia introduced the following bill; which was read twice and referred to the Committee on Education and Labor.

A bill to create a Department of Education, to authorize appropriations for the conduct of said department, to authorize the appropriation of money to encourage the States in the promotion and support of education, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby created an executive department in the Government to be called the Department of Education, with a Secretary of Education, who shall be the head thereof, to be appointed by the President, by and with the advice and consent of the Senate, and who shall receive a salary of $12,000 per annum, and whose tenure of office shall be the same as that of the heads of other executive departments; and section 158 of the Revised Statutes is hereby amended to include such department, and the provisions of title 4 of the Revised Statutes, including all amendments thereto, are hereby made applicable to said department. The Secretary of Education shall cause a seal of office to be made for such department of such device as the President shall approve, and judicial notice shall be taken of said seal.

SEC. 2. That there shall be in said department an Assistant Secretary of Education, to be appointed by the President, who shall receive a salary of $5,000 per annum. He shall perform such duties as may be prescribed by the secretary or required by law. There shall also be one chief clerk and a disbursing clerk and such chiefs of bureaus and clerical assistants as may from time to time be authorized by Congress.

SEC. 3. That there is hereby transferred to the Department of Education, the Bureau of Education, and the President is authorized and empowered, in his discretion, to transfer to the Department of Education such offices, bureaus, divisions, boards, or branches of the Government devoted to educational matters and connected with or attached to any of the executive departments or organized independently of any department as in his judgment should be controlled by, or the functions of which should be exercised by, the Department of Education; and all such offices, bureaus, divisions, boards, or branches of the Government so transferred by the President or by act of Congress, shall thereafter be administered by the Department of Education, as hereinafter provided.

All officers, clerks, and employees employed in or by any office, bureau, division, board, or branch of the Government, transferred in accordance with the provisions of this act to the Department of Education, shall each and all be transferred to said Department of Education at their existing grades and salaries, except where otherwise provided in this act; and the office records and papers on file and pertaining exclusively to the business of any such office, bureau, division, board, or branch of the Government so transferred, together with the furniture and equipment thereof, shall be transferred to said department.

SEC. 4. That the Secretary of Education shall have charge, in the buildings or premises occupied by or assigned to the Department of Education, of the library, furniture, fixtures, records, and other property used therein or pertaining thereto, and may expend for rental of appropriate quarters for the accommodation of the Department of Education within the District of Columbia, and for the library, furniture, equipment, and all other incidental expenses, such sums as Congress may provide from time to time.

All power and authority conferred by law upon or exercised by the head of any executive department, or by any administrative board, over any officer, office, bureau, division, board, or branch of the Government, transferred in accordance with the provisions of this act to the Department of Education, and any and all business arising therefrom or pertaining thereto, and all duties performed in connection therewith, shall, after such transfer, be vested in and exercised by the Secretary of Education.

All laws prescribing the work and defining the duties and powers of the several offices, bureaus, divisions, boards, or branches of the Government, transferred in accordance with the provisions of this act to the Department of Education, shall, in so far as the same are not in conflict with the provisions of this act, remain in full force and effect and be executed under the direction of the Secretary of Education, to whom is hereby granted definite authority to reorganize the work of any and all of the said offices, bureaus, divisions, boards, or branches of the Government so transferred, in such way as will in his judgment best accomplish the purposes of this act.

SEC. 5. That it shall be the duty of the Department of Education to conduct studies and investigations in the field of education and to report thereon. RESEARCH SHALL BE UNDERTAKEN IN (A) ILLITERACY; (B) IMMIGRANT EDUCATION; (C) PUBLIC-SCHOOL EDUCATION, AND ESPECIALLY RURAL EDUCATION; (D) PHYSICAL EDUCATION, INCLUDING HEALTH EDUCATION, RECREATION, AND SANITATION; (E) PREPARATION AND SUPPLY OF COMPETENT TEACHERS FOR THE PUBLIC SCHOOLS; AND (F) IN SUCH OTHER FIELDS AS, IN THE JUDGMENT OF THE SECRETARY OF EDUCATION, MAY REQUIRE ATTENTION AND STUDY.

In order to carry out the provisions of this section the Secretary of Education is authorized, in the same manner as provided for appointments in other departments, to make appointments, or recommendations of appointments of educational attachés to foreign embassies, and of such investigators and representatives as may be needed, subject to the appropriations that have been made or may hereafter be made to any office, bureau, division, board or branch of the Government, transferred in accordance with the provisions of this act to the Department of Education; and where appropriations have not been made therefor the appropriation provided in section 6 of this act shall be available.

SEC. 6. That for the fiscal year ending June 30, 1921, and annually thereafter, the sum of $500,000 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to the Department of Education, for the purpose of paying salaries and conducting investigations and paying all incidental and traveling expenses and rent where necessary, and for the purpose of enabling the Department of Education to carry out the provisions of this act. And all appropriations which have been made and which may hereafter be made to any office, bureau, division, board or branch of the Government, transferred in accordance with the provisions of this act to the Department of Education, are hereby continued in full force and effect, and shall be administered by the Secretary of Education in such manner as is prescribed by law.

SEC. 7. That in order to encourage the States in the promotion and support of education, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1921, and annually thereafter, $100,000,000, to be apportioned, disbursed, and expended as hereinafter provided.

SEC. 8. That in order to encourage the States to remove illiteracy, three-fortieths of the sum authorized to be appropriated by section 7 of this act shall be used for the instruction of illiterates ten years of age and over. Such instruction shall deal with the common-school branches and the duties of citizenship, and when advisable shall prepare for some definite occupation. Said sum shall be apportioned to the States in the proportions which their respective illiterate populations of ten years of age and over, not including foreign-born illiterates, bear to such total illiterate population of the United States, not including outlying possessions, according to the last preceding census of the United States.

SEC. 9. That in order to encourage the States in the Americanization of immigrants, three-fortieths of the sum authorized to be appropriated by section 7 of this act shall be used to teach immigrants ten years of age and over to speak and read the English language and to understand and appreciate the spirit and purpose of the American Government and the duties of citizenship in a free country. The said sum shall be apportioned to the States in the proportions which their respective foreign-born populations bear to the total foreign-born population of the United States, not including outlying possessions, according to the last preceding census of the United States.

SEC. 10. That in order to encourage the States to improve educational opportunities, five-tenths of the sum authorized to be appropriated by section 7 of this act shall be used in public elementary and secondary schools for the partial payment of teachers' salaries, for providing better instruction and extending school terms, especially in rural schools and schools in sparsely settled localities, and otherwise providing equally good educational opportunities for the children in the several States, and for the extension and adaptation of public libraries for educational purposes. The said sum shall be apportioned to the States, one-half in the proportions which the number of children between the ages of six and twenty-one of the respective States bear to the total number of such children in the United States, and one-half in the proportions which the number of public-school teachers employed in teaching positions in the respective States bear to the total number of public-school teachers so employed in the United States, not including outlying possessions, said apportionment to be based upon statistics collected annually by the Department of Education.

Provided, however, That in order to share in the apportionment provided by this section a State shall establish and maintain the following requirements unless prevented by constitutional limitations, in which case these requirements shall be approximated as nearly as constitutional provisions will permit: (A) A LEGAL SCHOOL TERM OF AT LEAST 24 WEEKS IN EACH YEAR FOR THE BENEFIT OF ALL CHILDREN OF SCHOOL AGE IN SUCH STATE; (B) A COMPULSORY SCHOOL ATTENDANCE LAW REQUIRING ALL CHILDREN BETWEEN THE AGES OF SEVEN AND FOURTEEN TO ATTEND SOME SCHOOL FOR AT LEAST 24 WEEKS IN EACH YEAR; (C) A LAW REQUIRING THAT THE ENGLISH LANGUAGE SHALL BE THE BASIC LANGUAGE OF INSTRUCTION IN THE COMMON-SCHOOL BRANCHES IN ALL SCHOOLS, PUBLIC AND PRIVATE.

SEC. 11. That in order to encourage the States in the promotion of physical education, two-tenths of the sum authorized to be appropriated by section 7 of this act shall be used for physical education and instruction in the principles of health and sanitation, and for providing school nurses, school dental clinics, and otherwise promoting physical and mental welfare. The said sum shall be apportioned to the States in the proportions which their respective populations bear to the total population of the United States, not including outlying possessions, according to the last preceding census of the United States.

SEC. 12. That in order to encourage the States in the preparation of teachers for public-school service, particularly in rural schools, three-twentieths of the sum authorized to be appropriated by section 7 of this act shall be used to provide and extend facilities for the improvement of teachers already in service and for the more adequate preparation of prospective teachers, and to provide an increased number of trained and competent teachers by encouraging, through the establishment of scholarships and otherwise, a greater number of talented young people to make adequate preparation for public-school service. The said sum shall be apportioned to the States in the proportions which the number of public-school teachers employed in teaching positions in the respective States bear to the total number of public-school teachers so employed in the United States, not including outlying possessions, said apportionments to be based on statistics collected annually by the Department of Education.

SEC. 13. That in order to secure the benefits of the appropriation authorized in section 7, and of any of the apportionments made in sections 8, 9, 10, 11, and 12 of this act, a State shall by legislative

enactment accept the provisions of this act and provide for the distribution of such funds as may be apportioned to said State, and shall designate the State's chief educational authority, whether a State superintendent of public instruction, a commissioner of education, a State board of education, or other legally constituted chief educational authority, to represent said State in the administration of this act, and such authority so designated shall be recognized by the Secretary of Education: *Provided*, That in any State in which the legislature does not meet in 1920, the governor of said State, in so far as he may have authority so to do, may take such action temporarily as is herein provided to be taken by legislative enactment in order to secure the benefits of this act, and such action by the governor shall be recognized by the Secretary of Education for the purposes of this act, when reported by the chief educational authority designated to represent said State, until the legislature of said State shall have met in due course and been in session 60 days.

In any State accepting the provisions of this act the State treasurer shall be designated and appointed as custodian of all funds received by said State as apportionments under the provisions of this act, to receive and provide for the proper custody and disbursement of the same, such disbursements to be made in accordance with the legal provisions of said State, on warrants duly drawn by the State's chief educational authority designated to represent said State in the administration of this act.

A State may accept the provisions of any one or more of the respective apportionments authorized in sections 8, 9, 10, 11, and 12 of this act, and may defer the acceptance of any one or more of said apportionments: *Provided, however*, That no money shall be apportioned to any State from any of the funds provided in sections 8, 9, 10, 11, and 12 of this act unless a sum equally as large shall be provided by said State, or by local authorities, or by both, for the same purpose: *And provided*, That the sum or sums provided by a State for the improvement of educational opportunities, for the promotion of physical education, and for the preparation of teachers, shall not be less for any year than the amount provided for the same purpose for the fiscal year next preceding the acceptance of the provisions of this act by said State: *And provided further*, That no money apportioned to any State under the provisions of this act shall be used by any State or local authority, directly or indirectly, for the purchase, rental, erection, preservation, or repair of any building or equipment, or for the purchase or rental of land, or for the payment of debts or the interest thereon.

SEC. 14. That when a State shall have accepted the provisions of this act and shall have provided for the distribution and administration of such funds as may be apportioned to said State, as herein provided, the State's chief educational authority designated to represent said State shall so report in writing to the Secretary of Education. If such report shows that said State is prepared to carry out the provisions of this act with respect to any one or more of the apportionments authorized in sections 8, 9, 10, 11, and 12 of this act, the Secretary of Education shall apportion to said State for the fiscal year, or for the remainder of the fiscal year, as the case may be, such funds as said State may be entitled to receive under the provisions of this act, and shall certify such apportionment or apportionments to the Secretary of the Treasury: *PROVIDED*, THAT THIS ACT SHALL NOT BE CONSTRUED TO REQUIRE UNIFORMITY OF PLANS, MEANS, OR METHODS IN THE SEVERAL STATES IN ORDER TO SECURE THE BENEFITS HEREIN PROVIDED, EXCEPT AS SPECIFICALLY STATED HEREIN: *AND PROVIDED FURTHER*, THAT ALL THE EDUCATIONAL FACILITIES ENCOURAGED BY THE PROVISIONS OF THIS ACT AND ACCEPTED BY A STATE SHALL BE ORGANIZED, SUPERVISED, AND ADMINISTERED EXCLUSIVELY BY THE LEGALLY CONSTITUTED STATE AND LOCAL EDUCATIONAL AUTHORITIES OF SAID STATE, AND THE SECRETARY OF EDUCATION SHALL EXERCISE NO AUTHORITY IN RELATION THERETO EXCEPT AS HEREIN PROVIDED TO INSURE THAT ALL FUNDS APPORTIONED TO SAID STATE SHALL BE USED FOR THE PURPOSES FOR WHICH THEY ARE APPROPRIATED, AND IN ACCORDANCE WITH THE PROVISIONS OF THIS ACT ACCEPTED BY SAID STATE.

SEC. 15. That the Secretary of Education is authorized to prescribe plans for keeping accounts of the expenditures of such funds as may be apportioned to the States under the provisions of this act, and to audit such accounts. The Secretary of Education may withhold the apportionment or apportionments of any State for the next ensuing fiscal year whenever he shall determine that such apportionment or apportionments made to said State for the current fiscal year are not being expended in accordance with the provisions of this act: *Provided, however*, That before withholding any such apportionment from any State, as herein provided, the Secretary of Education shall give due notice in writing to the chief educational authority designated to represent said State, stating specifically wherein said State fails to comply with the provisions of this act.

If any portion of the money received by the treasurer of a State under the provisions of this act for any of the purposes herein provided shall, by action or contingency, be diminished or lost, the same shall be replaced by said State, and until so replaced no subsequent apportionment for such purpose shall be paid to said State. If any part of the funds apportioned annually to any State for any of the purposes named in sections 8, 9, 10, 11, and 12 of this act has not been expended for such purpose, a sum equal to such unexpended part shall be deducted from the next succeeding annual apportionment made to said State for such purpose.

SEC. 16. That the Secretary of the Treasury is hereby authorized and directed to pay quarterly, on the 1st day of July, October, January, and April, to the treasury of any State designated to receive such funds, such apportionment or apportionments as are properly certified to him by the Secretary of Education, and he shall discontinue such payments when notified so to do by the Secretary of Education, as provided in this act.

SEC. 17. That the chief educational authority designated to represent any State receiving the benefits of this act shall, not later than September 1 of each year, make a report to the Secretary of Education showing the work done in said State in carrying out the provisions of this act, and the receipts and expenditures of money apportioned to said State under the provisions of this act. If the chief educational authority designated to represent any State shall fail to report as herein provided, the Secretary of Education shall notify the Secretary of the Treasury to discontinue the payment of all apportionments to said State until such report shall have been made.

SEC. 18. That the Secretary of Education shall annually at the close of each fiscal year make a report in writing to Congress giving an account of all moneys received and disbursed by the Department of Education, and describing the work done by the department. He shall also, not later than December 1 of each year, make a report to Congress on the administration of sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 of this act, and shall include in said report a summary of the reports made to him by the several States showing the condition of public education therein, and shall at the same time make such recommendations to Congress as will, in his judgment, improve public education in the United States. He shall also from time to time make such special investigations and reports as may be required of him by the President or by Congress.

SEC. 19. That this act shall take effect April 1, 1920, and all acts and parts of acts in conflict with this act are hereby repealed.

Mr. SMITH of Georgia. Mr. President, no one can read the bill without observing that no autocratic overseer of education is created in Washington.

It will also readily be seen that the bill in no way interferes with the right of a parent to place his child in a private school or religious denominational school if he sees fit to do so.

The bill seeks to aid the States in fighting illiteracy, in teaching the English language to immigrants, in strengthening the schools by adding to the pay of teachers, and by contributing toward the better preparation of teachers for their work.

The charge that it banishes God from the schoolroom and that it is an assault upon religion will be tolerated only by one who opposes public education conducted by the State or local authorities, and who opposes all schools, except denominational and parochial schools.

Let us consider the bill somewhat in detail.

The first four paragraphs of the bill provide for the creation of a department of education, with a secretary of education who shall be a member of the President's Cabinet. They transfer the Bureau of Education to the Department of Education, and authorize the President to transfer from time to time, at his discretion, other national educational activities to the Department of Education. They give the secretary of education supervisory authority over the department of education.

Section 5 requires the department to conduct studies and investigation in the field of education and directs that research be undertaken in illiteracy; immigrant education; public-school education, and especially rural education; physical education, including health education, recreation, and sanitation; and preparation and supply of competent teachers for public schools.

It will be seen that these provisions give the department in Washington no authority over the problems of education named, but require research in the interest of the schools of the entire country, that the information thus gathered may be furnished for the benefit of all States and all schools in the States.

Sections 6, 7, 8, 9, 10, 11, and 12 provide for appropriations, a part for the instruction of illiterates; a part for the Americanization of immigrants; a part to be used in public elementary and secondary schools toward payment of teachers' salaries and for providing better instruction and extending school terms, especially in rural schools and schools in sparsely settled localities; a part for physical education and instruction in the principles of health and sanitation, and for providing school nurses and school dental clinics and otherwise promoting physical and mental welfare; a part for the preparation of teachers for public-school service, particularly in rural schools.

These funds, except the amount to be used to conduct the work of investigation by the department here in Washington, are to be distributed to the States, and used by the States and the educational authorities of the States.

So far from giving the department here control over the work in the respective States, it is specifically provided in section 14:

> That this act shall not be construed to require uniformity of plans, means or methods in the several States in order to secure the benefits herein provided, and the use of the funds and all the educational facilities encouraged by the provisions of this act and accepted by the States, shall be organized, supervised and administered exclusively by the legally constituted State and local authorities of said States. And the Secretary of Education shall exercise no authority in relation thereto, except as herein provided, to insure that all funds apportioned to said State shall be used for the purposes for which they are appropriated.

The language of the bill shows how absurd was the charge that the educational machinery of the country is to be placed under the control of one autocratic overseer here in Washington.

A provision is made that each State must duplicate the fund offered by the National Government if it is to be received by the State, and a further provision is found in section 10 that in order to share in the apportionment provided by this section (which is the appropriation to be used in public elementary and secondary schools for the partial payment of teacher's salaries), a State shall establish and maintain the following requirements, or these requirements shall be approximated as nearly as constitutional provisions will permit: "(a) A legal school term of at least 24 weeks in each year for the benefit of all the children of school age in such State; (b) a compulsory school attendance law requiring all children between the ages of 7 and 14 to attend some school for at least 24 weeks in each year; (c) a law requiring that the English language shall be the basic

language of instruction in the common-school branches in all schools, public and private."

The purpose of the bill is to aid the States in furnishing an opportunity for each child to attend a public school and to aid in improving the work of the school; to require a term of at least 24 weeks in each year for the benefit of all children is a reasonable provision, and the least that any State should furnish.

If the bill stimulates every State to furnish public schools, open for not less than 24 weeks each year to all the children of the State, it will do great good.

Surely no one will question the propriety of making the English language the basic language of instruction in the common schools, public and private.

This disposes of two of the three requirements necessary to sharing in the appropriation.

The provision requiring a compulsory school-attendance law does not require that the children shall attend the public schools but requires the 24 weeks' attendance to be in some school, public, parochial, or private, leaving the choice to the parents. That all children may have a chance to go to school, the State must see to it that the opportunity is given, but no requirement is made upon parents that their children shall attend the public school.

The Presbyterian Church in the city of Atlanta of which I am a member, maintains a church school. The bill in no way interferes with this school. Attendance for 24 weeks each year upon this school or any church school—Presbyterian, Baptist, Methodist, Episcopal, or Catholic—or any private school meets the requirements of the bill. The claim that it takes away the right of parents to educate their own children is plainly false.

The charge that this bill would banish God from every school is without the slightest foundation. The bill can only be considered an assault upon religion by those who oppose public schools, and by those who believe ignorance on the part of the masses increases religious faith. The charge is really an attack upon public education and shall not be permitted to hide behind an expressed attack on this bill. It is founded upon opposition to taxing all the people that all the children may have an opportunity to obtain an education. It is an assault upon our public-school systems in every State, and carried to its logical consequence would abolish all public education conducted by State or local authorities.

If public education were suppressed, more than half of the children of our country would grow up in ignorance.

I need not dwell upon the calamity which would be visited upon our country if the opportunity for education at public expense were suppressed.

Taxes paid for the support of public schools are the highest contribution made by wealth for the welfare of our citizens and for the future of our country.

These attacks might have been expected of leaders of thought in the Dark Ages; at the present time they are surprising and shocking.

I can not believe that the real leaders of the Catholic Church or the rank and file of its members in the United States are opposed to public schools, or to an opportunity being given to every child of obtaining an education at the public expense.

I hope they will learn the real meaning of these bills to create a Department of Education. If they do so, and if I am right in my estimate of their attitude toward public schools, they will aid in stopping the unwise opposition to these bills to which I have referred.

I wish to add a table showing the native-born illiterates, and the foreign-born immigrants in each State. The table also shows the allotment made by the bill to each State for illiteracy and Americanization. I request that the table be printed.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The table is as follows:

Illiteracy and Americanization.

	Native-born illiterates.	Allotment for removal of illiteracy.	Foreign-born immigrants.	Allotment for Americanization.
United States	3,762,003	$7,500,000.00	13,515,886	$7,500,000.00
Alabama	350,396	698,689.62	19,286	10,703.73
Arizona	3,898	7,772.61	48,765	27,064.57
Arkansas	141,423	281,997.46	17,046	9,460.53
California	8,838	17,622.97	586,432	325,469.76
Colorado	8,989	17,924.07	129,587	71,920.79
Connecticut	4,375	8,723.75	329,574	182,913.57
Delaware	9,870	19,680.78	17,492	9,708.06
Florida	74,374	148,301.75	40,633	22,551.31
Georgia	388,842	775,350.94	15,477	8,589.73
Idaho	744	1,483.54	42,578	23,630.79
Illinois	50,199	100,096.81	1,205,314	668,949.27
Indiana	47,914	95,540.52	159,663	88,612.97
Iowa	12,813	$25,549.12	273,765	$151,939.58
Kansas	14,823	29,537.12	135,450	75,174.75
Kentucky	204,697	408,165.81	40,162	22,289.91
Louisiana	339,507	676,976.96	52,766	29,285.13
Maine	9,917	19,774.50	110,562	61,361.91
Maryland	61,241	122,114.55	104,944	58,243.92
Massachusetts	11,747	23,423.52	1,059,245	587,880.98
Michigan	18,672	37,231.97	597,550	331,640.25
Minnesota	6,053	12,069.68	543,595	301,695.23
Mississippi	288,137	547,545.18	9,770	5,422.35
Missouri	88,304	176,078.17	229,779	127,527.34
Montana	850	1,694.90	94,713	52,565.72
Nebraska	4,760	9,491.44	176,662	98,047.41
Nevada	213	424.72	19,691	10,928.50
New Hampshire	2,890	5,762.66	96,667	53,650.18
New Jersey	19,658	39,198.05	660,788	366,737.34
New Mexico	30,529	60,874.83	23,146	12,846.03
New York	42,086	83,919.48	2,748,011	1,525,146.11
North Carolina	288,492	575,253.05	6,092	3,381.06
North Dakota	1,439	2,869.37	156,654	86,942.97
Ohio	57,770	115,193.38	598,374	332,097.57
Oklahoma	51,427	102,545.44	40,442	22,445.31
Oregon	1,887	3,762.68	113,135	62,790.48
Pennsylvania	74,318	148,190.09	1,142,374	800,517.57
Rhode Island	4,005	7,985.97	179,141	99,423.26
South Carolina	276,487	551,315.08	6,179	3,429.35
South Dakota	1,277	2,546.34	100,790	55,938.45
Tennessee	219,507	437,696.96	18,607	10,326.88
Texas	215,209	429,126.75	241,938	134,275.59
Utah	881	1,756.71	65,822	36,531.21
Vermont	4,564	9,100.62	49,921	27,706.15
Virginia	230,407	459,431.56	27,057	15,016.64
Washington	2,075	4,137.55	256,241	142,213.75
West Virginia	61,754	123,137.48	57,218	31,755.99
Wisconsin	11,581	23,092.51	512,865	284,640.07
Wyoming	400	797.60	29,020	16,106.10

ARKANSAS RIVER BRIDGES.

Mr. SHEPPARD. From the Committee on Commerce, I ask leave to report back two bridge bills, which ought to be passed at once, and I shall ask for their consideration.

Mr. CURTIS. Let them be read.

Mr. SHEPPARD. Very well; they will be read.

From the Committee on Commerce, I report back favorably without amendment the bill (S. 2594) to extend the time for the construction of the Broadway Street Bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark., and I submit a report (No. 112) thereon. I ask that the bill be read.

The PRESIDENT pro tempore. The bill will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge and approaches thereto, authorized by act of Congress approved August 7, 1914, to be built from Broadway Street, in the city of Little Rock, Ark., to a point on the north bank of said river in the city of Argenta, county of Pulaski, Ark., are hereby extended one year and three years, respectively, from the date of approval hereof.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. SHEPPARD. From the Committee on Commerce, I report back favorably without amendment the bill (S. 2595) to extend the time for the construction of the Main Street Bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark., and I submit a report (No. 113) thereon. I ask for the immediate consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge and approaches thereto, authorized by act of Congress approved October 6, 1917, to be built across the Arkansas River at the city of Little Rock on the site now occupied by the free highway bridge constructed by said county in the years 1896 and 1897, are hereby extended one year and three years, respectively, from the date of approval hereof.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DEPARTMENT OF EDUCATION.

Mr. THOMAS. Mr. President, I have listened with close attention to the remarks of the Senator from Georgia [Mr. SMITH] upon the so-called Smith-Towner bill. The objections to the bill which he has discussed seem to me to be untenable; but I have been impressed with the fact this bill, if enacted into law, how-

ever carefully it is drawn and whatever limitations may be originally placed upon the subject, will be the beginning of a policy of transferring to the General Government complete jurisdiction over the cause of education. The attractive feature of the bill to those who are very actively engaged at present in cultivating a propaganda for it—for I am getting multitudes of letters identical in expression in favor of it—is the fact that it carries an appropriation of $100,000,000. That is a bait, Mr. President, which few men in this country can resist at this time, particularly when these benefits are to be shed like the dews of heaven over the just and the unjust in all the States and Territories of the Union.

I believe in the education of the people of the United States and of their children, as I believe in the cause of education everywhere, but I am also profoundly convinced that one of the things that the States reserved to themselves and which is essential to their integrity and to the integrity of the cause of local self-government is their continued retention of jurisdiction over the education of the people within their borders.

I know that it may be said that this duty has in large degree been neglected in certain portions of the country in the past and is now being neglected. I know that it is claimed, with perfect truth, that the percentage of illiteracy in some sections of the country is simply appalling and that it constitutes a menace to the integrity of the Nation. That is to say, that the States are not functioning; that is to say, that the Government must assume the obligation of discharging the duties of the States wherever the States themselves fail, in whole or in part, in assuming the obligation themselves.

The tendency of the Federal Government to extend its powers and activities far beyond the original purposes contemplated is a tendency which is encouraged by the people of the States of the Union whenever it appears that the extension carries with it the assumption of the financial obligation which the discharge of the duty involves. I know of no reason if this is a logical movement why we should not have a minister of police as a member of the Cabinet of the President, to whom should be given the authority of enforcing police regulations throughout the country, the States themselves being negligent or indifferent or sometimes wholly failing in the discharge of that local obligation. I know of no reason why we should have States at all if this tendency is to continue, and particularly if it is to continue with the encouragement of the people of the States. If that is to be the policy of the United States hereafter, let us make one bite at the cherry and establish in the city of Washington a department for all of the local activities of the country.

Mr. KING. And wipe out the States?

Mr. THOMAS. It would wipe out the States. It is being done through the constant operation of what might be called the law of political gravity; and it may be entirely useless, probably it is, for those of us who believe that there should be some semblance of authority left to the States to contend against this manifest movement. The fact is that in some sections of the country, if I can judge from the letters which I have received upon this subject, people have come to the conclusion that the Government has heretofore been extremely remiss in not taking over these agencies and relieving the local government from the consequent burden of taxation.

The Senator from Georgia has so drawn this bill that the activities of the States are to continue and the revenues raised for educational purposes are not to be diminished; but the Government, out of its inexhaustible revenues, is to begin with the trifle of $100,000,000 in supplementing educational funds. I make the prediction that within 10 or 15 years from now, largely through the action of the States themselves, this obligation will be more and more imposed upon the shoulders of the Federal Government until by that time education in the United States will be bureaucratized and subjected to all of the evils of bureaucracy, with its concomitants of red tape, multitudinous officials, and inefficiency which during the war were brought so startlingly to the attention of the country in regard to matters military.

Mr. President, I had a friend who during the war gave his entire time to the people of the United States. He is a man of means, an engineer, who in his work in the world has accomplished many things of magnitude and made his own fortune. About a year ago he became impressed with the necessity of securing for the soldiers of the Expeditionary Forces in France every possible and effective supply against the gases which at that time were being used so prodigally by the Germans in their frantic efforts to stop the advance which, once begun, only ended with the armistice. The demand that came for this class of material was overwhelming; the need of it was everywhere admitted. This gentleman gave special attention to it, and was one of those who brought to public attention the need for conserving the shells of coconuts, the seeds of peaches and almonds and of other small fruits, the incineration of which furnished a class of charcoal of very superior quality and peculiarly desirable for this particular use. He designed a building for the rapid and effective incineration of this material, but the bureaucratic authorities of the War Department, dissatisfied with his plans, prepared and presented their own plans for buildings, the completion of which alone would in all probability have taken not less than three months. This gentleman said, "All right; go ahead with your plans, but we must have this charcoal at once; the demand for it now is emergent; by the time this newly designed factory is created the war may be over and Germany may be victorious. What we want we must have, and we must have it now. I have some kilns of my own in the city of Toledo; they are at present unoccupied and inactive; and I will undertake to supply this material myself. If the Government pays me, well and good; if it does not pay me hereafter, all right; but I will do it. The need for it is overwhelming, and every man should recognize it and act accordingly."

So he telegraphed to his associates, got his kilns in condition, reported to the proper authority, and asked for the material. He was met with the reply that he could not have it, because he had no contract with the Government permitting it. It was not until this gentleman appealed directly to the higher authorities, pointing out the tremendous emergency with which he was confronted and what he was required to do and trying to do on his own account and with no hope of reward, that he managed grudgingly to secure the needed supply, made the charcoal, and sent it across. Of course, that is an unusual instance; it may not be typical; but it indicates the result of bureaucracy in a centralized government like this. So, when this bill is enacted, as it probably will be—for no doubt the $100,000,000 lure will be sufficient to get votes enough to pass it in both Houses—the Senators upon this floor who are perhaps 15 or 20 years younger than I am will in all probability live to see everything affecting education throughout this country emanating from general headquarters in the city of Washington, and necessarily passing through the manifold processes and subdivisions of an organized bureaucracy.

This, Mr. President, in brief, is the basis of the objection that I shall offer to the passage of this bill when it comes up for final consideration.

Mr. SMITH of Georgia. Mr. President, I do not desire at this time to enter into a discussion of the general merits of the bill. My only object in speaking to-day was to present an answer, by an analysis of the bill itself, to the charges that have been brought against it, unfounded as they are, believing that a presentation of the real provisions of the bill would relieve the minds even of some of those who have brought the charges.

I think it can be easily shown that the views of those of us who framed the bill are sound. We insist that the National Government should contribute toward the education of the children of the country. We believe the educational responsibility to be a triple one—in part resting upon the locality, in part resting upon the States, and in part resting upon the National Government. The spirit that inspired this bill and preserved the entire control in the State governments, I think, will endure, and I do not share the fear suggested by the Senator from Colorado that in a few years the State control and State administration will be wiped out. I believe that the work will be so excellent, I believe the stimulating influence to the States will be so inspiring, and the better operation of the schools as the result of the operation of this bill will be so apparent, that, instead of modifying the view that all the control must be kept in the States, it will be strengthened. So I do not feel that anyone need have any hesitancy about supporting the measure on that account.

The National Government, by Federal legislation, has determined that every child from 7 to 14 must be kept away from work. The National Government has assumed this responsibility. It is only fair that a portion of the national income may be used to provide that the children between 7 and 14 may be furnished an opportunity to obtain preparation for better work when with them work begins.

We have passed legislation giving to the National Government large revenues through income taxation; we draw to the National Government large sums through inheritance taxes. The great incomes of the people of this country are not made in the States where the owners live. The real instrumentality that produces the large incomes are in many States away from the State of residence. For this reason it is fair that the National Government should contribute in part toward car-

rying the responsibility and the burden of education in the States.

The lack of education by citizens injures the locality of residence, the State of residence, and the Nation.

We may well regard the duty of education one to which all three shall contribute. But I will not now discuss the subject. I will do so at a later day.

EXECUTIVE SESSION.

Mr. CURTIS. Mr. President, I move that the Senate proceeed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 4 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, July 29, 1919, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate July 28, 1919.

CONSULS.

CLASS 4.

Ransford S. Miller, of New York, now Chief of the Division of Far Eastern Affairs, Department of State, to be a consul general of class 4 of the United States of America.

CLASS 8.

Lee R. Blohm, of Bisbee, Ariz., to be a consul of class 8 of the United States of America.

ASSISTANT DIRECTOR OF CENSUS.

William M. Steuart, of Michigan, to be Assistant Director of the Census, in the Department of Commerce. (New office authorized by section 3 of the Fourteenth Decennial Census act approved Mar. 3, 1919.)

COLLECTOR OF CUSTOMS.

William P. Ryan, of Baltimore, Md., to be collector of customs for customs collection district No. 13, with headquarters at Baltimore, Md. (Reappointment.)

THIRD JUDGE OF CIRCUIT COURT.

James J. Banks, of Hawaii, to be third judge of the circuit court, first circuit of the Territory of Hawaii, vice William H. Heen, resigned.

UNITED STATES ATTORNEY.

E. W. Fiske, of Sioux Falls, S. Dak., to be United States attorney, district of South Dakota, vice Robert P. Stewart, resigned.

COLLECTORS OF INTERNAL REVENUE.

Lewis Williams, of Pocatello, Idaho, to be collector of internal revenue for the district of Idaho. New office.

William L. Elder, of Indianapolis, Ind., to be collector of internal revenue for the sixth district of Indiana, in place of Peter J. Kruyer, resigned.

George L. Donald, of Jackson, Miss., to be collector of internal revenue for the district of Mississippi. New office.

REGISTER OF THE LAND OFFICE.

Frank A. Boyle, of Alaska (now receiver of public moneys at Juneau, Alaska), to be register of the land office at Juneau.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 28, 1919.

ASSISTANT COMMISSIONER OF PATENTS.

Melvin H. Coulston to be Assistant Commissioner of Patents.

SOLICITOR OF INTERNAL REVENUE.

Robert N. Miller to be Solicitor of Internal Revenue.

JUDGE OF THE COURT OF CLAIMS.

Samuel J. Graham to be judge of the Court of Claims.

UNITED STATES ATTORNEYS.

John F. Crosby to be United States attorney, district of Connecticut.

W. V. Gregory to be United States attorney, western district of Kentucky.

Lee Douglas to be United States attorney, middle district of Tennessee.

UNITED STATES MARSHALS.

Herman O'Connor to be United States marshal, western district of Michigan.

J. Parks Worley to be United States marshal, eastern district of Tennessee.

Stanley H. Trezevant to be United States marshal, western district of Tennessee.

COLLECTOR OF INTERNAL REVENUE.

William L. Elder to be collector of internal revenue, sixth district of Indiana.

REGISTERS OF LAND OFFICE.

Henry A. Meier to be register of land office at Lincoln, Nebr.

Mrs. Minnie L. Bray to be register of the land office at Carson City, Nev.

William O'Leary to be register of the land office at Minot, N. Dak.

James E. Truesdale to be register of land office at Timber Lake, S. Dak.

RECEIVERS OF PUBLIC MONEYS.

Mrs. Lulu Hurley to be receiver of public money at Elko, Nev.

William Norris Dickinson to be receiver of public moneys at Williston, N. Dak.

APPOINTMENT IN THE REGULAR ARMY.

MEDICAL DEPARTMENT.

Col. Walter D. McCaw to be assistant surgeon general, with the rank of brigadier general.

POSTMASTERS.

ALABAMA.

William L. Phillips, Clio.
Louis C. Kelley, Carbon Hill.
Richard C. Jones, Camden.
Clifford R. Rankin, Brewton.
Jacob E. Hood, Cordova.
Robert B. Evans, Elkmont.
Robert Stephens, jr., Fairfield.
M. W. Camper, Florence.
Leona Randall, Fort Morgan.
Stephen D. Fulford, Georgiana.
Theresa C. Spink, Grand Bay.
Walter Whisenhunt, Hanceville.
Sarah M. Salley, Hayneville.
Daniel W. McLean, Headland.
Robert L. O'Neal, Huntsville.
Nannie S. Coleman, Jasper.
Joseph S. McCain, Lineville.
Ruth K. Conerly, Lockhart.
Jake E. Wallace, Maplesville.
William T. Rutledge, Quinton.
Bays D. Cather, Pell City.
Jesse G. Turner, Slocomb.
Bettie T. Forster, Thomasville.
Lillian L. Irygley, Town Creek.
Maggie Winningham, York.

ALASKA.

Robert S. McDonald, Nenana.
George W. Robbins, Valdez.

DELAWARE.

Frederick L. Willey, Bridgeville.
J. Frank Starling, Dover.
George R. Mears, Georgetown.
Edwin V. Ocheltree, Greenwood.
Effie M. Truitt, Rehoboth Beach.

FLORIDA.

James F. McKinstry, Gainesville.
Milton D. Bell, Inverness.
George L. Drew, Jacksonville.
Dona H. Weaver, Mayo.
James L. Stokes, Micanopy.
William C. McLean, Orlando.
Samuel T. Ward, Panama City.
John W. Jackson, Palmetto.
John R. Thompson, St. Andrew.
Orlando E. Hannah, Tavares.

GEORGIA.

Josephine M. Gray, Adairsville.
Barbour C. Warnock, Brooklet.
Thomas B. Perry, Camilla.
Anna A. Addison, Carnesville.
William D. Wallace, Chamblee.
Frank L. Asbury, Clarksville.
Wilbur S. Freeman, Claxton.
Henry M. Miller, Colquitt.
William T. Thurmond, Commerce.
Thomas D. O'Kelley, Conyers.
Harry B. Maxwell, Cornelia.
John L. Dorris, Douglasville.

William T. Adkins, Edison.
Abbie F. Beacham, Glenwood.
Walter L. Turner, Lagrange.
Jane M. Wilkes, Lincolnton.
Thomas W. Allgood, Loganville.
Robert L. Horne, Ludowici.
Clement C. Moseley, Lyons.
Albert S. J. McRae, McRae.
George C. Thompson, Manchester.
Julien V. Frederick, Marshallville.
Thomas Davis, Meigs.
George G. Brinson, Millen.
Joseph B. Williams, Rhine.
Agnes Wells, Smithville.
Freeman R. Hardisty, Statesboro.
Sam Tate, Tate.
John Q. West, Thomson.
Emory F. Boyd, Tignall.
Josephine H. Lunceford, Union Point.
Tilden A. Adkins, Vienna.
Rebie I. Corbin, Warrenton.
James C. Newsom, Washington.
James H. McWhorter, Wrightsville.

HAWAII.

Mary Mitchell, Fort Kamehameha.
Caesar R. Jardin, Kohala.
I. Ching How, Paia.

INDIANA.

Francis M. Fultz, Akron.
Charlie E. Heiney, Andrews.
Henry E. Snyder, Atlanta.
Miles Baxter, Auburn.
Charles L. Berg, Bremen.
William L. McMillen, Brook.
J. Bruce Pessell, Butler.
Merrimon Straughn, Cambridge City.
Harry C. Wesner, Campbellsburg.
Frank E. Parker, Colfax.
John W. Brand, Columbia City.
Peter F. Hein, Crown Point.
Marley Kendall, Dana.
Benjamin F. Houseman, Dunkirk.
James J. Littrell, Elkhart.
Oren S. Hurst, Farmland.
Charles J. Metzger, Ferdinand.
Walter M. Engle, Francesville.
Henry B. Snyder, Gary.
William L. Denman, Greencastle.
George J. Richman, Greenfield.
George E. Erdmann, Greensburg.
William W. Drake, Greenwood.
John L. Rohde, Hammond.
Edward E. Cox, Hartford City.
Herbert J. Harris, Hillsboro.
Burt E. Kimmel, Howe.
Louis G. Trixler, Huntington.
Charles Van Arsdall, Hymera.
John P. Huther, Jasper.
William H. Morey, Lowell.
John Postma, Milford.
Amasa S. Robinson, Monroeville.
Rudolph F. Schneider, Montpelier.
Frank Billings, Morocco.
Alvin E. Hauk, Morristown.
John A. Cody, New Albany.
Frank A. Keller, Newburg.
Thomas C. Dowling, New Haven.
Charles F. Ill, Notre Dame.
Alfred M. Hiatt, Pennville.
Charles C. Rickard, Pekin.
Clarence E. Skelton, Orleans.
Frank E. Campbell, Redkey.
Charles A. Wall, Ridgeville.
James E. Turner, Roann.
Charles K. Lewis, Russiaville.
Allen Swope, Seymour.
Levi T. Pennington, Spiceland.
Verado W. Bigney, Sunman.
James H. Roy, Topeka.
Don C. Ward, Union City.
Charles W. Reed, Upland.
Burr Atkinson, Vanburen.
R. William I. Boggs, Veedersburg.
Eugene Kelley, Waterloo.
George A. Dalton, West Baden.
Winfield S. Sanders, Westport.
Charles R. Carrette, Whiting.
William Marmaduke, Wingate.
Benjamin H. Knapp, Wheatfield.

KANSAS.

Horatio C. Duckworth, Altoona.
George S. Hartley, Arkansas City.
Louis C. Orr, Atchison.
Frank E. Munger, Atwood.
William A. McClure, Baldwin City.
Harlan W. Marmon, Barnes.
Charles D. Wyatt, Beloit.
Clarence Coulter, Blue Rapids.
William S. Twist, Bonner Springs.
Sol A. Pack, Burden.
Richard F. G. Hepworth, Burlingame.
Frank H. Higley, Cawker City.
Thomas Pore, Cedar Vale
John W. Lapham, Chanute.
Granville S. Hoss, jr., Cherryvale.
Frederick M. Murphy, Clyde.
Elmer E. Scott, Council Grove.
Carl E. Hallberg, Courtland.
John E. Hare, Cunningham.
Isaac N. Richardson, Delphos.
Henry F. Schmidt, Dodge City.
Thomas P. Mannion, Eldorado.
Harrison Parkman, Emporia.
John A. Lindahl, Enterprise.
Joseph A. Carson, Erie.
Robert Focht, Eureka.
Virginia H. Kinyon, Fall River.
John J. Germann, Fairview.
Daniel E. Pease, Greeley.
P. J. Murphy, Gardner.
Clayton K. Simon, Goff.
John F. Hostetler, Great Bend.
Hiram R. Fulton, Hanover.
Lee Bledsoe, Herington.
Arthur C. Inlow, Hill City.
Ferdinand Scharping, Hillsboro.
John H. Roemer Hoisington.
Samuel T. Osterhold, Holton.
Samuel S. Graybill, Hutchinson.
Michael A. Frey, Junction City.
Benjamin F. Tatum, Kinsley.
Charles A. Taschetta, Leavenworth.
Anna J. Miller, Lebanon.
Wenslow Cipra, Lincoln.
Lloyd E. Jackson, McPherson.
Henry R. Honey, Mankato.
Harry M. Brodrick, Marysville.
Ernest Bray, Neodesha.
William L. D. Hagan, Newton.
George A. Milliman, Oakley.
James H. Cosgrove, Olathe.
Edwin F. Moody, Onaga.
William C. White Osage City.
Aldamar P. Elder, Ottawa.
Claud Alley, Oxford.
Lula Ferrell, Peru.
William L. Scott, Sharon Springs.
Thomas J. Ryan, St. Marys.
William F. Grosser, Salina.
Richard D. McCliman, Seneca.
Henry R. Payne, Spring Hill.
Henry Block, Syracuse.
Timothy D. Seeley, Tonganoxie.
Frank A. Moore, Tribune.
Everett R. McGalliard, Troy.
Julia B. Temple, Valley Center.
Joseph J. Keraus, Wakeeney.
Oscar L. Clarke, Washington.
Catharine E. Simmons, Wellsville.
Claude J. Wood, Wetmore.
Thomas Torgeson, White City.
Althea C. Curry, Winchester.

LOUISIANA.

Omar G. Goldsby, Amite.
Florence A. Stuckey, Boyce.
Moise Bellard, Church Point.
Jacob Seiler, Covington.
Joseph Muth, Elizabeth.

Vera M. Canady, Eros.
Harry Preaus, Farmerville.
Henry C. Baldwin, Franklin.
Hardy C. Richardson, Franklinton.
Katherine J. Moynagh, Harvey.
Thomas E. Wright, jr., Houma.
Lee Kiblinger, Jackson.
Shep B. Hanes, Jena.
James M. Callaway, Jonesboro.
Felicien H. Toups, Lafourche (late Lafourche Crossing).
W. Randolph Morgan, Mandeville.
J. Wiley Miller, Many.
Ellet B. Jewell, New Roads.
Joseph P. Trosclair, Opelousas.
William P. Willett, Pollock.
Simon Kahn, Raceland.
William T. Oliver, Rayville.
Irvin P. Duke, Rochelle.
Samuel L. Barksdale, Ruston.
Robinson M. Leake, St. Francisville.
William W. Drake, St. Joseph.
Frederick H. Gosman, Shreveport.
Henry J. Nelson, Vinton.
A. Mabelle Oaksmith, Welsh.

MASSACHUSETTS.

John McGrath, Amesbury.
John T. Dolan, Avon.
Daniel M. O'Leary, Baldwinsville.
James T. Wheelan, Ashburnham.
John T. King, Ashland.
James J. Gorman, Bridgewater.
John F. Shea, Bondsville.
John J. Downey, Blackstone.
Edward Gilmore, Brockton.
Andrew J. Maguire, Randolph.
Joseph Metras, Southbridge.
Wesley G. Rose, South Deerfield.
Maurice Williams, South Easton.
Susan F. Twiss, Three Rivers.
Benjamin P. Edwards, Topsfield.
Maynard N. Wetherell, Chartley.
William E. Chaffin, Scituate.
Aloysius B. Kennedy, Rochdale.
Frank E. Gibbs, Petersham.
Alonzo W. Jones, Orleans.
Willie S. Smith, Onset.
Frederic W. Brown, North Scituate.
Michael O. Haggerty, North Adams.
George L. Olivier, New Bedford.
Charles D. Streeter, Mount Hermon.
Frederick J. Sullivan, Monson.
Bernard Campbell, Millville.
Edward M. Bent, Medfield.
Frank A. Foster, Manchester.
Edward E. Hoxie, Lee.
Joseph F. Lapine, Hudson.
George P. Sheldon, Hopedale.
Edward F. Dannahy, Holliston.
Albert F. Newell, Holden.
J. Francis Megley, Holbrook.
Patrick R. Mullany, Hatfield.
Thomas F. Donahue, jr., Groton.
Nicholas J. Lawler, Greenfield.
Charles D. Smith, Gloucester.
Bernard F. Callahan, Franklin.
Margaret E. Lindsey, Fort Andrews.
Richard A. Cronan, Chicopee.
John R. Smith, Fitchburg.
George W. Jones, Falmouth.
J. Wentworth Earle, Cohasset.
Daniel J. Driscoll, Chicopee Falls.
Otis J. A. Dionne, Walpole.
James T. Hennessy, Wareham.
Thomas F. Hederman, Webster.
Thomas G. O'Connell, Wakefield.
William B. Mahoney, Westfield.
W. C. Arthur Herbert, West Warren.
Willard H. Howell, Wrentham.

MICHIGAN.

Willard R. Noyes, Albion.
Claud E. Firestone, Allegan.
Vincent P. Cash, Alma.
John F. McInerney, Wyandotte.
Malcome D. McPhee, Wolverine.
John D. Burgess, West Branch.
James Fraser, Webberville.
John B. Murphy, Wayne.
Bert R. Miller, Vulcan.
John C. Downing, Vermontville.
Leo L. Johnson, Union City.
Samuel McClellan, Springport.
Adelbert L. Stebbins, Sheridan.
Julius C. Armbruster, Sebewaing.
William H. Van Consant, St. Johns.
Thomas H. Sawher, St. Clair.
Eddy W. Fleming, Rose City.
Henry J. Klee, Rogers.
Charles Davidson, Richmond.
Charles A. Lahser, Redford.
Arthur L. Francis, Portland.
William E. Murphy, Pinckney.
Ira E. Bush, Ontonagon.
Will L. Tinham, Northville.
Merton N. Wolcott, North Adams.
Benjamin G. Oosterbaan, Muskegon.
Duncan D. Stewart, Munising.
Sidney E. Younglove, Monroe.
James C. Beckwith, Marshall.
William G. Howard, Marion.
Clyde O. Barrett, Mackinaw.
Mark Boyd, McBain.
Earl Hunter, Lowell.
Charlie W. Beier, Lenox.
Irwell Brody, Lawton.
Anna C. Kulish, Minden City.
Sadie Wheeler, Manton.
Clara E. Benedict, Lawrence.
Salem F. Kennedy, Lakeview.
Robert M. Smith, Kearsarge.
Edward G. Scott, Iron River.
William O'Riley, Hudson.
William H. S. Wood, Howell.
James J. Byers, Houghton.
Patrick Garvey, Hemlock.
John Anderson, Gwinn.
Henry C. Hemingsen, Grant.
Charles E. Hogadone, Grand Rapids.
Peter Van Lopik, Grand Haven.
Fred J. Hohn, Frankenmuth.
Mary E. Chadwick, Frankfort.
Ellis T. Jermin, Ewen.
Judson E. Richardson, Evart.
John Dunham, Daggett.
Ward J. Kelly, Crystal Falls.
James I. Galbraith, Croswell.
James J. Jones, Clio.
Vernon E. Johnstone, Chesaning.
John Noll, Cheboygan.
Patrick H. Schannenk, Chassell.
Myron E. Miller, Charlotte.
John G. Ulrich, Ceresco.
Frederick J. Kruger, Centerville.
Jacob C. Rough, Buchanan.
William A. Atyeo, Belleville.
Angus M. Miller, Bay City.
Edward Austin, Battle Creek.
Arthur G. Creevy, Barryton.
Fred W. Hild, Baraga.
Albert E. Millett, Armada.
Horatio J. Abbott, Ann Arbor.

MINNESOTA.

Charles F. Cook, Austin.
Agnes H. Christenson, Beardsley.
Joseph Haggett, Bird Island.
Eugene N. Smith, Blackduck.
Frank Plotts, Blooming Prairie.
Sophus A. Nebel, Braham.
Henry P. Dunn, Brainerd.
Prudence M. Crosbie, Brewster.
James Adlard, Brown Valley.
Oswald C. Brunius, Carver.
Frank L. Gorenflo, Cass Lake.
Charles W. Mobeck, Center City.
Egbert J. Sutherland, Chatfield.
Charles E. Seeley, Coleraine.
George C. Hompe, Deer Creek.
William Reid, Deer Wood.
Theresa E. Thoreson, East Grand Forks.

Eliza O'Hara, Fairfax.
Martin A. H. Taggatz, Winthrop.
John L. Sammons, Westbrook.
John F. McDonnell, Waverly.
Chauncey W. Bulen, Walnut Grove.
Theodore C. Radde, Truman.
John Margan, Thief River Falls.
F. Verne Langdon, St. Louis Park.
Patrick H. Grogan, St. James.
Anthony J. Malmquist, Rushmore.
John L. Harwick, Rochester.
John I. Nasett, Robbinsdale.
Emily F. Peake, Remer.
Henry E. Day, Raymond.
Patrick McCabe, Proctor.
Charles R. Frazee, Pelican Rapids.
George Neumann, Osseo.
Olger P. Oseth, Olso.
Charles S. Dougherty, Northfield.
Thomas Zeien, North Branch.
Frederick Pfaender, New Ulm.
Andrew Rotegard, New Richland.
Alvin A. Ogren, New London.
Isaac I. Bargen, Mountain Lake.
James McGinn, Minneota.
Alfred E. Haskell, Maple Plain.
Edwin L. Gove, Madelia.
Patrick B. Jude, Maple Lake.
Mads W. Jensen, McIntosh.
John Butler, Lesueur Center.
Jacob Gish, Le Sueur.
Michael J. Rowan, Lakeville.
Engebret T. Vigen, Lake Park.
Martin J. O'Laughlin, Lake City.
John B. Hughes, Lake Benton.
William P. Marston, jr., Lake Crystal.
Carl F. Peterson, Kennedy.
James H. Parker, Kasson.
William H. Nevin, Ivanhoe.
Samuel G. Anderson, jr., Hutchinson.
Horace B. Lyon, Hinckley.
John Wicker, Hayfield.
Nels J. Thysell, Hawley.
Clarence O. Madson, Halstad.
Frank X. Eickmann, Glencoe.
James J. Daly, Frazee.
Judge D. Whaley, Fosston.
Knute Nelson, Fertile.
George W. Owens, Elmore.
Fred H. Baldwin, Edgerton.

MISSISSIPPI.

Rose Walley, Richton.
Virginia B. Duckworth, Prentiss.
Lewis M. McClure, Ocean Springs.
Hattie McLeod, Moss Point.
Richard H. Coke, Mendenhall.
William W. Robertson, McComb.
Benjamin R. Trotter, Lucedale.
Alfred F. Cook, Leakesville.
Edgar G. Harris, Laurel.
Lallie H. Humphreys, Greenwood.
Willie Herring, Bude.
Joseph E. Saucier, Bay St. Louis.
Minnie S. Sudduth, Mount Olive.

NEVADA.

James H. Causten, Lovelocks.
James D. Wallace, Ely.
Charles E. Southworth, Manhattan.
George T. Nugent, Yerington.

NEW MEXICO.

Belle B. Sellars, Cloudcroft.
Frank J. Zengerle, Socorro.
George U. McCrary, Artesia.
George Hoffmann, Belen.
Louis L. Burkhead, Columbus.
Harriet C. Butler, Farmington.
Charles M. Samford, Hagerman.
Bliss Freeman, Las Cruces.
Martin Q. Hardin, Lordsburg.
James L. Seligman, Santa Fe.

NORTH CAROLINA.

Thomas S. Booth, East Durham.
Clarence B. Daniels, Faison.
Royall D. Jones, Fayetteville.
Sophie H. Adams, Four Oaks.
Samuel Y. Bryson, Hendersonville.
Charles W. Bagby, Hickory.
Thomas C. Frisbee, Hot Springs.
Arthur G. Walton, Jacksonville.
Rosse D. Edgerton, Kenly.
Cyrus L. Linville, Kernersville.
William M. Hanner, Liberty.
William M. Goodson, Marion.
Thomas J. Orr, Matthews.
Benjamin A. Summerlin, Mount Olive.
Lacy F. Clark, Raeford.
Bartholomew M. Gatling, Raleigh.
Stephen L. Ross, Robersonville.
Walter S. Thomas, Rockingham.
Benjamin F. Dalton, Rutherfordton.
Joseph B. Cullipher, Saluda.
Archibald H. Boyden, Salisbury.
William J. Roberts, Shelby.
Robert V. Brawley, Statesville.
Thomas L. Smith, Stoneville.
N. Henry Moore, Washington.
David T. Clark, Weldon.
Millard F. Hales, Wendell.
Junius Bridger, Windsor.
Charlie F. Mitchell, Winton.
St. Elmo Pearce, Youngsville.
Lonnie E. Stevens, Benson.
John E. Brown, Boone.
William M. Henry, Brevard.
William E. Elmore, Bryson City.
Albert W. Colwell, Clinton.

NORTH DAKOTA.

Minnie S. Abelein, Anamoose.
Jessie J. Davy, Antler.
Michael J. Gurnett, Balfour.
Robert B. Stewart, Bottineau.
Evan S. Brown, Buffalo.
Mabel Nelson, Cando.
Emeline A. Milde, Douglas.
Robert J. Moore, Drayton.
Hugh H. Parsons, Fessenden.
Ole B. Johnson, Forman.
James A. Foley, Grafton.
Walter P. Osborne, Hunter.
Henrietta Rooks, Linton.
Charles S. Ego, Lisbon.
Nettie A. Isham, Manning.
Samuel Loe, Northwood.
Patrick H. Long, Page.
Bernive R. Pottorf, Plaza.
Henry W. O'Dell, Reeder.
Franklin E. Ellickson, Regent.
Helen D. Thompson, Reynolds.
Alexander R. Thompson, Rolla.
Albert A. J. Lang, Sanborn.
Carl L. George, Sarles.
Thomas J. McCully, Sheldon.
Martin L. Vick, Sheyenne.
John P. Shahane, Souris.
Percy F. Meharry, Starkweather.
William W. Smith, Valley City.
Benjamin L. Fraser, Wales.
Robert R. Zirkle, Westhope.
Willis L. Armstrong, White Earth.
Mabel E. Otis, Wildrose.
Waldo Leonhardy, Williston.
Bernhard Ottis, Wyndmere.

SOUTH DAKOTA.

John D. Evans, Alpena.
John W. Rydell, Rosholt.
Lena Salomo, Orient.
Leslie I. Bingham, Bison.
Leroy A. Gage, Bryant.
Marjorie A. Slemmons, Canistota.
Edward H. White, Castlewood.
Herman F. Mettler, Colome.
John R. Fegan, Edgemont.
George F. Davis, Estelline.
Alma J. McCormack, Faith.
Anthony J. Littig, Flandreau.
Hattie L. Meyer, Florence.
Mabel H. Godron, Gary.
Emma K. Biehn, Gregory.
Calista M. Hall, Harrold.

Patrick H. Murphy, Henry.
Anton Koch, Isabel.
Linville Miles, Langford.
John L. Davis, Letcher.
William Lowe, Madison.
John T. McCullen, Miller.
Albert J. Johnson, Murdo.
Ruth M. Dahlen, Oldham.
Charles H. West, Presho.
Frank Morrow, Pukwana.
Theodore B. Werner, Rapid City.
Demetrious S. Billington, Spearfish.
Rhoda S. Owen, Vienna.
Victor M. Dalthorp, Volga.
Martin M. Judge, Webster.
Rose B. Flahart, White Lake.
Hiram J. Hobart, Woonsocket.

TEXAS.

Robert E. Rankin, Abilene.
Era M. Dellinger, Annona.
Jack Dies, Beaumont.
Charles A. Taylor, Bertram.
Edwin Forrest, jr., Blum.
Edith M. Dudley, Brackettville.
A. Burton Reagan, Brady.
James E. Davis, Bullard.
Robert G. Bransom, Burleson.
Bryant H. McKinnon, jr., Canton.
May E. Perry, Carlsbad.
Robert A. Smith, Carlton.
Ranson A. St. John, Cisco.
Currie C. Powell, Clarendon.
Thomas A. Boothe, Cleveland.
Ben H. Pittman, Coleman.
Charles F. Goodman, Collinsville.
Charles J. Debenport, Commerce.
Georgie B. Welch, Corpus Christi.
Robert H. Davanay, Cross Plains.
Kenneth W. Alger, Crystal City.
Jefferson A. Davis, Dawson.
Aubrey L. Banks, Denton.
Samuel H. Bell, Deport.
Sam. H. Little, Eagle Lake.
Andrew B. Carder, Electra.
Roger Q. Kennedy, Elkhart.
Eugene A. Shelton, El Paso.
Lonnie Childs, Fairfield.
Charles H. Cmajdalka, Fayetteville.
Becton G. Edwards, Forney.
O. Waldo Williams, jr., Fort Stockton.
William A. Smith, Gatesville.
John R. Folkes, Giddings.
Virgil E. Todd, Gilmer.
Nathan E. Porter, Gladewater.
John T. Cox, Groesbeck.
James T. Tarlton, Gunter.
William F. Miller, Happy.
Samuel L. Erwin, Honey Grove.
Dyson L. Lunn, Humble.
Robert N. McMullen, Huntington.
Sam H. Lane, Jacksonville.
Tilman L. D. Richardson, Jourdanton.
Charles T. McConnico, Kerens.
Crown Dickson, Kilgore.
Hugh R. Park, Krum.
Mary K. Hartson, Kyle.
Albert H. Wolfe, Ladonia.
Paul L. Alexander, Lamesa.
George D. Zivley, Lampasas.
Charles A. Hall, La Porte.
Jerry N. Worsham, Laredo.
Walter C. Blalock, Linden.
Oscar W. Gallman, Longview.
Horace C. Blalock, Marshall.
Roger W. Bass, Mart.
Betty Ramey, Mathis.
Cicero Harper, Moran.
Hattie M. Culpepper, Palmer.
Bessie L. Rorex, Panhandle.
Annie H. Hughes, Woodville.
Tom W. Shank, Winona.
George A. Barnett, Post.
Oswald Garrett, Wharton.
Robert H. McCormick, Weimar.
Joseph W. Singleton, Waxahachie.
Ernest G. Keese, Stamford.
J. Philomel Cox, Sierra Blanca.
James L. Sandel, Saratoga.
William T. Jackman, San Marcos.
James L. Crawford, San Benito.
William E. Bellah, St. Jo.
Herman Beyer, Rosenberg.
Horace B. Cooper, Quinlan.
George A. Barnett, Post.
Dandridge A. Bibb, Port Neches.
William P. Stockton, Plainview.
Augustus G. Hubbard, Paris.

TENNESSEE.

James E. Nelms, Kingsport.
Joseph W. Nichols, Trenton.
Mamie E. Perkins, Selmer.
James R. Jetton, Murfreesboro.
William P. Chandler, Knoxville.
Thomas P. Rucker, Franklin.
Cobey D. Carmack, Columbia.
Fannie J. Branch, Collierville.

WYOMING.

Sherman D. Canfield, Sheridan.
Arlan W. Coons, Basin.
Ruby E. Rimington, Guernsey.
Thomas H. Baxter, Jackson.
John McNamara, Kemmerer.
Alvah J. Macy, Moorcroft.
Ira S. Bowker, Newcastle.
Thomas W. Keenan, Pinebluff.

REJECTIONS.

Executive nominations rejected by the Senate July 28, 1919.

POSTMASTERS.

Alson C. Patton to be postmaster at Bells, Tenn.
Ulysses S. Rose to be postmaster at Crossville, Tenn.

HOUSE OF REPRESENTATIVES.

MONDAY, *July 28, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, we would praise and magnify Thy holy name for the God-like faculties Thou hast bestowed upon Thy children, illustrated in the work displayed by our doctors and surgeons in the late war—snatching men from the jaws of death by their skillful application of science, restoring them to life and health.

We thank Thee that the Government is furnishing ways and means to alleviate the suffering and needs of our wounded, especially the maimed and blind, by furnishing vocational schools and skilled educators to fit them for useful members of society and the business world, giving them new hope and happiness. Hear us and let the good work go on. In the name of the world's Great Redeemer. Amen.

The Journal of the proceedings of Saturday, July 26, was read and approved.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States, by Mr. Sharkey, one of his secretaries, was announced, who also informed the House of Representatives that the President had approved and signed joint resolutions and bill of the following titles:

On July 19, 1919:

H. R. 7343. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

On July 21, 1919:

H. J. Res. 120. Joint resolution authorizing the Secretary of War to receive, for instruction at the United States Military Academy at West Point, Tao Hung Chang and Zeng Tze Wong, citizens of China.

On July 26, 1919:

H. J. Res. 65. Joint resolution authorizing the Secretary of War to loan tents for use at encampments held by veterans of the World War.

SWEARING IN OF A MEMBER.

The SPEAKER. The Member elect from the fourth district of Minnesota is present and his certificate of election has been presented in due form. Without objection, the gentleman will present himself and take the oath of office. [Applause.]

Mr. OSCAR E. KELLER, Member elect from the fourth district of Minnesota, appeared at the bar of the House and took the oath of office.

CHANGE OF REFERENCE.

Mr. LEHLBACH. Mr. Speaker, on July 22 I introduced H. R. 7708, for the purchase or condemnation of a site for a target range by the War Department. This bill, through an error in the indorsement of it, was referred to the Committee on Appropriations. It is the same as a Senate bill which passed the Senate in the last Congress and was considered by the Committee on Military Affairs of the House. I have consulted the chairman of the Committee on Appropriations and the chairman of the Committee on Military Affairs, as well as other gentlemen, and there is no objection to the change of reference. Therefore I ask unanimous consent that this bill be referred to the Committee on Military Affairs.

The SPEAKER. Is there objection to the change of reference?

There was no objection.

GEN. PERSHING.

Mr. MADDEN. Mr. Speaker, I have a copy of the London Post of June 28, 1919, in which is set forth a historical sketch of Gen. Pershing's activities in the war. It is very laudatory, and ought to be made a matter of history. I ask unanimous consent that it be published in the RECORD.

Mr. WINGO. Mr. Speaker, we can not hear what the gentleman says the article is.

Mr. MADDEN. A historical sketch of Gen. Pershing's activities in the war on the other side, and well worth while preserving as a matter of history.

Mr. CLARK of Missouri. Whose article is it?

Mr. MADDEN. An article printed in the London Morning Post.

The SPEAKER. Is there objection?

There was no objection.

The article is as follows:

We are very glad that Gen. John J. Pershing, the distinguished commander of the American Army in France, should have accompanied Marshal Joffre to Oxford and should have shared in the honors which Oxford reserves for men of mark. We have not always been able to see eye to eye with President Wilson in matters of policy, but in relation to the conduct of operations by sea and land, and the preparations in the United States itself, we freely allow that the President merited well of his country and of the great cause, and set, indeed, an example which other of the allied and associated Governments might have followed with advantage. We believe it to be correct that on no single occasion did the President and his advisers transmit to Gen. Pershing any plans of campaign, suggestions, or criticisms, and we can almost say that this constitutes a record, and that no commander in the field was ever left so free a hand. Gen. Pershing merited this great and sustained confidence that was reposed in him. When he reached France in June, 1917, he was faced by a task which might well have appalled the stoutest heart. He had first to create his own general headquarters from elements which, though trained in the fine school of West Point, were unacquainted with modern war on a large scale and had no practical knowledge of the war of masses nor of the vast and complex administrative problems with which they were immediately confronted on landing. He had to prepare the coast bases and lines of communication so that they might become capable of receiving and transporting the troops, horses, carriages, guns, supplies, hospitals, munitions, aircraft, and scores of other things which constitute the provision of armies. He had to negotiate laboriously with the French at almost every step, to supplement their deficient rolling stock, and to establish vast training schools at Langres and elsewhere to fashion the leaders in subordinate grades. He had so to select the place for the eventual American effort that his armies could there not only be deployed but sustained and enabled to intervene effectually in the war. With the utmost energy and perseverance Gen. Pershing and his staff laid themselves out to carry out a work of which the magnitude and difficulty have been little understood in England, or even in the United States, and it is their title to fame that they accomplished it.

From first to last Gen. Pershing had determined to unite a great American Army in the northeast of France, and he held to his plan with iron resolution. The allied defeats in the spring of 1918 turned him only temporarily from his plan. He then lived very hard days. All his program of arrivals was changed, and in place of complete divisions there arrived masses of infantry and machine guns at the rate of 300,000 men a month. Pershing, with grand good comradeship, placed all his resources at the disposal of the Allies. There was a moment when not a single division remained under his command, but the moral and material support given by the American troops to us and to the French was of inestimable value in those days of trouble. This value can best be reckoned by the vexation caused, when things quieted down, by Pershing's withdrawal of most of these troops for the purpose of his original plan. But we all held firm, while Pershing at St. Mihiel first, and then in the Argonne, gradually accustomed his staffs and troops to the terrible ordeal of the modern battle, and with implacable resolution created that American instrument which would, by the spring of 1919, which was Marshal Foch's original date for the decisive effort, have proved worthy in every way of the mighty Nation which had joined for an ideal in the great crusade. We honor Gen. Pershing because he looked to the end, and attained it successfully in spite of frightful difficulties. His competence and his character have stood the test of trial in the seven-times heated furnace of the war, and he richly deserves all the honors that can be bestowed upon him. For all time to come we shall remember those American troops who fought so valiantly shoulder to shoulder with us on the British front, and stood ready in rear to support us in case of need. These things go very deep into the hearts of nations, and Gen. Pershing will always personify for us the fine spirit of soldierly comradeship in which America fought the Great War in France.

RECESS FROM AUGUST 2 TO SEPTEMBER 9.

Mr. MONDELL. Mr. Speaker, I submit a privileged resolution.

The SPEAKER. The gentleman from Wyoming submits a privileged resolution, which the Clerk will report.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on Saturday, the 2d day of August, it stand adjourned until 12 o'clock meridian, Tuesday, the 9th of September.

Mr. MONDELL. Mr. Speaker, the House has been in session for over two months, during which the daily sessions have been very continuous and, considering the heat of the summer and the importance of the matters we have had to pass upon, somewhat trying. In that time much has been accomplished, not only in the way of legislation but in the way of preparation for legislation. The more important committees of the House are now at work on legislative proposals of the greatest importance. The Committees on Ways and Means, Interstate and Foreign Commerce, and the Merchant Marine and Fisheries are at work, the first having to do with the many and important questions of taxation and revenue; the second, the great railway problem; the third, the great problem of the future shipping policy of the country. These and other committees are now steadily at work on important legislative propositions. The more important of the problems which the House will be called to pass upon are the problems that will be primarily proposed and presented to the House by these committees. I think we all realize that these and other committees under existing conditions can prosecute their work and bring it to an early and successful conclusion very much better if they are not continually called from their committee labors to attend the sessions of the House. I believe that an overwhelming majority of the Members are of the opinion that the work of the session will be advanced and promoted by taking a recess such as has been suggested. At the end of the proposed recess these committees, some of them at least, will undoubtedly be ready to present their legislative proposals to the House. We can then proceed earnestly to the consideration of these measures.

It has been suggested that the taking of a recess by the House might have some effect upon the prohibition legislation now pending in the Senate. My information and understanding is that that is not likely to occur. In fact, it is hardly possible that it shall occur. The Senate is now so busily engaged in other matters that there is little likelihood that they can give attention to these and other matters of legislation until they have further advanced the consideration of the great treaty questions now before them. No important questions, no public business will suffer, as I see it, through a recess of the House, and, on the contrary, I believe the public business will be advanced by a five-week adjournment such as is proposed. [Applause.]

Mr. FERRIS. Will the gentleman yield?

Mr. MONDELL. I yield to the gentleman.

Mr. FERRIS. Does the gentleman not think we might make some progress in the advancement of soldiers' legislation if we went ahead and put that through the House now?

Mr. MONDELL. I think that is possible.

Mr. FERRIS. Eighty-five per cent of the soldiers have been demobilized, and the balance are being demobilized rapidly, and these ex-soldiers are wandering around over the country. I wonder whether six weeks or two months' delay might jeopardize the chances of our doing anything for them.

Mr. MONDELL. The adjournment proposed is for only five weeks; and while it is true that if the House were in session during that time there are various measures that might be taken up and considered, I think the gentleman will agree with me that perhaps after all, after these rather arduous two months, the House might be in a better frame of mind to legislate on the return from a short period of recess. I think that is true, at least with regard to those who will be privileged to leave. As to that very considerable number who will remain here attending to the public business, by that time they will have settled and determined, so far as they are concerned, a number of important questions, and therefore will be in a better frame of mind and better qualified to pass upon other questions.

Mr. FERRIS. Will the gentleman yield me four or five minutes after he has concluded?

Mr. MONDELL. I will be glad to do so.

Mr. BAER. Will the gentleman yield right there?

Mr. MONDELL. I yield to the gentleman from North Dakota.

Mr. BAER. Is it not true that many of these soldier bills have not been reported by the committees, and that it will take five or six weeks before they are ready to be considered by the House?

Mr. MONDELL. That is true of all manner of legislation. Many of the most important measures that have been presented have not as yet received thorough and careful consideration by the committees to which they have been referred, and they can not receive that thorough and careful consideration so long as the House is constantly in session, particularly under conditions that have required, as they have in the past, the constant attendance of the majority of the Members on the floor during the entire period of the daily sessions.

Mr. GARNER. Is it not also a parliamentary fact that the Senate is now considering the peace treaty, and that it is not likely that the Senate is going to take up any important legislation until it disposes of that very essential matter?

Mr. MONDELL. That is entirely true. There is no probability of the Senate taking up these measures; and even if the House should pass certain bills, it is doubtful if that would advance their consideration in the other body and their final enactment.

Mr. GARNER. And it does not look like the Senate will more than have completed its work on the treaty in five weeks.

Mr. MONDELL. That is true.

Mr. HUMPHREYS. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. HUMPHREYS. Does the gentleman agree with the statement of the gentleman from Oklahoma that 85 per cent of the soldiers are wandering about over the country wondering what Congress is going to do for them?

Mr. MONDELL. I have taken no responsibility for the statements of gentlemen who have made the statements on their own responsibility.

Mr. HUMPHREYS. I dare say that there are not 5 per cent of the soldiers wandering about the country and wondering what the Congress is going to do for them. [Applause.]

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. MOORE of Pennsylvania. The gentleman from Mississippi has asked the question I intended to ask the gentleman from Wyoming. The gentleman from Oklahoma left the impression that "85 per cent of the soldiers were wandering aimlessly around the country wondering what Congress was going to do for them." The gentleman from Wyoming does not subscribe to that statement?

Mr. MONDELL. I do not, as far as the soldiers are concerned that I am acquainted with or know anything about. The very large majority of the returned soldiers from my part of the country are busy about their own affairs and actively employed.

Mr. MOORE of Pennsylvania. I desire to make the same statement as to the soldiers in Pennsylvania. They are being employed about as rapidly as they present themselves.

Mr. KNUTSON. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. KNUTSON. The gentleman from Mississippi would seek to convey the idea that he is opposed to the recess——

Mr. HUMPHREYS. Oh, no; I simply rose to say that I did not think that 85 per cent of the soldiers were wandering around the country.

Mr. BLANTON. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. BLANTON. Is it not a fact that the House is about five weeks ahead of legislation in the Senate all the time?

Mr. MONDELL. That is true at this particular time, beyond all question, but perhaps it is not always true.

Mr. BLANTON. And we will not lose anything at all by this recess?

Mr. MONDELL. Not at all, in my opinion.

Mr. WELTY. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. WELTY. Why not take a recess for a longer period of time while they are considering the treaty?

Mr. MONDELL. I will say—and I think the House is entitled to know about it—that the question of the period of the recess has been discussed with many gentlemen on both sides and in the other Chamber, and the time proposed, five weeks and one day, seems to be a fair average between the extreme views on the subject.

Mr. WELTY. How long does the gentleman think they will debate the treaty?

Mr. MONDELL. I think the Senate will be debating the treaty at least that length of time.

Mr. WELTY. If we are five weeks ahead of them now, why not take a recess for 10 weeks?

Mr. MONDELL. Because, having consulted with a good many gentlemen on both sides, the time suggested is about the approved happy medium, as near as we can reach it. Some gentlemen wanted a recess for a longer and some for a shorter period.

Mr. HASTINGS. Will the gentleman yield?

Mr. MONDELL. Certainly.

Mr. HASTINGS. Will the gentleman outline the legislative program for the rest of this week?

Mr. MONDELL. That is difficult to do definitely, but I will say that there will be matters from the Committee on Ways and Means. Just what measures they will bring up I do not know. There will be at least one bill from the Committee on Merchant Marine and Fisheries, and I trust there will possibly be a measure or two from the Committee on Banking and Currency. There are some District matters. We hope to get along as fast as possible with bills now on the calendar.

Mr. HASTINGS. Does the gentleman expect to be in session all day Saturday?

Mr. MONDELL. That will depend on how well we have dispatched the public business up to that time. And that raises the interesting and important question as to attendance. If we are all in constant attendance on the sessions of the House this week, we can make excellent progress in the dispatch of public business. If we are not, it may not be possible to adjourn as is proposed.

Mr. WINGO rose.

Mr. MONDELL. I yield to the gentleman.

Mr. WINGO. I want 10 minutes.

Mr. MONDELL. Would not the gentleman be satisfied with five? I have promised to yield to the gentleman from Oklahoma. I yield five minutes to the gentleman from Oklahoma.

Mr. FERRIS. Mr. Speaker, evidently an agreement has been made to adjourn the House for about five weeks. I do not know what the agreements are, only what I have seen in the papers, and it was not necessary that I should know. I have asked for this time to state my own position on this proposed adjournment. My position is that 85 per cent of the soldiers are demobilized and all the soldiers are expecting Congress to do something for them in the way of providing homes. My own notion is that the House ought to deal with that proposition prior to this five weeks' vacation or any other vacation. There is some difference of opinion on just what should be done for them. But it can be and should be worked out. Surely there can be no difference of opinion that some relief should be accorded. But if there is any difference of opinion on that subject I would like to hear from the gentleman who holds that opinion. In other words, if there be Members who are opposed to any relief for them I do not know of it.

Mr. WHEELER. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. WHEELER. If we should pass some legislation now on this subject of relief for the soldiers, does the gentleman think the Senate would consider that before the latter end of October?

Mr. FERRIS. I think the gentleman and I have both been here long enough to know that every step forward you can take with legislation always progresses it that much, and to wait and wait and let the soldiers get scattered, and let their minds become scattered, and let the Congress get scattered, only delays it just that much longer. It ought not to wait longer. Something ought to be done now.

Mr. GOOD. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. I do not. I have a few ideas of my own. What is the proposition?

Mr. LITTLE. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. I hope the gentleman will permit me to go on. I have a very short time. There is another question that is a burning question. I do not think either side of the House is to blame for it, but I state on my own responsibility as a Member here that the high cost of living must have some attention from somebody, and have it very quickly. [Applause.] Men and women working for $75 or $100 or $150 a month say they can not make ends meet. Men working for small wages are not able to make enough to take care of their families. I do not know what the solution will be, but it deserves the best efforts of all of us, and if we adjourn it will not get it. The laboring men are here now before these boards, and I talked with some, talked with both sides on the question last night.

They are here trying to get their wages raised—the railroad men—insisting that they can not make both ends meet. One of two things is certain, either we will have to raise their wages or raise the railroad rates, or keep the railroads and go on subsidizing the railroads. The Republican Party is in control in both ends of the Capitol. The problem is theirs. They ought not to delay. It has been delayed too long now.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. No. The Public Lands Committee have authorized a bill to remedy this and to deal with the soldier question. I do not think it sufficient, but it is a start. It can be amended. It can be made acceptable. It ought to be made acceptable. There are bills to deal with other important questions—the railroads, the modification of the War Risk Bureau insurance, so as to make it applicable to peace times and make it acceptable to the soldiers; and whether they ought to take a recess at this time and let all these questions go unsolved is the question for the majority to decide. For my own part, while I do not carry the responsibility at all for the Congress, except my own, I am not in favor of neglecting those salient things for any sort of a recess, for five weeks or five days or one day or two days or any other time.

Mr. LITTLE. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. LITTLE. I just wanted to ask if the gentleman does not think the President made a great mistake when he did not call us together 60 days earlier than he did? [Applause on Republican side.]

Mr. FERRIS. Oh, we are here now, and on the job. I am not the President's keeper. Personally, I am willing to deal with things in front of me, not behind me. I repeat I make no effort to shape the course of other than my own—but to me there is too much left undone that can not wait to take this long recess.

Mr. MONDELL. Mr. Speaker, I yield five minutes to the gentleman from Arkansas [Mr. WINGO].

Mr. WINGO. Mr. Speaker, the gentleman from Kansas, Col. LITTLE, who just asked a question of the last speaker, recalls to my mind the fact that the Republican Party in the last Congress defeated the great supply bills deliberately through their leaders at the other end of the Capitol, in order to force the President to call this Congress together to meet the alleged urgent needs for reconstruction legislation——

Mr. LITTLE. Mr. Speaker, will the gentleman yield?

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. WINGO. Oh, no; I can not yield in five minutes.

Mr. LITTLE. For just one small question?

Mr. WINGO. Oh, the gentleman could ask questions forever. If the gentleman will get me 30 minutes I will answer all his questions. I would like to have 30 minutes to put into the RECORD some magazine articles that appeared respecting this matter, particularly that which appeared in a Sunday magazine issue of a Washington paper a few days before the adjournment of the last session of Congress, by one of the great Republican leaders of this House, pointing out the great reconstruction legislation that should be enacted and which the Republicans would enact should we have an extra session of Congress. What has happened? You have been in session now for some time, and what have you done? The net result of months of your work is to report a bill to repeal the tax on soda water. What is your program on the railroad problem? What is your program on the soldiers? What is your program on taxes and tax legislation? Have you got one? Nobody but that mysterious body known as your steering committee knows; your own side does not know. You went to the country upon the plea that you would repeal a lot of taxation. [Cries of "Oh, no!" on the Republican side.] Oh, yes, you did; and I have a lot of literature and at the right time I shall put it into the RECORD—the campaign arguments of some Republicans sitting on this floor, as to the reason why the Republican House should be elected, promising to lower taxes and lower cost of living. And what happened? The gentleman from Michigan [Mr. FORDNEY] came in here with certain repeal legislation, and what happened to that? Why, the steering committee took him by the seat of his parliamentary breeches and yanked him and his bill off the floor, and nobody knows where that bill is. Oh, yes; you are sick and tired and you want a recess. You do not want to go to the golf links. Oh, no; you want to be able to settle your differences and map out a program, because you have not any, notwithstanding the promises you made the voters. You got this House on false pretenses. [Applause on Democratic side.]

What are you going to do? Go and read some of your literature; go read what the gentleman from Iowa [Mr. GOOD] said in his magazine article—that it was necessary to bring this Congress together in order to enact important legislation; and yet you have been here for months and what have you done? You have organized a few smelling committees and have growled at the President, and you are investigating the high cost of the war, but you are dodging like a skittish mule the question of the high cost of living. What are you going to do about it? The responsibility is yours. You now attempt to lay it on the Senate, saying that you are five weeks ahead and that the Senate is going to debate the treaty question. You know that that is not the reason. Men on the Democratic side and on the Republican side say that they want to rest, because it is too hot, but there is another reason, and that is on account of your steering committee. It might be a good thing for you to give you this five weeks, so you can settle your differences and frame some of the legislation you promised, but I predict it will take you longer than five weeks to settle the petty differences and jealousies of your leaders in your party, to quell the rising spirit of the West that realizes that it has been bunkoed by the Republican organization of this House. [Laughter and applause.]

You will not do it in five weeks. You voted down in your caucus the other night a proposition to give the West representation on your steering committee. What is this Republican steering committee? Nobody knows what it is. Nobody can name who it is. I asked a leading Republican to state who the members were the other day, because I had forgotten, and he could not tell me. But we know that when committees of this House meet before they will take final action in the committee the chairman of the committee goes to the telephone, calls up the steering committee, and gets an order as to what they shall do. Then talk about the caucus of the Democratic Party, and yet you have got a secret committee that gives orders. [Laughter on the Republican side.] Oh, gentlemen may laugh, but I notice the Members from the West do not laugh; it is too serious a matter for them. And gentlemen to-day are laughing, leaders whom that Progressive Republican, Theodore Roosevelt, denounced in days gone by—and at some later day I shall put his denunciation in the RECORD—you are laughing now, but it is in a hollow, metallic tone, because you laugh as men going through a graveyard. [Applause on the Democratic side.] You have been here for months, in control of both the House and the Senate, and what have you done? Absolutely nothing but pass the supply bills that would have passed in March if it had not been for your Republican filibuster. Nothing else have you done but growl and abuse the President and organize your smelling committees. Not one single constructive measure have you reported to the House, and now you are running away under the pretense that you must wait on the Senate and that it is too hot. If you do not quit growling at the President and quarreling among yourselves, it is going to get hotter for you, and no five weeks' recess will cool you off. Let us stay here and make an effort to solve the great problems that confront us. Do not recess, but bring out your bills and get to work. [Applause.]

Mr. MONDELL. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, it is certainly very agreeable to witness the performance of the self-appointed conservator of the Republican Party from Arkansas. I am very glad to see the solicitude with which he witnesses the harmony that exists on the Republican side of the House. He need not worry about what the party will do for the soldiers, or with all the great problems that are confronting the country. The Republican Party has always stood for the development of the country and all its great enterprises. It has always stood for a proper compensation to labor. It has always stood for proper treatment of men who have given their blood that the country might exist, and there need be no fear anywhere but that legislation will be enacted in proper time to meet any emergency that may arise. There ought not to be any doubt about the wisdom of a recess at this time. We have reached the stage in the proceedings of legislation of the country where we can afford to take a recess. The Members of the House are all tired as the result of the hard work we have already done. They will be much better qualified to legislate when we return after they have been in the sunlight for awhile mixing with the people and understanding the sentiment of the country better than they may understand it now. It applies to Democrats as well as to Republicans. There is no serious division upon this question of the sides of the House. Everybody who has given thought to the question realizes that we ought to get away for a short period. The enactment of any legislation at this time can not advance its final passage. The Senate is busy in the consideration of the great problems affecting the peace of the world. They are not going to be able to adjust those problems without more serious consideration than they have already been able to give. Time is bound to be consumed in its consideration. Whatever the legislation we pass from this day on until the completion of the ratification of the treaty will re-

ceive no serious consideration on the other side. It can not be otherwise. It must be understood by the American people that it is so, and while we are waiting for the completion of this important work on the part of the Senate and with the House itself in the preparation of important legislation that affects the future of the Nation we can well afford to recess and meet our constituents and learn their wants to the extent that mixing with them will enable us to do. These committees will be better able to proceed while we are away on the important work they have under consideration and it will be of an advantage to the Nation to permit them to proceed with their work unhampered by roll calls, compelling them to report on the floor of this House 10 or 15 times a day. [Applause].

The SPEAKER. The time of the gentleman has expired.

Mr. MONDELL. Mr. Speaker, I yield three minutes to the gentleman from North Carolina [Mr. KITCHIN].

Mr. KITCHIN. Mr. Speaker, I regret to differ with my friend from Oklahoma [Mr. FERRIS] and my distinguished friend from Arkansas [Mr. WINGO] with respect to adjournment. If I thought, as the gentleman from Oklahoma [Mr. FERRIS] seems to think, that if we stayed here the next five or six weeks a Republican House and a Republican Senate would reduce the high cost of living, why, of course, I would not vote for adjournment, but I have not the confidence in the Republican House and Senate which the gentleman seems to have. [Laughter and applause.] And if I thought, as he seems to think, that this Republican House within the next five weeks would pass a genuine, sincere, helpful soldiers' relief bill, I would stay here and fight until I was as "bloody as an ox" before permitting the Republicans to adjourn this House [laughter], but I know the Republicans will not pass any such bill in the next five or six weeks. I know that if we did pass a proper soldiers' relief bill now it is impossible for the Senate to consider it a moment before the last of September or 1st of October, and an adjournment for five or six weeks will not delay the passage of a soldiers' bill. I know the Senate will not consider either the prohibition-enforcement bill, which has been referred to, or the soldiers' bill, or the reduction of the high cost of living, or any other important bill, before September 15 or October, because from now until that time, if not longer, it will be discussing the league of nations, with which, of course, the House has nothing whatever to do. But how about the soldiers' bill? The bill which the Republican committee considered is the Mondell bill.

Gentlemen, when the House adjourns, if Mr. MONDELL and other Republicans in favor of that bill, and all of us who are considering that bill, will go home and talk to the soldiers in every section in our districts, I believe we will find that the soldiers do not approve that bill—that they prefer a different plan and bill. If we go back and talk to the soldiers and our people, when we come back here we will report and pass a better bill. [Applause.] I want to tell you how I look at this thing of adjournment. I have not as much confidence in the Republicans of this House as those two gentlemen have. I am one of those gentlemen who believe the less time the Republicans stay in session and in control of this House the better it is for the country. [Applause on the Democratic side.]

I am one of those Democrats who believe that every day the Republicans are out of this Capitol they have one day less opportunity to do harm to this country. [Applause.] The big mistake of that resolution is that it does not provide for adjournment until the first Monday in December. [Applause on the Democratic side.]

Mr. BANKHEAD. Will the gentleman yield for a question in line with what has been stated in reference to the bill? I have been informed that the committee before which this has been pending has reached a conclusion on the terms on which the bill will be reported, and it will probably be reported before we adjourn. Can the gentleman from Wyoming confirm that information?

Mr. MONDELL. The bill has not yet been reported and is not on the calendar.

Mr. FERRIS. The committee has authorized it.

Mr. MONDELL. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. CLARK]. [Applause.]

Mr. CLARK of Missouri. Mr. Speaker and gentlemen of the House, my own judgment about it is that we ought to pass this resolution. I would like to see it extended a week or two. A few more days like yesterday in this town will put a good many people in the hospital. There is no question about it. I believe men work better when they are in good physical condition, and this intense heat of Washington puts everybody in bad physical condition. Such days as these a man is only partially efficient—not over 50 per cent. There is wisdom in the old saying that a bow constantly strung soon loses its resiliency. It is also true of the human mind. There is such a thing as brain fag.

I thoroughly sympathize with the speeches made by the gentleman from Arkansas [Mr. WINGO] and the gentleman from Oklahoma [Mr. FERRIS]. It was very unfortunate that those three Republican Senators held up necessary legislation in the last Congress and thereby compelled this extra session of Congress. [Applause on the Democratic side.] While I am not the political adviser of the Republicans in this House, my judgment is that for the purposes of 1920 you would have been better off if you had let us keep the House and the Senate of the United States in this Congress. One thing dead sure, you have not made any political capital in this House in this session. [Applause on the Democratic side.] As a matter of fact, you have lost caste. [Applause on the Democratic side.]

I am as much in favor of doing something for the soldiers as any man living. There is nothing too good for them. I think the suggestion of the gentleman from North Carolina [Mr. KITCHIN] was very wise—that we get home and consult with our soldiers about this so-called Mondell bill, or Lane bill, or whatever you want to call it, and about certain amendments gentlemen have in their heads to offer to it, or perhaps to offer as a substitute for it.

So far as the cost of living is concerned, it must be remedied soon or there is going to be all sorts of trouble in this country. Individually, I am in favor of penitentiaring every profiteer in the land [applause]—I do not care whether he is a big profiteer or a little one. He is on a par with thieves and robbers. I received a letter from a very good man in my district this morning, and in it he said that nobody ought to object to the packing houses making a profit. I wrote and told him that I did not object to any man making money honestly, provided he did not skin me and the rest of the people by the money he was making. And that is the way I feel about it.

These bills have not been perfected. Some of you have forgotten a thing or two. Congress has been practically in session ever since Taft was elected President in 1908. We never have had but one long vacation in all those years, and that was in 1915, and we expected every day then to be called together all during that nine months. No one dared to make a contract that would take very much time during that period. Everybody knows the habit of the United States Senate. There is no harm to talk about that. It seems to have taken originally for its motto festina lente—hasten leisurely.

When I was a boy down in Kentucky one of our amusements was to catch dry-land terrapin. They would draw up in their shells, but when we would put a coal of fire on it they would light out like Ten Broeck or Mollie McCarty. The Senate is the same way. When it gets too hot for those elderly gentlemen over there to stay here they speed up a little. Everybody on earth knows that the one thing the American people have their minds fastened on, whether they are for or against it, is this proposition the Senate is debating now—the league of nations. The people themselves would not be willing for the Senate to sidetrack that thing in order to get at any other species of business that is pending over here. I am as certain of the fact that I have just stated as I am that I have got to die some day.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. CLARK of Missouri. Mr. Speaker, I would like to have a couple of more minutes.

Mr. MONDELL. Mr. Speaker, I yield two minutes more to the gentleman.

Mr. CLARK of Missouri. Whether they think it is a universal cure-all or whether they do not think it is a cure-all, or whether they think it is a humbug, the people want it settled. [Applause.] If the Senate really wanted to commend itself to the American people, they would get through with the debate over there in as short order as it is possible for the Senate to get through with a debate on a great question.

Individually, I want to go home. Of course the Speakership is a very confining office. There is an idiotic rule in this House that should be repealed, to the effect that the Speaker can not appoint a Speaker pro tempore for more than one day. Consequently he must stay here almost constantly. Eight years is a long time, and I want to get home and get reacquainted with my constituents. [Applause.] All the rest of you who have been here during all these years are very much of the same opinion. There is no use to haggle about it. Even if the Democrats did not want to adjourn, the Republicans have the votes with which to pass this resolution. So far as I am individually concerned, I am going to vote for it. [Applause.]

Mr. MONDELL. Mr. Speaker, the gentleman from Missouri seems to be of the opinion, speaking from a strictly political standpoint, as I understand it, that our party would have been advantaged had the Democratic Party remained in power in both branches of Congress. Well, that is a matter of opinion. It is always a question of opinion as to whether a party gains more political advantage by the continued mistakes of the other party than by meritorious legislation on its own part and for the benefit of the American people. [Laughter and applause.] But forgetting for the moment, as I hope we shall forget continually, the partisan side of it, and thinking of the matter only from the standpoint of the good of this great country and its people, of course it is much better for them that they be spared the continued mistakes of the Democratic Party and have the benefit of the wiser legislation of the Republican Party. And evidently that was the thought of the American people when they rendered their decision last November. [Applause on the Republican side.]

We have the responsibility, and we shall not shirk it; but we expect a considerable amount of assistance from gentlemen on the other side in the discharge of our responsibility, although from time to time gentlemen will talk and act otherwise. Just now we agree with them, as they agree with us, that as matters now stand the public business will be advanced and advantaged and benefited by the recess we propose.

Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman from Wyoming moves the previous question on the adoption of the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. MAPES, Mr. DOWELL, Mr. DALLINGER, and Mr. CAMPBELL of Kansas rose.

Mr. BLANTON. Mr. Speaker, I move to reconsider the vote whereby the resolution was passed, and move to lay that motion on the table. [Laughter.]

The SPEAKER. The gentleman from Texas moves to reconsider and lay that on the table and, without objection, it will be so ordered.

There was no objection.

DISTRICT OF COLUMBIA BUSINESS.

Mr. MAPES. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

The SPEAKER. The gentleman from Michigan asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. MAPES. Mr. Speaker, inasmuch as under the rules of the House this is District day I had hoped that the day would be devoted to the consideration of bills on the calendar reported by the Committee on the District of Columbia. There are some important bills on the calendar reported by that committee. I recognize, however, the superior importance of bills on the calendar reported by other committees, and in recognition of that fact, and after consulting with those more responsible for the transaction of the business of the House, I have determined not to ask the House to take up District bills to-day. But it is hoped that later in the week a day may be set aside for the consideration of District bills, and with that in mind I shall not ask the House to take up District bills to-day. [Applause.]

CONTESTED-ELECTION CASE OF WICKERSHAM AGAINST SULZER.

Mr. DOWELL. Mr. Speaker, I ask leave to call up House resolution 105, a privileged resolution, in the case of Wickersham against Sulzer, the contested-election case from Alaska.

The SPEAKER. The gentleman from Iowa calls up a resolution which he states is privileged, which the Clerk will report.

Mr. BLAND of Indiana. Mr. Speaker, will the gentleman yield to me to file a privileged report?

Mr. DOWELL. Yes.

PENSIONS.

Mr. BLAND of Indiana. Mr. Speaker, the gentleman from Iowa has yielded to me for the purpose of submitting a privileged report from the Committee on Invalid Pensions.

The SPEAKER. The gentleman from Indiana submits a privileged report from the Committee on Invalid Pensions. The Clerk will report it by title.

The Clerk read as follows:

Mr. BLAND submits a report from the Committee on Invalid Pensions to accompany the bill (H. R. 7539) to provide for monthly payment of pensions, and for other purposes.

The SPEAKER. Referred to the Committee of the Whole House on the state of the Union and ordered to be printed. The gentleman from Iowa [Mr. DOWELL] submits a privileged report.

Mr. MANN. Mr. Speaker, is the last report a privileged report?

The SPEAKER. So the gentleman from Indiana stated. The Chair did not examine it. It is a general pension bill.

Mr. BLAND of Indiana. It is a general bill from the Committee on Invalid Pensions.

Mr. MANN. Just to save rights, I reserve all points of order.

The SPEAKER. The gentleman from Illinois reserves all points of order on the bill H. R. 7539.

CONTESTED-ELECTION CASE OF WICKERSHAM AGAINST SULZER.

The SPEAKER. The gentleman from Iowa [Mr. DOWELL] sumbits a privileged report from the Committee on Elections No. 3, which the Clerk will report by title.

The Clerk read as follows:

Resolution (H. Res. 105) authorizing an extension of time for taking testimony, arranging orderly procedure, and providing other relief in the Alaska contested-election cases.

The SPEAKER. The Chair calls the attention of the gentleman from Iowa to the fact that this resolution is on the Union Calendar.

Mr. DOWELL. Mr. Speaker, I move that the resolution be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Iowa moves that the resolution be considered in the House as in Committee of the Whole. The question is on agreeing to that motion.

Mr. CLARK of Missouri. Mr. Speaker, I would like to ask the gentleman a question. What is this?

Mr. DOWELL. It is a resolution for the purpose of extending the time for taking testimony in the Wickersham-Sulzer contested-election case. It is the unanimous report of the committee, and I think it can be disposed of in a very few moments.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Iowa.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Does this resolution belong on the Union Calendar? It is a House Calendar resolution.

The SPEAKER. The Chair has not looked at the resolution, but the Chair is informed that it involves a charge on the Government in forwarding election returns and in calling soldiers for testimony, thereby involving expense.

Mr. DOWELL. I think it does involve expense.

The SPEAKER. The question is on the motion of the gentleman from Iowa to consider it in the House as in Committee of the Whole.

The motion was agreed to.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved (1) That the time for taking testimony in the contested-election case from Alaska, James Wickersham, contestant, wherein the contestee, Charles A. Sulzer, died on April 15, 1919, two days before the issuance of the certificate of election to said Sulzer, be, and the same is hereby, extended for 90 days from the date of the passage of this resolution; (2) that contestant, Wickersham, shall have the first 40 days thereof in which to take his necessary additional testimony, which shall be taken as near as may be in the manner provided by the present statutes governing the taking of testimony in contested election cases by notice served on the successful candidate in the special Alaska election of June 3, 1919; (3) the candidate who is successful in said special election to have the next 40 days in which to take testimony in opposition to contestant's claim to the election of November 5, 1918, and in support of his own right to be seated by virtue of said special election; (4) the contestant, Wickersham, to have the final 10 days in which to introduce rebuttal in both elections; (5) that the successful candidate at the special election may, if he wishes, on notice to contestant, cross-examine all those witnesses whose testimony the contestant has heretofore taken without notice, which testimony shall stand as contestant's examination in chief of said witnesses; (6) that the governor of Alaska and the custodian of the election returns and attached ballots of the election of November 5, 1918, be, and he is hereby, commanded and required forthwith to forward by registered mail to the Clerk of the House of Representatives the whole of the election returns and all attached papers and ballots of the election of November 5, 1918, for inspection and consideration as evidence by the House of Representatives in said contested-election case; (7) and if either the contestant or the successful candidate at said special election of June 3, 1919, desires the returns of that election introduced in evidence, it may be done under the same authority and in the same manner as is provided by this resolution for securing the returns of the election of November 5, 1918; (8) that any notice which contestant would be required to serve on said Sulzer, deceased, to take testimony of any witness mentioned herein, or to be called to sustain any allegation in contestant's case or any other notice which contestant might be required to serve on contestee, if living, may be served with the same legal effect on the successful candidate at the said special election; (9) and any notice which the successful candidate at said special election might find necessary to serve to present his case under either said elections may be served on contestant; (10) that the Secretary of War be, and he is hereby, requested and required to order by telegraph immediately on the passage of this resolution that said 40 soldiers named and whose Army status is described in the certified list, dated June 11, 1919, signed by the War

Department officials, and which list is attached to the application of contestant for the passage of this resolution, be assembled at the office of the commanding officer of the United States military cable and telegraph in the town of Valdez, Alaska, within the 40 days' period for taking testimony by the contestant, then to be examined under oath by contestant or his attorney or agent in the manner provided herein touching the matters and things alleged in the notice and statement of contest on file in this House and in this cause, and that each of said soldiers be, and he is hereby, required and commanded to state on said examination if he voted at said election on November 5, 1918, for any candidate for Delegate from Alaska to Congress, and if so, to state specifically which candidate he voted for, and the testimony of all witnesses shall be reduced to writing, signed by the witness, verified, and returned to the Clerk of the House of Representatives for use in these causes in the manner provided in the laws of the United States relating to contested elections as modified by this resolution.

With committee amendments, as follows:

On page 1 of the printed resolution, amend by striking out, in line 9, the words "necessary additional," and by striking out, at the end of said line 9 and the beginning of line 10, the words "as near as may be."

On page 1 amend by adding after the word "on," in line 12, the words "George B. Grigsby."

On page 2 amend by striking out, in line 1, the words "the candidate who is successful in said special election to," and by inserting in lieu thereof the words "said George B. Grigsby shall."

On page 2, line 6, amend by striking out the word "to" and insert in lieu thereof the word "shall."

On page 2 amend by adding after the word "rebuttal," in line 7, the word "testimony."

On page 2 amend by striking out all of paragraph 5 which includes the figure "5" at the end of line 7, and all of lines 8, 9, 10, 11, and 12 down to and including the semicolon following the word "witnesses."

Also amend by renumbering the paragraphs accordingly.

On page 2 amend by adding after the word "candidate," line 21, the words "said George B. Grigsby."

On page 3 amend by adding after the word "on," line 7, the words "said George B. Grigsby."

On page 3 amend by adding after the word "which," in line 9, the words "said George B. Grigsby."

On page 3 amend by adding after the word "either," in line 11, the word "of."

On page 3 amend by striking out the words "and required," in line 13.

On page 3 amend by striking out the word "said," in line 15, and inserting in lieu thereof the word "the."

On page 3 amend by striking out the words "in the manner provided herein," in lines 23 and 24.

On page 4 amend by striking out, in line 1, the comma after the word "cause" and insert in lieu thereof a period, and by striking out all after the word "cause" in said line 1, and by striking out all of lines 1, 2, 3, 4, and 5.

On page 4, line 6, amend by inserting before the word "the," in line 6, the figure "10" and by capitalizing the word "the."

Mr. DOWELL. Mr. Speaker, if no one desires time on this resolution, I desire to make a brief statement, and then I shall move the previous question.

It appears that in the election of 1918 James Wickersham and Charles A. Sulzer were both candidates for Delegate from Alaska. On the 17th of April the canvassing board determined that Sulzer was elected and issued to him a certificate of election. It appears, however, that Sulzer died two days prior to the issuance of the certificate. Thereafter Wickersham, who desired to make a contest, served notice upon the Clerk of this House of his desire to make a contest, and afterwards proceeded to take testimony ex parte for the purpose of establishing his right to a seat as Delegate. However, at the time of the expiration of the 90 days from the serving of notice upon the Clerk he had not secured sufficient testimony, and a resolution was introduced in the House and referred to the Committee on Elections No. 3 asking for further time to take testimony in the case. The facts were set forth in an affidavit filed by Mr. Wickersham upon which the resolution was based. To this resolution the committee made two important amendments, the others being mostly corrections and to make the resolution comply with the conditions existing after a special election was held in Alaska and Mr. Grigsby was elected as a Delegate to fill the vacancy caused by the death of Sulzer.

On page 2 the committee struck out paragraph 5, which relates to ex parte testimony.

Mr. GARD. Will the gentleman yield for an inquiry there?

Mr. DOWELL. Certainly.

Mr. GARD. The gentleman refers to this as "ex parte" testimony. Paragraph 5, which the committee have recommended to be stricken out, merely confers upon the successful candidate the right to cross-examine witnesses. How can such testimony be called ex parte testimony?

Mr. DOWELL. The purpose of the committee was not to use the ex parte testimony already taken in the case.

Mr. GARD. I do not understand how testimony can be called ex parte where there is the right of cross-examination.

Mr. DOWELL. The gentleman will notice that on page 1 the words "necessary additional testimony" are stricken out also.

Mr. GARD. I understand that.

Mr. HUDSPETH. It is the testimony taken prior to the special election that the committee propose to strike out—the ex parte testimony taken prior to the special election—in the contest of Wickersham against Sulzer.

Mr. DOWELL. If the gentleman will read the paragraph on page 2, line 11, he will notice that it says:

Which testimony shall stand as contestant's examination in chief of said witnesses.

Mr. GARD. I do not think that is a very good expression; but I think the phrase—

that the successful candidate at the special election may, if he wishes, on notice to contestant, cross-examine all those witnesses whose testimony the contestant has heretofore taken without notice—

should be allowed to remain.

Mr. DOWELL. But all the testimony must be taken hereafter.

The SPEAKER. The time of the gentleman has expired.

Mr. GARD. I ask unanimous consent that the gentleman be given 10 minutes' additional time.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the time of the gentleman from Iowa be extended 10 minutes. Is there objection?

There was no objection.

Mr. GARD. I think the gentleman is probably in full accord with what I am trying to arrive at. It seems to me that there should be no restriction on the part of either of these persons in the cross-examination of any witness.

Mr. DOWELL. There certainly is none in the law or in this resolution. There is a provision here in this resolution which permits notice to be given under the same conditions and in the same manner as provided in the statutes. The only thing that will be done by striking out this paragraph will be to prevent the contestant from using ex parte affidavits and to permit the contestee to cross-examine these witnesses.

Mr. GARD. I do not think the gentleman's resolution goes to the extent of prohibiting the contestant from using these affidavits as testimony, but it does go to the extent of prohibiting the successful candidate from cross-examining the witnesses. There is nothing in this resolution, as I see it, which prevents the contestant from using this testimony which the gentleman calls ex parte testimony. If that is the intention, it should be expressed clearly.

Mr. DOWELL. The only thing we are trying to do here is to permit the contestant and contestee to proceed to take the testimony for the next 90 days as though no contest had been made heretofore.

Mr. HUDSPETH. Will the gentleman yield?

Mr. DOWELL. Yes.

Mr. HUDSPETH. Under this resolution no testimony taken heretofore can be introduced before the committee. The first 40 days the contestant is to have for the taking of his testimony, and after that is the contestee. Is not that the fact?

Mr. GARD. I desire to make further inquiry. I call the gentleman's attention to line 3 on page 3 of this resolution, where this language appears:

That any notice which contestant would be required to serve on said Sulzer, deceased.

Does not the gentleman think it would be better to say—

any notice which contestant would be required to serve on said Sulzer, if living—

rather than "deceased"?

Mr. DOWELL. I will consent to that amendment.

Mr. GARD. There could not be any notice under the terms of the resolution, because Mr. Sulzer is now dead, and you can not serve notice on a dead man.

Mr. DOWELL. I will ask unanimous consent that the amendment suggested by the gentleman be made.

The SPEAKER. The gentleman asks unanimous consent for the adoption of an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. GARD: In line 3, page 3, strike out the word "deceased" and insert in lieu thereof the words "if living."

The SPEAKER. Is there objection?

There was no objection.

Mr. HUDSPETH. For the benefit of some gentlemen on this side I will ask this question: If the taking of this testimony should force Mr. Grigsby, the contestee, into the cold period, then it was the unanimous understanding of the committee that they would give the contestee, Mr. Grigsby, further time. Is not that the fact?

Mr. DOWELL. That was on the theory, as I understood it, of 60 days; but now it is only 40.

Mr. HUDSPETH. I understood from the committee that if Mr. Grigsby did not complete his testimony under the time given for the resolution the committee would give him further time.

Mr. DOWELL. They did consider that, if further time was needed; but I think there was no agreement. If the gentleman desires to amend by giving him more time, I have no objection.

Mr. HUDSPETH. No; but I believe they will give him that time if he needs it.

Mr. DOWELL. I think the committee has not agreed to that, and I would not make any such agreement now.

Mr. HUDSPETH. That is my understanding—that they would give him additional time if needed—if the cold period set in before he could take his testimony.

Mr. MANN. Mr. Speaker, I do not propose to talk on the merits of the pending resolution. Apparently we have Alaska on our hands for the future, and may have an election contest from that far-away place every two years, or oftener if it is possible, and it might be just as well to consider the question of procedure. This is a simple House resolution, introduced and referred to the Committee on the Judiciary, which had no jurisdiction, reported back to the House, and placed on the Union Calendar, where it did not belong, and is now up for consideration. These things are not material, but at some time they might be very material. The Committee on the Judiciary was not entitled to consider a resolution of this sort. It does not change and can not change the law. A simple House resolution can not change the law.

Mr. GARD. Will the gentleman yield?

Mr. MANN. Yes.

Mr. GARD. I do not believe it was ever reported by the Committee on the Judiciary. I may be mistaken, but I do not think so.

Mr. DOWELL. It was never before the Committee on the Judiciary.

Mr. MANN. I do not know; all I know is what the pending resolution says:

Mr. VESTAL submitted the following resolution, which was referred to the Committee on the Judiciary and ordered to be printed.

Reported with amendments, committed to the Whole House on the state of the Union, and ordered to be printed.

If nobody knows where it came from, still worse.

Mr. VESTAL. Will the gentleman yield?

Mr. MANN. Yes.

Mr. VESTAL. This resolution was introduced and referred to the Committee on the Judiciary.

Mr. MANN. That is what I said.

Mr. VESTAL. This morning I found it was referred to the Committee on the Judiciary and I asked for a rereference, and it was referred to the Committee on Elections No. 3.

Mr. MANN. They have not found it out in the Clerk's office, and there is another mistake. I do not know where it is.

I want to say that in my judgment it did not belong to the Committee on the Judiciary, nor does it belong on the Union Calendar. It may involve an expenditure of money, but the House can not make an appropriation of money, the House can not involve the Treasury Department in an expenditure of money which is not already authorized to be expended. Sometime this contested election might be in a case highly partisan, with a very even division in the House, and it might make a great deal of difference as to how it was considered. Considering a bill in the House and considering a proposition in Committee of the Whole House on the state of the Union sometimes is a very important distinction. While there has been no ruling by the Speaker that this is a Union Calendar proposition, I do not want it to go as a precedent either that the Committee on the Judiciary has jurisdiction of a matter relating to the election of a Member or that the Union Calendar is to consider resolutions which may provide for taking testimony in contested-election cases.

Mr. LONERGAN. Mr. Speaker, I would like to ask the chairman one question. Can the gentleman refer me to any case parallel to this?

Mr. DOWELL. I can not; I have not found one exactly like it.

Mr. CHINDBLOM. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Page 3, line 21, after the word "Valdez," insert the words "Sitka and Fairbanks."

Mr. CHINDBLOM. Mr. Speaker, in Alaska, as everybody knows, the distances are very great between centers of population. Since the committee reported this resolution we are advised that it would be very desirable that the soldiers mentioned in the resolution, who are to be used as witnesses, might be assembled at three different points—Valdez, Sitka, and Fairbanks—rather than at Valdez alone. I will say that Valdez is 600 miles distant from Sitka, and Fairbanks is 450 miles distant from Valdez.

Mr. GARD. I would suggest to the gentleman that he make a further amendment by striking out the word "town" and inserting the word "towns."

Mr. CHINDBLOM. Mr. Speaker, I am glad of the suggestion, and I ask unanimous consent to add that as a portion of my amendment, that in line 21 on page 3 the word "town" be stricken out and the word "towns" be inserted in lieu thereof.

Mr. DOWELL. Mr. Speaker, I think that amendment should be adopted. I move the previous question on the amendments and the resolution.

Mr. GARRETT. Let us first vote on the amendment.

Mr. VESTAL. Mr. Speaker, will the gentleman yield for a question? I did not hear all of the discussion.

The SPEAKER. The Clerk will report the addition to the amendment.

The Clerk read as follows:

Page 3, line 21, strike out the word "town" and insert in lieu thereof the word "towns."

The SPEAKER. The question is on agreeing to the amendment as modified.

The amendment was agreed to.

Mr. VESTAL. Mr. Speaker, I have another amendment that I desire to offer. On page 1, line 6, I move to strike out the word "ninety" and insert in lieu thereof the words "one hundred and forty," and in line 8 strike out the word "forty" and insert in lieu thereof the word "sixty"; on page 2, line 4, strike out the word "forty" and insert the word "sixty," and in line 8 strike out the word "ten" and insert the word "twenty." I think, in view of the fact that this testimony must be all taken at this time, more time should be given to both the contestant and contestee.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. VESTAL. Yes.

Mr. GARD. I have no criticism of the extension of time, but is it not a fact that an additional contest notice has been now served by Mr. Wickersham on Mr. Grigsby, so that there are two of these contests before the committee?

Mr. VESTAL. This is really, I think, all one contest.

Mr. GARD. And there is not anything to prevent a full consideration of that which is put in in the second contest, is there?

Mr. VESTAL. No.

Mr. DOWELL. I think the resolution permits all the testimony to be taken to be used in either of those cases.

Mr. VESTAL. Both elections.

Mr. GARD. But, as a matter of fact, since Mr. Grigsby has been seated in the House there has been another notice of contest served on him, and that in effect takes over all this, does it not, so that really this resolution is not very necessary?

Mr. DOWELL. I doubt that. I think the Sulzer-Wickersham contest should have a resolution to continue the time for taking testimony.

The SPEAKER. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 1, line 6, strike out the word "ninety" and insert in lieu thereof the words "one hundred and forty"; line 8, same page, strike out the word "forty" and insert "sixty." Page 2, line 4, strike out "forty" and insert "sixty"; line 8, same page, strike out "ten" and insert "twenty."

The SPEAKER. The question is on agreeing to the amendment.

Mr. HUDSPETH. Mr. Speaker, I rise to oppose this amendment. I want to state that this report is a unanimous report from the Committee on Elections No. 3. I would state further that this amendment was discussed in the committee, and if it is adopted it will force Mr. Grigsby, the contestee, to take his testimony during the cold weather that prevails in Alaska, and he will not be able to do it in the time allotted to him. As the resolution reads, the contestant, Mr. Wickersham, is given 40 days and the contestee, Mr. Grigsby, 40 days, and the last 10 days of the 90 days Mr. Wickersham has to offer his rebuttal testimony. This amendment is unfair to the contestee, and it was voted down in the committee. I therefore oppose the amendment of the gentleman from Indiana. I want to state, further, that on this committee I saw no evidence of partisanship on the part of any member. As the resolution is reported it is with a unanimous report from the Committee on Elections No. 3. I think it ought to be adopted as it was reported.

Mr. VESTAL. Mr. Speaker, I did not suppose that the offering of this amendment simply extending the time to both the contestant and the contestee would raise such a rumpus. I supposed it would be simply giving them both more time in which to take testimony.

Mr. HUDSPETH. Mr. Speaker, will the gentleman yield?

Mr. VESTAL. Not now. All that the House cares about and all that I care about is to have the matter thoroughly understood and the proper man seated. It does not make any difference to me which man wins. If there is any objection on the other side to having more time, I ask unanimous consent to withdraw my amendment.

The SPEAKER. The gentleman from Indiana asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

Mr. RAKER. Mr. Speaker, I suggest an amendment on page 3, line 8, to strike out the word "may" and insert the word "shall" and to make the same amendment on line 13, so that the contestee and the contestant must serve their notices on the respective parties without question.

Mr. DOWELL. The language proposed is not as it might be, and I think there is no special necessity for the amendment, although I have no objection to it.

Mr. RAKER. Then I offer that as an amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. RAKER: Page 3, line 8, strike out the word "may" and insert the word "shall," and in line 13, at the end of the line, strike out the word "may" and insert the word "shall."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. DOWELL. Mr. Speaker, I move the previous question on the resolution and all amendments to final passage.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution as amended.

The resolution was agreed to.

On motion of Mr. DOWELL, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

LEAVE TO SIT DURING RECESS OF THE HOUSE.

Mr. DALLINGER. Mr. Speaker, I desire to offer a resolution.

The SPEAKER. Is this a privileged resolution?

Mr. DALLINGER. It is from the special committee appointed to investigate the eligibility of Victor L. Berger to a seat in the House.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That the special committee authorized under House resolution No. 6 to investigate the right of Victor L. Berger to be sworn in as a Representative from the State of Wisconsin, be authorized to sit during the sessions and recesses of the present Congress.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent for the present consideration of the resolution. Is there objection? [After a pause.] The Chair hears none.

The question was taken, and the resolution was agreed to.

PARTIAL REPORT FROM COMMITTEE ON EXPENDITURES IN THE WAR DEPARTMENT.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a privileged report from the Committee on Rules.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That it be in order for the Select Committee on Expenditures in the War Department, on Tuesday, July 29, 1919, immediately after the reading of the Journal and the disposition of the business upon the Speaker's table, to present a partial report, together with a House resolution accompanying the same, which resolution is as follows:

"*Be it resolved by the House of Representatives of the United States of America*, That the Secretary of War be and is hereby requested to place on sale, without delay, the surplus food products in the hands of or under the control of the War Department now stored in the United States, under such plan as will safeguard the interests of the Government and insure an opportunity to the people of the United States to purchase the same directly from the Government."

That said report and resolution, together with the minority report accompanying the same, shall be thereupon read, after which there shall be four hours allowed for debate, one-half to be controlled by the chairman of said committee and one-half by the ranking minority member thereof, Mr. FLOOD, of Virginia, and said debate to be confined to the subject matter of the report and resolution. At the conclusion of said general debate, the resolution shall be read for amendment, and upon the conclusion thereof the previous question shall be considered as ordered upon said resolution and any amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. CAMPBELL of Kansas. Mr. Speaker, it is estimated that there is over $200,000,000 worth of food in the possession of the War Department that is a surplus, and that this surplus is accumulating from day to day as soldiers are discharged. The purpose of this resolution is to direct the Secretary of War to sell that surplus food now held by the War Department. This, I trust, will reach the question raised by the gentleman from Oklahoma [Mr. FERRIS], who manifested so much anxiety this morning about the high cost of living. He stated that no action was being taken with a view to reducing the cost of living. This is for the purpose of aiding immediately in the reduction of the cost of living, and it is hoped that a measure of relief may be effected by placing this surplus food upon the market.

Mr. ASWELL. Will the gentleman yield?

Mr. CAMPBELL of Kansas. I will.

Mr. ASWELL. Is not the Secretary of War selling these foodstuffs now as rapidly as he can find purchasers?

Mr. CAMPBELL of Kansas. That is a matter that will probably be discussed to-morrow.

Mr. ASWELL. But the fact is he is selling them wherever he can find purchasers.

Mr. CAMPBELL of Kansas. And yet many people have endeavored to get some of these foodstuffs and can not get them. Mr. Speaker, I move the previous question——

Mr. GARRETT. Will the gentleman yield to me one minute?

Mr. CAMPBELL of Kansas. I yield the gentleman one minute.

Mr. GARRETT. Mr. Speaker, there is no contest so far as the minority is concerned upon this resolution. The necessity of the resolution will be discussed when to-morrow comes.

Mr. CAMPBELL of Kansas. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The question was taken, and the resolution was agreed to.

SARAH LOUISE IRBY.

Mr. IRELAND. Mr. Speaker, I offer the privileged resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 202.

Resolved, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to Sarah Louise Irby, clerk to the late Hon. J. W. RAGSDALE, a Representative in Congress from South Carolina, at the time of his death, July 22, 1919, the sum of $220, being an amount equal to one month's salary of a clerk of a Representative in Congress designated, under the resolution now regulating the same, at $2,400 per annum and bonus.

The following committee amendments were read:

In line 6, strike out the figures "220" and insert in lieu thereof "120," and in line 9 strike out the figures "2,400" and insert in lieu thereof "$1,200."

The committee amendments were agreed to.

The resolution as amended was agreed to.

MESSENGER FOR COMMITTEE ON THE JUDICIARY.

Mr. IRELAND. Mr. Speaker, I offer the following privileged resolution.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 92.

Resolved, That there shall be paid out of the contingent fund of the House, until otherwise provided for by law, compensation at the rate of $1,000 per annum for the services of a messenger to the Committee on the Judiciary, in lieu of a janitor at $720 per annum now authorized, such messenger to render services to said committee both as messenger and janitor.

The question was taken, and the resolution was agreed to.

ADDITIONAL MESSENGERS, HOUSE POST OFFICE.

The Clerk read as follows:

House resolution 138.

Resolved, That there shall be paid out of the contingent fund of the House of Representatives, until otherwise provided for by law, compensation at the rate of $1,200 per annum each for the services of four additional messengers in the House post office for the collection and delivery of mail in the House wing of the Capitol.

The committee amendments were read as follows:

Line 4, strike out the word "four," and in lines 5 and 6 strike out the words "for the collection and delivery of mail in the House wing of the Capitol."

So the resolution will read:

Resolved, That there shall be paid out of the contingent fund of the House of Representatives, until otherwise provided for by law, compensation at the rate of $1,200 per annum each for the services of additional messengers in the House post office.

Mr. GARRETT. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Certainly, sir.

Mr. GARRETT. Why the necessity for the committee amendment? Is this to leave it possible to have an unlimited number of messengers?

Mr. IRELAND. Oh, no; no, sir. Three. We reduce it from four to three.

Mr. GARRETT. Perhaps I misunderstood the reading of the resolution. I understood it just struck out the four and left it unlimited.

Mr. MONDELL. Mr. Speaker, I think the reading by the Clerk perhaps left the impression——

Mr. GARRETT. I did not hear anything about three.

Mr. MONDELL. That the number was not limited, but evidently it is intended, of course, to limit the number to three.

The SPEAKER. The Clerk tells the Chair that apparently by an inadvertence the amendment inserting the "three" was not inserted.

Mr. IRELAND. Then, Mr. Speaker, that is a clerical error, and I ask unanimous consent to amend it as amended by the committee, in order to make the resolution conform to the action of the committee.

The SPEAKER. The Clerk will report the resolution as amended by the committee.

The Clerk read as follows:

Line 4, after the word "of," strike out the word "four" and insert in lieu thereof the word "three"; strike out all of the remainder of the resolution after the word "office," in line 5, so that it will read:

"*Resolved*, That there shall be paid out of the contingent fund of the House of Representatives, until otherwise provided by law, compensation at the rate of $1,200 per annum each for the services of three additional messengers in the House post office."

Mr. FERRIS. That is the amount that the messengers are receiving at present, the regular messengers there?

Mr. ASWELL. What is the necessity for the additional messengers?

Mr. IRELAND. A heavier mail in the post office, and just at present the postmaster is throwing mail himself, and he is paying three additional men there out of his own pocket, amounting to $12 a day, and at the compensation the postmaster receives he can not stand that very long. I might say further that the postmaster has no adequate additional help.

Mr. ASWELL. How has he managed heretofore?

Mr. IRELAND. Last year we granted one additional employee, I am sure, if not more than that. I remember one. Of course, the mail service has become a great deal heavier.

Mr. GARD. Will the gentleman yield?

Mr. IRELAND. Certainly.

Mr. GARD. This contemplated increase of messengers means those who deliver mail around to the offices in parts of the House Office Building?

Mr. IRELAND. They are so assigned, I believe.

Mr. GARD. Does the gentleman think that at this time, in view of the near approach of the adjournment, we should go ahead with these three additional messengers, when the Members will not be here for five weeks?

Mr. IRELAND. I think the gentleman will be convinced, if he will go over the situation, that they are necessary. I was really very much surprised.

Mr. GARD. I merely made that expression in view of the fact that we are going to quit for five or six weeks. Now, we bring in a resolution for three messengers at a time when no Members will be here.

Mr. RAKER. Will they not need the additional messengers because the Members will leave?

Mr. CAMPBELL of Kansas. Mr. Speaker, I have never noticed a diminution of my mail because I was not here, and it takes more clerks to handle the mail and jacket it and send it to me than for the ordinary delivery when Congress is in session and Members are here.

Mr. GARD. These messengers will have to do the actual delivery around the corridors and offices?

Mr. CAMPBELL of Kansas. It will be delivered to their offices, as their secretaries will be there, no doubt.

Mr. RAKER. In addition to that, where you request the mail to be sent home these messengers will send it.

Mr. IRELAND. Yes.

Mr. RAKER. How long has the postmaster been paying this out of his own pocket? Two weeks?

Mr. IRELAND. I do not know.

Mr. RAKER. Will this resolution protect him for what he has paid out?

Mr. IRELAND. No.

Mr. RAKER. Is that fair?

Mr. IRELAND. I hardly know how it can be handled.

Mr. RAKER. I wish to say that he has been giving very efficient service.

Mr. IRELAND. He has been performing about 18 hours a day of actual work.

Mr. PARRISH. If the gentleman from Illinois will permit, I would like to ask him if that is a unanimous report?

Mr. IRELAND. It is not. I know that there was an amendment offered to make it two additional instead of three.

Mr. PARRISH. I was called out and was not there.

Mr. IRELAND. There was not a record vote on it. I can not recall accurately or positively about it, but do not believe the committee report was unanimous.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on the adoption of the resolution.

The resolution as amended was agreed to.

REPEAL OF TAXES ON ICE CREAM AND SODA WATER.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent that the House resolve itself in the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 2837) to repeal the tax on ice cream and soda water.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the House resolve itself in the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 2837. Is there objection?

Mr. GARRETT. Does that require unanimous consent?

The SPEAKER. It does not, but the gentleman asked unanimous consent. Is there objection?

Mr. GARRETT. Mr. Speaker, will the gentleman proceed in the regular way?

The SPEAKER. The gentleman can make a motion.

Mr. FORDNEY. I move, then, Mr. Speaker, that the House resolve itself into the Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 2837.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. KITCHIN. Pending that, let us see if we can not get an agreement as to time.

Mr. FORDNEY. Pending that, Mr. Speaker, I want to agree upon the time. The gentleman from North Carolina [Mr. KITCHIN] wishes to have 40 minutes on a side on general debate. I will agree to that.

Mr. KITCHIN. To be confined to the bill.

Mr. FORDNEY. And one half of that time to be controlled by myself and the other half by the gentleman from North Carolina, the general debate to be confined to the subject matter of the bill.

Mr. CANNON. Mr. Speaker——

The SPEAKER. The gentleman asks unanimous consent that debate be limited to 40 minutes on a side, half to be controlled by himself and half by the gentleman from North Carolina, to be limited to the bill.

The gentleman from Illinois [Mr. CANNON] is recognized.

Mr. CANNON. The motion is not to go into Committee of the Whole, then?

The SPEAKER. Pending that. Really, the House had voted to go into committee.

Mr. CANNON. Mr. Speaker, this is a matter of such importance that I desire to not obstruct the consideration of it, but it comes fresh for the first time in print this morning. The House ought to have a quorum here, and every man ought to stay here, so that we can understand it. However, it can be made on the motion to go into the Committee of the Whole House on the state of the Union.

The SPEAKER. The motion has been made. The Chair stated that the motion to go into the Committee of the Whole had been agreed to.

Mr. CANNON. Well, I can make the point, then, if that has been done, that there is no quorum present, and I am going to insist that there be a quorum present in good faith, in order that we may act understandingly. I do not understand what this bill proposes to do.

Mr. GARRETT. Mr. Speaker, I do not care to raise any technical points of order to delay matters, but if the Chair had announced that the House had resolved itself into the Committee of the Whole House on the state of the Union, it would not then be in order to put the request of the gentleman from Michigan [Mr. FORDNEY]. But I have no desire now to interfere with the request, but I suggest in the interest of orderly procedure that——

The SPEAKER. The Chair will state the exact condition. The gentleman moved that the House resolve itself in the Committee of the Whole House on the state of the Union, and the Chair put the question, and stated that the ayes had it; and then if the gentleman wished to ask unanimous consent it should have been done earlier, pending that motion. But the Chair, thinking it was the unanimous desire of the House to

accommodate him, allowed the gentleman to put his unanimous-consent request, although technically it was too late.

Mr. GARRETT. I will make no point of order, Mr. Speaker. Has his request been put?

The SPEAKER. Is there objection to the request of the gentleman from Michigan that there shall be debate of 40 minutes on a side?

There was no objection.

The SPEAKER. The gentleman from Illinois [Mr. CANNON] makes the point of no quorum on the motion to go into Committee of the Whole.

Mr. CANNON. I will make the point that there is no quorum. I would rather have the doors closed than to put the gentleman to the trouble of moving a call of the House.

The SPEAKER. Therefore the call is automatic. The Doorkeeper will close the doors, and the Sergeant at Arms will notify the absent Members. Those in favor of going into Committee of the Whole——

Mr. DOWELL. Mr. Speaker, that motion has been adopted.

The SPEAKER. The Chair misunderstood the gentleman from Tennessee.

Mr. GARRETT. I made no point of order, Mr. Speaker, on the request of the gentleman coming at the time it did.

The SPEAKER. The Chair misunderstood the gentleman. If the gentleman makes a point of order, the Chair sustains it, that it is too late to make the point of no quorum. The House goes into Committee of the Whole House on the state of the Union, with the gentleman from Kansas [Mr. CAMPBELL] in the chair.

Mr. CANNON. Mr. Speaker, I gave notice that I wanted a vote on the proposition that the House go into Committee of the Whole before unanimous consent was given.

Mr. ASWELL. The gentleman made that request after the vote had been announced.

The SPEAKER. The Chair thinks the gentleman did not understand the Chair. The Chair stated that the motion to go into Committee of the Whole House had been agreed to, and was so stated by the Chair, so that it was too late. Then the gentleman from Michigan [Mr. FORDNEY] asked unanimous consent. The Chair understood the gentleman from Tennessee [Mr. GARRETT] to say that he would not make the point of order, so that the Chair put the question and allowed the gentleman to make the point of no quorum. The Chair misunderstood the gentleman.

Mr. GARRETT. Mr. Speaker, in order to put myself correct——

The SPEAKER. It was a misunderstanding entirely. The Chair is not criticizing the gentleman.

Mr. GARRETT. I did not make the point of order against the gentleman from Michigan requesting unanimous consent after the House had voted.

The SPEAKER. The Chair misunderstood the gentleman. The Chair supposed he would not make the point of order that the House had already voted to go into Committee of the Whole. The House automatically goes into Committee of the Whole House on the state of the Union, and the gentleman from Kansas [Mr. CAMPBELL] will take the chair.

Thereupon the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 2837, with Mr. CAMPBELL of Kansas in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 2837, which the Clerk will report by title.

The Clerk read the bill, as follows:

A bill (H. R. 2837) to repeal section 630 of the revenue act of 1918, approved February 24, 1919.

Be it enacted, etc., That section 630 of the revenue act of 1918, approved February 24, 1919, be, and the same is hereby, repealed.

Mr. CANNON. Mr. Chairman, I want the gentleman from Michigan [Mr. FORDNEY] to have a full attendance when he makes his remarks. I do not know whether there are a hundred Members here or not, but I will make the point of no quorum.

The CHAIRMAN. The gentleman from Illinois makes the point that there is no quorum present. The Chair will count. [After counting.] One hundred and eight gentlemen are present, a quorum. The gentleman from Michigan [Mr. FORDNEY] is recognized.

Mr. FORDNEY. Mr. Chairman and gentlemen, the Committee on Ways and Means have reported this bill, which, if enacted into law, will repeal section 630 of the so-called new revenue bill. It repeals nothing else in the law but the tax on ice cream and soda water at the fountain.

The estimated amount of taxes that will be collected from those two items is $21,000,000; $9,000,000 on ice cream and $12,000,000 on soda water. The Committee on Ways and Means have also reported a separate bill to repeal taxes upon fruit juices, loganberry juice, grape juice, and apple juice. The committee also wish to take up in succession, after this bill has been disposed of, a bill to place an import duty upon chemical glassware, optical glassware, surgical glassware, and surgical instruments. The committee have had hearings for several weeks on those bills, and find that those articles are the products of what might be called war industries, and that it is very necessary that speedy action be taken to protect those interests from destruction by ruinous competition from Japan and Europe.

The committee have also reported favorably upon a bill to repeal Canadian reciprocity. Canadian reciprocity was passed by Congress in 1911. That same year or early the next year that bill was rejected by the Canadians, but it remained upon our statute books, and at any time that Canada wishes to accept the provisions of that treaty it would become a law, which would practically mean free trade between the United States and Canada. The Committee on Ways and Means have thought it advisable at this time to repeal that act, it having remained on our statute books since 1911.

Mr. HULL of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. I yield to the gentleman from Tennessee.

Mr. HULL of Tennessee. Is it not true that the Underwood Act by implication repealed the Canadian reciprocity measure?

Mr. FORDNEY. No; it is not. But it does place upon the free list some articles that would have been placed on the free list by Canadian reciprocity if that act had been accepted by the Canadians. The Underwood tariff law has put on the free list wood pulp and print paper and many other things.

Mr. HULL of Tennessee. I am not sure but that the gentleman will find one or two decisions of the courts holding that the Underwood bill at least by implication repealed the Canadian reciprocity law.

Mr. FORDNEY. My opinion is that it does not repeal the law, and if there is any doubt about it we should make it plain and positive that this bill will repeal Canadian reciprocity.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. GREEN of Iowa. With all due deference to my friend from Tennessee [Mr. HULL], to whom the gentleman from Michigan just yielded, and for whose legal opinions I have the highest respect, I can hardly see how a court could make such a decision, because the Canadian reciprocity provision never could go into force and effect until accepted by Canada, and therefore there would be nothing, it seems to me, for the court to base such a decision upon.

Mr. FORDNEY. And it has not been accepted by Canada, and so far as I am concerned I do not want it to be accepted by Canada. I was always opposed to Canadian reciprocity, and am more clearly of the opinion now that it was a mistake and would be a mistake to enact it into law. Our tariff rates to-day are the lowest of those of any principal country in the world. The ad valorem rate on imports to-day is about 5 per cent. Some months it runs a little more, some months a little less. In the month of April the average ad valorem duties collected were 4.85 per cent on imports coming into the United States. That, in my opinion, borders very closely on free trade.

I want to make a very brief statement, and then I will yield to some other gentleman.

Mr. WOOD of Indiana. Is the committee considering the advisability of taking the tax off of moving-picture show tickets?

Mr. FORDNEY. All those matters are before the committee, but have not been acted upon. Several bills for the repeal of the so-called luxury taxes are pending before the Committee on Ways and Means, but these two are the only ones that have been acted upon.

Further, the committee have reported a bill to put an additional import duty upon tungsten, and several other bills are pending; for instance, a bill for a duty on dyestuffs, and the committee expects this week to make a report on an increased duty upon imported dyestuffs. The question is being considered as to whether or not a licensing feature shall also accompany the bill affecting the duties on dyestuffs. So far we have been unable to agree, but we expect to report a bill of some kind before the end of the week.

Mr. ROSE. Does the committee have under consideration a tax on the importation of Mexican fuel oil?

Mr. FORDNEY. I believe there is such a bill before the committee. We have not had hearings upon it, but expect to consider it in the near future.

Mr. ASWELL. Will the gentleman yield?

Mr. FORDNEY. I yield to the gentleman from Louisiana.

Mr. ASWELL. Has the committee considered the repeal of the tax on mixed flour, filled cheese, and oleomargarine?

Mr. FORDNEY. In the last Congress a very determined effort was made to repeal the tax on mixed flour. I opposed it very strenuously, and will do so as long as I live, because if that tax is repealed it will open the door wide to fraud. To-day under existing law the tax on mixed flour is under the supervision of the Government. I will say to the gentleman from Louisiana that nothing has ever been mixed with wheat flour for the purpose of making bread which was not a cheaper article than the flour itself, and it never will be.

Mr. ASWELL. Does not the gentleman believe that now is the good time to give some cheaper food articles to the people of this country and those of other lands?

Mr. FORDNEY. Oh, I will say to the gentleman that when his party came into power six years ago there was no complaint about the high cost of living, and now gentlemen are shouting at the top of their voices asking the Republican Party to lower the cost of living which was brought about by the gentleman's party. [Applause.]

Mr. ASWELL. And your party voted for all the bills.

Mr. FORDNEY. We will attend to these matters when we reach them. We are going to remain in power. We have the confidence of the people, and we are going to show you how to run this Government in a practical manner.

Mr. ASWELL. The gentleman's party had that opportunity once for 16 years, and did not succeed.

Mr. FORDNEY. We were getting along admirably until you fooled the people into putting you into power, but you could not fool them all the time.

Mr. McPHERSON. Will the gentleman yield?

Mr. FORDNEY. I yield to the gentleman from Missouri.

Mr. McPHERSON. I should like to ask the gentleman if the committee have considered and will report out, at an early date, a bill that has been introduced providing for a duty on zinc ore and the products of zinc?

Mr. FORDNEY. Such a bill is before the committee, and I am very heartily in favor of putting the necessary tax upon imported zinc ores, in order to revive the zinc industry in Missouri and Wisconsin, where the mines have been closed down because of free trade on zinc ore. I pledge the gentleman my unwavering support to revive that industry by putting an adequate tax upon imported zinc ore coming into this country from Mexico, which has closed down the mines in Missouri.

Mr. GARNER. Will the gentleman yield?

Mr. FORDNEY. I yield to the gentleman from Texas.

Mr. GARNER. When does the gentleman hope to accomplish that result?

Mr. FORDNEY. I should like to see the Democrats of the committee join with us in a meritorious act like that, but whether they do or not time will tell, and the Republicans are going to report a bill which will do that, mark what I say.

Mr. GARNER. I repeat my question. When may we hope for the "meritorious measure" that the gentleman speaks of?

Mr. FORDNEY. Ask me something easy. There are many bills before the committee, and I do not know when we can report these bills. I have but one voice and vote among 25 men on that committee, and I expect to see the undivided opposition of the gentleman's party to the proposition for a duty on zinc ore. Am I right or wrong? I will ask the gentleman that question.

Mr. GARNER. I can not speak for the party or for anyone except myself. It depends on the rates that you put on.

Mr. FORDNEY. We will put a reasonable rate on.

Mr. GARNER. If he will put a reasonable rate on, I will join with the gentleman.

Mr. FORDNEY. Good.

Mr. GARNER. Of course, the term "reasonable" is somewhat elastic.

Mr. FORDNEY. I do not wish to discuss this matter any longer, but would yield to some one else, unless some one desires to ask a question.

Mr. MONAHAN of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. MONAHAN of Wisconsin. This morning I received signed petitions representing practically all of the lead and zinc industries of southern Wisconsin, Illinois, and Iowa asking for a tariff on lead and zinc ores, which I filed with the committee.

Mr. FORDNEY. I thank the gentleman for his statement.

Mr. GARNER. May I ask the gentleman a question before he takes his seat, in order that the committee and the House may understand the policy of the Committee on Ways and Means with reference to internal-revenue taxation? This is a proposition to repeal section 630?

Mr. FORDNEY. Yes.

Mr. GARNER. What will be the policy with reference to the repeal of other provisions of the internal-revenue law, such as the candy tax and other bills that have been introduced?

Mr. FORDNEY. I can not speak for the committee. I do not know what the committee will do in respect to reporting any other taxes, except that we have reported favorably a bill to reduce the tax on loganberry juice and grape juice and apple juice—fruit juices.

Mr. GARNER. May I get the gentleman's individual opinion about his policy with respect to these measures?

Mr. FORDNEY. I can hardly give it to the gentleman at this time. I will cross that bridge when I come to it.

Mr. GARNER. May I inquire in reference to the zinc-ore proposition? The gentleman says that he is willing to give adequate protection to Wisconsin and Missouri and Oklahoma and Kansas zinc-ore interests.

Mr. FORDNEY. On zinc ores.

Mr. GARNER. May I ask the gentleman what the policy of his committee will be with reference to a general revision of the tariff?

Mr. GREEN of Iowa. Mr. Chairman, the gentleman from Texas [Mr. GARNER] is a member of the committee himself; and all this is out of order.

Mr. GARNER. The gentleman from Michigan has the floor, and I think he can take care of himself without the assistance of the gentleman from Iowa.

Mr. FORDNEY. Mr. Chairman, I reserve my opinion upon those matters until later on. I will ask the gentleman from North Carolina to use some of his time now.

Mr. KITCHIN. Mr. Chairman, I yield such time to the gentleman from Louisiana as he desires.

Mr. ASWELL. Mr. Chairman and gentlemen of the committee, I am heartily in favor of the bill under consideration to repeal the taxes on ice cream and soda water; but there are other taxes whose repeal is vastly more urgent and important. The cost of food products is rising higher and higher and still higher. The price the producer receives as compared with the price the consumer pays reveals clearly that thieves, robbers, and highwaymen, under the euphonious name of profiteers, are still abroad in the land, rampant at our very doors. The remedy for this evil is pitiless publicity through the Department of Agriculture, which is not functioning in this important matter now. Yet the Congress sits supinely by and takes no drastic action. If there were ever a time, that time is now, when the Congress should strike straight for the protection of the consumers and the toilers of the country. There are prices of food products that can be easily and directly reduced. I refer to the reductions proposed by H. R. 7160, which is as follows:

A bill (H. R. 7160) to repeal the internal-revenue taxes upon wholesome foods and the special license taxes imposed upon producers and dealers in such wholesome foods.

Be it enacted, etc., That all laws and parts of laws which impose internal-revenue taxes upon wholesome foods and special license taxes upon the producers of and dealers in such foods be, and the same are hereby, repealed: *Provided*, That such wholesome foods shall be produced and distributed in compliance with the provisions of the Federal food and drugs act approved July 1, 1906, and the Federal meat-inspection act approved July 1, 1906, and the food-control act approved August 10, 1917, and the regulations made pursuant to said acts.

This bill or similar bills have been pending before the Committee on Ways and Means for years, and still the Committee on Ways and Means refuses to act. These wholesome and nutritious foods—oleomargine, filled cheese, and mixed flour—are by inexcusable taxes kept out of reach of the poor people of the country. Why does the Congress sit here inactive on this subject and permit millions of people literally to suffer for the want of food when these outrageous, obnoxious, inexcusable, and indefensible taxes can be and should be immediately repealed by this Congress? I for one am not willing for the blood of starving children to rest upon my hands. Gentlemen of the Committee on Ways and Means may refuse to report this or similar bills to the House and the House may refuse to act, under Republican control, but let the responsibility rest where it belongs and let the country know the facts.

The purpose of the bill to which I refer is to enlarge the production and distribution of wholesome foods.

The items particularly affected are:

First, oleomargarine; second, filled cheese; third, butter; fourth, mixed flour.

Oleomargarine is universally declared to be a wholesome and nutritious food.

The internal-revenue law does not concern itself in any way with the sanitary or wholesome qualities of this food. The taxes imposed on the product and the special license taxes imposed upon producers and dealers yield an insignificant net revenue to the Government. In fact, this law was not intended as a revenue producer, but was intended to prevent the production of this food altogether, or compel its production in unpopular forms.

How well these purposes are accomplished appears from a comparison with the annual per capita production in countries which import our oils and cattle feed, but which impose no taxes or licenses:

Holland produces 66 pounds, Denmark 44 pounds, Norway 35 pounds; America produces 3½ pounds per capita of this wholesome and nutritious food.

Our Government and foreigners may withdraw tax free either colored or uncolored as they may choose. They take all colored, while our own people, who are compelled to choose between a pleasing food and extraordinary taxes and licenses on the one hand and a less pleasing food and lower taxes and licenses on the other, take all uncolored.

It is impossible to understand any just reason why our own people should be practically forbidden the use of this wholesome food in the most desirable form which science and skill can produce it. It is confidently believed that if our own people had the same free access to this food which the Government and foreigners have, much larger quantities of it would be consumed, and much of the edible oils which now go into other uses and much of the skim milk which is now wasted would be conserved for its production. In many sections of the country small surpluses of milk are produced, but not sufficient to sustain creameries. If freed from the revenue burdens and dangers, these localities could establish oleomargarine plants, which would have sufficient volume to sustain overhead expenses, and furnish good market for the milk surplus and large quantities of edible oils.

Drs. Vernon Kellogg and Alonzo E. Taylor have probably given as wide and patriotic study to the question of human food as any other two living men. In their book, The Food Problem, published by the Macmillan Co., they point out:

(Pages 148–149.)

An intensive development in dairying in the indirect sense has been evolved in Europe, but has received little attention in this country. This is the combining of the processes of making butter and margarine. In this country butter is made from cream secured by the centrifugation of milk, and the skimmed milk is then either fed to swine or thrown away—thrown away, unfortunately, to a very considerable extent. In Europe this skimmed milk is used for the further manufacture of margarine. Vegetable and animal fats in proper proportion, largely vegetable fats, are mixed with the skimmed milk and churned out just as butter would be. In this way a very good product is obtained, which has flavors derived from the milk. * * *

(Page 150.)

It is necessary in the United States to increase the consumption of vegetable oils. * * * They must be passed through some sort of a fabrication in order to give them physical qualities that are in themselves desirable. There is not enough butter to go around. * * *

(Page 151.)

Viewed properly, margarine and butter are not competitive; they are supplementary. * * * The dairyman and creamery should manufacture margarine, just as they manufacture butter, butter being the product of the primary churning, margarine the product of the later churning.

II.

Filled cheese is an excellent substitute for meat. It is made by coagulating a mixture of skimmed milk and edible oils in the usual manner of making cheese.

The act of June 6, 1896, utterly destroyed this industry. Here is a so-called revenue law from which the Government collects not a cent of revenue and a needed wholesome food is outrageously outlawed.

More than 15,000,000,000 pounds of skimmed milk is practically wasted every year. Half the food value of the milk is thus lost. Large quantities could be profitably conserved by combining it with the edible oils. Filled cheese will remain fresh and palatable for long periods of time and may be easily transported long distances. There can be no patriotic or economic reason for prohibiting the production and distribution of this wholesome food. There should be a filled-cheese factory in connection with or in the vicinity of every creamery.

III.

Butter is defined by the act of May 9, 1902, as the food product made exclusively from milk or cream, or both, with or without common salt, and with or without additional coloring matter.

The pure-food law declares that a food is adulterated: If any substance has been mixed with it so as to reduce or lower its quality; or if it consists in whole or in part of a filthy, decomposed, or putrid animal substance; or if it is the product of a diseased animal.

So far as the provisions of the revenue law relating to butter are concerned, it does not matter how filthy, decomposed, or diseased butter is, nor how variegated the color and shape of different lots. It may be bought and sold in such forms free from tax and license; and an examination of the market reports will convince that low grades constitute a large percentage of the available supply.

But if one melts or clarifies this butter, so as to put it into uniform packages, and so forth, then he must pay licenses, give bonds, and subject himself to extraordinary penalties, and pay a tax of one-fourth cent per pound and call his product "renovated butter." Curious inducement for improving food.

If, furthermore, one mixes, reworks, rechurns in milk or cream, refines, or in any way produces a uniform, purified, or improved product from different lots or parcels of butter or butter fat in which any substance is used with the effect of deodorizing or removing rancidity, then he must call this purified and improved product "adulterated butter." He must pay annual license, as manufacturer, $600; wholesaler, $480; and retailer, $48, and give heavy bonds. This phase of the revenue law is such an assault upon the common sense that, I understand, it is practically ignored by both the Departments of the Treasury and of Agriculture and the public. So that practically all the great cream centralizers constantly use both substances and methods for deodorizing and neutralizing the different lots or parcels of butter fat which they buy and mix and refine so as to produce a uniform purified product.

If such uniform, purified, or improved product is still unclean, unwholesome, or unnutritious, then its production and distribution ought to be and is prohibited by the pure-food law.

If it is a safe and beneficial food, then no burdens should be laid upon it.

I understand from the report of the Commissioner of Internal Revenue that no one voluntarily takes out a license to manufacture or distribute "adulterated butter." On the contrary, this license is used as a sort of refuge for those who, without moral turpitude, are discovered to have incorporated excessive moisture in otherwise good butter.

The dual responsibilities imposed by law upon the Departments of the Treasury and Agriculture respecting butter have produced much confusion in the industry. I believe the provisions of the pure-food law will give reasonable protection to consumers against excessive moisture, filth, and disease, and that the Bureau of Internal Revenue should not be troubled with a law not intended to produce revenue, but intended, and having the effect, to restrain the increased production of improved food.

IV.

Mixed flour is not permitted, under the pure-food law, to contain any impure, unnutritious, unclean, or unwholesome product. The highly nutritious corn, cottonseed, peanut, and other flours are more pleasing and better preserved when backed with a considerable percentage of wheat flour.

The tax burdens imposed upon mixed flour yield but little revenue and greatly restrict the enlarged use of this improved food.

GENERAL OBSERVATIONS.

If any of these foods are unclean or unwholesome or fraudulent, their production and distribution is prohibited by the pure-food law. The Department of Agriculture, in conjunction with the Department of Justice, is authorized and equipped to enforce this law. An excellent system of cooperative inspection of foods is being rapidly developed between the Department of Agriculture and the several State and municipal bureaus of inspection.

If these foods are clean and wholesome, the Government should lay no restraining hand upon their production and distribution in the most scientific and economical methods and in the most palatable forms.

They are all specially adapted to the needs of the toiling masses, who not only need good, cheap foods, but who have the least time and facilities for the proper preparation of food.

Taxes upon food must be borne not according to ability to bear but according to necessity to eat, which is an inhumane basis of taxation.

The pure-food law prohibits false or misleading labels and brands.

The revenue provisions add nothing to the protection of the consumer; they add nothing substantial to the revenues; their enactment was procured by selfish interests before the value of

these foods was understood by the public and before the development of the more scientific and practical methods of the pure-food law.

They therefore ought to be repealed, and repealed now. Let the country know the man who opposes such repeal and thus withholds food from hungry children!

Mr. KITCHIN. Mr. Chairman, I yield 10 minutes to the gentleman from Kentucky [Mr. THOMAS].

Mr. THOMAS. Mr. Chairman, the Civil War lasted four years, and the Federal Government during that time had approximately 3,000,000 men in the field. Yet the cost of the Civil War was not quite $5,000,000,000. In the present war we have spent approximately $19,000,000,000. I have never made the calculation myself, but I have been informed that not more than a billion minutes of time have elapsed since the birth of Christ. The Secretary of the Treasury, Mr. Glass, last week issued a statement in which he said that our public debt is approximately $30,000,000,000; that is, our debt is $30 for every minute of time that has passed since Jesus walked upon the blue waters of deep Galilee. That is a vast sum, an appalling sum, but it has to be paid or repudiated, and the United States will not repudiate any debt. In order that this principal sum may be reduced and the interest paid, it is necessary that we raise taxes. In order to raise taxes for that purpose, almost, if not quite, every article which is used and consumed by the American public must pay a tax. The proposition here is to repeal the tax upon soda water and ice cream. I believe that if a man deliberately fills his stomach full of such stuff he should pay a tax on it, in order to help pay the debt that we have incurred during this war, and the man who sells it should also pay a tax.

If Members of Congress could investigate the filthy, insanitary condition of many soda fountains and ice-cream receptacles, particularly in cities and summer resorts, and then take into consideration the enormous profit made on the sale of these products, I do not believe this tax would be repealed.

A soda fountain is primarily an apparatus for storing, cooling, and drawing carbonated water and for storing flavoring material for such water and for keeping what is called ice cream. There are also receptacles for washing glasses, spoons, and other utensils used in operating a soda fountain.

The whole is usually surrounded by attractive bars of mirrors and marble to give a fetching setting to the entire thing. There is a base, called a refrigerator base, in which is stored ice to cool the extras, usually beverages that are sold in bottle form and called soft drinks. These fountains vary in length from 6 to over 100 feet and will average about 20 feet in length. The price of soda fountains varies from $500 up, and some manufacturers claim to have received as much as $25,000 for a single apparatus.

Soda water is purely an American drink and has never become popular in foreign countries, although much money has been spent in attempting to introduce it in other lands.

My information is that the first soda fountain was made by John Matthews in New York in 1860, and ice cream soda was first introduced to the public by Robert M. Green at the Philadelphia Exposition in 1876.

The basis of soda water is carbonated water, a mixture of carbonic acid gas and water. This is mixed in an apparatus which usually is placed in the cellar of the store where soda water is sold. The carbonic acid is contained in a steel tube and placed under a pressure of about 1,200 pounds, and this tube is attached to a carbonator, which is a steel tank, either lined or washed with block tin. Attached to this tank is an automatic pump usually operated by electricity. The water is pumped into the steel tank into which the carbonic acid gas has previously been allowed to enter. Only a small amount of this gas is allowed to enter at a time, until the pressure gauge shows a pressure usually from 100 to 225 pounds, according to the will of the operator. After the water has become impregnated with the gas it passes through a block tin pipe to the coolers in the soda fountain, and these coolers are made of brass tubing, lined on the inside with block tin and washed on the outside with tin. The water stays in these coolers until—sometimes—it is cooled, and then passes into a block tin pipe which connects with the draft arm, from which it is drawn into the glass for the drinker.

The flavors are usually kept in porcelain jars and the sirup is forced out of the jars by a metal pump consisting of a spout and plunger rod and a sirup cup. The ice cream (so called) is kept in a cabinet insulated with cork, lined usually with tinned copper, with a galvanized-iron jacket to hold the ice cream can, which is usually made of steel and washed with tin. Tin is used wherever carbonated water comes into contact with metal so as to prevent forming of verdigris. Such is my information as to soda fountains from a reliable source.

My information is also to the effect that the insanitary condition of soda fountains is appalling. They can be kept clean, and generally are on the outside, but if one will examine the inside of them, especially in cities, most of them will be found to contain slime, especially around the sirup jars and wherever ice is, and especially around the ice cream the dirt that generally accumulates around the storing of ice will be found, and if the fountain be opened up a dirty, sour odor can be detected. If soda fountains are not given the proper attention the tin wears off, the water comes in contact with the other metal and forms verdigris, a deadly poison. It is rare that a sufficient amount of verdigris gets into the system to cause death, but numerous cases of ptomaine poisoning have been traced to soda fountains. Just imagine a steel tank tested to 500 pounds steam pressure being allowed to rust away—the shell becomes thin and then the explosion. Numerous persons have been killed or injured by these explosions. Soda water is often dispensed by an incompetent class, who think of profits only and are not particular about their own cleanliness, and the drink is usually dispensed in glasses not always well washed and seldom washed in hot water, only dipped in cold water, which often becomes dirty and greasy from repeated using.

Most any competent physician will state that milk is one of the greatest producers of germs, and epidemics of typhoid fever have been traced to the improper keeping of ice cream.

Some persons claim that the business can not stand taxation. That seems to be what every business claims.

The present system of taxing soda water and ice cream is a poor system, and the matter of how much tax a dealer shall collect is left to his honesty or dishonesty, as the case may be.

It is preposterous to talk about repealing this tax, but I presume it will be done. The sale of ice cream and soda water and soft drinks generally will greatly increase when the prohibition law becomes effective, and if the tax is properly laid and collected it will eventually yield nearly or quite as large a revenue as was collected from the taxes on liquor. Various estimates have been made as to the amount of money spent in this country for ice cream and soda water, and it has been placed as high as $500,000,000 annually. I have been informed that one concern which makes a sirup to be used at soda fountains claims to sell $6,000,000 worth of this sirup annually. This drink is retailed at 5 cents and costs 2 cents a glass, so about $15,000,000 annually must have passed over the counters for this one drink alone.

In the cities especially, the soda-fountain proprietors are among the worst and most conscienceless profiteers.

Prior to 1914 numerous places in this and other cities sold ice-cream sodas at 5 cents a glass, and now they have a minimum price of 15 cents a glass, and at some places it is 20 and 25 cents a glass.

The average price of a gallon of ice cream is from $1 to $1.25, and a quart of ice cream usually makes 12 glasses and sometimes 20 glasses of soda water. An average of 2 cents for the ice cream will cover that cost, and add to this 1 cent for flavor and a quarter of 1 cent for carbonated water, and the cost of the material contained in a glass of soda water is 3¼ cents, and it is sold for from 15 to 25 cents a glass, and the dispensers of soda water have the unlimited nerve to ask for the repeal of the tax.

Maybe some of you gentlemen think the soda-fountain proprietors are poor and should not be taxed. There are many such places where $100 per day is counted a poor day's receipts. In New York, in the Wall Street section, there is a man who makes a business of opening soda-fountain places in office buildings. Fifteen years ago the proprietor was a poor man, but now he and his son own apartment houses in New York and Brooklyn, bought with profits from the business.

The receipts of the soda fountain in Broad Street Station, Philadelphia, are estimated to be from $150 to $250 a day. Go down town in Washington and look at the people that daily and nightly, and more especially at night, crowd these places, and then say if you think a tax should not be levied on soda water and ice cream. The soda-fountain proprietors are the people most benefited by closing the saloons, and they, as well as the consumer, should be made to pay a tax. The consumer is lining the pockets of the soda-fountain profiteers with gold in this and other large cities. The soda-fountain proprietors should pay a tax, and the public should be safeguarded so that the price can not be raised. Soda fountains should be inspected by the Federal Government and not by local boards of health, because too often boards of health have friends in the business and permit dirty soda fountains to do business for years.

Many soda fountains are so old and out of date that they should have been discarded years ago. My information is that

at a public park or summer resort near this city there is a type of fountain that the manufacturer discarded 25 years ago.

There is another branch of this business that should bear a part of the burden of taxation, and that is the dispenser of soft drinks in bottles. His goods are, to a great extent, taking the place of bottled beer, and he should pay a license and be compelled to bottle his goods in sanitary places instead of cellars and stables, as is often the case.

The manufacturers of ice cream and soda fountains and fountain sirups and other supplies and the manufacturers of carbonic acid gas should all be made to pay a tax, and the public should not be compelled to pay one penny more for ice cream and drinks.

The profits of the business will bear heavy taxation. The proposition in this bill is to repeal the tax on soda water and ice cream and retain the tax on bottled soft drinks. That is a rank discrimination against country people and people distant from soda fountains. Bottled soft drinks are largely sold in small villages and at country stores, and the farmer boy, who labors hard all the week and goes to the country store on Saturday afternoon and buys a bottle of soft drink, is compelled to pay a tax on it, while his city brother, who usually dresses in fine linen and works but little, if at all, may buy his soda water and ice cream, if this bill is passed, free of tax.

Any night in the cities one can see vast crowds of beautiful girls clad in silks and lingerie, whose hues outshine the rainbow or a Roman trireme decorated in fadeless Tyrian dyes, wending their ways to divers soda fountains and ice cream parlors, to the evident delight and large gains of the profiteering proprietors, who ply their business tax free.

And then there are the "Chollies," who are constant patrons of these places. It is delightful to see them gliding along the streets clad in the latest style corset-cut hand-me-down suits on their way to eat ice cream and drink soda water with Geraldine and Phyllis. They spend their substance in riotous ice cream and moving-picture living and other useless diversions, and if they work for the Government expect to be cared for when they become aged through such legislation as a retirement bill at Government expense, which, in my opinion, will discourage thrift and economy and place a premium on shiftlessness and extravagance. If they would dress like human beings they would look better.

In my opinion, no man in this House has in Washington City or any other city ever tasted any pure ice cream at a soda fountain, but merely a frozen mixture of thin milk and cornstarch bearing the misnomer "ice cream." We are told we must have untaxed soda water and ice cream on account of the babies. I believe soda fountains, as usually conducted, are disease breeders among children, and they are better off and healthier without patronizing such places.

I believe that in the large cities many a mother has looked for the last time at the face of her dead baby as it lay in its casket with its little hands folded in snowy grace across its breast because of disease contracted at insanitary soda fountains.

I am proud to say that no druggist or soda-fountain proprietor in my district has ever requested me to vote to repeal this tax. They are patriotic men and willing to do their part to support the Government, and willing to go to the small trouble necessary to collect this tax. In addition to that, they keep sanitary fountains and sell "sure enough" ice cream and soda water at reasonable and not profiteering prices.

A necessity is a thing indispensable to some purpose and a luxury is that, among other things, which is delightful to the taste or senses, as a delicious drink. Clothing, sugar, shoes, and other such articles are necessities and, if possible, should not be taxed at all, while ice cream and soda water are luxuries and should be taxed to help pay the burden of debt under which this Republic is now staggering.

The distinguished chairman of the Ways and Means Committee [Mr. FORDNEY] admits that if the tax on soda water and ice cream is repealed the Government will lose on that account $21,000,000 per annum in revenue, but he and the gentleman from Ohio [Mr. LONGWORTH], and all other Republicans, are eloquently silent as to what articles will be taxed to supply this deficiency. Will they put more tax on shoes, on sugar, on clothing, and other necessities? They do not say. They do not know, and are stumbling about in taxation darkness or are afraid to say. Taxed sugar, taxed clothing, taxed food, taxed shoes, taxed necessities generally, and free soda water and ice cream will, I presume, be the shibboleth and rallying battle cry of the Republican Party, and at the end they will find themselves where Moses was when the light went out—left and in the dark.

Our Republican friends are inclined to mix soda water and ice cream and politics all in one hotchpotch and seem to want to fling the soldiers in for good count. They arrogate to themselves a corner on all the wisdom and patriotism of this Republic.

One Republican Member on the floor of this House, as a sop to the soldiers, "ariz" from his seat and with the apparent wisdom of a tree full of owls solemnly proclaimed in a hark-from-the-tomb tone of voice that the soldiers are the greatest patronizers of soda fountains and, of course, he is for the repeal of the tax for that alleged reason.

The soldiers of this Republic are brave men. Their courage has been fully tested on bloody battle fields. They are willing to perform to the utmost their civil as well as military obligations. Our soldiers are not infants in swaddling clothes crying for the Republican Party as a wet nurse to feed them untaxed ice cream and soda water out of its political spoon. Such claptrap will not catch the soldier vote and is a reflection on their intelligence.

Other Members have bewailed alleged Democratic extravagance and have joyfully boasted how a Republican senatorial filibuster saved the Government a million and a half dollars that had been appropriated by the last Democratic House, when they know full well that filibuster had no such purpose in view, but its purpose was, if possible, to embarrass the President. The Republicans have made much noise over this matter, but verbal gymnastics and bodily contortions do not produce evidence, and loquacious vehemence is not argument. Nearly or quite every mothers' son of them in the House at that time, and most of them are here now, voted for this same appropriation of a million and a half dollars, which they claim was saved to the Government by the patriotism of a Republican senatorial filibuster, and therefore it logically follows as the night follows the day, according to their contention, that they rejoice and are exceeding glad that a Republican senatorial filibuster saved them from the consequences of their own folly in voting for these appropriations.

Mr. Chairman, in view of the fact that our Government is $30,000,000,000 in debt and it will require more than a billion of dollars annually to pay even the interest on this vast sum, and in view of the further fact that $21,000,000 in revenue per annum will be lost by the repeal of the tax on ice cream and soda water without any known articles other than necessaries to tax to supply the deficit, I do not believe this tax should be repealed, but, on the other hand, should be increased. I believe that necessaries as far as possible should not be taxed, and that luxuries should be taxed to bear the expenses of the Government.

Mr. GARNER. Mr. Chairman, I yield three minutes to the gentleman from Mississippi [Mr. QUIN].

Mr. QUIN. Mr. Chairman, I am in favor of repealing this section 630 of the revenue law. I would further vote to repeal these taxes they put on patent medicines and drugs. The gentleman from Kentucky [Mr. THOMAS] stated that we had spent a great deal of money. We spent more than he said. The facts are that, not including the loans of $10,000,000,000 to our Allies abroad, this Government spent $22,000,000,000 as war expenditures, and the Secretary of the Treasury has notified the American Government that three and a half billion dollars more is to come in the way of loan certificates. Of course, there will be heavy expenses in the future if a halt is not called. I contend that Congress can adopt some economic methods without taxing poor little children that go to the soda fountains to get 5 cents' worth of ice cream or chocolate. You have put a war tax on every town and hamlet in the United States in the hot summer days when these little fellows want to get a refreshing drink of soda water. The Federal Government reaches out its strong arm into the little fellow's pocket and not only takes the tax from him but it may make him go home without his soda water or ice cream, because daddy did not give him more than 5 cents.

I am going to vote to repeal this obnoxious taxation. The idea of continuing a tax, after the war is over, to take from every woman and child in the United States who wants a little refreshing drink or cone of ice cream in hot weather 1 cent or 2 cents as a tax is to me very obnoxious.

I would vote to take off the tax on bottled soft drinks. You put a tax on Coca-Cola and various kinds of bottled goods. Why do you not propose to repeal that tax? This taxing of the soda fountain when you can sit in a hotel or restaurant and eat your fill of ice cream with no tax on it is wrong. If a person goes to the soda fountain or in a drug store to get a refreshing drink or a little ice cream, the Government taxes the person that does it, and I am going to vote for the repeal. The trouble and expense in collecting this form of tax is too heavy for the revenue received thereby. It is a direct tax on the poor people of this country after the war has ended.

The Government should not tax the medicines that the poor and helpless must have. [Applause.]

Mr. MOORE of Pennsylvania. Will the gentleman from North Carolina use some more of his time?

Mr. KITCHIN. We have used on this side about 15 minutes in three speeches.

Mr. MOORE of Pennsylvania. The gentleman has used 13 minutes, and we have used 15.

Mr. KITCHIN. I yield five minutes to the gentleman from Illinois [Mr. HENRY T. RAINEY].

Mr. HENRY T. RAINEY. Mr. Chairman, I am simply addressing the House for the purpose of congratulating the Republican Party. This extra session has lasted now through two months of time. It commenced with a tremendous flourish. For the first time in eight years the majority sits on the Republican side of the aisle. Reconstruction questions of tremendous importance present themselves. The question which presents itself as most important of all these questions is the question of reducing the high cost of living. It devolved upon the majority of this House to devise some method to meet that question. In eight weeks of time you have splendidly succeeded in passing those bills which you yourselves killed in a filibuster in the other House—those bills and nothing else. Framed originally by the Democratic departments of this Government, whipped into shape by Democratic committees, they were defeated in the Senate by a Republican filibuster.

You have followed Democratic leadership in passing these bills again, but it has taken you eight weeks to do it. We have just been told that the country can hope for nothing in the matter of a repeal of the tax on mixed flour. That would make cheaper bread, and the Republican Party can not rise to any emergency like that. You propose now triumphantly to repeal the tax on ice cream, and you can go back to the country and say, "We have labored strenuously for eight weeks, and we have this to our credit—we have repealed the tax on ice cream." [Laughter and applause on the Democratic side.]

Of course, it is an unscientific method of repealing a tax, but it is the best you can do. You pay no attention, in repealing the soda-water tax, to the tax you put on bottled waters; you offer no substitute, because the only substitute you could offer is a substitute which will tax the rich, and you are not going to do that any more than you can help.

You propose to repeal the Canadian reciprocity act in your efforts to reduce the cost of living. Potatoes, wheat, and vegetables are selling higher than they ever were before, and yet you are proposing that they shall have no competition in our markets. You propose to repeal the Canadian reciprocity act and charge up against Canada the same tariffs that you charge against any other nation.

The time of Mr. HENRY T. RAINEY having expired, he was given two minutes more.

As a matter of fact, the country knows what is the matter. The leadership on that side has failed, absolutely failed. You can not agree with each other on any proposition. But you sent out to Illinois and brought back my distinguished friend and colleague, the former leader of the Republican Party in this House, Mr. MANN, and he suggested to you something that you could all agree on. He is reported to have said that you have been in session long enough and you had better adjourn. [Laughter and applause on the Democratic side.] That is the only advice any leader has submitted on that side that has been accepted on that side, and you have been able, all of you, to agree on that proposition, and you have just voted to take a recess until the 8th of September. That is the best thing you can do for the country and the most statesmanlike thing you have done up to the present time.

The time will come, and it will come in the near future, when the country will understand that the President was right when he said that he wanted a Democratic Congress. He wanted a Congress that would be able to do something in this period of reconstruction. We will get that kind of a Congress in the election of next year, and the more you recess and the oftener you adjourn, with your divided leadership and your inability to accomplish anything that will reduce the high cost of living, the better for the country. [Applause on the Democratic side.]

Mr. MOORE of Pennsylvania. Mr. Chairman, I yield five minutes to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Mr. Chairman, I feel that I will have to ask the indulgence of Members on this side and ask them kindly to excuse our friends who have just been talking in opposition to this bill with so much rancor and ill feeling, on account of the general situation. After all, we could not expect the Democratic Members to come here good-humored. They lost the election last fall. They lost a number of old war horses. They came pretty near losing our beloved former Speaker, and I would have been loath myself to have lost him. And, as things went on, it looked as if we had lost the President over abroad, and, indeed, the lost battalion at that time, I think, had nothing on the President, surrounded as he was by the 14 points directed at him from every direction by some German, and I wondered how he could ever be rescued. Why, they lost everything they had to lose and we could not expect them to come in here good-natured. But I hardly expected they would go to the extent of telling us what we ought to do and telling us they did not like what we had done. Why, bless your souls, gentlemen, we never expected what we were doing or what we were going to do would be satisfactory to you. That is not what concerned us, but whether what we are doing is satisfactory to the American people, that is what we want to hear at the present time, and what we are doing in reference to this bill will be satisfactory to the American people. Gentlemen talk about the failure of the Republican Party to reduce the high cost of living. Why, their party ever since it went into power has been engaged in raising the cost of living, and do they expect us in a few short months to undo all that they have done in the last six years? That is a good deal too much to ask from us at this time. We can hardly be expected to do that, although we are making a start in that direction and expect to continue further.

One of the best things we have done in that way and one thing they attempted to head off was the reduction of the burdens which were upon the people by the taxation of the last Congress. That was one of the results the so-called filibuster succeeded in doing. It reduced the amount of taxes, it reduced the burden upon the American people, and this particular bill will reduce them also.

Now, with reference to this bill we have here, in the first place this ice-cream and soda-water tax is a consumption tax. It is one of the few consumption taxes that we lay. The Committee on Ways and Means in the past had a very difficult problem in levying the taxes which are necessary to carry on the Government through the war. The expenses which were incurred at that time seemed to me in many respects to have been very much higher than they ought to be—money spent, squandered, and wasted.

We wanted, if possible, to better the scheme of taxation which somewhat in haste and yet somewhat with deliberation was prepared at the last Congress, and the law which we seek to repeal, as I have said, provides for a consumption tax. It is one of the few of all our revenue measures that provide for a tax of that kind. It is the only tax that is imposed upon the poor. Of all the taxes that we impose this is the most obnoxious, the most exasperating, and the one that costs the most to collect in proportion to the amount which is received, and these are the reasons why it should be repealed.

There probably ought to be a tax in some direction levied in connection with the ice-cream and soda-water business, but it ought not to be in this form. This tax levies a cent upon the 3-cent ice-cream cone which is bought by the small children in the city, a tax of some 33⅓ per cent. It levies only the same tax upon the 10-cent sundae that is sold over the counter as a luxury perhaps, and yet, in a measure, as a food. It is unequal in its distribution of the tax. It is unjust and unfair in the way it is imposed, and it takes a great deal of trouble and pains necessary to keep track of each little penny item that is disposed of over the counter in this kind of a way, and it has added hundreds of inspectors and hundreds of agents who are the collection force. Now, if there is any tax that ought to be reviewed, that ought to be remodeled, it appears to me it is this one.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. Does the gentleman want more time?

Mr. GREEN of Iowa. Yes; I would like to have a minute more.

Mr. MOORE of Pennsylvania. I yield the gentleman a minute more.

Mr. GREEN of Iowa. We have selected this particular tax to repeal for the reason that it is a tax on the children in a petty way, because it is exasperating and provoking to the parents, and because it does not amount to any great sum in its aggregate returns, because it is expensive to collect, and because it is unfair in its terms.

Mr. DEWALT. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. DEWALT. Has your committee estimated as to what the expense is of collecting this $21,000,000?

Mr. GREEN of Iowa. We inquired of the Commissioner of Internal Revenue, and, as I understand it, he reported that it was almost impossible to separate it, because the agents who

were engaged at times in the collection of this tax also were engaged at other times in the collection of other taxes.

Mr. DEWALT. Was there any truth in the estimate which I saw at one time that it is less than one-tenth of 1 per cent for the collection?

Mr. GREEN of Iowa. That statement can not be correct, in my judgment.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. GREEN of Iowa. Give me one more minute.

Mr. MOORE of Pennsylvania. I yield two minutes to the gentleman from Iowa.

Mr. GREEN of Iowa. We had one of our Democratic friends, the gentleman from Arkansas [Mr. WINGO], coming in here and wanting to know why we did not repeal this particular tax and criticizing us because we had not done something in this direction. Now our friend from Illinois [Mr. HENRY T. RAINEY] comes in and objects because we are repealing it, and said to us, when we objected to the enormous burdens that have been laid upon the people and the unnecessary waste and extravagance that was going on in the past, we are simply raising a growl. What is this that we have heard to-day from the other side but a growl?

Mr. KITCHIN. Mr. Chairman, I yield three minutes to the gentleman from Ohio [Mr. EMERSON].

Mr. MOORE of Pennsylvania. Mr. Chairman, how much time did the gentleman from Iowa consume?

The CHAIRMAN. Seven minutes.

Mr. EMERSON. Mr. Chairman and gentlemen of the committee, we are asked in this resolution to repeal the tax upon soda water. I think before we repeal the tax upon soda water we might repeal the tax upon some of the necessities of life; we might repeal the tax of a cent a pound upon sugar, upon vegetables, and other necessities of life; and I think you will find when you go back home that you will be asked some questions on this subject.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. EMERSON. I can not yield.

Mr. GREEN of Iowa. The gentleman is making statements that are not correct at all.

Mr. EMERSON. I can not yield, Mr. Chairman. I do not know why the gentleman wants to butt in on my speech. I could not get time from the Republican side of the House and had to ask it from the Democratic side.

I do not think this resolution should have come in here at this time. It is inopportune. We should have repealed the tax upon freight rates, upon the necessities of life. I want to say that the most burning question before this House to-day is the question of the high cost of living, and if this House adjourns without passing some legislation upon that subject we will have some new questions to answer when we go back home.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. EMERSON. I can not yield.

Mr. JOHNSON of Washington. What legislation have you in mind?

Mr. EMERSON. I can not yield in three minutes, I regret to say. But, as I said before, that is the most burning question before the people of this country. More important than the peace treaty itself is the question of the high cost of living, and you will find when you go back to your homes on this vacation that they will want to know why you have not done something upon that subject. And before we repeal this tax upon soda water, which I expect we will have to do, we had better repeal taxes upon those commodities that will lessen the cost of living.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

Mr. MOORE of Pennsylvania. Mr. Chairman, I object to the gentleman's extending his remarks in the RECORD, or I reserve the right to object, and in reserving the right to object I desire to say that the gentleman from Ohio [Mr. EMERSON] does so much lecturing of this House in his extended remarks that, for one, I am tired of giving him permission to continue the practice. He endeavors to lecture this body, and does more of it and less acting than any other man in the House. I want it understood that this kind of buncombe does not go with all of us.

Mr. EMERSON. I want to say if I had followed some of the so-called leaders on the Republican side of the House I would not be here now.

Mr. MOORE of Pennsylvania. And I want to say that this country gets many false impressions with regard to Members of Congress. Much of this is due to the fact that some gentlemen, seeking notoriety, are constantly introducing resolutions which they never follow up. Thus the people get a false impression as to what we do here. It is the easiest thing in the world for a man who wants to bluff the public and his own constituents to come here and talk a minute and then run away when the vote is taken. I want to say that I am prepared, for one, to object to this kind of bunk whenever I see it, whether it is undertaken by a Member of the House or is put over by somebody outside. [Applause.]

Mr. KITCHIN. Mr. Chairman, I yield to the gentleman from Ohio [Mr. EMERSON] one minute.

Mr. EMERSON. Mr. Chairman, I want to say this: If the gentleman from Pennsylvania [Mr. MOORE] will watch my vote, he will find that I generally vote about right. During the war session of Congress I voted 100 per cent correct.

Mr. MOORE of Pennsylvania. He told the public that.

Mr. EMERSON. I was nominated without any opposition at the Republican primaries in 1916, and there was no Democrat or Socialist candidate against me, and there was not a single vote cast against me in the twenty-second district of the State of Ohio; and as a Member of this House I propose to do and think and act as I believe is right. I am a Republican in principle, but when the question comes between my country and the party I am an American first. [Applause on the Democratic side.]

Mr. MOORE of Pennsylvania. Mr. Chairman, I yield myself two minutes additional. It is to say that if the Democrats would like to have join them the gentleman who has just spoken, they are perfectly welcome to him, so far as I am concerned. They can take him to their bosom. We might be very glad to exchange him for some gentleman on the other side who has given trouble there. So far as the intense and burning patriotism of the gentleman who has just spoken is concerned, I would say that under "leave to print" he probably gets more stuff of this kind into the RECORD than any other man on this floor. He probably gets more buncombe in the RECORD on which he never votes or expects to vote than any other man on either side. If he has a constituent who wants to get a poem into the RECORD or a song which he desires to sell, the gentleman from Ohio is amenable and solicitous to get it in the RECORD and boost it. I ask Members of the House who have looked over the RECORD and the patriotic resolutions put in here by the gentleman from Ohio whether he has brought any of them up for consideration? I ask that question of the gentleman from Ohio—whether, after having from time to time introduced patriotic resolutions here, to prove his intense Americanism, he has ever gone to a committee to get action upon a single one of them?

Mr. THOMAS. We will trade Mr. BLANTON for him. [Laughter.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Does the gentleman from North Carolina desire to use some more of his time?

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Does the gentleman care to use more time?

Mr. KITCHIN. How much time have I, Mr. Chairman?

The CHAIRMAN. The gentleman from North Carolina has 16 minutes and the gentleman from Pennsylvania [Mr. MOORE] has 15 minutes.

Mr. KITCHIN. When I have spoken 10 minutes, let me know, Mr. Chairman.

The CHAIRMAN. Very well.

Mr. KITCHIN. Mr. Chairman, you have no idea how much I regret that in this debate the gentleman from Pennsylvania [Mr. MOORE] has injected political and parliamentary personalities. I saw no harm in the world in what the gentleman from Ohio [Mr. EMERSON] said, except from the Republican standpoint. He only said that he thought this Republican House, before relieving the luxury drinkers, the soda-fountain drinkers, from any tax, ought to relieve the people of the taxes on necessities. The minute the gentleman from Ohio announced that view the gentleman from Pennsylvania [Mr. MOORE], the distinguished member of the Republican steering committee, the gentleman who carries in his vest pocket 25 votes on all questions in the Republican committee on committees, with his big influence in the House, with his high standing on the steering committee, and on the committee on committees, and on the Ways and Means Committee, at once denounces him and denies him the right to have any opinion contrary to the opinion of the House machine. He lets every Republican here who has a thought of his own, who has a conviction, who does his own thinking, know that the very minute that he crosses a decision of this Republican steering committee, the very minute that he questions the infallibility of the Republican membership of the Ways and Means Committee, the very minute he hesitates to obey the order of the Republican ring or bosses of the House, that minute

some of the bosses, like Mr. MOORE, is going to condemn and denounce him on the floor and point to what MOORE did to EMERSON. [Applause on the Democratic side.] That is the motive and object of the gentleman's attack. Everybody knows that EMERSON was right. Many of us take the position—and there are scores of Republicans over there in their hearts who take the position—that if, in the face of the Treasury necessity, we propose to reduce taxes, before we reduce any taxes on luxuries we had better reduce some of the taxes on the necessities which the plain millions of people must pay.

Everybody in this House knows that the gentleman from Pennsylvania [Mr. MOORE] did not have anything personal against the gentleman from Ohio [Mr. EMERSON]. Everybody knows that Mr. EMERSON made a patriotic speech expressing his sincere conviction, and that what he said was right and proper. But the gentleman from Pennsylvania, speaking for the Republican bosses of the House, made the vicious attack on the gentleman from Ohio as a warning to every other Republican that when he dares to express an opinion or raise his voice contrary to the opinion or orders of the bosses he is going to catch what EMERSON caught. [Applause on the Democratic side.]

I regret exceedingly that the gentleman from Pennsylvania should see fit to make that speech. But, gentlemen, I am glad that there is one Republican—and I know there are more—who has got the coufage to make a statement like that made by the gentleman from Ohio [Mr. EMERSON] on this floor. [Applause on the Democratic side.]

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Oh, do not take up my time.

Mr. MOORE of Pennsylvania. Did the gentleman from North Carolina read the speech of the gentleman from Ohio before he gave him permission to make it?

Mr. KITCHIN. I did not.

Mr. MOORE of Pennsylvania. Was it satisfactory to the gentleman from North Carolina?

Mr. KITCHIN. I did not know what was in his speech or what he was going to say.

Mr. MOORE of Pennsylvania. Does the gentleman know why the gentleman from Ohio went to the Democratic side to get time to make his speech?

Mr. KITCHIN. Yes; I understood he came to the Democratic side because the Republican side—his own side—did not have the common fairness to let him—one of their own members—have even a minute's time.

Mr. MOORE of Pennsylvania. He wanted one minute in which to extend his remarks.

Mr. KITCHIN. I hope the gentleman will not interrupt me any more.

The CHAIRMAN. Gentlemen will not interrupt the Member having the floor without his consent.

Mr. KITCHIN. Now, about the bill. I want every Republican and every Democrat to know that this bill is nonpartisan; that is, Democrats can vote for it, if they wish, and violate no Democratic principle, and Republicans can vote for it, if they want to, but if they vote against it they will know what will come to them from Mr. MOORE and the other bosses. [Laughter.]

The real purpose of this bill reported out by the Republican members of the Committee on Ways and Means is not economic; it is not to reduce revenue, though the reduction will be $21,000,000. It is political. It is to get the votes of the fountain soft-drink dispensers. If anybody on this side thinks that the Republicans should not have a monopoly in playing politics with a few druggists and other soft-drink venders, he, of course, has the right to play politics, too; that if he wishes to support a Republican political measure whose result will be to further increase the deficit, which will necessarily be very large, between expenditures under the appropriations passed in this Congress and receipts during the fiscal year, by at least $21,000,000, he can do so. But some of us do not favor this bill just as it is. Some of us know that the condition of the Treasury does not justify reduction of taxes at this time. Some of us believe, just like the gentleman from Ohio [Mr. EMERSON], that if you are determined to reduce taxes now; that if you are determined to further increase the deficit, instead of reducing or repealing the taxes on luxuries, you should reduce or repeal the taxes on the necessities. Why not first take the tax off of freight bills? The freight tax is a tax upon the necessities of life. Every man, woman, or child that consumes or wears an article of any kind has to pay that tax. It is charged to him in the price of the article purchased. Whether it is meat, or bread, or hats, or shoes, or any other article, he pays that tax. The freight tax is a direct tax upon the commerce of the people. Why not repeal the tax on passenger fares? This, in most cases, is a tax on a necessity. The poorest widow in this country may be forced to take a train to visit some sick person in her family—a daughter or a son or other member of her family—and yet she has got to pay 8 per cent tax on the price of her railroad ticket, regardless of how far she is going or the price of the ticket.

Why not take the tax off toilet soap, which the people must use as a necessity, and which the Republicans ought to use more than others? [Laughter.] Why do you Republicans want to put an obstacle in the way of a man or woman washing himself or herself? [Laughter.]

If you are bent on reducing the taxes and making wider the deficit between collections and expenditures, why not take off the tax from medicines, which the people, especially the poor people, use? To many of the poor these taxable medicines are necessities. Whenever the necessities of the revenues and the condition of the Treasury will justify a reduction of taxes, these taxes which I have mentioned should be first repealed, and certainly before we repeal the tax on pure luxuries, such as this bill does. The whole propaganda for this bill was sent out from Chicago. They sent out printed petitions for such a bill to all druggists and soft-drink fountain proprietors, with request that they get the signatures of their customers. These were signed on request by people who never thought about the condition of the Treasury or how badly the tax was needed by the Government. All know that one can get up a petition for anything—that everyone almost without exception will sign any petition.

The CHAIRMAN. The gentleman has used 10 minutes.

Mr. KITCHIN. These printed petitions were sent to these soda-fountain people and druggists, and every fellow who came in to buy a drink was asked to sign this petition, but the fellow who signed the petition never thought one moment what it meant, or of the Government's revenue necessities, or the increase of deficit the repeal would make.

Otherwise I do not believe the druggists and soda-fountain proprietors in my State or in any other State and I do not believe the people who pay this little 1 or 2 cent tax would have signed the petitions. They did not know that the Treasury Department says that to meet the necessary expenditures of the Government this year it needs all the taxes that can be collected under existing law and strongly advises Congress not to repeal any tax unless it can supply the amount to be lost by such repeal from some other source. It knows and every intelligent man in this House knows that if the Government expends the amount appropriated by this Congress for this year there is going to be a deficit of more than $1,000,000,000 between the receipts from all taxation under existing law and from all other sources and such expenditures. How can we, as honest, patriotic legislators, justify a reduction of taxes, especially on luxuries, in the face of this deplorable fact?

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. KITCHIN. I can not yield now. This tax which you propose to repeal for political purposes, like other taxes, goes into the common fund not only to support the Government in maintaining its necessary functions, but to pay war debts, interest on war debts, to relieve the widows and orphans of the boys who fell in France, to help out the boys who returned home maimed and crippled for life—the boys who had their legs and arms shot off and their eyes shot out on the fields of Europe, while those who are protesting against the tax remained home, out of danger, making money.

Some druggists came to my office the other day, one of whom I happened to know, to protest against this tax. They said they came as the representatives of their association. I said, "Do your customers, the people who buy the drinks, protest against it?" They said, "No; not that." I asked if their trade was falling off by reason of the tax. They said "no." I said, "Then what is the matter with it?" They said, "Oh it is so much trouble to collect and separate the tax money—to make out the report to the Government and send in the money." I then explained the amount of our estimated expenditures for the year, the amount of receipts we will have from all sources, and the amount of the big deficit we will have.

I then said, "Did it ever occur to you that this money which you collect from your customers, who do not object, goes into the general fund to help pay the expenses of the Government, to help pay the huge war debt we incurred for supporting the Army in France and the interest on it, that it goes into the common fund to help support the widows and orphans of the brave boys that lost their lives in France, to help support and make life tolerable for the boys who return home maimed and crippled for life?

"As you say, the tax is simply a question of trouble with you. Did you ever think of the trouble these boys went to for our country in leaving their homes and families and friends, going

2,000 miles across the sea to face German guns, who went to the trouble of having their legs and arms shot off, who went to the trouble of having their eyes shot out and their bodies blown to pieces for you and me, who remained at home? Do not you believe that it is only fair that you should go to a little trouble for these heroic boys by collecting this small tax from the people who are willing to pay and sending it to the Treasury in Washington?"

One of them said, "Mr. KITCHIN, we never looked at it this way. We did not know the facts. We are going back and tell our people that it ought not to be repealed, that the Government needs every cent of the tax, that 'the boys' need it, and that we ought to be glad to take the trouble of its collection." Not a druggist in my district, not a man in my district who indulges in soft drinks, has urged the repeal of this tax.

It would be a reflection on the druggists in my district and the men and women and children in my district who drink at the fountains, after they know the facts, to say that they oppose this little tax. When they know the facts the druggists will be proud to collect the tax. The purchaser of soft drinks will be proud to pay the tax. The people in my district know what these boys did. They know the glory with which these boys covered the Nation. They know the trouble that these boys went to, 2,000,000 of them, across the sea. They know what their country did in this tremendous war. Our druggists and soft-drink dispensers are willing to go to the trouble of collecting the tax and sending it to the Treasury, and our people are willing to pay the little 1 or 2 cents tax.

Mr. Chairman, how can any man in this House justify taking this tax off the city fellow who goes to the fountain to get his drink there while leaving the tax on the bottled drinks that the country grocery man keeps to sell to those who are not accessible to the city fountains? How can one justify his vote in keeping the tax on the bottlers—on the soft drinks put up in bottles—and exempting from the tax their competitors, the fountain-drink vendors? The argument for exemption of the bottlers is stronger, if anything, than that of the fountain-drink makers.

Mr. Chairman, let me say that no one appeared before our committee to give us any reason why this tax should be repealed. This is legislation by petition. When it is learned by voters throughout the country whose product bears an excise tax that the Republican Ways and Means Committee and the Republican House can be persuaded for political purposes or be intimidated by stereotyped petitions to repeal a tax for the special benefit of a few protesters, the offices of Members, and especially the rooms of the Ways and Means Committee, will be filled with petitions secured by all the producers and manufacturers and dealers to repeal the tax on their products. The candy, the bottled drinks, the chewing gum, the sporting goods, the musical instrument, the automobile, the toilet soap, the cosmetics, and proprietary medicines, producers and manufacturers and dealers will be here with their protests and petitions. The jewelers will be here. The moving-picture proprietors will be here. They all can show the Republicans the good politics in the repeal of their tax. If not, they can do as much intimidation as the soft-drink fellows did. Every reason and argument that can sustain or justify a vote for the repeal of the tax on soft drinks proposed in this bill can be made with equal force and justice for the repeal of every one of these luxury or semiluxury taxes. I can not see how any fair-minded Member can vote for the repeal of the one and not of the other. [Applause.]

Mr. MOORE of Pennsylvania. I yield five minutes to the gentleman from Ohio [Mr. LONGWORTH], a member of the Committee on Ways and Means.

The CHAIRMAN. The gentleman from Ohio [Mr. LONGWORTH] is recognized for five minutes.

Mr. LONGWORTH. Mr. Chairman and gentlemen, I sincerely regret that any ill-nature should have developed during the course of the debate on a bill like this. Why, gentlemen, this is a bill designed to bring sunshine into the home. It is a bill to dispel the dark clouds hovering over these poor little children who want to get a small ice-cream cone or perchance a glass of soda water on hot days and have to pay the Government a tax of 10 per cent on it. I am sure this ill-nature which has developed upon my side is only preliminary to a shaking of hands and a restoration of the complete Republican harmony that always prevails between Ohio and Pennsylvania. [Applause.] I also greatly regret that anyone should have taken occasion to inject any politics whatever into this debate. I have been in this House 16 years, and never have I consciously injected politics into the debate on any great question [laughter on the Democratic side], unless possibly somebody started something.

Mr. LANKFORD. Or thought they would. [Laughter.]

Mr. LONGWORTH. The gentleman from Illinois [Mr. HENRY T. RAINEY] said that the Republican Party in this Congress had found it impossible to get together on any matter. I might call his attention to the fact that every Republican Member of this Congress was united on saving one billion and a half dollars to the American people in the first two months of the session. [Applause on the Republican side.] I could further call his attention to the fact that the Republicans on this side of the House will shortly show that they are united in the abolition of this most obnoxious of all consumption taxes placed in the last revenue bill when our friends were in the majority.

But I am not discussing this matter from a partisan standpoint. I agree with the gentleman from North Carolina that in the repeal of any of these taxes we must have serious thought ahead of how we propose to pay the Government's bills. I think the gentleman from North Carolina and I are almost in accord on the proposition that the actual expenses of the fiscal year 1920, the year upon which we have embarked, will be greater than the total amount of revenue that will be raised by the law under which we are now operating, much less the law which for the coming year reduces automatically the income on profit taxes and others of the largest revenue-producing taxes by one-third.

I think the gentleman from North Carolina and I agree that there will be a deficit in the fiscal year of 1920 of over one billion dollars. In my judgment it will be nearer two billion, and perhaps more than two billions. I do not myself look forward with any degree of pleasure to going out six months from now and making Liberty-loan speeches. The public is not going to take very kindly to Liberty-loan speeches so long after peace is concluded.

Mr. GARNER. Will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. GARNER. What is the gentleman's remedy for the situation? You are proposing to repeal certain taxes and in justice to the country you and your associates should give us some idea of how you are going to run the Government for the fiscal year.

Mr. LONGWORTH. That is a legitimate question which the gentleman asks. That is why I said we must go slowly and carefully in the repeal of any tax. I know that the gentleman from North Carolina is not in favor of the repeal of freight and passenger taxes. He was induced by a distinguished member of my delegation, who gave him the inspiration to make the speech he did, of repealing the freight and passenger tax, but the gentleman knows it would cost hundreds of millions of dollars, and he is not able to offer any substitute for it.

Mr. KITCHIN. I am prepared to vote for the repeal of the freight tax before voting for the repeal of this.

Mr. LONGWORTH. I did not say that. The gentleman said he was in favor of repealing that tax. The gentleman, who is one of the great authorities in this country on matters of revenue, can not offer a substitute.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. MOORE of Pennsylvania. Does the gentleman from Ohio recollect what particular substitute the gentleman from North Carolina offered for the loss of the hundred million dollars due to the repeal of the luxury tax put through the last Congress?

Mr. LONGWORTH. I do not recollect that the gentleman offered any substitute. I think that we ought to repeal some of these very onerous consumption taxes. I am not prepared to offer an alternative, but I can offer an alternative which will raise about half of what we will lose by this law, and that is the bill the committee is now considering on the question of dyestuffs. The higher protective revenue features of that bill united with the license system will bring in, in my judgment, a revenue of seven or eight million dollars, and it might be more.

Mr. GARNER. Will the gentleman allow me to ask him a practical question aside from politics?

Mr. LONGWORTH. Certainly.

Mr. GARNER. Does the gentleman realize that in the repeal of this law it is going to create in the country an idea that you can get consumption taxes repealed and every Member of Congress is going to be deluged with petitions and letters asking that taxes be taken off baseball bats, baseballs, automobiles, candy, patent medicines, and so forth, and is it desirable to have Congress flooded with these requests by virtue of the repeal of a little tax of $21,000,000 because it is a hardship on the soda-fountain people to make the reports?

Mr. LONGWORTH. The precedent to be set by the repeal of this tax does not warrant anyone to request the repeal of the tax on jewelry, automobiles, or any of the other things the

gentleman mentions, or any tax on manufacturers' sales. This is purely a consumption tax. It is not paid by the soda-water-fountain proprietors, as the gentleman from North Carolina would have you believe; it is paid by the little girl who goes and buys a glass of soda. The manufacturer does not pay it, the soda water proprietor does not pay it; it is paid by the people that can least afford it.

You may say that an ice-cream cone and a soda water are not absolute necessities of life, but on a hot day like this to the girls who have been working in the factory or in some of the hot office buildings a glass of soda water or a cone of ice cream comes precious near to being an absolute necessity.

Mr. BAER. And the gentleman might add that the soldiers, for whom the gentleman from North Carolina [Mr. KITCHIN] is pleading, are the greatest patronizers of these soda fountains.

Mr. LONGWORTH. I have not the least doubt of that, and they have to pay anywhere from 20 to 100 per cent extra on every purchase they make.

Mr. EVANS of Nebraska. Mr. Chairman, is it not a fact that the gentleman from North Carolina favored the repeal of the tax on a $100 trunk before he favored a repeal on articles like this?

Mr. LONGWORTH. I was with the gentleman upon the repeal of that law, not because I desire to relieve anyone in this country from the payment of the luxury tax but because that law was not founded on a peace-time basis. It was on a war-time basis, and the intention was to discourage the sale and production of such things.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. GARNER. I think that side of the House and this side of the House ought to understand once and for all what a luxury tax is. The repeal of the revenue tax was brought about by virtue of the conditions that existed in the country, and the Republicans and the Democrats here are both responsible for it. An agreement was made by the conferees that they would repeal that, and that is the reason the committee reported that, and everyone ought to understand why it was.

Mr. MOORE of Pennsylvania. Then why chide us for trying to keep faith?

Mr. GARNER. The gentleman from Pennsylvania was one of the conferees. I did not believe in the repeal of that tax, and a great many Republicans did not, but in honor bound we were compelled to stand by our agreement.

Mr. MOORE of Pennsylvania. Why chide us when we are trying to keep faith?

Mr. GARNER. But not on this bill.

Mr. MOORE of Pennsylvania. This is practically the same proposition.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I yield two minutes more to the gentleman from Ohio.

Mr. NEWTON of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. NEWTON of Minnesota. Does the gentleman know how much of the tax that is collected from the consumer upon the ice-cream cone and the soda water actually gets to the Government? In other words, what method does the Government have in collecting the tax to keep a check on the storekeeper, so that the Government knows it gets every penny collected from the consumer?

Mr. LONGWORTH. The gentleman's question is illustrative of the exact situation that faces us. This is the most difficult tax on earth to collect. It is a tax that can not be collected, as a matter of fact. You have to depend upon the honesty of each particular man, and it is virtually impossible to say how much escapes and how much does not. I could not guess the actual cost of the collection, and I do not think the Secretary of the Treasury could.

Mr. CRISP. Mr. Chairman, will the gentleman yield?

Mr. LONGWORTH. That is the very best reason for the elimination of such a tax as this in time of peace. I yield to the gentleman from Georgia.

Mr. CRISP. Is it not exactly the same method by which the taxes on admissions to picture shows and theaters and a number of other taxes are collected, which you do not propose to repeal? They have to be collected under exactly the same method.

Mr. LONGWORTH. I can not agree with the gentleman.

Mr. CRISP. Is it not just as easy to keep a check on taxes from this source as from picture shows and automobiles and numerous other taxes which you are not proposing to repeal?

Mr. LONGWORTH. Oh, no. One of the easiest taxes to collect in the world is the tax on automobiles. Any manufacturer's tax is a cinch. It is the easiest thing in the world to collect. A consumption tax is difficult.

Mr. CRISP. How about picture shows?

Mr. LONGWORTH. A picture-show tax gives some difficulty, but at any rate they can keep tab on the number of tickets sold, the number of people in the show, and they have a very good way of checking that up. It is not an annoying tax either. If the gentleman from Georgia [Mr. CRISP] wants to go to a moving-picture show which costs 10 cents, I am sure he is perfectly willing to pay 11 cents.

Mr. CRISP. Are not the taxes collected in exactly the same way?

Mr. LONGWORTH. It is a very different situation.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. FORDNEY. Mr. Chairman, I yield three minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Chairman, the range of this debate seems to be one of the best arguments that could be brought forth for the recess which we have agreed to take. This is a hot weather afternoon debate, unproductive of anything of any particular value, but productive of a lot of partisan feeling and spirit in the House which would simmer out very quickly if the thermometer were not soaring up in the neighborhood of the 100 mark. The gentleman from Texas [Mr. GARNER], one of the ablest members of our committee, has criticized the repeal of this law as directly affecting the soda-water-fountain manufacturers. It seems to me that is an erroneous attitude to take. The person who goes to the fountain to get refreshment and nourishment in this hot weather is the one who pays the tax, and not the owner of the store nor the manufacturer of the fountain. So far as the resemblance between this and other forms of taxes, the repeal of which has been under consideration, is concerned, the amount of money that might have been secured or is being now secured through the luxury tax, which, as was said, we were in honor bound to make the effort to repeal, is far more than is involved in this little matter of the soda-fountain tax to-day. There will be practically no deficiency perceptible in the amount that this decreases our revenues.

This will be a mere bagatelle if there is a deficiency that will run into the figures to which the gentleman from North Carolina has referred. It is absolutely an inconvenience and a very great deprivation to the younger element of our land as well as the toilers and workers. Rather than agree to the suggestion of the gentleman from North Carolina that we repeal the luxury tax, let us reach the very bottom of the ladder rather than the top. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. All time has expired, and the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That section 630 of the Revenue Act of 1918, approved February 24, 1919, be, and the same is hereby, repealed.

Mr. CRISP. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Georgia, a member of the committee, offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRISP: Page 1, line 3, strike out the word "section" and insert "section 628 and."

Mr. LONGWORTH. Mr. Chairman, I make the point of order against that amendment as violating paragraph 3 of Rule XXI. I would be very glad to reserve the point of order.

Mr. CRISP. I do not care for the gentleman to reserve it, although I appreciate his willingness to do so. I have no desire unnecessarily to ask for time, and if the amendment can not be voted on I do not care to consume time upon it.

Mr. LONGWORTH. I should be opposed to permitting the amendment to pass.

Mr. CRISP. Will the Chair hear me on the point of order?

The CHAIRMAN. The Chair will hear the gentleman from Georgia.

Mr. CRISP. Mr. Chairman, to be frank with the Chair, I have in mind a decision that where a bill was reported amending one section of a revenue act it was not in order to offer an amendment dealing with some other section of the revenue act. That statement was based on the idea that you were dealing with an item in that section and you can not take up anything else in the revenue bill. Now, I presume that is the decision my colleague, the gentleman from Ohio [Mr. LONGWORTH], had in mind when he makes the point of order, and I recognize that decision. But it seems to me there is this difference in this case. In that decision you were amending the provision by changing the law relating to the duties on certain articles enumerated in that

section. Now, this bill does not propose to change and deal with different items in that section, but it proposes to strike out entirely from the revenue act section 630. Now, the amendment I have offered proposes also to strike out another section—628—which taxes the bottlers of soft drinks; and as this bill before the House proposes to strike out one section of a revenue act, an amendment to strike out another section which is related to revenue items, dealing with the same class of matter as drinks, it seems to me ought to be in order and not subject to the point of order.

Mr. LONGWORTH. Mr. Chairman, any Member of this House will always proceed with some hesitation to argue a point of order in contest with the distinguished gentleman from Georgia, perhaps one of the very best parliamentarians that has been in this House for many years.

Mr. CRISP. My friend is so complimentary I suppose I will have to forgive the gentleman for making the point of order.

Mr. LONGWORTH. But, Mr. Chairman, this rule is very clear. It provides that not only can no amendment be made which is not germane to a revenue bill but also that no amendment can be offered that is not germane to the particular paragraph to which it is offered.

The CHAIRMAN. May the Chair ask the gentleman from Ohio, who is familiar with both of these sections, what relation section 630 has to section 628?

Mr. LONGWORTH. It bears no sort of relation in my judgment. Section 630 is a consumption tax payable at the time of retail sale by the consumer, while section 628 is a manufacturers' tax. It is a tax paid on the value for which the manufacturer sells it. It provides for a number of different things besides soda water and ice cream. Now, I did not think I would even have to quote in this case the leading decision on the subject referred to by the gentleman from Georgia, which was the case where an additional subject was added to the number contained in the bill. The Chair will recall, I think, that that was a bill to put certain specified items on the free list. As I recall it, it was wool, cotton, and a number of other things, and an amendment was offered adding a provision to put glass on the free list. The Chair held that that was out of order as not being germane to the paragraph, because it introduced a new subject. Now, in this case the gentleman from Georgia undertakes to add to the repeal of this law the repeal of a law which puts a tax on certain articles entirely apart from the articles referred to in section 630 in this bill, the only item of the bill, and undertakes a different sort of policy and an entirely different sort of taxing system. I submit to the Chair that it is contrary not only to the spirit but the letter of paragraph 3 of Rule XXI.

The CHAIRMAN. The Chair is ready to rule. Paragraph 3 of Rule XXI reads:

> No amendment shall be in order to any bill affecting revenue which is not germane to the subject matter in the bill; nor shall any amendment to any item of such bill be in order which does not directly relate to the item to which the amendment is proposed.

The item in the bill to which the amendment is offered proposes to repeal section 630, which relates to a consumption tax, the sale of soft drinks at retail, and so forth. The section that it is proposed to amend, section 628, relates to a tax upon manufactured products, as the Chair is informed. The Chair thinks that the amendment is not germane and sustains the point of order.

Mr. TINCHER. Mr. Chairman, to-day we have heard some very familiar expressions in this House. The high cost of living has recently assumed a serious place in the minds of Members on that side of the House.

I heard that expression this morning, and I think I have heard it somewhere before. So after a careful research in some volumes preserved here in the library I find it is not entirely new. The Democratic platform, adopted in 1912, at Baltimore, Md., treated of that subject, and said that the high cost of living was the most serious problem in every American home. If I——

Mr. MOORE of Pennsylvania. What is that the gentleman is reading from?

Mr. TINCHER. From the platforms of the two great political parties.

Mr. MOORE of Pennsylvania. Was that a plank of the Democratic platform of 1912 on which Woodrow Wilson ran for President and which promised to bring the high cost of living down?

Mr. TINCHER. Absolutely.

Mr. MOORE of Pennsylvania. Has it come down?

Mr. TINCHER. I was going to give my view of it. I do not understand exactly that we should be criticized now for voting for adjournment when you have had all the time from 1912 to the 4th of March this year to reduce the high cost of living. As a matter of fact, that is a joke. As a matter of fact, no one voted against the motion to adjourn. One gentleman on that side asked another gentleman how we would stop the expense. Do not forget, my friends, that while this Congress, a Republican Congress, has the power to appropriate money to carry on the expenses of this Government, that your departments, Democratic departments, are still spending the money. And I would suggest, if you want a really serious suggestion of how to stop this expense, that you elect a Republican President and fill every one of the departments with good, competent, Republican officers. And we might start by sending a few trainloads of useless employees from Washington to their homes now.

Some of you are opposing the taking off of this little tax. It would be just the same with any other tax. You are not going to be satisfied with a tax that is repealed first.

I have heard a good deal this session about the filibuster that was conducted by three or four Senators at the other end of this Capitol. If they feel like I do, they will feel proud that when this session has adjourned we will have saved a billion and a half by that filibuster. You are disgusted with the fact that your old Congress would not let you have a billion and a half of dollars to spend which this Congress has proved to you it was unnecessary to have. And if you keep talking about that filibuster you will get the people of the United States to believe that it was a billion and a half filibuster for the benefit of the taxpayers of the United States. [Applause.]

Mr. STRONG of Kansas. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman and gentlemen of the committee, I have been greatly surprised at the speech made by the gentleman from North Carolina [Mr. KITCHIN]. A few weeks ago when I was, if anything, a little more green as a Member of this House than I am now, I heard him make a most appealing and eloquent speech in favor of taking the tax off trunks that cost over $50 and off of women's waists that cost over $15, women's hats that cost over $15, and suit cases and traveling bags that cost over $25, pocketbooks that cost over $7.50, and articles of that kind that only the very rich buy and which it was acknowledged would take out of the Treasury of the United States $100,000,000 which is now collected and placed there by the tax on those 20 articles. He made such an appealing address that I became very much afraid that this House would pass that bill. I knew that the people out in Kansas were not worried about the tax on trunks that cost over $50, and silk stockings that cost over $2, or about the tax on shoes that cost over $10, and silk neckties that cost over $2, but they were tired of the penny tax at the soda fountains. And I went around among the Members of the House to get somebody to oppose the splendid speech of the gentleman from North Carolina, and finally went down to the dining room and got "Uncle Joe" CANNON to come up and make the speech in opposition which killed the bill. And now I find after some weeks have gone by, the same gentleman from North Carolina, with the same eloquence and the same appeal, comes before us and tries to retain the tax on the soda-fountain drinks, on ice cream, and ice-cream cones the children buy. He tells us that it takes $20,000,000 out of the Treasury, and that he is opposed to it for that reason. I do not understand the logic of gentlemen who will insist upon taking the tax off of trunks that cost over $50, and so forth, and off of all those articles that only the very rich use, when it will deprive the Government of a revenue of $100,000,000, and then stand up and fight against taking the tax off of soda water and ice cream, when it will deprive the Government of an income of only $20,000,000. [Applause on the Republican side.] And I can not understand why, in order to make his appeal the more eloquent, he should say we need this $20,000,000 for the purpose of taking care of the soldiers. Why, bless your soul, gentlemen, the Republican Party has always taken care of the old soldier that fought for this flag, and will also take care of the new soldier that fought for the same flag. [Applause on the Republican side.]

The people of my district and State, and, I believe, all over the Nation, want the penny tax taken off of soda water and ice cream, because it produces $10 worth of annoyance to every $1 of revenue it produces; because it is a tax on the children and on that which is dear to their hearts and happiness.

We in Congress know that this tax is a very expensive one to collect; in fact, it is more bother than it is worth, and we Republicans can run this Government and raise sufficient revenues without taxing the children and the poor to whom ice cream and the soda fountain is a blessing during the hot summer days. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. FORDNEY. Mr. Chairman, I move that the committee do now rise and make a favorable report——

Mr. GARNER. Mr. Chairman, the gentleman from Texas [Mr. JONES] has an amendment he desires to offer to the bill.

The CHAIRMAN. Does the gentleman from Michigan [Mr. FORDNEY] withhold his motion?

Mr. FORDNEY. I withhold it.

The CHAIRMAN. The gentleman from Texas [Mr. JONES] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JONES of Texas: Page 1, line 3, after the figures "630" in line 3, insert "and that part of section 628 which levies a tax equivalent to 10 per cent of the sale price of all unfermented grape juice, ginger ale, root beer, sarsaparilla, pop, artificial mineral waters (carbonated or not carbonated), other carbonated waters or beverages, and other soft drinks sold by the manufacturers, producer, or importer in bottles or other closed containers."

Mr. LONGWORTH. Mr. Chairman, I make a point of order for the same reason as I did before.

Mr. JONES of Texas. Will the gentleman withhold it?

Mr. LONGWORTH. I will.

Mr. BLANTON. Mr. Chairman, I make the point of order.

Mr. JONES of Texas. Will the gentleman reserve it for a moment?

The CHAIRMAN. The gentleman from Texas [Mr. BLANTON] makes the point of order. The Chair sustains the point of order.

Mr. FORDNEY. Mr. Chairman, I move that the committee do now rise and report the bill back with favorable recommendation.

The CHAIRMAN. The gentleman from Michigan moves that the committee do now rise and report the bill to the House with the recommendation that it be passed. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CAMPBELL of Kansas, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 2837) to repeal section 630 of the revenue act of 1918, approved February 24, 1919, had directed him to report the same back to the House without amendment, with the recommendation that the bill do pass.

Mr. FORDNEY. On that, Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. LONGWORTH. Mr. Speaker, I ask for a division.

The SPEAKER. A division is called for.

Mr. LONGWORTH. No, Mr. Speaker; I withdraw that request.

The SPEAKER. The question is, Shall the bill pass?

The question was taken, and the bill was passed.

On motion of Mr. FORDNEY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

PRESIDENT'S MESSAGE—TELEGRAMS FROM THE SPANISH AND BRAZILIAN CONGRESSES (H. DOC. NO. 166).

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying documents, was referred to the Committee on Foreign Affairs and ordered printed:

To the House of Representatives:

I transmit herewith a report of the Secretary of State enclosing a copy of a telegram sent by the Spanish Congress of Deputies through the Spanish Embassy at Washington to the House of Representatives, and a telegram sent by the President of the National Brazilian Congress to the President of the North American Congress, intended evidently for the House of Representatives.

WOODROW WILSON.

THE WHITE HOUSE,
28 July, 1919.

REPORTS FROM WAR EXPENDITURES COMMITTEE.

Mr. GRAHAM of Illinois. Mr. Speaker, I ask unanimous consent to address the House for one minute?

The SPEAKER. The gentleman from Illinois asks unanimous consent to address the House for one minute. Is there objection.

There was no objection.

Mr. GRAHAM of Illinois. Mr. Speaker, I am filing to-day a report from the Select Committee on Expenditures in the War Department, which will be printed under the rules. In order that the Members may have the opportunity to get at it when it comes up to-morrow, as I understand it, under a special rule, I ask unanimous consent that the report may also be printed in the CONGRESSIONAL RECORD. I am informed by the minority Members that they have not yet prepared their minority report, and I therefore ask unanimous consent that the minority may have until midnight to-night in which to file their report, and that it be printed together with the majority report.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the report from the Select Committee on Expenditures in the War Department may be printed in the CONGRESSIONAL RECORD, and that the minority report from the same committee may be printed accompanying it if it be filed with the Printing Office before midnight to-night. Is there objection?

There was no objection.

The reports are as follows:

Mr. GRAHAM of Illinois, from the Select Committee on Expenditures in the War Department, submitted the following report:

The select committee of 15, appointed under the resolution of the House of the 4th day of June, 1919, for the purpose of investigating the contracts and expenditures of the War Department and for certain other purposes expressly stated in said resolution, have had under consideration certain of the matters committed to it by said resolution and now present the following partial report.

The committee is continuing its investigations of the matters and things submitted to it by said resolution and will make further reports from time to time hereafter until it shall have completed its labors:

The present high prices of food products and the need of the Government for money suggests to your committee the necessity of a preliminary report relating to the War Department's nonactivities in the sale of the very large quantities of food supplies now held in storage in the United States.

At the time of the signing of the armistice the Army was composed of approximately 3,700,000 men, 2,000,000 of whom were in France and about 1,700,000 in continental America. An increase of this force to 5,000,000 men had been agreed upon by the War Department and food for this enlarged army for eight months in advance was being contracted for and accumulated at the time active hostilities suddenly ceased.

The demobilization of the Army began immediately upon the signing of the armistice and 800,000 soldiers were discharged by January 11, 1919. This demobilization continued at the approximate rate of 80,000 per week, so that on the 24th of May, 1919, 2,252,000 of the soldiers had been discharged and were definitely out of the service.

In view of the tremendous quantities of food the Government had on hand on November 11, 1918, and the demobilization of the armed forces, it at once became apparent that the War Department possessed an immense quantity of food beyond the needs of the Army.

Actuated by this condition, Gen. Peyton C. March, Chief of Staff, on November 30, 1918 (19 days after the armistice), issued an order authorizing the declaration of a surplus on all perishable food products.

The next step was the declaration of surplus by the Quartermaster General; and the last step was the sale of the surplus supplies by the Director of Sales. Notwithstanding the authorization of surplus by the Chief of Staff on the 30th of November, no action was taken with reference to declaring a surplus, until the month of May, 1919, or six months after the declaration was authorized. In the meantime, the food was deteriorating and becoming of less value to the Government, and the high cost of living for the American people continued. This inexcusable delay resulted in the spoiling of millions of pounds of ham and bacon to the great loss of the Government and the people, who were in need of the meat food products. The inactivity of the Government in the disposition of these food supplies was, and is, the result of a well-defined policy of the Secretary of War to withhold them from the domestic market and to protect the interests from which these products had been purchased with the ultimate intention of disposing of them abroad so far as circumstances would permit.

This policy finds expression not only in the testimony given to the committee by the officers of the War Department, but in documentary evidence as well. As an instance of such intention to prevent the American people from purchasing these products, the Quartermaster General's Department, through Gen. R. E. Wood, Quartermaster General, entered into an agreement with the canners' association that some 200,000,000 cans of canned vegetables would be kept off the domestic market during this season; this agreement was subsequently extended by an order of the Quartermaster General adding these canned vegetables to the soldiers' ration in the expressed hope that they would be entirely consumed and that none would be left for sale. This order would have resulted in a loss to the Government of millions of dollars to be derived from the sale of this surplus, as well as depriving the American people of a large quantity of food.

The purpose, as shown by the testimony, was to protect the canners who had sold the produce from competition with the governmental surplus.

On July 8, 1919, the surplus of food stored in the United States over and above the needs of the Army was as follows:

Corn beef	$24,000,000
Bacon	23,000,000
Hash corn beef	10,000,000
Roast beef	20,500,000
Fresh frozen meats and poultry	20,000,000
Canned vegetables	23,000,000

This surplus is constantly growing larger, because of the continued demobilization of the Army. In addition to these items there is a surplus of millions of cans of fish and milk, and tons of sugar, coffee, and tea. It is utterly impossible to estimate the exact amount of the tremendous quantity of food supplies in the hands of the department, a large portion of which is deteriorating and becoming less valuable.

During the eight months which has elapsed since the signing of the armistice only $12,000,000 of food supplies has been sold by the War Department in the United States, and a very large quantity of that sold was spoiled and unfit for the general market; otherwise, it would not have been placed on sale.

On July 11 of the present year, and after the War Expenditures Committee was appointed, the Director of Sales issued to the press a publicity statement with reference to the sale of meats and vegetables. This statement provides that meat and vegetables shall be purchased only by municipalities, and municipalities to pay the freight from the nearest warehouse, and to have 10 days in which to make payment to the Government. This plan adopted by the Government will not result in the sale of these products to any great extent, for the reason that most municipalities under their charter have no legal authority to

purchase food products for sale. Many municipalities which have indicated a desire to purchase this food for the benefit of their people have been met with the threat of injunction on the part of local dealers, which threat has been sufficient to prevent a purchase of the goods.

This committee makes recommendation that these food supplies be sold without delay on the domestic market to the American people, who, at great sacrifice, bought and paid for them, and the committee looks with disfavor on the policy of exporting them from America to foreign nations for sale and consumption. The committee further recommends that plans be devised by the Secretary of War, through the War Department, for the early disposition of all surplus food products on the domestic market under a system which will grant to the American people the opportunity to secure the same for food purposes.

The committee therefore recommends the adoption of the following resolution:

Be it resolved by the House of Representatives of the United States of America, That the Secretary of War be, and is hereby, requested to place on sale, without delay, the surplus food products in the hands or under the control of the War Department now stored in the United States, under such plan as will safeguard the interest of the Government and insure an opportunity to the people of the United States to purchase the same directly from the Government.

W. J. GRAHAM, *Chairman*,
CLARENCE MACGREGOR,
C. F. REAVIS,
OSCAR E. BLAND,
WALTER W. MAGEE,
ALBERT W. JEFFERIS,
JAMES A. FREAR,
ROYAL C. JOHNSON,
JOHN C. MCKENZIE,
ROSCOE C. MCCULLOCH,
Committee.

VIEWS OF THE MINORITY.

The undersigned members of the Select Committee to Investigate Expenditures in the War Department respectfully submit that the resolution proffered by the majority, if it is to be in any degree helpful, must have certain amendments modifying to a certain extent what we understand to be its meaning, and giving the assurance which should be given, if the House deems it proper to make such a request as is therein embodied, of a readiness to cooperate in all things essential to enable compliance with it.

The majority have not favored us in their report accompanying the resolution with any interpretation of its terms or explanation of its purport.

Indeed, were its sponsors other than they are, it would be difficult to repress the suspicion that the resolution was offered, not so much in an effort to aid in the solution of one of the complex and involved problems following in the wake of the tremendous war brought to successful and sudden end by the force of our Nation's arms and aid the people in securing food, as it is to furnish an opportunity for a sinister criticism in an official report, primarily, of him who bore the stupendous burdens of Secretary of War during all the time from its beginning to its unstained, unsullied, and glorious end; and, secondarily, of such of his advisers as fall within the scope of their dislike.

Without having an expression from them, we must, as we should have to do in any event, look closely to the instrument itself for its interpretation.

The resolution reads:

"*Be it resolved by the House of Representatives of the United States of America*, That the Secretary of War be, and is hereby, requested to place on sale, without delay, the surplus food products in the hands, or under the control, of the War Department now stored in the United States, under such plan as will safeguard the interests of the Government and insure an opportunity to the people of the United States to purchase the same direct from the Government."

We take this to mean that the request is that plan, or plans, be immediately developed whereby the remainder of these surplus food products shall be sold directly to the consumers without any intervening agency, or agencies, save those of the Federal Government; otherwise we are unable to give intelligent construction to the words "direct from the Government," and the resolution requests the doing of nothing other than that which the department is now and has for some time been doing.

Undoubtedly, there are portions of these foods that may be so sold and distributed if the proper organization be established and proper agencies created. It has been suggested that the parcel post could be utilized, and agents of the Government could be distributed throughout the country for the handling and disposition of these goods.

All will agree, we take it without hesitation, that if the Government itself attempts the disposition in this manner it should be general, and whatever of benefit may accrue should inure, so far as is humanly possible, to all persons and sections.

It will, as of course, require for such a plan a large organization and will involve an expense impossible now to determine, and some delay in the distribution under such plan will be inevitable.

We realize very acutely the conditions which exist to-day with reference to the high cost of food products. In whatever may be done intelligently and justly to alleviate, even in slight degree, this condition we are anxious to cooperate, as we feeel sure are the Secretary of War, his advisers and subordinates.

All recognize that under the law itself, and in morals if there were no law, the interests of the Government must be safeguarded, and that it is the duty of the Secretary to see that this is done so far as lies within his power.

We feel, therefore, that if the House of Representatives is to request by resolution that present plans be changed and that sales be made only to consumers direct from the Government rather than through municipalities or individuals or associations to whom they are now being sold in quantities for resale to consumers that the House should also by resolution indicate its willingness to do what it would have to do were it expressing itself in legislation and say that it is ready to appropriate the funds essential to the organization and development of those plans. We therefore respectfully recommend that at the end of the resolution the proper punctuation be inserted and that there be added the words "and the Committee on Appropriations of the House is requested to ascertain without delay and report to the House the sum necessary for the development and execution of such plan."

Unless the House shows a willingness to cooperate in this way the country will undoubtedly conclude that we are merely trifling with serious conditions and expressing a request in the hope that it may not be complied with rather than in the hope that it will. Because all understand that the Secretary of War has no funds available for carrying out such a policy, and only the Congress can provide these funds.

We beg also to call attention to another phase which assuredly must challenge the attention of all reasonable men familiar with conditions.

If this resolution of request were made law and the Secretary were without power to sell other than to consumers, undoubtedly great embarrassment would ensue, because there are large quantities of these surplus food products so packed and arranged as that few consumers would desire to purchase a full package, and when opened the contents would deteriorate and it would eventuate in very heavy losses. We think it should be made clear, therefore, that in making the request the House does not desire to go on record as wishing to interfere with the discretion of the Secretary to dispose of such products in some other intelligent and just manner.

We, therefore, suggest as a further amendment that after the word "delay," in line —, all the remainder of the resolution be stricken out and the following inserted, to wit:

"Under such plan as will safeguard the interests of the Government and insure an opportunity to the people of the United States to purchase the same direct from the Government such part of the surplus food products in the hands or under the control of the War Department now stored in the United States as is reasonably capable of being so distributed and sold."

The resolution in full, if the amendments we suggest shall be adopted, will then read as follows:

"*Be it resolved by the House of Representatives of the United States of America*, That the Secretary of War be, and is hereby, requested to place on sale, without delay, under such plan as will safeguard the interests of the Government and insure an opportunity to the people of the United States to purchase the same direct from the Government, such part of the surplus food products in the hands or under the control of the War Department now stored in the United States, as is reasonably capable of being so distributed and sold, and the Committee on Appropriations of the House is requested to ascertain, without delay, and report to the House the sum necessary for the development of such plan."

So much for the resolution.

We turn now to a discussion of the majority report, and at the outset feel compelled to call attention to the precipitant haste with which the majority report was railroaded into the House.

The hearings before House Subcommittee No. 4, on the subject of surplus food supplies of the Army, were concluded at 4.45 o'clock p. m. of July 22. On the 24th of July, one day having intervened, the chairman of the subcommittee submitted his report to the general committee. Only the members of the subcommittee had heard the testimony. The other 12 members of the committee have not even had an opportunity to read the testimony, because a large portion of it had not been printed. We are advised that it has not been printed yet.

At the session of July 24, notwithstanding the minority members protested they had had no opportunity to read the testimony, the majority report was adopted and the minority reserved the right to file a minority report.

On the following day, July 25, Mr. FLOOD, acting for the minority, presented the following letter to Mr. GRAHAM:

JULY 25, 1919.

Hon. W. J. GRAHAM,
Chairman Select Committee on Expenditures in the War Department.

MY DEAR MR. CHAIRMAN: You will recall that when the question of reporting the resolution requesting the Secretary of War to place on sale without delay the surplus food products in the hands or under the control of the War Department with the report accompanying it was up for discussion in the committee yesterday the minority challenged the accuracy of many of the statements in the report.

Since the adjournment of the committee yesterday I have conferred with several War Department officials in connection with this matter and have become satisfied that the statements in the report can not be sustained. The committee itself took no evidence on these questions, all the evidence having been taken by subcommittee No. 4, and I feel that there are a number of witnesses who have had control of the sale of these surplus food products who should be heard by the committee. I here point out some of the erroneous statements in the report which I believe an examination of witnesses will show to have no foundation in fact:

1. On page 2 of the report this statement is made: "Notwithstanding the authorization of surplus by the Chief of Staff on the 30th of November, no action was taken with reference to declaring a surplus until the month of May, 1919, or six months after the declaration was authorized."

My information is that this statement is incorrect, and that foods were declared surplus as rapidly as the taking of inventories would permit in small quantities during months preceding the month of May, 1919, and certain quantities of surplus foods were sold prior to this time.

2. The report further states that in the meantime food was deteriorating and becoming of less value to the Government.

I am informed that very little food was permitted to deteriorate, namely, 1,500,000 pounds of ham at Norfolk, which was awaiting shipment to France on requisition, and which was promptly sold when released from shipment. Any other items of deteriorated food are very minor and inconsequential in comparison with the large quantity of food available.

It is my information that the Government has suffered no financial loss through the holding of these surplus foods, for the reason that markets have been stabilized to the extent that the Government is receiving better returns from the sale of these foods than could possibly have been received in the earlier months of this year.

3. The report further states that "the inactivity of the Government in the disposition of these food supplies was and is the result of a well-defined policy of the Secretary of War to withhold them from the domestic market and to protect the interests from which these products had been purchased, with the ultimate intention of disposing of them abroad so far as circumstances would permit."

I had a conversation with the Secretary of War this morning, and he informed me that he had no such policy as indicated in this statement.

4. With regard to the paragraph beginning, "This policy finds expression not only in the testimony," etc., may I call your attention to the fact that this paragraph is in conflict with the preceding paragraph, which states that the surplus stocks are to be held for export. This particular paragraph to which I call your attention states that Gen. Wood entered into an agreement with the canners whereby the canned vegetables will be kept off the domestic market and will be used as soldiers' rations. This paragraph goes on to state that in feeding these surplus vegetables to the Army the Government would lose millions of dollars derived from the sale of such vegetables. Obviously, if these vegetables are required by the Army as rations, the use of the vegetables in such a manner would not result in a loss to the Government, since the soldiers must be fed.

I do not think the statement in the next paragraph, that this action of the War Department was for the purpose of protecting the canners who sold their products from competition with the governmental surplus, is a fair statement of the case.

6. I note the report says there are millions of cans of surplus fish. My information is there is no surplus of fish. All canned salmon has been turned back to the canners at cost to the Government. The reason for this was the fact that this salmon did not come up to Government specifications, and consequently the War Department compelled the canners to take it back at the price the Government paid for it.

7. I had taken up the question of sugar, which is greatly needed by the farmers now for their canning and preserving, and am informed that there was a surplus of sugar. I also ascertained that there was no surplus of coffee and tea, as stated in the report.

With regard to the latter part of this paragraph, I am informed that the War Department does know pretty definitely the total value of the surplus materials on hand, while there is very little, if any, food permitted to deteriorate, and that food is more valuable to-day than it would have been in the early spring had it been dumped on the market.

8. With regard to the statement made that only $12,000,000 worth of food supplies have been sold, I am informed that this figure is incorrect, as large quantities of food have actually been sold, but reports of sale have not been made to the War Department for the reason that considerable time must intervene between the date of making the sale and the time that the report passes through channels to the central record bureau. I am informed that the actual reports of sales are largely in excess of $12,000,000.

9. The committee report states that on July 11 a publicity statement was issued by the director of sales providing that meats and vegetables could only be purchased by municipalities. I am informed that, as a matter of fact, this publicity statement did not state that meats and vegetables could be sold only to municipalities, but was intended and did convey information having to do with the details whereby municipalities could obtain surplus meats and vegetables for sale; that it was not the purpose of this article, nor has it been the practice of the director of sales, I am informed, to confine sales of meats and vegetables to municipalities. I am informed that a number of sales have actually been made to wholesale grocers and other concerns and to individuals which represents a distribution of surplus foods through normal channels.

In view of the many errors in this report, some of which I have pointed out above, I respectfully request that this report be withdrawn from the House and your committee take evidence on the questions dealt with by this report, so that the facts in connection with the sale of these surplus food products can be ascertained and the proper report made to this House.

And in this connection I would suggest that you summon the following witnesses: Secretary of War Baker; Col. C. G. Harvey, General Staff, Chief of the Requirements and Statistics Branch, Purchase, Storage and Traffic Division; Col. Clyde B. Crusan, assistant to Gen. Rogers; Col. Morris Stayton, Assistant Director of Storage; Col. Clarence R. Day, Assistant Director of Storage; Col. Julian R. Schley, Director of Purchase; Mr. E. C. Morse, First Assistant Director of Sales; Maj. E. E. Squier, chief, quartermaster stores section, Office Director of Sales; Capt. Clement, Chief Subsistence Branch, Surplus Property Division, Office of Director of Purchase and Storage; Maj. A. L. Mercer, Assistant Director of Sales.

With much respect, I am,

Very truly, yours,

H. D. FLOOD.

Upon the presentation of this letter to the chairman he called a meeting of the committee for 4 o'clock p. m. on July 25 and laid before it the letter from Mr. FLOOD. The committee, by a strict party vote, refused to comply with what the minority believed to be a reasonable request and rejected the motion to reopen the hearings and subpœna the witnesses named in the letter. Because of the distribution of the work of the general committee among five subcommittees, upon each of which there are two majority members and one minority member, four of the minority members could not hear the testimony taken by subcommittee No. 4, and were denied the privilege of reading it before action was taken. With unseemly haste the majority report was forced through the committee, the protest of the minority was disregarded and their plain rights were ignored.

In view of these facts the minority felt not only justified but compelled in the interest of justice and fairness and for the information of the House the ex parte statement of those whom we had requested should be called and placed upon oath. These have been obtained and are filed as an appendix hereto, and we feel that every statement of fact presented by us is substantiated by the testimony taken by the subcommittee and the documents so filed.

In our judgment the majority report is so inaccurate in its statement of facts and so unjust in its inferences we feel a fair consideration of the subject matter can not be had without specific consideration of a number of the statements made in said report.

DELAY IN DECLARING SURPLUSES.

The report states:

"Notwithstanding the authorization of surpluses by the Chief of Staff on the 30th of November, no action was taken with reference to declaring a surplus until the month of May, 1919, or six months after the declaration was authorized."

On the 1st of December, 1918, the day following the order that the surplus be determined, 178 officers were called to Washington and the special organization necessary to carry on this work was created. On the 17th of December these officers were sent to the various zone supply offices and camps throughout the country and assumed charge of the work in the various supply offices.

On December 31 the taking of the inventory began throughout the United States. A physical count was completed in 10 days. The inventories covered 16 zone supply depots, 3 Army reserve depots, 4 large terminals, and over 200 posts. One hundred and eighty thousand different items were reported. Ten thousand people were engaged in the work. The inventory and lists for use in declaring surpluses were completed on the 30th of April.

When the armistice was signed supplies for the Army were being gathered from all the productive sources of the country. Warehouses were filled, countless thousands of cars were on the way to the ports, property was accumulated at the wharves. The Quartermaster's Department had over 15,000 contracts outstanding, involving a money value of $1,800,000,000. The amount of supplies eventually received under these incomplete contracts required months for determination, because it involved the determination of the amount of property, including where percentages of the products of factories were commandeered, the cancellation and partial cancellation of a vast number of contracts, the final validation of informal contracts, and also the rejection of supplies not conforming to specifications.

Accurate inventories had to await the determination of these uncertain quantities. The uncertainty as to the amount of surplus of various materials was further intensified by the possibility that military operations might be resumed and that the total amount of men to be rationed has several times been materially reduced since last November, due to the fact that demobilization proceeded more rapidly than anticipated, and also that the size of the permanent Army fixed by the department last January was in June reduced materially by Congress.

In many instances accurate inventories required repiling of supplies. In others the inventories sufficient for Army purposes lacked details necessary to be supplied in order to declare surpluses and inform the trade of what was offered.

The food supplies, vast as they were, were in the aggregate only a small proportion of the materials to be inventoried. Surpluses were declared and sales made of some food supplies as early as February 12, 1919 (hearings, p. 94), but a surplus in meats, the principal food product, was not declared until the 26th of March, and, as finally revised, not until the 1st of May. Instead of consuming six months, as stated in the report, the actual time was five months and one day.

It must be borne in mind that it was about February 1 before Gen. Pershing advised that it was unnecessary for the forwarding of additional meats to the American Expeditionary Force, and that shipments had been constantly made up to that time (p. 94).

These facts are a sufficient refutation of the statements of the majority report that "no action was taken."

ALLEGED DETERIORATION BY DELAY.

The report further asserts:

"This inexcusable delay resulted in the spoiling of millions of pounds of ham and bacon to the great loss of the Government and the people."

The evidence does not sustain this charge.

The effective general answer to this charge is that out of the first $12,000,000 worth of food supplies sold, including the supplies to which the criticism is directed, the Government received over 85 per cent of the cost to the Government. There was evidence (p. 9) that 2,000,000 pounds of bacon sold at Baltimore was deteriorating, but the Government sold it for 28½ cents a pound. This price was larger than the Government had been offered at an earlier date for bacon (p. 20).

The only other instance of deterioration in meats shown by any substantial evidence was 1,487,905 pounds of sugar-cured hams at Norfolk, Va. This meat was ordered to Norfolk for overseas shipment, where it arrived in January, February, and March. The inspector's report made a few days prior to the sale states that the hams are "sweet and sound, but surfaces are affected by mold, and that if reconditioned at once there would be no loss from trimming, as mold in its present condition can be removed by thoroughly washing and cleaning same" (p. 29).

This ham was sold for 20 cents a pound (p. 61).

The evidence as to meat shows "the meat is sound to-day and very palatable" (p. 26).

Mr. Hare, the director of sales, says:

"I do not want to get the impression out that we are trying to sell canned stuff that is not good, because I think they are" (p. 26).

Also:

"My belief is that the vast majority of all our canned stuff is in excellent condition and we will find a market for it" (p. 35).

In this connection we protest against the injury to the finances of the Government that is now being suffered because of the unwarranted charges that these food products are not in good condition. Such reports have a strong tendency to hamper the Government in the sale of these goods to the best advantage.

There is no evidence of "millions of pounds" of bacon or ham having been spoiled, and obviously it must have been in condition to meet the requirements of the pure-food law.

POLICY OF GOVERNMENT IN SALE OF FOOD SUPPLIES.

The report states that:

"The inactivity of the Government in the disposition of these food supplies was and is the result of a well-defined policy of the Secretary of War to withhold them from the domestic market to protect the interests from which these products had been purchased, with the ultimate intention of disposing of them abroad so far as circumstances would permit."

The policy of the War Department in the disposal of surplus supplies has changed with changing conditions, but there has never been any secrecy about it and it has constantly been well known to the public. Mr. Hare was appointed director of sales in January, 1919, and on the 27th of that month he gave out a statement (p. 50) in which, in substance, the policy to be pursued was defined as follows:

1. So as to disturb the industrial conditions of the country as little as possible and to obtain the best returns for the Government.

2. Surplus property is to be transferred to another War Department bureau, if it can use the same.

3. To sell surplus property to another Government department if needed before the same is put on the market.

4. In general, where there is any considerable surplus property it is desired, where practical, that an attempt be made to dispose of this material to the original manufacturer or vendor in order that he may distribute the same to the trade.

5. The last-mentioned method failing, it will be advisable where practicable to approach the local board of trade or chamber of commerce or similar organizations to see if it will not be possible to dispose of this surplus property to the dealers in that class of material in that particular locality where the surplus is located.

6. If a deal is not consummated by either of the above methods the Government will then be at liberty to dispose of it to the public at large.

Dealers having had goods commandeered protested that a distinction should be made in their case and that they should have the opportunity of taking the goods back at the price paid by the Government if they so desired. The director of sales disapproved this policy (p. 51). The director declared the goods were commandeered at a fair profit to the producer, and that under the plan they suggested the party from whom they were commandeered would take them back only if the present market price was higher than the commandeered price; that as the Government could not compel the dealer to take them back if the commandeered price was higher than the market price it would obviously be "a one-sided arrangement" to permit such a course.

The packers offered the use of their distributing facilities and to act for the Government in selling canned meats at prices dictated by the Government, they to be paid the expense involved. This offer was rejected (p. 22).

Mr. Hare testified that when it was found the packers would not pay a decent price "we said we are through with you" (p. 27).

Throughout the war it was the announced policy of the Government to confer with the trade in the line of industry affecting the war to secure its cooperation and support in the production and delivery of supplies required for the prosecution of the war. Most war industries were worked to their capacity. The same policy was pursued in reference to the producers of food materials. In the main the efforts of the industries were commendable, patriotic, and effective. At the beginning of the war the canners were called into conference. Representatives of the War and Navy Departments attended each annual convention of the National Canners' Association and urged a maximum production of canned vegetables. The association itself engaged in a publicity campaign to that end. Enormous production was obtained for the season of 1918. The seasonal pack for 1918 was complete at the signing of the armistice. Large amounts had been delivered or were in course of delivery to the Government on contracts. Government orders, of course, have been for Army consumption. As usual, the local trade had been provided for by advance orders.

There was a comparatively large pack of canned corn and canned peas and especially of tomatoes for the season of 1919. Less than one-fourth of the canned tomatoes, for instance, remained in the hands of the canners on the 1st day of January, 1919, the great bulk of the pack having gone into the hands of the wholesalers, jobbers, and retailers, with a view of supplying the domestic market. The prices of these goods had been fixed by the Government. The wholesale dealers had been restricted in their profits on a percentage basis of the turnover. With these conditions confronting the canned-vegetable trade, the Government was forced to determine its course in disposing of its surplus vegetables, having in mind the best return to the Government and the effect of the Government's policy upon the general industry of the country. While fundamentally the duty of the responsible officials of the Government was to sell at the prices and at the times that would bring the best returns to the Government, the responsible officials justly took into consideration the situation of the industries and labor of the country. On the 4th of June, 1919, Mr. Hare, the director of sales, appeared before the Military Affairs Committee of the House and gave a statement of "everything that we have done to date." He further said:

"I shall appreciate it very much, if it is agreeable to the chairman, to get any advice from the committee that they may care to offer."

In response, the chairman of the committee stated:

"I have seen accounts in newspapers suggesting that this stuff ought to be put upon the market and be sold for what it will bring. That would probably result in selling it for a very low figure. What effect would it have upon those thousands of small tradesmen throughout the country who carry on their shelves the commercial canned stuff, and what would be the result to business in general if you were to carry out such a policy?"

After some discussion, the chairman further stated:

"Answering your question, and speaking for myself alone, I think the people of this country will expect you to get the most money you can for the commodity." (Hearings, Army appropriation bill, pp. 469, 471.)

Unquestionably an immediate sale to the highest bidder of all the supplies would have meant a sacrifice of the Government's interest, as the returns would have been nominal. It seems apparent that from the standpoint of Government revenues a plan permitting a gradual absorption of the Government's supplies was the preferable course.

We also believe that the trade of the country had a legitimate interest in the situation that to a large degree was not inconsistent with the duty of the officials to secure the most favorable returns to the Government.

In this connection it should be borne in mind that the Government had surplus properties following the war aggregating nearly $2,000,000,000. The mere statement of the fact makes it apparent to anyone having only a meager idea of business conditions following the war that justice to the Government and the trade alike requires that these goods be disposed of on a plan of gradual absorption instead of forced sales. The Government that had encouraged and secured the cooperation of the industries in the production of its war necessities could not in common fairness immediately turn around at the conclusion of the war and demoralize prices and market conditions which the Government's own activities had created and drive the price of stocks in the hands of merchants below the price the Government had fixed.

The policy of the Secretary of War is clearly stated by himself in his letter addressed to Hon. H. D. FLOOD, published in the appendix to this report.

WITHHOLDING OF CANNED VEGETABLES.

In this connection the report refers to "an agreement with the canners' association that some 200,000,000 cans of canned vegetables would be kept from the domestic market during this season."

On the 6th of last December Gen. Wood, Acting Quartermaster General, wrote a letter to a representative of the National Canners' Association, which was given publicity at the time, declaring, in substance, that the surplus of canned vegetables would not be placed on the market during "this season." However, the fact is that canned vegetables were sold beginning in February, and the Wood policy was wholly abrogated on the 23d day of May, 1918 (p. 310, 55), and offers of sales and sales of canned vegetables have proceeded since that date.

In so far as the majority report intimates that the public has been deprived of the opportunity to buy canned vegetables of the Government since that date it is erroneous. A reference to the record will show that the chairman of the subcommittee making this report elicited evidence showing that on the 20th of June competitive bids were opened on a portion of these canned vegetables. Bids calling for the sale of these vegetable supplies as well as canned meats were issued beginning in May. Over 1,500 bids were opened on the 20th of June.

ORDER MAKING ADDITIONAL VEGETABLES RATIONS.

The report criticizes an order of the Quartermaster General adding canned vegetables to the soldiers' ration. It is asserted "This order would have resulted in a loss to the Government of millions of dollars to be derived from the sale of this surplus, as well as depriving the American people of a large quantity of food."

No such results followed the making of said order. On the 17th of March Col. Davis, of the Quartermaster Corps, wrote a letter to the president of the canners' association stating that, acting in line with his suggestion, canned peas, corn, squash, and string beans would be added to the ration list, which has always contained canned tomatoes.

The effect of this order was not to add to the rations or to waste any food product; it simply furnished our soldiers a greater variety of vegetables without adding to the total quantity they received. It provided for the consumption of the vegetables the Government had, and to that extent relieved the Government of the necessity of replacing that quantity of foodstuffs by purchases in the market. It did not diminish the food supply of the country one pound. It was an advantage to the Government and an advantage to the soldier, as it gave him a more varied ration which he could not have obtained except at the expense of his mess fund. The declaration that it resulted in a loss to the Government of millions of dollars is without the slightest foundation in fact. The statement that it deprived the American people of a large quantity of food is equally groundless.

The report further states that the purpose of the above order "was to protect the canners who had sold the produce from competition with the governmental surplus." As a matter of fact, the 1918 pack had practically passed from the hands of the canners before the order was made. The order had the effect of contributing to the stabilization of the market and relieving the Government of the necessity of a forced sale.

OTHER SURPLUSES.

The report states "there is a surplus of millions of cans of fish and milk and tons of sugar, coffee, and tea."

We are reliably informed that the fact is there is no surplus of fish and that the quantities of fish which would have constituted a surplus were rejected and returned to the packers, because it did not conform to Government requirements. There is a small surplus of milk, only 680,000 cans, and to date there has been declared a surplus of 52,000,000 pounds of sugar, all of which has been turned over to the United States Sugar Equalization Board and is being distributed to meet the needs of the American people. There is no surplus whatever of coffee or tea, nor is any anticipated. (See letter of A. L. Mercer, assistant director of sales, in appendix to this report.)

SALES TO MUNICIPALITIES.

The report charges that the Director of Sales has issued a publicity statement "that meat and vegetables shall be purchased only by municipalities," they to pay the freight and have a 10 days' credit. There is no evidence whatever that the department has in any way limited the sale of food products to municipalities, and the fact is that it has not. This method of sale was simply adopted as a means of giving to the consumers of the country an additional opportunity, with the help of municipal officers, to take advantage of the Government's offerings in small quantities which on account of the lack of a retail distributing system the Government has been unable to furnish directly to the small purchaser.

Evidence taken before the subcommittee and in the record shows that for many weeks past and at the present time the Government has been pursuing independent methods of sale, both by bids and direct sales, to purchasers other than municipalities. This fact is established by the records of sales, advertisements in hundreds of newspapers, and circulars distributed throughout the country by thousands.

In this connection, the report further states:

"Many municipalities which have indicated a desire to purchase this food for the benefit of their people, have been met with the threat of injunction on the part of local dealers, which threat has been sufficient to prevent a purchase of the goods."

The plan of the department permits the consummation of the sale to the consumer without the necessity of municipal funds being used. The 10-day credit was extended to permit the municipalities to reimburse themselves from the retail sales before being required to transmit the cost to the Government.

Any threats of injunction that may have been made against municipalities have undoubtedly been inspired by profiteers, who would like to handicap the Government in making an advantageous sale of these goods as well as deny the consuming public the benefit of the Government's plan.

H. D. FLOOD.
FINIS J. GARRETT.
FRANK E. DOREMUS.
CLARENCE F. LEA.

APPENDIX TO MINORITY REPORT.

WAR DEPARTMENT,
Washington, July 26, 1919.

Hon. H. D. FLOOD,
House of Representatives, Washington, D. C.

DEAR SIR: My attention has been called to the statement contained in a report of the Select Committee on Expenditures in the War Department, with reference to the disposition of the surplus food supplies held by the War Department. I have also your request that I advise you what my policy in this matter has been and is.

On the 11th of November, 1918, when the armistice was signed, a suspension of hostilities took place. Under the terms of the armistice, a resumption of hostilities was made possible and a more or less prolonged period followed during which there was from time to time suggested the possibility of the armistice being denounced. Nevertheless the War Department discontinued the transportation of foods to Europe, discontinued the mobilization of further forces in this country, and began at once a progressive demobilization of men. It suspended existing contracts for the procurement of supplies and took all possible steps to bring about a reduction of war expenditures. In the meantime, vast quantities of supplies already manufactured were in hand and a continued stream of deliveries from manufacturers and producers daily increased the stock of the department.

These supplies were of practically every nature, foodstuffs, clothing, implements, machinery, vehicles, thousands of items, some having little usefulness in civil life by reason of their special adaption to Army use, many of them being equally valuable for peace-time and war-time usefulness. The data in the hands of the department with reference to the speed with which demobilization could be effected were necessarily speculative. How large an army should be retained, and for how long, required to be carefully determined. The situation in Europe, the rapidity with which transportation home could be supplied, industrial conditions in the United States were all elements to be considered. As a result it was not possible instantly to place upon the market for sale to the general public the supplies held in storage by the department. It was necessary first to make an accurate forecast of the Army's needs; second, by proper inventory and examination to determine quantities on hand; and, third, to devise methods of disposing of these commodities which would take into consideration the perishable nature of some of them and the effect of their sale upon producers of raw material and labor conditions in the country. It will be recalled that the country was at the moment called upon to readjust itself industrially and commercially. The major part of the industrial force of the Nation had been summoned to the making of war supplies. Its resumption of peace-time occupations required markets for the products of labor. The commerce of the country was under a system of war conditions involv-

ing price fixing and centralized distribution, so that if at such a period the War Department had inconsiderately tendered its vast accumulations of supplies to the public consumption while it was demobilizing its industrial and military forces there would inevitably have resulted perhaps a momentary cheapening of the market price of certain commodities, but a concurrent and complete paralysis of industry, whereby the producers of raw material would have been discouraged and the manufacturers of finished products unable to resume peace-time occupations.

In December I directed that three principles be followed in the disposal of the Army surplus—

1. The disposal of supplies, as far as possible, through other Government agencies and relief commissions.

2. To take up with the original producer who furnished the article to the Government the question of repurchase, in order that materials might be distributed through their original and customary channels.

3. To offer the remaining surplus in the best market, or to the public at large, with full publicity.

This policy I stated in a letter to the Hon. WILLIAM E. BORAH, of the United States Senate, in a letter, December, 1918, a copy of which letter I herewith inclose.

From that time until now I have conferred frequently with those immediately in charge of the sales of these products. Careful surveys and resurveys of the Army's probable needs have been made, surplus was declared, and efforts made to devise effective ways of placing our surplus on the market, avoiding, wherever possible, their disposition to speculators. The War Department did not have and has not the means of building a widespread retail system of sale and distribution for these products. It would require an elaborate and costly organization, reaching over the entire country. Much progress has been made in effecting sales. Of that, however, the acting director of sales has informed you in detail. With the considerations above stated in view, I can only summarize by saying that it has been and is the policy of the department to sell its surplus in the best markets, and as speedily as possible, relieving the burden upon the Public Treasury by securing as adequate a price as we can and avoiding the incidental disturbances which unconsidered action would cause. So far as foodstuffs are concerned, I have given my personal attention to the devising of ways to place the Army's surplus of foods in the hands of consumers at the lowest possible price, in order to relieve, even if but temporarily, the high cost of living, an object with which I have the deepest sympathy.

Respectfully, yours, NEWTON D. BAKER,
Secretary of War.

—

WAR DEPARTMENT,
PURCHASE, STORAGE AND TRAFFIC DIVISION,
OFFICE OF THE DIRECTOR OF SALES,
Washington, July 26, 1919.

Hon. H. D. FLOOD,
House Office Building, Washington, D. C.

MY DEAR MR. FLOOD: At the request of the Secretary of War, I have collected certain data with reference to the subsistence situation in the Army since the signing of the armistice.

This report covers the following principal points: The attitude taken by the director of purchase at the time of the signing of the armistice, the reasons for any delay in declaring food surplus, as well as evidence bearing out the fact that there has been no financial loss to the Government because of the apparent delay.

I believe you will find this report complete, but will be glad to furnish you with any further information which you may desire.

By authority of the director of sales.

Sincerely, E. C. MORSE,
First Assistant Director of Sales.

—

WAR DEPARTMENT,
PURCHASE, STORAGE AND TRAFFIC DIVISION,
OFFICE OF THE DIRECTOR OF SALES,
Washington, July 26, 1919.

Memorandum for Mr. E. C. Morse, first assistant director of sales.

1. As you requested, I am submitting a complete report on the canned meat and vegetable situation. You asked me to determine the status of contracts, the reason for delay in reporting surplus, and whether the Government lost in dollars and cents return because of the apparent delay.

2. Attached marked "Exhibit A" is a statement from Col. Julian L. Schley, director of purchase, which explains the contract situation. Attached marked "Exhibit B" is a statement from Col. Norris Stayten, assistant director of storage, which explains some of the difficulties in obtaining inventories and consequent reports of surplus.

3. Having by way of these memoranda explained the problem confronting the War Department in obtaining complete inventories and of knowing accurately what the requirements would be, your attention is invited to the fact that surplus canned meats were declared beginning in January and running through to March 26, when the surplus meat figures were given us in reasonably correct form. On May 5 a conference was held, at which time the surplus figures were corrected, as follows. The present figures are also given.

Commodity.	May 5.	Present.
	Pounds.	*Pounds.*
Bacon	47,000,000	91,178,671
Roast beef	38,000,000	49,323,768
Corned beef	36,000,000	53,231,216
Corned-beef hash	20,000,000	37,314,995
Total	141,000,000	231,048,650

These meats cost the Government average prices as follows:

Bacon issue, ser. 8, crates	per pound	$0.40
Bacon issue, ser. 10, 12-pound cans	do	.46
Beef, roast, 6-pound cans	per can	2.70
Beef, roast, 2-pound cans	do	.82
Beef, roast, 1-pound cans	do	.51
Beef, roast, 12-ounce cans	do	.35
Beef, corned, 6-pound cans	do	2.09
Beef, corned, 24-ounce cans	do	.70
Beef, corned, 1-pound cans	do	.45
Beef, corned, 12-ounce cans	do	.38
Hash, corned beef, 2-pound cans	do	.48
Hash, corned beef, 1-pound cans	do	.28

4. It is next advisable to present to you the efforts made to sell as having particularly to do with the statement that it was our desire to export all our foodstuffs rather than to place them on the American market. To discuss nothing but canned vegetables for the moment, your attention is called to a letter written on December 6 to the American Canners' Association by Gen. Wood, then director of purchase and storage. This letter stated that canned vegetables would not be placed on the American market during the canning season. This letter was written upon the urgent request of the American Canners' Association, claiming that if the Government's surplus canned vegetables were immediately placed on the market it would stop jobbers of canned vegetables from placing orders with the canners, which in turn would react upon the farmers, who would not plant vegetables, and thus workmen be thrown out of work. Orders are placed by jobbers in January, February, and March for the coming crop. These orders are used as a basis of credit with banks by canners. Crops planted are predicated upon these orders placed with canners by jobbers. At this time it was anticipated—in any event, it was generally thought by canners and farmers—that we had a considerably greater surplus than it later developed we actually had. This was having a rather demoralizing effect upon the market.

5. It was assumed by Gen. Wood's organization, in view of the fact that it was proposed not to place surplus stocks of vegetables on the American market so quickly, that it might be best for the Government to develop foreign markets, particularly in view of the food requirements of European nations. The purchase and storage organization thought that, in view of the need for food, it would have to be supplied either by American jobbers or from Army reserve stocks. In any event, it was thought this demand, however met, would have the same influence upon price, and that the Government's problem was to move the surplus in accordance with existing economic conditions, to realize the best return for the Treasury.

6. In endeavoring to develop a foreign market purchase and storage was unable to secure from the sale of this surplus the price it was thought these foods should bring. This was largely due to the fact that in the early months of the year no credit arrangements could be made by foreign governments which would satisfy the American bankers. Attention is also called to the fact that purchase and storage endeavored to interest representatives of foreign governments in the purchase of certain surplus canned vegetables, but was unsuccessful, largely because of the matter of credit.

7. When we began to get reasonably correct inventories of surplus it was realized that our surplus was not as great as was anticipated. It was further realized that jobbers had already placed their orders; that the canning season was approaching; and that, in view of the world-wide demand for food, the time had come when the Government's surplus could be placed on the market without interfering with market conditions to the extent of reducing the year's pack and to bring the dollars and cents return. Therefore Gen. Wood's letter of December 6 to the canners, and which was written before the director of sales was appointed, was abrogated on May 23. On June 3, as indicated above, a reasonably complete and accurate report of surplus vegetables was received by the sales organization.

8. In the next place the statement is made that large quantities of these vegetables deteriorated because of delay. Your attention is invited to the fact that canned goods are supposed to keep for a considerable period. Any swells or deterioration in canned vegetables should become evident in 90 days, and the manufacturers agree to replace defective goods if the defects present themselves within a period of approximately nine months, or before June 30, for the previous year's pack. As a matter of fact, no canned vegetables deteriorated, or, at least, have been sold on a deteriorated basis of price. Newspaper articles to the effect that our vegetables are deteriorated have interfered more than any other one thing with the sale of vegetables at a good price.

9. Had the War Department placed its surplus vegetables on the market in the early spring we would have suffered a sacrifice in price, because of the fact that speculators expected to buy Government surplus at a greatly reduced figure. The people certainly could not have benefited had a speculator been able to get hold of this surplus, and otherwise should this surplus have been placed on the market at this time the canners and the producers would not have proceeded with normal plans for the 1919 crop. As a result of this fact, there would have been a great shortage in canned vegetables, which would have forced the price considerably higher than it is at the present time.

10. It has never been the intention of the Secretary of War to export these canned vegetables as against placing them on the American market. It is our policy to sell our surplus in the best market that we may place in the Government Treasury the maximum dollars and cents return with the idea of lessening taxes that much. It naturally follows that where there is a good American market we would most certainly sell in that market rather than export.

11. With regard to canned meats, certain small quantities were reported surplus up to March 26 and until May 5, when a very complete and comprehensive report was submitted as to that date. Obviously this report was not absolutely accurate in view of the difficulty in obtaining inventories and in view of the rapidly demobilizing army in France and in this country.

12. On May 5 a meeting was held with the meat packers, as similar meetings have been held with the producers of various commodities, with the idea of receiving benefit from their knowledge and experience in the industry. If you will refer to the minutes of this meeting, you will observe that the meat packers suggested that our meats were not standard commercial goods in the standard commercial package altogether suitable for resale. You will further find in the minutes a statement to the effect that these meats might be exported to good advantage. Attention was called to the fact that the bacon is of a special Army cure. Therefore this particular bacon was represented as being not altogether suitable to meet domestic demands and difficulties might present themselves in attempting to export this particular commodity. You will further observe that the meat packers offered to dispose of this surplus on behalf of the Government, returning to the Government the full dollars and cents return from the sale of this surplus less whatever their operating expenses might be.

13. After considerable discussion it was determined best to attempt to dispose of these meats in this country by sealed bid, thereby permitting all possible purchasers to obtain these commodities. In formulating this policy we had in mind the thought that the American public, having virtually paid for these canned meats, were entitled to benefit were there any benefits to be received by the sale of these meats in this country. It was not deemed expedient to export until domestic markets were exhausted, neither was it deemed expedient to sell through the packers, owing to the fact that the packers are being criticized by the general public.

14. There was never any agreement with them to withhold canned meats from the market. Any seeming delay in placing meats for sale

is the result of the difficulty in obtaining accurate inventories and reports of surplus, our desire to aid in stabilizing industry with good wages to workmen, together with our keen desire to obtain the maximum dollars and cents return from the sale of canned meats by placing on the best markets at the most opportune time.

15. As in the case of vegetables, there were rumors current in the early months of this year to the effect that our surplus was considerably greater than it later proved to be. Consequently stock growers were in communication with us, as was the Farmers' Grange, requesting that we dispose of our surplus meats in such a way as to affect stock growing as little as possible. Attached, marked "Exhibit C," are copies of certain telegrams received by this office. The economic solution of the problem is to be found in the fact that there is a certain amount of surplus which the market must absorb. In view of the tremendous demand for foodstuffs from abroad there is obviously a market for this surplus. It then becomes a question of placing the surplus on the market in quantities over a period of time so as to disturb economic conditions as little as possible and avoid a panicy condition. The foregoing thoughts explain the reasons why we have been in no haste to indiscriminately dump surplus meats on the market regardless of consequences.

16. Again, statements have been made in publicity articles to the effect that millions of dollars worth of surplus meats have been allowed to deteriorate. The only case of this kind which has come to our attention is 1,500,000 pounds of ham which was delivered to Norfolk upon requisition from the American Expeditionary Forces in October. Of the 12,000,000 pounds of ham requisitioned, the Army was only able to secure 6,000,000 pounds, of which the 1,500,000 pounds at Norfolk was a part. Shipments were made from Chicago during the months of January, February, and March. This ham remained in Norfolk until the requisition from the American Expeditionary Forces was canceled, at which time the Surplus Property Division of the office of the Director of Purchase and Storage was advised of the cancellation. Consequently, on May 18, each surplus property of each zone office was telegraphed to offer this meat for sale. Sales on the whole lot were consummated on June 2 at a price of 20 cents per pound and sold by sealed bid to Harris Bros., of Chicago.

17. In stating that this meat was deteriorated attention should be called to the fact that it was slightly moldy and required reconditioning to put it into first-class salable condition. Obviously this meat could not have been in poor condition or the pure-food law would have prevented its resale. There is no question but what we sacrificed somewhat because of the unpresentable condition of this meat. We paid 40 cents per pound for it, and the market price at the time of sale was 35 cents per pound. Your attention is further called to the fact that this market price as quoted represents the price at which the packers sell to the dealers under guaranty. We can not hope to sell our surplus at the full market price for the reason that we expect cash and do not extend any guaranty. So far as we know, no other meats have deteriorated or have been sold in a deteriorated condition.

18. Your attention is invited to the fact that we have a surplus of 680,000 cans of milk. As you appreciate this but represents a drop in the bucket in so far as the daily production of milk is concerned. This commodity does not deteriorate rapidly.

19. In so far as surplus fish is concerned, your attention is invited to the fact that approximately 32,000,000 cans of salmon was turned back to salmon canners at cost, the reason being that the salmon did not come up to Government specifications, and we required them, therefore, to take back these goods.

20. To date there has been declared surplus a total of approximately 52,000,000 pounds of sugar, all of which the Army has turned over to the United States sugar equalization board, branch of the Food Administration, for distribution throughout the United States. In this connection you are advised that offers have been made for this surplus sugar by exporters at prices in excess of 2 cents per pound above that at which the sugar was being allocated by the sugar equalization board in this country. The sugar has been handled in this manner owing to a sugar shortage in certain sections of the United States. This sugar is being sold by the equalization board for the account of the Government at 0.0879 cents per pound, which represents the actual cost to the Army. In view of the fact that America imports considerable sugar, we considered it advisable to take care of the American markets before exporting.

21. Your attention is called to the number of publicity articles which have appeared to the effect that we have millions of pounds of tea and coffee. This information is absolutely contrary to fact, for we have absolutely no surplus tea or coffee, nor do we anticipate having any.

22. Sales of flour total approximately 70,000,000 pounds, on practically all of which cost to the Army has been recovered. Most of the flour sales above referred to have been made to the United States Food Administration Grain Corporation and to the Navy and Marine Corps at cost. At the time of the lifting of the regulation requiring the use of certain percentage of flour substitutes in the manufacture of bread the Army had left on hand a considerable amount of flour substitutes. Owing to the fact that everyone in the trade, from the miller down to the retailer, and even the householder, were stocked up with flour substitutes, there was absolutely no demand for these substitutes for human consumption, and it has been necessary to develop a market among the feed manufacturers in the country. Naturally some of these substitutes have deteriorated on account of hot weather and storage conditions, but this deterioration has not affected the price obtainable for these for the manufacture of cattle and chicken feed.

23. In disposing of these surplus foods in this country, we were face to face with the practical question of distribution. We have neither the personnel nor the time necessary to sell these foods direct to the consumer on a retail basis. Our limited personnel and our desire to expedite the sale as promptly as possible to take advantage of the present market conditions necessitated that these foods be sold in reasonably large quantities. As a result of the foregoing thought, we decided that it was advisable to give municipalities an opportunity to purchase surplus meats at approximately 20 per cent below cost and vegetables at cost, the idea being that municipalities could in turn sell these foods at cost to the people, thereby helping out somewhat with the high cost of living.

24. It is our thought that considerable quantities of canned foods can be sold to advantage through municipalities, as we are receiving a number of inquiries from them, as covered by exhibit D attached, possibly through large department stores, who are willing to dispose of Government surplus at the same price which they pay for these stocks and the balance to be sold on the American market at a fixed price set, or at this same price for export.

25. For your information we are attaching a tabulated report of sales of surplus subsistence or food, marked "Exhibit E," as our records indicate to date. Your attention is invited to the fact that reports of sales do not come to rest in the office of the Director of Sales until possibly two or three weeks after the sales are made. Consequently this report is not absolutely complete to date, but it will give you a complete and comprehensive idea of the classes of commodities being sold and the period over which these sales have been made. Below is a digest taken from the weekly report of sales made by the Surplus Property Division as follows:

Week ending—	Sales per week.	Sales to date.	Percentage recovery.
			Per cent.
Apr. 19	$197,926	[1] $1,257,849	102.09
Apr. 26	991,296	2,249,145	100.84
May 3	924,165	3,173,310	100.58
May 10	1,472	3,174,782	100.48
May 17	1,301,560	4,476,342	100.4
May 24	582,920	5,059,262	100.3
May 31	258,516	5,317,778	100.34
June 7	677,691	5,995,469	94.8
June 14	765,167	6,760,636	99.2
June 21	384,858	7,145,494	98.7
June 28	3,778,227	10,923,721	90.9
July 5	179,033	11,102,754	89.5
July 12	29,568	11,132,322	89.3
July 19	1,485,740	12,618,063	85.7

[1] All sales made to Apr. 19 included.

The following sales have been or are being made, but reports of sales have not reached this office: Sugar, $4,570,000; bacon, $2,242,900; corned beef, $1,668,750; canned vegetables, $2,600,000; canned tomatoes, $3,000,000. Total, $14,061,650. Therefore, the grand total sales of subsistence to date amounts to $26,679,712. This very clearly establishes the fact in our minds that sales are being made just as rapidly as possible and as conditions warrant. The grand total surplus subsistence in possession of the War Department as of July 12, amounts to $123,703,504, a part of which has been recently declared surplus. For your information we have received not less than 85.7 cents on the cost dollar on all surplus foodstuffs sold to date.

26. On July 9 a publicity article was issued to the effect that the War Department would sell surplus food to municipalities. On July 11 a second statement was issued amplifying the first to the extent that this article explained the method whereby municipalities could obtain surplus food. This article went on to state that municipalities might have 10 days' credit, thereby permitting cities to obtain surplus foods, sell them, and return the proceeds to the Government in those instances where the city charter would not permit an outright purchase. This publicity statement did not state as issued from this office nor was it intended to imply that food would be disposed of entirely through municipalities.

27. As an illustration of the truth of this statement we want to call to your attention the fact that in May it was decided to offer for sale in the United States by advertisement and sealed bids all surplus canned meats. About 20,000 circular letters, giving information regarding this sale, were sent to all State, municipal, and charitable institutions, as well as dealers, jobbers, and exporters. In addition to this newspaper advertising was used. Bids were received and opened June 20. Abstracts thereof were made and submitted to the Secretary of War, with recommendations that all be rejected due to the fact that they did not show an adequate recovery. The Secretary approved these recommendations, and authorized sale of bacon and canned meats at not less than certain minimum prices, also to municipalities in not less than carload lots at prices approximating 80 per cent of the original cost.

28. Likewise, of our total quantity of canned meats we have sold approximately 5,000,000 pounds of bacon at a price above the minimum price set by the Secretary of War at which bacon and other meats on which a minimum price was set could be sold to purchasers such as Louis Leavitt, of New York; Kurtz-Wilson, commission merchants, of Baltimore; and W. S. Sawrie & Son, meat dealers, of Nashville, Tenn. These parties have purchased the total of 5,000,000 pounds of bacon having been sold out of our entire surplus.

29. Likewise, final determination of surplus canned vegetables was arrived at June 3, and instructions were immediately given to offer same for sale in the United States by advertisement and sealed bids to be opened June 30. Due notice of this was given not only by newspaper advertising but by circular letters to all State, municipal, and charitable institutions and dealers, jobbers, and exporters, as a result of which 1,572 different bids were received from all zones throughout the country.

30. These bids were forwarded to Washington by each zone, where a master abstract was made and recommendations of awards prepared, which was submitted to the Secretary of War and approved by him. The bids on canned vegetables were received as a whole from the leading wholesale grocers throughout the United States, as well as department stores and retailers. As a whole, the bids received were not of a speculative character, and no speculative bids were accepted.

31. The following table shows the quantities of vegetables disposed of by sealed bids recently opened and the balance remaining for sale:

Recommended sales.	Left from offering.	To be declared surplus.	Total available surplus.
Corn, cans, 17,442,890	1,611,951	12,749,803	14,361,754
Peas, cans, 6,439,316	4,224,383	13,943,959	18,168,342
Beans, stringless, cans, 351,955	1,894,801	1,054,064	2,948,865
Beans, baked, No. 1 cans, 3,262,890	92,496	5,853,216	5,945,712
Beans, baked, No. 3 cans, 13,416,310	52,464	1,178,095	1,230,559
Beans, baked, No. 2 cans, none	(1)	833,289	833,289

[1] None.

32. The foregoing report has been presented in great detail that you may have in your possession the facts as I find them. I want to advise you that I feel personally indebted to Col. Schley, Col. Stayton, Maj. Squier, and Capt. Clement for their splendid assistance and invaluable cooperation in obtaining the facts embraced herein.

A. L. MERCER,
Assistant Director of Sales.

EXHIBIT A.

WAR DEPARTMENT,
PURCHASE, STORAGE AND TRAFFIC DIVISION,
OFFICE OF THE DIRECTOR OF PURCHASE AND STORAGE,
Washington, July 26, 1919.

From: Director of Purchase.
To: A. L. Mercer, assistant director of sales.

1. Probably never in the history of the world has a production approached that which was obtained in this country and which was at its height in November of 1918. Based on requirements furnished by the General Staff, purchases of foodstuffs were in progress for 5,000,000 men for the coming year. Many manufacturers of commercial articles had been persuaded to transform their plants into production of war materials, and their commercial production of commodities not needed for war had been reduced to an absolute minimum.

2. Relative to canned vegetables and fruits, attention is invited to the fact that these are seasonal products and that allotments of the possible output of the country for the use of the military forces was made by the Food Administration a year in advance and covering the requirements for a year. Of the 1918 pack, this resulted in reservations for the Army of 45 per cent of the tomato pack, 25 per cent each of the peas and corn packs, and 15 per cent of string beans pack. It so happens that, in the early part of November, the canning season had just closed, and therefore the canning of the allotment for the coming year was practically completed and the delivery of these goods to the Army was at its height.

3. On November 7, immediately upon the receipt of the rumor in this country that an armistice had been signed, telegrams were sent from the office of the director of purchase to suspend all purchases except food, forage, and other necessary articles until further orders. On the same date telegrams were sent from the subsistence division to stop all purchasing of canned vegetables and canned and dried fruits allotted by the Food Administration. The object of this immediate action was to stop promptly the tremendous production of war material which had been developed during the war.

4. An order was issued by the director of purchase on November 9 directing that all purchases for immediate needs be first referred to his office for approval, and that all orders and contracts which had not yet been placed be submitted to his office for action. The purpose of this order was to place in the hands of the director of purchase himself complete control of further production in order to be certain that it would not exceed the needs of the Army under the changed conditions.

5. The purchase service then proceeded to inspect the outstanding contracts in order to determine which should be canceled immediately and which should be permitted to continue. In the case of foodstuffs and forage it must be remembered that the Army was still in existence in spite of the armistice, and that the men and horses had to be fed. The purchase of perishable foodstuffs, therefore, which were being bought from time to time and not stored for future consumption, as in the case of canned goods, was continued and was tapered off as demobilization reduced the requirements.

6. The outstanding contracts might be divided generally into two classes: First, those for articles not needed because of the cessation of hostilities; and second, those which would be needed. Contracts for articles not needed may again be divided into two classes: First, those which could be terminated immediately; and second, those which could not be terminated immediately. This second class includes contracts, the immediate cancellation of which would have disrupted the industry, doing material damage to the contractor, to the farmer, and to labor. The tremendous production of war materials which the country had entered into had acquired a momentum which could not, in the case of some classes of supplies, be stopped at once without doing irreparable damage to the industries of the country. Production was stopped as quickly as it was possible to do so, in the opinion of those in charge at the time, without seriously damaging the industries of the country.

7. Every effort has been exercised since the armistice to prevent purchase of articles already in the possession of the Army, and such purchases have been made only in case of great emergency or where shipment of articles already in stock would have involved a greater expense than the additional procurement, and in such cases the purchase was confined to immediate needs.

8. The outstanding contracts of the Quartermaster Department at the time of the armistice numbered approximately 16,000, involving a total money value of $1,800,000,000.

9. Machinery was immediately set up for negotiating termination proceedings and for the consideration of the claims which naturally arose out of the cancellation of these outstanding contracts. This work is progressing satisfactorily.

J. L. SCHLEY,
Colonel of Engineers, United States Army, Director of Purchase.

EXHIBIT B.

WAR DEPARTMENT,
PURCHASE, STORAGE AND TRAFFIC DIVISION,
OFFICE OF THE DIRECTOR OF PURCHASE AND STORAGE,
Washington, July 25, 1919.

Memorandum for Mr. A. L. Mercer, assistant director of sales.

In compliance with your request for information as to the delay in declaring food surpluses, the following is submitted:

The first point to be considered is that on November 11 the entire production of munitions and food supplies of this country can be likened to an enormous engine, that was built to go in one direction only, with no brakes or reverse for stopping.

On November 11, when the hostilities ceased, due to the signing of the armistice, the first task that confronted the authorities charged with the supply of the Army was to bring this enormous engine to a stop the best way they could. The enormous production built up was caused by the fact that those in authority had to go on the assumption that the war would last for years, and in no way could slacken up until the armistice was signed. It was impossible to stop at once the forward tendency of this engine. As it was gradually brought to a standstill, the problem became one of rebuilding, so as to reverse the process and dispose of the vast amount of stores that had accumulated.

Due to the speed of production and inherent confusion accurate record of the amount and location of this vast quantity of stores was not possible. It was, therefore, necessary before any attempt could be made to dispose of surplus stocks that a complete inventory had to be taken in order to determine our stocks. For this purpose it was decided that rather than trust to the usual inventory required by Army Regulations, due to the greatness of the problem involved, that a special organization be set up for the purpose of taking this inventory as of December 31.

For this purpose 178 officers were called to Washington on December 1, and received instructions in the methods to be used in taking this inventory. On December 17 this body of officers was sent to the various zone supply offices and camps. An officer was designated by the commanding officer of each post and military station for the purpose of taking the inventory at his station. These officers were assembled in the zone supply office of their zone for the purpose of receiving the instructions from the officers sent from Washington, mentioned above.

On December 31 this inventory started throughout the United States. The physical count was completed in 10 days at all posts, stations, and depots. These reports were then brought to Washington and consolidated. When it is considered that this vast quantity of P. & S. supplies was scattered throughout the country in 16 zone supply depots, 3 Army reserve depots, 4 large port terminals, and from 200 to 300 posts, it is obvious that the task of determining the amount and location of these supplies was a problem in itself. To illustrate, there were some 180,000 different items to be counted, reported, and consolidated. To do this it took approximately 10,000 people to complete this work. Inventory was completed on April 30, and a list prepared for the use of declaring surpluses.

Naturally the time involved changed the condition of some of the stocks, principally subsistence items. A system of monthly stock reports continuing from December 31 on enabled this list to be made of value. The above involves only the articles handled by the Purchase and Storage Service, and was exclusive of our property in France.

Instructions of Gen. March, issued on November 30, to dispose of surplus perishable foods in the possession of the War Department were obeyed as rapidly as information could be obtained as to their location. For your information, it has never been considered that canned vegetables and meats were of a perishable nature. In fact, they have always been considered articles to be kept for from one to two years. Any deterioration taking place in these articles usually takes place within 90 days.

Aside from the article of smoked ham, which somewhat deteriorated in storage at Norfolk, there has been practically no deterioration of food supplies in the Army. It is safe to say that the total loss from all causes which includes spoilage of individual cans of canned goods, the loss through leakage and breakage throughout all the commissaries in the country, averages approximately $13,000 per month. This is a remarkably good showing when it is considered that the average amount of subsistence stores handled during a month runs considerably into millions of dollars.

Your attention is also invited to the fact that the Army program as announced, giving the rate of demobilization, was considerably greater in actual practice. This continued to increase the amount of surplus stocks of these food supplies and made it difficult to obtain accurate data upon which to declare surpluses. One point to be considered in the time elapsing between the signing of the armistice and the actual declaration of surplus food supplies is the fact that an armistice did not necessarily mean a cessation of hostilities. In fact, on several occasions between the signing of the armistice and the actual signing of the peace treaty by the German nation it looked as if hostilities might be resumed, and while this will probably be answered by the statement that we were demobilizing men, your attention is invited to the fact that to recall the men would be a comparatively easy task when compared with the task of obtaining food if we had gone blindly about selling what might be considered surplus. It was absolutely necessary that these surpluses be accurate when making this declaration, for it would have been fatal had hostilities been resumed and no food available for the Army necessary to continue overseas.

I believe the above explanation gives the reason for the apparent delay in the declaration of surplus food supplies on the part of the War Department.

From the above it can readily be deduced that there was no way in which this declaration could be hastened, except by blindly selling food that may have been needed by the Army had conditions changed.

There is one other point that occurs to me. That is that in order to enable articles of food to be placed upon the market there is certain commercial information that must be obtained before any selling organization can dispose of the same, and that this information was never made a matter of record by the War Department, as it was not a selling organization. For instance, a can of bacon was a can of bacon, irrespective of as to by whom it was packed or by what brand it was commercially known.

NORRIS STAYTON,
Colonel, Quartermaster Corps,
Assistant Director of Storage.

EXHIBIT C.

[Telegrams re sales canned vegetables received by director of sales' office.]

BROOKLYN, N. Y.

C. W. HARE,
Director of Sales, Munitions Building, Washington, D. C.:

Having no reply to my letters 9th and 13th, am uncertain regarding recent developments in sales surplus canned vegetables. Understand canners conferring with you to-day. Wholesale grocers have stated to you in detail their opinion regarding the distribution of these goods. Can only add without question the sale of the surplus tomato stock at this time will have a disturbing effect upon the market, probably more so than the sale of other vegetables. Will appreciate information as the situation develops. Wholesale grocers of the United States are greatly interested in this matter, both financially and for economic reasons.

WALTER B. TIMMS.

DENVER, COLO.

C. W. HARE,
Director of Sales, United States Army Munitions Building,
Washington, D. C.:

On March 17, this year, and under direction of Gen. Rogers, of the United States Army, a letter was written embodying in it that there would be no canned vegetables dumped on the market. Canners in the

United States have relied absolutely upon this letter and have gone ahead with acreage for this year. It is very disastrous to canners now if you allow Army goods to go on the market at less than reproductive costs or until domestic market will consume them. We feel it imperative to ask that you withhold the tomatoes until they are needed for the domestic market.

THE COLORADO CANNERS' ASSOCIATION.

—

HURLOCK, MD., *June 17, 1919.*

WILLARD G. ROUSE,
Care of Col. Glover, Surplus Property Division,
Munitions Building, Washington, D. C.:

In my judgment, the Government should sell tomatoes on hand and relieve the cloud hanging over the business. Have talked other canners who approve plan. I pack about 50,000 cases yearly.

ROLAND WEBSTER.

—

BALTIMORE, MD., *June 17, 1919.*

WILLARD G. ROUSE,
Care of Col. Glover, Surplus Property Division,
Munitions Building, Washington, D. C.:

If stock of canned tomatoes carried by Army to be sold, we favor of disposing of them immediately.

ROBERTS BROS.

—

SALISBURY, MD., *June 17, 1919.*

WILLARD G. ROUSE,
Care of Col. Glover, Surplus Property Division,
Munitions Building, Washington, D. C.:

By all means insist on War Department selling surplus stock tomatoes before canning season. All canners here want this stock sold at once.

J. D. ELLIOTT.

—

PRESTON, MD., *June 17, 1919.*

WILLARD G. ROUSE,
Care of Col. Glover, Surplus Property Division,
Munitions Building, Washington, D. C.:

By all means sell immediately the Government tomatoes if they are to be sold before December, 1919. Other packers think same.

W. M. WRIGHT.

—

FEDERALSBURG, MD., *June 17, 1919.*

WILLARD G. ROUSE,
Care of Col. Glover, Surplus Property Division,
Munitions Building, Washington, D. C.:

All Government tomatoes should be sent Europe if sold. This country should be used to stabilize prices slightly above present level. Our houses pack 107,000 cases.

S. D. & R. W. MESSENGER.

—

PRESTON, MD., *June 17, 1919.*

WILLARD G. ROUSE,
Care Col. Glover, Surplus Property Division,
Munitions Building, Washington, D. C.:

Majority of canners we talk to think Government should hold goods until January 1 if only 2,000,000 cases now. Probably Government can dispose of considerably more by that time at much higher price than they can obtain at present time. Furthermore, if Government goods put on market now there is no question that some of them will be unsold when our new pack comes on. Sold on sealed bids will undoubtedly sell at below to-day's market and utterly demoralize prices from now through packing season.

N. H. FOOKS & CO.

—

SEAFORD, DEL., *June 17, 1919.*

WILLARD G. ROUSE,
Care Col. Glover, Surplus Property Division,
Munitions Building, Washington, D. C.:

If it is the intention of the Government to sell surplus stock tomatoes, we think sooner this is done the better for the business. These are also the views of H. P. Cannon & Son, Bridgeville. We usually pack about 70,000 cases.

GREENABAUM BROS. (INC.).

—

RIDGELEY, MD., *June 17, 1919.*

WILLARD G. ROUSE,
Care Col. Glover, Surplus Property Division,
Munitions Building, Washington, D. C.:

Would advise unloading canned corn and tomatoes at once.

SWING BROS.

—

EAST NEWARK, N. J., *June 17, 1919.*

WILLARD G. ROUSE,
Care Col. Glover, Surplus Property Division,
Munitions Building, Washington, D. C.:

It is my judgment the Government should sell surplus tomatoes at once. I believe this action will be to the best interests of the packing business. I pack usually about 100,000 cans. Urge Government to sell.

CHAS. WEBSTER.

—

DOVER, DEL., *June 17, 1919.*

WILLARD G. ROUSE,
Care Col. Glover, Surplus Property Division,
Munitions Building, Washington, D. C.:

By all means Government should dispose holdings immediately if do intend to redeem promise not to dispose of them. We packed last year 135,000 cases tomatoes; if held until later menace will have very serious effect on operations for coming season, and we shall not attempt more than one-third. Views of neighboring packers coincide with ours.

C. M. SCOTT PACKING CO.

—

SALISBURY, MD., *June 17, 1919.*

WILLARD G. ROUSE,
Care Col. Glover, Surplus Property Division,
Munitions Building, Washington, D. C.:

Think Government goods should be sold immediately. Other packers have same opinion.

J. CLEVELAND WHITE.

PHILADELPHIA, PA., *June 17, 1919.*

WILLARD G. ROUSE,
Care Col. Glover, Surplus Property Division,
Munitions Building, Washington, D. C.:

We feel that if the Government must sell their surplus stocks of canned goods in this country that it should be done at once, as a continual cloud is hanging over the entire canning industry, which produces anything but a healthy condition. We usually pack about 150,000 cases per year.

TALBOT PACKING & PRESERVING CO.

—

DOVER, DEL., *June 17, 1919.*

WILLARD G. ROUSE,
Care Col. Glover, Surplus Property Division,
Munitions Building, Washington, D. C.:

Evidently the same sense of moral justice which prompted a zone price of $1.95 for Maryland against a zone price of $1.87 for Delaware will govern, so what difference does it make what the "goats of the war," the packers, think would be equitable? We fail to see any equity, justice, or law by which a country, which went abroad to make the world safe for democracy, can autocratically commandeer for a specific purpose, in a great many instances at less than actual cost, and then use these commandeered goods to put these same industries out of business.

JAMES F. ALLEE, Jr.,
President Liberty Brand Canning Co.

—

VIENNA, MD., *June 17, 1919.*

WILLARD G. ROUSE,
Care Col. Glover, Surplus Property Division,
Munitions Building, Washington, D. C.:

The Government last year stimulated production and took the goods by allotment at bare profit over cost. We think it distinctly unfair and grossest bad faith to sell these goods in any manner calculated to break this year's market and ruin packers' business probably for several years. Packers not only ones affected. All farmers and foremen in packing districts would be damaged. Government should market at this time only such quantity as can be absorbed without upsetting stability of market conditions. Every effort should be made to find export market and lay foundation for future export business. Balance should be reserved at least 12 months or until required to make up scarcity.

WINFIELD WEBSTER & CO.

—

KANSAS LIVE STOCK ASSOCIATION,
July 15, 1919.

Hon. CHARLES CURTIS, Hon. ARTHUR CAPPER, Hon. D. R. ANTHONY, Jr., Hon. EDWARD C. LITTLE, Hon. PHILIP P. CAMPBELL, Hon. HOMER HOCH, Hon. JAMES G. STRONG, Hon. HAYS B. WHITE, Hon. J. N. TINCHER, Hon. W. A. AYRES, *Washington, D. C.*

DEAR SIRS: I am writing you regarding the much-talked-of Government-owned meat. We have made some investigation regarding this matter and find there is quite a supply of frozen beef in storage in this country that was purchased by the Government during the war for shipment abroad. We also find there is a considerable quantity of canned meats owned by the Government. We have noticed through the press that the Government is offering quantities of this meat in this country for sale and that the bids for same aggregated from 25 to 50 per cent of the actual cost of the meat, and it appears that there have been a few sales made of this product at these reduced prices.

To our mind there are only two ways of disposing of this meat by the Government: First, if it is to be disposed of in the United States it should be handled through some Government distributing agent in the cities where the population is composed of employees of manufacturers, etc. In other words, we feel that if the Government is going to make a sacrifice of the prices of this Government-owned food that it should make the sacrifice direct to the consumer and thereby give the laboring people and poorer people an opportunity to buy this food at the reduced price.

It is evident that if this meat is sold to packers or to traders that it will not reach the consuming public at a price commensurate with what the Government received for same and, therefore, would be to no advantage to the consuming public, but a great disadvantage to the producers of meat products.

Second. If the Government can not arrange to distribute this meat in line as above indicated and will necessarily have to sustain a material reduction in the cost price, that they should make arrangements to export these products to feed the hungry people of foreign countries.

By shipping this product out of the country it will be surely to the advantage of the meat producers of the country.

The farmers and producers in the United States responded patriotically to the call of the Government for increased production, and the consumers of meat also responded to the demands of the Government for conservation in the eating of meats. This, of course, on account of the war. Now that the war is over the Government surely should lend every aid and assistance possible to the producer in protecting him against the slaughter of the prices of his product.

It is evident, however, by turning loose in the markets all the Government supplies they may have had in store when the armistice was signed would not be safeguarding the producers' interests.

Speaking for the members of the Kansas Live Stock Association and also as a member of the National Producers' Committee, I protest against the War Department selling to packers, traders, or distributors of meat of any kind the supply of meat owned by the Government at this time.

I earnestly urge you as the Representatives of Kansas in Congress to use your influence in this matter in safeguarding, as best as possible, the producers of beef and mutton of our State and, in fact, the producers of the entire country.

Yours, very truly,

J. H. MERCER, *Commissioner.*

—

EXHIBIT D.

WAR DEPARTMENT,
PURCHASE, STORAGE AND TRAFFIC DIVISION,
OFFICE OF THE DIRECTOR OF SALES,
Washington, July 25, 1919.

Memorandum for Mr. Mercer.

Subject: Sales of the canned meats and vegetables to municipalities and negotiations inaugurated by the cities for such supplies as reported by surplus property offices.

1. At the request of Mr. Morse, Col. Nixon sent telegrams on July 22 to the 18 surplus property officers detailed to the zone supply offices and

depots at which supplies of canned meats and vegetables are available, asking a report on sales made to date to municipalities and an enumeration of the cities by which negotiations had been inaugurated.

2. Appended is a summarization of the reports received from the surplus property officers at the following posts:

3. Boston, July 23. No canned goods shipped to date to municipalities. Negotiations are under way with 14 New England cities. (Names not given.) Facts relative to these negotiations are embodied in letter en route to Washington.

4. Baltimore, July 23. Sales to municipalities to date are as follows:

Baltimore: One hundred and fifty cases roast beef, 175 cases corned beef, 200 cases corned beef hash, 100 cases pumpkin, 15,000 cans tomatoes, 15,000 cans peas, 13,600 cans corn, 11,300 cans pork and beans, 2,100 packages cornstarch, and 60 gallons sirup.

District of Columbia: Two hundred cans bacon, 4,000 cans baked beans, 2,000 cans corn, 2,000 cans peas, 6,000 cans tomatoes, 100 dozen cans corned beef, 100 dozen cans roast beef, and 100 dozen cans corned beef hash.

Cumberland, Md.: Eighty cases bacon, 300 cases tomatoes, 200 cases corn, 25 cases corned beef, 4,000 packages cornstarch, 50 cases peas, 50 cases pork and beans, 50 cases pumpkin.

Altoona, Pa.: Five tons bacon, 200 cases tomatoes, 200 cases corn, 200 cases peas, 100 cases pork and beans.

5. Negotiations are now being conducted by that office with the cities of Pittsburgh, Pa.; Reading, Pa.; Scranton, Pa.; Bradford, Pa.; Latrobe, Pa.; Butler, Pa.; Allentown, Pa.; Keyster, W. Va.; Suffolk, Va.; and Frederick, Md. The quantities embraced in these negotiations approximate 25 carloads.

6. The Baltimore office is also in communication with approximately 50 other cities by which definite negotiations have not yet been inaugurated.

7. Philadelphia, July 23. No canned goods stored in that zone. Inquiries from municipalities received at Philadelphia are referred to Washington.

8. Columbus, Ohio, July 23. No canned goods have been shipped to municipalities. No negotiations are in progress.

9. Atlanta, Ga., July 23. The following goods have been sold to municipalities:

Three thousand pounds bacon, 706 1-pound cans roast beef, 2,200 2-pound cans roast beef, 2,000 2-pound cans corned-beef hash, 1,600 No. 2 cans corn, 3,000 cans hominy, 2,200 No. 2 cans peas, 3,600 No. 3 cans sweet potatoes, 75,000 No. 2 cans tomatoes, 11,000 No. 3 cans tomatoes.

Negotiations are being conducted with the mayors of Pittsburgh, Pa.; Mobile, Ala.; Florence, S. C.; Greenville, S. C.; Daytona, Fla.; and Gainesville, Ga. No definite quantities have yet been specified for by these cities.

10. Omaha, Nebr., July 23. No canned goods have been sold to municipalities. No bids have been received from municipalities.

11. San Francisco, Calif., July 23. No sales of canned goods have been made to municipalities. No negotiations are reported.

12. New Orleans, July 23. No goods have been shipped to municipalities. None are being negotiated for. Inquiries have been received from Birmingham, Ala., and Houston, Tex.

13. Jeffersonville, Ind., July 23. No negotiations with municipalities have been inaugurated. No canned goods in storage at this depot.

14. Newport News, Va., July 24. The following sale has been made to the city of Newport News: Thirty-two cases corned beef.

15. St. Louis, Mo., July 24. No goods have been sold to municipalities. No negotiations are now being conducted with cities. Several inquiries from cities have been received.

16. New Cumberland, Pa., July 23. No canned goods have been shipped to municipalities. Negotiations for approximately 10 carloads are now being carried on with the cities of Wilkes-Barre, Scranton, Harrisburg, York, Pittsburgh, Johnstown, and Warren, Pa.

17. According to the incomplete report received by the Surplus Property Division from zone supply offices and depots, sales to 6 municipalities have been consummated; negotiations are being carried on with 37 other cities; and inquiries as to the commodities offered, the quantities available, and the prices asked have been received from 52 additional communities. Six of the zone supply offices and depots to which Col. Nixon addressed his telegram of inquiry have not yet responded. Included in this number is the Chicago zone supply office. I am unofficially advised that Chicago has received numerous inquiries from central western cities.

B. A. MATTINGLY,
Acting Chief, Sales Promotion Section.

P. S.—Baltimore reported to-day (Saturday, July 26) by telephone that, in addition to the sales reported in the telegram of July 23, it has consummated sales with the cities of Wilmington, Del.; Pittsburgh, Pa.; and Allentown, Pa., and is now negotiating with 30 or 40 other cities.

The surplus property officer at New York reported to-day that he has begun negotiations with 10 cities, the names of which were not given.

—

EXHIBIT E.

Recapitulation of sales and transfer of subsistence by months.

February	$207,330.85
March	91,195.16
April	1,869,602.33
May	1,904,445.76
June	4,568,677.36
July	604,835.40
Grand total	9,246,086.86

This tabulation has been hurriedly prepared and is not complete.

Attention is directed to the fact that the bases of our records are formal reports received through channels after sales are consummated, and that due to the limited personnel and tremendous quantity of such reports covering all items some are not finally entered on our records until two or three weeks after sales are finally completed.

We, of course, get informal reports which show that the total of sales of foodstuffs according to our records of July 19 are $12,618,063 on sales which have been made, of which official report has not been received, amounting to $14,061,650, a total of $26,679,712.

Date.	Buyer.	Commodity.	Quantity.	Unit.	Unit price.	Total.
1919.						
May 12	Marine Corps	Beans, baked	9,000	Tin	$0.0775	$744.00
8	M. S. Yathes	Apples, fresh	30	Box	2.40	72.00
9	Mansbach Kane & Co., New York City	do	948	do	1.35	1,279.80
14	Marine Corps	Bacon, issue, canned	19,800	Pound	.4525	8,959.50
15	do	do	21,600	do	.4525	9,774.00
3	E. N. Dupre Ft. & Prod., Columbia, S. C	Beans, Navy	19,362	do	.04	774.48
14	Marine Corps	Beef, corned, No. 6	1,200	Can	2.75	3,312.00
15	do	Beef, corned, No. 1	4,800	do	.3914	1,878.72
22	Paul E. Mary, New Orleans, La	Bread, hard	245,700	Carton	.00325	1,535.63
22	Pelican Cracker Factory, New Orleans, La	do	442,800	do	.005	2,214.00
22	do	do	118,232	do	.0025	295.58
15	National Biscuit Co., New York City	Butter	2,166	Pound	.4830	1,046.18
15	Wisconsin Butter, Egg & Poultry Co., Milwaukee	do	38,958	do	.4830	18,816.71
15	do	do	14,938	do	.4930	7,409.25
15	Swift & Co., Kansas City, Kans	do	27,336	do	.4830	13,203.29
15	Fox River Butter Co., Chicago, Ill	do	2,261	do	.4930	1,459.77
15	Hind & Harrison Plush Co., Clark Mills, N. Y	do	10,432	do	.4947	5,160.71
15	Fairmont Creamery Co., New York City	do	26,460	do	.4947	13,089.76
15	do	do	35,591	do	.4947	18,101.56
15	Oneida County Creamery Co., Utica, N. Y	do	62,336	do	.4947	30,837.62
15	do	do	14,472	do	.4947	7,159.30
15	do	do	25,080	do	.4947	12,407.07
15	Cooper & Sisson, Providence, R. I	do	143,799	do	.4968	71,439.34
15	do	do	148,755	do	.5142	76,489.83
15	do	do	143,799	do	.4968	71,439.34
26	British ministry of food in United States, New York City	do	161,433	do	.52367	84,537.74
28	do	do	121,620.9	do	.53859	65,504.63
26	Depot Quartermaster, Marine Corps, Philadelphia, Pa	Cinnamon	2,000	Tin	.095	190.00
14	Schmidt & Zeigler (Ltd.), New Orleans, La	Corn meal, white	10,000	Pound	.03	300.00
14	Paul E. Mary, Board of Trade Building, New Orleans, La	do	130,000	do	.0235	3,055.00
14	do	do	191,000	do	.026	4,966.00
14	El Paso Grain & Milling Co., El Paso, Tex	do	110,000	do	.032	3,520.00
15	do	Corn meal, yellow	60,000	do	.0341	2,046.00
2	Jacob Thurman, Bethlehem, Pa	Fish, cod, dried	1,840	do	.09	165.60
21	Food Administration Grain Corporation, New York City	Flour, civilian relief	165,816	do	.05411	8,972.64
15	Stagmeier & Co., Chattanooga, Tenn	Flour, cornstarch	37,660	do	.0325	1,223.95
26	National Jobbing Co., Boston, Mass	do	3,000	do	.045	135.00
26	Stein Hall & Co. (Inc.), Boston, Mass	do	96,020	do	.0425	4,080.85
26	do	do	1,403	do	.0425	59.63
26	do	do	1,899	do	.0425	80.70
26	do	do	515	do	.0425	21.88
13	Eastern Grain Co., Bridgewater, Mass	Flour, Cream of Maize	87,000	do	.024	2,088.00
25	Market Warehousing Co	Flour, graham	5,194	do	.025	129.85
25	do	do	4,593	do	.025	114.83
25	do	do	3,430	do	.025	85.75
25	do	do	6,762	do	.025	169.05
25	do	do	631	do	.025	15.78
14	United States Food Administration	Flour, wheat	22,680,000	do	.053	1,202,040.00
14	Marine Corps	do	500,000	do	.053	26,500.00
14	do	do	500,000	do	.053	26,500.00
9	Olipant & Kreh, Vincennes, Ind	Flour, oatmeal	36,000	do	.0275	990.00
11	United States Public Health, Perryville headquarters	do	5,000	do	.045	225.00

Date.	Buyer.	Commodity.	Quantity.	Unit.	Unit price.	Total.
1919.						
May 29	Elinger & Co., Louisville, Ky	Hominy, coarse	170,800	Pound	$0.0305	$5,209.40
16	C. H. Finley Co., El Paso, Tex	Oatmeal	65,000	24-ounce cartons.	.0445	2,892.50
27	....do	Pickle cucumber	18,025	Gallon	.15	2,703.75
12	Burlington Vinegar Co., Burlington, Iowa	....do	4,575	....do	.1666	762.20
22	Robt. Weigand Pickle Co., New Orleans, La	....do	9,000	....do	.20	1,800.00
21	Alart & McGuire, New York City	....do	41,000	....do	.1666	6,847.26
22	....do	....do	9,000	....do	.1666	1,664.35
22	Budlong Pickle Co., Chicago, Ill	....do	4,500	....do	.1666	749.70
22	John Sexton & Co., Chicago, Ill	....do	4,500	....do	.1666	749.70
22	Squire Dingee Co., Chicago, Ill	....do	4,500	....do	.1666	749.70
22	Glazer Crandall Co., Chicago, Ill	....do	4,500	....do	.1666	749.70
22	M. Wolff Sons, Chicago, Ill	....do	4,500	....do	.1666	749.70
22	Squire Dingee Co., Chicago, Ill	....do	36,000	....do	.1666	5,997.60
22	Budlong Pickle Co., Chicago, Ill	....do	9,000	....do	.1666	1,499.40
22	Burlington Vinegar Co., Burlington, Iowa	....do	8,088	....do	.1666	1,347.46
22	Squire Dingee Co., Chicago, Ill	....do	3,975	....do	.1666	662.24
21	John Sexton Co., Chicago, Ill	....do	9,000	....do	.1666	1,499.40
21	Hirsch Pickle Co., Louisville, Ky	....do	18,000	....do	.1666	2,998.80
22	Harbeaner Co., Toledo, Ohio	....do	22,500	....do	.1666	3,748.50
22	Stohrers Keystone Pickle Co., Philadelphia, Pa	....do	45,000	....do	.1666	7,497.00
22	A. Gohl & Co., Chicago, Ill	....do	4,500	....do	.1666	749.70
22	C. F. Claussen, Chicago, Ill	....do	9,000	....do	.1666	1,499.40
22	Squire Dingee Co., Desplaines, Ill	....do	13,500	....do	.1666	2,249.10
23	Alart & McGuire, Williamstown, N. J	....do	67,500	....do	.1666	11,245.50
22	Marshall Vinegar Co., Marshalltown, Iowa	....do	4,256	....do	.15625	665.00
15	Urguhart Bros., Boston, Mass	Pickles, sour	2,205	....do	.37	815.85
21	Depot Quartermaster, Marine Corps, Charleston, S. C	Sugar	200,000	Pounds	.0879	17,580.00
9	Croswell Co., Atlanta, Ga	Vinegar	6,000	Gallon	.17	2,245.53
June 23	Stewart Borne Co., Dallas, Tex	....do	13,209	....do	.17	2,245.53
25	Shenandoah Valley Apple Cider & Vinegar Co., Winchester, Va	Vinegar, cider	3,869	....do	.25	967.25
25	Maddox Coffee Co., Atlanta, Ga	....do	8,829	....do	.16524	1,458.95
25	Hiller-Heyd Vinegar Co., New Orleans, La	....do	2,302	....do	.1825	420.12
26	Russell Jobber's Mills, Oklahoma City, Okla	....do	62,000	....do	.18	11,160.00
13	Aschner Bros. Manufacturing Co., Dallas, Tex	....do	4,290	....do	.175	464.55
21	Supply Officer, navy yard, Mare Island	Sugar	310,000	Pound	.0879	27,249.00
2	Depot O. M. M. C. storehouse, Philadelphia	....do	500,000	....do	.0879	43,950.00
4	Supply officer, navy yard, Mare Island, Calif	....do	500,000	....do	.0879	43,950.00
13	Provision and clothing officer, Navy, Brooklyn, N. Y	....do	441,000	....do	.0879	38,763.90
23	United States Sugar Equalization Board	....do	7,490,000	....do	.0872	660,618.00
10	Boren & Stewart, Dallas, Tex	Sirup	33,600	Can	.445	14,952.00
18	....do	....do	39,000	....do	.46	17,940.00
10	L. A. Mousseau, Baltimore, Md	....do	31,000	....do	.50	15,500.00
10	McCord-Stewart Co., Atlanta, Ga	....do	164,000	....do	.555	9,102.00
2	Hitchcock, Hill & Co., Chicago, Ill	Pickles, cucumbers	2,830	Gallon	.17243	488.00
10	L. Lehman's Ford Markets, Newark, N. J	Prunes	1,700,000	Pound	.22125	376,125.00
10	A. O. Anderson Trading Co. (Ltd.), New York City	....do	50,000	....do	.23	11,500.00
4	United States Public Health Service	Hominy, coarse	2,000	....do	.0379	75.80
12	....do	Oatmeal	5,550	....do	.042	233.10
12	....do	....do	7,500	....do	.1527	1,145.77
12	W. P. Tanner Gross & Co., New York City	....do	265,390	....do	.0309	8,200.55
25	Albert Mackie Co., New Orleans, La	....do	10,000	Carton	.06	600.00
25	....do	....do	75,000	Can	.085	6,375.00
30	Roach-McLymont Co., Del Rio, Tex	....do	360	....do	.1225	44.10
12	Alart & McGuire, Williamstown, N. J	Pickles, cucumber	6,016	Gallon	.15625	940.00
12	....do	....do	1,980	....do	.16666	330.00
12	United States Public Health Service	....do	4,214	....do	.425	1,790.95
25	Stein, Hall & Co. (Inc.), Boston, Mass	Flour, rice	2,400	Pound	.035	84.00
25	....do	....do	2,100	....do	.035	73.50
25	....do	....do	100	....do	.035	3.50
25	....do	....do	1,600	....do	.035	56.00
26	American Grain Products Co., New York City	....do	255,890	....do	.0326	8,342.01
18	Gross Bros. Produce Exchange, New York City (lot 43)	....do	1,200	....do	.021	25.20
18	Gross Bros. Produce Exchange, New York City (lot 61)	....do	297	....do	.021	6.26
18	Gross Bros. Produce Exchange, New York City (lot 64)	....do	568	....do	.021	11.93
26	Market Warehousing Co., Boston	Flour, rye	33,885	....do	.04	1,355.40
12	Devine Grain Co., Cheyenne, Wyo	Flour, substitute corn	4,200	....do	.0245	102.90
12	Board of Control of State Institutions, Des Moines, Iowa	Flour, substitute graham	16,000	....do	.03	480.00
12	Devine Grain Co., Cheyenne, Wyo	Flour, substitute potato	8,100	....do	.0245	198.45
11	Modern Flour Mills, Macon, Ga	Flour, issue No. 9	500,000	....do	.0525	26,250.00
11	McCord Stewart Co., Atlanta, Ga	Flour, issue	1,000,000	....do	.0475	47,500.00
18	Habig Bros., Indianapolis	Flour, oatmeal	46,400	....do	.02	928.00
26	Market Warehousing Co., Boston	....do	41,520	....do	.025	1,038.00
18	Atlanta Trading Co., Atlanta	....do	118,000	....do	.02	2,360.00
18	American Grain Products Co., New York City	....do	192,400	....do	.0250	4,906.20
18	....do	....do	45,000	....do	.0255	1,147.50
18	....do	....do	43,200	....do	.0255	1,101.60
18	....do	....do	10,400	....do	.0255	265.20
18	....do	....do	30,000	....do	.0255	765.00
18	....do	....do	34,800	....do	.0255	887.40
17	Adler Export Co., New Orleans, La	Flour, corn, lot 31	18,500	....do	.023	425.50
26	Jacob Thurman, Boston, Mass	Flour, corn, white	43,700	....do	.02625	1,147.13
26	....do	....do	2,437	....do	.02625	63.97
26	....do	....do	3,800	....do	.02625	99.75
9	W. L. Fain Grain Co, Atlanta, Ga	Flour, cornstarch	280	....do	.02	5.60
9	....do	....do	1,120	....do	.02	22.40
9	....do	....do	3,142	....do	.02	62.84
12	United States Public Health Service	....do	5,000	....do	.0403	201.50
12	Printing, Treasury Department, Washington, D. C	....do	50,000	....do	.054	2,700.00
5	W. L. Fain Grain Co., Atlanta, Ga	....do	6,797	....do	.02	135.94
11	Modern Flour Mills, Macon, Ga	Flour, issue lot No. 6	70,000	....do	.0525	3,675.00
11	....do	Flour, issue lot No. 8	350,000	....do	.052	18,200.00
11	....do	Flour, issue lot No. 3	500,000	....do	.052	26,000.00
11	McCord-Stewart Co., Atlanta, Ga	....do	300,000	....do	.0475	14,250.00
4	United States Food Administration Grain Corporation, New York City	....do	3,941,400	....do	.055003	216,790.76
11	Virginia Normal and Industrial Institute, Petersburg, Va	....do	30,000	....do	.0475	1,425.00
25	United States Food Administration Grain Corporation, New York City	....do	2,151,700	....do	.056	120,495.20
25	....do	....do	11,299,780	....do	.056	632,787.68
25	....do	....do	5,686,645	....do	.056	318,452.12
11	R. L. Freidler, Produce Exchange, New York City	Corn meal, white	430,500	....do	.0216	9,298.80
21	Will J. Van Meter, Parsons, Kans	....do	50,000	....do	.0237	1,185.00
11	W. P. Turner, Gross & Co. (Inc.), New York City	Corn meal, yellow	155,878	....do	.0309	4,816.63
11	....do	....do	122,800	....do	.02	2,456.00
11	....do	....do	1,921,322	....do	.0273	52,452.09
21	Will J. Van Meter, Parsons, Kans	....do	40,000	....do	.021	840.00
18	Ace. Jones Co., Louisville, Ky	Corn meal, lot No. 14	30,000	....do	.0249	747.00
18	....do	Corn meal, lots Nos. 20–21	10,370	....do	.0244	253.03
18	....do	Corn meal, lot No. 25	29,900	....do	.0246	735.54

Date.	Buyer.	Commodity.	Quantity.	Unit.	Unit price.	Total.
1919.						
June 17	Adler Export Co., New Orleans, La	Corn meal, lot No. 30	19,100	Pound	$0.023	$439.30
18	Acme Jones Co., Louisville, Ky	Corn meal, lots Nos. 49, 50, 51	52,600	do	.02585	1,359.71
18	Atlanta Trading Co., Atlanta, Ga	Flour, barley	6,700	do	.02	134.00
26	Lubskin Bros., New York City	do	85,000	do	.0256	2,176.00
18	Atlanta Trading Co., Atlanta, Ga	Flour	25,000	do	.021	525.00
18	do	do	28,500	do	.02	570.00
18	do	do	36,960	do	.02	739.20
18	do	do	28,734	do	.021	603.41
18	do	do	58,200	do	.02	1,164.00
18	do	do	235	do	.0175	4.11
18	do	do	2,695	do	.02	105.14
12	W. S. Duncan, Atlanta, Ga	do	73,600	do	.026	1,913.60
18	Morrow & Co., Produce Exchange, New York City	do	133,200	do	.02	2,664.00
4	British Ministry of Food in United States, New York City	Butter	299,523	do	.54989	164,707.37
23	M. Auginblick & Bros. (Inc.), Newark, N. J	Butter, in tins	500,000	do	.44875	673,125.00
5	Swift & Co., El Paso, Tex	Cheese, half skimmed	5,500	do	.136	748.00
21	Portland Market, Portland, Oreg	Cherries, canned	1,757	Cans	.25	439.25
12	United States Public Health Service, Perryville, Md	Corn, sweet, No. 2	5,000	do	.1475	737.50
12	R. L. Friedler Produce Exchange, New York City	Corn meal	74,460	Pounds	.0203	1,51..54
13	W. L. Fain Grain Co., Atlanta, Ga	do	500	do	.02	10.00
13	do	do	1,875	do	.02	37.50
18	Atlanta Trading Co., Atlanta, Ga	do	19,000	do	.0225	427.50
18	do	do	23,756	do	.021	498.88
18	do	do	32,403	do	.021	680.46
18	do	do	20,172	do	.021	423.61
18	do	do	16,725	do	.02	334.50
18	do	do	19,008	do	.01898	361.04
18	do	do	6,400	do	.0175	112.00
11	Louis Leavitt, Brooklyn, N. Y	Bacon, issue, canned	2,493,835	do	.28625	713,860.56
30	Thos. Roberts Co., Philadelphia, Pa	Beans, pink	60,800	do	.0501	3,046.08
30	do	Beans, red	85,000	do	.0401	3,408.50
30	Habig Bros., Indianapolis	Beans, white	20,000	Cans	.065	1,300.00
30	Gibbs Preserving Co., Baltimore, Md	do	168,500	do	.085	9,272.25
30	Southgate Co	do	1,004,453	do	.0577	57,956.94
30	do	do	1,715,440	do	.0542	92,976.85
30	Thos. Roberts, Philadelphia, Pa	do	61,600	do	.0601	3,702.16
30	National Wholesale Grocery Co., Fall River, Mass	do	40,000	do	.05	2,400.00
July 16	Kurtz Wilson, Baltimore, Md	Bacon, issue, canned	166,666.66	do	3.60	600,000.00
1	E. W. Kirkland, San Antonio, Tex	Oatmeal	75,000	do	.064472	4,835.40
Feb. 15	Baldwin (Inc.), Bethlehem, Pa	Beans, baked, pork	40	Dozen cans	1.45	58.00
15	do	Peas, No. 1	40	do	1.30	52.00
15	do	Catsup, Reiters brand	24	Dozen bottles	1.45	34.80
12	Willick & Co., New York City	Rice	510,802	Pounds	.0575	29,371.12
12	do	do	2,360,980	do	.0575	135,756.34
12	do	do	686,663	do	.0481	33,028.49
15	Baldwin (Inc.), Bethlehem, Pa	Fish	1	Keg	8.00	8.00
21	Acme Vinegar Co., Fort Worth, Tex	Vinegar, distilled, colored, 100-gr.	9,600	Gallons	.15	1,440.00
21	Wallave Vinegar Co., Savannah, Ga	do	16,920	do	.15	2,538.00
15	Baldwin (Inc.), Bethlehem, Pa	Jelly, assorted flavors	24	Dozen jars	1.25	30.00
15	do	Milk, con., Marvel brand	3	Cases	5.50	16.50
15	do	Mustard, pre., 8-ounce bottle	6	Dozen bottles	.95	5.70
15	do	Prunes, No. 1	20	Dozen cans	.90	18.00
15	do	Salmon	4	do	2.00	8.00
15	do	Salt backs	305	Pound cans	.24	73.20
3	New York American Emas Fund	Soup, vegetable	11,500	do	.085	977.50
6	E. S. Shelby Co., Savannah, Ga	Vinegar	22,380	Gallons	.175	3,916.00
Mar. 24	Walker Bros., Boston, Mass	Vinegar, cider, 40 gr	4,110	Gallon	.16	657.60
24	Ascher Bros., Dallas, Tex	do	4,770	do	.21	1,001.70
24	Wallace McLean Vinegar Co., Memphis, Tenn	do	25,500	do	.16	4,080.00
22	Wayne Co. Products Co., N. Y. (Newark)	do	62,426	do	.155	9,676.03
24	E. S. Shelby Vinegar Co., Savannah, Ga	do	24,207	do	.175	4,236.23
14	Wallace Vinegar Co., Savannah, Ga	Vinegar, cider, 95 gr	9,000	do	.15	1,350.00
14	Maddox Coffee Co., Atlanta, Ga	do	6,000	do	.16	960.00
19	A. Schapp & Son, New York City	Sardines	85,296	do	.1225	10,448.76
29	do	Turkey	36,000	Pound	.3025	10,890.00
8	Interstate Fruit Product Co., Baltimore, Md	Vinegar	4,500	Gallon	.17	765.00
12	A. Schapp & Sons, New York City	Jam	5,490	Pound	.05	274.50
10	United States Marine Corps	Milk, evaporated, Borden's	48,000	Can	.1218	5,850.00
25	Mathieson Alkali Works Store, Saltville, Va	Oats	625	Bushel	.72	45.00
26	Austin, Nicholas & Co. (Inc.), Brooklyn, N. Y	Peaches, evaporated	1,100	Case	[1].161	8,855.00
15	Depot quartermaster, Marine Corps, storehouse, Philadelphia, Pa	Pepper, black, 4-ounce tins	9,600	Tin	.0874	839.04
12	A. Schapp & Sons, New York City	Pepper, white	824	Pound	.21	173.04
29	Maryland Poultry Co., Hagerstown	Flour, oatmeal	2,500	do	.03	75.00
29	Mountain City Mills Co., Chattanooga	Four, rice	7,600	do	.0175	133.00
29	do	do	55,100	do	.0175	964.25
17	Aschner Bros. Manufacturing Co., Dallas, Tex	Vinegar, distilled, colored, 100 gr.	5,000	Gallon	.19	950.00
26	Lubetkin Bros., New York City	Flour, issue	500,000	Pound	.044	22,000.00
29	Mountain City Mills Co., Chattanooga, Tenn	Flour, corn	26,400	do	.0175	462.00
12	A. Schapp & Sons, New York City	Capers	1,967	do	.105	206.54
12	do	Chicken, canned	448	Can	.175	78.40
12	do	Citron	3,383	Pound	.225	761.18
12	Lubon & Sitomer, New York City	Coconut	5,500	do	.1025	358.75
12	A. A. Brager & Co., Baltimore	Coffee, roasted and ground	12,000	do	.12	1,440.00
12	A. Schapp & Sons, New York City	Curry powder	1,200	Bottle	.0575	69.00
29	Mountain City Mills Co., Chattanooga, Tenn	Corn meal	40,600	Pound	.0175	710.50
15	Marine Corps	Beans, baked	2,400	Tin	.1875	450.00
26	Austin Nichlos Co., Brooklyn	Apricots, evaporated	1,135	Case	[1].2125	12,212.00
12	A. Schapp & Son, New York City	Barley, pearl	13,996	do	.02	279.92
12	Lubin & Sitomer, New York City	Bay leaves	1,802	do	.0675	121.64
12	Thos. Roberts Co., New York City	Beans, lima	21,600	do	.08	1,728.00
12	Lubin & Sitomer, New York City	Peas, dried	1,354½	do	.06875	93.12
Apr. 21	Jas. Hamilton, Philadelphia, Pa	Apricots, dried	1,081	do	.15	163.15
14	Marine Corps	Beans, string less	12,000	Can	.13333	1,600.00
28	do	do	24,000	do	.13333	3,200.00
16	United States Navy	Rice	1,619,210	Pound	.0875	133,584.83
12	Marine Corps	Beef, corned, No. 2	24	Can	.7385	17.72
11	do	Beef, corned, 1-pound	24,000	do	.4825	11,580.00
24	Swift Co., Philadelphia, Pa	Beef, corned, Libby's	22½	Case	24.00	523.00
12	American Red Cross, Washington, D. C	Peas, canned, No. 2	24,000	Can	.104166	2,500.00
12	do	Corn, canned, No. 2	24,000	do	.10	2,400.00
16	Gambrill Grain Produce Co., Baltimore, Md	Flour, barley	10,000	Pound	.0205	205.00
23	Food Administration Grain Corporation, New York City	Flour, civilian relief	13,336,999	do	.054193	721,148.41
16	Gambrill Grain Produce Co., Baltimore	Flour, graham	100	do	.0205	2.05
9	Treasury Department, Bureau of Engraving and Printing, Washington, D. C	Flour, cornstarch	56,700	do	.035	1,984.50
29	C. W. Zaring & Co., Jacksonville, Fla	do	16,670	do	.04	665.80

[1] Per pound.

Date.	Buyer.	Commodity.	Quantity.	Unit.	Unit price.	Total.
1919.						
Apr. 18	United States Marine Corps, Charleston, S. C	Flour, issue lot No. 6	500,000	Pound	$0.05681	$28,405.00
30	United States Food Administration, Grain Corporation New York City	do	17,150,606	do	.0511608	877,439.02
16	Gambrill Grain Flour, Victory Produce Co., Baltimore	Flour, Victory	100	do	.0205	2.05
16	Gambrill Grain Co., Baltimore	Flour, potato	1,680	do	.0205	34.44
16	Gamble Grain Products, Baltimore	Flour, rice	28,200	do	.0205	578.10
12	United States Marine Corps	Lard	1,377	do	.285	392.45
7	Hong. Bros. & Rice, Seattle, Wash	Onions, fresh	29,093	do	.025	727.32
10	A. Schaap & Sons, New York City	Peaches, No. 10, pie fruit	14,178	Can	.275	3,898.95
26	do	Prunes, dried, 40-50's	118,890	Pound	.14125	16,793.21
26	do	Prunes, dried, 50-60's	74,470	do	.115	8,564.05
17	Marine Corps, Charleston, S. C	Salt	60,000	do	.00655	393.00
24	Irwin Bros., Chicago, Ill	Turkey	500	do	.405	202.50
12	American Red Cross, Washington, D. C	Tomatoes	48,000	Can	.095833	4,600.00
28	Officer in charge naval station, Hampton Roads, Va	Vinegar	20,000	Gallon	.305	6,100.00
28	United States Navy provision and clothing depot, Brooklyn, N. Y	do	40,000	do	.305	12,200.00
18	Duffy Mott Co	Cider vinegar	167,665½	do	.15	25,149.98
4	Holbrok Grocery Co., Keene, N. H	Vinegar, cider, 40 gr	13,770	do	.19	2,616.30
3	Empire Bottling Works, Newark, N. J	do	4,800	do	.19	912.00
17	Maddox Coffee Co., Atlanta, Ga	Vinegar, distilled, 95 gr	6,000	do	.17	1,020.00

TAX ON PURE FRUIT-JUICE BEVERAGES.

Mr. FORDNEY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of House bill 7840, a bill to reduce the tax upon fruit juices.

The SPEAKER. The gentleman from Michigan moves that the House resolve itself into Committee of the Whole House for the consideration of House bill 7840.

Mr. KITCHIN. Pending that, how about the time?

The SPEAKER. The Clerk will report it.

The Clerk read the title of the bill, as follows:

A bill (H. R. 7840) providing for a tax on pure fruit-juice beverages.

Mr. FORDNEY. We take up this bill, Mr. Speaker, with the understanding between the gentleman from North Carolina [Mr. KITCHIN] and this side of the House that at the conclusion of the consideration of this bill we shall adjourn for the day.

Mr. KITCHIN. In other words, this is the last bill that will be taken up to-day?

Mr. FORDNEY. Yes.

Mr. CANNON. Does the gentleman anticipate that we will pass this bill to-day?

Mr. FORDNEY. Yes. It is a small bill.

Mr. CANNON. Yes; but sometimes a small baby has trouble in teething. [Laughter.]

The SPEAKER. The gentleman from Michigan moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7840. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7840, with Mr. CAMPBELL of Kansas in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7840, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That there shall be levied, collected, and paid upon all nonalcoholic fruit-juice beverages, whether carbonated or not, whether consisting of pure fruit juice or of pure fruit juice to which sugar or water or both have been added, when sold by the manufacturer, producer, or importer, in bottles or other closed containers, a tax of 2 cents per gallon, and such beverages shall not be deemed soft drinks. All provisions of any act or acts inconsistent with the provisions of this act, or imposing any other or different tax on the articles taxed herein, are hereby repealed.

Mr. FORDNEY. Mr. Chairman, I yield five minutes to the gentleman from Oregon [Mr. HAWLEY].

The CHAIRMAN. The gentleman from Oregon is recognized for five minutes.

Mr. HAWLEY. The bill proposes a modification of existing revenue laws in so far as they affect nonalcoholic pure fruit-juice beverages, which so far as they were presented at the hearing include loganberry juice, grape juice, and apple juice. These are food products made from fruits grown on the farm by expressing the juice and putting it into closed containers in an unfermented state.

The manufacturers of these products showed that the present rate of tax is so great as to consume all the profit and threaten the extinction of the industry. The relief afforded by this bill will enable them to continue in business, preserve for domestic uses as excellent articles of food vast quantities of fruit that otherwise would be lost to consumption.

It is believed that this tax of 2 cents per gallon in addition to the income and profits taxes to be paid by the manufacturers will produce on the whole a larger amount of revenue than would be obtained by continuing the present rates and impairing or destroying the industry. The growers of fruit from thousands of acres of loganberry and grape vineyards and apple orchards will be afforded a steady and profitable market.

No other article in the nature of a sirup is taxed under the law.

The loganberry grows well on the Pacific coast of the United States. It does not thrive under climatic conditions of extreme heat or extreme cold. It is a cross between the western wild blackberry and the red raspberry, and because of its large juice content does not stand shipment, especially for long distances.

It must be used within a short time after picking. It is made into jams and jellies, or dried, but can not be canned because of the extreme acidity of the fruit. The principal method of preserving the product is in the form of juice, which is pressed out and bottled in an unfermented state. This is the backbone of the industry. Some years ago, when the berries were first grown, after a short term of experimentation, many growers dug up their vines because of insufficient means of marketing the product, but with the establishment of the juice business thousands of acres have been replanted and the acreage is continually growing.

Under the present revenue law the tax is levied upon the gross sales, which include the items shown in the table below.

The evidence before the committee showed that with the present tax imposed, the industry would be eliminated or seriously damaged, and that it could not survive.

SUMMARY OF LOSS IN SALES FOR FOUR MONTHS SINCE 10 PER CENT REVENUE TAX ON GROSS SELLING PRICE WENT INTO EFFECT.

This is the showing of the Pheasant Northwest Products Co., of Salem, Oreg., and Olympia, Wash. The sales in question are approximately two-thirds loganberry juice and one-third unfermented apple juice.

	1918	1919
March	$82,407.07	$32,237.97
April	163,130.21	39,515.89
May	145,109.54	60,650.00
June	182,772.22	90,250.00
Total	573,419.04	222,653.86
Loss		350,755.18
Tax payable		22,265.39

In the first few years they made no profit, but operated at a loss while establishing the business, building their plant, organizing their selling agencies, and advertising their products; 1918 was the first year they made any noticeable profit, which amounted to less than $70,000. The gross sales were approximately $1,387,000. Ten per cent tax on gross sales would produce a tax of $138,700, and had the tax been collected during 1918 it would have taken all their profits of $70,000 and $68,700 more to pay this tax. No business can exist on that basis.

The total sales for the months March, April, May, and June of 1918 were $573,419.04. The tax took effect March 1, 1919, and during the four months following the taking effect of the tax—March, April, May, and June, 1919—the sales decreased to $222,653.86, a decrease of $350,755.18 in the four months in gross sales, due to the imposition of the tax.

We believe that the condition of these industries necessitates the passing of this bill; and, as stated above, that by permitting the industries to continue the Government will receive, on the whole, more revenue from the 2 cents per gallon tax and the income and profits taxes than under existing law.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. MOORE of Pennsylvania. Let us have that clear, because a number of questions are being asked about it. This new tax of 2 cents a gallon does not apply to such compounds as Coca-Cola or any mineral water or any soft drinks chemically prepared, but applies only to fruit juices. Is that correct?

Mr. HAWLEY. I took the matter up with the Treasury Department, and they agree with the gentleman's construction, that it is confined to pure fruit juices.

Mr. MOORE of Pennsylvania. That is, the product of the farm exclusively, without any compound whatever?

Mr. HAWLEY. Yes; except that they may be carbonated and a little sugar may be put with it.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. MADDEN. But on the carbonated waters and other commodities of that sort, and ginger ale and all that, there is a tax of 10 or 15 per cent?

Mr. HAWLEY. Yes; on synthetic beverages.

Mr. MADDEN. That, of course, permits this commodity to go for a less tax than water, does it not?

Mr. HAWLEY. No.

Mr. MADDEN. Two cents a gallon is less than 15 per cent.

Mr. HAWLEY. On synthetic beverages the tax is as in section 628, but this proposes that on pure fruit beverages the tax shall be 2 cents a gallon.

Mr. MADDEN. That is less than 15 per cent, is it not?

Mr. HAWLEY. That I could not say offhand.

Mr. MADDEN. They are taxing water at 15 per cent.

Mr. MOORE of Pennsylvania. This is simply to separate the fruit juices from the other compounds that go into what are denominated soft drinks. Is that correct?

Mr. HAWLEY. Yes.

Mr. MOORE of Pennsylvania. That is all the gentleman seems to want to do.

Mr. HAWLEY. Yes.

Mr. MOORE of Pennsylvania. It does not pertain to products like Coca-Cola. It does not pertain to mineral waters. It does not pertain to any soft drinks except those which come exclusively from the berry, the grape, or the fruit.

Mr. HAWLEY. That is correct, and no other sirups are taxed.

Mr. GREEN of Iowa. Will the gentleman from Oregon yield?

Mr. HAWLEY. Certainly.

Mr. GREEN of Iowa. Was it not shown by the testimony before the committee that if this tax was continued those engaged in the loganberry and grape juice business would be forced to go out of business and the Government would get no revenue whatever?

Mr. HAWLEY. Yes; and if the business is allowed to continue under the 2-cents-a-gallon tax, that, together with the income taxes that they will pay the Government, will earn more revenue in the long run than if the present tax is continued, to the injury of the industry.

Mr. GREEN of Iowa. More revenue than it gets now.

Mr. HAWLEY. Yes; on the whole.

Mr. BLACK. Will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. BLACK. The gentleman is a member of the Ways and Means Committee. Does he not know that practically every interest that has been taxed has come before that committee and claimed that if the tax remained it would be driven out of business?

Mr. HAWLEY. Will the gentleman allow me to give just one practical illustration? One corporation that sold $1,387,000 worth would have to pay $138,000 under the 10 per cent tax. That corporation made about $70,000. If they had been taxed 10 per cent it would have taken all their profit and $68,000 beside. They are in a worse condition this year, because in the four months of March, April, May, and June of this year their sales decreased from $573.000 in the corresponding months of 1918 to $222,000. Their sales have fallen off $350,000 in four months on account of the imposition of the tax. If the tax is continued they must go out of business, and that is true of the whole industry.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON. I hope the gentleman may have further time. I ask unanimous consent that the gentleman have time to conclude his remarks.

Mr. MOORE of Pennsylvania. Was any agreement made as to the time?

The CHAIRMAN. No agreement has been made as to the time. We are proceeding now under the five-minute rule.

Mr. CLARK of Missouri. How are we proceeding under the five-minute rule? Is not this general debate, Mr. Chairman?

Mr. CANNON. On second thought, I guess this is general debate.

The CHAIRMAN. The Chair is informed that the reading of the bill was the first reading. The gentleman is recognized for one hour.

Mr. MOORE of Pennsylvania. Mr. Chairman, I yield five additional minutes to the gentleman from Oregon.

Mr. CLARK of Missouri. How did the gentleman from Pennsylvania [Mr. MOORE] get control of the hour?

Mr. MOORE of Pennsylvania. As the representative of the committee, I assume.

Mr. CLARK of Missouri. Did the gentleman take the floor?

Mr. MOORE of Pennsylvania. I take the floor now. I addressed the Chair, and the Chair recognized me and said I had an hour.

Mr. CANNON. But the gentleman from Oregon has talked for five minutes already.

Mr. MOORE of Pennsylvania. I will say to the gentleman from Missouri that it is hoped that the debate will not continue very long.

The CHAIRMAN. The Chair recognized the gentleman from Michigan [Mr. FORDNEY]. The gentleman from Michigan yielded five minutes to the gentleman from Oregon. The Chair assumes that the gentleman from Pennsylvania has been requested by the gentleman from Michigan [Mr. FORDNEY] to assign the time, and the Chair recognizes him to yield the time.

Mr. MOORE of Pennsylvania. I yield five minutes to the gentleman from Oregon [Mr. HAWLEY].

Mr. HAWLEY. I am ready to answer any questions that may be asked. If there are no questions, I will proceed with my statement.

Mr. JOHNSON of Washington. While the gentleman from Oregon [Mr. HAWLEY] has mentioned three fruit juices, I think it might be made clear to the House that this would be a tax on all fruit juices when sold. Juices made at home and not sold would come under no tax whatever. The industry which the gentleman from Oregon [Mr. HAWLEY] has spoken of, the loganberry industry, was growing by leaps and bounds, not only in Oregon but in the State of Washington, but as shown in the report here the business began to fail because of inability to pay the 10 per cent tax.

Mr. MOORE of Pennsylvania. Will the gentleman from Oregon yield for a suggestion?

Mr. HAWLEY. Yes.

Mr. MOORE of Pennsylvania. The gentleman from Illinois [Mr. CANNON] is very much interested in this bill, and I think if the gentleman would explain the effect of section 628 upon this industry, it would probably meet the expectations of the gentleman from Illinois.

Mr. HAWLEY. I started out with the intention of doing that, but was interrupted by questions on other lines.

Mr. GREEN of Iowa. Will the gentleman yield before he proceeds?

Mr. HAWLEY. Yes.

Mr. GREEN of Iowa. Is it not correct that as this section is now drawn it imposes a very high tax, in some instances more than 100 per cent, upon the original amount of loganberry juice or grape juice which may be in the bottle, by reason of the tax imposed upon the bottle and the case, so that it makes an extremely high rate?

Mr. HAWLEY. Yes. If the gentleman will allow me to proceed for a minute, while I make an explanation, I will be glad to answer his question. The situation is this: A tax was imposed upon this commodity, which is put up in glass containers. In order to get the bottles West they have to be shipped from the East, and the freight paid on them, and a war tax paid on the freight. Then the juice is bottled and the bottles crated. On the value of these as well as on wages paid for labor employed, on the overhead, the insurance, the freight East, the advertising, and all the machinery of doing business, which amounts to nearly three-fourths of the selling price, they are to pay the 10 per cent tax, as well as on the juice, which is what they have to sell and constitutes only about one-fourth of the selling price. This table shows the items upon which they are to pay the tax:

	2½ gallons; 3 dozen, 8 ounces.	2½ gallons; 2 dozen, 12 ounces.	2½ gallons; 1 dozen, 24 ounces.	4½ gallons; 9 only, 64 ounces.
Bottles	$0.95	$0.80	$0.74	$0.74
Cases	.15	.15	.15	.18
Crowns	.115	.077	.038	.036
Labels	.014	.01	.005	.004
Wrappers		.062	.031	
Excelsior pads				.103

	2½ gallons; 3 dozen, 8 ounces.	2½ gallons; 2 dozen, 12 ounces.	2½ gallons; 1 dozen, 24 ounces.	4½ gallons; 9 only, 64 ounces.
Labor	$0.14	$0.14	$0.14	$0.14
Overhead supplies	.04	.04	.04	.04
Breakage allowance, 2 per cent	.028	.026	.021	.025
Juice cost	1.96	1.96	1.96	3.80
War tax, 1 cent per gallon	.02½	.02½	.02½	.045
Cost f. o. b. platform	4.42	3.288	3.048	5.113
Freight:				
Transcontinental, 90½ cents	.396	.362	.362	.634
War tax, 3 per cent	.012	.11	.011	.019
From warehouse to jobbers, including war tax, 35 cents.	.154	.14	.14	.245
Warehouse charges, 5 cents	.05	.05	.05	.05
Selling and advertising, 15 per cent	1.24	1.20	1.125	1.837
Brokerage, 5 per cent	.35	.34	.32	.511
Administrative, 5 per cent	.413	.40	.375	.613
Total costs	6.045	5.791	5.43	9.022
Selling price (list, less discounts)	6.88	6.66	6.24	10.205

This table was prepared some months ago, before the close of their fiscal year, and it was ascertained afterwards that the costs were materially higher. From this table it will be seen that the total cost of the product delivered by the manufacturers, for 3 dozen 8-ounce bottles, is $6.045, which are sold to the trade for $6.88, leaving an apparent profit of $0.835. But had the selling price of $6.88 been taxed at 10 per cent, producing a tax of $0.688, this taken from the $0.835 would have left an apparent selling profit of $0.147 for 3 dozen 8-ounce bottles. But, as stated above, the costs ascertained at the close of the fiscal year show that with the tax added the product would have been sold at a loss. No business can continue on that basis. Of this selling price of $6.88, the juice, which is the article the manufacturers are in the business of selling, costs $1.96, or about one-fourth of the whole selling price. It will be noted in the table above that there are 15 items other than the juice upon which the 10 per cent tax is to be paid. These items include bottles, freight charges, to which a war tax is added, warehousing, and other administrative items, so that nearly three-fourths of the tax is on items other than the product they have to sell. The present tax is 29 cents a gallon, and the business can not bear it and prosper. There are thousands of acres planted to loganberries. If this tax is permitted to take the backbone out of the juice business, the result will be the abandonment of a very great proportion of this acreage.

The time of Mr. HAWLEY having expired, he was given five minutes more.

Mr. BANKHEAD. Will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. BANKHEAD. Does this only affect the loganberry-juice industry?

Mr. HAWLEY. All pure fruit beverages.

Mr. BANKHEAD. What consistency is there as a matter of principle in taking this tax off the products of loganberry and grape juice and leaving an apparent discrimination against other soft drinks?

Mr. HAWLEY. As the distinguished gentleman from North Carolina [Mr. KITCHIN] suggested, sirups are not taxed, and these are in the nature of sirups, and ought not to be taxed following that principle.

Mr. BLACK. Will the gentleman permit a question?

Mr. HAWLEY. Certainly.

Mr. BLACK. The language of the bill reads that there shall be levied, collected, and paid upon all nonalcoholic fruit beverages, whether carbonated or not. Now, some of the carbonated bottling journals of the East advertise a preparation to make a loganberry carbonated beverage. It is advertised in the National Bottlers' Gazette, in the Southern Carbonator and Bottler, at Atlanta, and, I presume, several others. By the language of this bill you will have this situation: When your soda-water bottler makes a carbonated beverage which he calls loganberry drink, because it is made partly of loganberry juice, you will have him paying 2 cents a gallon on that, and on the rest of his carbonated drinks, like lemon soda pop, ginger ale, you will have him paying 10 per cent on the gross sale. I think the bill would be much better if it struck out the carbonate provision, because you are going to make a clear discrimination in favor of grape flavors and loganberry flavors when you pass a bill of this sort.

Mr. HAWLEY. Under the present bill pure juice pays 2 cents a gallon tax. That is all the industry can stand, and if they are taxed more they are going out of business. I stated a moment ago that a concern can not pay $138,000 tax on $70,000 profit. If this bill is passed, we will save to the farmer an opportunity to sell a great quantity of products otherwise unsalable and provide the people of the country with an agreeable, healthful commodity.

Mr. BANKHEAD. Does the gentleman know how much alcohol there is in loganberry juice?

Mr. HAWLEY. None at all; it is supposed to be nonalcoholic.

Mr. CANNON. Mr. Chairman, I must confess that I am not a revenue expert and I do not know just what this bill means. Speaking without full knowledge in the premises, I would like to ask a question or two. Section 628 reads as follows:

That there shall be levied, collected, and paid in lieu of taxes imposed by sections 313 and 315 of the revenue act of 1907 upon all beverages derived wholly or in part of materials or substitutes therefor and containing less than one-half of 1 per cent of alcohol sold by the manufacturer, producer, or importer in bottles or other closed containers a tax equal to 15 per cent of the price for which so sold—

Now, it is not proposed to repeal that, is it? Fifteen per cent tax of the price sold is a pretty comfortable tax I take it for the production of revenue.

Now, what is the next? I call attention again, "wholly or in part from materials or substitutes therefor." A very large part of these I take it are manufactured.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. CANNON. Yes.

Mr. GREEN of Iowa. The gentleman asked a moment ago whether section 628 was repealed and correctly answered in a general way that it is not. At the same time this bill would have the effect to repeal such portion of section 628 as provides a pure fruit juice and grape juice.

Mr. CANNON. Yes; as it is now. But reading further—

and upon all unfermented grape juice, ginger ale, root beer, sarsaparilla, pops, artificial mineral waters, carbonated or not carbonated, other carbonated waters or beverages, and other soft drinks sold by the manufacturer, producer, or importer in bottles or other closed containers a tax equivalent to 10 per cent.

As I understand, this bill just strikes out unfermented grape juice and loganberry juice.

Mr. REED of New York. And blackberry juice.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. CANNON. Yes. First let me read the bill:

That there shall be levied, collected, and paid upon all nonalcoholic fruit-juice beverages whether carbonated or not, whether consisting of pure fruit juice or of pure fruit juice to which sugar and water or both have been added—

And sugar and water will ferment—

when sold—

By whom?

by the manufacturer, producer, or importer in bottles or other closed containers a tax of 2 cents per gallon, and such beverages shall not be deemed soft drinks.

This singles out the manufacturer, and I would spell that word in large letters of living light, because it is not the grower of the grape or the loganberry, so far as I know, who has been asking day and night for this legislation.

Mr. HAWLEY. Mr. Chairman, will the gentleman yield?

Mr. CANNON. Yes.

Mr. HAWLEY. In answer to that suggestion it was testified before the committee that before the loganberry-juice industry started in the West the grower of the berry dug up his vineyard, and it was also testified before the committee by many producers of grapes that they had not made any profit out of their vineyards and were going to dig them up unless the grape-juice business succeeded.

Mr. CANNON. Let me ask the gentleman a question. Would he consent to strike out the words "manufacturer" and "or importer"? That would leave the word "producer" in the bill. Now, this tax is reduced from what? From 15 per cent or 10 per cent as now levied upon value. If you strike out those words, then the individual who owns the vineyard would know that it is 2 cents a gallon he has to pay and the loganberry man would have to pay only 2 cents a gallon. But I believe that this great industry of producing and putting upon the market by the manufacturer, if you choose, and the importer, if you choose, of these products that are found everywhere, that are sold everywhere, will find itself in the position where the manufacturer and the importer will be relieved of 10 per cent of the burden that they now bear and pay only 2 cents a gallon.

Mr. HAWLEY. Mr. Chairman, will the gentleman yield?

Mr. CANNON. Yes.

Mr. HAWLEY. If we strike out the word "manufacturer," which would include the corporation that assembled the capital and built a very extensive plant necessary to produce the juice, then that manufacturer or corporation would have to close the plant, and the man who raises the berry—and this is the back-

bone of the market for the fruit—would have no place to sell the berry, and it would affect him just as much as the manufacturer.

Mr. CANNON. Where are these manufacturers located? Who knows? I guess in New York, I guess in the West. I should not wonder if some of them are not in Cincinnati, or in Chicago, and I dare say that they have large amounts of capital invested in the business.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. CANNON. Yes.

Mr. JOHNSON of Washington. The situation is stated in the report as applying to these three marketable juices. They have built up a great trade, and there is a 10 per cent tax upon them, and they find themselves in the position where they are declining to the point where the Government will not get any revenues from them if it continues to charge 10 per cent, or will not get nearly so much as if they let the industry go on and charge only 2 cents per gallon, as the figures will show. In our country, where the loganberry is grown, the 10 per cent tax reaches the whole industry, and it can not pay that 10 per cent tax, but it can pay the tax of 2 cents.

Mr. CANNON. I know that when you take up the great newspapers or the magazines and look at the advertising sections you will find the most expensive advertising in the magazines to be for grape juice, and yet you say it is going to hurt the poor manufacturer.

Mr. JOHNSON of Washington. Yes; and that matter of advertising is just a matter of putting the juice upon the market. The loganberry was unknown until a few years ago.

Mr. CANNON. Well, strike out the grape juice and leave in loganberries—and God knows that I do not know what a loganberry is—and if it wants to run and glorify then strike out the grape juice. I never was much for grape-juice politics anyway.

Mr. JOHNSON of Washington. If the gentleman would permit, I would like to send him a case of loganberry juice.

Mr. CANNON. I think there is a concealed individual in this; I am inclined to think so.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. CANNON. Yes.

Mr. GREEN of Iowa. I will say that the committee did not understand, or at least I did not understand, when we passed section 628, that we were putting any tax on loganberry juice at all, but the Treasury Department thought in some way that the tax was imposed. I think that all this money that has been collected from the loganberry people will be recovered back, but, of course, there will be a tax imposed upon grape juice. The grape growers, however, depend upon the grape-juice factory for a market; they will get just whatever the factory will pay them, less the amount of this tax, and it brings it down to such an amount where, according to the testimony, they could not carry on their business.

Mr. CANNON. Who could not?

Mr. GREEN of Iowa. The grape growers, the farmers.

Mr. CANNON. Did any grape-growing farmer appear before the committee?

Mr. GREEN of Iowa. Yes; the representative of the Grape Growers' Assocation of New York appeared before us.

Mr. CANNON. Oh, of New York. What is the name of that?

Mr. GREEN of Iowa. The name of what?

Mr. CANNON. Of the Grape Growers' Association of New York.

Mr. GREEN of Iowa. I do not remember the precise title, but that was substantially the title—the Grape Growers' Association.

Mr. MOORE of Pennsylvania. Mr. Chairman, I will answer that if the gentleman will permit. The gentleman from New York [Mr. REED] presented a number of grape growers, and the gentleman from Pennsylvania [Mr. SHREVE] also appeared and addressed the committee, and the man who made the principal address was, I think, named Chamberlain. I have not his first name at hand, but he made an illuminative address, and it was followed by several others in the grape-growing business.

Mr. CANNON. Oh, yes.

Mr. MOORE of Pennsylvania. Some one spoke for the Welch legislative committee of Chicago & Lake Erie Fruit Growers' Association and also a member of the National Grange.

Mr. CANNON. Yes; any manufacturers before you?

Mr. MOORE of Pennsylvania. Some one spoke for the Welch grape juice concern.

Mr. CANNON. Where is that located?

Mr. MOORE of Pennsylvania. It is a New York concern, and, I think, possibly Pennsylvania.

Mr. CANNON. I want to ask the gentleman, in his opinion, whether in the name of the man who grows the grapes, the man who plants the vines and gathers together the grapes and the loganberry, to relieve him, whether these great grape manufacturers that do this extensive advertising are not seeking to use them under false pretenses to avoid the 10 per cent tax and put it at 2 cents a gallon?

Mr. MOORE of Pennsylvania. If the gentleman will read carefully section 628, which I had hoped the gentleman from Oregon [Mr. HAWLEY] would explain, he will see that these grape raisers are up against a 15 per cent tax on one hand and a 10 per cent tax on another. It has been doubled up on things of that kind, and the matter was explained to the committee. It appeared to me from the facts that these grape growers would possibly not be able to continue their business if they are obliged to pay the burdensome tax that is imposed by section 628, and I think it was the disposition of the committee——

Mr. GARNER. My recollection of the testimony before the Ways and Means Committee, at least as far as it convinced me, was that the loganberry people made out a good case, and there the case stopped.

Mr. CANNON. And the grape-juice individuals——

Mr. GARNER. Did not.

Mr. CANNON. Did not make a case?

Mr. GARNER. In my judgment, did not.

Mr. CANNON. The loganberry is a struggling new industry?

Mr. GARNER. Out in California or somewhere—out in Oregon or some place like that.

Mr. FORDNEY. A Member of this House—I think the gentleman from Ohio—appeared before the committee and made it very clear to me that the industry was about to be destroyed unless we gave this relief.

Mr. CANNON. Which industry?

Mr. FORDNEY. The grape juice. He pointed out that the people in his district were pulling up the grapevines because there was no money in the business.

Mr. CANNON. Well, the grandfather of the gentleman from Ohio—NICHOLAS LONGWORTH—did make wine from grapes; but I do not understand that the grape industry runs and glorifies in the State of Ohio to any great extent, as compared with the grape industry in California and perhaps other parts of the country—I think in Missouri, and so on.

Mr. GREEN of Iowa. Will the gentleman yield there?

Mr. CANNON. Yes.

Mr. GREEN of Iowa. I think my colleague from Michigan misspoke himself—that he meant a gentleman from New York. The great grape-growing region of the country is in New York, and more grapes are raised there than anywhere else. I will say to the gentleman from Illinois, it is not the manufacturer of grape juice who appeared seeking to get away from this tax. He simply takes and adds the tax to what he has to pay for the grapes from the grape grower. The grape grower is the one who says he can not go on raising grapes unless this tax is taken off.

Mr. MOORE of Pennsylvania. Will the gentleman permit me to read an extract from the testimony of Mr. Walter W. Chamberlain, chairman of the American Fruit Juice Producers and Manufacturers' Association? I have just found it.

Mr. CANNON. Certainly; I have an hour.

Mr. MOORE of Pennsylvania (reading):

The business was originally started by the Welch Co. in about 1897. At that time grape growing had just become of some consequence in the grape belt, and grapes were selling at that time for $8 or $10 a ton, which was much less than the cost of raising them.

Now I will skip a little.

That business has gradually developed, but not very fast. It has been very hard to get the public to consume sufficient grape juice so as to make the business of either grape growing or grape manufacturing profitable.

He states that it has been very difficult to popularize grape juice. He confirms the political fears of the gentleman from Illinois with regard to grape juice.

I have for 15 years had 90 acres of vineyards and I have never yet had $1 dividend out of them, and I maintain them with the best judgment that I know how to use and with the advice of the State agricultural department, following the best-known methods that I could follow. And when I say I have never had $1 out of those 90 acres of vineyards I am stating a positive fact; that is, over the production cost and maintenance——

Mr. CANNON. Who is this man—a manufacturer or a grape grower?

Mr. MOORE of Pennsylvania. He is a producer.

Mr. CANNON. A manufacturer also?

Mr. MOORE of Pennsylvania. He goes on to say that he was obliged, in order to protect a bank, to become a manufacturer,

because of the inability of the grape-juice borrowers to carry on their business.

Mr. CANNON. Well, I undertake to say you can go anywhere in this country, in a little village of 2,000, anywhere on the railway and off the railway, for all that, and you can get all the grape juice you want, and they never sell it in large quantities——

Mr. MOORE of Pennsylvania. I will say to the gentleman that the gentleman from Pennsylvania [Mr. SHREVE] will state when he gets an opportunity that the grape growers were actually beginning to pull up their vines, and will state that they can not go on with their business because of the burden of this tax.

Mr. CANNON. Grape growers where?

Mr. MOORE of Pennsylvania. Pennsylvania, New York, Ohio—wherever the industry extends.

Mr. CANNON. Since this war commenced galore all over the country there has been $2.26 a bushel for wheat and $1.75 for corn, and $20 for pork. Who would not, in a great State like Pennsylvania, perhaps, while these prices last devote themselves to wheat and corn or the raising of hogs?

Why, bless my soul, out in the great State of Illinois, in the great State of Ohio, the great State of Iowa, according to my information, and according to my observation in Illinois, other crops have become negligible on account of the great demand for the food that supports life to feed our own people and to feed our allies, and, to some extent, the hungry people of the world.

Mr. MOORE of Pennsylvania. Will the gentleman yield further?

Mr. CANNON. Certainly.

Mr. MOORE of Pennsylvania. Mr. GREEN of Iowa asked Mr. Chamberlain:

How much will the reduction of this tax on the container amount to?

This is one of the things of which they complained.

Mr. Chamberlain answered:

It reduces it a very great deal; it reduces it more than 50 per cent. Less than 50 per cent of our tax is paid on the product. One grievance is especially the tax on the container. Now, on the apple juice, for instance, I think the discrepancy is very much greater, only about 20 or 25 per cent of the tax being on the juice itself. Our first tax was 1 cent a gallon. Now it has gone up on grape juice to 20 or 25 cents a gallon, because of the tax paid on the container; so the tax has been increased from a very small tax more than 2,500 per cent on grape juice.

Mr. CANNON. What is the container?

Mr. MOORE of Pennsylvania. That is the box in which the bottles are packed, or any other kind of container.

Mr. CANNON. Where do the bottles come from? Are they not made in this country?

Mr. MOORE of Pennsylvania. The bottle is made by workingmen in the State of Illinois, the State of Indiana, the State of New Jersey, and in some other States, and it is a very large industry.

Mr. CANNON. And everything else is made by the workman who works with his hands or his brain, or both. I do not think you can make any case now.

Mr. JOHNSON of Washington. And that labor gets caught in this tax.

Mr. CANNON. It is caught by every tax. You tax them on income, if they are single, of over $1,000.

Let me reply to a few other things that the tax is not relieved from in this very section. It says:

Upon all beverages derived wholly or in part—

From what? Cereals of all kinds or substitutes therefor.

Do they not have containers? Do they not have to have bottles and jugs?

And containing less than one-half of 1 per cent of alcohol, sold by the manufacturer, producer, or importer, in bottles or other closed container, a tax equivalent to 15 per cent of the price for which so sold.

Now, then, right in there:

And upon all unfermented grape juice.

That is stricken out. What is left in?

Ginger ale, root beer, sarsaparilla, pop, artificial mineral waters (carbonated or not carbonated).

Do not they bottle mineral water which is sold all over the country? Do they not have to have bottles? Do they not have to pack them and put them in boxes and all that kind of thing? That is all the grape-juice men have to do.

And upon all unfermented grape juice.

Grape juice is stricken out. It is the only thing that is stricken out. And the loganberry juice, while it is not here by name, is, it is said, construed to be in; but concerning that I do not know. Not 10 per cent, not 15 per cent, but 2 cents a gallon.

I believe that the concealed individual is in this proposed amendment to this section 628, if that is the section, and so believing—how much revenue it produces I do not know—but so believing I will vote, so far as my vote is concerned, against the enactment of this amendment to this bill.

Mr. Chairman, I reserve the balance of my time.

Mr. KITCHIN. Will the gentleman yield to me 10 minutes?

Mr. CANNON. I yield 10 minutes to the gentleman from North Carolina. But before the gentleman commences I will say that I am not on this committee. My legislative function has been to spend money by appropriation for the public service. Therefore I am not an expert on revenue measures. And although I may be sometimes unadvised, I sometimes think I can discover perhaps from the surroundings and the company in the legislation—I do not mean personally the people that propose the legislation—that there is a concealed individual in it.

Mr. SHREVE. Will the gentleman yield to me five minutes after the gentleman from North Carolina has finished?

Mr. CANNON. With pleasure.

Mr. SHREVE. I live in the grape belt, and know all about this matter.

The CHAIRMAN. The gentleman from North Carolina [Mr. KITCHIN] is recognized for 10 minutes, yielded to him by the gentleman from Illinois [Mr. CANNON].

Mr. KITCHIN. Mr. Chairman, I want to say to the gentleman from Illinois [Mr. CANNON], who has had the audacity to say he is not going to vote for the bill reported out by the Republican majority of the Ways and Means Committee, that he is the most fortunate individual in this House in that the gentleman from Pennsylvania [Mr. MOORE] was not present when he made his speech. [Laughter.] If he had been present, I fear he would have given him as sound a lecture and criticized him as harshly as he did the gentleman from Ohio [Mr. EMERSON] when he dared to differ with the gentleman from Pennsylvania [Mr. MOORE]. Where is the gentleman from Pennsylvania [Mr. MOORE] and his committee?

Mr. LONGWORTH. He is just going out of the Chamber.

Mr. CANNON. If the gentleman will allow me—and I will extend additional time to him—this debate has been largely "leather and prunella," as to whether the Democrats did this or whether the Republicans did the other, and, whoop-la, what are you going to do about it? Possibly I am mistaken about the merits of this proposition.

Mr. KITCHIN. The gentleman is right on the merits of the proposition. I am going to vote with him against the bill.

Mr. CANNON. That is all right.

Mr. KITCHIN. I see the gentleman from Pennsylvania [Mr. MOORE]. I want to dare him to say now about the distinguished gentleman from Illinois [Mr. CANNON] what he said about the gentleman from Ohio [Mr. EMERSON]. Both committed the same offense. Both dared to express an opinion contrary to that of the Republican committee. He has not the nerve to do it; that is all. [Laughter.]

Mr. MOORE of Pennsylvania. The gentleman from North Carolina can not draw me into a trap that way. [Laughter.]

Mr. KITCHIN. Well, then, the gentleman can take his seat and let me proceed. [Laughter.]

This bill abounds in discriminations. I do not think that we are justified in voting for this bill in its present shape. Now, what the gentleman from Oregon [Mr. HAWLEY] desired, what was first put before our committee with respect to the loganberry juice, was just, namely, that the loganberry-juice industry could not profitably exist with the tax of 10 per cent; that it was a sirup and not a finished drink; that it should not be taxed 10 per cent while other sirups for soft drinks were exempt. When we first began to meet in the committee room to consider internal taxes and the tariff these were the propositions of the loganberry-juice producers. They contended that the act, if rightly construed, did not apply to loganberry juice, as that was a sirup and not a soft drink, but the department had construed it to be a soft drink and that the soft-drink tax applied to it. There is merit in their contentions. The members of the Ways and Means Committee recognized this and that relief should be had.

But, finally, in some way or other, in order to strengthen, as they felt, their position, the loganberry-juice producers were persuaded to hook up with other juice-producing concerns, and all these various concerns are taken care of in the bill before you, whether entitled to relief or not. I want to say to you that it is one of the most discriminatory bills that I have ever been called upon to vote on. As I said, the loganberry-juice proposition has merit in it. The loganberry juice is made into a sirup—that is, into a sweetened juice, out of which is made the drink—and not into a drink, like grape juice or ginger ale or sarsaparilla, or any of these other light drinks, or like apple

juice. When they put it up in bottles or other containers it is really a sirup, like Coca-Cola sirup or like lemon cola sirup or pepsin cola sirup and other sirups, on which no tax is imposed under the revenue act. We get the tax on the drinkable articles, not the sirup, whether sold at the soda-water fountain or sold in bottles under the existing law.

The loganberry sirup should be put on an equality with the Coca-Cola sirup or other sirups. If one pays a tax, the other should. If one is exempt, the other should be. How the department could rule that the loganberry sirup should be taxed while all these other sirups were not taxed I can not see.

Mr. FORDNEY. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. FORDNEY. If the grape juice and loganberry juice are identical with Coca-Cola, why is it that one is taxed and the other is not?

Mr. KITCHIN. I say I can not see how the department can construe loganberry juice, that, according to the hearings, is a sirup, as a soft drink and contend that Coca-Cola and other sirups are not soft drinks. Neither is a soft drink under the act. You take Coca-Cola sirup and put in three times as much water. It then becomes a drink—a soft drink—and such drink is taxed as a soft drink. You can have it made or compounded at the soda fountain or get it put up in bottles. Both pay a tax, that at the soda fountain and that in bottles. Both are taxable drinks. Now, you use this loganberry juice just exactly as you do the Coca-Cola or lemon sirup. You take sweetened juice and add water in the proportion of two or three to one. The better drink is two to one. Otherwise it is not drinkable.

Here is what the loganberry gentlemen ought to have insisted on, and then they would have been right, and would have had a unanimous vote in the committee and in this House. They should have insisted on amending section 628, providing that any sirup made from fruit juices not in a drinkable state, but to which at least an equal amount of water must be added to make it a drink, a soft drink, shall be considered as a sirup and not as a soft drink. Such an amendment would have exempted it from the tax as other sirups are exempted.

Grape juice does not stand on the same footing. Grape juice is made sometimes that way, and sometimes it is made to drink without adding anything to it. They have now begun to make grape juice to which a certain proportion of water must be added in order to make it drinkable—something like a sirup. But a great deal of the grape juice is made to be drunk in the manufactured state, without adding water or anything to it. That ought to be taxed, and it is now taxed under section 628. The bill before us would tax it only 2 cents per gallon. In some cases that would amount to 1 per cent, in none over 2 per cent, while ginger ale and sarsaparilla and other drinks, put up in identically the same way and carbonated in the same way and put in the same sized bottles, must pay 10 per cent. Why should this great discrimination be given in favor of grape juice?

Another trouble that the committee got into by going into "cahoots" with the loganberry-juice gentlemen, after they went into "cahoots" with the apple-juice men and nonintoxicating-wine men and all other fruit-juice producers, was that it included in the relief provisions of the bill so many other soft drinks that were never contemplated at first. Let me show how this reads:

There shall be levied, collected, and paid upon all nonalcoholic fruit-juice beverages, whether carbonated or not, whether consisting of pure fruit juice or of pure fruit juice to which sugar or water or both have been added.

And so forth.

This includes all the nonintoxicating wines that are now being made or will be made hereafter in great quantities. That is the way of drinks made from apples, and the same with respect to drinks made from lemons and limes and oranges, and scores of other drinks made from fruit juices, and all drinks put up in bottles or other containers made from any kind of fruit that you can think of.

The committee did not intend to go that far. Certainly the loganberry-juice men did not intend to go that far. But when they came to Washington somebody convinced them that it would be better for them to go into a combine with all those other producers of fruit drinks and pull together for relief from taxation of all of them.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. GARNER. As a matter of fact, the testimony before our committee made a fairly good case for the loganberry but for no other juice.

Mr. KITCHIN. Yes; no other juice. I want to be candid. There is no politics in this juice business. [Laughter.] There must be something more substantial than nonalcoholic juices to have any politics in it. [Laughter.] We ought to face the facts just as they are. There is not a word of evidence before the committee that the nonintoxicating wines and the orange and lemon juice fruit drinks, and so forth, need a reduction of this tax at all in order to live profitably. The only evidence before the committee where the industry needed remission of the tax so that it could survive with reasonable profit is in the case of the loganberry-juice sirup, and what they require is relief from the discrimination to which I have referred.

Let us see about grape juice. Let me tell you what the evidence is from a man who represented the grape-juice industry. I questioned him myself. After paying the tax under existing law the retailers who buy from the producer of this grape juice make out of the consumer, you and me and other people who drink this liquid, 60 per cent profit; after paying the tax which is charged up to them by the producer they make 60 per cent profit.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. CANNON. Mr. Chairman, I ask unanimous consent that the gentleman may have such additional time as he may desire.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. KITCHIN. I thank the gentleman. Think of an industry coming before a committee of this House——

Mr. MOORE of Pennsylvania. Will the gentleman from North Carolina indicate who made that statement?

Mr. KITCHIN. I can not recall the gentleman's name. I can not recall all the names of the gentlemen who come to get favoritism before our committee.

Mr. MOORE of Pennsylvania. I do not recall that statement.

Mr. KITCHIN. I asked one in the business who appeared before the committee what the profit was.

Mr. MOORE of Pennsylvania. It was the soda-water maker.

Mr. OLDFIELD. Chamberlain, was it not?

Mr. KITCHIN. I do not recall his name. But I know he was one of the producers or one of the producers' witnesses; but the gentlemen will remember what it was.

Mr. MOORE of Pennsylvania. That was the man at the fountain, whom we have just relieved.

Mr. KITCHIN. No; he was a producer. I am not talking about the fountain man. I asked him how much he sold his grape juice for to the retailer with the 10 per cent tax added. He told me the figures. Then I asked him how much the retailer sold that same case of goods to the consumer for. He told me. I figured it up right before the committee, and it was 60 per cent profit that was made after paying this tax. Then they hold up their hands and say they can not exist unless this tax is reduced. Gentlemen, I never knew of any retailer who needed any help from us if he makes 60 per cent out of the consumer.

Mr. MOORE of Pennsylvania. I have found the "60 per cent" testimony, and I ask the gentleman to let me read it.

Mr. KITCHIN. Is that after it was revised? Go ahead, I know exactly what took place before the committee.

Mr. MOORE of Pennsylvania. I will read it:

Mr. CHAMBERLAIN. No; I do not live out West. I live in Buffalo. I have just returned from a trip, and I have been all over the United States a number of times.

Mr. CRISP. I think I know more about Coca-Cola than you do.

Mr. CHAMBERLAIN. Probably so; but grape juice and apple juice are natural products. The manufacturers are trying to get along, struggling to get along—and it is a struggle—and if they have got to pay a tax equal to 60 per cent of the product itself, in addition to the cases and all of the things that go into the manufacture, they are going to have a pretty hard time.

Mr. KITCHIN. I will ask the gentleman not to read any more of that, because that is not in the connection at all. I am talking about another matter entirely. He said he made 60 per cent profit.

Mr. MOORE of Pennsylvania. That is the testimony, and the 60 per cent is not a profit.

Mr. KITCHIN. That does not apply to what I am talking about. It was figured before the committee how much was paid, after paying the tax, when the producer sold to the jobber or retailer, per case of 36 bottles. We put that down. Then I asked, "Now, how much does the retailer sell to the consumer for?" He figured it out. Then we figured it out together, and it was 60 per cent. I asked him if it was not 60 per cent, and he said "Yes."

Mr. SIMS. The retailer or the jobber?

Mr. KITCHIN. The jobber made 60 per cent. He pays the tax and passes it on, and makes 60 per cent profit. That was the point I had in mind in examining him. We discussed it around the table and said, "That industry is not going to die

if they make 60 per cent out of the consumer." If they made 30 per cent out of the consumer it would not die.

Now, take the wine manufacturers throughout the United States. I want you gentlemen to pay attention to this. I know something about wine manufacturing, because the biggest wine bottler in the United States is a man with whom I was born and raised in the same county. We played together when we were boys and worked together when we were young men. Now, these wine producers and wine manufacturers are going to make the same alcoholic wine which they have been making, and under the law that we passed here the other day and under the revenue law they have a right to do it, and it is right that they should do it. Then they are going to extract the alcohol from it. That will relieve this one man of $500,000 taxes. These gentlemen will be relieved of $1,000,000 or $2,000,000 taxes when they extract this alcohol from the wine. Then they will sell it as nonalcoholic wine. I have got some in my office, and it is just like the wine that they used to sell, except that as the colored man said it has not got the authority that the other wine had. It tastes exactly like the wine that you drank before the alcohol was extracted. Now, they hooked up with these loganberry-juice gentlemen. They have not kicked against it. I never heard of them kicking against it, but they knew how to get it out of this Republican committee. They knew how to get it from a Republican Ways and Means Committee and save $500,000 or $1,000,000 of taxes. So the grape-juice sirup fellows are hooked up with these wine makers. I never heard a protest against that 10 per cent tax. Now, if they can get it down to 2 cents a gallon instead of 10 per cent, these nonalcoholic-wine producers are going to get rid of paying it. And here is another thing. It is barely possible, reasonably probable, that all of the kinds of pop put in bottles, made of lemon extract that gives it a flavor or orange extract that gives it a flavor, will be taxed 2 cents a gallon, while pop made out of sarsaparilla, and ginger ale, and other flavors except fruit-juice flavors, will have to pay 10 per cent.

That is a discrimination that we ought not to tolerate. Now, gentlemen, what ought to be done—and I tried to get the committee to do it—is that we ought to have a proviso saying that loganberry sirup and grape juice sirup will not be construed as soft drinks, and whenever you make it potable or drinkable by adding 50 per cent of water they shall be considered as sirups and not drinks. That is a suggestion I made before our committee and that would be right.

Mr. FORDNEY. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. FORDNEY. Did the gentleman suggest to the committee any such change or substitute in this bill for sirup?

Mr. KITCHIN. I suggested it before the committee, and that is the reason I voted against it.

Mr. FORDNEY. That is the first time I have heard it mentioned.

Mr. KITCHIN. The gentleman from Oregon will not say that; I talked with him about it. I said the only thing the bill ought to contain was this little proviso.

Mr. GARNER. Will the gentleman yield for a suggestion?

Mr. KITCHIN. I think the bill could, if the committee desired, give relief to the loganberry juice and leave out other beverages.

Mr. FORDNEY. Why did not the gentleman suggest it in committee?

Mr. KITCHIN. I suggested it to the gentleman from Oregon, and when I voted against it I said it could be taken care of in that way.

Mr. GARNER. I will say that here is an amendment that I am going to offer: In line 4 strike out the words "fruit juice" and insert after the word "beverages" the words "made from loganberry juice." Strike out all of line 5 and all of line 6 down to and including the word "added."

Mr. KITCHIN. I made that proposition to the committee.

Mr. GARNER. I call the attention of the gentleman from North Carolina and the committee to this, so that you can take care of loganberry juice, which made out a good case before the committee.

Mr. KITCHIN. You ought to put on loganberry juice, from which the drink is made. That is all you want; and while that would cover a little more than was intended, that would be fairer than this bill. The fair thing to do would be to put at the end of section 628: "*Provided*, That any juice made from berries or fruit to which there must be added for a drink to make it potable at least 50 per cent of water shall be considered a sirup and not a soft drink."

Mr. TINCHER. If the gentleman's amendment is adopted, Coca-Cola would not be taxed and grape juice would be taxed.

Mr. KITCHIN. No; not under my proposition; neither one would be taxed. This proposition is to let Coca-Cola sirup—and you voted for a bill to untax it at the soda fountains, which would take the tax off all Coca-Cola——

Mr. TINCHER. Let me see if I understand. You are objecting to taking the tax off of grape juice and not proposing to put the same tax on Coca-Cola.

Mr. KITCHIN. No, no. Here is what my proposition is—and I think everybody else understands it except the gentleman from Kansas; if he had waked up while I was talking, he would have understood it. [Laughter.] Let me say my proposition is this: That loganberry juice really is sirup, because you add water to make it drinkable. There is no tax on Coca-Cola sirup, lemon sirup, or any other kind of sirup. Now, the department has ruled that they tax this sirup because it is a drink instead of a sirup. My proposition is to add to section 628 "any fruit juice to which at least 50 per cent of water must be added to make a drink must be considered a sirup and not a soft drink." That would put the loganberry and the grape-fruit sirup all on the same equality with Coca-Cola, pepsa-cola, lemon cola, and so forth. Does the gentleman from Kansas thoroughly understand the position of the gentleman from North Carolina?

Mr. TINCHER. I can—the last statement that the gentleman makes, which I do not think at all agrees with the statement he formerly made.

Mr. KITCHIN. Oh, the gentleman was not listening. Of course, it was not his fault, for I do not blame him for not listening to me.

Mr. LONGWORTH. Does not the gentleman think that what he seeks to accomplish could be accomplished by striking out the words "whether carbonated or not"? I do not speak from knowledge, but it is possible that in order to preserve these sirups some sugar must be added.

Mr. KITCHIN. The sugar is all right. The gentleman's suggestion would not accomplish it.

Mr. LONGWORTH. I think the gentleman and I mean the same thing. All these drinks that come in the way of a sirup, which are practically not drinkable until you mix water or soda water with them——

Mr. KITCHIN. Or perhaps to add the words "to which sugar may be added and at least 50 per cent of water."

Mr. LONGWORTH. I think if you strike out the words "whether carbonated or not," you will accomplish the purpose.

Mr. KITCHIN. What I want to do is to accomplish what the committee started out to accomplish, and that is to put the loganberry people on an equality with all of the others, and the proposition that I suggest I think will do it.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. MOORE of Pennsylvania. I have found the testimony to which the gentleman refers, and I want to set the gentleman right. Mr. Chamberlain was being interrogated by the gentleman from North Carolina [Mr. KITCHIN]. I read from the testimony:

> Mr. KITCHIN. That is $8.85. The retailer sells this six dozen, or 72 bottles, at 20 cents each; the retailer here would get the case for $8.85, with the war tax paid, and he would sell it for $14.40.
> Mr. CHAMBERLAIN. That is true.

Mr. KITCHIN. Oh, that is over 60 per cent. You do not need to go any further. That more than substantiates what I said.

Mr. MOORE of Pennsylvania. Let me finish:

> Mr. KITCHIN. So he makes a little over 60 per cent?
> Mr. CHAMBERLAIN. Well, he has his fountain, and he has all his cost of disposing of this, a bottle at a time; and I think on the other manufactured soft drinks they make even more money than that, because I understand that they buy some of those as low as 1 or 2 cents.
> Mr. KITCHIN. I rather think you are right about that.

So the reference was entirely to the profits of the retailer.

Mr. KITCHIN. Just give me that, please. Did I say that this man, after paying his clerk hire, after paying the janitor for sweeping his floors, after paying the interest on borrowed money, and other overhead charges was going to make 60 per cent in clear net profits? If he did, he would make more than any retailer in the country ever made. I said that he made 60 per cent profit; that is a big commercial profit. When a merchant buys a pair of shoes for $5 and sells them for $8, we say, in the commercial world, he is making 60 per cent profit on his selling charge, but all of his expenses in the sale must, of course, be taken out of that before he finds his clear net profits. In speaking of profits on such sales we know the difference in the purchase and selling. The gentleman stated exactly what I said to the House. Any business which can after paying the tax so sell to a retailer that the retailer can

so sell to the consumer at a 60 per cent profit can not be destroyed by such a tax or materially affected. It is passed on to the consumer.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. FORDNEY. Mr. Chairman, how much more time have I reserved by the gentleman from Pennsylvania [Mr. MOORE] out of the hour?

The CHAIRMAN. Forty-five minutes.

Mr. FORDNEY. I yield 10 minutes to the gentleman from Pennsylvania [Mr. SHREVE].

Mr. SHREVE. Mr. Chairman and gentlemen of the House, this is one of the most important measures that has been before this Congress. We are going to determine this afternoon whether we will wipe out an important agricultural industry or to allow it to continue. I know nothing about this camouflage that has been thrown in our faces here this afternoon about the manufacture of grape juice, but having been a grape grower myself for more than 10 years, I think I know something about the business. I might add that my farmer friends think I am a better lawyer than I am a farmer, and that my lawyer friends think I am a better farmer than I am a lawyer, but the fact remains that I do know something from practical experience about the troubles of the grape grower. If this bill is not passed in the form in which it is offered this afternoon you will simply wipe out 35,000 acres of vineyards in the Chautauqua and Erie grape belts. We had 42,000 acres, but during the last few years we have pulled out about 7,000 acres, and why? Because the business is unprofitable, and those of you who were in the Sixty-third Congress will remember when I offered an amendment one day for the appointment of an entomologist at northeast Pennsylvania that the great chairman of the Committee on Agriculture [Mr. LEVER], recognizing the importance of this industry in New York State and Pennsylvania, rose on the floor and told the Members that he was in favor of the passage of that amendment giving us an entomologist in that section.

And so for years the United States Government has been assisting us in every possible way. In the early days we put the grapes in small baskets. We found that was not profitable, and since then we have been selling to the wine manufacturer. Well, you know what has happened to the wine maker; he has gone out of business. And the time has come when we have to shift and look for other markets. Fortunately there are a number of grape-juice manufacturers in New York State and Pennsylvania and I want to say that up to the present time there is not a single one of those great plants to my knowledge that has made a dollar. Right in my district, within a mile from my farm, there is one grape-juice plant where the manufacturer lost a half million dollars in trying to build up a business. It was afterwards taken over at a bankrupt sale by another concern from over the line in New York State and is now meeting with some success. But it is not the manufacturer that I am interested in. I am interested in those men there who for 25 or 30 long years have built up and established this business. The boys have grown up on the farm. It is a business all by itself. You can not go back over the hills and find a man to run a grape vineyard. He must be trained. He must be first trained to the preparation of the soil. He must be trained in the planting of the vineyards, the right time of putting up the wires, the right time to trim and how they should be trimmed, so that the crop of next year might not be ruined. It takes a scientist, it takes an expert to handle this grape situation, and the farms are owned in 4 acres, 5 acres, 6 acres to 10 acres and sometimes 20 acres or more. I presume the average of the grape belt would be possibly from 25 or 30 acres. The vineyardist in the Chautauqua-Erie grape belt for years have been going along quietly building up a business. And why did they build it up on the south shore of Lake Erie? I will tell you gentlemen why; because it seems that as the lake receded spots of sand and gravel were left and you will find that in terraces as you go back a couple of miles from the lake shore. These lands are specially adapted to raising the Concord grapes and there are probably about 45,000 or 50,000 acres of that land along the south shore of Lake Erie. At one time a few years ago there were 42,000 acres of grapes under cultivation, but we found that the business was not profitable and a large acreage has been taken out. Then as I said before the sons of the grape farmers found that the business was not profitable, that their fathers were not making money, and as a result they went to the city and so the help has left us and it is almost impossible now for us to continue the business. The report of the committee tells you that the passage of this bill will make a difference of $27 a ton in taxes that is proposed to be put upon these poor innocent agriculturalists.

I want to ask you gentlemen, do you think it is fair, do you think it is fair to the farmers who were there for 25 years building up a business and are just at the point where they are getting their enterprise fairly started, when along comes the Government with a tax to destroy that industry? It is not in the States of Pennsylvania and New York alone, but over in Michigan. Concord grapes are also grown in parts of that State. They are grown in another part of the State of New York up on the Lakes and up on Lake Keuka and in that vicinity. I will not undertake to state the number of millions of dollars invested in the business in my district, but when I say to you there are over 42,000 acres of land covered with vineyards and that those vineyards are worth from $300 to $500 and $600 and up to $1,000 an acre, in a few minutes you can by mathematical calculation figure out what you propose to do here this afternoon—whether you are going to render these farms valueless and these people homeless. I wish the testimony had been printed so that you could read it. The testimony before the committee the other day from a banker was that the grape growers were not able to pay their notes in bank from last year.

I imagine that about the same system obtains there that obtains in the cotton district. The storekeepers and merchants carry the grape grower until the fall, until he gets returns from the grapes, and then he settles up and soon borrows again from the banks until he gets returns along in the next November. The bankers told us here that these farmers have not paid their notes for last year. And yet you propose to destroy their business. That is the proposition we are up against, gentlemen, and I appeal to all the men in this Congress, all the men here who stand for fair play, all the men who want to be square to this great industry, to support this bill this afternoon. [Applause.]

Mr. Chairman, I yield back the balance of my time.

Mr. FORDNEY. Mr. Chairman and gentlemen, yesterday I sampled a bottle of loganberry juice that sells in the retail market of Washington for 35 cents a bottle. There were three glasses of the beverage. When you mix the juice in that bottle in the proportion of one part juice to two parts of water it makes three glasses for 35 cents. That is the price that loganberry juice must be sold at now to avoid greater loss than is being sustained by the people that make the juice.

They made a very good case before the committee to the effect that their industry is losing money and that the sales of loganberry juice have fallen off two-thirds or more from the sales of the year 1917. I want to say to my good friend from North Carolina that the Democrats are not playing fair here to-day. There was no proposition offered before the Committee on Ways and Means by the Democrats to class loganberry juice and grape juice and other fruit juices as sirups. There was no such motion made by them.

Mr. KITCHIN. Will the gentleman permit an interruption?

Mr. FORDNEY. In just one minute.

Coca-Cola, however, escapes all tax because it has been classed as a sirup. It is not a product of the State of Washington or of Oregon, if you remember. And the office of the Commissioner of Internal Revenue has ruled that those fruit juices are beverages and not sirups.

Now I yield to the gentleman from North Carolina.

Mr. KITCHIN. The gentleman says the Democrats are acting unfairly——

Mr. FORDNEY. The gentleman did reserve the right, let me say, to vote as he saw fit on this bill, and stated that he wanted to offer some amendment, but that is as far as he went, so far as sirups are concerned.

Mr. KITCHIN. Now, this question was not considered as a party question at all. Some Democrats voted for it and some against it in the committee. And while the gentleman has not a record, of course, of what I said when the vote was taken I did state that loganberry juice had a good, meritorious case, and ought to be considered as sirup.

Mr. FORDNEY. I think the gentleman did make that statement, but he did not offer it as an amendment to the bill.

Mr. KITCHIN. The gentleman saw that we did not offer any amendments at all.

Mr. FORDNEY. No; you did not.

Mr. KITCHIN. Let me ask the gentleman from Michigan, since we are pretty nearly agreed to what I said a while ago was true. I am going to make him admit that what I said was true. We have not any record of what was said when the vote was taken. We have a record of the hearings, and you will find in the hearings that I did state the loganberry juice men, or one of the talkers, had a good case, and it ought to be put in the act that it should not be considered as a soft drink, but should be

considered as a sirup. That is in the hearings. I was not speaking for the Democrats at all.

Mr. FORDNEY. There are two things to-day that I admit, namely, that he did talk about it and that he did not offer an amendment.

Mr. KITCHIN. I did not offer an amendment.

Mr. FORDNEY. Mr. Chairman, I move that the committee do now rise.

Mr. GARNER. Will the gentleman answer a question?

Mr. FORDNEY. I will.

Mr. GARNER. The gentleman has referred to the sirup out of which Coca-Cola is made. The gentleman will remember that Coca-Cola has been discussed a number of times, and we have all sought to reach it, I think the gentleman will agree, both Democrats and Republicans. I know that I have and I know that the gentleman has. I want to say now that I will join the gentleman as one member of the Ways and Means Committee on a proposition to tax to the limit the sirup out of which Coca-Cola is made.

Mr. FORDNEY. Thank you. I agree with you. I will help you on that.

Mr. GREEN of Iowa. I will state to the gentleman that he will have an opportunity later on.

Mr. JEFFERIS. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. JEFFERIS. Does the passage of this bill in effect amend section 628 in so far as grape juice alone is concerned?

Mr. FORDNEY. No. It reduces the tax upon loganberry juice, grape juice, apple juice, and fruit juices.

Mr. JEFFERIS. The thing I had in mind was that in section 628 of the present law a tax is levied upon unfermented grape juice, sarsaparilla, ginger ale, and so forth. The passage of this act would simply lift out grape juice and leave the other items?

Mr. FORDNEY. It reduces the tax on fruit juices, and fruit juices are entirely different from mineral waters and the other beverages, Coca-Cola and sarsaparilla and so on. Fruit juice is a food article.

Gentlemen, I want to see this bill passed without amendment or I want to see it defeated. I move now that the committee do rise.

Mr. GARNER. Mr. Chairman, will the gentleman permit an amendment to the bill?

The CHAIRMAN. The bill has not yet been read for amendment.

Mr. FORDNEY. I move that the committee rise and report the bill back with favorable recommendation.

The CHAIRMAN. The question is on agreeing to that motion. If the gentleman can get unanimous consent from the committee to terminate general debate, the bill can be read for amendment. It has been moved that the committee do now rise. The question is on agreeing to that motion.

The motion was agreed to.

Mr. KITCHIN. Mr. Chairman, we do not have to get unanimous consent in order to close debate.

The CHAIRMAN. Does the gentleman from Michigan ask unanimous consent to set aside the action of the committee in determining to rise?

Mr. KITCHIN. The gentleman from Texas [Mr. GARNER] has a bona fide amendment. Let us have it read under the five-minute rule.

The CHAIRMAN. The Chair put the motion of the gentleman from Michigan. Does the gentleman ask to vacate or set aside or suspend the action of the committee in determining to rise?

Mr. FORDNEY. Yes. I ask unanimous consent that the action be set aside.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the action of the committee in determining to rise be set aside. Does the gentleman ask that the general debate be terminated now?

Mr. FORDNEY. Yes.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That there shall be levied, collected, and paid upon all nonalcoholic fruit-juice beverages, whether carbonated or not, whether consisting of pure fruit juice or of pure fruit juice to which sugar or water or both have been added, when sold by the manufacturer, producer, or importer, in bottles or other closed containers, a tax of 2 cents per gallon, and such beverages shall not be deemed soft drinks. All provisions of any act or acts inconsistent with the provisions of this act, or imposing any other or different tax on the articles taxed herein are hereby repealed.

Mr. GARNER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GARNER: Strike out, in line 4, the words "fruit juice" and all of line 5 and that part of line 6 including the word "added," and insert in line 4, after the word "beverages," the words "made from loganberry juice," so that as amended the lines will read "That there shall be levied, collected, and paid upon all nonalcoholic beverages, whether carbonated or not, when sold by the manufacturer, producer, or importer."

Mr. GARNER. If gentlemen have the bill before them they can get the language very easily as it would read if amended.

The Clerk read as follows:

Be it enacted, etc., That there shall be levied, collected, and paid upon all nonalcoholic beverages made from loganberry juice, whether carbonated or not, when sold by the manufacturer, producer, or importer, in bottles or other closed containers, a tax of 2 cents per gallon, etc.

Mr. GARNER. That simply means that instead of including all fruit juices you include the loganberry juice alone. That is the only thing that in the committee made a showing that it needed protection. That is in keeping with the hearings had before the committee.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas.

Mr. RANDALL of California. Mr. Chairman, I would like to be heard against the amendment.

The CHAIRMAN. The gentleman from California is recognized.

Mr. RANDALL of California. Mr. Chairman, I have not been in the habit of representing the California wine-grape growers on this floor, but for a moment I do. The State of California has 310,000 acres in grapes; 150,000 acres are devoted to table grapes and 160,000 acres are devoted to wine grapes. As you well know, grape juice so far in history has been made entirely from Concord grapes. The California wine-grape growers are about to discontinue business as a result of the action of Congress, and the California wine-grape growers are endeavoring to perfect a process of making grape juice from wine grapes.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. RANDALL of California. I yield to the gentleman from Iowa.

Mr. GREEN of Iowa. Grape juice was sold here last year that was not made from Concord grapes, but from some light-colored grapes.

Mr. RANDALL of California. Practically all the grape juice so far has been made from Concord grapes. Now, the California wine-grape growers are endeavoring and probably will succeed in making grape juice from the wine grape, and I appeal to the Members of this House who have heretofore voted to protect the California wine-grape growers, as well as the others on the other side, to vote to protect and assist the California wine-grape growers who are now about to change their business.

Mr. MOORE of Pennsylvania. Is it not a fact that the action of Congress having virtually put out of business the grape growers of California, this is about the only way in which they may be able to continue to develop their industry?

Mr. RANDALL of California. I will say to the gentleman from Pennsylvania that this is one of the very few ways in which they can still make a profit out of their grapes. Another method is to make some other product from the wine grapes.

Mr. MOORE of Pennsylvania. What would become of their farms if the grapevines should have to be torn up?

Mr. RANDALL of California. They would be planted to some other product, but that would be an expensive process and would involve delay.

Mr. MOORE of Pennsylvania. That would be confiscating all the capital which they now have invested.

Mr. RANDALL of California. I hope the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. GARNER].

The amendment was rejected.

Mr. JONES of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JONES of Texas: Page 1, line 12, after the word "repealed," strike out the period, insert a semicolon and the following: "and that part of section 628 of the act entitled 'An act to provide revenue, and for other purposes,' which levies a tax equivalent to 10 per cent of the price for which sold upon all unfermented grape juice, ginger ale, root beer, sarsaparilla, pop, artificial mineral waters (carbonated or not carbonated), other carbonated waters or beverages, and other soft drinks sold by the manufacturer, producer, or importer, in bottles or other closed containers, be, and the same is hereby, repealed."

Mr. LONGWORTH. Mr. Chairman, this amendment is not in order. I make the point of order, but will reserve it for a moment if the gentleman wishes to explain his amendment.

The CHAIRMAN. The Chair sustains the point of order.

Mr. JONES of Texas. My amendment refers to the same section that this bill covers—section 628 of the same act.

The CHAIRMAN. This bill does not refer to section 628. This is an act to raise revenue.

Mr. JONES of Texas. But by its very terms it repeals part of section 628 and inserts instead a tax of 2 per cent on the very articles that are named in section 628, and then it says that all provisions of any act or acts inconsistent with the provisions of this act, or imposing any other or different tax on the articles taxed herein are hereby repealed. In other words, it repeals section 628 and inserts another tax; and I offer an amendment repealing other portions of section 628. I think my amendment is in order.

The CHAIRMAN. The Chair thinks otherwise. The Chair sustains the point of order.

Mr. JONES of Texas. All right.

Mr. BANKHEAD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. BANKHEAD: Line 4, strike out the word "fruit juice," and strike out all of line 5 and all of line 6 to and including the word "added," and in lines 8 and 9 the words "and such beverages shall not be deemed soft drinks."

So that as amended it will read: "That there shall be levied, collected, and paid upon all nonalcoholic beverages, whether carbonated or not, when sold by the manufacturer, producer, or importer, in bottles or other closed containers, a tax of 2 cents per gallon. All provisions of any act or acts inconsistent with the provisions of this act, or imposing any other or different tax on the articles taxed herein, are hereby repealed."

Mr. BANKHEAD. Mr. Chairman, as I understand, the proposition involved in the bill is for the purpose of removing the tax, or at least reducing the tax, on each article named in the report, the loganberry raised in the West, apple juice, and grape juice, from 28 cents down to 2 cents a gallon. I can not see any good reason why, if you are going to reduce the tax that is supposed to be levied on fruit-juice beverages, that you should discriminate in favor of those three particular items, one particular item which has been discussed being the loganberry, and leave the tax on all the other nonalcoholic beverages put up in bottles.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. JOHNSON of Washington. Does not the gentleman think it possible that fruit juices intended for the table have an element of food value, whereas these waters do not?

Mr. BANKHEAD. I was discussing the question from the justness and justice of the proposition. You propose by the pending legislation to reduce the tax on certain favored articles. Here is the legitimate result of that: You give a distinct commercial advantage to certain people who are engaged in the production of certain commodities and levy a penalty on their competitors, who are producing other nonalcoholic beverages. It seems to me that there can be no justification for a discrimination of that character. As I see it—and I have tried to look at it fairly—the measure does make an unwarranted discrimination in favor of certain producers of these commodities.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. GREEN of Iowa. I think the gentleman wants to look at it fairly, but he has not considered this phase of the situation: The fruit juices grown to make sirup have to be grown with particular care, have to be manufactuured with great particularity, handled with a great deal of care, and are much more costly and difficult to produce than this mere sweetened wine that other manufacturers put out.

Mr. BANKHEAD. Does the gentleman know of any fruit which is made into a beverage that does not have to be produced with care and discrimination?

Mr. GREEN of Iowa. But this applies to all fruit beverages.

Mr. BANKHEAD. No; there are beverages that are manufactured from fruits that you are not reducing the tax on and which, if this bill is passed, will still be required to pay 28 cents a gallon. By this legislation you are seeking to reduce the tax on loganberry juice and on grape juice, and I can not see any justice in that proposition, because you certainly are showing favoritism in the legislation. If you are going to reduce it on one nonalcoholic beverage it ought to be reduced on all.

The amendment which I have offered to the bill would reduce the tax on all nonalcoholic bottled beverages to 2 cents a gallon. This would include Coca-Cola, Chero Cola, soda pop, and ginger ale. If you propose to reduce the tax on loganberry and grape juice sirups to a rate equal to 2 cents a gallon on such juices when bottled, in all fairness you should include all other juices and sirups out of which other sorts of bottled beverages are made to the same rate. As a matter of fact, the rate of tax levied on bottle beverages under the present revenue law, which is 10 per cent on gross sales, is too high. I protested against it when the bill was passed and I protest against it now. The cost of producing bottled soft drinks has increased enormously in the last two years. Every single element that goes into its production—sugar, sirups, bottles, caps, labor, trucks, express charges—has gone up from 25 to 50 per cent, if not more. Under the present tax plus the increased cost of production it is almost impossible for the owners of bottling plants to come out even, much less to earn an honest and legitimate profit. The loganberry raisers of the Northwest and the grape growers of New York were given a hearing before your Ways and Means Committee, now under Republican control, but I understand that no other class of people interested in the bottling business were invited to appear and present their case for a reduction of the existing tax. Is not that discrimination? Is not that favoritism of the grossest sort? That same Ways and Means Committee has reported and you have just passed a bill taking all the tax off soda water and ice cream sold at fountains not sold in bottles, and that was all right; but the matter as it is now left allows the men, women, and children who get soft drinks and ice cream at town soda fountains to do so tax free, and the operator of the soda fountain in town tax free, but the thousands of people who want to buy a pleasant drink of bottled Coca-Cola or pop out in the country at a store or soft-drink stand—at places where there is no soda fountain—you leave a 10 per cent tax on them by taxing the bottler that amount, and which the consumer must absorb. And remember many of the States also levy a tax on the business.

Gentlemen, that sort of discrimination can not be defended. It is incapable of defense.

My amendment reduces the tax on all bottled beverages to a reasonable basis. It would levy a fair and reasonable tax.

But I insist that if you are going to relieve one class of beverages from the existing tax you should relieve all. If you are going to tax one you should tax all on the same rate and basis. That would be fair; it would be just. Not to do so is scandalous.

Mr. MOORE of Pennsylvania. Mr. Chairman, the gentleman from Alabama has introduced here a mighty interesting proposition, and one I think that ought to be explained to the committee. He proposes that all soft drinks, whether made of fruit juices or not, shall be included in this amendment intended to relieve the farmers' products purely from the operation of section 628, which, with the tax on containers and other things, makes the tax very high and burdensome.

He would not add to the word "beverages" the word "sirup" for the very good and sufficient reason that Coca-Cola, the greatest offender of them all, which every one of us ordinarily believed to have been taxed along with other soft drinks, is not taxed one single cent. Why? Because it has been held that it is not a beverage as it leaves the great Georgia manufacturing plant, but is a sirup, and therefore the biggest manufacturer of them all escapes upon a technicality of definition.

Mr. BANKHEAD. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. BANKHEAD. Do I understand the gentleman to assert that Coca-Cola in no form, either in its original sirup or its manufactured form when put into bottles, pays a tax to the Treasury of the United States?

Mr. MOORE of Pennsylvania. Coca-Cola pays nothing. It comes from the factory under section 628 and pays nothing. I leave it to the author of this magnificent, monumental revenue bill, the gentleman from North Carolina, to disprove my statement if it is incorrect.

Mr. BANKHEAD. If that is a correct assertion, I agree with the gentleman that it ought to be taxed.

Mr. MOORE of Pennsylvania. The gentleman from Alabama and I agree that the gentleman from North Carolina is eloquent in his silence. Coca-Cola, the great Georgia product, is not taxed at all, because it is not a beverage as defined here, and so it escapes taxation.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. BANKHEAD. Does the gentleman assert as a member of the Ways and Means Committee and one who speaks with authority that there is no tax levied or collected by the Government on bottled Coca-Cola as sold to the ordinary consumer?

Mr. MOORE of Pennsylvania. There is no tax on the manufacturer.

Mr. BANKHEAD. Will the gentleman answer the question "yes" or "no."

Mr. MOORE of Pennsylvania. I said on the manufacturer.

Mr. BANKHEAD. But there is a tax levied and collected in its bottled form, is there not?

Mr. KITCHIN. Just like all others.

Mr. MOORE of Pennsylvania. The law reads:

Upon all beverages derived wholly or in part from cereals or substitutes therefor, and containing less than one-half of 1 per cent of alcohol, sold by the manufacturer, producers, or importers, in bottles or other closed containers, a tax equivalent to 15 per cent of the price for which so sold.

And you get nothing out of it from the manufacturer down in Georgia, because he sells a sirup. He does not sell a beverage.

Mr. BANKHEAD. Mr. Chairman, I do not represent anyone in Georgia.

Mr. MOORE of Pennsylvania. Oh, I know that; and I was not accusing the gentleman from Alabama, but I said it was very interesting that he should offer this amendment at this time, because it would tend to relieve the manufacturer of Coca-Cola from the 2 cents that is levied in this amendment. The only tax the Coca-Cola business pays in any way is the 1 cent at the fountain, where the retailer made the profit to which the gentleman from North Carolina [Mr. KITCHIN] referred awhile ago, and that 1 cent has now been taken off Coca-Cola by the passage of the repealer of section 630.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. So Coca-Cola goes scot-free, and I am glad to hear the gentleman from Iowa [Mr. GREEN] say that gentlemen on the other side who want to reach Coca-Cola will be given an opportunity very soon to make it pay its fair share of the burden of running this Government in war time.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. FORDNEY. Mr. Chairman, I move that all debate upon this bill and the amendments thereto——

Mr. KITCHIN. Oh, Mr. Chairman, I desire to offer an amendment and to speak on the amendment now before the committee.

Mr. FORDNEY. Mr. Chairman, I am going to ask that all debate upon all amendments and the bill itself close in 10 minutes.

Mr. BLACK. Mr. Chairman, I have an amendment which I desire to offer.

Mr. JONES of Texas. Mr. Chairman, I have a germane amendment which I desire to offer.

Mr. FORDNEY. I know, but gentlemen have been offering amendments and talking for some time. I will make it 15 minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that all debate upon the amendments and the bill itself end in 15 minutes. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. KITCHIN. Mr. Chairman, I have an amendment here carrying out what I suggested and I will offer it, though I may withdraw it, for it seems it is impossible to get through any amendment this afternoon.

The CHAIRMAN. The Chair without other arrangement will recognize members of the Committee on Ways and Means.

Mr. KITCHIN. I will ask that the reading of my amendment be withheld for the present. I want to speak especially to my good friend and colleague from Pennsylvania [Mr. MOORE]. There is no gentleman that I am more fond of than I am of my old friend from Philadelphia, and I shall address him in the affectionate terms of J. HAMP. MOORE. When Mr. J. HAMP. MOORE makes a speech in which he talks about the Democratic Party, he becomes so partisan that he can not see the facts and the truth to save his life. If my good friend J. HAMP. could see the truth, if he was not so blinded with partisanship, he would be the last man in the world who would refuse to tell the truth.

He tells this House and tries to give the impression, because he refused to see the facts, that there is no tax on Coca-Cola, and that we Democrats over here did not want to tax Coca-Cola. I beg his especial attention so that he may see the truth, which is this: Coca-Cola sirup is taxed in the present act just like every other sirup made or produced in the United States that goes into a soft drink is taxed. It pays the same tax exactly, and in exactly the same manner.

There is no tax on any sirups, but the way we get the tax on Coca-Cola, on lemon sirup, on all other sirups made, is in the drink which the consumer uses. First, if it is put in bottles like ginger ale, pop, sarsaparilla, or Coca-Cola or lemon cola or pepso cola or anything else, because in making Coca-Cola you must make it out of the sirup, and if it sells in bottles made out of the sirup it has a tax of 10 per cent under the present law. That is true of Coca-Cola as of any other sirups. Again, if you compound Coca-Cola like any of the other sirups anywhere at a soda fountain and make a drink of Coca-Cola, that pays identically the same tax as a drink made of any other sirup made in the United States. Now, that is the fact, the truth, and the law. But my good friend J. HAMP. can not see it. Now that is the truth——

Mr. MOORE of Pennsylvania. Does the gentleman say the manufacturer pays under section 628?

Mr. KITCHIN. The manufacturer pays just like any other manufacturer of sirup. When it is made into a drink on that drink is imposed a tax.

Mr. MOORE of Pennsylvania. That is what I said, that after it gets away from the factory——

The CHAIRMAN. The time of the gentleman has expired.

Mr. KITCHIN. I will ask for one minute.

Mr. MOORE of Pennsylvania. The gentleman has a complicated case and I think he ought to have a minute.

Mr. KITCHIN. I will ask unanimous consent for one minute more time.

The CHAIRMAN. The gentleman from North Carolina, notwithstanding the order already entered into, asks unanimous consent to speak for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. KITCHIN. Now, the only relief from taxation that Coca-Cola has when mixed into a drink was made by the House this afternoon when the House relieved Coca-Cola from it as a drink compounded at the fountain. That was relieved of all taxation this afternoon, and that is one of the reasons I opposed the relieving of soft drinks, because I believe that Coca-Cola ought to be taxed, sometimes I almost feel like saying it ought to be taxed out of existence, and I as a Democrat voted against relieving Coca-Cola as a drink of any tax, but you gentlemen voted to relieve it. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. GREEN of Iowa. Mr. Chairman, the only one practical way of equalizing this tax is in the form of the bill which we have before us. The suggestions made by the gentleman from North Carolina are utterly impossible. Fruit juices are not a sirup. You can not call them a sirup and put them in the law as a sirup. That would introduce all sorts of difficulties with the Treasury Department the moment you undertake it. The loganberry juice can be drunk in the form in which it is originally pressed from the berry. It does not have to be diluted unless you like it better. The same thing is true with these grape juices. There is a difference, notwithstanding the argument made by the gentleman from Alabama, between fruit juices, expensive to make, difficult to keep, hard to handle, and some concoction of carbonic-acid gas and water with a little sugar in it, and there is almost the same difference with regard to all these beverages made from cereals from which you can make a whole barrel of beverage for the same expense as to make a quart of loganberry juice. There is no question about that, and that is the reason there should be a distinction, should be a difference, in the rate of tax upon those different kinds of beverages. Now, Mr. Chairman, the time is very much limited and I do not want to cut off these gentlemen entirely, so I will only use these two minutes.

Mr. BLACK. Mr. Chairman, I have an amendment which I would like to offer.

The CHAIRMAN. The gentleman from Texas offers an amendment——

Mr. LONGWORTH. Mr. Chairman, I think there is an amendment pending.

The CHAIRMAN. There are amendments pending. The question is on the amendment offered by the gentleman from Alabama [Mr. BANKHEAD].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. BANKHEAD. I ask for a division, Mr. Chairman.

The committee divided; and there were—ayes 18, noes 57.

So the amendment was rejected.

Mr. BANKHEAD. Mr. Chairman, I would like to get unanimous consent to extend and revise my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. JONES of Texas. Mr. Chairman, I have an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JONES of Texas: Page 1, line 9, after the word "drinks," insert "and there shall be levied, collected, and paid upon all unfermented grape juice, ginger ale, root beer, sarsaparilla, pop, artificial mineral waters (carbonated or not carbonated), other carbonated waters or beverages, and other soft drinks sold by the manufacturer, producer, or importer in bottles or other closed containers, a tax equivalent to 1 per cent of the price for which so sold."

Mr. LONGWORTH. Mr. Chairman, I make the point of order the amendment is out of order.

The CHAIRMAN. The gentleman from Ohio makes the point of order the amendment is out of order.

Mr. LONGWORTH. And I want to say this about the point of order.

Mr. JONES of Texas. I would like the gentleman to state it.

Mr. LONGWORTH. I make the point of order that the gentleman's amendment is out of order as conflicting with paragraph 3 of Rule XXI.

In the first place, it is clearly out of order because the paragraph and bill are the same in this case. It would be out of order in either case, I think, but in this case the paragraph and the bill to which this amendment is offered are the same. This bill deals only with nonalcoholic fruit-juice beverages. The gentleman endeavors to add an entirely different subject, to wit, cereal beverages.

Mr. JONES of Texas. Those are not included.

Mr. LONGWORTH. Ginger ale and all that sort of thing, at any rate.

Mr. JONES of Texas. The part that deals with cereal beverages I left out.

Mr. LONGWORTH. It deals with ginger ale, at any rate.

Mr. Chairman, under paragraph 3, Rule XXI, you can not introduce into a tariff or revenue bill dealing with certain specific articles another and a different article. Let me refer the Chair to page 521 of the Manual. The Chairman in that case was interpreting the meaning of this rule. It was the first decision where the full meaning of that paragraph was considered. At the bottom of page 520 the Chair says:

It is clear to the mind of the Chair that this rule was intended to further limit the right of amendment, and to make it clear that to be germane the amendment should relate to the subject matter in the bill, and to the particular item in this bill sought to be amended.

This is a bill entitled:

A bill to place on the free list agricultural implements, cotton bagging, cotton ties, leather, boots and shoes, fence wire, meats, cereals, flour, bread, timber, lumber, sewing machines, salt, and other articles.

And a little further on he says:

While the bill relates to the free list, does the amendment proposing to put glass on the free list in any proper sense relate to the subject matter in the bill, or to any item in the bill?

And proceeded to rule the amendment out of order.

Now, Mr. Chairman, that was the bill of almost the broadest conceivable sort. A very large number of articles were sought to be placed on the free list in that bill, and even though the bill was as broad as that, an effort to include glass among these specified articles was held to be out of order.

The CHAIRMAN. The Chair would like to hear from the gentleman from Texas [Mr. JONES] on the point of order.

Mr. LONGWORTH. Let me add this statement, Mr. Chairman, and briefly refer to the history of this rule. At the time it was adopted it had been the custom on this side of the House in considering tariff bills to offer a rule making out of order amendments to revenue bills under consideration. We were a good deal criticized for that.

In 1911, when the other side got the majority, they put in this rule, paragraph 3 of Rule XXI. It is an exception to all rules theretofore or thereafter provided as to germaneness. It was intended to limit germaneness to the least possible extent, and so it was very easy for our friends on that side of the House to bring in a tariff or revenue bill without bringing in a rule, and it seemed perfectly fair on the surface, though the right to amend was absolutely destroyed. Paragraph 3 of Rule XXI was established, and just behind the gentleman from North Carolina [Mr. KITCHIN] is the gentleman [Mr. ALEXANDER] who announced the first comprehensive ruling, and with absolute correctness, as I believe. It prevents absolutely the amendment of any item of a tariff bill by introducing some new subject, and it is proper, Mr. Chairman, that that should be so, because if the gentleman who now offers this amendment to include ginger ale would have the right to include ginger ale, he would have the right to include automobiles, jewelry, and almost everything else that has upon it a manufacturer's tax, and it would inevitably lead to chaos.

I submit again that both under the spirit and under the letter of paragraph 3 of Rule XXI the gentleman's amendment is out of order.

The CHAIRMAN. The Chair will hear the gentleman from Texas.

Mr. JONES of Texas. Mr. Chairman, if I understand correctly the precedent which is cited by the gentleman from Ohio [Mr. LONGWORTH], it refers to an appropriation bill.

Mr. LONGWORTH. Oh, no; to a revenue bill.

Mr. JONES of Texas. But that makes no difference. His proposition is not parallel to the one which the Chair has before him at the present time. This particular bill levies on nonalcoholic fruit juice beverages a tax of 2 cents per gallon. The present law taxes such beverages 15 per cent of the price for which they are sold.

Now, the first amendment, as I understand, was ruled out by the Chair on the theory that such amendment undertook to repeal a tax measure; that is, to add a repealing amendment to a taxing measure. I have simply added, instead of 10 per cent of the price, a tax of 1 per cent of the price, making it a taxing amendment. The repealing provision, of course, would apply to it as it does to the other portion of the bill.

Now, I have not included in this amendment the first part of the old law which refers to cereal beverages or substitutes therefor, containing less than one-half of 1 per cent of alcohol as sold by the manufacturer. It would probably be subject to a point of order if I had included that in the amendment, because this particular tax bill which we have before the House at the present time is a tax referring to nonalcoholic beverages. I have therefore, in my amendment, simply included those items which are named in the old bill as "nonalcoholic," and are named in the same paragraph which cover the items contained in the bill.

The CHAIRMAN. The Chair will ask the gentleman from Texas whether or not he thinks that a bill placing a tax upon nonalcoholic fruit juice could be amended by a germane amendment that would propose to add ginger ale, root beer, sarsaparilla, pop, and artificial mineral waters?

Mr. JONES of Texas. Well, it includes grape juice as well. It includes those articles that are named in the same paragraph. I think it is a question of beverage rather than the particular adjective that is attached to the word "beverage." They are nonalcoholic beverages, and the principal word is the word "beverage," rather than the adjective "fruit juice" attached before the word "beverage." They are the nonalcoholic beverages that are named in the same paragraph. Now, being beverages, and being nonalcoholic beverages, it seems to me they would go in with these other beverages. It is simply adding another adjective to the noun. The noun is the principal word in the sentence. It is the word in the sentence that gives the sentence its meaning, and the adjective is simply the qualifying word to the noun. The effect of my amendment is simply to add some qualifying words to that noun. The word "beverage," as I say, is the principal word. "Nonalcoholic" refers rather to the class and type of beverages. I have simply added one more nonalcoholic beverage. They are specifically designated as unfermented.

The CHAIRMAN. The gentleman, then, under his theory, could add an alcoholic beverage?

Mr. JONES of Texas. No. I do not know whether you could or not, but I do not think that is important. That issue is not in the case.

The CHAIRMAN. The Chair is ready to rule. The Chair thinks the amendment is in violation of both section 3 of Rule XXI and of section 7 of Rule XVI, and therefore sustains the point of order.

Mr. BLACK. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report it.

Mr. BLACK. After the word "beverage," in line 4, strike out the words "whether carbonated or not."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BLACK: In line 4, page 1, after the word "beverage" strike out the words "whether carbonated or not."

Mr. FORDNEY. Mr. Chairman, I hope the amendment will not prevail. I shall ask for a vote.

Mr. BLACK. Mr. Chairman, how much time remains?

The CHAIRMAN. Five minutes.

Mr. BLACK. I would like to explain in a very brief way the reason for offering my amendment, and I see no reason why it should not be accepted by those who are friendly to grape juice, loganberry juice, and other fruit juices and are seeking to encourage those industries. I know that we are all familiar with the fact that these fruit juices are put up in bottles without carbonation. The method by which these juices are used as a home beverage is to take the juice and mix it with sugar and water and serve with plenty of ice.

The only place where they are carbonated is at the soda fountain, and this afternoon we have taken off the tax from soda-fountain drinks. Now, the reason I have offered the amendment is this: In section 628 of the war revenue bill we placed a tax of 10 per cent on the sale price of all carbonated beverages. Let us take Coca-Cola. The sirup is not a beverage. The gentleman from Pennsylvania [Mr. MOORE] dwelt at considerable length upon that proposition; but we are all familiar with the fact that you can not take Coca-Cola sirup and use it as a beverage. The only way in which it can be used

as a beverage is to carbonate it, either at the soda fountain or in the bottle with carbonated water, and when that was done, under section 630 you put a tax on it at the soda fountain and under section 628 all the bottlers of Coca-Cola have paid 10 per cent on the sale price. Now, what will be the result if you leave in this bill these words "whether carbonated or not"? The manufacturers of these fruit juices will take loganberry juice and grape juice and possibly some other juices and make them up in sirup form and sell them to the bottler, and when the bottler carbonates that beverage, under this provision if it stays in, "whether carbonated or not," he will pay 2 cents a gallon on those beverages instead of 10 per cent. Now, what difference will it make as to the amount of his tax? A case of soda water that is ordinarily sold to the dealer contains 24 half-pint bottles, which would be 12 pints or 1 gallon and a half. Under the present law there would be about 8 cents collected on that case of soda water, because I think the average price would be about 80 cents for a case of 24 half-pint bottles. Now, suppose you make these carbonated drinks from loganberry sirup or other fruit juice sirup. You would have a gallon and a half of carbonated drink made from fruit juice sirup, and you would pay 3 cents on it instead of 8 cents. Now, is there any better reason why you should pay 8 cents on other sirups and only 3 cents on carbonated loganberry drink?

Mr. JOHNSON of Washington. Now, take a case of 24 half-pint bottles of soda water, made from a sirup. They pay 8 cents to the Government.

Mr. BLACK. Yes.

Mr. JOHNSON of Washington. The bottler absorbs that, and the retailer charges 6 cents a bottle under the guise of a tax, and places that onto the public.

Mr. BLACK. The bottler does not absorb the tax. He charges it up to the retailer. At least it is my understanding that it has been done in most cases.

Mr. JOHNSON of Washington. Charges 8 cents?

Mr. BLACK. Yes.

Mr. JOHNSON of Washington. And the retailer gets 24 cents, 1 cent on each of the 24 bottles, and that is something we want to get rid of.

Mr. BLACK. I advocated on the floor this afternoon that if you repeal the tax on any of the soft drinks, you ought to repeal them all. But, gentlemen, if you are only wanting to protect the buyer of fruit juices, you do not need to have the word "carbonated" in here, because we all know that grape juice, loganberry juice, and drinks of that sort are put up by the manufacturers in half pints, pints, quarts, and gallons, and without carbonation. But if we are going to permit the making of loganberry sirup or grape sirup and make carbonated beverages out of it as is done with lemon and orange and sarsaparilla sirup, then I do not see any reason why all such drinks should not pay the regular 10 per cent tax. I do not see any just reason for discrimination in favor of the one and against the other. It is for this reason I have offered my amendment.

The CHAIRMAN. The time of the gentleman has expired. All time has expired.

Mr. FORDNEY. All I want to say is that I hope that amendment will not prevail. I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. BLACK].

The question being taken, on a division (demanded by Mr. BLACK) there were—ayes 20, noes 47.

Accordingly the amendment was rejected.

The CHAIRMAN. The gentleman from North Carolina [Mr. KITCHIN] sent an amendment to the desk.

Mr. KITCHIN. Let the amendment go into the RECORD.

The amendment is as follows:

Amendment by Mr. KITCHIN: Strike out all of the enacting clause and insert the following: That section 628 of the revenue act of 1918 be amended by adding, at the end of such section, the following: "(c) Fruit juices, whether consisting of pure fruit juice or of pure fruit to which sugar has been added, to which an equal amount of water or more must be added to make a potable liquid of the soft-drink class, shall be construed as a sirup and shall not be taxed under this section.

Mr. KITCHIN. I withdraw that amendment, because there is no chance in the world of getting this House to pass it, and it is no use to take up the time.

Mr. FORDNEY. I move that the committee do now rise and report the bill back to the House with the recommendation that it do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CAMPBELL of Kansas, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 7840) providing for a tax on pure fruit-juice beverages, had directed him to report the same back to the House without amendment, with the recommendation that the bill do pass.

Mr. FORDNEY. I move the previous question on the bill to the final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FORDNEY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows:

To Mr. RUCKER, for this week, on account of sickness in the family.

To Mr. KRAUS, at the request of Mr. VESTAL, indefinitely, on account of illness in family.

To Mr. DAVEY, for two days, on account of important business.

ENROLLED JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following joint resolution:

H. J. Res. 147. Joint resolution to ratify and confirm from and including July 1, 1919, obligations incurred pursuant to the terms of certain appropriations for the fiscal year 1920.

ADJOURNMENT.

Mr. FORDNEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 50 minutes p. m.) the House adjourned until to-morrow, Tuesday, July 29, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Navy transmitting views of the Navy Department in connection with certain aspects of radio communication (H. Doc. No. 165), was taken from the Speaker's table, referred to the Committee on the Merchant Marine and Fisheries, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. TIMBERLAKE, from the Committee on Ways and Means, to which was referred the bill (H. R. 4437) to provide revenue for the Government and to promote the production of tungsten ores and manufactures thereof in the United States, reported the same with amendment, accompanied by a report (No. 161), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND of Indiana, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 7539) to provide for monthly payment of pensions, and for other purposes, reported the same with amendment, accompanied by a report (No. 162), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MONTAGUE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 7110) extending the time for the construction of a bridge across Flint River, in the State of Georgia, reported the same without amendment, accompanied by a report (No. 163), which said bill and report were referred to the House Calendar.

Mr. RAYBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 7706) to extend the time for the construction of the Broadway Street bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark., reported the same without amendment, accompanied by a report (No. 164), which said bill and report were referred to the House Calendar.

Mr. SANDERS of Indiana, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 7707) to extend the time for the construction of the Main Street bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark., reported the same without amendment, accompanied by a report (No. 165), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GARLAND, from the Committee on Mines and Mining, to which was referred the joint resolution (H. J. Res. 150) to suspend the requirements of annual assessment work on mining claims during the year 1919, reported the same with amendment, accompanied by a report (No. 170), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. VAILE, from the Committee on Immigration and Naturalization, to which was referred the joint resolution (H. J. Res. 163), authorizing the Secretary of Labor to lease the Charleston immigration station and dock connected therewith, reported the same without amendment, accompanied by a report (No. 172), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII. the Committee on Pensions was discharged from the consideration of the bill (H. R. 3586) granting a pension to Martin L. Stokesberry, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. JOHNSON of Washington: A bill (H. R. 7914) providing for the manner of appointment of commissioners of immigration at the several ports; to the Committee on Immigration and Naturalization.

By Mr. TIMBERLAKE: A bill (H. R. 7915) to amend section 800 of the revenue act of 1918, approved February 24, 1919; to the Committee on Ways and Means.

By Mr. DICKINSON of Missouri: A bill (H. R. 7916) authorizing the Secretary of War to donate captured German cannon to the city of Eldorado Springs, Mo.; to the Committee on Military Affairs.

By Mr. KAHN: A bill (H. R. 7917) to commission retired pay clerks; to the Committee on Military Affairs.

By Mr. KLECZKA: A bill (H. R. 7918) authorizing the Secretary of War to donate to the city of Milwaukee, Wis., 12 German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 7919) authorizing the Secretary of War to donate to the city of West Allis, Milwaukee County, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7920) authorizing the Secretary of War to donate to the city of South Milwaukee, Milwaukee County, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7921) authorizing the Secretary of War to donate to the city of Cudahy, Milwaukee County, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7922) authorizing the Secretary of War to donate to the city of Wauwatosa, Milwaukee County, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. JOHNSON of South Dakota: A bill (H. R. 7923) granting additional pay, according to length of service, to officers and enlisted personnel of the Army, Navy, and Marine Corps; to the Committee on Ways and Means.

Also, a bill (H. R. 7924) to provide for the relief of officers of the United States Army; to the Committee on Military Affairs.

By Mr. CURRY of California: A bill (H. R. 7925) to establish the department of aeronautics, and for other purposes; to the Committee on Military Affairs.

By Mr. McGLENNON: A bill (H. R. 7926) authorizing the Secretary of War to donate to the town of Bloomfield, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SHERWOOD. A bill (H. R. 7927) to restore to the colors and granting amnesty to soldiers, sailors, and marines, and to certain other persons, and for other purposes; to the Committee on Appropriations.

By Mr. ASWELL: A bill (H. R. 7928) to repeal the internal-revenue taxes upon wholesome foods and the special license taxes imposed upon producers and dealers in such wholesome foods; to the Committee on Ways and Means.

By Mr. OSBORNE: A bill (H. R. 7929) to authorize the Secretaries of War and of the Navy to sell to honorably discharged officers and enlisted men of the United States Army, Navy, and Marine Corps certain clothing and subsistence supplies at the prices at which such supplies are sold to officers and enlisted men in the active service, and for other purposes; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 7930) to provide for the treatment in hospital of diseased alien seamen; to the Committee on Immigration and Naturalization.

By Mr. CAMPBELL of Pennsylvania: A bill (H. R. 7931) to repeal section 8 of the act of August 2, 1886, as amended by section 3 of the act of May 9, 1902; to the Committee on Ways and Means.

By Mr. SMITH of Michigan: A bill (H. R. 7932) granting a pension to certain widows of soldiers, sailors, and marines of the Civil War, and relating to the construction of the pension laws in relation thereto; to the Committee on Invalid Pensions.

By Mr. KREIDER: A bill (H. R. 7933) authorizing and directing the Director of the Census to collect and publish at certain intervals statistics concerning hides, skins, and leather; to the Committee on Appropriations.

By Mr. RICKETTS: Resolution (H. Res. 203) requiring the Committee on Military Affairs to investigate and report to the House at once the question of whether or not the shell-shocked soldiers are being kept in hospitals with the criminal insane, and for appropriation, etc.; to the Committee on Appropriations.

By Mr. JOHNSON of Washington: Resolution (H. Res. 204) authorizing the Committee on Immigration and Naturalization of the House of Representatives to make an investigation relative to smuggling and other unlawful entries into the United States through the Pacific coast ports and other places and over the Mexican and Canadian borders; to the Committee on Rules.

By Mr. EMERSON: Joint resolution (H. J. Res. 162) repealing taxes and import duties on sugar and foodstuffs and on freight rates; to the Committee on Ways and Means.

By Mr. WHALEY: Joint resolution (H. J. Res. 163) authorizing the Secretary of Labor to lease the Charleston immigration station and dock connected therewith; to the Committee on Immigration and Naturalization.

By Mr. GRIFFIN: Joint resolution (H. J. Res. 164) proposing an amendment to the Constitution taking away from the United States Senate the exclusive power to ratify treaties and vesting that power in both the Senate and House of Representatives; to the Committee on the Judiciary.

By Mr. KAHN: Joint resolution (H. J. Res. 165) to allow the payment of bills lawfully incurred for construction work actually performed or construction material actually purchased and delivered prior to the approval of an act approved July 11, 1919 (Public, No. 7, 65th Cong., H. R. 5227); to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALMON: A bill (H. R. 7934) granting a pension to Mabron Van Gibbs; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 7935) granting an increase of pension to Angeline McVicker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7936) granting an increase of pension to Rebecca J. Kaylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7937) granting an increase of pension to Ezra L. Eckis; to the Committee on Pensions.

By Mr. BROOKS of Illinois: A bill (H. R. 7938) granting an increase of pension to Nettie S. Moore; to the Committee on Invalid Pensions.

By Mr. CAMPBELL of Kansas: A bill (H. R. 7939) granting a pension to Clara V. Ransom; to the Committee on Invalid Pensions.

By Mr. CARAWAY: A bill (H. R. 7940) granting an increase of pension to James A. Childers; to the Committee on Pensions.

Also, a bill (H. R. 7941) granting a pension to Thomas W. Breckenridge; to the Committee on Pensions.

By Mr. DENISON: A bill (H. R. 7942) granting an increase of pension to Huston Summers; to the Committee on Invalid Pensions.

By Mr. DICKINSON of Iowa: A bill (H. R. 7943) granting an increase of pension to Theodore Walker; to the Committee on Invalid Pensions.

By Mr. HADLEY: A bill (H. R. 7944) granting a pension to Isabella Burns; to the Committee on Invalid Pensions.

By Mr. HUDSPETH: A bill (H. R. 7945) for the relief of A. C. Russell; to the Committee on Claims.

By Mr. KEARNS: A bill (H. R. 7946) granting an increase of pension to Walter J. Wall; to the Committee on Invalid Pensions.

By Mr. KLECZKA: A bill (H. R. 7947) granting an increase of pension to W. Y. Richardson; to the Committee on Invalid Pensions.

By Mr. LANHAM: A bill (H. R. 7948) for the relief of A. L. Utley, his wife, and minor children; to the Committee on Claims.

By Mr. McKINLEY: A bill (H. R. 7949) granting a pension to Reuben I. Seibert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7950) granting an increase of pension to George Deland; to the Committee on Invalid Pensions.

By Mr. MAJOR: A bill (H. R. 7951) granting an increase of pension to Joel Rider; to the Committee on Invalid Pensions.

By Mr. MASON: A bill (H. R. 7952) granting a pension to Lizzie Keen; to the Committee on Invalid Pensions.

By Mr. MOON: A bill (H. R. 7953) granting an increase of pension to J. M. McKenzie; to the Committee on Pensions.

By Mr. PURNELL: A bill (H. R. 7954) granting an increase of pension to Laura S. Gilkey; to the Committee on Pensions.

By Mr. RICKETTS: A bill (H. R. 7955) granting an increase of pension to Paul E. Hyatt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7956) granting a pension to Elmer S. Baker; to the Committee on Pensions.

Also, a bill (H. R. 7957) granting a pension to Adolph V. Gompf; to the Committee on Pensions.

By Mr. SELLS: A bill (H. R. 7958) granting an increase of pension to Willis Anderson; to the Committee on Invalid Pensions.

By Mr. SINNOTT: A bill (H. R. 7959) authorizing the cancellation of the Indian trust patent which issued to Justine Sayers; to the Committee on the Public Lands.

By Mr. SMITH of Michigan: A bill (H. R. 7960) granting a pension to Eliza C. Spears; to the Committee on Invalid Pensions.

By Mr. THOMPSON of Ohio: A bill (H. R. 7961) granting a pension to Oscar McPike; to the Committee on Invalid Pensions.

By Mr. TINCHER: A bill (H. R. 7962) granting a pension to Louisa Jane Holmes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7963) granting a pension to Frances A. Boody; to the Committee on Invalid Pensions.

By Mr. VAILE: A bill (H. R. 7964) granting a pension to Thomas N. Pray; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7965) for the relief of Richard A. Schwab; to the Committee on Claims.

By Mr. WELTY: A bill (H. R. 7966) granting a pension to Phoebe Williams; to the Committee on Invalid Pensions.

By Mr. WHEELER: A bill (H. R. 7967) granting a pension to Anna M. Neill; to the Committee on Pensions.

By Mr. WILLIAMS: A bill (H. R. 7968) granting an increase of pension to Mary Ann Gettings; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7969) granting a pension to Lucinda J. Smith; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the Chinese Student National Federation of Shanghai, urging justice in future ratification of treaty; to the Committee on Foreign Affairs.

By Mr. BARBOUR: Petition of certain citizens of Atwater, Calif., for the repeal of sections 630 and 900 of the revenue act imposing a tax on ice cream, soft drinks, candy, etc.; to the Committee on Ways and Means.

By Mr. BLAND of Missouri: Petition of Mrs. Thomas Brackett and others, to repeal tax on sodas, ice cream, etc.; to the Committee on Ways and Means.

By Mr. ELSTON: Petition of Liscum Camp No. 7, United Spanish War Veterans, of Oakland, Calif., urging establishment of a naval academy in San Francisco Bay region; to the Committee on Naval Affairs.

Also, petition of the United Brotherhood of Carpenters and Joiners of America, Local Union No. 36, of Oakland, Calif., relative to prohibition legislation; to the Committee on the Judiciary.

By Mr. ESCH: Petition of Wisconsin State Federation of Labor in convention assembled in Appleton, July 16 to 19, 1919, protesting against this abrogation of the fundamental democratic rights of the American people and demanding that the man elected by the voters of the fifth congressional district of Wisconsin be seated; to the Committee on Elections No. 1.

Also, petition of Wisconsin State Federation of Appleton, Wis., asking the repeal of the espionage act; to the Committee on the Judiciary.

Also, petition of Charles J. Hatfield, M. D., of New York City, against the repeal of the so-called daylight-saving law; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER of Illinois: Petition of the Illinois Pharmaceutical Association, favoring the standard-price bills, H. R. 44 and H. R. 212; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Illinois State Federation of Labor, favoring House bill 3149, for the retirement of Federal employees; to the Committee on Labor.

Also, petition of A. J. Lovejoy & Son, of Roscoe, Ill., opposing the bills to regulate the packing industry; to the Committee on Interstate and Foreign Commerce.

Also, petition of Myron Wood, of Youngstown, Ohio, favoring the increase of pensions for the maimed soldiers of the Civil War; to the Committee on Invalid Pensions.

By Mr. GRIFFIN: Petition of 1,125 citizens of New York City, 750 of whom are residents of the twenty-second congressional district of New York, for the repeal of the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. JOHNSON of Washington: Petition of various citizens of Vancouver, Wash., urging the repeal of the tax on soft drinks, etc.; to the Committee on Ways and Means.

By Mr. KINKAID: Petition of T. A. Smith of Burwell; George E. Anderson and 24 other citizens of Bristow; and C. H. Barker and 28 other residents of Burwell, all in the State of Nebraska, asking for the repeal of the tax on candy, soda-fountain foods and drinks, etc.; to the Committee on Ways and Means.

By Mr. McKEOWN: Resolution adopted by the high-school conference at the University of Oklahoma July 18, 1919; to the Committee on Education.

By Mr. MANN: Petition of sundry citizens of Chicago, Ill., favoring repeal of section 907 of the war revenue act; to the Committee on Ways and Means.

By Mr. O'CONNELL: Petition of Lamont, Corliss & Co. and Peter Cailler Kohler Swiss Chocolates Co. (Inc.), both of New York, for the repeal of the 5 per cent tax on candy, etc.; to the Committee on Ways and Means.

Also, petition of Polish National Alliance of the United States of North America, of Chicago, Ill., protesting against the enactment of Senate bill 2099; to the Committee on Printing.

By Mr. OSBORNE: Memorial of Hamilton S. Hawkins Auxiliary No. 29, United Spanish War Veterans, Sawtelle, Calif., in support of House bill 1715, Sixty-fifth Congress; to the Committee on Pensions.

By Mr. ROWAN: Petition of George B. Wills & Co. (Inc.), of New York, favoring House bill 6323; to the Committee on Public Buildings and Grounds.

Also, petition of MacArthur Bros. Co., engineers and contractors, of New York, against the passage of House bill 503; to the Committee on Immigration and Naturalization.

Also, petition of C. K. Chang, asking the return of the leased territory, Kiaochow; to the Committee on Foreign Affairs.

Also, petition of Peter Cailler Kohler Swiss Chocolates Co. (Inc.) and Lamont, Corliss & Co., both of New York, for the repeal of the 5 per cent tax on candy, etc.; to the Committee on Ways and Means.

Also, petition of Harold R. Young, of New York, containing approximately 250 signatures, requesting the repeal of section 904 of the revenue act of 1918; to the Committee on Ways and Means.

Also, petition of United States Customs Inspectors' Branch K, Federal Employees' Union, No. 4, of New York, favoring House bill 6577; to the Committee on Ways and Means.

Also, petition of the National League Baseball Grounds, at Chicago, Ill., urging upon the Congress of the United States to recognize the Irish republic as now established; to the Committee on Foreign Affairs.

Also, petition of R. H. Alcorn, of Washington, D. C., favoring the Lelhbach retirement bill (H. R. 3149); to the Committee on Reform in the Civil Service.

Also, petition of Polish National Alliance of the United States of North America, of Chicago, Ill., protesting against the enactment of Senate bill 2099; to the Committee on Printing.

Also, petition of the Louisville & Nashville Railroad Co., Milton H. Smith, president, relating to Senate bill 5679; to the Committee on Interstate and Foreign Commerce.

By Mr. TIMBERLAKE: Petition of B. F. Kabel, of Colorado, urging Congress to stand by the guaranteed wheat prices for the 1919 wheat crop; to the Committee on Agriculture.

SENATE.

TUESDAY, *July 29, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come to Thee day by day because we can not hope to achieve the great purpose of our Government, the highest reaches of our civilization, without Thy guidance and Thy blessing. Thou art the author of the ideals for which we stand. We come seeking Thy guidance and Thy blessing. We pray that Thou wilt unfold to us the manner in which we should live. Reveal to us the path upon which we should travel. Open to us the vision of the great future to which Thou dost call us. May we be kept by Thy grace and see this Nation progressing along the line following the track of divine revelation to the highest possible achievements of Thy people. We ask these things for Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

RADIO COMMUNICATION (H. DOC. NO. 165).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Navy, transmitting the views of the Navy Department in connection with certain aspects of radio communication which have become so acute as to demand action by the Congress at the very earliest opportunity, which was referred to the Committee on Naval Affairs and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 2837. An act to repeal section 630 of the revenue act of 1918, approved February 24, 1919; and

H. R. 7840. An act providing for a tax on pure fruit-juice beverages.

SHANTUNG PROVINCE, CHINA.

Mr. KNOX. Mr. President, with the indulgence of the Senate I should like to take four or five minutes to call attention to a very radical error that appears in a very important document which was introduced yesterday by the Senator from Mississippi [Mr. WILLIAMS], it being a letter or an editorial written by ex-President Taft and published in the Philadelphia Public Ledger. In this article ex-President Taft said:

> The exact facts in respect to the Shantung matter have not been set forth as clearly and fully as could be desired. What Germany had in China was granted her by China at the time of the Boxer troubles by way of an indemnity for the killing of her minister, Baron Kettler, and was one of the concessions to foreign powers which grew out of the rising against the foreigners in the time of the Dowager Empress.

Mr. President, the ex-President proceeded then to argue that China had conceded to Germany as an indemnity for the death of Baron von Kettler, which death occurred during the Boxer insurrection, the lease or cession at Shantung, and argued from that proposition that there was a vested interest in Germany which passed to Japan by conquest, and justifying the recognition of the German title and the action of the peace conference in passing over the equities of Germany to Japan.

Mr. President, those are not the exact facts. The exact facts are exactly the reverse, and as the statement I have quoted is the foundation of the whole article, I think it is just to the Senate that the correct story should be told, as it may be in two or three minutes.

The Boxer insurrection occurred in 1900. It was the result of the coup d'état of the Empress Dowager. Shantung was leased to Germany in 1897 or 1898, three or four years before the Boxer insurrection occurred.

It was known as early as 1896 that Germany had developed the policy, and it was so publicly stated in the Reichstag, that she must have a port and a sphere of influence in China, and that was to be the bay of Kiaochow and the environment of the Shantung Peninsula.

Germany's opportunity came in 1897, when two missionaries, not two diplomatic ministers, were murdered in the neighborhood of Kiaochow by highwaymen. These highwaymen were not representatives of the Government; they were mere outlaws, and Germany's right to demand indemnity for the missionaries' death or a vast cession of valuable territory in China would be just as good as Great Britain's right would be to demand a cession of the State of Maryland if two of her subjects had been killed, as they might have been, by outlaws in this city last week.

When the Boxer insurrection broke out we all remember how the representatives of foreign countries were impounded in the city of Peking. They were given by the Dowager Empress in June, 1900, 24 hours to leave the city. At a conference held on the night of the 19th of June, 1900, in the compound it appeared that a majority of the ministers and a majority of the foreigners of our nationality, the French nationality, the British nationality, and other European nationalities had practically decided that they would move off to Tientsin on the following morning, or within the 24 hours.

The British opposed this move, because Tientsin was a long distance away and it would take a mile of carts to transport these foreigners to that city of refuge through a thickly populated country, where the Boxers were having it all their own way. They urged and pleaded and argued with their confreres not to risk the danger, as it meant certain death to them all.

Baron von Kettler, who represented the German Government, took it upon himself, brave man that he was, to visit alone, with his private secretary and two Chinese servants, the Chinese foreign office to see if there could be some modification of this order for them to leave within the 24 hours. On his way to the foreign office he was murdered by imperial soldiers.

The legations at once determined that if the imperial army of China could not protect the foreign ministers in walking from the compound to their own yamen, it would be worse than madness to undertake this journey to Tientsin. So it was given up, and the life of Baron von Kettler was what saved all the lives within that compound.

The indemnity demanded for his death was determined in the protocol of 1901, four years after this cession of Shantung had been made to Germany, and that indemnity consisted of Germany's share in about $350,000,000 in gold. The only mention of Baron von Kettler in the protocol was that the Germans demanded that a monument should be erected to his memory upon the spot where he was slain, and to-day a beautiful arch spans the street at that spot, upon which are inscribed in Chinese and in German inscriptions of the deepest regret and mortification for the act.

Ex-President Taft would have been right in defending that indemnity if it had been the indemnity granted for that brave man's death. The fact is, however, that the indemnity that was agreed to be paid, and which has been up to date in part paid, and which was the indemnity agreed upon in common under the protocol by all the nations to which I have referred, including ourselves—the remainder of that indemnity so justly exacted is taken away from Germany under the peace treaty we are now considering.

PETITIONS AND MEMORIALS.

Mr. MOSES presented petitions of sundry citizens of Andover, Wentworth, Henniker, Salisbury, Hanover, Deerfield, Jackson, Hudson, Bradford, and East Kingston, all in the State of New Hampshire, praying for the ratification of the league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. SMITH of South Carolina. I present a communication from the commander and the adjutant general of the South Carolina Division, United Confederate Veterans, of Greenwood, S. C., transmitting resolutions unanimously adopted by that division indorsing the proposed league of nations. I ask that the communication and accompanying resolutions be printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the communication and accompanying resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

GREENWOOD, S. C., *July 23, 1919.*

To the UNITED STATES SENATORS FOR SOUTH CAROLINA,
Washington, D. C.

DEAR SIRS: We respectfully forward to you resolutions unanimously adopted by the South Carolina Division of United Confederate Veterans. We trust that they may be of service in the settlement of the great question now before our country and the world.

Sincerely, yours,

W. A. CLARK,
Commander of the South Carolina Division U. C. V.
DAVID CARDWELL,
Adjutant General South Carolina Division U. C. V.

Whereas the war which has been waging in Europe for the past four years, in which, for the sake of the liberties of mankind and the preservation of our Christian civilization, the United States was called to take part, was brought to an end on the 11th day of November last, and the great victory was won by the allied nations of Europe, aided by the Army and Navy of our country; and

Whereas the terms of peace have at last been agreed upon and are now before the Senate of the United States for ratification; and

Whereas our President and his associates have labored hard in an effort to bring about a just and lasting peace: Be it

Resolved, That we, the South Carolina Division of the United Confederate Veterans, in annual meeting assembled at Greenwood, S. C., do hereby hearily indorse the work of our great President, Woodrow

Wilson, and his associates in the Paris peace conference; and we specially indorse the proposed league of nations created for the avowed purpose of affording another tribunal for the settlement of international quarrels aside from bloody war. The league was born of necessity, nurtured by the Nation that was willing to go to war for things nearer and dearer than the possessions of another nation, but even now in its infancy there are those in the household of its birth who would strangle the infant that came into the world to bring peace. America has sought to give to the world something to take the place of the battle field, and, however short of perfection it may seem to be in its beginning, we deplore the organized efforts of certain public men who seek to destroy the first great step of the nations toward universal peace.

We believe that the conscience of the world is awakened to the need of such a league. Warring nations are no longer the only ones interested in war, for it affects the whole world, and it is high time that we were providing some substitute for wholesale shedding of blood. Such we believe the league of nations to be, and as a step in the right direction we welcome it in the name of humanity and bid it Godspeed on its way: And

Resolved, That we reaffirm our confidence in our President and those associated with him in the administration of our Government, we reaffirm our confidence in our Congress, and would offer our aid in promoting the world peace toward which we all look with anxious hope, and to that end we pledge our lives, our fortunes, and our sacred honor.

Resolved further, That a copy of these resolutions be sent to the President of the United States and to each of our United States Senators.

Certified this 23d day of July, 1919.

W. A. CLARK,
Commander of the South Carolina Division U. C. V.
DAVID CARDWELL,
Adjutant General South Carolina Division U. C. V.

Mr. SPENCER presented a memorial of sundry citizens of St. Joseph, Mo., remonstrating against the passage of the so-called Kenyon-Kendrick bill providing for Federal control of the meat-packing industry, which was referred to the Committee on Agriculture and Forestry.

Mr. PHIPPS presented a petition of the Clearing House of Denver, Colo., praying for the return to private ownership of the railroads of the country, which was referred to the Committee on Interstate Commerce.

He also presented a memorial of the Live Stock Exchange, of Denver, Colo., remonstrating against the passage of the so-called Kenyon-Kendrick bill providing for Federal control of the meat-packing industry, which was referred to the Committee on Agriculture and Forestry.

Mr. PAGE presented a memorial of sundry citizens of Burlington, Vt., remonstrating against the ratification of the league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. WARREN presented a memorial of the Slovenic National Benefit Society, No. 10, of Rock Springs, Wyo., remonstrating against the enactment of legislation prohibiting the admission to the mails of any matter printed in a foreign language, which was referred to the Committee on the Judiciary.

Mr. WALSH of Massachusetts presented memorials of the employees of the T. C. Entwistle Co., of Lowell; of the E. D. Jones & Sons Co., of Pittsfield; of the Ruud Manufacturing Co., of Boston; of the E. F. Hodgson Co.; of the Crandall Engineering Co., of East Boston; of the Plymouth Mills; of the Webster Co., of North Attleboro; of the Franklin Machine & Tool Co.; of the Holyoke Braiding Co.; of the J. P. Eustis Manufacturing Co., of Cambridge; of the Ivers & Pond Piano Co., of Boston; of O. S. Hawes & Bro., of Fall River; of the Arcade Malleable Iron Co., of Worcester; of the Southbridge Printing Co.; of Merriam, Hall & Co., of North Leominster; of the Wright & Potter Printing Co., of Boston; of the R. A. Wood Co. (Inc.), of Lowell; of the Kinney Worsted Yarn Co., of Pittsfield; of the O. S. Walker Co., of Worcester; of the Wright & Ditson Victor Co., of Springfield; of James & E. H. Wilson, of Pittsfield; of the S. N. & C. Russell Manufacturing Co., of Pittsfield; of the Ross Manufacturing Co., of Leominster; of Moore & Co., of Everett; of the Sanford Mills "L," of Reading; of the Crofoot Gear Works, of Cambridge; of the Prince Macaroni Manufacturing Co.; of the Parsons Paper Co., of Holyoke; of the D. Eddy & Sons Co.; of the Arkwright Mills, of Fall River; of the Borden & Remington Co., of Fall River; of the Foxboro Co., of Foxboro; of the Witherbee Igniter Co., of West Springfield; and of the Waltham Machine Works, all in the State of Massachusetts, remonstrating against the repeal of the so-called daylight-saving law, which were referred to the Committee on Interstate Commerce.

Mr. SMITH of Maryland presented petitions of sundry citizens of Highland, Clarksville, Simpsonville, Ellicott City, Marriottsville, Elk Ridge, Woodbine, Brookville, Glenwood, Cooksville, Knollwood, Mount Airy, Fulton, Dayton, and Elioak, all in Howard County, in the State of Maryland, praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. CULBERSON. I present resolutions adopted by the Chamber of Commerce of El Paso, Tex., favoring the passage of the Kenyon-Kendrick bills providing for Federal control of the meat-packing industry. I ask that the resolutions be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

Resolutions indorsing Kendrick and Kenyon bills.

Whereas there has been introduced in the Senate of the United States, under date of June 23, 1919, by Senators KENDRICK and KENYON, bills providing for the regulation of the meat-packing industry; and

Whereas these measures provide for the stimulation of the production of live stock and regulation of stockyards, refrigerator-car service, and the general sale and distribution of packing-house products; and

Whereas there is nothing in either of these bills that can correctly be construed to be an injury or a detriment to the independent packers of the country; and

Whereas the Federal Trade Commission has, after due investigation, reported the activities of the packing interest, commonly known as the "Big Five," such reports setting forth the menace of the huge control of the Nation's food products by these interests, which extends not only to live-stock products, but to other articles of food, dairy products, grain, and fruits, and even to building materials; and

Whereas this monopoly of the food products of the country is inconsistent with the spirit and principle of American government and does restrict individual enterprise: Be it therefore

Resolved, That the El Paso Chamber of Commerce, through its board of directors, does indorse the Kendrick and Kenyon bills as now before the Senate Committee on Agriculture and Forestry; and be it further

Resolved, That a copy of this resolution be sent to our Congressmen and Senators, Senators KENDRICK and KENYON, to our special Representative at Washington, D. C., and to various commercial organizations, requesting the latter to pass resolutions of a similar character.

GEO. B. RYAN, *Second Vice President.*
E. W. KAYSER, *Treasurer.*
C. H. FINLEY, *Director.*
J. W. KIRKPATRICK, *Director.*
E. M. LAWRENCE, Jr., *Director.*
G. A. MARTIN, *Director.*
T. H. ROGERS, *Director.*
A. SCHWARTZ, *Director.*
M. A. WARNER, *Director.*

I hereby certify that the above is a true and correct copy of resolutions as passed by the board of directors July 22, 1919.

K. M. ROBERTS, *General Manager.*

Mr. LODGE. I present petitions signed by Walter Channing and 9 other citizens, Helen L. Winslow and 9 other citizens, Mary P. Hayden and 10 other citizens, Susan H. Kelley and 9 other citizens, Thomas Jarboe and 40 other citizens, all of Wellesley; of Arthur H. Nichols and 3 other citizens, Susan C. Lyman and 14 other citizens, Emma H. Saunders and 11 other citizens, Annie T. Seabrook and 22 other citizens, W. N. Kant and 11 other citizens, of Sarah H. Dabney and 7 other citizens, of Ellsworth Huntington and 12 other citizens, of J. W. Murdough and 8 other citizens, of Sylvester R. Robertson and 29 other citizens, of Mary L. Cushman and 26 other citizens, of Virginia F. Moors and 32 other citizens, of L. Gertrude Bertwell and 13 other citizens, of William H. Kohl and 17 other citizens, of Mrs. E. Isabel Noyes and 7 other citizens, of Etheldred F. Folsom and 20 other citizens, of Mrs. M. R. Porter and 10 other citizens, of Delveran King and 42 other citizens, of Henry C. Levick and 6 other citizens, of George B. Galley, jr., and 43 other citizens, of A. J. Wiechardt and 11 other citizens, of Elizabeth Towne and 17 other citizens, of Dr. Albert E. Leach and 17 other citizens, of Robert G. Shaw and 16 other citizens, of Harriet L. Hemenway and 6 other citizens, of F. C. March and 16 other citizens, of F. H. Thompson and 16 other citizens, of David Cheever and 3 other citizens, and of Pauline M. Dawson and 10 other citizens, all in the State of Massachusetts, praying for the ratification of the proposed league of nations treaty. I ask that the petitions be referred to the Committee on Foreign Relations and that the body of one of the petitions be printed in the RECORD.

There being no objection, the petitions were referred to the Committee on Foreign Relations and the body of one of the petitions ordered to be printed in the RECORD, as follows:

Believing that the United States should enter the league of nations, which aims to promote international cooperation and to achieve international peace and security;

Recognizing that the covenant of the league of nations can not be separated from the peace treaty, since the latter was founded on the assumption that the league of nations would be formed;

Believing that delay on the part of the United States Senate to ratify the peace treaty will seriously jeopardize the peace of the world;

We, the undersigned citizens of Massachusetts, urge the United States Senate to ratify the treaty of peace, including the covenant, without reservation or amendment as soon as it is submitted for ratification.

Mr. LODGE presented resolutions adopted by the Metropolitan Water and Sewerage Department Local No. 945, of Boston; the Woman's Christian Temperance Union of Millville; the Czecho-Slovak American Athletic and Literary Society of Boston; the members of the Czecho-Slovak of Boston; of Local Union No. 4, National Wool Sorters' and Graders' Association of America, of South Bane; of Local Grange No. 122, Patrons of Husbandry, of Templeton; of Local Division No. 14, Ancient Order of Hibernians, of Mittineague; of the Good Citizenship

League of Mansfield; of Carpenters' Union Local No. 445, of Palmer; of the Amalgamated Association of Street and Electric Railway Employees of America, of Pittsfield; of Puritan Lodge No. 621, Brotherhood of Railroad Trainmen, of Boston; of the Barbers' Union of Lynn; of the League of Nations of Cambridge; of Local Union No. 77, Journeymen Plumbers' Union, of Lynn; of Local Union No. 238, Boot and Shoe Workers' Union, of New Bedford; of Local Union No. 10, International Brotherhood of Paper Makers, of Turners Falls; of Local Union No. 299, International Brotherhood of Stationary Firemen and Oilers of Lynn; of Local Union No. 885, Carpenters' and Joiners' Union of Woburn; of Local Union No. 122, Bottlers' and Drivers' Union, of Boston; of Local Union No. 375, Barbers' Union, of Gloucester; of Local Lodge No. 302, Musicians' Union, of Haverhill; of the Cigarmakers' Union, No. 92, of Worcester; of Local Union No. 2008, United Textile Workers, of North Adams; of Local Union No. 147, Professional Bartenders' League, of Greenfield; of the National Wool Sorters' and Graders' Association of Lowell; of Local Union No. 415, Amalgamated Sheet Metal Workers' International Alliance, of Malden; of Local Union No. 784, Painters, Paper Hangers, and Decorators of America, of Melrose; of the Central Labor Union of Gardner; of Eagle Lodge Local No. 1, International Brotherhood of Paper Makers, of Holyoke; of Local Union No. 381, International Molders' Union, of Springfield; of Local Union No. 441, United Brotherhood of Carpenters and Joiners, of Cambridge; of Local Union No. 72, International Brotherhood of Teamsters, Chauffeurs, Stablemen, and Helpers of America, of Lowell; of Local Union No. 14937, Gold Beaters' Union, of Boston; of the Carpenters' District Council of Lowell; of D. W. Wright Lodge No. 549, Brotherhood of Locomotive Firemen and Enginemen, of Greenfield; of the congregation of the Old South Union Church of Weymouth; of the congregation of the Methodist Episcopal Church of Taunton; and of the executive board of Worcester Musicians' Association Local No. 143, of Worcester, all in the State of Massachusetts, favoring the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEE ON CLAIMS.

Mr. SPENCER, from the Committee on Claims, to which was referred the bill (S. 2440) for the relief of the estate of John M. Lea, deceased, reported it with an amendment and submitted a report (No. 118) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 358) carrying into effect the findings of the Court of Claims in the matter of the claim of T. L. Love, surviving partner of Robert Love & Son (Rept. No. 115);

A bill (S. 2343) for the relief of Capt. Frederick B. Shaw (Rept. No. 116); and

A bill (S. 2453) to carry into effect the finding of the Court of Claims in the claim of Elizabeth B. Eddy (Rept. No. 117).

Mr. CAPPER, from the Committee on Claims, to which was referred the bill (S. 1330) for the relief of V. E. Schermerhorn, E. C. Caley, G. W. Campbell, and Philip Hudspeth, reported it with amendments and submitted a report (No. 114) thereon.

DAYLIGHT-SAVING LAW.

Mr. CUMMINS. I report from the Committee on Interstate Commerce the bill (H. R. 3854) for the repeal of the daylight-saving law. The report is a favorable one; and I give notice that to-morrow at some time, there being no speeches scheduled for that day, I shall endeavor to bring it to the attention of the Senate for consideration.

The VICE PRESIDENT. The bill will be placed on the calendar.

PAYMENT OF WAR DEPARTMENT OBLIGATIONS.

Mr. WADSWORTH. From the Committee on Military Affairs I report back favorably without amendment the joint resolution (S. J. Res. 78) to permit the payment of obligations entered into by the War Department prior to July 11, 1919.

Mr. President, at the risk of taxing the patience of the Senate I ask unanimous consent for immediate consideration of the joint resolution, and I suggest that the Secretary read it.

Mr. SMOOT. I should like to have the joint resolution read.

The VICE PRESIDENT. The Secretary will read the joint resolution.

The Secretary read the joint resolution, as follows:

Whereas it is provided by the act of Congress approved July 11, 1919 (Public No. 7, H. R. 5227)—

"That no part of any of the appropriations made herein nor any of the unexpended balances of appropriations heretofore made for the support and maintenance of the Army or the Military Establishment shall be expended for the purchase of real estate or for the construction of Army camps or cantonments, except in such cases at National Army or National Guard camps or cantonments which were in use prior to November 11, 1918, where it has been or may be found more economical to the Government for the purpose of salvaging such camps or cantonments to buy real estate than to continue to pay rentals or claims for damages thereon, and except where industrial plants have been constructed or taken over by the Government for war purposes and the purchase of land is necessary in order to protect the interest of the Government."

And

Whereas doubt exists as to the proper interpretation of said provision and the intention of Congress as expressed in said provision:

Resolved, etc., That the foregoing provisions of said act shall not be construed to prevent the payment from the unexpended balances of bills lawfully incurred for construction work actually performed or construction materials actually purchased prior to the approval of said act.

Mr. SMOOT. Mr. President, the only amendment the joint resolution makes to existing law is contained in the last provision, and that only applies where money has been actually expended upon the order of the War Department for any purpose for which they had authority to expend money.

Mr. WADSWORTH. The Senator from Utah is correct. The situation, to state it briefly, is this: The Comptroller of the Treasury has ruled that under the language used in the annual appropriation bill, which is recited in the preamble of the joint resolution, the War Department can not pay any money to a contractor, even though that contractor has finished a building in accordance with the terms of the contract which he has made with the Government, nor can the War Department pay a contractor or compensate him for material which he has purchased and delivered on the ground to be used in construction work. The result is that a large number of contractors are in danger of bankruptcy. It is an exceedingly difficult situation. Congress certainly did not mean that any such hardship should be inflicted.

Mr. NELSON. May I ask the Senator from New York a question?

Mr. WADSWORTH. Certainly.

Mr. NELSON. Does the joint resolution authorize the confirmation of any contract made for the purchase of real estate?

Mr. WADSWORTH. It does not.

Mr. NELSON. It only covers labor and material?

Mr. WADSWORTH. It covers labor and material on work already completed.

Mr. NELSON. But it does not involve any contracts for the purchase of real estate?

Mr. WADSWORTH. There is not any mention of real estate in the joint resolution.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

Mr. WADSWORTH. I ask that a letter I have received from the Secretary of War be printed in the RECORD as a part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter referred to is as follows:

WAR DEPARTMENT,
Washington, July 26, 1919.

To the CHAIRMAN COMMITTEE ON MILITARY AFFAIRS,
United States Senate.

SIR: I have the honor to forward to you a measure which the War Department earnestly desires enacted by Congress, and it is requested that effort be made to secure its passage at the earliest date practicable.

It has been decided by the Comptroller of the Treasury that under the restrictive legislation contained in the Army appropriation bill recently enacted payment of obligations for construction at Army camps or cantonments incurred prior to the enactment of the legislation referred to can not be made.

In order that the War Department may settle these obligations authorization by Congress is necessary.

Failure to settle these obligations, it is feared, will cause hardship to persons interested in these settlements, which include payment to laborers, settlement of bills for material, and payment to contractors. The urgent necessity for authority to settle these obligations is apparent.

It is the intention of the War Department in securing the enactment of this measure only to effect the settlement of obligations already incurred and not to obtain authority to complete unfinished construction or undertake new construction work at any Army camps or cantonments.

Respectfully,

NEWTON D. BAKER,
Secretary of War.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of South Dakota.

A bill (S. 2668) for the relief of Arthur Nelson; and

A bill (S. 2669)for the relief of the heirs of Harry Davenport, deceased; to the Committee on Claims.

By Mr. MYERS:

A bill (S. 2670) to appropriate money for further and additional work on reclamation projects and units thereof in drought-stricken regions; to the Committee on Appropriations.

By Mr. HENDERSON:

A bill (S. 2671) authorizing the Secretary of the Interior to make investigations through the Bureau of Mines of oil shale to determine the practicability of its utilization as a commercial product; to the Committee on Mines and Mining.

By Mr. RANSDELL:

A bill (S. 2672) to carry into effect the findings of the Court of Claims in favor of Elizabeth White, administratrix of the estate of Samuel N. White, deceased; to the Committee on Claims.

By Mr. McCUMBER:

A bill (S. 2673) for the relief of James L. Vai; to the Committee on Claims.

A bill (S. 2674) granting an increase of pension to Michael Emmit Urell, alias Charles Welsh (with accompanying papers); to the Committee on Pensions.

By Mr. SPENCER:

A bill (S. 2675) to compensate George B. Gates for the infringement of his letters patent by the United States; to the Committee on Patents.

By Mr. WADSWORTH:

A bill (S. 2676) to amend section 56 of an act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916; and

A bill (S. 2677) to provide for further educational facilities by authorizing the Secretary of War to sell at reduced rates certain machine tools not in use for Government purposes to trade and technical schools and universities, other recognized educational institutions, and for other purposes; to the Committee on Military Affairs.

By Mr. HALE:

A bill (S. 2678) authorizing the Secretary of War to donate to the town of Oldtown, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

A bill (S. 2679) granting a pension to Enoch E. Willard; to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 2680) granting an increase of pension to Thomas J. Buttrum; to the Committee on Pensions.

By Mr. CALDER:

A bill (S. 2681) to repeal section 3 of an act approved April 29, 1908 (chap. 152, U. S. Stats. L., vol. 35, Pt. I, p. 70), entitled "An act to repeal an act entitled 'An act to regulate shipping in trade between ports of the United States and ports or places in the Philippine Archipelago, between ports or places in the Philippine Archipelago, and for other purposes,' and for other purposes," and for other purposes; to the Committee on Commerce.

By Mr. CURTIS:

A bill (S. 2682) for the relief of Blanche Winters; to the Committee on Claims.

By Mr. WOLCOTT:

A bill (S. 2683) granting an increase of pension to Thomas Clark; to the Committee on Pensions.

LICENSING OF PACKING INDUSTRY.

Mr. MOSES. I submit an amendment in the nature of a substitute for the bill (S. 2202) to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes. I ask that the amendment be printed in the RECORD and referred to the Committee on Agriculture and Forestry.

The amendment was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. MOSES to the bill (S. 2202) to amend a bill to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes, numbered S. 2202, by striking out all after the enacting clause and substituting therefor the following:

"That when used in this act the term 'commerce' means commerce among the several States or with foreign nations, or in any territory, or possession of the United States, or in the District of Columbia, or between any such territory or possession and another.

"The term 'person' includes a partnership, a corporation, or an association of two or more individuals, and the members of a partnership or the directors, officers, receivers, or other person charged with the duty of the management and operation of the business of a corporation or association.

"SEC. 2. That no person shall engage in or carry on any business in commerce unless he shall secure and hold a license which shall be issued by the Secretary of Agriculture upon application in accordance with regulations prescribed under this act.

"SEC. 3. That after the expiration of 60 days from the date this act becomes effective any person who, without a license issued and in force under this act or while such license is under suspension, engages in or carries on any business for which a license is required by this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by fine not exceeding $5,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

"SEC. 4. That each license issued under this act shall be effective from the date of its issuance and shall continue in force until suspended or revoked in accordance with the provisions of this act. It shall be the duty of the licensee to comply with the provisions of this act and the rules, regulations, and orders whether or not incorporated in such license which the Secretary of Agriculture shall from time to time prescribe in conformity with this act. The Secretary of Agriculture may regulate and control the licensee's relations, whether direct or indirect, to the purchase, manufacture, or sale in commerce of commodities other than those handled in the business for which the license was applied for and issued and may require the licensee to refrain from direct or indirect participation or interest in such other business, either by ownership, control, community, or stockholding, or otherwise, and it shall be the duty of such licensee to comply with such regulations, terms, and conditions, and the Secretary of Agriculture may by regulation limit and prescribe the classes, numbers, and kinds of commodities and merchandise which any licensee may sell, manufacture, and deal in and may forbid licensee from selling, manufacturing, or dealing in more than one kind of article or commodity. The Secretary of Agriculture may, as to any business from which a license is required under this act, promulgate regulations from time to time regulating the price of all commodities sold by the licensee, prescribing the method of doing business by the licensee, prescribe the method in which the accounts of the licensee shall be kept, and prescribe the character of plants to be used by the licensee and may limit the profits which such licensee may make on the business transacted by such licensee during any year to such an amount as the Secretary of Agriculture may deem reasonable.

"SEC. 5. That it shall be unlawful for any licensee under this act to—

"(a) Engage in any unfair, unjustly discriminatory, or deceptive practice or device in commerce; or

"(b) Charge an unreasonable price or rate for any commodity sold by it in commerce; or

"(c) Exact an unreasonable profit for any calendar year in carrying on his business in commerce; or

"(d) Refrain from buying any commodity for the purpose of unreasonably depressing the price thereof in commerce; or

"(e) Withhold from the market any commodity for the purpose of unreasonably enhancing the price thereof in commerce; or

"(f) Conspire, combine, agree, or arrange with any other person to apportion territory for carrying on business or to apportion purchases or sales of any commodity, or to control prices in commerce; or

"(g) Conspire, combine, agree, or arrange with any other such licensee to engage in any course of business or to do any act for the purpose of preventing any person from carrying on a competitive or similar business in commerce; or

"(h) Otherwise act or refuse, neglect, or fail to act, or conspire, combine, agree, or arrange with any other person to do, or aid or abet the doing of any act contrary to the provisions of this act and the regulations made herein.

"SEC. 6. That every licensee shall keep such record and statements of account and make such reports or returns, verified under oath or otherwise, as will fully and correctly disclose all transactions involved in his business, and the true ownership of such business, by stockholding or otherwise, in such form and at such times as may be required under general or special orders of the Secretary of Agriculture. For the purpose of enforcing the provisions of this act or of verifying any report or returns made thereunder, any officer or agent of the Government designated in accordance with such orders may, during the ordinary business hours in any day, enter and examine any place used by any licensee in his business, and may inspect any books, letters, papers, or documents relating to such business.

"SEC. 7. That the Secretary of Agriculture may investigate and ascertain the demand for, the supply, the consumption, costs and prices of, and the facts relating to the ownership, production, transportation, manufacturing, storage, handling, or distribution of any commodity entering into or used in 'commerce.' For the proper execution of the provisions of this act, and in order to provide information for the use of Congress, it shall be the duty of any licensee, or any officer, agent, or employee of such licensee, when requested by an officer or agent of the Government designated in accordance with regulations under this act, to answer correctly, to the best of his knowledge, under oath or otherwise, as may be required, all questions touching his knowledge of any matter authorized to be investigated under this section, or to produce any book, letters, papers, or documents in his possession or under his control relating to such matters. Any licensee, agent, or employee of such licensee who shall within a reasonable time prescribed by the officers or agents making the request, not exceeding 20 days from the date of the receipts of the request, willfully fail or refuse to answer such questions or to produce such books, letters, papers, or documents, or shall willfully give any answer that is false or misleading, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding $2,000, or by imprisonment for not more than one year, or both. Any information secured under this act, except secret processes or formulas, shall be available for either House of Congress at its request; and the Secretary of Agriculture may cause such information to be published from time to time when deemed necessary or advisable.

"SEC. 8. That the Secretary of Agriculture may make such rules and regulations as may be required to carry out the purposes of this act, may cooperate with any department or agency of the Government or of any State or political subdivision thereof or with any person, and may make any investigation and take any action or commence and prosecute any proceedings not inconsistent with the provisions of this act which the Federal Trade Commission is authorized to make, take, or commence under any other act regulating the conduct or operation in commerce of any of the businesses for which a license is required by this act. The several departments and agencies of the Government, when directed by the President, shall furnish to the Secretary of Agriculture,

upon his request, all records, papers, and information in their possession relating to any person subject to any of the provisions of this act, and shall from time to time detail to the Department of Agriculture such officials and employees as the President may direct.

"SEC. 9. That any person who violates or fails to comply with any provision of this act or any regulation or order made and prescribed pursuant to this act, or who willfully—

"(a) Fails or refuses to make full and true entries, or makes any false entries in the accounts or records required to be kept by a licensee; or

"(b) Makes any false or fraudulent statement in a return or report required in this act; or

"(c) Alters, mutilates, conceals, or destroys any such account or record, shall be guilty of a misdemeanor, and upon conviction thereof shall, unless the punishment is otherwise fixed in this act, be punished by fine not exceeding $2,000 or by imprisonment for not more than one year, or by both such fine and imprisonment. Each day during any part of which a condition, practice, omission, or course of action, punishable under this section is maintained or continued shall constitute a separate violation thereof and shall be punished as a separate offense

"SEC. 10. That whenever the Secretary of Agriculture believes that any licensee is violating any provision of this act, or any rule or regulation duly made and promulgated to carry out the provisions of this act, he shall cause notice in writing to be served upon the licensee, specifying the alleged violation, and requiring him to testify at a hearing before the Secretary of Agriculture at a place and time designated therein, and at such time and place the Secretary of Agriculture shall afford the licensee a reasonable opportunity to be heard in person or by counsel and through witnesses, in accordance with regulations prescribed under this act; and the Secretary of Agriculture shall at the same time be afforded a reasonable opportunity to be heard in person or by counsel and through witnesses, in accordance with regulations to be prescribed hereunder. If after such hearing the Secretary of Agriculture finds that the licensee has violated the provisions of this act, or of the rules and regulations issued thereunder, he may suspend the license for such period as he may prescribe, or may revoke it as in his discretion the protection of the public interests may require. The testimony taken at the hearing before the Secretary of Agriculture shall be reduced to writing and filed for record with the Department of Agriculture. An order suspending or revoking a license shall include the Secretary's findings of fact, and his decision shall specify the date, which shall not be less than 20 days from the date of service thereof upon the licensee, when it shall become effective. In the conduct of any proceeding under this section for the suspension or revocation of a license the Secretary may compel the attendance of witnesses, the giving of testimony, and the production of documentary evidence.

"An order suspending or revoking a license issued by the Secretary of Agriculture, under the provisions of this section, shall be final and conclusive unless within 30 days after its service upon him the licensee appeals to the Circuit Court of Appeals for the circuit in which he has his principal place of business by filing with the clerk of said court a written petition praying that the Secretary's order be set aside or modified in the manner stated in the petition, together with a bond in such sum as the court may determine, conditioned that the licensee will pay the costs of the proceeding if the court shall so direct. The clerk of the court in which such a petition is filed shall immediately cause a copy thereof to be delivered to the Secretary of Agriculture, and the Secretary shall forthwith prepare, certify, and file in the court a full and accurate transcript of the record in the proceedings held before him under this section, including the notice to the licensee, the charges against him, the evidence, and the order suspending or revoking the license. The testimony and evidence taken or submitted before the Secretary, duly certified and filed as aforesaid as a part of the record, shall be considered by the court as the evidence in the case. The Circuit Court of Appeals may affirm or set aside the order of the Secretary of Agriculture, or may direct the Secretary of Agriculture to modify his order. No order of the Secretary suspending or revoking a license under this section shall be modified or set aside by the Circuit Court of Appeals unless it is shown by the licensee that the order is unsupported by evidence or was issued without due notice and a reasonable opportunity having been afforded to the licensee for a hearing, or infringes the Constitution of the United States, or is beyond the jurisdiction of the Secretary of Agriculture under the provisions of this act.

"If the court determines that the just and proper disposition of such an appeal requires the taking of additional evidence, the court may order such additional evidence to be taken before the Secretary of Agriculture in such manner and upon such terms and conditions as the court may deem proper. The Secretary may modify his finding as to the facts, or make new findings by reason of the additional evidence so taken, and he shall file such modified or new findings and his recommendation, if any, for the modification or setting aside of his original order with the return of such additional evidence. If the Circuit Court of Appeals affirms or modifies the action of the Secretary of Agriculture revoking a license under this section, its decree shall enjoin the licensee, its officers, agents, and employees from further carrying on, without a new license under this act, the business covered by the revoked license until the further order of the court. If the Circuit Court of Appeals affirms or modifies the action of the Secretary of Agriculture suspending a license under this section, its decree shall enjoin the licensee from further carrying on the business covered by the license during the period of suspension. The injunction shall be effective within five days, unless further notice is given by the Secretary of Agriculture of his intentions to apply for a receiver as hereinafter provided, in which case the injunction shall be effective upon the appointment and qualification of the receiver. Within five days after the entry of such a decree by the Circuit Court of Appeals, or in case no such appeal is taken by the licensee, then within five days after the expiration of the time allowed for appeals to that court from the Secretary's order suspending or revoking a license any United States District Court shall, upon the application of the Secretary of Agriculture setting forth the decree of the Circuit Court of Appeals, or the expiration of the period allowed for an appeal to that court, and that no such appeal has been taken, appoint a receiver to take possession of the licensee's property and assets and to conduct the licensed business, and shall make such other orders as may be necessary for the proper conduct of the receivership and the protection of the interests of the public.

"The Secretary of Agriculture's application for the appointment of a receiver shall take precedence over any other application in any other courts of the United States for the appointment of a receiver for the licensee's property and business. Upon the expiration of the period for which the license is suspended the district court may, in its discretion, issue an order extending the period of suspension, restraining the licensee from the transaction of his business or the disposition of his property or assets and continuing the receivership until the further order of the court. The order of the district court appointing a receiver shall direct him to take possession of the property and assets of the licensee and to conduct his business and to retain such possession and conduct such business until further order of the court. Whenever, on the application either of the Secretary of Agriculture or the receiver or the licensee, it shall, after a hearing, appear to the court that the ground for the order directing the appointment of a receiver has been removed and that the licensee may properly be permitted to resume possession of his property and the conduct of his business the court shall enter an order discharging the receiver as hereinafter provided. Unless otherwise provided by the order appointing him, the receiver so appointed shall, subject to the court's orders, have all the powers and duties relative to the property, assets, and business of the licensee exercised by or imposed upon receivers of corporations under appointment of the Federal court. A receiver appointed under the provisions of this section shall conduct and operate the business in accordance with this act and shall conserve the property and assets affected by the receivership and protect the rights of creditors of the licensee. In his reports to the court the receiver shall specify the practices, methods, acts, or omissions constituting a violation of this act or the regulations thereunder which were the basis of the order suspending the license, and the court, in its decree restoring to the licensee his property and license, shall recite such practices, methods, acts, or omissions and shall enjoin the licensee from resuming or continuing them. The receiver shall likewise include in his report all other violations of this act or the regulations thereunder which came to his notice in the course of his control of the business of the licensee, and the court may, in its discretion, after affording the licensee an opportunity to be heard, likewise enjoin the resumption or continuance of the practices, methods, acts, or omissions constituting such other violations. The United States Circuit Court of Appeals shall have exclusive jurisdiction to review the action of the Secretary of Agriculture under this section and may affirm, modify, or set aside any order of the Secretary revoking or suspending a license, but the decree of such court shall be subject to review by the Supreme Court of the United States upon certiorari, as provided in section 240 of the Judicial Code.

"SEC. 11. That the sum of $200,000 is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, available immediately and until expended, for carrying out the foregoing provisions of this act, including the employment of such persons and means, the expense of such printing and publication, the payment of such rents, and the purchase of such supplies and equipment in the District of Columbia and elsewhere, as the Secretary of Agriculture may find necessary.

"SEC. 12. That nothing contained in this act shall be construed to prevent or interfere with the procedure under or the enforcement of the provisions of the antitrust acts, the acts to regulate commerce, the act entitled 'An act to create a Federal Trade Commission, to define its powers and duties, and for other purposes,' approved September 26, 1914, the act entitled 'An act to promote export trade, and for other purposes,' approved April 10, 1918, or sections 73 to 77, inclusive, of an act entitled 'An act to reduce taxation, to provide revenue for the Government, and for other purposes,' approved August 27, 1894, as amended by the act entitled 'An act to amend sections 73 and 76 of the act of August 27, 1894, entitled "An act to reduce taxation to provide revenue for the Government, and for other purposes,"' approved February 12, 1913, nor shall anything contained in this act be construed to alter, modify, or repeal such acts or any part or parts thereof."

Mr. SHERMAN subsequently said:

Mr. President, I wished to make a parliamentary inquiry of the Senator from New Hampshire [Mr. MOSES], but he does not seem to be here.

There was a most remarkable amendment offered this morning to Senate bill 2202, known as the Kenyon bill. It seems to license everybody engaged in interstate commerce; at least, a cursory reading of it gives that impression. I wished to make that inquiry of the Senator, if present, but he appears to be absent. I will allow the inquiry to stand in the RECORD.

Mr. MOSES subsequently said:

Mr. President, it is a far cry from the masterly expression of a deep philosophic study of a great subject presented by the Senator from Colorado [Mr. THOMAS] to the topic upon which I wish to speak for a minute.

In my absence from the Chamber earlier in the day the senior Senator from Illinois [Mr. SHERMAN] made some inquiry regarding the subject matter and the purpose and bearing of an amendment which I offered to Senate bill 2202, and inasmuch as the Senate will adjourn from to-day until day after to-morrow I take this occasion, in response to the Senator's invitation, to state briefly that it is the purpose of the amendment to carry out to its full effect the proposal in the bill I have named.

I confess, Mr. President, to considerable skepticism as to the merits and value and practicability of the licensing system as applied to American industries, but if one industry is to be singled out to be administered under a licensing system, if one group of industrial chieftains are to conduct their enterprise under the guidance of a civil-service employee located in Washington, that principle certainly should be extended to all enterprises of nation-wide magnitude and all industrial chieftains should be placed under the same restriction. I am entirely unwilling to see the policy of a licensing system adopted by piecemeal. If that is to be the policy of legislation in this country I wish it to be applied immediately and completely.

Inasmuch as the Senator from Illinois, who propounded this inquiry to me, is now absent from the Chamber, as I was when he made his interrogatory, I hope that he may read in the RECORD to-morrow this brief explanation of the purpose and bearing of the amendment which I offered, and that when the issue shall be joined in the consideration of the bill we may discuss the wisdom of applying the licensing system to the industries of the United States.

WITHDRAWAL OF PAPERS—ELLEN L. GOODWIN.

On motion of Mr. HALE, it was

Ordered, That the papers accompanying bill S. 2913, Sixty-fifth Congress, second session, granting an increase of pension to Ellen L. Goodwin, be withdrawn from the files of the Senate, no adverse report having been made.

COMMERCIAL FEEDS FOR ANIMALS.

Mr. NORRIS. I offer a Senate resolution, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 140) was read, as follows:

Resolved, That the Federal Trade Commission be, and it is hereby, instructed to make an investigation of the manufacture and sale of commercial feeds for animals, such investigation to include the gathering of statistics as to the supply of the various commodities which are used for animal feeds, together with the fluctuation in the prices of these commodities; the extent to which these commodities are converted into concentrated food by manufactures; what combinations or understandings, if any, exist between the feed manufacturers and wholesale feed dealers and retail feed dealers; and what fraud, if any, is practiced by dealers in the way of misbranding or using inferior substitutes in mixed feeds.

Further resolved, That the Secretary of Agriculture be, and he is hereby, directed to cooperate with the Federal Trade Commission in this investigation.

The VICE PRESIDENT. Is there any objection to the present consideration of the resolution?

Mr. KING. I think it had better go over until to-morrow.

Mr. NORRIS. Very well; I am willing that it shall go over under the rule.

The VICE PRESIDENT. The resolution will lie over and be printed.

CIRCULATION OF CURRENCY.

Mr. MYERS. I offer a Senate resolution, which I ask to have printed and go over until to-morrow.

The resolution (S. Res. 142) was ordered to lie over and to be printed, as follows:

Whereas on the 22d day of July, 1919, the Secretary of the Treasury, in response to an inquiry of the Senate, sent to the Senate the following communication:

TREASURY DEPARTMENT,
Washington, July 22, 1919.

SIR: In compliance with a resolution of the Senate of the United States of July 8, 1919, transmitted to me by the Secretary of the Senate under date of July 9, I submit the following:

Under the act approved May 30, 1908, commonly known as the Aldrich-Vreeland Act, as amended, additional or emergency currency was issued, beginning on August 4, 1914, in amount $382,502,645. All of this additional circulation was retired before the close of the calendar year 1915. Authority for the issue of such additional or emergency currency expired by limitation on June 30, 1915.

No emergency currency has been issued by the Federal reserve banks. However, such banks have issued Federal reserve bank notes and Federal reserve notes in accordance with the provisions of law and under the general supervision of the Federal Reserve Board. None were outstanding August 1, 1914. The amounts of such notes in circulation on July 1, 1919, were:

Federal reserve bank notes $163,682,696
Federal reserve notes 2,493,992,462

The Treasury Department has no intention, nor, indeed, the power, to retire or withdraw from circulation any thereof, nor, as I am advised, has the Federal Reserve Board. The Federal Reserve System was devised to create an elastic currency which would expand and contract automatically in accordance with the requirements of business. Any reductions in the amounts of Federal reserve notes outstanding will be in accordance therewith. Federal reserve bank notes, for the most part, have been issued to replace silver certificates canceled and retired in accordance with the provisions of the act of April 23, 1918.

I transmit herewith a copy of the Treasury Department circulation statement for August 1, 1914, and July 1, 1919, showing the amount of money of the United States in circulation on the respective dates. Data are not available in the department with respect to the amount of money in circulation in the Territories and possessions of the United States.

Respectfully,
CARTER GLASS,
Secretary of the Treasury.

THE PRESIDENT OF THE UNITED STATES SENATE,
Washington, D. C.

And whereas in connection with the said communication the Secretary of the Treasury did transmit to the Senate the following tables and statements, to wit:

Circulation statement, Aug. 1, 1914.

	General stock of money in the United States.		Held in Treasury as assets of the Government.[1]		Money in circulation.			
	July 1, 1914.	Aug. 1, 1914.	July 1, 1914.	Aug. 1, 1914.	July 1, 1914.	Aug. 1, 1914.	Aug. 1, 1913.	Jan. 1, 1879.
Gold coin (including bullion in Treasury)	$1,890,678,304	$1,887,270,664	$195,381,761	$230,891,204	$614,321,674	$632,332,591	$606,015,613	$96,262,850
Gold certificates[2]			45,520,740	49,660,150	1,035,454,129	974,386,719	1,000,560,414	21,189,280
Standard silver dollars	565,834,263	565,840,263	4,670,087	8,701,521	70,314,176	69,981,742	72,173,431	5,790,721
Silver certificates[2]			11,387,624	12,555,662	479,462,376	474,601,338	470,578,117	413,360
Subsidiary silver	182,315,863	182,447,433	22,052,188	22,318,627	160,263,675	160,128,806	155,408,145	67,982,601
Treasury notes of 1890	2,439,000	2,433,000	11,942	12,981	2,427,058	2,420,019	2,640,639	
United States notes	346,681,016	346,681,016	7,841,373	9,677,117	338,839,643	337,003,899	338,623,763	[3]310,288,511
National-bank notes	750,671,899	750,907,021	32,586,262	34,393,205	718,085,637	716,513,816	710,891,001	314,339,398
Total	3,738,620,345	3,735,579,397	319,451,977	368,210,467	3,419,168,368	8,367,368,930	3,356,891,123	816,266,721

[1] This statement of money held in the Treasury as assets of the Government does not include deposits of public money in national-bank depositaries to the credit of the Treasurer of the United States, amounting to $55,172,211.78. For a full statement of assets see public debt statement.

[2] For redemption of outstanding certificates an exact equivalent in amount of the appropriate kinds of money is held in the Treasury, and is not included in the account held as assets of the Government.

[3] Includes $33,190,000 currency certificates, act June 8, 1872.

NOTE.—Population of continental United States Aug. 1, 1914, estimated at 99,168,000; circulation per capita, $33.96.

Circulation statement, July 1, 1919.

Circulating medium.	I. General stock of money in the United States.[1]		II. Held in the Treasury as assets of the Government.[2]		III. Held by Federal reserve banks and Federal reserve agents against issues of Federal reserve notes.[3]		IV. Money in circulation.[4]			
	July 1, 1919.	July 1, 1918.	July 1, 1919.	July 1, 1918.	July 1, 1919.	July 1, 1918.	July 1, 1919.	July 1, 1918.	June 1, 1919.	Jan. 1, 1879.
Gold coin (including bullion in Treasury)	$3,095,077,467	$3,076,482,515	$360,604,070	$245,602,753	[5]$813,882,860	$686,838,455	[6]$1,172,953,529	$1,107,531,243	$1,100,256,283	$96,262,850
Gold certificates					205,417,280	208,278,320	542,219,728	828,231,744	580,784,981	21,189,280
Standard silver dollars	308,978,930	499,684,959	55,718,347	38,685,508			81,576,350	77,341,545	81,784,757	5,790,721

[1] Includes gold held in the Treasury for the redemption of outstanding gold certificates ($747,637,008, and Federal reserve gold settlement fund, $1,415,019,699.10 on July 1, 1919) and standard silver dollars held in the Treasury for the redemption of outstanding silver certificates and Treasury notes of 1890 ($171,684,233 on July 1, 1919). Amounts of Federal reserve bank notes and national bank notes are amounts issued by Treasury to banks.

[2] Includes the gold reserve fund held against issues of United States notes and Treasury notes of 1890 ($152,979,025.63 on July 1, 1919), and the gold or lawful money redemption funds held against issues of national bank notes, Federal reserve notes, and Federal reserve bank notes ($227,079,873.65 on July 1, 1919). Does not include deposits of public money in Federal reserve banks, national banks, and special depositaries ($1,090,069,711.15 on July 1, 1919), nor does it include funds held in trust in the Treasury for the redemption of outstanding gold and silver certificates and Treasury notes of 1890. (See Column I.) For a full statement of Treasury assets and liabilities see daily statement of the United States Treasury and monthly financial statement.

[3] Includes the gold reserve held by banks against issues and gold or other funds deposited by banks with agents to retire Federal reserve notes in circulation and own Federal reserve notes held by Federal reserve banks.

[4] Amounts of various kinds of money in circulation determined by deducting from the appropriate item in the general stock of money (Column I) the amount held in the Treasury as assets of the Government (Column II) and the amount held by Federal reserve banks or Federal reserve agents against issues of Federal reserve notes (Column III). Gold and silver certificates and Treasury notes of 1890 in circulation are represented in the general stock of money by equal amounts of gold coin or bullion and standard silver dollars held in Treasury for their redemption. (See Column I.) Amounts of Federal reserve bank notes and national bank notes are amounts of issues by Treasury to banks less amounts held in Treasury as assets of the Government.

[5] Includes $799,301,860 credited to Federal reserve agents in the gold settlement fund deposited with Treasury of the United States.

[6] Includes $615,717,839.10 credited to Federal reserve banks in the gold settlement fund deposited with Treasurer of the United States.

Circulation statement, July 1, 1919—Continued.

Circulating medium.	I. General stock of money in the United States.		II. Held in the Treasury as assets of the Government.		III. Held by Federal reserve banks and Federal reserve agents against issues of Federal reserve notes.		IV. Money in circulation.			
	July 1, 1919.	July 1, 1918.	July 1, 1919.	July 1, 1918.	July 1, 1919.	July 1, 1918.	July 1, 1919.	July 1, 1918.	June 1, 1919.	Jan. 1, 1879.
Silver certificates							$169,939,003	$381,806,770	$179,641,852	$413,360
Subsidiary silver	$243,235,661	$232,147,364	$11,087,825	$14,940,804			232,147,836	217,206,560	231,365,105	67,982,601
Treasury notes of 1890							1,745,230	1,851,130	1,757,932	
United States notes	346,681,016	346,681,016	13,742,472	6,744,783			332,938,544	339,936,233	334,227,367	310,288,511
Federal reserve notes	[1] 2,687,556,985	1,847,580,445	44,265,463	29,982,400	$149,299,060	$106,186,350	2,493,992,462	1,711,411,695	2,506,177,517	
Federal reserve bank notes	187,666,980	15,444,000	23,984,284	100,025			163,682,696	15,343,975	155,966,904	
National bank notes	719,276,732	724,205,485	69,445,582	20,068,477			649,831,150	704,137,008	662,305,514	314,339,398
Total	7,588,473,771	6,742,225,784	578,848,043	356,124,750	1,168,599,200	1,001,303,125	5,841,026,528	5,384,797,909	5,834,268,212	816,266,721
Population of continental United States estimated at							107,600,000	105,869,000	107,455,000	48,231,000
Circulation per capita							$54.28	$50.86	$54.29	$16.92

[1] Includes own Federal reserve notes held by Federal reserve banks.

And whereas it appears therefrom that the amount of money in circulation in the United States is nearly twice what it was in volume and per capita five years ago: Now, therefore, be it

Resolved, That the aforesaid communication of the Secretary of the Treasury and the accompanying tables and statements be and are referred to the Committee on Banking and Currency, and that that committee is hereby directed to consider the same and all thereof, and to report to the Senate whether or not it is advisable for Congress to enact any legislation to provide for a gradual reduction of the amount of money in circulation, and, if so, to report what legislation it deems necessary, expedient, or advisable to bring about some gradual reduction of the amount of money in circulation and to what extent and how rapidly such reduction should be had and what may be the views of the committee in general in the premises.

CITY OF FIUME AND VILLAGE OF SUSSAK.

Mr. SHERMAN. I offer a resolution and ask that it be referred to the Committee on Foreign Relations without reading.

The resolution (S. Res. 141) was referred to the Committee on Foreign Relations, as follows:

Whereas the census of the city of Fiume shows an Italian population of 28,911, and a Slav population of 10,927, an Italian majority of 17,984; and

Whereas the population of the village of Sussak, which is separated from Fiume and to which no claim for annexation is made by Italy, is composed of 3,871 Slavs and 658 Italians; and

Whereas the two sections, even when taken together, show a total population of 29,569 Italians and 14,798 Slavs, or a clear Italian majority of 14,771 in both the city of Fiume and the village of Sussak; and

Whereas certain Jugo-Slav officers are changing these figures to confuse impartial and disinterested parties in furtherance of their avowed purpose of creating opposition against and attempting to prevent the annexation of Fiume to Italy; and

Whereas it is the desire of the Senate of the United States to mete justice to all parties concerned without fear or favor, when the treaty of peace between the United States of America and its Allies on one part and the Austro-Hungarian Government on the other part shall be presented to the United States Senate for ratification; and

Whereas it is the desire of the Senate of the United States to be properly advised as to the population of the city of Fiume and of the village of Sussak, so that its judgment or decision may be not rendered difficult on account of false and unsupported claims: Therefore be it

Resolved, That the President of the United States be requested, if not incompatible with public interest, to instruct the delegation of the United States of America at the peace conference of Versailles to secure, in conjunction with the representatives of our Allies—Great Britain, France, Italy, and Japan—and under their joint, impartial, and personal control, a correct census showing the correct population of Fiume and of the village of Sussak separately, and its division according to race, color, or nationalities, and to forward the same to the Senate for its advise and guidance at the earliest possible moment.

THE MOONEY CASE.

Mr. SHERMAN. Mr. President, I present two letters, one written by myself to J. B. Densmore, United States Employment Service, dated May 6, 1919, and the other written by J. B. Densmore himself and addressed to myself, dated May 14, 1919, which I should like to have printed in the RECORD without reading.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MAY 6, 1919.

Hon. J. B. DENSMORE,
United States Employment Service, Washington, D. C.

DEAR MR. DENSMORE: I find your letter on my return from an absence of some weeks.

You ask that, if I know anything of the misuse of the United States Employment Service, to advise you. The inquiry is made in view of a letter written by me in answer to a Mr. Anderson, of Rock Island, Ill. May I ask if the inquiry covers the activities of the United States Employment Service in San Francisco in the Mooney case? I would be very glad to include this subject in my answer to your letter, so as to avoid duplicating the correspondence.

Very truly, yours, LAWRENCE Y. SHERMAN.

UNITED STATES DEPARTMENT OF LABOR,
UNITED STATES EMPLOYMENT SERVICE,
Washington, May 14, 1919.

Hon. LAWRENCE Y. SHERMAN,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Receipt is acknowledged of your reply of May 6 to my letter asking you to be good enough to bring to my attention cases of misuse of the United States Employment Service which you mention generally in your letter to Mr. Anderson, of Rock Island.

In your reply you ask if my inquiry "covers the activities of the United States Employment Service in San Francisco in the Mooney case?"

My inquiry did not cover what you allege as "the activities of the United States Employment Service in San Francisco in the Mooney case," for the reason that the United States Employment Service had no connection whatever with the activities to which you refer.

I am sure you are so fair that you desire all the facts on this subject, which, briefly, are these: Since 1913 I have been Solicitor of the Department of Justice for the Department of Labor, appointed as such by the President. I resigned this position in January, 1918, at the request of the Secretary of Labor, to take up the work of establishing and directing the United States Employment Service.

During the year 1917, as solicitor for the department, I was sent by the Secretary of Labor to San Francisco to make an investigation of alleged graft and corruption in the Chinese immigration service in connection with the fraudulent admission of Chinese laborers to this country. I had a few trained investigators of the Government service with me, and at the conclusion of the investigation we had turned up and dismissed some 23 employees of the Immigration Service who were involved in accepting money from Chinese and others for the illegal admission of alien Chinese and for the delivery and destruction of certain records of the Government pertaining to Chinese. These frauds also involved several lawyers in San Francisco who were working with those dishonest Government employees.

I was instructed by the Secretary of Labor and the Attorney General to present the whole matter to the Federal grand jury with the United States attorney, which I did, with the result that about 22 of the grafters were indicted. The grand-jury investigation was finished and the indictments returned about November, 1917, at which time I returned to Washington, as there was no possibility of trying the cases in the near future. As several of the defendants had made complete confessions upon their arrest, and were Government witnesses, I felt that it was necessary to leave one of the department special inspectors to protect them from corruption by the more influential defendants, and also as a matter of protection to the Government's cases, as an attempt had been made to corruptly influence the action of the Federal grand jury while considering the cases we had before it.

With this in mind, one of the inspectors who had worked on the whole investigation was left in San Francisco, together with one other who lived there, and together they assisted the United States Attorney in gathering additional evidence to be used in the trial.

It was during the time these inspectors remained in San Francisco that they discovered an opportunity to present further evidence to the Secretary of Labor on the subject of the fairness of the trial of Thomas J. Mooney by the State's attorney for

San Francisco, which subject had been gone into by the commission appointed by the President, of which the Secretary of Labor was chairman. They were authorized to do so in connection with their other work.

In the meantime, when I returned to Washington in November, 1917, I was, as before mentioned, asked to take charge of the establishment and direction of the United States Employment Service, and I resigned as solicitor to do so. This new work engaged all my time, and it was not until the middle of October, 1918, that I found myself able to leave this work even for a few weeks to go to San Francisco and assist the district attorney in the prosecution of the cases. I was then Director General of the United States Employment Service, but I went to San Francisco at that time solely for the purpose of assisting in the Government's prosecution of the people indicted as a result of my investigation as solicitor and not at all for the purposes as universally charged " to investigate the Mooney case." Such investigation as was made was carried on by the two inspectors of the department who remained in San Francisco, and no person connected with the United States Employment Service had anything to do with it.

The investigation was practically finished when I arrived in San Francisco last October to assist the United States attorney in the trials, and the report of the investigators was transmitted by me to the Secretary of Labor. Unfortunately some of this report fell into the hands of the publisher of a local paper who published it without any authority whatever.

This statement is in no way meant to be an apology for any action of mine, as I am conscious of no act in connection with my official duty without authority therefor. It is meant to correct your apparent misapprehension that the United States Employment Service had any activities in connection with the Mooney case.

My inquiry to you was made in the interest of the betterment of the Employment Service, in the hope of having you bring to my attention, that they could be corrected, such matters as you mention in your letter to Mr. Anderson, of Rock Island, Ill.

I assure you there is no one who realizes quite as I do the imperfections of this service, but there can be no one more interested than I in removing them.

Sincerely,

J. B. DENSMORE,
Director General.

Mr. SHERMAN. Mr. President, the matter is personal to myself and a case of pronounced official mendacity. I ask leave to make a statement in answer rather than by private correspondence to that United States official.

The VICE PRESIDENT. The Chair hears no objection, and the Senator from Illinois will proceed.

THE UNITED STATES EMPLOYMENT SERVICE ACTIVITIES IN THE MOONEY CASE.

Mr. SHERMAN. A concerted movement was for some time conducted to make permanent many millions of dollars in appropriations for the United States Employment Service. Many communications urged me to support the measure. I declined, giving my reasons in various letters. One of these letters addressed to Mr. Anderson, of Rock Island, Ill., was procured by or sent to J. B. Densmore, Director General of the United States Employment Service. He wrote me asking me if I knew of any activities of the Employment Service indicating a misuse of its powers, as I had intimated it in some of my letters, the Anderson letter among others.

All the letters were privileged to be made public. There were none of them private.

On May 6, 1919, in a letter which I have already submitted, I asked Mr. Densmore if his inquiry covered the activities of the United States Employment Service in San Francisco in the Mooney case. Mr. Densmore replied in a letter of May 14, 1919, signing it as director general on a letterhead of the United States Department of Labor, United States Employment Service. Director General Densmore denied that any person connected with the United States Employment Service had anything to do with the Mooney case. This unequivocal denial is contained in the letter submitted signed by Densmore. He undertook to explain that his presence in San Francisco on and before November 1, 1918, was exclusively to prosecute certain immigration frauds in which indictments had before that time been returned. The investigation of the Mooney case had previously been made, he says, by two investigators who had been employed in the immigration cases and had discovered an opportunity to present further evidence to the Secretary of Labor on the subject of the fairness of Mooney's trial. The director general says this investigation was practically finished when he arrived in San Francisco in October, 1918, to assist the United States attorney in the immigration trials there. The report of the investigators relating to Mooney was by Mr. Densmore transmitted to the Secretary of Labor. Mr. Densmore states in his letter that he went to San Francisco at that time solely for the purpose of assisting in the Government's prosecution of the defendants in the immigration cases and not at all for the purpose, so universally charged, to investigate the Mooney case. He adds that, unfortunately, this report on Mooney fell into the hands of a local newspaper, which published it without authority. This explanation, he says, is meant to correct my apparent misapprehension that the United States Employment Service had any activities in connection with the Mooney case. The letter directly states no one connected with the United States Employment Service had anything to do with the Mooney case. Densmore's letter conveys the statement that he simply transmitted a report made by the investigators in no way connected with the Employment Service to the Secretary of Labor.

It is most unfortunate for the director general of this service that on June 27, 1919, House resolution No. 128 required the Secretary of Labor to transmit to it information of the connection of John B. Densmore, Director of the United States Employment Service, with the Mooney case. Under the pressure of this resolution the Secretary gave to the House the suppressed report, Document No. 157, Sixty-sixth Congress, first session. It is found on page 3, headed " The Mooney case." It is dated November 1, 1918, San Francisco, Calif. It opens with this significant sentence from Mr. Densmore:

> Pursuant to instructions received from time to time during the past six months, I have the honor to report that I have conducted a secret and altogether informal inquiry into the Mooney case and beg leave to submit herewith the results of my investigation.

The six months' period from November 1, 1918, would relate back to May 1, 1918. Mr. Densmore was appointed Director General of the United States Employment Service January 1, 1918. Therefore the six months' period covered in this report is a time when Densmore was Director General of the United States Employment Service.

Again, on page 6, I quote:

> This was the condition of things when I asked for and received official permission to make a further investigation of the case along certain lines which I hoped would develop information of the first importance. By this time the fate of the Mooney defendants had aroused international interest and solicitude. * * * The liberal sentiment of Russia was aroused—

And so forth. Again, on page 6:

> In my investigation of the Mooney case I have kept these facts well in mind and proceeded on the theory that an unwarranted attack upon labor leaders with a premeditated and deliberate intention to injure and discredit union labor—

And so forth.

On page 7, in preparing for a fresh investigation, " two plans of operation naturally presented themselves." He continues it was decided to work secretly, and to the two trusted assistants in San Francisco he says, " I confided my plan of operations."

The entire document carries abundant evidence of the continuous activity of the director general in the Mooney case. It is signed, on page 76, " J. B. Densmore, Director General of Employment." A more complete case of official mendacity has not occurred capable of proof by documentary evidence. Before the House extracted this suppressed report from the Secretary of Labor the only evidence of the falsity of the director general's letter to me of May 14, 1919, was the publication of the report, in November, 1918, in the San Francisco Call, which is owned and edited by Fremont Elder. It is now officially established that the Director General of the United States Employment Service is unable to state facts, although he possesses the documentary evidence which would give him the information to do so. I regret the incident, but must preserve in some permanent form the reason why the United States Employment Service has been so prostituted to basely improper uses and the evidence thereof suppressed and denied by a United States official.

RESERVATIONS IN ENTERING LEAGUE OF NATIONS.

Mr. HALE. Mr. President, I have before me a copy of a letter sent by me on July 18 to Justice Hughes, of New York, asking his opinion about reservations to the covenant for the league of nations in the peace treaty and also his reply. I ask leave that they be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON CANADIAN RELATIONS,
July 18, 1919.

Hon. CHARLES EVANS HUGHES,
96 Broadway, New York City.

MY DEAR JUDGE HUGHES: Many of us in the Senate are in favor of having the United States enter a league of nations, provided that in doing so we do not sacrifice the sovereignty or traditional policies of our country. We believe that the pro-

posed covenant for a league of nations in the peace treaty now before the Senate does make such a sacrifice. Rather than take the covenant as it now stands, I am very certain that considerably more than one-third of the Senate would refuse to ratify the treaty altogether. As far as I am personally concerned, I do not want to see this happen, and I do want to see some plan devised whereby the United States may safely enter the league of nations. It has seemed to some of us that this result could best be accomplished by attaching certain reservations to the proposed covenant which would limit the participation by the United States in the league. I shall be very glad if you will give me your opinion as to the validity of such reservations, and also as to what reservations, in your judgment, should be made to safeguard the interests of our country.

Sincerely yours,

FREDERICK HALE.

—

NEW YORK, *July 24, 1919.*

HON. FREDERICK HALE,
United States Senate, Washington, D. C.

MY DEAR SENATOR HALE: I am in receipt of your letter of July 18, and it gives me pleasure to comply with your request for my opinion with respect to the validity and advisability of reservations on the part of the United States in entering the proposed league of nations.

Permit me to state at the outset the point of view from which I think the questions should be approached. There is plain need for a league of nations, in order to provide for the adequate development of international law, for creating and maintaining organs of international justice and the machinery of conciliation and conference, and for giving effect to measures of international cooperation which from time to time may be agreed upon. There is also the immediate exigency to be considered. It is manifest that every reasonable effort should be made to establish peace as promptly as possible and to bring about a condition in which Europe can resume its normal industrial activity.

I perceive no reason why these objects can not be attained without sacrificing the essential interests of the United States. There is a middle ground between aloofness and injurious commitments.

I share the regret that suitable steps have not been taken for the formulation of international legal principles and to secure judicial determinations of international disputes by impartial tribunals, and that the hope of the world in the determination of disputes has been made to rest so largely upon the decision of bodies likely to be controlled by considerations of expediency. There is merit enough in the proposed plan to make it desirable to secure it, if proper safeguards can be obtained, but it is just as futile to exaggerate its value as it is to see nothing but its defects. One must take a light-hearted view of conditions in the world to assume that the proposed plan will guarantee peace or bring about a cessation of intrigue and of the rivalries of interests or prevent nations which can not protect themselves from being compelled to yield to unjust demands where for any reason great powers deem resistance inexpedient. Rather, the proposed covenant should be viewed as a mere beginning, and while it is important that we should have a beginning, it is equally important that we should not make a false start.

I think that the prudent course is to enter the proposed league with reservations of a reasonable character, adequate to our security, which should meet ready assent, and thus to establish a condition of amity at the earliest possible moment.

As to the validity of reservations, this question has two aspects—first, with respect to the action on our part which is essential to the making of reservations and, second, as to the effect of reservations upon other parties to the treaty.

As to the first question it is manifest that attempted reservations will be ineffectual unless they qualify the act of ratification. The adoption of resolutions by the Senate setting forth its views will not affect the obligations of the covenant if it is in fact ratified without reservations which constitute part of the instrument of ratification.

If the Senate should adopt reservations by a majority vote, I assume that these will be made part of the proposed resolution of assent to the treaty, and the question will then be whether the Senate will give its assent with these reservations by the requisite two-thirds vote. If the proposed reservations are reasonable, the responsibility for the defeat of the treaty, if it is defeated, will lie with those who refuse the vote essential to the assent. If the Senate gives its assent to the treaty with reservations, the concurrence of the President will still be necessary, as ratification will not be complete without his action, and the responsibility for a refusal to give the ratification with the reservations as adopted by the Senate as a part of the instrument of ratification would thus lie with the President.

Assuming that the reservations are made as a part of the instrument of ratification, the other parties to the treaty will be notified accordingly. As a contract the treaty, of course, will bind only those who consent to it. The nation making reservations as a part of the instrument of ratification is not bound further than it agrees to be bound. And if a reservation as a part of the ratification makes a material addition to or a substantial change in the proposed treaty other parties will not be bound unless they assent. It should be added that where a treaty is made on the part of a number of nations they may acquiesce in a partial ratification on the part of one or more.

But where there is simply a statement of the interpretation placed by the ratifying State upon ambiguous clauses in the treaty, whether or not the statement is called a reservation, the case is really not one of amendment, and acquiesence of the other parties to the treaty may really be inferred unless express objection is made after notice has been received of the ratification with the interpretative statement forming a part of it.

Statements to safeguard our interest which clarify ambiguous clauses in the covenant by setting forth our interpretation of them, and especially when the interpretation is one which is urged by the advocates of the covenant to induce support, can meet with no reasonable objection. It is not to be supposed that such interpretations will be opposed by other parties to the treaty, and they will tend to avoid disputes in the future. Nor should we assume that a reservation would lead to the failure of the treaty or compel a resumption of the peace conference when the reservation leaves unimpaired the main provisions of the covenant looking to the peaceful settlement of disputes and the organization of conferences, and simply seeks to avoid any apparent assumption of an obligation on our part to join in a war at some indefinite time in the future for a cause the merits of which can not now be foreseen, as it is evident that in such case we must inevitably await the future action of Congress in accordance with what may then be the demand of the conscience of the Nation. In contemplating this experimental, albeit hopeful, enterprise, our security and good faith are primary considerations. Those, either here or abroad, who would oppose such reasonable interpretations or reservations on our part would take a heavy responsibility.

The question is then what specifically should the reservations be:

First. With respect to the right of withdrawal (art. 1). It is reasonable to provide that a member withdrawing from the league should not be released from a debt or liability previously incurred. But it should not be possible that through a claim of the nonperformance of an obligation a member desiring to withdraw should be kept in the league, perhaps indefinitely. I understand that different interpretations have been put upon the clause in question, and I think that there should be a clarifying statement as a part of the ratification.

Second. The clause relating to domestic matters, such as immigration or tariff laws is ambiguous (art. 15), as it provides for a finding by the council whether the question is one solely within the domestic jurisdiction. There should be a clear statement of our understanding that such matters, where no international engagement has been made with respect thereto, are not submitted for the consideration or action of the league or any of its agencies.

Third. It is urged by the advocates of the covenant that article 21 recognizes and preserves the Monroe doctrine. But the descriptive phrase employed in the article is inaccurate, and the meaning of the article is far from clear. There should be an interpretative statement which will remove all doubt that the traditional policy of the United States as to purely American questions is still maintained. I fully indorse Mr. Root's proposed statement of reservation and understanding upon this point, but in the view that an alternative form of statement may be helpful I submit one below.

Fourth. I agree with Mr. Root that it would be desirable to eliminate article 10, with its guaranty to "preserve against external aggression the territorial integrity" of all members of the league. My views as to this article were stated in the inclosed address before the Union League Club (Mar. 26, 1919), and I need not repeat them at length. I still think that article 10 is a trouble breeder and not a peacemaker.

If we are entering upon a new world order of democracies, the inevitable consequences should be recognized. Democracies can not promise war after the manner of monarchs. It is idle to attempt to commit free peoples to the making of war in an unknown contingency when such a war may be found to be clearly

opposed to the dictates of justice. The limitation with respect to "external aggression" is important, but does not meet the difficulty. As the most earnest supporters of the article admit, it may be invoked against a power which has performed all its obligations under the other provisions of the covenant and be the victor "in a war 'legal' under articles 12, 13, and 15."

While the importance of article 10 is strongly emphasized by its supporters, it is said at the same time that the fulfillment of the engagement would be only according to the plan advised by the council of the league, and as this must be a plan upon which the members of the council unanimously agree we could veto any proposal calling for an intervention in what we deemed to be an unsuitable case. Again, it is freely recognized that war can only be declared by Congress.

Article 10 is objectionable because it is an illusory engagement. Whether we shall go to war to preserve the territorial integrity of another State in a situation not now disclosed or described so that the merits of the case may be judged will depend upon the action of Congress, and that action will be taken according to the conviction of our people as to our duty in the light of the demands of justice as they appear when the exigency arises. The general guaranty of article 10 can not be relied upon to produce action contrary to its judgment. We should not enter into a guaranty which would expose us to the charge of bad faith or of having defaulted in our obligation, notwithstanding that Congress in refusing to make war had acted in accordance with its conception of duty in the circumstances disclosed.

Of course a limitation of the operation of article 10 to a period of years would be preferable to the indefinite obligation proposed. But in my judgment it would be better that if article 10 is not eliminated a reservation and interpretative statement should be adopted which would adequately recognize the limitations I have mentioned. Further, it is possible that such a reservation and interpretative statement, while sufficient for our protection, would make acquiescence easier than if the elimination of the article were required. I append the form of such a statement for your consideration.

The resolution embodying the reservations and interpretations thus suggested might be in some such form as the following:

"The Senate of the United States of America advises and consents to the ratification of said treaty with the following reservations and understandings as to its interpretation and effect to be made a part of the instrument of ratification:

"First. That whenever two years' notice of withdrawal from the league of nations shall have been given, as provided in article 1 of the covenant, the power giving the notice shall cease to be a member of the league, or subject to the obligations of the covenant of the league, at the time specified in the notice, notwithstanding any claim, charge, or finding of the nonfulfillment of any international obligation or of any obligation under said covenant: *Provided, however,* That such withdrawal shall not release the power from any debt or liability theretofore incurred.

"Second. That questions relating to immigration, or the imposition of duties on imports, where such questions do not arise out of any international engagement, are questions of domestic policy, and these and any other questions which, according to international law, are solely within the domestic jurisdiction are not to be submitted for the consideration or action of the league of nations or of any of its agencies.

"Third. That the meaning of article 21 of the covenant of the league of nations is that the United States of America does not relinquish its traditional attitude toward purely American questions, and is not required by said covenant to submit its policies regarding questions which it deems to be purely American questions to the league of nations or any of its agencies, and that the United States of America may oppose and prevent any acquisition by any non-American power by conquest, purchase, or in any other manner of any territory, possession, or control in the Western Hemisphere.

"Fourth. That the meaning of article 10 of the covenant of the league of nations is that the members of the league are not under any obligation to act in pursuance of said article except as they may decide to act upon the advice of the council of the league. The United States of America assumes no obligation under said article to undertake any military expedition or to employ its armed forces on land or sea unless such action is authorized by the Congress of the United States of America, which has exclusive authority to declare war or to determine for the United States of America whether there is any obligation on its part under said article and the means or action by which any such obligation shall be fulfilled."

With high regard, I am,

Very sincerely, yours, CHARLES E. HUGHES.

LEAGUE OF NATIONS.

Mr. MOSES. I ask unanimous consent to have printed in the RECORD a brief editorial from the Boston Transcript, entitled "'Why some Senators' hold fast."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

"'WHY SOME SENATORS' HOLD FAST.

"The blindness of partisanship to the beauty of patriotism and the deafness of partisanship to the dictates of conscience are exhibited by the following questions asked to-day by the New York Times, one of the chief petitioners for the unconditional ratification of the unpurged treaty of Versailles:

"How is it that Republican Senators rage against the treaty and league, though the Republicans of their own State beg them to change their course?

"How is it that some of them are imperiling their booms and some of them their chances of another term in the Senate?

"It is because 'some of them,' to the number of more than a militant one-third of the Senate, hold the honor of their country dearer than they hold their political lives, and will gladly lay down their political lives in defense of the honor of their country, in defense of the preservation of American independence, in defense of the policy of Washington and the doctrine of Monroe and the nationalism of Cleveland and the Americanism of Roosevelt, counting themselves fortunate that in so doing an opportunity has been offered them to emulate, in their places in the Senate, the splendid spirit that took the American doughboy over the top in France and made him spurn to count the cost or pause to consider whether he would ever come back. White House Democrats and Wall Street Republicans, who have entered into an alliance for the purpose of intimidating Senators into voting against the dictates of conscience and against the honor of their country as they envisage it, are bewildered by the failure of the alliance to accomplish its unworthy purpose and by an inability to find a reason for that failure in the encyclopedia of professional politics."

Mr. MOSES. I also present a press dispatch from Boston, Mass., containing an account of the action of the Democratic State committee of Massachusetts and resolutions adopted by that body on Saturday last, which I ask to have printed in the RECORD.

There being no objection, the dispatch was ordered to be printed in the RECORD, as follows:

"BAY STATE DEMOCRATIC COMMITTEE SAYS BRITISH FOISTED LEAGUE ON UNITED STATES.

"BOSTON, *July 26.*

"The Democratic State committee adopted a resolution to-day expressing its unalterable opposition to the attempt of England and her allies to force upon the American people 'a so-called covenant of a league of nations which attempts to commit this Republic to recognize and hold forever the title of England to own and rule Ireland against the expressed will of an overwhelming majority of the Irish people.'"

ADJOURNMENT TO THURSDAY.

Mr. LODGE. I move that when the Senate adjourns to-day it adjourn to meet on Thursday next.

The motion was agreed to.

HOUSE BILLS REFERRED.

The following bills were each read twice by their titles and referred to the Committee on Finance:

H. R. 2837. An act to repeal section 630 of the revenue act of 1918, approved February 24, 1919; and

H. R. 7840. An act providing for a tax on pure fruit-juice beverages.

THE OIL SITUATION.

Mr. POINDEXTER. I ask the Chair to lay before the Senate a resolution submitted by me on yesterday, and which went over under the rule.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from yesterday, which will be read.

Senate resolution 138, submitted by Mr. POINDEXTER on the 28th instant, was read, as follows:

Resolved, That the Federal Trade Commission is hereby requested to investigate and report to the Senate the causes of recent advances in the market price in the United States, especially on the Pacific coast, of fuel oil, kerosene, gasoline, and other petroleum products, and in reporting the foregoing the said commission is requested to take into consideration and report the sources of oil supply for the United States, and particularly for the Pacific coast; the annual production of the same for several years last past, with especial reference to the years 1914 to 1919, inclusive; the corporate or other agencies by which the business of oil production, oil refining, oil distribution, and oil marketing, including petroleum and all its products, is and has been conducted in the past and at the present time, with especial reference to the particular period mentioned above, and to these activities on the Pacific coast, and to the Standard Oil Co. of California, the Union Oil Co., and the General Petroleum Co., and other companies engaged in this business on the Pacific coast, and to report to the Senate what, if any,

combinations in restraint of trade between those engaged in this business or unfair competition on the part of any of these or other agencies engaged in said business have existed during the said period or do exist at the present time, and, if such combinations, restraint, or unfair competition have existed or do exist, what, if any, effect the same have had upon the market price of fuel oil, gasoline, and other petroleum products, especially on the Pacific coast and especially with reference to the price charged to the ultimate consumer of the same. The said commission is also requested to report to the Senate any suggestions or recommendations which may be agreed upon by the said commission relative to the removal of such combinations in restraint of trade, or unfair competition if the same exists, or other suggestions or recommendations relative to the cost, market price, production, distribution, and sale to the Government or to private consumers of fuel oil, gasoline, kerosene, or other petroleum products.

Mr. PHELAN. Mr. President, when the Senator from Washington introduced his resolution yesterday I announced that I should lay some important information before the Senate. What I referred to was a report to the Secretary of the Interior on the international policies affecting the world's petroleum industry by Van. H. Manning, Director of the Bureau of Mines, dated May, 1919.

When in California last spring I learned, confidentially, that English interests were acquiring California oil properties, and that led me to make inquiry, and on March 8, after having telegraphed my apprehensions to the Hon. Franklin K. Lane, Secretary of the Interior, I wrote to Van. H. Manning, Director of the Bureau of Mines, submitting a questionnaire. He replied on May 15, very fully, frankly, and completely, and it is this report, addressed to the Secretary of the Interior, that I submit now to the Senate. I delayed publicity, because I was told that the matter should be regarded as confidential until it had been examined by an interdepartmental committee, and since then the Secretary of State has written me, in answer to a letter of mine, that it might be released, with the exception of one confidential report which I beg leave to withhold.

The Director of the Bureau of Mines says that he should like to emphasize the fact that there is no other situation in respect to future supplies of essential raw materials for the United States and in respect to our future trade which is at the present time so important and so critical as the petroleum situation. In so far as America is concerned, the whole complexion of our petroleum industry has changed within the last two years. We are now consuming more crude oil than we produce, depending upon imports to make up the deficit. Forty per cent of our natural petroleum reserves has been taken out of the ground and used, whereas we have used up about 1 per cent of our coal. Our nationals have not gone abroad to any extent. American oil-producing companies are to be found only in Mexico, Central and South America, and Roumania. The United States produces yearly 65 to 70 per cent of the world's total production. The increase of our consumption of crude oil in 1918 over the consumption in 1911 was 190,000,000 barrels. We are eating up our substance.

In view of the extensive use of fuel oil in the industries, merchant marine and navy, of lubricating oils and gasoline, it seems certain that our consumption of crude oil will continue to increase at a rate comparable with that of the past. Our consumption in 1918 was 406,916,000 barrels or 61,920,000 more than our domestic production. The attractive oil-producing regions of the world have been closed to the entry of America. All of these areas with the exception of Mexico and parts of Central and South America lie within British and French possessions or spheres of influence. British and British Dutch nationals practically control all the world's petroleum industry that is not controlled by our own companies. Great Britain and British nationals are alive to the fact that production—production scattered all over the world—will be the dominating factor from now on and it is their plan to secure concessions or other rights covering these probable and possible oil-producing areas.

Unless Americans are encouraged to go abroad, future oil production will all be in the hands of British nationals within the next very few years. No greater or more lasting and far-reaching service can be rendered to this country at the present time than securing for American citizens their rightful participation in the development of all the world's resources of petroleum.

Mr. Manning answers categorically the several questions submitted to him which bears out his preliminary statement which I have just quoted in substance. Great Britain is the principal factor in this new scheme of world conquest.

I remember that two years ago a Senator quoted on the floor the remarks of Mr. Runciman, who was then the president of the Board of Trade in Great Britain, in which he stated that he, Runciman, found, in reviewing the resources of the British Empire, that the Germans were in possession of many of the natural resources of Great Britain. He then said that it was the duty of the nation, not only to control its own resources as against foreigners ever afterwards, but he either said or implied that it was its duty to control, so far as it was able, the production and the storage of these essential raw materials throughout the world. During the entire period of the war, hard-pressed as Great Britain was by the enemy, she never forgot for a moment the post-war period, which has now come, in which it would be necessary for her to conserve her own natural resources and to gather in the natural resources of other lands if she were not prohibited. What does this mean? England's policy is to control the carrying trade of the world, and oil is absolutely the determining factor in the competition of nations. Does the United States purpose to let her great opportunity to establish a merchant marine pass without a contest? That is the new conquest of peace, which is now going on; and very timely is it to recall these things when we are negotiating international treaties. I think there should be some reciprocity. If we give we should also receive.

It is very well for the great United States to be the fairy godmother of dependent States and small nationalities, but we do not want the big nationalities to array themselves very meekly in that category when it is a matter of receiving benefits. I think this report of Mr. Manning will awaken the Senate to the realization of the necessity, now that we are negotiating with foreign countries, giving and taking, that we should certainly protect our nationals in the exploitation of these vital resources, necessary for commerce and trade, for the Navy, for industries, for transportation. Why, I have shown you that we are consuming more oil than we produce, and that we have to import oil from other lands. Without this oil our vaunted greatness as a resourceful Nation will be undermined; and vigilant nations in other parts of the world, not unmindful of this fact, are endeavoring to assert a superiority, certainly in tactics and in strategy and in diplomacy, and unless we realize our position we are bound to suffer.

Mr. THOMAS. Mr. President——

Mr. PHELAN. I yield.

Mr. THOMAS. Is it not a fact that the United States is also a great exporter of oil?

Mr. PHELAN. The United States has supplied oil during the war to foreign countries, and I think the principal exportations are, it may be, by American companies from Mexican fields. The Senator, however, does not dispute the statement of the Director of the Bureau of Mines that our consumption exceeds our production by 61,000,000 barrels annually?

Mr. THOMAS. I did not rise to dispute anything. I simply wanted to be corrected if my information was wrong, which is that we not only import but we also export large quantities of oil.

Mr. PHELAN. There is a great traffic in oil, and possibly by the exportation of oil we are injured in two particulars. That is to say, if there is a market for oil elsewhere, the companies referred to in the Senator's resolution will probably be raising the price on account of this extraordinary demand abroad, and we are injured also in the fact that our industries will languish if they are not supplied with oil, and there are at times possibly an artificial shortage of oil, due to export.

Furthermore, the American companies are denied the privilege of mining for oil in any part of the British possessions or protectorates, and the same is true, as Mr. Manning explains, of France, which leads to exports to meet foreign demand.

Great Britain has created a permanent governmental petroleum department, to grant permits in the British Empire and to assist British oil-producing companies in securing concessions in other countries. Throughout the British Empire she debars foreigners or foreign nationals from owning or operating oil-producing properties or even owning shares of stock.

I call your special attention to answer 3 in Mr. Manning's report, which I will later advert to.

What I learned in California last spring was that companies and corporations were organized, under our easy laws, which were in fact British companies, to acquire large areas in the Coalinga and other California districts. Sir Robert Balfour, who happened to be in California, and who is a member of the British firm of Balfour, Guthrie & Co., denied the alleged fact stated in the newspapers that he was there in the interest of the British acquisition of American oil fields. He had been in the oil fields when he made the denial. So it was a mere association of Sir Robert with the oil fields that led the press to publish the alleged fact that he was there in the interest of the acquisition of oil fields, oil properties, or oil stock. He wrote me a letter denying that he had any purpose in his visit to California to take up that matter and left the impression that his old firm, which had been connected with the Pacific coast in all matters of grain exportation and development for 50 years, was not seeking the acquisition of American fields for British owners. I accepted his state-

ment, but then I wrote at the same time to Mr. Manning, and he wrote me, under date of June 28, 1919, as follows:

DEPARTMENT OF THE INTERIOR,
BUREAU OF MINES,
Washington, June 28, 1919.

Hon. JAMES D. PHELAN,
United States Senate.

MY DEAR SENATOR: Replying to your letter of June 24, I presume the quotation refers to the activities of the Shell Co. of California. This property was purchased from the Balfour, Guthrie & Co.'s interests in 1913 and was the first large purchase of the Shell Co. of California on the Pacific coast. Since then they have acquired a number of other properties in the Coalinga and other fields of California.

There are, of course, other British oil companies in California, one of which is the Kern River Oil Fields (Ltd.).

The connections of the Shell Co. of California is covered in a report recently submitted to you by Secretary Lane.

Yours, very truly, VAN. H. MANNING,
Director.

You will see that Balfour, Guthrie & Co. were particularly active, and hence the intimation given out by the senior member of the firm that his presence in California was wholly innocent was not exactly in correspondence with the facts, and I have learned that within the last two weeks the Balfour-Guthrie firm has sold other oil properties, including the California Oil Fields, Limited, to the Royal Dutch Shell (British owned). The Union Oil Co. of California has just been sold to unidentified buyers. Is that also foreign?

So under our easy laws, I say, Great Britain is acquiring, right under our very eyes, the great productive oil fields of California, and at the same time denying our nationals the privilege of exploring, owning, and operating mines for oil in any part of the British possessions or its protectorates or owning any stock therein.

What is this Royal Dutch Shell Co. which Mr. Manning says has acquired these properties from Balfour, Guthrie & Co. and which owns so much valuable property in California, having acquired some within the last few weeks?

The Royal Dutch Shell Co. is the pioneering and holding British agency, and it is suspected that it is owned by a majority of shares by certain British nationals, and more than likely by the British Government itself, just as the British Government owns the Suez Canal.

My information is that the control of the Royal Dutch Shell Co. was before the war owned by the British Petroleum Co. This company was owned by German stockholders and their shares were bought, when offered by the British alien property custodian, during the war, by the Anglo-Persian Co., which is owned by the British Government. So the British Government owns, in fact, the Royal Dutch Shell Co. and its subsidiaries.

The Shell Co. of California, which is one of their subordinate or subsidiary organizations, had a production of 6,357,000 barrels in 1917, which is just about double its production in 1915. The Royal Dutch Shell has subsidiary companies all over the world, and the report I submit enumerates them.

This suggests to us the duty of exercising some control over oil production as a governmental function, the encouragement of our nationals in the fields of exploration at home and abroad, and if we can not secure reciprocity of treatment then retaliation by promptly debarring foreigners from acquiring oil properties in the United States. The Dutch Shell Co. has recently purchased the Pearson Mexican property, thus adding to its possessions a great oil company with a tremendous potential production in Mexico. Besides it has a great marketing organization, which extends even to the markets of this country.

The nationalistic sentiment is dominant in British control of oil areas throughout the world and particularly exemplified recently in Mesopotamia, Persia, Burma, Peru, and Ecuador.

During the war the question of oil control was never lost sight of, and during this period German-controlled companies were taken over by the British Government in several of its dependencies.

I may say that our Government has not given proper encouragement to men willing to explore for oil. It is notorious that but a small per cent ever succeed, and that the enterprise is very expensive, involving very often as much as twenty or thirty or forty thousand dollars to sink a deep well before they ascertain positively whether it will pay. So the men who have lost in the exploration for not only oil but gold, silver, and copper in the United States far outnumber those who have gained, but they are willing to take the chance. It is the spirit of adventure, the spirit of the pioneer, the man hungry for the horizon, that has developed the United States. If the Government had undertaken out of the Treasury to develop the silver and gold and petroleum and other natural resources hidden in the earth, it would not have been justified in the value of the output. The Government would have spent more money in finding these precious things than the value of the precious things themselves. Hence one naturally has a sympathy for the pioneer who takes his chance, and if he wins we should not begrudge him his success.

Mr. KING. Will the Senator yield?

Mr. PHELAN. Certainly.

Mr. KING. The Senator, of course, does not mean to express the view that the Government ought to have subsidized those who have gone upon the public domain for the purpose of developing the mineral resources, because the Senator knows that those who have been the pioneers in the mining industry have not asked for governmental aid. The only complaint they have made, and it was a just and reasonable one, was that the Government has too often interposed impediments to the development of the mineral resources of the United States. They ask to be permitted to go upon the public domain and to take the chances to which the Senator has referred, and only ask fair treatment at the hands of the Government.

Mr. PHELAN. I certainly did not intimate that I favored a subsidy, and one reason why that would be unjustifiable is that there are men always ready, in the West particularly, to explore on their own account, lured by the expectation of reward. But I say the reward rarely comes to them. That is their misfortune. To encourage them by offering a premium upon discovery has never been seriously proposed. But certainly they should not be penalized.

But the point I wish to make is that these derelicts, these wasted human beings, whom you will find in the mining camps, have given to the Government by their explorations of the hidden places of the country the great advantage of acquiring precious metals and other minerals without any cost to the Government, and they themselves have fallen by the roadside, and they may be regarded as heroes in our industrial campaigns. I do not know that they have ever even asked a pension from the Government; but the Government, in dealing with its own people, making laws for the exploration of the public domain, should bear these things in mind.

I was pained to hear the other day, indirectly, that Mr. E. L. Doheny, the California and Mexican oil developer, who has had phenomenal success, complained that he has not been fairly treated by this Government. What has been the result? He has appeared before the Senate Committee on Public Lands and told his story. He has appeared before the department and told his story. He had manifested the highest patriotism in all his public acts and statements. He found that the Government was unwilling, for some reason, to take his product, and he found that the Government was unwilling to protect his properties in Mexico, and he drifted to London, I am told, and there, with British interests, has organized, on a basis of equality of advantages, a marketing company. I know he was not disposed to do anything which would be inimical to American interests. But, after all, if a man can get no encouragement in the sale of his products, or in the protection of his property, it is quite natural for him to seek a market. Can we not well emulate England's solicitude for its nationals as a matter of vital national interest? I am informed he has organized a marketing company, which means a lessening of American influence, which means a division of American energy and pluck and enterprise, which should all be devoted to the cause of American development, prosperity, and prestige.

We have not any authority in the organization of our Government, as they have in England, to take up and promote in the national interests the enterprises of our nationals. They have too long been looked upon as pirates instead of discoverers, and as long as that attitude is held we will find ourselves, just as Mr Manning describes, alone in the world, cut off from the possibility of finding oil in any other land under the sun, even those lands for which we fought and bled, and be relegated to our own particular dominions, protected, perhaps, against outside aggression, but which do not yield sufficient oil commensurate with our own needs. We must have a broad national policy, and we must deal with the world certainly on terms of equality. We must stop giving away and deserting those national rights which will enable us, in the interest of our producers and of our national prosperity, to command better consideration of our national interests.

In answer to my question, "What is the remedy?" Mr. Manning replied as follows:

"10. Question. What should be done to protect and encourage the American operator in his effort to get a fair share of the oil of the world for this country?

"10. Answer.

"(a) The Government of the United States should adopt a continuous, zealous, and effective policy of protecting the rights, properties, and lives of American nationals and citizens operating in other countries.

"Fundamentally this policy is not altogether new. The Department of State has on more than one occasion made effective representations to other Governments relative to property rights of citizens of the United States.

"(b) The fixed intent of the Government to follow this policy (a) should be made known to our own citizens and to foreign Governments.

"This alone will do much to encourage and give assurance to American nationals to go abroad for production and to protect their rights and investments in foreign countries.

"(c) The acquisition, ownership, and operation of oil-producing properties should be placed upon some basis of reciprocity internationally. Hence—

"1. Representations should be made to those Governments which at present discriminate against or forbid the participation of American nationals within their boundaries or possessions on an equal footing with their own citizens, to remove these restrictions, and if this endeavor fails

"2. Companies organized or controlled in countries in which American companies are not permitted to acquire, own, or operate oil-producing properties should be prohibited from acquiring, owning, or operating such properties in the United States or its possessions.

"It is believed that this last policy should be adopted only after failure of all ready means for securing equal participation by American nationals in the countries in question. Such a policy affords a precedent or justification to the less advanced countries, such as Mexico, which are neither able to develop their own natural resouces or to participate in the development of ours, to discriminate against, to keep out, or to harass American nationals.

"(d) The control of American oil companies should be prevented from passing into foreign hands.

"This is of immediate importance.

"(e) It should be made possible for American tank steamers to compete on equal terms with foreign-owned tankers.

"(f) Positive stipulation should be made that, in any protectorate or mandatory sphere resulting from the pending peace negotiations, the protecting or mandatory power, its citizens and its nationals, shall not enjoy any special privileges or preferences in respect to the oil industry.

"It should be noted that Mesopotamia, South Russia, Palestine, Papua, Galicia, and other lands formerly belonging to enemy countries have great and very important petroleum-producing possibilities.

"(g) American citizens and nationals should be allowed to compete both at home and abroad on equal terms with foreign combines, in respect to combining or pooling their interests, under proper governmental supervision.

"American oil companies are greatly handicapped in competing as individuals against the Dutch-Shell combine.

"(h) Encourage and assist American interests to go abroad for oil production by increasing the scope (to include foreign countries) of the Interior Department in order that it may supply more thorough technical information relative to oil prospects and operations in all parts of the world.

"In its foreign expansion American business needs this governmental supervision, and through it the interests of the public can be best safeguarded."

I ask leave, Mr. President, to have printed in the RECORD the first 26 pages of Mr. Manning's report, and if that is granted I shall make another request.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

REPORT TO THE SECRETARY OF THE INTERIOR ON INTERNATIONAL POLICIES AFFECTING THE WORLD'S PETROLEUM INDUSTRY.

[By Van. H. Manning, Director Bureau of Mines, May, 1919.]

QUESTIONNAIRE.

"1. What foreign governments are showing a lively interest in seeking petroleum in various parts of the world ?

"2. In what parts of the world are foreign governments making explorations for oil, either directly or through their nationals?

"3. How are these governments trying to control the situation?

"4. What control of the situation do they aim to create through their laws governing corporations? What are England's and France's laws in this respect?

"5. Do they exclude foreigners from owning and operating fields in their domain or in their colonies?

"6. What about the rights, or lack of rights, for Americans who may wish to look for oil in South Africa, Australia, and Canada?

"7. How are American oil interests suffering or being put to a disadvantage by the laws, orders in council, or other regulations or practices of foreign countries?

"8. Are foreign corporations in the oil business assisted or subsidized in any way by their governments?

"9. Do foreign companies make use of any commercial or legal devices which are unfair or disadvantageous to American oil men?

"10. What should be done to protect and encourage the American operator in his effort to get a fair share of the oil of the world for this country ?

—

"1. Question. What foreign governments are showing a lively interest in seeking petroleum in various parts of the world?

"1. Answer. Most actively, Great Britain, the Netherlands, France, Japan, and Argentina.

"2. Question. In what parts of the world are foreign governments making exploration for oil, either directly or through their nationals?

"2. Answer. Great Britain. British Government, directly.

"In England and Scotland, where exploratory drilling is now progressing.

"In Persia, through the Anglo-Persian Oil Co. (Ltd.), in which the British Government owns 51 per cent of the voting stock. Appendix I gives an abstract of the last meeting of the board and directors of the Anglo-Persian Oil Co. This company has a concession granted by the Persian Government, giving the exclusive right to search for and deal with petroleum, asphalt, ozokerites, etc., throughout an area of some 500,000 square miles in the Persian Empire.

"In Papua, through an advance of £50,000 to the Commonwealth of Australia to assist in the testing of the Papuan oil fields. (Appendix XII.)

"Through the Royal Dutch-Shell, in which the British Government has and is acquiring large holdings, according to persistent reports. This group represents purely British interests to at least 40 per cent and its general policy is as much British as Dutch, in Dutch East Indies, South Russia, Roumania, Venezuela, Trinidad, Curacao, Egypt, Canada, United States, Mexico, and British West Indies.

"Appendix II gives the 1918 production of the Dutch-Shell.

"Plate I shows graphically the Royal Dutch-Shell group, in so far as information is available.

"Plate II shows graphically the principal controlled sources of supply and the marketing affiliations of the Royal Dutch-Shell group, in so far as they are known.

"Through British nationals in French West Africa (French territory, in which it seems unlikely that foreign companies will be allowed to operate in the future), South Africa, Algeria (French territory, in which it seems unlikely that foreign companies will be allowed to operate in the future), Australia, British West India, Canada, Cuba, Cyprus, East Indies, Ecuador, Egypt, Roumania, Trinidad, Turkey, Galicia, India, Italy, Madagascar (French territory, in which it seems unlikely that foreign companies will be allowed to operate in the future), Mexico, Morocco (French territory, in which it seems unlikely that foreign companies will be allowed to operate in the future), New Guinea, Peru, Syria, Tunis (French territory, in which it seems unlikely that foreign companies will be allowed to operate in the future), United States, Venezuela, and Russian Empire (1. Southeastern Russia; 2. Central Russia; 3. Sakhalin).

"Appendix III is a partial list of British companies engaged in oil development and production in different countries. This list does not include British oil companies that are marketers or distributors but are not producers or prospectors of crude oil, nor does it include British financial, mining, agricultural, plantation, and trading companies operating all over the globe, which have in the past and probably will in the future get into the business of oil exploration and production. Past examples: S. Pearson & Sons (Ltd.), originally engineering contractors, who acquired and developed the Mexican Eagle properties in Mexico; and Balfour & Guthrie Co. (Ltd.), grain dealers, brokers, and shippers, who acquired and developed large oil properties in California, now owned by the Shell Co., of California. The Shell Co. itself was not at first engaged in the oil business.

"It is to be noted that a number of the companies listed in Appendix III have close relations with the Anglo-Persian Oil Co., as well as with the Royal Dutch-Shell combine, through (1) interlocking directorates; (2) marketing arrangements; and (3) financial interests.

"It is further to be noted, in connection with Plate I and Plate II, that not only has the Anglo-Persian Oil Co. (Ltd.) a marketing agreement with the Dutch-Shell extending until 1922 but also the Anglo-Persian-Burmah group is jointly interested with the Dutch-Shell in the United British West Indies Petroleum Syndicate (Ltd.) and its subsidiaries.

"British nationals are now trying to get control of what promise to be very extensive and prolific oil fields in Mesopotamia.

"Southeastern Russia, with its present oil fields and future petroleum potentialities, is now under British military control.

"The Netherlands, through its nationals, in the Dutch East Indies and Curacao.

"Japan, directly as well as through its nationals, in Japan, Formosa, China, and the Island of Sakhalin.

"France, directly, is considering sinking test wells in France. A request was made in July, 1918, by the French foreign office that the American Government assist in this enterprise by furnishing technical advice and experienced drilling crews.

"Through French nationals, in Morocco, Algeria, Roumania, Greece, and Galicia.

"Argentine Republic, directly, in Argentine—Comodoro Rivadavia oil fields.

"Roumania, directly and through nationals, in Roumania.

"3. Question. How are these Governments trying to control the situation?

"3. Answer:

"GREAT BRITAIN

"(1) By creating a permanent governmental petroleum department (the petroleum executive under the war cabinet is to be made permanent) with powers and duties as follows: (a) To act as an advisor in petroleum matters to all other branches of His Majesty's Government; (b) to grant concessions for all oil development within the British Empire; and (c) to advise and assist British oil companies in securing concessions, carrying on work, and conducting trade in other countries.

"(2) By debarring foreigners and foreign nationals from owning or operating oil-producing properties in the British Isles, colonies, and protectorates.

"Prospecting for petroleum or working a petroleum property is lawful in the United Kingdom only for the board of trade or minister of munitions or person or persons authorized by them. (D. O. R. A., 2–A A A, Jan. 31, 1919.)

"(3) By direct participation in ownership and control of petroleum companies.

"(4) By refusing permission to British oil companies to sell their properties to foreign-owned or controlled companies.

"(5) By orders in council that prohibit the transfer of shares in British oil companies to other than British subjects or nationals.

"FRANCE

"Is continuing the controls exercised through the Commissariat General aux Essence et Combustibles and allied bodies that were set up during the war, and is seriously considering making a State monopoly of petroleum and petroleum products.

"The ownership of coal and presumably of oil resources is vested in the Government, and concessions for exploitation are granted on a royalty basis. The terms of individual concessions may be made such as to exclude foreign control.

"THE NETHERLANDS AND COLONIES.

"Prospecting licenses and concessions are granted only to Dutch subjects, inhabitants of the Netherlands or Netherlands East Indies, and to companies incorporated under the Dutch laws either in the Netherlands or in the Netherlands East Indies, having in their board of directors a majority of Dutch subjects. Persons or companies not established in the Netherlands East Indies must be represented in the islands by a trustee who must comply with the stipulations of the mining laws.

"JAPANESE AND ARGENTINE GOVERNMENTS

"Have withdrawn oil fields within their domain from private ownership or development.

"ROUMANIA

"Is considering the creation of a State monopoly of petroleum, both production and distribution, out of the monopoly which Germany was establishing there during the time of the German occupation.

"In a decree of November 27, 1918, the Roumanian Government expropriated certain rural property owned by foreigners. This is regarded as an agrarian measure, and it is believed it will not affect oil properties.

"ITALY

"Has passed a law, which has not yet been enforced, authorizing a State monopoly of sale and distribution of certain petroleum products. The Government control established during hostilities still continues.

"MEXICO

"Has been studying the question of a State monopoly of production and distribution. Article 27 of the Mexican Constitution of 1917 states that 'in the nation is vested direct ownership of * * * petroleum and all hydrocarbons—solid, liquid, or gaseous'; also that 'only Mexicans by birth or naturalization and Mexican companies have the right to acquire ownership in lands, waters, or their appurtenances, or to obtain concessions to develop mines, waters, or mineral fuels in the Republic of Mexico. The nation may grant the same right to foreigners, provided they agree before the department of foreign affairs to be considered Mexicans in respect to the same, under penalty, in cases of breach, of forfeiture to the nation of property acquired.'

"On February 19, July 31, and August 12, 1918, decrees were issued making it necessary, under penalties of confiscation, for all companies owning or leasing oil lands in Mexico to file new 'manifests' of properties already duly registered, which 'manifests' apparently constitute the first step in the nationalization of petroleum in Mexico. In addition to the new registry, taxes referred to as 'rentals' and as 'royalties' were imposed; these terms in themselves concede the national ownership mentioned in article 27 of the constitution. Continued operation of oil lands is conditioned upon 'contracts' with the Government, these contracts to be fixed by regulations yet to be issued. The foreign companies operating in Mexico have made a vigorous protest against the legislation, and the Governments of the United States, Great Britain, and France have also protested. The decrees have not as yet been enforced, and so far as known no final decision has been reached. (See Appendices XX and XX–A.)

"FOR OTHER COUNTRIES

"See Appendix XVII, which gives a summary of the best information at present available concerning the laws and policies of various other countries relative to the acquiring and operating of oil properties by foreigners and foreign interests.

"4. Question. What control of the situation do they aim to create through their laws governing corporations? What are England's and France's laws in this respect?

"4. Answer. This has been answered in part under answer 3, where is indicated the development of nationalistic and national policies leading to the direct or indirect governmental control of oil production and distribution in the respective countries. Appendices IX, X, XI, XIII, and XVI are attached to give further evidence respecting the policies of Great Britain and of British sentiment.

"Such control has a number of objects:

"(1) To insure an unhampered and certain supply of petroleum products in war as well as in peace;

"(2) To benefit the public treasury;

"(3) To secure for their own citizens all profits accruing from the petroleum business within the borders or zones of influence of these countries; and

"(4) To dominate indirectly shipping and commerce by controlling oil-bunkering stations and sources of supply of petroleum. Petroleum products may be bartered for other raw materials or commodities.

"The British petroleum press is advocating the creation of a 'National Petroleum Bank,' patterned somewhat after the Deutsche Bank, which will specialize in British petroleum securities and promotions. (See Oil News, London, Feb. 1, 8, 15, 22; Mar. 1, 8, 15, 22, 29.)

"Sir Albert Stanley, president of His Majesty's Board of Trade, is quoted in the London Times as stating, on December 10, 1917, that His Majesty's Government has under consideration the question of forming an all British oil company, free from all foreign interest and foreign control, for dealing with the development of oil fields outside the British Isles, and particularly in British colonies, dependencies, and allied countries.

"See also answer 6.

"France, so far as is known, has not as yet adopted special laws or orders in council on this subject. It is reported, however, that before the Lord Cowdray (British) interests could secure satisfactory assurances and permission from the French Government to proceed with oil explorations in a concession in Algeria, for which they have been negotiating for several years, they have been obliged to form a French company in which the control and the majority of stock is owned by French citizens. It would, therefore, seem that in granting or renewing concessions for oil properties the French Government is following a policy similar to the British.

"It is to be noted that American or other foreign citizens or nationals can not now compete with British or French nationals, as the case may be, in British or French 'spheres of influence' in the less advanced parts of the world. This statement applies in particular to companies developing national resources and, to a lesser degree, to companies engaging in any trade. There are many reasons that contribute directly and

indirectly to this state of affairs. The fundamental ones are the close cooperation between British and between French nationals of all categories, and the close liaison between these nationals and their Governments.

"Mr. H. W. A. Deterding, managing director of the Dutch-Shell combine, stated shortly before the European war started that within 10 years he would control the oil bunkering of the world. The war may have delayed his plans, but the recent purchase of the Mexican Eagle by the Dutch-Shell group would indicate that they have not been abandoned. This, in connection with the activities of the Anglo-Persian-Burmah group in both hemispheres, indicates that the fruition of a purpose to control the world's oil bunkering, and thereby control shipping and trade, can easily be effected through (a) controlling sufficient present and future oil production scattered all over the globe, (b) a centrally controlled and world-wide distributing and marketing organization interlocking and coordinating with production and refining, and (c) control of sufficient tanker tonnages.

"While at the present time, United States interests occupy the leading place in the business of supplying oil to ships, the above summary indicates the danger of losing this position.

"5. Question. Do they exclude foreigners from owning and operating fields in their domain or in their colonies?

"5. Answer. Yes. For details, see answers 3 and 4.

"6. Question. What about the rights, or lack of rights, for Americans who may wish to look for oil in South Africa, Australia, and Canada?

"CANADA.

"6. Answer. Article 40 of the Canadian Regulations for the disposal of petroleum and natural gas rights, the property of the Crown, in Manitoba, Saskatchewan, Alberta, the Northwest Territories, etc., provides:

"Any company acquiring by assignment or otherwise a lease under the provisions of these regulations shall at all times be and remain a British company, registered in Great Britain or Canada, and having its principal place of business within his Majesty's dominions, and the chairman of the said company and a majority of the directors shall at all times be British subjects, and the company shall not at any time be or become directly or indirectly controlled by foreigners or by a foreign corporation.

"If the company which may acquire a location under these regulations shall at any time cease to be a British company or shall become a corporation under foreign control, or shall assign any of the rights acquired under the lease without the consent in writing of the minister being first had and obtained, the lease shall be subject to immediate cancellation in the discretion of the minister." (Canadian order in council, Jan. 19, 1914.)

"Since these regulations are in agreement with what appears to be the imperial policy, it is probable that similar regulations will be found to exist in other British possessions, were complete and up-to-date information available.

"It has been reported that the Dutch-Shell has made an application to the Canadian Government for a 250-mile oil and gas concession in western Canada and that the application has been supported by the British Government.

"AUSTRALIA.

"*Queensland.*

"Petroleum on or below the surface of all land in Queensland, whether alienated in fee simple or not so alienated from the Crown, and if so alienated whensoever alienated is and always has been the property of the Crown.

"*The Northern Territory.*

"Licenses are required for the exploitation of oil lands. Only companies incorporated in the United Kingdom or a British possession may receive such licenses. The governor general has the right of preemption of all oil produced, and in case of war may take control of the old properties. (Ordinance No. 1 of 1913.)

"*South Nigeria (British).*

"A lease must be obtained from the governor in order to carry on mining operations for mineral oil. The Government has the right of preemption over oil at market price. (Ordinance No. 12, 1907.)

"*Transvaal (British).*

"All minerals belong to the Government and not to the owners of the surface of the land.

"*Trinidad and Tobago (British).*

"The Government has the right of preemption of crude oil and its products, with due compensation, and has power to force the sale of oil properties to the Government. A concession covering 50 square miles was granted with the stipulation that the company is to remain British controlled, and that the Admiralty is to be given preferential rights of purchase of the oil produced. In 1917 all lands in the colony south of latitude N. 10° 26′ 36″ were declared oil-bearing lands, and no person can acquire title to such lands without the written consent of the governor of the colony.

"*British Honduras.*

"All mines of mineral oil are reserved to the Crown." (Ordinance No. 26, 1907.)

"*British Guiana.*

"All companies incorporated outside of the United Kingdom or British possessions can hold only such lands as might be authorized by the governor in council from time to time." (Ordinance No. 15, 1917, sec. 19.)

"*India.*

"American oil companies are expressly excluded from doing business in Burmah, and a blanket concession of 99 years was given the Burmah Oil Co. (Ltd.) in 1889, protecting this company from all foreign competition. (See Appendices XVIII and XVIII–A.)

"It is reported that recent legislation has limited the ownership of oil properties in India to British-born subjects. None but British oil companies are operating in India.

"7. Question. How are American oil interests suffering or being put to a disadvantage by the laws, orders in council, or other regulations or practices of foreign countries?

"7. Answer. Participation in producing and distributing oil is denied to American companies and citizens in these countries and their possessions, or Americans are otherwise discriminated against, as set forth in answers 3, 4, and 6. At the same time nationals and citizens of these countries are competing on equal terms with Americans in our own country. The United States is practically the only country producing oil in quantity wherein the citizens and foreigners participate and compete on equal terms.

"The contemplated policies of France and of Italy to nationalize the purchase of petroleum products for consumption within their borders will place the individual American producing and refining companies in a position of competing against each other to supply the business—in which they have hitherto largely participated—of the French and Italian Governments. American nationals have large investments in distributing plants, equipment, and organizations, which will be greatly depreciated, if not lost, by such actions on the part of the French and Italian Governments.

"American oil companies are now competing individually in whatever part of the world to which they may go for supplies of crude petroleum or markets for refined products, particularly products for which there is no ready market in this country, with the world-wide British-Dutch and British combines—the Royal Dutch-Shell and the Anglo-Persian-Burmah-United British West Indies Petroleum Syndicate group.

"There is a decided national and nationalistic policy throughout the British Empire to favor and encourage British oil nationals. When the pool board was formed as a war necessity in Great Britain for the domestic distribution of petroleum products a large American national which has had more of the oil business than any other company in the British Isles, was at first left out. This company was admitted to the pool board and to its fair share of the business it had previously held because of the necessity of securing petroleum supplies from the United States.

"The basic rates of the German railroads on oil moved into the country from such ports as Bremen and Hamburg—where American oils were imported—were about twice as high as those on Russian and Galician oil moved by rail from the countries of origin.

"If bunkering oil can be universally secured through only one oil combine, American shipping interests will be forced into fuel oil and, probably, lubricating oil contracts with this combine, to the disadvantage of American dealers as well as to their own disadvantage.

"8. Question. Are foreign corporations in the oil business assisted or subsidized in any way by their Governments?

"8. Answer. British oil companies are assisted by the protection and the encouraging restrictions and policies discussed in answers 3, 4, and 6.

"It would seem that British oil companies are further assisted by the action of the British Government in selling tank steamer tonnage, built by that Government during the war, only to companies that are both British owned and British controlled, while the sale of such tonnage is refused to British incorporated companies whose stock is preponderantly owned by American citizens. In this way the British-controlled companies are enabled to replace losses of tonnage suffered during the war while the other companies are unable to do so.

"Among the 'permanent measures' recommended by the economic conference of the allied Governments at Paris, June 17, 1916, to be carried out by them not only during but after the war, were measures directed to assuring their 'independence' as regards 'sources of supply'; and as an example there was

mentioned 'enterprises subsidized and directed or controlled by the Governments themselves.'

"9. Question. Do foreign companies make use of any commercial or legal devices which are unfair or disadvantageous to American oilmen?

"9. Answer. The Royal Dutch-Shell group is constantly extending its operations and unified control by purchasing competing companies outright or by taking them into the combine. Such purchases, combinations, and interlocking control are prohibited by the antitrust laws of the United States. The Dutch-Shell has recently purchased the Mexican Eagle Oil Co. (Ltd.) (Lord Cowdray's Mexican properties), thus adding to its holdings another great oil company possessing a large present and a tremendous potential production in Mexico, as well as pipe lines, storage, wharves, and sea loading facilities and refineries. Through the purchase of the Mexican Eagle, the Dutch-Shell group secures control of its subsidiaries—the Eagle Oil & Transport Co. (Ltd.), which owns and operates a large fleet of tank steamers, and the Anglo-Mexican Petroleum Co. (Ltd.), a marketing organization that has extensive markets in Mexico, Central and South America, and the British Isles, and markets some oil in this country.

"The Anglo-Persian Oil Co. (Ltd.), in addition to its connection with the Burmah Oil Co. (Ltd.) (being practically owned by the latter company and the British Government), has acquired and now entirely controls the British Tanker Co. (Ltd.), the Petroleum Steamship Co. (Ltd.), the Homelight Oil Co. (Ltd.), and the British Petroleum Co. (Ltd.). The three last-named companies were formerly German controlled and were taken over by the British Government shortly after the war started. The last two companies are marketing organizations that were formerly competitors. The Burmah Oil Co. (Ltd.), enjoys a monopoly granted by the Crown in Burmah, and the Anglo-Persian Oil Co. (Ltd.), has a concession of unprecedented magnitude granted by the Persian Government.

"The development of a strong nationalistic sentiment among British oil companies is illustrated by the resolution recently adopted by the Lobitos Oilfields (Ltd.), which produces in Peru and has recently acquired oil lands in Ecuador, to prevent the transfer of more than 20 per cent of the capital to foreigners. Appendix XIX.

"10. Question. What should be done to protect and encourage the American operator in his effort to get a fair share of the oil of the world for this country?

"10. Answer. (a) The Government of the United States should adopt a continuous, zealous, and effective policy of protecting the rights, properties, and lives of American nationals and citizens operating in other countries.

"Fundamentally this policy is not altogether new. The Department of State has on more than one occasion made effective representations to other Governments relative to property rights of citizens of the United States. For example, Mr. Bayard, Secretary of State, wrote the minister of Peru on January 19, 1888, as follows:

"The Government of the United States will not permit, without interposition on its part, the spoliation by Peru of the property of American citizens invested in that country by the invitation of its own authorities. * * * And even were there such a tribunal, its decrees validating in defiance of international laws such confiscations could not bind the citizens of foreign States thereby despoiled.

"This is not, it will be understood, the assertion of any new principle in international law. The seizure or spoliation of property at the mere will of the sovereign and without due legal process has always been regarded as in itself a denial of justice and as affording the basis for international interposition.

"(b) The fixed intent of the Government to follow this policy (a) should be made known to our own citizens and to foreign Governments.

"This alone will do much to encourage and give assurance to American nationals to go abroad for production, and to protect their rights and investments in foreign countries.

"(c) The acquisition, ownership, and operation of oil-producing properties should be placed upon some basis of reciprocity internationally, hence—

"1. Representations should be made to those Governments which at present discriminate against or forbid the participation of American nationals within their boundaries or possessions on an equal footing with their own citizens to remove these restrictions, and if this endeavor fails—

"2. Companies organized or controlled in countries in which American companies are not permitted to acquire, own, or operate oil-producing properties should be prohibited from acquiring, owning, or operating such properties in the United States or its possessions.

"It is believed that this last policy should be adopted only after failure of all ready means for securing equal participation by American nationals in the countries in question. Such a policy affords a precedent or justification to the less advanced countries, such as Mexico, which are neither able to develop their own natural resources or to participate in the development of ours, to discriminate against, to keep out, or to harass American nationals.

"(d) The control of American oil companies should be prevented from passing into foreign hands.

"This is of immediate importance.

"(e) It should be made possible for American tank steamers to compete on equal terms with foreign-owned tankers.

"(f) Positive stipulation should be made that, in any protectorate or mandatory sphere resulting from the pending peace negotiations, the protecting or mandatory power, its citizens and its nationals, shall not enjoy any special privileges or preferences in respect to the oil industry.

"It should be noted that Mesopotamia, south Russia, Palestine, Papua, Galicia, and other lands formerly belonging to enemy countries have great and very important petroleum-producing possibilities.

"(g) American citizens and nationals should be allowed to compete both at home and abroad on equal terms with foreign combines in respect to combining or pooling their interests under proper governmental supervision.

"American oil companies are greatly handicapped in competing as individuals against the Dutch-Shell combine.

"(h) Encourage and assist American interests to go abroad for oil production by increasing the scope (to include foreign countries) of the Interior Department in order that it may supply more thorough technical information relative to oil prospects and operations in all parts of the world.

"This department should also be given more power and latitude in carrying out its general constructive economic policy leading to the sound development of the whole petroleum industry; to discouraging unrestricted and wasteful competition in producing territories within the United States; to developing better productive methods so that the largest possible amount of the oil that is in the ground can eventually be brought to the surface; and to the overcoming of waste and inefficiency in the production, transportation, refining, and utilization of petroleum.

"(1) Necessary legislation and machinery should be provided to make possible at once the creation of a world-wide exploration, development, producing, and marketing petroleum company, financed with American capital, guided by American engineering, and supervised in its international relations by the United States Government.

"In its foreign expansion American business needs this governmental supervision, and through it the interests of the public can be best safeguarded."

Mr. PHELAN. I submit a resolution, to be referred to the Committee on Printing, providing that the entire report of Mr. Manning, together with the maps or plans, be printed as a public document.

Mr. POINDEXTER. May I inquire of the Senator what it is that he asks be referred to the Committee on Printing?

Mr. PHELAN. The entire report, with the schedules and appendices, made by Mr. Manning, of which I have given a digest.

The resolution (S. Res. 143) was referred to the Committee on Printing, as follows:

Resolved, That the report to the Secretary of the Interior on International Policies Affecting the World's Petroleum Industry, with maps, by Van H. Manning, Director Bureau of Mines, May, 1919, be printed as a public document.

Mr. PHELAN. I also ask to have printed in the RECORD a letter which I have just received, which is a copy of a letter to Dr. Garfield on the same subject, and signed by M. L. Requa, General Director Oil Division, United States Fuel Administration; Van. H. Manning, Director Bureau of Mines; and George Otis Smith, Director United States Geological Survey.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

FEBRUARY 28, 1919.

Dr. H. A. GARFIELD,
United States Fuel Administrator, Washington, D. C.

DEAR SIR: Following a conference in which the petroleum problem was considered in detail, we have agreed upon the following statement of fact as representing an accurate picture of the petroleum problem as we see it:

1. The rapidly growing use of internal-combustion engines, as well as of fuel oil on ships, both naval and merchant, inevitably means a more rapid increase in the consumption of petroleum in the future than in the past.

2. The enormous increase in world consumption in recent years has been coincident with the increasing difficulty of production in the United States, due to much greater depth necessary to drill in order to reach the oil-bearing horizon.

3. Careful calculations based upon data of the United States Geological Survey indicate the probability that 40 per cent of the available oil of the United States has already been exhausted, whereas less than 1 per cent of the coal has been mined.

4. The United States produces, consumes, and exports nearly 70 per cent of the annual world production of petroleum, and has therefore industrially and commercially more at stake than any other nation.

5. The success of the United States Shipping Board program is dependent in largest part upon the use of fuel oil.

6. In view of the enormous expansion in consumption in the recent past and immediate future, it is absolutely necessary, in order that the situation may be thoroughly safeguarded, that American interests be encouraged by sympathetic Government cooperation in acquiring additional foreign sources of supply and by protection of properties already acquired.

7. American oil companies are seriously handicapped in their ability to compete throughout the world with the Shell-Royal Dutch combine, and if the combination now under discussion in England becomes an accomplished fact, American interests will be still further handicapped.

8. The review of domestic conditions as set forth in the pamphlet entitled "Petroleum Resources of the United States," written by M. L. Requa, in 1916, has been proved to be a conservative statement of conditions. The arguments made at that time are even more acutely applicable at present.

9. The memorandum entitled "The World's Problem of Petroleum," prepared by Mr. Requa in September, 1918, is, we believe, a conservative presentation of the international situation, and the plan suggested therein is the only practical solution.

10. We are not unmindful of the oil-shale resources of the United States. The cost, however, of producing oil from this source is so much greater than the cost of producing petroleum from oil wells that it can not become a commercial proposition until prices are much above those now prevailing.

11. We can not too strongly urge some immediate Government action that will guarantee the continuance in American ownership of American oil companies, and by proper legislation make foreign control of these companies impossible.

12. We urge that Government cooperation with existing companies be agreed upon, which will guarantee the requirements of the Navy and the Shipping Board at satisfactory prices wherever delivery is made throughout the world.

13. American geologists, petroleum engineers, and drillers have led the way in developing the majority of the oil fields of the world, but these men have in large degree been in the employment of foreign capital. American capital should be encouraged to use this technical skill now forced to seek employment under foreign flags and to serve foreign interests.

14. The passage of the oil-leasing bill has been taken into consideration, and we desire to point out that all estimates made have included all withdrawn lands. Failure to drill these lands will render the situation more acute than above outlined.

We are impressed with the seriousness of the efforts being made by the British and Dutch interests to dominate the petroleum supply of the world. The United States now commands the premier position by reason of its domestic production, which even now exceeds one-third billion barrels per year, with less than 7,000,000,000 barrels estimated reserves (20 years life). This position of our country can and should be safeguarded and rendered secure by the Government giving moral support to every proper effort of American capital to make its circle of activity in oil production coextensive with the new expansion of American shipping. This means a world-wide exploration, development, and producing petroleum company, financed with American capital, guided by American engineering, and supervised in its international relations by the United States Government. In its foreign expansion American business needs this governmental partnership, and through it the interests of the public can best be safeguarded.

M. L. REQUA,
General Director Oil Division,
United States Fuel Administration.
VAN. H. MANNING,
Director Bureau of Mines.
GEORGE OTIS SMITH,
Director United States Geological Survey.

TREATY WITH FRANCE.

Mr. LODGE. Mr. President, I ask that the message of the President of the United States, which, I understand, has been received, transmitting to the Senate the treaty between France and the United States, be laid before the Senate as in open executive session, and that the injunction of secrecy be removed from the treaty.

The VICE PRESIDENT. Is there objection? The Chair hears none. The Chair lays before the Senate a message from the President of the United States, which will be read.

Mr. PHELAN. It is not the intention of the Senator now to consider and act upon the message, but simply to have it read?

Mr. LODGE. I want to have the message read and then to have it take the usual course required by the rule.

The VICE PRESIDENT. The Secretary will read.

The Secretary (George A. Sanderson) read the message from the President, as follows:

GENTLEMEN OF THE SENATE:

I take pleasure in laying before you a treaty with the Republic of France the object of which is to secure that Republic of the immediate aid of the United States of America in case of any unprovoked movement of aggression against her on the part of Germany. I earnestly hope that this treaty will meet with your cordial approval and will receive an early ratification at your hands, along with the treaty of peace with Germany. Now that you have had an opportunity to examine the great document I presented to you two weeks ago, it seems opportune to lay before you this treaty which is meant to be in effect a part of it.

It was signed on the same day with the treaty of peace and is intended as a temporary supplement to it. It is believed that the treaty of peace with Germany itself provides adequate protection to France against aggression from her recent enemy on the east; but the years immediately ahead of us contain many incalculable possibilities. The Covenant of the League of Nations provides for military action for the protection of its members only upon advice of the Council of the League—advice given, it is to be presumed, only upon deliberation and acted upon by each of the governments of the member States only if its own judgment justifies such action. The object of the special treaty with France which I now submit to you is to provide for immediate military assistance to France by the United States in case of any unprovoked movement of aggression against her by Germany without waiting for the advice of the Council of the League of Nations that such action be taken. It is to be an arrangement, not independent of the League of Nations, but under it.

It is therefore expressly provided that this treaty shall be made the subject of consideration at the same time with the treaty of peace with Germany; that this special arrangement shall receive the approval of the council of the league; and that this special provision for the safety of France shall remain in force only until, upon the application of one of the parties to it, the council of the league, acting, if necessary, by a majority vote, shall agree that the provisions of the covenant of the league afford her sufficient protection.

I was moved to sign this treaty by considerations which will, I hope, seem as persuasive and as irresistible to you as they seemed to me. We are bound to France by ties of friendship which we have always regarded, and shall always regard, as peculiarly sacred. She assisted us to win our freedom as a nation. It is seriously to be doubted whether we could have won it without her gallant and timely aid. We have recently had the privilege of assisting in driving enemies, who were also enemies of the world, from her soil; but that does not pay our debt to her. Nothing can pay such a debt. She now desires that we should promise to lend our great force to keep her safe against the power she has had most reason to fear. Another great nation volunteers the same promise. It is one of the fine reversals of history that that other nation should be the very power from whom France fought to set us free. A new day has dawned. Old antagonisms are forgotten. The common cause of freedom and enlightenment has created new comradeships and a new perception of what it is wise and necessary for great nations to do to free the world of intolerable fear. Two governments who wish to be members of the league of nations ask leave of the council of the league to be permitted to go to the assistance of a friend whose situation has been found to be one of peculiar peril, without awaiting the advice of the league to act.

It is by taking such pledges as this that we prove ourselves faithful to the utmost to the high obligations of gratitude and tested friendship. Such an act as this seems to me one of the

proofs that we are a people that sees the true heart of duty and prefers honor to its own separate course of peace.

WOODROW WILSON.

THE WHITE HOUSE,
29 July, 1919.

ASSISTANCE TO FRANCE IN THE EVENT OF UNPROVOKED AGGRESSION BY GERMANY.

AGREEMENT BETWEEN THE UNITED STATES AND FRANCE, SIGNED AT VERSAILLES JUNE 28, 1919.

Whereas the United States of America and the French Republic are equally animated by the desire to maintain the peace of the world so happily restored by the treaty of peace signed at Versailles the 28th day of June, 1919, putting an end to the war begun by the aggression of the German Empire and ended by the defeat of that power; and

Whereas the United States of America and the French Republic are fully persuaded that an unprovoked movement of aggression by Germany against France would not only violate both the letter and the spirit of the treaty of Versailles, to which the United States of America and the French Republic are parties, thus exposing France anew to the intolerable burdens of an unprovoked war, but that such an aggression on the part of Germany would be and is so regarded by the treaty of Versailles as a hostile act against all the powers signatory to that treaty and as calculated to disturb the peace of the world by involving, inevitably and directly, the States of Europe, and indirectly, as experience has amply and unfortunately demonstrated, the world at large; and

Whereas the United States of America and the French Republic fear that the stipulations relating to the left bank of the Rhine contained in the treaty of Versailles may not at first provide adequate security and protection to France, on the one hand, and the United States of America as one of the signatories of the treaty of Versailles, on the other:

Therefore the United States of America and the French Republic having decided to conclude a treaty to effect these necessary purposes, Woodrow Wilson, President of the United States of America, and Robert Lansing, Secretary of State of the United States, specially authorized thereto by the President of the United States, and Georges Clemenceau, president of the council, minister of war, and Stephen Pichon, minister of foreign affairs, specially authorized thereto by Raymond Poincare, President of the French Republic, have agreed upon the following articles:

ARTICLE I.

In case the following stipulations relating to the left bank of the Rhine contained in the treaty of peace with Germany signed at Versailles the 28th day of June, 1919, by the United States of America, the French Republic, and the British Empire, among other powers—

"ART. 42. Germany is forbidden to maintain or construct any fortifications either on the left bank of the Rhine or on the right bank to the west of a line drawn 50 kilometers to the east of the Rhine.

"ART. 43. In the area defined above the maintenance and assembly of armed forces, either permanently or temporarily, and military maneuvers of any kind, as well as the upkeep of all permanent works for mobilization, are in the same way forbidden.

"ART. 44. In case Germany violates in any manner whatever the provisions of articles 42 and 43 she shall be regarded as committing a hostile act against the powers signatory of the present treaty and as calculated to disturb the peace of the world."

may not at first provide adequate security and protection to France, the United States of America shall be bound to come immediately to her assistance in the event of any unprovoked movement of aggression against her being made by Germany.

ARTICLE II.

The present treaty, in similar terms with the treaty of even date for the same purpose concluded between Great Britain and the French Republic, a copy of which treaty is annexed hereto, will only come into force when the latter is ratified.

ARTICLE III.

The present treaty must be submitted to the council of the league of nations and must be recognized by the council, acting if need be by a majority, as an engagement which is consistent with the covenant of the league. It will continue in force until on the application of one of the parties to it the council, acting if need be by a majority, agrees that the league itself affords sufficient protection.

ARTICLE IV.

The present treaty will be submitted to the Senate of the United States at the same time as the treaty of Versailles is submitted to the Senate for its advice and consent to ratification. It will be submitted before ratification to the French Chambers of Deputies for approval. The ratification thereof will be exchanged on the deposit of ratifications of the treaty of Versailles at Paris or as soon thereafter as shall be possible.

In faith whereof the respective plenipotentiaries, to wit, on the part of the United States of America, Woodrow Wilson, President, and Robert Lansing, Secretary of State, of the United States; and on the part of the French Republic, Georges Clemenceau, President of the Council of Ministers, Minister of War, and Stephen Pichon, Minister of Foreign Affairs, have signed the above articles both in the English and French languages, and they have hereunto affixed their seals.

Done in duplicate at the city of Versailles on the 28th day of June, in the year of our Lord 1919 and the one hundred and forty-third of the Independence of the United States of America.

WOODROW WILSON.
ROBERT LANSING.
CLEMENCEAU.
S. PICHON.

—

ASSISTANCE TO FRANCE IN THE EVENT OF UNPROVOKED AGGRESSION BY GERMANY.

Whereas there is a danger that the stipulations relating to the left bank of the Rhine contained in the treaty of peace, signed this day at Versailles, may not at first provide adequate security and protection to the French Republic; and

Whereas His Britannic Majesty is willing, subject to the consent of his Parliament and provided that a similar obligation is entered into by the United States of America, to undertake to support the French Government in the case of an unprovoked movement of aggression being made against France by Germany; and

Whereas His Britannic Majesty and the President of the French Republic have determined to conclude a treaty to that effect and have named as their plenipotentiaries for the purpose; that is to say:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the seas, Emperor of India: The Right Hon. David Lloyd-George, M. P., first lord of his treasury and prime minister; the Right Hon. Arthur James Balfour, O. M., M. P., his secretary of state for foreign affairs.

The President of the French Republic, Mr. Georges Clemenceau, president of the council, minister of war; Mr. Stephen Pichon, minister of foreign affairs; who having communicated their full powers found in good and due form have agreed as follows:

ARTICLE I

In case the following stipulations relating to the left bank of the Rhine contained in the treaty of peace with Germany signed at Versailles the 28th day of June, 1919, by the British Empire, the French Republic, and the United States of America, among other powers—

"ART. 42. Germany is forbidden to maintain or construct any fortifications either on the left bank of the Rhine or on the right bank to the west of a line drawn 50 kilometers to the east of the Rhine.

"ART. 43. In the area defined above the maintenance and assembly of armed forces, either permanently or temporarily, and military maneuvers of any kind, as well as the upkeep of all permanent works for mobilization, are in the same way forbidden.

"ART. 44. In case Germany violates in any manner whatever the provisions of articles 42 and 43 she shall be regarded as committing a hostile act against the powers signatory of the present treaty and as calculated to disturb the peace of the world."

may not at first provide adequate security and protection to France, Great Britain agrees to come immediately to her assistance in the event of any unprovoked movement of aggression against her being made by Germany.

ARTICLE II.

The present treaty, in similar terms with the treaty of even date for the same purpose concluded between the French Republic and the United States of America, a copy of which treaty is annexed hereto, will only come into force when the latter is ratified.

ARTICLE III.

The present treaty must be submitted to the council of the league of nations and must be recognized by the council, acting

if need be by a majority, as an engagement which is consistent with the covenant of the league; it will continue in force until, on the application of one of the parties to it, the council, acting if need be by a majority, agrees that the league itself affords sufficient protection.

ARTICLE IV.

The present treaty shall, before ratification by His Majesty, be submitted to Parliament for approval.

It shall, before ratification by the President of the French Republic, be submitted to the French Chambers for approval.

ARTICLE V.

The present treaty shall impose no obligation upon any of the Dominions of the British Empire unless and until it is approved by the Parliament of the Dominion concerned.

The present treaty shall be ratified and shall, subject to Articles II and IV, come into force at the same time as the treaty of peace with Germany of even date comes into force for the British Empire and the French Republic.

In faith whereof the above-named plenipotentiaries have signed the present treaty, drawn up in the English and French languages.

Done in duplicate at Versailles on the 28th day of June, 1919.

D. LLOYD-GEORGE.
ARTHUR JAMES BALFOUR.
CLEMENCEAU.
S. PICHON.

After the reading of the President's message,

Mr. LODGE. I ask that the message and treaty be referred to the Committee on Foreign Relations and printed for the use of the Senate. I make this request as in open executive session.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. LODGE. I ask also that the treaty, which has not been read, be printed in the RECORD after the message of the President.

The VICE PRESIDENT. That will be done. The Senate returns to legislative session, and the resolution of the Senator from Washington [Mr. POINDEXTER] is before the Senate.

THE OIL SITUATION.

The Senate resumed the consideration of Senate resolution 138, submitted by Mr. POINDEXTER on the 28th instant.

The VICE PRESIDENT. The question is on agreeing to the resolution.

Mr. SMOOT. Mr. President, I wish to call the attention of the Senator from Washington to the last paragraph of the resolution, and in doing so I desire at this time to move to strike out, beginning with the word "the," in line 13, page 2, down to and including the word "products," in line 21; in other words, the following part of the resolution:

The said commission is also requested to report to the Senate any suggestions or recommendations which may be agreed upon by the said commission relative to the removal of such combinations in restraint of trade, or unfair competition if the same exists, or other suggestions or recommendations relative to the cost, market price, production, distribution, and sale to the Government or to private consumers of fuel oil, gasoline, kerosene, or other petroleum products.

I do not want to take the time of the Senate to discuss it, unless the Senate desires to hear it discussed, but I would ask the Senator from Washington if he has any objection to striking out that portion of the resolution?

Mr. POINDEXTER. I have no objection to striking out those words.

Mr. WALSH of Montana. Mr. President, it will be recalled that after many years of labor a bill was passed by the last Congress looking to the further development of the oil fields of this country as well as the lands containing other nonmetallic minerals. A bill radically different, but covering the same subject, was passed by the House of Representatives, resulting in a deadlock between the two bodies, which continued for many months. The differences between the two Houses were eventually compromised, and a conference report was submitted embodying apparently the best possible thought of the two branches of Congress upon this rather difficult subject. It was impossible to get consideration for that conference report at the last session; and, in the hope that the work that was done would not be utterly lost, a number of Senators introduced at the beginning of this session bills in substance the same as that conference report, which bills were referred to the Public Lands Committee in the hope that they would take up the subject where it was left at the conclusion of the last session and speedily bring before this body for consideration a bill dealing with the subject.

I inquire of the chairman of the Committee on Public Lands what progress is being made with the subject?

Mr. SMOOT. Mr. President, in answer to the Senator from Montana, I wish to state that there were some half dozen leasing bills introduced in this body, as has been suggested by the Senator. As chairman of the committee, I directed each one of those bills to be sent to the Secretary of the Interior, and asked him for a report upon them. I wish to say to the Senator that up to the present time there has been no answer to the request. The committee, however, decided at its last meeting that, notwithstanding a report from the Secretary of the Interior had not been received, to-morrow the committee would begin the consideration of the leasing bills before it.

I can say to the Senate that if newspaper reports are true—and, by the way, I do not say that they are—the Attorney General takes the position that he does not wish to join in any report of the Secretary of the Interior until after he has had sufficient time to consult the President of the United States. It was reported to me the other day, Mr. President, that the Secretary of the Navy has stated that he is going to oppose all of the leasing bills now before the Public Lands Committee of the Senate. Whether or not that is true I can not say, but I want to say to the Senator from Montana and to the Senate itself that the Public Lands Committee of the Senate will to-morrow begin the consideration of the leasing bills; and if I express the sentiment of the committee, as I am positive I do, the committee is going to continue that consideration and is going to report a bill to the Senate at the earliest date possible.

Mr. WALSH of Montana. Mr. President, my recollection is that something over two months ago the session began and the bills were then promptly introduced.

Mr. SMOOT. Perhaps the Senator's remarks are justified, but I did not want to report to the Senate a bill and state to the Senate that no report had been received by the departments of our Government interested in the legislation. However, I think the committee has waited long enough; I know that the members of the committee think so; and I can promise the Senator from Montana and the Senate that a report will be made on this proposed legislation just as quickly as the committee can agree upon its terms.

Mr. WALSH of Montana. Mr. President, I am very highly gratified at the promise made to the Senate by the Senator from Utah. I merely desire to add that I can not believe that the Secretary of the Navy stands alone among the public men of the United States adhering to the position that he will oppose any bills whatever looking to the disposition of the oil lands of this country or their development or utilization.

Mr. SMOOT. I do not want the Senator to understand that I made any such suggestion.

Mr. WALSH of Montana. I understand the Senator did not make any such statement upon authority, but he simply told us what he had heard. However, the conviction in this body at least is unanimous that the situation calls, and cryingly calls, for some legislation.

Mr. POINDEXTER. Mr. President, in order to clarify the pending resolution on the subject as to which the Senator from Iowa [Mr. CUMMINS] yesterday made inquiry, I ask unanimous consent to insert in line 3, on page 2, after the word "coast," the words "and the profits of said business."

The VICE PRESIDENT. The Senator has a right to modify his resolution. The Chair understands that the Senator has accepted the amendment offered by the Senator from Utah [Mr. SMOOT]?

Mr. POINDEXTER. Yes.

The VICE PRESIDENT. The question, then, is on agreeing to the resolution as modified.

The resolution as modified was agreed to.

Mr. POINDEXTER. Mr. President, I entirely concur in the views expressed by the Senator from California [Mr. PHELAN] as to the neglect of the nationals of the United States by this administration. I join in his condemnation of that policy. I think it was entirely appropriate for the Senator from California, as a member of the party which is in control of our foreign affairs, to introduce into the RECORD a report by the Director of the Bureau of Mines, apparently made upon the request of one of the committees of Congress, recommending to the United States that it would be good policy for it to protect its citizens in foreign countries.

It was rather a peculiar way for the suggestion to be made and rather a naive remark on the part of the Senator from California, which he interjected as he made the request that the report be printed, that this was not altogether a new suggestion. It is not altogether new. It is true that it is grown to be obsolete in recent years. During the last six years, from desuetude, it has become an obsolete doctrine to a large extent.

I noticed in the newspapers on yesterday a recommendation of the Government of Mexico, concurred in, I believe, by the Government of the United States, that in order to save the life

of his son, an American citizen lawfully resident in Mexico and entitled to the protection of his country, should pay money to some bandit who had seized his son within 30 miles of the boundaries of the City of Mexico and was holding him for ransom. The Senator from California may well call attention to the conditions of which this is but a familiar incident.

It seems a far call to the old days when an American citizen was safe under the protection of his flag in any part of the world. Realizing that a nation which refuses to give protection to its citizens will soon lose its claim upon their allegiance, we suppressed the Barbary pirates, and in the very infancy of our national life to vindicate our rights upon the sea we defied the power of England. The Senator from California may well point out that the abandonment of national protection means national decadence.

PEACE TREATY AND LEAGUE OF NATIONS.

Mr. GAY. Mr. President, in the settlement of world peace America, as in the final determination of the World War, has played a most conspicuous part. After months of patient work in the performance of the most gigantic task ever undertaken by skilled diplomatists, our American representative, the Chief Executive of our Nation, has returned and presented to this honorable body a document in which are embodied the high principles of statesmanship and fair dealing which have always characterized our Government.

The victory in statecraft has been as complete as was the victory of our brave men in the various branches of the service and reflects the same glory in the performance of deeds well done.

We are living in an international age. The travel by air brings London and Paris as close as St. Louis and Chicago. The necessity of world cooperation since the recent war is as vital to world reconstruction and a task as difficult as world preservation from the barbarous Hun. We must not permit chaos to rule in civilized Europe. We must cooperate to start afresh the wheels of industry and orderly government and protect the same and give a fresh start to war-worn peoples under new living conditions in which ambition to grasp the nobler things of life will have a place.

A league of nations to enforce peace has been the dream of eminent statesmen for decades.

Daniel Webster, the princely orator and profound statesman, in his eulogy of Adams and Jefferson, filled with the spirit of America's mission in the interest of the world's welfare, said:

> America! America, our own country, fellow citizens, our own dear native land, is inseparably connected, fast bound up in fortune and by fate, with these great world interests. If they fall, we fall with them; if they stand, it will be because we have upholden them.

President Jackson in his farewell address well said:

> You have the highest human trust committed to your care. Providence has showered on this favored land blessings without number and has chosen you as the guardians of freedom to preserve it for the benefit of the human race.

The distinguished senior Senator from Massachusetts, in an address delivered at the commencement exercises at Union College at Schenectady, N. Y., June, 1915, stated:

> Nations must unite as men unite in order to preserve peace and order. The great nations must so unite so as to be able to say to any single country, "You must not go to war," and they can only say that effectively when the country desiring war knows that the force which the united nations place behind peace is irresistible.

These very ideas, Mr. President, are embodied in the treaty which we now have before us, the force of united nations to maintain peace. Can America assume the responsibility, by any political quibbling or by any feeling of petty jealousy, of failing to join other civilized nations for peace? Can we as a Nation stand out alone and say to the world that we refuse to join in the plan to have world peace, simply because that plan has some few features which are not to the liking of some people? Why, Mr. President, it is impossible to have the Senate of the United States, or any other legislative gathering in this country, agree absolutely on any proposition. How, then, can we expect the great nations of the world, sitting about a peace table, to frame a document which would be entirely free of criticism and to which some objectors could not find fault? The treaty, we know, has been a series of compromises; compromises, however, which in no way have sacrificed any American principles, compromises which have been knitted together and molded into the greatest document ever presented to civilized people. Few doubt that had there been a covenant of a league of nations in 1914 that the world would not have been subjected to the crime of all ages from which it has just emerged. Few doubt that, with such a covenant in force, America would not have sent her millions of armed men to engage in bloody conflict on foreign soil. Few doubt but that the freedom of the seas would have been maintained and that Americans would have been safe wherever they went and under whatever flag they saw fit to go. It is to prevent a recurrence of just such events that I for one stand ready to cast my vote now to ratify the peace treaty and to adopt the covenant of the league of nations, to help mankind to lift a burden from suffering humanity everywhere, to keep America always foremost as the advocate of justice, liberty, and peace.

The greatest crisis in history has just been concluded, and to prevent a recurrence of such a conflagration is the duty of all who love humanity and desire peace on earth. It would be nothing short of a calamity should we allow partisan lines to warp our judgment and shorten our vision in the solution of the grave problem which now devolves upon the United States Senate by her constitutional authority.

The issue arises above all questions of selfishness and faction. There cries out from every grief-stricken home where sorrow has crossed the threshold by reason of this inhumane conflict a demand that there must never be another war. Loyal Americans who have made every sacrifice that right should prevail now look to this great legislative assembly, with all of its noble traditions, to play the part of true men and let no politics creep into its deliberations at such an hour.

The fruits of victory should not be wasted. Let us conserve our forces, moral and material, for the betterment of the world.

The difficulties of the peace conference were many. Delegates representing all corners of the earth assembled, many speaking different languages and reared in various environments and schools. Yet so set upon a single purpose were they that a unanimous decision has been reached.

Mr. President, I wish only to briefly review that portion of the treaty of peace with Germany, the covenant of the league of nations, the purpose of which is to promote international cooperation and to achieve international peace and security. It proclaims the high purposes of the contracting parties. Each one of the signatories shall be members, and other nations who are not now members may be admitted on proper application to the assembly. A way to withdraw is likewise provided. National sovereignty is in no way impaired.

An assembly and a council with a permanent secretariat are created. These are the powers through which the league will function.

The assembly shall meet at stated intervals, as occasion may require, at the seat of the league or such other place as may be decided upon.

The assembly consists of representatives of members of the league, and may discuss any matters which come within its scope affecting the peace of the world. Every member is entitled to one vote, and can not have more than three representatives. This insures absolute fair dealing to all nations, and gives as much power to the weaker or smaller nations as is possessed by the greater powers. In the Senate of the United States each State in the American Union has two Senators, and likewise two votes, regardless of their size, population, or material resources. No American will contend but that this is proper representation, and it is but just and fair that all nations forming a part of the great league of nations should be treated alike. All questions before the assembly must be decided by unanimous vote, and nothing can be done without the approval of the United States. No better plan has been suggested by the opponents of the league or by those who only thus far have half-heartedly given their support. The powers of the assembly are limited in comparison with the powers granted to the council.

The council shall consist of the principal allied and associated powers. These are five in number: The United States, Great Britain, France, Italy, and Japan, with four other members selected by the assembly from time to time in its discretion. Those named as original members are Belgium, Brazil, Spain, and Greece. The council must meet at least once a year at the seat of the league or at such other times and places as may be decided upon. Nations not represented by the council who are members of the league shall be invited to send a representative to act as a member of the council when matters affecting the interests of that member are under consideration. Each member of the league represented on the council has one vote and one representative.

The first meeting of the assembly and the first meeting of the council shall be summoned by the President of the United States.

Unanimous action is necessary, except in certain cases specified, when a majority of the members of the league represented at the meeting may decide. These exceptions are matters of procedure at meetings, including the appointments of committees to investigate particular matters.

There is a permanent secretariat and such secretaries and staff as may be required. The expenses are to be borne by the

members of the league in accordance with the apportionment of the expense of the International Bureau of the Universal Postal Union.

The equality of sex in holding positions under the league is recognized and the place of meeting of the league is established.

Representatives of the league members shall have diplomatic privileges and immunities.

The first forward step toward providing for international peace is article 8, which looks to the reduction of armaments to the lowest point consistent with national safety. By this article the great war machinery of Europe will be forever wiped out. The vast expenditures and wasteful extravagances in building engines of war and maintaining armed forces will be obliterated, and money that has been expended for the purpose of destroying lives and property can now be used to uplift and benefit humanity and reduce the heavy burden of taxation, which has been for so long a time a curse on many European nations. The manufacture of munitions by private enterprises will become obsolete. Those great corporations which have in the past encouraged rebellion and international strife for private aggrandizement and gain will cease to exist. Needed public improvement can be realized in place of burdening business by unlimited expenditures which have been necessary to maintain the great armies and navies of the past. National safety and international obligations are recognized, and the members of the league agree to exchange full and frank information concerning their armaments, military, naval, and air forces, and conditions of their industries as adaptable to warlike purposes. The council takes into consideration geographical situations and circumstances of every nation in the plan to reduce armaments, and such plans are subject to reconsideration and revision every 10 years.

There is a permanent commission created to advise the council on the execution of the plan, as prescribed by the league, for the accomplishment of disarmament.

Article 10, the heart of the league, has been more bitterly attacked, perhaps, than any other.

This is an agreement to respect and preserve each other against external aggression. We here depart, as is absolutely necessary, from the policy of exclusiveness. We here undertake to assist in preserving the territorial integrity of France and Belgium against external aggression when the American people, through their accredited representatives in the American Congress so decree. America can not, and will not, under the Constitution of the United States, go to war unless a majority of her chosen representatives so affirm. There can be no more grabbing of territory by greedy nations under this article. The sovereignty of small nations is established. In agreeing to this section to preserve against external aggression the cause of most wars in the past is removed and war is given a deathblow. Let us remember that this section does not attempt to interfere in any way with uprisings and disturbances within a State. We have nothing to do with the domestic affairs of other nations and are in no way committed to any such policy by any article of this covenant. The fact that each member of the league gives this solemn assurance will have more effect to preserve peace than any other. We take it for granted that each nation, in signing this document, does so in good faith; and in signing it it enters a promise that it will not attempt, by conquest, to gain new territory or to expand its possessions. Almost all of the wars in history have been wars of conquest. America is the only great power whose record is clean and who has not been guilty of waging wars of conquest and despoilment. Weak nations are here protected, and no nation in the future can look with fear upon its neighbor with such an understanding honorably agreed to and honorably observed.

I for one believe, Mr. President, that section 10 will have more influence in the prevention of wars and will help more to preserve the peace of the world than any other article of the covenant. With this agreement entered into, the nation violating this article will be subject to boycott in trade relations by all of the other powers. This is sufficient to deter a belligerent from actually engaging in war. In addition thereto there are other means by which this obligation shall be fulfilled, and no nation in the light of past events is likely to undertake a repetition of what we have just seen and bring down upon itself the condemnation of the entire world. The effectiveness of this provision was well demonstrated in the war just ended, as the severance of trade with Germany created a virtual blockade and caused so much distress to the civil population in that country that there is no reason to doubt that such action was one of the prime causes of bringing the war to a sudden termination.

Any member of the league, should an emergency exist, can, through the secretary-general, summon a meeting of the council. Any breach of faith or unfriendly act affecting international relations are matters of great concern affecting the whole league, and the league can take any action which is thought proper and effectual to preserve the peace of nations.

One of the important provisions which will prevent nations from resorting to war in the heat of passion is that article which provides that when any dispute is likely to lead to a rupture the matter is subject to arbitration or inquiry by the council, and that in no case will they resort to war until three months after the award by the arbitrators or the report by the council. Nations, like individuals, are apt to be sobered by calm second thought, and much of the friction that arises through sudden misunderstandings or quick popular outbursts of passion will be prevented by the delay necessary in the submission to arbitration. Arbitrators can not delay for any unreasonable time and the council must report within six weeks after the submission of the dispute. This delay will afford an opportunity for discussion and the exchange of views, which doubtless will always clarify misunderstandings and give justice and the law a chance to prevail.

Members of the league determine what questions are left to arbitration, and those in dispute are free to select the members of the court of arbitration. They likewise pledge themselves not to resort to war against any member of the league and to carry out in good faith any award that may be rendered. Should this fail, the council may take steps to have the award enforced; but if at any time a dispute should arise likely to lead to rupture which is not submitted to arbitration, the members of the league agree that they will submit the matter to the council. The council may refer the dispute to the assembly, thus giving those in dispute the choice of having it determined by the council or by the assembly, as is provided in article 15.

Plans for a court of international justice are provided. Thus every possible safeguard is contemplated for permanent arbitration and for prompt enforcement of right and for bringing the nations of the world closer together for international harmony.

In matters of dispute between members of the league which have not been submitted to arbitration a method is provided by which the members of the league examine the disputed question and determine the real merits involved, whether the same is wholly within domestic jurisdiction under international law, and report to the league the facts and their opinion of the same, with a recommendation for such action as they shall consider necessary for the maintenance of right and justice.

Where disputes arise between a member of the league and a State not a member of the league an invitation shall be tendered to the nonmember to accept the obligation of membership in the league for the purpose of such dispute upon such conditions as the council may deem just. Immediate inquiry shall be made into the circumstances of the dispute, and recommendation of the council for such action as may seem best and most effectual, with power to enforce such recommendations through means already provided. If the disputants refuse to accept the obligations of membership in the league, the council may take such measures and make such recommendations as will prevent hostilities.

A provision is also incorporated in the league providing for the registry of all treaties and international engagements with the secretary of the league, so a ready reference may be had at some particular place of every such agreement, thus abolishing the pernicious secret treaties which have been the cause of so many world disturbances. It is also provided that the assembly shall from time to time advise the league when members of that body should revise treaties or international engagements which menace the peace of the world. All members of the league severally agree that all obligations or understandings among themselves which are inconsistent with the covenant shall be abrogated, and pledge themselves that they will not enter into any engagements inconsistent with the terms of the covenant. It clearly and explicitly maintains and protects the Monroe doctrine and all arbitrations for maintaining peace. It provides for the protection, guidance, and goverance of backward peoples who are unfit to govern themselves; makes suitable provisions that under the regulations of the league these people shall not be exploited and shall be led to the pathway of self-government, and provides that they shall enjoy religious freedom. The league is authorized to deal with the question of labor and endeavor to secure international organization through which labor throughout the world will receive fair and just treatment; it will endeavor to secure just treatment to all native inhabitants under its control and regulate the traffic in women and children and in opium and other dangerous drugs. It is to be intrusted with general supervision over the traffic in arms and ammunition, secure and maintain freedom of transit

of commerce, and use every endeavor for the prevention and control of disease. All international bureaus already established will, as far as possible, be placed under the direction of the league. Red Cross organizations are to be encouraged and promoted in their work of prevention of disease and the mitigation of suffering throughout the world. Amendments to the covenant can only be made when ratified by each nation in the council and by a majority in the assembly. A member dissenting from an amendment is not bound thereby, but ceases to be a member of the league.

Mr. President, this league may not be a panacea for all evils which have affected the nations of the world; it may be that it will not prevent wars in the future, but if it prevents one war, it will have served humanity and civilization.

Business throughout the country demands that we now conclude peace terms and get back to normal as rapidly as possible. Labor will be happier, and all enterprises will advance. The farmer and manufacturer, the producers of food and other necessities of life, will be able to so adjust conditions for America that she may continue her great prosperity and assist the unfortunate nations who have so severely suffered to readjust their conditions.

The demand is for ratification now; and if this plan is not effective, it can be corrected in the future.

Mr. President, as a representative of the great State which to-day contains the largest body of loyal Americans in whose homes the language of France is as commonly spoken as English, a people who by ancestry and tradition regard France as their mother, I feel it imperative that I should express the universal sentiment among our people in favor of the league of nations. No section of the Republic is more deeply and soundly American; in none are the people more jealous of the independence and sovereignty of the American Union.

Many of our people still retain the customs and habits of their French ancestors, who came to Louisiana and made their homes, reduced the wilderness to flourishing plantations, built cities, and fought a victorious battle for nearly a century against the floods of the mighty rivers which flow through her borders, and who have overcome, like the sturdy people of their mother country, many of the hardships and adversities in the development of a great people.

Louisiana met every call for men and money, subscribed liberally and freely to the Red Cross and every organized war relief association. Its people raised the largest crops of sugar and rice in the history of the State and more than trebled its production of meat and corn.

With patriotic fervor, and cheerfully making every sacrifice to win the war, every obligation has been met and every call promptly answered. Familiar with the devastation of France, her loss of the flower of her manhood, and the intense suffering of her people, Louisiana now wants every possible safeguard against any future wars, with all of its horrors and sufferings.

Four great empires have fallen, the rulers dead or in exile; eight million of the flower of the Caucasian race have been killed in battle; and close to twenty million people have died from this wholesale destruction. Two hundred billions of dollars of debt have been fastened on posterity, to be ground out of the toil of generations yet unborn.

America entered the war under the great leadership of President Wilson. She threw into the wavering scale two million of her bravest and best and brought victory decisive and swift by the heroism of her sons. More than fifty thousand of her young men fell on the battle fronts of France.

This four years of destruction convinced the world that civilization must destroy war or war will destroy civilization. States and nations have discovered they can not live alone. They have learned that if one member suffers all must suffer. Time and distance have been annihilated by inventions. Terrible, indeed, was the slaughter. Methods of destroying life and property have been intensified. Terrible as were the means of destruction brought into the field at the commencement of the war, they were far more terrible at the end.

The artillery that strove in vain to turn back the German rush on Mons in the summer of 1914, though superior to anything ever before used in battle, was weak and small compared with the artillery that won back the ancient town in the summer of 1918. The bombs that spread destruction in London in 1915 were but toys in comparison with the bombs which were to have shattered Berlin had not the armistice been signed on the 11th of November. The application of modern science—for chemistry is a very progressive science—in the art of destruction is in its infancy, and, in the language of Mr. Asquith, "is still lisping in the alphabet of annihilation." It will soon come in vigorous manhood and then humanity will perish.

When the sky is black with aeroplanes; the ocean thick with submarines; when poisonous gases and liquid fires are projected from enormous distances, burning bodies of men and slaying them amidst torture; when means of destruction far more powerful than the biggest guns command vast areas of land and sea and are guided by foes hidden in far distant shelters; when the air itself is turned into a force of war; when distinction between combatant and noncombatant has vanished; and there is no security on earth, air, or sea, then humanity will perish from the earth. Surely civilization must for its own preservation destroy war or war will destroy civilization.

For 40 years Germany's main business was to prepare for war. Its greatest industrial plant at Essen engaged an army under the best scientists to manufacture implements of destruction. Its young men in its universities were taught to glorify war. Faith and conscience were eliminated. Kultur was drilled into the mind of every child in the land, and its fiendish principles put into action in sinking unarmed ships, murdering defenseless women and children on sea and land, in robberies of cities and towns, looting private residences, subjecting women to outrages worse than death, destroying the works of genius held sacred by the civilized peoples of all ages, by the cruel and merciless treatment of prisoners, and the introduction of the most excruciating and agonizing methods of inflicting death, thus making war more fiendish, cruel, and merciless, while at the same time more destructive, than at any previous period in the history of man.

The war ended in the breaking up of empires, the organization of new governments, the release from a grinding bondage of millions of human beings who had been hewers of wood and drawers of water for overlords who by brute force retained these millions under the yoke of toil and with no hope of betterment.

For nearly 40 years the majority of the people of Europe were groaning under taxes three-fourths of which were applied to means of defense or war. Nine-tenths of the revenues for years to come must be required to pay war debts and would be required to maintain armies and navies to watch each other.

The fighting ceased November 11. The stupendous task of establishing orderly government for the millions suddenly released from the iron hand of the past; of seeking means to prevent civilization from falling into utter chaos, such as prevails in Russia, was the primary duty of those who had conquered the great war machine of the Central Powers. All had been tried in the furnace of affliction. Fortunate, indeed, that among the representatives of the suffering peoples America came to the peace table seeking no material profit, claiming no indemnities and no territory, but coming to assert the principles of law in a world in which the principles of war had been broken down, to make sure in the future the essential principles of right dealing and humanity. Who in all this great land of ours was so well fitted to bring to the peace conference the principles which have made the American people mighty in arms and material power as Woodrow Wilson? Wilson, the profound scholar, the lifetime student of history and government by the people and for the people, who spent years in the continuous study of the sources of American power and achievement; the chosen leader of the Republic during the trying period before the war; the master mind who, by wise counsel and patriotic devotion to his country, advised legislation which he executed with singleness of heart and unselfish purpose to win the war; a statesman whose creed was summed up in the doctrine that right made might rather than the slogan of German Kultur that might made right; a man who had imbibed the spirit of the fathers of our Republic, that it was our privilege to make—

Not only the liberties of America secure, but the liberties of other peoples as well.

As expressed in his Fourth of July address at Mount Vernon:

What we seek is the reign of law, based upon the consent of the governed and sustained by the organized opinion of mankind.

President Wilson carried with him to Versailles the opinions and the wishes of the American people and at that conference put in concrete form their convictions of what should be the basis of an enduring settlement, opinions and convictions as clearly expressed as though they had been put in the form of an expressed referendum.

For more than two years, in messages to Congress, by public proclamation, and by speeches, he had clearly and concisely expressed principles and policies to be engrafted in a treaty of peace.

At Des Moines, on February 1, 1916, he said:

That flag stands for the right of mankind, no matter where they may be, no matter what their antecedents, no matter what the races involved; it stands for the absolute right to political liberty and free self-government.

When President Wilson met the representatives of the nations at Paris he found the first step to secure a peace that would

bring the nations back to industrial pursuits was to form a common agreement for the settlement of the many complicated problems of new governments, settlements of boundaries, disarmament, and economic reconstruction.

In his proclamation of April 16, 1917, he said:

The entrance of our own beloved country into the grim and terrible war for democracy and human rights, which has shaken the world, creates so many problems of national life and action which call for immediate consideration that I hope you will permit me to address to you a few words of earnest counsel. We are fighting for what we believe and wish to be the rights of mankind and for the future peace and security of the world.

No voice or pen in America dissented from this proposition. It was read by the American people; everywhere it met their hearty approval, although all knew the tremendous sacrifice of men and money involved.

President Wilson, after close study of the questions at the conference, found that to secure these principles which had triumphed, a league of nations to maintain and enforce what had been conquered was an absolute necessity.

In his fifth annual message to Congress he concluded with this solemn statement:

A supreme moment of history has come. The eyes of the people have been opened and they see the hand of God is laid upon the nations. He will show them favor, I devoutly believe, only if they rise to the clear heights of justice and mercy.

In this reverent spirit our President represented the American people at the peace table and was guided in his acts in that conference.

His proclamations, as every other enunciation of principles, received the unanimous approval of the American people, and there was not a discordant note in the press or on the platform. Therefore President Wilson was justified in his statements in speeches in England and France and Italy when he stated that he voiced the heart and mind of the public on the terms of peace, for he had been their spokesman, had laid down the general principles during the war which should govern in the treaty of peace. It may be termed "idealism." If so, it was the idealism of the Nation. It was, however, no dream, but the practical application of the principles of the American Government to the problem of reconstruction of the world under the clearest and most equitable adjustment of governmental affairs ever put in operation since the Divine Master came to earth and preached the gospel of peace and good will to all men.

The war marks the end of an old order and the beginning of a new one. The spiritual meaning will only penetrate our minds after the final adjustment of peace shall have been completed. The social, political, and spiritual results of the tragedy will affect the destinies of mankind to the end of time.

The President, in his address to the Senate July 10, 1919, submitting the treaty for its ratification, said:

Convenient, indeed indispensable, as statesmen found the newly planned league of nations to be for the execution of present plans of peace and reparation, they saw it in a new aspect before their work was finished. They saw it as the main object of peace, as the only means that could complete it or make it worth while. They saw it as the hope of the world, and that hope they did not dare disappoint. Shall we, or any other free people, hesitate to accept this great duty? Dare we reject it and break the heart of the world?

It has come about by no plan of our conceiving, but by the hand of God, who led us in this way. We can not turn back.

Surely, Mr. President, the American people, who gave their absolute confidence to their chosen leader, armed with extraordinary powers, during the trying hours of the war, who responded cheerfully to every appeal he made for men, money, and the practice of self-denial, who listened to his clean and fervid enunciation of the issues involved, who believed that he clearly stated their purpose and interpreted the spirit of our Government, who believed in him and trusted him with a faith as trustful as was ever given to any leader of men, will not in the hour of triumph reject his final and conclusive work to end the great tragedy and establish peace on earth.

For seven weary and strenuous months he gave mind and soul to the great task. At the council board he toiled with the great statesmen who had led their people through the valley of the shadow of death. Experienced, tried statesmen, no novices in world politics, men who knew the difficulties of reconstruction, men determined to work out a plan to remedy the great wrongs of the past, men determined to preserve civilization, determined to destroy war, and to safeguard the future by a general plan of disarmament by cooperation of the society of nations to settle national difficulties at the council board rather than by the sword. All these joined in what they deemed the only practical method of securing an immediate peace, which should endure and give rest to a troubled and suffering world to insure the reign of law based upon the consent of the governed and sustained by the organized opinion of mankind, organized through the plan of the league of nations. As they trusted Woodrow Wilson in the past they trust him now and will still follow that clear mind and noble heart which engrafted in the league of nations that divine doctrine of liberty, the support of the weak, the trusteeship of the strong, and the universal brotherhood of man.

Mr. THOMAS. Mr. President, the attainment of permanent peace among men has been a theme for poets, philosophers, and statesmen since the race emerged from the rudiments of tribal life. It has found expression in the literature of all ages and all countries, in the sanctions of every established religion, and in the yearnings of humanity for an existence immune from conflict and tribulation. It is vitalized by the carnage of every great war. Its spirit crowns their close with treaty covenants establishing peace between the nations, bristling with rigid guaranties and prohibitions designed to safeguard its permanency. These parchment restraints and provisions have hitherto been regarded as self-executing; and the nations after imposing and securing them have again turned aside to find absorption in the more prosaic and profitable pursuits of trade, industry, and politics.

The rivalries of commercial competition soon reappear. These in time arouse the latent elements of strife which inevitably overcome the inertia of every established order that has failed to note their disturbing influence and provide against their acute development. History, therefore, discloses the constant interplay of their cause and effect. Its pathway is strewn with a dreary procession of treaties and alliances evolved from the bitter experiences of war and suffering, christened with the benediction of their authors, but foredoomed to failure by the operation of the causes which made their negotiation imperative.

We are just emerging from the most terrible of all wars. The vast range of the conflict, the destruction of life, the waste of property, the carnage, the heroism, and the sacrifice attending its progress have been portrayed many times upon this floor. The Allies, finally triumphant, have risen to their feet, covered with the stains of battle and surrounded by the ruins of a continent. Staggering under the awful burden of their losses and their obligations, they have imposed upon the enemy their terms of reparation. They have sketched upon the background of ruined cities and blackened landscapes the outlines of a league of nations designed to prevent the recurrence of future wars. They have woven it into the fabric of their treaty and forced its acceptance upon Germany, while denying to her the privilege of immediate membership. It is a plan composed of many details, some of them unobjectionable, others intricate and of supreme importance, none of them superfluous. It was drafted and is sponsored by many illustrious men chosen from all the nations, men prominent in public affairs, distinguished in social, political, and industrial life, noted for practical and intellectual achievement—patriots all and inspired by the purest and loftiest of purposes. These unite in giving the world earnest and disinterested assurance that the plan of the league will effectuate what all treaties of the past have proven powerless to secure. If this be true it should receive unqualified approval. For surely the permanent abolition of war would be the transcendent achievement of the centuries. No lover of humanity should hesitate, whatever his convictions, to ratify a covenant so desirable.

The draft of the treaty is formally before the Senate, which, as a part of the treaty-making power, must now pass judgment upon it. This body never before encountered a duty of such magnitude, whose performance is fraught with so many and such far-reaching consequences. We can not and will not evade it. We can discharge it faithfully and efficiently only after a patient investigation of the details of the document, its framework, its capacity for effectuating its avowed purpose, its results as far as we may forecast them, and, above all, its relation to the authority of the Senate operating under the delegated powers of a written constitution. Sentiment and passion should have no place in our counsels. Our action here is legislative in form only; in substance and effect it is essentially judicial.

We are confronted at the threshold with the inquiry whether the grateful assumption so confidently and constantly made and so widely accepted that this treaty is a practical guaranty of permanent peace is justified. If it may be sustained even with some qualification, our task would be materially lightened by the balancing of results with covenants of dubious expediency. If it will not bear the scrutiny of analysis, we may still conclude to accept the treaty, but freed from the influence of a sentiment which may prove illusory and disappointing. We are legislating, it is said, for all time, and we can not bow to prediction, how exalted soever its source, unless we be very sure of its basic value.

Lord Byron says that "the best prophet of the future is the past." To history, therefore, must we turn for enlightenment regarding the intellect of man, its attributes and character-

istics in operation, what changes and modifications it has undergone in the progress of civilization, the influences directing or controlling its development, and, above all, the effect of war upon its spiritual and material processes.

What warrant does history furnish for the optimism of the hour? Has the recent war effected transformations in man which all previous wars were unable to accomplish?

In what essentials have man's defects and virtues been cleansed and purified in the crucible of his last great agony? Has he been transfigured by his recent sufferings and sacrifices, or, still true to type, is he merely chastened by the recent exhibition of his awful powers of destruction and, under the spell of a spiritual exaltation, absorbed by the age-old conviction that permanent peace "may be born of treaties and need not proceed from the prosperity and well-ordered education of the people"?

Man's progress from barbarism may be due, as claimed, to the uplifting and beneficent influences of morals and revealed religion. These have disclosed and defined their mutual privileges and restraints, established codes of conduct, and outlined the principles of justice. They have ministered through the centuries to his sense of responsibility to an Omniscient Power, the sanction of whose assurances of rewards and punishments was inexorable. Of all the nations upon earth those involved in the Great War just ended were foremost in recognition of the advanced principles of Christianity and their sense of responsibility to the obvious requirements of moral law. But the war ensued notwithstanding. It ensued not only, but the nations engaged on either side proclaimed that theirs was the cause of the Almighty, and invoked His aid in their behalf and against the enemy. Such, indeed, has been the attitude of nations in every war that has stained the annals of recorded time. These melancholy facts disclose but half the story, for it may be averred without the fear of successful contradiction that more lives have been lost in the carnage of warring religions since the world began than were sacrificed to the German Moloch since August, 1914. Liberty of conscience has indeed found latter-day refuge in the habitations but the spirit which exorcised it for ages still lurks in the heart of man. It is dormant only because religion has become a minor note in the diapason of modern progress. Morality, like every other natural condition, is static; its laws are unchanging and unchangeable. That which they were in the beginning they are now, and they ever will be. Their recognition and application to the varied complications of man's intercourse with man may be more pronounced in one age than in another. They may be observed in larger degree by one nation or generation than by others, but they may be varied by neither, for they are the same at all times and everywhere.

The moral and intellectual conduct of a given time and race is the reflex of the moral and intellectual view then prevalent. "The progress," says Mr. Buckle, "is one not of internal power but of external advantage." This author concludes, and I think correctly, that "moral motives and moral instinct have exercised but small influence over the progress of civilization. For there is unquestionably nothing to be found in the world which has so little changed as the great dogmas of which moral systems are composed: To do good to others, to sacrifice our own wishes, to love your neighbor as yourself, to forgive your enemies, to restrain your passions, to honor your parents, to respect those who are set over you. These and a few others are the sole essentials of morals, for they have been known for thousands of years and not one jot or tittle has been added to them by all the homilies and textbooks which moralists and theologians have been able to produce."

If the lessons of history teach us that neither morals nor religion has kept the world at peace, that Christ, indeed, came not to bring peace but a sword, that their benign influences were at flood tide when Germany drew the sword, how may we in confidence rely upon either as a stimulus for the prevention of future conflicts? May we expect that either or both have been diverted into other and purer channels, or that the minds of men have been finally cleansed and purified by their last ordeal of suffering and sacrifice? I wish it were possible. But if we except a few noble men and women from the general mass of mankind, I can perceive no evidence of such a change.

Will future wars be prevented by the condign punishment of those responsible for the last one? Victorious allies have decreed the delivery for trial and conviction of those who plunged the world into chaos five years ago. Vengeance, they declare, has not prompted them, but the need for examples warning others similarly disposed of the fate they must encounter.

A recent writer has said:

> After every great war ardent and indignant spirits have cried aloud, "It must never happen again." Europe in 1815, seeking an explanation of its devastating paroxysm of bloodshed, found it in Bonaparte; to-day the world is taught to attribute its latest convulsion to the Kaiser. Then, as now, the minds of men were dominated by the eternal delusion that the immediate cause of strife once found and removed nothing was needed but a common purpose of good will to remold the sorry scheme of things entire, and to achieve our heart's desire in a millennium of enduring peace.

Napoleon voluntarily delivered himself into the hands of England. Pending his final sentence, the ship containing him was compelled to put to sea to escape the crowds of clamoring Englishmen proclaiming his eminence and demanding his freedom. Amid such influences England decreed perpetual banishment of her arch enemy to the loneliest isle on the face of the globe as a warning and example for all time, but in vain. She merely crowned him with the immortality of martyrdom, enshrined him forever in the soul of militant France, and commended his career and ambitions to the future. The Kaiser was not appalled by Napoleon's failure. On the contrary, he aspired to greater things. There the parallel ceases. Shall we by the infliction of personal punishment restore it? I would not mitigate, if I could, the crimes of Wilhelm II. No human tribunal can exact adequate expiation for them; but I believe that his trial, conviction, and punishment will accomplish only what England accomplished with Bonaparte.

The influence of a martyred Kaiser may not become as great but may prove quite as potent for war as that of Napoleon. Prof. Cramb describes the mastery of the great Corsican over the minds of men as the most significant spiritual phenomenon of the twentieth century. He calls it the conflict between Christ and Napoleon and declares that Corsica has conquered Galilee; that Germany, while "abjuring the tyrant and oppressor of Europe, gradually acquired a profound and ever profounder reverence for the creed and the religion toward which that great and solitary spirit, perhaps the loneliest among the children of men, still struggled amid the tumults and desolations, the triumphs and the glories, the victory and the disaster, of his tragic and brief career."

Can it be true that the spirit and nature of man have been so changed and chastened by the awful experiences of the past four years, by his sacrifice of life and of treasure, by his development of methods of wholesale slaughter and destruction, that he is determined henceforth to avert his gaze from the genius of war and banish it from the events and contingencies of the future? Are his ambitions so softened, his greed, avarice, and selfish competitions so permanently dissipated, that appeals to the sword may now be replaced by appeals to conscience, by tribunals of arbitration, and by conventions of similar import?

The situation everywhere furnishes an eloquent and conclusive answer. I affirm without hesitation that the world is today more turbulent, and scarcely less bloody, than before the signing of the armistice. Only a few days ago Mr. Andrew Bonar Law told the British House of Commons that 23 different wars were then in progress. These have been enumerated and I shall ask permission to incorporate a list of them in the RECORD. Revolt or revolution in some part of the world is an everyday occurrence. New nations are fighting each other for territory, while the dominant races among them are butchering and despoiling their weaker subjects. The Frankenstein of Bolshevism is covering half a continent with its bloody tracks and consuming torch. Strikes, riots, murder, lawlessness, disregard of authority, robbery, and insurrection in Europe, Asia, and America have long been a story of each succeeding day. Respect for the ordinary conventions of law and order and a decent regard for the reciprocal rights and duties of the private citizen have generally declined, and in some parts of the earth have disappeared altogether. The world shudders at the possible consequence of a returning demobilized soldiery weaned from the prosaic environment of prewar conditions and inured to the sordid experiences of active warfare. The people of no nation upon earth seem inclined either to peace or to the arts of peace. International conflict between the great powers is not apprehended. Insurrection and internecine conflict threaten every land. The passions and discontent of men now rock the world.

Wars can not be avoided by any plans, leagues, or precautions unless the minds of men become averse to war; and I am unable to accept the theory that men can be made merciful, wise, and moderate, that their ambitions can be stifled and their jealousies curbed, by treaty regulations. The belief that this can be done is a very old one. It is, in the language of another, "a dramatic but deluded expression of the hope that by some miraculous process of lawgiving, the collective wisdom of human society might suddenly be made to dominate over its collective folly. The Russian Czar in 1815 assumed that the corporate conscience is capable of development equal to that of the individual conscience; that assumption is still widely prevalent, but it runs counter to all human experience, ancient

and modern, and can not be justified under existing conditions of social and economic evolution."

And the nations are as the individuals composing them. These are naturally and necessarily concerned first for their own interest and welfare, to which all other considerations, even that of permanent peace, are secondary. France knows from a long and bitter and terrible series of experiences that the German of the twentieth is identical with the Hun of the fifth century, who covets his neighbor's possessions and is restrained only by the power of visible force. She has thoroughly learned his nature, his attributes, his intellectual processes, and his power in the hard and bloody school of strife and conflict. And in dealing with him she reveals her own possession of many of his qualities. She has therefore disarmed him *not only* but wrested a Province from him, and she demands a defensive alliance with England and America against Germany as a supplement to her league of nations. She may feel secure against the recurrence of another war, but she will take all necessary precautions to win it when it comes.

Italy wants peace, as we do, but not without Fiume and most of the Tyrol. If she must make a choice between them, she prefers the latter. No dread of consequences has swerved her for a moment from this demand, although she can find no treaty warrant for it and must know that without Fiume the new Republic of Jugo-Slavonia must nurse a wound that naught but war can heal. Scarce 20 days ago her soldiers, resenting the presence of a small French garrison stationed at Fiume by the allied powers to aid in preserving the peace, slaughtered many of them like cattle in the shambles. This atrocious butchery is reported to have been encouraged by their officers. She has also demanded the Austrian concession at Tientsin as spoils of war. With one hand she signs the treaty and accepts the league of nations, while with the other she slays the soldiers of her ally and spreads her net for transoceanic territory, undeterred by the sanctions of a covenant not yet hardened into permanency and undismayed by the prospect of collision with armed France. She holds by force what she has taken and demands by diplomacy what she still covets.

Japan advocates the league of nations, but her adhesion to the plan was subordinated to her demand for Shantung until the demand was recognized. China, deprived of an important Province and distrusting the integrity of Japan's promise to return it to her, declines the treaty and the league. Abandoned by her allies, she hints at overtures elsewhere and appeals to the conscience of the nations.

Greece must contend with France and Italy for dominion over the isles of the eastern Mediterranean and the coast of Syria. Who can say in view of these manifestations that the nations besides our own and recently at war are inclined to a peace with which these demands and ambitions can not be reconciled?

France nursed the wrongs which Germany imposed upon her at Versailles for nearly half a century. Mommsen declared that Louis XIV had supplied Germany with ample ground for Bismarck's invasion of France in 1870, and Poland's partition has fanned the spirit of Polish nationalism and shaped the destiny of the Polish race for two centuries. Will this treaty, differing not a whit in spirit and policy from countless precedents of the past, escape the consequences which sooner or later have overtaken and overwhelmed them all? I make no plea for Germany. She richly merits every requirement which the treaty has imposed upon her, although I doubt if she can ever comply with them. Were the nation dismantled and dismembered, were its people delivered in perpetual slavery into the hands of the Allies, were all its property, movable and immovable, confiscated and sequestered for the benefit of its plundered enemies, the reparation would be incomplete. But the Germans are human beings, possessed of human attributes, influenced by human motives, and inspired by human impulses. They have not accepted the treaty; that has been forced upon them. Their remonstranees, protests, pleas, and denunciations aptly and graphically indicate the national attitude regarding it. It is true that had the gauge of battle been against us Germany would have imposed equal or harder conditions upon the Allies. But would we have accepted them willingly or otherwise than at the point of the sword or with a less rebellious or protesting spirit or without a similar determination to rid ourselves of it at the first opportunity? Our treaty with her will be respected and its covenants performed so long as the allied powers can so dictate. It will be repudiated whenever that power shall disappear, and this whether Germany be within or without the league of nations. The aspiration of Germany will be the coming of that hour. She will prepare for it, within the limitations of the treaty if she must, but she will prepare for it nevertheless, and we may be sure that her preparations will not be discouraged by a world's assurance that the horizon of the future shall not be overcast by the gathering clouds of war. For it is everlasting truth that no peace of force has ever outlived the force which imposed it. "It binds only so long as you can make your enemy see behind the parchment the gleaming point of the sword."

Germany's fleets and armies have been dissipated and her military prowess overthrown. But her perfect system of espionage still covers the world with a vast network of intrigue, whose meshes penetrate its every secret corner. She still hears the discussions of council chambers, still records impressions of every sinister whisper that means aught to her present or future, still notes the pulse beats of every nation that has blocked her pathway to universal dominion. And she is sowing the seeds of another crop of dragon's teeth in the soil of prostrate Russia, whose harvest of misery is foreshadowed by the mistaken policy of the Allies toward that unhappy country. She is now the world's pariah. Excluded for the time, and perhaps permanently, from the league of nations, she will yet be familiar with all its activities. She can widen the differences of its members and subtly strive to encourage them. The conflicting currents of trade and commerce must inevitably create rifts in the scheme of allied unity, and the support of seventy millions of people outside the pale may become a prize in national competition for markets and material. Here is a balance of power pregnant with sinister import, one likely to materialize, possibly to be encouraged, by rival ambitions.

The league of nations, as the name implies, is international in its framework if not in its substance. Its labor provisions are distinctly so. It does not propose a fusion of peoples, but a covenant between governments whereby express powers, partly judicial, partly administrative, are mutually transferred to a representative organism. This ligament, federative in character, is to bind the nations together on terms of mutual security. This presupposes internationalism. Some of its sponsors declare the American Constitution to be its analogue, while the Socialist support of it is frankly based upon its international character. These features of the project amply justify the inquiry whether internationalism may be relied upon to banish wars from the affairs of men.

The Socialist rightly declares that patriotism promotes the war spirit, and that it springs from the sentiment of nationality, which in turn is the child of race consciousness. Mazzini wisely appealed to the race instinct of the Italian that he might arouse the spirit of nationality. He well knew that until the sentiment of his people thrilled with the pride of ancestry and the glory of their past their dormant patriotism would never respond to his burning appeals for national unity. The same processes underlie the story of every great race whose achievements crowd the pages of history. But it is a serious problem whether the extinction of nationalism, were that possible, would result in any corresponding advantage. It might secure peace, and it might stagnate the races. China is here both a warning and an example to the world.

But upon that contingency we need not speculate, for it is an impossible one. The composite man may appear as a sporadic production, but he can never be a type. Races may be blended as they mingle in the same communities, when enjoying equal privileges, as in the United States, but never otherwise. Their differing color, aptitudes, intelligence, latitudes, foodstuffs, religions, institutions, and social attributes are fundamental, and these will assert themselves persistently, if not offensively, to the confusion of internationalists and the undoing of empires.

Racial instincts and tendencies are the infallible antidotes to internationalism. They will assert themselves with a vigor and persistency that no barriers can suppress. They will survive every obstacle they encounter. Persecution, suppression, assimilation may check but can not destroy them. Races may be annihilated or reduced to pitiful fragments of survival by violence or by epidemics. Not otherwise can they be disposed of. The Jew is the age-long illustration of this truth. Before the crucifixion the hands of surrounding nations were against him. Since that period he has been persecuted by the common consent of the Christian world. He has been butchered, decimated, ostracized, exiled, starved, robbed, enslaved, and execrated. He has been exposed to every horror and subjected to the vicissitudes of every danger that the genius of cruelty and malice could devise. At this hour, when a world bled white is welcoming peace and humanity yearns for the day when the lion and the lamb shall lie down together, the newly freed peoples of Europe are celebrating their regained nationality by Jewish pogroms and assassinations. "Yet the Hebrew abides and is strong."

But the Jew only typifies a universal racial condition, which asserts itself when opportunity beckons and in moments of danger and of peril. The old law of self-preservation is both collective and individual. It appeals to the members of every

race whose existence may be exposed or threatened. Like families, they frequently quarrel among themselves, but wage no battles of extinction. Like families, they forget internal differences and unite to meet the shock, or make the attack upon the outer circle, of the common foe. Americans were amazed in 1898 by the general sympathy of the Latin peoples of Central and South America for Spain, in the war we then waged against her for Cuban independence. Mexican distrust and animosity are a source of constant exasperation to us. But these antipathies are spontaneous because they are racial. The Anglo-Saxon attitude toward the Spaniard is a long history of successful aggression; and the descendant of the Spaniard instinctively associates Anglo-Saxon propinquity with racial antagonisms.

From the hour that the Central Empires declared war against Great Britain there was never a doubt as to the side America would espouse if she determined to enter the struggle. The German knew also what we would do, whether he lived here or in the Fatherland. Their one alternative was to keep us out, and when the urge became too great they added terrorism to propaganda. Germany thus cast the die that sealed her fate. She was the mortal enemy of Britain and resolved to dominate or to annihilate her. But Britain is our mother country, an unnatural and hard-hearted parent at times, if you like, but our mother country. Both nations are Anglo-Saxon. The crushing of the parent nation would be the ultimate undoing of the offspring, and that would set the world back to the days of medievalism. Many reasons have been assigned for America's declaration of war, none of which I shall challenge. But I affirm that the underlying mainspring of our action was Germany's menace to the Anglo-Saxon race.

The same urge which thrust Canada and Australia into the allied ranks at Ypres and Gallipoli; which prompted Tattnall in 1859 to aid the British squadron against the Chinese defenses in the Peiho River, because "blood was thicker than water"; which inspired England's assurance to Germany in 1898 that if she entered the Spanish War at all she would be America's ally; and which caused Chichester to place his ship between Dewey's fleet and the guns of Admiral Diederich in Manila Harbor. And it compelled the Federal Government to abandon its unnatural reconstruction policy in the South, which threatened to subject the Anglo-Saxon to the domination of an inferior and an alien race.

The spirit of nationalism was never more assertive than it is now. President Wilson's announcement of the right of self-determination was like deep calling unto deep. The response greeting it was universal. It aroused the self-consciousness of peoples, which had been dormant or intermittent for centuries. Much of the turmoil and bloodshed following the cessation of hostilities has been due to its swift and defiant assertion. And it is a condition not easily controlled. It must expend its energy before it subsides, and will do more to exorcise the spell of internationalism than all the fleets and armies of men. When we reflect that though gagged and shackled for centuries it could not be extinguished, we may pardon much of its excesses and feel sure of its ultimate adjustment to the scheme of the world's progress. But this end will not be easily or peaceably attained. For race must collide with race ere their jarring contentions can be disposed of. Not all the peace congresses of history can prevent it. It is the bitter fruit of the oppressions and tyrannies of the past, and it is as true to-day as in the days of Sinai that the sins of the fathers are visited upon their children.

England long ago realized the indomitable persistency of racial characteristics and accommodated her policies to it. She is the great mother of colonies, because she governs subject nations by respecting their customs, prejudices, and religions. She suppresses their lawlessness only, and invites their participation in public affairs. The fruits of her wise and tolerant administration of her subject peoples were made abundantly manifest in the late war, when their soldiers flocked to her standards and their treasuries were placed at her disposal.

Internationalism would be a menace if it were not an unattainable dream. Through no such agency can wars be banished from the affairs of men. Bolshevik Russia asserts the cause of internationalism and would establish it through the annihilation of every class of men save the lowest, least efficient, and most degraded. Let us credit the infamous creed with consistency, for it has blazed the only path along which internationalism is possible of attainment. When it is once secured, problems of peace and war, like all others affecting humanity, will have perished along with the nations concerned in them.

Ours is a material world and man is a fighting animal. His contests are not circumscribed by the periods and limitations of physical conflict. Bernhardi was not far wrong when he said that war was the continuation of foreign policy by nondiplomatic means. And foreign policy now concerns itself with commercial intercourse more largely than with purely political problems. In 1916 the allied powers conferred at Paris regarding the need for a common policy to be asserted in the "war after the war," when commercial interest would again be paramount, with Germany reaching out for the markets of the world. They outlined a program of offense and defense, drastic, pitiless, and exclusive, to be observed at all times and subject to change only by common consent. To that policy the United States took prompt exception, and it was, therefore, postponed to a more convenient season.

But the war of arms is practically over. International commerce, languishing during the war period, is again the prize of the nations, who will strive for it in eager and unremitting competition. Their rivalries and jealousies are everywhere developing. French exclusions, British embargoes, Japanese advantages of location, renewed American clamor for domestic duties of higher and yet higher proportions, on the one hand, are confronted on the other by the diminution of markets through the overthrow of Russia, the weakening of credit, and the ostracism of Germany. The manufacturing powers are facing the dawn of their fiercest and most relentless industrial contention for the world's markets and materials. War successfully appealed to their altruism; but this contest will not witness its survival of the armistice unless all of the signs of the hour be misleading. This quotation from a recent article in Harpers Magazine tells the story:

> The war has not changed the old system of international trade relations. We are far from the era of free trade between nations and the open door in colonies. Unless reaction goes so far as to cause a revolution, and if economic conditions in other countries are like those in France, we may expect the third decade of the twentieth century to accentuate the tendency to high protective tariffs and to governmental backing of large enterprises in marketing goods in secondary states, protectorates, and colonies. The industrial effect of France during the war made victory possible, but at the price of a commercial war after peace is signed. And if with peace the world secures a diminution of armaments, international commercial rivalry will be all the more intense.

In the domain of trade we are reentering the same old world that environed us before the war interrupted its activities, and the same rivalries, resentments, practices, underminings, overreachings, and retaliations will accentuate conflicting efforts for securing and maintaining commercial supremacy. These have been the primal source of all the wars of the past two centuries. They will prove the trouble breeders of the future just as surely. This is true, albeit commercial treaties establish reciprocal rights and duties between the nations hereafter as heretofore.

Mr. Courtenay DeKalb, writing for the Atlantic, in December, 1917, graphically declared that—

> We shall find at last that the supreme ends of peace and general prosperity are not attainable in nations that attempt a commercial interlocking while they bristle with bayonets of tariff opposition.

He also asserts that—

> The plan of a league to enforce peace, stripped of its details, is in the direction of unification and denationalization. To carry it out requires the sinking of national aspirations in the will of a controlling central authority, which to become effective must progressively change its scope of world dominance, and that inevitably means the ultimate supremacy of the most aggressive of the represented groups. It is contrary to the fundamental laws of broadly developing life. There is something better than this; something that will preserve the natural tendencies to intellectual growth in the race without requiring military aggressiveness as a national prerogative. That is to introduce the principle of natural trade by taking steps to eliminate the fostering devices on which national aggrandizement depends. It might not be possible to reach every scheme for artificial trade development which will lift its head, but the tariff can be stripped off, and the granting of subsidies and bounties, and all the cruder forms of paternalism. This would at least go far toward the organization of the sisterhood of nations on the true competitive basis of relative inherent skill, knowledge, and ability. In that direction lies the open road to peace and progress. The world may not delude itself; it must take that highway, or accept the principle of the trade war which goes hand in hand with Mars.

This author anticipated the President's declaration of September 26, 1918, that—

> It would be an insincere as well as an insecure peace that does not definitely exclude those economic rivalries which have been the prolific source in the modern world of the plans and passions that produce war.

It is here in the language of still another author that—

> Warm-hearted idealism approaches the colder regions of policies and practice.

I am unable to discover how the pending treaty proposes to exclude economic rivalries, unless the plan is embraced in the 41 articles of part 13 outlining the international labor program. And if these rivalries are not excluded, may we expect any other than a peace which is insincere and insecure?

Article 23 commits the members of the league to the endeavor to "make provision to secure and maintain freedom of communications and of transit and equitable treatment for the commerce of all its members." This clause seems to the junior Senator from Virginia all sufficient for the purpose. I quote his construction of the article:

> By according equitable treatment to the commerce of all members of the league, securing for them freedom of communication and transit, wars occasioned by commercial discrimination and by prohibition of access to the seas will be prevented. This will remove one of the most fertile sources of the wars of the past. Besides, this will greatly facilitate and increase foreign trade and commerce.

My mind would be relieved of an anxious burden if I could accept the cheerful optimism of this assurance, given so clearly and so free from any qualifying limitations. But if I did so, it would still be necessary to inquire whether it did not partially deprive Congress of its power to raise revenue and bring upon its devoted head the vociferous protests of all protectionists. The chairman of the Republican national committee, speaking, doubtless, after prayerful and anxious consultation with his associates whose first anxiety clusters around the next election, has recently demanded a reservation to the treaty safeguarding the tariff-making authority from the sacrilegious hands of any league, and my colleague has expressed himself in similar fashion. Personally I should like to see some uniform system of international customs scientifically prepared and equitably applied, as I would like to enjoy other sadly needed but altogether unattainable blessings. Selfishness, avarice, greed, constitutional restrictions, international jealousies, trade rivalries, resentments, suspicions, and a train of other unlovely but altogether human traits forbid. But I derive some consolation for these unfortunate conditions from Burke's assurance that no government founded solely upon the heroic virtues is possible. "Discontent is the divine mother of progress" and selfishness the driving force of the world. Trade wars and tariff reprisals must go on till human nature shall have been cast in other molds. Of this there is no present possibility. Brooks Adams teaches that trade is the relation between civilizations, and announced the discovery of a law through the agency of which civil progress follows the exchanges. If he is right, the law must persist even in the face of treaty covenants, and peace though sincere must remain insecure.

It will be observed that I am at this time making no analysis of the treaty covenants. I have, indeed, but seldom referred to them. I have made some study of the causes of human strife and the effect of treaty stipulations upon the conditions of war and peace since the commencement of that mighty struggle whose closing scenes make the present year so eventful. They have convinced me, much against my inclinations, that the optimism of those in times past and of those now living regarding the establishment of permanent international relations of any sort, and particularly for the regulation of their political affairs, however high the purpose or propitious the occasion, must prove disappointing. When this occurs, reproaches and recriminations inevitably ensue, and these do not tend to soften asperities or diminish the prospect of collision. My views may be unfounded or imperfect; they may indeed be wholly erroneous; but I hope that they may contribute in some small measure to the solution of our difficult task. Let us perform it reverently and with abundant care, accepting assurances only when they are fortified by the events of the past, and rejecting predictions which can not stand the test of patient, exhaustive analysis.

I am aware that armaments tend to war and that preparedness for defense is apt to be a cover for aggression, that militarism will persist if fleets and armies are to be constructed and maintained as heretofore, and that some method must be devised for minimizing or abandoning them. The world has just had all-convincing experience that armaments are no guaranty of peace, and the argument that the league of nations is the necessary forerunner of disarmaments constitutes a powerful plea for its acceptance. I am also aware that we can not return to the old conditions and expect to avoid the old consequences. And I am as desirous as any colleague now occupying a seat in this Chamber to provide, as far as human foresight can provide, against recurrence by reducing the probabilities of war. Hence this address is not a plea toward treaty rejection. It may be better in operation than it seems in theory. I have read the draft of the league many times, and I am not yet prepared to pass final judgment upon its merits. But I have learned that a league for peace is the unwelcome companion of a peace of force. Their ways are divergent, their objects antagonistic, their details inconsistent. These come to us as one instrument. They are so interblended that familiarity with the whole is essential to an understanding of its parts. It is to me a source of regret that the two could not have been formulated as distinct and separate protocols, a course that its framers would have adopted had the conditions at Versailles made it possible.

The league, inspired by unselfish and uplifting impulses, typifies peace and reconciliation; the treaty, based upon passion and self-interest, embodies suppression, reparation, indemnities, partition, punishment. The league proposes a plan for a new order in world affairs; the treaty perpetuates the old order. The league seeks to reestablish the family of nations along racial and self-determining principles; the treaty applies to the German his own method of indemnities and territorial acquisition. The league would restore Alsace-Lorraine to France and make the episode a warning to the nations; the treaty recognizes and reverses the application of the principle and makes France the aggressor and Germany the victim. The league would abolish militarism and establish international justice; the treaty reenacts militarism by feeding the passions which make war the final arbiter of national differences.

France knows this so well that she has asked for a defensive alliance of Great Britain and America with herself and against Germany. She knows that the treaty bodies forth a transformation scene upon the stage of Europe wherein she and Germany change places with each other, and that time must bring its revenges for Germany as it brought them for her, that peace for the future, like peace for the past, must be transitory so long as one people nursing a sense of injury and race oppression can only hope to satisfy never-ceasing discontents by retaliations which become inevitable when opportunity knocks at the door.

Everyone knows this to be the situation. The treaty is doubtless the best that the conflict of ideals and interests could have produced. It is not the men negotiating it whom we must criticize, but the inexorable conditions which they respectively advocated and encountered.

But its contending elements can not coexist, for they are mutually destructive. If the conditions of the treaty persist, the league will perish. If the covenant survives, the treaty must temper its harsher features to conform with the mission of the league. Both can not endure. In some form the treaty will probably be ratified, and time will determine which of its purposes will survive the other.

I may, however, say in conclusion that my view of a league to secure peace differs fundamentally from that here outlined and submitted to our final judgment. The theory of a league composed of every distinct sovereignty in existence has much to commend it if mutuality of action and of obligation through councils and assemblies be indispensable. But these are cumbrous, slow in operation, and apt to prove disappointing in critical periods when celerity of movement is essential to the accomplishment of its objects. Moreover, they lack direct control of the element of force, which is the ultimate dictator of peace. If I could write a covenant for a league to enforce peace, I would, bearing in mind the arbitration treaties of 1913 and continuing allied association for treaty enforcement, confine it to the English-speaking nations and colonies of the world. Theirs are the institutions of free men, theirs the wealth, the commerce. They are carriers of the sea. They advocate and enforce the impartial administration of justice and of law. They control the armaments and can mobilize the armies that may be needed to enforce the peace between nations. No people would disregard the admonition or reject the counsel of such a league. Its benign influence, the ripe fruit of centuries of experience in self-discipline, which is the parent of self-government, shedding its rays over the habitable globe, guaranteeing protection and extending aid to those not yet able to move unsupported along the pathway of national development, would do more to minimize the danger of war and promote the ways and the arts of peace than any other international understanding the wit of man can devise. And if these nations be true to themselves and to the impulses of their common origin, whatever we may now do or fail to do, these will in time be leagued by destiny for the harmony and well-being of mankind. If they can not save the world, it is past all redemption.

PEACE TREATY AND LEAGUE OF NATIONS.

Mr. NELSON. Mr. President, I crave the indulgence of the Senate for a few moments in making some remarks on the treaty of peace and the league of nations, and in making these remarks I shall avoid as far as possible all manner of technical discussion.

The total annual commerce of the world is over $50,000,000,000, and of this our country contributes nearly, if not quite, one-fifth. Our resources and our activities are so vast that they require a world for their necessary development and expansion. We can no longer isolate ourselves in our relations with other countries. Their doors must be open to us, and

our doors to them. Modern science has made distant nations our near neighbors. Chaos, stagnation, and distress in one part of the civilized world react upon and ultimately affect other parts of the world, including our own country. There is, in these strenuous modern times, a neighborhood of nations, as well as a neighborhood of individuals. Nations can no longer with safety and immunity say, "I am not my brother's keeper." While our commerce extends to all parts of the world, Europe absorbs upward of one-half of the entirety. Our country has become, and for years has been, the great reservoir of food and raw materials for Europe. Europe has been our greatest market for these products, as well as for the vast products of our varied and manifold industries. We need Europe and Europe needs us. Free access to her markets is an absolute necessity of our industrial and economic life, and her capacity to absorb our products is contingent upon the degree of law and order that prevails within her borders. We can not, therefore, isolate ourselves from, or afford to be oblivious to, the conditions prevailing or likely to prevail in the realms across the sea.

Mr. President, we embarked in the Great War not because Germany had invaded our country, but because Germany had invaded our commerce and trade in European waters. She had made a dead line around Great Britain and France and in the North Sea, and parts of the Mediterranean, and decreed that across this line no American shipping should be allowed to pass. She proceeded to enforce this decree by a most ruthless and barbarous submarine warfare, in utter defiance of our rights and in utter defiance of all international law. As a demonstration of what she could do and intended to do with her submarines, she had long before this decree sunk the *Lusitania*. This attitude and course of Germany made it plain as never before that she was not only a great menace to England, France, and Italy, but also a most dangerous menace to America. Could she have subdued our Allies, our country would have been at her mercy and would have been her next victim, for it was evident that she aspired to world dominion. It was, moreover, clear to all who looked beneath the surface of things that not only was there a menace in her deeds and practices, but there was even a greater menace in her system of government; for it was only such a system that could breed such practices and such terrors. It was only such a system that, without valid cause, could embark on such a war and ride roughshod with fire and sword over a little country whose neutrality it was pledged to protect. The evident eagerness for the war, the campaign of terror and destruction in Belgium and northern France, all stamped Germany as the juggernaut among nations. She was emphatically a most dangerous menace, in spirit and in deed, to the entire world.

When our country embarked in the Great War nearly all our people, at least all good Americans, believed we had valid grounds for our action and were fully justified. Had we failed to meet the Teutonic challenge we should have been regarded as a poltroon among the nations of the world; and, more than that, it seemed apparent that without our intervention Germany could not have been thoroughly vanquished or a substantial peace brought to a distracted world—a peace vital to the future prosperity of our country.

Washington's Farewell Address, which we all cherish and of which we are not unmindful, did not deter us from embarking in the war and cooperating with the Allies in its energetic prosecution. Had he and the other great men of his day been with us at the time we entered the war, he and they would undoubtedly have fully justified our course. The founders of our Government could not foresee, indeed none of us could foresee, that in the first quarter of the twentieth century we would be sending an army of 2,000,000 men to Europe to participate with England, France, and Italy in curbing and suppressing the great ambition and menace of Germany. There was a most effective "entangling alliance" between our soldiers and the soldiers of England and France that brought the enemy to his knees and forced him to seek an armistice and to sue for peace.

Mr. President, our brave and heroic soldiers demonstrated to the world that they were second to none in courage, in initiative, in endurance, and in all the qualities that go to make first-class fighting men. They demonstrated that the American people were not, as many in Europe supposed, a mere nation of money-makers who worshiped Mammon so intensely that they had lost all stomach for war. The American soldier "went over the top" with a spirit and alacrity that surprised even the veterans of England and France. The glory of Cantigny, of Chateau-Thierry, of St. Mihiel, and of the Argonne is his forever, and the graves of our fallen heroes who made the supreme sacrifice bear mute witness to his bravery and heroism.

American soldiers have fought on the frozen fields of Canada, on the arid plains and tablelands of Mexico, on the shores of torrid Cuba, and in the distant Philippine Islands, but of all the wars they have been engaged in the war that terminated on the plains and hills of Argonne last November was beyond any question the most glorious—glorious because of the enemy encountered, glorious because of the issues involved, and, above all, glorious in its ultimate outcome.

It now remains for us to reap the full fruits of their victory. It has not only been our business to vanquish the enemy, but it is now our task to see that he stays vanquished and that he ceases to be a menace to the peace of the world. Unless this task is accomplished we shall have failed to score a complete victory. To undertake to secure the full fruits of our victory in Europe will involve a dangerous "entangling alliance" to no greater extent than was involved in our participation in the war.

If any great cyclone of war shall arise in the future it will come from Europe and not from the Western Hemisphere; and to say that our country would have no interest in preventing such a war would be contending for the isolation of our country from the rest of the civilized world.

The entire world, civilized and uncivilized, is vitally interested in preventing the recurrence of such a war as ended in November last or of any war akin to it. Our country has scored a great victory in war; it now remains to score a great victory of peace. Nearly three centuries ago the great English poet, Milton, declared:

> Peace hath her victories,
> No less renowned than war.

A treaty of peace has been negotiated between Germany on the one part and the United States, Great Britain, France, Italy, and Japan on the other part. The treaty has been ratified by Germany, and Great Britain, and I think by France and Italy. By its terms it is now in force between those countries, and it is now before the Senate for ratification.

It is unlike any other treaty resulting from and concluding a war in the past, in that it contains provisions for a league of nations to enforce and maintain peace. No similar attempt has found its way into any former treaty. The treaty may be likened to a judgment, and the league may be regarded as the executive officer, the marshal, if you please, to enforce the judgment. The avowed purpose of the league is to relieve the world of the terrors of war in the future, and with this purpose, I take it, we can have no controversy.

The question for us to consider is whether our country should participate in carrying out this purpose, and, if so, to what extent and subject to what limitations.

I have already pointed out how vitally our country is interested in the peace of Europe, the storm center of future wars. To have our economic, industrial, and commercial relations with Europe severed by the convulsions of a great war within her borders would divest us of much of our vitality, would confine us mainly to the Western Hemisphere, and commercially we would, to a large extent, be a Samson shorn of his locks. Europe is our greatest customer, and it is for the interest of our country to maintain that customer on a high purchasing level. This may seem a sordid argument, but, thank God, our people are not all sordid. The great mass of the American people, having enjoyed the blessings of a free government, are vitally interested in and sympathize with the downtrodden people of Europe, and realize that of all the calamities and agonies that can befall them the greatest is that of war.

I confess that I can not take much stock in the "entangling-alliance" argument. When we sent our soldiers to Europe to participate in the war with the Allies, we jumped that fence. It seems to me that was to a considerable extent an entanglement in European affairs. And having entangled ourselves to that extent, why should we not entangle ourselves to secure the full results of our victory and avoid being entangled in another war? But it is claimed by some overnervous people that the league will breed war. Can any sane man believe that if the representatives on the league of the United States, Great Britain, France, and Italy, through the machinery of the league, should forbid Germany to enter upon a war, Germany in the face of this admonition would venture to cross the Rubicon? The league is the first concrete and substantial effort that has been made looking to the prevention of war and the maintenance of international peace. It may be that some of the provisions are crude and vague and could well be improved upon. We can hardly expect perfection in a first effort in a new field. Time may develop the necessity for amendments, and provision should be made therefor in the covenants. I do not care to enter upon a technical discussion of the provisions relating to the league; that has been covered by many other Senators.

Mr. President, to my mind the chief question is, Are any of the provisions relating to the league unconstitutional or beyond the pale of the treaty-making power? I take it that the treaty-making power extends to all subjects not inhibited by the mandates of the Constitution and not counter to powers expressly vested in Congress. The paragraph of the Constitution conferring upon the President and the Senate the power to make treaties contains in itself no limitations. The Constitution declares:

> This Constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made or which shall be made under the authority of the United States, shall be the supreme law of the land.

But the "authority of the United States" is the authority conferred by the Constitution in its entirety, and nothing more. The war-making power, with the power to raise and support armies, is expressly vested in Congress, and in no other body or authority. No one, I take it, will for a moment seriously contend that the President and the Senate—a part only of the law-making power—can, by treaty, divest Congress, in its entirety, of its constitutional war power. So far as article 10 of the covenant would tend to embroil our country in war without the consent of Congress, it is manifestly outside of the pale of the treaty-making power. While it might be said that the league should take judicial notice of the limitations of our Constitution and construe article 10 in the light of those limitations, it is better for us, and much better for the league, to qualify that article by suitable reservation or disavowal.

There are those who maintain that article 10 does not militate against the war-making power of Congress; but as this is a matter over which there is much doubt and controversy, the safer course is to remove all doubt and controversy by express declarations or reservations.

The last provision of article 1 should in some form be eliminated or neutralized; the right of withdrawal from the league should be unconditional.

The contention that article 12 might compel us to submit to arbitration such domestic questions as immigration or other vital subjects is, I think, to a great extent obviated or neutralized by the second paragraph of article 13 and the eighth paragraph of article 15. But, in any event, if there is any serious doubt on this subject, it can be covered by suitable reservation, and so can the matter of the Monroe doctrine, if there is any doubt about that.

Except in one particular, to which I shall hereafter refer, the provisions of the treaty, considering its vast scope, seem to me just, fair, and reasonable.

Alsace and Lorraine are, as a matter of retributive justice, restored to France. The Saar Basin, with its coal mines, is placed in the control of France for a period of 15 years, as a substitute and recompense for the coal mines of northern France destroyed by the vandalism of Germany.

The Danish portions of Schleswig are, through a plebiscite, to be restored to Denmark. Poland is again resuscitated and established as an independent nation, with its boundaries fixed on the north, the west, and a part of the south, and is given an outlet to the sea by way of Danzig. Owing to present conditions in Russia, the eastern and southeastern boundaries could not well be established in the treaty.

The Czecho-Slovak State is recognized and its boundaries with Germany established.

The reparation provisions of the treaty, in view of the havoc and destruction wrought by Germany, are just, though not ample, but probably all that Germany can stand or that can well be realized from her at this time or in the near future.

Among the most important and valuable provisions of the treaty are the disarmament and demobilization provisions. If these are carried out, conscription is abolished and Germany will be left with a standing army of only 100,000 men, composed of volunteers under a 12-year enlistment, and a standing navy of 6 battleships, 6 light cruisers, 12 destroyers, and 12 torpedo boats, with a personnel of 15,000 men, volunteers under a 12-year enlistment. This will reduce her military and naval power to a minimum and for years render her less dangerous than formerly as a belligerent.

These provisions of the treaty are of great value to the German people in relieving them of conscription and in relieving them of the burden of maintaining a vast military and naval establishment, as in the past. It will enable them to devote their energies to industrial instead of military activities, and it will enable them nore easily to meet the reparation requirements of the treaty. While the German people may feel that the terms of the treaty are in many particulars very harsh and exacting, they can not help realizing, unless they are still possessed of a mania for war, military autocracy, and world power, that a great blessing has been conferred upon them by relieving them from the extensive military service in vogue in the past and the burdens of taxation incident thereto. But, more than this, they are relieved of army rule, and can more easily establish and maintain a freer and more democratic form of government than they have had heretofore. This will be the main gain of the German people from the war into which they were driven by their military autocracy. I hope the German people will have the good sense to avail themselves of this feature in the body of the treaty.

Poland, dismembered and divided by Germany, Austria, and Russia many years ago, has by the terms of the treaty, after years of suffering and brutality at the hands of those powers, been restored to its own people and established as an independent nation, to work out its own salvation on its own lines and for its own people, relieved from the incubus of the three despoilers. This is one of the grand results of the war that we can not help but rejoice in. America has been able to make some return for the help Poland's sons, Pulaski and Kosciusko, rendered our country in the Revolutionary War. The wrongs and injustice of more than a century have been in part atoned for and righted. Poland has in it the elements of a strong and vigorous nation, imbued with the elements of true democracy, and she will prove to be a safeguard and barrier between military autocracy on the west and south and Bolshevism on the east; and she will be able to stay German commercial attrition to the eastward, and to that extent be a relief to Russia.

The only part of the treaty, aside from the covenants of the league, that I can not be reconciled to are the provisions relating to Shantung, articles 156, 157, and 158. This concession, as I am informed, was made with much reluctance and misgiving. As I understand it, the genesis of the matter is this:

In the early part of the war, long before we came to the relief of the Allies, England and France were sorely pressed, especially England, on account of her unpreparedness, and they were seeking help and allies in all directions. As an inducement for Japan to join them, they agreed, in substance, that if Japan would capture the German acquisitions in Shantung and expel the Germans therefrom and in general support the Allies, Japan should, on the conclusion of peace, be subrogated to the rights of Germany. It was this agreement that confronted England and France at the peace table and prevented them from joining the President in opposing these provisions of the treaty. Japan was insistent, and China protested. I understand that Japan, while as a matter of pride insisting on the provisions of the treaty, yet, nevertheless, through her representatives, verbally agreed that within a year or two she would restore the concession to China; that a written memorandum was made of this verbal promise, but it was not signed by the representatives of Japan. Japan ought to clear up the matter and give satisfactory assurance that she will within a reasonable time return all the German Shantung concessions to China. It will never do to leave Japan in permanent control of this Province, with full right of exploitation. It would tend to put her in full control of the East, and ultimately lead to the dismemberment of China.

How fortunate we are at this juncture to have a big American base in the East, in the Philippine Islands, from which our voice can be effectively heard and our influence felt in oriental affairs! And now, when we are all rightfully exercised over Shantung, it is well to recall how a few years ago an effort was made in Congress, which came near succeeding, to cast the Philippine Islands adrift and leave them to shift for themselves, and the agitation for this is still pending. This Shantung affair ought to admonish us not to leave the Philippine Islands as a lure for similar exploitation. The relinquishment of Heligoland, when made, seemed a small matter to England, but it turned out to be a great embarrassment and handicap to her naval operations in the late war.

As the war which closed on the plains of Argonne last November was in all its course and aspects the greatest, the most terrific, and the most destructive of lives and property in all the known annals of time, so the treaty of peace which has resulted therefrom is the most comprehensive and the most far-reaching in all its details of all treaties, modern or ancient, It was a Herculean task to extinguish and overlap the great crater of the war. As the grounds covered by the treaty are vast, it leaves a large field for criticism for those who are so inclined.

My first thought was that the covenants of the league should be separated from the main treaty and considered apart therefrom, but on examination I find that this can not well or properly be done. So many of the provisions of the treaty rest upon and are entwined with the league covenants for their initiation or ultimate performance that such segregation would tend, directly

or indirectly, to destroy or neutralize valuable and important provisions of the treaty and render some of its provisions abortive. So, to my mind, the only safe course to pursue is to consider and act on the covenants in connection with the other provisions of the treaty.

There has been so much technical and learned discussion of the covenants that I have avoided entering that field. I have merely in a brief manner pointed out some of the objectionable features and have suggested how these can be obviated and overcome. I have not groped around to find objections to defeat the treaty, for I am imbued with the faith that fundamentally the general purpose of the league is sound and fully warranted.

Little as we looked for it in 1914, we were, after all, contrary to the admonitions of the fathers of our country, "entangled" in a great war, not in our own borders, not anywhere in the Western Hemisphere, but 3,000 miles away, in the very heart of Europe. It seems to me that our country is, and ought to be, as much interested in preventing the recurrence of any similar war as in entering the war in the first instance. We ought to be as much interested in securing permanent peace results from the war as in making war. It surely can not be more dangerous to "entangle" us in securing a permanent peace in Europe than to "entangle" us in a war in Europe.

Aside from the facts I have heretofore mentioned, there are some facts and circumstances which at this juncture seem to me of the highest importance and worthy of our consideration. The events of the last seven or eight months have shown to us what a great spirit of unrest, bordering in some instances on anarchy, prevails throughout the civilized world as an aftermath of the Great War; and our country is not entirely free from this spirit of unrest. Organized society seems in many places to be in a soluble state, especially in the Old World. Let us not be blind to this condition nor seek to minimize it, but look it squarely in the face. What is needed is to restore law and order throughout the civilized world, and in this problem our own country is interested in common with the other great civilized nations of the world. A permanent and lasting peace, leading to a full revival of the industrial and commercial activities of the world, will tend to cure this spirit of unrest. Where food and work at good wages abound there is little thought of revolution. There can be no such revival where war clouds are on the horizon. Remove the terrors of war—the poor and lowly suffer most therefrom—and mankind will breathe easier and will soon be born to a new life and to a new spirit. Would it not be sad to think that our country should stand aloof from such purpose and such mission?

PROPAGANDA AND REPRESSION.

Mr. FRANCE. Mr. President, I desire to make a very brief statement bearing upon a memorial which I send to the desk and which I ask to have printed at this point as a part of my remarks.

There being no objection, the memorial was ordered to be printed in the RECORD, as follows:

47 UNIVERSITY PLACE,
New York, July 10, 1919.

To the CONGRESS OF THE UNITED STATES:

The undersigned ministers of the Gospel, deprecating the prevalent tendency to oppose the spread of anarchism by lawless and violent methods, respectfully invite attention to the following statement, which has already been addressed to the public:

"While the horror of the latest bomb outrage is still fresh in the minds of Americans, we would call attention to the menace of the growth of the spirit of violence, bitterness, and unreason among our people. We sincerely trust that the criminals responsible for these outrages will be discovered and punished by due process of law. Terrorism must be given no room in our land. But to eliminate this menace it is not enough merely to join in the hue and cry against anarchy and Bolshevism; we must also study the economic and mental factors which make the background for this half-insane type of terrorism. A common resolve to abide by our time-honored principles of free discussion and the regular processes of constitutional government is the need of the hour.

"Unhappily violence, recently employed in the name of patriotism, has been allowed to go unpunished by the authorities, and has even been praised by leaders in Government and in the press. In New York on May day peaceful meetings were attacked, the Call Building was raided, and innocent men and women suffered serious injuries. Many voices openly praised such treatment of 'the reds.' But condonations of violence lead to contempt of law and strengthen those who counsel revolution.

"To meet the situation we urge—

"1. That all men and women of good will set themselves to influence public opinion through every available medium against lawless measures by whomsoever they may be employed.

"2. That they resolve to see that fair hearings and just trials are given to men, irrespective of their political or economic opinions, so that it may be truly said that in America no man's case, be he an I. W. W. or a Bolshevist or the most reactionary conservative, is prejudged by an appeal to popular feeling; and in particular that they set themselves against the counsels of hate, whose effect upon the rising generation can only be to pile up future disaster for mankind.

"3. Since, in the judgment of the Attorney General of the United States, existing laws against criminal terrorism are adequate and since free discussion is essential for the exposure of economic and political errors, that the attempt be abandoned to coerce minority opinion, so long as it does not promote disorder, and to defeat social change by repressive legislation.

"As ministers of the Christian church and as citizens of this liberty-honoring Republic, we plead for faith in reason, good will, and fairness to oppose the forces of bitterness and violence in our national life."

Rev. George Alexander, pastor of the First Presbyterian Church, New York; Rev. Charles R. Brown, dean of the School of Religion, Yale University; Rev. Henry E. Cobb, West End Collegiate Reformed Church, New York; Rev. Henry Sloane Coffin, Madison Avenue Presbyterian Church, New York, assistant professor, Union Theological Seminary; Rev. Harry E. Fosdick, minister in First Presbyterian Church, professor, Union Theological Seminary; Rev. William P. Merrill, Brick Presbyterian Church, New York; Very Rev. Howard C. Robbins, dean of Cathedral St. John the Divine, New York; Rev. William Austin Smith, editor of the Churchman; Rev. Ralph W. Sockman, Madison Avenue Methodist Episcopal Church; Rev. Frank Mason North, secretary Board of Foreign Missions of the Methodist Episcopal Church, president of the Federal Council of the Churches of Christ in America; Very Rev. Hughell Fosbroke, dean of the General Theological Seminary, New York; Rev. Arthur C. McGiffert, president Union Theological Seminary.

Mr. FRANCE. Mr. President, this memorial urges that all men of good will set themselves against violence and lawlessness and against all the counsels of hate. It urges toleration, freedom of discussion, and the abandonment of the attempt to coerce minority opinion and to defeat social change by repressive legislation. Coming as it does from men distinguished both for their intellectual leadership and their patriotic devotion to our free institutions, it is worthy of our most careful consideration.

Senators, none of us can fail to realize that we are here charged with unprecedented responsibilities while the Republic is passing through these most critical and dangerous days of her whole history. Upon the decision of the next few months depends the future of our institutions, dedicated to the exalted purposes expressed in our Constitution, and perhaps the fate of free republican government everywhere throughout the world.

On a number of occasions during the last session of the Congress I urged the repeal of the repressive, oppressive, un-American espionage act. Believing as I do in free discussion, in the essential rationality of popular government, in the all but infallible judgment of the masses of the people when the processes of the common mind are allowed to operate undisturbed, I deemed it essential that when a treaty was to be submitted involving all that we hold dear, pledging the blood of our youth in a new armed coalition which guarantees the rearranged map and an arbitrary redivision of a world of important parts of a treaty fixing the obligations which are to be fastened upon future generations, it was but fair to ask that the whole case be fairly submitted, that the people be allowed to freely and fearlessly discuss the facts and to reach the conclusion for themselves as to whether this proposed plan was designed to serve the ends of royalty, of imperialists, of reactionaries, of special interests, or whether it was devised to secure the advancement of the masses of mankind.

I deemed it dangerous at such a time as this to clothe interested Government officials with unlimited and arbitrary powers, to close the public forums to discussion and debate, to intimidate speakers, to censor the cables, to control the press, to exclude publications from the mails when as never before full and accurate information seemed to me to be indispensable for the preservation of our liberties. We asked, I say, only for a fair hearing upon this falsely named league of nations' plan at the great bar of public opinion, but this has been denied.

It is the apparent purpose of the administration to foist this scheme upon the people by a well thought-out campaign, cleverly combining propaganda with repression.

In certain cities it is impossible to hold a public meeting without the permission of the police. I offer in support of this statement a letter which I ask to have printed at this point as a part of my remarks:

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF PUBLIC SAFETY,
BUREAU OF POLICE,
Philadelphia, June 20, 1919.

(Meeting June 26, 1919.)

HOWARD L. FUSSELL, Esq., Attorney at Law,
505 Chestnut Street, Philadelphia, Pa.

DEAR SIR: In reply to your letter of 19th instant, in which you ask permission for a meeting to be conducted at South Broad Street Theater at 8 o'clock on Thursday evening, the 26th instant, to be addressed by Senator France, of Maryland, Hon. D. F. Malone, of New York City, and Rabbi Magnes, of New York City, on "The preservation of American liberties," would say:

Permission is hereby granted for the proposed meeting to take place, providing it is properly and lawfully conducted, but the speakers in

their remarks must comply with our laws and ordinances and with the proclamations issued by the President of the United States prohibiting treasonable or seditious utterances.

I have notified the Lieutenant of the fifth district to this effect, and instructed him to see that above conditions are strictly complied with.

Yours, respectfully,

JAMES ROBINSON, *Superintendent.*

Mr. FRANCE. I desire now to call attention to another illustration of repressive measures in the form of the suppresssion by the Department of Justice of a legitimate publication. I read from the Review, a periodical published in New York, the number of July 26, 1919, volume 1, No. 11, page 237:

The Century Co. has been informed by a representative of the Department of Justice that action will be brought to prevent the further distribution and printing of Thomas F. Millard's "Democracy and the Eastern Question," because of confidential matters it contains. What these matters are we have no means of knowing. The book was informingly reviewed in these columns (July 12) by Prof. W. W. Willoughby, whose residence during the last four years in the Far East and close study of its problems from a peculiarly advantageous position excellently qualified him to point out the striking importance of Mr. Millard's work. Prof. Willoughby's paper has already created considerable interest among those who appreciate the gravity attending our relations in the Orient, especially with respect to Shantung.

I desire now to read an interesting editorial upon this statement in the Century. This editorial does not come from a Republican paper. It comes from one of the strongest Democratic papers of the country, a paper which up until this time has been a real supporter of the administration, the Baltimore Sun, of Baltimore, Md. This is the editorial, and it might be well for the absent Democratic Senators to read it for their edification in to-morrow's RECORD:

[Editorial in the Baltimore Sun, Saturday, July 26, 1919.]

AGAIN THE CENSOR.

From the Review we learn that the Century Co. has been informed by a representative of the Department of Justice that action will be brought to prevent the further distribution and printing of Thomas F. Millard's "Democracy and the Eastern Question," because of confidential matters it contains.

What excuse under heaven can be presented in justification of this action? From the suppression of newspapers the Government moves onward to the suppression of books. Not on the ground of immorality—there is nothing in "Democracy and the Eastern Question" that would make blush the cheeks of the daintiest maiden. Not on the ground that it would interfere with the progress of the war—the war is over. Not even on the ground that it preaches subversive social doctrines—Mr. Millard's book has nothing to do with Bolshevism. But on the strange and mystifying ground that it contains confidential matters.

What possible confidential matters can a book on China and Japan, written by a man who, although he intensely dislikes Japan, is recognized as an authority on eastern questions—what possible confidential matters that the United States Government has a right or should care to object to can such a book contain? This Government has no secret treaties. It boasts of openly arriving at its covenants with other powers. It boasts of its belief in free speech. What has it to be ashamed or afraid of?

"Democracy and the Eastern Question" was reviewed in the Evening Sun of July 5. Our reviewer found it a bitter but forceful denunciation of Japan's course in China. He reviewed at the same time a defense of Japan's course by a Japanese writer. There has been no attempt to suppress the latter book. Is anti-Japanese propaganda to be prohibited and Japanese propaganda encouraged?

The censorship was supposed to end with the war. It is bad enough in war; it is intolerable in peace. Its characteristic stupidity is evidenced in this case by the fact that the suppression took place after the book had been on the market for two or three months and widely distributed. We hope the Century Co. will test the right of the Department of Justice to interfere with the printing and sale of this book in the courts.

That is an editorial from a Democratic paper. Commenting upon this editorial, the Baltimore News, one of the great independent papers of the South, goes on further in the discussion of the question of censorship, and I shall read into the RECORD this editorial from the Baltimore News of July 26, 1919, entitled "Censorship, indeed":

[Editorial from the Baltimore News, July 26, 1919.]

CENSORSHIP, INDEED.

Our highly esteemed Democratic contemporary discovers that the censorship is still in operation; that it is directed toward the repression of public information and discussion of international politics, particularly in their relation to national policies of other nations. A book on Japanese-Chinese relations is about to be suppressed because somewhat of the information it contains is of "confidential" character.

Does our contemporary really think this the first instance of censorship in this direction? Does any day go by that its copy desk doesn't handle dispatches bristling with intimations of a censorship at work to help the league of nations propaganda? How much comes in to our contemporary concerning the true situation in eastern Europe, a very considerable section of the world, whose future has now been so admirably settled on paper that we can afford to guarantee its permanence even by arms, if need be?

If our contemporary will look carefully through its files of the past few months, it will find there abundant evidence that the censorship to keep this Nation in the dark has been at work right along, and that it is more concerned to keep the Senate in the dark than the public. This, because the Senate has the greater need of the information, as a body that wants to make immediate and official use of it. If our contemporary will look very hard, perhaps it can find evidences that, so far as the Senate is concerned, the President is not even relegating the suppression of information to subordinates. He does it himself. Witness the many unanswered Senate resolutions on his desk that beg for official light on the problems officially before it. Witness the French treaty, that the Senate can not ignore, but which, as to text and to purpose, it must continue to consider in the light only of what the President has said unofficially concerning it; this being, in May, that it was simply an agreement to do in a specific instance what we would be bound in general to do under the league covenant, and, in July, that it was simply an interim arrangement.

Senators, if the purposes of this treaty are compatible with our national traditions and purposes, why is it that its proponents must use methods which are out of harmony with the spirit of free institutions and violate the specific provisions written by the fathers into the Constitution of our country?

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session, the doors were reopened and (at 4 o'clock p. m.) the Senate adjourned until Thursday, July 31, 1919, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 29, 1919.

REGISTER OF LAND OFFICE.

Gould B. Blakely to be register of the land office at Salt Lake City, Utah.

RECEIVER OF PUBLIC MONEYS.

Heber C. Jex to be receiver of public moneys at Salt Lake City, Utah.

APPOINTMENTS IN THE REGULAR ARMY.

George W. Burr to be major general.

QUARTERMASTER CORPS.

Col. Charles R. Krauthoff to be brigadier general.
Col. Herbert M. Lord to be brigadier general.

MEDICAL CORPS.

Charles Augustus Pfeffer to be first lieutenant.

APPOINTMENT, BY TRANSFER, IN REGULAR ARMY.

CAVALRY.

Ira Platt Swift to be second lieutenant.

PROMOTIONS IN THE REGULAR ARMY.

CAVALRY.

Lieut. Col. Louis C. Scherer to be colonel.

INFANTRY.

To be lieutenant colonels.

Maj. Robert S. Offley.
Maj. Samuel P. Lyon.
Maj. Charles H. Paine.
Maj. Thomas W. Darrah.
Maj. Americus Mitchell.

PROMOTIONS IN THE ARMY.

The following-named temporary colonels to be lieutenant colonels in the Marine Corps:

Harold C. Snyder and
Alexander S. Williams.

The following-named temporary majors to be captains in the Marine Corps, for temporary service:

Charles A. Wynn,
Thad T. Taylor,
Glenn D. Miller,
Herbert Rosenzweig,
Thomas E. Watson,
Burwell H. Clarke,
Walter G. Sheard,
Paul Brown,
Roger W. Peard,
John D. Nevin,
Peter C. Geyer, jr.,
James E. Davis,
Lloyd L. Leech,
Charles P. Gilchrist,
Gustav Karow,
Joseph E. Brewster,
Raphael Griffin,
Karl I. Buse,
Harold S. Fassett,
Samuel A. Woods, jr.,
William C. Byrd,
George C. Hamner,
Arthur B. Jacques,
David H. Owen,
James M. Bain,

George B. Reynolds,
James T. Moore,
Horace C. Cooper,
John M. Arthur,
Gordon Watt,
Thomas P. Cheatham,
Louis W. Whaley,
William C. James,
Thomas E. Bourke,
James F. Jeffords,
Benjamin T. Cripps,
Jacob M. Pearce, jr.,
Daniel E. Campbell,
Maurice G. Holmes,
Charles C. Gill,
James E. Betts,
Norman S. Hinman,
George Faunce Adams,
Wethered Woodworth,
James W. Webb,
John M. Tildsley,
Le Roy P. Hunt,
Louis E. Woods,
Edward R. Rhodes,
Donald R. Fox,
William McN. Marshall,
George H. Scott,
Alexander Galt,
Paul R. Cowley,
Bailey M. Coffenberg,
Eugene F. C. Collier,
Evans O. Ames,
Stanley M. Muckleston, and
William H. Davis.

The following-named temporary captains to be first lieutenants in the Marine Corps, for temporary service:

Victor A. Barraco,
Thomas O. Tate,
James G. Somerville,
Jack H. Tandy,
Eric A. Johnston,
William P. T. Hill,
Robert A. Bowen, jr.,
Philbrick W. Jackson,
William W. Carson,
Albert V. Williams,
Harold B. Hoskins,
Lucian H. Vandoren,
Thornton Wilson,
Daniel W. Bender,
Clyde N. Bates,
George H. Whisenhunt, jr.,
Carl D. Brorein,
Vincent J. Fitzgerald,
Anthony W. Durrell, jr.,
William R. Brown,
James M. Wallace,
John G. Vowell,
Lewis R. Stickles,
William A. Eddy,
Oliver T. Francis,
Carlos H. McCullough,
Cornelius H. Reece,
Lemuel A. Haslup,
James P. Adams,
Edward A. Fellowes,
Haskin U. Deeley,
Sparling B. Anderson,
Henry W. Paret, jr.,
Louis F. Timmerman, jr.,
Gordon M. F. Chance,
George K. Campbell,
Henry R. Heebner,
Fred C. Eastin, jr.,
Robert C. Kilmartin, jr.,
Edward A. Craig,
James E. Hunter, jr.,
Julian P. Brown,
William E. Riley,
Albert G. Skelton,
Walter S. Fant, jr.,
Andrew L. W. Gordon,
Percival L. Wilson,
Bernard Dubel,
George C. Medary,
Charles C. Simmons, jr.,
Thomas G. Letchworth,
Earle M. Randall,
Leland S. Swindler,
John P. Manton,
Ernest H. Lowenthal,
Ray A. Robinson,
Howard N. Stent,
Kenneth B. Collings,
Basil Gordon,
Donald Spicer,
Ford O. Rogers,
Creswell M. Micou,
Walter G. Farrell,
Raymond T. Presnell,
Lloyd A. Houchin,
William L. Harding, jr.,
John B. Neill, jr.,
David Duncan,
Lyle C. De Veaux,
Ralph R. Robinson,
Floyd W. Bennett,
Norman E. True,
Walter E. Bilisoly,
John K. Martenstein,
Francis J. Kelly, jr.,
Conrad S. Grove, 3d,
Charles M. Portis,
St. Julien R. Childs,
Hamilton M. H. Fleming,
Walter I. Greth,
Frederick E. Stack,
George C. Collar,
John F. Roy,
Edward S. Shaw,
Stanford H. Moses,
Edward L. Pollock, jr.,
Gardiner Hawkins,
Leland D. Breckinridge,
Merritt A. Edson,
Laurence T. Stallings, jr.,
Edgar A. Poe, jr.,
Edward O. Bogert,
John A. Tebbs,
John C. Wemple,
Curtis W. LeGette,
Cleghorn Foote,
Thomas B. McMartin,
Thomas H. Raymond,
David C. Levy,
Joseph H. Fellows,
Louis G. DeHaven,
John S. Tyler,
Luther W. Jones,
Chester R. Milham,
David P. Cowan,
Robert L. Montague,
Lester A. Dessez,
John R. Minter,
Robert B. Stuart,
James Wood,
Andrew R. Holderby, 3d,
Fillmore W. Eiker,
Timon J. Torkelson,
Merton A. Richal,
Robert A. Barnet, jr.,
Francis B. Reed,
Frank B. Wilbur,
Lester D. Johnson,
John Kaluf,
Judson H. Fitzgerald,
Samuel A. Milliken,
Henry D. F. Long,
James Diskin,
Ross L. Iams,
Lee Carter,
George Nielsen,
Wyle J. Moore,
Charles D. Baylis,
Richard B. Dwyer,
William G. Kilgore,
Harry E. Leland,
Winfield S. Cranmer,
John F. Leslie,
David R. Nimmer,

Georges F. Kremm,
Trevor G. Williams,
David L. Ford,
Josephus Daniels, jr.,
Horace Talbot,
Edward B. Moore,
Frank W. Hemsoth,
Emil M. Northenscold,
David Kipness,
Robert K. Ryland,
William D. Wray,
Uley O. Stokes,
Charles P. Phelps,
Sherman L. Zea, and
Harold W. Whitney.

The following-named temporary first lieutenants to be second lieutenants in the Marine Corps, for temporary service:

Kenneth R. Berkey,
Ogbourne A. Hill,
Joseph F. Verhelle,
Gerald K. Hemsing,
Melvin E. Fuller,
Howard Mayes,
Robert B. Jeffrey,
Vincent M. O'Donnell,
George E. Gardner,
Walter Roll,
Paul Jahn,
Holton Y. Ditto,
Frank M. Keller,
Robert L. Wadell,
Claude B. Taugher,
Eldred I. Rawles,
Richard V. H. Ridgely,
Phillips T. Lehmer,
William T. Howze,
Bruce C. Lubers,
Joseph A. Yeager,
Francis I. Fenton,
Joseph De Paiva,
Thomas R. Wert,
Joseph L. Doll,
John W. Cunningham,
Samuel K. Eaves,
Alvan E. Stoddard,
Charles M. Adams,
Lindley H. Pryor,
Earl F. Lucas,
Elmer W. Johnson,
Charles H. Hassenmiller,
Hugh A. McGann,
Herbert B. Renninger,
Alfred J. Wainman,
William K. MacNulty,
Carlton E. Edwards,
Kenneth M. Stead,
Edwin J. Davenport,
Ralph W. Luce,
Marshall Y. Chapman,
Richard Cornelius,
William English,
George W. Hopke,
Frederick Israel,
Carl J. Norstrand,
Cecil J. Widdifield,
Frank Neider,
Morris C. Richardson,
George Belmont,
George B. Batten,
John T. Foster,
Russell M. Frederick,
Edward E. Lindgren,
Bayard Vasey,
Jesse L. Crandall,
Edward F. Dunk,
Harry L. Smith,
Robert L. Young,
Terrence J. Callan,
Paul J. Ogden,
William W. Rogers,
George F. Stockes,
William J. Whaling,
Curtis T. Beecher,
Walter Sweet,
Oliver D. Bernier,
Alfred Dickerson,
Rowan C. Pearce,
Axel Enholm,
Edward F. Bailey,
Stanley E. Ridderhof,
Willard R. Enk,
Eben C. Mann, 2d,
Elton C. Hersman,
Albert E. Gagnon,
Richard F. Cleveland,
Odilo N. Kass,
George L. Chumbley,
Wylie F. McKinnon, jr.,
Joseph Lubomski,
Samuel B. Witt,
Richard A. Cullum,
Charlton P. Lee,
Blaine G. Wiley,
Edwin G. Schwartzman,
George P. Buell,
Julian N. Frisbie,
Ervin R. Whitman,
Harry E. Leive,
William Scruggs,
Willard L. Peach,
Benjamin W. Atkinson, jr.,
Ralph C. Battin,
Gilbert C. Henderson,
Max D. Smith,
Anthony Rinkevich,
Carl J. Allenbaugh,
Minter L. Lowther,
Franklin H. Hayner,
Wilbur V. Styles,
Joseph Lacey,
George E. Ladd, jr.,
Herman Kingsnorth,
John A. Self,
Edward J. Moneypenny,
George S. Van Riper,
Alexander D. Shaw,
William L. McKittrick,
Gerald C. Thomas,
George Esau,
Philip W. Mohr,
Adolphus Cannon,
Albert L. Winner,
James T. Elliott,
Frank Saddler, jr.,
Howard B. Enyart,
William A. Keiter,
Herbert S. Keimling,
Ramie H. Dean,
Raymond P. James,
Fred J. Zinner,
Rueben E. Puphal,
Stephen Skoda,
Harold A. Strong,
James E. Foster,
Clarence L. Seward, jr.,
William A. Siefer,
Wilbur T. Love,
William S. Fellers,
Henning F. Adickes,
Roy W. Conkey,
Samuel H. Wood,
Merile H. Stevenson,
Augustus Paris,
Chester E. Orcutt,
Louis B. West,
Denzil R. Fowls,
Forest J. Ashwood,
George C. Buzby,
Augustus H. Fricke,
Edward M. Butler,
Thomas J. Caldwell,
Louis E. McDonald,
George H. Towner, jr.,
Robert A. Cobban,
Stephen E. St. George,
Louis Cukela,
Emmons J. Robb,
Allan S. Heaton,
Erwin F. Schaefer,
Daniel D. Thompson,

Wilbur Summerlin,
Charles F. Commings,
Walter W. Wensinger,
Robert O. Williams,
John T. Stanton,
Virgil P. Schuler,
Harry S. Davis,
Peter P. Wood,
Lawrence E. Westerdahl,
David N. Richeson,
Merle J. Van Housen,
James C. Leech,
Richard S. Ross,
Vinton H. Newell,
Emmit R. Wolfe,
Stephen A. Norwood,
Raymond A. O'Keefe,
Frank M. Cross,
George W. McHenry,
Gale T. Cummings,
Charles W. Holmes,
Samuel H. Woods,
Wilbur Eickelberg,
Robert A. Butcher,
Allen J. Burris, and
Earl M. Rees.

HOUSE OF REPRESENTATIVES.

TUESDAY, *July 29, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, impart unto us the skill, fortitude, and courage to cast out the demon we call pessimism, which infests our hearts and brings misery and sorrow to the world. Help us, on the other hand, to fill our souls with optimism, that we may have larger faith and confidence in Thee and our fellow men.

For in spite of the punch-bell honesty in our street cars, railroads, and business life we may be sure that in every great crisis men will rise to the exigencies of the hour, in the political, moral, and religious life, as our brave men on the field of battle flinched not from their duty and won a signal victory for liberty, fair play, and justice. So help us to depend upon them now, to stand for those great principles in the hour of the reconstruction of the world. Thus by truth and right and justice guide us. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 2622. An act to provide necessary commissioned personnel for the Army until June 30, 1920;

S. 2236. An act relating to affidavits required by the act entitled "An act to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war";

S. 2595. An act to extend the time for the construction of the Main Street Bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark.; and

S. 2594. An act to extend the time for the construction of the Broadway Street Bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark.

The message also announced that the Senate had passed without amendment the following concurrent resolution:

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on Saturday, the 2d day of August, it stand adjourned until 12 o'clock meridian, Tuesday, the 9th day of September.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 1361) further extending the time for the commencement and completion of the bridge or bridges authorized by an act entitled "An act to amend an act to authorize the Dauphin Island Railway & Harbor Co., its successors or assigns, to construct and maintain a bridge or bridges, or viaducts, across the water between the mainland, at or near Cedar Point, and Dauphin Island, both Little and Big; also to dredge a channel from the deep waters of Mobile Bay into Dauphin Bay; also to construct and maintain docks and wharves along both Little and Big Dauphin Islands," approved June 18, 1912, as extended by an act approved June 30, 1916.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 2622. An act to provide necessary commissioned personnel for the Army until June 30, 1920; to the Committee on Military Affairs.

S. 2236. An act relating to affidavits required by the act entitled "An act to extend protection to the civil rights of members of the Military and Naval Establishment of the United States engaged in the present war"; to the Committee on the Judiciary.

QUESTION OF PERSONAL PRIVILEGE.

Mr. TREADWAY. Mr. Speaker, I rise to a question of personal privilege, and ask that I may proceed for five minutes.

The SPEAKER. Does the gentleman ask unanimous consent to proceed for five minutes or does he speak to his rights?

Mr. TREADWAY. I will not take the hour that I am naturally entitled to——

The SPEAKER. The Chair asked only to know whether to put the question.

Mr. TREADWAY. I rise to the question of personal privilege, so that there will be no question about that.

In this morning's Philadelphia Press, of which I hold a clipping in my hand, the following heading appeared:

MOORE assails TREADWAY—Pennsylvanian says Bay State man would not be missed from party.

That is the press notice to which I take exception, Mr. Speaker, in view of the colloquy that took place in the House yesterday. The colloquy referred to appears on pages 3263 and 3266. I made some very brief remarks in relation to the bill then under consideration, the "repeal of the soda-water tax," which remarks appear on page 3266. The coloquy which evidently occasioned the mistake in the Philadelphia Press appears on page 3263, where the gentleman from Pennsylvania [Mr. MOORE] and the gentleman from Ohio [Mr. EMERSON] entered into some rather lengthy and disparaging statements in reference to each other and to party affairs, and so forth. My remarks subsequently made were much more peaceable, and I was endeavoring to show that the colloquy between the two gentlemen to which I have referred was the result of the hot weather rather than the result of any personal irritation between two such distinguished Members of the House as those engaged in that dispute.

Mr. BLANTON. Mr. Speaker, I rise to a point of order.

Mr. TREADWAY. Mr. Speaker, I decline to yield. The gentleman from Texas himself takes plenty of time.

Mr. BLANTON. Mr. Speaker, I make the point of order that the gentleman is not stating a question of privilege.

Mr. TREADWAY. The Chair has the right to rule, and not the gentleman from Texas, as to whether I am proceeding in order or not. I decline to yield to the gentleman from Texas.

The SPEAKER. The Chair thinks that the headlines referred to by the gentleman from Massachusetts constitute a question of privilege. Of course, the gentleman from Massachusetts must confine himself to his question.

Mr. TREADWAY. Mr. Speaker, my desire is to call attention to the error which was very plainly made in the lines which I have read from the Philadelphia Press, and to say that the gentleman from Pennsylvania [Mr. MOORE] did not assail me nor did the Pennsylvanian say that the Bay State man would not be missed from the party. I trust that my party loyalty is sufficiently well known to the gentleman from Pennsylvania [Mr. MOORE] so that such a question as that need never enter his mind or enter any discussion of his upon the floor when he is having a colloquy with such a distinguished Member as the gentleman from Ohio [Mr. EMERSON] or anyone else.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. MOORE of Pennsylvania. Mr. Speaker, I confirm the gentleman's statement. No reference was made to the gentleman from Massachusetts, who merely endeavored to act as a peacemaker and who unfortunately has received the usual penalty that comes to a peacemaker—that of being hit with a brick after the colloquy is over.

Mr. TREADWAY. A brick in the Philadelphia Press.

Mr. MOORE of Pennsylvania. Purely an error, not of the correspondent, whose report was accurate, perhaps, but of the blue-penciler up at home, who, after all, is the dictator who determines what shall be published. The gentleman from Massachusetts is entirely too valuable a Member to be lost to the Republican Party.

Mr. TREADWAY. Of course we all realize that the headlines are what attract the most attention in the papers. It is

for that reason that I take this opportunity to call attention to the fact that the gentleman did not endeavor to read me out of the Republican Party, and I trust my conduct in the future will be such as to make such an endeavor upon his part absolutely out of the question, even though he be a member of the steering committee, to which the gentleman from North Carolina [Mr. KITCHIN] made reference yesterday. I regard the steering committee as a most excellent body, and so far as I am concerned I am very glad of their advice and assistance in the conduct of our affairs on the floor of the House. With that explanation I yield the floor.

Mr. GARRETT. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. GARRETT. Would the gentleman regard it as a very serious thing after all to be read out of the Republican Party?

Mr. TREADWAY. I certainly would. This newspaper story is not a very serious matter, but I did think it was worth correcting on the floor of the House.

FIRST LEGISLATIVE ASSEMBLY IN AMERICA.

Mr. BLAND of Virginia. Mr. Speaker, I ask unanimous consent for the consideration of the resolution which I send to the desk and ask to have read.

The Clerk read as follows:

Whereas on July 30, 1619, the first session of the first legislative assembly which ever met in America was held at Jamestown (then called James City), Va.; and

Whereas to-morrow, July 30, 1919, will be the three-hundredth anniversary of said event, which may be justly considered as one of the great events in the history of this Republic and the world: Now, therefore, be it

Resolved, That when this House adjourns to-morrow, July 30, 1919, it do so in commemoration of the three-hundredth anniversary of the first session of the first legislative assembly which ever met in America.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. BARBOUR. Mr. Speaker, on page 3239, July 24, I was reported as not voting when I was present at the time and voted "no" on the motion to recommit.

The SPEAKER. Without objection both the Journal and RECORD will be corrected.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE.

Mr. LANHAM. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER. The gentleman from Texas asks unanimous consent to address the House for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LANHAM. Mr. Speaker, reference was recently made on the floor of the House to the apparent disparagement of the South and Southwest to a pamphlet issued by the Public Health Service of the Treasury Department concerning the percentage of venereal diseases among approximately the second million drafted men, by cities. The pamphlet states that the figures used were furnished by the medical records section of the Surgeon General's Office of the Army. Knowing the white people of our section to be as broad minded and pure hearted as any good Americans who live elsewhere in our country, I made inquiry of the Surgeon General with reference to these statistics in order that it might be known what proportion represented whites and blacks, respectively.

I am in receipt of a reply from Lieut. Col. Albert G. Love, of the Medical Corps, in which he states that no provision was made in this investigation for stating race, or color, or nativity, and that, consequently, it was not possible to say what was the incidence among the white and colored draftees. He does announce, however, that his office has presumed that the high rate for venereal diseases in the Southern States and cities was due to the high rate of venereal diseases among the negro part of the population. He inclosed a reprint of what he denominates the most reliable statistics which the office has, showing the relative rate of incidence in the United States Army of the venereal diseases among white and colored troops. These statistics reveal the fact that in the Army that was mobilized in 1917 the rate for various venereal diseases ranged from four and one-half to two and one-half times as great among colored troops as among white troops.

I think it but fair to the Southern States and cities that this statement should be incorporated in the RECORD in justice to the loyal and red-blooded Americans who live in those sections. No better people reside anywhere and no better soldiers fought in this war for world freedom. The records of their achievements are a permanent testimonial to their patriotism and their lives are in keeping with their splendid performance. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. LANHAM. I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by making a statement in regard to the bill H. R. 6750, the alien deportation bill, which is expected to be called up to-morrow.

The SPEAKER. Is there objection to the request of the gentleman from Washington? [After a pause.] The Chair hears none.

CORRECTION OF A REFERENCE.

Mr. EVANS of Montana. Mr. Speaker, I ask unanimous consent that the bill S. 796, which was apparently erroneously referred to the Committee on the Public Lands, may be rereferred to the Committee on Irrigation of Arid Lands. I have the authority of both committees for this request.

The SPEAKER. The gentleman from Montana asks unanimous consent for the change of reference suggested. Is there objection? [After a pause.] The Chair hears none.

POINT OF NO QUORUM.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. It is obvious there is no quorum present.

Mr. MADDEN. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The Clerk called the roll and the following Members failed to answer to their names:

Andrews, Md.	Echols	Kennedy, R. I.	Rayburn
Anthony	Edmonds	Kettner	Reed, N. Y.
Babka	Ellsworth	Kincheloe	Riordan
Barkley	Emerson	King	Rouse
Bee	Fairfield	Kraus	Rowan
Benson	Ferris	Kreider	Rubey
Bland, Ind.	Fitzgerald	Langley	Rucker
Britten	Focht	Lee, Ga.	Sabath
Browne	Frear	Lesher	Sanders, La.
Burdick	Fuller, Ill.	Lever	Sanders, N. Y.
Butler	Fuller, Mass.	Linthicum	Sanford
Byrnes, S. C.	Gallagher	McArthur	Scully
Caldwell	Gallivan	McClintic	Sherwood
Candler	Ganly	McGlennon	Slemp
Cantrill	Goldfogle	McKeown	Smith, Ill.
Caraway	Goodall	McKinley	Smith, N. Y.
Carew	Graham, Pa.	McKinley	Snyder
Carter	Hamill	Maher	Steele
Casey	Hamilton	Mason	Stephens, Miss.
Clark, Fla.	Hardy, Colo.	Mead	Sullivan
Classon	Haskell	Miller	Taylor, Ark.
Cooper	Hastings	Minahan, N. J.	Thompson, Okla.
Copley	Hersman	Mooney	Tinkham
Cramton	Hicks	Mudd	Vare
Crowther	Hill	Neely	Venable
Cullen	Howard	Newton, Mo.	Ward
Currie, Mich.	Husted	Nicholls, S. C.	Weaver
Curry, Calif.	Jacoway	O'Connor	Whaley
Dempsey	Johnson, S. Dak.	Olney	Williams
Dooling	Johnston, N. Y.	Osborne	Wilson, Pa.
Doughton	Jones, Pa.	Paige	
Dyer	Kahn	Pell	
Eagan	Kelley, Mich.	Purnell	

The SPEAKER. Three hundred Members have answered to their names. A quorum is present.

Mr. MADDEN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

REFERENCE OF A BILL.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to refer the bill H. R. 416 from the Committee on Agriculture to the Committee on Public Lands——

The SPEAKER. The Chair will recognize the gentleman some other time.

Mr. RAKER. All right.

The SPEAKER. Under the special rule for to-day, the Chair will recognize the gentleman from Illinois, chairman of the select committee [Mr. GRAHAM].

EXPENDITURES IN THE WAR DEPARTMENT.

Mr. GRAHAM of Illinois. Mr. Speaker, I desire to call up the report of the Select Committee on Expenditures in the War Department and ask for the reading of the report under the

rule, and pending that I would like to ascertain by agreement with the gentleman representing the minority, if possible, whether it is not possible to obviate the reading of the tabulated part attached to the minority report.

Mr. FLOOD. I think it would be all right to read just the report, and not the appendix.

Mr. GRAHAM of Illinois. Mr. Speaker, I ask unanimous consent that the reading of the appendix attached to the minority report may be dispensed with.

The SPEAKER. The gentleman asks unanimous consent that the reading of the appendix to the minority report be dispensed with. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. GRAHAM of Illinois. Mr. Speaker, I think under the rule the first thing is the reading of the report.

The SPEAKER. The Clerk will read the report and resolution.

The majority and minority reports were read.

[For majority and minority reports see pp. 3268 to 3279 proceedings of Monday, July 28.]

Mr. WALSH (interrupting the reading). Mr. Speaker, I rise to a question of privilege affecting the rules and procedure of the House.

The SPEAKER. The gentleman will state it.

Mr. WALSH. The gentlemen submitting the minority views have not conformed to the rules of the House, in that they have included excerpts from testimony and from documents and letters which are not the views of the minority. The minority report is not a report; simply an opportunity for the minority members of the committee to express their views. If the Chair will consult volume 4 of Hinds' Precedents, page 946, section 4607, he will see that where the question was raised before, during the consideration of the Coeur d'Alene investigation, the Speaker ordered expunged from the RECORD extraneous matters which were not in the nature of the views of the minority. He stated at that time:

> The Chair will state that he has ordered the Clerk to strike from the minority views those things which are not strictly the views of the minority. The Chair will advise the gentleman from Virginia that his instructions to the Clerk are that the views should not include arguments and testimony. * * * The committee has the right to make its own report; there is no doubt about that; but the views of the minority are not a report. * * * The Chair is clear, if called upon to rule, that he has the right to direct the Clerk to expunge everything except the views of the minority. The argument which has just been submitted by the gentleman from Virginia to the Chair is a proper argument to make to the committee when making up the majority report.

Now, we have letters here from various officials. We have on page 12 excerpts from the testimony had at a hearing; we have quotations in various matters added to the report as appendices. Clearly they are not the views of the minority, and those matters are proper matters to be presented to the House during the consideration of the matter upon which the report is made, but are not proper matters to be included in the report made upon the measure if submitted by the majority to express their views.

And I submit, Mr. Speaker, to the Chair, that the minority report is not in accordance with the practice of the House nor with the precedent laid down under the rule.

The SPEAKER. The Chair has examined the precedent cited by the gentleman from Massachusetts, which seems to be in point. The Chair would be glad to hear from the members of the minority.

Mr. GARRETT. May I inquire just the part of the report to which the point of order was leveled? I was out of the Chamber at the moment.

Mr. WALSH. I regret the gentleman was out of the Chamber. Before I rose I looked over and I thought I saw the gentleman present. The question is directed to all that portion of the minority report which is extraneous matter, that is to say, which does not present the views of the minority, but consists of extracts from testimony and the views and arguments of other persons than those of the minority upon the committee.

Mr. GARRETT. Mr. Speaker, the primary duty of the special committee is not legislative but to ascertain facts and report them to the House. I should imagine that the ruling to which the gentleman has referred as a precedent must have been made upon a proposition coming from a legislative committee of the House of Representatives. Under the resolution creating this special committee it was specifically directed to inquire into and report facts, not legislation. I am at a loss to understand how the committee will at any time, if the point of order made by the gentleman be sustained, be able to comply with its duty under the resolution which created it if it can not in its report state the facts as it was instructed to do.

Mr. WALSH. Will the gentleman yield?

Mr. GARRETT. I will.

Mr. WALSH. How is it that the majority of the committee were enabled to present a report stating the facts without including excerpts from testimony and official documents?

Mr. GARRETT. Of course, there is a contention as to whether or not the majority of the committee in all respects stated facts. But leaving that aside and discussing the parliamentary situation, the majority of the committee expressed themselves in a way in which they chose to express themselves——

Mr. WALSH. And according to the rules.

Mr. GARRETT (continuing). And the way they had a right to express themselves.

Mr. WALSH. Of course, the majority of the committee in making the report have a broader latitude than the minority in expressing their views.

Mr. GARRETT. I do not concur with the gentleman in that, but that is not in point. The fundamental point about this is that the committee is charged with the duty of finding facts and reporting them to the House, and if the majority of the committee have alleged as facts certain things, putting it in the language and in the way they choose, and the minority of the committee is not permitted to state the facts as shown by the evidence, choosing that method rather than the ipse dixit alone of the minority, I am at a loss to understand what these investigating committees will accomplish.

Mr. REAVIS. Will the gentleman yield for a question?

Mr. GARRETT. I will.

Mr. REAVIS. I agree with the gentleman that the committee has a right to report facts, but the gentleman can distinguish between the report of the committee and giving of the testimony by which the facts are proved.

Mr. GARRETT. Unquestionably, Mr. Speaker, the committee charged with the peculiar duty that an investigating committee such as this is charged with would surely have leeway to quote the testimony giving the facts.

Mr. WALSH. Mr. Speaker——

Mr. HARDY of Texas. Will the gentleman yield for a suggestion?

Mr. GARRETT. I will.

Mr. HARDY of Texas. The majority report itself makes a statement and bases that upon an alleged order of the Quartermaster General. What is the difference between that and hearing evidence? If they can quote orders and evidence—that is, the majority—why can not the minority?

Mr. WALSH. Mr. Speaker, replying briefly to the contention of the gentleman from Tennessee [Mr. GARRETT] that the minority of this committee have some peculiar power because it is a special investigating committee and not a committee with power to legislate, I beg to state that unless the resolution appointing the committee conferred some peculiar power upon the minority of this committee they are bound by the rules of the House, which apply to all committees, standing or special.

Now, I submit that the views of the minority upon the committee are not a report. The only portion of the committee that can make a report is the majority of that committee. Under the practice the minority have been permitted to express their views, but they are confined to a somewhat narrower scope than the majority of the committee. If the contention of the gentleman from Tennessee is correct, he would have the matter which is the subject of action by the House thrashed out in the reports of the majority and minority as submitted to the House. The minority must state facts, and shall not be permitted under the rules to inject extracts from testimony and other extraneous matter; and I think, from the reading of the minority report, that the minority have even extended letters which were not considered by the committee—by the majority—as they appear to be of a later date than the date when the hearings were held. The place for these matters to be presented to the House is here upon the floor when the matter is under discussion, and under the rule they are no part, and can be made no part, of the report on the measure.

Mr. SAUNDERS of Virginia. Mr. Speaker, let me call the attention of the gentleman from Massachusetts [Mr. WALSH] to a feature of this case which has not heretofore been adverted to in this discussion. While of course technically, as a general proposition, a minority can not file a report, and is as a rule given permission to file only the views of the minority, that is not the present situation. My colleague from Virginia [Mr. MOORE] has called my attention to the terms of the request of the gentleman from Illinois contained in the RECORD of yesterday. I desire to call the attention of the Speaker to the fact that the unanimous-consent request of the gentleman from Illinois gave the minority the right to file a report. That fact makes a very obvious distinction between this case and the case cited by the gentleman from Massachusetts and one that is proper to be adverted to in this connection. Apparently the in-

tention of the gentleman from Illinois was to give to the minority the right to file a report, and not views, so that the report might include the very things to which the gentleman from Massachusetts has objected. The gentleman from Massachusetts will find on page 3268 of the RECORD the following:

The SPEAKER. The gentleman from Illinois asks unanimous consent that the report from the Select Committee on Expenditures in the War Department may be printed in the CONGRESSIONAL RECORD, and that the minority report from the same committee may be printed accompanying it, if it be filed with the Printing Office before midnight to-night.

The request submitted by the Speaker does not say that the minority may file their views, but it says that the minority report may be filed. That is a very clear indication, so far as this case is concerned, and without adverting to the precedent on which the gentleman from Massachusetts relies, that it was intended that the minority should have powers in this connection that ordinarily it would not enjoy. I cite the Speaker to the RECORD.

Mr. WALSH. That is a distinction between tweedledee and tweedledum. There is no such thing as a minority report under the rules of the House. If anybody got up here and was granted permission to file a minority report, he received permission to file minority views, because under the precedents that is all that is contemplated in this House.

The SPEAKER. Will the gentleman from Massachusetts refer to that citation regarding the minority views in the rules?

Mr. SAUNDERS of Virginia. In reply to the tweedledum and tweedledee suggestion of the gentleman from Massachusetts, granting that the gentleman is right in his main contention, yet it is certainly true that the House would have the right by unanimous consent to give the minority members of a committee the right to file a minority report, and when such a minority report is filed by the unanimous-consent action of the House, then the Speaker in determining the proper scope of its contents, would apply to that determination the same principles that he would apply to a majority report.

The point that I make is that the gentleman from Illinois [Mr. GRAHAM] in his unanimous-consent request used the words "minority report," and not the "views of the minority." His request was unanimously agreed to, and the unanimous action of the House will speak for itself, and by its own terms determine what may be done under the authority which it affords.

Mr. WALSH. According to the gentleman's argument, we could get up here and by unanimous consent amend the Constitution of the United States.

Mr. GARNER. No. You can not by unanimous consent amend these rules.

Mr. WALSH. You can not get permission to do something under one name when the rules contemplate its being done under another.

Mr. GARNER. The gentleman would change the rules of the entire House of Representatives.

Mr. WALSH. I have heard the gentleman make an argument on the other side of that question very eloquently when he happended to be in the majority of this House. The rules of the House, section 730, page 319 of the Manual, provide this:

All reports of committees, except as provided in clause 56 of Rule XI, together with the views of the minority, shall be delivered to the Clerk for printing.

That is section 730, page 319 of the Manual, constituting clause 2 of Rule XIII. That is the old citation. I have not a later volume of the Manual at hand. It is clause 2 of Rule XIII.

Mr. GRAHAM of Illinois. Mr. Speaker, relative to this matter of privilege, it seems to me to be entirely immaterial as to just the exact language that appears in the RECORD. I do not now recall just what word was used. When the matter came up originally, as I preferred the request, the minority report part of it was not attached to it, but it was suggested by some one on the floor of the House that it be incorporated in the request and put in the RECORD in that form. But that does not make any difference one way or the other. The point is, can the minority, or the majority for that matter, incorporate in a report, which is supposed to be composed of matters of fact, matters entirely extraneous, and which, even if they relate to the subject matter of the report, are matters that were never heard by the committee? Now, the matters attached to these minority views are matters that were not heard by the committee and not heard in any place. They are matters never brought to the attention of the committee, and yet they are included in this report.

The question suggests itself to me, if the Speaker please, if this minority in this instance can do this, in any future reports of this committee where they report questions of fact that are not satisfactory, perhaps, to a minority of the committee that minority can go out about the town, or here and there about the country, prepare affidavits, get letters, take the ex parte views of anybody on any subject, attach them to the minority report, and have them made matters of record in this House. That certainly is not the idea. The idea is that the committee shall report facts, and nothing more.

Mr. GARNER. But how does the gentleman get around the unanimous consent that was given? The RECORD shows that you gave them unanimous consent to make this report.

Mr. GRAHAM of Illinois. To file a report. Now, this is no report. This includes a lot of matters that are not a report of anything that ever occurred before this committee. If they can report these things they can report the affidavit of John Smith that Secretary Baker does not believe in this kind of policy. That is not a report of anything except some ex parte views of somebody who never came before the committee. Certainly this is not a matter that should be incorporated in this report or in any report. I am not speaking exclusively of minority reports now. I am speaking of a report that deals with matters of fact, which this committee was required to get.

Mr. WALSH. May I direct the Speaker's attention to the precedent which I have cited? The objection there was made to the minority including in their views the printed hearings and the arguments of the attorneys. Now, in this case they have included excerpts from the hearings and they have included arguments not of attorneys but of officials of the War Department and others, some of which, I understood the chairman of the special committee to state, were not considered by the committee during their hearing. Now, Mr. Speaker, the minority of a committee under the rules have the right to file their views, when consent is given, and if you simply call the minority views a report, that does not take it outside the scope of the rule. They must confine themselves to the limits of the rules. Changing the name of a thing does not make any difference. Why, if the gentleman's argument is sound all the minority would have to do in filing a report under consent of the House—and I will say in passing that the consent asked is usually to file a minority report——

Mr. GARNER. No, no.

Mr. WALSH. The gentleman says "No, no"; but if you will refresh your recollection on it you will find that when committees divide upon partisan lines usually one Member of the minority gets up and asks unanimous consent that they may have so many days to file a minority report.

Mr. GARNER. Of course, if that minority is not familiar with the rules of the House, it may be a request to file a report; but usually the Member representing the minority understands the rules of the House and asks unanimous consent to file the views of the minority. I challenge the gentleman to refer to the CONGRESSIONAL RECORD for any period of time he desires. He will find in nine cases out of ten that the request is to file minority views; but in this instance the gentleman from Illinois [Mr. GRAHAM] requested unanimous consent—and I know I did my best to keep this side of the House down as far as I could by saying, "Don't interfere with them; that is all this side could get, anyway"—and the gentleman asked unanimous consent that the minority might have until 12 o'clock to file a minority report.

Mr. GRAHAM of Illinois. Then the gentleman contends that under that consent the minority might include anything they pleased, as long as the minority considered it a report?

Mr. GARNER. Mr. Speaker, I did not say anything about the quality of the report.

Mr. REAVIS. Will the gentleman from Texas yield to me?

The SPEAKER. The gentleman from Texas has not the floor.

Mr. GARNER. I can not yield. The Chair declines to allow me to yield.

The SPEAKER. The Chair is not criticizing the gentleman. The Chair simply makes a suggestion in the interest of saving time. The Chair will hear the gentleman from Nebraska if he desires to be heard.

Mr. REAVIS. I rose only for the purpose of asking some one in charge of the floor to yield to me.

The SPEAKER. The Chair is in charge of the floor. The Chair will listen to the gentleman.

Mr. REAVIS. Mr. Speaker, I think we have been arguing about things that are largely nonessential. The only question before the Chair is whether or not the power that is given to a committee to report facts carries with it the authority to report the evidence employed to adduce those facts. It is of no concern to me whether the gentleman from Illinois [Mr. GRAHAM] asked unanimous consent that the minority be permitted to file a report, and it is equally of no concern to me that the gentleman from Texas said that that was all they

could personally ask for themselves. If such privilege was granted, the minority did not exercise it. What they filed is before you, and it is found on page 4 and is headed "Views of the minority," and not a minority report. Now, the question which the Speaker has to determine is merely whether or not the minority can take a great bundle of letters, a great bundle of telegrams, not any of them under oath, never adduced in the hearings before either the subcommittee or the main committee, and then in their views state certain facts and put in this ex parte matter, entirely alien to the record, in support of the facts which they state in their views. Under the rules of the House they are restricted to a statement of facts. I have no doubt that the minority could have gotten many more telegrams and many more letters expressing confidence in the policy of the Secretary of War, but those are not views within the rules. None of those things are sworn to. They are all ex parte. They are all alien to the record, and yet are put in, not in a minority report but in the minority views.

The SPEAKER. The Chair is ready to rule. This is a new question to the Chair, and apparently there has been only one decision upon it, made by Speaker Henderson. That precedent exactly sustains the point of order made by the gentleman from Massachusetts. But Speaker Henderson apparently bases his decision on the distinction between the term "views" and the term "report." The distinction is very technical, and the Chair thinks that on such a question the technicalities should be observed equally on both sides. The point made by the gentleman from Virginia that the House by unanimous consent gave the minority the right to file a report instead of views is no more technical than the point decided by Speaker Henderson, and the Chair accordingly is disposed to think that, inasmuch as the excerpts and arguments which are cited in the minority views or the minority report appear to be relevant and such as would be used in argument on the floor of the House, they should be allowed unless the rules of the House clearly exclude them. The Chair has not had time to investigate the full decision of Speaker Henderson and the circumstances and arguments on which he founded his decision, and such further examination might change the opinion of the Chair. But from the decision as quoted in Hinds' Precedents the Chair is disposed to think it reasonable and in the interest of expedition to overrule the point of order. The general purpose of filing minority views is to give them an opportunity to express their reasons against the majority report, and this is the report of a select committee appointed only for the purpose of investigation; and the Chair thinks the minority's right should not be more narrowly limited than the strict interpretation of the precedent requires. The Chair overrules the point of order.

The Clerk completed the reading of the report.

Mr. GRAHAM of Illinois. Mr. Speaker, this report was printed in the RECORD of yesterday. I therefore ask unanimous consent that the report and appendices be not again printed in to-day's RECORD.

The SPEAKER pro tempore (Mr. KINKAID). The gentleman from Illinois asks unanimous consent that the majority and minority reports be not printed again in to-day's RECORD. Is there objection?

There was no objection.

Mr. GRAHAM of Illinois. Mr. Speaker, the rule that has been adopted relative to this particular matter is not entirely clear, and in order to obviate some apparent ambiguities I now ask unanimous consent that the debate on any amendment or amendments that may be offered to this resolution may be under the five-minute rule of the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

Mr. GARRETT. Reserving the right to object, I think it comes legitimately within the scope if, during the general discussion, a Member shall offer an amendment and comment upon it; that it would permit a discussion of the report and the pointing out of where it ought to be amended.

Mr. GRAHAM of Illinois. Under general debate I think that is entirely proper, but what I referred to was that, after we had finished the general debate, debate on the amendment, if any, should be under the five-minute rule.

Mr. GARRETT. And confined to the resolution.

Mr. GRAHAM of Illinois. Yes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois that the debate on the amendments shall be under the five-minute rule?

There was no objection.

Mr. GRAHAM of Illinois. Mr. Speaker, I yield whatever time he may desire to the gentleman from Nebraska [Mr. REAVIS].

Mr. REAVIS. Mr. Speaker and gentlemen of the House, the minority views presented with this report call in question the accuracy of the report and, at least indirectly, the fairness of the method pursued in taking the testimony upon which the report is based. I regret the necessity of taking the time I will require, but it is unavoidable. I want to spend just a moment on the method that was pursued by subcommittee number 4, from which committee this report comes, not only in taking the testimony but in arriving at its conclusion.

The first thing necessary to be ascertained was the system devised by the department for the sale of surplus food. While the work provided by the jurisdiction of this committee is appalling in its immensity, and the work that is submitted to it practically impossible to adequately perform, the committee came to the conclusion that the one thing of most pressing necessity which faced the committee was the question of getting food products in storage by the War Department of the United States out to the people.

We were actuated by two thoughts in that desire; first, the desire to get the food to the people; and next, the desire to get the money into the coffers of the Government which would be derived from the sale of the food. In our investigation we learned that there are three steps under the plans of the War Department looking to the sale of this food. The first step is the authorization of the surplus which is declared by the Chief of Staff, Gen. March. The witness that we called to ascertain when this authorization for surplus was first declared was the man who was given the responsibility of making the authorization himself. That was Gen. March. We called Gen. March before the committee. He was accompanied by his aides. Several gentlemen were there to assist him on matters that were inquired into and to furnish him with data and departmental orders when occasion required. Gen. March testified that he made the authorization for surplus of all perishable food products on the 30th day of November last, or just 19 days after the armistice had been declared. We then asked Gen. March as to the next step in disposing of food products. He informed us that the next step was the declaration of surplus issued upon the authority granted by him. We asked him who made the declaration, and he said the Quartermaster General, Gen. Rogers. So the next witness we called before us was Gen. Rogers, the man who makes the declaration of surplus. No sale can be made until that declaration is made. Gen. Rogers came before the committee and testified that notwithstanding the authorization of surplus was made on the 30th of last November, though he did not recall the March order of November 30, there was no declaration of surplus that would permit a sale of food products until the month of May, or nearly six months thereafter. Gen. Rogers was accompanied by a large corps of aides in his department, who had volumes of typewritten sheets before them, and whenever a question was asked concerning which the witness was not informed he would turn to his aides and they would furnish him the information and he would put it into the record. Gen. Rogers informed us that the next step after he declared a surplus was the sale of surplus by the director of sales, which sale was based upon the declaration made by the Quartermaster General. The director of sales is Mr. Hare, so we called Mr. Hare before the committee.

Mr. STRONG of Kansas. Mr. Speaker, will the gentleman yield?

Mr. REAVIS. Yes.

Mr. STRONG of Kansas. What excuse was given for the six months' delay in making the declaration?

Mr. REAVIS. The gentleman is anticipating me. I will reach that shortly.

Mr. STRONG of Kansas. I beg the gentleman's pardon.

Mr. REAVIS. I will get to that in a moment. We called Mr. Hare, the director of sales, before the committee to ascertain why this product was not being sold, and his reply was that he could not sell it until the surplus was declared; that there was no authority under the system of the War Department for him to make any sale except on declaration of surplus made by the Quartermaster General.

Mr. Speaker, we knew the urgent necessity for haste in this matter; we knew of the millions of pounds of food products that were going to waste because of the delay down at the War Department; we knew of the dire necessity out among the people of America occasioned by the high cost of living; and, in order to economize in time, we did not call any of those before our committee who had been writing and wiring us, who had been calling on us personally, telling us of waste here and waste there, criticizing the Government, but we called the men who were responsible for action. We called them for another reason. The men who made these orders and upon whom the responsi-

bility for action rested knew the reason for their conduct. They had very selfish and very natural impulses to defend their own conduct against criticism. For that reason we called the men before us who had the facts, who had the responsibility, who had made the orders, who had the selfish desire to defend what they had done, and we did that in order that we could be absolutely fair to this War Department and not take the criticism of Tom, Dick, and Harry, not take the testimony of those who were writing and wiring us, but calling the men who did the thing, who were impelled to defend what they had done, and it is upon their record and upon their testimony that this report has been made.

I would say, further, parenthetically, that the conduct of the War Department in its delay in selling this surplus food may have its defenders in this House—I do not know—but I say that when the proposition was put to these men high in the councils of the Army, these men who had the responsibility of action, who did what they were ordered to do—when the question was asked them, "What do you think of a system of that kind?" without exception they answered, "Please do not put me in the attitude of criticizing my superior officer." That conduct of the War Department, I say, may have its defenders on the floor of this House, but it has no defenders down in the War Department among those men who are acting under the orders of the Secretary of War.

As to the claim of unfairness, it seems to me that the committee, inspired by the desire to be fair, inspired by the necessity for haste, wanting every man who made an order to put his own defense in the record for making that order, could not have adopted a fairer method than that adopted, and the record and resolution that is now before this body is founded exclusively upon the testimony of the men who made the orders.

What is a surplus in the Army? When the war closed suddenly in November and active hostilities ceased we had an Army of 3,700,000 men. In round numbers, 2,000,000 of them were in France and 1,700,000 were in continental America. Not only did we have an Army of 3,700,000 men, but the War Department had formulated its plans and agreed on the proposition that in the immediate future we would have an Army of 5,000,000 men. The War Department, through the Quartermaster General, under the orders of Gen. March, as it appears by this record, when the armistice came was contracting and having delivered supplies for an Army of 5,000,000 men eight months in advance. It was the only safe plan. It took some time to get the food products from the localities where they were manufactured and where they were purchased to the seaboard. It took some time, approximately 30 days, to get them across the seas. It took some time to get them into the depots and warehouses in France, and they had constantly in front of them the necessity of keeping enough food in France to prevent any possibility of disaster in the food supplies of that Army. So on the 11th of November we not only had the food that would feed an Army of 3,700,000 men, but we were having delivered, and it was delivered to us in large quantities, long after the armistice was signed, food for an Army of 5,000,000 men eight months in advance.

The moment the armistice came they started to demobilize the Army. The first act of demobilization was the relieving from service of 75 officers in the city of Washington. That occurred the first week. The early demobilization was of those in America, and it was done so rapidly that 800,000 American soldiers were discharged and permanently out of the service 60 days after the armistice was signed. The demobilization went on from that time at an approximate rate of 80,000 a week, until on the 11th of May, I think it was, the total demobilization amounted to 2,252,000 men.

Now, bear in mind that 2,252,000 men was approximately two-thirds of the Army as it existed when the armistice was signed, and yet with the demobilization of 2,252,000 men, leaving about one-third of the Army yet to feed, leaving only a million and a half of soldiers to feed, with food supplies on hand for 5,000,000 men eight months in advance, the War Department had not yet declared a surplus of food products. A surplus is made in this way: If you have food enough for 100,000 men and 50,000 are discharged you have a surplus food supply sufficient to feed 50,000 men. Anybody would have known, it seems to me, by the exercise of ordinary judgment that with this tremendous demobilization the great rapidity with which they were being demobilized, that a tremendous food surplus would result. The Government needed the money, the people needed the food, and yet for six months, up to the month of May, there was no surplus declared upon which the director of sales could act. The first thing that the War Department did or one of the first things was to adopt a policy. This policy is disclosed in a circular issued in January of 1919, shortly after the war was over. It is signed by Mr. C. W. Hare, director of sales, and this is the policy:

It is the policy of the Director of Sales to dispose of the surplus property of the War Department so as to disturb the industrial conditions of the country as little as possible.

Now that policy if carried out in good faith is a good policy. There is no one who wants to disturb unnecessarily the business of the country. It is well to bear in mind, however, that if they had put the food products back to the people they would have only restored normal conditions. Forty per cent of the food productions of America were commandeered by this Government. Taken out of the general supply that was the food of the civilians and they had to get along with the remaining 60 per cent at great sacrifices at times. Because of the reduction of this supply to almost one-half the price of food products went up and continued to ascend. Now after the Army had been demobilized, when 40 per cent had been set aside to feed them as soldiers, when they had returned to civil life, why was not the 40 per cent released so as to increase the food supply of the people even if it did to a certain extent disturb industrial conditions? It should be borne in mind that even if it should "disturb industrial conditions," even if it reduced the cost of living, still the cost of living was increased when the food was first withdrawn and to have put it back would merely have tended to restore normal conditions. Now I want to say a word about this surplus. There is a criticism in the minority report about the allegations in the majority report with reference to the declaration of surplus. I read from page 24 of volume 1 of the hearings before subcommittee No. 4. I am reading from the testimony of the director of sales:

Mr. REAVIS. The armistice was signed in November and here it is July——

Mr. HARE (interposing). That is due to the fact there was no surplus declared until recently.

Mr. REAVIS. There was a surplus in March; then they were talking of forcing the soldiers to eat it.

Mr. HARE. I do not want to pass the buck. I did not have it for sale then. Now that I have it, I will sell it in the highest market.

Mr. REAVIS. How long have you had the meat?

Mr. HARE. About a month.

At another time the director of sales testified as follows:

Mr. REAVIS. Therefore we will not have an opportunity to go into the matter as fully now as eventually we will have to go into it. I wish you would state in a general way who has charge of determining what will be the surplus of food products, who in the War Department?

Mr. HARE. The Chief of Staff. That does not come under my control in any way. Mr. Crowell and I have often tried to have the surplus determined more promptly and accurately. But first the Army was fixed at 1,000,000 men, and then brought down to 500,000 men, and Congress has said it should be 325,000 men. On these bases various surpluses have been declared. This meat surplus, I believe, was declared the 1st of May, but I think it was there and the Army——

Mr. REAVIS (interposing). Was there no meat surplus declared at all until the 1st of May?

Mr. HARE. None; and I have no power over that. The director of sales only begins to function when a surplus is declared by the Army and its sale is directed, and then it is put into the hands of our department to make sales.

Mr. REAVIS. That is, the War Department, notwithstanding the armistice was signed in November, waited until the 1st of May before it declared that there was any meat surplus at all?

Mr. HARE. Yes, sir; I think that is correct. They started out making a surplus in March, and withdrew it because they thought they were inaccurate.

Mr. REAVIS. Notwithstanding the rapid demobilization of troops, the fact that the Army was being demobilized, no activity on the part of the War Department was manifest with reference to declaring a surplus of meats from November until the 1st of March?

Mr. HARE. None to my knowledge.

Mr. REAVIS. And then the surplus that was declared in March was subsequently withdrawn?

Mr. HARE. As being inaccurate, and the whole list gone over again——

Mr. REAVIS (interposing). So in fact there was no surplus declared for the purpose of sale until May?

Mr. HARE. Exactly so.

This testimony was given on the 8th of July, and notwithstanding two-thirds of that Army was out by May, notwithstanding we had contracted for supplies for 5,000,000 men eight months in advance, it was not until June that the War Department declared a surplus on meat products that would permit a sale. Volume 1, pages 7 and 8 of this same hearing. This is the testimony of Mr. Hare, who is the man responsible for the order. This report is not founded upon telegrams and letters sent indiscriminately across this country. It is not founded upon the ex parte and unfounded statements of anybody. It is founded upon the sworn statement of the man who made the order and who had the responsibility.

The minority views question the report as to the date of the surplus, but the record contains no contradiction of Hare's testimony. But finally they did get a surplus, gentlemen. Finally they did get in position where this product could be sold to the American people—such of it as was left and unspoiled.

And the first thing they did on the proposition was to call a meeting at the War Department. You will find that in volume 1, on page 21, and it is quite an interesting story. They were talking about canned meats at this meeting, and the meeting is reported on the 3d of June of this year. Here is what that meeting decided.

Before any of these sales, however, can take place an important question must be decided as to what price we are to market this vast store of foodstuffs for. It is obvious that if the price is made low enough and the articles sacrificed that all of it can be disposed of in this country. It must not be forgotten, however, that a very much better price can be secured through export.

That was the first meeting on the meat supply surplus in this country.

Then, again:

It seems advisable, therefore, that we continue our present efforts to market as much of this surplus as possible in this country at the best prices obtainable and sell the remainder for export. It must be borne in mind, however, that if a low price is established here for domestic sales it will make it more difficult to secure a higher price for the same class of canned meats from exporters.

Now, it was the determination of that meeting that so far as the meats were offered for domestic consumption, in order to keep up the export price, they were to keep up the price here.

There are a few other things contained in the report of this meeting that are illuminating. It is in this report that there was no domestic market for the canned meats; that it could not be sold here; that it was not in commercial packages; that they were in 2-pound cans when our market had been educated to an 8 and 12 ounce can, and for that reason it was useless to try to sell them on the local market. I ask the corroboration of the ranking member of the minority, the gentleman from Virginia [Mr. FLOOD], if they did not put these same canned meats on sale at Newport News, Va., the other day, which the gentlemen at this meeting determined that our people would not buy, and that the people broke the doors down trying to get it; that they put them on sale at 9 o'clock in the morning and the supply was absolutely exhausted at 11 o'clock of the same morning. And yet this meeting at the War Department decided that canned meats could not be sold in this country.

So what do you suppose they decided to do? Let me call your attention to what they decided to do:

In view of these various statements—

Just bear that phrase in mind, because it becomes important to learn who made "these various statements"—

In view of these various statements and, further, in view of the fact that it had come to the attention of the director of sales that Mr. Hoover had very recently purchased in this country for shipment overseas bacon held by the Italian and French Governments in this country, it was decided advisable it get in touch with Mr. Hoover and ascertain whether he would not purchase a certain amount of the canned surplus meats held by the Army.

Then, this next sentence:

Immediately after this meeting a cable was sent to Mr. Hoover, through the United States Liquidation Commission, asking him whether or not he was in the market to purchase a proportion of the canned meats held by the Government.

Now, gentlemen, that becomes significant, for this reason: At that time we had millions of pounds of surplus meat in France. Why did they want to sell Hoover what we had here? Why did they not try to sell him what we had there if it was not the purpose of the War Department to take this meat away from the American people? If the Secretary of War was not determined to keep it out of the domestic market in order not to disorganize business, why did they not sell their foreign product to Hoover instead of insisting that he buy the domestic product? Why did they not try to sell the foreign product that we are to-day trying to sell to France at a ruinous price? Why did they want to sell what we had here? There are some very luminous things that creep into this testimony.

Who do you suppose attended this meeting? We got that out in the testimony. There were seven Army officers who attended the meeting and a few civilians, and I have in this record the name of every civilian who was there, where they decided that our people would not buy it, where they decided we should get a better price abroad, where they decided that they should go to Hoover and try to get him to buy it instead of buying our French products. Here are the civilians:

Mr. J. A. Hawkinson, representing Wilson & Co.; Mr. M. C. Plainer, representing Wilson & Co., packers; Mr. D. B. Russell, representing Morris & Co., packers; Mr. J. J. Deady, representing Armour & Co., packers; Mr. A. F. Peiffer, representing Armour & Co.; Mr. W. F. Wardwell, representing Armour & Co.; Mr. G. C. Shepherd, representing Cudahy & Co., packers; Mr. F. E. Wilbur, representing Cudahy & Co.; Mr. E. D. Baldwin, representing Libby, McNeil & Libby, packers; and Mr. Burroughs, representing Swift & Co., packers.

These were gentlemen who were present at this meeting at which the policy of this department was definitely established to send these products overseas to keep them out of the American homes, where people were suffering for them, give them to Hoover to take abroad under the $100,000,000 appropriation we authorized in this House.

Hoover stood up against that for some time and refused to buy it, but since that time they have sold to him and shipped across the sea, with transportation charges, $22,000,000 of meat products that were stored in America, and we are now trying to sell our French product to the French people at a low price.

We are criticized for saying it is the policy of the War Department to keep these things off the local market. Why, I suppose there is not a man listening to what I say who has not personally observed something of the sacrifices that have been made by the American people to furnish the money with which this product was bought. Gentlemen, the American people bought and paid for it, and the American people should have it sold to them without delay just as soon as they can get it. [Loud applause.] Yet they are not to get it unless we can force the War Department to act, because the packers who sold it and who made enormous profits from the sale want it sold abroad instead of in America.

In volume 2 on page 78, Col. Davis, who had charge of the surplus property division and the sale of this product under the Quartermaster General, made this statement:

Mr. REAVIS. Do you know whether any sale had been made to Mr. Hoover out of the $100,000,000 we appropriated?
Col. DAVIS. There was a sale made to Mr. Hoover. Some packing-house products and flour were sent to Mr. Hoover's representatives in Europe; some went to Trieste and some, I think, went to Hamburg, and I presume that was bought out of the $100,000,000 fund.
Mr. REAVIS. You do not know? Do you know what quantity was purchased by Mr. Hoover of flour and packing-house products?
Col. DAVIS. I can get the figures.
Mr. REAVIS. I should be glad if you would, and put them in the record.

And in the same volume, on page 51, is a detailed statement of the sales to Hoover of the stuff we had in this country that was shipped to him abroad, and it amounts in total to $22,292,869 that we sent across the sea when we had millions of pounds abroad that to-day are spoiling for the want of a buyer.

Mr. Speaker, how much time have I consumed?

The SPEAKER pro tempore (Mr. WALSH). The gentleman has consumed 32 minutes.

Mr. REAVIS. I do not want to be unfair to the other members of the committee. Still, there are a number of things that, briefly, I want to call to your attention. There is a statement made in the minority report that we are extravagant in saying that this food is deteriorating. In volume 1, pages 24 and 25, you will find the following from Mr. Hare:

Mr. REAVIS. This meat is deteriorating?
Mr. HARE. I call it all perishable, and it should be sold within three months.
Mr. REAVIS. That does not answer my question. It is deteriorating?
Mr. HARE. Yes, sir.
Mr. REAVIS. In some localities to a marked degree?
Mr. HARE. It depends on the storage.
Mr. REAVIS. But in some localities it is deteriorating to a marked degree?
Mr. HARE. Yes, sir.
Mr. REAVIS. You have had some experience with deteriorated meats?
Mr. HARE. Yes, sir; I have taken meat into the woods on fishing trips and had it spoil.
Mr. REAVIS. I mean in your present capacity?
Mr. HARE. Yes, sir.
Mr. REAVIS. Haven't you had meat on your hands that spoiled?
Mr. HARE. Yes, sir.
Mr. REAVIS. Where?
Mr. HARE. In Baltimore; bacon.
Mr. REAVIS. Wasn't there some more than that in Baltimore?
Mr. HARE. I heard of ham also; and also I know of my own knowledge that subject to the temperature in wooden buildings the hams "smell" and "sweat" and deteriorate. That is the reason we can not give any guaranty back of the goods.
Mr. REAVIS. Isn't that true of the hams as well as the bacon?
Mr. HARE. Yes, sir.
Mr. REAVIS. Haven't you been compelled to sell ham, more than 2,000,000 pounds?
Mr. HARE. I do know there was a large amount of ham that was moldy and was sold at a sacrifice.
Mr. REAVIS. A large amount at Atlanta, Ga.?
Mr. HARE. At Norfolk.
Mr. REAVIS. And a large amount at Atlanta, Ga.?
Mr. HARE. Yes; but whether that has been sold or not I do not know.

Without taking the time to read the somewhat voluminous testimony on this question, I will say to you that it is in evidence that more than 2,000,000 pounds of ham in Baltimore deteriorated so that we sold it at 28 and a fraction cents per pound; that 1,497,000 pounds at Norfolk deteriorated so that we sold it at 20 cents a pound.

On Friday morning of last week the Baltimore Sun contained a statement of the condition that exists at our warehouses there, and the same condition is also all through the southern country

where we have warehouses and where it is hot. This meat is spoiling, and has been spoiling rapidly. Here is the condition at Baltimore:

PILES OF FOOD BURNED—VAST STORES OF ARMY SUPPLIES MUST BE DESTROYED—SPOILED BY HASTY PACKING—SMOKE FROM GREAT DUMP NEAR RIVER VIEW BEARS TESTIMONY TO WASTAGE OF WAR.

Thousands of dollars' worth of foodstuffs of every kind are being burned as refuse at the Colgate warehouses of the United States Quartermaster Corps near River View, and the pity of it is, say the Government officials, that they are powerless to prevent the waste.

A visit to the warehouses yesterday disclosed the truth of persistent rumors that wholesale destruction of canned goods has been in progress for months. Just outside the wire palisade about the reservation, in plain view from the River View car line, the smoke from the refuse was ascending. The ground to the extent of about an acre was strewn with empty tin cans, burst open and their contents poured out in many places more than knee deep.

Three negro dump keepers were on the job, and the wheelbarrows in which the cans were trundled from the four big warehouses were close by.

SWAMP FILLED WITH THE CANS.

"That pile is nothing," one of them said in answer to a question. "All this ground we are standing on is filled with layers of tin cans several feet thick. You see, after we burn the stuff for a while and the pile gets big we cover it over with a layer of dirt and start a new pile. That swamp over there is several feet deep, and it is filled with cans, too."

The negro explained that he is one of the 16 men whose task it is to sweep up around the warehouses and wheel the condemned cans to the fire.

"Each warehouse has several inspectors, who go around every day and inspect tomatoes, peas, milk, and other goods, and as soon as they find bad ones they mark them, and we wheel them away," he said.

As to how long the destruction has been going on the negro was dubious.

"You see, I have only been here since February," he said. "I don't know how long it was going on before that, but I know that some of us have wheeled cans to the dump almost every day since I came here to work."

Now, gentlemen, it is suggested that the Government will reimburse itself, because it has a six months' guaranty on this canned stuff. Why, eight and one-half months have gone by since we purchased it. Eight and a half months have gone by since the armistice was signed, and it is in the record that some of it was bought in the year 1917. The guaranty has long since expired. But suppose that the Government got all its money back. God help the poor people who can not get the food! That is gone. It is difficult for me to characterize what I think of conduct of this kind. I could be arrested for what I think of that War Department and the way it has handled this food supply.

There are other items that I want briefly to call to your attention. I am not inclined to blame Rogers or Davis or Hare or these men who are acting under orders. Hare was a frank witness. I said to him, on page 26:

Mr. REAVIS. It was apparent the Army would not be more than 500,000, and if it was not more than 500,000 there was a vast quantity of surplus meat?

Mr. HARE. Yes, sir.

Mr. REAVIS. And any man would know that a vast quantity would have to be sold?

Mr. HARE. Yes, sir.

Mr. REAVIS. Don't you know of cases where the wholesale grocers have tried to buy it and could not and it was kept in storage until it deteriorated?

Mr. HARE. Yes, sir; and I have tried to pry it loose and sell it.

And yet they criticize the majority report that holds the Secretary of War and his policy not to disturb industrial conditions up to the view of the Nation.

My friends, I want to call your attention to one other thing, and I have got to hurry along or I will consume time that I ought not to take. On page 30 of volume 1, Gen. R. E. Wood, Acting Quartermaster General in the month of January, wrote a letter to Frank Gerber, the president of the National Canners' Association, which contained this statement:

No canned vegetables will be put on the domestic market during this season.

Just what the relationship between the Canners' Association and Gen. Wood was I do not know, but I do know that Gen. Rogers came back from France in February and succeeded Gen. Wood as Quartermaster General. He started to sell these canned goods. They had between 25 and 50 carloads on the track at St. Louis that demurrage was being collected on, and Gen. Rogers started to sell it. In volume 2, page 43, in the testimony of Col. Davis, we find this:

Col. DAVIS. As I stated before, Gen. Rogers, on his return from France, knowing that there was a large surplus of canned vegetables on hand, shortly after his arrival took up that question with a view to disposing of this surplus. This information at once reached the canners of the country, and Mr. Gerber, president of the National Canners' Association, together with several canners and the secretary of the association, whose office is here in Washington, called on Gen. Rogers and showed him a letter received from Gen. R. E. Wood, Acting Quartermaster General, agreeing not to place on the market——

Mr. REAVIS (interposing). When was that?

Col. DAVIS. This was in the latter part of February or early in March that this meeting occurred.

Mr. REAVIS. You may continue your statement.

Col. DAVIS. Agreeing not to place on the market this large surplus until after the 1919 pack was made.

Mr. DONOVAN. And when would that be?

Col. DAVIS. That would be completed along in September or along about September.

Mr. DONOVAN. Of this year?

Col. DAVIS. Of this year; yes, sir.

When that order was shown to Gen. Rogers he testified that he was in duty bound to keep the agreement that his predecessor had made, and on page 299 of volume 5 of the record Gen. Rogers testifies as follows:

Mr. REAVIS. General, were you disposed to sell all of these canned goods?

Gen. ROGERS. Yes.

Mr. REAVIS. Why did you want to sell them?

Gen. ROGERS. I wanted to sell them because I thought it was for the interest of the Government to sell them.

Mr. REAVIS. Not only the 25 or 50 carloads, but all the canned goods?

Gen. ROGERS. Yes, sir.

Mr. REAVIS. That was the thing you had in mind at the time you had this conference?

That was the conference with Gerber when he came to him to show him the letter written by Wood.

Gen. ROGERS. Yes, sir.

And out of that conference between the Canners' Association, who had gotten a promise from Gen. R. E. Wood not to sell these canned goods on the domestic market—and there were 200,000,000 cans of them, running from 1-pound to 3-pound cans—Col. Davis, in order to further assure the Canners' Association, wrote the following letter to Mr. Gerber.

Mr. SMITH of Michigan. Will the gentleman yield there for a question?

Mr. REAVIS. Yes.

Mr. SMITH of Michigan. What were the contents of those 200,000,000 cans?

Mr. REAVIS. Peas, squash, spinach, corn, tomatoes, pumpkins—all that sort of canned vegetables.

Mr. SMITH of Michigan. And not meat?

Mr. REAVIS. Oh, no; these were canned vegetables; but if you will look at the record, in the list of the men who belong to the Canners' Association, it is worth while to notice that most prominent are some of the packers in Chicago, who were canning vegetables as well as meat. Bear in mind that the people needed this food. Bear in mind that your Government needed the money; but here is what Col. Davis writes to the president of the Canners' Association on the 17th of March of this year:

WAR DEPARTMENT,
PURCHASE, STORAGE AND TRAFFIC DIVISION,
OFFICE OF THE DIRECTOR OF PURCHASE AND STORAGE,
Washington, March 17, 1919.

FRANK GERBER,
President National Canners' Association, Washington, D. C.

MY DEAR MR. GERBER: Your letter of March 15 to Maj. Gen. H. L. Rogers has been referred to me for reply.

I am glad to be able to relieve your mind on the subject of any surplus of canned vegetables to be dumped on the market.

Acting along lines suggested by you—

Suggested by the president of the Canners' Association—

canned peas, corn, squash, and string beans will be added to the ration list, which has always contained canned tomatoes. This will entirely dispose of our stock and eliminate surplus.

I trust this will relieve your mind and those of your associates in the Canners' Association.

Yours, very truly,

A. M. DAVIS,
Colonel, Quartermaster Corps, Director of Storage.

[Applause.]

Mr. KNUTSON. Will the gentleman yield?

Mr. REAVIS. With pleasure.

Mr. KNUTSON. Is the writer of this letter a member of the Canners' Association?

Mr. REAVIS. He is now acting at the head of the Surplus Property Division in the War Department, under Newton D. Baker. That is the man who wrote that letter.

Mr. KNUTSON. Nice business!

Mr. REAVIS. Oh, do not criticize him. I will show that he was acting under orders.

Mr. REED of West Virginia. Will my colleague yield there for a question?

Mr. REAVIS. I will, with pleasure.

Mr. REED of West Virginia. In some parts of the Republic the people think that Congress is somewhat to blame for not passing legislation to permit the sale of this food. Now, is it not a fact that there was ample law, from the time the armistice was signed, to do all that was necessary along that line?

Mr. REAVIS. There is not any question about it at all. It is merely the policy of the department not to do it. Now, you talk about Col. Davis, and ask if he is a member of the Canners' Association. Let me call your attention to what Davis intended to do by this letter. You will find it on page 53 of volume 2; Mr. Davis is very frank about it:

Mr. REAVIS. I tried to get that from Mr. Hare yesterday and he passed the buck to you, and now you pass it to somebody else, and we will get him and get to the bottom of it.

Now, you say here, quoting your letter, "This will entirely dispose of our stock and eliminate surplus." Now, if that had been true, Colonel, you would have deprived the Government of the money that it would make from the sale of these canned vegetables?

Col. DAVIS. Mr. REAVIS, this was written this way, largely with a view of quieting the mind of the canner and the farmer as to the likelihood of this surplus being dumped on the market here, and they know, and Mr. Gerber knew, that it did not in any way prevent or intend to prevent the sale which we expected to make of a portion of our canned goods on the other side of the water.

Mr. REAVIS. Well, how would that permit you to make a sale of a portion of your goods when you say in your letter that this will consume all the surplus?

Col. DAVIS. That is what I say; that was done for the purpose of quieting the minds of the canner and of the farmer——

Mr. REAVIS (interposing). You did not mean it?

Col. DAVIS (continuing). As to the fact of any surplus being dumped in this country; it did not mean that we were not going to continue our efforts to sell some of our goods abroad. It would take us—with the strength of the Army that we had at that time it would take a long while to use the entire amount, and it was intended to show these people that there would be no surplus so far as they were concerned to harrass the conditions in the United States.

Mr. REAVIS. That is, you mean that the American people would have no opportunity of buying this surplus?

Col. DAVIS. That is the point exactly.

Mr. REAVIS. And notwithstanding the distress occasioned by the high cost of living here the only people to get the benefit was the people abroad and not our own?

Col. DAVIS. That is it exactly.

Mr. REAVIS. And that was done to protect the canners and the farmers?

Col. DAVIS. Yes, sir.

Mr. REAVIS. Now, gentlemen, I wish I had two hours more in which to talk about this thing, but I have gone on and taken more time than I really should have taken. But as to this Wood order and this Davis letter that were issued by these men in charge of these departments, let me show you by the testimony of Gen. Rogers where they came from. This is Gen. Rogers's testimony:

Mr. REAVIS. Was there any definite conclusion arrived at at the first conference with reference to the disposition of canned vegetables?

Gen. ROGERS. Yes, sir.

Mr. REAVIS. What was the conclusion?

Gen. ROGERS. The conclusion was—after Mr. Thorne came into the office, I asked him if he knew anything about this letter of Gen. Wood, and he said that he did, and that the letter was not only written by Gen. Wood but had the approval of the War Department.

Mr. REAVIS. The approval of the War Department?

Gen. ROGERS. I think he made the statement "At the approval of the Secretary of War." I would like to change my statement and say, instead of the War Department, that it had the approval of the Secretary of War.

There was the deliberate purpose of the War Department to compel the soldier to eat all the canned vegetables which could be sold in America. This purpose was inspired by the desire to save the canners from competition with the Army surplus, to keep up the price to the burdened people even though it prevented the Government from getting the money which would have been derived from this sale. This thing which "invisible government" was doing through conspiracy with the War Department is shown not only by the testimony of Col. Davis but is also shown by the following testimony of Gen. Rogers:

Mr. REAVIS. Now, let me ask you this: Does not the letter say, which you say was written with your approval, that this will eliminate all surplus?

Gen. ROGERS. The letter states that, but as near as I can remember it is misleading in that it was expected to sell a part of these canned vegetables for foreign export.

I am not disposed to criticize Gen. Rogers or Col. Davis or Mr. Hare; but it is charged in the report, and by way of reiteration and on my responsibility as a Member of this House I charge now that it was the well-defined policy of the Secretary of War to keep these food products away from the American people who bought and paid for them, and to export them to save the big business interests of this country. [Applause.] That statement is made on the sworn testimony of the men in charge of these bureaus down at the War Department.

Gentlemen, every man who has studied the philosophies of history realizes that the food of the people is the most menacing proposition with which a Government has to contend. The whole shore of existence is lined with the wrecks of nations whose destruction had its inception in the hunger of the people. It is twenty centuries since Christ walked this earth with the children of men to teach them the fundamentals of a new civilization, and now, after the passing of nearly 2,000 years, it seems to me that the causes which lead to revolution are more menacing and more universal than they ever were before.

Organized government and orderly society seem struggling to justify their right to endure. These are brooding years, pregnant with God knows what, for there is strife and turmoil down in the shadows. Scarcely a nation in Europe that is not in the twilight, and brave is the man who ventures a prediction as to the affairs of this world a year hence.

We are proud of this country, proud of its history and of its accomplishments. For some the "light may stream on the path ahead and nowhere else," but for me the glorious past of America will never be shrouded in darkness. We are confident of its future; but, sirs, with all of its power and resources, it could lie in ashes before the month is out if its people became hungry enough.

Hunger is the breeder of revolution. Notwithstanding the distress occasioned by the high cost of living, notwithstanding there is rebellion in the spirit and in the heart of those who are burdened with the high cost of living, the War Department, to keep from disturbing the industrial conditions, has been hoarding foodstuff in the warehouses of this country until it has deteriorated and spoiled.

Whatever disturbance industrial conditions may suffer will be because these food purveyors sold the product in the first instance. Let me illustrate my meaning: Sitting in front of me is my good friend from Illinois [Mr. WILSON]. The tailor who sold him the clothes he is wearing, and which look like a million dollars draped over his handsome shoulders, disturbed conditions by so doing because he destroyed the demand for that suit of clothes. Do you think he should be heard, after making the sale and receiving his profit, to demand that Mr. WILSON hang the garments in the closet because conditions would be disturbed if he should wear them?

The American people bought and paid for this food. It was sold for consumption. Conditions were disturbed in the sale. Mr. Gerber, president of the Canners' Association, testified before our committee that the profits derived the year these goods were sold were far and away the most profitable he had ever had, and yet after selling them and getting the profit he conspired with the Secretary of War not to let the people of America consume them, because if they did it would disturb the industrial conditions.

I have been speaking more than an hour, and I regret that I have taken so much of your time. I would like to relate an incident which I witnessed recently, and with its relation I will conclude. I was in one of the public markets last Saturday evening when I observed a frail, prematurely aged lady speaking in a low tone to the clerk. She was wretchedly clad in faded calico, and she had all the evidences of cruel poverty. She was inquiring how much of a cheap cut of meat she could buy for 20 cents. Some who were near her, inspired by sympathy, asked some questions, and learned that she was providing Sunday dinner for herself and three children. I do not want to comment on the incident, but I cite it because the lady is a type of thousands who dwell in this land of plenty. It seems to me that the struggle is somewhat unequal; on the one hand these great wealthy companies seeking to control the food supply of the people, fortified by the sympathetic protection of the War Department, striving always to keep up the price, to increase profits and dividends, and on the other hand, quite helpless and alone, the woman doing her best to keep life in the bodies of the little fledglings God had given her. You will choose to-day the one you will help. So far as I am concerned, so far as the Republican Party is concerned, you will find us fighting on the side of the great mass of our people typified by the lady in the calico dress. [Applause.]

Mr. FLOOD. Mr. Speaker, a good deal was said in the discussion of the point of order this morning, and also by the distinguished gentleman from Nebraska [Mr. REAVIS] in the debate on the pending resolution in a semicriticism of the minority of the Special Committee on the Expenditures of the War Department in incorporating in the minority views certain statements of the War Department officials that had not been taken in the course of the evidence before the committee on the subject with which this resolution deals. This pretty clearly demonstrates that the evidence which we produced is conclusive of our contention that the majority report has misstated the facts in relation to the distribution of surplus food supplies.

I will state to the House the circumstances under which these communications were incorporated in our report. The whole evidence in this case was taken by subcommittee No. 4. As the House well knows, this special committee of 15 was divided into 5 subcommittees of 3 each, 2 Republicans and 1 Democrat being on each committee. All of this evidence was taken by the subcommittee. Twelve members of this committee had never heard a word of the evidence, and I do not believe had ever read a line of it.

On last Thursday this resolution was presented to the full committee with the report of the majority, at a time when the minority member of the subcommittee No. 4, who had heard a portion of the evidence, was absent in New York at the bedside of a sick son. We heard the resolution read. We felt that it

meant nothing, that it was another evidence of Republican incapacity and inefficiency to deal with the great problems of the day, and then we heard the report read. We had not been present at the taking of the evidence, but we knew the report was bristling with misstatements of facts and of misrepresentations of the attitude of the Secretary of War and of the War Department in reference to these food supplies.

I called the attention of the committee to that fact. The next day I prepared a letter and presented it to the chairman of the committee; the letter has been read to the House. I pointed out to these gentlemen the errors of fact in this report and gave a list of the witnesses whom we asked to be summoned, the list being headed by the Secretary of War, whose position in reference to this food supply was attacked and misrepresented in this report. We stated to the committee that if they did not open this matter and allow us to produce the evidence to show, as we can show, that the statements in the report were incorrect, we would be compelled to go to the War Department, get the evidence, and file it with the minority views. No one dissented. We were left distinctly under the impression that the committee agreed that we had that right and consented to our right to exercise it.

Then, upon a statement by the gentleman from Nebraska [Mr. REAVIS] that as the report had been given to the newspapers to reopen the hearings would make the committee ridiculous, our request that the Secretary of War and other officials might be heard was denied. I replied to the statement of the gentleman from Nebraska [Mr. REAVIS] that to open the hearings by the committee would not make it quite so ridiculous as having the errors and misrepresentations contained in it exposed upon the floor. I am satisfied that my prediction has come true. It might be stated parenthetically that the report had not been filed in the House and was not filed until yesterday. I do not believe that the right of a high official of this Government to be heard upon a matter about which he was being criticized has ever before been denied by a committee of this House. This course stamps this committee with a partisanship that it will never outlive. [Applause.]

Following up that action of the committee we prepared our report, obtained these letters and communications from the officials of the War Department, as we had stated to the whole committee we would do and as we thought they had agreed we should do, and embodied them in our report. And with that understanding in his mind Mr. GRAHAM asked for unanimous consent yesterday that our report be accepted and filed along with the minority report. I do not understand the parliamentary ethics under which these gentlemen are acting when they attempt to exclude these statements from the minority report. We have simply put into that report that which the Republican members of the committee had never heard and would not hear—evidence from the Secretary of War, going down to lesser employees of that department, who have to deal with the surplus supplies of war foodstuffs, that would have contradicted practically every statement of importance made in the report of the majority. [Applause on Democratic side.]

Mr. Speaker, I am in favor, and the minority of this committee are in favor, of putting on the market for the benefit of the consumers of this country the surplus food supplies of the War Department as quickly as possible and in the most satisfactory way to get the surplus supplies into the hands of the consuming people of the country. The Secretary of War is in favor of that, and I challenge any man, however bitter his partisan Republicanism may be, to put his finger upon one word ever uttered by the Secretary of War that contradicts the statement that that is to-day and has been his policy ever since the armistice was signed. [Applause on the Democratic side.] The officials of the War Department generally are in favor of it, and I would have thought that the majority members of this committee were in favor of a similar policy. I still think they must be, but a reading and study of the resolution which they have brought into this House would lead one to believe either that they are not in favor of getting these surplus food supplies to the people or that they have been very derelict in their duty in studying and understanding the questions relating to these food supplies. [Applause on the Democratic side.]

Let us see what is the situation. The gentleman from Nebraska [Mr. REAVIS] talks about a conference here with the meat men and a conference yonder with the vegetable canners. But I call attention to the fact that none of these conferences resulted in the suggestions made by the meat men being accepted, and for only a limited time were the suggestions of the canners the ruling policy of the War Department. I call attention to the fact that notwithstanding the War Department in the discharge of its duty to consider every interest in this country conferred freely with the canners, both of meat and vegetables, the policy that the department has pursued has been solely in the interest of the Government and of the consumers of the country. The meat men made certain suggestions. They were rejected. A policy was adopted in the interest of the Government and in the interest of the consumers. [Applause on the Democratic side.]

After the armistice we had on hand the largest supply of foodstuffs ever gathered together by any organization in the history of the world. It was pouring in every day. Immediately the officials of the War Department began to cancel contracts, where there was authority to cancel them. A great many of them were canceled, and soon after that, upon the direction of Gen. March, it was determined to take an inventory of the food supplies that were scattered about at 225 different warehouses and posts in the country. Ten thousand men were employed and put to work the last day of December, 1918, to make a physical count of food supplies on hand. In about 10 days they completed it and sent their inventories to Washington. Then began the work of classifying these food supplies, of determining how much was needed for the support of the Army and how much should be declared a surplus. With the limited number of men the department had to work on this stupendous job, it did take months. A small quantity of supplies were declared surplus in February and March and sold, but the bulk of it was declared surplus, the meats on the 5th of May and the canned vegetables on the 23d of May, and from that time on sales have been made in large quantities to the consumers in this country. The first plan adopted by the War Department was to advertise the articles for sale in the newspapers and receive sealed competitive bids for them, sale being made to the highest bidder.

Recently 1,572 bids have been received for canned goods, and many of these bids have been accepted, and those goods have been sold to the bidders at 80 per cent of the cost, and they will soon go out to the consumers. But owing to the large supply of foodstuffs in this declaration of surplus the War Department did not feel that they were going to the consumers rapidly enough, so on the 3d day of July the Secretary of War directed an order to be issued authorizing municipalities in the country to buy in carload lots meats at 80 per cent of the cost and vegetables at cost, to be sold by the municipalities to the citizens at what the goods cost the municipalities.

This report of the majority says that that order abrogated the other methods of sale of these goods. These gentlemen who issued the order, who have charge of distribution under that order, would have told them, if they had asked, that it was in addition to the method then in vogue for the sale of these foodstuffs. Under that arrangement a number of municipalities in this country bought large quantities of these surplus foods and sold them to their people at cost, and they were in as perfect condition, I am told by the people who bought some of them, as any meat ever bought by anyone from any market upon the face of the earth. While these gentlemen are thanking God for one thing and another, let them not forget to render thanks for the fact that at the end of this war the meat that the War Department accumulated was sound and good enough for anybody to eat and not embalmed beef, such as the Republican administration had at the end of the Spanish-American War. [Applause on the Democratic side.]

It developed that some of the municipalities under their charters could not purchase foodstuffs to be sold to their citizens.

And so the Secretary of War last week enlarged that order and provided that any group of patriotic citizens in any city in this country whose standing was approved by the mayor of their city could purchase those goods in carload lots on 10 days' time, to be sold to the citizens of that city at cost. [Applause on the Democratic side.] And under that arrangement a great number of the cities of this country are now negotiating for meats and canned goods and sugar and anything that happens to be surplus supplies of the War Department. So they are selling to-day through the ordinary channels of trade, accepting competitive bids from anybody who desires to buy, the surplus they have on hand. In addition to that they are letting any city of this Nation which desires to do it buy carload lots of these goods and sell them to their citizens at cost and give that city ten days' time; and, thirdly, where the cities can not or will not buy for sale to their citizens, or where there is danger of profiteers stopping the cities by injunction, the War Department is providing that any group of patriotic citizens whose responsibility is vouched for by the mayor of those cities can buy those goods in carload lots on the same terms as the cities and sell them to the consumers in those cities at cost. That is what the War Department is doing to-day. Is not that getting these goods to the consumers? Is that keeping the goods away from the American consumer? [Applause on the Democratic side.]

Mr. HARDY of Texas. Will the gentleman yield?

Mr. FLOOD. I will.

Mr. HARDY of Texas. Is there anything in the resolution presented that would even suggest any better way of supplying the people direct in a majority of cases?

Mr. FLOOD. I said a few minutes ago that a study of that resolution would lead an impartial student to believe that these gentlemen, the majority, were not in favor of getting these surplus war supplies to the consumers, because, as the gentleman from Texas says, they make no suggestion by which these supplies can be gotten into the hands of the consumer. My construction of that resolution is that if the Secretary of War followed the suggestion of that resolution he would feel himself prohibited from selling to municipalities, selling to groups of persons in cities, and selling through the ordinary channels of commerce, because that resolution provides that the War Department shall sell directly to the people of the United States, which I think means the consumers of this country. If that is not what the resolution means, then it simply requests the Secretary of War to do what he is doing now and has been doing for some time.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. LAGUARDIA. Does the gentleman recall that when the Army appropriation bill was before us we endeavored to get the War Department to explain its policies in the disposition of these goods and all that we could get was that they had offered for sale to the Salvation Army some canned stuff and they had offered to some Jewish organization the sale of some bacon. [Laughter.]

Mr. FLOOD. I recall that when the Army appropriation bill——

Mr. FIELDS. Will the gentleman yield?

Mr. FLOOD. Was before the committee the chairman of that committee, Mr. KAHN, of California, asked Mr. Hare some questions with reference to the disposition of these food supplies, and Mr. Hare asked Mr. KAHN's advice as to what course the Government should pursue in the disposition of these food supplies, and Mr. KAHN's advice to him was that it was the duty of the War Department to protect the Treasury of the United States and they ought to sell those goods wherever they could get the best price for them. [Applause on the Democratic side.]

Mr. LAGUARDIA. Will the gentleman yield again?

Mr. FIELDS. If the gentleman from New York will recall in the hearings on the Army appropriation bill the statement was made that they were advertising in the newspapers throughout the country for bidders for surplus supplies at that time.

Mr. LAGUARDIA. May I make a further inquiry——

Mr. FLOOD. I object to the gentleman using any more of my time. I can not yield. I have answered the gentleman's question.

Mr. MAGEE. Will the gentleman yield to a question?

Mr. FLOOD. I will.

Mr. MAGEE. The gentleman stated in reference to the sale of goods to municipalities. I would like to ask the gentleman if he does not know that a municipality in the State of New York, under its charter, has no power to purchase these goods from the War Department?

Mr. FLOOD. I will say to the gentleman that the Secretary of War is much more attentive to the citizens of New York than the gentleman is, and, he realizing that fact, issued an order last week providing that any group of patriotic citizens in any city in New York could put up the money or have 10 days' time within which to pay for carload lots of these goods, take them to the cities, sell them to their citizens, the consumers of that place, at cost. [Applause on the Democratic side.] The Secretary of War is taking care of your interests, if you are not keeping up with it. [Applause on the Democratic side.]

Mr. MAGEE. Will the gentleman answer my question?

Mr. LAGUARDIA. Will the gentleman yield?

Mr. FLOOD. No; I can not yield now. I have not much time. Mr. Speaker, I want to say to my friends there is more politics than patriotism in this resolution. [Applause on the Democratic side.] I am not prepared to vote against any resolution that may help to get these products to the consumers, but I want to call your attention to the fact that the committee which reported this resolution was appointed under a resolution passed by this House on the 4th day of June.

We all thought it had a high and patriotic purpose, but, Mr. Speaker, when that committee began to work there was in constant attendance upon its sessions a Mr. George Hill. His presence there created some suspicion, and he was asked what his mission there was, and he said that he was being employed by the National Republican Committee to get out publicity articles in reference to the hearing before this committee. The first one that we saw was an interview given out by the distinguished and able chairman that indicted the administration for all sorts of crimes, and, among others, was the charge that he had, with the aid of the Council of National Defense and the advisory commission, begun to prepare the country for war when it was thought war was inevitable.

He criticized the administration for getting ready for this great war beforehand. But out amiable chairman has been so roughly dealt with by the press of this country, Republican as well as Democratic, that I do not believe he cares to recall that interview or Mr. Hill's part in its propaganda any more. [Applause on the Democratic side.]

I want to insert here a statement by Mr. G. B. Clarkson, of the Council of National Defense, in reply to Mr. GRAHAM's interview:

My examination the other day before Mr. Graham's committee showed at the outset a tendency on the part of a majority of the committee to disclose that the administration had taken no preparedness steps before entering the war, whereas the truth was that, owing to the almost providential presence of the Council of National Defense created by Congress itself eight months before, a great many far-sighted plans had been initiated by the council acting alone and on the advice of its advisory commission.

The advisory commission of seven men was throughout the war, by the way, composed of at least three and probably four Republicans, as was the huge majority of the personnel of the council's subcommittees.

The council minutes, which I furnished to Mr. GRAHAM'S committee, with the hearty consent of Secretary Baker, chairman of the council, and which I voluntarily supplemented with those of the advisory commission, disclosed beyond any question that the council had in the most constructive way looked sharply ahead into the immediate future to the end of preparing the country for war.

It is my deliberate judgment that if the council, utilizing the greatest experts in the leading industries and utilizing them in a wholly nonpartisan way, had not taken its forehanded steps, America would not have laid in time the foundation for mobilizing its industrial resources which made possible the winning of the war.

The council minutes having made exposition of these facts to Mr. GRAHAM, he addressed himself to the council's system of procuring supplies for the War Department. That matter was all thrashed out long since before the Senate Military Affairs Committee, and the intimations against members of the council's committee on supplies died of their own weight at the end of the hearings more than a year ago.

Council committee members under the stress of an unprecedented emergency were undoubtedly in some cases placed in the apparent position of doing business with themselves, but that was never actually the fact, and not a scintilla of wrongdoing was ever disclosed, and it is believed that the law throughout was complied with.

In the committee on supplies alone 45,000 contracts, involving $800,000,000, were arranged for by the council in 200 days at an overhead cost of but $20,000. After the council withdrew from this particular field in January, 1918, the closeness and economy of its buying methods was demonstrated by the rise in price of many commodities for whose purchase it had arranged for the War Department. Through the experts under Mr. Baruch handling raw materials, minerals, and metals, it is estimated that the council saved the Government more than $3,000,000,000, as against prewar prices, in prices that it procured for iron and steel products.

In no instance and at no time did a member of the Council of National Defense organization actually close contracts. That was always done by the executive departments themselves, just as the activities of the council were always subject to review by the executive departments. Since this was so and since the committee members had no power whatever to sign contracts, it is difficult to see wherein the law was violated.

The fact of the matter is that the council found itself with a huge job thrust on its hands, and it set about to perform the task as best it could. The form of organization was not immediately and probably never was ideal, but we were at war and there was no time to quibble over technicalities or precedents. The job was one which called for immediate action, and with an improvised auxiliary structure the council sought to give the military departments the best and most expert assistance it could provide from civilian life in the problems of production and supply until those departments had time to make their own organization. The council's primary purpose and work, it should be pointed out, was to increase sources of supply and at the same time to assist the industries of the country in preparing understandingly for the strain that was to be put upon them.

It was the obvious and the elementary thing for the council to call to its aid the civilian whose business experience had given him a thorough grasp of the problem involved. If the really big men in industry were to be secured, obviously they must be men who were engaged in large affairs at the time. It may be said that this gave an opportunity for favoritism and personal gain through the presence in the council's organization of men engaged in active business, but the task had to be done and some one had to be trusted to do it. The real facts prove that the council's trust was not abused.

The only alternative to the plan pursued would have been to hire executive officers from the industries at salaries proportionate to the remuneration which they received in private life, instead of securing the heads of the industries for nothing. Its difficulties from the standpoint of expense and time are too obvious to need comment, however; and, aside from the question of efficiency, the plan would have lacked completely the splendid moral effect presented to the country by the voluntary contribution of time and tireless effort given by the leaders of industry who came to Washington to fill in the breach in the greatest national emergency that we have ever known. It is very doubtful if the same results could have been achieved in the pressure of the early war days through any other method than this one of voluntary cooperation.

As to the operating expenses of the council, it gives me a good deal of pleasure to point out that from its preliminary organization, in the late winter of 1916, up to May 1, 1919, its expenditures were but $1,500,000. This included carrying the War Industries Board for nearly a year and the expenditure of $225,000 for the erection of its building. It made the preliminary mobilization of industry from the

date of our entrance into the war to July 1, 1917, at the almost grotesquely small expenditure of $127,000. It is hard to believe that there is anything in the history of government to surpass that record of economical business administration of a Federal agency.

Mr. Speaker, this is the second attempt to make politics out of the work of this committee. It is a less creditable attempt because a bold attempt is made to pervert the facts that are dealt with.

Mr. OLIVER. Does not the gentleman recall that the second attempt, perhaps, was as to the records of the soldiers absolutely spoiling in water, and afterwards it was shown that the records were intact and in absolutely good condition?

Mr. FLOOD. I do not believe that got beyond the committee room.

Mr. OLIVER. It was in the papers.

Mr. FLOOD. I did not see it. I heard it in the committee room and afterwards learned that it was much ado about nothing.

This is an attempt to make a false issue. If I had the time I could take up this report item by item and statement by statement and show you that there was no foundation for the allegations made in the report. The majority are trying to raise a false issue, not justified by the attitude of the War Department and not justified by the evidence taken in connection with these surplus food supplies. I do not presume to say that the gentlemen who make the issue know that it is false. I hope they do not. And if they do not, it is a great reflection upon their industry in the investigation they have undertaken. This debate will enlighten them and prove to the House and the country that it is a false issue, with not a solitary inch of solid earth upon which to rest the foot of any man who makes it. [Applause on the Democratic side.]

Mr. KNUTSON. Will the gentleman yield for a question?

Mr. FLOOD. For a question.

Mr. KNUTSON. The gentleman spoke about a council having been formed in the fall of 1916, when it was seen that war was inevitable. Was this council formed before the Democrats had decided upon their slogan of "He kept us out of war"?

Mr. FLOOD. It was formed after the people of this country had gone to the polls and by a substantial vote reelected Woodrow Wilson President of the United States. [Applause on the Democratic side.]

Mr. HASTINGS. Will the gentleman yield?

Mr. FLOOD. I will.

Mr. HASTINGS. Was the Secretary of War ever invited before this expenditure committee?

Mr. FLOOD. We tried to get them to invite him, but they would not do it. The gentleman from Nebraska [Mr. REAVIS] talked about having the high officials. I wrote to the chairman of this committee and requested and urged him to invite the Secretary of War there to testify, and they voted it down, every Republican vote being against it.

Mr. HASTINGS. The gentleman does not mean that this fair, nonpartisan investigating committee refused and declined to invite the Secretary of War, but had sitting by its side a representative of the Republican National Committee all the time?

Mr. FLOOD. That is exactly what took place.

Mr. UPSHAW. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. UPSHAW. Inasmuch as this was an investigation of the War Department, and you have just brought out the startling and unheard-of fact that the committee refused to bring before them the head of the War Department while having present the Republican publicity man, does it not seem that our friends on the opposite side were almost as anxious to get partisan political campaign "thunder" out to the public as they are to get food out to the "pee-pull"? [Laughter and applause.]

Mr. FLOOD. That is the sole purpose of the report. The gentleman from Nebraska [Mr. REAVIS] has called attention to the burning of thousands of cans of vegetables over in Baltimore. We could have shown him, if he had just given us the opportunity, if he had just let us bring the evidence there, that those were canned goods that had been rejected by this Government and turned back to the canners, and the loss was that of the canners and not of the Government. [Applause on the Democratic side.] Our reports show, and our evidence sustains it, that these canned vegetables spoil, if they are going to spoil, in 90 days, and so the Government takes a guaranty of six months, and if in that six months they were shown not to be good they were turned back to the canners, and they must be destroyed, because under Democratic auspices we passed a law prohibiting rotten food being sold by anyone and fed to the American people. [Applause on the Democratic side.]

Mr. BLACK. These goods were what are known as "swells" and are really unfit for food consumption?

Mr. FLOOD. Yes.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. FLOOD. I can not yield; I have not the time.

I only want to refer to one or two small misstatements in this report.

The statement is made that millions of pounds of fish are in this surplus. I have ascertained that there is absolutely no fish. The salmon they had on hand did not come up to Government specifications, and so was turned back to the packers. There were a few codfish on hand, which have been sold. There is a sugar surplus, which is being distributed to the consumers to-day, principally to the American farmers, that they may do their domestic canning and preserving, and the sugar is going to them now because there is a sugar shortage in the country.

Mr. BAER. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. BAER. How do they get those to the farmers now? What is the plan? Is it necessary for us to put that in the resolution?

Mr. FLOOD. Not a bit of it. There are only a few of these food supplies that the farmers want, sugar being the principal one, and the Government has arranged for the distribution of the 56,000,000 pounds of surplus sugar so the farmers can get their share.

Mr. BAER. The gentleman complained a moment ago that there was no plan in this resolution.

Mr. FLOOD. I said the War Department had a plan and was operating under it. It is distributing these food supplies under that plan, and you come along with a resolution that asks it to do something that they are already doing, or if not that then requests the department to stop using the method of distribution they have in operation and does not provide for any other.

Mr. BAER. I understood the gentleman to state that he was going to vote for this resolution.

Mr. FLOOD. I never said I was going to vote for this resolution. I stated the kind of resolution that I would not vote against.

The statement in the report that the inactivity of the Government in the disposition of these food supplies was and is the result of a well-defined policy of the Secretary of War to withhold them from the domestic market and to protect the interests from which these products had been purchased, with the ultimate intention of disposing of them abroad, so far as circumstances would permit, is absolutely without foundation, as is shown by the Secretary's letter, in which he clearly defines his policy and shows that at no time did he entertain such purpose as indicated in the report.

The statement that the delay in selling these food supplies resulted in the spoiling of millions of pounds of ham and bacon, with a great loss to the Government, is not in accord with the facts. No ham and bacon spoiled. One million five hundred thousand pounds of ham stored at Norfolk, Va., deteriorated to some extent, and was sold for 20 cents a pound when the market price was 35 cents a pound. It was feared that bacon for which no storage had been provided would deteriorate in Baltimore, and this was sold at a somewhat reduced price.

The contention that the Government suffered great loss by spoiling or deterioration of these foodstuffs is fully answered by the statement made by Maj. Mercer, that to date sales of surplus food have been made aggregating $26,000,000, which have brought the Government 85.7 per cent of their cost. Obviously this return could not have been made if the greater part or a very considerable part of it had deteriorated.

In connection with the suggested loss to the Government from the sale of canned vegetables, as a result of the order of Gen. R. E. Wood, it is shown that approximately one-third of the surplus of canned corn, peas, and stringless beans was sold at a return to the Government of 80 per cent of their cost or better, and that the market price of these vegetables to-day is higher than it was in January or February.

The facts in connection with the statement that there are millions of pounds of milk and tons of coffee and tea, as surplus, are as follows:

The surplus of milk consists of 680,000 cans only.

There is no surplus coffee and tea in the Army at the present time.

In connection with the statement that of the food supplies sold by the War Department, a large part of which was spoiled and unfit for general market, I refer you to the statement previously made—that a net return of 85.7 per cent of its original cost has been realized for the Government in the sale. [Applause on the Democratic side.]

Mr. Speaker, there are a great many things that I would like to deal with in this report, but I have not time. However, I do want to call attention to the fact that the statement was made in it that only $12,000,000 worth of foodstuffs have been sold, whereas the fact is that $26,000,000 of these foodstuffs had been sold up to last Saturday night, and that is out of a total, as set forth in the report of the majority, of $120,000,000. Over one-fifth has been sold since this surplus was ascertained and declared. And it is going on at a much more rapid rate now since the municipalities can buy and since groups of citizens in municipalities can buy for sale to their citizens.

I favored the resolution creating this special committee to investigate the expenditures in the War Department. I believed that there were people who had volunteered their services or who had been called to the aid of the War Department who used their positions not for the benefit of their country but for their own profit. I felt that there might be some who performed their duties inefficiently or who were guilty of corruption, and that these facts should be known to the public so far as possible, and these officials punished. I am glad to say that up to this time very few facts have been developed showing that such a state of affairs existed. [Applause on Democratic side.]

I am unalterably opposed, and I believe the people of this country are opposed, to a manufactured state of facts, manufactured for political purposes with the intention of detracting from the splendid reputation made during this war by our Secretary of War. I do not believe these attacks can possibly injure him. Newton D. Baker devoted himself to the tremendous duties appertaining to his responsible position with a patriotism, ability, industry, and devotion to duty that have rarely been surpassed in the annals of our public service. His niche in the history of this war is secure. These detractors can not lower it. In this country and abroad he is regarded as one of America's great War Secretaries, and the fact that his splendid work did much to enable our armies to accomplish the glorious results they did on the battle fields of Europe is recognized, appreciated, and applauded by fair men the world over. [Applause on Democratic side.]

Mr. GRAHAM of Illinois. Mr. Speaker, does the gentleman from Virginia want to yield any more time now?

Mr. FLOOD. I would rather the gentleman would go on, if he will.

Mr. GRAHAM of Illinois. My idea was to keep it as nearly equally divided as possible. I think the gentleman talked half an hour.

Mr. FLOOD. Mr. Speaker, I yield 20 minutes to the gentleman from California [Mr. LEA].

The SPEAKER pro tempore (Mr. TEMPLE). The gentleman from California is recognized for 20 minutes.

Mr. LEA of California. Mr. Speaker, in advance I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. LEA of California. Mr. Speaker, I approach the discussion of this subject with a consciousness that to a degree anything I may say is discounted by the fact that I am subject to the suspicion that I have a political motive in my attitude upon this question. You gentlemen on the other side approach the presentation of this question subject to the same suspicion. I believe the situation here presented to the country to-day demonstrates that Congress made a mistake when it appointed this investigating committee instead of appointing a nonpartisan committee, whose usefulness to the country would not be destroyed by its partisanship. The course pursued after the war of 1898 should have been followed, and this Great War should have been investigated by a nonpartisan committee. By giving the country the impression that everything that is done is inspired by a partisan purpose, this committee is rapidly destroying its usefulness to the country. [Applause on the Democratic side.]

Now, the question here is a question of facts. The intelligent judgment of the American people is not going to be based on what the Republican members of this committee say or on what the Democratic members say, but it is going to be based upon the intrinsic merit of the facts established. With this in mind, I want to present to you some facts in reference to the allegations made in the majority report now before the House.

In the first place, it is declared that for six months from the 30th day of November, 1918, when a survey of surpluses was ordered, "no action was taken" by the War Department to have a surplus of supplies declared. That statement is absolutely unsustained by the facts. What was done? The very day after that order was made 178 men were summoned for the purpose of forming an organization for taking an inventory. On the 17th day of December the members of that organization were sent to every zone in this country, 16 different zones, and they began taking an inventory, the greatest inventory ever taken in the history of this world. It involved nearly $2,000,000,000 worth of property. It took the services of 10,000 people to complete it. On the 26th day of March, 1919, that committee returned an inventory of the meat supply, after other inventories had been rendered. That inventory was revised and was finally adopted on the 5th day of May, 1919, and after that the matter of selling meat was open; meat was subject to sale by the director of sales.

Now, I want to call your attention to certain difficulties that stood in the way of the determination of the amount of the surplus and what was done to reduce the surplus. In the first place, on the 7th day of November, four days before the armistice was declared, the War Department sent telegrams throughout the country ordering production for war purposes to cease, anticipating the armistice that came four days later.

Thousands of contracts were canceled following the armistice, and the amount of supplies to be furnished under those contracts had to await adjustment at a later date. A large percentage of the supplies for the Army were commandeered on the basis of a percentage of factory output, and an inventory could not be taken until the amount of such output was determined.

Another uncertainty was due to the fact that thousands of informal contracts had to be validated, and the amount of the property that the Government had received could not be determined until there was an adjustment by the validation committee. The surplus was reduced by sales to other departments, $145,000,000 worth of property being sold to one department.

The shipments of meats to the Army on the other side did not cease until about the 1st of February, when Gen. Pershing ordered them held up. It was said here that the meat was turned into the possession of the United States as early as 1917. The fact is that the meat which it is charged spoiled at Norfolk was shipped there in January, February, and March of this year.

The taking of this inventory required the repiling of vast stores. In addition to that, in making an inventory for offering this property to the country for sale more definite descriptions were frequently required than had been necessary for the Army to make for its ordinary purposes.

Another element of uncertainty was that three times during the taking of inventories the estimated size of the Army changed. First the estimate was that the size of the Army next January would be 1,000,000 men. Next it was decided that the Army should be decreased to 500,000 men, and in June this year the size of the Army was reduced to 325,000 by Congress. Every reduction that was made caused a new estimate of requirements and an increase of the surplus. Had the Army remained at the first estimate there would not be any surplus of the goods here in question. It was only when Congress made the change in June that the full and correct inventory of the surplus now involved could be finally presented.

The statement is made in the majority report that "millions of pounds" of ham and bacon have spoiled. There is no specific evidence in the whole record to show that there has been a single pound of bacon spoiled. There is evidence of deterioration, and there are two specific instances of deterioration. One is as to 2,000,000 pounds of bacon at the city of Baltimore. The director of sales sold it for 28§ cents per pound. Where is the buyer in the market in these United States who is willing to pay over 28 cents a pound for spoiled bacon? As a matter of fact, when the Government submitted bids to dealers of the country, in some instances only 20 cents was offered for bacon that was in good condition.

As to the ham at Norfolk, the other instance of deterioration, that ham was ordered overseas. It was shipped to Norfolk January, February, and March. Later came an order revoking the shipment. It was found to be deteriorated by mold, but not seriously, and it was sold at 20 cents a pound, less than 1,500,000 pounds.

The complete answer to this charge is that out of the first $12,000,000 received from the sale of food products, including this meat alleged to have spoiled, the Government received over 85 per cent of its cost.

In the testimony reference is made to some bacon at Old Hickory, but that bacon was not in the possession of the Army. It was in the possession of a contractor. The reference is made to the canned goods burned at Baltimore. Those were

goods that proved to be defectively canned, and they were burned at the expense of the canners. That is the evidence of "millions of pounds" of bacon spoiled.

The policy of the Secretary of War is discussed at some length in his report. It is said that the well-defined policy of the Secretary of War was to withhold these goods from the domestic market and to dispose of them abroad, so far as the circumstances would permit.

Mr. AYRES. Will the gentleman yield for a question?

Mr. LEA of California. I would rather not, because my time is limited. The total sales of surplus property of the department in America aggregate nearly $209,000,000 received by the Government since the armistice was declared. Of the food products outside of the Food Administration, 700,000 pounds of butter sold to the British, 480,000 pounds of bacon sent to Holland, and 60,000,000 pounds of flour are practically all that were sold to the foreign market, and all the other food products were sold here.

How about the complaint that $22,000,000 worth of meat products were sent to Europe by Mr. Hoover? What is the fact in reference to that circumstance? The fact is this, that the United States Congress donated $100,000,000 for the purpose of giving relief to the starving civilians of Europe. They had to have food from America; and Mr. Hoover, instead of going over to Europe or to a foreign market and spending our money in a foreign land, spent it in America. We kept our money. We took our own supplies and saved that $22,000,000 to the American people and the American producer. [Applause.]

Now, how about the foreign market? When did America learn to despise a foreign market? Why, every sensible business man in America courts the foreign market. What is the fact in reference to the sale of meat? Since the 1st day of January over 1,000,000,000 pounds of meat have been sent to the foreign markets through the port of New York. Mr. KAHN, before the Military Affairs Committee, placed his hands upon the situation in reference to this question of sale.

He immediately analyzed the situation and made these two suggestions: In the first place, it was the duty of the responsible officers of this Government to sell these surplus products at the best prices obtainable, and in the second place it was their duty to have due regard to the rights of the business people of America. At the conclusion of the war there was a surplus of nearly $2,000,000,000 worth of goods. No man who had any real concern for the industrial welfare of America, or for the laboring men of America, or for the markets of America, or for the retailers of America would have advised that $2,000,000,000 worth of goods be forced on the American market.

Mr. LAGUARDIA. Mr. Speaker, will the gentleman yield?

Mr. LEA of California. Will the gentleman wait until I get through?

To have forced that surplus on the American market would have simply paralyzed business.

The problem of readjustment that confronted the country at the termination of the war was appalling. Industrial plants, working to the limit on military supplies, found themselves without orders; 3,000,000 men were immediately to return from war to peaceful pursuits; merchants were stocked with goods at war prices; the one great financial problem was to stabilize prices. Rapidly tumbling prices meant panic, disorganization, unemployment, and ruin.

Going through the war with less bank failures than in peace times and readjustment to peace conditions without a panic must ever be rated as one of the greatest accomplishments of the administration of our Government during these abnormal times.

Look at the situation in reference to canned vegetables and apply the same principle to other lines of industry, because the method of the Government shown by the evidence in reference to the canning industry is practically the same as to all other lines of industry. Here was the situation in reference to the canners: Last December, when the Wood order withholding canned vegetables from the market was issued, was at the close of the packing season. The pack was complete for the year. The United States had the largest supply it had ever had in its history. Over 400,000,000 pounds of tomatoes were in the hands of the dealers of this country, besides the retailers' stock. Less than one-fifth of that amount was in the hands of the canners.

Now, what took place during the war? The Government sent representatives to the meetings of the Canners' Association and urged them to get the largest possible production. The Government commandeered their products. The Government fixed their prices. Then what was the duty of the Government to these business men after the war was over? I say that the most elementary principles of good faith and common honesty and business judgment demanded that the United States should not put these articles on the market at a forced sale. It is absolutely apparent that the only legitimate course that could be followed was to place these articles on the market so that they could be gradually absorbed when there was a consumptive demand for the articles.

What happened as to the Wood order? That order was revoked many weeks ago, and these goods were offered to the people of the United States. If you will look at the record in this case you will find that Mr. Gerber wanted to explain to this committee that the Wood order was revoked, and he was denied the right to put that testimony in the record. Read it for yourselves.

What is the purpose, what can this committee hope to attain in the end by closing its eyes and ears to important, reliable testimony that would place an entirely different face upon the facts involved in this investigation? [Applause.] The country is suspicious that this committee is partisan in its purposes. Gentlemen, I believe you are making a great mistake. I may have a partisan motive. I may be warped in my judgment. I realize that. You are just as patriotic as I am. But I believe that the thing we ought to do for the sake of the country is to forget party bias, have confidence in achieving most by doing the best, getting at the facts of this case, and revealing them, instead of trying to capitalize every situation for political purposes. [Applause.]

Mr. LAGUARDIA. Will the gentleman yield?

Mr. LEA of California. I will, if I get through in time.

Now, here is another situation to which I want to call your attention in justification of the Wood order. The canners went into conference with the War Department and gave their reasons why these canned goods should not be placed upon the market.

One reason they suggested was that it was then at the beginning of the season when contracts would be made with the farmers for planting for 1919. They said if you place tomatoes, for instance, on a forced sale now you will demoralize a market already shaky, discourage planting, and decrease the acreage, and the result will be that you will destroy the market of this winter and give the people a short crop and excessive prices next winter.

The Government took the course to stabilize prices and encourage the acreage, and yet the reports of the Agricultural Department made the 15th of this month indicate that, notwithstanding what was done by the Government to help, this year will have 30 per cent less acreage than last year. So that shows there was a legitimate reason for the Wood order. [Applause.]

On the 17th of March an order was made adding canned peas, corn, squash, and beans to the ration lists of the Army, so that this surplus might be used by our soldiers as part of their regular diet. This order added nothing to the quantity of vegetables to be furnished the soldier, but simply increased the variety of the ration. The report states that this order would have caused the Government to lose "millions of dollars" and caused the American people to lose "a large quantity of food."

As this order neither increased nor diminished the food supply of the Nation and provided for the use of the food on hand instead of going into the market to buy other vegetables, the fallacy of the contention is apparent. The philosophic wisdom of the suggestion equals that of the passenger who crossed a swollen river in a rowboat loaded to within 4 inches of the water's edge. He said, "If the river had been 4 inches higher, the boat would have sure gone down."

Instead of being evidence of extravagance, the order indicated common-sense economy.

The report further charges that on the 11th of this month the director of sales issued a publicity statement declaring that meat and vegetables "shall be purchased only by municipalities." If this statement were true there would be just cause for complaint against the methods of handling food sales. However, the statement is without the slightest foundation and contrary to the well-established facts. The evidence taken by the committee responsible for this report showed completed sales of foodstuffs aggregating over $12,000,000, practically all, if not all, of which was sold other than to municipalities. No responsible officer made the slightest suggestion that the municipal-sale system was to eliminate the other methods of sale being followed, or that it was intended to be anything but an additional method of placing these surplus foods in the hands of the people. It was hoped that the municipal authorities of the country or civic organizations might give the small consumer the benefit of a retail distributing system which it was impractical for the Government to establish on its own account.

In response to advertisements circulated throughout the country in May and June, 1,572 individuals and firms submitted bids to be opened on the 20th of June. The classification of these bids is practically completed, and a large number of them

will be accepted at once. Over $26,000,000 worth of foodstuffs have been sold up to this date. Over $2,000,000 were sold before the 1st of May, and over $6,000,000 by the 14th of June. The initial difficulties and delays in the sales plan were practically overcome in May. The plans are now working out. Mr. Hare, the director of sales, testified that he will dispose of these surplus foodstuffs within three months.

Mr. Hare has had charge of the sales. Of him and his work in this connection the gentleman from Nebraska bears witness in the record in these words: "I think you have done great work in this department, and I am delighted that you are to have charge of it"—page 26. And in conclusion let me say that the reader of this record in the future may wisely conclude that the political enemies of the Secretary of War have, perhaps unintentionally, paid a tribute to his worth. They have not impugned his motives; they have deferred to his intelligence to provide a plan for the disposal of these goods and left its execution to his discretion.

Mr. GRAHAM of Illinois. Mr. Speaker, I yield 17 minutes to the gentleman from New York [Mr. MACGREGOR].

Mr. MACGREGOR. Mr. Speaker and gentlemen, I do not think there is any partisan purpose in this report which is now brought before this House. It is for the purpose of compelling the War Department, that has entered into a conspiracy with the packers of the country, to place with the people, so that they can get possession of it, this large quantity of foodstuff that is being withheld from the market. [Applause.] That is the purpose of this report; that is all we are trying to get at.

It is a matter that should go to the heart of every citizen of this country, and especially to the Members of this body. They should join together, hand in hand, to the end that this bureaucratic administration we are now enduring shall be brought to light and made to serve the interests of the people rather than the special interests.

I think the people of this country have become tired of this method of government, and that they want to have placed in control of the Government men who are filled with an ardent desire to serve the interests of the people. It is a crying shame that the very people who are placed in power should be men who seek in every possible and devious way to circumvent the wishes, desires, and interests of the people. That is what this administration is doing at the present time.

I want to call your attention, preliminary to my remarks and in view of the fact that this great amount of foodstuff is held by the War Department away from the people, to the situation that exists with reference to foodstuffs in this country of ours. In the great storage warehouses of the country at the present time are contained vast quantities of foodstuffs. On July 1, 1918, there were 146,000,000 pounds of frozen beef. On July 1, 1919, there were 160,000,000 pounds of beef. There was 31.6 per cent increase of cured beef July 1, 1919, over July 1, 1918, and 199.9 per cent increase of frozen lamb. There was 467 per cent increase of broilers and 341 per cent increase in roasters, and all along the line in these warehouses in this country are contained vast stores of foodstuffs in greater quantities than ever before, and I think we should inquire about that proposition, but it is startling when taken in connection with the vast amount of food which the War Department evidently desires to keep away from the people.

Comparison of holdings of July 1, 1919, with those of July 1, 1918.

[Includes totals for those storages reporting for both years. + (plus) increase; — (minus) decrease.]

Commodity.	July 1, 1918.	July 1, 1919.	Increase or decrease.	Increase or decrease.
	Quantity.	*Quantity.*	*Quantity.*	*Per cent.*
Case eggs	6,410,384	7,488,752	+ 1,078,368	+16.8
Frozen eggs	12,156,921	15,796,917	+ 3,639,996	+29.9
Creamery butter	47,919,035	87,720,486	+39,801,451	+83.1

Comparison of holdings of July 1, 1919, with those of July 1, 1918.

[Includes totals for those storages reporting for both dates. + (plus) increase; — (minus) decrease.]

Product.	July 1, 1918.	July 1, 1919.	Increase or decrease.	Increase or decrease.
	Pounds.	*Pounds.*	*Pounds.*	*Per cent.*
Broilers	1,291,075	7,330,369	+ 6,039,294	+467.8
Roasters	2,305,312	10,185,972	+ 7,880,160	+341.8
Fowls	4,204,390	9,047,925	+ 4,843,535	+115.2
Turkeys	4,209,648	5,282,660	+ 1,073,012	+ 25.5
Miscellaneous	4,973,939	15,884,502	+10,910,563	+219.4
Total	16,984,864	47,731,428	+30,746,564	+181.0

Comparison of stocks of July 1, 1919, with those of July 1, 1918.

[Includes totals for those storages reporting for both dates. + (plus) increase; — (minus) decrease.]

Product.	July 1, 1918.	July 1, 1919.	Increase or decrease.	Increase or decrease.
	Pounds.	*Pounds.*	*Pounds.*	*Per cent.*
Frozen beef	146,672,220	160,062,203	+13,389,983	+ 9.1
Cured beef	21,527,827	28,325,161	+ 6,797,334	+ 31.6
Frozen lamb and mutton	2,359,359	7,076,201	+ 4,716,842	+199.9
Frozen pork	94,332,361	148,302,814	+53,970,453	+ 57.2
Dry salt pork	400,764,197	378,590,606	−22,173,591	− 5.5
Pickled pork	361,568,840	417,888,822	+56,319,982	+ 15.6
Miscellaneous meats	62,675,638	64,734,810	+ 2,059,172	+ 3.3

Yesterday I procured a report of the retail prices of food. At the present time in the line of groceries what would cost you in December, 1914, $1.75, in July, 1919, costs you $3.14. In beef products what would cost you in December, 1914, $1.52 would now cost $2.94. In pork products in 1914 what would cost $2.42, in July, 1919, would cost $5.92. In dairy products what would cost in December, 1914, $1.11 will now cost you $1.91, and in vegetables what would cost you in December, 1914, 47 cents now costs $1.70.

Comparison of retail prices of foods during December, 1914, December, 1915, December, 1916, December, 1917, December, 1918, December 1919.

[Cents per pound.]

	December, 1914.	December, 1915.	December, 1916.	December, 1917.	December, 1918.	July, 1919.
Groceries:						
Bread, 1-pound loaf	4	4	5	7	9	9
Sugar, granulated, pound	5	6	7½	9½	9	10
Flour, Gold Medal, pound	4	4	5½	6½	6½	7½
Milk, condensed, can	10	10	14	19	16	18
Milk, evaporated, tall	7½	9	12	15	13	14
Milk, evaporated, small	3½	4½	6	8	6½	7
Tomatoes, standard 2½s	7	8	12	16	18	14
Corn, standard 2½s	7	7	11	14	18	13
Peas, early June	8	7	11	12	15	13
Baked beans, Campbell	9	9	13	18	14	13
Corn meal, pound	3	4	4	6	8	6
Hominy, pound	3	4	4	8	8	5
Rice, best, pound	9	8	9	12	13	15
Oatmeal, pound	5	4	5	8	8	6
Macaroni and spaghetti, bulk, pound	8	8	10	13	15	13
Prunes, small, pound	5	5	7	10	10	10
Salmon, Red Alaska, can	15	15	18	22	28	30
Soups, can	8	9	10	12	10	10
Navy beans, best, pound	6	8	9	18	12	15
Lima beans, dried, pound	8	8	9	22	15	12
Catsup, bottle	9	9	10	12	15	15
Sirup, can	10	10	11	15	13	15
Corn flakes (Quaker), package	5	7	7	8	10	9
Split peas, pound	6	8	7	16	10	15
Scotch peas, pound	6	7	6	12	10	13
Black-eye peas, pound	4	6	7	13	12	7
Total	175	188	230	332	322	314
Beef:						
Rib roast, pound	18	18	20	27	35	35
Chuck roast, pound	16	14	14	24	30	28
Plate (soup meat)	12	12½	12½	18	20	20
Porterhouse steak, pound	24	24	22	35	50	48
Sirloin steak, pound	22	22	20	32	48	45
Round steak, pound	20	18	18	32	46	45
Chuck steak, pound	18	14	14	24	30	28
Hamburg steak, pound	14	12½	12½	22	30	30
Beef liver	8	8	9	18	16	15
	152	143	142	232	305	294
Pork products:						
Fresh hams	16	15	20	32	38	42
Fresh shoulders	14	12½	16	30	33	35
Fresh pork chops, lean	16	14	18	34	40	42
Fresh pork chops, loin	18	18	22	38	45	48
Fresh pork roast, lean	16	13	18	32	38	40
Fresh pork roast, center	18	16	21	35	43	45
Corned shoulders	14	12½	16	26	30	30
Corned hams	16	15	20	32	40	40
Smoked hams, whole	16	15	22	34	38	40
Smoked hams, sliced	25	26	35	48	60	60
Smoked shoulders	14	12	18	27	30	32
Smoked bacon, sliced	24	22	25	44	52	45
Smoked sausage	12½	15	18	27	30	28
Lard, pure, pound	12½	11	19	30	30	33
Lard, compound, pound	10	10	13	26	28	32
	242	227	301	495	575	592
Dairy products:						
Butterine (oleo)	22	22	25	30	37	38
Butter, first grade, pound	37	33	42	55	77	63
Eggs, dozen	32	28	38	42	66	52
Cheese (cream)	20	22	26	32	45	38
	111	105	131	159	225	191

Comparison of retail prices of foods, etc.—Continued.

	December, 1914.	December, 1915.	December, 1916.	December, 1917.	December, 1918.	July, 1919.
Vegetables:						
Potatoes, peck	15	23	50	38	37	45
Kale, peck	10	12	20	40	40	40
Spinach, peck	15	15	20	70	60	60
Onions, yellow, pound	2	2	3	4	3	10
Lettuce, head	5	5	10	10	15	10
Cabbage, new, pound	½	1	4	4	10	5
	47	58	107	166	165	170
	727	721	911	1,384	1,592	1,561

Now, what has the War Department got on hand? I do not think that proposition has been very clearly brought to your minds. In corned beef they have $24,000,000 worth; in bacon, $23,600,000 worth; in hashed corned beef, $10,000,000 worth; and in roast beef, $20,500,000 worth; in poultry, $20,000,000 worth; and in vegetables, approximately $23,000,000 worth.

The statement of meats, in pounds, is as follows:

	Pounds.
Bacon	45, 000, 000
Roast beef	38, 000, 000
Corned beef	36, 000, 000
Corned-beef hash	20, 000, 000
Total	139, 000, 000

The quantity of canned goods is about 200,000,000 cans, but the surplus in foodstuffs is constantly increasing.

We have not, so far as I know, been furnished with any statement as to the actual quantities on hand.

I have made a comparison between the estimated quantity of canned goods declared surplus and the entire canning product of the country in 1918 as to several items:

	Cans.
Corn:	
1918 pack	281, 324, 440
Surplus, War Department	31, 804, 644
Peas:	
1918 pack	261, 557, 328
Surplus, War Department	24, 607, 658
Tomatoes:	
1918 pack	381, 176, 928
Surplus, War Department	84, 016, 334

Gen. March came upon the stand and gave a very vivid picture of the vast amount of foodstuffs we had when the armistice was declared. The general said:

So that eight months ahead of the armistice, on November 11, 1918, we were working on a program which contemplated laying down in March, 1919, an army of 80 divisions in France and 18 at home, which was about a million more than we had on November 11, when we cut it off and stopped it. But the buying going on in September, October, and November was not at all for those months but for the months ahead, for the spring campaign; so, on the day when the armistice was signed, and when I shut down everything in the United States, the storehouses all along the seacoast were filled with supplies, and trains were filled with supplies of foodstuffs making for the seacoast to go across the water, and food products in course of delivery all the way along back. When the armistice was signed we stopped trains and held trains filled with food products a long time, until we could get storage for them, and we encouraged contractors to store stuff and hold it for us until we could dispose of it. We had a three months' supply on November 11, which was not based on the strength of the Army as of that date, but based on the spring drive of the next year. We were buying supplies and laying in supplies, not for an army of more than 3,000,000 men, but for an army of more than 5,000,000 men.

So at the time of the signing of the armistice this immense supply of foodstuffs was proceeding on its way eight months ahead of time, so as to keep an ever-moving supply going to our men at the front. That was chopped off suddenly, and this immense stock of foodstuffs was left here, with the Army constantly being demobilized and supplies constantly becoming greater. On November 30, 19 days after the armistice, Gen. March issued a general order declaring a surplus of food supplies, and it was not until May 5, 1919, that actual sales occurred, according to the statement made by the War Department.

A statement has been made with reference to the policy of the War Department in disposing of these goods to the municipalities, but that statement is unfounded in respect to the willingness and disposition on the part of the War Department to dispose of the goods to the general public. They well knew the goods could not be placed with the municipalities because the municipalities did not have the power under their charters to take the goods, and it is only after this investigation started, when they saw the testimony that was presented, that they came before the public and stated that the goods could be sold directly to the public. I observe that no one who has made any statement here has said anything to the contrary. It is true that after they have seen the position they are in before the public they commence to cover up, and the whole testimony here that has been expressed in this so-called "views of the minority" is an attempt to cover up a wrong perpetrated on the people. The Secretary of War has had ample opportunity to express his desire to come before the committee. We called the men who were in authority, as has been stated—Gen. March, Chief of Staff of the Army; Gen. Rogers, Quartermaster General; Col. Davis, director of storage; and Mr. Hare, director of sales. They have stated what the facts are. The Secretary of War must have known what their statements were. Why did he not come, then, and ask to have a hearing before the committee, if he desired to make any statement to the contrary, and not wait until he knew the matter was coming before this body, to be then put before the public, before making any such request? It is very easy to go out and get testimony after the thing is over and fix it up so that it will appear fair on the surface, and most of the statements made by the gentlemen who spoke this morning are matters extraneous to the record and not before the court.

Mr. SAUNDERS of Virginia. Mr. Speaker, will the gentleman yield?

Mr. MACGREGOR. Yes.

Mr. SAUNDERS of Virginia. It appears from statements made here to-day that the War Department is marketing a good deal of this stuff. Does the committee approve of the method they have been pursuing?

Mr. MACGREGOR. We have not heard of any marketing except this plan to dispose of the foodstuffs to municipalities.

Mr. SAUNDERS of Virginia. Does the committee approve of that method?

Mr. MACGREGOR. Mr. Hare stated that he did not think that would be very effective.

Mr. SAUNDERS of Virginia. Does the committee approve of the method the War Department has adopted?

Mr. MACGREGOR. It is not effective.

Mr. SAUNDERS of Virignia. If the committee does not approve of it, has the committee any alternative method to offer?

Mr. MACGREGOR. We have—selling directly to the public. We have provided in this resolution for the War Department to originate some plan of disposing of it directly to the people.

Mr. SAUNDERS of Virginia. You have not originated anything, but you have put it up to the War Department to originate a plan.

Mr. MACGREGOR. I do not know that that is the duty of the committee.

Mr. KITCHIN. Oh, the gentleman wants the Secretary of War to go around and peddle this stuff to each house. [Laughter.]

Mr. DAVIS of Tennessee. Does the gentleman consider it feasible for the Government to sell by retail directly to the individual consumer?

Mr. MACGREGOR. I have expressed no opinion along that line. I have an opinion of my own as to how it should be done. It could be done very easily, the same as in France, through cooperative organization in the various cities.

Mr. HULINGS. I would suggest to the gentleman that he permit the gentleman from Pennsylvania [Mr. KELLY] to answer that question.

Mr. FLOOD. The gentleman has stated, I believe, that he did not approve of the system of selling through the municipalities, because Mr. Hare said it would not be effective. Does the gentleman approve of the system recommended by the Secretary of War since Mr. Hare left for France, which is to sell to a group of citizens in every city whose financial standings are approved of?

Mr. MACGREGOR. I anticipate what the gentleman is going to ask. I shall approve of that, but he had not gotten that scheme until these facts came out.

Mr. FLOOD. Oh, yes; but that report was not filed until yesterday.

Mr. BAER. The gentleman would have approved of that if he had started that some six months ago.

Mr. MACGREGOR. The Secretary of War had abundant opportunity to know what testimony had been offered before the committee, and announced that policy after the facts had been disclosed.

I wish I had time to go into the question of the canners. When Gen. Rogers came back from France in February and became Quartermaster General of the Army he intended to dispose of these goods to the public.

He announced this intention, and immediately the president of the National Canners' Association came to Washington and protested against doing this, because an agreement had previously been made by Gen. Wood, director of purchase and storage, on December 6, 1918, in a letter addressed to Frank

E. Gorrell, secretary of the National Canners' Association, in which he stated:

You are further advised that it is not intended to offer the surplus that the Army owns to the domestic trade during the present season.

Gen. Rogers testified:

They called my attention to this letter, and on the strength of their calling my attention to it and verifying the fact that this letter had been written by Gen. Wood and had the approval of the Secretary of War I, of course, reversed the order that the supplies should be put on the market.

Not being able to carry out his purpose of disposing of the surplus to the people, advice was asked of a committee of the National Canners' Association as to the method of disposal, and on March 15, 1919, a letter was written by Frank Gerber, the president of the Canners' Association, to Gen. Rogers, containing the statement:

The committee hopes that consideration may be given to the possibility of making canned peas, corn, tomatoes, and salmon an issued ration for the Army instead of a sales article, which we understood to be the present arrangement.

The advice of the committee of canners was followed, and on March 24, 1919, an order was issued as follows:

[Circular No. 140.]

FORCED ISSUE OF CANNED GOODS.

WAR DEPARTMENT,
Washington, March 24, 1919.

Effective April 1, 1919, and thereafter until further orders, the following percentages of canned vegetables, where available or where they can be made available, will be issued in lieu of the garrison ration authorized by paragraph 1205, Army Regulations; namely, canned tomatoes 20 per cent, canned corn 10 per cent, canned peas or canned string beans 10 per cent, canned pumpkin or canned squash 2½ per cent. (432.2, A. G. O.)

By order of the Secretary of War:

FRANK MCINTYRE,
Major General, Acting Chief of Staff.

Official:
J. T. KERR,
The Adjutant General.

Col. Davis testifying upon this subject said:

Mr. REAVIS. You were trying to relieve the canner of any competition from surplus products which the Army had by unnecessarily putting it on the ration list of the soldier, and their consuming it, so that it would not be sold?

Col. DAVIS. Exactly, yes. In other words, we were trying to eat it up in the Army.

Col. Davis further testified:

As to the fact of any surplus being dumped in this country, it did not mean that we were not going to continue our efforts to sell some of our goods abroad. It would take us, with the strength of the Army that we had at that time, it would take a long while to use the entire amount, and it was intended to show these people that there would be no surplus so far as they were concerned to harass the conditions in the United States.

Gen. Rogers testified as follows:

Mr. REAVIS. So that we come to the point that the American public was deprived of the opportunity of purchasing hundreds of millions of canned vegetables by an agreement of Gen. Wood with the canners, is that true?

Gen. ROGERS. That is practically true; yes, sir.

Mr. REAVIS. And that was carried out by you because you had been advised that it had met with the approval of the Secretary of War?

Gen. ROGERS. Yes, sir.

Mr. Hare, the director of sales, certainly was in a position to have some idea with reference to the policy of the department, and he stated that he thought it a fair inference that these goods were added to the ration list of the soldier not because the soldier needed them, but because the War Department wanted to protect the canners from competition that would result from a sale of the millions of cans of vegetables that it had on hand.

It will be noted that the soldier was not to get any more to eat by this arrangement, but he was to be used as a means of getting the surplus of canned vegetables out of the way.

Much more of the testimony could be quoted to substantiate the fact that the War Department has been acting in concert with the packers and canners to help them maintain the price of foodstuffs and to increase their profits.

Is there any reason that should lead our Government to increase the profits of these concerns? The average net profit on investment made by canners was 9 per cent in 1916 and 32 per cent in 1917.

The largest contributors to the National Canners' Association in 1918 were Armour & Co. and Libby, McNeil & Libby. Armour & Co. has become the largest jobber of canned goods in the United States. Their sales increased from about $6,500,000 in 1916 to nearly $16,000,000 in 1917. Swift & Co. controls Libby, McNeil & Libby, and that concern is the second largest packer of canned goods in the United States.

In view of the fact that the National Canners' Association has claimed to have been very patriotic and that it rendered great service during the war period, all honor should be given to them for the service rendered, but when it comes to the matter of profits to the canning industry in general a reference to the report of the Federal Trade Commission on canned goods of May 15, 1918, will show:

The increase in profit in 1917 deserves particular attention in view of the fact that the regulations of the Food Administration were inaugurated in that year.

The prices for the Army purchases were fixed after most futures had been sold, and were higher than future prices, though lower than some of the later spot prices.

The ruling of November, 1917, which allowed the canner to base his price on cost, enabled him to make a large profit because even a normal percentage on such an increased cost amounted to a considerable sum.

All over this broad country of ours there is going up the demand that something be done to relieve the people from the appalling cost of foodstuffs. They are looking to their Government to relieve them from the oppressor and the profiteer. They certainly have a right to expect that those who have been placed in positions of power and influence shall use their best efforts to protect them and adopt all possible methods to relieve conditions of distress. What adequate words of condemnation can be used when it is found that the executive branch of our Government is conniving and conspiring with the profiteers to prevent the placing upon the market of vast stores of foodstuffs; that the executive branch of the Government preferred that good substantial food should decay and become of no value rather than permit it to come into competition with the goods of those whose aim and purpose was to keep up the price; a Government that would rather send it to foreign peoples to consume than have it consumed by its own people; would rather throw it into the sea, or force the soldier to eat it, so that it would be consumed, or allow it to rot, than get into the mouths of those who had by self-sacrifice and deprivation furnished the means to purchase these very foodstuffs?

Mr. FLOOD. Does the gentleman wish me to consume some of my time?

Mr. GRAHAM of Illinois. Yes.

Mr. FLOOD. Mr. Speaker, I yield 20 minutes to the gentleman from Michigan [Mr. DOREMUS]. [Applause.]

Mr. DOREMUS. Mr. Speaker and gentlemen of the House, I desire briefly to review some testimony that was taken by subcommittee No. 4. Before doing so I desire to read into the RECORD a statement made by Col. Davis, director of storage, on the question of the agreement that was made between Gen. Wood and the Canners' Association. So much has been said about the agreement that I deem it due to the House that it have in its possession the full facts regarding the circumstances that prevailed at the time that agreement was made. Here is the testimony of Col. Davis:

Col. DAVIS. In order that you may thoroughly understand the action of Gen. Wood it is necessary that you should know something in regard to the general situation pertaining to the canning of vegetables and which were the reasons advanced by Mr. Gerber at this conference at which I was present with Gen. Rogers, and which were presumably the reasons for the action of Gen. Wood and the approval of the Secretary of War. Canned vegetables are sold by the canners to the jobbers, and the contracts are made by the canners with the jobbers and wholesalers each year along in January and February, before the ground is plowed in which to plant the vegetables which are to be canned. These contracts between the canner and the jobber are banked by the canner with his local bank. You understand that the great bulk of the canning industry of the country is in the hands of very small organizations; they are not large corporations, but are small individual companies or people, as a rule, with small capital. These contracts which they make in January and February with the jobbers and wholesalers form a considerable portion of the capital which they must have in order to finance their year's work. As I say, they are banked as collateral, and they draw against that for the rehabilitation of their equipment and their preparation for the canning work of the season. The canner, then, on his part makes a contract with the farmer in his locality to supply him so many bushels of tomatoes and so many bushels of corn and peas and the various other things he is going to pack. This contract which the farmer makes with the canner is also banked, and the farmer draws against that as collateral for the purchase of his seed, for the purchase of his implements, and so on, for the succeeding year. So that these contracts which are made in January and February between the canner and the wholesaler are a very important element in the working out of this new season's work on the part of the farmer and the canner and all the way back.

Due to the fact that the country knew that there was this enormous surplus of canned goods which was likely to be dumped by the Government on the country, the whole situation as far as canning and planting was concerned was at a standstill. The wholesalers could get no bids for their stocks from the retailers, and, as you know, last year a very considerable increment was given to the household production of canned and preserved foods. The Food Commission encouraged home industry in the canning trade, as you will remember, so that the demand for canned goods on the part of the consumer of the retailer was very much reduced. Therefore the retailer, with this shadow of an enormous surplus hanging over him, would not buy from the wholesaler, and the wholesaler would not make any contract with the canners, and the result was, as Mr. Gerber stated in March or the latter part of April in this conference at which I was present, that whereas under ordinary circumstances contracts at that date would be fully completed, yet, due to the agitation which had arisen on the possibility of this surplus being thrown on the market, there was hardly a contract in existence between the canners and the wholesalers for a sale of this year's goods.

The consequence was that the farmers were getting no contracts from the canners, and that fields were lying idle and would lie idle this summer which ordinarily would be planted in products that would go into the canning industry and at a time when the world was going to need every article of food that it could possibly get. This was the argument which had been advanced to Gen. Wood and to Mr. Thorne, and which was the basis of the action which Gen. Wood took in agreeing not to put this surplus on the market until the products of this year's crops had been harvested and canned.

I simply call attention to this testimony for the purpose of permitting the House to have the facts which surrounded the situation at the time Gen. Wood made the agreement with the Canners' Association. The reckless disregard of facts disclosed in the majority report is probably without a parallel in the history of committee procedure in this House. The misrepresentation that has gone to the country as to the condition of the surplus Army food products has embarrassed the department and delayed their sale to the public. After trying to convince the country to the best of their ability that these foods are spoiled and rapidly deteriorating the majority of the committee come blandly into this House with a request that the Secretary of War proceed to sell them direct to the private consumer. [Applause on the Democratic side.] It has been stated that this is not a political report. I pass no judgment upon that at this time, but I want some Member of this House, upon either side, to tell me what service this committee is performing to the country when it tries to convince the consuming public that these goods are spoiled and rotten and rapidly deteriorating, and then come forward here with the request that the Secretary of War sell them direct to the consumer. [Applause on the Democratic side.]

The majority of the committee has played into the hands of the food profiteers of the country as effectually as though the thing had been deliberately planned.

The majority report is water on the wheel of every anarchist in the land. While there are those in our midst who would destroy this Government they are not numerically strong. By no act of ours should we strengthen their hands or augment their numbers.

Whenever we indulge in serious charges against the conduct of the Government that are unfounded in fact we furnish grist for the mill of every Bolshevik, every I. W. W., and every other discordant element in our society. [Applause on the Democratic side.]

The majority report bears upon its face unmistakable evidence of the unseemly haste with which it was prepared. It abounds with charges that a more complete investigation would have disclosed to have been untrue and bristles with accusations at variance with the testimony taken. Let us briefly analyze these charges. The majority report states: "The inactivity of the Government in the disposition of these food products was and is the result of the well-defined policy of the Secretary of War to withhold them from the domestic market and to protect the interests from which these products had been purchased, with the ultimate intention of disposing of them abroad, so far as the circumstances would permit."

The testimony taken by the subcommittee effectually disposes of this charge. On page 20, No. 1, of the testimony, Mr. REAVIS, chairman of the subcommittee, inserted in the record a statement of the director of sales as to the surplus canned meats of the Army June 3, 1919.

Now, the gentleman from Nebraska [Mr. REAVIS] has quoted from this report, and he has taken from it such parts as he thought would establish the case which he is trying to make against the War Department. Let me call attention, gentlemen of the House, to some things contained in this report. Now, this is the report of the director of sales, Mr. Hare, whom the chairman of the subcommittee [Mr. REAVIS] has eulogized when he was upon the stand, and said that he was proud that he was connected with the Government. Now, what did Mr. Hare say?

> The general question was discussed as to how this canned meat could be marketed in this country to the best advantage. The department had no organization to retail this large supply to individual consumers, and the packers' opinion was therefore asked as to what was the best method to dispose of it.

Also:

> The question of the disposal of these canned meats in this country was discussed with the Salvation Army; Red Cross; Farmers' Union, who distribute food products through cooperative stores; the Central Purchasing Committee of New York City, which does the purchasing of all charitable, penal, and hospital institutions in the city of New York; Austin Nichols & Co., of Brooklyn, and R. C. Williams & Co., of New York City, two of the largest wholesale grocery houses in the country. Col. Baker, representing the Salvation Army, stated that they might be able to buy a limited amount of the canned meats provided a satisfactory price were named, as they were obliged to sell at a very low price. The Red Cross have no distributing means; the Farmers' Union stated that they did not care to purchase any of it, and advised strongly that it be sold for export. The Central Purchasing Committee of New York City stated that they purchase only fresh meats, and unless a considerable change was made in their dietary regulations they would not be able to purchase it. Austin, Nichols and R. C. Williams & Co. stated that they would be interested in a small quantity at a price for export. The matter was also taken up with A. B. Rodway & Co., exporters of canned-food products, of New York City, and Nogan Garrison & Co., merchants, representatives of groceries and canned meats in New York City, who stated that they would be interested in small amounts for export solely, and that no market, in their opinion, existed for this type of canned meat in this country.

I also quote from the report of the director of sales, as follows:

> We are now circularizing approximately 20,000 State, municipal, and charitable institutions, asking them to bid on this surplus meat, and we may be able to dispose of a certain amount of it in this way. We are also circularizing all the dealers, wholesale and retail grocers, and other dealers in food products who may be interested, and this sale is being advertised in all daily papers in States where the meat is stored and in trade papers, appealing to produce men, wholesale grocers, hotel men, and large dealers in foodstuffs.

I also quote from the report of the director of sales of June 3, 1919, as follows:

> We are also seeing if arrangements can not be made through which some of this canned meat may be offered direct to the public at the warehouses where it is stored in Chicago, Columbus, Schenectady, New Cumberland (Pa.), Newport News, Baltimore, Omaha, New Orleans, Boston, San Antonio, New York, St. Louis, El Paso, Atlanta, and San Francisco.

In the report of the director of sales he also states:

> It must be remembered that all of this canned meat is considered perishable, i. e., that under the storage conditions maintained by the Army it is doubtful that it will remain marketable for a longer period than nine months. I also want to draw your attention to the fact that once a can is opened it spoils very rapidly, which would make it rather difficult for the average small household to make use of the larger size cans which the Army has for disposal.

The report of the director of sales concludes as follows:

> It seems advisable, therefore, that we continue our present efforts to market as much of this surplus as possible in this country at the best price obtainable and sell the remainder for export. It must be borne in mind, however, that if a low price is established here for domestic sales it will make it very difficult to secure a higher price for the same class of canned meats from exporters.

This statement of the director of sales as to surplus canned meats was made June 3, and it is obvious that the various steps taken to dispose of the surplus in this country were taken before that date. Notwithstanding this undisputed testimony, the chairman of the subcommittee, who had the statement inserted in the hearings, states in the majority report that it was and is the well-defined policy of the Secretary of War to withhold these products from the domestic market and to protect the interests from which these products had been purchased, with the ultimate intention of disposing of them abroad.

On page 16 of the testimony Mr. Hare testifies as follows:

> We sent out some 25,000 offers for bids, taking two examples. For instance, in Boston we sent out, if my recollection serves me, some 400 or 500 offers for bids and got only 2 requests. In New York we sent out some 800 or 900 offers for bids and got 4 requests, and so it went on around the country. We threw all the bids out as they were all too low. Capt. Clement, of the Surplus Property Division, is now trying to negotiate sales to highest bidders. I should like to state that the policy governing the sales organizations is to get the highest price we can get for surplus goods for the benefit of the Government Treasury.

Another statement in the majority report that is directly contradicted by the testimony reads as follows:

> On July 11 of the present year, and after the War Expenditures Committee was appointed, the director of sales issued to the press a publicity statement with reference to the sale of meats and vegetables. This statement provides that meat and vegetables shall be purchased only by municipalities.

The testimony I have already quoted, and there is much more in the record, proves clearly that it was not the intention of the director of sales to dispose of these surplus food products to municipalities only, but that they were trying to sell to all classes of purchasers in this country.

Referring to the order directing that the surplus of canned vegetables be fed to the soldiers, the report says:

> This order would have resulted in a loss to the Government of millions of dollars to be derived from the sale of this surplus, as well as depriving the American people of a large quantity of food.

As a matter of fact clearly disclosed by the testimony, the order could not result in the loss of millions of dollars to the Government or deprive the American people of a large quantity of food. The vegetable ration per soldier per day—see testimony of Col. Davis, No. 2, pages 50–52—is a pound and a quarter. This ration was a pound and a quarter per day before the order was issued, and it was a pound and a quarter after it was issued. There is not a child in America who does not know that that order would leave just as much food in the hands of the people as there was before it was issued and that the Government could lose no money by reason of it.

Gentlemen, there is not a line, a word, or a scintilla of evidence taken by subcommittee No. 4 that substantiates the charge that it was the plan of the War Department to sell these

supplies to municipalities only. [Applause on the Democratic side.] If there is, I call now upon the chairman of subcommittee No. 4 to point it out. [Applause on the Democratic side.]

Mr. REAVIS. Will the gentleman yield to me? Unfortunately I was engaged and did not hear the last remark.

Mr. DOREMUS. I made the statement that there is not a word or a line of testimony taken by the gentleman's committee that substantiates the charge that it was the plan of the War Department to sell these supplies to municipalities only, and if there is I ask the gentleman now to point it out to the House. [Applause on the Democratic side.]

Mr. REAVIS. If I could get the time, I would do it in a holy minute. I understood the gentleman's time had expired. If he has additional time and will yield it to me, I will point it out.

Mr. FLOOD. I can not yield additional time.

Mr. DOREMUS. I will be glad if the gentleman will give me five minutes of his time.

Mr. REAVIS. I have not any time, unfortunately. I wish I had.

Mr. GRAHAM of Illinois. Mr. Speaker, how does the time stand?

The SPEAKER pro tempore. Thirty-eight minutes remain on each side.

Mr. DOREMUS. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska [Mr. REAVIS] may have five minutes in which to point out any part of the testimony taken which substantiates the charges of the committee report that it was the intention of the War Department to dispose of this product to municipalities only.

Mr. GRAHAM of Illinois. Mr. Speaker, reserving the right to object——

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent that the gentleman from Nebraska have five minutes for the purpose he mentions.

Mr. GRAHAM of Illinois. I am not going to object. I want to know if this is to come out of the regular time?

The SPEAKER pro tempore. If additional time is granted by unanimous consent, it would not come out of the time granted by the rule. Is there objection? [After a pause.] The Chair hears none. The gentleman from Nebraska [Mr. REAVIS] is recognized for five minutes.

Mr. REAVIS. Mr. Speaker, in order that I may know just what service I can be to the gentleman from Michigan I would like to get the Reporter to give me his language in which he asked unanimous consent that I should have five minutes for some purpose. What does the gentleman want me to answer? He states that he asked unanimous consent that I might have five minutes to justify some portion of the report. What is it?

Mr. DOREMUS. To justify that portion of your report where you declare explicitly that the plan of the War Department, promulgated in July, was to sell to municipalities only. That is the exact language of your report. Point out the evidence to substantiate that charge.

Mr. REAVIS. There are a good many things, directly and indirectly, which show that to be the intention of the War Department. There was never any disposition on the part of the War Department, as shown by the testimony of Gen. Rogers, Mr. Hare, Col. Davis, and the other gentlemen whose names I can not for the moment recall, to do anything but prevent the sale of these food products on the American market. In the testimony of Gen. Rogers, found in volume 5, pages 309 and 310, with reference to the sale of these food products——

Mr. DOREMUS. Is that the testimony that has not yet been printed?

Mr. REAVIS. It has not yet been printed, for the reason that Mr. Rogers has not furnished the exhibits which must go in the testimony when printed; but this testimony the minority Members have had access to at all times. On page 309 I asked Gen. Rogers the following questions:

Mr. REAVIS. What I am trying to get at is that if you had followed your original intention the surplus canned vegetables would have gone to the American public, would they not?

Gen. ROGERS. There is no question about that.

Mr. REAVIS. And you did not follow your original intention because of the agreement of Gen. R. E. Wood, quartermaster——

Gen. ROGERS (interposing). Acting quartermaster.

Mr. REAVIS (continuing). With the canners?

Gen. ROGERS. Yes, sir.

Mr. REAVIS. So that we come to the point that the American public was deprived of the opportunity to purchase hundreds of millions of canned vegetables by an agreement of R. E. Wood with the canners; is that true?

Gen. ROGERS. That is practically true; yes, sir.

Mr. REAVIS. And that was carried out by you because you had been advised that it had met with the approval of the Secretary of War?

Gen. ROGERS. Yes, sir.

Following that up, you come to other portions of the testimony which show that at the very meeting of which you have just been reading, published on June 3, there was an agreement at that time between the packers' representatives, who were the only civilians present, and the officials of the War Department that found expression in a cable, which you gentlemen read, that was sent immediately upon the adjournment of this meeting to Hoover to sell the meat products abroad. Now, you have got your canned vegetables, which Rogers said it was the purpose of the Secretary of War under his order not to sell on the domestic market, and you have your meat products, which under the advice of the packers they were trying to sell abroad.

Do not interrupt me. I refuse to yield.

Mr. DOREMUS. I have not interrupted the gentleman.

Mr. REAVIS. The gentleman looks so fierce when he stands there——

The SPEAKER pro tempore. The time of the gentleman from Nebraska [Mr. REAVIS] has expired.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman's time be further extended five minutes.

Mr. HARDY of Texas. Mr. Speaker, reserving the right to object——

Mr. McLAUGHLIN of Michigan. For the purpose of answering the question of the gentleman from Michigan [Mr. DOREMUS].

Mr. HARDY of Texas. I think it should be confined to answering that question.

The SPEAKER pro tempore. The gentleman from Michigan [Mr. McLAUGHLIN] asks unanimous consent that the time of the gentleman from Nebraska be further extended five minutes for the purpose of answering the question. Is there objection?

Mr. FLOOD. Reserving the right to object, I feel that the gentleman from Nebraska probably does not understand the question.

Mr. REAVIS. I understand the question. I am getting to it. These gentlemen started this. Let me finish it.

Mr. FLOOD. The question was asked in reference to an order of July 11——

The SPEAKER pro tempore. Is there objection?

Mr. HARDY of Texas. I object, unless the gentleman will answer the question and not talk about other matters.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. FLOOD. Mr. Speaker——

Mr. REAVIS. I refuse to yield.

The SPEAKER pro tempore. The gentleman from Nebraska [Mr. REAVIS] is recognized for five minutes.

Mr. FLOOD. I reserved the right to object.

The SPEAKER pro tempore. The Chair called for objections and no objection was made.

Mr. FLOOD. I wanted to state that I had no objection to the gentleman from Nebraska proceeding, but——

Mr. KNUTSON. No objection was made, Mr. Speaker.

The SPEAKER pro tempore. No objection was made, but the Chair will put the question again. Is there objection?

There was no objection.

The SPEAKER pro tempore. The gentleman from Nebraska is recognized for five minutes more.

Mr. REAVIS. Mr. Speaker, the point I am getting to is this: After it was exposed by this special committee that it was the policy of the War Department to sell this stuff abroad, for the first time from the War Department came a publicity notice issued on July 3, reiterated on July 11, that they were going to permit municipalities to buy this stuff. They must have known, because everybody else knows it, that 90 per cent of the municipalities are deprived of the right to buy it by their charters, and the only thing, the only entity, the only person, that the War Department in that publicity notice gave the right to purchase this stuff was the only entity which under the law could not purchase it. [Applause on the Republican side.]

I want to say to the gentleman from Virginia [Mr. FLOOD] that right down in his own district—I think it is in his district——

Mr. FLOOD. It is in my State——

Mr. REAVIS. Mr. Clinedinst, with whom he went to the Secretary of War the other day, representing a labor union that wanted this stuff, wanted to buy it for the purposes of the people within the union—and if I am not right the gentleman can contradict me—having a credit of $100,000 to buy it. Is not that true?

Mr. FLOOD. One hundred and ninety thousand dollars.

Mr. REAVIS. Yes; and yet when they came to buy it the only way they could buy it was to have the mayor of Newport News make an order for it.

Mr. FLOOD. Indorse it.

Mr. REAVIS. Now, then, if there is any general purpose on the part of the War Department to sell to anyone besides munici-

palities, why did the labor union have to buy through the municipality? [Applause on the Republican side.]

Mr. FLOOD. I will answer that question.

Mr. REAVIS. How much time have I, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has three minutes.

Mr. DOREMUS and Mr. FLOOD rose.

The SPEAKER pro tempore. To whom does the gentleman yield?

Mr. REAVIS. I will yield to the gentleman from Virginia.

Mr. FLOOD. They put that order through the mayor of that town prior to the time that this order was enlarged by the Secretary of War authorizing any group of citizens or a municipality whose financial ability was indorsed by the mayor to buy for the citizens of that municipality.

Mr. REAVIS. Let me say one word further, then. If there has been an order enlarging the right to purchase, it has come since the 3d of July and since the purposes of this department were exposed by this committee. [Applause on the Republican side.]

Mr. DOREMUS. Mr. Speaker, will the gentleman yield?

Mr. REAVIS. I yield to the gentleman.

Mr. DOREMUS. The gentleman has now been allowed 10 minutes in which to answer the question that I propounded to him. Here is his statement in the majority report——

Mr. REAVIS. The gentleman gives me too much credit. It is a statement of the committee.

Mr. DOREMUS. It is the statement contained in the majority report, and, as I understand it, the gentleman prepared it. This statement provides that meat and vegetables shall be purchased only by municipalities—by municipalities only. That is the statement, and they were to have 10 days in which to make payment to the Government. Now, I ask you again to point to a scintilla of testimony to substantiate that statement. [Applause on the Democratic side.]

Mr. REAVIS. The very statement that I hold in my hand now, dated July 11, and the copy previously issued on July 3, gives permission to nobody but municipalities in that statement to buy. [Applause on the Republican side.] Mr. Speaker, I ask unanimous consent to insert this statement in the RECORD.

Mr. FLOOD. It does not take away the right of all others to buy.

The SPEAKER pro tempore. The gentleman from Nebraska asks unanimous consent to insert the statement in the RECORD. Is there objection?

There was no objection.

Following is the statement referred to:

JULY 11, 1919.

The War Department authorizes publication of the following statement from the office of the director of sales:

The director of sales announces the prices at which the surplus stocks of canned and cured meats held by the War Department are offered to municipalities throughout the country to be retailed to the general public through markets controlled by municipalities. The canned vegetables available to towns and cities will be sold to the municipalities at their invoice cost to the Government. Since these goods were produced by hundreds of different canners at varying prices, the prices which will be quoted to municipalities may vary slightly in the several zones. Quotations on the vegetables may be obtained from the surplus property officer at each of the 13 zone supply offices.

The prices for the canned and cured meats, which are approximately 20 per cent below the cost of these commodities to the Government, are uniform throughout the 13 zones in which the surplus stocks of meats are located. They are as follows:

Beef, corned:		
No. 1 cans	per dozen	$3.60
No. 2 cans	do	6.96
6-pound cans	do	24.00
Beef, roast:		
No. 1 cans	do	3.48
1-pound cans	do	4.92
2-pound cans	do	7.92
6-pound cans	do	26.40
Hash, corned beef:		
1-pound cans	do	2.76
2-pound cans	do	4.80
Bacon:		
In crates	per pound	.34
12-pound tins	do	.36

As has been announced, this subsistence is offered to municipalities in not less than carload lots, but at those warehouses at which stocks of vegetables and meats are stored a municipality will be permitted to purchase a mixed carload of either vegetables or meats, or both vegetables and meats. The prices quoted are f. o. b. location. The War Department can not pay freight charges or transport the goods. The responsibility for such detail must be assumed by the municipality.

To make these food supplies as accessible as possible to the general public, the War Department will permit municipalities to purchase the surplus stocks and defer payment until they shall have been disposed of, provided this extension of credit shall not exceed a period of 10 days after the goods shall actually have been delivered to the municipality.

The War Department will negotiate only with a properly accredited official of a municipality for the sale of this subsistence. It will not concern itself with the manner in which the municipality, having obtained the goods, shall offer it to the public further than to stipulate that the municipality shall sell at cost. The municipal government is at liberty to conduct the sale of the foodstuffs under the direction of municipal officials or civic bodies to whom it may delegate authority.

Municipalities desiring to take advantage of the War Department's offer are requested to negotiate directly with the surplus property officer at the nearest of the zone supply offices, which are located in the following cities: Boston, New York, Philadelphia, Baltimore, Newport News, Atlanta, Chicago, St. Louis, New Orleans, Fort Sam Houston, El Paso, Omaha, and San Francisco. These surplus property offices have been instructed by the War Department to make sales to municipalities under the conditions prescribed by the War Department and are supplied with complete information concerning the commodities available in each of the zones and the actual prices at which they may be disposed of.

Mr. DOREMUS. Does the gentleman from Nebraska still insist that under that publicity statement sales must be limited to municipalities alone?

Mr. REAVIS. "The gentleman from Nebraska" insists upon this, that the department had never indicated before that publicity statement that anybody could buy except for export trade.

The SPEAKER pro tempore. The time of the gentleman from Nebraska has expired.

Mr. REAVIS. I wish somebody would give me five minutes more.

Mr. GRAHAM of Illinois. Mr. Speaker, I yield to the gentleman five minutes more.

The SPEAKER pro tempore. The gentleman from Nebraska is recognized for five minutes more.

Mr. REAVIS. Mr. Speaker, I am going a step further, a step that I would have gone if I had had more time this morning. Look at page 76 of volume 2 as another evidence of the policy of this department to keep from the American people the right to consume and use the very things that they purchased at great sacrifice with their own money. It does not refer particularly to food, but it refers to a general policy, and is a part of it in this case. It is a letter written by J. B. Irving for the Chief of the Surplus Property Division to Mr. Frank Eldridge Webb in New York on the subject of underwear and hosiery, in response to a letter from Mr. Webb, who wanted to buy the product. Here is the letter showing, as I say, that there is some general policy:

WAR DEPARTMENT,
PURCHASE, STORAGE AND TRAFFIC DIVISION,
OFFICE OF THE DIRECTOR OF STORAGE,
Washington, June 5, 1919.

From: Surplus Property Division, Office of the Director of Storage, Munitions Building, Washington, D. C.
To: Frank Eldridge Webb, Grand Central Terminal, New York, N. Y.
Subject: Underwear and hosiery.

1. Acknowledgment is made of your letter of June 2 on the above subject.

2. Advice is given that at the present moment no definite policy has been formulated on the disposition of these items. We are in active consultation with the knit-goods association, and have not yet decided to offer any of these items for sale under sealed bids in the domestic market. If this policy is consummated later on, you will have an opportunity to bid.

3. In the meantime this office has endeavored to interest many exporters in the sale of this property in foreign markets. If you are interested in this aspect of the situation, suggestion is made that you examine the stocks at Philadelphia and submit an offer.

By authority of the Director of Purchase and Storage.

J. B. IRVING,
For Chief Surplus Property Division.

You will observe he says, "We are in active consultation with the knit-goods association" that sold them. [Applause on the Republican side.] There they absolutely decline to accept a bid unless it is a bid for export, where the American people could not get control of the property.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. REAVIS. I will.

Mr. KNUTSON. They refused absolutely to consider a bid for home consumption?

Mr. REAVIS. They had refused to consider any bid for general supply for home consumption until this special committee on the investigation of the War Department exposed their policy. They are anxious enough to sell now. [Applause on the Republican side.] Mr. Speaker, I yield back the remainder of my time.

The SPEAKER pro tempore. The gentleman yields back three minutes.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DOREMUS] may have 10 minutes in which to reply to the gentleman from Nebraska [Mr. REAVIS].

The SPEAKER pro tempore. The gentleman from Virginia asks unanimous consent that the gentleman from Michigan may have 10 minutes in which to reply to the gentleman from Nebraska. Is there objection?

Mr. GRAHAM of Illinois. Mr. Speaker, reserving the right to object, the gentleman from Michigan [Mr. DOREMUS] made this challenge and invited this controversy, and the time was yielded by his side.

SEVERAL MEMBERS. By unanimous consent.

Mr. GRAHAM of Illinois. I will consent to five minutes. If the gentleman will take that, I will consent. Otherwise I will have to object.

Mr. FLOOD. In view of the statement of the gentleman from Illinois, I modify my request.

The SPEAKER pro tempore. The gentleman modifies his request, and asks that the gentleman from Michigan [Mr. DOREMUS] may proceed for five minutes, to reply to the gentleman from Nebraska [Mr. REAVIS]. Is there objection?

There was no objection.

Mr. DOREMUS. Mr. Speaker, I do not think I will require over one minute, unless I am interrupted. Of course, every Member of this House understands thoroughly that the gentleman from Nebraska [Mr. REAVIS] has not answered the question that I asked him, and that he has not attempted to answer it. [Applause.] Now, I quote again from the majority report prepared by the gentleman from Nebraska [Mr. REAVIS]:

On July 11 of the present year, and after the War Expenditures Committee was appointed, the director of sales issued to the press a publicity statement with reference to the sale of meats and vegetables. This statement provides that meat and vegetables shall be purchased only by municipalities.

Now, if he means anything by that language, he means that the sale by the Government is limited to municipalities, to the exclusion of everybody else. Can there be any question about that being the proper interpretation? That is the statement I asked the gentleman from Nebraska about, and I called upon him to point to one scintilla of testimony taken by his committee to substantiate that statement, and he has failed to do it. [Applause.] Now, unless the gentleman from Nebraska desires to ask another question, I am through. [Applause.]

Mr. GRAHAM of Illinois. Mr. Speaker, I yield nine minutes to the gentleman from Nebraska [Mr. JEFFERIS].

Mr. JEFFERIS. Mr. Speaker and gentlemen of the House, it is very evident that the report of the majority has made certain definite and specific charges. It is also evident to everyone who sits here that these charges have been met by the minority Members with numerous excuses and explanations that do not satisfy a thinking mind. My friend, the gentleman from California [Mr. LEA], says that the people of the country are suspicious of the Republican Members of this investigating committee. If they are suspicious I have not up to this time ascertained that fact; but I do know that last November the people of this country were suspicious of the Democratic majority in this House and of the administration, and that accounts for the presence of the Republican majority in this House to-day. [Applause.]

My friend from Virginia [Mr. FLOOD] told us in his eloquent speech that last week—nearly eight months after the armistice—the Secretary of War had decided to throw open the opportunity to buy these food products to any body of patriotic gentlemen of any city who might cooperate and put their funds together to purchase these supplies in the name of cities from the War Department. Great God! Did it take eight months for him to devise such a plan as that? If so, if it took eight months to do that, it is a complete refutation of the claim that he had any such policy before last week. If it takes eight months to develop such a policy as that, one conceived after this committee began its investigation, we can not know how much time it would have required for him to have invented any such policy if this committee had not been investigating these facts.

Gentlemen, the minority charge that the majority report contains misstatements of fact, whereas it is the minority report that is misleading. On page 7 of the minority report, in the letter of my friend the gentleman from Virginia [Mr. FLOOD], it is stated:

6. I note the report says there are millions of cans of surplus fish. My information is there is no surplus of fish. All canned salmon has been turned back to the canners at cost to the Government. The reason for this was the fact that this salmon did not come up to Government specifications and consequently the War Department compelled the canners to take it back at the price the Government paid for it.

The minority report says specifically that the Government has no canned salmon; that it has already been turned back to the canners at the price which the Government paid for it. Is that true? Is the minority report true? If so, then the canners have had the benefit of the use of the Government's money, whatever benefit there was in that, during all this time. But the fact is that the Government has not turned the salmon back to the canners. I happened to know that in the city of Omaha, from whence I come, there is stored a large amount of canned salmon in the possession and control of the War Department, and which was shipped there from the Pacific coast. And the other day I got in communication with my home city through the kindness of the gentleman from Nebraska [Mr. REAVIS], chairman of the subcommittee, and who obtained from Gen. Rogers the right to inspect the canned salmon stored in Omaha, and which the minority report says has been turned back to the canners at the price the Government paid for it, and which the minority claim did not come up to Government specifications.

This morning, as the sun rose over the city of Washington, I received this telegram from men whom I know, reputable men engaged in the wholesale grocery business in the central portion of our country and who had made an inspection of 850,000 cans of salmon yesterday afternoon in the city of Omaha. They wired me as follows:

OMAHA, NEBR., *July 29, 1919.*

Hon. ALBERT W. JEFFERIS,
House of Representatives, Washington, D. C.:

Your letter received. The sender, in company with Mr. Hughes, of Hughes Co., Mr. Keogh, of Paxton & Gallagher, Mr. Murphy, of McCord-Brady, inspected salmon. Found same wholesales good and fit for food. The above wholesale grocers offer the Government $10 per case on all red salmon, $6.80 per case on all pink salmon f. o. b. Omaha, Government warehouse, net cash. This offer good only for immediate acceptance and immediate delivery. Omaha entirely out salmon. Wholesale grocers can distribute right now to advantage, same time relieve food shortage. We understand above prices considerable in excess of what Government paid packers. The very fact three largest wholesale grocers in Omaha willing to buy this salmon is conclusive proof and evidence salmon absolutely mercantile. Examination shows about 600,000 cans pink salmon, 250,000 cans red salmon, both grades packed 48 cans to the case. We understand new salmon now in transit from Alaska. We believe Government's best interest sell this salmon immediately. Let the salmon go into consumption. The above parties bidding on this salmon are responsible wholesale grocers, not speculators.

NEWMAN BROKERAGE CO.,
M. B. NEWMAN, *President.*

Now, if this be true, why send this salmon back to the canners, who canned it last year? The Government has had its money in it. If this canned salmon has been kept stored at the Government's expense and is to be sent back to the canners at this time, when the market is barren, upon the false claim that it is not up to the Government requirements, and thus permit the canners to have this year's crop and last year's crop also, that they may dictate the price to the American people—if that is the purpose, it is to my mind one of the greatest outrages that could be perpetrated upon a free people, even in the name of democracy. [Applause.]

As a matter of fact, if I am correctly informed, the price offered by the wholesale grocers of Omaha for this salmon is far above the price paid by the Government for it. A sale of it to the grocers for consumption by the people at this time would relieve the food situation in the central portion of our country to some extent, permit the Government to get its money out of the salmon, and possibly prevent the raising of the price for the salmon crop of the present year.

Why should the salmon, in which the War Department has invested the people's money, be turned back to the salmon canners? Did the War Department accept salmon which was not up to requirements or has it deteriorated because of long storage? Why store salmon not up to requirements? Why invest the people's money in such an enterprise and eight months after the armistice turn it back to the canners?

The truth is as stated by the wholesale grocers who inspected it yesterday. The salmon to-day is wholesome, entirely fit for human consumption, but the administration forces of our Government, by way of excuse to turn the salmon back to the canners instead of selling it for food purposes, are attempting to put forth the claim that the salmon does not come up to Government requirements. Have the Government requirements changed since the salmon was accepted or has the salmon changed since it was stored or have conditions so changed that it is now necessary to stabilize the business of the canners of salmon by permitting them to either destroy last year's crop of salmon or add it to their present holdings, and thus control the price of salmon for the coming year? These are pertinent questions, and the American people are on guard. The consumers of America will never tolerate any copartnership between the salmon packers and the administrative branch of our Government, which has for its purpose the maintenance of the high cost of living so as to stabilize the market prices for the salmon packers [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FLOOD. Mr. Speaker, I yield 20 minutes to the gentleman from New York [Mr. DONOVAN].

Mr. DONOVAN. Mr. Speaker and gentlemen, those of us who were fortunate enough to be here early this morning and to hear our revered and respected Chaplain offer the prayer and give it earnest thought might well take the text and apply it to the situation confronting us here to-day. He prayed that we might dispel pessimism, that we might inculcate and grasp optimism, that we might in these times be fair men and do for the country and the world some real good.

I believe that is the spirit in which this question should be approached. There is, in my mind, no question that this House is united in the main proposition; that we want this vast supply of merchandise disposed of as quickly, as profitably, and as expeditiously as possible; that we all want the American people to have the advantage of it and by so doing reduce as far as possible the intolerable standard of the high cost of living. The problem is not a partisan one; it is an economic one.

At this time I desire to make a statement in explanation of the absence of my name with that of my colleague from the minority report, which appears in this morning's issue of the RECORD. Having been granted unanimous consent for 10 days' leave of absence, owing to illness in my family, and having therewith arrived at my country home, some hundreds of miles distant, I was necessarily precluded from attesting my name to the minority report. I therefore take this opportunity of declaring my approval of the same, and if I had been available would have attested my signature thereto.

I am opposed to the resolution of the majority and the committee report supporting the same. I object to its adoption, for the reason that giving it the most generous construction and favorable consideration it must necessarily be placed in that detestable class of "whereas" resolutions that simply suggest but do not affirm or construct, and does not purport to be as well as, or better than, the War Department is now doing.

In my judgment, the problem which to-day confronts us for solution is twofold:

(a) Has the War Department employed and is it now employing sane, reasonable, expeditious, and businesslike methods in preparing, inventorying, and declaring a correct surplus and in marketing its tremendous volume of foodstuffs?

(b) Does and will the resolution now under consideration suggest, offer, or direct a more complete, efficient, practicable, and expeditious plan than that which the War Department is now employing?

The subject now in compass in this resolution and all testimony taken in support thereof was within the jurisdiction of subcommittee No. 4—Quartermaster Corps. As the minority member of that subcommittee I will address myself to the testimony with the view of enlightening the House, with the hope that its conclusion will be the same as mine—judging solely from the evidence—that the War Department has been most efficient and in the interest of the American people in its administration of this most important trust.

The Government's war machine was constructed solely as a "go-ahead" proposition. It was planned and expected that not until July 1, 1919, would the World War be terminated, at which time our troops would march into Berlin as conquerors. It was a straightaway mechanism with no reverse gear or brakes, solely with one purpose—that of going ahead and smashing forever German autocracy.

To accomplish this the Government planned having 5,000,000 men in France by that time, and every purchase of clothing, munitions, and foodstuffs was based on that estimate. A strategic program planned by our very efficient General Staff, in cooperation with Gen. Pershing, provided that at all times during hostilities the Pershing army was to have a 90-day surplus of food supplies—45 days' supply at the base in France, 30 days' supply at the zone nearest the battle line, and 15 days' supply in the front-line trenches.

The purpose of this precaution and masterful arrangement was in event of submarining or destroying of our transports in transit to France our forces in France would have a sufficient supply of foodstuffs to sustain them until the transport system could be rehabilitated. The War Department found that to keep this surplus constantly in France it was necessary to consume some eight months from the inland cities and zones where the commodities were purchased in transporting them to the seaboard in America and until they finally reached their destination in France. Consistent with this policy and because of the custom of the department to make purchases and contracts some months in advance of delivery, supplies were continually coming in and being shipped across.

The War Department was advised by Gen. Pershing that during the battles of the Argonne Forest and at Chateau-Thierry he found that the use of ham and bacon as a ration in the trenches and approximate zones was impracticable, for the reason that the fires needed in the cooking of them made attractive marks for the enemy airplanes in attacking our forces, and he asked that canned meats, such as roast beef and corned beef, which did not necessitate cooking, be supplied in their stead.

When the armistice was signed in November, 1918, we had an Army of 3,700,000 men; contracts had been placed for an Army of 5,000,000 men, and though the War Department ordered the contracts canceled, notwithstanding the supplies kept coming into the department.

There was commandeered for the use of the Army 40 per cent of the food products of America. It was the most gigantic aggregation and variety of these products that this country, and perhaps that any country, had ever seen in control of a nation. There were 80,000 articles of such commodities listed under the supervision of the Purchase, Storage, and Traffic Division, and were distributed in 40 different camps and cities of the country.

The policy of the War Department was in accordance with its promise to Gen. Pershing to ship supplies without delay. To readily handle the shipment of these commodities from the seaboard the War Department, owing to the shortage and lack of experienced material in man power, was at times obliged, much against its will, to be content with inexperienced and untrained help in its receiving and transshipment departments.

On November 11, 1918, there were 3,700,000 men to feed. The department assumed that the maximum speed in demobilization, judging from results then accomplished, would result in about 1,500,000 men in the Army by July 1, 1919. It was estimated we would have to feed 3,700,000 men, the total number, to November 11 and 1,500,000 men to June 30, making on an average of about 2,300,000 men to be fed.

Criticism has been made that the War Department did not sufficiently early declare a surplus of food products, and the majority report overreaches itself in its undertaking to support this contention. It has been stated that authority for declaring a surplus was made 19 days after the armistice was signed, and that the order was promulgated by the General Staff through its Chief of Staff, and that more than seven months elapsed before the food products were offered for sale to the people; further, that the selling of the foodstuffs was not inaugurated until after the appointment of the committee which has reported out the resolution now under consideration. The fact is, as disclosed in the testimony of Gen. March, Chief of Staff, page 94, that surpluses were declared on baked beans from February 17 to May 20, on stringless beans from March 11 to July 7, corn from February 17 to July 7, peas February 12 to May 20, and tomatoes March 19 to July 7; and the first certified declaration of meat surplus was declared March 26, 1919.

The War Department was beset with unusual and trying conditions in declaring an exact surplus, because it submitted to Congress on January 15, 1919, its estimate for an army of 1,500,000 and was not certain whether the provisions of the armistice would be carried out by Germany, and it will be recalled that the date of its enactment was repeatedly extended.

The department could not fix a definite surplus for this reason, for the inventorying done in March was for these and other reasons found to be inaccurate and had to be rejected and a new inventory taken, which finally resulted in a declaration of surplus declared, which even then was not final, owing to the constant demobilizing of our forces, which proportionately from day to day increased the surplus by the men being cut off from the service.

Sales have been made not only to municipalities but to groups of individuals whose financial standing warranted such sales. The department has made all sales on an 80 per cent basis of the cost.

Much has been said about the Secretary of War. I supposed that if we were going to ask a man's opinion as to what his policy is, that we would ask it of the man himself if he were available. Gen. March said that the Secretary wanted these things reported and Col. Davis said that Gen. Meskin, of Chicago, the regular officer in charge of the meat supply, who knew about it and was an expert, could declare a surplus; and it was thought we might go over and visit him. The hearing will disclose that Mr. REAVIS intimated that, and I, at least, thought that would be done and that we would have the advantage of his information. I thought that if we wanted to know the policy of the Secretary of War, that if the chairman of the committee did not think well enough to ask him that the opportunity might be given me to do so. But I was foreclosed of that right. I was disappointed that the Secretary of War was not allowed to testify and give his own statement as to his policy not to export but to sell these products directly to the American people. Every witness who was asked—Hare, Rogers, and Davis—what was the policy of the Secretary of War as to exporting said so far as he knew he is opposed to it; that the theory he has and the desire he has is to sell these goods for the best profit, wherever obtainable.

A vast amount of ham and bacon was sold in Baltimore, and it was claimed here that it had deteriorated. The evidence is that Mr. Hare sold the ham in Baltimore for 28½ cents per pound, which had cost 40 cents. The record will also disclose that he rejected bids which were only 40 or 50 per cent of the

cost. He made for the Government by the delay and evidently the ham had not materially deteriorated.

Now the Canners' Association ought to be explained; and how it is made up. To hear the name—"Canners' Association"—one would be inclined to think of a momentous commercial enterprise. The Canners' Association is a nonstock corporation. It is a mutual association of canners of this country, but not of all of them. There are 4,000 canners in this great country. One thousand of them belong to the Canners' Association. They pay dues, which are nominal, and employ on an average 17 laborers in each of the establishments. It is a poor organization. It is an altruistic organization to the extent that the proposition is to increase and better the canning industry. It sets no price. Let me tell you, gentlemen, that the price paid here through the placing of orders with the Canners' Association was made by the Government through the Food Administration. It was really a case where the buyer set the price and not the seller. This association maintains, in connection with the Harvard Medical School, a laboratory on which it expends $25,000 a year, obtained by subscription of the members of from $5 to $2,500, for the benefit of the American people and in order that canned products may be pure and unadulterated and free from poison ingredients. Surely that is altruistic. The president of the Canners' Association, Mr. Frank Gerber, receives no salary. He gives unselfishly of his time. He impressed me greatly as a straightforward and honorable man.

Much has been said here as to the added rations of the soldier. "Added," it says. The ration was not added, and if the gentleman will refer to an order issued in March, 1919, by the Chief of Staff he will see that the rations were issued in lieu of the garrison ration, and if he will look to the ration schedule as put in effect by Gen. March, No. 1405, it is permitted to substitute canned rations for fresh vegetables, and it has been done time and time again. Now, if he will further inquire, he will find that the fact is this: That it was testified that a Maj. McDonald, an old commissary sergeant, who was caterer at West Point, who knows what the soldiers need and what they want, and also is regarded as an exemplar in that line, not being aware of the letter sent by Mr. Gerber, of the Canners' Association, to Gen. Wood, made this suggestion because fresh vegetables were difficult to procure, and, further, that the company messes were buying out of their own pockets these same products that were now included in this ration. It was not an added ration. It was in lieu of, and that order stands there and can be seen.

Col. Davis, a West Pointer, 32 years in the service and a man of unquestioned integrity, has testified to the fact that the purpose in keeping the sale of canned goods off the markets was to stabilize them and give the farmers a chance to plant their spring crops; the canners to prepare their fall pack and the American people to be saved from a food panic, which would follow if these millions of cans of vegetables were allowed to be thrown on the market and glut it.

From a résumé of the evidence I have presented it will be seen that the War Department has taken every precaution to conserve the interest of the Government, and has made sales by which they have obtained 80 per cent of the cost of the goods. That, in point of fact, the municipalities which have purchased the supplies having 10 days in which to pay for same have been permitted to act as distributing agent, directly delivering supplies to the consuming public, taking its money in payment thereof, and at the expiration of 10 days remitting it to the Government. The War Department is, therefore, in fact, selling these foodstuffs direct to the consumer, and is to be congratulated on its Secretary of War, who has demonstrated his ability as a great executive, in his contribution in directing the American Army in this Great War, and in his like ability in husbanding, distributing, and directing the sale of the surplus of these vast products. The resolution under consideration in no way offers or suggests to define a policy of carrying on this great work, and fails of its own weight for its obscurity and insufficiency. [Applause.]

Mr. GRAHAM of Illinois. Mr. Speaker, I yield nine minutes to the gentleman from Illinois [Mr. McKENZIE].

Mr. McKENZIE. Mr. Speaker and gentlemen of the House, I am admonished from what I have heard here this afternoon that when it comes to party politics we are rather strange individuals. If, as an American, I would say that I am proud of the magnificent record of our War Department in assembling an army as it did, transporting it across the sea, and if I spoke of the magnificent record of those boys as they went over the enemy trenches and brought victory to the old Stars and Stripes, or if I should speak of the many good, patriotic citizens of this country who came to Washington to assist our Government in that great hour of trial, I would be referred to as a patriot and a statesman; but if I should happen to call attention to the thousands of cars and automobiles that are standing out in the sunshine and the storm between here and Baltimore, or if I should call attention to the millions of dollars' worth of deteriorating foodstuffs now in the hands of the War Department, and if I should, perchance, call attention to the fact that there were men who came to Washington with flags on the lapels of their coats and attached themselves to the War Department under the guise of patriotism and out of their services made great profits and whose unconscionable profits in some instances have been shown by the excess-profits tax they paid, then I would be referred to as a partisan.

Mr. Speaker, as one man on this committee—I am a Republican—I signed the majority report because I believed that, while it may not be exactly true in every word so far as the grammatical construction is concerned, it points to serious facts that are confronting the American people to-day, and it is strange, indeed, to see our friends across the aisle, who have stood ever since I can remember as the particular champions of the consumers of this country, forced into a position where they are undertaking to defend the activities of "big business." [Applause on the Republican side.]

As a Republican, I believe in "big business." I believe when "big business" is properly handled it is to the advantage of the consuming public of America, and I have never been against that. But, Mr. Speaker, when big business will undertake to set the prices that our Government shall pay for the things to feed our soldier boys and after they have filled their pockets with gold, as shown by the diamonds worn by their families and the excess-profits taxes that they pay, and then when the war is over and our Government undertakes to dispose of the surplus we find those men gathered in the room of the Secretary of War undertaking to dictate to him the policy that he shall pursue in getting rid of this surplus stock in order that it may not disturb their business, it behooves the people to awaken from their slumber. I have got only a few minutes, and I want to say this in conclusion, my friends, the high cost of living is only an incident. The amount of food concerned in this is but a mere bagatelle, but the thing we want to take note of—and that is why men will support this resolution—is the fact that whenever the American people discover that their Government has so degenerated from a Nation of freemen that the officials of our Government are taking their orders from, and are subservient to, the great combinations and interests of this country our land is in danger. There is a sure and just way to handle such problems, and if not so handled and the rights of all the people considered there is but one final alternative, and that is the frenzy of the mob. May God guide us away from such an end. May wisdom prevail, is my hope.

Mr. FLOOD. Mr. Speaker, how many speakers has the gentleman from Illinois?

Mr. GRAHAM of Illinois. I have two.

Mr. FLOOD. I have only one.

Mr. GRAHAM of Illinois. How much time remains for each side, Mr. Speaker?

The SPEAKER pro tempore. Eighteen minutes.

Mr. GRAHAM of Illinois. I yield eight minutes to the gentleman from New York [Mr. MAGEE].

The SPEAKER pro tempore. The gentleman from New York is recognized for eight minutes.

Mr. MAGEE. Mr. Speaker, at the outset I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the gentleman's request?

There was no objection.

Mr. MAGEE. Mr. Speaker, I do not care to inject any personalities into my remarks. I have nothing but the kindliest feeling for everybody concerned. I am intensely interested in this question, because I think that the high cost of living is one of the most important questions, if not the most important question, facing the country to-day, and I think that the chairman of subcommittee No. 4, the distinguished gentleman from Nebraska [Mr. REAVIS], has rendered a great public service in bringing this question to the attention of the House and of the country. [Applause.]

There can be no doubt of the facts. My Democratic friends stand here and plead guilty to the charge upon the evidence, judging from the speeches they have made here in the House to-day. The fact is that since the date when the armistice was signed, November 11, 1918, the evidence shows that they have disposed of only $12,000,000 worth of these products. The gentleman from Virginia [Mr. FLOOD] states that the amount is more. But it does not make any difference whether it is

$12,000,000 or $26,000,000 worth. The fact is that there is still on hand $120,000,000 worth of canned meats and canned vegetables.

If it has taken the Democratic administration about eight months to dispose of $12,000,000 worth of these products, how long will it take this active administration to dispose of $120,000,000 more? [Applause on the Republican side.] I figure that they will be at it about 10 years.

How do they propose to get rid of them? They say now that they are in favor of the resolution. The evidence shows that one way proposed is to feed these canned products to the soldiers, to give them canned goods for breakfast, for luncheon, and for dinner. That is one way that they suggest to get rid of them. In addition to that, they think they can export some of them.

Now, the War Department has not changed its mind. The War Department has been proved in this case to be in conspiracy with the canners and packers of this country. [Applause on the Republican side.] Gentlemen on the other side of the aisle know that just as well as I do, and you know that the American people will not stand for it; that the tremendous force of public opinion will compel you to act, and place these commodities, these food products, bought with the money of the people, where they belong, within the reach of the consumers of this country. [Applause on the Republican side.]

I took up this question with the office of the director of sales upon the request of the Syracuse Chamber of Commerce. They notified me that they would sell only to a municipality. I sent the chamber that information. The officials of the city took it up. They found that the city had no power under its charter to purchase these commodities. Upon this question of power I have a concise opinion of Corporation Counsel Hancock, of Syracuse, one of the best lawyers in the State of New York, which I will place in the RECORD in order that you may read it:

JULY 18, 1919.

Hon. WALTER R. STONE, Mayor.

DEAR SIR: You have referred to me for my opinion a letter received by you under date of July 17 from Vincent P. Connolly, surplus property officer, relative to the plan of disposition to municipalities of surplus canned goods in storage at the Army reserve depot, South Schenectady, N. Y.

This plan contemplates that the city should assume some legal responsibility for the purchase price of surplus canned goods owned by the Federal Government and which the Federal Government has offered to sell to municipalities.

Under the constitution of the State of New York the moneys of the city can be expended only for city purposes in the legal significance of that term.

Cities are created by the legislature of the State and have only such powers as are expressly or by necessary implication delegated to them by the legislature.

The only powers delegated to a city to traffic in food products have been conferred by chapter 813, Laws of 1918, section 14, which reads as follows:

"PURCHASE AND SALE OF FOOD AND FUEL BY MUNICIPALITIES.

"Any municipality in this State may, in case of an actual or anticipated emergency on account of a deprivation of necessaries, by reason of excessive charges or otherwise, purchase food and fuel with municipal funds or on municipal credit and provide storage for and sell the same to its inhabitants in such manner and through such agencies as it may determine, but before the exercise of any such power or authority by any municipality it shall have the consent in writing from the food commission to exercise such power. The mayor, if any, and the governing body or bodies of any such municipality shall file with the State food commission a resolution and certificate stating that such a necessity has arisen in said municipality and otherwise satisfy the State food commission that such a necessity exists. The State food commission shall act upon the application as, in its judgment, the public interest requires and may prescribe such regulations and restrictions as it deems wise."

It is my opinion that no moneys of the city can be legally expended for the purchase of food products for the purpose of resale, and that this is true irrespective of whether they are bought from the Federal Government or whether they are bought at full value or at considerably less than full value.

Furthermore, no moneys of the city can be expended except such as have been specifically appropriated in the budget adopted at the beginning of the city's fiscal year.

Therefore even if the city had the legal power to purchase food products, it would be impossible to legally finance the purchase thereof out of current funds. The only provision permitting the issue of temporary bonds or certificates of indebtedness is that which I have already quoted and which, as I have stated, has no application to the present situation.

Yours, very truly,

STEWART F. HANCOCK.

I requested the corporation counsel to give me his views upon the feasibility of the plan. I have a communication from him which I think you will find very interesting reading, and I will put that in the RECORD as part of my remarks.

SYRACUSE, *July 26, 1919.*

Hon. WALTER W. MAGEE,
Washington, D. C.

MY DEAR CONGRESSMAN: From a practical standpoint, the proposition of the Federal Government to dispose of surplus meat and vegetable products by selling to municipalities for resale directly to the consumer, as we understand the proposition, is open to a great many objections under the law, for the reasons which I have explained in a memorandum furnished by me to Mayor Stone, a copy of which I am inclosing herewith. The city can not legally obligate itself for the purchase of food products for the purpose of resale. It would be necessary if the city entered into a contract for the purchase of food products that the cost be underwritten by private citizens or such an organization as the chamber of commerce. This expedient would absolve the responsible officers of the city from any financial liability, because although they might exceed their legal authority and become personally liable if they entered into such a contract, the liability, as a matter of fact, would amount to nothing if the city was guaranteed against any loss or damage by responsible private citizens.

It follows from what I have said that the proposition offered by the Government must be one which commends itself to business men. Otherwise a city can not obtain their cooperation.

The proposition made by the Government, as we understand it, thus far falls short of being a business proposition, because—

(a) Many of the goods are packed in a manner not readily adapted for domestic use. For example, bacon in 12-pound tins.

(b) There is no guaranty that the goods are in proper condition and no provision for return of such goods as may be unfit for use.

(c) There has been a definite statement that the cities would be compelled to pay freight from shipping point, but no definite statement as to whether this means freight from New Orleans, San Francisco, or New York. In other words, a city might make a contract with the Government and find the cost to exceed very greatly its expectations, because of the fact that the goods might be shipped from some distant point.

(d) The bulk of the commodities thus far offered to the city of Syracuse consists of canned roast beef and canned hash. All of the soldiers whom we talked with say that canned roast beef is not palatable; that the soldiers would not eat it; and that the city officer trying to sell canned roast beef would subject himself to grave danger of personal violence. Other persons assert that no housewife would buy canned hash, as she considers it her sacred prerogative to make hash out of left overs, and never perpetrates hash on her family except as an expedient to make use of food materials which would not otherwise be used. They also assert that private consumers do not buy canned meats or canned vegetables in the summer, and at this period of the year most persons are using fresh meats and vegetables.

(e) On many of the products offered the Government is not making a price as low as similar goods can be bought from wholesale grocers under a guaranty that the goods are in proper condition and with provision for return of such goods as may be spoiled.

It is entirely possible that we misapprehend the real intention and purpose of the Federal Government. If so, it is not due to the fact that we have been indifferent, but to the fact that we have not gotten in touch with the representative of the Federal Government who really knows what the Government's plan is.

I think that I can safely say that all of our city governments are patriotic and are generally interested in reducing the cost of living. I have no doubt that they all would be willing to cooperate with the Federal Government provided a proposition could be offered to them which would be within their legal powers to accept and which would hold out some reasonable assurance of saving money to the consumer.

Yours, very truly,

S. F. HANCOCK,
Corporation Counsel.

But I want to give you gentlemen, my Democratic friends, some good advice, if you will take it kindly. I tell you that you are on the wrong track. [Applause on the Republican side.]

The people know that this Democratic administration is not an administration of the people, by the people, and for the people. They know that it is an administration of the Democratic Party, by the Democratic Party, and for the Democratic Party. [Applause on the Republican side.] That is the reason why the country has sent down here a Republican Congress. You want to get down out of the clouds and get your feet on the earth and keep them there.

I want to tell you that this administration is a close corporation, mainly concerned in perpetuating itself in power. It will not deal with an individual. An individual can not buy anything of this administration. It will sell airplanes to manufacturers at 10 per cent of cost to the Government, but if you have a flier in your district, or a young man who wants to fly, he can not purchase an airplane from this administration for love or money.

It is the same way with automobiles. They will not sell an automobile to an individual, although they have thousands of them. My Democratic friends can make more excuses within the shortest space of time for not doing something in the public interest than any men with whom I ever came in contact. [Applause.] They will tell you that the law prohibits them from selling automobiles to the public and that they are required to distribute them to the departments, so many thousands to the Post Office Department, so many thousands to the hospitals, so many to the Navy Department, so many to the Surgeon General's office, so many thousands of motor trucks to the Department of Agriculture, but they will not sell any to the farmers for use in marketing farm products, and so forth. The only automobile that they will sell to the public is a damaged one. If they have one with the axle broken, with two wheels blown up, with the top knocked off, or with one side smashed in, they intimate that they will offer that machine to the public to be sold at public auction to the highest bidder, but that is the only kind of an automobile that an individual can buy of this administration.

These foodstuffs must be sold at once. Director Hare has testified that they are deteriorating and that they should be sold within three months. You should move at once. If you have no plan, you should adopt one. I think that in matters

of this kind the only reasonable way would be for the Democrats and the Republicans to meet in conference, to get together, to try and get upon some common ground, and then act in cooperation for the interest of the country. [Applause.] That would be my way. But the trouble with this administration is that it will not play anywhere except in its own back yard. That is the trouble with it. If you do not agree with this administration, it will start in to get everybody by the ears and keep everybody by the ears and in hot water all the time. [Applause.]

Mr. FLOOD. How much time have I left?

The SPEAKER pro tempore. Twenty minutes.

Mr. FLOOD. I yield 20 minutes to the gentleman from Tennessee [Mr. GARRETT]. [Applause.]

Mr. GARRETT. Mr. Speaker, when the gentleman from New York [Mr. MAGEE] said a few moments ago that this was an administration of the Democratic Party, by the Democratic Party, for the Democratic Party, I wondered what sort of thought swept through the mind of my honored friend the chairman of this select committee [Mr. GRAHAM of Illinois] when he recalled the statement given out by him some few days ago criticizing the advisory board of the Council of Industrial Defense, every member of which, save one, was a lifelong Republican. [Laughter and applause.]

The gentleman from New York [Mr. MAGEE] is vitally interested in reducing the cost of living, and he proposes to do that, as I understand, in a very large measure by placing automobiles on the market. [Laughter.]

Mr. BAER. Will the gentleman yield right there?

Mr. GARRETT. I can not.

Mr. BAER. They are very vitally important to the farmers to distribute food to the table.

Mr. GARRETT. I arose primarily to discuss this resolution and not the report, but I do wish to say a few words generally.

All serious men appreciate, I am sure, that the period immediately following the cessation of hostilities was one of intense strain. There was uncertainty in all lines of activity. I do not refer to the big interests of the country alone. I refer to the ordinary citizens everywhere throughout the Republic. Every thoughtful man in this country was wondering what was to come next. And let me say now, Mr. Speaker, that if the War Department had proceeded as the line of argument made upon the Republican side of the House to-day indicates they would have had that department proceed, and had dumped upon the market all the surplus that had been accumulated as a necessity of war, and had broken the market, as inevitably it must have done—if they had thrown it on the market at low prices, and you can not reduce the cost of living unless you sell at lower than the market price—if that had been done and the market had broken and this country had been driven into a panic, as it inevitably would have been, what would have been your attitude, gentlemen on the Republican side? I will tell you what would have been your attitude. You would have been here seeking to impeach officially the Secretary of War. [Applause.]

Now, I do desire to discuss the resolution, because it has not been discussed. What is the resolution?

Be it resolved, etc., That the Secretary of War be, and is hereby, requested to place on sale, without delay, the surplus food products in the hands or under the control of the War Department now stored in the United States, under such plan as will safeguard the interests of the Government and insure an opportunity to the people of the United States to purchase the same directly from the Government.

Mr. Speaker, the mountain labored and brought forth a mouse. [Laughter.]

My honored friend the gentleman from Nebraska [Mr. REAVIS] said this morning in his very eloquent address that he could be indicted for what he thought of the War Department. Let me say to my friend from Nebraska that if this resolution, proposed by the majority, represents the sum total of his intelligence, which it does not, he need have no fear of conviction. [Laughter and applause on the Democratic side.]

What have you done? What have you offered? You assail the administration, you denounce it as being in league with the interests, you seek to crucify it before the public, and then say that you resolve that that same administration be requested to do so-and-so. Where is your boasted capacity? [Applause on the Democratic side.] The administration in which you do not confide, you say—why not suggest a plan of your own? What does the resolution amount to? It means, if I construe it correctly, that you request the department to change the policy and plan now in force, and if this resolution should be passed as a law and become binding, the department could not under that law sell a can of peas or a pound of meat except directly to the consumer. Is that what is desired? If so, then, knowing that it will require an extensive organization, knowing that the department has no funds with which to organize a retail arrangement in this country, you certainly should be willing to say that you will cooperate to the extent of furnishing a fund essential to carry out such plan. Therefore an amendment will be offered requesting the Committee on Appropriations to bring in an appropriation that will be essential, or express its readiness to do so, if this should be made the policy of the Government.

Not only that—I am trying to appeal to the intelligent judgment of men. If such a system is organized, and you undertake to change the plan and have these goods distributed throughout the country under that system, and you confine it alone to that system, you know and we all know that there are quantities of this food that will not be disposed of, that can not be disposed of, to the advantage of the Government or in justice to the Government, and therefore I feel that this House, in passing a resolution expressing its judgment, ought at least to be willing to say that you do not wish the Government to sustain loss on account of these foods, that you can not distribute in this manner, and therefore will be willing to accept an amendment which will be offered that will leave to the discretion of the department the disposition of these particular things that can not be disposed of without vast waste under a system of retail dealing. That is a matter which I submit must address itself to the intelligence and the good sense of every man, if you intend to pass such a resolution at all.

So far as I am personally concerned, I have no hesitation in saying that I do not regard the resolution as necessary. On the contrary, I regard it as wholly unnecessary. If it is regarded as necessary on that side of the Chamber to do something along those lines, it seems to me that you ought to come before the Congress of the United States and before the people of the United States with a law, not a resolution simply requesting the administration which you denounce. What sort of an absurdity is that?

Mr. MOORE of Virginia. Will the gentleman allow me to ask him a question?

Mr. GARRETT. Certainly.

Mr. MOORE of Virginia. As I understand this resolution, it is not a joint resolution?

Mr. GARRETT. No; it is a simple House resolution.

Mr. MOORE of Virginia. And does not contemplate that any law shall be enacted?

Mr. GARRETT. No.

Mr. MOORE of Virginia. Will the gentleman answer one further question, that I may have the information? Is there anything in the record to indicate that a majority of the committee have in mind any definite plan to be observed by the department in disposing of this food?

Mr. GARRETT. Not in any record, either public or private. [Applause on the Democratic side.]

Mr. MOORE of Virginia. Then the majority of the committee is leaving the entire matter where it has rested heretofore, and that is within the discretion of the War Department?

Mr. GARRETT. Percisely; but they have had an opportunity to talk. [Laughter and applause on the Democratic side.]

Mr. Speaker, I do not know whether the gentlemen on the Republican side feel good over to-day's labor or not. I think I have never in the same length of time done quite so much drudgery work as I have during the last three days and nights since this matter was thrust before the full committee. While I am not very anxious about work, yet I do not mind it when I am working on something, but to have to devote my time, and for the House of Representatives, composed of, ordinarily, the pick of the communities which they represent, to spend an entire day leading up to a resolution as utterly meaningless, as thoroughly absurd, as unspeakably silly, as this proposition, seems to me a travesty on American statesmanship. [Applause on Democratic side.]

Mr. MOORE of Virginia. Mr. Speaker, will the gentleman yield?

Mr. GARRETT. Gladly.

Mr. MOORE of Virginia. Are we to seriously understand that the execution of this resolution, if it is adopted, is to be left to these department people, who have been described here to-day as malefactors?

Mr. GARRETT. It so states.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. GARRETT. Yes; for a question.

Mr. MADDEN. Of course, the gentleman from Virginia knows very well——

Mr. GARRETT. I yielded for a question.

Mr. MADDEN. I am going to ask a question. The gentleman from Virginia [Mr. MOORE] knows very well, and I assume the gentleman from Tennessee [Mr. GARRETT] also knows, that

whether they be malefactors or not we have to leave the execution of things that have to be done to the men who are in the administrative departments.

Mr. GARRETT. Not at all, not at all, on this proposition. The Congress could create by passage of a joint resolution a commission and take it out of the hands of these people and let the commissioners administer these $120,000,000 worth of foodstuffs, which would be about a dollar apiece for every man, woman, and child in the United States.

Mr. MADDEN. The gentleman from Tennessee must know very well that if we were to pass a law on this subject and send it up to the President, no matter how meritorious it was he would veto it.

Mr. GARRETT. Fortunately the President will not have to take up his time with any veto of such a thing as this. [Laughter and applause on Democratic side.] I will say to the gentleman that it is creditable to his party, and that is about the only credit I know of in this whole business, that they did not make this a joint resolution.

Mr. MADDEN. I think the gentleman and the President and the Secretary of War and all the rest of the gentlemen who have been applauding what the gentleman has just said will find that the passage of this resolution will result in the sale of the commodities we are talking about, and they will get into the hands of the consuming public.

Mr. GARRETT. Why, they are selling them now. You are only asking for a change in plan.

Mr. KNUTSON. How long since have they been selling them?

Mr. FLOOD. Since February.

Mr. McCULLOCH. The gentleman does not seriously contend that the resolution——

Mr. GARRETT. This is not a very serious day, but what is the question?

Mr. McCULLOCH. The gentleman will not seriously contend, will he, that this resolution, if passed, will not express the intention of Congress that this food should be put upon the market? [Applause on the Republican side.]

Mr. GARRETT. I suppose it will be the expression of the intention of those who vote for it.

Mr. McCULLOCH. Does the gentleman, then, contend that the War Department will disregard the intention of Congress as here expressed?

Mr. GARRETT. I make no contention whatever about that. I do not know.

Mr. MONTAGUE. The Congress is not asked to pass this resolution.

Mr. FLOOD. This is a simple House resolution.

Mr. GARRETT. The gentleman asked me a question——

Mr. McCULLOCH. That is a little difficult, and the gentleman has not attempted to answer it.

Mr. GARRETT. Oh, yes; I did. I answered it. I said I did not know.

Mr. MOORE of Virginia. Apropos of what the gentleman says, can it be stated that this resolution expresses any intention of Congress, or even of this House, leaving the plan altogether in the air?

Mr. GARRETT. Well, it expresses some sort of intention, but I will say to the gentleman that I do not know myself what it is. Mr. Speaker, I yield back the remainder of my time. [Applause.]

The SPEAKER pro tempore. The gentleman has one minute remaining.

Mr. GRAHAM of Illinois. Mr. Speaker, is the gentleman from Virginia going to yield any more time?

Mr. FLOOD. I think not.

Mr. GRAHAM of Illinois. Mr. Speaker and gentlemen of the House, the simple question before this House, stripped of all sophistry, is whether this House should go on record now and express its opinion that in its judgment it is the proper thing that the Secretary of War should at once sell these goods directly to the American people. That is the question. There is no doubt in any reasonable man's mind who has read this record that the policy of the War Department has been studiously one to avoid putting these goods on the market. [Applause on the Republican side.] I have heard no attempted defense. I can show you half a dozen, yes, a dozen, places in this record where the evidence shows that Secretary Baker himself said that this was his policy and the evidence is in the record. I do not want to take the time now to show you, but in Mr. Baker's letter that is incorporated in the minority report he says it is his policy, although he modifies it to some extent from the foregoing conversations that he had with Mr. Thorne, who had been acting as Quartermaster General.

He now says it is his policy to-day to sell first to the other departments of the Government if he can, then to the person or company who sold the goods to the Government, and finally, when forced to, to the public. As, for instance, the other day a sale of food was conducted in this locality supposedly direct to the people of the District. But I observed from the papers that after they had given the Department of Agriculture and the Department of the Interior and the other departments of the Government what canned meats they wanted there were just three cans remaining to be sold to the suffering population of the District of Columbia—three cans. [Applause on the Republican side.] Why, eight months and a half have elapsed, gentlemen of the House, since this War Department knew of this great excess supply of food in this country, and during that eight and a half months if a studious effort had been devised to keep it off the market they could not have devised a better effort than they have. Now, to-day we are simply asking the Members of the House to express their opinion to the Secretary of War that these things ought to be sold.

They ask, What good will this resolution do? I will tell you, gentlemen of the House, if this resolution is passed by an overwhelming majority of this House Secretary Newton D. Baker will sit up and take notice. [Applause on the Republican side.] It will go out to the people of the country, and a storm will be raised in this country, and Secretary Baker and those who are responsible for this thing will see that speedily this food gets to the people. They say, "We have no money to do it with." Why, gentlemen, let me call your attention to the fact that in the Army bill which was passed by this Congress for the year ending June 30, 1920, there is an item of a million dollars that is given as a contingent fund that is available for the Secretary of War. The next item is page 11 of the appropriation bill. I want you to notice what it permits to be done:

> For such other necessary expenses incident to the purchase, test, care, preservation, issue, sale, and accounting for subsistence for supplies for the Army, $62,526,466.

Mr. FIELDS. Will the gentleman yield?

Mr. GRAHAM of Illinois. I have not the time and I can not yield. Let me tell you something else. In the last Army bill, the one before that, you will find on page 200 of the appropriation bill print which I have here, an appropriation of $830,000,000 for this same identical purpose, and all of these vast sums of money are now available to the Secretary of War if he wants to use them. Let me read you something else. Then I want you gentlemen here to observe this. It is not the fault of Mr. Newton D. Baker alone that this thing is being done. The fault rests with a higher authority. It rests with the President of the United States. Let me call your attention to something else. In the last Army appropriation bill is this item:

> That the President be, and he hereby is, authorized, through the head of any executive department, to sell, upon such terms as the head of such department shall deem expedient, to any person, partnership, association, corporation, or any other department of the Government, or to any foreign State or Government, engaged in war against any Government with which the United States is at war, any war supplies, material, and equipment, and any by-products thereof.

And then it goes on and appropriates a vast sum of money for these and other purposes.

And that law has been in effect for a year. Why has not the thing been done? I ask you now here, gentlemen of the House, how long we shall wait and how long we shall trifle about this thing? The time for words has passed and the time to do something has come. [Applause on the Republican side.] And unless we men on this side of the House force something to be done I say that nothing will be done in view of the expressed policy of the War Department, which is to keep these products off the market.

The fact is that the War Department has been confederating with the interests who have food to sell for the purpose of keeping the price up. In this connection it is interesting to note the language of the food administration act, approved August 10, 1917. It recites, in part:

> To prevent, locally or generally, * * * hoarding, injurious speculation, manipulations, and private controls.

Certain powers are given the President and severe penalties provided for. And yet the Government, by conniving with these food pirates, violates every intendment of this law.

This report will be followed by other reports on other subjects, of great, vast quantities of war supplies that have been gathered up to supply that Army of ours, from a needle to a thrashing machine, and which are being kept off the market, and which, if they can not be sold to other nations, are being junked or being sold back to the men who made them, and willfully, as an avowed policy of the Government, it is being carried out from start to finish. In my judgment it all comes back to the origination of this scheme.

I wish you would take the first volume of the report of the Council of National Defense and look and see who the men were who negotiated these sales to the Government of these canned goods. They are:

C. H. Bentley, director of the California Packing Corporation; W. F. Burrows, president of Libby, McNeil & Libby; E. B. Deming, president of Pacific-American Fisheries; L. S. Dow, secretary of H. J. Heinz Co.; H. C. Hemingway, president of H. C. Hemingway & Co.; John F. Montgomery, president of John Wildi Evaporated Milk Co.; I. C. Morgan, jr., of the Austin Canning Co.; George N. Numsen, president of Wm. Numsen & Son (Inc.); and W. C. Leitsch, president of Columbus Canning Co.

This committee was called the Cooperative Committee on Canned Goods of the Council of National Defense, and that bought this stuff. How in God's name does anybody expect they are to consent to its going back on the market after the war? They had all the machinery. They started with the war. The machinery was built up under the Advisory Committee of the Council of National Defense, and has operated continuously during this war. And now, gentlemen of the House, at this time, when the war is over, this same council has so enmeshed itself with the departments of our Government that to-day it steps into the office of the Secretary of War and says to him when he shall sell and when he shall not sell, and he listens. And it is up to us to see that something is done. At some time soon I shall have something further to say about the secret influences that surround this Government, but the short time I now have will not permit.

Now, gentlemen, this resolution ought to be passed, and passed in its present form. [Applause on the Republican side.]

Mr. GARRETT. May I have the attention of the gentleman a moment before the reading begins?

Mr. GRAHAM of Illinois. Yes.

Mr. DOREMUS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD?

The SPEAKER. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. GRAHAM of Illinois. Mr. Speaker, along that line, I do not know whether there is any objection or not, but I ask unanimous consent that all Members of the House have three legislative days in which to extend their remarks on this subject.

Mr. HEFLIN. All who have spoken?

Mr. GRAHAM of Illinois. All Members.

Mr. KNUTSON. All Members. There are a lot of Members who could not get time.

The SPEAKER. The gentleman from Illinois asks unanimous consent that all Members have three legislative days in which to extend their remarks on this subject.

Mr. CONNALLY. Mr. Speaker, reserving the right to object, does that mean the gentlemen who have spoken?

The SPEAKER. All Members of the House.

Mr. CONNALLY. Then I object.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Virginia asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. REAVIS. Mr. Speaker, has unanimous consent been granted to those who spoke?

The SPEAKER. It has not.

Mr. REAVIS. I ask unanimous consent that all of those who spoke on this report and resolution may be given three legislative days to extend their remarks.

The SPEAKER. The gentleman from Nebraska asks unanimous consent that all those who have spoken on this report and resolution may be given three legislative days in which to extend their remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. GARRETT. Mr. Speaker, I would like to ask the gentleman a question before the reading begins. The gentleman knows the minority report suggests two amendments, but finally we give it in the form it would read if those amendments be agreed to. I would like to ask, if it be satisfactory to the gentleman, to permit the reading of the entire resolution and then offer the following resolution that the minority proposes as a substitute, so as to obviate two amendments. I make that suggestion in the interest of time.

Mr. GRAHAM of Illinois. Unless there is some objection of which I do not know, I will agree to that.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Be it resolved, etc., That the Secretary of War be, and is hereby, requested to place on sale, without delay, the surplus food products in the hands of or under the control of the War Department now stored in the United States, under such plan as will safeguard the interests of the Government and insure an opportunity to the people of the United States to purchase the same directly from the Government.

Mr. GARRETT. Mr. Speaker, I offer an amendment by way of substitute.

The SPEAKER. The gentleman from Tennessee offers an amendment by way of substitute, which the Clerk will report.

Mr. KELLY of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KELLY of Pennsylvania. That does not preclude any other amendment that may be offered?

The SPEAKER. Of course not.

The Clerk read as follows:

Amendment offered by Mr. GARRETT as a substitute:

"*Be it resolved by the House of Representatives of the United States of America*, That the Secretary of War be, and he is hereby, requested to place on sale, without delay, under such plan as will safeguard the interests of the Government and insure an opportunity to the people of the United States to purchase the same direct from the Government, such part of the surplus food products in the hands or under the control of the War Department now stored in the United States as is reasonably capable of being so distributed and sold, and the Committee on Appropriations of the House is requested to ascertain, without delay, and report to the House the sum necessary for the development of such plan."

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. GARRETT. I will.

Mr. WALSH. I will direct the gentleman's attention to the fact that, this being a House resolution, the language should be in accordance with the precedents—"*Resolved*, That the Secretary of War," and so forth. That would apply to the phraseology of the committee's resolution as well. The language should read, "*Resolved*, That the Secretary of War be," and so forth.

Mr. GARRETT. The gentleman from Massachusetts is correct about that. Of course, what we have in the proposed minority amendment did not touch upon the language in the majority resolution. I ask unanimous consent to modify the amendment which I offered so as to strike out "*Be it*," and then it will read, "*Resolved by the House*."

The SPEAKER. The gentleman has the right to modify it.

Mr. GARRETT. Then I will modify it by taking out the words "*Be it*," in the beginning, and also the words "*by the House of Representatives of the United States of America*," so that it will read, "*Resolved*, That," and so forth.

Mr. GRAHAM of Illinois. Mr. Speaker, I ask unanimous consent to modify the original resolution by striking out the words "*Be it*" and capitalizing the word "*Resolved*."

The SPEAKER. The gentleman from Illinois asks unanimous consent to amend the original resolution.

Mr. GARRETT. That ought properly to come in at another time, but I will yield to the gentleman for that purpose, only I do not want to surrender the floor.

The Clerk read as follows:

Amendment offered by Mr. GRAHAM of Illinois: Strike out the first two words in the resolution, "Be it," and capitalize the word "resolved," so that it will read, "Resolved by the House of Representatives of the United States of America," etc.

The SPEAKER. The Chair thinks the Clerk has not reported it as it was intended.

Mr. GRAHAM of Illinois. I think the words "United States of America" ought also to be stricken out, and I ask unanimous consent to do so.

The SPEAKER. Is there objection to the modification?

There was no objection.

Mr. KELLY of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KELLY of Pennsylvania. I want to understand the situation. I have an amendment to add to the original resolution. If the substitute of the gentleman from Tennessee [Mr. GARRETT] is adopted, would that change the entire situation?

The SPEAKER. It would.

Mr. KELLY of Pennsylvania. I would like to offer an amendment to perfect the text.

The SPEAKER. The Chair thinks the gentleman is entitled to offer a perfecting amendment.

Mr. KELLY of Pennsylvania. I wish to offer an amendment to perfect the original resolution.

Mr. GARRETT. If the gentleman states that he has a perfecting amendment, he is entitled as a matter of right to offer that. But he is not entitled to the floor.

Mr. CRISP. He can not take the gentleman from Tennessee off the floor.

The SPEAKER. The gentleman is correct. The gentleman from Tennessee is still entitled to the floor.

Mr. GARRETT. I am going to yield the floor long enough to let the gentleman have his amendment read for information.

The SPEAKER. It can be reported, and then it will be pending. It will be reported not simply for information but it can be pending.

Mr. GARRETT. That will not cut me off?

The SPEAKER. Certainly not. The Clerk will report the amendment offered by the gentleman from Pennsylvania.

The Clerk read as follows:

Amendment offered by Mr. KELLY of Pennsylvania: After the word "Government," in the last line, strike out the period, insert a comma and the following: "And such plan shall include utilizing the Parcels Post Service."

Mr. GARRETT. Mr. Speaker, I think that is subject to a point of order in all probability.

Mr. GRAHAM of Illinois. I desire to reserve a point of order on it.

Mr. GARRETT. Mr. Speaker, I move the previous question on my amendment.

The SPEAKER. The gentleman from Tennessee moves the previous question on the amendment he has offered.

The previous question was ordered.

The SPEAKER. The question is on the adoption of the amendment offered by the gentleman from Tennessee.

Mr. GARRETT. On that, Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 114, nays 160, answered "present" 1, not voting 155, as follows:

YEAS—114.

Alexander	Donovan	Jones, Tex.	Rainey, J. W.
Ashbrook	Doremus	Lanham	Raker
Aswell	Drane	Lankford	Randall, Calif.
Ayres	Eagan	Larsen	Rayburn
Bankhead	Eagle	Lazaro	Romjue
Bell	Evans, Nev.	Lea, Calif.	Rubey
Black	Ferris	Lonergan	Saunders, Va.
Blackmon	Fields	McGlennon	Sears
Bland, Mo.	Fisher	McKeown	Sims
Bland, Va.	Flood	McKiniry	Small
Blanton	Gandy	McLane	Smithwick
Box	Gard	Major	Steagall
Brand	Garner	Mansfield	Stevenson
Briggs	Garrett	Martin	Sumners, Tex.
Brinson	Goodwin, Ark.	Montague	Taylor, Colo.
Byrns, Tenn.	Hardy, Tex.	Moon	Thomas
Caraway	Harrison	Moore, Va.	Tillman
Carss	Hastings	Nelson, Mo.	Upshaw
Carter	Hayden	O'Connell	Vinson
Clark, Mo.	Heflin	O'Connor	Watson, Va.
Cleary	Hersman	Oldfield	Welling
Coady	Holland	Oliver	Wilson, La.
Collier	Howard	Overstreet	Wingo
Connally	Huddleston	Park	Wise
Crisp	Hudspeth	Parrish	Woods, Va.
Davey	Hull, Tenn.	Phelan	Wright
Davis, Tenn.	Humphreys	Pou	Young, Tex.
Dickinson, Mo.	Jacoway	Quin	
Dominick	Johnson, Miss.	Rainey, H. T.	

NAYS—160.

Ackerman	French	McFadden	Sanders, Ind.
Anderson	Garland	McKenzie	Scott
Andrews, Md.	Good	McLaughlin, Mich.	Sells
Andrews, Nebr.	Goodykoontz	McLaughlin, Nebr.	Shreve
Bacharach	Graham, Ill.	MacCrate	Siegel
Baer	Green, Iowa	MacGregor	Sinclair
Begg	Greene, Mass.	Madden	Smith, Idaho
Benham	Greene, Vt.	Magee	Smith, Mich.
Boies	Griest	Mapes	Snell
Bowers	Hadley	Michener	Steenerson
Brooks, Ill.	Hays	Mondell	Stephens, Ohio
Brooks, Pa.	Hernandez	Moore, Ohio	Stiness
Browning	Hersey	Moore, Pa.	Strong, Kans.
Burke	Hickey	Morgan	Strong, Pa.
Campbell, Kans.	Hoch	Morin	Sweet
Cannon	Houghton	Mott	Taylor, Tenn.
Chindblom	Hulings	Murphy	Temple
Costello	Hull, Iowa	Nelson, Wis.	Thompson, Ohio
Crago	Hutchinson	Newton, Minn.	Tilson
Curry, Calif.	Ireland	Newton, Mo.	Timberlake
Dale	James	Nichols, Mich.	Tincher
Dallinger	Jefferis	Ogden	Vaile
Darrow	Johnson, Wash.	Parker	Vestal
Davis, Minn.	Juul	Peters	Voigt
Denison	Keller	Platt	Volstead
Dickinson, Iowa	Kelly, Pa.	Porter	Walsh
Dowell	Kendall	Radcliffe	Walters
Dunbar	Kennedy, Iowa	Ramsey	Wason
Dunn	Kiess	Ramseyer	Watson, Pa.
Edmonds	Kinkaid	Randall, Wis.	Webster
Elliott	Kleczka	Reavis	Wheeler
Elston	Knutson	Reber	White, Kans.
Esch	LaGuardia	Reed, W. Va.	White, Me.
Evans, Nebr.	Lampert	Rhodes	Williams
Fess	Layton	Ricketts	Wilson, Ill.
Focht	Lehlbach	Robsion, Ky.	Winslow
Fordney	Luce	Rodenberg	Wood, Ind.
Foster	Lufkin	Rogers	Woodyard
Frear	Luhring	Rose	Young, N. Dak.
Freeman	McCulloch	Rowe	Zihlman

ANSWERING "PRESENT"—1.

Hawley

NOT VOTING—155.

Almon	Dyer	Kitchin	Riordan
Anthony	Echols	Kraus	Robinson, N. C.
Babka	Ellsworth	Kreider	Rouse
Barbour	Emerson	Langley	Rowan
Barkley	Evans, Mont.	Lee, Ga.	Rucker
Bee	Fairfield	Lesher	Sabath
Benson	Fitzgerald	Lever	Sanders, La.
Bland, Ind.	Fuller, Ill.	Linthicum	Sanders, N. Y.
Booher	Fuller, Mass.	Little	Sanford
Britten	Gallagher	Longworth	Schall
Browne	Gallivan	McAndrews	Scully
Brumbaugh	Ganly	McArthur	Sherwood
Buchanan	Glynn	McClintic	Sinnott
Burdick	Godwin, N. C.	McDuffie	Sisson
Burroughs	Goldfogle	McKinley	Slemp
Butler	Goodall	McPherson	Smith, Ill.
Byrnes, S. C.	Gould	Maher	Smith, N. Y.
Caldwell	Graham, Pa.	Mann	Snyder
Campbell, Pa.	Griffin	Mason	Stedman
Candler	Hamill	Mays	Steele
Cantrill	Hamilton	Mead	Stephens, Miss.
Carew	Hardy, Colo.	Merritt	Sullivan
Casey	Haskell	Miller	Summers, Wash.
Christopherson	Haugen	Minahan, N. J.	Taylor, Ark.
Clark, Fla.	Hicks	Monahan, Wis.	Thompson, Okla.
Classon	Hill	Mooney	Tinkham
Cole	Husted	Moores, Ind.	Towner
Cooper	Igoe	Mudd	Treadway
Copley	Johnson, Ky.	Neely	Vare
Cramton	Johnson, S. Dak.	Nicholls, S. C.	Venable
Crowther	Johnston, N. Y.	Nolan	Ward
Cullen	Jones, Pa.	Olney	Watkins
Currie, Mich.	Kahn	Osborne	Weaver
Dempsey	Kearns	Padgett	Webb
Dent	Kelley, Mich.	Paige	Welty
Dewalt	Kennedy, R. I.	Pell	Whaley
Dooling	Kettner	Purnell	Wilson, Pa.
Doughton	Kincheloe	Reed, N. Y.	Yates
Dupré	King	Riddick	

So the amendment of Mr. Garrett was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. MCKINLEY with Mr. GALLIVAN.

Mr. DYER with Mr. SANDERS of Louisiana.

Mr. MCARTHUR with Mr. WHALEY.

Mr. EMERSON with Mr. MOONEY.

Mr. OSBORNE with Mr. BENSON.

Mr. FAIRFIELD with Mr. SCULLY.

Mr. PURNELL with Mr. MCCLINTIC.

Mr. BROWNE with Mr. OLNEY.

Mr. SNYDER with Mr. SMITH of New York.

Mr. COOPER with Mr. THOMPSON of Oklahoma.

Mr. CHRISTOPHERSON with Mr. SULLIVAN.

Mr. CRAMTON with Mr. DEWALT.

Mr. JOHNSON of South Dakota with Mr. LINTHICUM.

Mr. JONES of Pennsylvania with Mr. LESHER.

Mr. HASKELL with Mr. MINAHAN of New Jersey.

Mr. HAWLEY with Mr. MEAD.

Mr. HICKS with Mr. MAYS.

Mr. HILL with Mr. MCDUFFIE.

Mr. HARDY of Colorado with Mr. MCANDREWS.

Mr. LANGLEY with Mr. CANTRILL.

Mr. RIDDICK with Mr. CLARK of Florida.

Mr. SANFORD with Mr. CASEY.

Mr. SCHALL with Mr. CAREW.

Mr. SINNOTT with Mr. CANDLER.

Mr. SLEMP with Mr. CAMPBELL of Pennsylvania.

Mr. SMITH of Illinois with Mr. CALDWELL.

Mr. SUMMERS of Washington with Mr. BYRNES of South Carolina.

Mr. TINKHAM with Mr. BUCHANAN.

Mr. TOWNER with Mr. BRUMBAUGH.

Mr. TREADWAY with Mr. BOOHER.

Mr. VARE with Mr. BEE.

Mr. WARD with Mr. BARKLEY.

Mr. YATES with Mr. BABKA.

Mr. GRAHAM of Pennsylvania with Mr. NICHOLLS of South Carolina.

Mr. HAMILTON with Mr. NEELY.

Mr. GOULD with Mr. PADGETT.

Mr. GLYNN with Mr. RIORDAN.

Mr. GOODALL with Mr. PELL.

Mr. FULLER of Illinois with Mr. ROWAN.

Mr. FULLER of Massachusetts with Mr. ROBINSON of North Carolina.

Mr. ECHOLS with Mr. SABATH.

Mr. ELLSWORTH with Mr. RUCKER.

Mr. BURDICK with Mr. WEAVER.

Mr. BUTLER with Mr. STEELE.

Mr. BURROUGHS with Mr. WATKINS.

Mr. CLASSON with Mr. VENABLE.

Mr. COLE with Mr. TAYLOR of Arkansas.
Mr. COPLEY with Mr. STEPHENS of Mississippi.
Mr. CROWTHER with Mr. STEDMAN.
Mr. CURRIE of Michigan with Mr. SISSON.
Mr. KAHN with Mr. DENT.
Mr. DEMPSEY with Mr. SHERWOOD.
Mr. HUSTED with Mr. ALMON.
Mr. REED of New York with Mr. CULLEN.
Mr. MILLER with Mr. GALLAGHER.
Mr. MONAHAN of Wisconsin with Mr. FITZGERALD.
Mr. MOORES of Indiana with Mr. EVANS of Montana.
Mr. MUDD with Mr. DUPRÉ.
Mr. NOLAN with Mr. DOUGHTON.
Mr. PAIGE with Mr. DOOLING.
Mr. KREIDER with Mr. JOHNSON of Kentucky.
Mr. LITTLE with Mr. IGOE.
Mr. LONGWORTH with Mr. HAMILL.
Mr. MCPHERSON with Mr. GRIFFIN.
Mr. MANN with Mr. GOLDFOGLE.
Mr. MASON with Mr. GOODWIN of Arkansas.
Mr. MERRITT with Mr. GANLY.
Mr. KEARNS with Mr. LEVER.
Mr. KELLEY of Michigan with Mr. LEE of Georgia.
Mr. KENNEDY of Rhode Island with Mr. KINCHELOE.
Mr. KING with Mr. KETTNER.
Mr. KRAUS with Mr. JOHNSTON of New York.
Mr. BRITTEN with Mr. WEBB.
Mr. BARBOUR with Mr. WELTY.
Mr. ANTHONY with Mr. WILSON of Pennsylvania.

Mr. BARBOUR. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman in the Hall and listening when his name was called?

Mr. BARBOUR. I think I arrived just after my name was called.

The SPEAKER. The gentleman does not qualify.

Mr. BUCHANAN. Mr. Speaker, I desire to vote "yea."

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. BUCHANAN. No; I was not.

The SPEAKER. The gentleman does not qualify.

The result of the vote was announced as above recorded.

The SPEAKER. The gentleman from Pennsylvania [Mr. KELLY] has offered an amendment which has been reported.

Mr. KELLY of Pennsylvania. Mr. Speaker, I have offered my amendment providing for the utilization of the Parcel Post System in the distribution of these surplus food products solely in order to carry out the purpose of this resolution.

I consider that this committee has rendered a public service in bringing the facts to the attention of the country and Congress. I believe a still greater public service can be performed if the definite suggestion of the use of a great public agency for the work desired is incorporated in the resolution adopted.

Mr. Speaker, the food problem is a real danger question in America. There is more Red menace in the retail food prices to-day than in all the Bolshevik meetings that can be held in this country.

At this moment great warehouses in 200 cities are bursting with food supplies and other commodities. They are in the hands of the War Department, because the people patriotically voted the money for expected war needs.

At the same time reports come in from every part of the country that the prices on these very articles are skyrocketing until the staples of life must be regarded as luxuries in many homes.

There has been a delay for eight months which to my mind is inexcusable. Every man should have known that there would be a vast surplus of supplies when an Army that was planned to be 5,000,000 on the 1st of this July was really an Army of but 1,000,000.

However, the one thing in which I am interested is action now. There has been too much delay, but what are we going to do about it?

There have been two plans brought out in the testimony before the committee. One is to sell these products in carload lots to municipalities. Ninety per cent of the municipalities are not able to adopt this plan owing to provisions in their charters. Even if all were able to adopt it the plan would not give a chance to half the people of this country who live outside the cities which could handle such an order.

Washington City tried out that plan and about all it proved was that these goods are high class and satisfactory to the people. But thousands of persons never had a chance to buy and were thus dissatisfied and had a feeling that they were treated unjustly. With even the finest kind of volunteer workers giving their time gladly in this service, there were misunderstandings about payment of money which hurt the success of the plan.

Mr. FLOOD. Will the gentleman yield?

Mr. KELLY of Pennsylvania. I can not yield, I am sorry to say, as I only have a few minutes.

The other plan, suggested by Mr. Hare, director of sales, was to organize a vast retail selling force in every city in the country. I submit that such a scheme would involve enormous expense, which would have to be defrayed by appropriations of Congress. It would mean doubling the prices paid by the Government for these products. It would mean a sheer waste of great sums of money.

Why should anyone wish to build up a great new distributing organization for these products when we already have one built to do exactly this service in the Parcel Post System?

The Post Office Department is the people's system of distribution. When President Andrew Jackson recommended its establishment he said that it would serve the same function for the country that the veins and arteries serve for the human body.

In serving as the public agency for the distribution of these foodstuffs, so sorely needed in all parts of this country, the Postal Service will be performing the very function forecast by the President.

In the past three years the fact that the post office is the direct connecting link between the people and their National Government has been recognized many times.

The proclamations of the President have been sent by the State Department to the post offices, to be posted there for the information of the citizenship of America.

The War Department and the Navy Department have organized recruiting campaigns in every community in America through the post offices, and Congress itself has authorized the payment of money for every recruit secured by a postmaster.

The Treasury Department sent its announcements to the postmasters to be bulletined for the information of the public, and the postal employees were direct agents in selling war-savings stamps and bonds.

The Labor Department has gone to the public through the postmasters in its employment work.

The Agricultural Department sends its information concerning marketing, gardening, and so forth, to the postmasters of America so that the entire citizenship may be informed of latest developments and plans.

The Food and Fuel Administrations send their orders and regulations to the public by the use of the post-office machinery.

The Civil Service Commission gives notice of its positions and requirements by bulletins in the post offices of America.

The fact is that the use of the Post Office Service in such a task as this which confronts us now is the only sensible course possible. The use of any other organization is the sheerest folly.

The problem is simply that of getting foodstuffs to the consumer direct, of emptying these bursting warehouses and placing their contents in the homes of the people of America.

In preparing for meeting that problem through the postal machinery, Congress has already spent $610,000 of the people's money. We spent $10,000 in 1917 for an investigation of the conditions which brought about bread riots and an effort to learn whether the use of postal connection between producer and consumer would reduce the high cost of living.

We appropriated for 1918 $300,000 for the express purpose of experimenting in direct communication between the producer of foodstuffs and the consumer of them by means of a motor-vehicle service. For 1919 we have appropriated the same sum for the same purpose.

Now, does any gentleman here believe that the people of America will tolerate the complete overthrow of all the work done through these expenditures of public funds? Will this Congress admit that that money has been thrown away, absolutely wasted, by now permitting the creation of some new, specially created, expensive organization for the accomplishment of a task for which the Postal Service is fully prepared?

The fact is that this $610,000 has been the best money ever spent by this Government—unless this Congress should now make it the most useless expenditure of money possible.

Mr. Speaker, the surplus food products shown in the hearings of this committee are, in part, 173,723,336 cans of vegetables and 141,000,000 pounds of meat products.

These seem like tremendous figures, and with the other surplus products do make quantities which no organization except the parcels post can handle.

But do you realize that there were handled during the last fiscal year 2,250,000,000 parcel-post packages of all sizes and containing every commodity under the sun? Do you realize

that there were handled 187,500,000 packages every month and 6,250,000 every day?

Why, the increase alone during the last fiscal year over the year preceding amounted to 62,500,000 packages a month. There would not be that many packages in the surplus of vegetables and meat products as tabulated in the hearings.

Postmaster Chance, of the Washington post office, in answer to an inquiry as to whether the local post office could handle its share of these surplus products, replied that it would be only one-fourth of the task which devolves on his office every Christmas. I believe the same statement is true for every other post office.

Mr. Speaker, my plan for handling this great surplus and getting it direct to the people is this: There are 54,084 postmasters in this country to-day. Each one could inform the people of his community, through printed matter furnished by the War Department, of these supplies and the price to be paid. He would act as agent for the consumers, buying nothing and selling nothing. He could group these orders and forward the bulk order to the nearest warehouse. The goods could be shipped from the warehouse to the post office from which the order came, and there distributed to the consumers.

This organization also includes 43,109 rural carriers, 35,200 city carriers, 46,207 clerks, and 19,968 railway mail clerks. Such a personnel would not be staggered by this task of public service, and the entire surplus could be handled in two months' time without any breakdown of the organization whatever.

Mr. Speaker, I earnestly believe that this is the only way to handle this great problem. The people are at bay before the high cost of living. The purchase of these foods by the War Department has sent food prices up. It is now a sacred duty to get these foods to the people and, if possible, bring the prices down to what they would have been.

I believe this action will bring prices down, and I want to see prices brought down. I am not worried about food traffickers, who see markets wobbling and quotations dropping through such action. I want to see this shock and still others given until there is an improvement in prices from the viewpoint of the consumer. The consumers make up the community, and their rights are paramount. The very first right of all is to have the right to buy the things upon which life depend at a reasonable price.

Let us use the public agency of the parcel post in distributing these products direct to the people, and show that the American Government has in its own agencies the means of meeting and mastering this task which now confronts it. [Applause.]

Mr. GRAHAM of Illinois. Mr. Speaker, I reserved a point of order on this amendment, and I now make the point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. GRAHAM of Illinois. That the amendment is not germane to this resolution.

Mr. KELLY of Pennsylvania. I would like to be heard on that.

Mr. GRAHAM of Illinois. The original resolution is a simple expression of the judgment of the House, and reads as follows:

That the Secretary of War be, and he is hereby, requested to place on sale, without delay, the surplus food products in the hands or under the control of the War Department now stored in the United States, under such plan as will safeguard the interests of the Government and insure an opportunity to the people of the United States to purchase the same directly from the Government.

The resolution is simply an expression of judgment and leaves entirely to the executive officer the way in which it shall be executed. However, the amendment is as follows:

And such plans shall include utilizing the Parcel Post Service.

It thereby says to the Secretary of War that our opinion is that he should do so and so, but if he does it he must do it in this way, directing a particular method of execution. I do not believe that can be done; I do not believe that that sort of appendix can be attached to a resolution that simply expresses an opinion and does not mark out any way of executing it.

I call the Speaker's attention to section 5804 of Hinds' Precedents, volume 5:

On February 14, 1882, Mr. Godlove S. Orth, of Indiana, from the Committee on Foreign Affairs, reported adversely this resolution:

"*Resolved*, That the President of the United States, if not incompatible with the public service, be requested to communicate to this House all correspondence with the British Government on file in the State Department with reference to the case of D. H. O'Connor, a citizen of the United States, now imprisoned in Ireland."

Mr. Orth's motion to lay this resolution on the table having been decided in the negative, Mr. S. S. Cox, of New York, submitted the following amendment in the nature of a substitute:

"That the President be, and he is hereby, requested to obtain for D. H. O'Connor and other American citizens now imprisoned under a suspension of the habeas corpus by the British Government in Ireland, without trial, conviction, or sentence, a speedy and fair trial or a prompt release."

After debate, the Speaker said:

* * * * * * *

"The Chair is not called upon to decide that question, and only refers to it incidentally in determining whether this amendment is in order to a resolution of inquiry which has certain privileges under the rules of the House. The amendment proposed is to change the whole character of the pending resolution, which is a simple resolution of inquiry, and makes it a resolution of instruction to the President of the United States. The Chair thinks it is not germane and not in order."

That is not strictly in point, but I think it indicates the line of argument that is followed in these matters. I do not believe that if this House proceeds to instruct the Secretary of War how he shall execute this order in part at least, that it is a proper amendment to a resolution that simply expresses the opinion of the House upon the subject.

Mr. KELLY of Pennsylvania rose.

The SPEAKER. The Chair is ready to rule. The original resolution provides:

That the Secretary of War is requested to place on sale under such plans as will safeguard the interests of the Government—

And so forth.

The gentleman from Pennsylvania offers to amend by adding—

and such plans shall include utilizing the parcels post.

The original resolution provides a general plan, and the amendment of the gentleman from Pennsylvania adds or includes a specific plan. It is a rule that a general proposition can be amended by a specific one, and the Chair thinks that this amendment is clearly in order.

The question is on agreeing to the amendment offered by the gentleman from Pennsylvania.

Mr. HULINGS. Mr. Speaker, I rise to speak to the amendment. I have listened now for a whole day to these political speeches going back and forth, and here comes a proposition now that really has some sense in it. [Laughter.]

Mr. ASWELL. Mr. Speaker, will the gentleman yield?

Mr. HULINGS. I yield to the gentleman for a question.

Mr. ASWELL. Why not include aeroplane transportation in this amendment?

Mr. HULINGS. I do not understand the question. Mr. Speaker, the gentleman from Pennsylvania [Mr. KELLY] has very clearly shown that the Government already has a fine method by which the distribution of the foodstuffs can be carried out, and that is simply by taking up the Postal Department, which is already in operation. I am quite sure that the Chair is entirely correct in this ruling, and I believe it proper to suggest to the Secretary of War that he formulate a plan which shall include the parcel-post method of distribution. It is appropriate indeed for us to suggest that he include the plan that is presented by the gentleman from Pennsylvania. I believe that if the House will consider the amendment for a moment they will adopt it.

All the machinery for handling millions of parcels is already in operation, covering more than 50,000 post offices, and could, with very little trouble and expense be arranged so that the purchaser could give his order and his money to the postmaster, who could forward the order, and by return mail the buyer would get his goods.

Mr. Speaker, whether this amendment carries or not, the real purpose of the amendment—its only purpose—is to bring to the attention of the country the fact that the Secretary of War has withheld these food products in the interest of the packers and refiners. The packers understand. When eggs are scarce the price is high. In the plentiful season the surplus goes into cold storage and prices remain high. Smart dealers destroy the surplus potato crop rather than break the price by putting them on the market. And if the great stores of foodstuffs can be kept in Government warehouses until they rot it will be all the easier to maintain high prices and sweat the public.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania.

The question was taken, and Mr. KELLY of Pennsylvania demanded a division.

Mr. GARRETT (while the House was dividing). Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Tennessee demands the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 155, nays 130, not voting 145, as follows:

YEAS—155.

Ackerman	Black	Buchanan	Costello
Alexander	Blackmon	Burke	Crago
Almon	Bland, Mo.	Byrns, Tenn.	Crisp
Ashbrook	Bland, Va.	Caraway	Dallinger
Aswell	Blanton	Carss	Davey
Ayres	Booher	Carter	Davis, Tenn.
Baer	Box	Clark, Mo.	Dickinson, Mo.
Bankhead	Brand	Cleary	Donovan
Barbour	Briggs	Coady	Doremus
Bell	Brinson	Collier	Drane

Dunbar	James	Moore, Ohio	Saunders, Va.
Dupré	Johnson, Miss.	Moore, Va.	Scott
Eagan	Jones, Tex.	Mott	Sears
Edmonds	Keller	Nelson, Mo.	Siegel
Esch	Kelly, Pa.	Newton, Mo.	Sinclair
Ferris	Kiess	Nichols, Mich.	Small
Fields	Kitchin	O'Connell	Smith, Mich.
Fisher	Kleczka	Oldfield	Smithwick
Flood	Lampert	Oliver	Steagall
Gandy	Lanham	Overstreet	Stevenson
Gard	Lankford	Padgett	Strong, Kans.
Garner	Larsen	Park	Sumners, Tex.
Garrett	Lazaro	Parrish	Taylor, Colo.
Goodwin, Ark.	Lea, Calif.	Phelan	Thomas
Hardy, Tex.	Lonergan	Porter	Tillman
Harrison	Luce	Pou	Upshaw
Hastings	Lufkin	Quin	Vinson
Hayden	McAndrews	Rainey, H. T.	Voigt
Heflin	McGlennon	Rainey, J. W.	Walters
Hersman	McKeown	Raker	Watkins
Holland	McLane	Randall, Calif.	Watson, Va.
Howard	McLaughlin, Mich.	Randall, Wis.	Welling
Huddleston	Major	Rayburn	Wilson, La.
Hudspeth	Mansfield	Rhodes	Wingo
Hulings	Mapes	Ricketts	Wise
Hull, Tenn.	Martin	Robsion, Ky.	Woods, Va.
Humphreys	Michener	Rogers	Wright
Igoe	Montague	Romjue	Young, Tex.
Jacoway	Moon	Rubey	

NAYS—130.

Anderson	Freeman	McCulloch	Sinnott
Andrews, Md.	French	McFadden	Smith, Idaho
Andrews, Nebr.	Garland	McKenzie	Snell
Bacharach	Good	McLaughlin, Nebr.	Steenerson
Begg	Goodykoontz	MacCrate	Stephens, Ohio
Benham	Graham, Ill.	MacGregor	Stiness
Boies	Green, Iowa	Madden	Strong, Pa.
Bowers	Greene, Mass.	Magee	Sweet
Brooks, Ill.	Greene, Vt.	Monahan, Wis.	Taylor, Tenn.
Brooks, Pa.	Griest	Mondell	Temple
Browning	Hadley	Moore, Pa.	Thompson, Ohio
Campbell, Kans.	Haugen	Moores, Ind.	Tilson
Cannon	Hays	Morgan	Timberlake
Chindblom	Hernandez	Morin	Tincher
Cole	Hersey	Murphy	Vaile
Curry, Calif.	Hickey	Nelson, Wis.	Vestal
Dale	Hoch	Newton, Minn.	Volstead
Darrow	Houghton	Ogden	Walsh
Davis, Minn.	Hull, Iowa	Parker	Wason
Denison	Hutchinson	Peters	Watson, Pa.
Dickinson, Iowa	Ireland	Platt	Webster
Dominick	Jefferis	Radcliffe	Wheeler
Dowell	Johnson, Wash.	Ramsey	White, Kans.
Dunn	Juul	Ramseyer	White, Me.
Elliott	Kendall	Reavis	Williams
Elston	Kennedy, Iowa	Reber	Wilson, Ill.
Evans, Nebr.	Kinkaid	Reed, W. Va.	Winslow
Evans, Nev.	Knutson	Rodenberg	Wood, Ind.
Fess	LaGuardia	Rose	Woodyard
Focht	Layton	Rowe	Young, N. Dak.
Fordney	Lehlbach	Sanders, Ind.	Zihlman
Foster	Little	Sells	
Frear	Luhring	Shreve	

NOT VOTING—145.

Anthony	Ellsworth	Kreider	Rowan
Babka	Emerson	Langley	Rucker
Barkley	Evans, Mont.	Lee, Ga.	Sabath
Bee	Fairfield	Lesher	Sanders, La.
Benson	Fitzgerald	Lever	Sanders, N. Y.
Bland, Ind.	Fuller, Ill.	Linthicum	Sanford
Britten	Fuller, Mass.	Longworth	Schall
Browne	Gallagher	McArthur	Scully
Brumbaugh	Gallivan	McClintic	Sherwood
Burdick	Ganly	McDuffie	Sims
Burroughs	Glynn	McKinley	Sisson
Butler	Godwin, N. C.	McKinley	Slemp
Byrnes, S. C.	Goldfogle	McPherson	Smith, Ill.
Caldwell	Goodall	Maher	Smith, N. Y.
Campbell, Pa.	Gould	Mann	Snyder
Candler	Graham, Pa.	Mason	Stedman
Cantrill	Griffin	Mays	Steele
Carew	Hamill	Mead	Stephens, Miss.
Casey	Hamilton	Merritt	Sullivan
Christopherson	Hardy, Colo.	Miller	Summers, Wash.
Clark, Fla.	Haskell	Minahan, N. J.	Taylor, Ark.
Classon	Hawley	Mooney	Thompson, Okla.
Connally	Hicks	Mudd	Tinkham
Cooper	Hill	Neely	Towner
Copley	Husted	Nicholls, S. C.	Treadway
Cramton	Johnson, Ky.	Nolan	Vare
Crowther	Johnson, S. Dak.	O'Connor	Venable
Cullen	Johnston, N. Y.	Olney	Ward
Currie, Mich.	Jones, Pa.	Osborne	Weaver
Dempsey	Kahn	Paige	Webb
Dent	Kearns	Pell	Welty
Dewalt	Kelley, Mich.	Purnell	Whaley
Dooling	Kennedy, R. I.	Reed, N. Y.	Wilson, Pa.
Doughton	Kettner	Riddick	Yates
Dyer	Kincheloe	Riordan	
Eagle	King	Robinson, N. C.	
Echols	Kraus	Rouse	

So the amendment was agreed to.

The Clerk announced the following additional pairs:

Mr. BLAND of Indiana with Mr. CANDLER.

Mr. BURROUGHS with Mr. CONNALLY.

Mr. GOULD with Mr. EAGLE.

Mr. HUSTED with Mr. MCKINLEY.

Mr. MUDD with Mr. O'CONNOR.

Mr. SANDERS of New York with Mr. SIMS.

Mr. TINKHAM with Mr. TAYLOR of Arkansas.

Mr. TREADWAY with Mr. WELTY.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the resolution.

Mr. GRAHAM of Illinois. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 265, nays 4, answered "present" 7, not voting 154, as follows:

YEAS—265.

Ackerman	Evans, Nev.	Lea, Calif.	Reed, W. Va.
Alexander	Ferris	Little	Rhodes
Almon	Fess	Lonergan	Ricketts
Anderson	Fields	Luce	Riddick
Andrews, Md.	Fisher	Lufkin	Robsion, Ky.
Andrews, Nebr.	Flood	Luhring	Rodenberg
Ashbrook	Focht	McAndrews	Rogers
Aswell	Fordney	McCulloch	Romjue
Ayres	Foster	McDuffie	Rose
Bacharach	Frear	McFadden	Rowe
Baer	Freeman	McGlennon	Rubey
Bankhead	French	McKenzie	Sanders, Ind.
Begg	Gandy	McKeown	Saunders, Va.
Bell	Gard	McLane	Scott
Benham	Garland	McLaughlin, Mich.	Sears
Black	Good	McLaughlin, Nebr.	Sells
Blackmon	Goodwin, Ark.	McPherson	Shreve
Bland, Va.	Goodykoontz	MacCrate	Siegel
Blanton	Graham, Ill.	MacGregor	Sinclair
Boies	Green, Iowa	Madden	Sinnott
Booher	Greene, Mass	Magee	Small
Bowers	Greene, Vt.	Major	Smith, Idaho
Box	Hadley	Mansfield	Smith, Mich.
Briggs	Harrison	Mapes	Smithwick
Brinson	Hastings	Martin	Snell
Brooks, Ill.	Haugen	Merritt	Steagall
Brooks, Pa.	Hayden	Michener	Stevenson
Browning	Hays	Monahan, Wis.	Stiness
Buchanan	Heflin	Mondell	Strong, Pa.
Burke	Hernandez	Montague	Sumners, Tex.
Byrns, Tenn.	Hersey	Moon	Sweet
Campbell, Kans.	Hersman	Moore, Ohio	Taylor, Tenn.
Cannon	Hickey	Moore, Pa.	Temple
Caraway	Hoch	Moore, Va.	Thomas
Carss	Holland	Moores, Ind.	Thompson, Ohio
Carter	Houghton	Morgan	Tillman
Childblom	Huddleston	Morin	Timberlake
Clark, Mo.	Hudspeth	Mott	Tincher
Cleary	Hulings	Murphy	Treadway
Coady	Hull, Iowa	Nelson, Mo.	Upshaw
Cole	Hull, Tenn.	Nelson, Wis.	Vaile
Collier	Hutchinson	Newton, Minn.	Vestal
Connally	Igoe	Newton, Mo.	Vinson
Costello	Ireland	Nichols, Mich.	Voigt
Crago	Jacoway	O'Connell	Volstead
Curry, Calif.	James	Ogden	Walsh
Dale	Jefferis	Oldfield	Walters
Dallinger	Johnson, Miss.	Oliver	Watson, Pa.
Darrow	Johnson, Wash.	Overstreet	Webster
Davey	Juul	Padgett	Welling
Davis, Minn.	Keller	Park	Wheeler
Davis, Tenn.	Kelly, Pa.	Parker	White, Kans.
Denison	Kendall	Parrish	White, Me.
Dickinson, Mo.	Kennedy, Iowa	Peters	Williams
Dickinson, Iowa	Kiess	Phelan	Wilson, Ill.
Donovan	Kinkaid	Platt	Wilson, La.
Doremus	Kitchin	Porter	Wingo
Dowell	Kleczka	Quin	Winslow
Drane	Knutson	Rainey, H. T.	Wood, Ind.
Dunn	LaGuardia	Rainey, J. W.	Woods, Va.
Dupré	Lampert	Raker	Woodyard
Eagan	Langley	Ramsey	Young, N. Dak.
Edmonds	Lanham	Ramseyer	Young, Tex.
Elliott	Lankford	Randall, Calif.	Zihlman
Elston	Larsen	Randall, Wis.	
Esch	Layton	Rayburn	
Evans, Nebr.	Lazaro	Reavis	

NAYS—4.

Dominick	Garner	Garrett	Humphreys

ANSWERED "PRESENT"—7.

Hawley	Radcliffe	Steenerson	Wason
Lehlbach	Reber	Tilson	

NOT VOTING—154.

Anthony	Christopherson	Fairfield	Howard
Babka	Clark, Fla.	Fitzgerald	Husted
Barbour	Classon	Fuller, Ill.	Johnson, Ky.
Barkley	Cooper	Fuller, Mass.	Johnson, S. Dak.
Bee	Copley	Gallagher	Johnston, N. Y.
Benson	Cramton	Gallivan	Jones, Pa.
Bland, Ind.	Crisp	Ganly	Jones, Tex.
Bland, Mo.	Crowther	Glynn	Kahn
Brand	Cullen	Godwin, N. C.	Kearns
Britten	Currie, Mich.	Goldfogle	Kelley, Mich.
Browne	Dempsey	Goodall	Kennedy, R. I.
Brumbaugh	Dent	Gould	Kettner
Burdick	Dewalt	Graham, Pa.	Kincheloe
Burroughs	Dooling	Griest	King
Butler	Doughton	Griffin	Kraus
Byrnes, S. C.	Dunbar	Hamill	Kreider
Caldwell	Dyer	Hamilton	Lee, Ga.
Campbell, Pa.	Eagle	Hardy, Colo.	Lesher
Candler	Echols	Hardy, Tex.	Lever
Cantrill	Ellsworth	Haskell	Linthicum
Carew	Emerson	Hicks	Longworth
Casey	Evans, Mont.	Hill	McArthur

McClintic	Osborne	Sherwood	Tinkham
McKinley	Paige	Sims	Towner
McKinley	Pell	Sisson	Vare
Maher	Pou	Slemp	Venable
Mann	Purnell	Smith, Ill.	Ward
Mason	Reed, N. Y.	Smith, N. Y.	Watkins
Mays	Riordan	Snyder	Watson, Va.
Mead	Robinson, N. C.	Stedman	Weaver
Miller	Rouse	Steele	Webb
Minahan, N. J.	Rowan	Stephens, Miss.	Welty
Mooney	Rucker	Stephens, Ohio	Whaley
Mudd	Sabath	Strong, Kans.	Wilson, Pa.
Neely	Sanders, La.	Sullivan	Wise
Nicholls, S. C.	Sanders, N. Y.	Summers, Wash.	Wright
Nolan	Sanford	Taylor, Ark.	Yates
O'Connor	Schall	Taylor, Colo.	
Olney	Scully	Thompson, Okla.	

So the resolution was agreed to.

The Clerk announced the following additional pairs:

On this vote:

Mr. CRAMTON (for resolution) with Mr. DEWALT (against).

Until further notice:

Mr. MERRITT with Mr. BRAND.

Mr. REED of New York with Mr. WISE.

Mr. KEARNS with Mr. JONES of Texas.

Mr. KREIDER with Mr. BLAND of Missouri.

Mr. STRONG of Kansas with Mr. HOWARD.

Mr. BARBOUR with Mr. WATSON.

Mr. DUNBAR with Mr. CRISP.

Mr. LANGLEY. Mr. Speaker, I have a general pair with my colleague, Mr. CANTRILL, but I am sure he would vote "yea" if he were present. Therefore I let my vote stand.

The result of the vote was announced as above recorded.

Mr. ASWELL. Mr. Speaker, I ask unanimous consent to extend my remarks by printing a short letter from the assistant director of sales on this bill.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to extend his remarks in the RECORD by printing a letter on the subject referred to. Is there objection? [After a pause.] The Chair hears none.

Mr. ASWELL. Mr. Speaker, the following reveals clearly the outrageous demagogic politics of the Republicans of this House in offering this useless resolution:

WAR DEPARTMENT,
July 23, 1919.

Hon. JAMES B. ASWELL,
House of Representatives, Washington, D. C.

MY DEAR SIR: Replying to your communication of June 28, delay in replying thereto has been occasioned by necessity of awaiting receipt of bids and abstracts thereof from all zones on letting of vegetables June 30.

Fifteen hundred and seventy-two bids were received from all parts of the country, which has caused considerable delay in making abstracts analyzing same, and preparing recommendations for awards.

Abstracts of bids show that probably a considerable quantity of the canned vegetables will be awarded at satisfactory prices, but that there will be a considerable surplus of practically all items left.

For your information we attach hereto copy of publicity statement regarding sale of these canned meats and vegetables to municipalities.

We might further state that sales to State and charitable institutions can be made along the same lines.

I will be very glad to receive your suggestions regarding the disposal of these commodities.

Just as soon as awards are approved and definite information regarding balance left on hand is ascertained you will be advised thereof.

Yours, very truly,

C. W. HARE,
Director of Sales.
By E. C. MORSE,
First Assistant Director of Sales.

JULY 11, 1919.

The War Department authorizes publication of the following statement from the office of the director of sales.

The director of sales announces the prices at which the surplus stocks of canned and cured meats held by the War Department are offered to municipalities throughout the country to be retailed to the general public through markets controlled by municipalities. The canned vegetables available to towns and cities will be sold to the municipalities at their invoice cost to the Government. Since these goods were produced by hundreds of different canners at varying prices, the prices which will be quoted to municipalities may vary slightly in the several zones. Quotations on the vegetables may be obtained from the surplus-property officer at each of the 13 zone supply offices.

The prices for the canned and cured meats, which are approximately 20 per cent below the cost of these commodities to the Government, are uniform throughout the 13 zones in which the surplus stocks of meats are located. They are as follows:

Beef, corned:		
No. 1 cans	per dozen	$3.60
No. 2 cans	do	6.96
6-pound cans	do	24.00
Beef, roast:		
No. 1 cans	do	3.48
1-pound cans	do	4.92
2-pound cans	do	7.92
6-pound cans	do	26.40
Hash, corned beef:		
1-pound cans	do	2.76
2-pound cans	do	4.80
Bacon:		
In crates	per pound	.34
In 12-pound tins	do	.36

As has been announced, this subsistence is offered to municipalities in not less than carload lots, but at those warehouses at which stocks of vegetables and meats are stored a municipality will be permitted to purcase a mixed carload of either vegetables or meats, or both vegetables and meats. The prices quoted are f. o. b. location. The War Department can not pay freight charges or transport the goods. The responsibility for such detail must be assumed by the municipality.

To make these food supplies as accessible as possible to the general public, the War Department will permit municipalities to purchase the surplus stocks and defer payment until they shall have been disposed of, provided this extension of credit shall not exceed a period of 10 days after the goods shall actually have been delivered to the municipality.

The War Department will negotiate only with a properly accredited official of a municipality for the sale of this subsistence. It will not concern itself with the manner in which the municipality, having obtained the goods, shall offer it to the public, further than to stipulate that the municipality shall sell at cost. The municipal government is at liberty to conduct the sale of the foodstuffs under the direction of municipal officials or civic bodies to whom it may delegate authority.

Municipalities desiring to take advantage of the War Department's offer are requested to negotiate directly with the surplus property officer at the nearest of the zone supply offices, which are located in the following cities: Boston, New York, Philadelphia, Baltimore, Newport News, Atlanta, Chicago, St. Louis, New Orleans, Fort Sam Houston, El Paso, Omaha, and San Francisco. These surplus property offices have been instructed by the War Department to make sales to municipalities under the conditions prescribed by the War Department, and are supplied with complete information concerning the commodities available in each of the zones and the actual prices at which they may be disposed of.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 40 minutes p. m.) the House adjourned until Wednesday, July 30, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury transmitting supplemental estimate of appropriations for contingent expenses of the War Department, 1920 (H. Doc. 167); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury transmitting supplemental estimate of appropriation required by the Bureau of Fisheries for reconstruction of the fish hatchery at Baker Lake, Wash., recently damaged by fire (H. Doc. 168); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury transmitting a proposed paragraph of legislation for the Bureau of Engraving and Printing (H. Doc. 169); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury transmitting supplemental estimate of appropriation required by the Secret Service Division of the Treasury for suppressing counterfeiting and other crimes, fiscal year 1920 (H. Doc. 170); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SIEGEL, from the Committee on Immigration and Naturalization, to which was referred the bill (H. R. 7930) to provide for the treatment in hospital of diseased alien seamen, reported the same without amendment, accompanied by a report (No. 173), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TILLMAN, from the Committee on the Public Lands, to which was referred the bill (H. R. 3175) authorizing local drainage districts to drain certain public lands in the State of Arkansas, counties of Mississippi and Poinsett, and subjecting said lands to taxation, reported the same with amendment, accompanied by a report (No. 174), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LAGUARDIA, from the Committee on Military Affairs, to which was referred the resolution (H. Res. 190) directing the Secretary of War to furnish the House of Representatives certain information, reported the same without amendment, accompanied by a report (No. 175), which said bill and report were referred to the House Calendar.

Mr. HARRISON, from the Committee on Military Affairs, to which was referred the joint resolution (H. J. Res. 161) authorizing the Secretary of War to expend certain sums appropriated for the support of the Army for the fiscal years ending June 30, 1919, and June 30, 1920, at Camp A. A. Humphreys, Va., reported the same without amendment, accompanied by a report

(No. 176), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HADLEY, from the Committee on Ways and Means, to which was referred the bill (H. R. 5218) to provide revenue for the Government and to establish and maintain the production of magnesite ores and manufactures thereof in the United States, reported the same with amendment, accompanied by a report (No. 177), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GANDY, from the Committee on the Public Lands, to which was referred the bill (S. 2100) authorizing the Union Pacific Railroad Co., or its successors, to convey for public-road purposes certain parts of its right of way, reported the same without amendment, accompanied by a report (No. 178), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. PLATT, from the Committee on Banking and Currency, to which was referred the bill (H. R. 7478) to amend section 5200 of the Revised Statutes of the United States by acts of June 22, 1906, and September 24, 1918, reported the same with amendment, accompanied by a report (No. 179), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. VAILE, from the Committee on the Public Lands, to which was referred the bill (H. R. 1024) authorizing the Secretary of the Interior to issue a patent to John Zimmerman for certain lands in the Colorado National Forest upon the surrender of other lands of an equal acreage also located in the Colorado National Forest, Colo., reported the same without amendment, accompanied by a report (No. 180), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 2824) granting an increase of pension to Elizabeth Walsh, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HUTCHINSON: A bill (H. R. 7970) to provide revenue and for the regulation and supervision of cold-storage warehouses and the conservation, storage, sale, and distribution of food and food products; to the Committee on Agriculture.

By Mr. RAKER: A bill (H. R. 7971) to accept the cession by the State of California of exclusive jurisdiction over the lands embraced within the Yosemite National Park, Sequoia National Park, and the General Grant National Park, respectively, and for other purposes; to the Committee on the Public Lands.

By Mr. KALANIANAOLE: A bill (H. R. 7972) to improve the administration of the Postal Service in the Territory of Hawaii; to the Committee on the Post Office and Post Roads.

By Mr. WELTY: A bill (H. R. 7973) to raise revenue by taxing certain articles of food held in cold storage; to the Committee on Ways and Means.

By Mr. STEDMAN: A bill (H. R. 7974) to provide for the purchase of a site and the erection of a public building at Mount Airy, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7975) to provide for the purchase of a site and the erection of a public building at Greensboro, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. GREEN of Iowa (by request): A bill (H. R. 7976) to amend section 151 of the tariff act of October 3, 1913, in respect to the tariff on snap fasteners; to the Committee on Ways and Means.

By Mr. BLAND of Indiana: A bill (H. R. 7977) to authorize the acquisition of a site and the erection of a Federal building at Sullivan, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. NOLAN: A bill (H. R. 7978) to provide that the United States shall encourage and aid the States in making provisions for the rehabilitation of physically handicapped persons, and for their placement in remunerative employment; to the Committee on Education.

By Mr. HASTINGS: A bill (H. R. 7979) to define the status of and to remove the restrictions from certain members of the Five Civilized Tribes, and for other purposes; to the Committee on Indian Affairs.

By Mr. HAYS: A bill (H. R. 7980) to provide for the purchase of a site and for the erection of a public building thereon at Kennett, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. VAILE: A bill (H. R. 7981) validating locations of deposits of gold or iron ore heretofore made in good faith under the placer-mining laws of the United States; to the Committee on Mines and Mining.

By Mr. RICKETTS: A bill (H. R. 7982) to regulate commerce among the States in live stock, meats, and other products derived from live stock, or the slaughtering of live stock, or in commodities other than live stock, and to regulate transportation, storage, and marketing facilities thereof, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MAPES (by request): A bill (H. R. 7983) to amend an act approved June 8, 1906, entitled "An act to amend section 1 of an act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved February 28, 1901"; to the Committee on the District of Columbia.

By Mr. BROOKS of Pennsylvania: A bill (H. R. 7984) authorizing the Secretary of War to place upon the Gettysburg National Park, at Gettysburg, Pa., 10 German cannon or field-pieces, with carriages, with suitable number of shells; to the Committee on Military Affairs.

By Mr. WOOD of Indiana: Resolution (H. Res. 207) to provide for the national security and defense, etc.; to the Committee on Agriculture.

By Mr. IRELAND: Resolution (H. Res. 209) to provide for the expenses of the select committee appointed under the authority contained in House resolution 171; to the Committee on Accounts.

By Mr. DALE: Resolution (H. Res. 210) granting authority to the Committee on Expenditures in the Treasury Department; to the Committee on Rules.

Also, resolution (H. Res. 211) granting authority to the Committee on Expenditures in the Treasury Department; to the Committee on Accounts.

By Mr. JAMES: Joint resolution (H. J. Res. 166) for amendment to the Constitution forbidding Congress to conscript armies to serve outside the United States to execute the orders of any international body or tribunal; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND of Indiana: A bill (H. R. 7985) granting a pension to William A. Harper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7986) granting a pension to Cynthia A. Miller; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 7987) granting an increase of pension to Haywood W. Weathington; to the Committee on Invalid Pensions.

By Mr. BOWERS: A bill (H. R. 7988) granting an increase of pension to Inez Plum; to the Committee on Invalid Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 7989) to correct the military record of William C. Wilson; to the Committee on Military Affairs.

Also, a bill (H. R. 7990) granting a pension to George A. De Voe; to the Committee on Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 7991) granting a pension to Sarah McCallister; to the Committee on Invalid Pensions.

By Mr. EDMONDS: A bill (H. R. 7992) for the relief of the estate of Thomas F. McGee; to the Committee on Claims.

By Mr. FESS: A bill (H. R. 7993) granting an increase of pension to Henry A. Pearce; to the Committee on Invalid Pensions.

By Mr. HULINGS: A bill (H. R. 7994) authorizing the Commissioner of Internal Revenue to redeem and pay to Nathan Rosenblum the value of certain revenue stamps destroyed; to the Committee on Claims.

By Mr. KAHN: A bill (H. R. 7995) granting an increase of pension to James Wardwell Newton; to the Committee on Invalid Pensions.

By Mr. KLECZKA: A bill (H. R. 7996) granting an increase of pension to John Felzen; to the Committee on Pensions.

Also, a bill (H. R. 7997) granting an increase of pension to William H. Roberts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7998) granting an increase of pension to Hyram Colwell; to the Committee on Pensions.

Also, a bill (H. R. 7999) granting an increase of pension to John Swift; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8000) granting a pension to Julius Jenson; to the Committee on Pensions.

Also, a bill (H. R. 8001) granting a pension to Albert Beiro; to the Committee on Pensions.

Also, a bill (H. R. 8002) granting a pension to Adolph S. Szydlowski; to the Committee on Pensions.

Also, a bill (H. R. 8003) for the relief of the heirs of Oscar Chrysler; to the Committee on Claims.

By Mr. MAPES: A bill (H. R. 8004) granting a pension to Ellen Kennon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8005) to reimburse Lieut. Col. E. D. Kremers, Medical Corps, United States Army, for rent of quarters at Honolulu, Hawaii; to the Committee on Claims.

By Mr. PHELAN: A bill (H. R. 8006) for the relief of Ellen B. Monahan; to the Committee on Claims.

By Mr. HENRY T. RAINEY: A bill (H. R. 8007) granting an increase of pension to James H. Rayhill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8008) granting an increase of pension to Frances T. Denton; to the Committee on Pensions.

Also, a bill (H. R. 8009) granting a pension to Nancy A. E. Shanklin; to the Committee on Invalid Pensions.

By Mr. ROBSION of Kentucky: A bill (H. R. 8010) granting an increase of pension to Leo V. Burchett; to the Committee on Pensions.

Also, a bill (H. R. 8011) granting an increase of pension to Anderson B. Curtis; to the Committee on Pensions.

Also, a bill (H. R. 8012) granting an increase of pension to S. Dailey; to the Committee on Invalid Pensions.

By Mr. ROMJUE: A bill (H. R. 8013) granting an increase of pension to Sibba Miller; to the Committee on Invalid Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 8014) granting an increase of pension to Jacob R. Warner; to the Committee on Invalid Pensions.

By Mr. WATSON of Pennsylvania: A bill (H. R. 8015) for the relief of the Sanitary Co. of America; to the Committee on Claims.

By Mr. TAYLOR of Tennessee: A bill (H. R. 8016) granting a pension to David Akridge; to the Committee on Pensions.

Also, a bill (H. R. 8017) granting a pension to James K. Vance; to the Committee on Pensions.

Also, a bill (H. R. 8018) granting a pension to Permelia Reeves; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8019) granting an increase of pension to Lawson F. Myers; to the Committee on Invalid Pensions.

By Mr. WALSH: A bill (H. R. 8020) granting an increase of pension to Minard Wood; to the Committee on Pensions.

Also, a bill (H. R. 8021) granting an increase of pension to Charles H. Poole; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of Jacob Schwartz and Daniel Greek, of New Haven, Conn., favoring the complete independence of the Ukrainian peoples republic; to the Committee on Foreign Affairs.

Also (by request), petition of Springfield Division 198, Order of Railway Conductors, of Springfield, Mass., in favor of a league of nations; to the Committee on Foreign Affairs.

Also (by request), petition of Philadelphia Board of Trade, by William M. Coates, president, relating to Senate bill 810, to establish an interstate marketing system; to the Committee on Agriculture.

By Mr. BOOHER: Petition of 4,000 citizens of Buchanan County, Mo., protesting against the passage of the Lever, Kenyon, and Kendrick bills; to the Committee on Agriculture.

By Mr. CAMPBELL of Pennsylvania: Petition of sundry citizens of Pittsburgh, Pa., in regard to reducing the high cost of living; to the Committee on the Judiciary.

By Mr. CULLEN: Petition of W. B. Day, of Chicago, Ill., favoring House bills 44 and 212; to the Committee on Ways and Means.

Also, petition of Lamont, Corliss & Co. and Peter Cailler Kohler Swiss Chocolates Co. (Inc.), both of New York, for the repeal of the tax on candy, etc.; to the Committee on Ways and Means.

By Mr. ESCH: Petition of the United National Association of Post Office Clerks, of Washington, D. C., favoring House joint resolution No. 151, introduced by Mr. Madden, of Illinois; to the Committee on the Post Office and Post Roads.

By Mr. FITZGERALD: Petition of Malden Central Labor Union, Malden, Mass., relating to the needless high prices; to the Committee on Ways and Means.

By Mr. GREENE of Vermont: Petition of William Ring and others of the first congressional district of Vermont urging the repeal of tax on soda water and ice cream; to the Committee on Ways and Means.

Also, petition of National Graphite Co., of San Francisco, Calif., protesting against House bill 5941; to the Committee on Ways and Means.

By Mr. HUDSPETH: Papers to accompany House bill 7945, for the relief of A. C. Russell; to the Committee on Claims.

Also, petition of El Paso Chamber of Commerce, of El Paso, Tex., indorsing Kendrick and Kenyon bills; to the Committee on Agriculture.

By Mr. KIESS: Evidence in support of House bill 7680, for the relief of Jessie Byerly; to the Committee on Invalid Pensions.

By Mr. MOON: Papers to accompany House bill 7953, to increase the pension of J. M. McKenzie, of Meigs County, Tenn.; to the Committee on Pensions.

By Mr. O'CONNELL: Petition of National Tuberculosis Association of New York City against the repeal of the so-called daylight-saving law; to the Committee on Interstate and Foreign Commerce.

Also, petition of Philadelphia Board of Trade, by William M. Coates, president, relating to Senate bill 810, to establish an interstate marketing system; to the Committee on Agriculture.

By Mr. HENRY T. RAINEY: Petition of Robert Smith and 300 other citizens of Jacksonville, Ill., favoring the repeal of the tax on medicines, etc.; to the Committee on Ways and Means.

Also, petition of executive committee of Farm Bureau, Virginia, Ill., for repeal of daylight-saving law; to the Committee on Interstate and Foreign Commerce.

Also, petition of Local Cigarmakers' Union No. 365, Havana, Ill., expressing disapproval of war-time prohibition; to the Committee on the Judiciary.

Also, petition of Mount Sterling Christian Church, for enforcement of prohibition laws and against the repeal of war-time prohibition; to the Committee on the Judiciary.

By Mr. ROWAN: Petition of Philadelphia Board of Trade, by William M. Coates, president, relating to Senate bill 810, to establish an interstate marketing system; to the Committee on Agriculture.

Also, petition of W. B. Day, of Chicago, Ill., favoring House bills 44 and 212; to the Committee on Education.

Also, petition of Lewis B. Bainton, of New York City, favoring House bill 6577; to the Committee on Ways and Means.

Also, petition of William Kelly, of New York, favoring House bills 6577 and 6659; to the Committee on Ways and Means.

Also, petition of Harold R. Young and 260 other citizens of New York, asking the repeal of section 904 of the revenue act of 1918; to the Committee on Ways and Means.

By Mr. STRONG of Pennsylvania: Petition of citizens of Clarion County, Pa., protesting against a tariff on potash; to the Committee on Ways and Means.

By Mr. TAYLOR of Tennessee: Petition of Little River Lumber Co., by W. B. Townsend, of Townsend, Tenn., protesting against the Dyer resolution relating to the use of steel railway ties instead of wooden ties; to the Committee on Interstate and Foreign Commerce.

By Mr. TILSON: Petition of Patrick F. O'Meara and 8,000 others of New Haven, Conn., urging the repeal of war-time prohibition; to the Committee on the Judiciary.

By Mr. YATES: Petition of Frank H. Blackmore, Bickett Coal & Coke Co., and J. H. Willard, all of Chicago, Ill., protesting against the Kendrick bill (S. 2199) concerning the packing industry; to the Committee on Agriculture.

Also, petition of C. H. Besley & Co., of Chicago, Ill., urging enforcement of prohibition; to the Committee on the Judiciary.

Also, petition of C. G. Steele, J. B. Rogers, and others, of Chicago, Ill., protesting against the Kendrick bill (S. 2199); to the Committee on Agriculture.

Also, petition of the Western Glass Co., of Streator, and Acme Steel Goods Co., and American Wire Fabrics Co., of Chicago, all in the State of Illinois, protesting against joint resolution authorizing the President to call a conference for the consideration of industrial problems; to the Committee on the Judiciary.

Also, petition of B. W. Brown, of Berlin, Sangamon County, Ill., urging that the cattle-breeding industry will be injured by the passage of the Kendrick bill (S. 2202); to the Committee on Agriculture.

Also, petition of Effingham County Farm Bureau, of Effingham, Ill., favoring repeal of daylight-saving law; to the Committee on Interstate and Foreign Commerce.

Also, petition of Fred J. Blackburn, county agent, Salem, Ill., urging repeal of daylight-saving law, notwithstanding the veto; to the Committee on Interstate and Foreign Commerce.

Also, petition of Hunt-Helm-Ferris Co., Harvard, Ill., containing protest against House joint resolution 121 and Senate joint resolution 57 concerning differences between capital and labor; to the Committee on Labor.

Also, petition of A. T. Davis, of Blue Island, Ill., containing protest against the Kendrick bill because of increasing high cost of living; to the Committee on Agriculture.

Also, petition of Thomson & Taylor Spice Co., of Chicago, Ill., urging provision in prohibition law to permit the legitimate manufacture of flavoring extract for food purposes—no known way of manufacturing practical substitute; to the Committee on the Judiciary.

Also, petition of Inderrieden Canning Co., of Chicago, Ill., containing protest against Kenyon bill as being pure confiscation of packing properties; to the Committee on Agriculture.

Also, petition of Phoenix Hermetic Co., of Chicago, Ill., containing approval of House joint resolution 151, increasing postal salaries; to the Committee on the Post Office and Post Roads.

Also, petition of W. A. Patterson, of Chicago, Ill., containing protest against Kenyon and Kendrick bills; to the Committee on Agriculture.

Also, petition of C. J. Van Zandt, of Chicago, Ill., opposing passage of Senate bill 2202, introduced by Senator Kenyon; to the Committee on Agriculture.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *July 30, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, our Father in heaven, for the men of vision, whom Thou hast, from time to time, raised up in the world's history, took the initiative in their own hands, inaugurated great reforms, bringing order out of chaos, making life a thing of joy.

Hence our hearts go out in gratitude to-day for the wise and sane men of Virginia, who 300 years ago established on this continent the first legislative body ever assembled, and laid the foundation of a government of the people, by the people, for the people; and we thank Thee that this legislative body will honor itself by signal notice of the House of Burgesses from which sprang great reforms and laid the foundation of the United States of America, which we pray may live and be an inspiration to all the world for free and independent governments; and glory and praise be Thine, in the name of Him who died that truth might live. Amen.

The Journal of the proceedings of yesterday was read and approved.

CALENDAR WEDNESDAY.

Mr. RAKER rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. RAKER. By direction of the Committee on the Public Lands——

The SPEAKER. To-day is Calendar Wednesday, and the Chair can not recognize the gentleman. The Clerk will call the roll of committees.

The Clerk proceeded to call the roll of committees.

Mr. JOHNSON of Washington (when the Committee on Immigration and Naturalization was called). Mr. Speaker, I desire to call up bills on the calendar from the Committee on Immigration and Naturalization.

The SPEAKER. The gentleman from Washington calls up a bill, which the Clerk will report.

DEPORTATION OF UNDESIRABLE ALIENS.

Mr. JOHNSON of Washington. I desire to call up the bill H. R. 6750, to deport certain undesirable aliens and deny readmission to those deported; and prior to the House resolving itself into Committee of the Whole House on the state of the Union, I desire to ask unanimous consent that general debate be dispensed with.

The SPEAKER. The gentleman from Washington asks unanimous consent that, in the consideration of the bill that he calls up, general debate allowed under the rule be dispensed with. Is there objection?

Mr. MOORE of Pennsylvania. Reserving the right to object, Mr. Speaker, I do not want to indulge in general debate, but I may want 10 or 15 minutes during the progress of the bill.

Mr. JOHNSON of Washington. I will try to provide that. I will say to the House generally that this bill is short and carries eight amendments, and in the consideration of those amendments I think all the debate necessary can be had.

Mr. MOORE of Pennsylvania. The policy will be liberal?

Mr. JOHNSON of Washington. Yes.

Mr. CLARK of Missouri. What is this bill about?

Mr. JOHNSON of Washington. It is a bill to deport certain undesirable aliens. It is well understood that out of 7,000 aliens taken up under Federal warrants about 4,000 were interned.

Mr. CLARK of Missouri. Where?

Mr. JOHNSON of Washington. At Fort Oglethorpe, Ga., and in the internment camp in Utah. Out of that 4,000, 2,000 have been permitted to return to their own homes and about 1,500 are under parole, and there now remain 500 alien enemies to be set free or to be deported if legislation therefor is provided.

Mr. CLARK of Missouri. I will ask the gentleman if he does not think it will be better for him to take up 30 minutes in general debate to explain this bill before we tackle the amendments, and give somebody else 30 minutes?

Mr. JOHNSON of Washington. I will be glad to do that, but I thought if we had an understanding in the House that we would not use two hours in general debate, I would then be very glad to permit enough debate in the consideration of the amendments to enable everybody to understand the bill.

Mr. CLARK of Missouri. The gentleman understands as well as I do or anybody else who knows what happens in this House, that some gentleman starts in on five minutes and he can not finish in five minutes and wants five minutes more, and some other gentleman who has gotten in bad humor about something or other objects, and it seems to me it would be better to take 30 minutes on each side for general debate and cut out the other hour.

The SPEAKER. Does the gentleman from Washington ask that the debate be limited to 30 minutes to a side?

Mr. JOHNSON of Washington. Yes.

Mr. RAKER. One-half of the time to be controlled by the gentleman from Washington and one-half by this side?

Mr. JOHNSON of Washington. Yes.

Mr. WINGO. I suggest that if they do not need it, it need not be used.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Iowa [Mr. TOWNER] will take the chair.

Thereupon the House resolved the House into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 6750, with Mr. TOWNER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 6750, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 6750) to deport certain undesirable aliens and to deny readmission to those deported.

Be it enacted, etc., That aliens of the following classes, in addition to those for whose expulsion from the United States provision is made in the existing law, shall, upon the warrant of the Secretary of Labor, be taken into his custody and deported in the manner provided in sections 19 and 20 of the act of February 5, 1917, entitled "An act to regulate the immigration of aliens to, and the residence of aliens in, the United States," to wit:

(1) All aliens who are now or may hereafter be interned under section 4067 of the Revised Statutes of the United States and the proclamations issued by the President in pursuance of said section under date of April 6, 1917, November 16, 1917, December 11, 1917, and April 19, 1918, respectively, the fact of whose internment shall be certified by the Attorney General to the Secretary of Labor, and who shall be held by the Secretary of Labor to be undesirable residents of the United States.

(2) All aliens who since August 1, 1914, have been or may hereafter be convicted of any offense committed against any of the following laws of the United States, the judgment on such conviction having become final, namely:

(a) An act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917, or the amendment thereof approved May 16, 1918;

(b) An act entitled "An act to prohibit the manufacture, distribution, storage, use, and possession in time of war of explosives, providing regulations for the safe manufacture, distribution, storage, use, and possession of the same, and for other purposes," approved October 6, 1917;

(c) An act entitled "An act to prevent in time of war departure from and entry into the United States contrary to the public safety," approved May 22, 1918;

(d) An act entitled "An act to punish the willful injury or destruction of war material or of war premises or utilities used in connection with war material, and for other purposes," approved April 20, 1918;

(e) An act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, or any amendment thereof or supplement thereto;

(f) An act entitled "An act to punish persons who make threats against the President of the United States," approved February 14, 1917;

(g) An act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, or any amendment thereof;

(h) Also section 6 of the Penal Code of the United States;

(i) All conspiracies under section 37 of said Penal Code to commit any offense against the United States under the foregoing laws of the United States.

(3) All aliens who have been or may hereafter be convicted of any offense against section 13 of the said Penal Code committed during the period of August 1, 1914, to April 6, 1917, or of a conspiracy occurring within said period to commit an offense under said section 13, or of any offense committed during said period against the Sherman antitrust law, in aid of a belligerent in the European war.

SEC. 2. That the fact that such aliens were ordered interned or were convicted of any of such offenses shall be deemed to be prima facie evidence that said aliens are undesirable aliens, and in every case in which any such alien is ordered expelled or excluded from the United States under the provisions of this act the decisions of the Secretary of Labor shall be final.

SEC. 3. That in addition to the aliens who are by law now excluded from admission into the United States all persons who shall be expelled under any of the provisions of this act shall also be excluded from readmission.

With committee amendments as follows:

Page 2, line 1, after the word "States," insert the words "if the Secretary of Labor, after hearing, finds that such aliens are undesirable residents of the United States."

On page 2, line 4, after the word "now," strike out the words "or may hereafter be."

Page 2, line 9, after the word "respectively," strike out the words "the fact of whose internment shall be certified by the Attorney General to the Secretary of Labor, and who shall be held by the Secretary of Labor to be undesirable residents of the United States."

Page 2, line 14, after the word "any," strike out the words "offense committed against any of the following laws of the United States" and insert "violation or conspiracy to violate any of the following acts or parts of acts."

Page 3, line 23, strike out the words "also section" and strike out the word "States" in line 24, page 3, and insert the word "States" with a period after it instead of a semicolon.

Page 4, strike out all of lines 1, 2, and 3.

Page 4, line 9, strike out the words "Sherman antitrust law" and insert "Act entitled 'An act to protect trade and commerce against unlawful restraints and monopolies,' approved July 2, 1890."

Page 4, line 13, after the word "that," strike out the words "the fact that such aliens were ordered interned or were convicted of any such offenses shall be deemed to be prima facie evidence that said aliens are undesirable aliens, and."

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. PLATT, having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Dudley, one of its clerks, announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 78. Joint resolution to permit the payment of obligations entered into by the War Department prior to July 11, 1919.

DEPORTATION OF UNDESIRABLE ALIENS.

The committee resumed its session.

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. JOHNSON] for 30 minutes.

Mr. JOHNSON of Washington. Mr. Chairman and gentlemen, I believe that the purposes of this bill can be easily understood from the reading of it, and I believe all will recognize the necessity for its immediate passage if it is to be passed at all.

The principal necessity is to provide for the deportation of about 500 interned alien enemies who are at Camp Oglethorpe, in Georgia, and Camp Logan, in Utah. Those 500 remain from about 4,000 alien enemies who were interned during the progress of the war. The report shows that about 7,000 were taken up under presidential warrants. A large number of those were paroled. Later those paroles were canceled and those men are now free. Another large number, in excess of 2,000, were permitted to return to Germany. Those were principally sailors on interned ships. The paroling process has proceeded until quite recently and the Department of Justice is now canceling those paroles, leaving the men free. There remain about 500, representing the worst types of those taken up during the war as alien enemies. In these cases the Department of Justice has statements as to their acts and desires that the men be taken in custody by the Department of Labor and proceedings begun against them for the purpose of deporting them. You will see by reading the bill that every man is to have his hearing.

It has been necessary to make some amendments to the bill at the last moment, in order to make it perfectly clear with regard to the hearings for those who were simply interned and hearings for those convicted. At the right time I will undertake to explain, or members of the committee will undertake to explain, the amendments and the acts passed by Congress for the deportation of those convicted of enemy conduct during the war.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. McLAUGHLIN of Michigan. The gentleman states that the bill provides for a hearing in each case?

Mr. JOHNSON of Washington. Yes.

Mr. McLAUGHLIN of Michigan. Is that hearing before the Secretary, or some bureau official, or is it before a court?

Mr. JOHNSON of Washington. That hearing is exactly the same procedure as is now had in all deportation cases. In such cases as may result from this act each man will be entitled to show, if possible, that he is not an undesirable resident of the United States.

Mr. McLAUGHLIN of Michigan. That showing must be made to the Secretary or some of his officials?

Mr. JOHNSON of Washington. The final decision rests with the Secretary of Labor.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. MOORE of Pennsylvania. As the bill was originally presented, before these amendments were inserted by the committee, it provided that all aliens now or hereafter interned might be deported.

Mr. JOHNSON of Washington. Yes.

Mr. MOORE of Pennsylvania. The mere fact of internment was taken to be sufficient evidence that the man was an alien enemy and ought to be deported, and that was about all that would have to be determined.

Mr. JOHNSON of Washington. I will say to the gentleman that the committee after full reflection struck out the words providing that internment shall be prima facie evidence.

Mr. MOORE of Pennsylvania. Will the gentleman yield me some time before the conclusion of the general debate?

Mr. JOHNSON of Washington. Yes. Now, unless there are some further questions, I think there is no further statement that I desire to make, except this: As all Members know, the House is about to go into a recess, and I fully agree with the statement of the gentleman from Illinois [Mr. MANN] that the Members of the House need a recess. I should like to say that in addition to this bill, which two departments of the Government think is necessary to be passed, the Committee on Immigration and Naturalization have two other small bills that might be quickly passed after they have been read and the Committee of the Whole understand them. So that while the members of the committee have no desire whatever to suppress debate, I hope that the discussion to-day will not run to the general problems of immigration. Those are great problems, and the members of the Committee on Immigration and Naturalization hope that when Congress resumes its sessions they may bring in an omnibus immigration bill with provisions covering many of the problems now confronting the country. [Applause.]

I reserve the remainder of my time.

The CHAIRMAN. The gentleman from California [Mr. RAKER] is recognized for 30 minutes.

Mr. RAKER. Will the Chair advise me when I have used five minutes?

The CHAIRMAN. Yes.

Mr. RAKER. Mr. Chairman and gentlemen of the House, this bill is, as we think, very plain. It has practically two purposes. It gives the Secretary of Labor the right to deport those specified in the bill, of the two classes named, and that the Secretary of Labor, after hearing, if he finds that the aliens are undesirable residents of the United States, may order them deported, and his decision is final, as under the immigration law at the present time.

Some one asked about hearings. In the cases under the first subdivision, as well as in the cases under the second subdivision, the Secretary reexamines the cases, and a full hearing is had by the Secretary of Labor of the entire record presented against the party whose deportation is sought, and that party is given an opportunity for a full hearing before the Secretary of Labor; but when the Secretary of Labor finally acts, that decision is final, and the party is deported. The first class of aliens are those who have been interned under the provisions of section 4067 of the Revised Statutes, under the proclamation of the President, persons who are now interned, alien enemies who were against this Government and whom the President believes should be interned, and who after examination by the Attorney General were interned.

Mr. DENISON. Will the gentleman explain why the committee made that amendment to the bill?

Mr. RAKER. The amendment striking out the words "the fact of whose internment shall be certified by the Attorney General to the Secretary of Labor, who shall be held by the Secretary of Labor to be undesirable residents of the United States"?

Mr. DENISON. Yes. Why were those words stricken out?

Mr. RAKER. The Attorney General has records of the internments. After full consideration and consultation with the Department of Labor and the Attorney General's office, it was thought best to leave out that provision, as no certificate from the Attorney General would be necessary. In other words, the party is interned, is in custody, the knowledge is within the Department of Labor that the man is interned, and the Secretary takes up the case, notifies the party that he is going to proceed to deport him, and the party personally or with counsel has a right to a full hearing before the Secretary of Labor acts.

The certificate is provided for in the bill. The fact of his internment shall be certified by the Attorney General to the Secretary of Labor, and if he shall be found undesirable, and so forth.

Therefore the committee thought that the bill would be better and smoother to strike out lines 1, 2, and 3 of the amendment.

Mr. DENISON. Did not the committee think that if the man had been interned that was sufficient to show that he was an undesirable without leaving it to the Secretary of Labor?

Mr. RAKER. That matter was fully investigated by the committee, and I think rightfully, although at first I was inclined to think that the order for internment should put the man up for deportation. But we found that a number were interned at their own request because they were alien German subjects, and to avoid all complications they permitted themselves to be interned. And, in addition, there might be in the heat of war some man who might have been interned without just cause. We believed that in justice to every one, while the matter is now passed over, that the man before being deported should be given a full and fair opportunity to be heard, and if he can show an injustice to himself, that while he was an alien he was not an enemy of this country and ought not to be interned, he should have the opportunity to do so. Therefore we thought there should be a finding by the Secretary of the Interior of the fact that he should be deported.

Mr. JONES of Texas. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. JONES of Texas. Does the gentleman have the data to show what number are affected in the second part of this division?

Mr. RAKER. I think there is only one, and it is a very serious case—one that went through the courts, and he was finally convicted. That provision has been framed for and we put it in to cover this man. He is a man of considerable property and has been interned and should now be deported.

The other amendments, particularly on page 4, striking out lines 1, 2, and 3, we thought that they had better be stricken out, because it is provided for in the rest of the bill. The same way as to the Sherman antitrust law. We designate it in better terms.

In section 2, instead of leaving the case prima facie, the fact that such alien was ordered interned and was convicted of such offense shall be deemed to be prima facie evidence that said aliens are undesirable, the record will be considered by the Department of Labor to be prima facie evidence. It was originally made conclusive, but the committee could not stand for that. That would not be fair, and after consultation and further hearings from the Attorney General's Office, as well as the Department of Labor, we struck it out and left the judgment to stand as it now stands in all courts and in any court proceedings where a judgment is introduced. We thought that was treating the alien fairly.

There are something over 500 aliens now interned, and the committee hope that this can be speedily passed and go to the Senate so that those who have not been deported can be deported at once. There are about 2,500 that have been deported and returned to Germany and some to Austria, and these 500 there are questions about. They should be deported. The most of them were real genuine enemies against this country, and they should be sent back to Germany, where they belong. The sooner that is done the better it will be, the less complication there will be, and it may save possible friction.

Mr. LAYTON. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. LAYTON. What proportion of the 517 men in the internment camp are there after due investigation and conviction by the courts?

Mr. RAKER. I imagine about 90 per cent of them.

Mr. LAYTON. If that is the case, why should the judicial authority be transferred from the court to the Secretary of Labor?

Mr. RAKER. It is not; it is a proceeding under the immigration law of deportation, and the judgment of the Secretary is final. We make it applicable to this law; while the Secretary of Labor renders a final judgment, it can not be reviewed by the court, except on habeas corpus.

Mr. LAYTON. You are going to give them all a second trial?

Mr. RAKER. We give them an opportunity to be heard. Mr. Chairman, I reserve the balance of my time.

Mr. JOHNSON of Washington. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Chairman, the bill as presented is an improvement over the bill in its original form. It so confines the power of deportation that it will apply only to those who have been actually convicted of offenses under the various war laws. In its original form the bill admitted of the deportation of a man who had simply been sent to an internment camp, a proceeding which I regard as very dangerous and destructive of the rights of man, because if a man had been sent to a camp, without anything to support his internment, except the suspicion of somebody who did not like him, it might place him wholly in the hands of another man or of some autocratic power which wanted to get rid of him, without justice and without humanity. In war time people are very much excited, and suspicion runs riot. The next-door neighbor may be unduly accused, and a hubbub may arise, ending in his being sent to an internment camp, without justice or warrant. Therefore I think it would be dangerous for a lawmaking body to provide that because a man has been sent to an internment camp without a hearing or conviction he should be sent out of the United States as an enemy of the country.

The phase of the bill to which I wish to refer, however, and which, I presume, will have further discussion later on with respect to other bills, is that which relates to the deportation of those aliens who have been seized during the war and whose property has been seized. A great many were seized during the war by the Alien Property Custodian or by the officers of the Department of Justice, and their property was seized from them, and that property has been "Americanized," so to speak—and I believe I am using a term that is familiar in the Alien Property Custodian's office when I say "Americanized."

We read in the newspapers that Americans expect to get back from Germany the property that was seized in Germany during the war. Hearings before the Ways and Means Committee indicated that we have large holdings in Germany, and that we propose, under the treaty and otherwise, that the Germans will in due course deliver back to the American owners that property which they have taken during the war. The same conditions do not seem to prevail with reference to the United States. At some other time when I have an opportunity I propose to go a little more into detail as to the manner in which German property in the United States has been seized under the law and under Executive order, and as to how it has been sold, sometimes at public and sometimes at private sales, and the proceeds converted to American use. I think I can show in due course that the treaty of Paris, which is now being discussed in another body, provides that no German national shall ever make claim, if the treaty goes through, for any property of his that was seized by these gentlemen in the United States, whether they proceeded under the law or otherwise.

Mr. JUUL. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. I have only 10 minutes, but I yield to the gentleman.

Mr. JUUL. I merely want to know if the gentleman thinks that men who were guilty of no disloyal acts toward the Government of the United States should forfeit their property.

Mr. MOORE of Pennsylvania. I am just trying to state that what seems to be international morality is about to be respected by Germany and disregarded by the United States. That is a very broad statement, and of course the man who makes it takes chances with the hot-headed, but I was taught at my mother's knee the common dictates of honesty and morality, and I have not lost the notions then acquired, even since I have come to Congress. [Applause.] I have just made the observation that we are told that American property in Germany is to be restored to the American owners. It has been held in trust, so we have been told, but in the United States the German property seized by the Alien Property Custodian has been "Americanized," and some of the owners have been thrown into these internment camps, and under this bill the lips of those owners of German property in the United States will be sealed, and whoever has the property in the United States will have it. To have in this instance is to hold.

I did not mean to be uncivil to the gentleman from Illinois [Mr. JUUL], and I think I have answered his question, and I am glad he asked it. I expect in due course that there will be an investigation of the Alien Property Custodian's office. There ought to be. They have had big business and unlimited power.

Under the law and Executive orders they have employed hundreds of attorneys, hundreds of business men and bankers, hundreds of high-priced accountants—in all, they have had to do with a billion dollars' worth of property. We had on the witness stand in the dyestuff inquiry the present Alien Property Custodian, Mr. Francis P. Garvan, the successor of Mr. A. Mitchell Palmer, the present Attorney General of the United States. Mr. Garvan testified with regard to these things in a manner indicating the highest personal patriotism and philanthropy. There was not a minute when he did not hate every German who had a cent's worth of property in the United States. He was patriotic to the core, but meanwhile it was his business to seize the German property, and in many instances with every suspicion prevailing against every alien in the United States during the war, sending him to the internment camp at Oglethorpe and some to the camp out yonder in Utah.

Mr. Chairman, unless the gentleman from Washington [Mr. JOHNSON] will be good enough to give me five minutes more I can not tell this story as it should be told. It is a very important story. If I can not get the story in now, I beg of my colleagues, both Democrats and Republicans, to send at once to the Committee on Ways and Means and obtain the seven small volumes of hearings on the Longworth dyestuffs bill, take those hearings home to-night, and read them from cover to cover.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman from Washington grant me more time?

Mr. JOHNSON of Washington. Mr. Chairman, each one of these interned aliens, if they are manufacturers, will have his hearing when this matter is taken up, and all these matters will come up. I regret that I can not yield any more time now.

Mr. RAKER. Mr. Chairman, I yield 10 minutes to the gentleman from Louisiana [Mr. WILSON].

Mr. WILSON of Louisiana. Mr. Chairman and gentlemen of the committee, the circumstances which made necessary the formulation of this bill and asking the House to pass it at this time grew out of a state of facts like this: After we had gone to war there were 6,300 alien enemies arrested under presidential warrant. That has no reference to those who were interned as seamen. Of these about 3,800 were released without being interned after investigation, and about 2,500 went into the internment camps. Since the armistice those who desired to return to their former countries, to Germany or Austria, were given the opportunity to do so, and since the armistice others have been paroled until at this time there are in these two camps at Fort Oglethorpe and Fort Douglas about 500 alien enemies, 80 per cent of whom the hearings show the Department of Justice regard as dangerous to the safety, the security, and the peace of the Nation. In addition to this there are about 150 who have been convicted under what are known as the war acts as enumerated here, and there is no existing law by which they may be deported. These alien enemies who are considered by the Department of Justice after due investigation to be dangerous to the peace, security, and safety of the country can not be deported under existing law, and if we fail to pass this act and the peace treaty is ratified, on the exchange of ratifications they must be released, however dangerous they may now be or have been to the safety and security of the United States.

Mr. JUUL. Will the gentleman yield for a question?

Mr. WILSON of Louisiana. Yes; just for a question.

Mr. JUUL. I want to know from the gentleman if there is any desire on the part of the United States Government to confiscate the property of any of these men whose fates are involved in this bill? I desire to know if it is a confiscation program, or is it merely an expulsion program?

Mr. WILSON of Louisiana. This bill has absolutely nothing to do with property. This bill seeks to deport from the United States every one of those aliens, whether he was a property owner or not, who is found to have been mixed up with the intrigues and with the plots against this country, who after having been given an opportunity to return to his country refused to do so. Now, as to what becomes of his property, the Committee on Immigration has nothing to do with that question, and this bill has nothing whatever to do with it.

Mr. JUUL. The bill is not aiding confiscation in any way?

Mr. WILSON of Louisiana. No; the bill is framed for the purpose of seeing that these alien enemies who have either already been convicted or who have been found to be dangerous alien enemies may be deported by the Department of Labor. Now, Mr. Chairman, my good friend from Pennsylvania [Mr. MOORE] has given a very severe criticism of the former Alien Property Custodian and of his acts during the progress of this war in seizing the property of alien enemies. In my judgment, whatever else may be said of Mr. Palmer, his loyalty and his genuine Americanism in seeking out and getting possession of every particle of alien enemy property in this country that might be used against the United States during this war should be highly commended by every American citizen. [Applause on the Democratic side.] I can not understand this earnest solicitude and regard for alien enemies who had come to this country and had the benefit of its laws and freedom to accumulate property here and then after we had gone to war sought to betray the United States and use that property for the benefit of the enemy. [Applause on the Democratic side.] Now, gentlemen of the committee, as I have said before, unless this act is passed now and these people are deported, these criminals—some of them I. W. W. and others concerning whom evidence is in existence to show their part in the pro-German propaganda in this country, of conspiracy to destroy the property of this country and murder American citizens—I say, unless this act is passed, so they may be deported before peace is finally concluded, they will be left here in this country. Now, the gentleman from Pennsylvania seems to be very much concerned that something may happen by which some German alien enemy may not have full property rights in this country. I am not very much concerned about the property. I agree with him, whatever is international law ought to be followed.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. WILSON of Louisiana. But I do not think we should let that go to the extent that the House of Representatives should take any step that might secure them in their safety in America and cut off the department from deporting them. [Applause on the Democratic side.]

Mr. MOORE of Pennsylvania. I will agree with the gentleman in everything he says about international rights and law and morals, but I want to ask the gentleman whether, if we were at war with Mexico, he would expect that the property of Americans in Mexico would be protected and preserved and returned to them following the war?

Mr. WILSON of Louisiana. Yes; I should expect that.

Mr. MOORE of Pennsylvania. Then why can the gentleman expect that rule to apply to Mexico and not apply to any other nation with whom we have war?

Mr. WILSON of Louisiana. I will say to the gentleman from Pennsylvania this war is still with us in that there are a number of controversies that have not yet been settled in this country. Much of the criticism of Mr. Palmer comes from the very same sources that were intriguing against the United States and are now endeavoring to prevent his confirmation in the Senate. [Applause on the Democratic side.]

Mr. MOORE of Pennsylvania. In making that statement the gentleman uses the same argument Mr. Palmer does, and does it better. I want to ask the gentleman if it is not a fact that Mr. Palmer sent Mr. Bradley Palmer, an attorney of Boston, over to Paris with an amendment to the treaty providing that Germany or German nationals should have no claim whatever against any properties seized under order by any department or bureau of the United States?

Mr. WILSON of Louisiana. I am not so sure that it would be an act of international immorality if it should be necessary to hold that property and settle up the claims for our murdered citizens and for other criminal acts they committed against this country.

Mr. MOORE of Pennsylvania. Having heard the gentleman's statement and the applause of those who follow the gentleman in his patriotic utterances, I judge that evidently he and they both agree to the doctrine that when we seize a man's property and hold it in trust we have a right to convert it to our own use?

Mr. WILSON of Louisiana. Nobody has made that statement.

Mr. MOORE of Pennsylvania. That is a fair inference.

Mr. WILSON of Louisiana. That has been circulated all over this country.

Mr. MOORE of Pennsylvania. Mr. Palmer endeavored and did succeed in getting in the peace treaty of Paris a provision to hold the property seized in the United States.

Mr. HULINGS. Will the gentleman permit?

Mr. WILSON of Louisiana. Yes.

Mr. HULINGS. I wish to ask the gentleman if he knows whether property of American citizens residing during this war in Germany and who were conspiring to oppose the German arms is protected over there?

Mr. WILSON of Louisiana. I do not know. And I have not seen, on the other hand, any report that there were any Americans over there conspiring against them or endeavoring to commit the acts as alleged.

Mr. HEFLIN. During the progress of the war it was generally reported that they had confiscated the property of Americans in Germany.

Mr. HULINGS. So I understood.

Mr. WILSON of Louisiana. That property question has nothing to do with the passage of this bill. I wish to impress on the House this state of facts: That the hearings before the committee developed that 80 per cent of these interned alien enemies, about 300 of whom are down at Fort Oglethorpe and the others out at Fort Douglas, in Utah, are dangerous to the safety and peace of this country, and their records are such that they should not be permitted to remain here, and the only means by which we can deport them is to pass this legislation at this time. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILSON of Louisiana. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. JOHNSON of Washington. Mr. Chairman, if the gentleman from California [Mr. RAKER] does not desire to use any more time in general debate, I will ask to have the bill read for amendment.

Mr. RAKER. I want to use a little more of my time. I yield five minutes to the gentleman from Texas [Mr. BOX].

Mr. BOX. Mr. Chairman and gentlemen of the committee, I shall leave to the members of the committee who have served longer than I the explanation of the details of the bill before the committee. I want to take a little wider range in what I have to say than is covered by the bill itself.

We are dealing with the question of alien enemies. The Committee on Immigration and Naturalization is dealing with the question of aliens generally, and the country at large at this time is very much concerned with the various phases of the race question. This morning the discussion has developed a suggestion of a war with Mexico, not made seriously or with the expectation that such a war will soon be on us, but there has been much said about our policy in dealing with Mexico, and there has been some unfriendly and warlike talk. We have had enough said, I think, to call for the exercise of caution. I think America ought to be careful, I think that this House ought to be careful, in anything it says or does in connection with our relations with Mexico. We have had talk about intervention in that country. I have wondered what kind of intervention is in mind, whether it is the kind that is to last for one day or five days or a week, and leave our relations with that country in a state of irritation. I have wondered whether it will involve something like we have had in the Philippine Islands or that we had in Cuba. I have wondered how long such an intervention would last, how long it would take to pacify conditions there; what our relations with the rest of America would be; what would be the state of our relations with the other South American Republics after such an intervention; and then I have wondered, if it should go still further and amount to something more permanent and serious, how much our race problem would be complicated; how our already numerous and serious problems of that kind would be multiplied by the addition of many millions of ignorant Mexicans to those who are to live under our flag.

The West has a serious question. It is a race question; it is an immigration question. I might have said that the South has a race question, but that question, like the one in California, is a national one. We have a race question in the South and in the North as between the white and black races. Then we have the questions raised by the presence of numerous un-Americanized foreigners in the centers of population, mainly in the North. I as one not experienced in dealing with these nation-wide questions, these questions of momentous importance, suggest that in the heat of politics and partisanship, in the desire to criticize somebody, we do not set in motion influences that will bring consequences that we are not ready to accept. We do not want any more complications in our relations with foreign countries nor any more alien races among us.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOX. Mr. Chairman, may I have leave to revise and extend my remarks?

The CHAIRMAN. The gentleman from Texas asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. RAKER. Mr. Chairman, I ask that the Clerk read in my time a letter from the Attorney General, printed in the hearings.

The CHAIRMAN. The Clerk will read the communication referred to.

The Clerk read as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., May 27, 1919.

Hon. ALBERT JOHNSON,
Chairman Committee on Immigration and Naturalization, House of Representatives.

SIR: I respectfully direct your attention to the necessity for the passage of some legislation which will provide power for the deportation and exclusion from this country of those interned dangerous aliens whose presence here would constitute a menace in times of peace. My predecessor, Attorney General Gregory, and the Secretary of Labor, under date of February 5, addressed to your predecessor as chairman of the Committee on Immigration and Naturalization a joint letter urging action of this character; and in compliance with their request the House Committee on Immigration and Naturalization subsequently reported to the House of Representatives for passage the bill H. R. 15098 framed in accordance with the views of the Attorney General and the Secretary of Labor. The bill, however, was not reached on the calendar and failed of passage. I inclose herewith for your perusal a copy of the joint letter addressed to your predecessor, together with a copy of the bill referred to.

Since February 5 the internment cases have been steadily reviewed, and there have been released on parole from the internment camps a considerable number of the least harmful alien enemies. Between five and seven hundred of those now in internment desire repatriation to Germany. Making allowance for this number there will still remain in the internment camps a considerable number—about 500 of whom, in my opinion, would constitute a menace to the safety of this country in times of peace. These are persons whose acts of hostility toward this Government during the war could not be reached by the criminal laws, but they were, nevertheless, genuinely dangerous to our safety. In addition to this group there are approximately 150 aliens who, during the war, have been convicted for violation of the espionage act, the sabotage act, and various other so-called war statutes. In the two groups of aliens last described there are many who acted as official spies of the Central Powers, bomb plotters, enemy soldiers and sailors, official propagandists, as well as a large number who have criminal records in this country of a serious character. In my judgment these people ought not to be allowed to remain here.

In the present state of the law there is no way in which these dangerous interned alien enemies can be deported. Unless Congress takes some action to provide for their deportation under suitable restrictions as to hearings, procedure, etc., they will be turned loose upon the country as soon as a treaty of peace is ratified.

It is my hope that the inclosed proposed bill or some other measure of a similar character may be introduced and given immediate consideration by your committee. In view of the seriousness of the emergency I desire to fulfill my responsibility toward the people of the country by respectfully asking that suitable action be taken by your committee as quickly as possible to protect the Nation in the premises.

Respectfully,

A. MITCHELL PALMER,
Attorney General.

Mr. RAKER. Mr. Chairman, the bill may now be read under the five-minute rule, and I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent that the Clerk read the bill for amendment.

The CHAIRMAN. Without objection, the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That aliens of the following classes, in addition to those for whose expulsion from the United States provision is made in the existing law, shall, upon the warrant of the Secretary of Labor, be taken into his custody and deported in the manner provided in sections 19 and 20 of the act of February 5, 1917, entitled "An act to regulate the immigration of aliens to, and the residence of aliens in, the United States," if the Secretary of Labor, after hearing, finds that such aliens are undesirable residents of the United States, to wit.

Mr. JOHNSON of Washington. Mr. Chairman I offer an amendment, on page 2, line 1, which I send to the Clerk's desk; that is, page 2, line 1, of the committee print of the bill.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Washington: Page 2, line 1, after the quotation mark, insert the words "if the Secretary of Labor, after hearing, finds that such aliens are undesirable residents of the United States."

Mr. JOHNSON of Washington. I ask for a vote on the amendment.

Mr. CRISP. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CRISP. As I understand it, this is a committee amendment. Therefore it is not necessary to offer it from the floor when the bill is read, because the Chair can direct that the committee amendments be read and voted on. I make that suggestion because I think it is unnecessary for the gentleman to offer it, inasmuch as it is a committee amendment.

Mr. JOHNSON of Washington. I am very glad to have that helpful suggestion.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. MOORE of Pennsylvania. Mr. Chairman, the gentleman from Washington [Mr. JOHNSON] has offered an amendment to

this paragraph, and I presume it is a proper amendment. I want to ask the gentleman from Washington just what the process will be in regard to an alien about to be deported who claims property rights in the United States?

Mr. JOHNSON of Washington. I have this to say to the gentleman, that an alien interned as a dangerous enemy, who may be really dangerous or who may have been potentially dangerous, who is in custody of the Department of Justice now, will be taken over into the custody of the Secretary of Labor and be given an opportunity to present any facts he may have to show that he is a desirable resident of the United States. His property will not be touched by this bill one way or the other. He will have every opportunity to show that he did not mean anything by his mouthings or his machinations. In my opinion, unless he makes a mighty good showing he should be sent back where he belongs. His property will be adjudicated properly under international law.

Take, for example, the case of Dr. Muck. He was simply interned. He was interned, I believe, for declining to play our national anthem. That is all you see on the face of it. But if you go around and search beneath the surface of the record you will find Dr. Muck conspiring against the United States in many ways, and when the time came for him to accept an opportunity to go back voluntarily to his own country he declined to go. Perhaps the doctor thought Congress could not or would not pass a bill like this quick enough to deport him; but now, perhaps, he is fearful that we can enact such a bill as this, and he takes a notion that he wants to go to Switzerland; and if he is permitted to go voluntarily to Switzerland he will be free some time in the future to come back to the United States to play the part of hero—to go around the country playing the violin, leading the orchestra, slyly denouncing the United States and its people. I hope I have answered the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. The gentleman from Washington has denounced the I. W. W.'s and the anarchists and has found fault with the pro-Germans, and I agree with him in all those particulars. But I ask him if he thinks it morally right, when you have seized a man's belongings, to say, "We will kick you out, but we will keep your property after we have kicked you out"?

Mr. JOHNSON of Washington. I think it is the highest duty of the country to kick out as promptly as possible all those who have conspired against us.

Mr. MOORE of Pennsylvania. Then the gentleman is in favor of Germany keeping all American property now held in trust?

Mr. JOHNSON of Washington. I think the gentleman is stretching the question.

Mr. MOORE of Pennsylvania. I am asking a plain, blunt question in regard to others whose property has been taken from them in the name of the Star-Spangled Banner, which Dr. Muck refused to play.

Mr. JOHNSON of Washington. The property of inoffensive aliens will be taken care of.

Mr. MOORE of Pennsylvania. The representative of the Attorney General's office was on the stand and had several cases that he finally brought into evidence, and here are two of them: "D. arrived in the United States in 1914." That was some time before the war. "He was a grain dealer for a German corporation." I suppose that was a great offense.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent that all debate on this amendment close at the end of five minutes.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Apparently, as we feel now, we are going to exclude all aliens from the United States. We do not want them to do business here. We do not want to do business in their countries. When peace is restored, apparently, we prefer not to deal with Germany at all directly, but we prefer to have England and France act for us in dealing with Germany. We will get the German goods, all right, but we will get them through England and France, and we will pay the fiddler when the time comes. But as to some of these horrible cases to which reference has been made by the Attorney General of the United States:

"D arrived in the United States in 1914."

There was not any war then. We were going back and forth between Germany and the United States without any trouble in 1914. "D." was a grain buyer for a German corporation. He was buying American grain to sell to a German corporation. That was a frightful crime that he was engaged in in 1914. He was taking the grain from the western farmers and selling it in Europe in 1914.

"He communicated with Germany through Scandinavian countries after the United States entered the war." Why, yes; there was a blockade and he could not get any word home, I presume, and communicated through Scandinavia. "He refused to give information as to his actions; was defiant and arrogant in his attitude before and since internment." I have no doubt he was a little mad at being sent down to the camp, but there you are. That is one case, and it stands up like a bugaboo in front of my friend from Washington, because he can see I. W. W.'s all around him, but this interned German in 1914 was buying grain out West, probably from the gentleman's State, and sending it abroad. He was sent to an internment camp and then would not tell everything after he got into the camp——

Mr. VAILE. At these hearings was there anything about the property which D. had, which is tied up, which he may lose or his friends my lose?

Mr. MOORE of Pennsylvania. I am coming to that in a moment. I was trying to show how easy it is to be afraid of everybody when you see an army of I. W. W.'s marching down on you, and when you think everybody will applaud from the galleries, and attack any man who dares to speak for common honesty or who dares to challenge some of the activities of this war bureau which had to deal with a billion dollars' worth of property, some of which was turned over to patriots, under private sales, in the United States.

I do not believe in covering up things in that way, and I do not believe in besmirching the truth and in running away because somebody wraps the American flag around his magnificent form and makes speeches about it, where the applause is loudest. There is too much of that. Old Dr. Johnson years ago said that "patriotism was the last refuge of a scoundrel." That axiom may be permissible with regard to some of these "patriots" in the United States who did not go to Europe and fight for $30 a month, but drew revenue from German corporations on this side of the water. They patriotically vote millions and millions for the relief of the peoples of other countries, but they do not worry much about the boys they sent over at $30 a month. The Alien Property Custodian would have this all passed up as patriotic, and his friends on the other side of the aisle yell when the mere suggestion is made that he went so far as to send an emissary to President Wilson at Paris to put the last nail in the coffin of German holdings in the United States, so that no claim should ever be raised against any act performed by the Alien Property Custodian or his clever assistant, Francis P. Garvan. I may give you more of this when the time comes. But read the dyestuff hearings and you will get the skimming of the surface.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAKER. There are two amendments. Was the motion to close debate on both?

The CHAIRMAN. On the pending amendment. The Clerk will read.

The Clerk read as follows:

Committee amendment: Page 2, line 1, after the word "States," insert "if the Secretary of Labor, after hearing, finds that such aliens are undesirable residents of the United States."

The CHAIRMAN. The question is on the committee amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

(1) All aliens who are now or may hereafter be interned under section 4067 of the Revised Statutes of the United States and the proclamations issued by the President in pursuance of said section under date of April 6, 1917, November 16, 1917, December 11, 1917, and April 19, 1918, respectively, the fact of whose internment shall be certified by the Attorney General to the Secretary of Labor, and who shall be held by the Secretary of Labor to be undesirable residents of the United States.

With the following committee amendments:

Page 2, line 4, after the word "now," strike out the words "or may hereafter be."

In line 9, after the word "respectively," strike out the words "the fact of whose internment shall be certified by the Attorney General to the Secretary of Labor, and who shall be held by the Secretary of Labor to be undesirable residents of the United States."

Mr. RAKER. I desire to be heard in support of the amendment.

The CHAIRMAN. Does the gentleman from California desire the amendments to be separated?

Mr. RAKER. No; I do not desire it.

The CHAIRMAN. Does the gentleman from California desire to be heard on the amendment?

Mr. RAKER. In response to the statement made, the only thing provided in this bill is for the deportation of an alien German subject or Austrian alien who had violated our criminal laws and who had violated one of the Executive orders in regard to war conditions. Whether he was worth any money or not makes no difference; and how anyone on the floor of the House can go into a hysteria in favor of a man who has been a bomb thrower, who has been a sabotist, who has been a bomb plotter, who has committed crimes against the soldiers and sailors of our Republic, whether he has any property or not, is beyond my comprehension. [Applause.]

Mr. CANNON. Will the gentleman yield?

Mr. RAKER. I yield to the gentleman from Illinois.

Mr. CANNON. I wish to ask a question for information. The Secretary of Labor under this legislation can not be reversed and, if he makes a mistake, can not be reviewed by any court on habeas corpus, can he? I am not sure about it, and I am asking for information.

Mr. RAKER. He can be reviewed on habeas corpus, but if the judgment is legal and no errors have been committed and he is within his jurisdiction, the judgment is final.

Mr. CANNON. Then, if the Secretary of Labor has made a mistake, and the court after full investigation so finds, the man would be permitted to stay in this country, would he?

Mr. RAKER. I will not say a mistake—if the Secretary of Labor has proceeded contrary to law and rendered a final judgment in opposition to law in the way of excluding valuable evidence or admitting improper evidence, or other proceeding, where an ordinary judgment would be void, the judgment can be reviewed on habeas corpus. And if the Secretary has proceeded illegally and improperly, it is the duty of the court to discharge the petitioner on habeas corpus. Otherwise the judgment is final.

Mr. CANNON. I do not want the gentleman to misunderstand me.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. RAKER. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CANNON. If the Secretary of Labor finds this man should be returned to the country from which he came, if the court reviews the whole case, takes additional evidence, and finds that it was an error, can you reverse the findings of the Secretary of Labor?

Mr. RAKER. No. Upon habeas corpus you can only go into the record, where the Secretary of Labor has finally adjudicated, the same as in any other case. The law of habeas corpus can not review the proceedings to determine whether a mistake has been made or an error in admitting or excluding evidence. If the Secretary of Labor complies with the law, his judgment is final and is not to be reviewed.

Mr. CANNON. In other words, there is no appeal from the decision or judgment of the Secretary of Labor under the provisions of this bill.

Mr. RAKER. The gentleman's statement is correct; there is no appeal.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close in five minutes.

Mr. HEFLIN. I want five minutes.

Mr. JOHNSON of Washington. Then, Mr. Chairman, I ask unanimous consent that all debate on the amendment close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, the assistant to the Attorney General, Mr. Creighton, when testifying before the Committee on Immigration and Naturalization with regard to some of these cases, said—and I want to show how important some of the cases are:

> The one we have called D. is the type of German business man who would like to live in the United States permanently, with frequent trips to Germany, purely for the sake of what business advantages he could gain. Very likely he would do all he could to promote German and other racial solidarity in this country.

A very broad suspicion that he might do that.

> He would have no sympathy with our institutions, and if there came any crisis he would be most likely to take an anti-American attitude.

Now, here was a case where the Department of Justice, which is presumed to deal with facts and with law, is willing to take suspicion as sufficient to intern and deport an alien——

Mr. RAKER. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes; I will yield to the gentleman.

Mr. RAKER. The statement on page 12 of the hearings is in relation to a man who tried to get military information from the United States Army camp forwarded to Germany. If that was true about him he ought to be deported.

Mr. MOORE of Pennsylvania. If you have proof of that, kick him out or shoot him. That is the answer. But get the proof. The gentleman from California stands over there and attempts to answer me.

Mr. RAKER. I am talking about the bill.

Mr. MOORE of Pennsylvania. The gentleman makes an appeal on the ground that he does not like bomb throwers. Neither do I. Has the gentleman done any more than I have to suppress the bomb throwers? I have voted all the money that the administration and the Department of Justice asked for to suppress bomb throwers. Has the Attorney General suppressed them? He has left Mr. Garvan, whom he proposes to appoint Assistant Attorney General for the purpose of detecting bomb throwers, in charge of the Alien Property Custodian office, and that gentleman is still president of the Chemical Foundation (Inc.), which was formed in the Alien Property Custodian's office. The gentleman from California tries to pull the wool over my eyes and of the House by the suggestion that he does not like anarchists and bomb throwers. Now, let me ask the gentleman a question. The gentleman knows something about the immigration laws; he and I were on the committee years ago. The gentleman from California then feared a Japanese invasion. He saw the Japanese coming over on the coast, just as he sees the German invasion now, after the war.

Mr. RAKER. I want to say to the gentleman that they were there then, and they are now increasing at the rate of 4,000 or 5,000 a year by birth in our State.

Mr. MOORE of Pennsylvania. Very well. The gentleman will join me then, I hope, in passing certain tariff bills whereby we will hold him down.

Mr. RAKER. You can not hold him down with tariff bills. He breeds too fast.

Mr. MOORE of Pennsylvania. But the gentleman knows, as a man experienced in immigration matters, that we have existing laws, and have had them for some time, lo, these many Congresses, to put every anarchist and every bomb thrower, every undesirable citizen, out of the country without any further legislation at this time. Does the gentleman deny that?

Mr. RAKER. Yes.

Mr. MOORE of Pennsylvania. The gentleman denies it?

Mr. RAKER. We need this law.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Get your administrative forces at work and put them down. You have all the law needed to put bomb throwers and anarchists out of the country now.

Mr. HEFLIN. Mr. Chairman, I regret to hear the voice of any Member of this House raised in opposition to this meritorious measure—this great American measure. I did not believe that any gentleman in the House would lift his voice against it. I am surprised at the gentleman from Pennsylvania [Mr. MOORE], who is possessed of such a bitter dislike for the able and faithful Attorney General of the United States, Mitchell Palmer, that he has permitted that, I fear, to warp his judgment and to poison his American system to the extent of putting him in opposition to the deportation of the enemies of our country. God of our fathers! Save the mark! These men who were here conspiring against the Republic, destroying property, blowing up munition plants, and murdering war workers when our boys were fighting at the front—doing everything in their power to paralyze the strong arm of our Government during the war against Germany. They are here now. I am in favor of deporting every one of them, and the sooner we send them out of the country the better. [Applause.] They are back of every disturbance in the country now. They had a hand in the recent race trouble in the city of Washington and they are operating in Chicago at this very hour. They are back of every devilish move in America that seeks to disturb the country that conquered Germany. [Applause.] That is what they are doing. I know that the gentleman does not speak for a majority of the Republicans on that side any more than he speaks for the Democrats on this side. One in a hill—let it be that way—when his vote is counted. My God, are we now, when Germany is fighting to the

death the league of nations, doing all in her power to defeat its ratification by America so that she can be left free to make ready for another war—are we to leave her hellish agents here in America free to spread the poison of Bolshevism, of red-flagism, and anarchy, or are we going to stand erect, Americans to the core, united against these enemies of our country? [Applause.]

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Without objection, the Chair will ask the Clerk to read subsection (2) down to section 2, and then we will take up individually the committee amendments.

There was no objection.

The Clerk read as follows:

(2) All aliens who since August 1, 1914, have been or may hereafter be convicted of any offense committed against any of the following laws of the United States, the judgment on such conviction having become final, namely:

(a) An act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917, or the amendment thereof approved May 16, 1918;

(b) An act entitled "An act to prohibit the manufacture, distribution, storage, use, and possession in time of war of explosives, providing regulations for the safe manufacture, distribution, storage, use, and possession of the same, and for other purposes," approved October 6, 1917;

(c) An act entitled "An act to prevent in time of war departure from and entry into the United States contrary to the public safety," approved May 22, 1918;

(d) An act entitled "An act to punish the willful injury or destruction of war material or of war premises or utilities used in connection with war material, and for other purposes," approved April 20, 1918;

(e) An act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, or any amendment thereof or supplement thereto;

(f) An act entitled "An act to punish persons who make threats against the President of the United States," approved February 14, 1917;

(g) An act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, or any amendment thereof;

(h) Also section 6 of the Penal Code of the United States;

(i) All conspiracies under section 37 of said Penal Code to commit any offense against the United States under the foregoing laws of the United States.

(3) All aliens who have been or may hereafter be convicted of any offense against section 13 of the said Penal Code committed during the period of August 1, 1914, to April 6, 1917, or of a conspiracy occurring within said period to commit an offense under said section 13, or of any offense committed during said period against the Sherman anti-trust law in aid of a belligerent in the European war.

Mr. MOORE of Pennsylvania (interrupting the reading). I move to strike out the last word.

The CHAIRMAN. The Chair thinks the gentleman did not understand the order of procedure.

Mr. MOORE of Pennsylvania. This is being read by paragraphs.

Mr. JOHNSON of Washington. Subsection (2) is being treated as a paragraph. Unanimous consent was asked and given.

Mr. MOORE of Pennsylvania. I call the attention of the Chair to the fact that when line 3 was read, which ends with a semicolon, the gentleman from Washington [Mr. JOHNSON] was recognized to offer an amendment, and we have been proceeding to amend, following the reading of a paragraph, regularly since that time.

The CHAIRMAN. At the beginning of the reading the Chair stated that this would be read down to the close of the section by unanimous consent. He asked if there was objection, and no objection was noted. The Clerk will proceed.

The Clerk concluded the reading.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 2, lines 14 and 15, strike out the words "offense committed against any of the following laws of the United States" and insert the following in lieu thereof: "violation or conspiracy to violate any of the following acts or parts of acts."

The CHAIRMAN. The question is on agreeing to the committee amendment.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. "God of our fathers!" [Laughter.] The gentleman from Alabama [Mr. HEFLIN] is back. The House and the country will be delighted to know that fact. Had it not been for the intrusion by the gentleman from Pennsylvania of a few brief remarks on this more or less important bill the country would have been unaware, as would the White House also, of the return of our distinguished friend.

Mr. HEFLIN. Oh, I have been here observing the gentleman and his movements for a couple of weeks.

Mr. MOORE of Pennsylvania. "God of our fathers!" If I had known that [laughter]——

Mr. HEFLIN. The God of our fathers is far removed from the cause that the gentleman now espouses.

Mr. MOORE of Pennsylvania. If I had known that—"God of our fathers!"—I would have given due notice so that a suitable audience might have been here this morning to hear the patriotic utterances of the gentleman who has been burning up the railroad ties throughout the cotton belt, smothering the exchanges with his eloquence. "God of our fathers!" Had I the voice and the power of the gentleman from Alabama [Mr. HEFLIN]——

Mr. HEFLIN. I have been trying to smother out the alien enemies of the country.

Mr. MOORE of Pennsylvania. "God of our fathers!" Then, with what words of eloquence would I have shivered the circumambient air and have sprung them on an unsuspecting audience—such words as would delight the cockles of the hearts of the constituents of the gentleman from Alabama—"God of our fathers!" But lo, alas, and alas, and again alas, I am incapable in this presence, where every American eye and every American voice is directed against the pro-German and his utterances—I am forbidden at this time from calling on the god of flamboyant bunk to come to my rescue, for I am yet suffering the pangs that come from the darts of the gentleman's redundancy and can not proceed further in this respect. "God of our fathers!"

I would that a distinguished citizen of this Nation, who, like the gentleman from Alabama, has been sojourning hence for a period not quite so long, might have heard this reaffirmation of intense patriotism that throbs and burns in the very heart of the eloquent gentleman from Alabama, but that gentleman is occupied with other duties, one of which is to have confirmed by another body, if possible, a little amendment to the treaty of nations that was slipped in by the counsel for the Alien Property Custodian, which provided that property seized in the United States shall stay seized, so that no claim by the owner can ever be made valid against him. Oh, if I had the mind and the thought and the oratorical flights of the gentleman from Alabama and could spring alive without notice to the defense of the administration as easily as he does I might refer to some of the reasons that actuated him in touring the southern tier in order that none of the votes and perhaps none of the editorial writers might slip away from the present occupant of the White House.

I am delighted that in this short debate, harmless as it began, the Leviathan of southern oratory should suddenly appear to defend the administration and the Attorney General of the United States, and that he proposes to take unto his bosom the Alien Property Custodian, who is also president of the Chemical Foundation (Inc.), in Delaware, with stock at $500,000——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. "God of our fathers!"

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto be now closed.

Mr. STEVENSON. I wish the gentleman would withhold that. I have not taken any time and I wish to say something about this bill and would like to have five minutes.

Mr. JOHNSON of Washington. Will the gentleman withhold his request until he gets to the next amendment?

Mr. STEVENSON. This is the part of the bill to which I wish to direct my remarks.

Mr. JOHNSON of Washington. There are several more amendments.

Mr. STEVENSON. All right.

The CHAIRMAN. The gentleman from Washington asks unanimous consent that all debate be now closed. Is there objection? [After a pause.] The Chair hears none. The question is on the committee amendment.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Page 3, line 23, strike out the words "also section" and insert in lieu thereof the word "section," and in line 24 strike out the word "States" and insert the word "States" and a period.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent that all debate close in five minutes.

The CHAIRMAN. The gentleman from Washington asks unanimous consent that all debate on this amendment close in five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. STEVENSON. Mr. Chairman, I am very much in sympathy with the intention of this legislation, but it seems to me

from a practical standpoint that everything on page 2, beginning with subdivision 2 on down to the end of section 2, is dangerously near being unconstitutional, if I may make the suggestion, in that in this they make the conviction for a crime already committed before the passage of this act an excuse for deporting. In other words, the proposition looks, as drawn, as if it is merely adding to the punishment which the criminal already convicted has to suffer for violating a law before this act is passed.

Mr. BLACK. Will the gentleman yield for one observation?

Mr. STEVENSON. Yes, sir.

Mr. BLACK. If I understand the bill correctly, the violation of these several acts gives the Secretary of Labor jurisdiction to have hearings on this alien, and if after the hearing he decides that the alien is an undesirable alien he deports him. The mere fact that he commits a crime does not serve to call for deportation per se.

Mr. STEVENSON. Probably that is correct and possibly the idea and theory of this legislation. But I will call the gentleman's attention to the fact that it is adding an additional burden and penalty on a man who has been convicted because he has been convicted.

Mr. WILSON of Louisiana. Will the gentleman yield?

Mr. STEVENSON. In a minute; I want to finish what I was going to say. If you are going to add to the penalty directly or indirectly of an offense which was committed prior to the passage of an act which adds this penalty you create what is known as an ex post facto law that will not stand, according to my judgment. I do not care to set it up against everybody else's, but I have always exercised my own judgment. Another thing, you provide that the finding of the Secretary of Labor shall be final, and I understood the gentleman from California [Mr. RAKER] to say that no court can handle it. Now, how are you going to suspend the writ of habeas corpus? A man is arrested and it is undertaken that he is to be punished additionally because he was convicted of a crime two years before, and he is denied a right of entry to court. I understood the gentleman from California to say as much, and if that is the meaning of that clause I do not propose to vote for it. I yield to the gentleman from Louisiana.

Mr. WILSON of Louisiana. I think perhaps the gentleman is not thoroughly acquainted with our present immigration law.

Mr. STEVENSON. Well, I am not.

Mr. WILSON of Louisiana. Our law already authorizes the deportation of an alien who has been convicted in this country of a crime involving moral turpitude.

Mr. STEVENSON. Yes.

Mr. WILSON of Louisiana. And there are some of those convictions and under the war acts there are others not of that character, and it was thought best to authorize the Secretary of Labor to deport them.

Mr. STEVENSON. That is exactly the question. That is a case under which a man is convicted under circumstances justifying deportation at the time of the conviction; that would clearly be all right. This law will not be invalid as to that, but it is admitted that there is a class that would not be subject to deportation merely because of the fact that they were convicted, and now we make it a deportable offense and thereto add to the punishment ex post facto——

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEVENSON. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. The time has been limited by unanimous consent. The question is on agreeing to the committee amendment.

The question was taken, and the amendment was agreed to.

Mr. RAKER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 4, line 1, strike out all of the language in lines 1, 2, and 3.

Mr. RAKER. Mr. Chairman, I move to strike out the last word.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent that all debate on this amendment close at the end of five minutes.

Mr. RAKER. I do not yield for that, but I will in a moment.

I wish to say to the gentleman from South Carolina that the writ of habeas corpus would lie, but on the writ of habeas corpus you can not investigate what the Secretary of Labor did, whether he committed any error or not, as long as he complied with and kept within the pale of the law. Mere errors could not be reviewed.

Mr. DAVIS of Tennessee. In other words, a writ of habeas corpus would apply in a case of this kind just as it would in any other case of confinement?

Mr. RAKER. Exactly.

Mr. DAVIS of Tennessee. The writ of habeas corpus does not go to the merits of the crime but to the question as to whether he was illegally committed, without due form of law?

Mr. RAKER. Yes. And whether or not the Secretary of Labor has rendered a legal and final judgment.

Mr. STEVENSON. As I stated a moment ago, when the time expired, there are cases that were covered by the statute before. There were cases where they were convicted that will be covered by this statute, and which were not covered before. Men have already been convicted. Now, if a man is apt to be deported because he was convicted of a crime which at that time would not justify his deportation, he has a right to come before the court and say that the Secretary of Labor is undertaking to deport him as an additional penalty to the crime for which he was convicted before this act was passed.

Mr. RAKER. That is not the purpose of this law. The present immigration act lays down certain offenses for which and certain grounds upon which a person can be deported. This does nothing more, but adds additional grounds for deportation. This legislation is not like a criminal statute. It is not an additional punishment. Any alien in this country may be deported whenever this country says so, whether the crime was committed in this country or in another country and before this legislation or not. We have the right to say who shall remain here; and if a man in Germany or Austria committed crimes before he came here, before this act was enacted, we can enact this law and deport him.

Mr. DAVIS of Tennessee. In other words, the purpose of this depoftation is not an additional punishment, but to get rid of him?

Mr. RAKER. To get rid of an undesirable alien in this country.

Mr. STEVENSON. Will the gentleman yield?

Mr. RAKER. I yield.

Mr. STEVENSON. I am in thorough accord with the intention of the act, but I want to ask the gentleman if, as a matter of fact, when you make that the sole prerequisite of his being brought before the Secretary of Labor for the purpose of a hearing there, that does not add to the penalty which he suffered when he was convicted and sentenced? That is the difficulty I have in mind. I am not obstreperous about it. The gentleman may be right, and I hope he is right. I want to see the thing in proper shape.

The CHAIRMAN. The time of the gentleman has expired. The question is on the committee amendment.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page, 4, line 9, after the word "the," strike out the words "Sherman antitrust law" and insert in lieu thereof "Act entitled 'An act to protect trade and commerce against unlawful restraints and monopolies,' approved July 2, 1890."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read the next section.

The Clerk read as follows:

SEC. 2. That the fact that such aliens were ordered interned or were convicted of any of such offenses shall be deemed to be prima facie evidence that said aliens are undesirable aliens, and in every case in which any such alien is ordered expelled or excluded from the United States under the provisions of this act the decision of the Secretary of Labor shall be final.

Mr. MOORE of Pennsylvania. Mr. Chairman——

The CHAIRMAN. The Clerk will report the next committee amendment.

Mr. MOORE of Pennsylvania. Mr. Chairman, I have an amendment. Is there a committee amendment?

The CHAIRMAN. Yes. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 4, line 13, after the word "That," strike out all of the balance of line 13 and all of lines 14 and 15 and the words "undesirable aliens" in line 16, including the word "and."

The CHAIRMAN. The question is on agreeing to the committee amendment.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer an amendment, which I will read:

Page 4, line 19, after the word "final," insert: "*Provided*, That no alien whose property has been seized by the Alien Property Custodian during the war with Germany and who has not been convicted of crime shall be deported against his protest pending the lawful determination of the ownership of the property claimed by him.

Mr. JOHNSON of Washington. Mr. Chairman, I desire to make a point of order against the amendment.

The CHAIRMAN. What is the gentleman's point of order?

Mr. JOHNSON of Washington. I make a point of order it is not germane. It brings up property rights, and the bill has nothing to say about property rights.

Mr. TILSON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TILSON. Has the amendment offered by the gentleman from Pennsylvania [Mr. MOORE] been reported?

The CHAIRMAN. It has been reported, but the gentleman asked the privilege of reading it himself.

Mr. TILSON. Has it been reported by the Clerk?

The CHAIRMAN. It has not been. Does the gentleman desire it to be reported by the Clerk?

Mr. TILSON. Yes.

Mr. MOORE of Pennsylvania. I ask that the amendment be reported by the Clerk.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Pennsylvania: On page 4, line 19, after the word "final," insert: "*Provided*, That no alien whose property has been seized by the Alien Property Custodian during the war who has not been convicted of crime shall be deported against his protest pending the lawful determination of the ownership of the property claimed by him."

Mr. RAKER. Mr. Chairman, the gentleman from Washington makes the point of order against the amendment, and that is pending, is it not?

The CHAIRMAN. Yes.

Mr. MOORE of Pennsylvania. I would like to be heard if there is any question about it.

The CHAIRMAN. The Chair will be glad to hear the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. Mr. Chairman, the point made by the gentleman from Washington [Mr. JOHNSON], as I understand it, is that the amendment is not germane, because it refers to property which the gentleman indicates is not referred to in the bill.

I call the attention of the Chair to the fact that the bill provides for the deportation of aliens under certain conditions. The aliens must be certain kinds of aliens. They are provided for under a series of statutes that are enumerated. They are to be deported for various offenses. For instance, all aliens are to be deported who have been or who may hereafter be convicted. They are to be deported under an act which provides punishment for interference with the foreign relations, neutrality, and the foreign commerce of the United States. There are a number of things for which the alien is to be deported. He is to be deported under an act to prohibit the manufacture, destruction, storage, use, or possession in time of war of explosives. He is to be deported under an act to prevent in time of war departure from and entry into the United States contrary to public safety. He is to be deported under an act to punish the willful attempt to injure or destroy war material or war premises or materials used in connection with the making of war munitions. He is to be deported for a variety of things. He is to be interned because he holds property in the United States which is supposed to be at variance with the interests of the United States. The bill implies that the alien who has property and uses property unlawfully in the United States shall be deported.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. JOHNSON of Washington. The various matters mentioned in the different sections of the bill all deal with those convicted. The gentleman's amendment, as he has offered it, deals only with the interned. It is an entirely different matter.

Mr. MOORE of Pennsylvania. The gentleman from Washington contends that because an attempt is made here to preserve property rights of aliens about to be deported the amendment is not germane to this bill, when the bills I have indicated provide in numerous instances that an alien having property in the United States, which property is unlawfully used or used in a manner which might endanger the people of the United States, is to be deported. What is fair on one side is certainly fair on the other, and if by reason of the ownership of property, if by reason of the ownership of arms, if by reason of the ownership of a knife or a revolver or a munitions plant or of real estate upon which an enemy establishment is reared he is seized and interned, the property question enters into it very materially. He may be interned because he has property, but if the contention of the gentleman from Washington is right he may not have the right, in the law which provides for his deportation, to set up any claim.

Mr. RAKER. Mr. Chairman, is the gentleman through?

Mr. MOORE of Pennsylvania. Yes; I am through. Does the gentleman from California want to ask me a question?

Mr. RAKER. No. I want to speak on the point of order.

The CHAIRMAN. The gentleman from California [Mr. RAKER] is recognized.

Mr. RAKER. Mr. Chairman, I do not think there is any necessity for a prolonged discussion. The Chair has read the amendment carefully. There are two distinct propositions proposed in the gentleman's amendment which are not in the bill. No deportation could be had under his amendment unless these conditions were met: "*Provided*, That no alien whose property has been seized by the Alien Property Custodian can be deported." That changes entirely the existing law.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes.

Mr. MOORE of Pennsylvania. I want to ask the gentleman a question. So long as the point of germaneness is made respecting the ownership of property, and the contention that property has any pertinency, I want to ask the gentleman if it is not a fact that if an alien enemy owns property that might be applied to the detriment of United States interests he would be deported under this law?

Mr. RAKER. I did not quite get that. Will the gentleman please repeat that?

Mr. MOORE of Pennsylvania. The gentleman makes the point that because property is referred to in this amendment it is not germane. I ask the gentleman if it is not a fact that by reason of the holding or acquisition of property an alien enemy might not be deported, and if provision is not made for that very thing in these acts referred to here?

Mr. RAKER. No. I do not view it in that way. It is wholly immaterial whether a man is a pauper or a millionaire; if he violates an Executive order issued by the President, as designated in the bill, and is found to be an undesirable citizen, he should be deported. Second, if he is convicted under any one of the acts designated in the bill and is found by the Secretary of Labor to be undesirable, he is to be deported.

Now, whether or not he owns any property or claims any property is clearly immaterial, in so far as concerns the question whether or not he should be convicted, or whether or not he violated the President's order.

Mr. MOORE of Pennsylvania. For the benefit of the Chairman let me ask the gentleman a question, whether, if he holds property in violation of the rights of the United States, he should not be apprehended under any of the acts referred to in this bill, and if under this bill he would not be deported?

Mr. RAKER. I do not believe so.

Mr. MOORE of Pennsylvania. The question of property is thoroughly intertwined with every line of the bill.

Mr. RAKER. I do not believe it is.

Mr. MOORE of Pennsylvania. The question of property is germane to every line of the bill.

Mr. RAKER. Why, no; it is not a question of property. When a man goes out and deliberately murders his neighbor he has violated the law and can be punished, whether he is rich or poor, millionaire or pauper. This is the case of German alien enemies.

Mr. MOORE of Pennsylvania. I regret to say that the gentleman has not seen the point. The gentleman from Washington makes the point of order that because the word "property" is used in the amendment, therefore it is not germane to the bill. I am indicating that property is provided for all through this bill, and that if the word "property" is to be barred out, it should never have been admitted in these various acts that are referred to.

Mr. RAKER. Just a word, and then I will not take any more time. That is not the contention of the gentleman from Washington or myself. The first provision is that a man could not be deported if he had any claim of property that had not been adjudicated. That is one proposition, and it involves adding to this bill a new condition of deportation that is not involved in the bill, that is not involved in the subject matter before the House at all, and it is clearly not germane to the legislation here involved. The legislation involves the two things, I repeat, namely, whether a man has violated an Executive order, or, second, whether he has been convicted of a crime under any statute designated in the bill.

Mr. GARD. Mr. Chairman, I desire to be heard just a moment. It seems to me, in offering my views on the question of sustaining the point of order, that the bill in question seeks merely to enact new regulations for deportation. I take it that

the matter of which the gentleman from Pennsylvania [Mr. MOORE] has spoken might be properly contained in the phrase as it appears on page 1—

In addition to those for whose expulsion from the United States provision is made in the existing law.

This particular bill now offered for enactment goes beyond that, and provides that deportation may be had, in addition to the existing law, in the event of certain acts being done by aliens, for which conviction is had after trial in proper course. I assume that everybody will agree with that, that if an alien is tried, is afforded a fair trial and is convicted, then he is a proper subject for deportation.

In this bill, however, retention is made of the existing laws, and additional safeguards for American property are incorporated by the finding that after a man is convicted of some of these acts, that fact may be offered as a reason for his deportation in the hearing before the Secretary of Labor; but there is no provision in this bill sought to be incorporated deporting a man because he has owned any property. I assume that the ownership of property and its application toward any detriment of the United States is cared for in the existing law, and it is not sought to be cared for in this law. I contend therefore that the point of order made by the gentleman from Washington is well taken.

The CHAIRMAN (Mr. TOWNER). The Chair is ready to rule. At first blush the Chair thought that the point of order was well taken, for the reason stated, that there were not sufficient references to this bill to warrant the finding that the amendment was germane; but on a closer examination of the proposition the Chair is well satisfied that the amendment is germane, for this fundamental reason and upon this principle: This bill is for the purpose of deporting aliens under certain circumstances. This amendment offers a time restraint. It says that it shall not be done until certain things have been found with regard to property. Now, the germaneness of an amendment of this kind is not dependent upon the nature of the time conditions, because it has been decided more than once that the ascertainment of a fact which delays the operation of the principal portion of the bill is a germane amendment. For that reason and upon that ground the point of order is overruled.

Mr. MOORE of Pennsylvania. I desire to speak to the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. The general purpose of this amendment is to avoid the possibility of any great mistake that might be made with regard to the rights of those who have been put in the internment camps on suspicion, through malice or vindictiveness, or whose property might have been taken from them unjustly. I want to say in this connection that the hearings on the Longworth dye bill have revealed the fact that efforts have been made to take away the property of naturalized citizens, and not only that, but in one instance the property of a native-born citizen of the United States was taken away to the extent of hundreds of thousands of dollars, and that a suit is now pending on behalf of that American citizen to recover his rights. Under the Constitution of the United States property may not be taken away from a citizen of the United States without due process of law, and in this one instance it appears to have been done.

With regard to those aliens concerning whom we have no sympathy here, particularly bomb-throwing aliens, I have never said a word except that the administrators of the law should seize them under the existing law and put them out of the country as soon as they can. No gentleman differs from me on the question of getting rid of anarchists, bomb throwers, and undesirables. There is existing law to cover all that. But here is a new proposition.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I can not.

Mr. JOHNSON of Washington. How much property must a man have in order to remain in this country—a pocket knife?

Mr. MOORE of Pennsylvania. Aliens in the United States have millions and millions of dollars.

Mr. JOHNSON of Washington. Of course, the gentleman knows that I refer to enemy aliens.

Mr. MOORE of Pennsylvania. If the gentleman wanted to deal with British aliens who have property in the United States I would say that they probably have billions here. They have it now. Citizens of every foreign country have vast holdings in the United States, and I want to say that those foreign holdings in the United States are influencing American legislation right now.

Mr. WILSON of Louisiana. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield, but I am going to ask for more time.

Mr. WILSON of Louisiana. Would the gentleman be in favor of turning back all the property formerly owned by German subjects in this country which has been taken over by the Alien Property Custodian?

Mr. MOORE of Pennsylvania. I will answer the gentleman, and I want all gentlemen to hear the answer. The trading-with-the-enemy act passed by this House provided for the taking over of German property and for placing it in the hands of the Alien Property Custodian as trustee, and the saving clause in that act was an honorable clause, and it ran like this: This property shall be held in trust until the war terminates, when it shall be disposed of by act of Congress.

In other words, we reserved in the trading-with-the-enemy act the right to say what should be done with this alien property which our trustee took over for us.

I will not go into the history of it now, but I will say from time to time riders on appropriation bills were secured——

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. From time to time riders on appropriation bills were secured, Executive orders were secured, until the Alien Property Custodian obtained the right to sell at public sale property that he was holding in trust, and finally the right to sell at private sale property that he was holding in trust, and lastly, as I have indicated, secured a provision in the treaty to make every one of these sales so binding that there should never be a claim on the part of the original owners.

Mr. WILSON of Louisiana. Now, if the gentleman will answer my question, would the gentleman from Pennsylvania be in favor of turning all of the property seized by the Alien Property Custodian back to the citizens of Germany?

Mr. MOORE of Pennsylvania. If the Congress of the United States should so decree; yes. But I maintain that the Alien Property Custodian managed to get power by Executive order and otherwise to dispose of the property, when we had provided that the Congress of the United States should dispose of it.

Mr. WILSON of Louisiana. Would the gentleman from Pennsylvania favor Congress so disposing of the property?

Mr. MOORE of Pennsylvania. I would favor Congress acting on it and doing the right thing, whatever that might be. I would leave it to the judgment of the gentleman from Louisiana and his colleagues to exercise their right as Representatives of the people of the United States to say whether property that we held in trust should be turned back, or whether it should be sold and the proceeds put in our pockets.

Mr. WILSON of Louisiana. Would the gentleman, as a Member of Congress, vote to turn back the property of the Hamburg-American Steamship Co. to the original owners?

Mr. MOORE of Pennsylvania. Would the gentleman from Louisiana vote for it? We seized the property and held it as trustee. The gentleman is a Sunday-school teacher. What would he do about it—put the proceeds in his pocket or sell it to his friends, or would he hold it until the war was over and say that we should deal with it equitably and fairly, according to that ideal democracy for which our great President stands?

Mr. WILSON of Louisiana. The gentleman has not answered my question.

Mr. MOORE of Pennsylvania. I think Congress should be fair in dealing with this matter and should at least give the owner of the property a chance to be heard before his mouth is forever sealed by being sent out of the country.

Now, we have only skimmed the surface. During the dyestuff hearings it developed that Mr. Garvan, acting under Mr. Palmer, did intern a number of these men after it developed that they owned alien property. Some of them are now in Oglethorpe, and some have been asked if they wanted to go out of the country, I understand, and have said no.

It is a simple case of common honesty. It is more than that. It is a question of whether the United States is going to treat as a scrap of paper the trading-with-the-enemy act, which provided that we should take the property and hold it in trust until the war was over and then determine the ownership ourselves. If you want to vote now to take the property and put it in our own pockets, that is one thing. I do not think that is common honesty or common decency. I do not believe it promotes international law for gentlemen to preach world democracy who seem to be taking care of pelf as they go along.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Washington asks unanimous consent that all debate on the paragraph and amendments close in five minutes. Is there objection?

Mr. ROBSION of Kentucky. I object.

Mr. CANNON. Mr. Chairman, I have hastily read this bill and have been listening to what gentlemen have had to say. I am not an international lawyer and do not know what the law of nations would do under these conditions if they were observed. I do not know how the treaty, when ratified, with or without amendment, would dispose of these questions that we have been talking about and stand as to the property. But I do know that in Germany and in various other portions of Austria, as I understand it, many American citizens have factories that were constructed and were prosperous in those countries, in belligerent territory, when the war broke out. It is out of their possession, not being operated, so far as I know. I had supposed that when the end came the property of German citizens in this country—they were against the United States—and the property of American citizens in Germany would be compensated for. I do not know how much we would cheat the Germans if we confiscated their property in this country, nor how much our people would be cheated if the property of American citizens or their factories in Germany were confiscated. I have one in mind now, the Moline Plow Co., for instance, in my own State. It has very large holdings in factories in Germany, as well as others. There are the sewing-machine people, for instance. We have been tolerably industrious in manufacturing, manufacturing wherever it could be done at a profit, taking the markets wherever in the world we could get them, as have been the Germans wherever they could get our markets. If it is proposed—and I speak now without knowledge and in all sincerity—to confiscate the property of the Germans here, then we may expect that they will confiscate the property of our people in Germany, because they were fighting each other like the devil. They have quit fighting now, however. That is about all I wish to say. Just what the effect of this bill will be I do not know; but with the desire to send back alien enemy criminals I am in full accord.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. CANNON. Yes.

Mr. MOORE of Pennsylvania. I say to the gentleman as a former member of the Immigration and Naturalization Committee, and these gentlemen will hardly deny it, that we have ample law now upon the statute books to deport the bomb throwers, anarchists, and undesirables generally.

Mr. CANNON. The gentleman is more familiar with that legislation than I am.

Mr. MOORE of Pennsylvania. It is a matter of administration now.

Mr. CANNON. I have said all that I desire to say in the premises.

Mr. BLACK. Mr. Chairman, if I understand the amendment of the gentleman from Pennsylvania [Mr. MOORE], it provides that if an enemy alien who has been interned is the owner of property that has been seized, he shall not be deported during such time as his property is in the hands of the Alien Property Custodian, even though the Secretary of Labor should find that he is an undesirable resident.

Mr. MOORE of Pennsylvania. During the pendency of legal proceedings respecting it; that is, pending the legal termination of its ownership.

Mr. BLACK. That is my understanding of the gentleman's amendment. What does this bill do? If I understand it correctly, it does not authorize the deportation of an alien merely because he has been an interned enemy alien; it does not authorize the deportation of an enemy alien, or any other alien, merely because he has been convicted of the violation of some of the acts which we passed in aid of the prosecution of the war and which are named in the several subsections of the bill. What it does do is to say to the Secretary of Labor, "If you find, after a hearing, that any interned enemy alien is an undesirable alien, then you shall have the right to enter judgment deporting him, or if you find that any alien in this country, whether from one of the enemy countries or not, has violated any of these war laws, such as trading with the enemy act, the espionage act, and others named in this bill, you shall have the right to also deport him after giving him a hearing and after finding as a fact that he is an undesirable resident of the United States."

Mr. STEVENSON. Mr. Chairman, will the gentleman yield?

Mr. BLACK. Yes.

Mr. STEVENSON. Suppose the Secretary of Labor should find that he had not been convicted? Would he have a right to question the matter of conviction? Suppose he is convicted under the statutes?

Mr. BLACK. If the gentleman will read the bill, and I am sure that he has read it——

Mr. STEVENSON. Yes.

Mr. BLACK. He will find that the conviction must have been a final conviction.

Mr. STEVENSON. That is what it states.

Mr. BLACK. He can only have jurisdiction in such cases, and I can see no danger of a mistake of that sort.

Mr. STEVENSON. Then, if he finds as a fact that he has not been convicted, he will be discharged.

Mr. BLACK. Certainly; he would have no jurisdiction.

Mr. STEVENSON. Then, the holding of him is directly traceable to and based upon his having been convicted.

Mr. BLACK. I make no dispute of that fact. That is the element which confers jurisdiction in such particular cases. We are merely adding to the immigration law we now have on the statute books certain other cases in which the Secretary of Labor has jurisdiction and may, after hearing, deport the aliens, and I contend that such ought to be the law. I realize perfectly well that we have many people of foreign birth in this country who are thoroughly loyal and patriotic and are good citizens. I have not the slightest fear that any of them will be deported under this act.

Mr. AYRES. Does the gentleman feel that where an alien has been found guilty of violating any of these laws and the Secretary of Labor finds he should be deported, that he should be kept here until his property rights are tried?

Mr. BLACK. I certainly do not. I think that if, after a hearing, the Secretary of Labor finds that he is an undesirable resident of the United States, he ought to be deported. We know that within the last 20 years or more, because of the influx of foreign immigration into this country, we have had brought to our land a great many of the vicious and unwholesome and un-American doctrines that have grown up in Europe in an atmosphere of oppression, ignorance, and tyranny, and these foreigners seem to think in many cases that because they can not impose these unwholesome, un-American doctrines upon our people by appealing to their reason and judgment, they will impose them upon us by a reign of violence and terror. They seem to think they can accomplish with the torch and the bomb that which the reason and the judgment of the people refuses to accept. In this they sadly mistake the temper of the American people. The American people are patient and long-suffering, but when they are once aroused they are swift and sure in the execution of their judgment, and they are aroused upon this question and they are determined that no alien shall come to this country and be allowed to remain with avowed purpose of imposing upon us these vicious doctrines of European Bolshevism and communism by means of terrorism, the torch, and the bomb. [Applause.]

Mr. BOX. Mr. Chairman, will the gentleman yield?

Mr. BLACK. Yes.

Mr. BOX. Suppose two aliens had been guilty of the same course of conduct and that one of them had a sufficient body of property to cause the custodian to seize it and the other had no property at all? What in that case would be the operation of the law under the gentleman's amendment?

Mr. BLACK. It would keep one in this country and exclude the other, and there would be no sense in the world in a proceeding of that kind, and no justification for it.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. BLACK. I will.

Mr. HUDDLESTON. Suppose an American citizen should be seized under this act and charged with being an alien and subject to deportation. How would he be able to secure a review of the finding that he is an alien?

Mr. BLACK. If the gentleman pleases, the Constitution guarantees to every American citizen due process of law. There is no proceeding under heaven by which you can deprive him of that right. But it does not go so far as to the man who is an alien.

Mr. HUDDLESTON. So far as this act would apply to a case of that kind, it would be unconstitutional, because it provides that the finding of the Secretary of Labor shall be final and there shall be no review, and that is one of the things that he is required to find, whether the man is an alien or not. That is a fact that he must make a conclusion on.

Mr. BLACK. Yes; but I will call the gentleman's attention to this fact: That the only men who are within the purview of this bill are aliens, and if an American citizen should be seized

under the act he could undoubtedly secure his release under a writ of habeas corpus.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SIEGEL. Mr. Chairman, the question asked by the gentleman from Alabama [Mr. HUDDLESTON] answers itself. The jurisdiction of the Secretary of Labor in deportation cases is limited solely to dealing with the subject of aliens. The elementary proposition is that if the Secretary of Labor would undertake to exercise any power over an American citizen his act would be null and void and under writ of habeas corpus the court would find that he had no jurisdiction.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. SIEGEL. I will.

Mr. HUDDLESTON. How could a man who is detained avail himself of that? In other words, if the man was really an alien and can not review the action of the Secretary of Labor, how can he secure a review?

Mr. SIEGEL. As far as jurisdiction is concerned, he has the power of bringing the question up before the United States Court. That is practically done every day in the year. In addition, at this hearing before him, a man is entitled to have counsel present, entitled to subpœna witnesses and summon them before him and have a full hearing, at which the stenographer's minutes must be taken.

Mr. HUDDLESTON. Will the gentleman permit further?

Mr. SIEGAL. Certainly.

Mr. HUDDLESTON. One of the facts that the Secretary of Labor must find in this case is that the detained man is an alien. Now, let us say that the man in fact is not an alien but he is found by the Secretary of Labor to be an alien. What is his remedy?

Mr. SIEGEL. His remedy will be a writ of habeas corpus.

Mr. HUDDLESTON. Suppose a man is in fact an alien and wants to put in issue the question of whether he is an alien. What is his remedy?

Mr. SIEGEL. A writ of habeas corpus.

Mr. HUDDLESTON. Then the action of the Secretary of Labor by that finding of fact, whether it be proper or improper or whether the man be an alien or not an alien, is subject to review, notwithstanding the terms of the statute to the contrary?

Mr. SIEGEL. Practically so, and in every case the United States courts have jurisdiction to determine whether the Secretary has had jurisdiction and given him a hearing such as the statute requires and contemplates.

Mr. RAKER. Will the gentleman yield?

Mr. SIEGEL. I will.

Mr. RAKER. Is it not a fact that it is a mere question that is absolutely jurisdictional that the Secretary has no right to proceed if the man is not an alien in fact?

Mr. SIEGEL. Correct.

Mr. RAKER. And if he is an American citizen whom the Secretary starts to proceed against under this act, the courts are open to him by writ of habeas corpus and otherwise to prove he is an American citizen and the Secretary's jurisdiction would cease at once?

Mr. SIEGEL. There is no doubt about that. It has been repeatedly so held by the courts. Now there has been some mistaken impressions expressed here about some things in regard to these deportation cases which I will try to explain. Under section 19 of the immigration law, the Secretary of Labor had the absolute power to deport any alien under the following conditions. That section is as follows:

SEC. 19. That at any time within five years after entry any alien who at the time of entry was a member of one or more of the classes excluded by law; any alien who shall have entered or who shall be found in the United States in violation of this act, or in violation of any other law of the United States; any alien who at any time after entry shall be found advocating or teaching the unlawful destruction of property, or advocating or teaching anarchy, or the overthrow by force or violence of the Government of the United States, or of all forms of law or the assassination of public officials; any alien who within five years after entry becomes a public charge from causes not affirmatively shown to have arisen subsequent to landing, except as hereinafter provided; any alien who is hereafter sentenced to imprisonment for a term of one year or more because of conviction in this country of a crime involving moral turpitude, committed within five years after the entry of the alien to the United States, or who is hereafter sentenced more than once to such a term of imprisonment because of conviction in this country of any crime involving moral turpitude, committed at any time after entry; any alien who shall be found an inmate of or connected with the management of a house of prostitution or practicing prostitution after such alien shall have entered the United States, or who shall receive, share in, or derive benefit from any part of the earnings of any prostitute; any alien who manages or is employed by, in, or in connection with any house of prostitution or music or dance hall or other place of amusement or resort habitually frequented by prostitutes, or where prostitutes gather, or who in any way assists any prostitute or protects or promises to protect from arrest any prostitute; any alien who shall import or attempt to import any person for the purpose of prostitution or for any other immoral purpose; any alien who, after being excluded and deported or arrested and deported as a prostitute, or as a procurer, or as having been connected with the business of prostitution or importation for prostitution or other immoral purposes in any of the ways hereinbefore specified, shall return to and enter the United States; any alien convicted and imprisoned for a violation of any of the provisions of section 4 hereof; any alien who was convicted, or who admits the commission, prior to entry, of a felony or other crime or misdemeanor involving moral turpitude, at any time within three years after entry; any alien who shall have entered the United States by water at any time or place other than as designated by immigration officials, or by land at any place other than one designated as a port of entry for aliens by the Commissioner General of Immigration, or at any time not designated by immigration officials, or who enters without inspection, shall, upon the warrant of the Secretary of Labor, be taken into custody and deported: *Provided*, That the marriage to an American citizen of a female of the sexually immoral classes the exclusion or deportation of which is prescribed by this act shall not invest such female with United States citizenship if the marriage of such alien female shall be solemnized after her arrest or after the commission of acts which make her liable to deportation under this act: *Provided further*, That the provision of this section respecting the deportation of aliens convicted of a crime involving moral turpitude shall not apply to one who has been pardoned, nor shall such deportation be made or directed if the court, or judge thereof, sentencing such alien for such crime shall, at the time of imposing judgment or passing sentence or within 30 days thereafter, due notice having first been given to representatives of the State, make a recommendation to the Secretary of Labor that such alien shall not be deported in pursuance of this act; nor shall any alien convicted as aforesaid be deported until after the termination of his imprisonment: *Provided further*, That the provisions of this section, with the exceptions hereinbefore noted, shall be applicable to the classes of aliens therein mentioned, irrespective of the time of their entry into the United States: *Provided further*, That the provisions of this section shall also apply to the cases of aliens who come to the mainland of the United States from the insular possessions thereof: *Provided further*, That any person who shall be arrested under the provisions of this section, on the ground that he has entered or been found in the United States in violation of any other law thereof which imposes on such person the burden of proving his right to enter or remain, and who shall fail to establish the existence of the right claimed, shall be deported to the place specified in such other law. In every case where any person is ordered deported from the United States under the provisions of this act, or of any law or treaty, the decision of the Secretary of Labor shall be final.

The cases which we tried to reach in this bill are cases hitting at our Government, where the courts have occasionally decided and held, are not those involving moral turpitude. In regard to the question of hearings before the Secretary of Labor, that question has been decided by the United States Supreme Court Reporter 189, page 86, wherein the court held as follods, at page 100:

But this court has never held, nor must we now be understood as holding, that administrative officers, when executing the provisions of a statute involving the liberty of persons, may disregard the fundamental principles that inhere in "due process of law" as understood at the time of the adoption of the Constitution. One of these principles is that no person shall be deprived of his liberty without opportunity, at some time, to be heard, before such officers, in respect of the matters upon which that liberty depends, not necessarily an opportunity upon a regular, set occasion and according to the forms of judicial procedure, but one that will secure the prompt, vigorous action contemplated by Congress and at the same time be appropriate to the nature of the case upon which such officers are required to act. Therefore, it is not competent for the Secretary of the Treasury or any executive officer, at any time within the year limited by the statute, arbitrarily to cause an alien, who has entered the country, and has become subject in all respects to its jurisdiction, and a part of its population, although alleged to be illegally here, to be taken into custody and deported without giving him all opportunity to be heard upon the questions involving his right to be and remain in the United States. No such arbitrary power can exist where the principles involved in due process of law are recognized.

There was some question raised this afternoon by the gentleman from South Carolina [Mr. STEVENSON] to the effect that an order of deportation is a punishment for crime. The United States Supreme Court has passed on this question in the case of Fong Yue Ting *v.* United States, page 730, wherein the court says:

The order of deportation is not a punishment for crime. It is not a banishment, in the sense in which that word is often applied to the expulsion of a citizen from his country by way of punishment. It is but a method of enforcing the return to his own country of an alien who has not complied with the conditions upon the performance of which the Government of the Nation, acting within its constitutional authority and through the proper department, has determined that his continuing to reside here shall depend. He has not, therefore, been deprived of life, liberty, or property without due process of law; and the provisions of the Constitution, securing the right of trial by jury, and prohibiting unreasonable searches and seizures, and cruel and unusual punishments, have no application. The question whether, and upon what conditions, these aliens shall be permitted to remain within the United States being one to be determined by the political departments of the Government, the judicial department can not properly express an opinion upon the wisdom, the policy, or the justice of the measures enacted by Congress in the exercise of the powers confided to it by the Constitution over this subject.

The CHAIRMAN. The time of the gentleman has expired.

Mr. AYRES. Mr. Chairman, I ask unanimous consent that the gentleman be allowed to proceed for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none.

Mr. SIEGEL. Mr. Chairman, the Immigration Committee is unanimous in its report on this bill. The Immigration Commit-

tee, as a whole and individually, believes that there is no room in this country for any man who advocates the commission or the putting into effect the commission of any acts of crime and violence against the Government of the United States. [Applause.] And as far as the committee is concerned, I believe it is expressing the temper of the House and of the country that these 153 men who were convicted while the war was on of felonies involving the breaking down of bridges and the sinking of ships, the violation of the Sherman Act, the deliberate sinking of a ship at Charleston in order that warships might not leave, and a series of other crimes which struck at the very foundation of the Government while this country was at war, should be deported. No man who loves this country in the fullest sense of the term and believes in its institutions, and believes in upholding the principles of liberty, equality, and justice here, and maintaining them in the future, can possibly vote against this bill. [Applause.]

Mr. Chairman, there has never been presented a bill to this House which should receive more hearty and loyal support than this measure, because it will get rid completely, swiftly, and quickly of those who are a detriment to America and who have violated our friendship in our hour of peril. [Applause.]

The CHAIRMAN. The gentleman from Illinois [Mr. JOHN W. RAINEY] is recognized. Let the Chair state that the debate under this paragraph was exhausted some time ago.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent that at the conclusion of five minutes by the gentleman from Illinois and five minutes by the gentleman from Kentucky [Mr. ROBSION] and five minutes by the gentleman from Kansas [Mr. WHITE], a member of the committee, the debate on this amendment and all amendments thereto be closed.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. JOHN W. RAINEY. Mr. Chairman and gentlemen, if you will pardon me for a moment or two in the discussion of this bill, I will say that I fully realize a feeling that exists back in my district, and I would be derelict in my duty at this time if I did not voice the sentiments of my people and direct the attention of the Committee on Immigration and Naturalization to the feeling that exists there.

There has been a discussion of property rights, and it is proper that property rights should be protected, but the only property right that the majority of my people back home have is the property that has been given them by the Almighty. He blessed them with valiant American sons, and when the war came they willingly and anxiously responded to the colors. No monetary consideration can recompense these people for their property losses. They gave their flesh and blood that this country and the world might be made safe. [Applause.] And back there in Chicago many of the aliens that infested our city clothed themselves with the mantle of alienship and said it was unnecessary for them to respond to the call. Many of them have grown rich here in these great United States, and yet when our country was in trouble and we desired their assistance they absolutely refused to help.

Let me tell you that the people back home are aroused, and I want to direct to the committee's attention this fact: Write a law upon the books of this country that will make it imperative for every alien who reaches these shores to declare his intention of becoming an American citizen. [Applause.] Have the Government take control of that alien when he reaches here. If he moves from State to State, have him report to the Federal officials, showing that he is attempting to absorb our laws, our customs, and our conditions. Enlarge the educational sphere that you have already started. Make it imperative that this alien study our laws, customs, and conditions. Give him five or eight years to so educate himself that he will not only be eligible for naturalization but for Americanization. [Applause.] Appropriate more money for your educational work and have distributed without cost at the offices of all clerks of courts who have to do with naturalization textbooks that will instruct and familiarize these aliens with our form of Government. Establish a commission that will deal with the alien immediately upon arrival, in order to obviate his segregation in a community where the English tongue is never spoken and America's customs are undreamed of. If after five or eight years he does not think it worth while to become an American citizen, deport him to the country from which he came. [Applause.]

That is the feeling, gentlemen, of the people out in my territory and, I believe, represents the feelings of the great American people. Therefore I could not overlook the opportunity of directing the attention of the committee to it. [Applause.] We are proud of the millions of foreigners who have come here and become good American citizens and helped build up this great country. We invite more of this caliber, but there is no room in any part of this the greatest country in all the world for the torch bearer, the bomb thrower, or the Bolshevist. We invite all who will become good American citizens and not only enjoy our peace and prosperity but are willing to assume our obligations and help carry the burdens.

Mr. UPSHAW. Will the gentleman yield?

Mr. JOHN W. RAINEY. I will.

Mr. UPSHAW. Packed in one sentence, does not the gentleman agree to this, that there is no place beneath the American flag for the heart that does not love it and hand that will not defend it?

Mr. JOHN W. RAINEY. You have most eloquently expressed my sentiments.

Mr. ROBSION of Kentucky. Mr. Chairman and Members of Congress, I arise to oppose the amendment of the gentleman from Pennsylvania [Mr. MOORE].

This bill proposes to give to the Secretary of Labor the power to deport all aliens who are now interned under section 4067 of the Revised Statutes of the United States and the proclamations issued by the President in pursuance of said section under dates of April 6, 1917, November 16, 1917, December 11, 1917, and April 19, 1918; also, all aliens who since August 1, 1914, have been and may hereafter be convicted of any violation or conspiracy to violate any of the war acts passed by Congress affecting alien enemies in the United States.

None of these enemy aliens can be deported under this proposed law by the Secretary of Labor except the Secretary of Labor finds upon examination and trial that the defendant is a citizen of Germany or of the other countries with which we were at war and has violated some of the war acts of Congress or has already been convicted of the violation of said war acts. When war was declared between this country and Germany there were a great many foreigners who were citizens of Germany living in this country who began to enter into criminal conspiracies and plots against the United States, such as poisoning the horses and mules intended for Army service, attempting to poison the water furnished to our soldiers, blowing up our bridges, tunnels, factories, munition works, and stirring up the I. W. W. and other such organizations to cripple and destroy our country.

Many of these persons had come to this country years ago and had made immense fortunes in our land of opportunity. Some of these rich enemy aliens when arrested had a great deal of money and property. Under the acts of Congress the money and property belonging to these enemy aliens was seized by the Government of the United States. The purpose of this proposed law is to send all of these conspirators and enemies of our country back to their own country and to deny them the right to reenter this country at any future date. While some of these enemy aliens were rich, others are poor. The amendment of the gentleman from Pennsylvania [Mr. MOORE] proposes that we can not send these rich criminals out of our country until their property rights have been settled. I am very much opposed to this amendment. The German Government seized hundreds of millions of dollars' worth of property belonging to American citizens who were then living in Germany. This money and property has not been returned to these American citizens. The question of the property rights of American and German citizens will be settled by these respective countries in the treaty of peace or in other diplomatic channels. It may require several years to do this. I am opposed to keeping these enemies of our country under our flag for a single day longer than is necessary to determine their guilt and send them out of the country. For the most part these rich enemy aliens are men of intelligence, and they could do and did do us much more harm than the ignorant and poor foreigner. The rich foreigners under the protection of the American flag acquired this wealth. They owed us more than the poor, ignorant foreigners. We permitted them to live here and granted them practically all of the rights of the American citizen. They reward our hospitality by joining with our enemies in an effort to destroy us. As they were not citizens, they were not required to take up arms in defense of the country in which they had grown rich. We only required that they behave themselves. They refused to fight and refused to obey our laws. While our boys were across the seas giving their lives in defense of this country and in defense of the property of these very rich enemy aliens, they were plotting to destroy our country and were stabbing our soldier boys in the back.

If the amendment of the gentleman from Pennsylvania prevails this splendid measure reported by the committee to Congress will become a farce. We shall send the poor enemy alien out of the country and keep with us the rich and powerful foreign criminal. We were hurt very little by the opposition of the poor, ignorant foreigner. The opposition of the powerful, intelligent, rich, and influential foreigner was much more effective.

These property rights will likely be in controversy for years, and if the amendment of the gentleman from Pennsylvania carries, we must keep these rich alien enemies in this country until they are settled. This will permit the rich criminal to escape. If I have any choice at all in selecting the class of alien enemies to be favored, I certainly shall not favor the rich and powerful. Let every foreigner who was untrue to this country and who was trying to destroy us when were were in a death struggle be driven out of this country and never permitted to return, and I am in favor of keeping that class of people out of this country in the future. We took these enemy aliens in and gave them opportunities to enjoy the liberties of our country and to acquire wealth, and after they became strong and powerful they undertook to destroy us. It has been well said on the floor of this House that there is no place under the American flag for the heart that does not love it nor the hand that will not defend it. This bill unamended should appeal to the red-blooded American and should have the earnest support of every Member of this House. [Applause.]

Mr. RAKER. Will the gentleman yield right there?

Mr. ROBSION of Kentucky. In just a moment. They did not behave themselves. When our boys were across the seas and fighting to defend our flag and our country these fellows were stabbing them in the back.

Mr. RAKER. The gentleman's viewpoint is that the amendment should be rejected.

Mr. ROBSION of Kentucky. Yes.

Mr. RAKER. And that there should be no distinction in the enforcement of our laws before the courts or elsewhere nor before the Secretary of Labor on the question of deportation between the man with property and the man without property.

Mr. ROBSION of Kentucky. Exactly so. And I want to emphasize as strongly as I can that if any enemy criminals of our country escape, the knowing, rich, and powerful should not escape. [Applause.] You let this amendment be adopted and the alien enemy who may have a few dollars or more of property in this country would be permitted to remain in this country for years and years until the question is fought out. It is a matter for our Government and the German Government to work out these property questions, and while these are being worked out I insist that that class of rich enemy aliens be sent to the country from which they came, so that they may not be shielded by the country and the flag which they tried so hard to destroy. [Applause.]

The CHAIRMAN. The gentleman from Kansas [Mr. WHITE] is recognized for five minutes.

Mr. WHITE of Kansas. Mr. Chairman and gentlemen, I am a newly elected Member of this Congress and I have felt as keenly as anyone in similar position the perturbation and suppression that is probably characteristic, to some extent at least, of all Members upon first entering service in this body. It is not at all necessary, even now, that I should be heard; but this is a bill that in some of its features, and especially with reference to the principle of which it is illustrative, is of tremendous significance to the American people and of crushing import, if they could but feel it, to those upon whom its penalties will rest.

It is a brief measure, containing but a few short sentences; yet I feel that it can not be voted upon in any perfunctory manner. I look upon it as an effort on the part of Congress to write into the statutes of this Nation the true conception of justice as held by the American people upon this subject, upon those affected directly by this act. If they could but measure and appreciate even in a slight degree the value of the great principles of justice and equality upon which our Government is founded, the weight of the sentence imposed upon them in this act would crush the spirit and appall the very soul.

We have been pleased as Americans to believe that our own Government is the best, our social contract the most perfect, the most benevolent in its authority; in short, that it furnishes the highest expression of social and political wisdom and justice that civilization has yet conceived or the genius of man has set down. [Applause.]

The moral influence of this Republic is an inspiration to the peoples of all lands to look, to hope, to strive for the final triumph of the justice of equality. It is as a city that is set upon a hill whose light can not be hid. The one great impulse that has moved men to leave their countries and come to our shores has been to escape from the hard conditions of their lives in their native countries—conditions that were hard in more senses than one; conditions of pitiless poverty, a doom of hopeless despair, of intolerable social caste, of political injustice; and here they found liberty and equality and opportunity—opportunity beyond their most ardent hope; opportunity free, with no discrimination against them in favor of our native sons. Of all who have come in the past, the greater number have been worthy, but some have been most recreant, without a single redeeming quality, the ingrates of society, the political renegades of the world. [Applause.]

I take it that we are all inspired by the human quality of benevolence; that we are not too strongly inclined to denounce, but are rather disposed to pity; that in the case of the dull-minded man who does not place upon the blessings of liberty and the privileges of equality their true estimate we extend a degree of extenuation.

It may be that in the past we dwelt too securely and looked upon our own favored place among the nations as a matter of course, and that we, never oblivious of the frailties of mankind, find it in us to be lenient with the weakness of him who discovers his latent strength in the hour of great crises.

Dr. Talmage once said in a great sermon, quoting the lines from Hay's poem on the profligate character, "Jim Bludsoe," who held the nozzle against the bank till the last galoot stepped ashore—

> He saw his duty clear and plain, and he did it there and then,
> And Christ ain't going to be too hard on the man that died for men.

There are other considerations involved, for I see a throng of men, an army, the greatest ever marshaled upon the plains of earth; they were and are the American Army. They step upon the soil of earth with high majestic tread; and well they may, for they are the princes of the house of America, and they are crowned with the love of the American Nation and the gratitude of the world. And all this is their due—aye, and more; we are their debtors, and will be while they and we shall live. And among our obligations is this one, that we pass this bill, that no abject alien who ever raised a hand or spoke a word to hinder their great cause, or would sow the seeds of an evil philosophy for the purpose of neutralizing what they have done, and who may be a more dangerous enemy than he that fights against us with sword and gun, because more insidious, shall ever enjoy on equal terms the rights and liberties of this country side by side with her brave protectors. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania [Mr. MOORE].

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask for a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 19, noes 59.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 3. That in addition to the aliens who are by law now excluded from admission into the United States all persons who shall be expelled under any of the provisions of this act shall also be excluded from readmission.

Mr. NOLAN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from California moves to strike out the last word.

Mr. NOLAN. Mr. Chairman and gentlemen of the committee, this bill is the result of our experience during the war with our immigration laws and our immigration policy. It has shown up in at least one respect one of the great loopholes that we have in our policy in dealing with immigration.

At the last session of the last Congress considerable agitation was on for the passage of legislation by Congress that would have excluded all immigrants from all countries throughout the world for a period of four years. I was in favor of that. It might be an extreme policy, but I believe our experience during the war was such that we at least ought to civilize and Americanize those immigrants that we allow to come within our borders. [Applause.]

I think that anybody who will take the trouble to go to Ellis Island or to the immigration station at Boston or at Baltimore or at Philadelphia, or any of our other immigration stations along the Atlantic coast, especially where the immigration comes from Europe, will see readily that it is almost a human impossibility for the immigration inspectors to carefully scrutinize and examine the horde of immigrants that come into this country in times of peace. In the year prior to the war, ending June 30, 1914, there were about 1,114,000 immigrants who entered the gates of the United States during a serious period of industrial depression. Several hundred thousand of them, perhaps, went back to Europe, leaving among us three-quarters of a million of immigrants during that year. It was impossible to

scrutinize the characteristics and ascertain the feelings of those men and women who sought admission.

I voted for the Burnett immigration bill in this House twice. I voted for the illiteracy test. I voted twice to pass that bill over the President's veto. On the second occasion it was passed over his veto. I do not think that was the last word in standards, however. I thought it was a very proper test. According to the statistics put into the RECORD a few days ago, we have in this country alone of native-born illiterates 3,760,000. I feel that the countries of Europe and the rest of the world ought to be forced in some way to take care of their own illiterates, and not have America made a dumping ground for the illiterates of the entire world. I think in that respect the illiteracy test was a fair test.

I want to submit to the Committee on Immigration and Naturalization this suggestion, that the proper way to handle this immigration question is to handle it abroad and give no man or woman a passport into the United States of America until he or she can successfully pass an examination by our properly accredited consular officers or some other agency in their own country and show to our satisfaction that they are physically, morally, and mentally competent to become American citizens. [Applause.]

Mr. RAKER. Mr. Chairman, will the gentleman yield right there?

Mr. NOLAN. I regret I can not; I have only five minutes.

Mr. RAKER. I will endeavor to get you some more time, if necessary.

Mr. NOLAN. I will yield.

Mr. RAKER. Is it not a fact that the laws now on the statute books practically provide for that? Practically all that the gentleman desires is already on the books, is it not?

Mr. NOLAN. In practice, no; because you have no adequate force.

Mr. RAKER. Is it not the law that men that come here who can not enter under the law must be returned by the steamship company that brings them?

Mr. NOLAN. Oh, yes; but you do not put it up to them. I would put the burden of proof upon the man or woman in their own country, and make them show that from the cradle they had not been convicted of crime in their own country. I would not allow any anarchists or nihilists or Black Hand or Maffia to come to this country at all. [Applause.] I would make them prove to our satisfaction and to the satisfaction of our officers that they were not only fit to enter this country, but, after entering this country, that they were fit for American citizenship. They should never be allowed to leave the country of their birth or residence until they could prove to our consular officers that they were of the proper character to become American citizens. [Applause.]

We could properly take some of the money that we are now using in our Immigration Service and build up, across the water, not necessarily a great organization, but an organization sufficient to cope with the situation, so that they could not go on board ship to come to this country at all until they were shown and proved to be all right. We should put the burden of proof on them. Why burden our officers at Ellis Island and these other immigration stations with the necessity of the examinations that are unnecessary? It can not be done in a practical way; it is impossible to do it without keeping these people penned up for months in our immigration stations, and the man or woman who can pass the literacy test can in most cases hide their records abroad, and we have no machinery on this side under the present law to detect those that preach sabotage, direct action, and other dangerous doctrines. If this country is good enough to live in and to make a living in, if it is a good enough place to stay in and accumulate wealth in, it ought to be good enough to warrant us in requiring that they show us before they leave their own shores that they are fit to become American citizens. [Applause.]

Mr. JOHNSON of Washington. Mr. Chairman, I move that the committee do now rise and report the bill, with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TOWNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 6750) to deport certain undesirable aliens and to deny readmission to those deported, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. JOHNSON of Washington. Mr. Speaker, I move the previous question on the bill and all amendments to the final passage.

The previous question was ordered.

The SPEAKER. The question is on the amendments. Is a separate vote demanded on any amendment? If not, the vote will be taken on the amendments in gross.

The amendments were agreed to.

The SPEAKER. The question is on ordering the bill to be engrossed and read a third time.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. HEFLIN. On that, Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Alabama demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until they are counted. [After counting.] Twenty-seven Members.

Mr. BLANTON. I ask for the other side.

The SPEAKER. The Chair is counting.

Mr. HEFLIN. I make the point that there is no quorum present.

The SPEAKER. The gentleman from Alabama makes the point of order that there is no quorum present. [After counting.] One hundred and twenty Members present, not a quorum.

Mr. JOHNSON of Washington. I move a call of the House, Mr. Speaker.

The SPEAKER. No such motion is necessary. This is an automatic call.

Mr. HEFLIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HEFLIN. As the roll is called those favoring the passage of the bill will vote "aye" and those opposed "no"?

The SPEAKER. The Chair will so state. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, those in favor of the passage of the bill as their names are called will vote "aye," those opposed "no," and the Clerk will call the roll.

The question was taken; and there were—yeas 284, nays 0, answered "present" 1, not voting 145, as follows:

YEAS—284.

Ackerman	Darrow	Hulings	Merritt
Alexander	Davey	Hull, Iowa	Michener
Almon	Davis, Tenn.	Hull, Tenn.	Monahan, Wis.
Anderson	Dent	Hutchinson	Mondell
Andrews, Md.	Dickinson, Iowa	Igoe	Montague
Andrews, Nebr.	Dominick	Jacoway	Moon
Anthony	Doremus	James	Moore, Ohio
Ashbrook	Dowell	Jefferis	Moore, Pa.
Aswell	Drane	Johnson, Ky.	Moore, Va.
Ayres	Dunbar	Johnson, Miss.	Moores, Ind.
Bacharach	Dunn	Johnson, Wash.	Morgan
Baer	Eagan	Jones, Tex.	Morin
Bankhead	Eagle	Juul	Murphy
Barbour	Edmonds	Keller	Nelson, Mo.
Begg	Elliott	Kelley, Mich.	Nelson, Wis.
Bell	Elston	Kelly, Pa.	Newton, Minn.
Black	Esch	Kennedy, Iowa	Nichols, Mich.
Blackmon	Evans, Mont.	Kiess	Nolan
Bland, Mo.	Evans, Nebr.	Kinkaid	O'Connell
Bland, Va.	Evans, Nev.	Kitchin	Ogden
Blanton	Fess	Kleczka	Oldfield
Boies	Fields	Knutson	Oliver
Booher	Fisher	LaGuardia	Overstreet
Bowers	Flood	Langley	Padgett
Box	Focht	Lanham	Park
Brand	Foster	Lankford	Parrish
Briggs	Freeman	Larsen	Peters
Brinson	French	Layton	Phelan
Brooks, Ill.	Gandy	Lazaro	Platt
Brooks, Pa.	Gard	Lea, Calif.	Porter
Browning	Garland	Lehlbach	Purnell
Buchanan	Garner	Lesher	Quin
Burroughs	Garrett	Linthicum	Radcliffe
Byrns, Tenn.	Glynn	Little	Rainey, H. T.
Campbell, Kans.	Good	Lonergan	Rainey, J. W.
Campbell, Pa.	Goodwin, Ark.	Longworth	Raker,
Cannon	Goodykoontz	Luce	Ramsey
Caraway	Graham, Ill.	Lufkin	Ramseyer
Carss	Green, Iowa	Luhring	Randall, Wis.
Casey	Greene, Vt.	McAndrews	Rayburn
Chindblom	Griffin	McDuffie	Reavis
Clark, Fla.	Hadley	McFadden	Reed, W. Va.
Clark, Mo.	Hardy, Tex.	McGlennon	Rhodes
Cleary	Harrison	McKenzie	Ricketts
Condy	Haugen	McKeown	Riddick
Cole	Hayden	McLaughlin, Mich.	Robinson, N. C.
Collier	Hays	McLaughlin, Nebr.	Robsion, Ky.
Connally	Heflin	McPherson	Rodenberg
Copley	Hernandez	MacCrate	Rogers
Costello	Hersey	Madden	Romjue
Crago	Hersman	Magee	Rose
Crisp	Hickey	Major	Rowe
Crowther	Hoch	Mapes	Rubey
Dale	Holland	Martin	Sanders, Ind.
Dallinger	Hudspeth	Mays	Scott

Sears	Stephens, Ohio	Towner	White, Kans.
Sells	Stevenson	Treadway	White, Me.
Shreve	Stiness	Upshaw	Williams
Siegel	Strong, Kans.	Valle	Wilson, Ill.
Sims	Strong, Pa.	Vestal	Wilson, La.
Sinclair	Summers, Wash.	Vinson	Wingo
Sinnott	Sumners, Tex.	Volstead	Winslow
Sisson	Sweet	Walters	Wise
Small	Taylor, Colo.	Wason	Wood, Ind.
Smith, Idaho	Temple	Watkins	Woods, Va.
Smith, Mich.	Thomas	Watson, Pa.	Woodyard
Smithwick	Thompson, Ohio	Watson, Va.	Wright
Snell	Tillman	Webster	Yates
Steagall	Tilson	Welling	Young, N. Dak.
Stedman	Timberlake	Welty	Young, Tex.
Steenerson	Tincher	Wheeler	Zihlman

ANSWERED "PRESENT"—1.

McArthur

NOT VOTING—145.

Babka	Emerson	Kendall	Reber
Barkley	Fairfield	Kennedy, R. I.	Reed, N. Y.
Bee	Ferris	Kettner	Riordan
Benham	Fitzgerald	Kincheloe	Rouse
Benson	Fordney	King	Rowan
Bland, Ind.	Frear	Kraus	Rucker
Britten	Fuller, Ill.	Kreider	Sabath
Browne	Fuller, Mass.	Lampert	Sanders, La.
Brumbaugh	Gallagher	Lee, Ga.	Sanders, N. Y.
Burdick	Gallivan	Lever	Sanford
Burke	Ganly	McClintic	Saunders, Va.
Butler	Godwin, N. C.	McCulloch	Schall
Byrnes, S. C.	Goldfogle	McKinley	Scully
Caldwell	Goodall	McKinley	Sherwood
Candler	Gould	McLane	Slemp
Cantrill	Graham, Pa.	MacGregor	Smith, Ill.
Carew	Greene, Mass.	Maher	Smith, N. Y.
Carter	Griest	Mann	Snyder
Christopherson	Hamill	Mansfield	Steele
Classon	Hamilton	Mason	Stephens, Miss.
Cooper	Hardy, Colo.	Mead	Sullivan
Cramton	Haskell	Miller	Taylor, Ark.
Cullen	Hastings	Minahan, N. J.	Taylor, Tenn.
Currie, Mich	Hawley	Mooney	Thompson, Okla.
Curry, Calif	Hicks	Mott	Tinkham
Davis, Minn.	Hill	Mudd	Vare
Dempsey	Houghton	Neely	Venable
Denison	Howard	Newton, Mo.	Voigt
Dewalt	Huddleston	Nicholls, S. C.	Walsh
Dickinson, Mo.	Humphreys	O'Connor	Ward
Donovan	Husted	Olney	Weaver
Dooling	Ireland	Osborne	Webb
Daughton	Johnson, S. Dak.	Paige	Whaley
Dupré	Johnston, N. Y.	Parker	Wilson, Pa.
Dyer	Jones, Pa.	Pell	
Echols	Kahn	Pou	
Ellsworth	Kearns	Randall, Calif.	

So the bill was passed.

The Clerk announced the following pairs:

Until further notice:

Mr. FORDNEY with Mr. RIORDAN.

Mr. PAIGE with Mr. DEWALT.

Mr. FREAR with Mr. POU.

Mr. NEWTON of Missouri with Mr. DICKINSON of Missouri.

Mr. FULLER of Massachusetts with Mr. O'CONNOR.

Mr. JONES of Pennsylvania with Mr. HUDDLESTON.

Mr. DENISON with Mr. RUCKER.

Mr. MOTT with Mr. DOOLING.

Mr. ELLSWORTH with Mr. ROWAN.

Mr. MANN with Mr. DUPRÉ.

Mr. GREENE of Massachusetts with Mr. MINAHAN of New Jersey.

Mr. MILLER with Mr. DOUGHTON.

Mr. GOULD with Mr. NICHOLLS of South Carolina.

Mr. MACGREGOR with Mr. FERRIS.

Mr. HAMILTON with Mr. MANSFIELD.

Mr. KREIDER with Mr. GANLY.

Mr. HARDY of Colorado with Mr. MAHER.

Mr. JOHNSON of South Dakota with Mr. HUMPHREYS.

Mr. HASKELL with Mr. MCLANE.

Mr. GRIEST with Mr. MEAD.

Mr. IRELAND with Mr. JOHNSTON of New York.

Mr. HICKS with Mr. MCKINLEY.

Mr. HUSTED with Mr. KETTNER.

Mr. SLEMP with Mr. BRUMBAUGH.

Mr. SANDERS of New York with Mr. RANDALL of California.

Mr. KRAUS with Mr. GODWIN of North Carolina.

Mr. SANFORD with Mr. BYRNES of South Carolina.

Mr. LAMPERT with Mr. GALLAGHER.

Mr. SCHALL with Mr. CALDWELL.

Mr. KEARNS with Mr. HOWARD.

Mr. KING with Mr. GOLDFOGLE.

Mr. DAVIS of Minnesota with Mr. SAUNDERS of Virginia.

Mr. REED of New York with Mr. CAREW.

Mr. DEMPSEY with Mr. SABATH.

Mr. KENNEDY of Rhode Island with Mr. HASTINGS.

Mr. BLAND of Indiana with Mr. WILSON of Pennsylvania.

Mr. MUDD with Mr. DONOVAN.

Mr. CURRY of California with Mr. SHERWOOD.

Mr. MCCULLOCH with Mr. FITZGERALD.

Mr. BRITTEN with Mr. WEBB.

Mr. WARD with Mr. LEE of Georgia.

Mr. VARE with Mr. LEVER.

Mr. TINKHAM with Mr. BEE.

Mr. BURDICK with Mr. WEAVER.

Mr. CRAMTON with Mr. TAYLOR of Arkansas.

Mr. CURRIE of Michigan with Mr. STEPHENS of Mississippi.

Mr. GRAHAM of Pennsylvania with Mr. NEELY.

Mr. PARKER with Mr. CARTER.

Mr. CLASSON with Mr. VENABLE.

Mr. FULLER of Illinois with Mr. PELL.

Mr. SMITH of Illinois with Mr. KINCHELOE.

Mr. MASON with Mr. CULLEN.

Mr. MCARTHUR with Mr. WHALEY.

Mr. EMERSON with Mr. MOONEY.

Mr. HOUGHTON with Mr. BABKA.

Mr. BUTLER with Mr. STEELE.

Mr. GOODALL with Mr. MCCLINTIC.

Mr. HAWLEY with Mr. CANDLER.

Mr. OSBORNE with Mr. BENSON.

Mr. DYER with Mr. SANDERS of Louisiana.

Mr. FAIRFIELD with Mr. SCULLY.

Mr. BROWNE with Mr. OLNEY.

Mr. SNYDER with Mr. SMITH of New York.

Mr. COOPER with Mr. THOMPSON of Oklahoma.

Mr. MCKINLEY with Mr. GALLIVAN.

Mr. CHRISTOPHERSON with Mr. SULLIVAN.

Mr. MCARTHUR. Mr. Speaker, I have a pair with the gentleman from South Carolina, Mr. WHALEY, and therefore have voted "present." If I were not paired, I would vote "yea."

Mr. LANGLEY. I have a general pair with my colleague, Mr. CANTRILL, but he is for this bill, and I therefore vote "yea."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

On motion of Mr. JOHNSON of Washington, a motion to reconsider the vote by which the bill was passed was laid on the table.

HOSPITAL TREATMENT FOR DISEASED ALIEN SEAMEN.

Mr. SIEGEL. Mr. Speaker, I call up the bill (H. R. 7930) to provide for the treatment in hospital for diseased alien seamen.

The SPEAKER. This bill is on the Union Calendar, and the House automatically resolves itself into Committee of the Whole House on the state of the Union.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. CAMPBELL of Kansas in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7930, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That alien seamen found on arrival in ports of the United States to be afflicted with any of the disabilities or diseases mentioned in section 35 of the act of February 5, 1917, entitled "An act to regulate the immigration of aliens to, and the residence of aliens in, the United States," shall be placed in a hospital designated by the immigration official in charge at the port of arrival and treated, all expenses connected therewith being borne by the owner, agent, consignee, or master of the vessel, and no such vessel shall be granted clearance until such expenses are paid or their payment appropriately guaranteed and the collector of customs so notified by the immigration official in charge: *Provided, however*, That in cases in which it shall appear to the satisfaction of the immigration official in charge that it will not be possible within a reasonable time to effect a cure, the return of the alien seamen shall be enforced on or at the expense of the vessel on which they came, upon such conditions as the Commissioner General of Immigration, with the approval of the Secretary of Labor, shall prescribe, to insure that the aliens shall be properly cared for and protected, and that the spread of contagion shall be guarded against.

Mr. SIEGEL. Mr. Chairman, I ask unanimous consent that general debate be limited to 10 minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that general debate on this bill be limited to 10 minutes.

Mr. RAKER. Five to be controlled by the gentleman from New York and five by myself.

The CHAIRMAN. Five minutes to be controlled by the gentleman from New York and five by the gentleman from California. Is there objection?

There was no objection.

Mr. SIEGEL. Mr. Chairman, this is a bill which simply provides for the payment by the steamship companies for any expenses incurred in the treatment of diseased alien seamen. At the present time the Government is compelled to pay for the treatment of sick alien seamen when they arrive at our ports.

By the passage of this bill the Government would save approximately $200,000.

Mr. RAKER. Will the gentleman yield?

Mr. SIEGEL. I yield to the gentleman from California.

Mr. RAKER. So that there may be no misunderstanding, this was the unanimous report of the committee?

Mr. SIEGEL. It is a unanimous report by the committee.

Mr. JUUL. Will the gentleman yield for a question?

Mr. SIEGEL. I will.

Mr. JUUL. I would like to ask the gentleman how the sailors of the United States merchant vessels are treated in foreign ports. Is there similar legislation in those countries?

Mr. SIEGEL. As far as American seamen are concerned, they are always looked after by American steamship companies at the shipowner's expense. This bill only applies to alien seamen arriving here. Mr. Chairman, I reserve the balance of my time.

Mr. RAKER. Mr. Chairman, the bill is the unanimous report from the Committee on Immigration and Naturalization. I would not take any time of the committee were it not for the fact of some remarks that were made some time ago. There has been no one to my mind more energetic in putting on restrictions and regulations of immigration than the majority of the Committee on Immigration, and this bill only demonstrates what was said a few moments ago in regard to the rules and regulations permitting aliens to come to this country.

We have on the statute book very stringent regulations in regard to the steamship companies bringing over large quanities of men for the purpose of employment for labor. They can not by advertisement, they can not by deception or fraud, bring them over, and every man, woman, and child that is brought to this country by the steamship companies who is not entitled to be admitted, the steamship company is fined for trying to have the people land, and in addition they must pay the expenses of the people while they are here and return them home at the companies' own expense. That is the law on the statute books to-day. This bill goes a step further and says that alien seamen who do not desire to land, who do not desire to become citizens of this country, who must remain in port, if the steamships permit them to come on their vessels, when they are disabled by disease, contagious or otherwise, they must provide for their expense while in the hospital in this country.

Mr. WHITE of Maine. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. WHITE of Maine. Will the gentleman point out how this changes or affects section 35 of the act of 1917, if at all?

Mr. RAKER. This does not affect the immigration.

Mr. WHITE of Maine. It applies only to alien seamen.

Mr. RAKER. To alien seamen who are in the employ of the steamship companies.

Mr. WHITE of Maine. So does section 35.

Mr. RAKER. When they do not desire to land, to enter the United States to become citizens, when they are on the vessels in ports of the United States and are affected by disease, contagious and otherwise, liable to be spread in the ports of every country, they are taken from the vessels to the hospital, and the steamship companies must pay for their treatment.

Mr. WHITE of Maine. Then the only difference is that this act provides that the expense for the care of the men shall be borne by the steamship companies?

Mr. RAKER. That is it.

Mr. WHITE of Maine. That is the difference betweeen this act and section 35 of the act of 1917?

Mr. RAKER. Yes.

Mr. BAER. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. BAER. Does this interfere in any way with the present seamen's act?

Mr. RAKER. No; it throws a guard around the country and protects the unfortunate seamen, and in addition to that protects the public and prevents the spread of contagious diseases. Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read the bill.

Mr. SIEGEL. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. SIEGEL: Page 1, line 10, after the word "therewith," insert "including burial in the event of death."

Mr. SIEGEL. Mr. Chairman, this is an amendment agreed upon by the committee. It provides that the burial expenses shall be borne by the steamship company instead of by the Government.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was agreed to.

Mr. MONTAGUE. Mr. Chairman, I rise to ask unanimous consent to speak out of order not exceeding 10 minutes.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to proceed out of order for 10 minutes. Is there objection?

Mr. ANDERSON. Mr. Chairman, reserving the right to object, what is the gentleman going to talk about?

Mr. MONTAGUE. Mr. Chairman, yesterday my colleague, Mr. BLAND of Virginia, submitted a resolution to this House, which was unanimously adopted, providing that when the House adjourns to-day it do so in recognition of a very significant historic event, of which to-day is the three-hundredth anniversary, and upon this subject I ask the indulgence of the House.

Mr. ANDERSON. I withdraw any objection that I might have.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MONTAGUE. Mr. Chairman, it is not my purpose to take up the time of the committee with remarks of my own. Three hundred years ago to-day there assembled on the island of Jamestown, in the county of James City, in my district, the first elected representative legislative body of this hemisphere, known as the Virginia House of Burgesses. It was bicameral, one portion analogous to the Senate, the governor and council being appointive, and the other, the House of Burgesses, being chosen by the people of the several boroughs or political subdivisions.

The significance of that event could well be dwelt upon. Its momentous consequences might well be followed and assembled by one capable of identifying and assessing political factors and influences which have developed free institutions, not only in America but, by reflex action, throughout the world. This was a modest house of representatives of the people. It was composed of 22 members, of whom two seats were contested, and its speaker was John Pory, who had served several years in the English House of Commons. But my purpose in rising is to ask unanimous consent that an editorial from the Times-Dispatch, of Richmond, Va., may be read as an appropriate explanation of the historic event of which to-day is the three-hundredth anniversary. But the continuity of this assemblage lasted to the day of the revolution against Great Britain, at which time there sat in this house of burgesses some of the great figures who thought and wrought for the independence and establishment of the American Republic.

The CHAIRMAN. Is there objection to the reading of the editorial?

There was no objection.

The Clerk read as follows:

[From the Richmond Times-Dispatch, Sunday, July 27, 1919.]

WHEN POPULAR GOVERNMENT WAS BORN.

Those steps which mark the progress of universal humanity in its ever-upward course, dividing the history of the world's civilization into definite eras, are not always taken to the sounds of marching armies or the accompaniment of crashing drums and clashing cymbals. Most of them have come unheralded, taking their respective places in the natural sequence of civil and political evolution, and those now historic figures to whom belonged the master minds and guiding hands, yet were ungifted with the talent of prophecy, looked not far beyond the actual conditions they faced and which it was their continual struggle to ameliorate.

Of such was that little gathering on July 30, 1619, just 300 years ago, held on Jamestown Island, first adventurous settlement in Virginia, that romantic, unknown land that even then one of the British poets rhapsodized as "earth's only paradise." To the few hardy colonists who sat in that historic meeting, men from the scattering plantations on the James, the York, and the Pamunkey, there could come no realization of the burdens with which it was fraught, that they were the pioneers in a work that would continue to the end of time and one day transform the world. To them their problems were extremely practical and acutely of the present. They knew, of course, that they were forming the first representative government on the Western Continent; they knew that they had achieved an almost incredible degree of civil and political liberty, but the future, with its republican form of government, of which the Jamestown gathering, the first meeting of the Virginia House of Burgesses, was the precursor, was closed to them.

To us, looking back over the centuries and viewing them in their historical perspective, that organization of the house of burgesses is seen to be an inevitable link in the ever lengthening and strengthening chain of human liberties. Just 400 years before, at Runnymede, King John had granted to his subjects, or rather it had been forced from him, the Magna Charta. That in large measure was the foundation stone of modern Anglo-Saxon civil and political independence, and it was the direct forerunner of modern democracy and the republican form of government, which had their birth and were cradled in Virginia. Processes of political evolution are slow, but they never lead backward. Two years after the first house of burgesses met the Virginia colonists had their own constitution and a representative assembly chosen by the people and clothed with full power in connection with the general assembly. And still, just 50 years later, Virginia, with a population grown to 40,000, heard this from the lips of its governor, William Berkeley: "I thank God there are no free schools nor printing, and I hope we shall not have these hundred years, for learning has brought disobedience and heresy and sects into the world, and printing has divulged them and libels against the best government. God keep us from both."

The periods between democracy's markers grow shorter, and in 1776, just 147 years after Virginia had seen its republican form of

government born, it was strong enough to stand alone and declare its independence and powerful enough to back up its declaration by victorious force of arms. Then, indeed, was republican government—of, for, and by the people—really launched. What its success or failure meant to the world was foreseen by Washington, who said in his first inaugural address: "The preservation of the sacred fire of liberty and the destiny of the republican model of government are justly considered as deeply, perhaps as finally, staked on the experiment intrusted to the hands of the American people."

That trust was well placed. Surviving the shock of fratricidal strife, another 150 years bring it to the supreme clash with autocracy, that world war for which the seeds had been sowing since that time when history is merged with the vagueness of traditions. With a continent of republics in the west and republican ideals dominant in France, Great Britain, and other smaller countries, all tracing their ancestry directly back to Jamestown, popular liberty still was an unconcluded experiment. Then autocracy challenged, and through dark years the result was in doubt; but the democracy born in Virginia, on which the experiment was "finally staked," rushed into the breach, and on that day democracy ceased to be an experiment and became a success proven by every test of peace and war. In the succession of steps comes the Paris peace conference, and there democracy, spreading over the world in ever-widening circles since its inception in the struggling little colony on the banks of the James River, is the victorious dictator. It has at last entered on its full-grown, pulsating manhood, its one creed, "Liberty, equality, fraternity, with constitutional government; law, order, discipline, and subordination to legitimate authority, government, and not anarchy."

Richmond will celebrate in fitting manner the three-hundredth anniversary of the birth of republican government in the Western World. It may not be a popular celebration, in the common acceptance of that much-abused term, but to the thoughtful it will be a day of real thanksgiving, for in very fact it is the birthday of free America, and on that day civilization in every country should turn its eyes to Virginia with thankfulness in its heart and a prayer on its lips that democracy may ever be wise and strong, patient and tolerant.

Mr. SIEGEL. Mr. Chairman, I move that the committee do now rise and report the bill, with the amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CAMPBELL of Kansas, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 7930, and had instructed him to report the same back to the House with an amendment, with the recommendation that the amendment be agreed to and the bill as amended do pass.

Mr. SIEGEL. Mr. Speaker, I move the previous question on the bill and amendment to final passage.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SIEGEL, a motion to reconsider the vote by which the bill was passed was laid on the table.

CHARLESTON IMMIGRATION STATION AND DOCK.

Mr. VAILE. Mr. Speaker, by direction of the Committee on Immigration I call up House joint resolution 163, authorizing the Secretary of Labor to lease the Charleston immigration station and dock connected therewith.

The SPEAKER. The gentleman from Colorado calls up the House joint resolution 163. This resolution is on the Union Calendar. The House will, therefore, resolve itself into the Committee of the Whole House on the state of the Union, and the gentleman from Kansas [Mr. CAMPBELL] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of House joint resolution 163, with Mr. CAMPBELL of Kansas in the chair.

The CHAIRMAN. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, etc., That the Secretary of Labor is authorized, in his discretion, to lease for other than governmental purposes the property known as the Charleston immigration station, with the improvements thereon; and said Secretary shall fix the amount of rental per annum to be paid therefor, which rental shall be a fair and just sum for property of like character, situation, and value, and prescribe such conditions regarding the uses to be made of said property as he shall deem proper: *Provided*, That all expenses of maintenance and repairs on the building and dock at said station shall be borne by the lessor or lessors: *Provided further*, That any lease executed under this resolution may be terminated and the property reoccupied under such conditions as the Secretary of Labor may prescribe.

Mr. VAILE. Mr. Chairman, I ask unanimous consent that general debate upon the resolution be dispensed with.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent that general debate be dispensed with. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the resolution for amendment.

The Clerk again read the resolution.

Mr. VAILE. Mr. Chairman, I offer the following committee amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. VAILE: Page 2, line 1, after the word "the," strike out the word "lessor or lessors," and insert in lieu thereof the words "lessee or lessees."

Mr. VAILE. Mr. Chairman, this is really the correction of a clerical error in the drafting of the bill.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. CANNON. Mr. Speaker, I desire to ask the gentleman from Colorado a question. What is the meaning of the proviso which reads as follows:

Provided further, That any lease executed under this resolution may be terminated and the property reoccupied under such conditions as the Secretary of Labor may prescribe.

Reoccupied by whom?

Mr. VAILE. Reoccupied by the appropriate department—the Immigration Bureau, if they have occasion to use that building.

I will state briefly that this building has been unoccupied for a number of years——

Mr. CANNON. If the gentleman will allow me, I know it has and I knew it would be when it was built.

Mr. VAILE. And it is being protected by day and night watchmen to whom we are paying $1,200 a year. Now, the Secretary of Labor thinks he will have an opportunity to rent it and get some income out of it and get rid of the continuous expense of guarding it. I do not think we ought to tie it up so that it can not be used by the Government if it ever wanted to use it, and consequently we have put this proviso at the end——

Mr. CANNON. Will the gentleman accept this amendment? In line 3, page 2, after the word "terminated," put in the word "re-leased."

Mr. VAILE. The gentleman means by that a new lease executed for that property?

Mr. CANNON. Yes.

Mr. VAILE. It seems to me that that is a matter that should be presented to the House at the time another lease is desired. I would accept this amendment, "or re-leased under such conditions" or "or re-leased," after the word "reoccupied," in line 4. Is that the gentleman's idea?

Mr. CANNON. Yes.

Mr. RAKER. Just a moment before getting to that. What is the purpose of that?

Mr. VAILE. I did not offer the amendment myself, I will state to the gentleman from California.

Mr. RAKER. What is the purpose of the gentleman from Illinois?

Mr. CANNON. The purpose is if the lease is canceled to lease it again.

Mr. RAKER. That is in the bill now.

Mr. JOHNSON of Washington. That is not necessary.

Mr. RAKER. That does not say in reference to making several leases. A man may use it a year and a man may use it the next year until Congress changes this provision, and the Secretary may lease it without a re-lease as long as the Government wants it. It is being occupied now by the Government, and it will be unused by the 1st of October. Now, we understand a concern wants to lease it for manufacturing purposes. I do not see the necessity of the amendment of the gentleman.

Mr. VAILE. Does the gentleman offer that amendment?

Mr. CANNON. I will see in a minute. How about selling it? You say it is to be used for a manufacturing establishment?

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON. Well, I have not occupied five minutes yet, have I?

The CHAIRMAN. The gentleman from Illinois has occupied five minutes.

Mr. ANDERSON. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota? [After a pause.] The Chair hears none.

Mr. RAKER. Will the gentleman yield for a question on that point?

Mr. CANNON. Yes.

Mr. RAKER. In the first part of the bill it is said that the Secretary of Labor is authorized, in his discretion, to lease for other than governmental purposes, and so forth. It does not say one, two, or three leases, nor a year or 4 years or 10 years, but it says that there must be an annual rental and that

the conditions of the lease must be such that, whenever they are not complied with or are not satisfactory to the Secretary of Labor, he can cancel the lease and re-lease to somebody else. That is the purpose of the bill.

Mr. CANNON. Then I will move this amendment: Line 4, page 2, after the word "reoccupied," add the words "or released." How about authority to sell it?

Mr. RAKER. Oh, well, that is not in this bill. If we had power to sell, that would be all right.

Mr. CANNON. I do not see why it should not be in this bill. It is germane, is it not?

Mr. RAKER. But the gentleman did not suggest the sale of the property.

Mr. CANNON. Well, I do now. In other words, this property is of no use for the purpose for which it was erected.

Mr. VAILE. If the gentleman from Illinois will yield for a moment, I would suggest this: If the business concern that desires to locate in there is successful, it seems to me then will be time enough to consider the question of the sale of this property. The gentleman just suggested a moment ago that he did not think this building would ever be used. Now, let us try and not bite off more than we can chew. If we can lease it to an established business, let it go at that, and afterwards sell if we can, and that use would be evidence upon which it could be sold and add to the selling value.

Mr. CANNON. Let us put it in there:

Provided further, That any lease executed under this resolution may be terminated and the property re-leased or sold under such conditions—

And so forth.

Mr. JOHNSON of Washington. Will the gentleman yield for a question?

Mr. CANNON. Yes.

Mr. JOHNSON of Washington. I doubt the advisability of that, without further knowledge, for this reason: We all admit the immigration station was built down there under some pressure somewhere, some 15 years ago, and if they want to use that immigration station it would cost $10,000 to pave the streets leading to it, as it is some distance out. It has a little bit of a passenger dock—a water front. We would not want to go in there and assess and sell without knowing more about the water rights. It is used only for passengers. They ought to have the right to lease this thing, and in the meantime we can determine the selling value.

Mr. CANNON. Well, a lease is a partial sale.

Mr. JOHNSON of Washington. In a way.

Mr. CANNON. It would be germane to strike out the word "reoccupied" and insert "re-leased or sold."

Mr. VAILE. Well, now, Mr. Chairman——

Mr. RAKER. The gentleman has not offered his amendment yet. Does the gentleman offer the amendment?

Mr. CANNON. Yes.

Mr. RAKER. I want to reserve the point of order against the amendment that it is not germane.

Mr. STEVENSON. Mr. Chairman——

Mr. CANNON. He reserves the point of order. Make the point of order now. I think the amendment is in order.

Mr. RAKER. It has not been reported. Wait until the Clerk reports it.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CANNON: Page 2, line 4, after the word "reoccupied," insert a comma and the words "re-leased or sold."

Mr. RAKER. Mr. Chairman, on the words "or sold" I make the point of order, on the ground that they are not germane to the amendment.

The CHAIRMAN. The gentleman from California makes the point of order.

Mr. CANNON. Of course it is germane. The Government owns this property. This bill, if it passes as reported, disposes of it for 10 years, 1 year, 1 month, or a thousand years. If this is not germane I do not understand anything about germaneness.

Mr. HULINGS. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Pennsylvania rise?

Mr. HULINGS. I make a point of order, and in doing so I would like to inquire if in this bill authority is not given to the Secretary to lease, and under that could not he lease for 99 years?

Mr. CANNON. Yes.

Mr. HULINGS. Which in all respects would be equivalent to a sale?

Mr. CANNON. Mr. Chairman, I withdraw the amendment.

Mr. BANKHEAD. Mr. Chairman——

The CHAIRMAN. The question is on the committee amendment.

Mr. JUUL. Mr. Chairman, I move to strike out the last two words.

Mr. ANDERSON. Mr. Chairman, the gentleman wants to be heard.

The CHAIRMAN. The Chair will recognize the gentleman as soon as the amendment before the committee is disposed of. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. JUUL. Mr. Chairman, I ask unanimous consent to proceed for 30 seconds out of order, in order to introduce a resolution and have it made a part of the RECORD. It is from 15 societies petitioning the Congress against the bar of foreign-language newspapers from the mail.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The following is the resolution referred to:

To Members of the Senate and House of Representatives of the United States of America.

The undersigned, Local No. 73, Polish National Council—the local consisting of 15 societies of the St. Wenceslaus Parish, of Chicago, Ill.—have adopted the following resolutions:

"Whereas there has been introduced in the Senate of the United States on June 18, 1919, a bill known as S. 2099, a bill to prohibit admission to the mails of the United States of newspapers, periodicals, magazines, or publications printed in a foreign language; and

"Whereas the said bill is totally unjust and unfair in its inception and tendency, completely at variance with the spirit and letter of the Constitution of the United States, and hostile to the principles and ideals embodied in the institutions of this land of freedom and refuge of the oppressed; and

"Whereas the foreign-language publications, both daily, weekly, and monthly, have been a potent factor during the recent war in fostering loyalty to the Government of this country, in successfully launching the liberty and victory loan issues, in enforcing the selective-service law, in aiding the Red Cross campaigns, and in supporting all other war measures and activities; and

"Whereas, the said foreign-language publications are the only channel through which the Government can reach large masses of the population in conducting effectively its campaign for sound Americanization and for the dissemination of sound ideas on social and economic questions; and

"Whereas during the difficult period of post-war reconstruction it will undoubtedly be necessary for the Government on frequent occasions to appeal also to those portions of the population which depend for their news exclusively on the foreign-language press; and

"Whereas the said drastic measure would tend to increase the latent economic unrest and place an undeserved argument in the hands of propagators of discontent; and

"Whereas the said measure is akin to the methods of the tyrannical, despotic, and oppressive governments from which many citizens of this country or their ancestors have fled; and

"Whereas the said measure is thoroughly at variance with the aims for which millions have died in the recent World War, and is also out of keeping with the decisions and acts of the peace conference of representatives of all nations, which emphasized the rights of nationalities in the league of nations and in the treaty of peace and declared the recognition of such rights as necessary for the maintenance of the peace of the world: Now, therefore,

"We, the undersigned, resolve to respectfully petition the Members of the Senate and House of Representatives of the United States of America to oppose bill S. 2099, which by curtailing its circulation aims at the existence of the foreign-language press in this country, and to use all honorable means to defeat this unjust, dangerous, oppressive, and tyrannical measure which would violate all ideals of justice and freedom, aid the forces of discontent and disloyalty, and deprive the Government of this country of an instrument for fostering patriotism and good citizenship which has proved useful in the past and will most assuredly prove even more useful in the future."

Respectfully, yours,

POLISH NATIONAL COUNCIL LOCAL NO. 73.
ALBERT J. DANISCH, *President*.
[SEAL.] ANASTASIA NOWAK, *Secretary*.

Mr. BANKHEAD. Mr. Chairman, there are two matters in connection with this bill about which I would like to ask the gentleman in charge of the bill a question. In the first place, there is no authorization in the bill for the Secretary of Labor to provide for carrying insurance in the event it would be found necessary under the lease. Does not the gentleman think that ought to be included? Upon a cursory reading, I will say to the gentleman, one might think that the authority was included, but upon a careful reading of the resolution that matter is not safeguarded at all.

Mr. VAILE. I suggest to the gentleman that the Government does not usually insure, anyway, and obviously the Secretary will have to make some provisions in regard to the terms under which this lease shall be given. It is inconceivable that he would not require the lessee or tenant to carry a reasonable amount of insurance.

Mr. BANKHEAD. But you do not say anything about that in here.

Mr. VAILE. We did not think it necessary to provide the details of the lease.

Mr. BANKHEAD. You say:

He shall fix the amount of rental per annum to be paid therefor, which rental shall be a fair and just sum for property of like character, situation, and value, and prescribe such conditions regarding the uses to be made of said property as he shall deem proper.

Mr. VAILE. If the gentleman will pardon me, I do not think we can impute to the Secretary of Labor carelessness in the ordinary details of business matters.

Mr. BANKHEAD. What becomes of the money to be derived from the rental of this property? Is there a provision that it shall be covered into the Treasury?

Mr. VAILE. I take it that that would be done automatically.

Mr. BANKHEAD. If there is a provision——

Mr. VAILE. It would have to be covered into the Treasury.

Mr. BANKHEAD. I do know of some bills that carry a provision that the sums to be derived shall be covered into the Treasury.

Mr. ANDERSON. Mr. Chairman, I move to strike out the section. I do that for the purpose of asking the gentleman in charge of the bill a question or two. Did the committee have before it at the time it considered this bill any concrete proposition to lease this building?

Mr. VAILE. It had no concrete proposition to lease the building. The Commissioner of Immigration stated to the committee that he had received a proposition from a concern manufacturing overalls or clothing which he desired to accept. The circumstances are that during the war this building was used, for the first time in its history, by the Navy Department for the manufacture of clothing. That work by the Navy Department expires, as I understand it, on September 1. Now, there are some fourteen or fifteen hundred people employed there. The Commissioner of Immigration was advised that this building could be rented immediately, so as to reemploy these people. The committee insisted that the rental should be a fair and just sum for property of that character, because we understood it was impossible to secure any general applications for the rental of such a piece of property as this. It is a mile and a half from the city of Charleston. It is surrounded by unpaved streets, in some instances, and some that can not be used, and it would cost several thousand dollars to improve them.

Mr. ANDERSON. It is a very unusual thing for a committee to report a bill and have Congress pass a bill giving to a Secretary or a bureau chief general powers to lease a building to anybody under the sun at any sort of a rental for any length of time. It is a very unusual thing, one which I would like to have the committee justify.

Mr. VAILE. They do not propose to do all that, I take it.

Mr. JOHNSON of Washington. The point is here: This building was erected 15 years ago—nobody knows just why. Under authority it was erected for an immigration station, but immigration did not come there. The Navy Department, as a war emergency, put in a sewing plant there employing 1,500 women, and put machinery in. The Navy Department, under the law, has access to the building, and they will have the right to sell or lease the machinery, and a firm from Georgia makes an offer to lease that.

Mr. ANDERSON. Why did you not authorize the Secretary of Labor to lease that to a man for a price he has offered for the period he is willing to take it?

Mr. JOHNSON of Washington. He might find that a competitive offer would come. We think it is an opportunity for the Government to put that building to use.

Mr. BELL. The Secretary of Labor would have leased this building long since had he had authority from Congress to do so. He is obliged to have authority from Congress before he can lease the building.

Mr. ANDERSON. What reason is there for departing from the custom of giving specific authority to do a specific thing in a specific way, instead of giving authority to lease this building for an indefinite period at an indefinite rate to an indefinite person?

Mr. VAILE. It is not a proposition where there can be competition. I assume the gentleman understands what I mean. There is not a general market for this kind of property, and consequently it is not a case where you can throw it open to bids, for instance. On the other hand, we do not want to tie the Secretary down to a particular concern. The committee thought that he ought at least to be allowed to rent to any customer, if he can do so on such terms as would be reasonable for property of like character, situation, and value.

Mr. RAKER. Mr. Chairman, in opposition to the motion to strike out——

Mr. ANDERSON. Mr. Chairman, I withdraw my motion.

Mr. TILSON. Mr. Chairman, will the gentleman yield for a question?

Mr. RAKER. Yes.

Mr. TILSON. Under the second proviso, "That any lease executed under this resolution may be terminated and the property reoccupied under such conditions as the Secretary of Labor may prescribe," is not that a sufficient protection against the event that the gentleman from Minnesota [Mr. ANDERSON] spoke of—of making an unusually long lease?

Mr. RAKER. In a matter of this kind you could not legislate intelligently and fix the price of what the rental should be. In the first place, you could not fix the price, because you could not know who the lessee would be. In the second place, you could not fix the price intelligently unless you went into all the facts. Now, you trust this Cabinet officer, with his assistants, to make an investigation about it and to determine what should be the terms of the lease, what should be the price per annum, and all the other conditions surrounding the use of this property, the upkeep of it, and the taking out of insurance, and all those things that have to be provided for in the lease. We simply give a general authorization to lease it and to fix the annual rent, which shall be a fair rental and a fair and just sum for a property of like character, situation, and value. He must treat the Government fairly, and the other man must treat the Government fairly.

Mr. TILSON. In case he uses it.

Mr. RAKER. Yes. That must be put in the lease.

The CHAIRMAN. The pro forma amendment is withdrawn.

Mr. VAILE. Mr. Chairman, I move that the committee do now rise and report back to the House House joint resolution 163, with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CAMPBELL of Kansas, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration House joint resolution 163, authorizing the Secretary of Labor to lease the Charleston immigration station and dock connected therewith, had instructed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the resolution as amended do pass.

Mr. VAILE. Mr. Speaker, I move the previous question on the resolution and amendments to final passage.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the House joint resolution.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. VAILE, a motion to reconsider the vote whereby the House joint resolution was passed was laid on the table.

EXTENSION OF REMARKS.

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. On what question?

Mr. ROBSION of Kentucky. On the bill that we recently passed here.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to extend his remarks on the alien-deportation bill. Is there objection?

There was no objection.

Mr. SIEGEL. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from New York makes the same request. Is there objection?

There was no objection.

The SPEAKER. Has the Committee on Immigration and Naturalization any further business? If not, the Clerk will call the roll of committees.

PAY OF PRINTERS, PRESSMEN, AND BOOKBINDERS.

Mr. KIESS (when the Committee on Printing was called). Mr. Speaker, I desire to call from the Union Calendar the bill H. R. 5418.

The SPEAKER. The gentleman from Pennsylvania, chairman of the Committee on Printing, calls up the bill H. R. 5418, on the Union Calendar. The House automatically resolves itself into Committee of the Whole House on the state of the Union. The gentleman from Kansas [Mr. CAMPBELL] will please take the chair.

Thereupon the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 5418, with Mr. CAMPBELL of Kansas in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 5418, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 5418) increasing the pay of printers and pressmen employed in the Government Printing Office, and for other purposes.

Be it enacted, etc., That on and after the passage of this act the pay of all printers, printer linotype operators, printer monotype keyboard operators, makers-up, copy editors, proof readers, bookbinders, bookbinder machine operators, and pressmen employed in the Government Printing Office shall be at the rate of 75 cents per hour for the time actually employed.

With committee amendments, as follows:

Line 5, page 1, after the word "operators," insert the words "makers-up, copy editors."

Line 5, after the word "readers," insert the words "bookbinders, bookbinder machine operators."

Line 8, strike out the figures "90" and insert the figures "75."

Line 9, after the word "employed" strike out the remainder of the paragraph and insert a period.

So that the bill as amended shall read:

"That on and after the passage of this act the pay of all printers, printer linotype operators, printer monotype keyboard operators, makers-up, copy editors, proof readers, bookbinders, bookbinder machine operators, and pressmen employed in the Government Printing Office shall be at the rate of 75 cents per hour for the time actually employed."

Mr. KIESS. Mr. Chairman, if it is possible to reach an agreement as to time, I would like to ask that general debate be dispensed with.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that general debate be dispensed with. Is there objection?

Mr. CANNON. I think that there ought to be some general debate. This is a pretty important bill.

Mr. KIESS. How much time would the gentleman be satisfied with?

Mr. CANNON. Let us go in.

Mr. KIESS. It is rather late. I am perfectly willing that there should be some general debate.

Mr. CANNON. I do not know, and I doubt if there is a man in the House outside of the committee who knows, what the wages are now.

Mr. JOHNSON of Washington. Oh, yes. I think we can explain it in 10 minutes.

Mr. CANNON. You can not do it until you have general debate. I have no desire to filibuster or anything of that kind, but I want consideration of this bill. It is an important one.

Mr. KIESS. Mr. Chairman, speaking for the Committee on Printing, I will briefly explain our position in reporting this bill.

The CHAIRMAN. The gentleman from Pennsylvania is recognized.

Mr. CLARK of Missouri. Mr. Chairman, what was done about debate?

The CHAIRMAN. There was no agreement as to time. The gentleman from Pennsylvania [Mr. KIESS] is proceeding in his own time. He has one hour.

Mr. RAKER. If Members desire it, will they have two hours for general debate?

Mr. KIESS. I want only a very short time, and I am perfectly willing to apportion the time I have at my disposal. I feel sure that the hour will more than cover all the time that will be needed.

Mr. RAKER. All I wished to know was if anyone who wanted time to discuss this bill and nothing else could have it?

Mr. KIESS. Absolutely.

The CHAIRMAN. Any gentleman getting the floor will have time for discussion.

Mr. KIESS. Mr. Chairman, since the convening of this session of Congress a number of bills have been introduced fixing the rate of pay of the employees in the Government Printing Office. The Committee on Printing held a public hearing on June 20, giving those persons interested an opportunity to present their views to the committee. After hearing the statements made by the printers and also the statement and recommendations of the Public Printer, the committee decided to report H. R. 5418 with amendments. The bills introduced provided for 90 cents and $1 per hour. The amount fixed in the bill as reported is 75 cents per hour, and the total number of employees affected is 1,592. The bill as amended increases the pay of 732 employees 15 cents per hour above the rate now paid them, or $375.60 each per annum. It increases the pay of 831 other employees 10 cents per hour, or $250.40 each per annum. It also increases the pay of 29 employees 5 cents per hour, or $125.20 each per annum.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. KIESS. Yes.

Mr. MOORE of Pennsylvania. How do these wages that are provided in this bill for Government Printing Office employees compare with those paid in newspaper offices outside?

Mr. KIESS. The pay provided for printers in this bill is less than that received by printers in cities like Washington, Philadelphia, and New York.

Mr. MOORE of Pennsylvania. It is a fact, then, that the Government Printing Office is now paying this particular class of workmen less than they can get outside in private newspaper offices?

Mr. KIESS. Yes; they are paying them less now, and after this increase their pay will still be less than that of printers outside.

Mr. MOORE of Pennsylvania. This will not do more than bring it up, if it brings it up, to the pay of outside printers in the commercial world?

Mr. KIESS. That is correct.

Now, Mr. Chairman, it was the thought of the committee that the printers in the Government Printing Office should receive just compensation. We also felt that it was not fair to take the highest rate paid in other cities, because of the fact that under war conditions at the present time printers are receiving much larger pay than they did; but we took into consideration that this bill fixing the rate of pay is permanent legislation, and also took into consideration the $240 per year bonus, which amounts to practically 10 cents per hour. So that in considering the rate of pay you must realize that while we made the rate 75 cents per hour, there is a bonus of approximately 10 cents per hour to be added, which makes 85 cents per hour for day work. Then under the law the Government Printing Office employees who work at night receive 20 per cent additional, which makes the rate of pay for those who work at night $1 per hour. The total estimated increase under the bill amounts to $486,652.40.

The Public Printer recommended a larger increase than is provided in this bill. If the increase had been allowed as recommended by the Public Printer, it would have amounted to $593,582 a year. In other words, the recommendation of the committee carries $106,929.60 per year less than the recommendation of the Public Printer. The reason we are anxious to have this bill acted upon before the recess of Congress is that the Public Printer has advised the committee that he is having serious difficulty in getting the work done owing to the fact that a number of men have resigned on account of receiving better pay outside. He has not been able to get the additional men needed, and unless something is done to improve the conditions he believes that more men will leave.

In fixing the pay of the printers we must also take into consideration the fact that they are entitled to 30 days' annual leave, which, of course, printers working in private establishments do not get. Some employers give their men two weeks' leave with pay, but the Government gives its employees 30 days. All of these things were taken into consideration in arriving at the rate recommended, and the committee feels that the bill as reported is a fair bill, fair to the printers and fair to the Government. We believe that the printers working at the Government Printing Office should receive fair compensation; not necessarily the highest rate paid for that kind of work at any place, but certainly they should receive the average pay for corresponding work.

Mr. Chairman, I will be very glad to yield any time or to answer any questions that I am able to answer.

Mr. CANNON. Do they get sick leave as well as 30 days' annual leave?

Mr. KIESS. Not any more. That has been done away with.

Mr. CANNON. Under this bill, if enacted, there would be no sick leave?

Mr. KIESS. No sick leave.

Mr. CANNON. But they do get 30 days' leave with pay?

Mr. KIESS. Thirty days' leave with pay, and half holidays on Saturday during the summer.

Mr. CANNON. Half holidays weekly during the summer. Then they get the bonus?

Mr. KIESS. Yes; they get the bonus. That adds 10 cents an hour, practically.

Mr. CANNON. I see an amendment striking out the proviso. Suppose they work more than eight hours?

Mr. KIESS. The reason the committee struck out this provision was that we felt that there should not be extra time at the Government Printing Office, running as it does on a day and night shift, and also that it might encourage the working of employees overtime. Furthermore, it was our judgment that the printers themselves were not so much concerned about the overtime, but that they preferred to be paid a reasonable compensation for eight hours and then not have to work overtime.

Mr. CANNON. Will the gentleman yield me two minutes?

Mr. KIESS. Mr. Chairman, I yield to the gentleman from Illinois two minutes.

Mr. CANNON. Mr. Chairman, the gentleman from Pennsylvania [Mr. KIESS] said that this was only bringing up the compensation to that received commercially in the principal cities.

Now, this is true: That 50 cents would have bought of the necessities of life when the war broke out what a dollar will be required to buy now, if not more. We are making advances all along the line. Later on I suppose there is to come a retiring bill, a civil pension bill, and so on, but that will be met when the time comes for consideration, and a majority of the Congress will either bless it or turn it down.

Now, we are going to have a pretty difficult time when the cost of living goes down to half of what it is now in a reduction of the wage. I call attention to that fact not for the purpose of antagonizing the bill; I thought the bill provided for 90 cents an hour, but I see that there is an amendment making it 75 cents an hour.

So far as I am concerned, I want to call attention to the increase that comes from the bonus and the 30 days' leave and the half-holiday leave, rather as a foundation not only for printers but for everybody to get back to the normal, or approximately to the normal, when the cost of living and maintenance goes down to one-half of what it is at present.

Mr. BAER. Will the gentleman yield?

Mr. CANNON. Yes.

Mr. BAER. When does the gentleman predict that this cost of living is going down? I would like to get the gentleman's views about it.

Mr. CANNON. What is the use of predicting; when inflation ceases, when the cost of wheat and of corn and of clothes and everything that enters into it comes into competition with the world, then the great majority of the people, the officials included, the Government Printing Office employees, and all others will be more heavily burdened than they are now, when wheat is $2 a bushel.

Mr. BAER. The farmer is in the same condition as the laboring man.

Mr. CANNON. I understand that he is getting $2 for his wheat.

Mr. BAER. The gentleman speaks of inflation. What is the real cause of inflation? Is it not the extension of credit to Europe, continually extending it, sending money over there and raising the cost of living in this country?

Mr. CANNON. My Lord, yes; and raising the taxes. I probably will be wearing a halo before you unscramble it all. [Laughter and applause.]

Mr. KIESS. Mr. Chairman, the committee had that matter in mind when they fixed the rate at 75 cents an hour, realizing that for the present taking care of the emergency bonus of $240, which we all regard as more or less of a temporary arrangement, would give the additional 10 cents. When the bonus is taken away they would still have 75 cents an hour. Mr. Chairman, I yield five minutes to the gentleman from California [Mr. NOLAN].

Mr. NOLAN. Mr. Chairman, I think the committee recommended what might be said to be a very reasonable and very conservative increase in this bill; that is, a very small increase considering what is sufficient to take care of the needs of these men. I base my conclusion on the fact that where Government wage boards and wage-adjustment boards have had to do with the raising of the pay of Government employees, whether the men were in the mechanical establishment of the Government or in the shipyards building ships for the Government, or other war activities, they have increased the salaries of these mechanical employees far in excess of the increases that have been received by the employees of the Government Printing Office.

Take the Washington Navy Yard as an instance. These employees have had their wages increased as wages were increased in the shipyards by the Macey Board, which board fixed wages for the shipyards of the country during the period of the war. I have in mind down here men working at what are known as the basic trades—machinists, molders, blacksmiths, and trades like that—who received before the war, or about the early part of 1913, a first-class rate of about $3.48 per day.

The employees of the Government Printing Office at that time had their wages fixed by statute and were getting somewhere in the neighborhood of about 55 cents per hour, or $4.40 for an eight-hour day. Since that time the wages of the employees of the Washington Navy Yard, fixed by the wage board, have gone up to a rate of $6.80 per day, first-class rate, without any bonus. The present rate of 65 cents per hour, plus the bonus, up to the first of this year of 5 cents per hour, for the highly skilled men in the Government Printing Office would let them have a minimum rate for eight hours of $5.60 per day. Under the new rate it would put the skilled employees of the Government Printing Office upon about the same rate as the employees of the Washington Navy Yard, and I do not think there is any doubt in anyone's mind who knows anything about the skill and the work required about the printing trade that they are just as highly skilled men as there are in the Government navy yard in Washington or in any other section of the country, and they ought to be treated accordingly. The navy yard has enjoyed this $6.80 navy yard rate for some time and have the right to have their wages increased by the Secretary of the Navy from time to time to meet changing conditions. These men will only get their $6.80 rate when the bill passes this House and finally passes the Senate; that is, they will only receive the equivalent of the navy yard rate by including the $240 per year bonus.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. NOLAN. Yes.

Mr. WINGO. I am in sympathy with these men at the Printing Office. Will the gentleman explain to me what other classes there are left to whom we have not given a proper wage?

Mr. NOLAN. Government employees?

Mr. WINGO. Yes.

Mr. NOLAN. I can not tell that, yet. There are thousands of them.

Mr. WINGO. Well, there are a good many others?

Mr. NOLAN. Yes.

Mr. WINGO. Why does not the gentleman get his committee——

Mr. NOLAN. I do not happen to be a member of this committee.

Mr. WINGO. Why does not the gentleman, who is the leader and a very able leader of the labor forces—and I frequently follow him because I have confidence in his honesty and in his judgment——

Mr. NOLAN. I did not know that I was the leader of the labor forces, but I am glad to accept that title and feel highly honored in being so designated.

Mr. WINGO. Why does not the gentleman get a committee to bring in one bill that will adjust all of these matters on a proper basis and avoid this difficulty. When you raise one class another comes in and says that we have given the first ones a larger amount than they are getting, or that we have not given them a raise for a long time, so that it is a continuous performance. Why not put in a general reclassification bill and put all of them on the basis that is fair and proper? I will join with the gentleman in voting it as high as is necessary, but let us not do this by piecemeal.

Mr. NOLAN. It took me pretty nearly seven years to get the minimum-wage bill through this House.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. KIESS. I yield the gentleman five minutes more.

Mr. NOLAN. As I say, it took me seven years to get a minimum-wage bill through this House, to take care of the lowest-paid employees, and it is not yet through the Senate. We did provide in the legislative bill for the fiscal year 1920 for a commission, and it is sitting here in the District of Columbia at the present time, to do the very thing that the gentleman has advocated, to make a thorough reclassification of the employees in the District of Columbia, and when that reclassification commission reports it will undoubtedly make some recommendation regarding legislation that would affect every employee in the District of Columbia.

Mr. WINGO. Mr. Chairman, will the gentleman yield for a question?

Mr. NOLAN. In just a moment; and it can be applied to every employee in the United States; but the thing I have been trying to do and which it took me seven years to accomplish is to assist the fellow at the bottom, and we have not taken care of him as yet.

Mr. WINGO. That is the point I am coming to.

Mr. NOLAN. This reclassification commission will undoubtedly recommend legislation. The Committee on Reform in the Civil Service in this House has jurisdiction over that sort of legislation, except in special instances, as in the case of the Committee on Printing, which has jurisdiction over the Government Printing Office. The Committee on Reform in the Civil Service has never held a half dozen meetings in six years until this year, and it was impossible to get legislation out of that committee.

Mr. WINGO. That being so, and the gentleman having spent seven years to get through his minimum-wage bill, would it not have been better if he had combined the forces of all and have obtained general reclassification. Is not the gentleman afraid, with that committee not meeting, that it is going to take seven years longer to reach all of them. Why pick out one here and another there. Why not get a general reclassification of them all? I am going to vote for this bill, but I am tired of picking out one or two there and one or two here. Let us put them all in an equal footing and do justice to all of them.

Mr. NOLAN. The gentleman is in error. This is not my bill. The bill was introduced by the gentleman from Washington [Mr. JOHNSON].

Mr. WINGO. I am for the gentleman's bill, but I wanted him to go further.

Mr. NOLAN. Here is the point. If it took me 7 years to get action on the minimum-wage bill, it would take about 21 years before I could get up a reclassification bill——

Mr. WINGO. But if the gentleman got the influence of all together, he could bring it in very quickly.

Mr. NOLAN. I say this: I have done my part as one of the minority Members for over six years in bringing it to a successful conclusion; and I will be fair, the last House, which was a Democratic House, passed a bill in September of last year, the latter part of the second session of the Sixty-fifth Congress. It took them that long to get it to a vote in this House—six years. Now, we expect to get action in another body quickly on the minimum-wage bill. The gentleman's idea is right, but you can only go as far as this great legislative body will permit you. There is not a committee in the House that has the jurisdiction of which the gentleman speaks to bring in a bill of that kind. If you assign it to one committee, immediately a half dozen more committees come in and claim jurisdiction. And now there is not any one committee in the House that has jurisdiction over the subject of wages or a classification or a reclassification of all Federal employees. I went as far as I could with the minimum-wage bill, and it took me a long time before I could get by the clerk of the Speaker and have that minimum-wage bill assigned to the Committee on Labor, where I was expecting to get action.

Mr. FOSTER. If the gentleman will yield, is it not a further fact that when the minimum-wage bill did come to a vote that of the 48 votes cast against it every one came from that side of the aisle?

Mr. NEWTON of Minnesota. The gentleman means from the Democratic side?

Mr. FOSTER. Yes.

Mr. WINGO. I am glad the gentleman has come here, possibly now he can run his own side.

Mr. NOLAN. I trust this House will pass this bill without delay.

Mr. KIESS. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Chairman and gentlemen of the committee, I think it is absolutely necessary for us to give some relief such as is proposed here by this bill. I have been trying to get at the sources of the continual rise in the level of prices, which has become a matter of grave concern. Members must admit that the Government has had more to do with this rise under the stress of war than any other one agency now in existence. The cause is not far to seek. We had to create a war machine in the shortest possible time, and the Government proceeded to take the labor into the shipyards, the munition plants, the cantonments, the aviation field, and many other agencies of employment, so that the Government demand for labor was so sweeping and so comprehensive that it operated so as to monopolize the labor of the country to the extent that the Government wage became that of all industries, and in order that industries which were not connected with war work might be continued they had to meet the high increase that was placed upon the industries of the country by the Government's wage scale. No man would remain in an industry when his Government paid so much more and urged him to come into its employ. Quite naturally we saw people employed at double the price that they were employed prior to the war, and in many cases at much greater increase than 100 per cent. The only people who suffered were the people who were under a salary. That did not respond to the demands of the war, and could not, therefore, take advantage of the abnormal increase. Wherever a fixed scale of salary has obtained the price of things that the employees must buy to live upon doubled while the income fixed from the salary prior to the war remained stationary. It is precisely the same as if some authority operated to cut the salary just in two, for the purchasing power of the salary is not more than one-half of what it was before the war. These persons engaged in Government service, necessarily employed for Government work that the machinery of Government may be uninterrupted, on a basis of salary fixed prior to the war find no power of their own influence that can operate to reduce the cost of the things they must buy upon which to live and no ability outside of this Congress to secure an increase in their pay. If we can and will reduce the cost of their living that would be one way of relief. There is small hope of that. The slightest thing we can do is to increase the price paid to those people in some sort of a degree that is partially commensurate with the cost of living, which they can not control. Mr. Chairman, if we would go to the bottom of this thing to get at the basis of the serious increase in the cost of living we would find it very largely in the hands of the Government—I do not mean in its failure to reduce the cost, but in the initial cause of the increased cost of living—and it will take years and years of gradual regulation ever to bring that cost anywhere near what it was before the war.

There is much loose talk about the reduction of the cost of articles of necessity.

The fact is plain. The great item in the cost of anything is labor. When the employer pays wages determined by the selling price of the finished product, the item of profit always determines wages paid. If no profit is made, the producer must either stop or lose. The latter can not long continue. If no profit, in time there will be no work and no wages. Capital in the hands of the producer must not only be active but it must represent the possibilities of a gain rather than loss if it continues investment.

But not so with the Government's operations. It secures its capital from the people either by tax or loan. In the latter case especially, profit is not regarded. The product of labor is not sold, and therefore the item of profit does not determine the investment. Labor may be paid any sort of wages. There is no criterion save what is demanded. The Government wants labor in its shipyards. The cost counts nothing. It will offer not only a great increase over what labor commands in the industries but it fixes the day and pays time and a half for overtime. As an additional inducement it doubles wages on Sunday and pays transportation charges as well as 60 cents per hour while en route. In places it even builds houses for its help.

All other business must either stop or meet in competition this scale. It meets it and passes the burden on to the public. This will be reflected in every article purchased in the market. The element of cost doubles to the producer, and inevitably the element of cost must double to the consumer. If the producer pays double for the articles made and sold by him, the consumer must pay double when he buys.

The Government's pay roll, which runs into the hundred thousands of individuals, necessary or unnecessary, in that degree increases the cost of living. High prices are due to the speculative spirit, and nothing is so wildly speculative to-day as the Government's operations. It is all done on borrowed capital, which comes easy and is spent by Government agencies greatly interested in the continuance of their activities.

The Government takes over the railroads, and this reckless spirit of the speculator advances immediately the cost of operations, until to-day the roads face bankruptcy, and at the same time cost the people more and render them the least efficient service in the history of the industry.

It takes over the telephone. Immediately it puts into operation new rules, and if a householder wants a phone $5 is demanded to install it, and if you want it changed to another desk $3.50 is charged. If I wish to telephone to some one in Pittsburgh, a call is put in; the party can not be found, but I pay the bill notwithstanding. All these items are charged to the public and go to increase the level of costs.

The Government becoming in time of war the chief business concern of all enterprise in war and therefore the chief employer of labor, demanded greater freedom to meet the volume of business by a larger circulative medium. It asked Congress for authority to issue two and one-half times the amount of Treasury notes permitted under the law. That circulation to-day amounts to the enormous sum of nearly $3,000,000,000. The per capita circulation is more than three times what it was in 1879 and nearly double that prior to the war.

While the purchasing power has thus been greatly reduced by the cheapening of the dollar, commonly called inflation of its value, it does not deter the wage earner spending lavishly.

To-day the railroads are overworked simply because everybody is now traveling. The dining cars are crowded for the same reason.

Garments bring good prices because people who before were careful with their means are now flush and they buy readily. The same is true of shoes. It is true in foodstuffs to a degree.

These facts, taken in connection with the effective organizations which make it possible to control prices, as in the case of the packers in meat products and the cold storage companies in various storage products, give the explanation of the high level of prices.

It is a Government problem. The lowering of that level must be a slow process and must be gradual to avoid a crash. Wages, the chief element in the high level, can not come down except as the cost of necessities come down. In the meantime we must see

that there is no unemployment if it can be avoided, and in Government service here in the Capital we should see to it that we do not neglect a plain duty to Government servants.

With this cost up, with little hope of it coming down, because the agencies that made it go up are not operative to bring it down, our duty is to try to meet the necessity of these people working for the Government at a fixed salary by increasing the salary to a point where they can live somewhere as the people who are working outside of the Capital.

For that reason I am not making the suggestion that we can easily reduce the cost of living, but I am making the suggestion that, unable to do it, we ought to increase the salary paid in order to meet the cost of living.

Mr. KIESS. Mr. Chairman, is the question on the committee amendments?

The CHAIRMAN. The bill has not been read for amendment. The Clerk will read the bill for amendment.

The bill was read for amendment.

The CHAIRMAN. The question is on the committee amendments.

The committee amendments were agreed to.

Mr. KIESS. Mr. Chairman, I move that the committee do now rise and report the bill back to the House as amended, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CAMPBELL of Kansas, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 5418) increasing the pay of printers and pressmen employed in the Government Printing Office, and for other purposes, and had directed him to report the same to the House with certain amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

Mr. KIESS. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any of the amendments? If not, the Chair will put them in gross.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read a third time, and passed.

On motion of Mr. KIESS, a motion to reconsider the vote by which the bill was passed was laid on the table.

MEETING OF FIRST HOUSE OF BURGESSES.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that further business for Calendar Wednesday be dispensed with, and before the motion to adjourn, I also ask unanimous consent that the gentleman from Ohio [Mr. FESS] may address the House for five minutes on the question of the anniversary of the first meeting of the House of Burgesses in Virginia.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. FESS. Mr. Speaker [applause], I crave the attention of the membership of the House on the significance of this anniversary.

In view of the fact that one of our Members mentioned the day by resolution and address pleasing to every Member, I want to add a few words upon its significance to our history.

It was in 1619 that this first legislative assembly in the New World was organized. In 1620, a year afterwards, in the cabin of the *Mayflower*, a compact was entered upon that indicated an attempt in another part of the country to establish a similar form of government, in which the people had a voice. It was in 1638, in the State of Connecticut, that the first constitution was adopted. This is the first instance in history where a constitution was framed by a people as the work of the people for their own government. It is not only the first in the history of any colony but the first in any country in the world. John Fiske says that the constitution of Connecticut ought to be studied in parallel columns with the Constitution of the United States. The two show a striking similarity in fundamentals.

It was in 1643 that a successful effort was made to unify in a confederation four of the Colonies, each of the four prior to that time having adopted some form of a charter government. This confederation was called the "Union of the New England Colonies." By this time the thirteen Colonies had distinctive State or colonial governments—4 charter, 3 proprietary, and the remaining 6 were royal. It was in 1754, under the suggested plan of Benjamin Franklin, that the thirteen Colonies, each of which at this time had adopted a form of constitution, proposed a plan of union of all the Colonies, known as the Albany plan. If you will recall, this plan was rejected by England because it was too democratic and by the Colonies because it was too aristocratic.

It was in 1776 that the idea of independent government was embodied by Thomas Jefferson in the famous Declaration of Independence, whose fundamental principles then announced became the foundation of the modern Republic. It was in 1781, after the Revolution, that the unsuccessful experiment of the Articles of Confederation was inaugurated. It was in 1787 that constitutional government was formulated in the organic law of the country, known as our Federal Constitution. And, Members of the House, I simply call your attention to the historic fact that beginning down here at Jamestown in that first legislative assembly, 300 years ago to-day, was the germ that grew step by step, that passed finally from the individual to a group, first of a few and then from the few to include the 13, and then, entering upon a new plan in 1787, has grown to the half hundred of empire States comprising the greatest Nation to-day under a single flag, obedient to the same Constitution with a few amendments.

Here is an instrument of but seven short articles, couched in about 3,000 words, under which a Nation of but 3,000,000 people has grown to 110,000,000 and double in wealth any country on earth. Throughout this marvelous growth the Constitution has been altered materially only seven times, since the first 11 amendments were reservations made by the States on their ratification. This organic law stands as the climax in democratic government in the world to-day.

I wanted on this anniversary to call attention to the fact that the seed that was planted in 1619 in Virginia spread to the Nation. And I think no one fact is more patent in the world to-day than that this form is not only to become the ultimate form in the world, but the spirit has already encompassed most of the civilized world, and we have proof that the experiment of the House of Burgesses was not a failure. [Applause.]

LEAVE TO ADDRESS THE HOUSE.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent for one-half minute.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. BYRNS of Tennessee. Mr. Speaker, it has always been the custom for the ranking member of the minority on the Committee on Appropriations to make some statement in reference to the appropriations. I would have submitted a request for unanimous consent for that purpose heretofore had the prohibition-enforcement law not intervened. I make that statement in view of the fact that I wish to submit now a unanimous-consent request at this time. I understand that to-morrow a rule will probably be proposed, and there will probably be other business pending, and I therefore ask unanimous consent that I may have 35 minutes—I do not know that I will need it all—on Friday morning, immediately after the reading of the Journal and the disposition of such business as lies on the Speaker's table.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that on Friday morning, immediately after the reading of the Journal and the disposition of business on the Speaker's table, he may address the House for 35 minutes. Is there objection?

Mr. MONDELL. Reserving the right to object, Mr. Speaker—and I shall not object—I simply want to suggest to the gentleman that I think it may be possible to yield him the time to-morrow.

Mr. BYRNS of Tennessee. I shall be glad to take it to-morrow if I can get it.

Mr. MONDELL. That will be done if the opportunity offers.

Mr. BYRNS of Tennessee. I shall be glad to get it to-morrow.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS.

Mr. HASTINGS. Mr. Speaker, I have introduced an amended soldiers' land bill. I desire to ask unanimous consent to extend my remarks in the RECORD, analyzing that bill.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the RECORD on the soldiers' land bill. Is there objection?

There was no objection.

Mr. FESS. Mr. Speaker, I ask unanimous consent to extend in the RECORD the remarks I have just made.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. J. Res. 78. Joint resolution to permit the payment of obligations entered into by the War Department prior to July 1, 1919; to the Committee on Military Affairs.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, in accordance with the action heretofore taken by the House, I move that in honor of the three hundredth anniversary of the first meeting of the first legislative body in America, the Virginia House of Burgesses, the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock p. m.) the House adjourned until to-morrow, Thursday, July 31, 1919, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. LANGLEY, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 7656) to repeal an act entitled "An act to authorize the President to provide housing for war needs," approved May 16, 1918, and to repeal all acts and parts of acts amendatory thereof, and to provide for the disposition of all property acquired under and by virtue of the same, reported the same with amendments, accompanied by a report (No. 181), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WATSON of Pennsylvania, from the Committee on Interstate and Foreign Commerce, to which was referred the resolution (H. Res. 186) requesting the Interstate Commerce Commission to make certain investigations regarding the present and future supply of tie timber, reported the same without amendment, accompanied by a report (No. 182), which said bill and report were referred to the House Calendar.

Mr. JOHNSON of Mississippi, from the Committee on the Public Lands, to which was referred the bill (S. 55) to authorize the Secretary of the Interior to adjust disputes or claims by entrymen, selectors, grantees, and patentees of the United States, against the United States and between each other, arising from faulty surveys in townships 36, 37, and 38 south, ranges 29 and 30 east, Tallahassee meridian, in the State of Florida, and for other purposes, reported the same with amendment, accompanied by a report (No. 183), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MONAHAN of Wisconsin: A bill (H. R. 8022) authorizing the Secretary of War to donate to the city of Platteville, Grant County, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ELLIOTT: A bill (H. R. 8023) prohibiting the exportation of sugar from the United States and providing penalties for violation thereof; to the Committee on Interstate and Foreign Commerce.

By Mr. ROBSION of Kentucky: A bill (H. R. 8024) to provide for the erection of a public building at Barbourville, in the State of Kentucky; to the Committee on Public Buildings and Grounds.

By Mr. BARBOUR: A bill (H. R. 8025) to provide for a public building at Fresno, Calif; to the Committee on Public Buildings and Grounds.

By Mr. KENDALL: A bill (H. R. 8026) authorizing the Secretary of War to donate captured German cannon or field gun and carriage to the town of Dawson, State of Pennsylvania, for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 8027) authorizing the Secretary of War to donate captured German cannon or field gun to the town of Republic, Fayette County, Pa., for decorative purposes; to the Committee on Military Affairs.

By Mr. HAWLEY: A bill (H. R. 8028) to reserve as parts of the Oregon, Siuslaw, and Crater National Forests, in Oregon, certain lands that were revested in the United States pursuant to the decision of the Supreme Court of the United States in the case of the Oregon & California Railroad Co. against the United States; to the Committee on the Public Lands.

By Mr. KAHN: A bill (H. R. 8029) to provide for aeroplane mail service between New York City, N. Y., and San Francisco, Calif.; to the Committee on the Post Office and Post Roads.

By Mr. WARD: A bill (H. R. 8030) to authorize the Secretary of Commerce to establish a fish-cultural station in New York State; to the Committee on the Merchant Marine and Fisheries.

By Mr. JUUL: A bill (H. R. 8031) to provide for a public building at Des Plaines, Ill.; to the Committee on Appropriations.

By Mr. GOULD: A bill (H. R. 8032) to provide for the erection of memorials and the entombment of bodies in the Arlington Memorial Amphitheater, in Arlington National Cemetery, Va.; to the Committee on the Library.

By Mr. ACKERMAN: A bill (H. R. 8033) to amend the act approved December 23, 1913, known as the Federal reserve act; to the Committee on Banking and Currency.

By Mr. KENNEDY of Iowa: A bill (H. R. 8034) for the erection of a Federal building at Fairfield, Iowa; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8035) to provide for the purchase of a site and for the erection of a public building thereon at Mount Pleasant, Iowa; to the Committee on Public Buildings and Grounds.

By Mr. GRIGSBY: A bill (H. R. 8036) making an appropriation for the improvement of Dry Straits, Alaska; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 8037) making an appropriation for a public building at Fairbanks, Alaska; to the Committee on Appropriations.

By Mr. DAVILA: A bill (H. R. 8038) to amend section 4 of the act approved July 17, 1916, known as the Federal farm-loan act, extending its provisions to Porto Rico; to the Committee on Banking and Currency.

By Mr. ELSTON: A bill (H. R. 8039) to accept the cession by the State of California of exclusive jurisdiction over the lands embraced within the Yosemite, Sequoia, and General Grant National Parks, and for other purposes; to the Committee on the Public Lands.

By Mr. HUDSPETH: Concurrent resolution (H. Con. Res. 25) providing that exportation of arms and munitions of war to Mexico under presidential proclamation of July 12, 1919, be applied, without exception or limitation, to all citizens and authorities in the Republic of Mexico; to the Committee on Foreign Affairs.

By Mr. RAKER: Joint resolution (H. J. Res. 167) making the provisions of section 2296 of the United States Revised Statutes applicable to all entries made under the homestead laws and laws supplemental and amendatory thereof; to the Committee on the Public Lands.

By Mr. GREEN of Iowa: Joint resolution (H. J. Res. 168) establishing a budget committee and defining its duties and also establishing a joint rule with reference to the bill which may be reported by appropriation committees of the House and Senate; to the Committee on Rules.

By Mr. MACCRATE: Resolution (H. Res. 213) requesting the Secretary of the Navy to furnish the House of Representatives certain information; to the Committee on Naval Affairs.

By Mr. ROGERS: Resolution (H. Res. 214) authorizing the printing of 5,000 copies of The War With Germany, by Col. Leonard Ayres; to the Committee on Printing.

By Mr. GARLAND: Resolution (H. Res. 215) for the immediate consideration of House joint resolution 150; to the Committee on Rules.

By Mr. GREENE of Massachusetts: Resolution (H. Res. 216) for the consideration of House bill 7500; to the Committee on Rules.

By Mr. IGOE: Resolution (H. Res. 217) directing the Federal Trade Commission to inquire into the proposed increase in the price of shoes, and the increased price of sugar, clothing, and coffee; to the Committee on Interstate and Foreign Commerce.

Also, resolution (H. Res. 218) providing for an inquiry by the Ways and Means Committee of certain increased prices or charges; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEGG: A bill (H. R. 8040) granting a pension to Mary Conter; to the Committee on Pensions.

By Mr. EVANS of Montana: A bill (H. R. 8041) for the relief of the Flathead Nation of Indians; to the Committee on Indian Affairs.

By Mr. HAWLEY: A bill (H. R. 8042) granting a pension to Willis Vidito; to the Committee on Invalid Pensions.

By Mr. HAYDEN: A bill (H. R. 8043) for the relief of Mrs. W. P. Miller; to the Committee on Claims.

By Mr. JOHNSON of Kentucky: A bill (H. R. 8044) granting a pension to Samuel L. Lilly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8045) for the relief of Charles T. Jackson; to the Committee on Military Affairs.

By Mr. LANGLEY: A bill (H. R. 8046) granting an increase of pension to William O. Bryan; to the Committee on Pensions.

By Mr. LONGWORTH: A bill (H. R. 8047) to correct the military record of John Coss; to the Committee on Military Affairs.

By Mr. McANDREWS: A bill (H. R. 8048) granting an increase of pension to Mathew A. Hogan; to the Committee on Invalid Pensions.

By Mr. McKENZIE: A bill (H. R. 8049) granting an increase of pension to James T. Best; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8050) granting a pension to William Thomson; to the Committee on Invalid Pensions.

By Mr. McPHERSON: A bill (H. R. 8051) granting a pension to William Samuel Steward; to the Committee on Pensions.

By Mr. PADGETT: A bill (H. R. 8052) granting an increase of pension to John D. Lewis; to the Committee on Invalid Pensions.

By Mr. ROBSION of Kentucky: A bill (H. R. 8053) granting a pension to Buster Davis; to the Committee on Pensions.

Also, a bill (H. R. 8054) granting an increase of pension to Ellie J. Hays; to the Committee on Pensions.

By Mr. ROMJUE: A bill (H. R. 8055) granting an increase of pension to Catherine Varner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8056) to correct the military record of Jacob F. Webb; to the Committee on Military Affairs.

By Mr. VAILE: A bill (H. R. 8057) granting an increase of pension to Elizabeth Coy Bell; to the Committee on Pensions.

By Mr. WILSON of Illinois: A bill (H. R. 8058) granting an increase of pension to James D. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8059) granting a pension to Ellen Myers; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of St. Louis Post No. 4, American Legion, favoring the vocational education system; to the Committee on Education.

Also, petition of citizens assembled in the National League baseball grounds of Chicago, Ill., who believe in human liberty and the principle of self-determination, urging the Congress of the United States to recognize the Irish Republic as now established; to the Committee on Foreign Affairs.

By Mr. COLE: Petition of the Ohio State Federation of Labor, urging the passage of the pending measure providing for the retirement of employees in the classified civil service of the United States; to the Committee on Reform in the Civil Service.

By Mr. ESCH: Resolutions passed at a mass meeting held in the National League baseball grounds at Chicago, Ill., on Sunday afternoon, July 13, 1919, urging the Congress of the United States to recognize the Irish Republic as now established and to establish trade relations with Ireland for the benefit of American commerce and labor; also unalterably opposing the proposed league of nations; to the Committee on Foreign Affairs.

Also, resolution adopted by members of the Chicago Live Stock Exchange, in meeting assembled July 23, 1919, opposing the Kenyon bill (S. 2202) and all similar bills; to the Committee on Agriculture.

By Mr. GOULD: Communication from the governor of the State of New York, transmitting copy of letter written by the New York State superintendent of public works, opposing House bill 4378; to the Committee on Interstate and Foreign Commerce.

By Mr. HERSEY: Petition of Frank P. Kenney and 28 others, of Lincoln, Me., urging the adoption of the telepost system; to the Committee on the Post Office and Post Roads.

By Mr. McDUFFIE: Petition of Mr. W. W. McPherson and others, of Beatrice, Ala., protesting against the proposed attempt to exploit the farming interests of America in order to further enrich a few potash producers who have already profiteered to such an extent that they require no further coddling or nursing from our Government; to the Committee on Agriculture.

By Mr. MERRITT: Petition of the Polish Republican Club of Norwalk, Conn., in opposition to the passage of Senate bill 2099; to the Committee on Printing.

By Mr. MOORE of Pennsylvania: Petition of the National Association of Hosiery and Underwear Manufacturers, protesting against the licensing system for dyestuffs; to the Committee on Ways and Means.

Also, petition of the Philadelphia Board of Trade, opposing Senate bill 810, to establish an interstate marketing system; to the Committee on Agriculture.

By Mr. O'CONNELL: Petition of the Chicago Live Stock Exchange, of Chicago, Ill., opposing the Senate bill 2202; to the Committee on Agriculture.

Also, petition of citizens assembled in the National League baseball grounds of Chicago, Ill., urging the Congress of the United States to recognize the Irish Republic as now established; to the Committee on Foreign Affairs.

Also, petition of the Peter Cailler Kohler Swiss Chocolates Co. (Inc.), of New York City, against the repeal of the so-called daylight-saving law; to the Committee on Interstate and Foreign Commerce.

Also, petition of R. H. Alcorn, of Washington, D. C., favoring the Lehlbach bill, H. R. 3149; to the Committee on Reform in the Civil Service.

By Mr. ROWAN: Petition of the Peter Cailler Kohler Swiss Chocolates Co. (Inc.), of New York City, against the repeal of the so-called daylight-saving law; to the Committee on Interstate and Foreign Commerce.

Also, petition of Lamont, Corliss & Co., of New York City, opposing the repeal of the daylight-saving law; to the Committee on Interstate and Foreign Commerce.

Also, petition of the United National Association of Post Office Clerks, office of the president, Washington, D. C., urging the extension and amplification of the Madden resolution (H. J. Res. 151); to the Committee on the Post Office and Post Roads.

Also, petition from John T. Kraham, member of the committee on legislation of the United States Customs Inspectors, Branch K, Federal Employees' Union No. 4, National Federation of Federal Employees, port of New York, urging the support of House bills 6577 and 6659; to the Committee on Ways and Means.

Also, resolution adopted by the Chicago Live Stock Exchange, Chicago, Ill., protesting against the enactment into law of Senate bill 2202, as well as the Lever and Anderson bills; to the Committee on Agriculture.

By Mr. VARE: Petition of the Philadelphia Board of Trade, opposing Senate bill 810, which would provide for an interstate marketing system; to the Committee on Agriculture.

By Mr. WINSLOW: Resolution by the Chicago Live Stock Exchange, opposing Senate bill 2202, purporting to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes; to the Committee on Agriculture.

SENATE.

THURSDAY, *July 31, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we recognize Thy sovereign right to rule, and we bring to Thee the thought of our hearts to-day. We place ourselves before Thee that we may receive Thy commandments, and that we may be enabled to transcribe Thy laws into the laws of this land and set them forth as the charter of the rights and liberties and peace and glory of this people. We pray Thee to guide us by Thy Spirit to this end. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of Tuesday last, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 5418. An act increasing the pay of printers and pressmen employed in the Government Printing Office, and for other purposes;

H. R. 6750. An act to deport certain undesirable aliens and to deny readmission to those deported;

H. R. 7930. An act to provide for the treatment in hospital of diseased alien seamen; and

H. J. Res. 163. Joint resolution authorizing the Secretary of Labor to lease the Charleston immigration station and dock connected therewith.

PETITIONS AND MEMORIALS.

Mr. JOHNSON of South Dakota. I have received a letter in the nature of a petition from Hon. J. W. Parkley, of Ipswich, S. Dak., praying for the ratification of the treaty of peace with Germany, including the covenant of a league of nations. I move that the communication be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. NUGENT. I present resolutions adopted by U. S. Grant Post, No. 32, Grand Army of the Republic, of Sandpoint, Bonner County, Idaho, favoring the enactment of legislation increasing the pensions of old soldiers who have reached the age of 70 years to an amount equal to $50 per month. I move that the resolutions be referred to the Committee on Pensions.

The motion was agreed to.

Mr. KEYES presented petitions of sundry citizens of Andover, Bradford, East Kingston, Unity, and Milton, all in the State of New Hampshire, praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. PHELAN presented petitions of Local Union No. 16, International Alliance of Theatrical and Stage Employees and Moving Picture Machine Operators of the United States of America, of San Francisco; of the Budlong Avenue School Parent Teachers' Association, of Los Angeles; of Santa Cruz Chapter, Daughters of the American Revolution, of Santa Cruz; of Local Lodge No. 307, Free and Accepted Masons, of Santa Monica; of the Building Trades Council of Kings County; of Painters' Union No. 594, of Hanford; of the Review of Maccabees, of Hanford; of Local Union No. 1043, United Brotherhood of Carpenters and Joiners of America, of Hanford; of Eola Rebekah Lodge No. 256, of Igo; of Local Union No. 115, Amalgamated Meat Cutters and Butcher Workmen of North America, of San Francisco; of the Woman's Christian Temperance Union of Madera County; of Local Union No. 12, International Union of Timberworkers, of Eureka; of Welcome Lodge No. 209, Independent Order of Odd Fellows, of Igo; of Union Lodge No. 169, Knights of Pythias, of Sonora; of Lucerne Chapter No. 127, Order of the Eastern Star, of Hanford; of Rising Light Chapter, Order of the Eastern Star, of Huntington; and of McPherson Woman's Relief Corps No. 97, of Hanford, all in the State of California, praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

He also presented a memorial of Roger Casement Branch, Friends of Irish Freedom, of Los Angeles, Calif., remonstrating against the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. HALE presented a memorial of Pleasant Valley Grange, Patrons of Husbandry, of Rockland, Me., remonstrating against the proposed plan of the Secretary of the Interior to reclaim desert and swamp lands, etc., which was referred to the Committee on Public Lands.

Mr. NELSON presented a petition of Local Union No. 65, National Federation of Postal Employees, of St. Paul, Minn., praying for the granting of a bonus to postal employees pending action by the Joint Committee on Reclassification, which was referred to the Committee on Post Offices and Post Roads.

Mr. PAGE presented a memorial of sundry citizens of Poultney, Vt., remonstrating against the ratification of the league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. ELKINS presented a petition of sundry citizens of Ohio and Marshall Counties, in the State of West Virginia, praying for the repeal of the tax on ice cream, soda, soft drinks, etc., which was referred to the Committee on Finance.

Mr. WALSH of Massachusetts presented memorials of employees of the Osgood Bradley Car Co., of Worcester; of the Worcester Stamped Metal Co.; of the Yale Knitting Co., of Malden; of the Standard Woven Fabric Co., of Walpole; of English & O'Brien (Inc.); of the Babcock & Wilcox Co.; of Edgar T. Ward Sons Co.; of the New England Drawn Steel Co., of Mansfield; of the Gamewell Fire Alarm Co.; of the Barlow Co., of Holyoke; of the J. & B. Manufacturing Co., of Pittsfield; of the Judd Paper Co., of Holyoke; of the Springfield Facing Co.; of the Wiley-Bickford-Sweet Co., of Worcester; of the Massachusetts Chocolate Co.; of the West Newton Savings Bank; of the Fred T. Field Co., of Brockton; of the United Manufacturing Co., of Springfield; of the William N. Jordan Co., of Gloucester; of the Wellman Co., of Medford; of the M. S. Wright Co.; of the Fiberloid Corporation, of Indian Orchard; of the American Brake Shoe & Foundry Co., of Norwood; of the Davidson Rubber Co., of Somerville; of the Van Norman Machine Co., of Springfield; of the Coburn Trolley Track Manufacturing Co.; of the Hudson Belting Co., of Worcester; of the Shirreffs Worsted Co., of Fitchburg; and of the Wetherell & Dobbins Co., of Haverhill, all in the State of Massachusetts, remonstrating against the repeal of the so-called daylight-saving law, which were referred to the Committee on Interstate Commerce.

Mr. COLT presented a memorial of Local Grange No. 51, Patrons of Husbandry, of Anthony, R. I., and a memorial of sundry citizens of Newport, R. I., remonstrating against the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEE ON CLAIMS.

Mr. TRAMMELL, from the Committee on Claims, to which was referred the bill (S. 1546) for the relief of Katie Norvall, reported it without amendment and submitted a report (No. 126) thereon.

Mr. NEW, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 176) for the relief of John M. Francis (Rept. No. 127); and

A bill (S. 1456) for the relief of Rinald Bros., of Philadelphia, Pa. (Rept. No. 128).

FRANCIS NICHOLSON.

Mr. PHELAN. On June 2 I introduced the bill (S. 1313) for the relief of Francis Nicholson, and it was inadvertently referred to the Committee on Military Affairs. I ask that the Committee on Military Affairs be discharged from the further consideration of the bill and that it be referred to the Committee on Claims. It is the claim of a citizen and not a soldier.

Mr. WADSWORTH. I believe that change of reference should be made.

The VICE PRESIDENT. Without objection, it is so ordered.

OFFICIAL REPORTERS OF DEBATE.

Mr. SMOOT. From the Committee on Printing I report back favorably with an amendment Senate resolution 135 and I ask for its immediate consideration.

The Senate by unanimous consent proceeded to consider the resolution.

The amendment was to add at the end of the resolution the following:

Provided, That the contract heretofore made with said Theodore F. Shuey and the late Edward V. Murphy be considered as terminated by the death of the latter on July 16, 1919, and that said Theodore F. Shuey and said James W. Murphy be paid for service rendered in reporting the debates and proceedings of the Senate at the rate allowable by law for such service from July 17, 1919, inclusive to the date upon which this resolution is agreed to by the Senate.

So as to make the resolution read:

Resolved, That Theodore F. Shuey and James W. Murphy are hereby appointed official reporters for reporting the proceedings and debates of the Senate until further order of the Senate, subject to all the duties and obligations of the contract made with D. F. Murphy, deceased, late reporter of the Senate, and to the supervision and control of the Committee on Printing on behalf of the Senate in all respects therein provided, and to receive payment for such service according to law: *Provided*, That the contract heretofore made with said Theodore F. Shuey and the late Edward V. Murphy be considered as terminated by the death of the latter on July 16, 1919, and that said Theodore F. Shuey and said James W. Murphy be paid for service rendered in reporting the debates and proceedings of the Senate at the rate allowable by law for such service from July 17, 1919, inclusive to the date upon which this resolution is agreed to by the Senate.

The amendment was agreed to.

The resolution as amended was agreed to.

BRIDGE BILLS.

Mr. CALDER. I am directed by the Committee on Commerce to report back favorably sundry House bills authorizing the construction of bridges over navigable streams, and I ask unanimous consent for the immediate consideration of the bills.

From the Committee on Commerce I report back favorably without amendment the bill (H. R. 6805) to authorize the county of Dougherty, State of Georgia, to construct a bridge across the Flint River, connecting Broad Street, in the city of Albany, said State and county, with the Isabella Road, said county and State, and I submit a report (No. 124) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the county of Dougherty, State of Georgia, be, and it is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Flint River, at a point suitable to the interests of navigation, to connect Broad Street, in the

city of Albany, said county and State, with the Isabella Road, said county and State, and at or near the site of the present bridge, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. CALDER. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 6438) authorizing the counties of Aiken, S. C., and Richmond, Ga., to construct a bridge across the Savannah River at or near Augusta, Ga., and I submit a report (No. 122) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the counties of Aiken, S. C., and Richmond, Ga., be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Savannah River at a point suitable to the interests of navigation at or near Augusta, Ga., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. CALDER. From the Committee on Commerce, I report back favorably without amendment the bill (H. R. 5648) for the construction of a bridge across the Rainy River between Spooner, Minn., and Rainy River, Province of Ontario, Canada, and I submit a report (No. 120) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby given for the construction, maintenance, and operation by the State of Minnesota and the Dominion of Canada, jointly, of a bridge to be erected across the Rainy River, at a point suitable to the interests of navigation, between Spooner, Minn., and Rainy River, Province of Ontario, Canada, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906: *Provided*, That the construction of said bridge shall not be commenced until the consent of the proper authorities of the Dominion of Canada for the erection of the structure shall have been obtained.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. CALDER. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 5228) granting the consent of the Congress to the city of Minneapolis, a municipal corporation, to construct, maintain, and operate a bridge across the Mississippi River, and I submit a report (No. 119) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the consent of the Congress is hereby granted to the city of Minneapolis, a municipal corporation of the State of Minnesota, and its successors, to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, at or near the intersection of Franklin Avenue, in said city of Minneapolis, with the said Mississippi River, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. CALDER. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 6342) to authorize the construction of a bridge across the Pend Oreille River at the town of Usk, in the State of Washington, and I submit a report (No. 121) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That Pend Oreille County, State of Washington, its successors and assigns, be, and it is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Pend Oreille River at a point suitable to the interests of navigation at the town of Usk, in said county and State, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. CALDER. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 6692) to extend the time for the construction of a bridge across the White River, at or near Forsyth, Mo., and I submit a report (No. 123) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by the act of Congress approved April 8, 1918, to be built by the Forsyth special road district of Taney County, Mo., across the White River at or near Forsyth, Mo., are hereby extended one year and three years, respectively, from the date of approval hereof.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AMENDMENT OF WAR RISK INSURANCE ACT.

Mr. PENROSE. From the Committee on Finance I report back favorably without amendment the bill (H. R. 6450) to amend an act entitled "An act to amend an act entitled 'An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department, approved September 2, 1914,' as amended," and I submit a report (No. 129) thereon. I call the attention of the Senator from Iowa to the bill.

Mr. KENYON. Mr. President, I ask unanimous consent for the present consideration of the bill. It will require but a moment of time, I am sure.

The VICE PRESIDENT. Is there objection?

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That section 12 of an act entitled "An act to amend an act entitled 'An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department,' approved September 2, 1914, as amended," be, and is hereby, amended as follows:

At the end of subdivision H, section 12, insert: "Except in case of loss of both hands and both eyes, or in case of loss of both feet and both eyes, or in case of loss of both hands and both feet, in which cases there shall be an allowance of $100 per month for a nurse or attendant, the same in addition to the $100 per month allowed in this act for the loss of both feet, or both hands, or both eyes."

Mr. KENYON. Mr. President, I do not know that any explanation of the bill is necessary. It is to fit one case and only one case in the Army of a boy who has lost both eyes and both hands. As the law now stands, he would receive, I think, $150 or $157 per month. This bill proposes to add $100 to that amount. It is certainly a most meritorious matter.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RED RIVER BRIDGE.

Mr. EDGE. From the Committee on Commerce, I report back favorably, without amendment, the bill (H. R. 6434) authorizing the construction of a bridge and approaches thereto across Red River about 2 miles above its confluence with the Washita River, near Preston, Grayson County, Tex., and I submit a report (No. 125) thereon. I ask for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the Preston Bridge Co., a corporation, be, and it is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across Red River at a point suitable to the interests of navigation on the south bank of said river immediately north of Preston, in Grayson County, Tex., to a point immediately north of said beginning and located in Marshall County, Okla., and such point being about 2 miles west of the confluence of Red River with the Washita River near Preston, Tex., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. CUMMINS:

A bill (S. 2684) granting a pension to John J. Toulouse (with accompanying papers); to the Committee on Pensions.

By Mr. NUGENT:

A bill (S. 2685) for the relief of Anna J. Porter; to the Committee on Claims.

By Mr. SHEPPARD:

A bill (S. 2686) to establish standard weights and measures in the District of Columbia, to define the duties of the Superintendent of Weights, Measures, and Markets of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. KING:

A bill (S. 2687) granting an increase of pension to Elizabeth A. Cook; to the Committee on Pensions.

By Mr. PHELAN:

A bill (S. 2688) for the relief of James L. Vai; to the Committee on Claims.

A bill (S. 2689) granting a pension to John J. Callanan (with accompanying papers); to the Committee on Pensions.

By Mr. LODGE:

A bill (S. 2690) authorizing the appointment of a minister to Finland; to the Committee on Foreign Relations.

By Mr. CHAMBERLAIN:

A bill (S. 2691) to provide for universal military, naval, and vocational training, and for mobilization of the manhood of the Nation in a national emergency; to the Committee on Military Affairs.

By Mr. OVERMAN:

A bill (S. 2692) to amend section 24 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

By Mr. NEW:

A bill (S. 2693) to create a Department of Aeronautics, defining the powers and duties of the director thereof, providing for the organization, disposition, and administration of a United States air force, creating the United States Air Reserve Force, and providing for the development of civil and commercial aviation; and

A bill (S. 2694) for the relief of Paul Hubner (with accompanying papers); to the Committee on Military Affairs.

By Mr. WALSH of Montana:

A bill (S. 2695) granting a pension to Lucinda Harrington (with accompanying papers); to the Committee on Pensions.

By Mr. ELKINS:

A bill (S. 2696) granting an increase of pension to Harriet B. Hart; and

A bill (S. 2697) granting an increase of pension to James D. Compton; to the Committee on Pensions.

By Mr. NEWBERRY:

A bill (S. 2698) for the purchase of a site and the erection thereon of a public building at Flint, Mich.; to the Committee on Public Buildings and Grounds.

By Mr. SUTHERLAND:

A bill (S. 2699) granting an increase of pension to Vernon Beall; to the Committee on Pensions.

A bill (S. 2700) granting the consent of Congress to the D. E. Hewit Lumber Co. to construct and maintain a bridge across Tug River, connecting Martin County, Ky., and Mingo County, W. Va.; to the Committee on Commerce.

By Mr. KENYON:

A joint resolution (S. J. Res. 80) to authorize the President to convene the first meeting of the International Labor Conference in Washington and to appoint delegates thereto; to the Committee on Foreign Relations.

Mr. KENYON. Mr. President, I desire to state that the joint resolution has been introduced at the request of the Secretary of Labor.

ADDITIONAL COMPENSATION FOR SOLDIERS SERVING ABROAD.

Mr. TRAMMELL. I submit an amendment, in the nature of a substitute for the bill (S. 56), providing for additional compensation to persons serving in the military or naval forces of the United States during the war with the German Empire. I move that the amendment be printed and referred to the Committee on Military Affairs.

The motion was agreed to.

COMMITTEE ON FINANCE.

Mr. PENROSE submitted the following resolution (S. Res. 144), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Finance, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-sixth Congress to send for persons, books, and papers; to administer oaths; and to employ a stenographer, at a cost not exceeding $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

ROBERT A. MINOR.

Mr. KING. I ask unanimous consent for the present consideration of the resolution which I send to the desk.

The resolution (S. Res. 145) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of War report to the Senate whether or not Robert A. Minor, an American citizen, accredited as a war correspondent in the military zone in France, was arrested by military authorities of the American Expeditionary Forces for circulating seditious publications and propaganda among the soldiers of the American Expeditionary Forces, or for any other cause, and that if said Minor were arrested as aforesaid to report to the Senate the particular nature of the charges upon which he was arrested, and whether or not said Minor has been discharged from custody, and the reason therefor, if such action were taken.

BREWING, GERMAN, AND BOLSHEVIK PROPAGANDA.

Mr. NELSON submitted the following concurrent resolution (S. Con. Res. 6), which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed 4,000 additional copies of Senate Document No. 62, Sixty-sixth Congress, first session, entitled "Brewing and Liquor Interests and German and Bolshevik Propaganda," for the use of the Senate.

REPEAL OF DAYLIGHT-SAVING LAW.

Mr. CUMMINS. Mr. President, I wish to give notice that immediately after the address of the Senator from Louisiana [Mr. RANSDELL], scheduled to take place this morning, I shall ask for the consideration of the bill repealing one section of the daylight-saving law. I give the notice so that Senators may be advised of my desire in this respect.

TREATY WITH GERMANY—LEAGUE OF NATIONS.

Mr. GRONNA. Mr. President, I have a very brief letter, written by the officers of the Farmers' National Council. It is one, I think, of very great importance. I wish to say that it meets with my hearty approval, and I ask that it may be read and referred to the Committee on Foreign Relations.

FARMERS' NATIONAL COUNCIL,
Washington, D. C., July 30, 1919.

To Members of the United States Senate:

The discussion of the covenant of the league of nations and the peace treaty with Germany has deeply stirred the members of the farm organizations we have the honor to represent, and it is their judgment that the importance of the questions involved requires that the American people be given an opportunity to register their will on these documents, which involve their lives and their interests for years to come.

We therefore urge that Congress immediately enact the necessary legislation for an advisory referendum of every voter in the United States on the ratification by our country of both the covenant of the league of nations and the peace treaty with Germany. Such a referendum can not, without a constitutional amendment, be made binding upon your honorable body, but such an expression of public opinion will unquestionably have enormous weight and will reveal to you, to the President of the United States, and to all the world the desires of the people of this great country.

In our judgment, such a referendum should not be held earlier than the middle of October, so as to give full opportunity for the opponents and proponents of the covenant and the treaty to present their arguments for and against their adoption.

Respectfully submitted.

GEORGE P. HAMPTON,
Managing Director.
BENJAMIN C. MARSH,
Secretary.

GEN. PEYTON C. MARCH.

Mr. SMITH of Georgia. Mr. President, I have a letter from Maj. Gen. W. P. Duvall, retired, a very distinguished officer, on the subject of Gen. March. I desire to have it referred to the Committee on Military Affairs, and I would be glad to have it printed in the RECORD.

There being no objection, the letter was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

BOSTON, *June 21, 1919.*

TO UNITED STATES SENATOR HOKE SMITH,
Washington.

MY DEAR MR. SENATOR: Because sometime in the past 18 months you honored me by stating your confidence in my opinion on things military, and quite unsolicited gave me permission to address you on such subjects, I am going to take the liberty for the first time of offering you my professional opinion upon a mattter in which I hope you will interest yourself for the good of the service, viz, the granting of suitable reward and honors to the Chief of Staff of our victorious Army.

Of Gen. Pershing's title to the recognition proposed by the President I need not speak to you, for the brilliant results accomplished by the commanding general in the field are plain to everybody, and can not be gainsaid by enemies or even ignored by the thoughtless, thus differing from the work of the Chief of Staff, which is little appreciated by laymen, and is only too likely to incur for him the enmity of those who feel a personal antagonism for the war-time rigors of military methods.

In this connection I can well understand that March's characteristic conciseness of diction and brevity of expression in both written and spoken intercourse might give offense to those who do not know the man, but this very failing, if you would call it so, is indicative of his power. He is habitually intensely concentrated, instinct with energy always unerringly

and sharply directed. He can do and does do more work in a given time than any other three of four men, working in tandem, that I have ever known. I have observed him ever since he was a second lieutenant—in the regiment, in the artillery school, in the United States Volunteers, in campaign in the Philippines, and in the General Staff, where, when it was first organized (in 1903), he was in a division of which I was the head and in which Capts. Pershing and Dickman were also serving.

Knowing well his qualifications, as compared with those of all other officers of general rank, I say unhesitatingly that not only in ability to accomplish valuable work but in the amount of such work actually accomplished in this war he stands pre-eminent.

We are already beginning to forget the relief and amazement felt in this country and throughout the allied world at the size of the American force assembled in France for the summer campaign. Who accomplished this miracle? March, who was thus the author of Pershing's magnificent success. I do not believe there is another man in the Army who could have done what March did, and I say this from the standpoint of an old officer who has taken unmeasured delight in seeing come to the top in the test of war so many of the younger men whom I in former years had picked out and recommended for various advancements. March, in my opinion, though junior to many, always stood at the head of them all.

From my long experience and seasoned knowledge of the tone and spirit of the Army I wish to say to you, Mr. Senator, that whether March is at the moment popular or not in political or military circles, there can be no doubt that to reduce his rank in the face of his tremendous achievement would be a most disheartening precedent for all those in the profession capable of the sort of mental grasp, fearless decision, and energetic action necessary to military safety; the Army could but know that even consummate military skill is not sure of reward.

Finally, dear Mr. Senator, let me beg of you, for the welfare of the Army, to exert your powerful influence against the threatened denial of the fair reward intended by the President in nominating to the grade of General this great Chief of Staff.

With high regard, I am, very sincerely yours,

WM. P. DUVALL,
Major General, retired.

TAXATION FOR FEDERAL PURPOSES.

Mr. NORRIS. Mr. President, I have here an article printed in the Central Law Journal by H. Halderson on the question of taxation for Federal purposes. It seems to me that it presents, and in a very few words, something that is worthy of careful consideration. I ask that it be printed in the RECORD and referred to the Committee on Finance.

There being no objection, the letter was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

TAXATION FOR FEDERAL PURPOSES.

"Taxation for Federal purposes has touched the bank account of the average substantial citizen, and this has impelled him to think about the big subject of national finance. There is probably not a precinct in the United States where this question is not discussed by the average voter. The reverse was true five years ago.

"There seems to be a feeling that the present system is inadequate, and to remedy the defect this suggestion has been made: Amend the Constitution of the United States by repealing or changing the provisions therein prohibiting capitation and direct taxes.

"This change will permit a direct tax on real and personal taxable property for Federal purposes, to be levied and collected (in peace and war) in connection with State and municipal taxes.

"It is indeed a wonder and humiliation that this change was not brought about 50 years ago. If we strike out the capitation and direct tax clauses and authorize a general tax on property, Congress, having before it the assessed valuation and the amount necessary to be raised, could provide money for any emergency by making a levy. Such levy could be made, figuratively speaking, in five minutes. The proceeding would be just as simple and short as the proceedings of a school board or a board of county commissioners making a levy for the ensuing year. This Federal tax would go on to the tax books like county, school, and municipal taxes, and would be collected by the county treasurer in the same manner. The expense would be nominal instead of over $10,000,000. Instead of an army of tax collectors, now consisting of about 9,000 men, a nominal force only would be required.

"This plan of Federal revenue would be fixed and permanent, ready to be put in operation at any time by congressional levy.

"Aside from the appealing simplicity and practicability of the plan, a convincing way to sustain this suggestion, coming from the average voter, is to state the facts as to the origin of the capitation and direct tax provisions. It has been historically and judicially determined that there were two reasons why they were adopted: First, to protect the slave and plantation owners from a tax that would destroy slavery; second, to avoid a possible unjust tax against States through taxation of land by the acre or according to value, many States having at that time within their practically unknown boundaries vast tracts of unsurveyed land of little or at least unknown value.

"Slavery was abolished over 50 years ago, and every foot of land, figuratively speaking, is now surveyed and on the assessment roll at a fixed value.

"Overstatement is a common offense, but it would be almost fair to say that since the removal of the reason for these direct-tax clauses they have served an evil and destructive purpose—have been to the Constitution as a rotten, absorbing tooth is to the human system. These clauses in the Constitution have been a bar against the establishment of a fixed and dependable system or plan of raising revenue for Federal purposes. Every exigency or change of internal conditions has called for a new 'revenue law.' And the same policy must continue unless the Constitution is changed in this respect.

"Here is a partial list of past revenue measures: Act of Congress, July 14, 1798; act of Congress, August 7, 1813; act of Congress, January 19, 1815; act of Congress, February, 1815; act of Congress, March 5, 1816; act of Congress, August 5, 1861; act of Congress, June 7, 1862; revenue law, 1888; revenue law, 1913; revenue law, 1916; revenue law, 1917; revenue law, 1918–19.

"The pendency of every revenue measure provokes unsettled and interrupted conditions in every line of business of incalculable harm to the general welfare; and the framing and passage of these laws each time requires from two to about seven months. The debates attending the consideration of these measures display the versatility of the human mind and are very interesting, but the expense is unnecessary.

"The excise feature of the 1918–19 revenue law, for instance, is wholly arbitrary. If a laborer, eating his lunch on a mortar box, is taxed on a thermos bottle containing his coffee, why should he not pay on the coffee pot that it was boiled in; if his wife is taxed on talc powder for the baby, why not on napkins for the baby (both equally essential)? If the footpad is taxed 100 per cent on a brass knuckle (1918–19 law), he ought to be prohibited by law from using a coupling pin or other thing not taxed for criminal purposes. If a tax on insurance policy, why not on meal tickets?

"Illustration might be carried on without end, but it is not necessary. The point is that no living statesman, or group of statesmen, can make such a law without being arbitrary and unjust. The inherent nature of the plan is such that it can not be based on equity. The law is there because Members of Congress had to raise the money in some way.

"The system is wasteful. Every time the Nation's pulse beats, a new law is necessary. And each time the situation is attended with business suspense and readjustment and reorganization as to the system and plan of collection.

"On December 1, 1917, W. G. McAdoo transmitted a letter to the House of Representatives stating the appropriation necessary for expenses in collecting revenue under the law up to June 30, 1919. The amount was $10,224,627.68. The number of men employed to do this work was 6,709. Under the 1918–19 revenue law it will probably require $15,000,000 and about 9,000 men.

"The burden on the business of the country, in the way of extra bookkeeping, accounting, returns, reports touching revenue on drugs, stocks, admission tickets, railroad tickets, documents, etc., is stupendous and unbearable. Hundred of millions of dollars not accruing to the Government are spent in this way—an extra and unnecessary expense.

"It is not argued that this direct-tax plan should be made the exclusive source of Federal revenue. Possibly certain excise taxes and income tax and tariff for revenue and economic purposes might be properly retained; but the main, steady, and permanent source should be the direct-tax plan.

"For 30 years the sheriff of Cherry County, Nebr., drove about 90 miles each year to personally notify a man to come to the county seat to serve as a juror in the district court. Six or eight years ago some one who could see the humor and travesty of the thing wrote to members of the legislature suggesting a law for notifying jurors by registered mail. This was promptly done. It is claimed that this tax proposition is just as simple, and the obvious and crying necessity of the change is hardly debatable.

"The history of the litigation touching the subject of direct taxes is full of interest and is fully discussed in the cases cited in the note hereto. (The leading cases are: Hylton *v.* United States, 3 Dallas, 171 (1796); Pacific Insurance Co. *v.* Soule, 7 Wall., 433 (1868); Veazie Bank *v.* Fenne, 8 Wall., 533 (1869); Springer *v.* United States, 23 Wall., 586 (1880); Pollock *v.* Farmers, etc., 158 U. S., 601 (rehearing, 1895).)

"H. HALDERSON.

"NEWMAN GROVE, NEBR."

LEAGUE OF NATIONS.

Mr. SPENCER. Mr. President, I have a short article by Mr. Walter H. Nohl, of the St. Louis bar, looking at the league of nations from a new standpoint. If there is no objection, I ask that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOW GROWTH OF POWER IN LEAGUE MIGHT BE THE UNDOING OF UNITED STATES—AN INTERESTING STUDY OF THE COVENANT BASED UPON A CONDITION DEVELOPED IN OUR OWN COUNTRY UNDER THE CONSTITUTION.

(By Walter H. Nohl.)

"Serious consideration of the constitution of the league of nations involves its ambiguity. Running through the instrument from its preamble to its last article is found the necessity for construction and interpretation. Innumerable editorials, news paragraphs, and magazine articles indicate a multitude of different notions entertained by a vast number of individuals regarding the intent and meaning of the provisions of the covenant. President Wilson's address to the Senate on the league of nations did not lessen in the slightest degree the uncertainty and indefiniteness of its vague and ambiguous language.

"To many the language of the Constitution of the United States is fairly clear and certain. Keeping in mind the purposes and objects of the respective instruments, let it be suggested to the reader to compare the two documents to determine in a general way the degree or extent of the ambiguous language of each. We know the rules of construction have been applied steadily to the Constitution of the United States for over 100 years, and that within the last few years an astonishing degree of range and extent with reference to certain legislation has been attributed to its scope and power. The conclusion is therefore quite irresistible that the ambiguity of the league of nations covenant will require the maximum degree of construction and interpretation.

"The intention and the objects aimed at in the covenant, being the fundamental inquiry in the construction, will control the interpretation of the language of the covenant. Its language, capable of more than one meaning, is to be taken in that sense which will harmonize with such intention and objects to give effect to the purpose of the instrument. The language of the covenant is so very little free of ambiguity that resort is to be had to the principle that the spirit of the covenant controls the letter, and it will be so construed to advance the intention and objects contemplated by the peace conference, namely, to strengthen the power of the body charged with the duty of preserving the peace of the world. Undoubtedly every construction and interpretation will be calculated to render the covenant effectual and capable of powerful operation.

GENERAL TREND TO CENTRALIZED POWER.

"To give force and effect to its provisions the general trend of the constructions and interpretations must be toward centralized power. It is impossible to consider constructions and interpretations tending toward weakness and lack of strength without a contemplation of its utter disintegration and failure as a covenant.

"The magnitude of the purpose and object of the covenant is such that it must take over the necessary power to attain results for which it was created. And every bit of power it gains through each construction or interpretation is so much power vested in the covenant at the expense of and divested from the power now lodged in our Constitution of the United States. This, of course, also applies to the other nations constituting the league of nations. And in this manner the covenant will develop into a superconstitution, whose increase of power and authority will diminish the power, rights, and sovereignty of the United States Government.

"The development of the power of the Federal Government of the United States under our Constitution at the expense of the States constituting the Union is the best indication and guide at our service, at this time, to give us an understanding as to what the relation of the United States to the league of nations will eventually be. If the league of nations covenant will endure, it will be because of its strength and growth of power, just as our own Constitution developed. Should the covenant live as long as our Constitution, 125 years and more, then the United States Government will stand in comparison to the supercovenant, in point of power and sovereignty, as Missouri now stands compared to the United States Government.

THE RAPID GROWTH OF FEDERAL JURISDICTION.

"This transfer of governmental power from the various States to our Federal Government has been going on, notwithstanding reservations that were deemed strong and sufficient. Where in the covenant does one find stronger reservations than contained in our National and State Constitutions? Reservations do not appear to be nearly as important as the application of the rules of construction and interpretation. The idea of this growth toward centralization in governmental power is expressed by a law-book publisher in a very late work. The editor says:

"Within the last few years the field of Federal legislation has broadened so greatly that a copy of the Statutes of the United States is as essential a part of a lawyer's equipment as the statutes of his own State. Moreover, every citizen is affected by congressional legislation.

"Another way of showing the relation of Federal and State laws to our everyday affairs is by the use of the words 'interstate' and 'intrastate.' All of us hear, read, and say 'interstate' perhaps a hundred times more than 'intrastate.' And if the lessons of our experience and growth as a Nation will apply to the covenant, then we may prepare ourselves to hear, read, and say the word 'international' instead of 'interstate.'

"As important as any other phase of construing and interpreting the covenant is the consideration regarding the nature, training, and understanding of the individuals whose minds will perform said functions for the respective Governments, and the place, atmosphere, time, environment, and conditions attending such constructions and interpretations. In the case of the United States the process of the Federal Government absorbing so much power at the expense of the various States aroused, as a rule, no unusual suspicion or question, perhaps other than academic, and as expressed at times in the various State political platforms.

WHY THE PEOPLE DIDN'T GRUMBLE.

"Undoubtedly, the explanation is that everybody felt and understood that, after all, duly qualified and elected American citizens would continue to legislate, govern, and construe as Americans for Americans, whether as individual States or as a union of States. The proposition was and remained one purely American. And when I say American I mean in the restricted sense, namely, citizens of the United States.

"But circumstances alter cases, and our lessons and theories derived from our own governmental experience will not fit the covenant of the league of nations constituted by kingdoms, constituted monarchies, limited monarchies, principalities, in part, and made up of all manner of peoples, languages, customs, laws, habits, and religions. And it would seem wise to so amend the proposed covenant that the operation or application of the rules of construction and interpretation can not diminish our national power and sovereignty in favor of an international covenant at the expense of the United States Government, particularly so since most of the other members of the league are hardly our equals in point of national intelligence, experience, ability, and unselfishness, even though they, or some of them, may be our superiors in crafty statesmanship."

TRANSFER OF SHANTUNG TO JAPAN.

Mr. WARREN. Mr. President, I have a short telegram from a prominent merchant of my State, which I ask may be read.

There being no objection, the telegram was read, as follows:

EVANSTON, WYO., *July 29, 1919.*

Hon. FRANCIS E. WARREN,
United States Senate, Washington, D. C.:

Meeting of Chinese residents in this city yesterday instructed me to wire you our protest against transfer of Shantung Province to Japan. We, who are American citizens, implore you to prevent this outrage so we may continue to retain our self-respect among the Chinese who look to America for protection of the oppressed.

L. K. WONG.

The VICE PRESIDENT. Is not this in violation of the rule, it not being from a citizen of the United States?

Mr. WARREN. I will say that Mr. Wong is a citizen of the United States.

The VICE PRESIDENT. A Chinese citizen?

Mr. WARREN. No; a citizen of the United States. He formerly came from China, of course. I ask that the telegram may be referred to the Committee on Foreign Relations.

The VICE PRESIDENT. It will be so referred.

RACE RIOT IN CHICAGO, ILL.

Mr. McKELLAR. Mr. President, lest we forget!

I desire to put into the RECORD the following excerpts taken from an account of the race riot in Chicago, Ill., published in the Washington Post on yesterday, July 30, 1919.

The first of these excerpts I read as follows:

BEATEN, STABBED, SHOT, AND BURNED.

A fatal affair also took place in the West Side Italian district, where a negro was knocked from a bicycle, beaten, stabbed, wounded with 16 revolver bullets, and, after death had relieved him, gasoline was poured on his body and set afire. The corpse probably will never be identified.

This negro was charged with no crime. This was in the State of Abraham Lincoln; this was in Chicago, the home of the Chicago Tribune. Comment is unnecessary.

I further quote:

Hundreds of negroes, many carrying personal possessions and some without baggage, joined in an exodus to-day. The majority of them, chiefly in family groups, bought railroad tickets for Memphis and Nashville.

Comment is again unnecessary.

CALIFORNIA OIL PRICES.

Mr. PHELAN. Mr. President, I ask unanimous consent for permission to have printed in the RECORD a letter written to the Washington Post by Alfred Holman, editor of the San Francisco Argonaut, on the subject of California oil, the matter which is now before the Senate.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CALIFORNIA OIL PRICES—A PRESENTMENT OF FACTS BY EDITOR OF THE ARGONAUT.

"EDITOR OF THE WASHINGTON POST: I beg leave to present through your columns certain facts which should aid those who, in and out of Congress, are seriously desirous of knowing the truth about the oil situation in California, now under discussion in the Senate. Presentments made on Monday represent a view of conditions so biased and confused as to be misleading. It is made to appear that prices of oil on the Pacific coast have been doubled or quadrupled under the 'war demand,' and that the producers and operators in oil represent the profiteering vice in its most open and shameless form. As a Californian fairly familiar with the general facts of the situation, I know these views to be mistaken; and, with your permission, I will set forth certain facts in proof.

"When the United States entered the war, in April, 1917, the wholesale market price of fuel oil in San Francisco was $1.30 per barrel. At a range of prices based upon this rate for fuel oil, petroleum products were in strong commercial demand, the supply not being greater than the consumption for ordinary uses. One railroad company, consuming annually a total of approximately 14,000,000 barrels of fuel oil (588,000,000 gallons), supplied its demands at these prices, and the same with other wholesale consumers. Prices were defined by the commercial balance of demand in relation to supply, and there was no criticism of them as extortionate or unreasonable.

"Upon our entrance into the war there came an increased demand for oil, largely upon industrial account, in part under direct governmental requirements, chiefly the former. Under increased demands the reserve or stored oil supply in California declined to such an extent that the Fuel Administration of the Government became apprehensive of an oil famine, or of some approach to it. With the purpose of promoting production, the Federal authorities asked the marketing oil companies in the various oil fields of the United States, including California, to advance the price to producers at the wells to the extent of 25 cents per barrel. Thus the price of fuel at the California wells (300 miles inland) was advanced from 98 cents per barrel to $1.23 per barrel. The immediate effect was an advance in the commercial rate at seaboard to $1.60 per barrel. At this rate since midsummer, 1918, 94 per cent of the oil produced in California has been sold in open market to ready buyers. Four per cent of the total California product has been taken by the Navy Department under special circumstances and at prices which have yet to be adjusted.

"These statements of fact, all easily subject of verification, disprove current assertions on the floor of the Senate and elsewhere of 'recent,' 'revolutionary,' and 'extortionate' movements in the California oil market. From the date of our entrance into the war until this time the advance in the wholesale market price of fuel oil at the California seaboard has been 30 cents per barrel; and for this increase the urgent recommendation of the Fuel Administration as above set forth accounts to the extent of five-sixths. To-day the marketing oil companies of California are paying $1.23 per barrel at the wells for a product which they are selling at the California seaboard at $1.60.

"There is obvious confusion in certain minds between oil prices on the Atlantic and on the Pacific coast. In truth, the two have no relation to each other, the conditions being fundamentally and essentially different. During the war prices for oil in the Atlantic market have been very much higher than in California. In recent months or weeks Atlantic prices have fallen off greatly, under circumstances easily understandable. There has been no relative decline on the Pacific coast, because the conditions have neither imposed nor justified it. There the supply does not more than equal the consumptive demand. Whereas since the armistice the eastern market is glutted with cheap Mexican oils, there is no material change in conditions on the Pacific. Within recent months there has been a relatively slight increase in the reserve or stored oil supply in California tanks, but the reserve stock is still far below what it was in 1916 and barely above the line of safety as defined by current requirements for general industrial purposes.

"It is true that there are consumers on the Pacific coast who protest against current prices for oil precisely as there are those who protest current prices for potatoes and shoes. If oil prices were one-half of what they are, there would still be those to protest. But prices as they stand to-day on the Pacific coast simply reflect the regulating force of commercial supply and demand. The value of any article is what it will sell for in a free and open market, and the oil market on the Pacific coast is both free and open. At prices as established by the balance of supply and demand, 96 per cent of the oil product of California is sold to ready buyers.

"ALFRED HOLMAN.

"WASHINGTON, *July 29, 1919.*"

TREATY WITH COLOMBIA.

Mr. NORRIS. Mr. President, the Committee on Foreign Relations has reported to the Senate the treaty with Colombia, which I understand is to be taken up for consideration on Monday. For the convenience of the Senate it seems to me that the treaty ought to be printed, showing, as in the case of reported bills, the suggested amendments of the committee. I therefore ask unanimous consent that the treaty be printed as a document so as to show, in the usual way, the proposed amendments.

The PRESIDING OFFICER. Is there any objection to the request of the Senator from Nebraska?

Mr. ASHURST. The Senator stated that the treaty would be taken up on Monday. I assume that it will not be voted upon on Monday.

Mr. NORRIS. Probably not.

Mr. ASHURST. I should like to have an understanding that it is not to be voted upon on Monday.

Mr. NORRIS. Of course, I am not able to give the Senator any guaranty. I am not in charge of the treaty, but I have no idea that it will be voted upon on Monday.

Mr. ASHURST. I shall have to be absent on Monday.

The PRESIDING OFFICER. If there is no objection, the request of the Senator from Nebraska will be granted. The Chair hears none.

HOUSE BILLS AND JOINT RESOLUTION REFERRED.

H. R. 5418. An act increasing the pay of printers and persons employed in the Government Printing Office, and for other purposes, was read twice by its title and referred to the Committee on Printing.

The following bills and joint resolution were read twice by their titles and referred to the Committee on Immigration:

H. R. 6750. An act to deport certain undersirable aliens and to deny readmission to those deported;

H. R. 7930. An act to provide for the treatment in hospital of diseased alien seamen; and

H. J. Res. 163. Joint resolution authorizing the Secretary of Labor to lease the Charleston immigration station and dock connected therewith.

COMMERCIAL FEEDS FOR ANIMALS.

Mr. NORRIS. Mr. President, I desire to call up Senate resolution No. 140, submitted by me on the 29th instant, which went over on Tuesday last on the suggestion of the Senator from Utah [Mr. KING]. I think that Senator has no further objection to the resolution, and I ask unanimous consent for its immediate consideration.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Federal Trade Commission be, and it is hereby, instructed to make an investigation of the manufacture and sale of commercial feeds for animals; such investigation to include the gathering of statistics as to the supply of the various commodities which are used for animal feeds, together with the fluctuation in the prices of these commodities, the extent to which these commodities are converted into concentrated food by manufacturers; what combinations or understandings, if any, exist between the feed manufacturers and wholesale feed dealers and retail feed dealers; and what fraud, if any, is practiced by dealers in the way of misbranding or using inferior substitutes in mixed feeds.

Resolved further, That the Secretary of Agriculture be, and he is hereby, directed to cooperate with the Federal Trade Commission in this investigation.

CIRCULATION OF CURRENCY.

Mr. MYERS. Mr. President, I ask that Senate resolution 142, coming over from the last legislative day, be laid before the Senate.

The VICE PRESIDENT. The Chair lays before the Senate the resolution submitted by the Senator from Montana on the 29th instant, coming over from a previous day, which will be read.

The Secretary read the resolution (S. Res. 142), as follows:

Whereas on the 22d day of July, 1919, the Secretary of the Treasury, in response to an inquiry of the Senate, sent to the Senate the following communication:

TREASURY DEPARTMENT,
Washington, July 22, 1919.

SIR: In compliance with a resolution of the Senate of the United States of July 8, 1919, transmitted to me by the Secretary of the Senate under date of July 9, I submit the following:

Under the act approved May 30, 1908, commonly known as the Aldrich-Vreeland Act, as amended, additional or emergency currency was issued, beginning on August 4, 1914, in amount $382,502,645. All of this additional circulation was retired before the close of the calendar year 1915. Authority for the issue of such additional or emergency currency expired by limitation on June 30, 1915.

No emergency currency has been issued by the Federal reserve banks. However, such banks have issued Federal reserve bank notes and Federal reserve notes in accordance with the provisions of law and under the general supervision of the Federal Reserve Board. None was outstanding August 1, 1914. The amounts of such notes in circulation on July 1, 1919, were:

Federal reserve bank notes	$163,682,696
Federal reserve notes	2,493,992,462

The Treasury Department has no intention, nor, indeed, the power, to retire or withdraw from circulation any thereof, nor, as I am advised, has the Federal Reserve Board. The Federal Reserve System was devised to create an elastic currency which would expand and contract automatically in accordance with the requirements of business. Any reductions in the amounts of Federal reserve notes outstanding will be in accordance therewith. Federal reserve bank notes, for the most part, have been issued to replace silver certificates canceled and retired in accordance with the provisions of the act of April 23, 1918.

I transmit herewith a copy of the Treasury Department circulation statement for August 1, 1914, and July 1, 1919, showing the amount of money of the United States in circulation on the respective dates. Data are not available in the department with respect to the amount of money in circulation in the Territories and possessions of the United States.

Respectfully,

CARTER GLASS,
Secretary of the Treasury.

THE PRESIDENT OF THE UNITED STATES SENATE,
Washington, D. C.

And whereas in connection with the said communication the Secretary of the Treasury did transmit to the Senate the following tables and statements, to wit:

Circulation statement, Aug. 1, 1914.

	General stock of money in the United States.		Held in Treasury as assets of the Government.[1]	
	July 1, 1914.	Aug. 1, 1914.	July 1, 1914.	Aug. 1, 1914.
Gold coin (including bullion in Treasury)	$1,890,678,304	$1,887,270,664	$195,381,761	$230,891,204
Gold certificates[2]			45,520,740	49,660,150
Standard silver dollars	565,834,263	565,840,263	4,670,087	8,701,521
Silver certificates[2]			11,387,624	12,555,662
Subsidiary silver	182,315,863	182,447,433	22,052,188	22,318,627
Treasury notes of 1890	2,439,000	2,433,000	11,942	12,981
United States notes	346,681,016	346,681,016	7,841,373	9,677,117
National-bank notes	750,671,899	750,907,021	32,586,262	34,393,205
Total	3,738,620,345	3,735,579,397	319,451,977	368,210,467

	Money in circulation.			
	July 1, 1914.	Aug. 1, 1914.	Aug. 1, 1913.	Jan. 1, 1879.
Gold coin (including bullion in Treasury)	$614,321,674	$632,332,591	$606,015,613	$96,262,850
Gold certificates[2]	1,035,454,129	974,386,719	1,000,560,414	21,189,280
Standard silver dollars	70,314,176	69,981,742	72,173,431	5,790,721
Silver certificates[2]	479,462,376	474,601,338	470,578,117	413,360
Subsidiary silver	160,263,675	160,128,806	155,408,145	67,982,001
Treasury notes of 1890	2,427,058	2,420,019	2,640,639	
United States notes	338,839,643	337,003,899	338,623,763	[3] 310,288,511
National-bank notes	718,085,637	716,513,816	710,891,001	314,339,398
Total	3,419,168,368	3,367,368,930	3,356,891,123	816,266,721

[1] This statement of money held in the Treasury as assets of the Government does not include deposits of public money in national-bank depositaries to the credit of the Treasurer of the United States, amounting to $55,172,211.78. For a full statement of assets see public debt statement.

[2] For redemption of outstanding certificates an exact equivalent in amount of the appropriate kinds of money is held in the Treasury, and is not included in the account held as assets of the Government.

[3] Includes $33,190,000 currency certificates, act of June 8, 1872.

Population of continental United States Aug. 1, 1914, estimated at 99,168,000; circulation per capita, $33.96.

Circulation statement, July 1, 1919.

Circulating medium.	I. General stock of money in the United States.[1]		II. Held in the Treasury as assets of the Government.[2]		III. Held by Federal reserve banks and Federal reserve agents against issues of Federal reserve notes.[3]	
	July 1, 1919.	July 1, 1918.	July 1, 1919.	July 1, 1918.	July 1, 1919.	July 1, 1918.
Gold coin (including bullion in Treasury)	$3,095,077,467	$3,076,482,515	$360,604,070	$245,602,753	[4] $813,882,860	$686,838,455
Gold certificates					205,417,280	208,278,320
Standard silver dollars	308,978,930	499,681,959	55,718,347	38,685,508		
Silver certificates						
Subsidiary silver	243,235,661	232,147,364	11,087,825	14,940,804		
Treasury notes of 1890						
United States notes	346,681,016	346,681,016	13,742,472	6,744,783		
Federal reserve notes	[5] 2,687,556,985	1,847,580,445	44,265,463	29,982,400	149,299,060	106,186,350
Federal reserve bank notes	187,666,980	15,444,000	23,984,284	100,025		
National bank notes	719,276,732	724,205,485	69,445,582	20,068,477		
Total	7,588,473,771	6,742,225,784	578,848,043	356,124,750	1,168,599,200	1,001,303,125

[1] Includes gold held in the Treasury for the redemption of outstanding gold certificates ($747,637,008, and Federal reserve gold settlement fund, $1,415,019,699.10 on July 1, 1919) and standard silver dollars held in the Treasury for the redemption of outstanding silver certificates and Treasury notes of 1890 ($171,684,233 on July 1, 1919). Amounts of Federal reserve bank notes and national bank notes are amounts issued by Treasury to banks.

[2] Includes the gold reserve fund held against issues of United States notes and Treasury notes of 1890 ($152,979,025.63 on July 1, 1919), and the gold or lawful money redemption funds held against issues of national bank notes, Federal reserve notes, and Federal reserve bank notes ($227,079,873.65 on July 1, 1919). Does not include deposits of public money in Federal reserve banks, national banks, and special depositaries ($1,090,069,711.15 on July 1, 1919), nor does it include funds held in trust in the Treasury for the redemption of outstanding gold and silver certificates and Treasury notes of 1890. (See Column I.) For a full statement of Treasury assets and liabilities see daily statement of the United States Treasury and monthly financial statement.

[3] Includes the gold reserve held by banks against issues and gold or other funds deposited by banks with agents to retire Federal reserve notes in circulation and own Federal reserve notes held by Federal reserve banks.

[4] Includes $799,301,860 credited to Federal reserve agents in the gold settlement fund deposited with Treasurer of the United States.

[5] Includes own Federal reserve notes held by Federal reserve banks.

Circulation statement, July 1, 1919—Continued.

Circulating medium.	IV. Money in circulation.[1]			
	July 1, 1919.	July 1, 1918.	June 1, 1919.	Jan. 1, 1879.
Gold coin (including bullion in Treasury)	[2]$1,172,953,529	$1,107,531,243	$1,100,256,283	$96,262,850
Gold certificates	542,219,728	828,231,744	580,784,981	21,189,280
Standard silver dollars	81,576,350	77,341,545	81,784,757	5,790,721
Silver certificates	169,939,003	381,806,776	179,641,852	413,360
Subsidiary silver	232,147,836	217,206,560	231,365,105	67,982,601
Treasury notes of 1890	1,745,230	1,851,130	1,757,932	.....
United States notes	332,938,544	339,936,233	334,227,367	310,288,511
Federal reserve notes	2,493,992,462	1,711,411,695	2,506,177,517	.....
Federal reserve bank notes	163,682,696	15,343,975	155,966,904	.....
National bank notes	649,831,150	704,137,008	662,305,514	314,339,398
Total	5,841,026,528	5,384,797,909	5,834,268,212	816,266,721
Population of continental United States estimated at	107,600,000	105,869,000	107,455,000	48,231,000
Circulation per capita	$54.28	$50.86	$54.29	$16.92

[1] Amounts of various kinds of money in circulation determined by deducting from the appropriate item in the general stock of money (Column I) the amount held in the Treasury as assets of the Government (Column II) and the amount held by Federal reserve banks or Federal reserve agents against issues of Federal reserve notes (Column III). Gold and silver certificates and Treasury notes of 1890 in circulation are represented in the general stock of money by equal amounts of gold coin or bullion and standard silver dollars held in Treasury for their redemption. (See Column I.) Amounts of Federal reserve bank notes and national bank notes are amounts of issues by Treasury to banks less amounts held in Treasury as assets of the Government.

[2] Includes $615,717,839.10 credited to Federal reserve banks in the gold settlement fund deposited with Treasurer of the United States.

And whereas it appears therefrom that the amount of money in circulation in the United States is nearly twice what it was, in volume and per capita, five years ago: Now, therefore, be it

Resolved, That the aforesaid communication of the Secretary of the Treasury and the accompanying tables and statements be, and are, referred to the Committee on Banking and Currency, and that that committee is hereby directed to consider the same and all thereof and to report to the Senate whether or not it is advisable for Congress to enact any legislation to provide for a gradual reduction of the amount of money in circulation; and if so, to report what legislation it deems necessary, expedient, or advisable to bring about some gradual reduction of the amount of money in circulation and to what extent and how rapidly such reduction should be had and what may be the views of the committee in general in the premises.

Mr. MYERS. Mr. President, this communication from the Secretary of the Treasury discloses that there is now in circulation in this country nearly twice the amount of money, in volume and per capita, that there was five years ago. Official statistics also show that the cost of living now is nearly twice what it was five years ago. The increase of money in circulation was originally occasioned, of course, by the outbreak of the European war, and was greatly accelerated by our entrance into the war. Undoubtedly it was necessary during the war. It is one of the workings of our admirable banking and currency law which serves an excellent purpose. It was intended that the law should work an expansion of our currency when needed and in time of war it was needed; but whether or not this state of affairs should be allowed to continue permanently in time of peace is a problem. If it should not be allowed to continue in time of peace, and if it be proper to retire some of the emergency currency, how soon and to what extent and by what method that should be brought about are puzzling questions. The communication of the Secretary of the Treasury does not indicate that there is to be any diminution in the amount of money in circulation in the near future and does not suggest any method by which that result may be brought about.

I think the volume of money in circulation is intimately connected with the cost of living, and I think the high cost of living in this country is having a ruinous effect in a number of ways. It has just about ruined the street railway systems of the country. Nearly every street railway in this country is either in bankruptcy or on the verge of bankruptcy; nearly all are being operated at a loss; and apparently they can get no relief. Owing to the rising cost of living, every once in a while the employees of the street railway companies demand an increase of wages; instantly there is a popular and universal clamor that the increase must be granted, and the street railway companies are faced with the alternative of granting the increase or having on their hands a ruinous strike. As a result they generally grant the increase. The increase, however, is no sooner granted, as a rule, than those who sell goods to street railway employees increase the prices of their goods. Then in a little while there must be another increase of wages, followed by another increase in price of the necessities of life. Thus an endless chain is put in operation. It works automatically.

Meantime cost of material has gone up; the price of everything the street railways have to use has increased greatly, and yet when the street railway companies ask city councils or State utility commissions or boards for the privilege of increasing their fares somewhat there is a popular clamor against it and the request is generally denied. As a consequence the street railway companies of the country are facing ruin, and some of them are already ruined.

A similar situation is apparent also in the case of the steam railways of the country. The wages of railway employees have been greatly increased of late years, and for the increase the people have to pay; passenger and freight rates are increased correspondingly to cover the increase in wages. I have seen a statement in the newspapers lately, coming from officials of some of the brotherhoods of railway employees, that if the cost of living continues to increase the employees will soon have to have another increase in wages. If they demand it they will probably get it under those circumstances, and then freight and passenger rates will have to be increased in order to meet the increase of wages. So there is another endless chain, and the people have to pay it all in the end.

Very recently the mining companies in Butte, Mont., have granted an increase of wages to their employees, an increase of $1 a day to all alike. That increase was only granted five or six days ago; in fact, it has not yet been accepted by all the unions; and yet I read in Montana newspapers that the bakers in Butte, Mont., have already served notice that they will immediately increase the price of bread 25 per cent, and it is reported that nearly everything else in the way of the necessities of life in that city is being increased correspondingly, and there is a great deal of dissatisfaction about it. So there is another endless chain. It is impossible to see where this process will end. We know that an inflated currency inflates prices; but if this process keeps on going the way it is now operating prices in their inflation are going to outstrip even the abnormal inflation of the currency.

I am not a financial expert, but we have in this body those who are—those who have long served on the Senate Committee on Banking and Currency, who framed our present excellent banking and currency law, who have long been students of the subject; and I think we should have their views on the financial conditions which confront the country. Various committees of both branches of Congress are at work now investigating the high cost of living. The Federal Trade Commission has been engaged in investigating it. Numerous civic associations and associations of citizens are investigating the high cost of living. I think the cause of the high cost of living is found right here in this communication of the Secretary of the Treasury, who reports that there is nearly twice the amount of money in circulation in this country that there was five years ago, and gives no indication of an early diminution of it. I think attention should be called to it, for here, I think, is the prime cause of the high cost of living. There is no use of looking further.

This resolution does not initiate any legislation. It does not commit the Senate to anything. It simply refers the communication of the Secretary of the Treasury and the whole question to the Committee on Banking and Currency and asks that committee to report back to this body its views, and if it may make a report its report will be only advisory. It will not be binding on the Senate.

I, for one, think we should have all the advice on this subject we can get, and I want the views of the Committee on Banking and Currency on this all-absorbing question. The present condition of the cost of living is doing a great deal of harm. The other day I received a letter from a prominent merchant in Billings, Mont., who predicted that one year from now the cost of many of the necessities of life would be twice what they now cost. As he well said, the ever-rising cost of living is pro-

ductive of Bolshevism and anarchy. It gives the Bolshevistic, anarchistic agitator a chance to go amongst the laboring men and embitter them against the tremendously high cost of living, as well as against their Government, and to tell them that they are suffering from it more than anybody else, and that they are not getting their share of the money and prosperity of the country. This is being done by the enemies of our country to-day, and the subject is such an important one that I think we ought to have the views of the Committee on Banking and Currency on it. I think there should be no opposition to it. Hence, I submit the resolution.

Mr. POINDEXTER. Mr. President, I should like to ask the Senator from Montana if he knows or has observed that one of the causes of continued high prices, which constitute what is called the high cost of living, is the enormous appropriations of money by Congress to go into the market and purchase large supplies of food, necessaries of life, and ship them out of the country to foreign countries? There was one item of $100,000,000 for this purpose. It would be impossible to secure an appropriation of $1,000,000 to buy food for American citizens, but there is no difficulty at all about getting an appropriation of $100,000,000 to buy food for foreign people in various unknown parts of the world. I should like to ask the Senator, further, if he is aware that when this appropriation was asked for and rushed through Congress, it was openly urged in support of it that it ought to be made for the purpose of keeping up the prices of foodstuffs in the United States? I received and put in the CONGRESSIONAL RECORD here, as the Senate was about to vote, telegrams from responsible people urging that I should vote for the appropriation of $100,000,000 in order to keep the prices of meats and other necessary foods from going down. That was urged as one of the reasons for it; and yet Congress is called upon to investigate the cause of the high cost of living!

Mr. MYERS. Mr. President, I will say in answer to the Senator from Washington that I think the matter he has referred to has had considerable to do with the high cost of living. I think undoubtedly it is one of the interrelated causes. I voted, as did the Senator from Washington, against the measure to which he has referred. I did not think it wise. I apprehended then that one of the results would be just what he has stated; but I think the principal cause of the high cost of living is found right here in this communication of the Secretary of the Treasury.

The cost of living to-day is substantially twice what it was five years ago. The amount of money in circulation is substantially twice what it was five years ago. It works just like a thermometer. As the volume of money increases the effect is registered in increased cost of living. The two go hand in hand. It is one of the laws of finance that as you increase the volume of money the prices of products and the cost of living are bound to increase. I think that was absolutely necessary during the war, but whether it should be kept up as a permanent thing in time of peace is a very grave problem. I do not think it should be. I think there is now in circulation more money than is necessary or wholesome. However, I want the views of the Committee on Banking and Currency on it. It will do no harm to have the views of that able and distinguished committee. I tell you this question of the ever-rising cost of living, still rising, with the summit evidently not yet reached and no end in sight, is full of trouble and is fraught with danger. We should have on it all the light obtainable. I think I have designated the cause. I want to know what our Banking and Currency Committee may think.

Mr. THOMAS. Mr. President, the Senator from Louisiana [Mr. RANSDELL] has given notice of his intention to address the Senate to-day, and I do not want to interfere with his opportunity to do so, but before this resolution is disposed of I should like to address myself to it for a few moments. I hope, therefore, that it will not be pressed at this time.

Mr. MYERS. I am quite content to let the resolution go over until to-morrow, without prejudice. I should be glad to have the views of the able Senator from Colorado. I ask unanimous consent that that be done.

Mr. POINDEXTER. Mr. President, before the request of the Senator from Montana is acted on I want to take a moment to refer to a letter which I received this morning. The letter is not addressed to me, but is addressed to one of my constituents. It is as follows:

LEAGUE TO ENFORCE PEACE,
New York, July 15, 1919.

DEAR SIR: Whatever may have been your response to our previous correspondence urging your cooperation in connection with our campaign to crystallize rural opinion behind the league of nations covenant, it is of extremely urgent importance that all friends of the league of nations proposition give immediate attention to the following suggestions:

Write immediately to your two Washington Senators at Washington, Senator W. L. JONES and Senator M. POINDEXTER, definitely urging their support of the peace treaty, including the league of nations covenant, passing on to them such evidence as you may have of prevailing sentiment in your community. Kindly urge similar action upon as many other outstanding leaders of public opinion as possible. The importance of this matter ought to preclude any possibility of delay in your response. Any delay now may be fatal to the cause.

Anticipating your prompt response to this suggestion, I am,

Very cordially, yours,

W. J. CAMPBELL,
Rural Extension Secretary.

Rural extension secretary, Mr. President, of the League to Enforce Peace, the name of which appears on the head of the letter.

I read this letter in order to call attention to the kind of agitation that is being created in this artificial way, by the use of vast sums of money, to form an apparent public opinion in favor of the establishment of what they denominate in the very head of their letter as a League to Enforce Peace—in other words, a central world organization not to bring about peace by creating good will among men but to bring it about by force. Of course, they can not enforce peace unless they have force and use force. If they are going to enforce peace throughout the world they will have to have force that is sufficient to coerce the world; and that is the object, the announced and proclaimed purpose, of this great organization.

The extent to which they are organized is indicated by the fact that they have a rural extension secretary. They have a secretary or an official for pretty nearly every imaginable element of the population. He is only one of a number of officers who are devoting their entire time, with unlimited resources, to creating in this country a false and spurious opinion, a superficial and artificial public demand, in favor of setting up a world power to coerce the United States and every other country in accordance with the particular views that some set of self-sufficient and irresponsible councilmen might have at some particular time as to what the world ought to do or ought not to do.

Among the other officials of this organization are Mr. W. R. Boyd, jr., national campaign manager; Mr. I. T. Jones, assistant national campaign manager; Allen P. Ames, information secretary; Tom Jones Meek, extension secretary and speakers' bureau. I may say in that connection that they have issued a textbook and circulated it in large numbers throughout the country for the purpose of educating their speakers in favor of the league of nations, telling them how to speak, how to approach the public, how to deal with the psychology of the situation. It is the most stupendous organization and propaganda in its various branches and affiliations, public and private, that the world has ever seen. Helen Varick Boswell, extension secretary, women's organizations; Walter J. Campbell, rural extension secretary; John H. Walker, labor extension secretary; Irwin Smith, assistant secretary.

Mr. President, it is perfectly evident that this letter is being sent out generally as part of a series of letters. Not long ago I called attention in the Senate to a circular which this same League to Enforce Peace was sending out, instructing its recipients in the several States how to proceed in the most skillful way to induce the people of the States to contribute money to the campaign fund of the League to Enforce Peace, going into details, telling them how to hold lunches, what to eat at the lunches, how much money to charge for them, and to make sure that the collections were made, because if the people paid a little they would then feel that they had a vested interest in this big movement.

I introduce this, Mr. President, simply as an incident, a reminder, of one, at least, of the many causes of this tremendous agitation with which we are confronted, this organized campaign to abandon the ideals and traditions of the fathers of the Republic, and to "make the supreme sacrifice" of establishing this "new order" in the world.

Mr. SHERMAN. I wish to state to the Senator from Washington that my own State is flooded with the same documents from which he read, frenzied solicitations for funds in order to create a spontaneous sentiment.

Mr. MYERS subsequently said: Mr. President, may it be understood that Senate resolution 142 goes over until the morning hour to-morrow without prejudice? I made the request a while ago, but I have not heard any ruling on it as yet.

The PRESIDING OFFICER (Mr. STERLING in the chair). Without objection, the request of the Senator from Montana will be granted, and Senate resolution 142 will go over without prejudice.

TREATY WITH COLOMBIA.

Mr. KELLOGG. Mr. President, I wish to announce that on Monday next, after the close of the routine morning business, I shall submit a few remarks on the Colombian treaty.

Mr. FLETCHER subsequently said: Mr. President, the Senator from Minnesota [Mr. KELLOGG] gave notice of an address next Monday at the close of the routine morning business. I was going to ask him if he would not give that notice to follow the consideration of the calendar? We have been omitting the consideration of the calendar one Monday after another and doing nothing with it. There are a number of bills which can be acted upon in a very short while, and I was going to suggest that the address of the Senator from Minnesota follow the consideration of the calendar on Monday. The Senator, however, is not in the Chamber at this moment.

LEAGUE OF NATIONS.

Mr. STERLING. Mr. President, I simply desire to give notice that at the close of the morning business on Monday next, with the permission of the Senate, I shall address the Senate on the covenant of the league of nations.

RELATIONS OF ITALY TO FIUME.

Mr. SHERMAN. Mr. President, I wish to give notice likewise that upon the termination of the addresses of the Senator from Minnesota [Mr. KELLOGG] and the Senator from South Dakota [Mr. STERLING], if time permits, I will address the Senate with reference to the relations of Italy to Fiume.

AMERICAN PRINTING HOUSE FOR THE BLIND.

Mr. STANLEY. Mr. President, I ask unanimous consent for the consideration of H. R. 2847, providing additional aid for the American Printing House for the Blind, favorably reported by the Committee on Education and Labor. I will say that the bill was reported by the Senator from Iowa [Mr. KENYON], and there is no objection to it from any source.

Mr. SMOOT. There is no objection to it, and there have been hearings held upon it. I understand it proposes to increase by some thirty or forty thousand dollars the appropriation for the printing establishment for the blind. There is a permanent appropriation for that purpose, and this bill, as I understand it, is to increase that permanent appropriation.

Mr. KENYON. It is merely an authorization.

Mr. SMOOT. The Committee on Appropriations felt that it ought to go to that committee before they put it in the last appropriation bill, being a permanent appropriation. I have no objection, but after it is disposed of I will object to any further consideration of bills on the calendar until the regular morning business is concluded.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, and it was read, as follows:

Be it enacted, etc., That for the purpose of enabling the American Printing House for the Blind more adequately to provide books and apparatus for the education of the blind there is hereby authorized to be appropriated annually to it in addition to the permanent appropriation of $10,000 made in the act entitled "An act to promote the education of the blind," approved March 3, 1879, as amended, the sum of $40,000, which sum shall be expended in accordance with the requirements of said act to promote the education of the blind.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TRANSFER OF SHANTUNG TO JAPAN.

Mr. WATSON. Mr. President, in accordance with the prevailing custom, I desire to give notice that on Tuesday next I shall address the Senate on that portion of the peace treaty which has reference to Shantung.

REPORT ON PACKING INDUSTRY.

The VICE PRESIDENT. The Chair lays before the Senate a report from the Federal Trade Commission in response to Senate resolution 114.

Mr. KENYON. It is the report of the Federal Trade Commission in answer to the resolution of the Senator from Illinois [Mr. SHERMAN]?

The VICE PRESIDENT. It is.

Mr. KENYON. I ask to have the report part read. Of course, we do not want to have it all read; but the report proper.

The VICE PRESIDENT. The Secretary will read.

Mr. SMOOT. Why not print the whole of it in the RECORD?

Mr. KENYON. That ought to be done, too. If it is too long to read, I will withdraw my request; but I do not believe the report itself is very long.

Mr. POMERENE. I did not understand the request of the Senator from Utah.

Mr. SMOOT. The Senator from Illinois is not present, and I simply suggested that if we are going to have any part of the report read, it would be best to have the whole report printed in the RECORD.

Mr. POMERENE. I do not object to that.

Mr. CUMMINS. I move that the report be referred to the Committee on Interstate Commerce.

The VICE PRESIDENT. It will be referred, but the junior Senator from Iowa has a right to have it read.

Mr. CUMMINS. I assume that the report will be read; but I move that it be referred after it is read.

Mr. KENYON. I should like to have it read to a point where it appears to be too long to read further, and then I will withdraw the request.

Mr. LA FOLLETTE. If the report is the document which the Secretary holds in his hands, it is evidently not a long one. It is a very important subject, and I think the report ought to be read. The papers that accompany it, of course, are not included in the report proper.

The VICE PRESIDENT. The Secretary will read.

The Secretary proceeded to read the report, and was interrupted by

Mr. CALDER. Mr. President, I ask unanimous consent that the further reading of the report be dispensed with, and that it be printed in the RECORD.

Mr. LA FOLLETTE. I object to that, Mr. President.

The PRESIDING OFFICER (Mr. STERLING in the chair). Objection is made.

Mr. SHERMAN. Mr. President, I have no objection to dispensing with the further reading of the report submitted in response to my resolution. I presume Senators will have abundant opportunity for reading it.

The PRESIDING OFFICER. Objection is made by the Senator from Wisconsin, and, of course, the reading of the report must be proceeded with.

The Secretary resumed the reading of the report, and was interrupted by

Mr. LA FOLLETTE. Mr. President, I will not object to suspending the further reading of the report at this time if unanimous consent can be given to resume the reading of the report after the delivery of the speeches of which notice has been given by the senior Senator from Louisiana [Mr. RANSDELL] and also by the junior Senator from Oklahoma [Mr. OWEN]. So I will make the request that the further reading of the report be suspended until after the delivery of those speeches of which notice has been given, and that then the reading be resumed and finished and the report be printed entire, consecutively in the order in which it was presented.

Mr. POMERENE. Mr. President, may I suggest also at the same time that there is pending a motion, which was made by the senior Senator from Iowa [Mr. CUMMINS], who is chairman of the Committee on Interstate Commerce, that this report be referred to the Committee on Interstate Commerce?

The PRESIDING OFFICER. The reading of the report will be suspended until after the addresses of which notice has been given shall have been concluded.

CALLING OF THE ROLL.

Mr. RANSDELL obtained the floor.

Mr. MYERS. Mr. President, will the Senator from Louisiana yield to me?

Mr. RANSDELL. I yield to the Senator from Montana.

Mr. MYERS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gay	McKellar	Sheppard
Ball	Gronna	Myers	Simmons
Brandegee	Hale	New	Smith, Ga.
Calder	Harding	Newberry	Smith, Md.
Capper	Harris	Norris	Smith, S. C.
Colt	Harrison	Nugent	Smoot
Cummins	Henderson	Overman	Spencer
Curtis	Johnson, S. Dak.	Page	Sterling
Dial	Kellogg	Penrose	Sutherland
Dillingham	Kenyon	Phelan	Swanson
Edge	Keyes	Poindexter	Trammell
Elkins	King	Pomerene	Wadsworth
Fletcher	La Follette	Ransdell	Walsh, Mass.
Frelinghuysen	Lenroot	Robinson	Watson

Mr. SHEPPARD. The Senator from Wyoming [Mr. KENDRICK] is necessarily detained from the Senate.

Mr. McKELLAR. I desire to announce that my colleague, the senior Senator from Tennessee [Mr. SHIELDS], is detained on important business.

I wish also to announce that the junior Senator from Arkansas [Mr. KIRBY], the Senator from Nevada [Mr. PITTMAN], the Senator from Maryland [Mr. SMITH], the senior Senator from Mississippi [Mr. WILLIAMS], the Senator from Delaware [Mr. WOLCOTT], the Senator from Rhode Island [Mr. GERRY], and the Senator from Kentucky [Mr. BECKHAM] are necessarily detained on official business.

The PRESIDING OFFICER. Fifty-six Senators having answered to their names, there is a quorum present.

The Senator from Louisiana is recognized.

THE LEAGUE OF NATIONS.

Mr. RANSDELL. Mr. President, in submitting some observations on the proposed league of nations and what I believe to be its efficacy in preventing future wars, I desire to preface my remarks by saying that I do not intend to discuss all the details of the covenant, its particular phraseology, or the various powers of the administrative bodies through which it is destined to function, nor to visualize the interpretation which may be placed on certain of its provisions. What I am principally concerned in, Mr. President, is the great overpowering principle it seeks to perpetuate—peace throughout the world.

The various articles of the league have been discussed and rediscussed in the Senate and the press of the land, as well as by innumerable public speakers, until its general provisions are very familiar to the American people. Its benevolent purpose is succinctly set forth in the preamble. Its object is to promote international cooperation and to achieve international peace and security. The signatory nations bind themselves not to resort to war, to pursue open, just, and honorable relations between each other, to establish firmly the understandings of international law as the actual rule of conduct, and to maintain justice and a scrupulous respect for all treaty obligations in their dealings with each other.

The league functions through an assembly, a council, and a permanent secretariat. The powers of the assembly are not very substantial, except in a striking particular pointed out later, and consist of admitting new States into the league by a two-thirds vote, upon proper guaranties being assured; of amending the covenant by majority vote, if concurred in unanimously by the council; of selecting the four additional members of the council; of considering disputes with the same powers as the council, if the council or a disputant requests it, and advising in regard to dangerous international conditions and treaties that need revision.

The council is the executive body of the league, and is made up of representatives of the United States, the British Empire, France, Italy, and Japan, and four other members selected by the assembly. Until appointment in aforesaid manner, the four members are Belgium, Brazil, Spain, and Greece. The council elects a secretary-general with approval of a majority of the assembly; makes plans for a reduction of armaments; advises how to control private manufacture of munitions; how to secure protection of territorial integrity and independence of members against external aggression; acts as a council of conciliation in disputes not referred to arbitration and makes recommendations; directs publication of statements by all parties; if its recommendation is unanimous, considers how to enforce it if necessary; if not unanimous, the majority and minority reports shall be published; considers how to carry out award of arbitration, if necessary; establishes a permanent court of international justice; recommends economic boycott measures against recalcitrant members, as well as means for cessation of intercourse and blockade; and recommends what military contribution each member shall make in punishing a nation which refuses to carry out the covenant.

The league contains many very practical provisions which, if they do not absolutely prevent war, will certainly lessen the probability of a resort to arms. The requirement by the members of full and frank information on the scale of their armaments and military programs is a salutary one, and will prevent the development of any huge war machine. The general provisions to defend each other's territorial integrity and independence against external aggression; to regard any threat of war as the business of the league; the prevention of intercourse with, and the financial and commercial boycott against, any covenant-breaking State; the obligation to join in resisting a member who refuses to be bound by the covenant, and to take the necessary steps to afford passage through their territory of the forces of any members which are cooperating to protect the covenant of the league; and the agreement not to make war in any case until three months after awards or recommendations are announced, are surely wise measures in the interest of universal peace.

Every word in the covenant has been subjected to the most critical analysis, and I am not vain enough to suppose that I can throw any more light on the subject. I wish, however, to call attention briefly to some harsh criticisms against the provision which gives in the assembly one vote to each country, whether great or small, and six votes to the British Empire, while the United States has only one. We have been told that it is outrageous for small, weak nations like Haiti, Panama, Liberia, Honduras, Hedjaz, and others to have an equal representation in the assembly with our mighty Republic of more than one hundred million souls.

The assembly is a parliamentary body which may well be called a parliament of man, composed of not more than three delegates from each nation in the league, who can cast only one vote. It is in reality a talk fest, where all disputes and troubles among nations are aired and talked over, thereby bringing to bear on them the powerful force of public opinion. The assembly may deal with any matter within the sphere of action of the league or affecting the peace of the world, and any member of the league may bring to the attention of the assembly or the council any matter which threatens peace.

At meetings of both the assembly and the council unanimous vote of all present at the meeting is required, except where otherwise expressly provided in the covenant.

Disputes not referred to arbitration shall be submitted to the council, which, if the trouble is not adjusted satisfactorily, shall, by a unanimous or a majority vote, publish a report containing a statement of the facts of the dispute, with proper recommendations. The council *may* refer the dispute to the assembly, and on the request of either party, made within 14 days after submission of the dispute to the council, it *shall* be referred to the assembly. In such case the assembly shall proceed under the same rules as govern the council; hence in this case a majority vote would suffice for the assembly to publish a statement of facts and recommendations in regard to an international dispute likely to lead to a rupture. This is surely not a power that would permit Liberia or Haiti or Hedjaz or Honduras, or a combination of a dozen such small nations, to inflict any injury on the United States. All such a combination could do against us, provided it could muster a majority of all votes at the meeting of the assembly, would be to publish to the world its finding of facts in some dispute to which the United States was a party, with its recommendations thereon. And it requires a vivid imagination to foresee how we could possibly be affected injuriously unless we were so clearly wrong that we richly deserved to be held up to the scorn of other countries.

Moreover, the assembly may from time to time advise reconsideration of treaties which have become inapplicable and the consideration of international conditions whose continuance might endanger the peace of the world. Therefore it has general authority to consider and advise by unanimous vote of all present at the meeting upon all subjects, treaties, and international conditions affecting the peace of the world, and on such disputes as are referred to it by the council it can, by a majority vote, publish a statement of facts coupled with recommendations.

All that the assembly can do is to "advise" or "recommend" to the membership of the league, or to nations not members of the league, what it believes to be best for the welfare of mankind. No possible harm can come from the consideration by accredited delegates of nearly every nation on earth of important national questions, and if all these delegates arrive at a unanimous decision it is practically certain to be correct. Nothing which this body could do could possibly injure the United States as long as we are doing right, while it might help us very much, and would surely assist in preventing many international troubles between other countries.

It is very important for nations, as for individuals, to talk over their difficulties. Nine-tenths of the trouble between citizens is due to misunderstandings which could readily be adjusted if they would meet face to face and explain their differences before resorting to violence or to litigation unfortunate to both. This is true, to a great extent, of nations, for what are they but an aggregation of citizens influenced by the same ideas and passions that control individuals. If national disputes could be presented to a great tribunal such as the assembly, with three delegates from every nation on earth, the best and brainiest men on the globe, and all the facts be thrashed out before these impartial judges, while the world looks on and listens, beyond question most troubles would be settled without resort to war. If we add the mighty force of world public opinion, resulting from the findings of this great conciliatory tribunal, to the disarmament and lack of preparation of the individual nations, provided by the league, and the international boycott against any country which goes to war in disregard of the league's covenants, and the fact that every member of the league would, of necessity, engage its military forces in order to enforce peace, a power too great to be resisted is created, and any would-be belligerent is compelled to accept a peaceful settlement.

If such a league as now proposed had been in existence 20 years prior to the recent war, how could it have occurred? The vast preparation for war in food, arms, munitions, soldiers, and submarines by Germany could not have been made; the armies of Germany, Austria-Hungary, Russia, Italy, and France would have been in the aggregate only a few hundred thousand instead of many millions, hence too small for serious warfare; the Balkan troubles, which have been a running sore on the body

politic of Europe for years, would have been adjusted in some way long before 1914; Germany would have realized through discussions in the council and assembly that she could not conquer France and Belgium without inviting attack on her by the United States and Great Britain; indeed, it is inconceivable that there would have been a war if a league of nations composed of the principal countries on earth had existed prior to its outbreak. And if a league would have prevented this last awful war, why not other wars in the future?

Any man who in the spring of 1914 had forecast the terrible era of sorrow and devastation from which the world has just emerged would have been scorned like the soothsayer who admonished Cæsar to "beware the ides of March." Civilization had almost reached its pinnacle, we were told, and the genius and energy of man were to be devoted to the arts and sciences, to education and culture, to the pursuit of happiness, and to everything that makes life worth living. The fallacy of this belief has been proved by the unerring verdict of the history of the past five years. Man had relied too much upon the good faith and virtue of his fellow man. People trusted their governments to keep within the path of peace, to arbitrate and weigh and balance, and to make every honorable sacrifice in its interest, but all to no avail. Nations entered upon their separate international engagements with the firm resolve to avoid clash, and innumerable treaties and alliances were formed, but, unfortunately, these did not provide the cure. They were more or less local in character, based on purely selfish reasons, confined to two, or, at best, four or five, nations on the Continent of Europe, and were naturally all too narrow in scope to be of world-wide benefit. On the other hand, the concept of the league of nations includes every country on earth, and if it is to become a success it is necessary for substantially all the countries of the world to be members.

The recent conflict has conclusively demonstrated the absolute dependence of nations on each other. The time has passed when a war against an individual nation is merely an attack on that country. Unless the attempt is frustrated in the embryo, as provided by this league, every people of the world will finally become embroiled. President Wilson stated as early as March 27, 1916, in an address before the League to Enforce Peace:

> The longer the war lasts the more deeply do we become concerned that it should be brought to an end and the world be permitted to resume its normal life and course again. And when it does come to an end we shall be as much concerned as the nations at war to see peace assume an aspect of permanence, give promise of days from which anxiety of uncertainty shall be lifted, bring some assurance that peace and war shall always hereafter be reckoned part of the common interest of mankind. We are participants, whether we would or not, in the life of the world. The interests of all nations are our own also. We are partners with the rest. What affects mankind is inevitably our affair as well as the affair of the nations of Europe and Asia.

All the arts and sciences have progressed with the greatest rapidity during the last 50 years, especially the art of destroying life. The awful toll in human life and property in the recent world catastrophe is alarming. The official figures of the "battle losses" of all belligerents show 7,450,200, as per estimate of Col. Leonard P. Ayres, chief statistician, General Staff, in his book, The War with Germany. (See Appendix A.) This does not include deaths by disease, accidents, or other causes, but merely the men killed in action or who died of wounds received in battle. Compare this figure with the losses in the Crimean War (1854–1856), with England, France, Sardinia and Turkey, Austria, and Russia as belligerents, wherein 609,797 was the loss of life, which includes deaths by disease as well as in battle. In our own Civil War (1861–1865), the deaths in battle and from wounds were about 200,000; in the Franco-Prussian War (1870–71), 81,000; in the Spanish-American War (1898), about 2,800; and in the Russo-Japanese War (1904–5), 129,700.

The direct monetary cost of this war is approximately one hundred and eighty-six billions, of which the United States and its Allies expended one hundred and twenty-three billions, while the Central Powers expended sixty-three billions. (See Appendix B.) It is impossible at this time to even accurately estimate the total loss in life and treasure the world has suffered. The combined military and civilian deaths are estimated at from seventeen to twenty millions, and the cost at two hundred to two hundred and fifty billions. A correspondent of the London Daily Telegraph, February 4, 1919, page 6 (see Appendix C), states the figure at two hundred and forty-four billion six hundred and sixty million dollars, made up as follows: Two hundred billions for direct cost; fifteen billions for material damage; six billion two hundred and sixty millions for loss of production; and twenty-three billions four hundred millions as the economic value of the lost and disabled lives.

The sums expended in previous wars as compared with the direct cost of this mighty conflict seem paltry indeed. The Crimean War cost something like two billions; the American Civil War, five billions; the Franco-Prussian, two billion five hundred and thirty-four million; the Spanish-American, about one billion; and the Russo-Japanese War, two billions five hundred million. (See Appendix D.)

Mr. President, our only safe criterion for the future is the past, and just as the present war far exceeded in blood and treasure the great wars of the past, so will future wars exceed this one. If the art and means of killing progress in the same ratio as they have in the past, only divine interference can prevent the world from destroying itself. And we have every reason to believe that the next 25 to 50 years will see greater efficiency in the agencies of destruction. Capt. Thomas G. Chamberlain, United States Army, in his very interesting book, Why we Fought, page 40, says:

> I was in Paris when "Big Bertha," the German long-range gun, opened fire on the city. At regular 15-minute intervals the bursts occurred, and each burst spelled destruction and death. There were only 2 guns—why should there not be 200, with bursts occurring at intervals of a few seconds or continuously? I have seen a tank come up out of a shell hole, the sides of which were so steep that a man could not climb up. Tanks as large as locomotives—why not movable forts, with heavy guns?
>
> Recently an American flew over the city of London in a Handley-Page with 40 passengers. Within the last few months we have come to classify bombs by tons rather than by pounds, as previously. We know that an American scientist discovered a gas so deadly that a few bombs containing it would have destroyed every vestige of life in Berlin. Both sides so feared the resultant horrors that they hesitated at dropping gas bombs on cities. To consider the possibilities of the developed engines of war—the developed aeroplane, tank, long-range gun, gas bomb, gas shell, submarine, under the system of competitive armaments—is to arrive at the inevitable conclusion that civilization must here and now end war or be ended by it.

A typical concrete example of the wonderful advance in science is helium, a noninflammable gas peculiarly suited to dirigibles. It weighs only about twice as much as hydrogen, and is exceedingly light in comparison with air. As it does not combine with oxygen or any other substance, it can not explode or burn. It has, therefore, proved the ideal gas for dirigible balloons. The value of this gas before the war was about $1,700 a cubic foot. Our helium, on the other hand, can be produced in quantity at less than 10 cents a cubic foot, and if a new process of the Bureau of Mines fulfills expectations this figure will be still further reduced.

It is entirely feasible with the use of helium to construct and operate a dirigible with a steel casing carrying 1,500 men which can fly across the Atlantic in three days, and if one such dirigible, why not a thousand capable of carrying across the ocean in a few days an army of 1,500,000 men? This may seem a flight of the imagination, but it is no more improbable nor any harder to believe than was the feat of carrying over the ocean more than 2,000,000 men in one year without the loss of a single man. On the 1st of January, 1918, it was thought impossible to accomplish this task, and yet we know it was done, and that if the war had not closed early in November fully half a million additional soldiers would have crossed the sea before the end of the year.

Mr. President, the estimated prewar wealth of the United States was $220,000,000,000, while that of the United Kingdom was $85,000,000,000, of France $67,000,000,000, and Germany $78,000,000,000, equal to $230,000,000,000; or, the combined wealth of these three great countries, unquestionably the most powerful on earth, except our own, was only $10,000,000,000 more in the beginning of 1914 than that of the United States. All three of these countries have lost very heavily by the war, and their present wealth is nothing like as great as it was, while that of the United States is very much more. Beyond question the United States is now more wealthy than Great Britain, France, and Germany, with Italy, which was valued at $16,000,000,000 before the war, added to them. This statement is not made in a boastful spirit, but for the purpose which will appear as I proceed. Very much of our Nation's wealth is due to her commerce, which extends all over the world and reaches into every country on the globe. Our flag is now being carried into every sea by American vessels loaded with American manufactures and the products of our fields and mines. Our commercial relations are intimate, close, and important with all countries and reach colossal figures. Banks and financial connections have been established in the principal cities of all the important countries. Our consular and commercial representatives encircle the globe, carrying our business everywhere, placing us in direct contact with every nation and tribe under the sun, and as the years go on, with the marvelous impetus given to American industry, inventive genius, financial enterprise, and manufacturing ability, our business with other lands is bound to increase with wonderful rapidity. This is especially true because of the great merchant marine we are now building, which already gives us second place as an ocean carrier and will in the near future give us rank very little behind the mighty marine of Great Britain. Suppose a world war should happen

between any two important countries, no matter which, would it not interfere greatly with our commerce, would it not step hard on the toes of many of our manufacturers and bankers and agriculturists and shippers? How could we avoid being drawn, sooner or later, into the war to protect our own interests? It is possible, though not probable, that we could avoid it, but what if another general war in Europe should take place, or a general war in Asia; does anyone conceive that the United States could keep out of it? Surely not. If for no other reason, business interest would compel us to participate. We could not remain neutral; we would be obliged to take sides and would be in the war before we knew it.

It was all right to have the United States beware of entangling alliances when we were a Nation of three to four million pioneers scattered over the vast expanse of our great country and separated from the Old World by 3,000 miles of ocean, traversed by small sailing boats. Isolation was practical and wise then; it is not now. Fast steamships connect us quickly with Europe. Aeroplanes fly over in a few hours and dirigible balloons in two or three days. The principal ports of the North Atlantic are infinitely closer in time and accessibility to Europe than was Boston to Philadelphia in Washington's time, when the stagecoach was the quickest means of transportation by land and sailing ships by water. What was good for the United States then is no longer a safe criterion for us to follow. If Washington and Jefferson were alive to-day they would not advise their beloved country to remain in its shell and avoid political alliances with the rest of the world, but would tell us to accept our manifest destiny as the leader among nations and the champion of human rights everywhere.

There is no nation in Europe that suspects the motives of the United States. Every one trusts her implicitly, and she alone can give breath to the league. She does not seek aggrandizement, territorial or otherwise, and she can look upon the merits and demerits of the league with unprejudiced mind, free from the rivalries of most of our European associates.

Mr. President, it is logical to expect that a great spiritual regeneration will soon sweep over the world. It is inevitable. Prior to the war people were slowly becoming indifferent to God, regardless of others' rights, negligent of the higher and nobler things of life, and so addicted to luxury and selfishness that a continued era of ease and effeminacy would have brought complete moral degeneration. False philosophy, pagan in its precepts, was being preached even in this country, and Germanized methods of education imitated in our schools. The world has been sorely chastened and emerges from this great war a better world than it was on August 1, 1914. While many horrible crimes were committed by the Central Powers in their lust of pride and strength, and some sins are doubtless chargeable to the soldiers and citizens of our country and its allies, who were far from perfection—all of us, enemies, friends, and ourselves, have poured out a big holocaust of blood and treasure in expiation. Our sins have been washed away in the blood of 20,000,000 human beings who died as soldiers in battle or from disease and wounds or as civilians from starvation, exposure, and sickness directly induced by the war.

The awful loss of human life, the frightful increase of human suffering, and the waste of human energy has sobered the world. I believe it is sometimes necessary for the Supreme Being himself to use dire catastrophe to temper men's souls and make them see light. Christianity would seem to be a farce and a pretense if 2,000 years after the Redeemer civilization should refuse to seize upon every possible instrumentality such as the world league to lessen war. Humanity must destroy war or war will destroy humanity.

In President Roosevelt's great speech on international peace before the Nobel prize committee, in Norway, May 5, 1910, he said:

> Finally, it would be a master stroke if those great powers, honestly bent on peace, would form a league of peace, not only to keep the peace among themselves but to prevent by force, if necessary, its being broken by others. The supreme difficulty in connection with developing the peace work of The Hague arises from the lack of any executive power, of any police power, to enforce the decrees of the court. In any community of any size the authority of the courts rests upon actual or potential force; on the existence of a police, or on the knowledge that the able-bodied men of the country are both ready and willing to see that the decrees of judicial and legislative bodies are put into effect. In new and wild communities where there is violence an honest man must protect himself; and until other means of securing his safety are devised, it is both foolish and wicked to persuade him to surrender his arms while the men who are dangerous to the community retain theirs. He should not renounce the right to protect himself by his own efforts until the community is so organized that it can effectively relieve the individual of the duty of putting down violence. So it is with nations. Each nation must keep well prepared to defend itself until the establishment of some form of international police power competent and willing to prevent violence as between nations. As things are now, such power to command peace throughout the world could best be assured by some combination between those great nations which sincerely desire peace and have no thought themselves of committing aggressions. The combination might at first be only to secure peace within certain definite limits and certain definite conditions; but the ruler or statesman who should bring about such a combination would have earned his place in history for all time and his title to the gratitude of all mankind.

Mr. President, this place and this title has been richly earned by Woodrow Wilson, and I venture the safe prediction that it will be accorded him in the years to come by the general opinion of the world. Indeed, sir, it will be a matter of common wonder 50 years hence that there should have been any opposition to the league of nations. By that time it will have proven such a beneficent institution that the world will cling to it with iron grip. The record of the discussion now in progress on the treaty will be reviewed many times in the future, and I can foresee the approval accorded to those of us who are putting this measure through despite the formidable character of the opposition. I am proud, sir, that my humble place in the record will show that I see clearly in this league one of the greatest boons which ever has come to mankind.

The same spirit of indulgence in the shortcomings of our fellow men, of brotherly love, of sympathetic assistance and support, which holds a nation together should be emulated by the nations themselves in their dealings among themselves. In times of war a citizen is renegade to duty who will not yield his personal interests to the national necessities. He must give his life, if need be, for his country's sake. This runs all through our national and municipal polity. Why should not nations be guided by these principles in dealing with each other? I believe international difficulties can be attributed as much to lack of confidence in the good faith of one another and doubt in the sincerity of each other's intentions as to any one cause. It is usually the fear of some commercial or military advantage that makes nations reluctant to fraternize rather than any actual animosity.

Mr. President, as a Louisianian I can not refrain from speaking of France and the trials through which she has passed. France is very close to the heart of Louisiana. As a young colony, my native State, then part of the big expanse of the original Louisiana Purchase, was composed almost entirely of people of French blood, and a large part of her present population traces its ancestry to La Belle France.

The United States, and especially Louisiana, looked with mingled feelings of pity and admiration on France in the awful days when, as the veritable bulwark of civilization, she was holding back the German hordes in their first mad rush on Paris. And had it not been for the wonderful gallantry and splendid prowess of French soldiers led by Joffre at the Marne, which stopped and drove back the hitherto victorious Germans, the war might have had a very different ending, with autocracy in the saddle and democracy set back for centuries. Free government on earth owes to France a debt of gratitude that can never be repaid, and, if for no other reason than to protect France from future German aggression, the league should be adopted.

Since the days of Lafayette, immortal in the hearts of Americans, we have loved France and her achievements, and this brotherhood has been indissolubly cemented by a bloody sacrifice on the altar of freedom under the leadership of Ferdinand Foch, generalissimo of all the allied forces, and by common consent the greatest military genius of the war. The French people will need international protection for years to come. They are entitled not only to the guarantee of Britain and the United States from any self-seeking, aggressive power, but the protection of every force on the earth which places the right of an independent people before the offensive, tyrannical power of an unscrupulous foe, and such a force will be furnished by this league.

Mr. President, after reading many discussions on the proposed league of nations and making a close study of its provisions, I have reached the following conclusions:

1. That the formation of a league of nations is a problem that can not be evaded, and the experiment can never be tried under more favorable conditions than now.

2. That the present system for maintaining peace by international alliances has failed, and a strong league of nations is the only means for preserving the peace of the world.

3. The possession of a powerful international police force, as contemplated under the league, would serve as an effective preventive of war. The success of the Monroe doctrine for 93 years without the need of armed intervention in a single instance fully illustrates the effect of a threat of force upon the conduct of the world without the necessity of its exercise.

4. A league of nations would mean the end of secret diplomacy and secret alliances based upon dynastic ambitions, and it would tend to create a strong feeling of international comity and good will.

5. It would secure material limitation of armaments by guaranteeing the different nations against sudden aggressive warfare, thereby excluding the main motive for military preparedness.

6. It would bring to bear upon international disputes and difficulties the organized public opinion of the world—the strongest force on earth.

7. It would bring about a beneficial understanding and in many cases a common agreement as to tariffs, spheres of influence, shipping rates, insurance, harbor dues, loans, and so forth.

8. It would lessen international trade rivalries and tend to the removal of economic barriers.

9. It would insure equal transportation charges on international rivers, canals, straits, and railroads for citizens of every State in the league.

10. It would effectually stop the pernicious activities against peace of vested interests, such as Krupps, and so forth.

11. It presents the only solution of the Far Eastern question. Shall China be exploited by Japan or assisted in development by a league of friendly powers?

12. It would render secret armaments impossible by means of an international bureau of inspection.

13. It would put an end to the maelstrom of world-power politics and create a new structure of international confidence and fair dealing.

14. It would insure important changes in international law under which the rights of neutrals would be amplified and more carefully safeguarded.

15. It would guarantee to the Jews in certain countries, for example, Russia and Roumania, freedom from oppression.

16. It would place under international control all investments and concessions in backward countries.

17. A league of nations, in contradistinction to an alliance of great powers, would mean the prevention of a policy designed to enable the victors to profit from the impotence of the vanquished; it would prevent the United States from reverting to an isolation which under present circumstances would be dangerously profitable, and thereby obviate any danger of a spirit of Prussianism on this continent.

18. It would prevent the United States from adopting a purely selfish economic policy, which would redound to the exclusive benefit of American capitalistic enterprise and condemn Europe to an imperialistic policy guaranteed by a preponderance of power.

19. It would render inestimable service to civilization by substituting compulsory arbitration for war. And the impartiality shown by international arbitral boards in the past leads to the conviction that a permanent arbitral board, or court of justice, would be a safe and unbiased judge of future international disagreements.

20. It would stimulate democratic ideas and institutions now taking shape in Europe and the Old World.

21. It would create a spirit of brotherhood and kindly feeling among all nations as a result of the better understandings and more thorough knowledge which would necessarily follow the annual meetings of the assembly.

22. It would compel obedience to its decrees by means of an international boycott.

23. And while a league of nations may not entirely prevent an occasional war, there is not the slightest doubt that it will prevent most wars and have a vastly beneficial effect on the affairs of mankind.

Mr. President, the idea of a world league is not a novel one. For more than six centuries the great leaders of every civilized nation have preached the organization of an international union. It has been an ideal for years, and now the time is ripe to carry the beautiful theory into practice.

There have been many plans suggested for such a league. Notable among them is that of Pierre Dubois (1306 A. D.), a Frenchman living in Normandy. This plan was the first, and created a general council of princes and prelates, which would choose, in each case that might arise, a council of nine arbitrators to give judgment. Emeric Cruce, also a Frenchman, published a plan in Paris in 1623. His league of kings was to establish a permanent court of arbitration by keeping special representation at Venice for the purpose of settling differences. If any king were dissatisfied with the court's decree and refused to be bound by it, then "he would receive the disgrace of all other princes, who would find means to bring him to reason."

The plan of Hugo Grotius, the Dutch publicist and statesman, published in 1625, was a powerful contribution to the cause of peace. Grotius stressed the need of congresses of Christian powers before which the controversies which might arise among some of them would be decided by others who were not interested, and in which measures would be taken to compel the parties to accept peace on equitable terms. The great design of Sully (1638), minister of finance to Henry the Fourth of France, provided for a union of Christian princes, but was really aimed at the reduction of the influence of the house of Austria and contemplated the leadership by France of united Europe.

William Penn, founder of Pennsylvania, in 1693 published his essay toward the present and future peace of Europe, providing for a general European parliament wherein representation was to be based on wealth.

The idea of Abbe de St. Pierre was published anonymously at Cologne in 1712. It outlined a plan for a union of all Christian sovereigns, with a permanent congress composed of the personal representatives of all the sovereigns within the league. The congress was to consist of 24 deputies, before whom all disputes were to be laid. The controversy could receive a provisional settlement by a mere majority of votes, but a definitive adjustment required a three-fourths vote of the members.

The plan of the Englishman, Jeremy Bentham, was promulgated in 1839. All disputes arising between members should be referred to a general congress of the powers for settlement, and if necessary the decisions of this body were to be enforceable by arms. Bentham prognosticated, however, that the provision for enforcing the decrees of his "congress" by arms would be quite unnecessary, "for a free press could be counted upon to create an organized public opinion that would be amply sufficient as an instrument of coercion." Emphasis was laid on the need of limited armaments.

The German philosopher, Immanuel Kant, in 1795, published his plan, which was based on a voluntary union of free States, no State being compelled to remain within the confederation against its wishes. He was firmly convinced that the human mind would ultimately devise a scheme for perpetual peace "to take the place of those mere suspensions of hostility called treaties of peace."

Czar Alexander I of Russia proclaimed on September 26, 1815, what he considered the permanent basis of future European cooperation, showing the urgent necessity of a brotherhood of monarchs founded upon "the sublime truths of the religion of God, our Savior."

In connection with the present organization of the league, the plan of William Ladd, a New England farmer, published in 1846, will prove interesting. Under the title of "An Essay on a Congress of Nations," he advanced a scheme consisting of two parts: First, a congress of ambassadors from all those Christian and civilized nations who should choose to send them for the purpose, among others, of devising and promoting plans for the preservation of peace and ameliorating the condition of man, each nation to be limited to one vote, no matter how numerous were the ambassadors; and, second, for a court of nations, composed of the most able men in the world, to judge such cases as should be brought before it by the mutual consent of two or more contending nations. The former has many attributes quite similar to the assembly of the present covenant, and the court of nations is much like the council.

Unlike previous plans, which required merely a majority or three-fourths of the members of the congress, Ladd's plan provided that no law "should be established unless it had the unanimous consent of all the nations represented at the congress," to be subsequently ratified by the respective governments represented. His idea, however, lacked the power of compulsion, which the present league affords.

Mr. President, the peace treaty of which the league is a part represents the untiring effort of 32 nations, the largest number ever assembled at one council table. It is remarkable that after seven months the Senate should have submitted to it for ratification a treaty of such magnitude, and incorporated in it the provisions for which the lovers of world peace have so long yearned. With the vast territorial and racial problems to be settled, and troublesome questions out of all proportion to historical precedents to be adjusted, it is truly wonderful that President Wilson can bring back to the Senate such a treaty signed by nearly every acceptable major country of the world.

The league of nations is the product of the best minds of the world. Its authors labored persistently at their task of producing it for many months, aided and assisted by suggestions and criticisms from the publicists, thinkers, and statesmen of all great nations, with the exception of Germany. The United States was represented in this mighty conclave by President Wilson and four of our ablest men, assisted by several hundred experienced historians, students, and men of affairs, some of whom were thoroughly familiar with every subject presented for consideration. France, Great Britain, Italy, and Japan, who, together with the United States, constituted the big five at the council table, were headed by the best intellect of their

countries, under the leadership of Clemenceau, Lloyd-George, Sonnino, and Saionji—statesmen who have been making world history for many years—and each of the other 27 nations who sat at the council was represented by its strongest men—conspicuous among whom was the Greek Venizelos—all of them actuated in creating the league by motives of patriotism and humanity. A better equipped body of men from 32 nations never assembled on earth, nor one more impressed with the magnitude of the task imposed upon them—to devise ways and means for effecting the peace of the world. The completed work is before us. It is not perfect, but as nearly so as anything human can be, considering the conflicting interests of the various parties to the covenant and the wide divergence of views natural to honest men from so many lands, and the necessity of compromise in order to arrive at a final decision.

I have studied the league closely, have given to its provisions the best thought of which I am capable, and my firm conviction is that it meets the end desired—universal peace—as closely as any human agency can. Of one thing I am certain. The old order has failed. The world has suffered from repeated warfare since the beginning to the present day. The people of the world are war sick.

The pride, jealousies, and selfishness of nations, together with their failure to submit to some arbitrable body with constituted authority to settle their aggravated disputes, have led to the mutual misunderstanding and distrust which eventuated in war. Confidence can no longer be placed in the old international order; there must be something new. Men demand an effective guaranty against the wholesale slaughter of their children and the ruthless destruction of their property. The war from which we have just emerged has left its eternal imprint upon the hearts of both actors and audience; the world has suffered too great a holocaust to ever become indifferent. It yearns for some practical instrumentality devised by the common concert of all nations and armed to enforce its decrees.

It is incomprehensible to me that after the suffering and sacrifice of this war we should not organize a world league. Europe has borne the brunt of the fighting; her young men were killed, her industry destroyed, her civic ability crippled, and it would be a catastrophe, indeed, for America to sign the peace treaty with Germany and leave our allies to their fate. We gave freedom, prosperity, and happiness to Cuba, and with our aid it rose from its ashes to become a thriving republic. We have ruled the Philippines with kindly wisdom most helpful to their people and have given them a large measure of self-government preparatory to full independence. Why not extend the same guiding hand and friendly assistance to the nations of Europe, which suffered so cruelly from the war? In the proeess of reconstruction among the new States that grow out of the old empires of Germany, Austria-Hungary, Turkey, and Russia there will be many discordant elements hard to fuse into the pure metal of real democracy. America *must* take her part in their upbuilding.

Everyone demands that something should be done in order to save mankind from the horrors of war. There is very general opinion that a league of some kind to enforce international peace must be adopted. The covenant before us presents a concrete, definite plan which, to the ordinary man, seems feasible and workable. It has been subjected to very harsh criticism on the floor of the Senate and elsewhere, but no one has suggested a satisfactory substitute. Its enemies submit all sorts of objections to this particular league, but propose nothing in its place. They are agitators of destruction, not statesmen of construction. Do we wish a repetition of war every few years with all its horrors and sufferings and loss of life and property; war which Gen. Sherman described as hell; war which is the worst enemy of the human race; war which forces our nearest and dearest, the strongest and best young men in the country to give their bodies as cannon fodder; to pour out their blood like cattle in the shambles; to die under burning suns with no water to moisten their parched lips, sobbing and moaning as life ebbs away; to die amid the snows of winter in the trenches waist deep in icy water, high in the air amidst the fierce aeroplane battles, from torpedoes and other terrors of the sea, from countless diseases brought on by exposure, far away from home, wife, and mother, in scenes too horrible to contemplate and impossible to describe? No pen can paint the horrors of war suffered by the soldiers nor attempt a description, for instance, of the agony endured by the civilian population of Armenia during the recent war, when millions were starved and tortured to death amidst inconceivable misery; of Russia, whose people were murdered like flies by the cruel Huns; of Belgium and northern France, where no mercy was shown to young or old, to little children, to spotless virgins, to ministers of God—words fail completely to paint such horrors. A vivid word picture which gives a faint idea of war's terrors is drawn in a letter by a wounded soldier printed in Why We Fought (p. 92), which I quote:

To the EDITOR OF THE NEW YORK TIMES:

To those who oppose the proposed league of nations, either because they are not in favor of the policies of our President (which would be very narrow minded of them), or because of some other reason, and who were unable to be in a battle, I address the following:

You who have never seen the horrors of war, who have never seen a man disappear, literally blown to atoms, on being struck by a shell, who have never heard the shrieks of wounded human beings, who have never heard the hysterical laughter of a man as he gazes at the stump where his hand was a moment ago, who have never heard the cries, the groans, the swearing, the praying of men with festering wounds, lying in a first-aid station, waiting too long and in vain for ambulances, who have never witnessed the terror of those men when the station is gassed and there are no gas masks, who have never seen convalescents totally blind and with both hands amputated above the wrists, can you say that we should stop at anything in order to prevent this frightfulness, this savagery, this horror from occurring again? Is there any other way than by a league of nations and combination of power? Will a simple treaty among the greater nations prevent a recurrence of such an attempt as Germany has made? Is not the league of nations, as proposed, elastic enough and broad enough, whatever its defects, to insure world peace? Is it not a step, and the only possible step, in the right direction? I firmly believe so. If there is another way, speak it out. If not, for God's sake stop opposing this one remedy.

WYMAN RICHARDSON.
(Wounded in action.)

BOSTON, *March 18, 1919.*

In this same very interesting little book, page 55, I find a bit of verse written by a "buck" private in a letter to his mother, depicting the awful situation, and pleading to make this war the last:

Why is this strife and turmoil
Loose in the world to-day?
Why are the armies gathered?
Why is this warlike display?
Each night the flare of the cannon
Paints the northern skies all red,
Each eve are hundreds of missing—
Missing, wounded, or dead.

Farmers are gone from the harvest,
Husbands are gone from their wives,
The earth is plunged in sorrow,
Mourning a million lives.
Children cry for their fathers,
And women grieve for their men,
Mothers, half doubting, are praying
Their sons shall return again.

Towns and cities are ruined,
Thousands of fields lie bare;
War holds earth in her clutches,
The sea and the land and the air.
What can the old war offer
As a recompense for this?
Can the things we shall gain ever banish
The forms and the faces we miss?
What of the wife now a widow,
And the mother whose sons are gone?
Will peace bring back our missing,
And happiness go on?

Cheer up, O grieving mothers,
And all of you who mourn;
Our dead are dead victorious,
For the larger world unborn.
To them fell the task of the ages
And, oh, how gloriously
Have they fought and died and suffered
To free humanity.

Free from the bands and the shackles
That bound us to the past;
Free from the strife and struggle,
And to make this war the last.
Free, and each man is kindred
To a hundred million others,
And earth again an Eden
Where men may dwell as brothers.

And yet, Mr. President, as terrible as this war was, if the league of nations be not adopted and no concert of powers be entered into to preserve peace, we have every reason to believe that within a few years—10 to 20 years at the most—another war far greater than this will take place. If no league be formed to insist upon disarmament, to reduce the size of armies, to prevent preparation for another war by limiting ammunition, ordnance, war material of every kind; if science be permitted to continue the production of destructive agencies, such as gases far worse than those now known, which can destroy a whole city, long-range guns, like Big Bertha, throwing sufficient deadly poisons and bombs to wipe out Paris in a few hours; devices to gather electricity from the air and hurl its bolts in such size and numbers as to destroy armies; submarines incomparably more effective than those which did such terrible work in this war; aeroplanes and dirigibles completely mastering the air and bringing opponents within a few hours of each other, though separated by thousands of miles—in fact, everything imaginable, and far more than I can dream of, to kill men, to destroy property, and reduce the world to sav-

agery—then Heaven help us. Something must be done, and that quickly, to prevent the coming of such a day. This picture is not overdrawn. It does not paint half the truth.

Never was there such a war as the one just closed. Never were so many men engaged in battle; never were so many troops mobilized. Fully 60,000,000 were enlisted in the various nations. Upward of 7,500,000 were killed directly in the fighting or died from wounds in battle, while the deaths from disease among the soldiers and the civilian population directly due to the war was at least 10,000,000, or a total loss in human life from battle and disease of 17,500,000 human beings. The cost in money directly expended on the war was about $186,000,000,000, only $34,000,000,000 less than the total estimated wealth of the United States and all its possessions when the war broke out, and the indirect losses were $50,000,000,000 more, a total of $236,000,000,000.

These are big figures and hard to comprehend. We know things by comparison, however, and to give something like an idea of the loss in blood and treasure in this war I will compare it with the world wars from 1793 to 1914, a period of 121 years. During this period occurred the great Napoleonic wars, when all of Europe was fighting, with slight intermissions, for 22 years; the Crimean War, involving five of the greatest nations of Europe; the Civil War in our own country, which rent our Union asunder for 4 cruel years; the Franco-Prussian, the Russo-Turkish, the Russo-Japanese, the Balkan wars, and others—a total of 21 great wars. In these mighty conflicts, extending through a century and a quarter, the loss of life from battle and disease was only 5,098,097, and the armies in the field numbered only 16,822,200 men, while the total cost of all those wars was estimated at about twenty-four billions. (See Appendix D.) It thus appears that in the late World War 50 per cent more men—7,450,200—were actually killed and died from wounds than the total number of those who were killed and died from wounds and also from disease in the wars of the previous 121 years; and that the cost of this war—one hundred and eighty-six billions—was eight times as great as the total cost of all the wars of all the world for the previous 121 years.

These figures speak in thunder tones, and yet, in my honest opinion, the cost of this war in blood and treasure will be just as far below the cost of the next world war in money and human life as this war exceeds in these units the combined world wars of the past century and a quarter. Our only safe criterion for the future is the past, and just as the late war far exceeded all the great wars of the past, so will the future wars exceed it.

Mr. President, do we desire an increase of the already exorbitant war taxes which burden us to the limit of endurance and are to remain with us for a great many years? Yet our lot in this respect, though burdensome, is light in comparison with that of our allies—Belgium, France, Italy, and Great Britain. It therefore behooves everyone who wishes to get rid of this heavy load to favor the adoption of the league, thereby assuring peace, for another war will certainly double or treble the amount of our taxes.

Can anyone contemplate such a possibility as this and yet have patience with the men who oppose the league of nations? We must have a league of some kind or the world will relapse into savagery. Without a league, without an effective organization to prevent war and enforce peace, civilization will cease to exist. When one considers the mighty stake in this great race does it not seem the height of folly to quibble and complain about each and every detail of the covenant, about paragraph this and article that, about a possible construction which may be placed on article 10 or article 15? Does it not seem incredible that men should fuss so much about details, about whether this "i" should be dotted or that "t" should be crossed, when the fate of humanity hangs in the balance?

In this most trying hour the United States is the sole hope of mankind. If our mighty Republic fails to ratify the league the league will fail, and if the league fails the various nations of the world will continue the same mad effort for physical superiority, for commercial supremacy, for self-aggrandizement, which Germany pursued so intelligently and heartlessly for the last 40 years.

Great Britain, France, Italy, and Japan, aye, and the United States, too, will not be caught napping again, as they were caught by Germany on August 1, 1914. If the dance of death, the war of hell, is to go on, then we must prepare, and the other nations of the world must prepare, and prepare they will to the utmost of their ability. The world will breathe spasmodically for a few brief years, and then the great nations will spring at each others' throats far more actively, with far more power, with far more destructiveness than they evinced in the last great struggle. At the close of the next general war darkness will settle upon the world; men will move back more than 20 centuries; there will be a long reign of absolute force; and Christian civilization, with all the good things it has done for humanity, will cease to exist.

One can not contemplate such an awful possibility in this year of our Lord 1919. Nearly 2,000 years since the Prince of Peace made his advent on earth, 2,000 years in which the world has gotten to be a much better place than it was when Christ was born. Then war was the principal business of mankind and all prisoners of war were enslaved. Athens, the center of ancient civilization, art, and science, had only 20,000 freemen and 400,000 slaves. At that time women possessed no rights that men were bound to respect, and divorce was almost universal. Hospitals and asylums for the relief of human suffering were unknown on earth. There were no homes for destitute babes and old people who had no one to care for them. It was a cold, sad world in which men were but little removed from savages, owing to the constant warfare in which they were engaged, when the Babe of Bethlehem took human form. For the past several centuries wars have been the exception instead of the rule. As I have shown above, during the last 121 years we have had only 21 wars, about one every five years. This compares very favorably with the record during the first 600 years of the Roman Republic, during which the Temple of Janus, open in time of war and closed in time of peace, was closed but for four brief periods. Slavery has been practically abolished. Women are entitled to most of the rights enjoyed by men, even the right to vote being granted them in many enlightened countries. The number of divorces has greatly decreased, though unhappily it still exists. Asylums, homes, hospitals flourish on every side and loving care is given to every human being from the helpless foundling to the unfortunate Magdalen, the aged destitute, and the prisoners in our jails and penitentiaries. Many men believe that they are their brothers' keepers and practice the beautiful philosophy of brotherly love. With such a state of affairs, with humanity so improved, so forward looking, so anxious to do the better things of life, how can we hold back from this magnificent league for peace, this movement inaugurated 2,000 years ago by the Saviour of mankind, at whose coming the angels sang peace on earth?

Mr. President, I ask permission to insert in the RECORD, as addenda to my remarks, without reading, some tables which explain a little more fully several matters to which I have referred.

The PRESIDING OFFICER (Mr. GAY in the chair). Without objection, it is so ordered.

The tables referred to are as follows:

APPENDIX A.

THE WAR WITH GERMANY—A STATISTICAL SUMMARY.

[By Leonard P. Ayres, colonel, General Staff, Chief Statistics Branch.]

Battle deaths in armies engaged in present war, 1914–1918 (p. 119, Table 9).

Russia	1,700,000
Germany	1,600,000
France	1,385,300
Great Britain	900,000
Austria	800,000
Italy	330,000
Turkey	250,000
Serbia and Montenegro	125,000
Belgium	102,000
Roumania	100,000
Bulgaria	100,000
United States	48,900
Greece	7,000
Portugal	2,000
Total	7,450,200

APPENDIX B.

THE WAR WITH GERMANY—A STATISTICAL SUMMARY.

[By Leonard P. Ayres, colonel, General Staff, Chief Statistics Branch.]

Estimated total war expenditures of principal nations to Apr. 30, 1919 (p. 135, Table 13).

[All figures in billions of dollars and excluding normal expenses and loans to Allies.]

Country:	
Great Britain and dominions	38
France	26
United States	22
Russia	18
Italy	13
Belgium, Roumania, Portugal, Jugo-Slavia	5
Japan and Greece	1
Total, Allies and United States	123
Germany	39
Austria-Hungary	21
Turkey and Bulgaria	3
Total, Teutonic allies	63
Grand total	186

APPENDIX C.

COST OF THE WAR.

[The Daily Telegraph, London, Feb. 4, 1919, p. 6, from a correspondent.]

The writer accepts the sum of $200,000,000,000 given by the Federal Reserve Board as correctly representing the direct cost of the war.

The subject of indirect cost is purely conjectural. What we do know, however, of the havoc wrought in France and Belgium warrants conjecture on the big scale. Other countries—Poland, Lithuania, eastern Prussia, the Bukovina, Galicia, Serbia, Roumania, Macedonia, the Trentino, and our own east coast—have also suffered severely. M. Augustin Hamon put this devastation down at $10,000,000,000, but that was before the last great drive of Marshal Foch, in the course of which the enemy burnt or blew up every town and village through which he retreated. Fifty per cent might perhaps be now added to M. Hamon's figure without exposing it to the charge of exaggeration. Then there is the incalculable loss caused by the removal of productive plant, the forced suspension of industry, the interference with the world's overseas commerce, the disorganization of the world's industry and finance, and the unproductiveness, for the time being, of the 50,000,000 men engaged in military and other duties connected with the war or held in readiness for warfare.

CLASSIFICATION OF COST.

Take the last of these items, and let it be supposed that only half the number were taken from industrial occupations. Let it be further supposed, in the interests of moderation, that their average productive power over and above the costs of material, labor, etc., was not more than $125 a year, also that their average period of purely military duties was limited to two years. This would give us a loss of $250 per man, or $6,250,000,000 in all. Then there is the capital value of the killed and permanently disabled. Without counting Belgium, Serbia, Japan, and Portugal, the losses in killed were over 5,500,000, and the number of wounded incapable of returning to any occupation from two to three million. Altogether it seems fair to reckon that not fewer than 9,000,000 men between the ages of 18 and 48 have been sacrificed. If we put their average earnings down at no more than $5 a week and their average probability of life at only 10 years, we get an economic loss of $23,400,000,000. This is to value each man, taking one with another, at $2,600, whereas some economists put it as high as $5,000. There is the further consideration that the great majority of these victims, if not all of them, were potential taxpayers and that their removal puts a heavier burden on those who are left. We may now sum up these classifications of cost. We have $200,000,000,000 for direct costs; $15,000,000,000 for material damage; $6,250,000,000 for loss of production; and $23,400,000,000 as the economic value of the lost and disabled lives, making $244,650,000,000—nearly $250,000,000,000. As a set-off against the possibility of some overlapping we may put the indirect costs of diminished trade and financial disturbance.

—

Edgar Crammond, an Englishman, in an address on "The economic outlook," delivered before the Institute of Bankers March 25, 1919, which was summarized in the Journal of Commerce April 10, 1919, pages 3 and 8, and in the Washington Post March 27, 1919, page 2, estimated the direct cost of the war to the Allies at $141,800,000,000, and to the Central Powers at $68,375,000,000. He estimates the total cost of the war, including indirect losses, at $260,000,000,000.

APPENDIX D.

[From Massachusetts Commission on the Cost of Living. H. R. No. 1750. Boston, May, 1910, pp. 201–207.]

The following figures, covering the period from 1793 to date, 117 years, incomplete as they are, make an impressive exhibit of the waste of life and treasure that militarism has brought to civilization:

Dates.	Countries engaged.	Cost.	Loss of life.	Armies in the field.
1793–1815.	England and France	$6,250,000,000	1,900,000	3,000,000
1812–1815.	France and Russia	450,625,000	.....	1,500,000
1828.....	Russia and Turkey	100,000,000	120,000	.....
1830–1840.	Spain and Portugal (civil war)	250,000,000	160,000	300,000
1830–1847.	France and Algeria	190,000,000	110,000	150,000
1848.....	Revolts in Europe	50,000,000	60,000	.....
1845.....	United States and Mexico	.....	10,000	90,100
1854–1856.	England	371,000,000	609,797	1,460,500
	France	332,000,000		
	Sardinia and Turkey	128,000,000		
	Austria	68,000,000		
	Russia	800,000,000		
1859.....	France	75,000,000	24,000	128,000
	Austria	127,000,000	.....	200,000
	Italy	51,000,000	.....	50,000
1861–1865.	The rebellion	5,000,000,000	294,400	2,041,600
			200,000	750,000
1864.....	Denmark, Prussia, and Austria	36,000,000	.....	.....
1866.....	Prussia and Austria	330,000,000	57,000	639,000
1864–1870.	Brazil, Argentine, and Paraguay	240,000,000	330,000	.....
1865–66...	France and Mexico	65,000,000	65,000	100,000
1870–71...	France	1,580,000,000	311,000	1,713,000
	Germany	954,400,006		
1876–77...	Russia	803,547,489	180,000	1,500,000
	Turkey	403,273,745		
1898.....	Spain and the United States	1,165,000,000	20,000	300,000
1900–1901.	Transvaal Republic and England	1,000,100,000	91,000	400,000
1904–5....	Russia and Japan	2,500,000,000	555,900	2,500,000

Expense of wars, 1793–1860	$9,243,225,000
Expense of wars, 1861–1910	$14,080,321,240
Total	$23,323,546,240
Loss of life, military service	5,098,097
Armies in the field	16,822,200

The figures are estimates, but estimates by trained scholars and statisticians, and they can, after all, represent only a small part of the loss of life and treasure.

The cost of the Napoleonic invasion of Russia in 1812 and the subsequent wars, which ended in the overthrow of the Emperor of the French, are from figures given by Jean S. Bloch, and cover only the actual loans, issues of paper "assignats" to meet military expenses, and the English subsidies paid to Russia. The destruction of Moscow and the enormous waste in other directions are not calculated.

The waste and the loss which the Napoleonic era, including the French revolutionary, directory, and consular wars, inflicted on Italy, The Netherlands, the German kingdoms and principalities, Spain, Portugal, and Egypt, have not been estimated; but, economically, financially, and humanly, they must have been enormous. Leroy Beaulieu states that the age of the revolution and the empire cost France $4,200,000,000, and up to the year 1799 her loss of men amounted to 1,500,000.

APPENDIX E.

[Business Digest and Investment Weekly, May 13, 1919, p. 637.]

[Compiled from official records of United States Shipping Board, Bureau of Commerce and Navigation, British Admiralty, Lloyds Register of Shipping, and other specially prepared data.]

Measured in money, the world's loss from enemy destruction of ships has been nearly $8,000,000,000.

	Gross tons.
United States	911,854
United Kingdom	9,043,744
Other allies and neutrals	5,112,263
World total	15,067,861

	United States.	United Kingdom.	Allies and neutrals.	World total.
In value ships lost (valuation $200 a ton)	$182,370,800	$1,808,748,800	$1,022,452,600	$3,013,572,200
Cargo values (valuation $100 a ton)	91,185,400	904,374,400	511,226,300	1,506,786,100
Property, money, and lives insured (valuation $10 a ton)	9,118,540	90,437,440	51,122,630	150,678,610
Earning power ($7.65 a ton per month)	134,033,122	1,340,331,217	759,521,023	2,233,885,362
Total	416,707,862	4,143,891,857	2,344,322,553	6,904,922,272
Ships damaged:				
Repairs	45,592,700	452,187,200	255,613,150	753,393,050
Earnings	6,975,683	69,184,641	39,108,812	115,269,136
Total	52,568,383	521,371,841	294,721,962	868,662,186
Grand total sea losses during war	469,276,245	4,665,263,698	2,639,044,515	7,773,584,458

LEAGUE OF NATIONS.

Mr. OWEN obtained the floor.

Mr. FALL. Mr. President, will the Senator from Oklahoma yield to me for just a moment?

Mr. OWEN. I yield to the Senator.

Mr. FALL. I wish to give notice that to-morrow morning, immediately after the close of the routine morning business, I shall address the Senate on the league of nations.

Mr. OWEN. Mr. President, the Senate of the United States is facing its greatest responsibility in the history of the Republic. We are face to face with the acceptance or the rejection of a treaty of peace with Germany, and the acceptance or rejection of a covenant establishing a league of nations and a new world order of liberty, justice, and humanity.

In a great enterprise of this character we must not permit ourselves to deal with the shadows; we should deal only with the substance.

The treaty with Germany establishes the disarmament of Germany as a great vital fact, absolutely breaks its military and naval power, its dynastic ambition and militarism, and compels reparation for the damage done by the German people. It compels the German and Austrian Governments to recognize the rights of subject peoples heretofore dominated by Germany and her allies. They are compelled to recognize the Poles, the Czecho-Slovaks, the Jugo-Slavs, and to recognize the new boundaries of these peoples and their right to self-government, their right of self-determination, and equitable treatment to their commerce and industry. The reduction of the military power of Germany is an event of the first magnitude. It is the reduction of the only great power which in modern times has entertained the ambition of world dominion; it is the reduction of the only great power deliberately building up a military force for aggrandizement, for annexation, for indemnity, and for profit. The reduction of German war power and lust for dominion by this war and by this treaty is one great fact that must color everything which follows. Above all, there is established by a world agreement the covenant of the league of nations with a force of sufficient financial, commercial, military, and naval power to command the peace of the world for all time.

I have studied the covenant of the league of nations with care. I have read many speeches hostile to this covenant, and have weighed the arguments against the covenant. I have found them very hypercritical, partisan, and without convincing force.

I am profoundly convinced that it is my duty as a Senator of the United States, representing the people of the United States, to give this covenant my support without amendment or reservation. I regard it as my duty to the world to support this covenant.

Mr. President, the peace of the world might have been secured by the conventions at The Hague in 1899 and 1907 if it had not been for the military autocracies governing Germany, Austria, Bulgaria, and Turkey, whose representatives refused to agree to arbitration or to disarmament and who, when ready, violated all The Hague conventions and their solemn treaties with other nations in their violent attempt in 1914 to establish world dominion.

The great obstacle to world peace of 1899 and 1907 is happily removed.

These autocratic military governments are now disarmed. They will be compelled to accept the principles of international morality, and it may well be believed that with the overthrow of the military autocracies which governed these peoples, which dominated and drove them into battle, the people themselves will soon realize their deliverance and will appreciate and support with heartfelt loyalty the new world order.

Mr. President, the great conflict between military autocracy and the growing democracies of the world was almost unavoidable. The Romanoffs, the Hohenzollerns, the Hapsburgs, and the Bourbons, by the Secret Treaty of Verona, had sworn, in 1822, to destroy the democracies of the world. That treaty, articles 1 and 2, provided:

ARTICLE 1. THE HIGH CONTRACTING POWERS BEING CONVINCED THAT THE SYSTEM OF REPRESENTATIVE GOVERNMENT IS EQUALLY AS INCOMPATIBLE WITH THE MONARCHIAL PRINCIPLES AS THE MAXIM OF THE SOVEREIGNTY OF THE PEOPLE WITH THE DIVINE RIGHT, ENGAGE MUTUALLY, IN THE MOST SOLEMN MANNER, TO USE ALL THEIR EFFORTS TO PUT AN END TO THE SYSTEM OF REPRESENTATIVE GOVERNMENTS IN WHATEVER COUNTRY IT MAY EXIST IN EUROPE AND TO PREVENT ITS BEING INTRODUCED IN THOSE COUNTRIES WHERE IT IS NOT YET KNOWN.

ART. 2. AS IT CAN NOT BE DOUBTED THAT THE LIBERTY OF THE PRESS IS THE MOST POWERFUL MEANS USED BY THE PRETENDED SUPPORTERS OF THE RIGHTS OF NATIONS TO THE DETRIMENT OF THOSE OF PRINCES, THE HIGH CONTRACTING PARTIES PROMISE RECIPROCALLY TO ADOPT ALL PROPER MEASURES TO SUPPRESS IT, NOT ONLY IN THEIR OWN STATES BUT ALSO IN THE REST OF EUROPE.

They immediately overthrew the limited monarchy in Spain and established an absolute monarchy under the same prince. They did the same thing in Italy with a view to establishing absolute monarchies throughout the world and keeping the people of the world as subjects, as political slaves, and as industrial slaves subject to the mastery of the ruling powers.

The Monroe doctrine was declared for the express purpose of checking this monarchical movement and preventing its extension to the Western Hemisphere. The Hohenzollerns were the leaders of this conspiracy from 1822 down to 1914, and down to the day when William II fled to Holland before the victorious powers of the democracies of the world.

This great war was fought by America on the principle that the peoples of the world had the right to govern themselves, and the allied Governments confirmed the American theory on November 5, 1918, as the basis of the armistice. The present dictated treaty of peace is the result and is before us.

This war was a war to establish right against might, justice and humanity against injustice and inhumanity; to establish the rule of conscience throughout the world against the rule of brute force, the right of men everywhere to govern themselves.

The principles of righteousness were successful, and in the final months of battle the great powers of the United States were marshaled and thrown upon the battle field, giving vitality to the flagging forces of Great Britain, of France, of Italy, and of Belgium, and brought an imperishable glory to the American Republic as the world apostle of liberty and righteousness.

LEAGUE OF VICTORIOUS NATIONS.

Mr. President, on the battle field a league of victorious nations was established, led by the United States, Great Britain, France, Italy, Belgium, and Japan, and including 20 others. It may be fairly said that the sympathy of all of the nations of the world, of all the people of the world was finally aroused against the wicked lust for dominion exhibited by the rulers of Germany, and that finally on the inside of Austria and on the inside of Germany disintegration commenced because of the discontent of the Austrian and German people with the false leadership they had been compelled to follow. It was a pathetic scene when we saw the Czecho-Slovaks, who had deserted Austria and fought for the Allies, having passed around the world, reached Washington and marched before the White House as a tribute to the United States and as an evidence of their own devotion to the cause of justice and righteousness.

Mr. President, the still small voice coming from the Divine Spirit moves the hearts of all men and ultimately makes truth triumphant and justice victorious.

We have now, Mr. President, a league of nations in actual operation—a league of victorious nations, with their representatives in Paris completing the task imposed upon the world by William II.

A league of victorious nations, through their representatives, has presented to us a treaty of peace with Germany, with a covenant of a world league of nations approved by the representatives of 32 nations: United States, Belgium, Bolivia, Brazil, the British Empire (including Canada, Australia, South Africa, New Zealand, and India), China, Cuba, Ecuador, France, Greece, Guatemala, Haiti, Hedjaz, Honduras, Italy, Japan, Liberia, Nicaragua, Panama, Peru, Poland, Portugal, Roumania, Serb-Croat-Slovene State, Siam, Czechoslovakia, and Uruguay.

Mr. President, 13 other great States—Argentina, Chile, Colombia, Denmark, Netherlands, Norway, Paraguay, Persia, Salvador, Spain, Sweden, Switzerland, Venezuela—in effect Republics more or less advanced, are ready and have been invited to join the covenant of the league of nations.

Mr. President, I can not but believe that within a short period of probation Germany, Austria, and Bulgaria will be admitted to the league of nations, and that Russia—a united Russia, a great Republic of Russia, or perhaps several republics composed of Russian people—will gladly join the league when they shall have established orderly, democratic government.

All of these nations stand for peace and justice and sympathetic cooperation, and the Hohenzollerns, the Hapsburgs—the governments based on militarism and lust for world dominion—are dead beyond the possibility of resurrection.

We are entering a new world order. The representatives of 32 nations have been conferring together since the 11th day of November, 1918, and have finally worked out with infinite pains a treaty of peace with Germany which is now before us (S. Doc. No. 49, 66th Cong., 1st sess.). It comprises 440 articles—a volume of 194 pages. It is the most important treaty the world has ever seen. It deals not only with Germany but in effect it deals with the new nations that are brought into life by this peace treaty.

I shall support the treaty of peace as the best settlement found possible by the representatives of the great nations fighting together for liberty and justice.

We have a league of nations now, born of necessity, created by war, by the exigencies of life and death, and they are transacting business without any other charter than the charter of necessity. This treaty has not been carelessly drawn. The United States alone had a large number of expert men engaged in an advisory capacity to gather together the information for our peace commissioners, and it is quite a wonderful tribute to the excellence of this treaty and to its thoroughness and to its accuracy that the opponents have found in 440 articles so few of which they can complain. I shall refer to some of these objections later.

But, Mr. President, what I now wish to emphasize is that we have a league of nations working without a charter, establishing by military force the peace of Europe, a peace which is essential and necessary to the peace of the American people; that the league of victorious nations in arms through its representatives has finally reached an agreement. Germany has ratified the terms; Great Britain has ratified it; France in a few days will have ratified it, and so will Japan. Are these great voices of no persuasive force? It is a dictated peace, as I had the honor to advise the honorable Senator from Massachusetts [Mr. LODGE] it would be, when he denounced the armistice and President Wilson's question to the German people which preceded the armistice. It is as much a dictated peace as if the Allies had gone to Berlin after having devastated hundreds of cities and villages and marched over the bodies of hundreds of thousands of the slain.

Never was a greater assemblage of scholars, technical experts, historians, and trained statesmen assembled. Their work should command the respect of all thoughtful men who respect authority and are moved by competent argument.

Mr. President, the nations composing the league of victorious nations discovered that while they were bound together by the exigencies of war in framing the future relations of the nations of Europe with Germany and her allies, and compelling compliance to the decrees of the great Allies, it was essential to establish a league of nations that should embrace all the nations of the world, 32 of whom were already at the peace table joining in the making of peace with Germany, and it was well known that all the other nations in the world, except Germany and her allies and disordered Russia, were ready to adjust themselves to a world-wide league of nations for the preservation of the future peace of the world and for the very vital purpose of making effective the settlement with Germany and her allies, making a certainty that militarism should not again raise its martial head, and that Germany and Austria should respect the penal-

ties imposed upon them and make reparations for the damage they had done.

Throughout the treaty of peace with Germany the proposed league of nations is charged with many responsibilities to see that this treaty is carried out; that the boundaries fixed shall be respected. This treaty establishes new relations between Germany and all other nations in the most important particulars—with the new States, Czechoslovakia, Poland, Austria, Hungary, Schleswig, with Russia and the Russian States, with the German colonies, with China, with Siam, Liberia, Morocco, with Egypt, Turkey, Bulgaria, and in respect to Shantung.

This treaty is of gigantic importance in disarming Germany, demobilizing her forces, limiting her army and navy, her armaments, her munitions, her materials of war, abolishing absolutely compulsory military service in Germany, preventing short enlistments in the army to train citizens as soldiers, limiting her fortifications, depriving her of the right to have military aeroplanes or submarines, authorizing interallied commissions of control, making sweeping provisions for reparation, and proposing proper penalties upon the criminal leaders who committed the hideous crime of the war of 1914.

This treaty of necessity deals with commercial relations, with property rights, contracts, judgments, ports, waterways, railways, navigation, and so forth.

Mr. President, the covenant of the league of nations substitutes law and order in place of anarchy between nations. We have had no such thing as international law. We have had merely international precedents, international ethics and agreements. No rule of human conduct not prescribed by competent authority and capable of enforcement deserves to be called a law.

The covenant of the league of nations is the beginning of international order and international law to govern relations of the citizens of one nation with the citizens of another nation. The covenant is drawn up with avowed purpose—

to promote international cooperation and to achieve international peace and security.

The most intense partisan bigotry will not challenge the nobility of this purpose. The means by which this noble end shall be accomplished is specifically laid down—

First. By the acceptance of obligations not to resort to war.

Second. By the prescription of open, just, and honorable relations between nations.

Third. By the firm establishment of the understandings of international law as the actual rule of conduct among governments.

Fourth. By the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organized peoples with one another.

These four proposals are the proposals of the first paragraph of the covenant of the league of nations, and whatever follows must be interpreted in the light of the purpose and the plan proposed to carry out the purpose of achieving international peace and security.

The 26 articles then lay out a plan for achieving international peace and security.

First it pledges every member (art. 10) not to invade the territorial integrity or existing political independence of any other member nation, and not only to respect this principle but to preserve against external aggression the territorial integrity and existing political independence of all members of the league. Abundant means for safeguarding the future peace of the world is provided as follows:

a. By recognizing the importance of reducing armaments to the lowest point consistent with national safety and international obligations;

b. By limiting the private manufacture of munitions and implements of war and providing a means for abating this menace to peace;

c. By giving full information with regard to the manufacture of armaments and military, naval, and air programs;

d. By establishing a commission to deal with the question of military and naval programs;

e. By providing for an immediate call of the council in case of war or a threat of war (art. 10);

f. By providing that members of the league shall submit disputes to arbitration or to inquiry by the council, and that they will not resort to war until at least three months after the award by the arbitrators or the report of the council (art. 12);

g. By recognizing as suitable for arbitration—

First. All disputes relating to the interpretation of treaties.

Second. Any question of international law.

Third. The existence of any fact which if established would constitute a breach of any international obligation.

Fourth. Or as to the extent and nature of the reparation to be made for any such breach.

h. Provision is made that the members of the league will carry out in good faith any award that may be rendered, and that they will not resort to war against a member which complies with the award (art. 13).

i. A permanent court of international justice is contemplated to be submitted to the members of the league for consideration (art. 14).

k. A further provision is made to settle disputes by providing that questions not submitted to arbitration shall be submitted to the council for full investigation and consideration.

l. Provision is made for an appeal to be made from the council to the assembly (art. 15).

m. If any member resorts to war in disregard of its covenants to arbitrate or adjust its differences with other nations under articles 12, 13, or 15, it shall, ipso facto, be deemed to have committed an act of war against all other members of the league, which undertake immediately to subject the offending nation—

First, to the severance of all trade or financial relations.

Second, the prohibition of all intercourse between other nationals and the nationals of the offending State.

Third, the prevention of all financial, commercial, or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a member of the league or not.

These penalties are sufficient to deter any nation on earth from attacking another nation in violation of the covenanted agreements (art. 16).

n. Moreover, it is provided that it shall be the duty of the council in the case of an outlaw nation to recommend to the several Governments concerned what effective military, naval, or air forces the members of the league shall severally contribute to the armed forces to be used to protect the covenants of the league (art. 16).

This provision is similar to the provision in article 10 that where any nation is exposed to an exterior aggression of its territorial integrity or existing political independence by another nation, the council shall advise as to the means by which the obligation to preserve the territorial integrity and existing political independence of nations shall be fulfilled.

o. Article 16 makes further provision that in the case of an outlaw nation the members of the league shall cooperate in financial and economic ways to minimize the harm done by a blockade and boycott of the offending nation.

p. Article 17 provides for the settlement of disputes between nations not members of the league, and provides for the coercion of any nonmember which assails a member nation contrary to the principles of the league.

q. Publicity of treaties is provided for as a safeguard against secret treaties (art. 18).

r. The assembly is authorized to advise the reconsideration of existing treaties that may involve or endanger the peace of the world (art. 19).

s. The members of the league are to cancel and set aside obligations or understandings among themselves which are inconsistent with the principles of the proposed league, and they agree not to hereafter enter into engagements inconsistent with the principles of the league (art. 20).

t. The league is intrusted with the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest (art. 23).

u. The very great and important principle is laid down in the proposed covenant that the people in German colonies and territories where the people are not yet able to stand by themselves shall have their right of development placed under the authority of the league of nations as a sacred trust of civilization, and that mandatories shall be established comprising nations trained in the art of government which shall exercise the responsibility, under a charter issued by the council in behalf of the league, determining the degree of authority, control, or administration to be exercised by the mandatory, and providing for annual reports, and recognizing the principles of justice and the right of the people who are governed to primary consideration.

v. Some very important principles are laid down in section 23, pledging the member nations—

(a) To endeavor to secure and maintain fair and humane conditions of labor for men, women, and children both in their own countries and in all countries to which their commercial and industrial relations extend, and for that purpose to establish and maintain the necessary international organizations—

(b) Pledging the members to undertake to secure just treatment of the native inhabitants of territories under their control.

(c) That they will intrust the league with the general supervision over the execution of agreements with regard to the traffic in women and children, and the traffic in opium and other dangerous drugs.

(e) That they will make provision to secure and maintain freedom of communications and of transit and equitable treatment for the commerce of all members of the league.

(f) That they will endeavor to take steps in matters of international concern for the prevention and control of disease.

That they will encourage and promote voluntary Red Cross organizations (art. 25).

Mr. President, this covenant provides for the settlement of every international dispute that can honestly arise. It provides for the disarmament of nations to the limit of safety. It provides a gigantic penalty of international boycott and blockade of any nation which, contrary to the principles of the league, invades the territorial integrity or political independence of another nation. It lays down the principles of justice and humanity. It pledges the nations of the world to the great principles of peace and international justice and international understanding. And above all the old enemies of peace and justice are powerless and made incapable of future mischief.

Those who have been opposing the league have not been able to point out in a single instance where they could improve upon the precautions taken by this great covenant to prevent war in future.

We are face to face with either accepting the covenant or rejecting it. If I should take part in rejecting it, Mr. President, my conscience would never cease to distress me as having failed in a great crisis of the world's history to do what I could to establish peace on earth, good will toward men.

Mr. President, the covenant of the league of nations is the consummation of a century of the aspirations of the good men of the world. It is the work of many hands. The doctrine of disarmament and of arbitration would have been adopted at The Hague in 1907 except for Germany and her allies.

It is absolutely inconceivable that any existing democracy on earth would disregard the principles laid down in this league. They would have no motive, in the first place. They would not dare, in the second place.

PRESIDENT WILSON.

The political enemies of President Wilson should not throw themselves in blind fury against the covenant of the league of nations on the theory that it is his child, conceived by him and brought forth by him, and therefore deserving a merited slaughter. The principles of the league are those of The Hague conventions brought down to date. It represents the best opinions of the whole civilized world. As far as the covenant of the league of nations is concerned it is full of wisdom and virtue. It is a child conceived by all the lovers of men.

I was one of those, and I assume the responsibility, who urged President Wilson to go to Paris and to use his prestige as President of the United States to bring about this covenant. I think he is entitled to very great credit for having succeeded in bringing back a covenant fundamentally sound, which will accomplish the purpose of world peace, world order, and world prosperity. History will give him a credit which his political opponents would now deny.

OPPOSITION TO THE COVENANT.

Mr. President, one of the first principles which I learned as a Member of the Senate, in its capacity to pass upon foreign treaties, was this—

That in the Senate of the United States party lines should cease at tidewater.

I have been profoundly disappointed to find the distinguished Senator from Massachusetts, the present chairman of the Committee on Foreign Relations [Mr. LODGE], ignoring this sound principle with his round robin, marshaling all the Republican Senators whom he could influence to protest against the covenant establishing the league of nations, making hostile speeches against it, and leading other Senators to do the same thing.

The opponents of the league have proven too much.

The distinguished Senator from Illinois [Mr. SHERMAN] undertook to demonstrate that the league would be controlled by the Catholic Church by controlling a majority of the votes of the assembly and that the Catholic Church would thus rule the world.

Another Senator undertook to prove in the same way that the colored races would control the league of nations, and therefore control the world.

Other Senators to their own satisfaction have shown that Great Britain would in like manner control the league and therefore control the world.

These Senators might do well to reconcile their own differences before they ask the people of the United States to follow a leadership that leads in all directions at once.

But, Mr. President, they are completely put to confusion by a fair interpretation of the covenant itself. The action of the league (art. 2) must be effected through the instrumentality of an assembly and of a council. It is expressly provided in article 5 that—

Except where otherwise expressly provided in this covenant or by the terms of the present treaty, decisions at any meeting of the assembly or of the council shall require *the agreement of all the members* of the league represented at the meeting.

In other words no decision except by unanimous vote.

The only exceptions provided for by the covenant are in respect to matters of procedure, the appointment of committees (these arrangements may be decided by a majority) (art. 5), and in the case of an appeal to the assembly of a pending dispute it is provided that a decision may be arrived at if concurred in—

by the representatives of those members of the league represented on the council and of a majority of the other members of the league, exclusive in each case of the representatives of the parties to the dispute.

In other words, the decisions of the assembly or of the council in relation to international affairs must be unanimous. Where is the possibility of the dominance of any nation over other nations represented on the council or in the assembly? Where is the danger of dominance by England, the Catholic Church, or the colored races when no action can be taken except by unanimous consent?

Great stress has been laid upon the number of votes given to Great Britain, as in the cases of Australia, South Africa, New Zealand, Canada, and India, while only one is given to the United States.

The answer to this is that since a unanimous decision is required it is not of the slightest importance; and, second, that in so far as mere votes are concerned, the United States has a number of small nations whose support could be relied upon, as Cuba, Haiti, San Salvador, Panama, Liberia, Nicaragua, Honduras, and Guatemala, whose population is negligible but whose dependence upon the United States is of such a character that their cooperation with the United States can be as much relied upon as the cooperation of Canada with Great Britain.

But there is nothing in the argument one way or the other. The argument is specious, it is fallacious, it is misleading, and unworthy of being presented to the American Senate. A few votes are of no importance where all must agree.

ENTANGLING ALLIANCES.

The opponents of the covenant establishing the league declare with suspicious zeal that we are violating the advice of our revered Washington and ignoring his warning against entangling alliances.

The entangling alliances to which Washington referred were agreements, common in his day, making offensive and defensive alliances between one autocracy and another, between rival groups of monarchies. He was very wise to advise the United States to keep out of such difficulties where nations were controlled by military and dynastic ambitions and selfish intrigue.

Our revered Washington had not the faintest conception of the present covenant establishing a world order by the democracies of the world as a result of the complete overthrow of the Hohenzollerns, the Hapsburgs, and the Romanoffs. So far is membership in the league of nations under the present covenant from being an entangling alliance, it is an association which will make impossible any entangling alliances such as those contemplated by Washington.

The present covenant precludes the possibility of military dynastic alliances. The present covenant establishes peace on earth, establishes a just and fair relationship between all nations, with all the nations of the earth pledged to maintain the political integrity and the existing political independence of every single member nation. I agree with Senator LODGE'S speech of June 9, 1915, at Union College, that "there is no escape from the proposition that nations must unite to prevent war," and disagree with his present attitude. Is it not strange he has made no constructive proposals?

MONROE DOCTRINE.

Without a gleam of humor there are opponents of the league who have the hardihood to confront the intelligence of mankind with the astonishing proposal that the present covenant would abolish the Monroe doctrine. These unhappy statesmen think the Monroe doctrine is a charter establishing suzerainty over the Central and South American Republics and that it is a species of overlordship by which the United States has a right to manage and control the policies of the other Republics on the Western Hemisphere. This un-American conception has been highly mischievous just to the extent that it has had the temerity by mysterious innuendoes to formulate itself. It has caused the Republics of South America and of Central America to look upon the United States as the Colossus of the North, ready to invade their territory and their existing political in-

dependence whenever a pretext arises for the purposes of profit—commercial, financial, or political.

This is the doctrine which the Germans have used in the Argentine, and Chile, and Brazil, and Colombia, and throughout the South American Republics and the Central American Republics, for the purpose of discrediting the United States and breaking down our just influence with these neighboring Republics whose faithful friend we always have been and whose faithful friend we always shall remain.

The Monroe doctrine is this: That the United States will regard it as an unfriendly act for any foreign nation to attempt to establish on the Western Hemisphere its system of government or to interfere with the political independence or policies of the Republics on the Western Hemisphere.

This doctrine has been somewhat expanded to mean that the United States would not be indifferent to an attempt on the part of a foreign Government to acquire additional lands on the Western Hemisphere.

The Monroe doctrine does not give the United States any rights of suzerainty. The rights of the United States have been somewhat expanded by the necessities of the case, as in Haiti, under the same principle which is recognized in article 22 of the pending covenant, establishing mandatories over communities showing themselves incapable of orderly self-government. But this is an entirely different principle from the Monroe doctrine, and the Monroe doctrine may fairly be construed to preclude a foreign nation from exercising the rights of a mandatory on the Western Hemisphere.

Article 10 pledges all the members of the league to respect and preserve the territorial integrity and existing political independence of the member nations, and this is a powerful confirmation of the underlying principle of the Monroe doctrine, forbidding foreign nations and all other nations to invade the territorial integrity or to interfere with the political independence of the Republics of the Western Hemisphere.

But the covenant goes further. It actually recognizes, in terms, the Monroe doctrine (art. 21), which is all any reasonable man ought to desire; and this great covenant of the league of nations, instead of weakening the Monroe doctrine, would strengthen it, confirm it, and cause it to be acknowledged by all the world.

THE LEAGUE HAS NOT STOPPED WAR.

The opponents of the proposed covenant say that it has not stopped war; that there are a dozen wars pending now.

Nearly all of the so-called wars pending are civil wars, and not really international wars. A few are over disputed boundaries or disputed authority.

The league of nations has not yet been established. The United States has not yet approved the covenant. But the league of victorious nations, which is giving birth to the league of all nations, has stopped the greatest war in history, the war in Belgium, in France, in Italy, in Greece, in Serbia, and in Germany, in Austria, Bulgaria, and Turkey, and demobilized their armed forces.

The gigantic armies of the Teutonic allies are demobilized. The great warring armies are rapidly returning to civilized pursuits, and the smaller civil disputes which remain will rapidly adjust themselves when the great nations of the world act.

RESERVATIONS.

The opponents of the league having observed that article 1 provides that the members of the league are those who shall accede without reservation to the covenant now insist upon reservations which would exclude, by the conditions of article 1, the United States from membership in the league of nations.

Reservations are not necessary to the covenant as drawn and are objectionable because by the terms of the covenant itself any reservation to article 1 would exclude the United States from membership in the league of nations and possibly defeat the covenant itself by leading to other reservations and withdrawals.

Instead of making reservations which would temporarily exclude the United States from membership in the league it would be much better to ratify the treaty of peace with Germany and let Senators who have doubts remaining pass resolutions at the same time stating what the interpretation of the Senate or of Senators may be. This would be ratification with an explanatory interpretation of the meaning coincident to it by those who think this necessary. But no reservations should be attached to the ratification of the treaty itself, for the reason that it would exclude the United States from membership in the league if this were done, or bring the covenant into great confusion by inviting 50 nations to make reservations and amendments, to be in turn submitted to other nations and invite new amendments or reservations.

Mr. President, I think it should be remembered by the Senate that the sovereignty of the United States is vested in the people of the United States; that the Senate and House of Representatives merely occupy a position of temporary authority. No Congress can bind a succeeding Congress. Any Congress can, by act of Congress, repeal any treaty which is made. That is the law of the United States, as repeatedly construed by the United States Supreme Court. The effect of a treaty in the way of a promise to another nation only carries with it as valid and binding a moral obligation. A moral obligation, of course, is sufficient to bind the representatives of the people of the United States, but if, when they ratify this treaty with Germany, they should on the same day and in a separate instrument pass a resolution stating what, in the opinion of the Senate, is the limitation upon the power of the Senate, what is the interpretation of the Senate in agreeing to the covenant, it would completely meet every possible objection at any future time that the United States was not living up to its moral obligation, if any nation in the future should put upon the covenant a meaning which the Senate of the United States now believes they would have no right to put upon that covenant. In other words, we can meet the moral aspect by an independent resolution passed on the same day, without interfering with the ratification of this agreement, free from amendment or reservation.

I am in favor of ratifying it without amendment and without reservation, and I do not think it is even necessary to have a resolution such as I have described, although for those who are timid and fearful of a moral responsibility to nations in the future they can reconcile themselves to themselves and to the world by taking that course.

The league of nations—

First. Will prevent future war.

Second. Will establish world peace.

Third. Will promote international law and international understanding and international morality.

Fourth. Will promote international industry, commerce, and finance.

Fifth. Will promote higher conceptions of liberty and justice and humanity.

Sixth. Will save the enormous expenditures and waste in life and property of preparation for war and of war.

Seventh. The economic penalties of the present covenant are sufficient to prevent war without the use of international police; the international police being in existence does not imply and probably would not require its employment, except on very rare occasions.

Eighth. It will promote democracy throughout the world, the rule of the people, and make the Government responsible to the need, the welfare, the health, the happiness, the prosperity of the people.

Ninth. It will make international agreements relative to finance, commerce, and industry easier of accomplishment.

Tenth. It will give a new dignity to human life and exalt it above the conception of mere property, so that property would be considered as secondary to human life.

Eleventh. It will mean the freedom of the seas and freedom of international waterways, and a new birth of freedom throughout the whole world.

Twelfth. It will promote genuine democracy and end Bolshevism.

Thirteenth. It will stop civil wars that are now raging in certain demoralized portions of the world.

Fourteenth. It will promote the better interests of those who labor throughout the world, of those who create values, and give them a larger part of the values which they create.

Fifteenth. It will put an end to dynastic ambition and to military atrocity forever.

Sixteenth. It will end the rule of the few over the many and establish the rule of the majority for the happiness of the majority and of the minority as well.

Seventeenth. It will not impair the internal sovereignty of any nation.

Eighteenth. It will abate racial and class prejudices.

The future success of the league is forecast by the success of the British Empire, by the success of the Government of the United States with its 48 sovereignties, living in peace and in the most abounding prosperity the world has ever known, for the very reason that they have complete cooperation instead of selfish conflict one with another.

The rules of international law are simple and few and impersonal, and can be adopted by unanimous agreement of the representatives of the nations.

SHANTUNG.

A tremendous outcry has been made over Shantung by the opponents of the treaty of peace with Germany.

The treaty, in articles 156 to 158, turns over to Japan the rights which Germany had under the treaty of March 6, 1898.

By this treaty with Germany China retained sovereignty over the Shantung Peninsula, giving Germany, however, certain railroad and mining rights therein, and leased for 99 years to Germany a special tract which only involved 208 square miles of land and 200 square miles of water at Kiaochow, the total being less than 1 per cent of the Shantung Peninsula, which has 55,984 square miles. The population of the leased area where Germany was permitted to exercise sovereignty involved about 200,000 people.

When the war of 1914 arose, Germany, with the port facilities on the Chinese coast, was in a position to destroy the transports bringing troops from New Zealand and Australia.

Japan, on the invitation of the Allies, having entered the war in 1914, took the German concession by military force, broke up the port which the German ships had, and cleared the Pacific Ocean of German ships, giving a free right of way to the British transports.

On May 25, 1915, at Peking, Japan made a treaty with China by which the Chinese Government agreed to recognize any adjustment made between the Japanese Government and the German Government as to Kiaochow, but with the understanding, reduced to writing, at the same time and place, to wit:

PEKING, *May 25, 1915.*

That the land and concessions and rights of sovereignty leased or ceded to Germany should be returned by Japan to China upon the conclusion of the present war upon the condition of opening the Kiaochow as a commercial port, permitting a Japanese settlement there and an international settlement, and that suitable arrangements should be made for the disposal of the German public establishments and properties.

This was excellently well set forth by Senator ROBINSON in July 24, 1919, CONGRESSIONAL RECORD, page 3086. Various Japanese authorities have recently referred to this obligation of Japan, which will undoubtedly be carried out in perfectly good faith.

Viscount Uchidi, minister of foreign affairs of Japan, in his address of January 21, 1919, confirmed this understanding, as did Baron Goto, former minister of foreign affairs of Japan, in a statement made in New York on May 6, 1919. The Associated Press report from Paris of April 30, 1919, is of like effect. Baron Makino confirmed this pledge on April 30, 1919.

Japan is a wonderful nation. It is a great nation, and is entitled to the respect of all the world, especially of the great Allies with whom Japan joined forces for the defense of civilization and righteousness.

It has not been possible for Japan to carry out the arrangement with China up to this date for the obvious reason that the treaty concluding the war between Germany and Japan has not yet been presented to Japan.

It is to be profoundly regretted that Senators occupying such high responsibility on such an occasion, where the welfare of the whole world is in the balance, should speak words reflecting upon a great and friendly nation, whose fidelity has been so serviceable and whose right to our confidence and trust has been abundantly established in the history of recent years.

I have every respect and confidence in Japan and have not the slightest doubt that Japan will carry out in good faith her agreement with China, and it is the orderly way to settle the Shantung matter by providing that Germany shall make a formal relinquishment to Japan, which conquered it, in order that Japan may herself, having cleared the title of German claims, transfer these lands and sovereignty back to China, as Japan agreed to do.

INVADING OUR SOVEREIGNTY.

Some of the hostile critics of the covenant insist that our sovereignty would be invaded by the provisions of the covenant; that the assembly or the council would pass laws authorizing the Japanese or Chinese to immigrate into the United States. This whimsical conceit has nothing to justify it. The league of nations does not contemplate dealing with anything except international questions, and does not contemplate dealing with intranational questions. None of the member nations contemplate giving up their sovereignty. None of them had such a conception. The only way a decision could be arrived at under the covenant, even on such questions, is by unanimous vote (art. 5). It is grossly unreasonable to argue that 45 nations would unanimously vote a precedent to invade their own sovereignty, and no reasonable man believes it or can believe it if he is capable of logical, consecutive thought.

Moreover, Mr. President, the sovereignty of the people of the United States as vested in the people of the United States, is inalienable, indestructible, and incapable of invasion. The Congress of the United States can not invade the sovereignty of the people of the United States. It might commit political suicide and be kicked out of office. But one Congress can not bind a succeeding Congress, for the very reason that the sovereignty is vested in the people, and they change their servants at will, and they can, by an act of Congress, repeal any treaty the Senate can pass if the Senate should pass a treaty that was unacceptable to the American people.

I shall not criticize the rhetoric or the verbiage of the covenant. This covenant is wise. It is thoughtfully drawn. In its substance it is splendid. In its purpose it is glorious.

A perfect contract between scoundrels is worthless. An imperfect contract between trustworthy friends, who have fought and bled together in a common love of justice and liberty, is of very great value.

Are we justified in trusting the British people to faithfully and justly interpret this covenant? Did not that first wonderfully heroic army of British die almost to the last man in Flanders defending liberty and justice against the armed Hun? Did not the British sailors and men of war and destroyers ride through the misty darkness of the North Sea for five years, day and night, in storming seas defending the world against Teutonic aggression? Have they not shown themselves for a century our faithful friends?

It was Canning, the prime minister of England, in 1822, who served notice on the Holy Alliance that the British Government would not stand for the invasion of the liberties of the struggling Republics on the Western Hemisphere. It was through Canning and the influence of the British Government that Monroe was informed and encouraged to send his great message to Congress establishing the Monroe doctrine.

Shall we be afraid of France and refuse to trust France? Did they not, when this Republic was struggling for its liberties in the beginning, come with all the force they had and all that we required to establish our liberties upon this continent? Did they not cede to us a mighty continent in the Louisiana Purchase? And have they not been faithful to the uttermost in defending civilization against the Teutonic allies?

Shall we doubt Italy? The Italian people have shown themselves to be glorious in war and magnificent in peace. When Paris was about to be struck down by the advancing field-gray troops of Germany, coming like swarms of locusts down upon the Marne, it was Italy that told the French statesman, "You need not guard the borders between France and Italy. Italy will not stand by Germany in a war of aggression." Italy made a treaty with Germany and Austria, a defensive alliance, against aggression on Germany and Austria, but not by Germany and Austria on undefended borders of others or any unprovoked assault upon their neighbors. Shall we question Italy when the Italians by tens of thousands and hundreds of thousands died for a common cause with us?

An agreement between scoundrels is worthless, no matter how well drawn. An agreement between these great nations who have common ideals and common purposes is worth while. It is a great step forward, no matter how awkwardly, how immaturely, how poorly drawn. The language and the rhetoric might be finer, perhaps, but the purpose is there, the substance is there, and the covenant deserves the support of the American people.

Some of the critics of the league of nations complain it is not strong enough. I deny it. It is as strong as need be.

THE LEAGUE PROVIDES ABUNDANT FORCE.

The league provides a world-wide boycott, a world-wide blockade—commercial and financial—by land and by sea, and cuts off the citizens of any outlaw nation from communication with any other part of the world. This is the most gigantic penalty ever proposed in history.

The effect of the war with Germany was to destroy the value of the bonds issued by her and her allies, and reduce such bonds to the level of waste paper. This will serve to be a sound warning to the citizens of any future proposed aggressor nation that they can not afford to finance a war against the world with an overwhelming prospect of complete loss of every dollar invested in such a nefarious enterprise.

While it is impossible to think of a force much greater than a world-wide blockade and boycott against an outlaw nation, still the league goes further and provides that armed forces of all the nations of the world can be summoned, in addition to world-wide blockade and boycott, to reduce the outlaw nation to subjugation, to peace, and to recognition of international duties and international justice.

Moreover, it is to be assumed that since democracy had its modern birth with the printing press and the French Revolution, and has grown like the green bay tree in the last 100 years until it has assumed to establish this covenant of a world-wide league for the purpose of protecting itself, there is no possibility of any nation in the world having the temerity to assail a democratic world and to put itself in the attitude of an outlaw nation.

There is not the slightest danger of Japan doing so, and if she did the powers visible at her very doors could be used to

restrain Japan from any unlawful aggression against the peace of the world or of any of the other nations of the league.

The force is sufficient to safeguard the peace of the world, and farseeing men will realize the gigantic character of the force which can be summoned through this league for the protection of mankind.

The league will safeguard the peace of the world as well as our own. It will end war. It will not interfere with our sovereignty. It is the blessing of God descended on earth.

Mr. President, we are entering upon a thousand years of peace; into an era of great world prosperity; into an era where the productive capacity of man is being multiplied in a very wonderful way, so that within the generation the time will come when every man, every industrious man, will be able to supply himself and his family with shelter, with clothing, with abundant good food, and be afforded an opportunity for education and for leisure to enjoy the providence of nature. Let us be devoutly thankful for the opportunity to bind the world together in bonds of amity and peace.

Mr. SHEPPARD. Mr. President, I have noted to-day for the first time a statement in the New York Times of Wednesday, July 30, to the following effect:

Among the reservations to the Versailles treaty to be offered on the floor of the Senate, it has developed, will be one by Senator SHEPPARD, of Texas, author of the constitutional prohibition amendment, expressing the sense of the Senate in favor of international prohibition.

Mr. President, this is an error. I have never at any time had any intention of offering any amendment to the covenant of the league of nations. I regard it as the sublimest document in history since the Declaration of Independence and the American Constitution, and I regard the opposition to it as one of the most unfortunate and depressing episodes in American or world annals. I am for the covenant without amendment or reservation.

REPORT ON PACKING INDUSTRY.

Mr. EDGE. Mr. President, it is my understanding that the order of business requires the continuation of the reading of the report submitted by the Senator from Iowa [Mr. KENYON].

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The pending order of business is the continuation of the reading of the document referred to by the Senator from New Jersey.

Mr. EDGE. I will reserve my motion until the conclusion of the reading of the report.

The PRESIDING OFFICER. The Secretary will resume the reading of the report.

The Secretary resumed the reading of the report and was interrupted by

Mr. KENYON. Mr. President, I think the Senators present are not paying much attention to the reading of the report. A good deal of it has been read. I ask unanimous consent that the further reading be dispensed with from this point on, and that the document be printed in the RECORD.

The PRESIDING OFFICER. The Senator from Iowa asks unanimous consent that the further reading of the report be dispensed with, and that it be printed in the RECORD. Is there objection? The Chair hears none, and it is so ordered.

The report entire is as follows:

FEDERAL TRADE COMMISSION LETTER TO UNITED STATES SENATE, JULY 31, 1919, IN RESPONSE TO SENATE RESOLUTION 114.

FEDERAL TRADE COMMISSION,
OFFICE OF THE CHAIRMAN,
Washington, July 31, 1919.

SIR: I have the honor to transmit herewith reply of the Federal Trade Commission in response to Senate resolution 114 [Mr. SHERMAN].

Respectfully,
VICTOR MURDOCK,
Acting Chairman.

To the honorable the PRESIDENT OF THE
UNITED STATES SENATE,
Washington.

FEDERAL TRADE COMMISSION,
OFFICE OF THE CHAIRMAN,
Washington, July 31, 1919.

To the Senate of the United States:

In response to Senate resolution 114, requiring certain information from the Federal Trade Commission and its members, officers, agents, or employees, and by direction of the commission, I have caused diligent search of the files and correspondence, public and private, belonging to the commission or any of its members, officers, agents, or employees to be made. The members of the commission have been asked to give an spondence, public and private, belonging to the commission or their part or actions relating to export trade, especially with the ministry of reconstruction of Great Britain, or the members thereof, and especially with the Hon. Charles A. McCurdy, M. P., of the ministry of foods of Great Britain, or any other matters touching upon the Senate inquiry.

The originals of all letters and communications are included herein in full, but with respect to "copies of all documents, correspondence, or other papers in its possession relating to its efforts or action in promotion or concerning the export trade in meats" (except to correspondence), it was found that the files of the commission contain such a volume of "documents" and "other papers," the inclusion of which herein would involve the copying of a very great many printed documents and intricate tabulations of figures, as well as voluminous papers, that the secretary of the commission was directed to communicate with the Secretary of the Senate for advice as to a procedure which would make it possible to answer fully the Senate's inquiry but with greater expedition.

This inquiry was made on July 19, and the secretary of the commission is advised by the Secretary of the Senate on July 21 that he is directed to say that the Senate will desire the filing of original documents in every case; that such documents as the Senate wishes to retain in its files will be copied by the Senate and that all original correspondence, documents, and other papers will be returned to the files of the commission.

This report, then, will include the originals of all correspondence, the reports as to individual conduct of members, officers, agents, and employees of the commission, and a schedule generally indicating the character of other material identified as exhibits and from which a selection may be made for the purpose of copying.

PERSONAL REPORTS OF MEMBERS OF THE COMMISSION.

Speaking for myself, I have had no communication within the scope of the inquiry. This is to the best of my knowledge.

Following are the reports made by each of the other members of the Federal Trade Commission:

SPRING LAKE, N. J., *July 19, 1919.*

Commissioner MURDOCK,
Federal Trade Commission, Washington, D. C.

MY DEAR MURDOCK: I have your letter inclosing copy of the Sherman resolution, copy of the Report of the Export Division of the Federal Trade Commission, for my amendment or approval, and your request that I make individual reply to the matters covered by the Senate resolution.

In the allotment among the commissioners of the work in the commission, the export division, prior to my illness in April, 1919, was directly under my supervision, and the report of Dr. Notz for the division seems to be a complete summary of its activities in relation to export trade in packing-house products.

I have had no correspondence with any British official on the subject of import or export trade or on the meat business of American packers.

I have had no communication even remotely connected with that.

The only incident that I recall having to do with the American packers' export trade was at the time that the Federal Trade Commission called for a report as to the operations of the foreign business of the packers. At this time Mr. Levy Mayer, representing Armour & Co., said to me that the real reason that the returns should not be made was that it might involve very heavy additional payment of income tax to the United States Government on the part of his client, and likewise might lead to taxation in Argentina and other foreign countries.

Mr. Mayer exhibited a list of a number of companies doing business in Argentina. As you remember, I was very much outraged at the suggestion that I could or would be party to the defrauding of this Government, or, being a Government official, would be party to a deception on a friendly foreign Government. As you remember, I reported the circumstances immediately to my colleagues, and further discussion of the matter of the returns of the foreign branches of the packing companies was terminated, and I am informed the desired information was demanded and secured without any further delay.

This I think, covers all my recollections of anything touching on foreign trade of the packers, or the other things covered by Senator SHERMAN'S resolution.

With best regards to you and your brethren, I am,

Very truly, yours,
JOHN FRANKLIN FORT,
Chairman.

WASHINGTON, *July, 1919.*

Commissioner MURDOCK,
Federal Trade Commission, Washington, D. C.

MY DEAR MURDOCK: Herewith is individual reply in compliance with S. Res. 114:

Since becoming a member of the Federal Trade Commission I have had no communication of any sort with any officer of the British Government. I have never had any communication with any officer of the British Government on the subjects covered by the resolution in question.

In Gov. Fort's absence I have taken direct charge of the Export Division of the Federal Trade Commission. I have read the report of that division and that report covers my work in relation to export trade.

Very truly, yours,
HUSTON THOMPSON.

WASHINGTON, *July 28, 1919.*

MY DEAR MR. MURDOCK: Herewith my statement re Senate resolution 114:

I did not travel at public expense abroad.

I did not make speeches, violent or otherwise, in England.

I did not give out interviews in London.

I did not inspire nor have anything to do with newspaper articles in London.

I did not see British Government officials when I was in London.

I have not carried on any correspondence with anybody, even remotely, of the sort defined in the resolution.

The Librarian of Congress says there never was a copy of the London Star of April 14, 1919, in the Library of Congress. However, I have just secured from Swift & Co. a purported photostat of page 4 of that issue. It contains no interview nor anything that purports to be an interview with me. I had no talk in London with anybody which would furnish material for this article. The photostat of the supposed page of the London Star is handed you herewith.

During my term as chairman, by direction of the commission I signed one letter addressed to the Secretary of State asking him to transmit a cable message to the ministry of food of Great Britain. The originals have been furnished you for inclusion in your report. They are as follows:

The letter:

"11 SEPTEMBER, 1918.

"The SECRETARY OF STATE,
"Washington.

"SIR: The Federal Trade Commission is in urgent need of certain official information as to Government meat control in Great Britain.

"The commission would appreciate your courtesy in transmitting the inclosed cable to the British ministry of food, forwarding the bill for same to this commission, as has been done by the State Department on former occasions.

"I have the honor to be,
"Yours, very truly,
CHAIRMAN."

"Incl.

The cable message:

"MINISTRY OF FOOD,
"Palace Chambers, Bridge Street, S. W. 1, London, England.

"Federal Trade Commission desires following official information by return mail direct to commission:

"Make-up and disbursements of live-stock fund to date, organization of costings branch, and combined income and expenditure account of finance division.

"Constitution and rules of London and Liverpool Meat Supply Associations, London Meat Importers' Association, Smithfield Control Board, and agreements with meat traders, including branches of foreign packers.

"Agreements with Argentine, Australian, and American packers on meat prices.

"Agreements and rules governing operation of Government and private cold-storage plants, refrigerated steamers, insulated cars, and slaughterhousees.

"Regulations and instructions for live-stock commissioners, valuers, and auctioneers.

"Constitution, rules, balance, and profit and loss statement of Model National Kitchen and of National Meat Products Co.

"Model rules of local food committees and advisory committees."

Further correspondence with reference to these two documents have been furnished in original to you for inclusion in your report, and are as follows:

Reply to letter:

"DEPARTMENT OF STATE,
"Washington, October 29, 1918.

"In reply please refer to Di 103.92/23.

"The Secretary of State presents his compliments to the honorable the Secretary of the Treasury, and has the honor to inclose, for the information of the Federal Trade Commission, a copy of a dispatch from the American Embassy at London, in which it reports that the British ministry of food appears to be loth to furnish the greater part of the information, which is held to be of a national confidential nature concerning the British food situation, as sought in the questionnaire of the Federal Trade Commission, forwarded to the Department of State by that commission's letter of September 11, 1918."

"1 inclosure: From Great Britain, No. 10004, October 4, 1918. Di."

Inclosed telegram:

"LONDON, *October 4, 1918.*

"Triplicate. No. 10004.

"The honorable the SECRETARY OF STATE,
"Washington.

"SIR: Referring to your telegram, No. 1764, of October 3, 1918, I have the honor to inform you that upon receipt of your telegraphic instruction No. 1344, of September 13, application was at once made both by this embassy, to the foreign office, and by Mr. Hoover's representative in London, to the ministry of food for answers to the questionnaire of the Federal Trade Commission. A follow-up request is being made to-day, but the impression is conveyed by the British ministry of food that they are loth to supply the majority of the information in question, which they consider of a national confidential nature.

"I have the honor to be, sir,
"Your obedient servant,

"F. M. GUNTHER.
"(For the chargé d'affaires.)

"Subject: Food situation in England—Questionnaire of Federal Trade Commission.

"FMG/MIJ 102.92.1 and 4."

The file indicates that on October 25, 1918, another letter was addressed to the Secretary of State asking for reply to the letter of September 11. We find no copy of the letter of October 25, 1918, but it can be found in the State Department under the filing direction "Di–103.92/24," which communication may have been signed by me, but more likely was signed by the Secretary.

The reply to the letter of October 25, 1918, the original of which has been furnished you for inclusion in your report is as follows:

"In reply please refer to Di–103.92/24.

"DEPARTMENT OF STATE,
"Washington, November 1, 1918.

"The FEDERAL TRADE COMMISSION,
"Washington, D. C.

"GENTLEMEN: The department has received your letter of October 25, 1918, in further relation to your desire to obtain from the British ministry of food certain documents bearing on Government control over distribution of meat in Great Britain.

"In reply I beg to say that, under date of October 29, 1918, this department forwarded to the Secretary of the Treasury, for transmission to you, a copy of a dispatch from the American Embassy in London reporting that that ministry appears to be loth to furnish the greater part of this information, which is held to be of a national and confidential nature.

"I am, gentlemen, your obedient servant,
"FRANK L. POLK, *Counselor.*
"(For the Secretary of State.)

"Di."

Meantime or about this time copies of certain of the documents mentioned in the cable message had been secured from other sources. The originals are included in Dr. Ohsol's report to you. So far as I can find these are my only official communications.

From time to time messengers from the British Embassy in Washington have called at my office either to ask for copies of public documents relating to the meat business, or in some instances to inquire when further publications might be expected.

Aside from these I have had no communications, official or otherwise, with any officer of the British or other foreign Governments concerning the exports from the United States, nor with the ministry of reconstruction or any member thereof appointed in 1918 except the Hon. Charles A. McCurdy. The facts surrounding communication of Mr. McCurdy are as follows:

When I went abroad Commissioner Huston Thompson, of the Federal Trade Commission, asked me to obtain any documents or information bearing upon the proposal to create in Great Britain a government body similar to the Federal Trade Commission of the United States.

I reached London on or about April 8, 1919, and left on the evening of April 12, 1919.

I called upon the United States ambassador, Mr. Davis, and among other things asked him for advice in securing the material which Commissioner Thompson desired; similarly, when I called to pay my respects upon Consul General Robert P. Skinner at the American consulate in London, I asked if he could help me obtain these documents. From one or the other of these gentlemen I got the name of the Hon. Charles A. McCurdy, M. P., as being the best man to approach for this material.

I had not followed the legislation and knew relatively nothing about the subject.

The day before I left London I called Mr. McCurdy's office on the telephone. A woman's voice informed me that Mr. McCurdy was not in his office. I then gave my name, identified myself, and asked if anything in the nature of the desired documents could be sent me at the Savoy Hotel before I left the next night. I was told that my request would be brought to Mr. McCurdy's attention.

As I a remember, it was the next morning that Mr. McCurdy called me at the Savoy Hotel on the telephone, and said that he would be glad to meet me. I explained that I was leaving that evening and had practically no spare time. It was finally agreed that he would call at the Savoy Hotel at 4.30 p. m. At about 4.30 Mr. McCurdy's office called me and said that he was in attendance either upon the House of Parliament or a committee meeting, and would be unable to keep his engagement. I expressed my regret.

Shortly after that, on or about April 20, I wrote to Mr. McCurdy from Paris a note expressing my regret at not having had the pleasure of seeing him and renewed my request that any documents which he might have relating to the proposed creation of a body similar to the Federal Trade Commission be sent me at Paris, to the office of Mr. Ed. L. Keen, formerly of Washington, and for many years a personal friend of mine. This note was written long hand. I kept no copy. I have stated its substance.

Mr. McCurdy acknowledged this note in the following letter, the original of which has been furnished you:

"MINISTRY OF FOOD,
"PALACE CHAMBERS, BRIDGE STREET,
"London, S. W. 1, 28th April, 1919.

"To WM. B. COLVER, Esq.,
"Care of ED. L. KEEN, *The United Press, Paris.*

"DEAR MR. COLVER: It certainly was most unfortunate that we could not have a chat before your journey to Paris. I overlooked an earlier engagement, which kept me longer than I anticipated, and prevented me from getting to the Savoy in time.

"A committee, of which I was chairman, was appointed by the minister of reconstruction in February, 1918, the terms of reference being: "'In view of the probable extension of trade organizations and combinations, to consider and report what action, if any, may be necessary to safeguard the public interest.'

"The committee has not completed its report, and I will have a copy sent to you as soon as I can arrange it. In the meantime, I think the following summary of the committee's conclusions and recommendations, which I send you in confidence, may be of interest to you:

"Conclusions: Machinery should be established in the United Kingdom for the investigation of the operations of monopolies, trusts, and combinations, similar to the commissions and other tribunals created for that purpose in the United States of America and certain British colonies.

"Recommendations: The Government department which exercises surveillance over trade and commerce shall be charged with the duty of collecting all information as to the nature, extent, and development of trusts, etc., and of presenting an annual report to Parliament.

"The department shall also investigate complaints against the existence or activities of such organizations and make recommendations as to State action for the remedying of any grievances which may be established.

"In the event of the department coming to the conclusion that there is prima facie evidence that the public interest is adversely affected by the operations of a particular organization, they may refer the case for thorough investigation and report to the tribunal, which shall have all powers necessary to elicit the facts.

"If acts injurious to the public are proved to have been committed, the tribunal shall immediately publish the facts relevant to the particular offense.

"King [kind] regards,
"Yours, very truly,

(Signed) CHARLES A. MCCURDY."

I acknowledged this in a brief longhand note and said that if I returned via London I would call on him. I kept no copy of this note, but have stated its substance. Later, after my return to the United States, he addressed a second letter to me at Paris, which was forwarded to Washington. The original has been furnished you. It is as follows:

[SEAL.] "PALACE CHAMBERS, *Westminster, S. W. 1.*

"To WM. B. COLVER, Esq.,
"Care of Ed. L. Keen, the United Press, Paris.

"DEAR MR. COLVER: With reference to my letter of the 28th April, I am glad to be able to inclose herewith a copy of the report of the committee appointed by the British ministry of reconstruction to consider the question of trusts, etc., which has now been published.

"If you are passing through this country on your return to the States I should very much like to have an opportunity of a chat with you, par-

ticularly on the subject of the machinery which has been established by the United States Government for dealing with trusts.

"Kind regards.

"Yours, very truly,

"(Signed) CHARLES A. MCCURDY."

Inclosed with this letter was a document entitled "Ministry of reconstruction—Report of committee on trusts." This document has been supplied you attached to the original of the above letter. I was surprised to find that I had not acknowledged this courtesy, and that fact was discovered when my files were searched pursuant to your request. I have replied as follows:

"19 JULY, 1919.

"Hon. CHARLES A. MCCURDY,
"Palace Chambers, Westminster, London, S. W. 1.

"MY DEAR MR. MCCURDY: Thank you for your letter of April 28, which after some delay in Paris was forwarded to me here in Washington. Thank you also for the document inclosed, being the report of committee on trusts.

"I am sorry that I did not return via London, and so have not been able to see you. Better luck next time.

"With personal regards,

"Yours, very truly, ——— ———."

I was interested in this document, and especially in the statement on page 28, which is as follows:

"Imports controlled by combinations abroad: In the case of many commodities which are wholly or mainly imported into this country from abroad the price and supply is controlled by combinations in the country of origin. Imported meat is an outstanding example. In the year before the war nearly 60 per cent of the imported beef supply of the United Kingdom was controlled at its places of origin by the American Meat Trust, which further had a considerable hold on the meat-distributing trade in this country, having 144 wholesale branches in 64 towns and about 1,000 retail shops. True, the beef controlled by this foreign combination was not more than one-fifth of the total amount marketed in this country, and the competition of home-produced beef and of beef imported from sources not controlled by the American group was an effective safeguard in normal times against gross manipulations of the general level of prices, but the intervention of a group so powerful between the British consumer and the foreign producer of meat made it unlikely that the British consumer would get the benefit of cheap meat production abroad. The American trust, having acquired a virtual monopoly in the Argentine, was in a position to underpay the Argentine farmer, overcharge the British consumer, and pocket the difference, and the experiences of the war period have shown how far that power can be exercised in a time of scarcity. No legislative measures taken here can curb the power of combinations operating in this way in foreign countries. Import duties might serve to relieve the combination of some of its gains, but discriminatory import duties are difficult to work and precarious in effect. Diplomatic representations can be made, but the method not likely in normal times to be either desirable or efficacious. The question of the control of international trade by private interests is eminently one for international action."

In the CONGRESSIONAL RECORD dated June 27, 1919, at page 1872, the following statement is made:

"Mr. SHERMAN. Mr. President, I wish to ask the Senator from Ohio a question. Does he know who the chairman of the Federal Trade Commission is now?

"Mr. POMERENE. I think Mr. Colver is the chairman now.

"Mr. SHERMAN. Does the Senator know where he is at this time?

"Mr. POMERENE. I do not; I am not my brother's keeper in that respect.

"Mr. SHERMAN. I am not his keeper, either; but I believe I have some accurate information about where he is. Unless he has returned recently, he is in England. When the Senator speaks of the fostering care of the Federal Trade Commission on our export trade, I will say that I believe I will have adequate proof to present here that, instead of promoting our export trade, he is destroying it in England by unfriendly comments, by violent speeches reported in English newspapers denouncing certain of our export lines. I think he is paying his traveling expenses across the ocean out of such appropriations as this."

And in the CONGRESSIONAL RECORD of July 15, 1919, at page 2578, occurs the following:

"Mr. KENYON. What, then, was the Senator reading?

"Mr. SHERMAN. I am reading, so far, the heading of the interview, and then follows what purports to be this interview.

"Mr. KENYON. From what paper is it?

"Mr. SHERMAN. It is from the London Star of April 14, 1919. It is not, I will say, a quotation-mark interview. It states that the reporter of the London Star had an interview with W. B. Colver, and then follow a number of statements about how the firm of Sulzberger & Sons disappeared from the packing business.

"I wish to say that, taking the whole of it, this statement is grossly vicious, unfair, and some of it is false.

"Mr. KENYON. Does the Senator know that it is an authentic interview with Mr. Colver?

"Mr. SHERMAN. I have clipped it from the London Star.

"Mr. KENYON. Where does the Senator get the paper?

"Mr. SHERMAN. You can get it in the Congressional Library. You will find the original on file there."

On the same page Senator SHERMAN is quoted as follows:

"I believe that Mr. Colver, if not others of the Federal Trade Commission, have communicated very unfriendly information to the British authorities, those who are capable of injuring our export trade."

On the same page Senator SHERMAN is further quoted as saying:

"So far as I said he had used violent speeches I am not correct; that is an inaccuracy, and I am ready now to make, so far as my present information goes, the correction."

I sought to secure a copy of the London Star at the Congressional Library and was told that the London Star was not usually received there, that no copy for the month of April, 1919, had been received there, and that there never had been a copy of the London Star of April 14, 1919, in the Congressional Library. Efforts were made to secure copies elsewhere but without success until as a result of correspondence with Mr. O. C. E. Matthies, of Swift & Co., I obtained from Swift & Co. what purports to be a photostat copy of page 4 of the London Star of April 14, 1919, with the article in the second column marked.

This is not an interview with me. It does not even purport to be an interview. The matters in it were not the subject of any discussion between myself and the reporter or anybody else in London.

A young man came to my room in London, represented himself to be from a London newspaper—I have no doubt from the Star—and asked a number of questions. He explained that his editor, whose name I have forgotten, was much interested in the Federal Trade Commission's report on the packers, referring to the "Summary" and "Part 2," and inquired whether or not any other reports had been published. I replied in the negative. He asked when further reports would be published. I said I did not know. He asked if his editor could have copies. I told him he could by addressing the Secretary of the Federal Trade Commission and that doubtless his name would be put on the mailing list for these documents.

He asked what, if any, legislation had been enacted by Congress.

I said none.

He asked if any legislation had been proposed. I recalled that a number of bills had been introduced, considerable hearings had been had, both the Senate and House committees, but none of the bills had come to vote when the Sixty-fifth Congress expired on the 4th day of March, 1919.

He asked me whether I thought legislation would be enacted, and I said I did not know. He asked me if the Federal Trade Commission would make further investigation, and I replied that it had finished its investigation, that it would lay its report before Congress, and that its part of the work was finished, the matter was now in the hands of Congress.

There was some general discussion about parliamentary procedure as compared with congressional procedure, and the visit came to an end.

I never knew whether the young man wrote anything or not.

The greater part of the 15 or 20 minutes during which we were together was devoted to the recitation on his part of a trust investigation which was going on and which I then heard about for the first time to the best of my knowledge. I took occasion to ask him if he knew anything about the legislation for a body similar to the Federal Trade Commission, and he said that he did not and I said that I proposed to ask Mr. McCurdy for any information he might have on that subject.

To the best of my memory nothing was said about the Sulzbergers or Wilson & Co. by either of us.

One of my traveling companions, Mr. R. W. Howard, was called upon at our hotel by the American editor of the Daily Mail. I was introduced to him. We talked generally. I spoke of my quest for Mr. Thompson's document and said I had been referred to Mr. McCurdy. We talked about the trust investigation, about which the other newspaper man told me, and it was the subject of some discussion. It is my best opinion that this man wrote nothing. These are the only instances of talking to London newspaper men which might even remotely be contemplated by the Senate resolution.

I saw no newspaper reference to myself nor any quotation attributed to me in any paper. There may have been things printed, but I never saw them.

I attended no public meeting and no social gathering, and neither heard nor made any speeches, violent or otherwise, and I had no communication with any British authority other than my telephone conversation with Mr. McCurdy and my necessary passport visits to the police authorities.

No part of my expense was paid out of public funds.

Except as set forth above, I have not communicated any information of any sort to any British official or authority.

On July 16 a long prepared statement was given out by Edward Morris, president of Morris & Co., charging that United States authorities have been engaged in sub rosa activities, saying, "This committee (the English committee on trusts) had been in correspondence for months with Chairman Colver, of the Federal Trade Commission * * *." This is an unqualified statement and is unqualifiedly false.

In the matter of the reports of the five large packing concerns in Chicago with respect to their foreign business, I remember that very great opposition was made to making those returns. Officers, attorneys, and agents of these companies visited the commission and visited various commissioners. I think Mr. Henry Veeder addressed the commission on the subject, but I was not present at the time. I was present on one occasion when Mr. Levi Mayer discussed the matter in Gov. Fort's office, and it is my recollection that Col. George A. Sanderson, who then represented one of the packing firms here in Washington, discussed this matter with me.

Respectfully,

WILLIAM B. COLVER.

Hon. VICTOR MURDOCK,
Federal Trade Commission.

As to the London Star, the following correspondence passed between me and the Librarian of Congress:

JULY 17, 1919.

LIBRARIAN OF CONGRESS,
Washington, D. C.

SIR: Will you be so good as to inform the Federal Trade Commission if the London Star is among the publications regularly received by the Library of Congress, and if the London Star of the issue of April 14, 1919, was received by the Library of Congress and is available for reference by us.

May I ask that your reply be made at your earliest convenience, as the matter is somewhat pressing?

Respectfully,

(Signed) VICTOR MURDOCK,
Acting Chairman.

—

LIBRARY OF CONGRESS,
OFFICE OF THE LIBRARIAN,
Washington, July 18, 1919.

Hon. VICTOR MURDOCK,
Acting Chairman Federal Trade Commission,
Washington, D. C.

SIR: In reply to your inquiry of July 17 to the Librarian, according to a report from Mr. Slade, the chief of our Periodical Division, the Library of Congress does not receive the London Star. We are therefore unable, to our regret, to be of service in this instance.

Very respectfully,

J. L. FARNUM, *Secretary.*

The purported photostat copy of the London Star subsequently secured from Mr. Matthies, of Swift & Co., and the correspondence related thereto are attached as Exhibit 25.

I also addressed the following to the Secretary of State requesting his assistance in the search for communications covered by the resolution of the Senate:

JULY 19, 1919.

To the honorable the SECRETARY OF STATE,
Washington, D. C.

SIR: Will you be so good as to transmit the inclosed message through the proper channels to your representative at London?

I request that you indicate to your representative the extreme urgency of this matter, which is in response to Senate resolution 114, which directs the Federal Trade Commission "to furnish to the Senate, at the earliest possible moment, copies of all documents, correspondence, or other papers in its possession relating to its efforts or action in promotion or concerning the export trade in meats from the United States to the Kingdom of Great Britain or any of its colonial dependencies and other countries, and especially any communications by the Federal Trade Commission, or any of its members, officers, agents, or employees with the officers or agents of any foreign government, and more especially all communications had with the ministry of reconstruction of Great Britain, or the members thereof appointed in 1918, and to include all correspondence with the Hon. Charles A. McCurdy, member of Parliament, of the ministry of foods, and recently chairman of the committee on trusts, also such correspondence with any other member of the ministry of reconstruction in relation to the meat industries of the United States."

Respectfully,

(Signed) VICTOR MURDOCK,
Acting Chairman.

—

FEDERAL TRADE COMMISSION,
July 19, 1919.

Federal Trade Commission is required to furnish the Senate at the earliest possible moment copies of correspondence by Federal Trade Commission or its members, officers, agents, or employees with officers or agents of the ministry of reconstruction of Great Britain, or members thereof, appointed in 1918, including all correspondence with Hon. Charles A. McCurdy, ministry of foods. Please inquire what, if any, correspondence of this nature is in the possession of any of the above. Secure copies and cable them at once. Matter extremely urgent.

To this the following response has been received to-day:

DEPARTMENT OF STATE,
Washington, July 29, 1919.

FEDERAL TRADE COMMISSION,
Washington, D. C.

GENTLEMEN: With further reference to your letter of July 19, 1919, regarding certain correspondence required of your commission by the Senate, you are informed that the Department of State has received a telegram dated July 26, 1919, from the American ambassador at London reporting that neither Mr. McCurdy nor the ministry of reconstruction is able to trace this correspondence. The ambassador therefore requests further information concerning the probable dates and the subject matter of the letters in question, and the department will be glad to communicate to him any further information you may furnish along the lines mentioned. I am, gentlemen,

Your obedient servant,
For the Secretary of State:

WILLIAM PHILLIPS,
Assistant Secretary.

COMMUNICATIONS BY OFFICERS, AGENTS, AND EMPLOYEES OF THE FEDERAL TRADE COMMISSION.

The secretary of the commission reports as follows:

FEDERAL TRADE COMMISSION,
Washington, 21 July, 1919.

To the CHAIRMAN:

Pursuant to your direction careful inquiry has been made of the officers, agents, and employees of the commission. This inquiry followed the lines indicated by my letter of July 16 to the personnel, as follows:

"JULY 16, 1919.

"OFFICERS, AGENTS, AND EMPLOYEES OF THE COMMISSION CONDUCTING CORRESPONDENCE.

"DEAR SIR: You are instructed to make immediate response to the secretary of the commission as to whether or not you have had any communications with officers or agents of any foreign Government regarding the export trade in meats from the United States or regarding the meat industries of the United States, and especially any communications had on these subjects with the ministry of reconstruction of Great Britain or the members thereof appointed in 1918, or any correspondence with Hon. Charles A. McCurdy, M. P., of the ministry of foods and recently chairman of the committee on trusts; also any correspondence with any other member of the ministry of reconstruction.

"If so, you are instructed to furnish the secretary copies of such communications at once.

"By direction of the commission:

"J. P. YODER, *Secretary.*"

The replies from the officers, agents, and employees of the commission were negative in every case except Dr. J. G. Ohsol, who had been assigned to the duty of collecting information with respect to food and fuel regulations in belligerent countries, and Mr. Stuart Chase.

Dr. Ohsol's statement is as follows:

"FEDERAL TRADE COMMISSION,
"Washington.

"Mr. J. P. YODER, *Secretary.*

"DEAR SIR: In response to your request of July 16, 1919 (Form 1429), I report as follows:

"Pursuant to instructions from Mr. W. Y. Durand and Dr. G. A. Stephens, of the commission's staff, I spent several weeks during July and August of 1918 in the Library of Congress and in the reference library of the United States Food Administration gathering material on methods of food control abroad, paying especial attention to the Smithfield meat market of London.

"Failing to obtain satisfactory data on the Smithfield wholesale meat market organization from the files of the National Food Journal, published by the British Ministry of Food, and from the London Times, I requested information on the above subject from Maj. Phipps, of the Allied Provisions Export Commission, at the Food Administration's offices in Washington. This was done at the suggestion of the librarian of the Food Administration.

"Maj. Phipps had no definite information at hand on the subject and referred me to Messrs. Charles Pearson and Cunliffe, of the Allied Provisions Export Commission, stationed at Chicago and New York.

"I reported my interview in due course to Dr. G. A. Stephens.

"I also mentioned the matter in a personal letter, of which I have no copy, to Mr. Stuart Chase, an examiner of the Federal Trade Commission, at that time in Chicago, suggesting to him to see Mr. Pearson or Mr. Cunliffe, provided they should happen to be in Chicago, and ask them for particulars about the new Smithfield Market organization.

"Mr. Chase did see Mr. Cunliffe, who promised him to write to London for the desired particulars.

"When I arrived at Chicago last fall, Mr. Chase handed me on November 1, 1918, three documents which he had just received from Mr. Cunliffe.

"These documents have been handed to Commissioner Murdock for inclusion in his report in response to Senate resolution 114, being marked 'Exhibit 18, Ohsol's file.'

"The exhibits referred to consist of:

"(1) Memorandum and articles of association of the London and Counties Wholesale Meat Supply Association (Ltd.) (a corporation organized under the auspices of the ministry of food in connection with the distribution of food in the Smithfield Market and other territory included in 'the London and counties area').

"(2) Proof sheet of a form of agreement between the food controller and the tenants of the Smithfield Market.

"(3) Typewritten memorandum entitled 'Distribution of supplies of dead meat through the Smithfield Control Board (Smithfield Market) to retail butchers in the London metropolitan police area,' signed by A. P. Twigg, and dated September 6, 1918.

"Apart from the above-related circumstances I have had no communication of any kind with the British Ministries of Food and of Reconstruction or any of their members nor with the officers or agents of any foreign Government respecting the subjects covered by the resolution.

"Respectfully submitted.

"JOHANN G. OHSOL,
"Special Expert.

"JULY 21, 1919."

Dr. Ohsol's report seems to indicate that Examiner Stuart Chase had some communication with Agent Cunliffe, of the British ministry of food, at Chicago, in connection with obtaining the documents desired by Dr. Ohsol, and Mr. Chase being absent on leave, I have communicated with him as follows:

[Telegram.]

"FEDERAL TRADE COMMISSION,
"Washington, July 21, 1919.

"STUART CHASE,
"108 Cherry Street, West Newton, Mass.:

"Senate resolution asks full disclosure on part any member personnel Federal Trade Commission of any communication with officers, agents, foreign governments, especially British ministry of foods, and more especially Charles A. McCurdy, member of Parliament. Apparently you had some contact with one Cunliffe at Chicago. Wire circumstances fully, send any original documents special delivery, or indicate where same can be found. Similarly advise fully if you have had communication with any other foreign officer. Answer quick. "YODER."

—

"WASHINGTON, D. C., *July 21, 1919.*

"YODER,
"Federal Trade Commission:

"Your telegram dated July 21 to Stuart Chase, 108 Cherry Street, West Newton, Mass., has been forwarded, Government paid, to Center Harbor, N. H. If you desire to communicate with this office by telephone in regard to the above message, call Franklin 7100 and ask for extension No. 66. Changes in the address must be paid for at the usual rates.

"W. R. WILLIAMS."

The following reply has been received to this telegram:

"MEREDITH, N. H., *July 22, 1919.*

"YODER,
"Secretary Federal Trade Commission, Washington, D. C.:

"Saw considerable of Cunliffe and Pearson, British ministry food, in Chicago while working for food administration, same office. Civilities only; no official business on my part; discussed meat prices on several occasions. Remember no correspondence. Ask Ohsol about Food Administration correspondence he saved; something there, perhaps.

"STUART CHASE."

The export division, through Dr. Notz, made a report, approved by Chairman Fort, as follows:

FEDERAL TRADE COMMISSION,
Washington, July 19, 1919.

Mr. J. P. YODER,
Secretary Federal Trade Commission, Washington, D. C.

DEAR MR. SECRETARY: With reference to Senate resolution 114, Sixty-sixth Congress, first session, the undersigned, in charge of the Export Trade Division of the Federal Trade Commission, begs to advise you as follows:

Upon investigation of the files and records of this division, I find that they contain no documents, correspondence, or communications with any officers or agents of any foreign Government or with the ministry of reconstruction of Great Britain, or the members thereof appointed in 1918, or with the Hon. Charles A. McCurdy, of the ministry of foods, or with any other member of the ministry of reconstruction in relation to the meat industries of the United States. No communications have taken place between this division and officers and agents of any foreign Government, to the best of my knowledge.

Under section 5 of the export trade act (Webb-Pomerene law) "associations" organized for and engaged in export trade are directed to file certain verified statements (articles of incorporation, by-laws, and agreement) with this commission. Up to the present time two "associations," purporting to be organized for the export of packing-house products and meats, have filed papers with the commission, viz, the American Provisions Export Co., 316–319 Royal Insurance Building, Chicago, Ill., and the United States Provision Export Corporation, 175 West Jackson Boulevard, Chicago, Ill. The originals are being submitted with the report of the commission.

The sworn statements filed by these two associations with the commission, giving the names of their officers, directors, stockholders, or members, and other data, do not contain any of the following names, viz: Swift & Co., Armour & Co., Morris & Co., Wilson & Co. (Inc.), Cudahy Packing Co.

Respectfully submitted.

WILLIAM NOTZ,
Export Trade Division.

Approved:
JOHN FRANKLIN FORT.

The former secretary of the commission, Mr. L. L. Bracken, and the chief economist of the commission have signed certain letters in their official capacities. The correspondence signed by them in their official capacities is included in the files transmitted in the succeeding section of this report, devoted to official correspondence.

The negative responses from officers, employees, and agents of the commission are handed you herewith, inclosed in an envelope and marked "Exhibit 23."

As for myself, I have had no communication whatsoever with any British official or any official of any foreign Government with respect to the matters inquired of by the Senate resolution.

Respectfully,

J. P. YODER, *Secretary.*

OFFICIAL CORRESPONDENCE OF THE COMMISSION WITH OFFICERS OR AGENTS OF FOREIGN GOVERNMENTS.

The original correspondence files furnished herewith are arranged to show—

First, any correspondence with the British ministers of food and of reconstruction, including correspondence with the committee on trusts and the Hon. Charles A. McCurdy, with respect to which the resolution inquires especially; and

Second, any correspondence with other officers or agents of foreign governments, including the distribution of the Federal Trade Commission's reports, with or without correspondence, to such officers or agents. The files are arranged chronologically by subjects.

(a) Correspondence of the Federal Trade Commission with the British ministries of food and reconstruction, the committee on trusts, and the Hon. Charles A. McCurdy.

Letter of October 18, 1918, to national kitchens division of the ministry of food, London, signed by Francis Walker, Chief Economist of the Federal Trade Commission. (Original of this letter is in general file, sup. 5, en. 7, and is attached as Exhibit 1.)

Letter of April 28, 1919, from Charles A. McCurdy of the ministry of food, London, to William B. Colver, care of Ed. L. Keen, the United Press, Paris.

Letter of May 24, 1919, from Charles A. McCurdy, ministry of food, London, to William B. Colver, care of Ed. L. Keen, the United Press, Paris.

Document inclosed in above letter of May 24, being report of committee on trusts of the British ministry of reconstruction, dated London, 1919.

Letter of July 19, 1919, from William B. Colver to Hon. Charles A. McCurdy, ministry of food, London.

(These three letters and the inclosed report of the committee on trusts are in Colver's file attached as Exhibit 2.)

(b) Correspondence of the Federal Trade Commission with other officers or agents of foreign governments (including distribution of the Federal Trade Commission's reports, with or without correspondence to such officers or agents).

The letters which are listed below and the originals of which are attached to this report as indicated, constitute the only correspondence with officers or agents of foreign governments on the subject of the export trade in meat or of the meat industries of the United States which has been found in the files of the commission.

Letter of February 1, 1915, from Joseph E. Davies, Commissioner of Corporations, to Right Hon. Sir R. C. Munroe-Ferguson, governor general, Melbourne, Australia.

Letter of March 13, 1915, from Geo. Steward, official secretary, Commonwealth of Australia, governor general's office, to the Commissioner of Corporations, Department of Commerce, Washington.

Letter of March 24, 1915, from George Steward, official secretary of the Governor General of Australia, to the Commissioner of Corporations, Department of Commerce, Washington, D. C.

Letter of May 12, 1915, from Joseph E. Davies, chairman of Federal Trade Commission, to official secretary of the Governor General, Melbourne, Australia.

(The four above letters concern a request by the Commissioner of Corporations, subsequently the chairman of the Federal Trade Commission, for a copy of the report of an investigation of the beef industry by Commonwealth royal commission on the meat-export trade of Australia and the supplying of this document. They are in files 2267–1–1 of the Bureau of Corporations, and 8029–1–1 of the Federal Trade Commission, and are attached as part of Exhibit 3.)

Letter of November 8, 1915, from the chairman of the Federal Trade Commission to Mr. Cherry, veterinary inspector for the Commonwealth in England, care of comptroller-general of customs, London.

Letter of November 8, 1915, from the chairman of the Federal Trade Commission to comptroller-general of customs, London.

Letter of November 20, 1915, from J. P. Byrne, customhouse, London, to the chairman of the Federal Trade Commission.

(These letters have to do with the request from the chairman of the Federal Trade Commission for a copy of the report by the veterinary inspector for the Commonwealth to the comptroller-general of customs on the Beef Trust. They are in file 8029–3–1, attached as a part of Exhibit 3.)

Letter of July 13, 1917, from the secretary of the Federal Trade Commission to the department of commercial intelligence, London.

Letter of July 16, 1917, from the secretary of the Federal Trade Commission to the department of commercial intelligence, London.

Letter of September 5, 1917, from the board of trade, commercial department, London, to the secretary of the Federal Trade Commission.

Letter of September 22, 1917, from the secretary of the Federal Trade Commission to the assistant secretary, board of trade, London.

(These four letters concern an arrangement for exchange of published reports. Though general in scope, not relating particularly to meat, they are nevertheless here included. They are in file 8029–3–1 and are attached as part of Exhibit 3.)

Following is correspondence from the files of the Federal Trade Commission's Division of Publications concerning the distribution of the reports of the commission relating to the meat industries of the United States.

(These letters and duplicate franks are from the files indicated below and are marked "Division of Publications File" and attached as part of Exhibit 4.)

File 8754–4003:

Letter, July 9, 1918, from Federal Trade Commission to American Consul General, Auckland, New Zealand.

Letter, July 9, 1918, from Federal Trade Commission to chief clerk, State Department, Washington.

Letter, December 27, 1918, from Acting Secretary of State to Federal Trade Commission. (Inclosures to foregoing letter, being copy of dispatch No. 523, Oct. 22, 1918, from Alfred A. Winslow, American consul general at Auckland, New Zealand; copy of letter Oct. 18, 1918, from W. D. S. Macdonald, minister of agriculture and of industries and commerce, Wellington, New Zealand, to A. A. Winslow; and copy of letter July 9, 1918, from Federal Trade Commission to Alfred A. Winslow.)

Duplicate frank indicating mailing of meat packing report, part 2, to W. D. S. Macdonald, December 30, 1918.

Letter January 3, 1919, from Federal Trade Commission to W. D. S. Macdonald.

Letter January 3, 1919, from Federal Trade Commission to Acting Secretary of State.

File 8754–4292:

Letter September 4, 1918, from Dr. O. D. Skelton, of royal commission to inquire into marketing of live stock and live stock products, Kingston, Ontario, to Federal Trade Commission.

Letter September 25, 1918, from Federal Trade Commission to O. D. Skelton.

Duplicate franks indicating mailing of summary of meat packing report, September 27, 1918, to the following: W. A. Wilson, Cooperative Creameries (Ltd.), Regina, Saskatchewan; O. D. Skelton, Queens University, Kingston, Ontario; Dr. J. G. Rutherford, department natural resources, Calgary, Alberta; J. D. McGregor, the Royal Alexandra, Winnipeg, Manitoba; Hon. W. C. Sutherland, Galt, Ontario.

File 8754–4239:

Letter (without date) from Henry W. Macrosty, board of trade, London, to Federal Trade Commission.

Letter September 16, 1918, from Federal Trade Commission to board of trade, London.

Duplicate frank indicating mailing of report on cooperation in American export trade, volumes 1 and 2, and meat packing report, to board of trade, Gwydyr House, Whitehall, London, England, September 18, 1918.

File 8754–4303:

Letter September 27, 1918, from Federal Trade Commission to chief diplomatic bureau, State Department, Washington, requesting that copies of meat packing report be sent through the proper channels to the foreign governments named. (Inclosure to foregoing letter, being copy of suggested letter transmitting said report to the hands of the respective governments.)

File 8754–4421:

Letter October 14, 1918, from L. E. H. Spillen, private secretary to agent general for Queensland, to Superintendent of Documents, Washington, and referred to Federal Trade Commission.

Letter November 4, 1918, from Federal Trade Commission to Sir Thomas B. Robinson, agent general for Queensland.

Duplicate frank indicating mailing of two copies each of summary and part 2 of meat report to Sir Thomas B. Robinson.

File 8754–4577:

Letter November 19, 1918, from F. Stanley Scott, chairman Liverpool and District Shipping Butchers' Association, Liver-

pool, England, to director Government Printing Office, Washington, and referred to Federal Trade Commission.

Letter December 16, 1918, from Federal Trade Commission to Liverpool and District Shipping Butchers' Association.

Duplicate frank indicating mailing of six copies of summary of meat report to Liverpool and District Shopping Butchers' Association.

File 8754–4850:

Letter February 5, 1919, from E. Ward Jones, markets representative Dominion live stock branch, department of agriculture, Calgary, Alberta, to Federal Trade Commission.

Letter February 12, 1919, from Federal Trade Commission to E. Ward Jones.

Duplicate frank indicating mailing of Summary and Part II of Meat Report to E. Ward Jones, February 14, 1919.

File 8754–5071:

Letter February 24, 1919, from A. F. Lindberg, commissioner, Alta Comision, Managua, Nicaragua, to Federal Trade Commission.

Letter March 28, 1919, from Federal Trade Commission to A. F. Lindberg.

Duplicate frank indicating mailing of Summary and Part II of Meat Report to A. F. Lindberg March 29, 1919.

File 8754–5102.

Letter April 19, 1919, from D. M. Solandt, secretary, Manitoba Patriotic Fund (Inc.), Winnipeg, Manitoba, to Federal Trade Commission.

Letter April 23, 1919, from Federal Trade Commission to Manitoba Patriotic Fund.

Duplicate frank indicating mailing of Summary and Part II of Meat Report to Manitoba Patriotic Fund April 21, 1919.

File 8754–5177.

Letter May 1, 1919, from D. M. Solandt, secretary Manitoba Patriotic Fund, to Federal Trade Commission.

Letter May 5, 1919, from Federal Trade Commission to Manitoba Patriotic Fund.

Duplicate frank indicating mailing of 12 copies each of Summary and Part II of Meat Report to Manitoba Patriotic Fund.

The following duplicate franks on file in the Division of Publications show the sending of the documents mentioned in the following list on the dates mentioned:

August 29, 1918. Department of Labour, deputy minister, Ottawa, Canada. Report on Meat Packing Industry.

August 29, 1918, Italian Embassy, commercial delegate, 1400 New Hampshire Avenue, Washington, D. C. Report on Meat Packing Industry.

August 29, 1918. Imperial Russian Embassy, for Hon. C. Medzikhovsky, 44 Whitehall Street, New York, N. Y. Report on Meat Packing Industry (3 copies).

August 29, 1918. Switzerland legation, 2013 Hillyer Place, Washington, D. C. Report on Meat Packing Industry.

October 25, 1918. The Social Service of Council of Canada, general secretary, Toronto, Canada. Summary of Report on Meat Packing Industry.

October 25, 1918. Comision de Credito Publico, Managua, Nicaragua. Summary of Report on Meat Packing Industry.

November 30, 1918. Department of Agriculture, International Institute Commissioner F. K. Doherty, Ottawa, Canada. Summary, Meat Report.

December 30, 1918. Russian Embassy, for Hon. C. Medzikhovsky, 32 Court Street, Brooklyn, N. Y. Meat Packing Report, part 2.

December 30, 1918. Department of Labour, deputy minister, Ottawa, Canada. Meat Packing Report, part 2.

December 30, 1918. Library of Parliament, librarian, Ottawa, Canada, Meat Packing Report, part 2.

Februray 1, 1919. Minister of agriculture, department of agriculture, Ottawa, Canada. Summary and part 2 of meat report.

February 5, 1919. National resources intelligence branch, department of the interior, Richard A. McClymont, Motor Building, Ottawa, Canada. Summary and part 2 of meat report.

February 14, 1919. The social service of council of Canada, general secretary, Toronto, Canada. Meat report, part 2.

March 5, 1919. T. J. Orwin, Wholesale Meat Supply Association (Ltd.), 24 Hill Street, Glasgow, Scotland. Part 2, meat report.

March 8, 1919. F. K. Doherty, department of agriculture, Ottawa, Canada. Part 2, meat report.

(The duplicate franks above listed were not accompanied by correspondence, being records in general of reports sent out to persons on the regular mailing list or in response to requests telephoned or conveyed through individual messengers. These duplicate franks are attached as part of Exhibit 4.)

In addition to the distribution of commission's report under frank, the following distribution was made directly in response to request by representatives of the foreign embassies and legations indicated:

December 30, 1918. British ambassador, 6 copies of part 2 of the report on the meat-packing industry; Norwegian minister, 3 copies of part 2; Switzerland Legation, 1 copy of part 2; Italian Embassy, 1 copy of part 2.

July 15, 1919: Argentine Embassy, 2 copies of summary of part 2, meat-packing report.

At various times the British Embassy has sent its messenger to obtain copies of the summary and part 2 of the meat-packing report. It is estimated that in all, through this medium, it has obtained 50 copies of each.

DOCUMENTS AND OTHER PAPERS RELATING TO THE COMMISSION'S EFFORTS OR ACTION IN PROMOTION OR CONCERNING EXPORT TRADE IN MEATS.

In this section of the report are furnished all documents and other papers relating to the Federal Trade Commission's efforts or action in promotion or concerning export trade in meats from the United States to the Kingdom of Great Britain or any of its colonial dependencies or other countries. These include documents and papers, whether in connection with the commission's investigation of foreign trade and its duties under the Webb-Pomerene Act, permitting combinations in American export trade, or in connection with the food investigation directed by the President in his letter of February 7, 1917, or in connection with the ordinary course of the commission's work.

In the course of the commission's foreign-trade investigation, which resulted in its report on cooperation in American export trade, correspondence was had with the representatives of American meat concerns, schedules were received from them, and testimony received in hearings in an effort to secure information as to the problems, difficulties, and suggestions of the meat industry on export trade.

These documents are furnished, as well as documents in other connections which bear on the export trade activities of the larger packers, individually or jointly, and also of the small packers, individually or jointly.

Published documents of this Government, which include data on the export trade in meat, are not furnished, as being readily available to the Senate; but certain statistics of the world trade in meats, published by W. Weddell & Co. (Ltd.), an English firm, are furnished. Documents concerning war regulation of the distribution of food, particularly meat, by foreign governments, are included, as no doubt affecting our exports.

Incorporation of three confidential State Department reports is with consent of that department. (My letter and the consenting reply is in Exhibit 24.)

(a) Swift & Co.:

1. Letter, November 4, 1915, from chairman Federal Trade Commission to persons who attended the foreign trade hearings, and inclosing schedule of questions.

2. Letter, November 24, 1915, from Louis F. Swift to chairman Federal Trade Commission.

3. Letter, December 2, 1915, from chairman Federal Trade Commission to Louis F. Swift.

(These three letters are a form request for opinion as to the desirability of cooperation for export trade, the reply thereto, and acknowledgment of reply. They are in Files 8411–1 and 8404–861, and are attached as part of Exhibit 5, which is marked "Swift & Co., Opinion on Cooperation in Export Trade.")

NOTE.—The schedule of questions inclosed in the letter of November 4, 1915, was not returned by Swift & Co., but the form was the same as that returned by the G. H. Hammond Co., one of Swift & Co.'s subsidiaries, and which is furnished below.

4. Letters, statements, and other papers, being correspondence between Henry Veeder, chief counsel of Swift & Co., and the Federal Trade Commission regarding oleomargarine exports to the West Indies. (These papers constitute the entire file 8404–30, which is attached as part of Exhibit 5 and marked "Swift & Co. (Veeder), Oleomargarine Exports to West Indies.")

5. Letter, from packer files, dated January 19, 1917, from Jas. P. Moon, of Swift & Co., to Louis F. Swift. (This concerns Cunard Line supply business. It is from File Pac 7 F 7 and is attached as part of Exhibit 5, marked "Swift & Co., Cunard.")

6. Reports of interviews of various persons and firms by agents of the Federal Trade Commission concerning alleged practices of Swift & Co. in export trade. (These reports comprise Marcum No. 15, McIsaacs No. 23, Barrett No. 1, Barrett No. 2, and are attached as part of Exhibit 5 and marked "Swift & Co., Alleged Practices in Export Trade, Agents' Reports.")

7. Swift & Co.'s statistics of sales, total and foreign, 1908–1916, as furnished to the commission's examiner, Dr. A. S. Kravitz.

8. List of Swift & Co.'s foreign representatives.

(The two above items are comprised in Files Big 7 S 5 S 4 and Big 7 S 5 F 5, and are attached as part of Exhibit 5, marked "Swift & Co., Foreign Sales and Representatives.")

9. Schedule No. 21293 on foreign trade conditions from the G. H. Hammond Co., a subsidiary of Swift & Co. (This schedule, sent in reply to a form letter to this company, dated November 4, 1915, is attached as part of Exhibit 5, and marked "Swift & Co. (the G. H. Hammond Co.) Schedule, Foreign trade.")

10. Letters between the Federal Trade Commission and Swift & Co. concerning the profit and loss of Swift & Co. from its foreign subsidiaries and concerning the furnishing of the financial statements of such subsidiaries.

NOTE.—Swift & Co., having furnished its profit and loss from foreign subsidiaries (1912–1917) as a single figure for all these subsidiaries combined, correspondence followed seeking more detail, and particularly the extent to which profits and losses of the foreign companies had been taken up on the books of Swift & Co. Thereupon the financial statements of the foreign companies were required from Swift & Co.

(These letters are in file Sch 5, O 5, Swift & Co., pt. 2, and are attached as part of Exhibit 5, marked "Swift & Co., profit and loss foreign companies, correspondence.")

11. Financial statements concerning profit and loss of foreign companies, furnished by Swift & Co. pursuant to foregoing correspondence. (These statements are in file Sch 5, O 5, Swift & Co., pt. 1–1, and entire file Sch 5, O 5, Swift & Co., pt. 1–2, and are attached as part of Exhibit 5, marked "Swift & Co., financial statements, foreign companies.")

12. Letters between the Federal Trade Commission and Swift & Co. concerning the organization of Swift & Co.'s foreign subsidiaries. (These letters are in file Sch 5, O 5, Swift & Co., pt. 2, and are attached as part of Exhibit 5, and marked "Swift & Co., organization of foreign subsidiaries, correspondence.")

13. Schedules of Swift & Co.'s foreign subsidiaries, showing their organization, etc. (These schedules, each comprising a separate file, are attached as part of Exhibit 5, and marked "Swift & Co., foreign subsidiaries, organization schedules." The individual file numbers are listed in the exhibit.)

14. Reference is made to the State Department file listed below under (K) 4 for a consular report concerning the Swift Beef Co. of London, its organization, articles of incorporation, and charter powers, and data appearing in the prize proceedings with reference to meat cargoes.

(B) Armour & Co.:

1. Statement of J. Ogden Armour in hearings of the Federal Trade Commission on foreign trade conditions, July 27, 1915, pages 85–92. Certain lists of Swift & Co. of letters, and letter of July 23, 1915, from vice chairman Federal Trade Commission, to Louis F. Swift. (This statement is in file 8519–1–7–2 and is attached as a part of Exhibit 6 marked "Armour & Co., statement in foreign trade hearings 1915." With this is attached the original statement submitted by Mr. Armour and read by him at the hearing, this original being from file 8520–3.)

2. Report of interview of retired commission broker by an agent of the Federal Trade Commission concerning alleged practices of Armour & Co. in the export trade. (This report is Long No. 24, and is attached as part of Exhibit 6 and marked "Armour & Co., alleged practices of export trade, agents' report.")

3. Armour & Co.'s statistics of its export trade from 1898 to 1916 as furnished, in great detail, to the commission's examiner, Dr. A. S. Kravitz, together with a statement by H. M. Frey as to Armour & Co.'s foreign branch houses. (These papers are in file Big 7, A 5, F 7, and file Big 7, A 5, B 7, and are attached as part of Exhibit 6, being marked "Armour & Co., foreign sales and foreign branch houses.")

4. Letters between the Federal Trade Commission and Armour & Co. concerning the furnishing of profit and loss statements of its foreign subsidiaries. (These letters are in file Sch 5, O 5, Armour & Co., pt. 2, and are attached as part of Exhibit 6, marked "Armour & Co., profit and loss of foreign subsidiaries, correspondence.")

5. Financial statements of Armour & Co.'s foreign subsidiaries furnished pursuant to the foregoing correspondence. (These statements comprise the entire file Sch 5, O 5, Armour & Co., pts. 1–2, and are attached as part of Exhibit 6, marked "Armour & Co., foreign companies, financial statements.")

6. Letters between the Federal Trade Commission and Armour & Co. regarding the furnishing of organization schedules for its foreign subsidiaries. (These letters are in file Sch 5, O 5, Armour & Co., pt. 2, and file Sch 5, O 5, Armour & Co., foreign companies, and are attached as part of Exhibit 6, marked "Armour & Co., foreign companies, organization, correspondence.")

7. Armour & Co.'s foreign companies' organization schedules furnished pursuant to the foregoing correspondence. (The organization schedules are in file Sch 5, O 5, Armour & Co., foreign companies, and are attached as part of Exhibit 6 and marked "Armour & Co., foreign companies' organization schedules.")

8. Reference is made to the State Department file listed below under (K) 4 for a consular report concerning Armour & Co. (Ltd.), of London, its organization, articles of incorporation and charter powers, and data appearing in the prize proceedings with reference to meat cargoes.

9. Report of the commission's special expert, J. G. Ohsol, on operation of export beef department of Armour & Co., with papers and telegrams from Armour file exhibiting office methods of handling shipments, etc. (These papers are with file 9078–2–Hog 5, pt. 2, and are attached as part of Exhibit 6 and marked "Armour & Co., export beef department, Ohsol's report.")

(C) Morris & Co.:

1. Statistics of foreign sales, 1909–1916.

2. Annual sales, 1910–1916, including foreign business.

(These statistics were furnished to the commission's examiner, Dr. A. S. Kravitz. They comprise file Big 7, M 5, A 5, and are attached as part of Exhibit 7 and marked "Morris & Co., foreign sales.")

3. Letters between Federal Trade Commission and Morris & Co. concerning profit and loss and organization of the foreign subsidiaries of Morris & Co. and statements furnished pursuant thereto. (These papers are in file Sch 5, O 5, Morris & Co., and are attached as part of Exhibit 7, being marked "Morris & Co., foreign subsidiaries organization and profit and loss.")

4. Reference is made to the State Department file listed below under (K) 4 for a consular report concerning Morris Beef Co. (Ltd.), of London, and the Dausk Fedt Import Kompagni, and their organization, articles of incorporation and charter powers, and data appearing in the prize proceedings with reference to meat cargoes.

(D) Wilson & Co. (Inc.):

1. Schedule of T. M. Sinclair & Co. (Ltd.), a subsidiary of Wilson & Co. (Inc.), on foreign trade conditions. (This schedule is No. 28306 and is attached as part of Exhibit 8 and marked "Wilson & Co. (Inc.) (T. M. Sinclair & Co. (Ltd.), foreign-trade schedule.")

2. Letters between Federal Trade Commission and T. M. Sinclair & Co. (Ltd.), a subsidiary of Wilson & Co. (Inc.). (These three letters concern a request by the commission for further information supplementing its schedule on foreign-trade conditions, the companies' reply thereto, and acknowledgment by the commission. They are in file 8404–1547 and are attached as part of Exhibit 8 and marked "Wilson & Co. (Inc.) (T. M. Sinclair & Co. (Ltd.)), foreign-trade letters.")

3. Letter from packer files, dated January 4, 1917, from P. A. S. Franklin, of International Mercantile Marine Co., to Harry Bronner, director of Wilson & Co. (Inc.), concerning contract for steamers for beef shipments. (This is from file Pac 7, F 7, and is attached as part of Exhibit 8, and marked "Wilson & Co. (Inc.) (Bronner), International Mercantile Marine Co.")

4. Extract from report of interview of Chicago agent of T. M. Sinclair & Co. (Ltd.) by examiner of commission. (This concerns the company's method of cutting pork for the export trade and volume of pork tenderloins, as compared with Armour and Swift. It is on pp. 4–5 of Long No. 19, file Age 5, Lo 5, pts. 1–2, and is attached as part of Exhibit 8, being marked "Wilson & Co. (Inc.) (T. M. Sinclair & Co. (Ltd.), cutting pork for export.")

5. Statistics for foreign sales, 1914–1917.

6. Lists of foreign representatives.

(These statistics of sales and lists of foreign representatives furnished to the commission's examiner, Dr. A. S. Kravitz, comprise files Big 7–W–5–F 7 and Big 7–W 5–F 5, and are attached as part of Exhibit 8, and marked "Wilson & Co. (Inc.), foreign sales and representatives.")

7. Letters between Federal Trade Commission and Wilson & Co. (Inc.) regarding the profit and loss and organization of foreign subsidiaries of Wilson & Co. (Inc.) (These are in file Sch 5, O 5, Wilson & Co. (Inc.), pt. 2, and are attached as part of Exhibit 8, marked "Wilson & Co. (Inc.), foreign subsidiaries, profit and loss, and organization.")

(E) The Cudahy Packing Co.:

1. Letter of July 19, 1915, from vice chairman of Federal Trade Commission to Thomas Creigh, general counsel Cudahy Packing Co., chairman special committee on Federal Trade Commission, Chicago Association of Commerce. (Letter No. 1 is an invitation to attend the foreign-trade hearings at Chicago and present views on the export trade. It is in file 8046–1–3

and is attached as part of Exhibit 9 and marked "Cudahy Packing Co. (Creigh), invitation to foreign-trade hearings.")

2. Statement of Thomas Creigh at foreign-trade hearings of Federal Trade Commission at Chicago, July 27, 1915. (This is in file 8519–1–7–2, covering pp. 64–73 of the record, and is attached as part of Exhibit 9, marked "Cudahy Packing Co. (Creigh), statement at foreign-trade hearings.")

3. Letter of February 16, 1916, from Thomas Creigh to Federal Trade Commission acknowledging receipt of a circular letter of January 24, 1916, on foreign trade. (In file 8404–1553, attached as part of Exhibit 9 and marked "Cudahy Packing Co. (Creigh), acknowledgment of circular.")

4. Explanatory and statistical statement entitled "The Cudahy Packing Co. export department," furnished to the commission's examiner, Dr. A. S. Kravitz. (This statement includes a list of foreign representatives and value of export shipments of the company, 1910–1916. It comprises file Big 7, C 5, F 5, and is attached as part of Exhibit 9, marked "Cudahy Packing Co., foreign representatives and sales.")

5. Letters between Federal Trade Commission and Cudahy Packing Co., concerning profit and loss and organization of Cudahy Packing Co.'s foreign subsidiaries, and statements supplied pursuant thereto. (These papers are in file Sch 5, O 5, Cudahy Packing Co., pt. 2, Sch 5, O 5, Cudahy & Co. (Ltd.), and Sch 5, O 5, Cudahy Packing Co. (Ltd.), and are attached as part of Exhibit 9, being marked "Cudahy Packing Co., foreign subsidiaries, profit and loss, and organization.")

6. Reference is made to the State Department file listed below under (K 4) for a consular report concerning Cudahy Packing Co. (Ltd.), of London, its organization, articles of incorporation, and charter powers.

(F) Large packers, joint.—Letters and documents relating to joint activities of large packers in export trade:

1. Letter and telegram from the packers' files relating to the seizure by the British Government of cargoes of meat exported to neutral countries and to joint expenditures by Armour & Co., Swift & Co., and Morris & Co. for legal services in connection therewith. (These are in File Pac 7, F 7, attached as part of Exhibit 10, and marked "Large packers, joint, British seizures, packer files.")

2. Items concerning expenditures for legal services in connection with British seizures, from answers of large packers to question 15 of the Federal Trade Commission's schedule A, Slaughtering and meat packing, and correspondence regarding same. (These items appear, with others, in answer to question 15, which required disclosure of fees or other payments in excess of $5,000 for services rendered. The original replies are attached and the items believed to relate to the British seizures have been indicated by the commission for the purpose of this report by check marks. It does not appear in the case of Wilson & Co. (Inc.) and Cudahy Packing Co. whether or not these are joint payments, and they may be presumed to be individual. Correspondence as to payments of Wilson & Co. (Inc.) is attached. These papers form part of Exhibit 10, marked "Large packers, joint and individual, British seizures.")

3. Letters from files of Swift & Co. concerning kidney knobs. (These are in File Pac 7, F 7, and are attached as part of Exhibit 10, marked "Large packers, joint, kidney knobs.")

4. Reference is here made to extract from Marcum, report No. 15, last paragraph, which reports alleged joint export activities of Armour & Co. and Swift & Co. (This document has already been furnished. See above, A: Swift & Co., item 6.)

(G) Large packers, grouped.—Documents referring to the alleged export activities of large packers as a group, or in general, or with reference to two or more of them:

1. Reports of interviews of various firms and persons by agents of the Federal Trade Commission, especially as to alleged practices of large packers in acquiring export trade. (These are in files 9076–14–1–1 (For 5 G 5) and 9076–14–3–1 (For 5 U 5). They are reports of extracts from reports, Barrett, 16 and 17; Long, 22, 25, and 26; Reeves, 1; Reed, 67 and 68. There is also furnished, at pages 5, 6, and 7 of Cowie No. 20, File Age 5, Co 7, pt. 2, on which pages are marked passages bearing on this subject. Those papers are furnished as Exhibit 11 and marked "Large packers, grouped, alleged export practices, agents' reports.")

(H) Small packers:

1. There are furnished letters and statements concerning the interest of the small packers in connection with the Federal Trade Commission's foreign-trade investigation. These papers comprise a statement of Charles E. Herrick, secretary of the Brennan Packing Co., Chicago, in the foreign-trade hearings at Chicago, July 28, 1915, as appearing in the record of hearings, together with his manuscript statement submitted at the hearing and supplemental correspondence regarding statements in the hearing. Also the statement of C. H. Frye, president of Frye & Co., meat packers, Seattle, Wash., at the Seattle foreign-trade hearing, August, 1915. Schedules of foreign trade conditions from the Wilson Provision Co., Peoria, Ill. (not a subsidiary of Wilson & Co. (Inc.)); Nuckolls Packing Co., Pueblo, Colo.; Hammond, Standish & Co., Detroit, Mich.; Brennan Packing Co., Chicago; and John Morrell & Co., Ottumwa, Iowa. (The Morrell schedule, No. 24826, was received by the Federal Trade Commission in confidence and bears notation "Please treat these answers confidentially." The commission calls this to the attention of the Senate in connection with publication of this report.)

(These papers are in files, as indicated in the attached Exhibit 12, and marked, "Small packers' foreign trade investigation.")

2. Reports of interviews with various small packers and other firms concerning their handling of export trade in meats by agents of the commission. (These reports are in files 9076–14–1 (For 5 G 5), file Age 5 Lo 5, pts. 1, 2, and 3, and the Age 5 Co 7, pt. 2. They consist of agents' reports: Haines, No. 1; Twombly, Nos. 2, 19, 37, 53, and 69; Barrett, Nos. 13 and 19; Long, Nos. 5, 7, 14, 15, 26, 85; Bays, No. 38; Cowie, No. 21. In the case of reports Long 7, 15, and 26, and Cowie 21, the matter furnished is in the form of pages from these reports, the portion of each page that refers to export trade being marked by the commission for the purpose of submission to the Senate.)

(The above papers are attached as part of Exhibit 12 and marked "Small packers' methods of handling export trade, agents' report.")

(I) Small packers, association, under Webb-Pomerene Act for export trade:

1. Papers filed by the American Provisions Export Co., Chicago, Ill. (These papers are in File Association 20, and are attached as Exhibit 13 and are marked, "Small packers, association, American Provisions Export Co., application under Webb-Pomerene Act.")

2. United States Provision Export Corporation, Chicago, Ill. (These papers are in File Association 26, and are attached as Exhibit 14 and are marked, "Small packers, association, United States Provision Export Corporation, application under Webb-Pomerene Act.")

NOTE.—According to opinion previously rendered by counsel of the export trade division, part of the data in these papers is confidential. These papers are originals submitted in compliance with section 5 of the Webb-Pomerene Act.

It has been the practice of the commission not to permit these papers to leave the files for any purpose whatever, the commissioners and members of the export trade division using only certified copies of the same.

It is respectfully urged that these original documents be immediately returned to the commission by the Senate and that the commission be permitted to substitute certified copies of the same.

(J) State Department, cable to British ministry of food:

1. Letter September 11, 1918, from Federal Trade Commission to Secretary of State requesting transmission of inclosed cable to British ministry of food, seeking information on British governmental control of the meat business; reply of Department of State, October 29, 1918, through Secretary of Treasury, inclosing report of Chargé d'Affaires F. M. Gunther, London, advising that British ministry of food was loath to supply the majority of the information; letter of November 1, 1918, from Department of State referring further to matter.

The above papers are those referred to and quoted by Commissioner Colver in his personal statement. Reference is made to Dr. J. G. Ohsol's personal statement (p. 33) regarding the securing of part of the information requested in the cable, viz, that regarding the regulation of the Smithfield Market.

(These papers are in File P F—Cor 5 St 3, and are attached as part of Exhibit 15, marked, "State Department, cable to British ministry of food.")

NOTE.—The last page of this file consists of office memos explaining failure to acknowledge State Department letter of November 1, 1918, and the report forwarded through the Treasury, due to absence of Dr. Ohsol, who had had charge of the inquiry into foreign governmental regulations, and final filing of the material unacknowledged January 28, 1919.

(K) State Department, correspondence and reports:

1. Letter from Department of State to Federal Trade Commission, April 12, 1915, requesting publicity as to certain shipping difficulties in export trade with the Netherlands, referred to in an inclosed letter from American Chamber of Commerce in the Netherlands, and reply of Federal Trade Commission to Department of State, April 17, 1915.

(These letters and the inclosure, including the list of five pages of goods for shipment among which were certain items of meat, lard, etc., are in file 9731–3, and are attached as part of Exhibit 15 and marked "State Department, Shipping Difficulties, Export Trade.")

2. Letters from Department of State, March 16, 1917, and March 19, 1917, transmitting to Federal Trade Commission for examination numerous communications advocating embargo on exportation of foodstuffs from the United States; letter from Federal Trade Commission to Department of State, March 27, 1917, returning these communications; and memorandum of Francis Walker, chief economist of the commission, reporting on the examination of these communications.

3. Letter from Department of State to Federal Trade Commission, April 2, 1917, transmitting report of Consul General R. P. Skinner, of London, on subject of British meat supplies, and letter of Federal Trade Commission, April 5, 1917, acknowledging receipt.

(These letters and the consul general's report are in file 8827 and are attached as part of Exhibit 15, marked "State Department, British Meat Supplies, Skinner's Report.")

4. Letter from Federal Trade Commission to State Department, September 10, 1917, requesting it to secure from the British Government data for use of the commission in its investigation of the meat industry, acknowledgment by Department of State, and transmittal by it (letter of January 8, 1918) of report of Consul General Robert P. Skinner, of London, furnishing the available information, with correspondence referring thereto.

(These papers are in file 8827. The consul general's report covers the organization of the principal British companies of a number of American packers, and data as to their representatives from the prize proceedings with respect to meat cargoes seized by the British Government; also data regarding the governmental regulation of food under the defense of the realm act; also gives agencies or representatives of smaller American packers in the United Kingdom. These papers are attached as part of Exhibit 15 and marked "State Department, Organization of British Companies of American Packers and British Government Regulation of Food, Skinner's Report.")

5. Letters from Department of State, January 15, 1918, and May 6, 1918, transmitting reports by Consul General Winslow, of Auckland, and Consul General Skinner, of London, on American meat corporations in New Zealand, with commission's acknowledgment of same. (These papers are in file 8827, and are attached as part of Exhibit 15, being marked "State Department, American Meat Corporations in New Zealand, Skinner Reports.")

6. Letter of State Department, May 31, 1918, to Federal Trade Commission, inclosing copy of dispatch from American Consul General Winslow, at Auckland, New Zealand, requesting, on behalf of Hon. W. D. S. Macdonald, minister of agriculture, industries, and commerce from New Zealand, copies of available information relative to investigation by the Federal Trade Commission of the American Meat Trust, with correspondence relating thereto. (These papers are in file 8827, attached as part of Exhibit 15, being marked "State Department, New Zealand, Request for Information on American Meat Trust.")

NOTE.—Reference is made to further correspondence through the State Department with the American consul general relative to this matter described on page 46 above, and attached in the first part of Exhibit 4.

(L) Digest of Library Research on Foreign Companies of Large Packers:

This is an office report on "Slaughtering and Packing Business of the Big Five in Foreign Countries. Library Research at Chicago, by L. T. Cowie (examiner, Federal Trade Commission), 1917." The bulk of this document does not concern export trade in meat from the United States, but rather exports from foreign countries wherever the large American packers have slaughtering plants. Thus it covers South American and Central American countries, including any Paraguay data on the American International Corporation, and also Australia and New Zealand and Canada. The data, however, on Great Britain (being pages 16–19) bears on export trade from the United States.

(This is File For 5, S 5, and is attached as Exhibit 16, marked "Cowie Library Research on the Big Five in Foreign Countries.")

(M) Documents Secured by Commission from W. Weddell & Co., Ltd.:

These documents bear on the import trade of Great Britain and world trade in meats, etc. This company's trade publications on world statistics of the meat industry have a recognized standing, and include data on exports of meats from the United States.

(These documents, with correspondence regarding their transmission, are in File Sou 7 and File 8012–216, and are attached as Exhibit 17 marked "World Meat Statistics, W. Weddell & Co., Ltd.")

NOTE.—There are references in the letters from W. Weddell & Co., Ltd., to the commission's letters of October 15, 1917, and November 8, 1917. Carbons of these two letters are not now found in the files of the commission. The chief of files advises that this was probably correspondence carried on by the former librarian of the commission to secure documents and that copies of such correspondence probably never reached the files.

(N) Papers and Documents Concerning Regulation of Food and Meat Industries by Foreign Governments:

These papers and documents, so far as they relate to governmental regulation of foods or meats in countries to which the United States exports meats, are furnished because such regulation of distribution by the foreign governments affects the export trade of American companies in these products.

Reference is made to certain documents and typed copies of items in London papers concerning such regulations in Consul General Skinner's report already referred to, and which have been furnished above under (K) 4, being the fifth section of Exhibit 15.

1. Documents from British Ministry of Food regarding governmental regulation, particularly of the Smithfield Market. These documents are as follows:

(a) Memorandum and articles of association of the London and Counties Wholesale Meat Supply Association, Ltd.

(b) Proof sheet of a form of agreement between the food controller and the tenants of the Smithfield Market.

(c) Typewritten memorandum entitled "Distribution of Supplies of Dead Meat Through the Smithfield Control Board (Smithfield Market) to Retail Butchers in the London Metropoltan Police Area," signed by A. P. Twigg and dated September 6, 1918.

(These three documents are attached as Exhibit 18 and are marked "Ohsol's File, Smithfield Market Regulations.")

2. Office compilations and digests of regulations of the Governments of France and Great Britain of the food business including meat. (These office digests, which were prepared by the commission's special expert Dr. J. G. Ohsol, are in files Gov. 5 Fr. 5–G 5; and Gov. 5 Gr. 5–G 5; E 5, F 5, C 5, and are attached as Exhibit 19, being marked "Regulations by Foreign Governments, Office Digests and Compilations.")

(O) Published Report of Federal Trade Commission:

Reference is made to the following published reports of the Federal Trade Commission, which contain passages referring to the export trade in meats:

1. Summary of report of Federal Trade Commission on meat-packing industry, July 3, 1918.

Pages 5 and 6 of the letter of submittal of this report contain a paragraph concerning the international activities of large American meat packers in its bearing on the regard in which the American people is held in international comity.

Other references are pages 12–13, foreign interests, and 33–35, the international meat pool (see below).

(This report is attached as Exhibit 20, passages referred to being marked.)

2. Report of Federal Trade Commission on meat-packing industry, part 2, 1918.

In this are found references to the British seizures and conditions affecting the export trade of Sulzberger & Sons Co. (pp. 176–177, 181, 190–191, 193).

In this volume also is a discussion of the international meat pool, which presumably has at least an indirect bearing on the exports of meats from this country (pp. 99–107). The basis of this discussion is principally found in the so-called "Black book" of Germon Sulzberger, which is printed as Exhibit I (A) and (B) (pp. 213–247). In addition to passages in this exhibit concerning the international meat pool, the following pages have reference, apparently, directly to export trade from the United States: Pages 216, 221, 222, and 227.

(This volume is attached as Exhibit 21, passages referred to being marked.)

3. Report of the Federal Trade Commission on cooperation in American export trade, part 1, summary and report, and part 2, exhibits.

The report, in addition to its general features, contains the following matter with specific reference to the meat industry:

(a) Part 2, pages 92–94, notes from Commercial Attaché A. H. Baldwin on "Informal Combination in South American Meat Trade."

(b) Part 2, pages 178–179, special report of Vice Consul in Charge John S. Calvert, Buenos Aires, Agentina, December 8, 1915, on the "Meat Industry."

(c) Part 2, page 419, regarding combination of foreign buyers of meat products.

(The two volumes of this report are marked "Exhibit 22.")

I may add that in addition to the foregoing data the commission has voluminous letters, documents, and papers on the foreign slaughtering companies of American packers in South America, Australia, and Canada, which export from the countries of their location to other countries, but which are not directly connected with the export trade from the United States. As this subject is only indirectly connected with the export trade from the United States, these documents have not been furnished.

However, the essential substance of material on this subject is digested in chapter 4 of part 1 of the commission's report on the meat-packing industry, which was released on July 11 and is now being printed and bound at the Government Printing Office and will be available within a few days.

The foregoing correspondence and the documents annexed hereto, under schedule, are the result of a thorough draft upon the records of the commission, and are sent in volume to meet the sweeping specifications of the Senate's inquiry. They do not reveal the derelictions on the part of the commission or the commissioners which might be implied in a reading of the resolution or taken as indicated in the debate at the time of its adoption. The largest meat packers have not availed themselves of the law permitting combination for exportation. Whether they suffered from their neglect to avail themselves of the legal right of concerted action in export or whether their degree of domestic accord made such neglect appear desirable to them, it is assumed that the inquiry of the Senate does not call for an expression from the commission on that point.

Respectfully submitted.

VICTOR MURDOCK,
Acting Chairman.

To the SENATE OF THE UNITED STATES,
Washington, D. C.

Mr. POMERENE. Mr. President, a motion was made by the senior Senator from Iowa [Mr. CUMMINS] to have the report referred to the Committee on Interstate Commerce. I think that should be taken up at this time.

Mr. SMOOT. I understood that it was simply a request of the Senator from Iowa; that it will not take a motion, but the report will simply be referred to that committee without objection.

Mr. POMERENE. I thought it was in the form of a motion.

The PRESIDING OFFICER. If there be no objection the report and documents accompanying it will be referred to the Committee on Interstate Commerce. The Chair hears no objection, and it is so ordered.

FOREIGN FINANCE CORPORATION.

Mr. EDGE. Mr. President, under the rule I desire to make a motion to take from the calendar for consideration the bill (S. 2472) to amend the act approved December 23, 1913, known as the Federal reserve act.

I will preface my remarks by stating that I have no intention of pressing the bill at this time. I should like, however, to have it made the unfinished business, because it is of great importance. The bill, as Senators generally recognize, is a bill termed the export financing bill, prepared by the Federal Reserve Board and, of course, with their entire approval and with the approval of the chairman of the War Finance Corporation. In my judgment it will help solve one of the really big problems that this Congress has been convened to solve.

I ask permission to read extracts from a letter received only this morning. Hundreds of letters come to me, because I introduced the bill, I suppose, from manufacturers and producers all over the country, urging action. This morning I received a letter from the president of the American Manufacturers' Export Association, representing over 1,000 of the average-sized manufacturing industries of the country, not the large trusts, so called, but the smaller manufacturing industries, in which he says:

> I feel constrained to write you regarding your bill, now in the Senate, to provide for a foreign finance corporation as a means of organizing under Government supervision the credit resources of this country, so urgent for the financing of European industries.
>
> The question is not whether this country should help to finance the industries of Europe; that is self-evident. The only thing to be decided is the wisest and sanest method by which this can be accomplished.
>
> If Europe's industries languish for lack of financing, we shall as a Nation lose our best customer, and, what is worse, we shall witness a period of unrest and disorder more serious than the world has ever known.
>
> To finance Europe now is to take out insurance for our own prosperity and tranquillity.
>
> It is, therefore, with great satisfaction that manufacturers of the country, and particularly the exporting manufacturers who are brought into constant contact with the European situation, have watched the progress of the plans put forward by bankers and legislators to meet this problem.
>
> The bill introduced by you in the Senate providing for a foreign finance corporation offers the necessary Government supervision for the organization of our national credit resources. It is evident that the bankers of this country realize their responsibility.
>
> The manufacturer is not in a position to pass upon details, but only on the necessity. His word to bankers and legislators alike is "hurry."
>
> Manufacturers exporting to Europe are discovering that there are immediate needs which they are supplying to those who now have funds and are able to find others who can buy from them at a profit. The manufacturer realizes, however, that the cream is being rapidly skimmed and that behind the present flood of orders there is no substantial ability to keep buying.
>
> The critical period is at hand when the artificial post-war stimulus will cease and Europe will stop buying even necessities.
>
> The need, therefore, is urgent for immediate action by Congress and by bankers to tide over this critical period until Europe can get going once more.

This bill, as I hope Senators understand, does not in any way provide for Government underwriting or Government guaranties of any kind. It provides simply that the Federal Reserve Board shall supervise the operations of corporations incorporated under it.

I do not know what we are going to do with the merchant marine of which we are all so proud. A few days ago I read in the newspapers that we are going to build two 50,000-ton ships. We are delighted and proud to see the merchant marine being developed, but it would be of very little use to America if the exporters and manufacturers can not be paid for goods for which they now have orders to export in the merchant marine. It is absolutely essential for us to first solve the financial question before we talk and think about additional tonnage. We have to loan abroad, as we know perfectly well. We have already loaned $9,000,000,000 abroad. We have raised that through some form of taxation. It is generally recognized that we must loan perhaps two billion or three billion dollars more, both from the humanitarian standpoint and from the standpoint of stabilizing the business of the world. Is it better to loan that from this country by the same method of taxation of some kind, or is it better to try to stabilize business so that our manufacturers and producers can make a profit while they are sending goods abroad, and thus greatly equalize the financial condition between the two countries? In other words, it is very much better for us to furnish goods than to furnish cash. When we furnish goods we make a profit. When we furnish cash we charge our citizens, of course, in one form or another in order to raise it.

The present rate of exchange is practically prohibitive. The orders that are being received by our exporters are very large right now, but are simply the necessary orders for food and raw material which must be sent over there, but it is soon going to sag, because the Frenchman is not going to pay $1.40 for a dollar's worth of American goods; neither is the Englishman going to pay $4.29 or $4.30, on the basis of the last quotation of exchange which I noticed, for a pound sterling. It is a simple business proposition.

I know there may be some difference of opinion as to the method to pursue. I think we all admit that the problem is here, and the problem must be solved.

Mr. GRONNA. Mr. President——

Mr. EDGE. I simply want to get the bill before the Senate so we can have an interchange of views and endeavor to pass something to meet this situation.

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from North Dakota?

Mr. EDGE. Certainly.

Mr. GRONNA. May I ask the Senator from New Jersey if he considers this a banking bill or a bill which deals not only with securities but with trade in general?

Mr. EDGE. It is a bill which deals with both. It is a bill that I perhaps can illustrate better by pointing to our own banking institutions from the domestic standpoint. If we do a domestic business, and wish to get a loan, of course we go to our bank, putting up some satisfactory security. We find the same situation, only on a very much larger scope, necessarily facing our producers and manufacturers in their business abroad. They can get security but they can not get cash. This bill provides for incorporation under the supervision of the Government. At the present time there is no such supervision. At the present time investment brokers can loan money abroad and do anything they want without any supervision.

Mr. GRONNA. Is it not the idea that under the provisions of this bill, if it is not amended, it would give power and authority to this commercial organization—I call it a commercial organization because it is not a banking organization; it is in no sense a banking bill—to issue debentures, to issue bonds, based upon securities of foreign Governments or upon the securities of people of our own country, and practically transact business the same as the Government of the United States is now transacting?

Mr. EDGE. Mr. President, the bill provides that the ordinary banking facilities are permitted to such a corporation. I assume that the only way we can balance the tremendous credit balance now in our favor, and which is working against us naturally from a commercial standpoint, is to get securities from abroad covering what we sell, be they Government securities or be they mortgages on plants or whatever they may be. We get them in exchange for goods. The corporation naturally issue debentures or bonds on such foreign credits and sell them to the American public. That is the way they realize the cash. That is an ordinary banking corporation.

Mr. GRONNA. Mr. President, if I do not disturb the Senator, will he point out anywhere in the bill the provision where it will be possible to regulate foreign exchange?

Mr. EDGE. There is no way to regulate foreign exchange that I know of. I do not claim to be a financial student, except in a moderate way. There is only one way to do that, and that is through supply and demand, the equalization of debits and credits between the nations.

Mr. GRONNA. Is it not true that the regulation of foreign exchange is simply incidental, and that that is not really the purpose of the bill?

Mr. EDGE. That is true; but the fact exists, because of the prohibitive foreign exchange, that an American dollar is worth just what I quoted a few moments ago, making it very expensive for the foreign buyer to buy American goods, because it costs him so much to pay for them. It is a perfectly clear proposition.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Iowa?

Mr. EDGE. I yield.

Mr. CUMMINS. This morning I gave notice that at the conclusion of the address of the Senator from Louisiana [Mr. RANSDELL] I would move to take up what is known as the bill for the repeal of the daylight-saving law. I discovered afterwards that the Senator from Oklahoma [Mr. OWEN] had arranged to speak upon the subject of the league of nations, and that the Senator from New Mexico [Mr. FALL] expected to follow him. I did not want to interfere with those addresses, but I had hoped to call that bill to the attention of the Senate and have it taken up for consideration and thus become the unfinished business, not expecting to ask for a vote upon it this afternoon, but hoping that I would be able to secure a vote some time to-morrow or the next day.

I recognize the overpowering importance of the league of nations, and I do not want to interfere with those who are prepared to make speeches upon that subject; but I do not want any other business to come in ahead of this very important measure.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Mississippi?

Mr. EDGE. I should like first to make a brief statement.

Mr. CUMMINS. I am not opposing the measure of the Senator from New Jersey, for I have not studied it at all; I do not know what it is; but I thought it was only fair to suggest to him, before he had finished what he had to say upon the subject, that I intend at the first moment I can get the attention of the Chair in my own right to move to take up for consideration the bill to repeal the daylight-saving law.

Mr. EDGE. Mr. President, perhaps I can make a suggestion that will meet the view of the Senator from Iowa, and still permit the bill to which I have referred to become the unfinished business, if I understand the rules correctly.

The Senator from Iowa, I think, understands my position, for I have already taken the matter up verbally with him, saying that I would wait until he moved consideration of the daylight-saving bill in order not to interfere with him, so that I am in entire accord with him, but it just happens that it is necessary for me to leave the Capital to-night to be gone for several days, and I felt this bill was of extreme importance. I do not want to take advantage of anyone, but I desire the bill to become the unfinished business so that all those Senators who wish to consider it may realize that it is in that position. They would naturally consider it in the interim, and be prepared to offer amendments, and to discuss it so that we might have a full interchange of views.

We have the problem with us, and we must solve it. Perhaps this is not the best method to solve it, but it is certainly a step in the direction that will help solve it. I desire to read just one paragraph from the letter of Gov. Harding, of the Federal Reserve Board, to the Senator from Connecticut [Mr. MCLEAN], the chairman of the Committee on Banking and Currency:

> With these slight changes the Federal Reserve Board earnestly indorses the proposed bill and suggests that its enactment is even more essential at this time than when its adoption was first recommended by the board. The board knows no one way in which the present European credit situation may be more effectively dealt with than by the incorporation of institutions of the kinds provided for in this bill, and anything that betters that situation assists not merely in the gigantic task of reconstruction in Europe, but also in providing a market for our own exports and in developing our foreign commerce in a most effective and satisfactory way.
>
> Very truly, yours,
>
> W. P. H. HARDING, *Governor.*

Is it not possible under the rules, if this bill could be made the unfinished business, that, on motion of the Senator from Utah—I intended to leave it in his hands while compelled to be away—it might to-morrow be laid aside, and the daylight-saving repeal bill be considered?

Mr. CUMMINS. Mr. President, there are several Senators who desire to vote upon the daylight-saving bill who are compelled to leave the city to-morrow or very soon thereafter, and I shall feel constrained to ask the Senate to-morrow to consider that bill, so I do not want any measure to precede it in being made the unfinished business. Just the moment it is disposed of the Senator from New Jersey will have an opportunity to move the consideration of his bill, and if the Senate sees fit to agree, it may be made the unfinished business; but I think that I have fairly established a clear priority in so far as notice of my intention can establish precedence.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Utah?

Mr. EDGE. I yield.

Mr. SMOOT. I desire simply to suggest to the Senator from New Jersey that, this being a Senate bill and the House of Representatives adjourning day after to-morrow, it would not delay the passage of the bill by allowing it to go over until the Senator returns.

Mr. EDGE. I appreciate that; but if we conducted all our business on the assumption that we were not going to do anything until the other House resumed its sessions we should simply congest our own calendar of bills and waste valuable time.

Mr. SMOOT. I will say to the Senator that there is no disposition of which I know on the part of any Senator in the Chamber to keep the bill from being considered, and I shall be very glad to assist the Senator in any way I can to make it the unfinished business.

Mr. EDGE. I ask if the suggestion I have made is not, under the rules, the usual thing to do?

Mr. SMOOT. Under the rules, if made the unfinished business, it would require unanimous consent to lay the bill aside, and if one Senator objected the only thing that could be done would be to proceed with the consideration of the bill or else for a Senator to make a motion to take up another bill, which would displace it as the unfinished business.

Mr. EDGE. The Senator from New Jersey introducing the bill being absent from the Chamber, I can not imagine that the bill would be taken up.

Mr. SMOOT. The Senator asked me a question, and I have stated to him what the rule provides, namely, that if the bill is the unfinished business at 2 o'clock to-morrow it is automatically placed before the Senate at that time. Then, if any Senator asks that it be temporarily laid aside, it can only be done by unanimous consent. There may be some Senator who would object to its being laid aside; then the Senate would have to proceed with the consideration of the bill or else some Senator would have to move to take up another bill, which would displace the Senator's bill as the unfinished business.

Mr. EDGE. I have no desire to be anything but courteous to the Senator from Iowa [Mr. CUMMINS], as I demonstrated in discussing this matter with him.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Mississippi?

Mr. EDGE. Just a moment. I desire to finish the observation I was making, and then I will yield to the Senator from Mississippi.

The PRESIDING OFFICER. The Senator from New Jersey declines to yield at present.

Mr. EDGE. I desire to finish the remark I was making, and then I will yield. I wish the Senator from Iowa thoroughly to understand that I have no disposition in the action I have sought to take in any way to precede the daylight-saving repeal bill, and if he feels, under the explanation of the Senator from Utah, in view of my absence and the fact that unanimous consent is required, as I understand, under the rules, that there is a possibility that some one would object, the introducer of the bill being out of the Chamber—which I can not for one moment imagine—I shall not press the motion; but I have at least, I hope, accomplished the main object, and that is to draw the attention of the Senate to the extreme importance of action on a measure designed to accomplish what this measure is designed to accomplish. I will now give notice that on my return I shall again renew the motion to make the bill the unfinished business, so that it may be considered by the Senate at the earliest possible moment. We must do something to solve this question; we must do something to help our own business men.

If I may take a moment longer, this is not a bill designed to help the large business organizations of this country, because they do not need help. That is obvious. The big concerns, like the International Harvester Co., the United States Steel Corporation, and the Standard Oil Co., have had their export departments for years; they have had their sales organizations covering probably every country in the world where they can do a profitable business. The bill is designed to aid the small manufacturer whom Congress tried to help a year or two ago when it enacted the Webb Act, which permitted them to combine in order to enter the foreign field. Congress then certainly indorsed the policy of trying to help American business men in their export business. Now comes along the proposal to have American banks help finance their business which they can not finance unless they have some combination of capital of this character. If there is a better way that can be devised, let us have it, but let us face this question, for it is a very important one, and try to bring about a solution of the problem.

To demonstrate the feeling among small manufacturers throughout the country as to the necessity of the proposed legislation to which I have referred, I ask unanimous consent to have printed in the RECORD extracts from a few letters that I will send to the desk. I will read just one paragraph from the letter of a small manufacturer of agricultural machinery employing 200 hands—hardly in the class of a trust. Speaking of the bill, he writes as follows:

This is particularly interesting and pertinent to us at this time, as the writer has been laboring with a proposition made us through the Roumanian Government to furnish them agricultural machinery, for which they would give us in exchange their three-year bonds. After considerable effort to handle these bonds through our bankers or to get any indorsement of them by the Government, we have been obliged to decline the business.

That is simply an example of what our business men are encountering.

The PRESIDING OFFICER. Without objection, the request of the Senator from New Jersey will be complied with. The Chair hears no objection.

The letters referred to are as follows:

GRENLOCH, N. J., *June 24, 1919.*

Senator WALTER E. EDGE,
Senate Chamber, Washington, D. C.

DEAR SENATOR: We note with very much interest announcement in this morning's Philadelphia Public Ledger in regard to the bill which you propose to introduce in the Senate respecting the financing of foreign countries in making purchases in the United States.

This is particularly interesting and pertinent to us at this time, as the writer has been laboring with a proposition made us through the Roumanian Government to furnish them agricultural machinery, for which they would give us in exchange their three-year bonds. After considerable effort to handle these bonds through our bankers or to get any indorsement of them by the Government, we have been obliged to decline the business.

From the report of the representative of the Roumanian Government the fact that we have been unable to finance them is very sad, indeed, as the people in that country are undoubtedly very much in need of machinery with which to produce crops for their own sustenance. The need is so great because it is impractical to do the plowing and cultivating with a "crooked stick."

We have also had some Russian business offered us which undoubtedly we will lose because of their inability to finance it by paying us cash, which is the only basis on which we feel we are safe in accepting the business at this time.

We sincerely trust that something real and tangible will grow out of your efforts to develop a bill which would finance especially those countries which are so much in need of help. We feel there is nothing so important at the present hour to the commercial interests of this country and the financial interest of the war-davastated countries as this very effort which you are making, inasmuch as it is most fundamental in that we are helping them to help themselves.

All praise to you and best wishes for successful culmination of your efforts.

Very truly, yours,

BATEMAN MANUFACTURING CO.,
FRED H. BATEMAN,
Vice President and General Manager.

THE GASTINE CO.,
Bridgeton, N. J., June 26, 1919.

Hon. Senator EDGE,
Washington, D. C.

DEAR SIR: We note in the New York Commercial of the bill you have introduced in the Senate for the protection of American exporters, by not helping financially any nation who have placed embargoes on American importers.

We wish to cite an instance of a distributer of ours in Rome, Italy, who, before the war, ordered Gastine quite regularly, and for the past six months he has tried and tried repeatedly to obtain an import permit from the authorities, and they have refused him in every instance, even notwithstanding the fact that our product will help rejuvenate low grades of gasoline, and which they can use economically.

The same thing applies to a distributer in France, in the city of Paris. He has been trying time and time again to import Gastine. We even understand that he has some orders that he would like to fill. They will not allow him to send any money nor will they give him an import permit. We do certainly thank you, and assure you that your efforts are appreciated.

The writer feels that he almost knows you, inasmuch as he used to see you every day last summer, from June 20 to June 29, as he was at Sea Girt, N. J., and is a member of Company D, First Battalion, New Jersey State Militia.

Yours, very truly,

THE GASTINE CO.,
I. W. GOLDBERG,
General Manager.

MOORESTOWN, N. J., *July 25, 1919.*

Hon. WALTER E. EDGE,
United States Senate, Washington, D. C.

MY DEAR SIR: Permit me to thank you for your very prompt and courteous letter of July 22.

I also take this occasion to commend the bill which you lately introduced and wish it success. It would be a great help in developing American export business.

Again thanking you, I am
Very truly, yours,

J. S. STOKES.

AMERICAN FOREIGN BANKING CORPORATION,
New York, July 21, 1919.

Hon. WALTER E. EDGE,
United States Senate Office Building,
Washington, D. C.

MY DEAR SENATOR EDGE: We have procured a copy of Senate bill 2472, introduced by you on the 15th instant, which is of considerable interest to us. The American Foreign Banking Corporation is now incorporated under the laws of the State of New York, and most of its stock is owned by national banks located in the principal cities of the United States. We would probably wish to incorporate under the provisions of the proposed bill should it pass, as, other things being equal, it would seem preferable to have a Federal charter rather than a State charter. In view of the above, we would be pleased to have you inform us from time to time as to the status of this proposed legislation.

We remain, with sentiments of esteem,
Yours, very truly,

HAYDEN B. HARRIS,
Vice President.

LONDON, *July 18, 1919.*

Senator EDGE,
Senate Chamber, Washington.

London Daily Mail refers to bill you have introduced. It is imperative legislation be enacted promptly and American banks and industries support same, as each day's delay is working injury which will take months to right. Unless prompt action is taken without doubt foreign governments will be obliged to embargo against everything except vital amount foodstuffs and essential raw materials. Such injury to American trade will be difficult of remedy.

GEORGE GASTON.

NEW YORK, *July 26, 1919.*

Senator WALTER E. EDGE,
Washington, D. C.

DEAR SENATOR EDGE: We are very much interested in the foreign bank bill which you are putting through, and feel that some such plan will be of necessity and great assistance to firms in the United States desiring to do foreign business.

Could we ask you to kindly send us a copy of the bill either in its proposed form or in the form in which it finally passes?

With best wishes for the success of the bill and with our thanks for a copy,

We remain, very truly, yours,

KESTER BROS.,
R. L. KESTER, Jr.,
General Manager.

NEW YORK, *July 30, 1919.*

Senator EDGE,
United States Senate, Washington, D. C.

DEAR SIR: We have recently noticed a measure introduced by you providing for the formation of a large company to provide capital to finance American exporters, and that the plan calls for backing by private capital.

Will you kindly favor us with a copy of the bill which you introduced, as we are very strongly interested in this movement, and as soon as we are more thoroughly familiar with it we shall be very glad to give you every possible support in the premises?

Respectfully, yours,

ASSOCIATED DRESS INDUSTRIES OF AMERICA,
DAVID N. MOSESSOHN, *Executive Director.*

[From letter of George McFadden, 121 Chestnut Street, Philadelphia, to Senator EDGE.]

I quote you text of two cables received by us to-day from my partner, Mr. Thompson, who is visiting continental Europe, which cables set out the economic and financial situation at the present time in Czechoslovakia:

First. "It is simply wasting time trying to get these people in Czechoslovakia, Austria, Poland, furnish dollar credits, because they simply can not do it.

"The bordering neutrals can not do so either for reason already cabled you, and wired Breton same to Paris from Italy.

"They all must have raw materials to get started, and if they don't get them soon there will be trouble.

"You can not expect them to furnish dollar credits except by export, and they can not export unless they get raw materials.

"To pay for same at the present depreciated exchange would be ruinous.

"These liberated countries were most optimistic at first, as they counted on American financial assistance, but through our lack appreciation of conditions this optimism giving way to pessimism."

Second. "Czech spinners will need credit for about two years before their exports will be big enough for them to pay off dollar credit for cotton needed, though possibly certain percentage monthly commencing seventh month. Spinners meeting decided not to buy more than 20 per cent prewar consumption, amounting to about 120,000 bales."

Permit me again to express my thanks for your letter, and I remain,

Very respectfully, yours,

GEO. MCFADDEN.

Mr. OWEN. Mr. President, I ask permission to insert in the RECORD, without reading, the statement which I made before the committee in connection with the bill offered by the Senator from New Jersey. I do not want to take any time in connection with it now.

The PRESIDING OFFICER. Without objection, permission will be granted. The Chair hears no objection.

The statement referred to is as follows:

STATEMENT OF SENATOR ROBERT L. OWEN, OF OKLAHOMA.

Senator OWEN. Mr. Chairman and Senators, I regard the bill introduced by Senator EDGE (S. 2472), providing for an amendment of the Federal reserve act, as a proposed new section, section 25a, as a bill of primary, urgent, immediate importance, as I shall presently explain.

The bill authorizes corporations to be organized and managed, under the supervision of the Federal Reserve Board, to deal in international banking, with special powers. It will be of great service to our foreign commerce, will afford an important medium of placing European credits with the American investing public, and stabilizing foreign exchange, to the great benefit of American commerce.

Everyone who is at all familiar with international commerce and international exchange must have observed the steady going down of foreign exchanges with those countries who have been lately the great belligerents, such as Great Britain, France, Belgium, and Italy. The value of the pound sterling has fallen below $4.30 from $4.86, and yet I take it that no man in his sober senses has the slightest doubt about the solvency of the British Empire, or the ability of the British people to meet their obligations in due time under reasonable conditions.

The French exchange has gone from its normal of 5.18 down approximately to 7 francs for a dollar, instead of 5.18 francs for a dollar.

The Italian exchange has gone down still more, to a point where the lire, which is normally worth 5.18 lire to the dollar, is now down nearly to 9 lire to the dollar. The consequence is that any Italian merchant who attempts to buy dollars from the United States for the purpose of paying for cotton or steel or copper or any other of the raw materials required for the Italian markets, is compelled to pay nearly two dollars for one on top of the very high prices which have ensued in our country and in their own country by virtue of the expansion of the currency of the United States, and other conditions which have raised the prices in the United States.

It is therefore almost impossible and certainly very improvident for the Italian people to meet such a cost. It is impossible for the French and British to do so without a serious permanent loss. Therefore the authorities of Italy and France and Great Britain have interposed, quietly and unostentatiously, but as firmly as they could, obstacles to the purchase of American goods by Italian, French, and British importers under these conditions, hoping that the time would come when these exchanges might be adjusted so that these supplies from America coming from our surplus could be obtaained on a decent and fair basis.

This has not been accomplished. The mechanism is not provided. We have no adequate way in which to meet it. The banks are not able to do this, and they must not be requested or expected to do more than they can wisely do with the resources at their command. The New York banks now—for instance, the National City or the Guaranty Trust or the Irving National—are carrying as large an amount of these foreign bills as they can afford to carry, and unless there is a mechanism provided by which these foreign credits shall be sold to the American investing public there is no way available, on the scale required to rehabilitate Europe—and I estimate that scale at from four to seven billion dollars—to restore to Europe the raw materials, the machinery, the things which are required to put Europe again on the highly productive basis it occupied before the Great War.

Our banks are doing the best they can with it, as far as the purchase of these bills is concerned. Incidentally, of course, they are buying these bills at a rate which ultimately will or should net them a high profit, because the banks are merchants in credits. They buy and they sell credits. And it is not to be attributed to them as a reproach because they buy Italian lire at 9 for a dollar, or whatever price the market may fix, due to supply and demand.

But it is not the function of our great banking institutions to put the American dollar at par, or to keep it at par. That is not their business. Their business is to buy and sell bills. Their business is to get deposits. Their business is to lend money and to make money by the lending of money, and by the commissions which they earn from rendering service to commerce.

I have insisted before this committee and I have insisted before the Federal Reserve Board and before the President of the United States that a mechanism should be provided by which the American dollar could be put to par and kept at par, neither above par nor below par. During the war the American dollar, the gold dollar, in New York went to a discount of 60 per cent in Spain, and you could buy gold American dollars, payable in New York, subject, of course, to the temporary embargo, for 66 cents apiece in Spain. Does any man in his sound senses believe that the American dollar in New York, measured in gold, and subject to a temporary embargo, was worth only 66 cents? We know better.

Of course, the gold dollar of America has gone back now from a value of sixty-odd cents, as a year and a half ago it was in Madrid or Barcelona, until to-day it is worth a dollar plus, as it ought to be. In fact, it will be worth more than a dollar in Spain under these existing conditions within a very short time. In the meantime the American dollar has risen, as relates to the British pound sterling, until it is worth $1.12, we will say, and in France it is worth probably $1.33, and in Italy it is probably worth somewhere in the neighborhood of $1.70.

Senator FLETCHER. How much in Germany?

Senator OWEN. In Germany it is worth, of course, still more; in Roumania it is worth still more; in Russia it is worth still more, in terms of rubles, for reasons which are obvious to everyone.

But where nations are solvent, and where the conditions are fundamentally sound, it is obviously to the interest of the American people that the American dollar should be put to par and kept at par, so that the American dollar shall be the measure of value throughout the whole world in international transactions, and in that way expand the foreign commerce of the United States and give an increased market to the labor of the United States and to the raw materials which are supplied by the United States for world markets.

This can not be done if no man knows what the value of the dollar is. At present men in Italy can not buy at this price, except where the urgency is extremely great. American merchants who desire to sell their goods do not wish to sell them in terms of lira, because they do not know whether the lire they will get will be diminishing in value or increasing in value. American sellers desire to be paid in terms of dollars, whose value they know. But the Italians are not in a position to buy the American dollars at a fair rate, and they do not feel willing to enter into an agreement to pay in terms of dollars within the next 12 months, because they do not know but what the dollars within the next 12 months will become more difficult to buy and will rise in value, and therefore they will be pledging themselves not to pay interest but to pay something they can not forecast and which may result in ruin to them and to their business. And the committee must appraise these questions in order to comprehend the value of this bill introduced by Senator EDGE.

The sum and substance of it is that during the last month our exports fell off over a hundred millions of dollars. This month I have no doubt the loss in our exports will be very much larger. I am informed by a cable I saw yesterday that there had come to be almost an impasse in the buying of goods from Europe here in certain particular lines, because of the factors which I have just referred to. The value of the Edge bill is this, that it provides for the organization of corporations that shall have the right to transact international banking, and which may be organized, and in which the American national banks may participate to a limited extent, and therefore it affords a means by which a quick and large capital can be made available for the purpose of extending credit to Europe through the process of buying European bills, of making agreements by which European bills may be renewed three or four times per annum, and carried along until the people in Europe shall be able to repay the loans which are extended. The purpose of this Edge bill is to organize a means by which European credits can be marketed with the American investing public. It provides a mechanism to accomplish this, and, as far as it goes, it is a valuable factor helping the general question.

I think we are all pretty well agreed that the Government of the United States is hardly in a position where the taxing power can be properly used to extend further credits to European Governments, and this matter ought to be preferably left to those who are willing to extend credits of their own volition, and not to be compelled to extend credits through the taxing power. For this reason, I regard it as preferable to have a mechanism of this character established through which European credits can be marketed with the American investing public.

If this is not done, I warn this committee, as I have warned the Treasury Department time and time again, that we are going to meet with an obstruction to our foreign commerce that will react with the most injurious consequences upon the people of the United States, upon the home markets, and upon all sorts of stocks and securities. This committee will see it, and they will see it very soon, and the responsibility is on this committee to afford relief to American commerce.

I understand that this bill has been very carefully scrutinized by the Federal Reserve Board and the authorities of the Treasury Department, and that it meets with their substantial approval. I do not think the bill goes as far as it should go, but it is certainly an improvement on present conditions.

On February 20, 1918, I introduced a bill providing for the Federal reserve foreign bank, which would function in foreign banking much the same as the New York Federal Reserve Bank functions in domestic banking. I regretted very much to learn that some of the New York banks, with a great lack of vision, were under the impression that the establishment of a Federal reserve foreign bank would interfere with their profits in the handling of international exchange. It would interfere with those profits which are excessive. It would interfere with the profit which would be made by a bank in buying lire at 9 lire to the dollar, awaiting the time when it should react to 5.18 to the dollar. It would interfere with that, because it would help to stabilize international exchanges, and would bring profits on international exchanges down to a normal fixed level acceptable to all banks alike. The banks ought to be content with a reasonable profit, because the banks ought not to be willing to make profits on a basis which interferes with the commerce of the United States, and with the great productive industries of America, and with the great merchants of America engaged in importing and exporting. They ought to be willing to furnish reasonable accommodations at fair rates out of the deposits and capital which the people of the United States have placed with the banks in trust for management.

Therefore I urged a Federal reserve foreign bank which would tend to stabilize international exchange, and which would comprise another medium for placing the European credits advantageously with the Federal Reserve Banking System of the United States, and through the Federal reserve banks of the United States with member banks, and through the banks with the clients of member banks who were in a position to buy these securities advantageously. The whole point is that America has gone from the position of a debtor nation to a great creditor nation, and we will have to extend the credits now to the extent of our excess shipment of commodities. And by excess shipment of commodities I mean the excess of commodity exports over commodity imports. It has been running somewhere between three and four billion dollars the past year. If we keep that up, we will be

compelled to extend credits to the extent of three or four billions; or just to the extent that these commodity shipments exceed the commodity imports. That is a perfectly plain and simple matter which anyone at all familiar with international exchange must thoroughly comprehend.

I introduced again yesterday this bill providing for a Federal reserve foreign bank, which I ask to be put in the record (see Exhibit B), and I remind the committee that the Federal Reserve Banking System provided for the Federal reserve foreign banking facilities in the first draft of the bill, and that was put in the draft of the bill upon the advice of the great New York banks; who at that time were interested in this matter. Indeed, if I remember correctly, such a provision was put in the original Monetary Commission bill that was presented to the Senate of the United States in 1912. Yet the Federal reserve domestic banks have found themselves so tremendously engaged in the development of internal banking business that they have not been able physically to work out the system of foreign banking which was contemplated by the original act.

I remind the committee that the activities of the New York Federal Reserve Bank have been so great that they have as many as 3,000 employees in that one bank. It would be naturally larger when the Government was putting over these big bond issues, because these Federal reserve banks have been great agencies in assisting the Government in placing these bonds.

The Federal reserve act was amended when the Federal reserve banks did not exercise the functions contemplated by the original act of giving foreign banking accommodations, so as to authorize the Federal Reserve Board to require these reserve banks to discharge this function. I rather take it that the Federal Reserve Board did not have the heart to require the best of all of these banks fitted to transact the business—that is, the Federal Reserve Bank of New York—to establish a foreign branch for the transaction of this foreign business, because the men who were in charge of the Federal Reserve Bank of New York are, after all, only flesh and blood, and there is a limit to which human beings can go in their activities.

I am very frankly of the opinion that we should extend the benefit of the Federal Reserve Banking System so as to include international banking in an orderly and organized way, without taxing to excess the banks we have already established, and I shall ask this committee to consider the question of this Federal reserve foreign bank, and I pray that it may not be considered in a partisan light, because the Federal Reserve System ought not to be regarded as a partisan matter. I should be very happy to yield any personal connection I have with it, if some other member would be good enough to present the matter in such a way as to accomplish the result. I care nothing about any credit with regard to it. But I do feel the most profound interest in the welfare of American commerce, and you gentlemen who are now in control of the Senate of the United States are charged with an obligation to protect and to advance and to promote the commerce of the United States. You are charged with the duty, and I urge you to exercise your proper functions and meet this responsibility, and to meet it at once. There is no time to be lost. I will gladly cooperate with you. I tell you that American commerce is being paralyzed right now. I know of men who have been anxious to export goods and who could not do so because the people to whom they would sell the goods could not buy the American dollars, although they could give credits that are absolutely sound and good. I will give you an instance, omitting the names, because I think it is not desirable to give names in such a connection.

An exporting firm in New York had an order for a million dollars' worth of goods from Roumania. The leading bank in Roumania was willing to put up in terms of leis—which corresponds with the franc—an amount equivalent to the order, payable in 12 months; was willing to put up $200,000 against the million-dollar order as an additional credit with a New York bank. This bank in Roumania has 800,000,000 leis deposits. It stands second in rank to the Government bank of Roumania. This bill would be underwritten by the exporting house. It would be underwritten by the merchant who was buying the goods. They desired to get the credit for one year, with three renewals every 90 days, paying a commission of one-quarter of 1 per cent for each renewal, making 1 per cent commission and 6 per cent for the loan. They were not able to get the accommodation, and the goods could not be shipped.

It is only one of many instances, but we have got to provide the mechanism, gentlemen, and this bill helps to accomplish that. I therefore favor it.

I will be glad to answer any question you would like to ask.

Senator GRONNA. As I remember the provisions of your bill, it was more of a Government bank you proposed, was it not?

Senator OWEN. Oh, yes; it was a Federal reserve foreign bank, connected with the Federal Reserve System, and a part of the system.

Senator GRONNA. Is it not also true that all during the war, at least during part of the time during the war, the foreign countries got the benefit, because the banks in the United States pegged the money and received foreign exchange at a much higher value than it actually was worth?

Senator OWEN. Great Britain pegged the exchange of pounds sterling by providing the money through loans from the United States to pay for all sterling bills, through Morgan & Co., at $4.76\frac{1}{2}$, which, of course, pegged the value of the pound sterling in its relative value to the American dollar, as far as British purchases were concerned, and limited the cost to Great Britain down to interest, and avoiding the loss of an adverse exchange. They were not subjected to the heavier cost that would have been reflected if they had been compelled to buy dollars at the rate of $4 for a pound sterling instead of $4.76.

Senator NEWBERRY. What would be the effect of the passage of both bills?

Senator OWEN. I think it would be very beneficial, indeed. It would help this matter immediately and would offer at once a mechanism through which these credits could be obtained. The bill to establish a Federal reserve foreign bank I introduced February 20, 1918, and reintroduced yesterday as S. 2582, and I also introduced a bill (S. 2590) to establish a foreign finance corporation to function or similar lines, as the British have organized various great corporations to protect their foreign trade.

Senator GRONNA. Who suffered that loss? Of course, somebody had to stand a loss.

Senator OWEN. The consumers of the commodities ultimately paid the difference in exchange. It amounted to this, that the purchases made by Great Britain were paid for at the rates fixed in the market here for goods, plus interest only, whatever interest the purchaser paid, plus the difference between $4.76\frac{1}{2}$ and $4.86, the gold value of the pound sterling, which made it an economical way in which Great Britain bought these goods. She only has to pay back these loans with interest and no more, excepting the slight difference between the pegged price $4.76 and the gold value of the pound, $4.86.

Senator GRONNA. I understand that.

Senator OWEN. Otherwise Great Britain or her merchants and people would have had to pay very much more for the commodities bought in the United States. Every loss in exchange is reflected in additional cost of commodities, so when sellers' exchange gets too high or buyers' exchange too low foreign purchasers must quit buying.

Senator GRONNA. When Spain would pay the United States the balance she might owe for exports, Spain would not buy American dollars; she would simply buy pounds sterling, would she not?

Senator OWEN. Spain must pay the United States in dollars, and she did buy pounds sterling and use them to buy dollars in the New York pegged market.

Senator GRONNA. And she would send the pounds sterling to New York, because New York had pegged them up to $4.76 and a fraction, and necessarily somebody had to stand a loss. If nobody else, the producers would have to stand the loss.

Senator OWEN. When our dollar appreciates the American producer begins to lose his market and must absorb a part of the loss by lowering his price of necessity. The consumer stood part of the loss of buying from Spain when Spanish pesetas appreciated, but the reduction of the value of the American dollar in Spain was due to our extending credits to Great Britain, and Great Britain using the American dollars which she got from us to pay her own debts with Spain. The consequence was that the American dollar went down in Spain. That is what happened. That cost the American consumer, of course, who bought Spanish products, just to the extent that the American dollar went down in its purchasing power in Spain.

Now that Spain and the United States are dealing separately from Great Britain, and Spain has withdrawn her gold balances in the United States ($25,000,000), the peseta has gone to 19 cents, and our dollar is above par.

Senator GRONNA. What concerns me is this: Suppose that a foreign bank is established, and this bank would make an effort to regulate this exchange. The bank will not stand that loss.

Senator OWEN. Oh, no; the bank will be merely a medium, that is all.

Senator GRONNA. Is there anyone, except either the consumer or the producer, who necessarily must stand the loss?

Senator OWEN. It will not be any loss, Senator. If the American investing public will buy these European securities upon a safe basis, then the securities will be extended, and that will bring these exchanges back to normal, and we will not have a loss to either consumer or producer; otherwise we will have a loss to both.

Senator GRONNA. That is a matter of credit.

Senator OWEN. Certainly it is.

Senator GRONNA. That is a matter of credit, and it is a matter of either an inflated value or the true value. We all know that if these countries were not burdened with the heavy debt that they are burdened with to-day, this question would not arise, Senator OWEN. It is a good deal the same as if I were worth a hundred thousand dollars and I extended my credit to a million dollars, and if you were dealing with me, naturally you would look into my financial condition, and you would question whether or not you would invest in my goods, in my securities, as a safe proposition. If you did invest, you would simply want a large discount. Is not that true?

Senator OWEN. Europe can give us security as good as gold, better than gold, because we need no more gold, and gold bears no interest in our own vaults, expands our currency, while good securities bring in interest every day as an earning. Senator, if you will pardon me a moment, and will give me the honor of your attention——

Senator GRONNA. I will. I want your interpretation of it.

Senator OWEN. It is not proposed to have these banks deal with securities that are not secure. It is not proposed that they shall take securities that are not sound. It is not proposed that they shall sell to the American investing public securities that are not absolutely stable. While it is true that Europe has been wounded, I think we have greatly misunderstood the productive capacity of Europe, and we have misunderstood, in large measure, the cost of this war. France, for instance, is holding almost entirely the bonded issue which France put out. The French people own those bonds, and the French people, therefore, who are the owners of the bonds, have on their books broadly a national debit and a personal credit balancing each other. There was not a destruction of French property except in the narrow margin on the northern part of France where the villages were destroyed, and in some cities where important manufacturing plants were destroyed. The body of France is not destroyed; the productive power of France is not destroyed. The French women have been taught to labor as never before. There have been brought into the field of labor as never before millions of human beings. The stimulation of invention and the development of machinery in France have grown in an enormous way. The productive power of France has probably increased not less than 50 per cent, and the indebtedness of this war, which has passed from one set of people into the hands of another set of people, is neither an asset nor a liability. When you put them against each other they cancel each other. The French are able to pay their debts—they will pay their debts, and they will pay them dollar for dollar. There is no question in the world about the solvency of the French or of the British or of the Italians or of the Belgian people.

Senator FLETCHER. Is it not true, in further answer to Senator GRONNA'S suggestion, that the main purpose here is to afford machinery whereby the securities that are now tied up can be released?

Senator OWEN. Yes. We have not an adequate mechanism. Senator GRONNA is entirely right in what he said about this matter. There is no difference between himself and myself at all. The only thing is that we are looking at it from a different angle.

Senator CALDER. In the act of March 4, 1919, authorizing the issue of bonds, the Victory loan, there was a provision permitting the War Finance Corporation to extend a credit of $1,000,000,000 to American exporters. Do you recall that?

Senator OWEN. Yes.

Senator CALDER. Do you know if anything was ever done under that?

Senator OWEN. They have practically done nothing, and it is a pity. They have done nothing. That money has not been used, and is not going to be used.

Senator CALDER. Has any of it been used?

Senator OWEN. A little of it, but practically none at all. They have been confused. Mr. Eugene Meyers, Director War Finance Corporation, went over to Europe recently to find out what to do, and how to do, but he has no definite plan to submit. If he had any plan to submit, he would assuredly act on it. If he has any legislative plan to submit

he would come to the committee. Nothing is being done, and I tell you that something has to be done. You can not sit here and allow the foreign commerce of this country to go on the rocks.

I should like also to have printed as a part of the record a bill introduced by me yesterday providing for a foreign finance corporation (Exhibit C).

Mr. Chairman, I have not talked to any of you gentlemen in regard to this. I would be glad to know what the attitude of the committee is in regard to this matter.

The CHAIRMAN. We have not taken any action on it. We are trying to get action. Senator EDGE was here, and he made a brief statement this morning, but we had no stenographer, and I wish Senator EDGE would repeat his statement, if he is willing to do so—if you have finished, Senator OWEN.

Senator OWEN. I have. I did not know that Senator EDGE was here, or I would not have taken the floor. I am very deeply interested in this matter, and regard it as a matter of supreme national importance.

PROPOSED CONSIDERATION OF THE CALENDAR.

Mr. WILLIAMS. Mr. President, as I was about to say a moment ago, I have no disposition to interfere with the consideration or the passage of the bill to repeal the daylight-saving law, and I have no disposition to interfere with the consideration of the bill referred to by the Senator from New Jersey, although I think there ought to be some very serious consideration given to it prior to its passage; but I rise for the purpose of making a request for unanimous consent, to which I think both Senators and all other Senators will agree. Our calendar is crowded with bills; the House is going in a few days to take a recess and cease to do any public business for six weeks or so, and I should like to ask unanimous consent to-morrow at some time to sound the calendar for the consideration of unobjected bills. There are a number of little bills that will pass readily here and not be objected to in the other House, and which ought to go to the other House before it takes its recess. I therefore submit a request for unanimous consent that during the morning hour to-morrow the calendar may be sounded for the consideration and passage of unobjected bills.

Mr. SMOOT. Mr. President, in the first place, I wish to say to the Senator that I think the calendar, under Rule VIII, ought to be taken up, but I think the proper request to make would be to proceed now to the consideration of the calendar under Rule VIII. I do not think that we have a right to enter into a unanimous-consent agreement to take up the calendar at a certain hour to-morrow.

Mr. WILLIAMS. Probably the Senator is right about that.

Mr. SMOOT. I do not think there will be any objection to the request if the Senator will make it to-morrow.

Mr. WILLIAMS. Suppose I ask unanimous consent to take up the calendar now, and then postpone proceeding with it until to-morrow morning?

Mr. CUMMINS. Mr. President, if the Senator from Mississippi will wait just a moment, until, if possible, I get the bill repealing the daylight-saving law before the Senate, I shall ask that it be temporarily laid aside, so that it will not interfere with the request of the Senator from Mississippi.

Mr. WILLIAMS. Then, with the understanding that the Senator will get his bill before the Senate, and then will ask, if I do not happen to be present, that it be temporarily laid aside and that the Senate proceed to sound the calendar for unobjected bills, I have no objection.

REPEAL OF DAYLIGHT-SAVING LAW.

Mr. CUMMINS. I move that the Senate proceed to the consideration of the bill (H. R. 3854) for the repeal of the daylight-saving law.

Mr. OWEN. Mr. President, will the Senator excuse me just for a moment?

Mr. CUMMINS. I intend to lay the bill aside instantly after it is taken up, so that the Senator from Oklahoma will not be interfered with.

The PRESIDING OFFICER. The question is on the motion of the Senator from Iowa that the Senate proceed to the consideration of House bill 3854.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 3854) for the repeal of the daylight-saving law.

Mr. CUMMINS. I now ask that the unfinished business be temporarily laid aside.

The PRESIDING OFFICER. The Senator from Iowa asks unanimous consent that the unfinished business be temporarily laid aside. Without objection, that order will be made. The Chair hears no objection, and it is so ordered.

THE CALENDAR.

Mr. WILLIAMS. I ask unanimous consent now that the Senate proceed to sound the calendar for the consideration of unobjected bills.

The PRESIDING OFFICER. The Senator from Mississippi asks unanimous consent that the Senate proceed to the consideration of unobjected bills on the calendar. Is there objection?

Mr. FALL. Mr. President, I fully appreciate the courtesy of the Senator from Iowa in speaking as he did of his desire to press his measure but, at the same time, without interfering with those who have given notice of their intention to address the Senate upon some other subject. I have no objection whatsoever to the request of the Senator from Mississippi that the calendar shall be sounded, nor have I any desire that I should in attempting to address the Senate take up any time which the Senator from Iowa might use. I can see very well that there might be a conflict in the event of the calendar being taken up, all the morning hour consumed, and the unfinished business then laid before the Senate. I will, however, yield to the Senator from Iowa to-morrow in the event that condition should arise.

Mr. FLETCHER. The request of the Senator from Mississippi is that the calendar be considered now.

Mr. FALL. I understood that the request was that it be considered to-morrow morning.

Mr. FLETCHER. No; the Senator from Mississippi requested that the consideration of unobjected bills on the calendar be proceeded with now.

The PRESIDING OFFICER. The request of the Senator from Mississippi is that the Senate proceed now to the consideration of unobjected bills on the calendar. Is there objection? The Chair hears none, and it is so ordered. The Secretary will state the first bill on the calendar.

The first business on the calendar was the resolution (S. Res. 76) defining a peace treaty which shall assure to the people of the United States the attainment of the ends for which they entered the war, and declaring the policy of our Government to meet fully obligations to ourselves and to the world.

Mr. FLETCHER. I ask that that go over.

The PRESIDING OFFICER. The resolution will be passed over.

ADAM AND NOAH BROWN.

The bill (S. 529) for the relief of the heirs of Adam and Noah Brown was considered as in Committee of the Whole.

Mr. GRONNA. Mr. President, may we have the report on this bill read?

The PRESIDING OFFICER. The Secretary will read the report.

The Secretary proceeded to read the report. After having read for some time,

Mr. GRONNA. Mr. President, I observe that this is a very lengthy report. I do not wish to take up too much of the time of the Senate. I do not know that I have any objection to the bill, but I should like to go into it carefully. I therefore ask that it may go over.

The PRESIDING OFFICER. The bill will be passed over.

BILLS PASSED OVER.

The bill (S. 600) for the relief of the heirs of Mrs. Susan A. Nicholas was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1289) for the relief of Simon M. Preston was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1479) for the relief of the estate of Moses M. Bane was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

UNITED STATES LEGATION AT BANGKOK, SIAM.

The bill (S. 2250) providing for the exchange of certain legation buildings and grounds owned by the Government of the United States in Bangkok, Siam, was considered as in Committee of the Whole. It authorizes and directs the Secretary of State, acting as the agent of the Government of the United States, to transfer to the Government of Siam all title to, and interest in, that parcel of land, located in the city of Bangkok, Siam, on the river Menam Chao Phya, together with the buildings and other appurtenances appertaining thereto, which His Majesty the King of Siam, in 1884, presented to the Government of the United States for legation purposes; and to receive in exchange therefor from the Government of Siam title to all that parcel of land and the buildings and other appurtenances appertaining thereto, situated on the Klong Poh Yome, in the city of Bangkok, Siam, which the Government of the United States now rents and occupies for legation purposes, together with a certain parcel of land contiguous thereto, the said transfer not to be made until satisfactory title to the property to be acquired by the Government of the United States has been made by the Government of Siam.

Mr. NORRIS. Mr. President, I should like to have some explanation from some member of the committee in regard to this bill.

Mr. HITCHCOCK. Mr. President, my recollection of the matter is that a number of years ago Siam presented to the United States a site for a legation, and we have been occupying it for some time. Later, however, a change in the development of the town of Bangkok resulted in making this a neighborhood undesirable for legations and representatives of foreign nations, and they have been gradually moving away. Now the same nation offers to give us another site and to accept the old one in exchange. It is recommended by the Department of State.

The PRESIDING OFFICER. If there is no amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 1004) for the relief of the owner of the steam lighter *Cornelia* was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1005) for the relief of the owner of the steamship *Matoa* was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1006) for the relief of the schooner *Horatio G. Foss* was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1222) for the relief of the schooner *Henry O. Barrett* was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1223) for the relief of the owner of the steamer *Mayflower* and for the relief of passengers on board said steamer was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

KATE CANNIFF.

The bill (S. 219) for the relief of Kate Canniff was considered as in Committee of the Whole. It authorizes and directs the Secretary of the Treasury to pay to Kate Canniff the sum of $1,345, out of any money in the Treasury not otherwise appropriated, in full compensation for the death of her husband, James Canniff, who received injuries April 15, 1901, while in the service of the United States on the lighthouse tender *Haze*, and as a result of which he died on October 20, 1909.

Mr. KING. Mr. President, is there any report with respect to this bill?

The PRESIDING OFFICER. The Senator from Utah asks for the reading of the report.

Mr. KING. If it is brief. If it is long, I will not ask it. Can any Senator make any explanation as to the bill?

Mr. SMOOT. Mr. President, this is one of the regular claims made in the case of a widow whose husband was killed in the service of the United States. The bill, as introduced, carried an appropriation of $5,000; but it has been reduced to the regular rates paid in such cases, namely, for one year's service.

Mr. KING. Does the Senator know why it was not presented for consideration long before this?

Mr. SMOOT. That I can not say; but I have no doubt the claim should be paid, in accordance with the practice of the Senate.

Mr. KING. With that assurance, I shall not ask for the reading of the report.

The PRESIDING OFFICER. If there be no amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF OF CERTAIN ARMY OFFICERS.

The bill (S. 257) for the relief of certain officers in the Army of the United States, and for other purposes, was announced as next in order.

Mr. KING. Mr. President, I dislike to offer any objection; but can any Senator make any explanation as to the necessity of this measure—its justice and merits?

Mr. SUTHERLAND. Mr. President, I will say that I am quite sure these are items that were passed on the Army bill, but were rejected by the House. The Military Affairs Committee subsequently put them into a bill by themselves, and they are now presented for passage by the Senate. Every item in this bill has been already passed upon by the Senate and by the Military Affairs Committee twice.

The PRESIDING OFFICER. The Chair calls the attention of the Senator from Utah to the fact that this bill also passed the Senate at the last session, too late, however, to receive consideration by the House of Representatives; and it embraces only such bills as have been audited and are regularly found due.

Mr. KING. Mr. President, will the Senator permit an inquiry? Was the objection of the House based upon the fact that it was legislation upon an appropriation bill or some intrinsic objection that was urged?

Mr. SUTHERLAND. The objection was that it was legislation upon a general appropriation bill.

Mr. KING. I have no objection, then.

Mr. SMOOT. I will say to my colleague that every year there is a bill of this character, and the Secretary of War reports to Congress the amount of these claims, which are generally small in amount and, I was going to say, large in number. This is simply carrying out the practice that has been followed for years.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the accounting officers of the Treasury are hereby authorized and directed to allow credits in the accounts of the persons herein stated.

SEC. 2. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay the amounts enumerated herein out of any money in the Treasury not otherwise appropriated, namely:

Credit in the accounts of Maj. James Canby, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Maj. James Canby (now colonel) the sum of $80, disallowed on voucher 920B of his money accounts for the month of November, 1913, and now standing against him on the books of the Treasury.

Credit in the accounts of Capt. David L. Stone, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Capt. David L. Stone (now colonel) the sum of $1,191, disallowed on voucher 6B of his money accounts for the month of December, 1911, and now standing against him on the books of the Treasury.

Credit in the accounts of Capt. Henry L. Kinnison, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Capt. Henry L. Kinnison, Quartermaster Corps, United States Army (now colonel), the sum of $82.50, disallowed on vouchers 12B of his money accounts for May, 1912, and 6B of his money accounts for June, 1912, and now standing against him on the books of the Treasury.

Credit in the accounts of Maj. John E. Baxter, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Maj. John E. Baxter, Quartermaster, United States Army (now colonel, retired), the sum of $18.96, disallowed against him on the books of the Treasury.

Credit in the accounts of Capt. L. C. Brown, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Capt. L. C. Brown, United States Army (now colonel, Signal Corps, United States Army), the sum of $72, disallowed against him on the books of the Treasury.

Credit in the accounts of Maj. H. L. Pettus, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Maj. H. L. Pettus, Quartermaster Corps, United States Army (now deceased), the sum of $1,545, disallowed on voucher 11B, January, 1912, and now standing against him on the books of the Treasury.

Credit in the accounts of Capt. Briant H. Wells, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Capt. Briant H. Wells, United States Army (now brigadier general, American Expeditionary Forces), the sum of $171, disallowed against him on the books of the Treasury.

Credit in the accounts of Capt. Girard Sturtevant, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Capt. Girard Sturtevant, United States Army (now colonel, American Expeditionary Forces), the sum of $2.99, suspended against him on the books of the Treasury.

Credit in the accounts of Maj. James E. Normoyle, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Maj. James E. Normoyle (now deceased) the sum of $5, disallowed on voucher 238B of his money accounts for the month of September, 1912, and now standing against him on the books of the Treasury.

Credit in the accounts of Maj. G. G. Bailey, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Maj. G. G. Bailey (now colonel, Quartermaster Corps, United States Army), the sum of $106, disallowed against him on the books of the Treasury.

Credit in the accounts of Maj. G. G. Bailey, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Maj. G. G. Bailey, Quartermaster Corps, United States Army (now colonel, Quartermaster Corps), the sum of $31.09, disallowed on voucher 23A of his money accounts for July, 1909, and now standing against him on the books of the Treasury.

Credit in the accounts of Lieut. Col. I. W. Littell, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Lieut. Col. I. W. Littell (now brigadier general) the sum of $98.65, disallowed on voucher 24B of his money accounts for September, 1909, and now standing against him on the books of the Treasury.

Credit in the accounts of Capt. O. R. Wolfe, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Capt. Orrin R. Wolfe (now colonel, American Expeditionary Forces) the sum of $40, disallowed against him on the books of the Treasury.

Credit in the accounts of Lieut. J. H. Barnard: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Lieut. J. H. Barnard, Fifth United States Cavalry (now lieutenant colonel), the sum of $4,555.06, disallowed in his accounts as disbursing officer for the Students' Military Instruction Camp at Ludington, Mich., during the summer of 1914, and now standing against him on the books of the Treasury.

Credit in the accounts of Capt. T. E. Murphy: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Capt. T. E. Murphy, United States Coast Artillery Corps (now colonel), the sum of $15.98, disallowed on vouchers 922, 923, and 924 of his money accounts for the month of August, 1912, and now standing against him on the books of the Treasury.

Credit in the accounts of Maj. Edward J. Timberlake, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Maj. Edward J. Timberlake, Quartermaster Corps, United States Army (now colonel), the sum of $2,589, disallowed and now standing against him on the books of the Treasury.

Credit in the accounts of Capt. A. J. Bowley, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Capt. A. J. Bowley (now brigadier general, American Expeditionary Forces), the sum of $301.27, disallowed against him on the books of the Treasury.

Credit in the accounts of Lieut. Col. T. Bentley Mott, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Lieut. Col. T. Bentley Mott, United States Army (retired) (formerly Second Field Artillery, military attaché, American Embassy, Paris), the sum of $55.33, disallowed against him on the books of the Treasury.

Credit in the accounts of Lieut. Walter C. Short, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of First Lieut. Walter C. Short (now colonel), Sixteenth Infantry, secretary of the School of Musketry, Fort Sill, Okla., the sum of $531, disallowed in miscellaneous settlement No. 38819, dated August 9, 1916, of his accounts as disbursing officer of the United States Service Schools and now standing against him on the books of the Treasury.

Credit in the accounts of Capt. N. K. Averill, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Capt. N. K. Averill, Second Cavalry, military attaché, American embassy, Petrograd (now colonel, Infantry), the sum of $39.23, disallowed against him on the books of the Treasury.

Credit in the accounts of Capt. Frank Geere, Quartermaster Corps: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Capt. Frank Geere, Quartermaster Corps, United States Army (now lieutenant colonel), the sum of $29, found to be deficient in a shipment of $116,000 received from the Subtreasury at New Orleans, La.

Credit in the accounts of Col. Thomas G. Hanson, Quartermaster Corps: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Col. Thomas G. Hanson, Quartermaster Corps (now brigadier general), the sum of $181.26, being an overpayment to the Blair-Murdock Co., a corporation existing under the laws of the State of California, for the printing done by said company under their contract with the department quartermaster, San Francisco, Calif.

Credit in the accounts of Col. W. D. Newbill, Quartermaster Corps: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Col. W. D. Newbill, Quartermaster Corps, the sum of $39.25, being an overpayment to the Blair-Murdock Co., a corporation existing under the laws of the State of California, for printing done by said company under their contract with the department quartermaster, San Francisco, Calif.

Credit in the accounts of Maj. (now colonel) Henry L. Newbold: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Maj. Henry L. Newbold (now colonel, American Expeditionary Forces) the sum of $2,157.61, disallowed against him on the books of the Treasury.

Credit in the accounts of Maj. Gen. (formerly colonel, Cavalry) Jesse McI. Carter, National Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Brig. Gen. Jesse McI. Carter, National Army, the sum of $352.23, disallowed on Treasury statement No. 29219, dated November 26, 1913, on account of disbursements made in his miscellaneous accounts under "Contingencies of the Army, 1913," and now standing against him on the books of the Treasury.

Credit in the accounts of Capt. (now lieutenant colonel, National Army) Arthur P. Watts, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Capt. Arthur P. Watts, Quartermaster Corps, United States Army (now lieutenant colonel, National Army, Infantry), the sum of $660.11, disallowed against him on the books of the Treasury.

Credit in the accounts of Kenneth P. Williams, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Maj. Kenneth P. Williams, Quartermaster Corps, United States Army, the sum of $2,580.85, being a shortage in his accounts caused by embezzlement, forgeries, and thefts of Mack A. Steel, civilian clerk (temporary), Quartermaster Corps, who was acting as chief clerk in the finance office at Fort Logan H. Roots.

Credit in the accounts of Maj. (now lieutenant colonel) Charles J. Nelson: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Maj. Charles J. Nelson (now lieutenant colonel), Quartermaster Corps, United States Army, the sum of $1,636.46, being a shortage in his accounts caused by embezzlement, forgeries, and thefts of Mack A. Steel, civilian clerk (temporary), Quartermaster Corps, who was acting as chief clerk in the finance office at Fort Logan H. Roots.

Relief of Henry C. Chappell: That the accounting officers of the Treasury be, and are hereby, authorized and directed to pay to Henry C. Chappell, of New London, Conn., from proper appropriations of the Quartermaster Corps, the sum of $58.50, paid by him in amounts as follows for advertisements published in newspapers soliciting enlistments in the Quartermaster Reserve Corps of the Army for service in a motor-truck company of the Quartermaster Corps: The Telegraph Publishing Co., New London, Conn., $6; the Evening Day, New London, Conn., $19.50; the New London Daily Globe, New London, Conn., $15; the Bulletin Co., Norwich, Conn., $18.

Credit in the accounts of Capt. Charles E. Scorer, Quartermaster Corps, United States Army (American Expeditionary Forces): The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Capt. Charles E. Scorer, Quartermaster Corps, United States Army (disbursing quartermaster, Twenty-sixth Division, American Expeditionary Forces), the sum of $3,034.76, which sum was lost by fire.

Credit in the accounts of Brig. Gen. Frederic V. Abbot: That the accounting officers of the Treasury are hereby authorized and directed to remove certain disallowances made by them in the accounts of Brig. Gen. Frederic V. Abbot, Engineers, in the sum of $509 for expenses for board and lodging paid by him in excess of $1 per day to civilian employees of the Engineer Department at Tobyhanna, Pa., engaged on work done under urgent military necessity which required immediate action to secure and place in the field the necessary forces to survey a certain territory and prepare maps and plans of same in order to provide sites for encamping and training troops.

Credit in the accounts of Brig. Gen. Theodore A. Bingham, United States Army, retired: That the accounting officers of the Treasury are hereby authorized and directed to remove certain disallowances made by them in the accounts of Brig. Gen. Theodore A. Bingham, United States Army (retired), in the sum of $274, for expenses for board and lodging paid by him in excess of $1 per day to civilian employees of the Engineer Department at Tobyhanna, Pa., engaged on work done under military necessity which required immediate action to secure and place in the field the necessary forces to survey a certain territory and prepare maps and plans of same in order to provide sites for encamping and training troops.

Relief of Capt. Fred S. Johnston, National Guard, United States Army: That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Capt. Fred S. Johnston, supply officer, One hundred and eighth Regiment Infantry, United States Army, out of any money in the Treasury not otherwise appropriated, the sum of $68, which amount of money is hereby appropriated, being the amount of money paid by him for newspaper advertisements of proposals for bids for forage supplies for the use of the Third Regiment, New York Infantry, National Guard, United States Army.

Relief of Maj. Powell C. Fauntleroy, Medical Corps, United States Army: That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Maj. (now colonel) Powell C. Fauntleroy, Medical Corps, United States Army, out of any money in the Treasury not otherwise appropriated, the sum of $601.40, which amount is hereby appropriated, being the amount of money expended by him from an allotment of funds of the Quartermaster Corps, 1913, furnished him for the purpose of paying expenditures incurred as an official observer of the War Department of the Turko-Balkan War, and which amount was deposited by him in the Treasury of the United States from private funds.

Relief of Lieut. Col. George O. Squier, Signal Corps, United States Army: That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Lieut. Col. (now major general) George O. Squier, Signal Corps, United States Army, out of any money in the Treasury not otherwise appropriated, the sum of $41.46, which amount is hereby appropriated, being the amount of money expended by him as military attaché to the American Embassy at London from an allotment of the appropriation, "Contingencies, Military Information Section, General Staff Corps," 1913 and 1914, and which amount was deposited by him in the Treasury of the United States from private funds.

Relief of Maj. H. E. Ely, United States Army: That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Maj. H. E. Ely, Seventh United States Infantry (now major general, American Expeditionary Forces), out of any money in the Treasury not otherwise appropriated, the sum of $200, which amount is hereby appropriated, being the value of his private mount, which died from congestion of the kidneys, caused by struggling while being shod.

Relief of officers: That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the following-named officers the amounts opposite their names: To Lieut. (now lieutenant colonel) J. A. Barry, United States Cavalry, the sum of $135; to Lieut. (now lieutenant colonel, American Expeditionary Forces) Waldo C. Potter, Field Artillery, the sum of $375; to Lieut. (now lieutenant colonel, Quartermaster Corps) J. F. Taulbee, the sum of $200; to Lieut. (now major) Sloan Doak, United States Cavalry, the sum of $150, out of any money in the Treasury not otherwise appropriated, which amounts are hereby appropriated for the purpose of reimbursing the said officers for loss of their private mounts by fire at Fort Riley, Kans., on March 23, 1914.

Medical services and hospital care rendered George Vay, injured seaman: That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to St. Francis Hospital, Newport News, Va., the sum of $47.90, and to Dr. S. W. Hobson, Newport News, Va., the sum of $56, out of any money in the Treasury not otherwise appropriated, which amounts are hereby appropriated, being for hospital care and medical services rendered George Vay, seaman, injured while in line of duty.

Reimbursement of Frank C. Cady (formerly acting dental surgeon, United States Army): That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Frank C. Cady (formerly acting dental surgeon), out of any money in the Treasury not otherwise appropriated, the sum of $127.61, which amount is hereby appropriated, being the amount paid out by him for rent of quarters for the period October 14, 1913, to January 31, 1914.

Relief of Leland Stanford Junior University: That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the Leland Stanford Junior University, out of any money in the Treasury not otherwise appropriated, the sum of $450.01, which amount is hereby appropriated, being the cost in preparing camp sites for United States troops near Palo Alto, Calif., during part of April and May, 1914, in excess of $447.38 paid as rental for the same period.

Relief of Lieut. Joseph T. Clement, Ninth Regiment United States Infantry: That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Lieut. Joseph T. Clement (now major, American Expeditionary Forces), out of any money in the Treasury not otherwise appropriated, the sum of $50, which amount is hereby appropriated, being the amount of damages to his private library incurred while being transported by the Government.

Reimbursement for quarters rented by officers: That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the following-named officers the amounts opposite their names: To Lieut. Col. (now colonel, American Expeditionary Forces) Frederick P. Reynolds, Medical Corps, United States Army, the sum of $323.90; to Capt. (now lieutenant colonel, American Expeditionary Forces) Laertus J. Owen, Medical Corps, United States Army, the sum of $191.67; to Capt. (now lieutenant colonel, American Expeditionary Forces) Adam E. Schlanser, Medical Corps, United States Army, the sum of $278; to Capt. (now lieutenant colonel) Jay D. Whitham, Medical

Corps, United States Army, the sum of $86.80; to Capt. (now major) E. D. Kremers, Medical Corps, United States Army, the sum of $340; to Capt. (now lieutenant colonel, American Expeditionary Forces) L. B. McAfee, Medical Corps, United States Army, the sum of $293; to Lieut. G. D. Graham, Medical Corps, United States Army (now lieutenant colonel, American Expeditionary Forces), the sum of $301.20, out of any money in the Treasury not otherwise appropriated, which amounts are hereby appropriated, being amounts paid to them for commutation of quarters and afterwards refunded by them from their private funds.

Relief of second lieutenants, Quartermaster Corps: That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the following-named officers the amounts opposite their names: To Second Lieut. H. G. Foster, Quartermaster Corps, United States Army (now captain, Quartermaster Corps, American Expeditionary Forces), the sum of $350.48; to Second Lieut. S. R. Beard, Quartermaster Corps, United States Army (now captain, Quartermaster Corps, American Expeditionary Forces), the sum of $168.80; to Second Lieut. Hastie A. Stuart, Quartermaster Corps, United States Army (now captain, Quartermaster Corps), the sum of $182.40, out of any money in the Treasury not otherwise appropriated, which amounts are hereby appropriated for the purpose of reimbursing the said officers for amounts paid by them for rental of quarters which should have been hired for them by the Government.

Reimbursement to First Lieut. William A. Squires, dental surgeon, United States Army: That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Dental Surgeon William Squires (now lieutenant colonel), out of any money in the Treasury not otherwise appropriated, the sum of $290.79, which amount is hereby appropriated, being the amount paid by him for rental of quarters, heat, and light during the fiscal years 1914 and 1915, while an acting dental surgeon.

Payment of judgment and costs against Lieut. David H. Biddle: That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the circuit court of Meade County, S. Dak., out of any money in the Treasury not otherwise appropriated, the sum of $574.83, which amount is hereby appropriated, being the amount of judgment of the circuit court of Meade County, S. Dak., against Lieut. David H. Biddle (now lieutenant colonel, American Expeditionary Forces), including costs and interest at 7 per cent from May 7, 1908, to July 1, 1918.

Relief of Second Lieut. Francis J. Baker, Quartermaster Corps: That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Lieut. Francis J. Baker (formerly pay clerk, Quartermaster Corps, United States Army), out of any money in the Treasury not otherwise appropriated, the sum of $141, which amount is hereby appropriated, being for rental of quarters from November 15, 1912, to June 30, 1913, while stationed at Vancouver, Wash.

Relief of Capt. N. E. Margetts, United States Army: That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Capt. N. E. Margetts (now colonel, Field Artillery), out of any money in the Treasury not otherwise appropriated, the sum of $67.90, which amount is hereby appropriated, being amount paid by him as duty on his private horses entering France for his official use as military observer in the year 1913.

Relief of Lieut. Francis A. Ruggles, United States Army: That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Lieut. Francis A. Ruggles, Third United States Cavalry (now lieutenant colonel, American Expeditionary Forces), out of any money in the Treasury not otherwise appropriated, the sum of $414.81, which amount is hereby appropriated, being amount paid by him for rent of office at Santiago, Chile, and refunded from personal funds.

Payment for rental of buildings, Philippine Islands: That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the following-named persons the amounts opposite their names: Felice Cultura, $91; Andres Hipa, $90; Ordinito Capito, $60.66; Manuel Cardona, $6; Bregido Basado, $112.23; Lino Legion, $61.66; Paulina Asis, $12.53; Daniel Bugtas, $27.60; Dionicia Alegre, $11.33; Felipe Aledo, $5.83; Benbinuto Aligibe, $86.33; Lorenzo de la Cruz, $18.40; Valverde Cardona, $18.40; Teresa Bacoia, $12.83; Emperatriz Basada, $6.20; Lucia Basada, $3.13; Francisco Osido, $18.40; Salas Alegro, $30.67; Esteban Amores, $6.20; Juan Capones, $4.13; Pedro Discar, $6.20; Augustin Cenira, $4.13; Geronimo Discar, $4.96; Mateo Banal, $5.80; Felipo Amoyo, $6.13; Jose Badillo, $11.13; Manuel Basado, $10.16; Feliciano Fitong, $27.60; Melchor Barrid, $27.60; Juan Portun, $16.34; Antonia Veloso, $7.67; Mariano Castillano, $14.10; Teresa Bagtong, 24 cents; Lucas Vritas, 20 cents; Guillermo Bugtas, 20 cents; Bernardo Galope, 20 cents; Estefanio Aporra, 23 cents; Magno Abenes, $240.50; Magno Abenes, $411; Tin Suna, $244.50; out of any money in the Treasury not otherwise appropriated, which amounts are hereby appropriated, being due for rental of certain buildings belonging to them and occupied by United States troops at Borongan, Samar, Philippine Islands, during the years 1900 to 1902, inclusive.

Repairs to wharf at Mariveles, Philippine Islands: That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the Treasury Department, Public Health Service, out of any money in the Treasury not otherwise appropriated, the sum of $700, which amount is hereby appropriated, being cost of repairing damage to the quarantine wharf at Mariveles, Philippine Islands, caused by the United States Army transport *Liscum*.

Relief of Matthew E. Hanna, late captain, Tenth Cavalry, United States Army: That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Matthew E. Hanna, late captain, Tenth Cavalry, United States Army, out of any money in the Treasury not otherwise appropriated, the sum of $532.18, which amount is hereby appropriated, being the amount of money expended by him as special disbursing agent from an allotment from the appropriation for contingencies of the Army 1912, to pay the unusual and extraordinary official expenses of the special mission of Army officers detailed by the President and the Secretary of War to witness the autumn maneuvers of the German Army in 1911, and which amount was deposited by him in the Treasury of the United States from private funds.

Relief of Capt. Sherman Miles, Field Artillery, United States Army: That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Capt. (now lieutenant colonel, American Expeditionary Forces) Sherman Miles, Field Artillery, United States Army, out of any money in the Treasury not otherwise appropriated, the sum of $57.95, which amount is hereby appropriated, being the amount of money expended by him as military attaché to the American Legation at Bucharest, Roumania, from an allotment of the appropriation "Contingencies, Military Information Section, General Staff Corps," 1913, and which amount was deposited by him in the Treasury of the United States from private funds.

Relief of Capt. Lewis J. Emery, Quartermaster Officers' Reserve Corps: That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Capt. Lewis J. Emery, Quartermaster Officers' Reserve Corps, out of any money in the Treasury not otherwise appropriated, the sum of $139, which amount is hereby appropriated, being the value of silver coins lost through unavoidable accident during the transfer of funds at Cristobal, Canal Zone, on August 6, 1917, for which Capt. Emery was accountable.

Relief of Frederick G. Hodgson, late colonel, United States Army: That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Frederick G. Hodgson (late colonel, United States Army), out of any money in the Treasury not otherwise appropriated the sum of $21, which amount is hereby appropriated, being the amount of money expended by him from appropriation pertaining to the Quartermaster Corps for hire of a conveyance for officers in 1912, and which amount was deposited by him in the Treasury of the United States from private funds.

Relief of Lieut. H. E. Miner, United States Army: That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Lieut. H. E. Miner (now major, Field Artillery), out of any money in the Treasury not otherwise appropriated, the sum of $160, which amount is hereby appropriated, being the value of his private mount ordered shot on account of fractured leg.

Relief of Col. M. E. Saville: That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Col. M. E. Saville (American Expeditionary Forces), out of any money in the Treasury not otherwise appropriated, the sum of $1,369.55, which amount is hereby appropriated, this amount having been embezzled by John G. Hewitt.

Claim of Nellie Swords: That the Secretary of the Treasury is hereby directed to pay to Nellie Swords, of Nashville, Tenn., the sum of $140, as damages to growing crops caused by stock belonging to the Government under control of the First Tennessee Infantry, payment to be made from the appropriation for claims for damages to and loss of private property.

Claim of Bransford Realty Co.: That the Secretary of the Treasury is hereby directed to pay to the Bransford Realty Co., of Nashville, Tenn., the sum of $132.20, as damages to growing crops caused by stock belonging to the Government under the control of the First Tennessee Infantry, payment to be made from the appropriation for claims for damages to and loss of private property.

Claim of John Schmidt: That the Secretary of the Treasury is hereby directed to pay, out of any money in the Treasury not otherwise appropriated, to John Schmidt, of Fort Leavenworth, Kans., the sum of $216.75, which amount is hereby appropriated, being equitably due him by reason of the annulment by the Government, of November 1, 1917, of his lease of cattle-grazing privileges on the Fort Leavenworth Military Reservation.

Claim of Sam Spencer: That the Secretary of the Treasury is hereby directed to pay, out of any money in the Treasury not otherwise appropriated, to Sam Spencer, of Jacksonville, Fla., the sum of $155 as damages for five head of cattle killed and three injured on the Black Point Rifle Range, Florida, October 9, 1916, during rifle practice, national rifle match, payment to be made from the appropriation "Shooting galleries and ranges" upon presentation of proper evidence supporting the claim.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HORACE A. CHOUMARD.

The bill (S. 687) to reimburse Horace A. Choumard, chaplain in Twenty-third Infantry, for loss of certain personal property was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, on page 1, line 7, after the words "sum of," to strike out "$1,924.35" and insert "$1,500," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Horace A. Choumard, chaplain in Twenty-third Infantry, or his duly authorized representative, the sum of $1,500, the same being in full for and the receipt of the same to be taken and accepted as a full and final release and discharge of the claim of the said Horace A. Choumard for reimbursement for certain personal property lost in the flood and storm at Texas City, Tex., on the 16th and 17th days of August, 1915, without fault or neglect on his part and while in the military service of the United States.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BUFFALO RIVER ZINC MINING CO.

The bill (S. 728) for the relief of the Buffalo River Zinc Mining Co. was announced as next in order.

Mr. KING. Reserving the right to object, I should like to have the bill read.

Mr. SMOOT. I ask that it may go over.

The PRESIDING OFFICER. The bill will go over.

ARUNDEL SAND & GRAVEL CO.

The bill (S. 1670) for the relief of the Arundel Sand & Gravel Co. was announced as next in order.

Mr. KING. I ask that the report be read.

The PRESIDING OFFICER. The report will be read.

The Secretary read the report submitted by Mr. WOLCOTT June 26, 1919, as follows:

The Committee on Claims, to whom was referred the bill (S. 1670) for the relief of the Arundel Sand & Gravel Co., having considered the same, report thereon with a recommendation that the bill do pass.

The facts in the case are fully set forth in Senate Report No. 716, Sixty-fifth Congress, third session, which is appended hereto and made a part of this report. In referring to said Senate Report No. 716, the amendments therein suggested should be now disregarded for the reason that the end sought to be reached by said amendments is provided for in the pending bill by phraseology differing from the phraseology of the bill as introduced in the Sixty-fifth Congress. Said amendments are, therefore, inappropriate in considering the pending bill.

[Senate Report No. 716, Sixty-fifth Congress, third session.]

"The Committee on Claims, to whom was referred the bill (S. 4526) for the relief of the Arundel Sand & Gravel Co., having considered the same, report thereon with a recommendation that it do pass with the following amendments:

"On page 2, line 2, after the word 'any,' insert the word 'as.'

"On page 2, line 2, after the word 'against,' insert the words 'or in favor of.'

"On page 2, line 3, after the word 'of,' insert the words 'or against.'

"This bill provides that the claim of the Arundel Sand & Gravel Co., a corporation organized and existing under the laws of the State of Delaware and doing business in the city of Norfolk, Va., owner of the steam tug *A. G. Bigelow*, against the United States for damages alleged to have been caused by collision between the said tug and the U. S. S. *Susquehanna* in Norfolk harbor on the 26th day of November, 1917, may be sued for by the said Arundel Sand & Gravel Co. in the district court of the United States for the eastern district of Virginia, sitting as a court of admiralty and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against or in favor of the United States, in favor of or against the Arundel Sand & Gravel Co., upon the same principles and measures of liability as in like cases in admiralty between private parties and with the same rights of appeal.

"Your committee is of the opinion that the claimant is entitled under every equitable consideration to have its claims adjudicated in a United States court in an admiralty proceeding, and therefore recommend the passage of the bill as amended."

Mr. SMOOT. I was wondering whether any Senator present has any information as to why there is not some kind of a report from the department as to this particular claim. Such claims are generally referred to the department for a report, and we have a report giving the facts in the case. I see none in this report.

Mr. FLETCHER. I suggest to the Senator that the bill merely authorizes the company to sue.

Mr. SMOOT. I am perfectly aware of that.

Mr. FLETCHER. There is no action required on the part of the department.

Mr. SMOOT. But it is very unusual. In fact, I do not remember that a bill has ever been passed in this form. If we are going to allow such matters to be settled in this way, with no investigation at all by the department, then we are opening the door, and I do not know where it is going to lead to. I think the bill ought to go over.

Mr. THOMAS. Does not the Senator think the best possible investigation of a claim of this sort is by trial in a court of competent jurisdiction?

Mr. SMOOT. There may be something in that, but that has not usually been the case. I will say to the Senator that such cases have been adjudicated in another way.

The PRESIDING OFFICER. Does the Senator ask that the bill may go over?

Mr. SMOOT. Let it go over.

The PRESIDING OFFICER. The bill will be passed over.

CATHERINE GRACE.

The bill (S. 1375) for the relief of Catherine Grace was considered as in Committee of the Whole, and was read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay the sum of $469.50, out of any money in the Treasury of the United States not otherwise appropriated, to Catherine Grace, widow of James Grace, who died as a result of injuries received by him, the said James Grace, while in the performance of his duties as an employee of the Government.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HEIRS OF W. H. SNEED, DECEASED.

The bill (S. 767) for the relief of the heirs of W. H. Sneed, deceased, was announced as next in order on the calendar.

Mr. SMOOT. Let that go over.

Mr. WILLIAMS. Does the Senator from Utah object to the present consideration of the bill?

Mr. SMOOT. I asked that the bill go over. I see that it is for a claim for rent for $1,366.66, "being for the use or rent of a building in Knoxville, Tenn., during the War of the Rebellion, and for which vouchers were given in lieu of payment by the United States quartermasters."

There is an omnibus bill every year or so covering such items. We thought, when the last omnibus bill passed, it took in everything that was known in the United States. Not only that, Mr. President, there has been a rule adopted as to claims based on things such as this building was used for, and as to what damage was done to the building, and so on. I see nothing in the report which shows anything that would lead the committee to report the bill, as it seems to me, under the rules that have been adhered to in the past.

Mr. WILLIAMS. Mr. President, I hope the Senator will withdraw his objection. This bill is for compensation for the occupancy of a hotel in Knoxville during the period of the war. A similar bill has been twice passed by the Senate, but passed too late for consideration by the House. It was very carefully considered in committee, is a case undoubtedly of merit, and I hope the Senator will not press his objection. I am anxious to get it to the House in time for its consideration at this session, particularly as I think possibly it was my fault that it did not go over in time at the last session and the Congress before.

Mr. SMOOT. I will say to the Senator that I do not think the House will consider it by day after to-morrow. But that is neither here nor there. Does the Senator know why this claim was not put in the last omnibus claims bill?

Mr. WILLIAMS. Yes; I do. There were some private matters in the family, to be perfectly frank with the Senator, there were some quarrels among the people, there was a contest over the administrator or executor, and the chief beneficiary had her attention called to her rights in the premises in the last two or three years.

Mr. SMOOT. I will withdraw the objection, because I think they will have more time in the House to go into its consideration, but I feel quite sure it is a violation of the rule followed by the Committee on Claims in the past.

The Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COURTS IN TENNESSEE.

The bill (S. 662) to amend section 107 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as heretofore amended, was considered as in Committee of the Whole, and was read as follows:

Be it enacted, etc., That section 107 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as heretofore amended, be, and it is, amended so as to read as follows:

"SEC. 107. The State of Tennessee is divided into three districts, to be known as the eastern, middle, and western districts of Tennessee. The eastern district shall include the territory embraced on the 1st day of July, 1910, in the counties of Bledsoe, Bradley, Hamilton, James, McMinn, Meigs, Polk, Rhea, and Sequatchie, which shall constitute the southern division of said district; also the territory embraced on the date last mentioned in the counties of Anderson, Blount, Campbell, Claiborne, Grainger, Jefferson, Knox, Loudon, Monroe, Morgan, Roane, Sevier, Scott, and Union, which shall constitute the northern division of said district; also the territory embraced on the date last mentioned in the counties of Carter, Cocke, Greene, Hamblen, Hancock, Hawkins, Johnson, Sullivan, Unicoi, and Washington, which shall constitute the northeastern division of said district. Terms of the district court for the southern division of said district shall be held at Chattanooga on the fourth Monday in April and the second Monday in November; for the northern division at Knoxville on the fourth Monday in May and the first Monday in December; and for the northeastern division at Greeneville on the first Monday in March and the third Monday in September. The middle district shall include the territory embraced on the 1st day of July, 1910, in the counties of Bedford, Cannon, Cheatham, Davidson, Dickson, Giles, Hickman, Humphreys, Houston, Lawrence, Lewis, Marshall, Maury, Montgomery, Robertson, Rutherford, Stewart, Sumner, Trousdale, Wayne, Williamson, and Wilson, which shall constitute the Nashville division of said district; also the territory embraced on the date last mentioned in the counties of Franklin, Warren, Grundy, Marion, Coffee, Moore, and Lincoln, which shall constitute the Winchester division of said district; also the territory embraced on the date last mentioned in the counties of Clay, Cumberland, Dekalb, Fentress, Jackson, Macon, Overton, Pickett, Putnam, Smith, Van Buren, and White, which shall constitute the northeastern division of said district. Terms of the district court for the Nashville division of said district shall be held at Nashville on the second Monday in March and the fourth Monday in September; for the Winchester division at Winchester, on the first Monday in April and the third Monday in November; and for the northeastern division at Cookeville on the third Monday in April and the first Monday in November: *Provided*, That suitable accommodations for holding the courts at Winchester and Cookeville shall be provided by the local authorities without expense to the United States. The western district shall include the territory embraced on the 1st day of July, 1910, in the counties of Dyer, Fayette, Haywood, Lauderdale, Shelby, and Tipton, shall constitute the western division of said district; also the territory embraced on the date last mentioned in the counties of Benton, Carroll, Chester, Crockett, Decatur, Gibson, Hardeman, Hardin, Henderson, Henry, Lake, McNairy, Madison, Obion, Perry, and Weakley, including the waters of the Tennessee River to low-water mark on the eastern shore thereof wherever such river forms the boundary line between the western and middle districts of Tennessee, from the north line of the State of Alabama, north to the point Henry County, Tenn., where the south boundary line of the State of Kentucky strikes the east bank of the river, which shall constitute the eastern division of said district. Terms of the district court for the western division of said district shall be held at Memphis on the fourth Mondays in May and November; and for the eastern division at Jackson on the fourth Mondays in April and October. The clerk of the court for the western district shall appoint a deputy who shall reside at Jackson. The marshal for the western district shall appoint a deputy who shall reside at

Jackson. The marshal for the eastern district shall appoint a deputy who shall reside at Chattanooga. The clerk of the court for the eastern district shall maintain an office in charge of himself or a deputy at Knoxville, at Chattanooga, and at Greeneville, which shall be kept open at all times for the transaction of the business of the court."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EMMA H. RIDLEY.

The next bill on the calendar was the bill (S. 174) for the relief of Emma H. Ridley.

Mr. KING. Mr. President, will the Senator from New York [Mr. CALDER], who introduced the bill, vouchsafe an explanation of it?

Mr. CALDER. Mr. President, the bill appropriates $3,000 for the widow of Dr. George A. Ridley, who had charge of the hospital at Ancon, in the Canal Zone. While there, during an epidemic of pneumonia, because of his strict attention to his duties, he caught the disease and died. There are reports here from the department. There is one from former Secretary Stimson, urging that the appropriation be made. It is in line with what we have done in like cases before. This man gave up his life while performing his duty to others. The bill makes an appropriation of one year's pay for his widow.

Mr. KING. Will the Senator permit an inquiry for my information?

Mr. CALDER. Certainly.

Mr. KING. Is it the contention of the Senator that the family of every person in the employ of the Government who dies, regardless of the character of his service, receives a certain compensation?

Mr. CALDER. No; it is not. This man, under extraordinary circumstances, had charge of an important hospital, where he ran unusual risks, and I think, under the circumstances of the case, the bill ought to receive favorable consideration by the Senate. A similar bill was reported favorably last year, and it has frequently been reported favorably in the House. I think it is a very meritorious measure. In like cases, I may say to the Senator from Utah, we have appropriated money.

Mr. KING. I would like to ask the Senator whether there is any rule by which you determine the amount which is to be paid. I noticed a case a moment ago where the amount allowed was $1,000. Here it is $3,000.

Mr. CALDER. It is one year's salary.

Mr. SMOOT. Is not the Senator mistaken in saying that there have been appropriations in similar cases? I know we have appropriated money where a doctor has submitted himself to tests in fever-stricken districts. We have always taken care of the widow in a case of that kind. I understand this doctor was simply serving in the capacity of a physician and took the disease and died from it.

Mr. CALDER. There was an epidemic of pneumonia in the hospital at Ancon at the time, and he became infected with that disease.

Mr. SMOOT. Does the Senator understand that there were any other employees there who died from the disease whose heirs might bring a claim against the Government?

Mr. CALDER. I do not know that there are any other cases.

Mr. SMOOT. The rule applies where they have been killed in the service, but I can remember no other case of this kind. I was wondering whether we are not opening a new field.

Mr. NORRIS. Mr. President, I think that, technically speaking, this probably would not come under the rule, because we have given a year's salary where the employee in the line of his service was injured or killed. But this case could not be put in the other class, either. This doctor, as I understand it, was following out his business, in which he was taking care of the patients and overlooking various others under him in this hospital. It was in the nature of being employed in the line of duty. While he was doing that he became infected with the disease that he was trying to save other people from. So it is somewhat similar to a case where a man was killed in the line of his employment. I can see a similarity in this case that would not exist in the ordinary case.

Mr. SMOOT. I recognize what the Senator says is true, and yet there is that difference, and it is for the Senate to decide whether they want to make that violation, if I may so term it, of the rule that has been established in the past. I agree with what the Senator from Nebraska has said as to the case, but it is not altogether similar to one where the man was through some accident killed. I recognize that difference.

Mr. CALDER. Some nurses and doctors make great sacrifices in their enthusiasm in their work, and it seems to me we can well go that far, and that they are entitled to as much consideration as though they were killed in actual employment in the service of the United States.

Mr. KING. Mr. President, may I ask the Senator from Nebraska or the Senator from New York what difference there is between the case now under consideration and the case of a physician here who is serving in St. Elizabeths or some other hospital in which the Government has some interest?

Mr. NORRIS. The hospital at Ancon is a Government hospital, I understand. In real merit, I would say to the Senator, I do not believe there is any difference. If I could, I would be glad to do something in every case where, for the sake of humanity, doctors and nurses often lose their lives. I would like to help their dependents. But in this particular case the service was really in behalf of the Government. It was a Government hospital. I think Dr. Ridley was a little different from an ordinary doctor in an ordinary private hospital.

Mr. KING. Will the Senator permit a question? What difference is there in principle between a man who accepts employment to work as a doctor in a hospital or for the Government at a compensation which he deems sufficiently great to induce him to leave his private practice and devote himself to Government work, and some individual who is working in one of the departments here, and who, while in the discharge of his or her duty, is taken down with the influenza and death ensues?

Mr. NORRIS. I think there would be considerable difference. If such an employee as the Senator speaks of were in the hospital, I would not care whether he was a doctor or not, if in that particular work, while he was there performing his duty, he caught a disease from which he died. There may be some other circumstances in regard to this particular case. The doctor may have overworked himself, as they often do, I know, in such cases. If it was an ordinary laborer there who lost his life, I would think just the same about it.

Mr. KING. The Senator will recognize that during the epidemic of influenza which we had last year a large number of employees in various activities of the Government, while in the discharge of their duties, were afflicted with the disease and it culminated in their death. There may be some difference in principle, but I do not see it, between a case of this kind and the case of some person who accepts employment as a physician for three or four or five thousand dollars a year, or whatever salary he accepted, and who, while in the performance of his duties, takes some disease and dies.

Mr. NORRIS. I think in the case the Senator mentions there is a difference. It seems to me there is plainly a difference. If an employee, for instance, of the Senate or any of the departments of the Government should be taken sick with one of these diseases, the "flu," let us say, it would be vastly different from one whose employment took him into a sick room where he was taking care and had charge of sick people. His duty led him where he contracted the disease. It is true he might have died from some other cause if he had not gone there, but that is a little different from the ordinary employee who, like anyone else, contracts one of these diseases.

Mr. KING. I confess I am unable to appreciate any distinction between the case now presented, as I understand the facts, and the case where any employee of the Government while in the discharge of his duty was afflicted with some ailment which culminated in his death. Here is a doctor accepting employment from the Government presumably because he can get a larger compensation while working for the Government than if he continued in his private practice. If he elects to go to Panama to work in a hospital for the Government rather than to continue his private practice here, and while in Panama meets with some accident or some disease afflicts him and death ensues, I see no valid reason why his heirs should be paid and the heirs of some person dying here who was employed in a Government department are denied compensation. I can not see any distinction. There may be, but my mind is not acute enough to see any valid distinction between those two cases.

Mr. CALDER. Mr. President, if the Senator will permit me, I think this is an unusual case. This doctor was the assistant in charge of the hospital. The principal medical officer in charge was away. This epidemic came and he was required to give service night and day. Because of the unusual circumstances, because of his attention to his duty during the epidemic, he caught the disease and died. If he had had proper assistants, if the head of the hospital had been there to help in the work, it is very likely he would not have forfeited his life.

Mr. KING. May I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from New York yield further to the Senator from Utah?

Mr. CALDER. I do.

Mr. KING. There are a very large number of hospitals in the United States under the supervision of, if not directly owned by, the Government of the United States. There are some civilian employees there. There are some doctors who have elected to give up their private practice and go into the Government service and accept employment there. They are doing splendid work; they are competent and are discharging their duties with fidelity. Suppose one of them should contract a malady that would culminate in his death.

Mr. CALDER. As a result of his service in the hospital.

Mr. KING. Does the Senator think the Government should pay in that case?

Mr. CALDER. I think the Government in that case should pay his widow the equivalent of a year's salary. I would gladly vote for it in every such case.

Mr. KING. Then if that is true, why should not the Government pay for everybody who is in its employ——

Mr. CALDER. Oh, no.

Mr. KING. And who while in the discharge of his duty received some injury or is afflicted with some ailment which results in his death?

Mr. CALDER. Oh, no. This particular profession, the medical profession, is an unusually hazardous one, and the widow of the man who gives his service in a Government institution and incurs some disease from which he loses his life is entitled to a year's compensation.

Mr. KING. If the Senator will pardon me, is there any greater hazard than in the life-guard service, the men serving the lifeboats or serving upon the sea? I am not objecting to the payment. It may be that the Government ought to provide some system of compensation for the heirs of those who meet their death while in the Government service. I have not given sufficient attention to the matter to have a well-formed opinion, but the point I am attempting to make is that this seems to me to be a discrimination. When a physician accepts employment at a far higher rate of compensation than is received by a laborer who is working for the Government meets his death as the laboring man meets his death, both acting in the discharge of their duties and serving their country, I can not see why the family of the physician should be paid and the family of the laborer should not be paid, for the reason assigned by the Senator, namely, that the hazards of the physician's service are greater than the hazards of the other man's service.

It may be that some of the services in which individuals may be employed in manual labor are far more hazardous than the services of the physician and expose the individual to greater hazard of accident and death than the physician is exposed to. I do not think the distinction exists which warrants the payment in the case of the physician and the refusal to pay in the case of the laborer.

Mr. CALDER. I will say to the Senator that the family of the laborer who loses his life while occupied in his official duty is paid to-day a year's salary, and I can see no reason why the family of this doctor, whose life was lost in the same way, should not receive the same treatment.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. KING. I object.

The PRESIDING OFFICER. It will go over under the objection.

Mr. CURTIS. Mr. President, I move that the Senate adjourn.

Mr. SWANSON. Will the Senator allow me to call up a bill to which there will be no objection?

Mr. FLETCHER. I understand the Senator from Kansas proposes to resume the consideration of the Calendar to-morrow.

Mr. CURTIS. We will try to get up the Calendar to-morrow. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 7 minutes p. m.) the Senate adjourned until to-morrow, Friday, August 1, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *July 31, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Impart unto us, our Father in heaven, plenteously of Thy substance, that in all the transactions with our fellow men we may act wisely, conscientiously, justly, and thus rise to the highest conceptions of the moral and religious ideals inculcated by the Prince of Men in His life and precepts. Amen.

The Journal of the proceedings of yesterday was read and approved.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE.

Mr. ESCH. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have leave to sit during the recess of the House.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that the Committee on Interstate and Foreign Commerce have leave to sit during the recess of the House. Is there objection?

There was no objection.

CHANGE OF REFERENCE.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that the reference of H. R. 416, referred to the Committee on Agriculture, may be changed to the Committee on the Public Lands. The Committee on the Public Lands took up the bill and voted that it belonged to that committee.

The SPEAKER. Has the gentleman consulted the chairman of the committee?

Mr. RAKER. I have consulted the chairmen of both committees.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

COMMITTEE ON RULES.

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have leave to sit during the recess of the House, by subcommittee or full committee.

The SPEAKER. The gentleman from Kansas asks unanimous consent that the Committee on Rules may have leave to sit during the recess of the House, by subcommittee or full committee. Is there objection?

Mr. CLARK of Missouri. Reserving the right to object, what was the request that the gentleman has made?

Mr. CAMPBELL of Kansas. For the Committee on Rules to sit during the recess of the House.

Mr. CLARK of Missouri. What on earth can they do during vacation?

Mr. CAMPBELL of Kansas. A great many resolutions are pending before the committee upon which Members and others are desirous of submitting evidence. We think we can save a great deal of time by having meetings during the vacation.

Mr. CLARK of Missouri. For the present, I object.

ELECTION OF MEMBERS TO COMMITTEES.

Mr. MONDELL. Mr. Speaker, I present a resolution, for which I ask immediate consideration.

The Clerk read as follows:

Resolved, That OSCAR E. KELLER, a Member elect from the State of Minnesota, be, and is hereby, elected a member of the standing committees of the House, as follows: Claims; Coinage, Weights, and Measures; Railways and Canals.

The resolution was agreed to.

Mr. KITCHIN. Mr. Speaker, I offer the following motion.

The Clerk read as follows:

Mr. KITCHIN moves the election of GEORGE B. GRIGSBY, Delegate from the Territory of Alaska, to membership of the Committee on the Territories.

The motion was agreed to.

WAR WITH GERMANY.

Mr. KIESS. Mr. Speaker, I call up a privileged resolution from the Committee on Printing.

The Clerk read as follows:

House resolution 214.

Resolved, That there shall be printed for the use of the House 5,000 copies of "The War with Germany, a Statistical Summary," by Col. Leonard P. Ayres, United States Army, to be distributed to Members through the folding room.

Mr. CLARK of Missouri. What is this matter you are asking to print.

Mr. KIESS. It is called "The War with Germany, a Statistical Summary," by Col. Leonard P. Ayres, United States Army. Most of the Members, I think all, have received a copy from the Secretary of War. It is a very valuable document, and we are providing for the printing of 5,000 copies—paper back, of course.

Mr. CLARK of Missouri. How many will that give each Member?

Mr. KIESS. Ten.

Mr. CLARK of Missouri. Has the gentleman read it himself?

Mr. KIESS. Well, I have not read it all; I did not get it until the other day.

Mr. CLARK of Missouri. Has the gentleman read enough to see whether it is any good?

Mr. KIESS. Oh, absolutely; I have read enough to know that.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 1378. An act to authorize the Central Railroad Co. of New Jersey to construct a bridge across the navigable waters of the Newark Bay, in the State of New Jersey;

S. 1361. An act further extending the time for the commencement and completion of the bridge or bridges authorized by an act entitled "An act to amend an act to authorize the Dauphin Island Railway & Harbor Co., its successors or assigns, to construct and maintain a bridge or bridges or viaducts across the waters between the mainland at or near Cedar Point and Dauphin Island, both Little and Big; also to dredge a channel from the deep waters of Mobile Bay into Dauphin Bay; also to construct and maintain docks and wharves along both Little and Big Dauphin Island," approved June 18, 1912, as extended by an act approved June 30, 1916; and

S. 180. An act to incorporate Near East Relief.

SPECIAL COMMITTEE ON A BUDGET SYSTEM.

Mr. CAMPBELL of Kansas. Mr. Speaker, I present a privileged report from the Committee on Rules.

The Clerk read as follows:

House resolution 168.

Resolved, That the Speaker of the House of Representatives is authorized and directed to appoint a special committee for the Sixty-sixth Congress, to be known as the Select Committee on the Budget, to which shall be referred for consideration and report all bills, resolutions, and documents for the establishment of a national budget system or proposing changes in present methods of dealing with appropriations, estimates, and expenditures.

The committee shall consist of 12 Members, of whom 7 shall be appointed from the majority party and 5 from the minority party.

The committee or any subcommittee thereof may sit during the sessions or recesses of the House, and may have done such printing and binding as may be necessary in connection with the performance of its duties.

The committees of the House of the Sixty-sixth Congress to which have been referred bills and resolutions dealing with the jurisdiction herein authorized shall be relieved from the consideration of such bills and resolutions and the same shall thereupon be referred to the special committee herein provided for.

The committee may report by bill or otherwise to the House of Representatives with any recommendations it shall choose to make and shall have the right to report at any time.

With the following committee amendments:

In line 3, page 2, striking out the word "relieved" and inserting in lieu thereof the word "discharged."

In line 4, page 2, after the first "the" inserting the word "further."

In line 7, page 2, striking out the word "may" and inserting in lieu thereof the word "shall."

In lines 9 and 10, page 2, after the word "make," striking out the remainder of the paragraph and inserting in lieu thereof "not later than March 1, 1920."

Mr. CAMPBELL of Kansas. Mr. Speaker, this is a unanimous report from the Committee on Rules. The committee heard among others the Speaker of the House; former Speaker CLARK, the author of the resolution; Mr. GOOD of Iowa; Mr. BYRNS of Tennessee; Mr. MONDELL, the majority leader, and they all reviewed the discussions heretofore had upon the subject of a budget system. It is a subject the House of Representatives has approached on many occasions but on which it has never taken definite action. This resolution is brought out for the purpose of enabling the House to take definite action on this very important subject.

The reasons for the budget system have been urged by economists and statesmen for many years. At this time the business men of the country, organized as they are in the chambers of commerce, have made a very thorough study of the budget system and have made an investigation of the sentiments and experience of the country with respect to the budget system in the States. Their report is to the effect that the business men of the country are almost unanimous in the opinion that a budget system should be established, with a view of a more economical and fair assessment of taxes and payment of moneys out of the Treasury of the United States. It is for the purpose of realizing the hopes of the people in respect to this matter that this resolution is brought before the House at this time.

Mr. GARRETT. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. GARRETT. The gentleman from Kentucky [Mr. JOHNSON] has just suggested an amendment that I think might properly be adopted. He suggests that, in line 3, on page 2, we strike out the words "shall be" and insert "are hereby," so that it will read "are hereby discharged."

Mr. CAMPBELL of Kansas. Mr. Speaker, I think the suggested amendment is a good one, and I ask unanimous consent that the amendment be considered as pending with the other amendments.

The SPEAKER. The gentleman from Kansas asks unanimous consent that the amendment be considered as pending with the other amendments. Is there objection?

There was no objection.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT. Mr. Speaker, I think this is a resolution of very great importance. It is, as stated, reported unanimously from the Committee on Rules. It had the approval before that committee of the Speaker of the House, the chairman of the Committee on Appropriations, the former Speaker of the House, the present minority leader, and the ranking minority member of the Committee on Appropriations and the leader of the majority on the floor. More and more the sentiment is growing throughout the country that there should be some change in our methods of appropriating the Federal revenues. Of course, there are very wide differences of opinion as to what changes should be made. Efforts have been made, somewhat sporadic, it is true, in the past during my time of service here to bring about the changes, at least so far as the House is concerned. The party of which I am a member attempted, through caucus committees, to work out some sort of a system whereby the rules might be changed, but we failed in our efforts. So far as I now recall, during my service here the only tangible proposition that ever reached the House of Representatives and was passed on by the House of Representatives was that which was contained in the deficiency appropriation bill passed at the last session of Congress, but which failed of final passage. The principle was indorsed in our party's national platform.

The methods that have been suggested are various. As has been explained by the gentleman from Kansas [Mr. CAMPBELL], numerous propositions are now pending, some of them legislative, some of them merely affecting the rules of the House, if I remember correctly; but divergent opinions are represented, and it has seemed to the Committee on Rules that if we are to obtain any tangible results at all, it is a very proper thing, indeed, to centralize the study of this very great and important question in one committee, and not divide it up among different committees of varying jurisdiction. I very much hope that successful results may be obtained from the appointment of this committee. At any rate I feel assured that this is the intelligent way in which to approach and deal with this very great, very important question, in which there now exists so much interest in the country on the part of the students of economics, on the part of business men, and on the part of the taxpayers of the country. I yield back the remainder of my time.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, I shall vote for this resolution. Certainly some reform somewhere is required touching the preparation and consideration of appropriations and, you might say, touching revenue bills. We are handicapped, however, by the Constitution of the United States in any provision that might be reported. I think it was a very great mistake when the Constitution was made that it contained a provision that while revenue bills and, for that matter, appropriation bills should originate in the House of Representatives, yet they should be subject to amendment by the Senate of the United States, because it divides the authority. I believe that the rules of the House might be so modified that there would be responsibility with power, which we can not hope to bring about as long as we have a half dozen committees making or recommending appropriation bills for the consideration of the House.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. CANNON. Yes.

Mr. LONGWORTH. Can the gentleman recall at what period it was that the right of appropriation was taken away from one committee and given to another?

Mr. CANNON. I think it was in the Forty-ninth Congress; either the Forty-ninth or the Forty-eighth. Mr. Carlisle was the Speaker at the time, Mr. Morrison was the chairman of the Committee on Ways and Means, and the appropriation bills went by amendment of the rules to six different committees. I shall not go into the whys and wherefores. I can not cover much ground in five minutes' time. There is a desire in the country that there should be a change somewhere that would give power coupled with responsibility. My own judgment is that the House of Representatives, which touches the people every two years and responds to public sentiment, should alone, if possible, have the power to originate revenue and appropriation bills. I sometimes doubt the propriety of having two committees—one on Ways and Means and one on Appropriations. I am not sure but that there should be one committee, call it what you may, the

Ways and Means Committee or any other name, that should look after the revenues and recommend the appropriations, thereby combining the two activities, so that the legislation to get the money for revenue should from time to time be so enacted that, so to speak, one hand could watch the other. We are handicapped about it, however, under existing conditions, and I fear under any conditions that might lead to a reform which would bring better results, by the fact that the Executive can exercise such power as he sometimes does by the veto. I am not now speaking of the present Executive alone, but I refer to the man who is elected for four years to be President of the United States. Sometimes the Democrats elect him and sometimes the Republicans elect him, and I disclaim any intention to directly or indirectly criticize the present Executive at this time, because he has been operating not only under war conditions and war powers of the President but under all the other conditions that Presidents in later years have been called upon to act. However, that power, resting in the President of the United States, under Republican rule or Democratic rule, with the vast patronage that the Executive has, exercising the veto power, requiring two-thirds of both Houses to pass over his veto legislation that he has vetoed, has resulted in two things—one in strengthening unduly the power of the Senate and the other in strengthening unduly the power of the Executive.

The SPEAKER pro tempore (Mr. MADDEN). The time of the gentleman has expired?

Mr. CANNON. May I have two minutes more?

Mr. CAMPBELL of Kansas. I yield to the gentleman from Illinois two minutes more.

Mr. CLARK of Missouri. I ask unanimous consent that the gentleman from Illinois may have five minutes, not to be counted in the time. I want to ask him some questions.

The SPEAKER pro tempore. The gentleman from Missouri asks unanimous consent that the gentleman from Illinois have five minutes, not to be counted out of the time of the House. Is there objection?

There was no objection.

The SPEAKER pro tempore. The gentleman has five minutes in addition to the two minutes yielded him by the gentleman from Kansas. The gentleman is recognized for seven minutes.

Mr. CLARK of Missouri. A suggestion has been made that the Ways and Means Committee and Appropriations Committee should be one committee. That is going back to 1865. If that were accomplished, would not that really make a budget committee of itself?

Mr. CANNON. More nearly than in any other way I can think of.

Mr. CLARK of Missouri. Does the gentleman think that one committee could transact all the business of the House, both ways and means measures and appropriation bills?

Mr. CANNON. I think that a large committee of 25 members could do the work and report the bills for the consideration of the House perhaps far better than under the present system.

Mr. CLARK of Missouri. Does not the gentlemen think the House of Representatives ought to pass a rule that it will not entertain an amendment from the Senate proposing legislation on an appropriation bill unless it comes to us with a two-thirds vote of the Senate, or something of that sort, to stop this everlasting rider business? [Applause.]

Mr. CANNON. Well, yes; that or something equivalent to it. But the Senate is not the only sinner in the matter of riders. I think it is safe to say that three-quarters of the legislation of the House is placed on appropriation bills either by special rule, amendment by the Senate, or by unanimous consent.

Mr. CLARK of Missouri. Does not the gentleman think the House ought to pass a rule providing that the Committee on Rules shall not report to the House a rider on an appropriation bill?

Mr. CANNON. Well, I think that is one remedy that should be considered. But we come down here, 435 of us, and instead of each committee being an intelligent committee, all considering matters of legislation and reporting them to the House and letting the House pass on them, so that they may be enacted or may fail upon their merits, the sin is that with slight consideration legislation comes in, in the shape of a rider, and gentlemen, not after full and intelligent investigation, take it for granted that the Committee on Appropriations, or some one of them, have considered it, and that they—the committees—know better than we do, and the matter not having been investigated by the proper committee that has charge of the legislation, there is much bad legislation or imperfect legislation finally enacted.

Now, one further word before I sit down. A budget, a budget, a budget is cried for everywhere in the country, and I get letters from a great many people who would not know a budget if they should meet it in the middle of the street. [Laughter.] That is one of the things you have got to contend with.

I want to say that a budget is only effective where if the supply bills and the revenue bills fail then the Government changes by going to the country. That is the English system. The ministry is the Government and proposes the budget, and if it fails in passing the House of Commons the House ceases to exist and the people vote for and a new House is elected that sustains the ministry—that is, the Government—and if the Government is not sustained by a popular vote a new ministry is formed in harmony with the popular vote. We can not do that under our Constitution, because the President holds office for four years. One-third of the Senate goes out every two years. The House goes out every two years. The House meets the criticism of the country when frequently it is unable to control, although we are chiefly held responsible. [Applause.]

Mr. CAMPBELL of Kansas. I yield 15 minutes to the gentleman from North Carolina [Mr. POU] to be disposed of as he may elect.

The SPEAKER pro tempore. The gentleman from North Carolina is recognized for 15 minutes.

Mr. POU. Mr. Speaker, during every Congress of which I have been a Member I am firmly convinced there was a majority in favor of some sort of budget arrangement. It seems to be one of those legislative proposals which everybody favors and is yet afraid of.

Now, let me say this: You are not going to put through this House any budget plan which takes away from the great committees of this House the jurisdiction they now possess under the rules and which centralizes that power and jurisdiction in the Committee on Appropriations or any other committee. If that is the thought of the proponents of this resolution, they might as well stop here and now, for the House will always kill such a proposal, and in my judgment ought to kill such proposal.

Mr. Speaker, there is now and always has been plenty of work for each and every one of the active committees of the House. It would be humanly impossible for any one committee to do the work of all these appropriating committees unless you made that committee as big as the House itself. If, therefore, any committee is dreaming of more power, it is, in my judgment, destined to have a rude awakening. You are not going to abolish any of the committees now charged with the duty of proposing appropriations. But you can and ought to do this: You can work out a plan by which all bills and resolutions carrying appropriations must pass through some one committee acting after the manner of a great legislative clearing house, invested with ample powers and charged with the duty of preventing duplication in appropriations. It is not impossible to work out such a plan. Indeed, I will go further, and say it is not very difficult to work out such a plan, and my prediction is that is as far as you are ever going to get. This House is not going to tolerate any greater concentration of power in the Appropriations Committee [applause] or any other committee. You may be able to put through a plan taking from each of the appropriating committees a representative and thereby creating a committee in addition to those already existing, charged with the duty of preventing duplication. In my judgment you may be able to get the House to accept some such plan, but you are not going back to the old system of requiring all appropriations to originate in the Committee on Appropriations. Of course, this budget plan is not new. The former chairmen of the Committee on Appropriations, Messrs. Fitzgerald and Sherley, both great legislators, urged the adoption of this budget system. The Democratic minority of this House will support the pending resolution, for the platform of our party has already pledged us to support the budget system. The national platform of 1916 declared in favor of the budget as an instrumentality of economy. We of the minority of the Committee on Rules very cheerfully supported the resolution now before the House. There are obstacles in the way, very serious obstacles. I can see the senatorial rider looming large in the way of any budget plan, but the reform should come and it will come if the friends of the reform stand firm in its favor. [Applause.]

I yield five minutes to the gentleman from Massachusetts [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Speaker, I think a budget committee a move in the right direction, and that some form of budget should be inaugurated by the Congress of the United States, although it is going to take a pretty big committee to properly analyze the expenditures of a Congress like the last one, for instance, where the appropriations ran into the billions.

Mr. Speaker, it has been my observation in a public career of 25 years that the Congress of the United States is

not extravagant, the opinion to the contrary notwithstanding. That the expenditures of Congress are more carefully watched than in many large business enterprises is to my mind clear, and this fact is evident where there has been any investigation of big enterprise, whether it was a railroad or a great big industrial enterprise. I think at this time that it is the wise thing to say to the business interests which have petitioned for a budget system for the House of Representatives and the Senate that it would be a very wise thing if they cleaned their own houses. There is a very general feeling that big business is largely responsible for present high cost of living conditions. We read every day in the newspapers that many large business establishments are being taken over by banking syndicates; that many things that we eat, many things that we wear, and many things that we use are being capitalized and are being sold on the stock exchange at fictitious prices.

It is time, I say, that those gentlemen who petition us to reform the budget should reform their own practices, because every home in the Nation to-day is being taxed because of the insidious practices of big businesses in this country. [Applause.] They take millions of dollars of property and turn them into tens of millions of dollars, and in order to meet the dividends that must be paid on these inflated securities every home in the land is taxed. Mr. Speaker, apropos of the question of expenditures by the House, I want to call attention to the care that Congress exercises. I am on the Committee on Public Buildings and Grounds. Every Member of this House knows that as a matter of justice and humanity this Government should appropriate hundreds of millions of dollars to house properly the people who are employed by this Government, but because of the economy of the Rules Committee not a dollar will be appropriated in this session, though in almost every part of the United States—in my own city, for example—men and women are compelled to do work for the United States Government in places where when I was mayor of that city, if I had obeyed the health regulations, I would have closed those buildings up.

And the mayor of that city to-day should close many of the public buildings owned and controlled by the United States Government, because they are killing by inches men and women employed by the Government. But the Committee on Rules said, "No; we will permit no new buildings at this session." At the present time thousands of employees throughout the various navy yards in the country are thrown out of work. They are here now. I talked with the Assistant Secretary of the Navy this morning, and he said to me, "Mr. FITZGERALD, it is not the fault of the Navy Department; it is not the fault of the Committee on Naval Affairs that thousands of men are thrown out of work now. It is the fault of the steering committee on the part of the Republican majority of this House."

In conclusion I would say that while this House tolerates a steering committee which dictates the policy of the House on the matter of expenditures a budget committee will not be as effective as it should be. By all means let us have a budget committee representative of both sides of the House rather than a partisan steering committee and the whole country will be the gainer. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker and Members of the House, I do not believe that the need of a budget system will be resisted anywhere unless it would be on the floor of this House or probably in the Senate. I think that it is almost universally conceded that there ought to be a change in the making of the estimates, in our method of auditing accounts, and especially in the effort to make some relationship between the income and the outgo of the Nation. There is a wide diversity, however, on the method to be accepted or adopted to do this. Our Government is the greatest business on the earth to-day. It handles a greater amount of money. It is certainly more attenuated in the manner of its handling the money than any other business in the world, and a budget system that would be of help to sane business methods would not be resisted by any first-class business anywhere that is responsible for the running of it as a successful concern, but would not attempt to proceed a month without a budget plan. But when we talk about adopting a plan that is in vogue, say, in France or in Great Britain and apply it to our system, it would be difficult to do it for reasons suggested by the distinguished gentleman from Illinois [Mr. CANNON]. We can not take any ready-made scheme that has been at work in other countries and engraft it upon ours. These plans may serve as suggestions and should doubtless do so, but our system of government is not theirs. There are a great number of proposals, one by this school of business transactions and another by still another school. Economists do not all agree on one plan, but they are a unit on the need of some plan. We have everything here except unity. What we are trying to do in this resolution is to gather from the various proposals offered from time to time through a committee information to clarify these various suggestions and put them into a specific proposal in form of a report, if not a bill, and get action by a certain time by having the findings of this committee brought here upon the floor of the House. Instead of taking up any specific plan that was suggested by any particular chairman of any particular committee or any Member of the House interested in the reform, we have here recommended that the House appoint a committee charged with the responsibility of bringing to this House a plan of budget not later than the 1st of March of next year and give us time to consider it favorably before we enter upon the fiscal year next following that date. I think that the country will be satisfied with this step to bring a specific result before a specific time. Nobody will question that this will be done. And those heretofore who would charge that this is simply to defer the matter and nothing definite is to come out of it will have no foundation for that charge now. A budget system must be adopted. This Congress is taking the proper step to assure that it will now be accomplished in due time without undue delay. I am quite certain that this is a specific recommendation to which the House ought unanimously to agree. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. POU. Mr. Speaker, I yield five minutes to the gentleman from Oklahoma [Mr. HASTINGS].

Mr. HASTINGS. Mr. Speaker and gentlemen of the House, perhaps it is presumptuous for a Member of the House who has not given any more study to this proposition than I have to take up the time of the House to discuss it. I want to say that I favor this resolution. I am in favor of the appointment of a committee to study this question. We have discussed it here for the last four or five years, ever since I have been a Member of Congress, and perhaps it has been discussed longer than that. I know that two honored former chairmen of the Appropriations Committee favored it. Congressman Fitzgerald, of New York, made an extended speech here in favor of the budget system, and I believe, if I recollect aright, proposed either a separate bill or an amendment to some bill. I recall that at the last session the then chairman, Mr. Sherley, of Kentucky, proposed an amendment, and, as I recall, it passed the House but was not finally enacted into law. I know the Democratic platform has had provisions in it at various times favoring a budget system. I know of no one who opposes it. We differ on the plan.

Now, I did not rise for the purpose of discussing that so much as to express a certain fear which I have. I would not be frank with myself or the Members of the House unless I did that upon this occasion. Nearly every budget system that I have heard discussed here has led to the door of the Committee on Appropriations, and I want to warn the Members of the House against that. If a budget committee means the enlargement of the Appropriations Committee, and if all the power of originating appropriations is centered in that one committee, let me warn the Members of the House that the rest of us, who are not upon the Rules Committee and the Appropriations Committee, might just as well pack our baggage and go home. It will mean that you will have no other way to secure legislation here. It means too much power centered in the Appropriations Committee and the Rules Committee. It means that the other Members of Congress will have mighty little to say concerning legislation upon the floor of the House.

Now, the budget committee that I would be in favor of would be composed of representatives, if not the heads, of the various departments of this Government. Let them get together and make careful estimates and through the Treasury Department submit the amounts to meet the requirements of the Government, but an amount not to exceed the anticipated revenues for that year. Then you will have a budget system. Keep your expenditures within your revenues and limit the amount that any department can estimate for.

Mr. LAYTON. Will the gentleman yield?

Mr. HASTINGS. I have only five minutes.

Mr. LAYTON. Do you not think if you leave the question of appropriations to the heads of the departments it would run this country overwhelmingly in debt?

Mr. HASTINGS. That is what I am trying to get to now; that is what I want to criticize, if you will let me get to it. If you have only one committee and they have not time to study all of these questions, necessarily they will have to depend on the departments. They will have no inside information about it and will have to take what the departments say to them.

Let us take, for illustration, the three committees—Agriculture, Post Office, and Indian. What does the Appropriations Committee know about agriculture? The members of the Committee on Agriculture know more about it in five minutes than the members of the Appropriations Committee will know in a lifetime, and I would rather trust them. But if a budget system means an appropriation committee being a budget committee, then the appropriation committee will be at the mercy of the Department of Agriculture and the heads of the various bureaus and can not originate any affirmative legislation. The same is true of the others.

The SPEAKER. The time of the gentleman has expired.

Mr. HASTINGS. I am sorry I have not sufficient time to discuss it, but I will do so at some future time, along the line that you could not get any other legislation through unless it comes from the Rules Committee. [Applause.]

Mr. Speaker, just one word more; I trust that I make my position clear. While I favor this resolution and while I favor a budget system, I do not favor centering all the appropriations of Congress in the Appropriations Committee. This committee is necessarily a very busy one. If it has not in the past given any special study to the needs of the Department of Agriculture, the Post Office Department, the Indian Bureau, the War Department, or the Navy Department, and if the estimates of any one of these departments are referred to the Appropriations Committee, without having any special information, the committee would be at the mercy of the representatives of the department appearing before it to justify the estimates. The House would then be under the complete domination of the departments. Through years of investigation the Committee on Agriculture have accumulated much valuable information, helpful to members of the committee in deciding upon increases or decreases. You can make a bureau or department more efficient and keep a better check over it if you have given a committee familiar with its work the task of passing upon the various items making up its appropriation.

You take the Indian Bureau as an example. I trust that I may be pardoned for suggesting that there are Members on the Indian Committee who have been on it for 20 years and who have an intimate knowledge of Indian affairs. They are not at the mercy of the representatives of the Indian Bureau, because members of the committee know what appropriations are needed and why they are needed. Suppose appropriations for this bureau were made by the Appropriations Committee. Its members would be at the mercy of the legislative representative of the Indian Bureau. This applies to all the other departments.

Take, as another example, the Post Office Department. Everyone knows there are Members on the Committee on the Post Office and Post Roads who are thoroughly familiar with the workings of that great department. They are not solely dependent upon the heads of bureaus for information. They know for themselves what is needed.

If a budget system means looking into the door of the Appropriations Committee, by the enlargement of that committee and letting that committee originate all the appropriations, it means more power to the various departments, and it means departmental rule.

A committee thoroughly familiar with the detailed workings of a great department can greatly increase the efficiency of various bureaus by increasing the appropriations where needed, and can hold in check other bureaus by decreasing the appropriations where the bureaus are inefficient.

There are 435 Members of the House, and if all appropriations are to originate in the Appropriations Committee, with the exception of the Rules Committee, the other Members might as well be at home. Of course the members of the Rules Committee are very powerful. They can bring in a pocketful of rules each day making certain legislation in order or adding certain legislative measures as riders to appropriation bills. It has been asserted during this debate that legislation by rider amendments is highly objectionable, with which sentiment everybody agrees. However much you criticize legislation by riders to appropriation bills, permit me to say that it is almost the only way to get any legislation of a local character.

I will surprise a number of the new Members of the House by saying to them that you can not get a bill through this House except by unanimous consent. The country does not know this or it would not stand for such procedure. If anybody contradicts this statement, suppose you turn to the older Member beside you and ask him, or ask the Speaker or the parliamentarian or a member of the Rules Committee, if you introduce a bill of a local character, how you would proceed to get that bill considered. You will be amazed when he tells you that you have only two ways. The first is by unanimous consent, to obtain which you address the House and ask for unanimous consent to consider the bill. If one Member objects, your request is denied. The other way is to have the bill placed on the Unanimous Consent Calendar, if it is a public bill. This calendar is considered two Mondays in each month. When the Unanimous Consent Calendar is called, and you have remained in your seat four hours or more awaiting the bill to be reached, the bill is not considered if one Member of the House objects.

Now, the only other way to have the bill considered is by bringing it up on Calendar Wednesday. The various committees are called in order and each committee has two Calendar Wednesdays in succession. We have about 40 committees. If the Agricultural Committee is called and some important bill is reported and it is not concluded on the first Calendar Wednesday and the second Calendar Wednesday is required for its consideration, then in all probability the committee will not be reached again during the whole session of Congress. Hence there is no way to reach the bill reported by the committee in which the Member is interested.

You take the committee of which I am a member—the Indian Committee. It was only reached upon call one time in the Sixty-fifth Congress. The time was then taken up in the consideration of the sale of the coal lands in the Choctaw Nation. The committee was not reached upon any other Calendar Wednesday. No other Indian legislation could be called up except by unanimous consent or by placing amendments upon appropriation bills. These amendments have been added both in the House and in the Senate for the past 25 years, if not longer. While there is much objection to legislation by riders placed on appropriation bills, yet this practice is frequently justified.

I have offered an amendment to the rules. It has been referred to the Rules Committee. If adopted it will prevent any one Member from objecting to consideration of a bill placed upon the Unanimous Consent Calendar. There is no sense to the rule as it now stands. It ought to be amended now. Nobody can defend it. Nobody dare go before the people and attempt to defend it. Under the present rules you can not get a local bill except in the ways just mentioned. The Rules Committee will not bring in a special rule for a local bill.

If the various departments, through their heads or through some expert especially appointed for the purpose, were required to make careful estimates of the needs of the departments, with the knowledge that under no circumstances could the estimates in the aggregate exceed the anticipated revenues, and these revenues were apportioned in an equitable way suitable to the needs and requirements of the various departments, and then when these estimates, after being carefully gone over and checked and rechecked and all duplication of work eliminated, were referred by the Speaker to the various committees familiar with the working of the several departments, such as we now have, I think the best results could be obtained.

I am opposed to the concentration of the affairs of the House in the Appropriations Committee and the Rules Committee. I am opposed to giving the departments further power, as making a budget committee out of the Appropriations Committee would do, because that committee would be at the mercy of the various departments and would be compelled to make the appropriations suggested, as no detailed information would be available except that furnished by the departments.

I favor an independent budget system or commission, but when the estimates are submitted I want them referred to appropriation committees like we now have in the House. I want such committees to scrutinize the estimates and report the appropriation bills. If the Appropriations Committee is made a budget committee, it means an enlargement of that committee. It means various subcommittees and a concentration of all the work of the House in that one committee. While I favor this resolution and while I favor the budget system, I want to make my position clear. I do not favor the centralization of all this authority in one committee of the House.

Mr. CAMPBELL of Kansas. Mr. Speaker, how much time have I remaining?

The SPEAKER. Twelve minutes.

Mr. CAMPBELL of Kansas. I yield five minutes to the gentleman from Nebraska [Mr. ANDREWS].

Mr. ANDREWS of Nebraska. Mr. Speaker and gentlemen of the House, I am heartily in favor of the adoption of this resolution. Sometimes we hear it suggested that the serious evils about which we complain in relation to a Federal budget are lodged entirely in the executive departments. I think that is a mistake. The crux of the whole matter is found in the Senate and House. Here, in the midst of our legislative program, we will find the opportunity of rendering our best service for a budget system.

Some bills have proposed the consideration and determination of an auditing system and a budget system together. That is also a very serious mistake. They are separate and independent propositions. If we undertake to recast the accounting system of the Government as it now stands while we draft a budget system, there will be endless confusion and a greater loss than gain. Let me state a proposition for you.

Place before your mind a debit and credit statement. On the debit side of that account enumerate the expenditures of the Government. Take the bills that are introduced in the House and in the Senate. There is $500,000,000 for the improvement of land for homes to soldiers; two or three hundred millions of dollars is proposed by the gentleman from Massachusetts for a public-building bill in the present Congress. After completing that debit side of the statement, add to it the absolutely necessary expenses for the running of the Government. Strike the total. Then take the total of your estimated revenue, and the chances are you could not pay your bills at 50 cents on the dollar with that kind of a statement. That debit and credit statement should stand before the eyes of every committee handling appropriations and every Member as he votes for the expenditure of public money. If that debit and credit statement were clearly in view, we would never think of considering for one minute many propositions that are brought forth in seriousness on the floor of this House.

Some years ago a distinguished statesman said that if the Government were directed along business lines we could reduce the expenses of the Government $300,000,000 a year. That was a very unfortunate and a very inaccurate statement. For a considerable period of time after I heard it I studied the appropriations in the expenditures of the Government with reference to that suggestion. We were then paying out of the general fund of the Treasury about $700,000,000 a year. That did not touch the postal expenses. Think of it, my friends! Reduce $700,000,000 of annual expenditures by $300,000,000, nearly one-half—an absolute impossibility! That was a misleading statement. If, my friends, we can not save $500,000,000 even under existing conditions, we might save $100,000,000. That would be quite worth while. If we could save $50,000,000, that would be quite worth while, or $25,000,000.

Some of the pending bills seek to make the accounting system a part of the budget system. If those bills should be adopted in their present form they would emasculate the present accounting system of the Government, increase expenses unnecessarily, and lead to serious confusion throughout the executive branches of the Government. If a budget system should be developed as an independent proposition and the accounting system should be utilized in the application and enforcement of the budget system we would secure the best possible results. I heartily concur with the general opinion that the accounting system should be under the jurisdiction and control of Congress. Of course, we all understand that the accounting officers have been under the jurisdiction and control of the Treasury Department from the organization of the Government to the present time. In recent years, however, the business of the Government has developed to such enormous proportions that the necessity for more thorough inspection by the committees on expenditures of the House and the Senate has increased correspondingly. We now have an accounting system which works smoothly and efficiently. It has been molded into the details of the business affairs of all the executive branches of the Government. It was established by provisions carried in the legislative act approved July 31, 1894 (28 Stat., p. 26). The joint commission that had charge of that revision consisted of six members, three on the part of the House—Dockery of Missouri, Richardson of Tennessee, Dingley of Maine—and three on the part of the Senate—Cockrell of Missouri, Jones of Arkansas, and Cullom of Illinois. The accountants employed by the commission were J. W. Reinhart, C. W. Haskins, and E. W. Sells. The report of the commission appears in House Document No. 637, Fifty-third Congress, second session, and contains specific recommendations of the commission and accountants.

It is unfortunate that so many public officials fail to appreciate the real value and importance of the accounting offices of the Government. I have met Cabinet officers, judges of courts, Senators, and Members of Congress who entertain the belief that the chief business of the accounting offices is to post and add debits and credits.

Clerks and employees have been assigned to the rolls of accounting offices at times when they have been found absolutely useless elsewhere and at other times without special consideration of the important duties that they are expected to perform under the law. If those offices should be placed under the jurisdiction and control of Congress and vacancies should be filled upon their rolls by the appointment of accountants, a degree of efficiency could be readily secured that would result in practical economy. Such an arrangement would be very helpful to every committee of the House and Senate. Thus a trained force would be ready at all times to assist in the prompt and efficient application of the rules embodied in a practical budget system. But what will a budget system accomplish unless there can be a unification of the Committees on Appropriations in the House and the Senate? There must be a common clearing house, with debits and credits clearly disclosing the resources and liabilities of the Government. Every appropriation bill should be considered in direct comparison with the funds available for its payment. When all of the estimates shall have been supplied and totaled they should be placed in comparison with the total estimated revenues for the period to be covered by the appropriations. The pertinent question, therefore, is, How much will each committee now controlling appropriations be willing to surrender and contribute to a common clearing house? What will be accomplished if the committees are left as they are now? It has been a very common habit to charge that the executive departments are solely responsible for extravagance and that Congress is the only economical agency in the country. We can not consistently maintain such a claim as that while we make appropriations here through so many channels as to invite and incur duplications that may exceed the waste in the executive branches of the service. It is to be hoped that the committee proposed by the pending resolution will find ways and means to correct all these difficulties and show the way to a larger measure of efficiency and economy in the public service.

The SPEAKER. The time of the gentleman has expired.

Mr. ANDREWS of Nebraska. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. HASTINGS. Mr. Speaker, may I have permission to extend my remarks in the RECORD?

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. FITZGERALD. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Massachusetts makes the same request. Is there objection? [After a pause.] The Chair hears none.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield two minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, I think the appointment of a budget committee, as proposed, is very highly important. I am very glad, indeed, that the House is to take this definite step toward the consideration of legislation having to do with estimates and appropriations. I am not one of those who imagine that it is going to be possible immediately to overturn and entirely revolutionize the practice of the House of Representatives long established or through one piece of legislation. I believe legislation improving the methods of estimating and appropriating should be legislation along carefully thought out evolutionary lines, and I shall hope that this committee will make its first report to Congress early after the House reconvenes. I hope it will see its way clear at an early date to take at least one definite forward step toward improving the present unsatisfactory situation. [Applause.]

I do not want to take up the time of the House to discuss this matter further at this time, but I shall extend my remarks by printing in the RECORD an article on the subject of the budget which I recently contributed to the magazine the Federal Employee, and which was published in the July number of that magazine, and which is as follows:

THE BUDGET SYSTEM—WHAT THE BUDGET SYSTEM IS AND WHAT IS PROPOSED UNDER IT DISCUSSED BY THE MAJORITY FLOOR LEADER OF THE HOUSE OF REPRESENTATIVES—THE BUDGET SYSTEM AS IT EXISTS IN OTHER COUNTRIES AND ITS ADAPTATION TO OUR OWN GOVERNMENT, AND THE SERIOUS SHORTCOMINGS IN OUR PRESENT PROCEDURE, ARE TREATED IN THE LIGHT OF AN INTIMATE KNOWLEDGE AND CLOSE GRASP OF THE SITUATION GAINED THROUGH YEARS OF FACE-TO-FACE EXPERIENCE WITH THE BIG PROBLEMS EVER PRESSING HARDER FOR A COMPREHENSIVE SOLUTION.

According to the dictionaries the word "budget" is derived from the French word "bougette," which means "a little bag." Among financial writers it is a term in common usage relating to the financial administration of governments, local and national, corporations, and other bodies which have to deal with the question of raising and expending money. The term was first used by the British, and according to tradition the pouch in which the chancellor of the exchequer carried his financial papers to Parliament was called "the budget."

THE BUDGET SYSTEM ABROAD—MUST VARY WITH CONDITIONS.

The budget system is quite commonly in vogue in all those countries which have the parliamentary form of government. As the foreigner understands the budget, it is the financial program prepared and presented to the legislature by the executive branch of the government

under the jurisdiction of the minister of finance. In these countries the members of the executive government are also members of the legislature, so that legislative approval of the budget means the approval of the work of the leaders of its own body. In such cases there would be little or no committee examination of the proposed expenditures before the estimates were laid before the legislature for final action.

It must be borne in mind, however, that there is no uniform and ideal budget system that can be put into effect in all countries. There are, indeed, certain general principles of financial administration which are recognized as being desirable, but the application of these to national institutions have given a great variety of budget plans. No two countries have exactly the same system.

BUDGET PLANS FOR OUR OWN GOVERNMENT OUTLINED.

The term as applied to the Government of the United States means the application of these principles to our system of financial administration in a way that will give us a procedure having many of the elements of the budget system as understood abroad, but at the same time would preserve our traditional conception of the relationship of governmental powers. In other words, not having a parliamentary system of government and having a Congress which under the Constitution is given the sole power and responsibility over the Public Treasury, it would not be possible for us to have a budget prepared entirely by the Executive and presented to Congress for action without change. It is true that under the Constitution the President may from time to time recommend to Congress measures for their consideration, and under this clause he could present a budget, but Congress, on the other hand, would, under the Constitution, be obliged to examine the budget and make it their own.

There have been many suggestions and several plans for a national budget system for our Government, and there is now quite a widespread interest for some reform along these lines. These suggestions and plans deal with three distinct phases of our financial procedure:

First, the preparation of the estimates of expenditure by the departments.

Second, the legislative procedure in making appropriations by Congress.

Third, the audit and control over the expenditure of the money by the various disbursing officers in the departments.

DEFECTS IN PRESENT SYSTEM OF HANDLING ESTIMATES.

It is quite generally agreed that the present method of preparing and presenting the annual estimates is unbusinesslike and unscientific and is conducive to extravagance and waste. Briefly, the existing procedure is as follows:

The various bureaus, boards, or offices of the Government some time in the late summer or early fall make up their own estimates as to what they desire to spend for the coming fiscal year. The head of each bureau is, of course, enthusiastic over the work of his organization and desires to see it expand and grow. This desire is translated into his estimates. The estimates for each bureau, or other subdivision, are next sent to the head of the department for sanction. Now the head of the department has no organization or machinery for the close scrutiny and revision of the estimates of his subordinates; therefore he gives formal approval to the estimates. It would be impossible for him to give them a personal examination, and it would be impossible for him in any case to pass valid judgment on estimates based on technical information. Furthermore, the head of the department has no particular responsibility for the estimates, since the whole thing will be thrashed out before a committee of Congress having jurisdiction over that department. This fact also has an influence on the bureau chief who prepares the estimates in the first place. It is the common practice to attempt to anticipate revisions by the committee by padding the estimates; that is to say, by estimating somewhat above the actual needs of the bureau.

Some time in October all the estimates for the Government are required to be transmitted to the Secretary of the Treasury, who is authorized to collate them and print them in what is known as the Book of Estimates. The significant feature of this procedure is that the Secretary of the Treasury has no power whatever to revise or to suggest revisions in the estimates. His work is purely formal. He is required by law to transmit the estimates to Congress, and when they reach Congress they represent not a scientific, businesslike financial statement of the rock-bottom needs of the Government for the coming fiscal year, but they represent in terms of finance the aspirations and the ambitions of the various bureaus and offices of the Government, each proceeding without reckoning with the needs of the other and the whole conglomeration being compiled without any relation to the prospective revenue of the Government.

Advocates of budget reform agree without exception that something should be done toward the creation of some centralized agency in the executive Government which would have the power in the name of the President to control the preparation of these estimates at their source; to coordinate them with each other and with the revenues; to revise them when necessary either by the enforcement of reductions or by complete elimination. There are several bills now before Congress containing this provision under the name of a budget bureau.

BRITISH SYSTEM IN COMPARISON WITH OUR OWN.

It may be interesting to compare the British procedure in the preparation of the annual estimates with our own. The British treasury is one of the oldest financial institutions in the world, and they have been proceeding under a budget system for several hundred years. It is given complete control in behalf of the taxpayers over the preparation of the annual estimates. It is divided into six divisions, each division having jurisdiction over a certain number of the government departments. At the head of each division is a financial expert, who has worked his way up in the civil service from lower financial positions. He is a man thoroughly familiar with the financial operations and the general work of the departments over which he is placed. He is in constant and direct communication with the officer in the bureau or office who is responsible for the finances of that bureau. He does not control the actions of this officer, nor has he any power to interfere with the operations of the office. His function is purely financial. The financial officer in the bureau is, however, responsible to the treasury in the first place for efficient financial administration. He can not evade this responsibility by obeying his political chief. He can absolve himself when he makes an expenditure against his conscience and judgment only by making a reservation in writing to the treasury, setting forth his objections. In the preparation of the estimates this officer consults the treasury official over him. He can not put any new item into the estimates of the year without first obtaining written sanction from the treasury. The treasury exercises the power of revision, reduction, and elimination, but only in matters not involving questions of government policy. With these latter the treasury has nothing to do. When the cabinet has decided on the expenditure of a certain sum of money for a given purpose it is the duty of the treasury to see that the estimates for the expenditure of this money are drawn up in a businesslike fashion in accordance with economy and efficiency. In this way when the British estimates are presented to Parliament they have already been carefully revised and reduced to as low a figure as the Government proposes to stand responsible for.

The budget bureau provided in the plans now before Congress is intended to accomplish the kind of result described above. The need for some such system of controlling the estimates of the departments is keenly felt at this time, when the Government is proceeding on such a tremendous scale of operation and when the burden of taxation on the people to meet these estimates is heavier than it has ever been before.

HOW CONGRESS DEALS WITH ESTIMATES AND APPROPRIATIONS.

The next step in our financial procedure is the consideration of the estimates by Congress and the passage of appropriation bills to meet the needs of the Government. In the early years of our governmental operations the estimates were submitted to one committee and were reported out and passed by Congress in the form of a single appropriation bill. At that time the Government was small and might easily be housed in a single moderately sized building. In the course of time estimates were divided up into a number of appropriation bills, until now we have 14 annual appropriation bills. At the close of the Civil War the Ways and Means Committee, which had had jurisdiction over both revenue and appropriations since 1796, surrendered its jurisdiction over appropriation bills to the newly created Appropriations Committee, and in 1885 the jurisdiction over appropriations was divided among the eight committees which now prepare and report appropriation bills. Each of these committees holds hearings on that portion of the estimates relating to the department over which it has jurisdiction. The departmental officials are called before the committee and examined in hearings, which are afterwards printed. At these hearings the members of the committee, under their constitutional responsibility, attempt to gain the information which will lead them to a proper decision on the questions involved. In other words, the duty of the committee is to write into an appropriation bill the actual amounts of money which the department must operate with during the coming year. The committee knows that it has not before it a real financial program, but, rather, requests for money in the shape of unrevised and uncoordinated estimates, and it finds itself in a very difficult position. With the operations of the Government spreading out into every field of activity and involving every form of mechanical and scientific technique, the committee is unable to criticize or judge intelligently the estimates for many of the bureaus.

This need is proposed to be met under present budget plans by giving to the committee an administrative organization of experts under the proposed reform of the control and auditing system, which will be discussed later.

SHOULD THERE BE MORE THAN ONE APPROPRIATIONS COMMITTEE?

One of the prevailing criticisms against the present system of congressional procedure is that there are too many committees having jurisdiction over finance, and that there is a lack of unity and cooperation between them. Suggestions have been made for a single budget or appropriation committee, and other suggestions have been made for a sort of superfinance committee, to be composed of the chairmen of the various committees having jurisdiction over finance, which would meet and consider the financial program as a whole and then apportion it out to the respective committees. If, however, the budget bureau is formally established with adequate powers of control over the estimates the need of committee coordination in Congress would be much less than it is now, for in that case each committee would be dealing with revised estimates representing the actual needs of the Government, and to that extent the committees would be relieved of much of their hardest work.

Although the single committee idea appears to be logically ideal, opinion varies as to whether it could efficiently do the work even though it were divided up into a large number of subcommittees. At any rate the establishment of a budget system would not begin with a change in the committee system. After the budget bureau is established and the audit system put under the control of Congress it will more clearly appear exactly what committee changes will be necessary. In a reform so important to the Government, involving as it were the very foundation of our administrative system and affecting the control over the expenditure of billions of dollars per annum and the taxation of the whole people, it would seem to be better policy to proceed with caution. It is quite possible to work out a budget system adaptable to our form of government and to our institutions without putting a logically complete scheme into operation at one time.

GOVERNMENT AUDIT SYSTEM SHOULD BE UNDER CONGRESS.

Practically all advocates of a national budget system agree that Congress should take over the control of the system of audit of the accounts of the Government.

Under our system the executive spends the money and also controls the auditing system which audits the executive accounts. There are six independent auditors, each appointed by the President and removable by him. While there has been no serious criticism of the work of our auditors it is considered poor business administration to have the executive audit his own accounts. Audit in the true sense implies a control from without, and it is the common practice of foreign Governments to have the legislature, which grants the money to the executive, control the system of audit. Under our system the Comptroller of the Treasury is also an executive officer, although it is his function to interpret the will of Congress in financial legislation to the executive departments. There are several plans before Congress dealing with this question. They quite generally agree on the following points:

First. That there should be a consolidation of the auditing force under one head official, who should exercise the functions of the present Comptroller of the Treasury and of an auditor general.

Second. That this officer should be regarded as an official of Congress, should hold office during good behavior, and should be removable therefrom only by vote of Congress.

Third. That the experts under him, who would be placed in the various offices of the Government where the money appropriated by Congress is being spent, should be at the call of the committees of Congress when the estimates for the department in question are under consideration.

This would give the committee at the hearings the expert assistance which they now lack. They would have there an officer thoroughly

familiar with the financial operations of the executive branch under consideration. He would not be a part of that branch but would in his work and in his viewpoint represent the legislative branch. In other words, he would be the eye of Congress on the disbursing officer and on the financial plans of the particular bureau or bureaus whose accounts he was assigned to audit.

ESSENTIALS OF BUDGET SYSTEM AND ANTICIPATED RESULTS.

These three features—the preparation of the annual estimates, the procedure in Congress in relation to them, and the control over the expenditures through an organization with powers of control and audit—constitute the essential elements of a modern budget system that can be applied under our form of government. Advocates of this system maintain that it would give us the following results:

First. A view of the finances of the Government as a whole at all stages of the procedure.

Second. The submission to Congress of a financial statement of the actual needs of the Government which has been prepared under the President's direction and upon his responsibility by a budget bureau.

Third. The consideration of these estimates by Congress with such revision of its rules as would provide for a consideration of the budget as a whole both in relation of department to department and of the total expenditures to the total revenues.

Fourth. It would put into the hands of Congress, through the consolidation of the control and auditing system, a highly expert and efficient organization, which would enable Congress to gain a clearer view of the financial operations of the Government.

The official at the head of this department would have the powers of the present Comptroller of the Treasury as well as the powers of an auditor general and would be the strong arm of Congress extending over the mechanical, technical, and scientific aspects of the detailed expenditures of all moneys appropriated out of the Public Treasury. This in brief is the sort of budget system which is likely to be adopted in this country.

BUDGET SYSTEMS ESTABLISHED RECENTLY IN MANY STATES.

It may be of interest to note that the movement for budgetary reform has gained considerable headway among the State governments. Since 1917 14 States have established budget systems for their financial administration, and 7 others have movements on foot in this direction, while several other States had budget systems before 1917.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield four minutes to the gentleman from Iowa [Mr. GOOD].

The SPEAKER. The gentleman from Iowa is recognized for four minutes.

Mr. GOOD. Mr. Speaker, it seems to me that budgetary legislation is an assured thing at this session of Congress. Both political parties have declared for it. Practically every chamber of commerce and board of trade in the United States has passed resolutions favoring it. The business interests of the country and the taxpayers, who are feeling the weight of taxation as they have never felt it before, are demanding that our system of finance shall be improved, in order that all waste, or as much waste and extravagance as is possible to eliminate, may be eliminated.

I think there is no question upon which people's minds differ so greatly as upon this very question. One man will say that we have a good system of Government finance. Another man will say that we have no system at all. Anyone who will study our system of appropriations and expenditures will come to the conclusion that it has serious defects, that it needs some radical changes; it needs to be perfected. But any man who says that we have no system at all knows absolutely nothing about the financial system of the United States and only reveals his ignorance. It does need to be improved by legislation. Now, we have at this time 10 bills and resolutions pending before four different committees of the House. Four of them are pending before the Committee on Rules, dealing largely with changes in the rules of the House, and those changes depend somewhat on legislation amending the statutes and making provision for estimates for appropriations and accounting. Two of them are pending before the Committee on Expenditures in the Treasury Department; two are pending before the Committee on Ways and Means; and two before the Committee on Appropriations. It must be obvious to anyone that we could never get legislation that would be worth anything if it were to come piecemeal from all of these various committees to which these bills were appropriately referred.

Now, this resolution simply does this: It authorizes the creation of a select committee that may take these bills and resolutions and all other measures which may hereafter be introduced dealing with this subject and study them and report to the House, not later than the 1st day of March, some bill or resolution changing the present method of making estimates and appropriations or of the control of appropriations. The extent to which that committee will change the existing laws will, of course, depend altogether upon the matter that is presented to that committee and the conclusions that it may arrive at. But it must be perfectly apparent that four committees of the House can not function upon this great question, and if we are to get the legislation that the country is demanding, that the taxpayers are demanding, that legislation must come from one committee that will have jurisdiction of the entire subject. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I move the previous question on the resolution and amendments.

The SPEAKER. The gentleman from Kansas moves the previous question on the resolution and amendments.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendments.

The Clerk will report the Garrett amendment.

Mr. KEARNS. Mr. Speaker, may we have the resolution reported again?

The SPEAKER. Without objection, the resolution will be reported again, with amendments, including the Garrett amendment.

The Clerk read as follows:

House resolution 168.

Resolved, That the Speaker of the House of Representatives is authorized and directed to appoint a special committee for the Sixty-sixth Congress, to be known as the select committee on the budget, to which shall be referred for consideration and report all bills, resolutions, and documents for the establishment of a national budget system or proposing changes in present methods of dealing with appropriations, estimates, and expenditures.

The committee shall consist of 12 members, of whom 7 shall be appointed from the majority party and 5 from the minority party.

The committee or any subcommittee thereof may sit during the sessions or recesses of the House, and may have done such printing and binding as may be necessary in connection with the performance of its duties.

The committees of the House of the Sixty-sixth Congress to which have been referred bills and resolutions dealing with the jurisdiction herein authorized shall be relieved from the consideration of such bills and resolutions and the same shall thereupon be referred to the special committee herein provided for.

The committee may report by bill or otherwise to the House of Representatives with any recommendations it shall choose to make and shall have the right to report at any time.

The SPEAKER. The Clerk will report the first amendment.

The Clerk read as follows:

First amendment: Page 2, line 3, strike out the words "shall be" and insert in lieu thereof "are hereby."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

On the same line strike out the word "relieved" and insert in lieu thereof the word "discharged."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Page 2, line 4, after the word "the" at the beginning of the line, insert the word "further."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Page 2, line 7, strike out the word "the" and insert in lieu thereof the word "shall."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Page 2, lines 9 and 10, strike out the words "and shall have the right to report at any time" and insert in lieu thereof the words "not later than March 1, 1920."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

On motion of Mr. CAMPBELL of Kansas, a motion to reconsider the vote whereby the resolution as amended was agreed to was laid on the table.

ASSESSMENT WORK ON MINING CLAIMS.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a privileged report from the Committee on Rules.

Mr. BROWNING. Mr. Speaker, I wish to make a unanimous-consent request before that is put.

The SPEAKER. Does the gentleman from Kansas suspend in response to the gentleman's request?

Mr. CAMPBELL of Kansas. Yes.

PERMISSION TO A COMMITTEE TO SIT DURING THE RECESS.

Mr. BROWNING. I ask unanimous consent that the Committee on Naval Affairs be permitted to sit during the recess of the House.

The SPEAKER. The gentleman from New Jersey asks unanimous consent that the Committee on Naval Affairs be permitted to sit during the recess of the House. Is there objection?

There was no objection.

ASSESSMENT WORK ON MINING CLAIMS.

The SPEAKER. The Clerk will report the privileged resolution submitted by the gentleman from Kansas [Mr. CAMPBELL].

The Clerk read as follows:

Resolved, That immediately upon the adoption of this resolution the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of H. J. Res. 150, to suspend the requirements of annual assessment work on mining claims during the year 1919. The said resolution shall be read; there shall be 20 minutes general debate—10 minutes by those favoring the resolution and 10 minutes by those opposing the resolution. At the conclusion of the general debate the resolution shall be read for amendments under the five-minute rule; at the conclusion of such consideration the committee shall rise, report the resolution, together with any amendments thereto, to the House. Thereupon the previous question shall be considered as ordered on the resolution and all amendments thereto to the final passage without intervening motion, except one motion to recommit.

Mr. CAMPBELL of Kansas. Does the gentleman from Tennessee [Mr. GARRETT] desire any time on this resolution?

Mr. GARRETT. No. It is a unanimous report.

Mr. CAMPBELL of Kansas. Mr. Speaker, this is a unanimous report from the Committee on Rules and a unanimous report from the Committee on Mines and Mining. The resolution explains itself. I move the previous question on the resolution.

The SPEAKER. The gentleman from Kansas moves the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

The SPEAKER. According to the wording of the resolution, the House automatically resolves itself into the Committee of the Whole House on the state of the Union. The gentleman from Connecticut [Mr. TILSON] will please take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of H. J. Res. 150, to suspend the requirements of annual assessment work on mining claims during the year 1919, with Mr. TILSON in the chair.

Mr. GARLAND. Mr. Chairman, I ask unanimous consent that the first reading of the joint resolution be dispensed with.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that the first reading of the joint resolution be dispensed with. Is there objection?

Mr. WALSH. I object.

The CHAIRMAN. The gentleman from Massachusetts objects. The Clerk will proceed with the joint resolution.

The Clerk read as follows:

Resolved, etc., That the provision of section 2324 of the Revised Statutes of the United States which requires on each mining claim located, and until a patent has been issued therefor, not less than $100 worth of labor to be performed or improvements aggregating such amount to be made during each year, be, and the same is hereby, suspended during the calendar year 1919: *Provided*, That every claimant of any such mining claim in order to obtain the benefits of this resolution shall file or cause to be filed in the office where the location notice or certificate is recorded, on or before December 31, 1919, a notice of his desire to hold said mining claim under this resolution: *Provided further*, That this resolution shall not apply to oil placer locations or claims.

SEC. 2. That this resolution shall not be construed to alter, modify, amend, or repeal the public resolution entitled "Joint resolution to relieve the owners of mining claims who have been mustered into the military or naval service of the United States as officers or enlisted men from performing assessment work during the term of such service," approved July 17, 1917.

With the following committee amendments:

Page 1, line 9, after the figures "1919," insert "*Provided*, That no such suspension shall be granted to any one claimant for more than five claims"; page 2, line 5, after the word "resolution," strike out "*Provided further*, That this resolution shall not apply to oil placer locations or claims."

The CHAIRMAN. The gentleman from Pennsylvania [Mr. GARLAND] is recognized for 10 minutes. The rule provides that 10 minutes shall be allowed in favor and 10 minutes in opposition. Is there any member of the committee in opposition to this resolution? If not, is there any Member of the House who desires to control the time?

Mr. WALSH. Mr. Chairman, I am opposed to the resolution.

Mr. WINGO. Mr. Chairman, I presume under the rule the Chair would be compelled to recognize some one on the Committee on Mines and Mining. The committee are unanimous. I have some requests for time on our side from members of the committee and one request from a gentleman who is not a member of the committee.

The CHAIRMAN. Under the terms of the rule 10 minutes are allowed to the opposition. If anybody claims it, the Chair will be compelled to recognize such opposition.

Mr. GARLAND. Mr. Chairman, this is a resolution for the purpose of suspending the doing of assessment work on metalliferous mining claims during the year 1919.

I suppose Members nearly all know that the method of taking up claims and developing mines in the West, especially metalliferous mining claims, is to locate the claim and then make a record of it in the local land office. The law then provides that there must be $100 worth of work done on that claim each year for five years or thereafter until such time as mineral may be found to warrant the patenting of the claim.

In the last Congress a bill was passed through both Houses relieving mining claimants from doing assessment work in 1917 and 1918. In a large number of the mining States the men went to war. They have not all got back yet. Another large number of them went to the shipbuilding industry and other industries at the call of their country to help get out ammunition and other things necessary for the war, and they have not all returned home yet. In fact, the conditions out there in those Northwestern States, especially where there has been so much drought, are not very inviting for people to rush back there when they can secure employment here in the East, as many of them have done, for the time being. All this makes labor very scarce in those States, and what labor there is is attempting to harvest such crops as may be gathered and to build houses and to develop the country and get it back to where it was before the war. That keeps everybody very busy, and as a consequence these men can not be spared from their work to do assessment work in justice to the community and to the States. To take them from their employment and have them go out into the hills and do their assessment work this year would take away man power amounting to several million dollars' worth of work in developing other industries. The Secretary of the Interior has advised that this legislation meets with his approval. It simply extends the time for doing the assessment work by suspension for this year. Next year they are required to do the assessment work just as though they had not owned the claim this year. And so on after that. For the reasons I have stated it is thought by the committee unanimously, after four days' hearing on this subject and listening to the testimony of many men from the western mining States, that this relief should be granted. I think this suspension should be made. [Applause.]

I reserve the remainder of my time.

Mr. WALSH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WALSH. Is it permissible under the resolution for the Member recognized to control the time in opposition to yield part of his time to gentlemen who are in favor of the resolution?

The CHAIRMAN. The Chair will so hold, provided there is no one asking for time in opposition.

Mr. WALSH. I am in opposition, and I have 10 minutes, but I desire to ask if I can yield part of my time to gentlemen who are in favor of the resolution.

The CHAIRMAN. The Chair would so hold, provided there was no one in opposition who wished the time. If anyone desired it, preference would be given to some one in opposition to the resolution.

Mr. WALSH. Under the ruling of the Chair, I will yield four minutes to the gentleman from California [Mr. RAKER].

Mr. RAKER. Mr. Chairman, I thank the gentleman from Massachusetts for yielding me the time. I am strongly in favor of this legislation. I introduced a resolution which went before the Committee on Public Lands, and was reported on favorably by the Department of the Interior. The gentleman from Oregon [Mr. HAWLEY] introduced a similar resolution, and there was a question of jurisdiction, and the gentleman from Oregon reintroduced the bill, and it went to the Committee on Mines and Mining. This legislation effects many mining men in California, and in particular the district which I have the honor to represent. I appeared before the Committee on Mines and Mining and gave them what information I had and urged the passage of this resolution.

The district I represent is the great mining district of the United States. We have many placer claims. This law, known as the "placer law," originated in the State of California, under the custom of the miners growing out of the development of placer mining in California. Under present conditions those who filed on their claims or had them in existence before the 1st of January, 1919, would be relieved of doing the assessment work for the year 1919.

The cost of mining material has advanced from 100 to 500 per cent. Mining camps have been abandoned and men have gone to other occupations. They had to. Gold has not increased in price, while every other commodity has increased from 100 to 500 per cent. Men are scarce. While these men are anxious to develop their claims, we think it would be justice to them and a benefit to the Government if they were relieved from doing the annual assessment work for this year.

There will be no injury to the Government, because next year they will be compelled to do the annual assessment work that they would have done this year were it not for the passage of this resolution. If the resolution passes to-day, we hope that it will get before the Senate so that the Senate may pass it before the end of the week, and then these mining men over the country will know what they have to do.

There is just one unfortunate provision in the bill, and that is the first amendment provided for by the committee. In 1918 we passed a joint resolution relieving all mining claimants of assessment work for the years 1917 and 1918 without any question as to the number of claims that any one man might own. This committee has reported a bill, and on page 1 provided an amendment that no such exemptions shall be granted to any one claimant for more than five claims.

Mr. RICKETTS. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. RICKETTS. I want to ask the gentleman whether or not they are required to do this assessment work in a period of five years.

Mr. RAKER. They can do it all the first year if they want to. If a man takes five years, if he does $100 a year and it runs for five years, then he can make his application for a patent.

Mr. RICKETTS. This bill relieving them from assessment work for this year does not relieve them from doing the $500 worth of work?

Mr. RAKER. It does not; it relieves them for this year, and the next year they will have to do the work that they were to do this year.

I hope that while the committee has been so generous in reporting the resolution it can see its way clear not to adopt this first amendment. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from California asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

Mr. WALSH. Reserving the right to object, the gentleman means the remarks he has just made on this resolution?

Mr. RAKER. Yes; I would like to revise and extend them a little on this subject.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GARLAND. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has 14 minutes remaining.

Mr. GARLAND. Mr. Chairman, I yield five minutes to the gentleman from Utah [Mr. WELLING].

Mr. WELLING. Mr. Chairman, this report comes to the House with the unanimous indorsement of the Committee on Mines and Mining, and I hope that the bill will be adopted. One phase of the question has not been discussed, and I want to call attention to it.

In the last Congress we passed a law providing for exemption for men in the military service from the necessity of doing assessment work on mining claims. That law had a provision in it which relieved the soldier from assessment work during the period of his service in the Army and until six months after such soldier is mustered out of the service or until six months after his death.

I want to call attention to this fact: Since the beginning of January and before the beginning of July we discharged from the military establishment in this country something like 2,000,000 men. Every one of these men who have mining claims under the provisions of the law which was passed last year exempting them from the necessity of assessment work will have to do that assessment work during 1919 unless this relief is granted. Whatever may be said as to mining claims in general, I am certain that Congress will want to grant this relief to the men who have been discharged between January 1 of this year and July 1 of this year, because if relief is not granted under the law these men will be obliged to do the assessment work this year, having been out of the service more than six months. I think there is absolutely no reason that can be advanced why this legislation should not be passed.

There is a great scarcity of labor in the mining regions to-day. The men who own these prospecting claims are to-day engaged in productive mining in the metalliferous mines of the West. We need gold, we need silver, we need copper. The prospectors very generally to-day are employed either on the farms or in the production of these precious and much-needed metals. The granting of this exemption, as has been very well stated, does not involve the expenditure of a dollar of Government money. It perhaps means the conservation of very great resources in the way of production of precious metals, which would not be produced if these miners were taken away from their productive employment and put to the relatively nonproductive employment of working these assessment claims. It does not involve giving them any special benefits, because under the laws they must do the amount of work required before they can prove up or make application for proof of a mining claim which they have taken. I trust there will be no opposition to the passage of the resolution.

Gentlemen will contend that this legislation lowers the bars to prospectors and encourages them to ask permanent release from their obligations. The committee does not want to do that, and anticipating that situation have expressly provided that no one man or company shall claim exemption for more than five claims.

We ask that this relief be extended to the oil locations because it is just. It was an injustice and a mistake to compel them to do assessment work last year, and the year before. That is doubly true because no man can point to a single oil placer location in my State or the West to-day that has yet succeeded in developing a producing property on the great shale deposits in that country. [Applause.]

Mr. GARLAND. Mr. Chairman, I yield two minutes to the gentleman from Colorado [Mr. VAILE].

Mr. VAILE. Mr. Chariman, I was satisfied of the merits of this resolution from the first day it was introduced, but I desired to hear from those directly engaged in all phases of the mining business. Accordingly I telegraphed, on the 17th of this month, to the secretary of the Colorado Metal Mining Association, asking whether in the judgment of his association the best interests of the mining industry and of mining communities would be served by suspending the requirement of annual assessment work during the current year.

Now, I want to say that the members of this association are all actively engaged in the mining industry and are men who under ordinary conditions have everything to lose and nothing to gain by failure to develop their mines or by failure to increase production. They are in the mining business, not the stock-selling business, and their living depends on the actual production from mines and the sale of the product at a reasonable profit.

As this association includes nearly everybody in the mining business in Colorado, of course it includes many large mine owners, but most of the members are small operators, men of very moderate means, for Colorado, notwithstanding her marvelous production of precious metals and her fabulous rich discoveries, is preeminently a State of small mines, whose ownership is scattered through every class of the community. Many mines affected by this resolution were located by very poor men who had grown old and weather-stained in tramping the hills, who had had few comforts and luxuries, and the best part of whose lives had been spent in studying the rear elevation of a pack burro.

And there are others who are young men just returned from the war, to whom we have indeed granted the privilege of suspended assessment work but with a proviso that extends it only for six months from their discharge. A great many of these have already been demobilized for many months and are without means. This resolution is primarily in the interest of the poor man.

The secretary of the Colorado Metal Mining Association, Mr. Tomblin, wired me as follows:

> Replying to yours of the 17th, many returning soldiers who are claim owners will be unable without great hardship to perform annual assessment work on mining claims this year. Labor shortage, high cost of material and supplies, together with general distressing conditions of the industry certainly warrant a suspension of assessment work again this year. Claim owners and mining men generally will appreciate your support of the pending resolution.

Supplementing what has been said by the gentleman from Utah [Mr. WELLING], I call attention to the fact that work done by returning soldiers in the latter part of the year will be done at a very great disadvantage. The soldiers have, as they should have, our very particular sympathy; but the sympathy should extend to everyone engaged in the mining industry, essential in peace and vital in war, which has suffered for the last two years as has no other industry in America. Everybody from the mining States knows that when mining operations are carried on at altitudes of 7,000 feet and more—and in Colorado there are many mines much higher than that—it means that

they are carried on at enormous difficulties and at very heavy expense. Snows are very heavy, and they will commence in another six weeks, and roads and trails will become impassible and supplies unobtainable. This is so under usual conditions, but we are not asking for a suspension of the annual assessment work on this account, but on account of unusual conditions brought on by the war and aggravated by the administration. The cost of mining has enormously increased. Wages have increased about 50 per cent since 1914. At that, the miner is certainly not overpaid, now that we are dealing with what is virtually a 50-cent dollar. The mine laborer does not get what he should have, but he gets as much and more than his employer can pay, because materials, powder, lumber, machinery, food for men employed in mining—everything, in fact, which enters into the conduct of the mining industry—has increased from 100 to 200 per cent over prewar prices.

As a result both employers and employees have in many localities quit the business. Smelting charges have very greatly increased. These things are all, perhaps, the natural result of war conditions, for which nobody is to be blamed, but which should nevertheless entitle those who have suffered from them to the consideration of the greatest and richest Government in the world.

There is another element of hardship, however, for which not the war but the administration is directly responsible. This is the enormous increase of freight rates on supplies to, and on ores from, the mines, coupled with burdensome and unnecessary traffic regulations. The mining industry early in June, 1918, protested against an increase of 25 per cent in freight rates, but instead of the increase being only 25 per cent it was doubled.

Added to this were regulations rigorously applying demurrage charges, which were especially burdensome as applied to narrow-gauge cars, as there were a surplus of these cars on the narrow-gauge roads. Many of them were idle anyhow, and their prompt release from the mines added nothing whatsoever to the efficiency of the railroad service as a whole. Many of these cars had to be placed at isolated loading points and often loaded by wagons traveling over snow-blocked roads. The demurrage charge had been adjusted by the railroads under private management with a view to the reasonable requirements of the industry. Its rigorous collection by the United States Railroad Administration was a serious blow to an already overburdened industry. I am not sure that this and other regulations particularly burdensome to the mining industry have been continuously applied up to the present date, but they succeeded in putting many mines out of business while they were in effect, and I understand that some of them are still in force.

I desire to state also that the excess-profits tax, while concededly of great benefit for the raising of revenue, bears harshly upon mines which have run for years on hope and which realized the hope just in time to have it taken away by a tax which made the patient sacrifices of years the very reason for depriving those sacrifices of their fruits.

There are other straws which broke the back of the mining industry in the Rocky Mountain States. I might say there was a whole straw stack of them.

Mr. Chairman, our mountains look to-day to Congress out of thousands of lifeless eyes, the tunnels and shafts of deserted mines—eyes which were once the "windows of the soul" of a happy, useful, and prosperous industry. They look to the Government for relief from conditions for which the administration is at least partly responsible.

Many men have worked for years and gone deeply in debt to "make their stake" in mining only to see it wiped out as soon as made by war conditions and Government exactions. Many other men have located mines in good faith and performed their annual assessment for three or four years, and if they are not now relieved by this resolution, will find that their labor enures only to the benefit of other men who have made no sacrifice and incurred no risk, but who, through the advantages of ready cash, are able to relocate their property and perform the assessment work.

Finally, Mr. Chairman, let me suggest that the annual assessment is not a payment to the Government. It is a wise provision of the law to compel development, to encourage industry, and to promote production. But the requirement of the annual assessment work for this year will not compel development. It will compel only waste—economic waste—by requiring money to be spent where it can do the least good, where, at present costs, it will buy the very least of progress. It will not encourage industry. It will take men away from productive and useful employment, compelling them, in order to save what they have, to engage in nonproductive and almost useless employment; it will not bring any mining prospect appreciably nearer the stage of profitable production. In short, the requirement of the annual assessment work in mines during the year 1919 is an economic waste and an industrial wrong. [Applause.]

The CHAIRMAN. The time of the gentleman from Colorado has expired.

By unanimous consent Mr. VAILE was granted leave to extend his remarks in the RECORD.

Mr. WALSH. Mr. Chairman, I am opposed to the provisions of this resolution, and I opposed it when the legislation was under consideration in 1917 in the last Congress. Certainly the reasons that impelled the Congress to enact this resolution, which is to relieve miners who have entered claims and agreed to do a certain amount of work from their obligations, ought not now to be considered in extending the time now that peace has come. The truth of the matter is that there are a lot of men who have got claims out in this western country who are compelled to do a certain amount of work, but who find that they can make more money somewhere else, and they get these jobs somewhere else, and they know that if they want to keep the claim they have to go back there and do $100 worth of work, and this is a proposition to relieve them. They say there is a stringency in the labor market. We have been told by high authority that in the Western States there are thousands of men, many of whom are returned soldiers, wandering around there looking for employment. We have even had tabulated statements from the Department of Labor, which wanted to get a $2,000,000 appropriation to take care of these men who have come back here. While there may have been reasons to relieve them from this requirement when they were fighting, when they were in the military forces, I say that the time now has come to require them to keep their agreement and the understanding that was had when they filed those claims, that they should go back there and proceed to work them; and if not, they should abandon their claims and let other men who may be waiting enter upon the claims and do the amount of work that is necessary. The question of whether gold is high or low or plentiful has nothing to do with it. It is a part of the law of the land that these people who file claims out there should do a certain amount of work each year, and this is letting down the bars and is furnishing a basis for coming in here and making permanent legislation of this character relieving them from all requirements that they should do the work. Heretofore we have provided that it should not apply to oil placer locations or claims. That proviso is stricken out here, and now we find that after the war is over, when the men are no longer in the military or the naval service, when while during the war oil placer locations were not entitled to benefits of legislation such as this, that now that the war is over they are going to be given the benefits of having this restriction lifted. I am opposed to passing this resolution.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired. All time has expired. The Clerk will read the resolution for amendment.

The Clerk read as follows:

Resolved, etc., That the provision of section 2324 of the Revised Statutes of the United States which requires on each mining claim located, and until a patent has been issued therefor, not less than $100 worth of labor to be performed or improvements aggregating such amount to be made during each year, be, and the same is hereby, suspended during the calendar year 1919: *Provided*, That every claimant of any such mining claim in order to obtain the benefits of this resolution shall file or cause to be filed in the office where the location notice or certificate is recorded, on or before December 31, 1919, a notice of his desire to hold said mining claim under this resolution: *Provided further*, That this resolution shall not apply to oil placer locations or claims.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 1, line 9, after the figures "1919," insert "*Provided*, That no such suspension shall be granted to any one claimant for more than five claims."

Mr. RAKER rose.

Mr. WALSH. Well, the gentleman has to make some motion.

Mr. RAKER. Oh, no; there is a committee amendment pending.

Mr. WALSH. The gentleman wants to talk to the amendment?

Mr. RAKER. Yes.

Mr. WALSH. I have a perfecting amendment.

Mr. RAKER. To this one?

Mr. WALSH. I desire to offer a perfecting amendment if the gentleman has no motion to offer.

Mr. RAKER. Then, I move to strike out the last word.

Mr. WINGO. But the gentleman does not have to do that. The committee amendment has been reported by the Clerk, and the gentleman has a right to speak against the committee amendment.

Mr. WALSH. He has not stated for what purpose he takes the floor.

Mr. WINGO. Yes; he has. The presumption is that it is either for or against the committee amendment.

Mr. WALSH. If the gentleman takes the floor, he should state the purpose for which he takes the floor.

The CHAIRMAN. The gentleman has not stated his purpose.

Mr. RAKER. I am opposed to the amendment.

The CHAIRMAN. The gentleman will proceed.

Mr. RAKER. Mr. Chairman and gentlemen, the proviso, so it may be clear, provided that no such suspension shall be granted to any one claimant for more than five claims. This is new. It is not in the suspension for 1917 and 1918. I think it is well to state here that the committee may know that on all filings made this year no assessment work will have to be done, but the man has all of 1920 to do his assessment work. Only those claims that are valid or held to be valid on the 31st of December, 1918, will be affected by this legislation, and they will have to do the assessment work for this year 1919 on all valid claims existing on the date named. Now, of course, the larger percentage of the claims are individual, individual miners and prospectors, the men who have developed the West, who have gone out into this new country, who have gone through all the hardships it is possible for a man to go through in prospecting for minerals; they have been the ones who have discovered these valuable minerals. Aid should be given those people that the claim might be worked and might be properly developed. There has been large development of placer mining and hydraulic mining. Expensive mills have been placed upon the property in many instances. Now, there are a number—two or three in my district that I know of personally—that have a number of claims; in some instances more than five claims. They should all be protected and given the benefit of the provision of this resolution. The Mammoth Copper Co. in northern California have obtained their claims in a legitimate way and have paid a good price for them to the prospector, who receives the benefit. They have large works upon those claims. They have been compelled to shut down in the last two months on account of men, on account of material, and upon the question of the reduction in price. Now, there is no need, there will be no need, to require those men this year to do that $100 work of assessment on their claims, even if they do hold more than five claims. The Government is amply protected, and next year those men who maintained their claims will have to do the $100 work of assessment. And I want to say to my friend from Massachusetts [Mr. WALSH] that we have never failed, nor do I believe we ever will fail, to do away with the actual assessment work on these mining claims that have been in operation since 1872 and which has worked well and is a beneficial law. It says when a man does assessment work on an honest claim it gives an opportunity of properly developing the mine to men of small means who go out and discover that which no man knew of before and to place a new article upon the market of value to this country. I want to see the legitimate prospector protected. He is the man who has made good. He has done much for his country. He risks his all. Give him a chance. The same can be said for the man or men who expend their money in developing these mining claims by actually working them. It is a very large risk at best.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WALSH. Mr. Chairman, I move to amend the committee amendment, line 10, by striking out the word "five" and inserting the word "three."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. WALSH: Page 1, line 10, strike out the word "five" and insert in lieu thereof the word "three."

Mr. WALSH. Mr. Chairman, I think we ought to restrict this as much as possible, and it seems to be the disposition of the committee to pass this resolution. I do not think there ought to be any individuals or combination of individuals, and I understand there may be, who own a large number of claims out in that western country who ought to be relieved from all work upon their claims, and I think it is reasonable to insist that if they have more than three claims that they must do some work upon some of them, and I provide that they shall be relieved from work upon three of them. That is the purpose of offering the amendment.

Mr. VAILE. Mr. Chairman, I would like to be heard for a moment in opposition to the amendment.

Mr. WELLING. Mr. Chairman, I would like to be heard in opposition to the amendment.

The CHAIRMAN. The Chair will recognize the gentleman from Utah [Mr. WELLING].

Mr. WALSH. Mr. Chairman, has my five minutes expired?

The CHAIRMAN. It has not; the gentleman had yielded the floor.

Mr. WALSH. I just turned around to return to my place.

The CHAIRMAN. If the gentleman had not yielded the floor, his time had not expired.

Mr. WALSH. Of course, Mr. Chairman, whether we make it five or three it would not very seriously affect the Anaconda Copper Co. or any of those large corporations that own mines or which have control of mines by their being held by individuals, and to say that if a man has five claims in a certain region that he can go off and hold them in suspension for three successive years—that is what it will be now—and do no work upon them, it seems to me to be hardly advisable. Now, if the man may have one or two or perhaps three claims, I submit that three would be a more proper number than five. That was the purpose of offering the amendment, not to cover too much territory in letting down these bars in this way for the third successive time. Now, the gentleman from California makes always the same argument on this measure, and that is that next year they will do their work. That is what he told us the last time we passed the bill. That is what he tells us now, that if we pass it this time, next year they will go back and do the work. I think the gentleman from California will be here in the year 1920 indorsing legislation similar to this and making the same argument that if we pass this now in 1921 they will have to do the work.

Mr. WELLING. Mr. Chairman, referring to the prophecy just made by the gentleman from Massachusetts [Mr. WALSH] as to what would be asked hereafter by the mining interests of the West, I do not believe anybody from the mining regions of this country will come here asking for permanent release from the necessity of assessment work. The law has stood the test of over 30 years, and the mining people of the West approve of it. The committee offered the amendment that is now before the House for the very purpose of seeing to it that only those who had a limited number of claims and were most entitled to relief should be protected under this law. The gentleman from California refers to the fact that the Mammoth Copper Co. has more than five claims. The Mammoth Copper Co. sounds big enough to me to have enough money to do its assessment work if they have more than five claims, and that is true also of the Utah Copper Co., or any other holders of a large number of claims.

Mr. EVANS of Nebraska. Will the gentleman yield?

Mr. WELLING. I will.

Mr. EVANS of Nebraska. What is the size of a mining claim?

Mr. HAWLEY. Six hundred by one thousand five hundred feet.

Mr. MAYS. The size of a mining claim is 600 by 1,500 feet, or 20.4 acres, and five claims would be five times 20, or 100 acres.

Mr. EVANS of Nebraska. What amount of work has to be done in order to entitle one to a patent?

Mr. WELLING. One hundred dollars' worth of work each year for five years.

Mr. EVANS of Nebraska. So with $500 worth of work they can get a patent without regard to their doing more work or not?

Mr. WELLING. Of course, there must be a valid discovery.

Mr. EVANS of Nebraska. Mineral in place. If they have not mineral in place they can not get it?

Mr. WELLING. They can not get it unless they have done $100 worth of work each year for five years, or they may have done $500 worth of work during any lesser period of time. They must also comply with the law providing for surveys, discovery, and so forth.

Mr. EVANS of Nebraska. So all that the Mammoth Copper Co., which has done a lot of work, has to do is to get its patent?

Mr. WELLING. If they have not done their assessment work and own more than five claims, under this resolution they have got to do the work and ought to do the work, but I think it ought to be limited as the committee has limited it, after careful investigation, to five claims, rather than to cut it down to three claims, as proposed in the amendment of the gentleman from Massachusetts [Mr. WALSH].

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Massachusetts [Mr. WALSH].

Mr. ROBSION of Kentucky. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. ROBSION of Kentucky. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. ROBSION of Kentucky. Mr. Chairman and members of the committee, I do not live in the West. I come from Kentucky, and have no personal interest in any mining claims. This proposition is brought to us by the Members from the Western States. It does not take from the Federal Government a cent. It does not involve the Government at all. If any person is injured by this action it is the people of the Western States themselves, and the Members from the Western States come to us and say that this ought to be done. We had four days of very extensive hearings on this bill. No opposition developed from any source. Everybody agreed that it was a good thing and a thing that ought to be done.

Now, we did limit the benefits of this bill to persons holding as many as five claims. This bill helps the locator, the miner in the Western States, and is limited to five claims, so that you do not help to protect the big grabber of a great number of claims. The locator and the common miner out in the Western States, because of the conditions of the country during the war, had to leave his section and go to Spokane, and other places, and do war work. Now, that disorganization brought on such a condition that unless you give these locators this relief—and many of them have given, perhaps, two, three, and four years' work on their claims—they will lose the two or three or four years of work that they have already done on their claims.

As I have said, it does not hurt the Government. It does not hurt the country. It does not hurt the development of the West, but it permits that labor to go into active developments that are already made in that country and, on the whole, will help the country. The western Members who are affected say it is a good thing, and say we ought to pass it. And my friend from Massachusetts [Mr. WALSH] is like myself, in that he does not know about this. If he did, I am sure he would not make this opposition to it.

I thank you. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. MONAHAN of Wisconsin. Mr. Chairman, I am a member of the committee, and there is just one thing I wanted to ask.

Mr. ROBSION of Kentucky. I yield to the gentleman.

Mr. MONAHAN of Wisconsin. Is it not a fact that this amendment was put in in the interest of the laboring man, the miner who works with his hands out there, and not in the interest of, as they call him, the big "claim hog"?

Mr. ROBSION of Kentucky. Exactly. It is to help these poor men, the locators, who were obliged to go into other industries during the war.

Mr. VAILE. Is it not a fact that there are thousands of poor men who have as many as four or five claims all through the West?

Mr. ROBSION of Kentucky. The hearings show that these poor, small locators are distributed throughout the Western States, and this bill is one that helps that class of people and not the big fellow.

The CHAIRMAN. The question is upon agreeing to the amendment offered by the gentlemen from Massachusetts [Mr. WALSH].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question is on agreeing to the committee amendment.

The question was taken, and the committee amendment was agreed to.

The CHAIRMAN. The Clerk will read the next committee amendment.

The Clerk read as follows:

Page 2, line 5, after the word "resolution" strike out the remainder of the paragraph.

Mr. WALSH. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Massachussets rise?

Mr. WALSH. I rise in opposition to the committee amendment.

I desire to ask the chairman of the committee the reason the committee for the first time permits this legislation to apply to oil-placer locations?

Mr. GARLAND. I can answer that question by saying that when the other bill, the first bill, extending the time for making the assessment work, in 1917 and 1918, came into this House it contained exactly this provision. So it is not the first time that the committee reported it in that way. Now, a great many shale-oil placer claims have been made up in Colorado. Oil claims are practically operated under this same rule. Assessment work must be done and proven, and so forth. For that reason the claim is made that labor is scarce there, and just as much loss will occur to the claimant in that case if you do not give the relief this year as would occur in any other place.

Mr. TAYLOR of Colorado. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield to the gentleman from Colorado?

Mr. WALSH. Yes; I yield to the gentleman from Colorado.

Mr. TAYLOR of Colorado. I will say to the gentleman from Massachusetts that the Mines and Mining Committee, of which I was a member for many years, has never been in favor of making any discrimination in annual assessment work between oil placer claims and any other kind of placer or lode claims, and there is no reason now why one should be exempt and another not. The last time this bill was passed by the House, in 1917, the gentleman from Wyoming [Mr. MONDELL] inadvertently, I think, made the motion on the floor of the House to amend the bill to exempt oil placer claims from the suspension, and his amendment was adopted, and so the oil placer claims have been required to do the annual work during the past two years that all others have been relieved from.

Mr. WALSH. There was not anything inadvertent about it. He made a strong speech in support of his motion to strike it out.

Mr. TAYLOR of Colorado. I say "inadvertently," because immediately afterwards he introduced a bill himself to exempt the oil placer claims from assessment work, and he tried industriously to pass it, but failed to do so. The oil placer claimants throughout the West have ever since felt that Congress acted unjustly and without any warrant whatever in discriminating against them that way; so that the committee in this bill is treating all mining claims alike, both placer and lode, and putting them all on the same basis. I have received many protests against this bill and many urgent requests for its passage, and every reason given for its passage applies as much to oil placers as it does to any other placers or to lode claims. The scarcity of labor applies as much in one case as in the other. And the high cost of everything enters into all of them alike. I hope the committee amendment will be adopted, and that the House will extend the same relief to all placer and lode claimants. Congress must pass this bill for the returning soldiers, and all mining claimants will be relieved if the bill is made general for this year.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. WALSH] has expired. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. That this resolution shall not be construed to alter, modify, amend, or repeal the public resolution entitled "Joint resolution to relieve the owners of mining claims who have been mustered into the military or naval service of the United States as officers or enlisted men from performing assessment work during the term of such service," approved July 17, 1917.

Mr. GARLAND. Mr. Chairman, I move that the committee do now rise and report the joint resolution back to the House with the amendments, with the recommendation that the amendments be agreed to and that the joint resolution as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration House joint resolution 150, to suspend the requirements of annual assessment work on mining claims during the year 1919, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the joint resolution as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put the amendments in gross. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the House joint resolution.

Mr. WINGO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WINGO. At what stage will the amendment to the title be in order?

The SPEAKER. After the joint resolution is passed.

The House joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the House joint resolution.

Mr. WALSH. Mr. Speaker, I move to recommit the joint resolution to the Committee on Mines and Mining.

The SPEAKER. The gentleman from Massachusetts moves to recommit the joint resolution to the Committee on Mines and Mining. The question is on agreeing to that motion.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. WALSH. Mr. Speaker, I ask for a division.

The SPEAKER. A division is demanded. Those in favor of the motion to recommit will rise and stand until they are counted. [After counting.] One gentleman has risen. Those opposed to the motion to recommit will rise and stand until they are counted. [After counting.] One hundred and three gentleman have risen.

So the motion was rejected.

The SPEAKER. The question is on the passage of the joint resolution.

The joint resolution was agreed to.

The SPEAKER. Is an amendment to the title offered? Without objection, the title will be amended to conform to the text of the bill.

Mr. WINGO. I suspect the amendment proposed to the title will hardly be cured by the suggestion of the Chair. There is a committee amendment.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Amend the title so as to read: "Joint resolution to suspend the requirements of annual assessment work on certain mining claims during the year 1919."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

On motion of Mr. GARLAND, a motion to reconsider the vote whereby the House joint resolution was agreed to was laid on the table.

Mr. BLANTON. Mr. Speaker——

AMENDMENT OF NATIONAL BANKING LAWS.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a privileged report from the Committee on Rules.

The SPEAKER. The gentleman from Kansas submits a privileged report from the Committee on Rules, which the Clerk will report.

The Clerk read as follows:

House resolution 221.

Resolved, That immediately upon the adoption of this resolution it shall be in order for the House to consider under the general rules of the House H. R. 7478, a bill "To amend section 5200 of the Revised Statutes of the United States as amended by the acts of June 22, 1906, and September 24, 1918."

Mr. CAMPBELL of Kansas. Mr. Speaker, this is a unanimous report from the Committee on Rules, making in order a bill upon which I think the committee report was unanimous from the Committee on Banking and Currency. Is there any desire for debate on the rule?

Mr. POU. There is no desire on this side.

Mr. CAMPBELL of Kansas. Then, Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. BLANTON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Texas rise?

Mr. BLANTON. I have a privileged resolution which I desire to submit.

Mr. PLATT rose.

The SPEAKER. This resolution is privileged. This resolution makes it in order to consider the bill referred to. The Chair recognizes the gentleman from New York [Mr. PLATT]. Is this bill on the Union Calendar?

Mr. PLATT. It is on the House Calendar.

The SPEAKER. The gentleman from New York [Mr. PLATT] calls up House bill 7478 on the House Calendar, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That section 5200 of the Revised Statutes of the United States as amended by the acts of June 22, 1906, and September 24, 1918, be further amended to read as follows:

"SEC. 5200. The total liabilities to any association of any person or of any company, corporation, or firm for money borrowed, including in the liabilities of a company or firm the liabilities of the several members thereof, shall at no time exceed 10 per cent of the amount of the capital stock of such association, actually paid in and unimpaired, and 10 per cent of its unimpaired surplus fund: *Provided, however*, That (1) the discount of bills of exchange drawn against actually existing values, (2) the discount of commercial or business paper actually owned by the person, company, corporation, or firm negotiating the same, (3) the discount of bills or notes secured by shipping documents, warehouse receipts, or other such documents conveying or securing title covering readily marketable nonperishable staples, including live stock, when the actual market value of the property securing the obligation is not at any time less than 110 per cent of the face amount of the bills or notes secured by such documents and when property is fully covered by insurance, and (4) the discount of any note or notes secured by not less than a like face amount of bonds of the United States issued since April 24, 1917, or certificates of indebtedness of the United States, shall not be considered as money borrowed within the meaning of this section. The total liabilities to any association, of any person or of any company, corporation, or firm upon any note or notes purchased or discounted by such association and secured by bonds or certificates of indebtedness as described in (4) hereof shall not exceed (except to the extent permitted by rules and regulations prescribed by the Comptroller of the Currency, with the approval of the Secretary of the Treasury) 10 per cent of such capital stock and surplus fund of such association and the total liabilities to any association of any person or of any company, corporation, or firm upon bills and notes secured in the manner described and authorized under (3) hereof shall not at any time exceed 15 per cent of the amount of the association's paid-in and unimpaired capital stock and surplus. The exception made under (3) hereof shall not apply to the bills or notes of any one person, company, corporation, or firm for more than six months in any consecutive 12 months.

With the following committee amendments:

Page 2, line 5, after the word "values," insert "including drafts and bills of exchange secured by shipping documents conveying or securing title to goods shipped, and including demand obligations when secured by documents covering commodities in actual process of shipment, and also including bankers' acceptances of the kinds described in section 13 of the Federal reserve act."

Page 2, line 13, after the word "of," strike out "bills or."

Page 19, after the word "the," strike out "bills or."

Page 2, line 22, after the word "bonds," insert the words "or notes."

Page 3, line 3, after the word "bonds," insert the word "notes."

Page 3, line 10, after the word "firm," strike out the words "upon bills and notes secured in the manner described and authorized under (3) hereof shall not at any time exceed 15 per cent of the amount of the association's paid-in and unimpaired capital stock and surplus. The exception made under (3) hereof shall not apply to the bills or notes of any one person, company, corporation, or firm for more than six months in any consecutive 12 months," and insert in lieu thereof the following: "for money borrowed, including the liabilities upon notes secured in the manner described under (3) hereof, shall not at any time exceed 25 per cent of the amount of the association's paid-in and unimpaired capital stock and surplus. The exception made under (3) hereof shall not apply to the notes of any one person, company, corporation, or firm for more than six months in any consecutive 12 months."

Page 4, insert a new section, as follows:

"SEC. 2. That section 5202 of the Revised Statutes of the United States as amended by section 20, Title I, of the act approved April 5, 1918, be further amended so as to read as follows:

"'SEC. 5202. No national banking association shall at any time be indebted, or in any way liable, to an amount exceeding the amount of its capital stock at such time actually paid in and remaining undiminished by losses or otherwise, except on account of demands of the nature following:

"'First. Notes of circulation.

"'Second. Moneys deposited with or collected by the association.

"'Third. Bills of exchange or drafts drawn against money actually on deposit to the credit of the association, or due thereto.

"'Fourth. Liabilities to the stockholders of the association for dividends and reserve profits.

"'Fifth. Liabilities incurred under the provisions of the Federal reserve act.

"'Sixth. Liabilities incurred under the provisions of the War Finance Corporation act.

"'Seventh. Liabilities created by the indorsement of accepted bills of exchange payable abroad actually owned by the indorsing bank and discounted at home or abroad.'"

Mr. PLATT. Mr. Speaker, this is a bill to amend the national banking act in the provision known as section 5200 of the Revised Statutes, which provides that no national bank shall loan to one person, firm, or corporation an amount that is more than 10 per cent of its capital stock and surplus.

The act has been amended a number of times by making necessary exceptions, and it never has been literally enforced with regard to all classes of bank paper. For instance, the discount of "commercial or business paper actually owned by the person, company, corporation, or firm negotiating the same" has long been an exception. And more recently, on the recommendation of the Secretary of the Treasury, an exception was made of notes based upon Liberty-bond collateral and United States Treasury certificates; so that the banks can loan to any one person practically an unlimited amount under regulations made by the Comptroller of the Currency on that kind of collateral. The discount of bills of exchange drawn against "actually existing values" has for many years been one of the exceptions stated in the law, but recently the Comptroller of the Currency has made certain rulings which have narrowed the application of the statute so that a good many banks have been prevented, or have thought themselves prevented, from doing business which they have always done and which has generally been regarded as safe. For instance, the words "actually existing values" have been so interpreted as to shut out sight drafts, on which cotton and wheat have been financed largely in the primary markets, so that the banks were held down practically to a 10 per cent limit. Now it is obvious that when thousands of bales of cotton are being handled, or thousands of bushels of wheat, if drafts are drawn on a small bank of $100,000 or less capital, and that bank is held down to only 10 per cent of capital and surplus to one person, firm, or corporation, it can finance the marketing of only a small part of the commodities of the neighborhood, unless through a large number of buyers.

The banks have regarded these transactions as exchange transactions and not as loans, and they have been, generally speaking, I think, exchange transactions. The banks, for instance, have charged no interest, but one-tenth of 1 per cent for exchange—that is, for furnishing the cash. The transaction is generally that the farmer or grower brings in his cotton or his wheat to market and the buyer purchases it. The grower then draws a draft on the purchaser which is taken to the local bank, and the local bank furnishes the cash which is paid over to the farmer, and the purchaser accepts the draft. There must always be shipping documents attached to the draft, and if those shipping documents make certain that the goods are in transit, moving out of that territory to the larger place where the money is furnished to carry the goods farther, the transaction is perfectly safe and has been carried on for many years without any objection. There have been discovered some cases where commodities have been held possibly for speculation on sight drafts which when accepted become due, so that the drafts when so held in the banks have become, as the comptroller puts it, loans instead of drafts. That practice should be guarded against. We have guarded against it by making our amendment include drafts and bills of exchange only when "secured by shipping documents conveying or securing title to goods shipped, and including demand obligations when secured by documents covering commodities in actual process of shipment"; so that the goods must be in transit going from the primary market on the way to final consumption.

A good deal of cotton, wheat, and other staples have been carried on warehouse receipts. The banks have carried these commodities on warehouse receipts above the 10 per cent limit on time drafts or obligations of that kind, and that is a perfectly sound transaction if properly limited. In order to make sure that that shall not be discriminated against we have put in a third exception, which provides that "the discount of notes secured by shipping documents, warehouse receipts, or other such documents conveying or securing title covering readily marketable nonperishable staples, including live stock," shall not be counted as money borrowed within the meaning of the 10 per cent limit, but we have put a new limit on this class of loans to one person, firm, or corporation of 25 per cent of capital and surplus of the banks making the loan.

This is a new provision, while the amendment above, referring to drafts and bills of exchange, is rather a definition of language long in the law—a partial definition of the words "actually existing values."

On this class of loans, where the commodity is carried for a certain length of time, we require a margin. The collateral must be 110 per cent of the face amount of the notes, and these loans to one person, firm, or corporation are not to extend more than 6 months in any one period of 12 months—a necessary limitation to prevent tying up the funds of a bank in speculation.

Then, we have added as a second section to the bill an amendment to section 5202, Revised Statutes, which refers to the obligations of the bank itself, not of an individual to the bank. For instance, the national banking laws have long prescribed that no national banking association shall at any time be indebted to an amount exceeding its capital stock. But, of course, certain obligations had to be made exceptions. For instance, notes in circulation, which are an obligation of the bank; moneys deposited with or collected by the association. As everybody knows, many banks having a capital, we will say, of $100,000 have deposits of $1,000,000 or more. A deposit is a liability and that means that the bank is liable right there for ten times its capital.

Mr. JONES of Texas. According to the gentleman's judgment, will this provision for commodities in actual process of shipment include products on board the cars preparatory to shipment, where they have simply been loaded on the cars and yet the shipment has not started?

Mr. PLATT. Provided the shipping documents are attached to the draft, it will unquestionably include them.

I was speaking when interrupted of the second section of the bill, with regard to liabilities of the bank itself, and saying that deposits were one exception to the limitations. Then bills of exchange drawn against money actually on deposit to the credit of the bank are a third exception.

A fourth exception consists of liabilities to stockholders of the association or bank for dividends and reserve profits.

A fifth exception is liabilities incurred under the provisions of the Federal reserve act. Obviously the whole success of the Federal reserve act depends on that. The rediscounting of notes with Federal reserve banks creates a contingent liability of the banks rediscounting. They have to indorse them, so that this class of liabilities had to be made an exception.

A sixth exception, similar to the last, was put in by the War Finance Corporation act in 1918, making an exception of obligations incurred under that act.

Seventh—and this is all there is new in this section—an exception is now made of "liabilities created by the indorsement of accepted bills of exchange payable abroad actually owned by the indorsing bank and discounted at home or abroad."

The committee's report gives very full information on this. There is no limit on the number of bills of exchange, payable abroad, a bank may purchase, and no reason why it should not rediscount or sell the bills of exchange, but in order to rediscount or sell them the bank must indorse them and incur a contingent liability. The provision is very necessary if our banks are to serve their purpose in financing our foreign trade. And I may say right here that foreign banks as a rule are not hedged about by these numerous limitations that apply to our banks.

Mr. JONES of Texas. Will the gentleman yield?

Mr. PLATT. Yes.

Mr. JONES of Texas. What was the committee's reason for striking out the words "bills or," page 2, line 13, and again in line 19?

Mr. PLATT. The committee's reason for striking that out and leaving in the word "notes" was so that the exception would not seem to support any ruling that these were not always proper under suitable restrictions.

Mr. JONES of Texas. I wish the gentleman would explain that a little further.

Mr. PLATT. In the theory of most bankers the ruling of the comptroller has narrowed the law and ruled out practices long in existence, and which, if properly limited, are generally regarded absolutely safe and legitimate. We amplified exception 1 by mentioning bills of exchange, and so forth, and in exception 3 we mentioned "notes" by way of contrast. I do not think the amendment of great importance, but there is an obvious difference in the transactions.

Mr. JONES of Texas. The italicized words in section 1 would cover what was originally intended in section 3.

Mr. PLATT. That is the idea. The striking out of "bills" in exception 3 is not particularly important, because a bill and a note may be said to be the same thing; but they are not always the same thing.

Mr. WOODS of Virginia. Will the gentleman yield?

Mr. PLATT. Certainly.

Mr. WOODS of Virginia. In line 20, page 2, it says "when such property is fully covered by insurance." In actual practice these commodities are not usually covered by insurance, are they?

Mr. PLATT. They should be, surely, to make the banks safe in the case of commodities covered by warehouse receipts, to which this exception particularly applies.

Mr. WOODS of Virginia. If they are where they are covered by warehouse receipts; but I am speaking of the commodities in transportation.

Mr. PLATT. If the commodity should be live stock, you should have the insurance required.

Mr. WOODS of Virginia. Would not the liability of the carrier protect it, and would it not be inconvenient to get the insurance policy to deposit with the draft?

Mr. PLATT. While in transit the carrier is responsible, and that might be held to be insurance.

Mr. WOODS of Virginia. This provides that they shall be insured.

Mr. PLATT. That means and applies more to commodities in the warehouse than in shipment. Exception 3 is meant to cover that particular matter.

Mr. ROBSION of Kentucky. Will the gentleman yield for a question?

Mr. PLATT. I will.

Mr. ROBSION of Kentucky. I wish the gentleman would explain briefly to what class of loans the 25 per cent limit applies, and in that connection he might state whether the 10 per cent is limited to any class of loans.

Mr. PLATT. The 10 per cent applies, for instance, if you go to a bank with your personal note and want to borrow money, even if you have got collateral; you can use railroad bonds or any perfectly good collateral. You can borrow an unlimited amount on Liberty bonds, but on any other collateral you can not borrow more than 10 per cent of the capital and surplus of the bank. The bank examiners include in the 10 per cent contingent liability like the indorsement of other paper. Now, under our amendment you can borrow up to 25 per cent if your collateral is in staple commodities evidenced by shipping documents or warehouse receipts.

Mr. CANNON. The gentleman says "capital and surplus"; why not amend by putting in undivided profits?

Mr. PLATT. We do not want to cut the law wide open. "Capital and surplus" has been the law for many years. I think the undivided profits are counted as surplus now under the form of bank statements now used by the comptroller.

Banking practices differ in different places, but Gov. Harding, of the Federal Reserve Board, tells me that in some of the larger cities the cotton buyer will go into the bank and deposit $10,000 and ask for a credit of $200,000. He can be given the credit on the books of the bank for $200,000 under this amendment if the bank has capital and surplus of $800,000. He has then to his credit $210,000. In the course of a week he draws a check for $100,000, and that is subtracted from his account. In the course of the next week he draws a check for $50,000, and that is subtracted from his account. According to the arrangement they make he pays interest only on what he takes out and for the time for which he takes it out. It is practically a letter of credit. Every time he draws his check he must bring to the bank shipping documents or warehouse receipts to secure his loan.

Mr. ROBSION of Kentucky. Who fixes the value, the bank itself?

Mr. PLATT. The loans are only made on goods actually sold, and the value is in the selling price of the goods.

Mr. ROBSION of Kentucky. What would you do in a case where they would have some fictitious value of sale?

Mr. PLATT. In the first place the draft must be drawn in good faith, and the banker is supposed to know enough to protect himself against any fictitious sale. This bill applies only to "nonperishable readily marketable staples." The market value of such staples is quoted from day to day and is known presumably not only to the bankers in the neighborhood, but to every business man.

Mr. ROBSION of Kentucky. What I am trying to get at is this: In case a banker did make this deal, and it turned out to be bad, would he be criminally liable under this bill if he acted in good faith?

Mr. PLATT. There are penalties prescribed in other sections, but not in this particular section of the national banking act.

Are there any further questions in regard to the bill? Does the gentleman from Massachusetts desire some time?

Mr. PHELAN. Mr. Speaker, I would like to know the intention of the gentleman from New York. I am not anxious to get very much time, but one Member on this side wants considerable time, and if we could have an hour on this side we could use it very well. The gentleman can reserve his time so as to move the previous question.

Mr. PLATT. This bill is on the House Calendar, and I have only one hour.

Mr. PHELAN. If you will move the previous question, then whoever is recognized will have the hour.

Mr. PLATT. I do not intend to yield time except for debate.

Mr. PHELAN. I do not intend to, either. I do not know what else is pending, and I do not want to take up too much time, but one Member here wants to use considerable time, and I would like to give it to him, if possible.

Mr. CANNON. To talk about the bill?

Mr. PHELAN. Why not give us an hour on this side?

Mr. MANN. Debate upon any other subject would not be in order on this bill.

Mr. WINGO. Mr. Speaker, I will state to the gentleman that I want the time. I was denied time in committee. The bill was reported while I was on the floor of the House answering a roll call. I want time to discuss the bill and the conditions that have arisen and that have put some people out of the market by reason of that. I want to discuss the bill, and I do not want to talk about anything else.

Mr. PLATT. I am not willing to yield the floor, and I have agreed not to take more than an hour on the bill.

Mr. PHELAN. The gentleman can reserve his time.

Mr. MANN. If he yields the floor, he yields the floor, and that is all there is to it.

Mr. CANNON. There are a lot of other important bills to follow this.

Mr. PHELAN. The gentleman can keep control so as to move the previous question within the hour, unless the Chair recognizes some one else. If the Chair recognizes me, I will yield time only for the purpose of debate, and agree with the gentleman from New York that the previous question may be moved.

Mr. WINGO. I am in sympathy with the gentleman's desire to confine debate to the bill.

Mr. MANN. How much time does the gentleman want?

Mr. WINGO. I really want an hour to discuss the different amendments. This is a very intricate proposition.

Mr. PLATT. Oh, it is not an intricate proposition.

Mr. WINGO. The gentleman does not think so, but it is intricate and difficult to people who are cotton and wheat growers, and who are exporters on the coast.

Mr. PLATT. I think the gentleman can easily express all his ideas in 10 minutes.

Mr. CANNON. The gentleman has the power to yield time in his hour and reserve enough time to move the previous question.

Mr. PLATT. I will yield to the gentleman from Massachusetts [Mr. PHELAN] for debate.

Mr. PHELAN. If we could have half an hour for the gentleman from Arkansas, that would answer.

Mr. PLATT. There are a number of other bills coming up, and I agreed not to take more than an hour on this bill when the rule was made.

Mr. PHELAN. Will the gentleman yield me half an hour?

Mr. PLATT. I yield one-half hour to the gentleman from Massachusetts [Mr. PHELAN] for debate only, and reserve the remainder of my time.

Mr. PHELAN. Mr. Speaker, I yield 30 minutes to the gentleman from Arkansas [Mr. WINGO].

[Mr. WINGO addressed the House. See Appendix.]

The SPEAKER. The time of the gentleman from Arkansas has expired.

Mr. WINGO. Have I used just 15 minutes?

Mr. PHELAN. Yes.

Mr. WINGO. I wish I had more time, because there are some other points that I would like to discuss in the bill.

Mr. PLATT. Mr. Speaker, does the gentleman from Massachusetts desire me to use some more time now?

Mr. PHELAN. Yes.

Mr. PLATT. I yield five minutes to the gentleman from Texas [Mr. EAGLE].

The SPEAKER. The gentleman from Texas is recognized for five minutes.

Mr. EAGLE. Mr. Speaker and gentlemen of the House, for a great many years section 5200 of the Revised Statutes has provided that no firm, person, or corporation shall be allowed to borrow from any national bank in excess of 10 per cent of the unimpaired capital and surplus of that bank. However, for the last 35 or 40 years it has been the custom of the bankers throughout the United States, so far as we have information, without exception, to treat bills of exchange drawn against actually existing values, which enables the shipment of commodities to market and of manufactured goods to market, the shipment of live stock to market and raw materials to market, as not being a loan, and therefore that the amount temporarily withdrawn on such bills of exchange shall not be charged against that 10 per cent which the law allows that same individual to borrow out of that bank.

Recently, however, the Comptroller of the Currency has, in a strict construction of section 5200 of the Revised Statutes, held, in effect, that such bills of exchange, although drawn against actually existing values and accompanied by documents evidencing title to goods shipped, ought to be charged against the 10 per cent that such person is allowed to borrow on his own paper of the unimpaired capital and surplus of a national bank.

That will have the effect in the wheat country of the Northwest and of the corn country of the Central West and of the North, and it will have the effect in the cotton country of the South, and a little later it will have the effect in the manufacturing sections of the North and East, practically to tie up to the extent, perhaps, of three-fourths of the banking facilities which heretofore, before that ruling, have been used to market goods, wares, and merchandise and to get raw materials moved to market.

To cure that situation the Committee on Banking and Currency of the House, in response to the cry of the bankers that they could not sufficiently help the farmers to move their commodities to market without an amendment to section 5200 of the Revised Statutes, have arranged four amendments to section 5200 of the Revised Statutes and embodied them in this bill.

Now, I want to give you a practical example, and I think that is one good way to illustrate such a proposition. I live in the city of Houston, Tex. It has $100,000,000 of banking resources, first and last, capital, surplus, undivided profits, and deposits. If only 10 per cent of that amount of money can be loaned to the cotton factors and cotton buyers, we would move only the one forty-fifth part of that portion of the cotton crop raised in Texas which is moved to the city of Houston and through the city of Houston sent on its way up to the manufacturing centers of the East or sent on its way across the ocean. Therefore, in the years heretofore, the bankers of Houston have, in pursuance of tacit

permission granted by the comptroller's department, not limited themselves to 10 per cent of the capital and surplus which they may loan to a factor to buy cotton with, but after they have loaned him that 10 per cent of capital and surplus out of any bank they have nevertheless been at liberty——

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. PHELAN. Mr. Speaker, I yield five minutes more to the gentleman.

The SPEAKER. The gentleman from Texas is recognized for five minutes more.

Mr. EAGLE. I thank the gentleman. They nevertheless have been at perfect liberty to discount drafts and bills of exchange drawn from the interior on the cotton factor in Houston and by him accepted and taken to that bank and sold and carried by the bank for a period of time until the cotton could come to Houston and be transshipped to Europe and bring back the gold, which automatically retires that temporary use of money. The ruling of the comptroller is that such bills of exchange, drawn against such actually existing values in process of marketing, is a loan, a demand loan, and as such could not be extended under this section 5200 of the Revised Statutes.

To change that, so as to allow this banking facility to be extended for the movement of these commodities, we have made four provisions as exceptions to section 5200 of the Revised Statutes. One exception is that there shall not be charged against the 10 per cent that a man may borrow out of a bank—10 per cent of its capital and surplus—such a thing as his acceptance of a bill of exchange, drawn from the interior upon him and by him accepted and sold to the bank, if it be for a commodity shipped, with only one condition—that the bank can not then hold such piece of paper longer than six months. That will prevent speculation.

The same thing exactly would fit the farmers of Minnesota and of the Dakotas and all the other great wheat sections of the country. To illustrate, you may go into a town where there is a $50,000 national bank, with $50,000 of surplus and undivided profits, and a wheat factor resident there in that town can borrow $10,000 only. Suppose, however, he is in process of helping the farmers to move $500,000 of their crop, and has made his arrangements with bankers and with his principal backers in the large city of Milwaukee or Chicago or somewhere else. The provision of this bill is such that, instead of allowing him to borrow only 10 per cent of the capital and surplus of that national bank, making a total of $10,000, to move that crop with, he may borrow the $10,000 and in addition to that he may accept bills of exchange drawn on him for so many additional bushels of wheat as he wants to buy at the market; he may accept that, and then take it to the bank, and the bank is at liberty to take that paper and give him the money to pay the farmer and let him ship his wheat and get back the gold.

Mr. PHELAN. I will take that one minute.

Mr. Speaker, I am in favor of this bill. I am not going to offer an amendment, but in order to keep the record straight I desire to say that I think the bill would be very much better if we cut out of lines 7, 8, and 9, page 2, the words "and including demand obligations when secured by documents covering commodities in actual process of shipment."

I shall not offer an amendment, because the matter was fully discussed in the committee, and the time is too limited to permit effective discussion, but I wish to say this for the sake of the record.

I yield the remainder of my time to the gentleman from South Carolina [Mr. STEVENSON].

The SPEAKER. The gentleman from South Carolina is recognized for 10 minutes.

Mr. STEVENSON. Mr. Speaker and gentlemen of the House, it is unnecessary to go very largely into this matter. It is merely an enactment affirmatively preventing the effect of a rule which was salutary in the instances which it was made to cover, but which is frequently improperly applied by bank examiners. For instance, a sight draft would be made against actually existing values, to wit, cotton. The bank receives the sight draft, the drawee accepts it, the bank discounts it, and pays the farmer for his cotton or his wheat, and the drawee leaves it in the bank as a loan indefinitely and does not take it up and pay it. The comptroller held that under those circumstances it was converted, by being held there an unreasonable time, converted by operation of law into a note, and, therefore, was subject to the 10 per cent limit. Now, in this amendment in exception 1 we provide that that can not be done as long as the property is in process of shipment, and the shipping documents and the draft are tied together. That is all we have attempted to do in that. In other words, a sight draft or a demand draft presented and accepted and held until the arrival of the goods at destination before the draft is paid, which is frequently the case, shall not be converted by lapse of a reasonable time, as the comptroller and his attorney have ruled, shall not be converted into a loan and thereby come within the 10 per cent limit simply because it is held more than a reasonable time for the goods to arrive, which is an uncertain quantity and always a question for the jury, and which has left the banks up in the air. This amendment provides that when the shipping documents and the draft are attached together, it shall not be considered a loan. That gets around that. Why are they held together? Take the case of the wholesale concern in the city of Columbia, S. C., dealing in flour. They order 20 carloads of flour from St. Louis sent to different customers of theirs all through the State of South Carolina.

The St. Louis merchant attaches a draft to the bills of lading for the value of the flour against the distributing company in Columbia. It reaches there, and they accept it. The St. Louis merchant gets his money. The flour is probably two weeks in getting to the customer, and the draft is not paid until the flour arrives. That is the custom. Now, under the ruling of the comptroller, if two weeks or three weeks or four weeks are more than a reasonable time—and that must be determined by the circumstances of each case, and therefore is utterly indefinite—that becomes a loan subject to the 10 per cent limit, and if the merchant in St. Louis who has discounted his draft there, with that and with his other numerous transactions, goes over the 10 per cent limit his paper is thrown out. This provides that it shall not become a loan as long as the commerce is in the course of shipment, and the draft and bill of lading are tied together. That is all it does. It protects the whole business in that way.

The gentleman from Arkansas [Mr. WINGO] stated awhile ago that it was stated to the committee that the counsel for the comptroller held that this amendment would protect the case where cotton was in motion and got to the compress and the bill of lading was surrendered for the compress receipt, and then when it came out the bill of lading was put back, and the compress receipt surrendered. He states that that is a mistake. I do not know who has made the mistake, but the attorney for the Comptroller of the Currency stated to me that that was merely one step in the shipment, and that it was covered by this and would not be held to be converted into a promissory note and come within the 10 per cent limit. But in order that that might not possibly be done a further section has been added in the very words that the gentleman from Massachusetts said ought to be stricken out, which are—

Including demand obligations when secured by documents covering commodities in actual process of shipment.

The cotton in process of shipment comes to the compress, the bill of lading is surrendered and the compress receipt is put in place of it. It goes through the compress, comes out at the other end; the compress receipt is then surrendered, the bill of lading is reattached, and that is merely one step in the process of shipment. The amendment including demand obligations secured by documents covering commodities in actual process of shipment covers that very question.

Mr. ROBSION of Kentucky. Does the cotton lose its individuality by going through the compress?

Mr. STEVENSON. Oh, no; cotton does not lose its individuality when it goes into the compress, because no two bales of cotton are of the same grade.

Mr. ROBSION of Kentucky. It is not mixed up and does not become confused with other cotton or take the place of other cotton?

Mr. STEVENSON. Oh, no; the bales are numbered and are so different in grade that one bale of cotton may be worth $25 or $50 more than another. Therefore the cotton is absolutely segregated. This is a mere step in the transportation and is covered absolutely, and it is a matter of very great importance to the shippers of this country that that particular feature be adopted, because it will untie the hands of the banks, and it will take out of the twilight zone cotton covered by a draft with bill of lading attached, which can be held. The draft with bill of lading attached can not be converted into a loan, either demand or past due, and it will continue to be a draft or bill of exchange against actually existing value as long as those two documents are tied together. When the shipment is terminated then the goods are there, and the responsibility of the drawee still exists, the responsibility of the drawer still exists, and the bank is amply protected. This is a matter of very great importance to the cotton people, to the automobile people, to the flour people, to the wheat people, and to all people whose goods are shipped in that way, including the live-stock people.

They are all protected, and that is necessary in order that the wheels of commerce be not impeded by the continuance of an impossible rule under which a bank never knows whether its paper is subject to the 10 per cent limit or not, because it does not know what a jury might find was a reasonable time for the goods to be in process of shipment.

Mr. BAER. Will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. BAER. Does the 10 per cent applying to bills of lading, receipts, and so forth, meet a situation where the farmer wants to borrow money to do harvest work but has not marketed his grain?

Mr. STEVENSON. The 10 per cent limit is that the farmer can not borrow more than 10 per cent of the capital stock and surplus of the bank.

Mr. BAER. We have a law in North Dakota that would take care of that anyway; but in other States they can not take care of a farmer in the harvesting of his crops.

Mr. PHELAN. This law has been on the statute books for many years. This applies to the amount that any one man can borrow from the bank as an individual, an amount equal to 10 per cent only of the capital stock and surplus.

Mr. STEVENSON. Very few farmers, I think, would want more than 10 per cent of the capital stock and surplus of the bank. If the capital was $50,000, an individual could borrow $5,000, which would probably be sufficient. Therefore they have never been hurt by that. But when it comes to putting a product on the market, that is a different proposition.

Mr. HUDSPETH. Will the gentleman yield?

Mr. STEVENSON. Certainly.

Mr. HUDSPETH. I would like to ask the gentleman relative to the provision relating to live stock. Could a ranchman borrow 25 per cent of the capital stock and surplus on his cattle?

Mr. STEVENSON. Yes; while they were in transit.

Mr. HUDSPETH. But he could not borrow on them on the range?

Mr. STEVENSON. No, sir.

Mr. PLATT. Mr. Speaker, I think this subject has been fully covered, and I do not care to take the time of the House further, except to say that while the debate has had much to say about cotton, because that is a commodity which soon will come on the market, letters that have come to me personally have been largely from Western and Northwestern States, even from the State of Michigan. It is a matter which is really immediately pressing. I desire to offer one amendment as a committee amendment.

The Clerk read as follows:

Amendment by Mr. PLATT: Page 2, line 4, after the word "drawn," at the end of the line, insert the words "in good faith."

Mr. PLATT. Mr. Speaker, I desire to say that the words "in good faith" have been in the statute for years, but in some way or other they were left out in the print.

Mr. BRIGGS. Will the gentleman yield?

Mr. PLATT. I will.

Mr. BRIGGS. Under this exception, which includes drafts and bills of exchange secured by shipping documents, is it the chairman's construction that the shipping documents include not only bills of lading but warehouse and compress receipts if the commodity is in actual transit?

Mr. PLATT. Yes; if in actual shipment. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

Mr. WINGO. Mr. Speaker, did the gentleman move the previous question on the bill and amendments?

The SPEAKER. The Chair understands the gentleman moves the previous question on the bill and amendments to final passage.

Mr. WINGO. The bill has only been read once. Amendments are not in order until the bill has been read.

The SPEAKER. There will be a separate vote on the amendments.

Mr. WINGO. The committee amendments have not been read.

The SPEAKER. The Clerk informs the Chair that the committee amendments were reported.

Mr. WINGO. I was watching for the reading of the amendments. I will state frankly that I want to make a point of order on one of the amendments.

The SPEAKER. When that amendment is reached for a vote, the gentleman can make it.

Mr. WINGO. I state frankly that that is all I want. The Chair may not sustain it, but I want to make the point.

The SPEAKER. The question is on the motion for the previous question.

The previous question was ordered.

The SPEAKER. The Clerk will report the amendment of the gentleman from New York.

The Clerk read as follows:

Page 2, line 4, after the word "drawn," at the end of the line, insert the words "in good faith."

The amendment was agreed to.

The SPEAKER. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 2, line 5, after the word "values," insert "including drafts and bills of exchange secured by shipping documents conveying or securing title to goods shipped, and including demand obligations when secured by documents covering commodities in actual process of shipment, and also including bankers' acceptances of the kinds described in section 13 of the Federal reserve act."

Mr. WINGO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WINGO. The previous question having been ordered, is it not in order to offer an amendment to the amendment?

The SPEAKER. It is not.

The amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 2, line 13, after the word "of," strike out the words "bills or."

The amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 2, line 19, strike out the words "bills or."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. WINGO. Mr. Speaker, I wish to interrupt the proceedings to ask the gentleman from New York [Mr. PLATT] if he has not inadvertently failed to offer an amendment in respect to the 110 per cent proposition. As the language now reads it is—

when the actual market value of the property securing the obligation is not at any time less than 110 per cent of the face amount of the notes.

Of course, that is a mathematical impossibility. The gentleman will remember that when Gov. Harding was on the stand I called his attention to it. There are only 100 per cent in the whole.

Mr. PLATT. Mr. Speaker, I think that no amendment there is necessary.

Mr. WINGO. If the gentleman is willing to let it go, well and good.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 2, line 22, after the word "bonds" insert the words "or notes."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 3, line 3, after the word "bonds" insert the word "notes."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 3, line 10, after the word "firm," strike out the following: "upon bills and notes secured in the manner described and authorized under (3) hereof shall not at any time exceed 15 per cent of the amount of the association's paid in and unimpaired capital stock and surplus. The exception made under (3) hereof shall not apply to the bills or notes of any one person, company, corporation, or firm for more than six months in any consecutive 12 months," and insert in lieu thereof the following: "for money borrowed, including the liabilities upon notes secured in the manner described under (3) hereof, shall not at any time exceed 25 per cent of the amount of the association's paid-in and unimpaired capital stock and surplus. The exception made under (3) hereof shall not apply to the notes of any one person, company, corporation or firm for more than six months in any consecutive 12 months."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 4 insert a new section, as follows:

"SEC. 2. That section 5202 of the Revised Statutes of the United States as amended by section 20, Title I, of the act approved April 5, 1918, be further amended so as to read as follows:

"'SEC. 5202. No national banking association shall at any time be indebted, or in any way liable, to an amount exceeding the amount of its capital stock at such time actually paid in and remaining undiminished by losses or otherwise, except on account of demands of the nature following:

"'First. Notes of circulation.

"'Second. Moneys deposited with or collected by the association.

"'Third. Bills of exchange or drafts drawn against money actually on deposit to the credit of the association or due thereto.

"'Fourth. Liabilities to the stockholders of the association for dividends and reserve profits.

"'Fifth. Liabilities incurred under the provisions of the Federal reserve act.

"'Sixth. Liabilities incurred under the provisions of the war finance corporation act.

"'Seventh. Liabilities created by the indorsement of accepted bills of exchange payable abroad actually owned by the indorsing bank and discounted at home or abroad.'"

Mr. WINGO. Mr. Speaker, I wish to make a point of order on the amendment.

Mr. CAMPBELL of Kansas. Mr. Speaker, I suggest that the point of order comes too late. The bill has been discussed and the amendments have been discussed for an hour. The previous question has been ordered on the bill and all amendments.

Mr. WINGO. Yes; and the bill is now being read at a second reading; and the only time that I can make the point of order is when the amendment is offered to the House.

Mr. CAMPBELL of Kansas. The amendments were read, together with the bill. The gentleman should have made his point of order or reserved it at that time. No question of a point of order has been made here prior to the hour's discussion of the bill and the amendments. This amendment was discussed among the others.

Mr. WINGO. But if the previous question had not been ordered, amendments would have been discussed and offered from the floor. The gentleman himself has offered an amendment on the floor. I am raising the question at the earliest possible moment.

The SPEAKER. The Chair would think at first blush that the time to have made the point of order was when the amendment was first reported.

Mr. WINGO. But the amendment has just been reported.

The SPEAKER. Oh, no; the amendment was reported after the bill, and then the bill and all amendments were open for discussion.

Mr. WINGO. Mr. Speaker, I take some pride in obeying the rules of the House, and on reflection I am inclined to think that the point of order does come too late. There was so much confusion at the time that I did not think the amendments were read. On reflection I think the time when I should have made the point of order was when the amendment was first read.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on ordering the bill to be engrossed and read a third time.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. WINGO. Mr. Speaker, I offer the following motion to recommit, which I send to the desk and ask to have read.

The Clerk read as follows:

Mr. WINGO moves to recommit the bill to the Committee on Banking and Currency with instructions to report the bill back immediately with the following amendments:

Page 2, line 6, after the word "exchange," insert the following words: "or acceptances, time or demand."

Page 2, line 6, after the word "shipping," insert the words "or other."

Mr. WINGO. Mr. Speaker, on the motion to recommit I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Arkansas to recommit the bill with instructions.

The question was taken; and on a division (demanded by Mr. WINGO) there were—ayes 14, noes 58.

Mr. WINGO. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Arkansas makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—ayes 41, nays 249, not voting 140, as follows:

AYES—41.

Aswell	Fields	Johnson, Ky.	Randall, Calif.
Bankhead	Fisher	Johnson, Miss.	Rayburn
Bland, Va.	Flood	Jones, Tex.	Sims
Box	Gandy	Lanham	Thomas
Buchanan	Garrett	Lesher	Tillman
Caraway	Hardy, Tex.	Major	Watkins
Carter	Hastings	Nelson, Mo.	Wingo
Collier	Heflin	Oldfield	Young, Tex.
Connally	Hudspeth	Parrish	
Davey	Humphreys	Quin	
Dickinson, Mo.	Jacoway	Rainey, H. T.	

NAYS—249.

Ackerman	Ashbrook	Begg	Bland, Ind.
Alexander	Ayres	Bell	Bland, Mo.
Almon	Bacharach	Benham	Blanton
Andrews, Md.	Baer	Black	Boies
Andrews, Nebr.	Barbour	Blackmon	Booher
Bowers	Goodykoontz	McKeown	Sanders, Ind.
Brand	Gould	McLaughlin, Mich.	Schall
Briggs	Green, Iowa	McLaughlin, Nebr.	Scott
Brinson	Greene, Mass.	McPherson	Sells
Brooks, Ill.	Greene, Vt.	MacCrate	Shreve
Brooks, Pa.	Griest	Madden	Siegel
Browning	Griffin	Mann	Sinclair
Burke	Hadley	Mapes	Sinnott
Burroughs	Harrison	Martin	Smith, Idaho
Byrns, Tenn.	Haskell	Mays	Smith, Mich.
Campbell, Kans.	Haugen	Merritt	Snell
Campbell, Pa.	Hawley	Michener	Steagall
Cannon	Hayden	Miller	Stedman
Carss	Hays	Monahan, Wis.	Stephens, Ohio
Casey	Hernandez	Mondell	Stevenson
Chindblom	Hersey	Montague	Stiness
Clark, Fla.	Hersman	Moon	Strong, Kans.
Clark, Mo.	Hickey	Moore, Ohio	Strong, Pa.
Cleary	Hoch	Moore, Pa.	Summers, Wash.
Coady	Holland	Moore, Va.	Sumners, Tex.
Cole	Huddleston	Moores, Ind.	Sweet
Copley	Hulings	Morin	Taylor, Colo.
Crago	Hull, Iowa	Mott	Temple
Crisp	Hull, Tenn.	Murphy	Thompson, Ohio.
Crowther	Hutchinson	Nelson, Wis.	Tilson
Cullen	Igoe	Newton, Minn.	Timberlake
Curry, Calif.	Ireland	Nichols, Mich.	Tincher
Dale	James	Nolan	Towner
Dallinger	Johnson, S. Dak.	O'Connell	Treadway
Darrow	Kahn	O'Connor	Upshaw
Davis, Minn.	Kearns	Ogden	Vaile
Davis, Tenn.	Keller	Overstreet	Vestal
Denison	Kelley, Mich.	Padgett	Volstead
Dickinson, Iowa	Kelly, Pa.	Park	Walsh
Dominick	Kendall	Peters	Walters
Doremus	Kennedy, Iowa	Phelan	Wason
Doughton	Kiess	Platt	Watson, Pa.
Dowell	King	Porter	Watson, Va.
Drane	Kinkaid	Pou	Webster
Dunbar	Kitchin	Purnell	Welling
Dunn	Kleczka	Radcliffe	Welty
Dupré	Knutson	Rainey, J. W.	Wheeler
Eagan	Kreider	Raker	White, Kans.
Eagle	LaGuardia	Ramsey	White, Me.
Edmonds	Lampert	Ramseyer	Williams
Elliott	Lankford	Randall, Wis.	Wilson, La.
Elston	Larsen	Reed, W. Va.	Winslow
Esch	Layton	Rhodes	Wise
Evans, Nebr.	Lehlbach	Ricketts	Wood, Ind.
Evans, Nev.	Little	Riddick	Woods, Va.
Fess	Lonergan	Robinson, N. C.	Woodyard
Focht	Longworth	Robsion, Ky.	Wright
Fordney	Luce	Rodenberg	Yates
Foster	Lufkin	Rogers	Young, N. Dak.
Freeman	Luhring	Romjue	Zihlman
French	McCulloch	Rose	
Garland	McFadden	Rowe	
Godwin, N. C.	McGlennon	Rubey	

NOT VOTING—140.

Anderson	Frear	Lee, Ga.	Rowan
Anthony	Fuller, Ill.	Lever	Rucker
Babka	Fuller, Mass.	Linthicum	Sabath
Barkley	Gallagher	McAndrews	Sanders, La.
Bee	Gallivan	McArthur	Sanders, N. Y.
Benson	Ganly	McClintic	Sanford
Britten	Gard	McDuffie	Saunders, Va.
Browne	Garner	McKenzie	Scully
Brumbaugh	Glynn	McKinley	Sears
Burdick	Goldfogle	McKinley	Sherwood
Butler	Good	McLane	Sisson
Byrnes, S. C.	Goodall	MacGregor	Slemp
Caldwell	Goodwin, Ark.	Magee	Small
Candler	Graham, Pa.	Maher	Smith, Ill.
Cantrill	Graham, Ill.	Mansfield	Smith, N. Y.
Carew	Hamill	Mason	Smithwick
Christopherson	Hamilton	Mead	Snyder
Classon	Hardy, Colo.	Minahan, N. J.	Steele
Cooper	Hicks	Mooney	Steenerson
Costello	Hill	Morgan	Stephens, Miss.
Cramton	Houghton	Mudd	Sullivan
Currie, Mich.	Howard	Neely	Taylor, Ark.
Dempsey	Husted	Newton, Mo.	Taylor, Tenn.
Dent	Jefferis	Nicholls, S. C.	Thompson, Okla.
Dewalt	Johnson, Wash.	Oliver	Tinkham
Donovan	Johnston, N. Y.	Olney	Vare
Dooling	Jones, Pa.	Osborne	Venable
Dyer	Juul	Paige	Vinson
Echols	Kennedy, R. I.	Parker	Voigt
Ellsworth	Kettner	Pell	Ward
Emerson	Kincheloe	Reavis	Weaver
Evans, Mont.	Kraus	Reber	Webb
Fairfield	Langley	Reed, N. Y.	Whaley
Ferris	Lazaro	Riordan	Wilson, Ill.
Fitzgerald	Lea, Calif.	Rouse	Wilson, Pa.

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. MASON with Mr. CANDLER.

Mr. MCARTHUR with Mr. WHALEY.

Mr. EMERSON with Mr. MOONEY.

Mr. HOUGHTON with Mr. BABKA.

Mr. BUTLER with Mr. STEELE.

Mr. GOODALL with Mr. MCCLINTIC.

Mr. HARDY of Colorado with Mr. MAHER.

Mr. OSBORNE with Mr. BENSON.

Mr. DYER with Mr. SANDERS of Louisiana.

Mr. FAIRFIELD with Mr. SCULLY.

Mr. BROWNE with Mr. OLNEY.

Mr. SNYDER with Mr. SMITH of New York.
Mr. COOPER with Mr. THOMPSON of Oklahoma.
Mr. CHRISTOPHERSON with Mr. SULLIVAN.
Mr. MCKINLEY with Mr. GALLIVAN.
Mr. SANFORD with Mr. BYRNES of South Carolina.
Mr. JOHNSON of Washington with Mr. MCLANE.
Mr. KENNEDY of Rhode Island with Mr. BARKLEY.
Mr. JEFFERIS with Mr. MANSFIELD.
Mr. JUUL with Mr. BEE.
Mr. HUSTED with Mr. MEAD.
Mr. WILSON of Illinois with Mr. BRUMBAUGH.
Mr. HILL with Mr. MINAHAN of New Jersey.
Mr. WARD with Mr. CAREW.
Mr. HICKS with Mr. NICHOLLS of South Carolina.
Mr. VOIGT with Mr. DENT.
Mr. HAMILTON with Mr. OLIVER.
Mr. VARE with Mr. DEWALT.
Mr. GRAHAM of Illinois with Mr. PELL.
Mr. TINKHAM with Mr. DONOVAN.
Mr. GRAHAM of Pennsylvania with Mr. RIORDAN.
Mr. TAYLOR of Tennessee with Mr. DOOLING.
Mr. GOOD with Mr. ROWAN.
Mr. SMITH of Illinois with Mr. EVANS of Montana.
Mr. GLYNN with Mr. RUCKER.
Mr. SLEMP with Mr. FERRIS.
Mr. FULLER of Massachusetts with Mr. SABATH.
Mr. SANDERS of New York with Mr. GALLAGHER.
Mr. FULLER of Illinois with Mr. SAUNDERS of Virginia.
Mr. REBER with Mr. GANLY.
Mr. ELLSWORTH with Mr. SHERWOOD.
Mr. PARKER with Mr. GARNER.
Mr. FREAR with Mr. SEARS.
Mr. PAIGE with Mr. GOLDFOGLE.
Mr. ECHOLS with Mr. SISSON.
Mr. NEWTON of Missouri with Mr. GODWIN of North Carolina.
Mr. DEMPSEY with Mr. SMALL.
Mr. MUDD with Mr. HAMILL.
Mr. CURRIE of Michigan with Mr. SMITHWICK.
Mr. MAGEE with Mr. LEA of California.
Mr. CRAMTON with Mr. STEPHENS of Mississippi.
Mr. MORGAN with Mr. KINCHELOE.
Mr. COSTELLO with Mr. TAYLOR of Arkansas.
Mr. MACGREGOR with Mr. LEE of Georgia.
Mr. CLASSON with Mr. VENABLE.
Mr. MCKENZIE with Mr. LINTHICUM.
Mr. BURDICK with Mr. VINSON.
Mr. LANGLEY with Mr. CANTRILL.
Mr. BRITTEN with Mr. WEAVER.
Mr. KRAUS with Mr. MCDUFFIE.
Mr. ANTHONY with Mr. WEBB.
Mr. REAVIS with Mr. GARD.
Mr. ANDERSON with Mr. WILSON of Pennsylvania.
Mr. JONES of Pennsylvania with Mr. MCKINLEY.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. PLATT, the title was ordered to be corrected in conformity with the text.

On motion of Mr. PLATT, a motion to reconsider the vote by which the bill was passed was laid on the table.

RELIEF OF CONTRACTORS AND SUBCONTRACTORS.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a privileged report from the Committee on Rules.

The SPEAKER. The gentleman from Kansas submits a privileged report, which the Clerk will read.

The Clerk read as follows:

House resolution 140.

Resolved, That immediately upon the adoption of this resolution the House shall resolve itself into Committee of the Whole House on the state of the Union for the consideration of H. R. 6323, being an act entitled "An act for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes."

There shall be 20 minutes general debate, one-half to be controlled by the gentleman from Kentucky [Mr. LANGLEY] and one-half to be controlled by the gentleman from Florida [Mr. CLARK]. At the conclusion of the general debate the bill shall be read and considered for amendments. At the conclusion of such consideration the bill, together with amendments, shall be reported to the House, whereupon the previous question shall be considered as ordered on the amendments and the bill to final passage without intervening motion, except one motion to recommit.

Mr. CAMPBELL of Kansas. Mr. Speaker, the resolution makes in order the consideration of a bill that has been reported in two Congresses from the Committee on Public Buildings and Grounds. Judge Burnett, a former Member from Alabama, now deceased, and whose memory we all revere, made a very complete report upon the bill originally. That report has been embodied in the report upon the bill as it is now before the House. This resolution gives the House opportunity to consider it.

Is there any desire for debate upon the rule?

Mr. GARRETT. Not on this side. I have had no request.

Mr. CAMPBELL of Kansas. Then I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the adoption of the resolution.

The question was taken, and the resolution was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 6323) for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes, with Mr. WALSH in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The bill was read by title.

Mr. LANGLEY. Mr. Chairman, the purpose of this bill is to reimburse the losses of contractors and subcontractors for the construction of Government buildings, including material men, where the contract was entered into prior to our declaration of war on Germany. We had extensive hearings on a similar bill in the last Congress, and, as the gentleman from Kansas [Mr. CAMPBELL] has stated, the committee unanimously reported the bill with the recommendation that it pass. We did not have extensive hearings on it at this session because the membership of the committee, which was largely the same, thoroughly understood the proposition.

There are a number of these contractors who have spent practically all the money they could raise in carrying out their contracts with the Government. This is not setting a precedent but merely following a number of precedents which have already been established by Congress. I recall that a number of years ago Congress reimbursed the contractors for the erection of the public building at San Francisco which was damaged by the earthquake and fire, and for damages to the main Government building of the Panama Exposition by storm. There are several other instances I could cite, including the damage to the Baltimore customhouse by fire. The Committee on Rivers and Harbors has taken similar action, and so has the Committee on the Post Office and Post Roads. The purpose of this bill is not to allow the beneficiaries under it any profit at all but merely to reimburse them for losses which they sustained as a direct result of the action of the Government. It also covers the increase in the cost of materials and of labor due solely to war conditions, the action of the United States Priority Board, and the commandeering of materials, labor, and plants, which frequently occurred during the war. In many instances the congestion in railroad traffic as a result of war shipments was such that these contractors could not get the necessary materials and were therefore unable to go forward with the work.

A number of these contractors are now on the verge of bankruptcy, and I understand to-day that some of them have already gone into bankruptcy because of the delay in giving them this relief. My judgment is, and it is the unanimous judgment of the committee, that this proposition is merely an act of good faith on the part of the Government in reimbursing men who were under contract with the Government, one of the contracting parties responsible for the losses they have sustained.

Mr. Chairman, I reserve the balance of my time.

Mr. MANN. Will the gentleman yield?

Mr. LANGLEY. Certainly.

Mr. MANN. This only affects buildings under the Treasury Department?

Mr. LANGLEY. Yes; except the Washington courthouse and the Lincoln Memorial wall, which were not under the supervision of that department.

Mr. MANN. What is the estimate as to the amount which is thought may be involved under this bill?

Mr. LANGLEY. The Acting Supervising Architect of the Treasury estimates that it will be in the neighborhood of $2,000,000. Perhaps it will be a few thousand over that amount or under that amount.

Mr. MANN. Did the Committee on Public Buildings and Grounds consider in any way what it might cost if applied generally throughout the Government, not only as to public buildings but as to shipbuilding and everything else that the Government dealt with?

Mr. LANGLEY. We did not, because we went only as far as we thought the jurisdiction of our committee permitted us to go. We did not go into that question. That is a matter for Congress to decide hereafter.

Mr. MANN. Does not the gentleman think that if the Government ought to relieve a contractor on a post-office building it ought to relieve a contractor for building a naval vessel or a lighthouse tender, or constructing a road, or anything of that kind, under the same terms?

Mr. LANGLEY. If the contract was entered into prior to the war, and if the loss was sustained by the contractor as a direct result of the action of the Government, one of the contracting parties, I should think the same equity would exist. But we did not go into that, because that was not within our jurisdiction.

Mr. MANN. I do not understand this is where the Government interfered directly.

Mr. LANGLEY. Oh, yes. The action of the Priority Board and other Government war activities, as the result of which these contractors were unable to carry out their contracts with the Government except at a loss, is what we are seeking mainly to remedy.

Mr. MANN. Of course, whatever rule is adopted here eventually will be adopted as to all other branches of the Government, either by general legislation or by claims to Congress, and nobody knows what it will cost.

Mr. LANGLEY. Of course, I can not say as to that. I know that precedents have already been established, as I stated awhile ago. It has been done in a number of instances, and in some instances where the loss was merely the act of God, whereas in this case it was the act of one of the contracting parties—the Government itself—and I think this fact increases the obligation on the part of the Government to reimburse the loss which the Government itself caused the other contracting party to undergo.

Mr. MANN. The Government must stand the loss. If the man wins, he puts it in his pocket.

Mr. LANGLEY. No; it merely reimburses to some extent the losses the Government caused him to undergo.

Mr. CANNON. Will the gentleman yield?

Mr. LANGLEY. I will.

Mr. CANNON. We passed an act validating, for instance, contracts where the statute was not complied with when they were made. This bill provides for cases where the Government has commandeered. I know of instances where the Government did commandeer much of the material, some on the ground, and took that, and then commandeered the whole outfit for the purposes of the Government, where the contractor had made his contract for the supplies. I have read the bill, and if the gentleman will indulge me for a moment——

Mr. LANGLEY. Yes; go ahead.

Mr. CANNON. It is, in my opinion, a just and proper bill, and it is a mere bagatelle in comparison with what the Government has already validated, and I think validated properly.

Mr. LANGLEY. Mr. Chairman, I reserve the balance of my time, and ask that the gentleman from Florida [Mr. CLARK] use some of his time.

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman yield to me first?

Mr. LANGLEY. Yes.

Mr. KELLEY of Michigan. I can readily understand why the Government should have some obligation to make a proper adjustment with contractors where it had interfered by commandeering labor or material. But does the gentleman think that the Government ought to make settlement with contractors to reimburse them for the increased cost of labor and material that has not any relation to the action of the Government?

Mr. LANGLEY. I do, where the loss is a direct result of the condition of war which arose after the contract was entered into. We were very careful to guard against including any case where the contract was not entered into prior to the declaration of war.

Mr. KELLEY of Michigan. Could it not be said in any case that the advance in the cost of labor and materials was due to the war?

Mr. LANGLEY. No; the distinction is very clear, to my mind, and I think the bill as reported clearly defines that.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. DARROW having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Dudley, one of its clerks, announced that the Senate had passed without amendment bills of the following title:

H. R. 6692. An act to extend the time for the construction of a bridge across the White River at or near Forsyth, Mo.;

H. R. 5648. An act for the construction of a bridge across the Rainy River between Spooner, Minn., and Rainy River, Province of Ontario, Canada;

H. R. 5228. An act granting the consent of Congress to the city of Minneapolis, a municipal corporation, to construct, maintain, and operate a bridge across the Mississippi River;

H. R. 6438. An act authorizing the counties of Aiken, S. C., and Richmond, Ga., to construct a bridge across the Savannah River at or near Augusta, Ga.;

H. R. 6805. An act to authorize the county of Dougherty, State of Georgia, to construct a bridge across the Flint River, connecting Broad Street, in the city of Albany, said State and county, with Isabella Road, said county and State;

H. R. 6342. An act to authorize the construction of a bridge across the Pend Oreille River, at the town of Usk, in the State of Washington;

H. R. 6434. An act authorizing the construction of a bridge and approaches thereto across Red River about 2 miles above its confluence with Washita River, near Preston, Grayson County, Tex.;

H. R. 6450. An act to amend an act entitled "An act entitled 'An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department,' approved September 2, 1914, as amended"; and

H. R. 2847. An act providing additional aid for the American Printing House for the Blind.

RELIEF OF CONTRACTORS AND SUBCONTRACTORS.

The committee resumed its session.

Mr. CLARK of Florida rose.

The CHAIRMAN. The gentleman from Florida is recognized for 10 minutes.

Mr. CLARK of Florida. Mr. Chairman, I believe I can satisfy the House in a very few words that this bill ought to pass.

I want to make the statement, first, that we have not provided in this bill for the payment of a single dollar which, if the other party at interest was an individual, these contractors could not go into the court and sue and recover. The Government, on account of its sovereignty, of course, can not be sued, but if an individual had committed the acts and had done the things which the Government did and caused the loss which these acts did cause, that individual would have been held liable in damages in any court in this land.

Now, what are the facts? The facts are that these people entered into contracts with the Government when we were in a state of profound peace, when the price of materials and the price of labor were peace-time prices. The war came on. The hearings will show that in numbers of instances the Government went into the identical cities where these contracts were being performed and instituted great works, which made a great demand for labor and for materials and raised the price of labor, took the workmen away from these contractors, and made them pay exorbitant prices for both their material and labor.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Florida yield to the gentleman from New York?

Mr. CLARK of Florida. In a moment. In other instances they commandeered the plants with which these contractors had contracted for materials, and made it utterly impossible for the materials to be delivered to them. So we have provided in this bill, if the gentleman will look at the language of it, that they are to be paid only an amount sufficient to reimburse them for the loss by reason of the increased cost; they are not to get any profit by the terms of the bill; they are not to be made whole on their contracts, but they are simply to be reimbursed in the amount that they actually lost by reason of the activities of the Government of the United States.

Now I yield to the gentleman.

Mr. SNELL. I understood that there would be nothing paid to these contractors except what they could collect in a court of equity.

Mr. CLARK of Florida. That is all.

Mr. SNELL. Were the Government contractors in any different position from private contractors who had taken contracts to build buildings, in this city, for instance, before the war?

Mr. CLARK of Florida. Very much different.

Mr. SNELL. What was the difference?

Mr. CLARK of Florida. If the contractor had contracted with a private individual it was beyond the power of the private individual to do what the Government did and thereby bring about the loss that he suffered.

Mr. SNELL. He was subject to the same conditions. The cost of material and labor went up on him.

Mr. CLARK of Florida. That is true; but it was not caused by the act of the other contracting party, as in this case. The Government was one of the contracting parties here.

Mr. SNELL. And for that reason it was the cause of the increased cost of labor and it should be subject to penalties. Is that the ground?

Mr. CLARK of Florida. If I made a contract with the gentleman from New York to-day, and after that contract had been entered into in good faith by both of us, the gentleman from New York had it in his power to commit certain acts which made my labor and material cost me more, and it was directly attributable to his act, I could go into the courts of this country and make him pay me for it. But you can not go into the courts and make the Government pay for it.

Mr. SNELL. Why is not the Government responsible for the losses of the private contractors, too?

Mr. CLARK of Florida. The Government had no contractual relation with those other people. That makes all the difference in the world.

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. KELLEY of Michigan. I am in accord with what the gentleman is saying, but I was wondering whether this language is not much broader than what the gentleman was saying. On line 7, page 2, the bill states, "due either, first, to increased cost of labor or material; or, second, to delay on account of the action of the United States Priority Board or other governmental activities," and so on.

Mr. CLARK of Florida. The delay on account of the action of the Priority Board.

Mr. KELLEY of Michigan. Would not that increased cost of labor be due to the delay? Ought you to separate these two causes in that way? I agree with the gentleman perfectly that if the increased cost is due to the intervention of the Government, then the Government should afford some relief. But as to the increased cost of labor and material, if it is not due to the interference of the Government, then they ought not to be relieved. Is that right?

Mr. CLARK of Florida. The gentleman will notice that this is a bill undertaking to deal with simply one class of contractors, those contracting with the Government.

Mr. KELLEY of Michigan. I understand.

Mr. CLARK of Florida. Now listen: This applies to one class of contractors, having contracts with the Government, where the contracts "were awarded, or whose bids, as thereafter accepted, were mailed or delivered to the proper governmental authority prior to the entrance of the United States into the war with Germany, to wit, April 6, 1917, and whose contracts have been or will be completed after said date, for increased costs thereafter arising from, due either, first, to increased cost of labor and materials"——

Mr. KELLEY of Michigan. That might have no relation to the action of the Government.

Mr. CLARK of Florida. Brought about by the war.

Mr. KELLEY of Michigan. Then you throw the thing wide open, so that it covers every increased cost of labor or material.

Mr. CLARK of Florida. Just a minute. I have not finished—

Due either, first, to increased cost of labor or materials——

Mr. KELLEY of Michigan. That is one.

Mr. CLARK of Florida. Let me finish this—

or, second, to delay on account of the action of the United States Priority Board or other governmental activities; or, third, to commandeering by the United States Government of plants or materials shown by the Secretary of the Treasury to have been sustained by them in the fulfillment of such contracts by reason of war conditions alone.

That last clause covers all that precedes it. There is no question about it. The committee were particular to wipe out all question of a profit, and would not even consent to make them whole on their contracts, but simply thought this provision was necessary, as a matter of justice and fairness and good conscience. I want to say to the gentleman that I have none of these contractors in my district or in my State. I am not acquainted with them except some whom I have met here, but it was a matter that appealed to my sense of justice and to the sense of justice of the committee, and we felt that it was nothing but right that these men should be saved the increased cost which the action of the Government brought upon them.

Mr. KELLEY of Michigan. I simply want to get it clear in my own mind. Under this bill the Government would be required to make proper adjustment of contracts, because labor and material had advanced because of general war conditions and not because of any direct interference on the part of the Government by commandeering or otherwise. Is not that correct?

Mr. CLARK of Florida. No; I think not.

Mr. EDMONDS. Will the gentleman yield?

Mr. CLARK of Florida. For a question.

Mr. EDMONDS. Has your committee taken into consideration the enormous amount of claims that the establishment of this precedent will bring upon the Government?

Mr. CLARK of Florida. Oh, no. Let me say to the gentleman that the precedent has already been set in the river and harbor bill for the payment of claims like this. It was set in the Panama Exposition case. It was set in the Baltimore Subtreasury case. It has already been set. But the amount makes no difference. If it is the duty of the Government to pay them, we have no right in good conscience to take into consideration the question of the amount of money that will be required, and we have no right to hesitate on that account. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The Clerk will report the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed, under such regulations as he may prescribe, to receive fully itemized and verified claims and reimburse contractors and their subcontractors, including material men, for the construction, improvement, special repair, equipment, or furnishing of post offices and other buildings or work under the supervision of the Treasury Department (as well as the United States courthouse in the District of Columbia and the approaches and retaining wall to the Lincoln Memorial in the District of Columbia) whose contracts were awarded or whose bids as thereafter accepted were mailed or delivered to the proper governmental authority prior to the entrance of the United States into the war with Germany, to wit, April 6, 1917, and whose contracts have been or will be completed after said date, for increased costs thereafter arising from, due either, first, to increased cost of labor or materials, or, second, to delay on account of the action of the United States Priority Board or other governmental activities, or, third, to commandeering by the United States Government of plants or materials shown to the Secretary of the Treasury to have been sustained by them in the fulfillment of such contracts by reason of war conditions alone: *Provided*, That any subcontractor may submit his claim through the contractor or to the Secretary of the Treasury. And the Secretary of the Treasury is hereby directed to submit from time to time estimates for appropriations to carry out the provisions of this act: *Provided further*, That no claims for such reimbursement shall be paid unless filed with the Treasury Department within three months after the passage of this act: *And provided further*, That in no case shall the contractor or subcontractor be reimbursed to an extent greater than is sufficient to cover his actual increased cost in fulfilling his contract or subcontract, exclusive of any and all profits to such contractor or subcontractor; nor shall such reimbursement include any advances or payments made by the sureties of such contractor or subcontractor in executing the work, but the surety on any contract coming within the provisions of this act who, as surety, has completed, or may complete, the work of any defaulting contractor on any such contract, or who has furnished financial assistance to a failing contractor on any such contract whereby such contractor has been enabled to complete such contract, may file claim within the period hereinbefore fixed and be reimbursed in the manner hereinbefore provided for the increased cost due to the causes hereinbefore specified of the labor and material supplied in so completing any such contract, or for the increased cost of the labor and material paid for from funds so furnished by such surety: *And provided further*, That the Secretary of the Treasury shall report to Congress at the beginning of each session thereof the amount of each expenditure and the facts on which the same is based.

Mr. MADDEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman will send up his amendment.

Mr. MADDEN. I move to strike out the words "from, due either, first, to" and to insert in lieu thereof the word "from."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: Page 2, line 7, after the word "arising" strike out the words "from, due either, first, to" and insert in lieu thereof the word "from."

Mr. MADDEN. Then I move to strike out the words "or second" in line 8, and insert the word "due" in lieu thereof.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

In line 8, after the word "material" strike out the words "or second" and insert in lieu thereof the word "due."

Mr. MADDEN. In line 10, strike out the word "third" after the word "or."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 10, page 2, strike out the word "third" after the word "or."

Mr. MADDEN. Let the Clerk report it as it will read if amended.

The Clerk read as follows:

And whose contracts have been or will be completed after said date, for increased costs thereafter arising from increased cost of labor or materials, due to delay on account of the action of the United States Priority Board or other governmental activities, or to commandeering by the United States Government of plants or materials shown to the Secretary of the Treasury to have been sustained by them in the fulfillment of such contracts by reason of war conditions alone.

Mr. CLARK of Florida. We have no objection to that.

Mr. CHINDBLOM. No.

Mr. MADDEN. Mr. Speaker, a great many public buildings were contracted to be erected by the Treasury Department before the war began, and the contractors started on the work. They had purchased material and had performed a great deal of work when war was declared. Then, as one of the functions of the Government, a Priority Board was established, to give priority to the movement of materials and supplies necessary to the successful conduct of the war. Among other things done by the Priority Board was an order to prohibit the delivery of material for any buildings of any kind throughout the United States except such buildings as were important and necessary in the conduct of the war. That made it impossible for these men who had contracted with the Government to proceed under their contracts. Then frequently, in cases where material and supplies had been purchased and delivered before the Priority Board acted, the Government commandeered the material for war purposes, and frequently commandeered the labor, and that frequently placed the contractor in a position where it was impossible for him to carry to a successful conclusion the work that he had contracted to perform.

Mr. HARDY of Texas. I agree with the gentleman. Will the gentleman permit me to make a suggestion?

Mr. MADDEN. Yes.

Mr. HARDY of Texas. Ought not the gentleman to go a step further and, in line 13, strike out the words "war conditions alone" and insert the words "such action of the Government"?

Mr. MADDEN. I presume that would be entirely proper, but I want to explain the amendment as far as I have gone. My own judgment is that the language in the bill as reported by the committee will compel the Government to make settlement purely for increased cost of material, whether the Government had anything to do with it or not. My judgment is, and what they ought to do is, to connect the responsibility of the Government up so that when the settlements are made as the result of the investigation the settlements will be made on the basis of Government responsibility, arising from the increased cost of labor or materials, due to the delay on account of the action of the United States Priority Board or Government activity or to commandeering by the United States.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MADDEN. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. KELLEY of Michigan. Would not the purpose of the gentleman be accomplished more simply if he struck out, in line 7, everything after the word "from," and, in line 8, everything up to the word "delay," so that it would read:

And whose contracts have been or will be completed after said date, for increased costs thereafter arising from delay on account of the action of the United States Priority Board or other governmental activities, or, third, to commandeering by the United States Government of plants or materials shown to the Secretary of the Treasury to have been sustained by them in the fulfillment of such contracts by reason of war conditions alone.

Mr. MADDEN. It would accomplish the same purpose, and perhaps it would be more clear.

Mr. CLARK of Florida. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. CLARK of Florida. Is it the gentleman's purpose to limit this to cases where the increased cost is due solely to the Government or the Priority Board or the commandeering plan?

Mr. MADDEN. Yes.

Mr. CLARK of Florida. Does not the gentleman think that where the Government came into a community where a man was undertaking to perform a contract and raised the price of labor and material——

Mr. MADDEN. The language I propose would cover all that, because it does not make any difference whether the Government commandeered the material or the labor.

Mr. CLARK of Florida. I am not speaking of commandeering, but if the Government came into the market and raised the price of labor or raised the price of material in a way that took the workmen away from the contractor or prevented him from procuring material, does not the gentleman think that the man ought to have some redress?

Mr. MADDEN. I think that if you leave the door open to all kinds of reasons for claims against the Government you will never know where the bills will soar to. My judgment is that with the language proposed in the amendment I have offered, and as suggested to be modified by the gentleman from Michigan, you have given the contractor complete opportunity of presenting every legitimate claim to which he is entitled.

Mr. LANGLEY. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. LANGLEY. I think the difficulty about the gentleman's amendment is that it does not provide for relief in a case like this, where the Government paid higher prices for labor than the contractor could pay to carry out his contract. Those contractors are just as much entitled to relief as if the Priority Board had commandeered the material. We had before our committee a number of contractors, stating specifically that they were unable to get labor, that they had left them by scores because the Government was offering higher prices for labor.

Mr. MADDEN. I wish to say that wherever the Priority Board from any action, whether it was with respect to the supply of materials or to take away the materials or supplies, or any other action, so that it cost the contractor more than it would have cost him if they had not acted, is covered in the language that I suggest and meets every legitimate claim to which any man has a right under his contract.

Mr. WOOD of Indiana. Mr. Chairman, I desire to speak in opposition to the amendment offered by the gentleman from Illinois [Mr. MADDEN]. I hope the committee will consider this proposed amendment very carefully before they vote in favor of it. I fear if it is adopted that it will practically destroy the purpose of the measure. The increased cost of material and the increased cost of labor due to direct action of the Government not only through its Priority Board but through its other agencies and activities has been the cause of this great loss to these contractors. For instance, when these contractors took the contracts for building these public buildings they figured upon labor at a certain fixed price, with a certain margin for a natural rise. They figured upon material in the same way. They figured upon paying for a man and his team, for example, at the rate of $5 a day. The Government, immediately when the war broke out, went into these several communities and commenced bidding for labor, and caused the $5 a day team and man to rise in one jump to $16 a day. That was the direct action of the Government through the Government's agents, and the Government was entirely responsible for it. The contractor had absolutely no control. He could not compete with the Government in bidding for this character of labor. The result was that his labor was taken away from him.

That is not the only case. During this period it was absolutely impossible for the contractor to get a loan of a dollar for the purpose of completing these buildings unless he came here and got a permit from the loan board, and he could not get that permit unless he could establish that it would substantially aid the Government in the prosecution of the war, and in the erection of these Government buildings, such as the Lincoln Monument, it was held that they could well be deferred, and he could not make that showing, and that resulted in very great loss.

Mr. HERSEY. And the gentleman also understands that the taking over of the railroads was another cause, with their priority orders.

Mr. WOOD of Indiana. And as has been suggested by the gentleman from Maine, they issued priority orders with reference to the moving of cars, and I know it to be a fact that the stone industries of southern Indiana were absolutely prohibited from moving a stone because of the fact that they could not get the cars, and the contractors for the public buildings in the city of Washington who were depending upon those stone quarries were unable to get their material. These losses were due absolutely to the activities of the governmental agencies, and these are the things that resulted in the loss covered by this bill. If this amendment be adopted, the principal purpose of this bill in doing justice to these men who have been wronged by the direct action of the Government will fail, and they will get no relief, or will fail to get the relief that it was intended they should get by the enactment of this bill into law.

Mr. DUNBAR. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. DUNBAR. Is it not a fact that in the erection of all public institutions freight on the railroads is the greatest proportion of expense, and is it not a fact that because of the war with which the contractors had nothing to do freight rates were so increased as to materially enhance the cost of construction, and under the amendment proposed no relief is offered in that respect.

Mr. WOOD of Indiana. There is no question about that.

Mr. LAYTON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. CANNON. Mr. Chairman, I ask unanimous consent that his time be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WOOD of Indiana. I yield to the gentleman.

Mr. LAYTON. Is it proposed to constitute the House of Representatives into a general court of equity to reimburse every man, woman, and child on account of the war for their losses sustained in all directions?

Mr. WOOD of Indiana. No; that is not the purpose of the bill, and I think that is quite beside the matter that we are now considering. However, it ought to be the purpose of the House of Representatives, as a branch of the Government, to see to it that people they are here to represent are not wronged by the Government. It was not the intention of the House of Representatives when it made it possible for the Government to enter into contracts that by subsequent action of the Government the contractors should suffer loss. The law making it possible for these contracts to be entered into was made in time of peace, and it had in its purview the thought that the contracts would be made in time of peace and under normal conditions. The Government in good faith entered into the contract in time of peace, under normal conditions and the contractor on the other side did likewise. Each endeavored to carry them out until the war came along when normal conditions were upset. The contractors were bound under their contracts to complete these buildings in a certain limited time. The Government itself is the one that is responsible for this. We are a part of the Government. This House of Representatives is a part of the Government, and we are responsible in a measure to these gentlemen so far as our moral obligation is concerned to see to it as their Representatives that no wrong should come to them by reason of our act and by reason of the acts of governmental agencies. [Applause.] That is all I desire to say.

Mr. NEWTON of Minnesota. Mr. Chairman, I desire to offer a substitute to the amendment offered by the gentleman from Illinois.

The CHAIRMAN. The Clerk will report the substitute.

The Clerk read as follows:

Substitute offered by Mr. NEWTON of Minnesota: Page 2, line 7, after the word "from," strike out all of line 7 and up to the word "delay" in line 8 and the words "third, to" in line 10.

Mr. NEWTON of Minnesota. Mr. Chairman, in that event the proposed bill would read:

Arising from delay on account of the action of the United States Priority Board or other Government activities or commandeering by the United States Government of plants and materials shown to the Secretary of the Treasury to have been sustained by them in the fulfillment of such contracts.

And so forth.

It seems to me that if we are to pass the bill at all we should eliminate the first proviso, so that we compensate only for the direct positive action of the Government arising out of the action of the Priority Board or by action of other governmental officers in commandeering.

Mr. SNELL. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I feel that we should be absolutely fair with everyone, but in my judgment if this bill is passed in its present form it opens up as much real lightning as has come into this Congress in any session yet. And so far as I can see from the bill itself there is not one single safeguard in it. You simply present your claim, a wide-open claim, to the Secretary of the Treasury and receive your pay. Now, the evidence that was given before the committee a year ago, September, 1918, claimed that the contractors would all fail in 30 or 40 days. The same evidence was presented again here that the contractors are going to fail in 30 or 40 days if they do not get this absolute relief. It seems to me that it is the same old program of opening up the Treasury. The gentleman from Indiana says we must legislate for all. The men before the Committee on Rules this morning stated that there were about 100 contractors affected by this legislation. There are a certain lot of taxpayers who will be affected on the other side by the legislation we pass in its present form.

Mr. LAYTON. Will the gentleman yield?

Mr. SNELL. I do.

Mr. LAYTON. These contractors if they were not actually engaged in building these public buildings and post offices were engaged in governmental work at 10 per cent plus?

Mr. WOOD of Indiana. Oh, no.

Mr. LAYTON. Why not?

Mr. WOOD of Indiana. They are different contracts altogether.

Mr. SNELL. According to this bill, every contract so broken up and material so commandeered is entitled to come in under it for relief. Certainly the conditions were not safe in April, 1917. Everything was up in the air, and the man who took a contract then took it because he thought he was going to make money on it; and if you are going to open at one place you have got to open up all clear through the whole line. A man who furnished anything for the Government and lost money on it is entitled to be reimbursed by the Government. If you are going to reimburse the fellow who built the public buildings——

Mr. EDMONDS. If the gentleman will permit, I desire to state that we have before the Claims Committee hundreds of thousands of dollars worth of claims of the departments along this same line, and if we open up the gate we have simply got to pass those claims, because we have established a precedent.

Mr. SNELL. If we open it up in this condition without any restrictions, you have no excuse whatever in the world for not paying all of these hundreds of million dollars of claims before the Committee on Claims at the present time.

Mr. LANGLEY. What are those claims?

Mr. SNELL. I do not know; but the Committee on Claims——

Mr. LANGLEY. The gentleman says hundreds of millions; I do not know of any such situation.

Mr. SNELL. There is the chairman of the Committee on Claims; he can state.

Mr. LANGLEY. The proviso limits it to this bill.

Mr. SNELL. Your bill only calls for claims amounting to about $2,000,000.

Mr. LANGLEY. I know; but this applies only to contracts on Government buildings entered into prior to the declaration of war.

Mr. SNELL. We start by taking down the doors. Let us take the amendment offered by the gentleman from Illinois [Mr. MADDEN] and put some bars on this bill. If you do not you have thrown the Treasury wide open, and I do not see a hope in the future. I hope the amendment will be accepted.

Mr. CANNON. Mr. Chairman, it seems to me that this bill from the committee covers the ground as it ought to be covered. What is it. Let me read—

whose contracts have been or will be completed after said date, for increased costs thereafter arising from, due either, first, to increased cost of labor or materials, or, second, to delay on account of the action of the United States Priority Board or other governmental activities, or, third, to commandeering by the United States Government of plants or materials shown to the Secretary of the Treasury to have been sustained by them in the fulfillment of such contracts by reason of war conditions alone.

Now, then, this does not apply to a contract that was let after the war began. The claims the gentleman speaks of as being before his committee, I dare say, are claims on contracts or services performed after the war, contracts expressed or implied. These are contracts——

Mr. EDMONDS. Will the gentleman yield?

Mr. CANNON. I can not now. I have only five minutes. These contracts were made before the war. You all know how little contractors throughout the country, I know several in Illinois, many of them were contracts to construct public buildings, men of means, mechanics in many instances, I have instances in my town, who lost $50,000 on a contract that they made months before. And how did they make their contracts? Why, they go to work and find out what the prices are.

A careful man contracts with the fellow who makes the lumber, who makes the hardware——

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. CANNON. I can not yield. I will if I can get more time.

Now, that was the condition in one case of which I know. What happened? Some of the material was on the ground. The Government came along and commandeered that material. What else? They shut off the shipment of other material that had not been delivered to him. What else? They shut off the railroad transportation. What else? For Government construction and Government work the prices went way up, until they absolutely had to drop the whole thing in despair. Now, that contract may or may not have been complied with. I do not know whether it has been or not, but if it was complied with there was a loss. What for and what from? First, from the commandeering of the stuff that had been delivered.

Mr. CLARK of Florida. Will the gentleman permit?

Mr. CANNON. Yes.

Mr. CLARK of Florida. If it was not complied with, his bond was responsible for it, and so he lost anyhow.

Mr. CANNON. Yes. Look at it from every standpoint. Here are people who made these contracts with the Government before the war. The war came. And as the gentleman from Florida [Mr. CLARK] has said, in God's chancery, in good morals, legally—and you can not sue the Government—the Government ought to pay the damages. [Applause.]

Mr. KELLEY of Michigan and Mr. GRIFFIN rose.

The CHAIRMAN. The Chair will recognize the gentleman from New York [Mr. GRIFFIN], a member of the committee.

Mr. GRIFFIN. Mr. Chairman and gentlemen of the committee, I do not know of any bill ever considered by the Committee on Public Buildings and Grounds which received more deliberation and more careful attention by that committee before coming to the floor of this House than this one. The bill in its original form, without many of the modifications and perfections which appear in this bill, was reported out prior to the adjournment of the last Congress by a unanimous committee; and the report of our lamented colleague from Alabama, Judge Burnett, would furnish very excellent reading for the gentlemen who wish enlightenment upon the justice and wisdom of the measure. It was also reported out to the present session of Congress unanimously.

Now, I have the greatest esteem and respect for both of the gentlemen who have offered amendments to this section, but, with all due humility and all due deference, I want to say to those gentlemen that I believe they are barking up the wrong tree. They are trying to do what? They are trying to eliminate from this bill the real essence of the bill itself. They are taking the very meat out of the coconut. The part of the bill which is of any moment is that which concerns the reimbursement of the contractors for their losses——

Mr. ELSTON. Will the gentleman yield for a moment right there?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from California?

Mr. GRIFFIN. I will in just a moment.

For their losses after the beginning of the war, due to increased cost of labor and material. Now, everyone knows—and we may all take judicial notice of the fact—that labor and material are certainly, in many contracts, the very foundation of the claim, and that labor and material enter most largely into the cost of construction.

Now, I yield to the gentleman from California.

Mr. ELSTON. The gentleman has expressed in his description of what this bill is intended to cover an idea, I believe, that goes all through the bill. The gentleman said this bill was intended to reimburse the contractor for loss caused by increased cost. If the gentleman will examine every phase in the bill describing what is to be covered by reimbursement he will see that the word "loss" is not mentioned once, or bankruptcy, or anything else importing that only contractors who suffer loss are to be relieved. All you do is to reimburse them for increased cost.

Mr. GRIFFIN. The gentleman is wrong. I know there is not any such word as "loss" in the bill——

Mr. ELSTON. Will the gentleman yield?

Mr. GRIFFIN. Wait a moment—but increased cost means loss. That is the deduction I make, and this is justified by the existence in the bill of the limitation that prevents them from making any claim against the Government in the way of profit. It is a fair deduction from the context of the bill. Of course, lawyers will differ, as doctors do, but that is my conception of the bill, that there is no provision whatever for the payment of any profit to these men, and it is intended in good faith to only reimburse them for their losses due to increased cost——

Mr. ELSTON. Will the gentleman yield? At the bottom of page 2——

Mr. GRIFFIN. Pardon me. Do not take my time.

The gentleman pointed out the line; let me go ahead and make an answer. Here is the point. These men——

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. ELSTON. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

Mr. GRIFFIN. Mr. Chairman, I ask leave to revise and extend my remarks.

The CHAIRMAN. Does the gentleman from California withdraw his request?

Mr. ELSTON. Yes. I move to strike out the last word.

The CHAIRMAN. The gentleman from California withdraws his request. The Chair recognizes the gentleman from California.

Mr. ELSTON. Mr. Chairman, I would direct the attention of the gentleman from New York [Mr. GRIFFIN], inasmuch as this is a continuation of our colloquy, to line 6, where the reason for reimbursement is first given. It is stated there that reimbursement shall be "for increased costs thereafter arising from," and so on.

Mr. GRIFFIN. Wait a minute, and I will answer that.

Mr. ELSTON. Let me proceed further just a moment. Would it not be opportune, and would it not clarify the purpose of the bill, to state "for losses caused by increased cost," so that you would then have a basis of calculation for reimbursement? In the same way why not go down to line 23 and say "sufficient to cover his losses by actual increased cost," and on page 3, where you speak of the surety, make it clear that you reimburse the surety for loss caused and not for increased cost alone. With the language as it is there might be a profit permitted on the portion of the contract to which the increased cost of material does not apply. Possibly the contractor had to get his material which is largely increased in cost as to only a portion of the contract. Now, possibly that increased cost for the pro rata portion of material may have affected his profit somewhat, but not wiped out the whole profit, and not reduced him to a net loss on the whole contract.

Now, I think that possibly the construction of that phrase at the bottom of page 2, which says, "exclusive of any and all profit to such contractor or subcontractor," might be construed to refer to profits arising out of the original costs of material and labor for which the material or labor for which he had to incur increased cost was substituted and would not wipe out all the profit.

Mr. GRIFFIN. Pardon me. I believe that is a question directed to me, which I am expected to answer.

Mr. ELSTON. Yes.

Mr. GRIFFIN. The construction of the committee was that the terms of this bill would absolutely eliminate any profit whatever upon the increased cost of material and labor. We did not pretend, however, to go behind the original estimates or try to eliminate or to deprive them of the profits to which they would have been entitled by their original contracts——

Mr. ELSTON. That is it exactly.

Mr. GRIFFIN. Had the labor and material remained at the original figure on which they may have based a profit.

Mr. ELSTON. Then I may say they are not entitled to profits. That opens the whole business. This is a matter of grace to save them from ruin and bankruptcy.

Mr. SNELL. The gentleman admits there is to be a profit.

Mr. ELSTON. No. The contractor who gets relief under the bill should be merely insured against loss.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. ELSTON. Mr. Chairman, may I have one minute more?

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. ELSTON. My point, in short, is that if the contractor expected to make 20 per cent profit and it was reduced to 10 per cent by the increased cost of labor or material, or both, he should get no relief.

Mr. GRIFFIN. Oh, no. That is impossible. The cost of labor and material was doubled.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. LANGLEY. Mr. Chairman, this language was very carefully and thoroughly gone over, not only by the entire committee after the subcommittee had made two or three different drafts of it, but it was also gone over in detail with the Acting Supervising Architect of the Treasury and other officials of the Treasury, and this is the exact language, after considerable revision and careful thought and discussion, which was agreed upon by us all.

Mr. BEGG. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. LANGLEY. In a moment I will yield. Please wait until I finish this point.

The CHAIRMAN. The gentleman declines to yield.

Mr. LANGLEY. I think this language in the bill carefully safeguards the interests of the Government in every way. The language at the bottom of page 2 makes it entirely clear that the contractor or subcontractor in no event is to get any profit. That is made absolutely clear and specific in the bill, it seems to me.

Mr. GRIFFIN. As a matter of fact, under the terms and conditions of the bill he could not have any profit.

Mr. LANGLEY. No; he could not be allowed any profit, because the bill applies only to cases in which the contractor has lost as a result of carrying out his contract, due solely to war conditions, and only to the extent of such loss.

Mr. CLARK of Florida. Will the gentleman permit me to call his attention to the fact that it is limited to the actual increased cost brought about by these conditions?

Mr. LANGLEY. Yes; that is correct; and, besides, it is specifically provided that he shall not receive any profit as the result of this adjustment by the Treasury Department. Many of these contractors have put thousands of dollars of their own money into these buildings for the Government and have

lost it, and the Government has received the benefit of it. I do not believe that the Government of the United States can afford to put itself in the attitude of permitting those men to put up their own money and lose it when it was not their fault, but when it was due to conditions that they could not foresee, over which they had no control, and for which the Government, one of the contracting parties, was responsible. [Applause.] If you strike out the language in the bill as proposed by this amendment, you will, in my judgment, defeat the main purpose of the bill, and I hope the committee will not do it. [Applause.]

Mr. BEGG. I should like to ask the gentleman if this is not general legislation for specific cases?

Mr. LANGLEY. As I said a while ago, we have had a number of other similar propositions that have already been approved by Congress, and that was general legislation for specific cases.

Mr. BEGG. This is general legislation, is it not?

Mr. LANGLEY. Yes; it is general legislation in a sense.

Mr. BEGG. And the remedies are specific, are they not?

Mr. LANGLEY. Yes; and that is generally true of all remedial legislation. The Committee on Public Buildings and Grounds has jurisdiction of public-building matters. We did not go into the question of reimbursing contractors on other Government work, such as the Army or Navy, for instance. That is not a part of the business of our committee.

Mr. BEGG. Have you in this bill confined the cases that can be brought up if this bill is put on the statute books?

Mr. LANGLEY. Why, absolutely; and they are known to the Treasury Department. We have a list of them, a complete list.

Mr. BEGG. Would it not have been more enlightening and safer if you had listed those cases in this bill?

Mr. LANGLEY. I do not think that would have been the proper way to do it. We have carefully safeguarded that, and the limitations are clearly set forth.

Mr. CLARK of Florida. Why not just admit that the gentleman could have done it better than we could?

Mr. LANGLEY. Very likely he could.

Mr. CRISP. I should like to ask the chairman of the committee a question, not exactly on this bill, but a matter over which he has control. I have a public building authorized under the act of 1913. The contract has never been let. They have advertised for bids, but they can not get a bid within the limit of cost. The Supervising Architect's Office advises me that there are about 116 other buildings throughout the United States in a similar condition. I should like to know if the committee has given any consideration to that matter with a view to bringing in a bill increasing the limit of cost of those 116 buildings?

Mr. LANGLEY. Although it is not germane to the pending proposition, I am glad to say that we have considered that situation, and we have decided to include all of these propositions in one general omnibus bill that we will report in December.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LANGLEY. May I have two minutes more?

Mr. BANKHEAD. A point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BANKHEAD. Debate on this amendment has long since been exhausted. We have been discussing it 45 minutes.

The CHAIRMAN. Debate on the amendment is exhausted.

Mr. WINSLOW. Mr. Chairman, I move to strike out the last word. It seems to me that this is a question involving the integrity of the United States Government in respect of holding up the hands of its business people. We have had but one war like this. We probably will not have another set of conditions similar to these. Men have had no experience on which they could have formulated ideas as to what would happen to them as the war progressed. I am interested in this matter particularly as a question of decent governmental ethics. Beyond that I have a direct interest in the well-being of one concern whose case is set forth in this bill. In order that there may be no doubt about where I come in I call your attention to a provision in the bill for reimbursing people who furnished granite for the wall about the Lincoln Memorial in this city.

That quarry is in my neighborhood. Before the war the owners of the quarry proceeded without interruption toward the execution of that contract. When the war came there was great demand for labor in the neighborhood of that granite quarry. Qurrymen skilled in nothing else but that vocation were drawn upon by shoe factories, cartridge belt factories, machine shops, and so on, at wages running from two to three times those which they were getting in the quarry. Not only that, but they were drawn at such tempting wages 20 miles away, with their car fare paid to and from their work. What earthly show was there for the owners of the quarry under such conditions? They had the granite in the quarry and so there is no question of reimbursement for material, but the whole consideration is the matter of labor. The owners were told when the war came on that they must finish the contract and the supply of granite.

Good fellows that they were, good patriots that they were, good business sports that they were, in the face of sure loss they borrowed money of banks, piled up the granite, and what happened then? Not only did they lose the profit which might have been made under ordinary conditions, not only did they work on in the face of sure loss, but when the time came to ship the granite, war having come on, they were not able to send forth any finished granite.

One of the provisions, if I am not mistaken—and I say "mistaken" for the reason that there were three quarries in trouble and they had about the same experience—one of the provisions, I believe, in their contract for the Lincoln Memorial was that the contractor should not get his money until the granite was landed over on the ground at the monument. The Government would not furnish the cars. There they were, plodding along, borrowing money on a Government contract, trying to fulfill it like honest business men, and then the Government with its one hand demanding the granite laid on the ground and with the other refusing to pay for it, and if it had had a third hand that would not furnish him the cars to take the granite away.

Now, the question comes down to solid foundation, and that is the point I want you to consider. If that concern does not get the money on which they have run behind, they are broke.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. CANNON. Mr. Chairman, I ask unanimous consent that the gentleman have five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. WINSLOW. Now, does this Government, at a time like this, want to say to a young struggling business concern, "We are not going to let you have your pay because you did not happen to have a contract covering unforeseen emergencies; you can go on and do what you please, we do not care"? The Government of the United States in all business undertakings ought to set the example of equity, decency, and generosity in business methods. [Applause.]

If we as legislators can not do it, we can not expect it from anybody else. Why should we complain of a half ignorant fellow trying to do the best he can, struggling along with a shoe-string capital, when he fails to measure up in fairness, yet we squawk and get out from under our moral obligations to our business institutions? [Laughter and applause.]

We have by legislation already taken care of the lame duck who did not happen to have a fixed contract for work which he had undertaken with one or another of the departments—the Ordnance, the Quartermaster, or what not. He did not have a contract because, perhaps, he was not wise as to the fussy methods of the Government in making contracts. I do not mean "fussy methods" in any invidious way, but there never was any concern that did make a correct contract with the Ordnance or other department which was not well fortified with legal talent.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield?

Mr. WINSLOW. When I get through, I shall be delighted. The Government is held by our legislation to provide for the fellow who, through inadvertence, did not actually have a legal contract, and on checking up and proving his accounts in the proper way he is being paid, and that to the glory of our country and our Government and not to its disparity. [Applause.]

We are sending money to every clime we can think of under one pretext or another. We are doing everything to show the open heart and the open hand. When it comes to this line of people, represented by these particular business concerns covered by this bill, or to an endless line, so far as we can imagine, if their claims are meritorious, why do we not show the same decency to our own people that we are showing those of foreign lands? [Applause.]

One gentleman on the floor, I do not remember which one, pertinently asked if such a bill would be collected under private contract. I do not know much about the private-contract business when it comes to a discussion of law, but I do know and every business man in this House knows and every corporation lawyer in this House knows that there have been cases innumerable, not only now in this war period but in the past, as long as any of us can remember, where people having contracts with others, who have failed for one reason or another or who found themselves unable to go on, have been reimbursed for their losses,

and so put on their feet, by those for whom they were working out contracts. Why, my friends, there would not have been one-half the contracts in the war time executed for the Government which were executed if it had not been that somebody came forward and gave a lift to a fellow who started in and could not hold out. [Applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. KELLEY of Michigan. Mr. Chairman, I think this is one kind of legislation that we ought to consider very carefully, because what we do with reference to public buildings we will have to do all through the various departments of the Government. If we pass this bill and allow contractors to be reimbursed for extra cost of labor and material for which the Government itself is not directly responsible—make it as broad as that—we will have to do the same thing, of course, for contractors with the Navy and the Army and all other departments of the Government. I can readily understand how there ought to be adjustments made where the Government itself interfered with the performance of the contracts by direct action. For instance, the Navy Department let a contract for a dry dock in Philadelphia. It is alleged that the Government stepped in and commandeered all of the cement in that region. The Labor Board fixed the price of labor for that region. Because of the increased cost of labor and material and the absolute inability to get the material, in some cases those contractors could not go forward with their work. In some cases, as gentlemen have suggested, the Government running the railroads gave other Government business preference, so that contractors could not get the material on time. It is obvious that in all those cases the Government ought to make adjustments. My judgment is that we ought to pass a general bill treating all contractors similarly situated alike, because if we have one rule for contractors with the Navy, another rule for contractors with the Army, and different rules for contractors with the Treasury Department it is going to make all sorts of confusion and discrimination. The whole matter of Government liability in cases of this kind should be considered. We do not know how much such a policy as this will cost the Government. My opinion is that if you pass this bill to-day and follow it up with similar bills for the relief of contractors with other departments it means hundreds of millions of dollars of expense to the Government of the United States. I do not know how many cases in the Navy there are like this.

But I have in mind a dry dock at Norfolk, a dry dock at Philadelphia, and public works for the Navy at nearly all the naval stations. The contracts were let prior to the war, and if we go ahead and make up to the contractor whatever he has lost by reason of the advance in the price of labor and material, where the Government was not directly responsible, then we will have a bill to pay so large that no man can make a guess as to what it will run into, and Congress ought not to act in that uncertain way and in the dark.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. SMITH of Michigan. As I understand it, that is not the question. This bill covers cases where the Government is responsible.

Mr. KELLEY of Michigan. This bill covers cases wherever labor and materials have advanced by reason of the fact that the United States has been at war. It is the broadest kind of a measure. Every advance in the price of material and labor will be assigned to that cause. The Navy Department and the War Department had contracts for food supplies, blankets, tentings, and materials of all kinds. We had contracts with the packers for meat to supply the Army and the Navy. Because of the war the price of all these things advanced. Are we ready to open up all these contracts and make adjustments because of such advance? This bill sets the pace. Whatever we do for these particular contractors covered by this bill will have to be done for others if we are to avoid the charge of discrimination. The amendment of the gentleman from Illinois should be adopted. The bill will then be going far enough. [Applause.]

Mr. CLARK of Florida. Mr. Chairman, I simply want to say a word to straighten out one matter here if I can. Gentlemen seem to be badly mixed up here upon certain features of this bill. In the first place, I want to say to the gentlemen that we are not making any new precedents here.

Congress reimbursed the contractor for his losses in the building of the main building at the Panama Exposition, which was destroyed by storm. Congress reimbursed the contractors for their losses when the Baltimore customhouse was destroyed by fire. Congress reimbursed the contractors for the San Francisco customhouse for their losses occasioned by the earthquake and fire, so we do not need any precedent. Here are losses growing out of actual contracts with the Government, and I want to say if the gentlemen will look at the bottom of page 2 of this bill they will find this statement, which covers the whole proposition and limits the amount of money that can be paid:

And provided further, That in no case shall the contractor or subcontractor be reimbursed to an extent greater than is sufficient to cover his actual increased cost in fulfilling his contract or subcontract, exclusive of any and all profits—

And so forth, and questions of that character.

Mr. DOWELL. Will the gentleman yield for a question?

Mr. CLARK of Florida. Yes.

Mr. DOWELL. Does not that guarantee the contractor all the profit that he had in his original contract?

Mr. CLARK of Florida. Not at all; it distinctly cuts it out.

Mr. DOWELL. No. This only affects the amount of the increase, but it leaves to him exactly the profit that he had when the contract was made, guaranteed by the bill.

Mr. CLARK of Florida. It does not leave a particle of profit, and anybody who understands the English language ought to realize it. It gives him enough to cover his actual increased cost in filling the contract. Increased what? Increased cost over and above what it did cost or would have cost at the time he made the contract, when he entered into it.

Mr. MONTAGUE. Will the gentleman yield to me?

Mr. CLARK of Florida. Yes.

Mr. MONTAGUE. I have in my mind the same thought suggested by the gentleman from Iowa, who just——

Mr. CLARK of Florida. I want to hurry on through, if I can.

Mr. MONTAGUE. Yes. The gentleman gives him the increased cost——

Mr. CLARK of Florida. Yes.

Mr. MONTAGUE. He may make a profit in any event; therefore he receives nothing. Why not recompense him for the loss?

Mr. CLARK of Florida. How can he make a profit? He pays $150, we will say, on a certain article which before the war would have cost $100.

Mr. MONTAGUE. You may figure that——

Mr. CLARK of Florida. Wait a minute.

Mr. MONTAGUE. What we want to do is to make these people good for their losses, nothing else.

Mr. CLARK of Florida. Mr. Chairman, that is exactly the thing the committee did not want to do. It is the very thing that we debated for a day or two at different meetings. We do not pretend to try to make these people whole. If we undertake to reimburse them for their losses, we are going to mulct the Government instead of for $2,000,000 for probably $10,000,000 before we get through with it. We propose simply to pay them back the money which they were forced to pay over and above what they would have expended if it had not been for the acts of the Government. That is all. We expressly stipulate that upon that they are not to get one single solitary cent of profit.

Mr. UPSHAW. Will the gentleman yield?

Mr. CLARK of Florida. For a question.

Mr. UPSHAW. Does the gentleman think that the Government ought to refuse to pay one honest moral obligation for fear that it might have to pay another honest obligation at some other time?

Mr. CLARK of Florida. I do not. I said that to-day.

Mr. UPSHAW. Of course not.

Mr. CLARK of Florida. I want to say again, Mr. Chairman, when the contractor enters into a contract—some gentlemen do not seem to understand it—when he bids upon a contract he files with it a certified check in a certain amount. Something has been said here to the effect that he was not forced to accept the contract after war had been declared. If he bid before war was declared and his certified check was on deposit in the Treasury Department and his bid was accepted by them, he either had to go forward and carry out the contract or forfeit the certified check that he had put up, and there was no way on earth for him to get out of it.

Now, these men have gone on and carried out their contracts in good faith. If this bill does not reach what the committee desire to reach, then we ask you to fix it so it will reach it. Do not sit here and growl about how we have drafted the bill. If you agree that it is honest and right and just that these men should be taken care of, for God's sake help us instead of standing up here and mouthing about the way in which we have drawn the bill.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. CLARK of Florida. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. The gentleman from Florida asks unanimous consent for two minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. CLARK of Florida. The whole gist of the bill is right here. I do not want to hear myself talk, but I am sick and tired of gentlemen getting up on the floor and suggesting there ought to have been a "t" crossed here or an "i" dotted there or a comma put in there or a semicolon somewhere else. For God's sake, if it is not right, offer amendments and make it right, but do not attempt to defeat it by this kind of procedure. Some gentleman objects because we have not gone out and hunted up all the claims against the Government and incorporated them in this bill. If we had brought in here the claims against the Navy Department and the War Department, a point of order would have been made against them and they would have gone out in the twinkling of an eye, and you gentlemen know it. We have jurisdiction only of questions of this character, and we have brought the bill in here to meet that issue. These men have honestly discharged their duty and the Government owes the money. A private individual who would not give them this measure of justice would be looked upon as a dishonest man, and the Government of the United States ought not to occupy that attitude.

Mr. LANGLEY. Mr. Chairman, we have had liberal debate on this measure, and we ought to take up the bill. I ask unanimous consent that the debate on this bill and the amendments thereto be now closed.

Mr. HARDY. Will the gentleman agree that I have two minutes?

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. LANGLEY. After the gentleman from Texas [Mr. HARDY] has had two minutes, I move that all debate——

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that debate on the bill and pending amendments close in two minutes. Is there objection?

Mr. KREIDER. Reserving the right to object, I would like to have two minutes in which to offer an amendment.

The CHAIRMAN. Is there objection?

Mr. LANGLEY. Mr. Chairman, I desire to modify my request—that after five minutes the debate close on the bill and amendments thereto, and that the gentleman from Pennsylvania [Mr. KREIDER] have three minutes and the gentleman from Texas [Mr. HARDY] two.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that the debate on the bill and pending amendments close in five minutes. Is there objection?

Mr. BLAND of Missouri. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BLAND of Missouri. I have an amendment I want to offer following this. Do I understand that this applies to the bill?

The CHAIRMAN. It does. Is there objection?

Mr. KREIDER. Do I get three minutes in the unanimous consent request?

The CHAIRMAN. The gentleman from Kentucky will again state his request. The Chair can not gather anything about it.

Mr. LANGLEY. I have stated it several times. I will make it 10 minutes, then. Some other gentlemen want to be heard.

Mr. CANNON. Why does not the gentleman move to close it in five minutes?

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. SNELL. Mr. Chairman, I object until we know what the request is.

The CHAIRMAN. The Chair will state the request. It is that all debate on the bill and amendments close in five minutes.

Mr. LANGLEY. Two minutes to be consumed by the gentleman from Texas and three by the gentleman from Pennsylvania.

Mr. SCOTT. I object.

Mr. MONTAGUE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MONTAGUE. Is the bill now open to amendment?

The CHAIRMAN. It is. Objection was made to the request. The question is on the substitute offered by the gentleman from Minnesota [Mr. NEWTON].

Mr. HARDY of Texas. There is a request for unanimous consent that has not been objected to.

Mr. SCOTT. I objected to it.

Mr. HARDY of Texas. Mr. Chairman, I ask for recognition in my own right.

Gentlemen, I have not bothered the House in the discussion of this matter. I have always been for an equitable adjustment of proper obligations of the Government. But my belief is that this bill will open a Pandora's box, from the fact that there will be no contractor who made a contract before we entered the war that will not come in for a readjustment of the difference between what that contract cost him and what it would have cost him but for the increased cost of labor and material. I think if you pass this bill without amendment you will set a precedent for other suits against the Government that may run into I do not know how many, but possibly hundreds of millions of dollars. That will be so, especially with respect to this last part, due to war conditions and the enhanced value due to war conditions; and there will not be a contractor who will not have a right to come to the Government and ask for an increase in his pay under this bill. [Applause.]

Mr. LANGLEY. Mr. Chairman, I move that all debate on the bill and all amendments thereto be now closed.

The CHAIRMAN. The gentleman from Kentucky moves that all debate on the bill and all amendments thereto be now closed. The question is on agreeing to that motion.

The question was taken, and the motion was agreed to.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent to withdraw my amendment and accept the amendment offered by the gentleman from Minnesota [Mr. NEWTON].

Mr. KELLEY of Michigan. Mr. Chairman, I ask unanimous consent that the bill be again reported as amended in that particular, if that amendment is agreed to.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. MADDEN] that he be permitted to withdraw his amendment?

Mr. MONTAGUE. Mr. Chairman, I ask unanimous consent that the amendment be read which I send to the Clerk's desk.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. MADDEN] that he be permitted to withdraw his amendment?

There was no objection.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Minnesota [Mr. NEWTON]. The gentleman from Michigan [Mr. KELLEY] asks that the amendment be reported and that the language be read as it will appear when amended. Without objection, the amendment will again be reported.

The Clerk read as follows:

Amendment offered by Mr. NEWTON of Minnesota: Page 2, line 7, after the word "from," strike out all of line 7 and up to the word "delay," in line 8, and the words "third, to," in line 10, so that the language will read, "and whose contracts have been or will be completed after said date, for increased costs thereafter arising from delay on account of the action of the United States Priority Board or other governmental activities or commandeering by the United States Government of plants or materials shown to the Secretary of the Treasury to have been sustained by them in the fulfillment of such contracts by reason of war conditions alone: *Provided*, That any subcontractor may submit his claim through the contractor or to the Secretary of the Treasury."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Minnesota.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. NEWTON of Minnesota. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 41, noes 64.

So the amendment was rejected.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MONTAGUE: Page 2, line 6, after the word "for," insert the words "loss due directly to," so that the language will read, "and whose contracts have been or will be completed after said date, for loss directly due to increased costs thereafter arising from."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Virginia.

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. CLARK of Florida. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 79, noes 7.

So the amendment was agreed to.

Mr. CHINDBLOM. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CHINDBLOM: Page 2, line 7, after the word "arising," strike out the the word "from."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

Mr. CLARK of Florida. How will that read?

Mr. CHINDBLOM. The word "from" is not in the original bill.

Mr. CLARK of Florida. It is in the original bill as reported.

The CHAIRMAN. The debate has closed. The gentleman from Florida asks that the language be read as it will appear in the amendment.

The Clerk read as follows:

And whose contracts have been or will be completed after said date, for loss directly due to increased costs thereafter arising, due, etc.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. LANGLEY. Mr. Chairman, all debate has closed. I now move that the committee rise.

Mr. LEHLBACH. Mr. Chairman, I wish to offer an amendment.

Mr. BLAND of Missouri. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLAND of Missouri: On page 2, line 5, after the figures "1907," insert "or within 10 days thereafter," so that the language will read, "to wit, April 6, 1917, and whose contracts have been or will be completed after said date," etc.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Missouri [Mr. BLAND].

The question was taken, and the amendment was rejected.

Mr. LEHLBACH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman will send up his amendment.

Mr. LEHLBACH. I move to amend on page 2, line 23, by striking out the words "increased cost" and substituting the word "loss."

The CHAIRMAN. The gentleman from New Jersey offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LEHLBACH: On page 2, line 23, after the word "actual," strike out the words "increased cost" and insert in lieu thereof the word "loss."

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey.

The question being taken, the Chairman announced that the noes appeared to have it.

Mr. LEHLBACH. Division, Mr. Chairman.

The CHAIRMAN. The gentleman from New Jersey demands a division.

Mr. LANGLEY. That will cost the Government a great deal more, gentlemen, if you adopt that.

The CHAIRMAN. Debate is out of order. The gentleman from New Jersey demands a division.

The committee divided; and there were—ayes 25, noes 69.

Accordingly the amendment was rejected.

Mr. CHINDBLOM. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offer an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CHINDBLOM: Page 2, line 11, after the word "materials," insert "such increased costs in every case being," so that the paragraph will read: "Or, third, to commandeering by the United States Government of plants or materials, such increased cost in every case being shown to the Secretary of the Treasury to have been sustained by them in the fulfillment of such contracts by reason of war conditions alone."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question being taken, the amendment was rejected.

Mr. LANGLEY. I move that the committee do now rise and report the bill to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WALSH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 6323) for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Under the rule the previous question is ordered. Is a separate vote demanded on any amendment? If not, the Chair will put the amendments in gross.

The amendments were agreed to.

Mr. NEWTON of Minnesota. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. NEWTON of Minnesota. When will a motion to recommit the bill be in order?

The SPEAKER. After the third reading.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time.

Mr. SNELL. Mr. Speaker, I move to recommit the bill.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. SNELL. I am.

The SPEAKER. The Chair will recognize the gentleman. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. SNELL moves to recommit the bill to the Committee on Public Buildings and Grounds with instructions to that committee to report the bill back forthwith with the following amendment: After the word "from," in line 7, page 2, strike out the balance of the line and all of line 8, up to and including the word "to" and the words "third, to," in line 10.

The SPEAKER. The question is on the motion of the gentleman from New York to recommit the bill with instructions.

Mr. SNELL. On that, Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until they are counted. [After counting.] Seventeen Members, not a sufficient number.

Mr. SNELL. I ask for the other side, Mr. Speaker.

The SPEAKER. The gentleman demands the other side. The Chair will count.

Mr. HEFLIN. What was the demand, Mr. Speaker?

The SPEAKER. The gentleman from New York demanded the other side. The Chair is counting to see whether 17 are a sufficient number. It only requires 86 to negative the demand, and there are more than that number present. So the yeas and nays are refused.

Mr. SNELL. I make the point of no quorum present.

The SPEAKER. The gentleman from New York makes the point of no quorum present. It is evident that there is no quorum present.

Mr. CLARK of Florida. I move a call of the House.

The SPEAKER. That is not necessary. It is an automatic call. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members. As many as are in favor of the motion to recommit will, as their names are called, vote "yea," those opposed "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 73, nays 195, answered "present" 2, not voting 160, as follows:

YEAS—73.

Alexander	Fess	Layton	Riddick
Almon	Foster	Lehlbach	Romjue
Ashbrook	Glynn	Lesher	Rubey
Baer	Gould	Little	Schall
Bankhead	Green, Iowa	McDuffie	Scott
Begg	Hardy, Tex.	Madden	Snell
Black	Haskell	Magee	Steagall
Blanton	Hastings	Major	Thomas
Bowers	Haugen	Mapes	Tillman
Box	Hayden	Monahan, Wis.	Tilson
Campbell, Kans.	Heflin	Mondell	Volstead
Carss	Hoch	Moore, Ohio	Watkins
Carter	Huddleston	Moore, Va.	White, Me.
Clark, Mo.	James	Newton, Minn.	Wingo
Connally	Jones, Tex.	Nichols, Mich.	Young, N. Dak.
Davey	Keller	Padgett	Young, Tex.
Dowell	Kelley, Mich.	Parrish	
Dunn	LaGuardia	Ramseyer	
Edmonds	Lanham	Rayburn	

NAYS—195.

Ackerman	Copley	Goodykoontz	Kreider
Andrews, Nebr.	Crago	Greene, Mass.	Lampert
Anthony	Crisp	Greene, Vt.	Langley
Aswell	Crowther	Griffin	Lankford
Ayres	Cullen	Hadley	Larsen
Bacharach	Curry, Calif.	Harrison	Lazaro
Barbour	Dale	Hays	Lea, Calif.
Barkley	Dallinger	Hernandez	Lonergan
Benham	Darrow	Hersey	Luce
Bland, Ind.	Davis, Tenn.	Hersman	Lufkin
Bland, Mo.	Denison	Hickey	Luhring
Bland, Va.	Dickinson, Iowa	Holland	McAndrews
Boies	Dominick	Hudspeth	McArthur
Brand	Doughton	Hulings	McCulloch
Briggs	Drane	Hull, Iowa	McFadden
Brinson	Dunbar	Hull, Tenn.	McGlennon
Brooks, Ill.	Dupré	Humphreys	McKeown
Browning	Eagan	Hutchinson	McLaughlin, Mich.
Brumbaugh	Elliott	Igoe	McLaughlin, Nebr.
Burke	Elston	Ireland	McPherson
Burroughs	Esch	Jacoway	MacCrate
Byrns, Tenn.	Evans, Nebr.	Kahn	Mansfield
Campbell, Pa.	Fisher	Kearns	Martin
Cannon	Fitzgerald	Kendall	Mays
Caraway	Focht	Kiess	Merritt
Chindblom	Fordney	Kincheloe	Michener
Clark, Fla.	French	King	Miller
Cleary	Gandy	Kinkaid	Minahan, N. J.
Coady	Garland	Kitchin	Montague
Cole	Garrett	Kleczka	Moon
Collier	Godwin, N. C.	Knutson	Moore, Pa.

Moores, Ind.	Ramsey	Smithwick	Wason
Morin	Randall, Wis.	Stedman	Watson, Va.
Mott	Reed, W. Va.	Steenerson	Webster
Murphy	Rhodes	Stevenson	Welling
Nelson, Mo.	Ricketts	Stiness	Welty
Newton, Mo.	Robinson, N. C.	Strong, Pa.	Whaley
Nolan	Robsion, Ky.	Sweet	Wheeler
O'Connell	Rodenberg	Taylor, Tenn.	White, Kans.
Oldfield	Rogers	Temple	Wilson, La.
Park	Rose	Thompson, Ohio	Winslow
Peters	Rowe	Timberlake	Wise
Phelan	Sanders, Ind.	Tincher	Wood, Ind.
Platt	Sells	Treadway	Woods, Va.
Porter	Shreve	Upshaw	Woodyard
Quin	Siegel	Vaile	Wright
Radcliffe	Sinnott	Vestal	Yates
Rainey, J. W.	Smith, Idaho	Walsh	Zihlman
Raker	Smith, Mich.	Walters	

ANSWERED "PRESENT"—2.

Hawley	Ogden

NOT VOTING—160.

Anderson	Evans, Nev.	Kettner	Rucker
Andrews, Md.	Fairfield	Kraus	Sabath
Babka	Ferris	Lee, Ga.	Sanders, La.
Bee	Fields	Lever	Sanders, N. Y.
Bell	Flood	Linthicum	Sanford
Benson	Frear	Longworth	Saunders, Va.
Blackmon	Freeman	McClintic	Scully
Booher	Fuller, Ill.	McKenzie	Sears
Britten	Fuller, Mass.	McKinley	Sherwood
Brooks, Pa.	Gallagher	McKinley	Sims
Browne	Gallivan	McLane	Sinclair
Buchanan	Ganly	MacGregor	Sisson
Burdick	Gard	Maher	Slemp
Butler	Garner	Mann	Small
Byrnes, S. C.	Goldfogie	Mason	Smith, Ill.
Caldwell	Good	Mead	Smith, N. Y.
Candler	Goodall	Mooney	Snyder
Cantrill	Goodwin, Ark.	Morgan	Steele
Carew	Graham, Pa.	Mudd	Stephens, Miss.
Casey	Graham, Ill.	Neely	Stephens, Ohio
Christopherson	Griest	Nelson, Wis.	Strong, Kans.
Classon	Hamill	Nicholls, S. C.	Sullivan
Cooper	Hamilton	O'Connor	Summers, Wash.
Costello	Hardy, Colo.	Oliver	Sumners, Tex.
Cramton	Hicks	Olney	Taylor, Ark.
Currie, Mich.	Hill	Osborne	Taylor, Colo.
Davis, Minn.	Houghton	Overstreet	Thompson, Okla.
Dempsey	Howard	Paige	Tinkham
Dent	Husted	Parker	Towner
Dewalt	Jefferis	Pell	Vare
Dickinson, Mo.	Johnson, Ky.	Pou	Venable
Donovan	Johnson, Miss.	Purnell	Vinson
Dooling	Johnson, S. Dak.	Rainey, H. T.	Voigt
Doremus	Johnson, Wash.	Randall, Calif.	Ward
Dyer	Johnston, N. Y.	Reavis	Watson, Pa.
Eagle	Jones, Pa.	Reber	Weaver
Echols	Juul	Reed, N. Y.	Webb
Ellsworth	Kelly, Pa.	Riordan	Williams
Emerson	Kennedy, Iowa	Rouse	Wilson, Ill.
Evans, Mont.	Kennedy, R. I.	Rowan	Wilson, Pa.

So the motion to recommit was rejected.

The following additional pairs were announced:

Until further notice:

Mr. DAVIS of Minnesota with Mr. HOWARD.

Mr. WATSON of Pennsylvania with Mr. KETTNER.

Mr. STRONG of Kansas with Mr. JOHNSTON of New York.

Mr. ANDREWS of Maryland with Mr. WEBB.

Mr. BROOKS of Pennsylvania with Mr. BELL.

Mr. CURRIE of Michigan with Mr. BLACKMON.

Mr. GRIEST with Mr. BUCHANAN.

Mr. FREEMAN with Mr. BOOHER.

Mr. HAWLEY with Mr. CALDWELL.

Mr. HILL with Mr. CANTRILL.

Mr. JEFFERIS with Mr. CASEY.

Mr. JOHNSON of South Dakota with Mr. DICKINSON of Missouri.

Mr. KELLY of Pennsylvania with Mr. DOOLING.

Mr. MORGAN with Mr. DOREMUS.

Mr. KENNEDY of Iowa with Mr. EAGLE.

Mr. KENNEDY of Rhode Island with Mr. FIELDS.

Mr. KRAUS with Mr. FLOOD.

Mr. LONGWORTH with Mr. GOODWIN of Arkansas.

Mr. MANN with Mr. JOHNSON of Mississippi.

Mr. PURNELL with Mr. NEELY.

Mr. REED of New York with Mr. O'CONNOR.

Mr. SINCLAIR with Mr. OVERSTREET.

Mr. STEPHENS of Ohio with Mr. POU.

Mr. TOWNER with Mr. HENRY T. RAINEY.

Mr. WILLIAMS with Mr. RANDALL of California.

Mr. WILSON of Illinois with Mr. RUCKER.

Mr. GOOD with Mr. SIMS.

Mr. FULLER of Massachusetts with Mr. SUMNERS of Texas.

Mr. NELSON of Wisconsin with Mr. TAYLOR of Colorado.

On this vote:

Mr. JOHNSON of Kentucky (for) with Mr. OGDEN (against).

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question now is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. LANGLEY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

EXTENSION OF REMARKS.

Mr. WINGO. Mr. Speaker, I ask unanimous consent to extend and revise in the RECORD my remarks I made this afternoon.

The SPEAKER. The gentleman from Arkansas asks unanimous consent to extend and revise his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein an analysis of the soldiers' settlement bill by my colleague, Mr. JONES of Pennsylvania.

The SPEAKER. Is there objection?

There was no objection.

Mr. COPLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein the life record of Edward N. Hurley, chairman of the Shipping Board, who retires to-day.

The SPEAKER. Is there objection?

There was no objection.

Mr. COPLEY. Mr. Speaker, I desire to call attention to some facts in the career of Edward N. Hurley, of Wheaton, Ill., whose period of notable public service terminates with his resignation as chairman of the United States Shipping Board August 1.

It may cause surprise that I, a member of the political opposition to the administration with which Mr. Hurley has been associated, should turn aside from the accustomed business of the House to refer to the life of Mr. Hurley.

There is so much in his career, however, that is entirely dissociated from partisanship, so much of stalwart Americanism, of compelling energy and of inspiring example for young America, that I am not short of text when I offer this tribute to my fellow Illinoisian. The story of his career and achievement is a finely stimulating one for every young American.

The story of Hurley is the story of a union railroad shopworker who has reached a high pinnacle in the great crisis through which the world has so recently passed. His has been a varied career, one of intense activity and of the deepest human interest. And it makes good reading for our young crusaders who are launching out to-day at the bottom, with their vision and purpose focused on the top of things.

KNOX COUNTY.

Mr. Hurley was born in Galesburg, Ill., in July, 1864, not far from the town in the same county in which I was born. He got the foundation of an education in the public schools of the community. At the age of 14 he was already looking afield for broader opportunity. If he was to work in a machine shop, he wanted it to be a big machine shop. He had his eyes on Chicago. Out of his earnings he had accumulated $35. Thirty dollars of this he turned over to his mother as a contribution to the family war chest and with the remaining $5 he set forth to seek adventure and employment.

He found employment in the railroad shops of Chicago and his twenty-fourth year found him at the throttle of one of the big locomotives of the Chicago, Burlington & Quincy Railroad. His record with the Chicago, Burlington & Quincy is that of an efficient engineer who had one of the best and smoothest working engines operating out of Chicago.

Hurley knew the point of view and the problem of the union man, of whom he was one. He participated in a strike on the Chicago, Burlington & Quincy, walked out with the engineers when his organization voted it, and found himself without a job. Then he began to look for other employment.

Clear-eyed, sincere, and confidence-compelling, young Hurley landed a job as traveling salesman for a metallic packing company of Philadelphia. In Chicago one afternoon he encountered a man who had been stoker on one of the engines Hurley had driven for the Chicago, Burlington & Quincy. The stoker had a story to tell of a brother who was experimenting with a new kind of tool. The story aroused Hurley's interest. He sought the experimenter, examined his plans, drew up an agreement with him, and then the two rented a shanty where they devoted all of their time to perfecting the new device. With a donkey engine to turn their lathe, they worked away for months and finally evolved a model which they deemed presentable. Then Hurley set out to market the invention. Picture an unknown youth without influence or money trying to gain the ear of

capital. The rebuffs would have disheartened one of less determination. But they did not dishearten Hurley. He had faith in that idea of pneumatic tool, but could find no one in America willing to finance it. It did not appeal; what were pneumatic tools, anyway? Where did they fit in? Moreover, executives were too busy with their own affairs to listen to importunate inventors.

Hurley refused to accept defeat and decided to take the idea to England. With characteristic energy he scraped enough for steamship passage to London, and there demonstrated to the satisfaction of English industrial experts the value of his pneumatic patents. A purchaser of the English rights was found, and late one foggy afternoon on the streets of London the young man found himself in possession of a check for $30,000. His first thoughts were of home. Half of the sum was cabled immediately to his mother, with the injunction that she purchase a home and move into it. He returned to lay the foundation of an enterprise which rapidly brought him into fellowship with the great industrial leaders of America. He was an organizer, president and treasurer of the Standard Pneumatic Tool Co. of Chicago from 1896 to 1902. In that year he sold out his interest in the American and English pneumatic tool companies and engaged in farm and stock raising at his country home at Wheaton. He then decided that he was through with money making and that henceforth he would give his interest to public affairs.

In 1913 he was appointed United States Trade Commissioner to the Latin American Republics. He went to South America at the head of a commission of Middle West business men which accomplished valuable pioneer work in the cementing of trade relations between the Latin Americas and the United States.

Appointed member of the Federal Trade Commission when that board was organized March 16, 1916, Mr. Hurley wielded a strong influence over the policy and character of this governmental organization. Upon our entrance into the war, the President commandeered his services for important national work. He was barely allowed to make good at one important war post before the President felt called upon to commandeer his services for another post.

His first war job was with the war council of the American Red Cross. With Henry P. Davison, Grayson M. P. Murphy, and Charles D. Morton he worked out the war organization of the Red Cross, which has rendered such notable service to stricken humanity. Then the President shifted him into the newly organized War Trade Board. The War Trade Board had a vital job to do at that time. The British blockade had proved effective, and German armies were being sustained by food and supplies obtained through neutral countries. At this post he aided in establishing a real export control that shut Germany off from the sinews of war.

Then came Hurley's biggest chance for honor and service. The President, discouraged at the Denman-Goethals shipping embroglio, decided to place the whole shipping problem in the hands of the level-headed business man whom he had watched function at three important Government posts.

When Hurley was called to the Shipping Board that body was not only without organization but was, in fact, disorganized. The War and Navy Departments had organizations dating back to the birth of the Nation. But the Shipping Board, a newly created body which had already made two false starts, could then be likened to a mob in a free-for-all scramble. And while those older organizations rested on rock foundations, this new one lay on quicksand which had already engulfed Bernard N. Baker, Goethals, and Denman.

Hurley confronted a situation that was unparalleled and fraught with enormous difficulties and unmatched perplexities. No ordinary compass could serve as a guide. We had ceased to be a maritime Nation. Our flag had gone from the ocean highways. Such few shipyards as we had were overcrowded with work for the Navy. There was no reservoir of shipyard managers to draw upon for this emergency; there were no workers skilled in shipbuilding to be had. Moreover, there was that disorganized body into which he had come, and on top of all was the insistent, the urgent and more urgent cry for ships.

The task he faced required an executive ability capable of rapidly bringing order out of chaos, of expeditiously grouping work to be done, and the sizing up of men capable of doing it. While sifting, sorting, coordinating, regulating, and systematizing the work of the confused organization into which he had been brought, Hurley was throwing every other ounce of his great energy into the gigantic task of building an enormous fleet of ships from the ground up—finding sites for the great number of shipyards that had to be built before the actual work of shipbuilding could be started, rushing contracts for their construction and for the buildings that were to house the workers, organizing and training the industrial army that was needed, stimulating their efforts with the glory of the winning of a pennant, mobilizing bridge and structural steel companies, contracting for their output to be employed in the fabricated ships, and inspiring all with his own energy and enthusiasm.

At that critical time German submarines were sinking ships faster than they were being built, and it was in the face of this appealing and ever-increasing loss in tonnage that America was preparing to hurry her armies across the ocean. The vital need was ships and more ships. It was no time for indecision—for dilatory methods. It was no hour for paying heed to carpers. And right here I wish to include what Hurley once told me was his favorite quotation, one from Dr. Jowett:

Don't apologize; don't explain; let 'em holler; get it done!

That one line explains Hurley. It has the old Farragut ring, "Damn the torpedoes; go ahead!" Hurley went ahead, and the work he accomplished will stand out in history as one of the epochal ones of the World War. I will quote a few statistics which give a graphic picture of what was done.

When Hurley took office as chairman of the Shipping Board all we had to show for our previous years of effort toward upbuilding a merchant marine was a total of 1,641 vessels, representing a gross tonnage of 3,729,436, chiefly coastwise, for our oversea tonnage was negligible.

Up to June 30 of this year there had been built and delivered to the Shipping Board 1,065 seagoing steamships—including 15 purchased Japanese vessels of 85,980 gross tons—representing 3,977,323 estimated gross tons. Under construction and soon to be completed were 631 steel vessels, aggregating 2,956,615 estimated gross tons—including 43 steel tugs, tonnage not figured. Under contract—keels not yet laid—were 311 steel steamships, aggregating 1,475,000 estimated gross tons, a total of 2,007 ships of 8,409,338 estimated gross tons.

Including 355 wood ships under construction (594,634 estimated gross tons), 12 concrete ships (49,000 tons) now building and 2 under contract (10,000 tons), and 6 composite ships (14,000 tons) under construction, the grand total of seagoing vessels built, under construction, and provided for is 2,382, of 9,076,972 estimated gross tons or 13,615,556 dead-weight tons.

This shows that since the present Shipping Board was organized there has already actually been added to our merchant fleet a total of 1,065 seagoing vessels of 3,977,323 estimated gross tons, with 1,004 of 3,614,249 estimated gross tons under construction and 313 of 1,485,000 estimated gross tons provided for, a grand total of 2,382 vessels of 9,076,572 estimated gross tons to be completed by July, 1920.

In comparison to this Great Britain, the leading shipbuilding and shipowning nation of the world, counts to-day only 15,000,000 gross tons under her merchant flag, even including small vessels down to 500 tons.

Upon our entrance into the war this Nation had only a few widely scattered shipyards. Although running full time on rush work for the Navy, these employed not more than 50,000 men. At the signing of the armistice we had 198 shipyards, with 1,083 launching ways, more than double the number in all the rest of the world. Employed in these shipyards was an army of more than 350,000 men.

Under control of the Shipping Board on the date the armistice was signed was a fleet of 2,112 seagoing vessels, representing a gross tonnage of 5,514,448. This did not include 583,000 gross tons of enemy vessels taken over, nor the 324,000 gross tons of Dutch ships which had been requisitioned.

The Shipping Board had turned over to the Army for its use in transporting and maintaining troops overseas more than 4,000,000 gross tons of shipping. Refutation of the repeated assertion that America had been almost wholly dependent upon British shipping for the period of the emergency is to be found in the published records of the War Department.

The construction department of the United States Shipping Board is twice as large as that of the United States Steel Corporation, while its operating expenses are equal to the combined expenses of the Pennsylvania Railroad and the Santa Fe. Congress has authorized $3,671,000,000, and up to the close of the fiscal year had appropriated $2,625,451,000 for the shipbuilding program. Hurley has had the handling of this enormous sum, and while there has been the inevitable waste inseparable from vast undertakings hurriedly rushed to completion during abnormal times, no one has ever charged that one dishonest penny ever passed through the hands of Edward N. Hurley.

From the time that he took charge the Shipping Board was coupled as a part of the machinery of war. It was called upon to compete with the organized branches of the Government in

war activities, to obtain material and to mobilize a great army of workmen under war conditions, to perform a task that was essential to the winning of the war under restricted war powers that did not permit it to make use of military authority or laws, or to intrude or in any way interfere with activities on behalf of the military or naval arms of the Government or their allied industries.

There was at no time any intention or desire on the part of Hurley to ask for an extension of the board's powers in its urgent need for men and materials. Hurley was confident that he could muster all the men needed through patriotic appeal, and his confidence was not misplaced. In priorities in the matter of materials and transportation he was content to fight out his case on its merits, and he needed the same class of materials so urgently required for all phases of war industry. Again his record was one of success.

Hurley's job was to build ships, and his determination was to master and overcome the submarine menace, which at the time of the formulation of his shipbuilding program was accounting for ocean-going tonnage at a rate three times greater than it was being replaced, and threatening to clear the seas of merchant ships. At the close of hostilities he was building ships faster than they were being sunk, and the United States was replacing ships where other nations at war had failed.

Since the great machine which he had been driving ahead at full speed was slowed down with the signing of the armistice, he has been giving thought to the requirements of peace. One of his great accomplishments rests in the newly established trade routes which now reach from our ports to those of all the world. To-day there are 65 freight routes on which our cargo ships are sailing on regular schedule. For the first time in our history our busines men may now know when American oversea freighters are scheduled to start their voyages, and no longer is there need for our business men to wait for a foreign ship to oblige them by sailing.

There are now 174 steamships, of 900,870 gross tons, employed in these trade routes—routes that had been opened throughout the last six months as a first step toward the conversion of ocean tonnage released from war work to the usages of peace. All told, the Shipping Board now has 829 ships, of 4,248,973 deadweight tons—2,832,649 gross tons—engaged in general commerce, while upward of 2,500,000 tons of its shipping is yet employed in service for the Army and Navy and in relief work for oversea civilians.

Mr. Hurley has been a singularly conspicuous figure in the vital affairs of the war, and he lays down his responsibilities with the good wishes of the overwhelming mass of his fellow citizens. He has been honored by the distinguished-service cross, awarded by Gen. Pershing, and by an appointment as commander of the Legion of Honor at the hands of the President of France. He was the first civilian to enter Germany as a representative of the associated Governments in the negotiations for supplying food to Germany in consideration of Germany turning over its passenger ships to America for use in returning our soldiers. As chairman of the associated Governments' committee a contract was signed with German civilians—steamship owners and bankers—for the deliveries of these ships that were in German harbors during the war. These ships have been in service bringing back our soldiers. Mr. Hurley accompanied Marshal Foch to Germany, where negotiations with the German delegation were carried on at Treves.

In accepting Mr. Hurley's resignation, President Wilson wrote this splendid appreciation of his services:

As chairman of the Shipping Board you have done work of a very exceptional character both at home and abroad, and it is with genuine and very deep regret that I accept your resignation, only because you desire me to do so. It would not be just to insist upon your continuing. Yielding to your wishes I accept it, to take effect the 1st of August, 1919.

In more than one capacity you have served the country with distinction in these difficult times, and I am sure that you can carry away from your tasks the sense of duty well performed. No one ever served his country's interests more devotedly than did you, and personally I am deeply grateful to you. I am sure that my gratitude and appreciation are shared by all those who know the importance of the work you have done.

It is not without real significance that we note the concurrence of newspaper editors of opposing political faith in their estimate of Mr. Hurley's services. The great editorial department of the New York Sun, which seldom has an opportunity to commend an official of the Democratic administration, had this is to say about Mr. Hurley in the Sun of July 13:

MR. HURLEY OUT OF SHIPPING.

Mr. Hurley has quit the head of the Shipping Board, to the loss of our Government merchant marine, Mr. Wilson's administration, and the American public.

If one of the great problems of the war was how to get ships, one of the great problems now is what to do with them when we have them. Just as Mr. Hurley had a very clear vision about the way to get the ships—by putting on full steam, keeping it up, driving everybody and everything at top speed—he has had a very straight view as to stopping work on construction no longer needed, selling ships that could be marketed to advantage, and planning to put others in worth-while service. And in both the war field and peace field his confidence, his courage, and his punch were invaluable.

There was never much chance that in the long run our Government shipping could stand up against the competition of British shipping, of Dutch and Scandinavian shipping, of Japanese shipping when they get going again full swing. But Mr. Hurley's eye was quick to light upon the truth that the South American shipping trade could be made and should be made our own. He has been preparing to go into this important business in the biggest kind of way, with the fastest and the best freight and passenger steamers afloat. For the sake of ourselves, for the sake of South Americans, for the sake of the whole New World, he was going to link all the Americas closely together in a sea chain of transportation that would challenge the Old World to come and equal us.

It may be that Mr. Hurley's successor or somebody will see the needs and possibilities of a great shipping service between North America and South America as Mr. Hurley saw them. It may be that his plan will be followed as a national policy and program. But nobody else could follow it with such enthusiasm as Mr. Hurley himself would have followed it. Nobody else will put into it the same genius and power. Nobody else will be so sure of hammering it through to success.

The great Democratic organ—the New York Times—published the following sincere tribute in its issue of July 12:

Lack of zeal and of energy and devotion to the work in hand could never be charged against Chairman Edward N. Hurley, of the Shipping Board, whose resignation has just been accepted by President Wilson. Mr. Hurley was always a stimulating force, and in his public addresses his faith in building the ships to win the war never faltered. If he seemed too optimistic at times, it was not because he was credulous; as a business man he understood the difficulties of creating shipyards overnight, as it were, supplying them with material and recruiting the army of workmen required. Also he had no conceit about his familiarity with ship construction. But he knew that the way to keep everybody on the job and developing their utmost powers was to assume that the rank and file of the shipyard army was as much in earnest and as patriotic and stanch as he was. So he always preached the gospel of success and did not stick at prophesying more than was going to be accomplished.

As a kind of inspired, peripatetic, and indefatigable press agent Chairman Hurley never flinched from the task and worked 16 or more hours a day at high pressure. There may have been other men who knew more about shipbuilding than he did, but none who could better impersonate Uncle Sam determined to see it through. Mr. Hurley's statistics of promise and performance did not always hang together well; the critical might detect flaws in them; but inconsistency had to be risked sometimes and drawing the long bow attempted with a good grace.

It may be shown that mistakes were made in the shipbuilding program and that money was wasted in experiments, but there wasn't much time for the sagest calculation. The point was to get things done and strike a fair average of excellence, with the speed of performance always increasing. If the war had gone on the results would have been more striking and notable, but, as it was, a strong and enduring foundation was laid for an American merchant marine, and a good deal of the credit must go to Chairman Hurley. No man in his place could have attained 100 per cent of merit, but he finished his task with a remarkably good average of execution.

I hold no brief for the Democratic administration, but I do feel that Edward N. Hurley, of Illinois, has rendered service of which the whole Nation may well be proud. He was called upon in a crisis to do an unprecedented job. He was called upon to give the Nation something it had never had before—a great merchant fleet—and he had to do it in the midst of war. He organized the job and put it through. He fully deserves the approval the public has given him.

Backed by this fine record of achievement, Illinois may well be proud to class Edward N. Hurley with her other illustrious sons, and place his name high on the roll of honor in her hall of fame.

I happen to have the distinguished honor of representing in Congress the city in which Mr. Hurley now lives. That city, that county, and the eleventh congressional district of Illinois join in acclaiming him the most distinguished citizen. With all the honors that have been showered upon him, he is still the same model citizen and helpful neighbor that he was through all the years of struggle that prepared him in mind and heart to perform, modestly and conscientiously, the great task set before him by his country's needs.

Mr. PLATT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the banking bill passed this afternoon.

The SPEAKER. Is there objection?

There was no objection.

SESSIONS OF COMMITTEE ON MILITARY AFFAIRS.

Mr. KAHN. Mr. Speaker, I ask unanimous consent that the Committee on Military Affairs may sit during the recess of the House.

The SPEAKER. The gentleman from California asks unanimous consent that the Committee on Military Affairs may sit during the recess. Is there objection?

There was no objection.

BERT GALLAGHER.

Mr. HUMPHREYS. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That Bert Gallagher be, and he is hereby, appointed a special employee and pair clerk under the resolution adopted by the House May 19, 1919, to be effective from July 1, 1919, until August 1, 1919.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

CHANGE OF REFERENCE.

The SPEAKER. The Chair asks unanimous consent to change the reference of the bill (H. R. 485) to increase the rates of pay of certain grades of officers from the Committee on Public Buildings and Grounds to the Committee on Military Affairs? Is there objection.

There was no objection, and it was so ordered.

HOUR OF MEETING TO-MORROW.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. Is there objection?

Mr. WINGO. Mr. Speaker, reserving the right to object, what is the necessity for meeting an hour earlier?

Mr. MONDELL. It will give us more time in which to pass certain measures that we desire to bring up. We expect to bring up in the morning a bill affecting the coastwise shipping, to be followed by some bills from the Committee on Ways and Means.

Mr. HARDY of Texas. Mr. Speaker, is it the purpose of the gentleman, if this be granted, to move to adjourn?

Mr. MONDELL. Yes.

The SPEAKER. Is there objection?

There was no objection.

COMMITTEE ON THE BUDGET.

The SPEAKER. The Chair appoints the following members of the Committee on the Budget, authorized this afternoon, which the Clerk will report.

The Clerk read as follows:

Mr. GOOD, Mr. CAMPBELL of Kansas, Mr. MADDEN, Mr. HAWLEY, Mr. TEMPLE, Mr. TINKHAM, Mr. PURNELL, Mr. BYRNS of Tennessee, Mr. KITCHIN, Mr. GARNER, Mr. TAYLOR of Colorado, Mr. HOWARD.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 13 minutes p. m.), in accordance with the order heretofore made, the House adjourned until to-morrow, Friday, August 1, 1919, at 11 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. STEENERSON, from the Committee on the Post Office and Post Roads, to which was referred the resolution (H. Res. 135) requesting the Postmaster General to furnish the House information concerning the loss of mail by fire in an aeroplane, reported the same without amendment, accompanied by a report (No. 184), which said bill and report were referred to the House Calendar.

Mr. KAHN, from the Committee on Military Affairs, to which was referred the bill (H. R. 7594) relating to the creation of the office of general of the armies of the United States, reported the same without amendment, accompanied by a report (No. 185), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (H. R. 7595) relating to the creation of the office of general of the armies of the United States, reported the same without amendment, accompanied by a report (No. 186), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. McKENZIE, from the Committee on Military Affairs, to which was referred the joint resolution (H. J. Res. 165) to allow the payment of bills lawfully incurred for construction work actually performed or construction material actually purchased and delivered prior to the approval of an act approved July 11, 1919 (Public, No. 7, 66th Cong., H. R. 5227), reported the same without amendment, accompanied by a report (No. 187), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. VOLSTEAD, from the Committee on the Judiciary, to which was referred the bill (S. 2236) relating to affidavits required by the act entitled "An act to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war," reported the same without amendment, accompanied by a report (No. 190), which said bill and report were referred to the House Calendar.

Mr. MORGAN, from the Committee on the Judiciary, to which was referred the bill (H. R. 6808) to incorporate the American Legion, reported the same with amendment, accompanied by a report (No. 191), which said bill and report were referred to the House Calendar.

Mr. RHODES, from the Committee on Indian Affairs, to which was referred the bill (H. R. 446) authorizing the Commissioner of Indian Affairs to transfer fractional block 6, of Naylor's addition, Forest Grove, Oreg., to the United States of America for the use of the Bureau of Entomology, Department of Agriculture, reported the same without amendment, accompanied by a report (No. 194), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CARAWAY, from the Committee on the Judiciary, to which was referred the bill (H. R. 3171) to amend the practice and procedure in Federal courts, and for other purposes, reported the same without amendment, accompanied by a report (No. 195), which said bill and report were referred to the House Calendar.

Mr. KEARNS, from the Committee on Military Affairs, to which was referred the bill (H. R. 7878) to provide necessary commissioned personnel for the Army until June 30, 1920, reported the same with amendment, accompanied by a report (No. 197), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. LITTLE, from the Committee on Claims, to which was referred the bill (H. R. 795) for the relief of Arthur Wendle Englert, reported the same without amendment, accompanied by a report (No. 196), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GOULD: A bill (H. R. 8060) authorizing the Secretary of War to donate to the village of Ovid, N. Y., two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. BACHARACH: A bill (H. R. 8061) authorizing the Secretary of War to donate to the town of Cedarville, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. RANDALL of California: A bill (H. R. 8062) to extend the permit privilege to include first-class mail; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 8063) to punish violations of the eighteenth amendment to the Constitution by American citizens in certain foreign countries; to the Committee on Foreign Affairs.

By Mr. HOUGHTON: A bill (H. R. 8064) authorizing the Secretary of War to donate to the city of Hornell, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TINKHAM: A bill (H. R. 8065) governing rate of pay and allowances of retired enlisted men of the Army, Navy, and Marine Corps; to the Committee on Military Affairs.

By Mr. DAVILA: A bill (H. R. 8066) authorizing an examination and survey of the harbor of Ponce, P. R.; to the Committee on Rivers and Harbors.

By Mr. MAPES: A bill (H. R. 8067) to establish standard weights and measures for the District of Columbia, to define the duties of the Superintendent of Weights, Measures, and Markets of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. KAHN: A bill (H. R. 8068) to provide for universal military, naval, and vocational training and for mobilization of the manhood of the Nation in a national emergency; to the Committee on Military Affairs.

By Mr. ROWE: A bill (H. R. 8069) amending section 13 of an act entitled "An act to promote the welfare of American seamen in the merchant marine of the United States, to abolish arrest and imprisonment as a penalty for desertion, and to secure the abrogation of treaty provisions in relation thereto, and to promote safety at sea"; to the Committee on the Merchant Marine and Fisheries.

By Mr. EDMONDS: A bill (H. R. 8070) to repeal an act entitled "An act to confer on the President power to prescribe charter rates and freight rates and to requisition vessels, and for other purposes," approved July 18, 1918; to the Committee on the Merchant Marine and Fisheries.

By Mr. CARAWAY: A bill (H. R. 8071) prohibiting the intermarriage of the Negro and Caucasian races in the District of Columbia, and the residence in the District of Columbia of members of those races so intermarrying outside the boundaries of the District of Columbia, and for other purposes, and providing penalties for the violation of this act; to the Committee on the District of Columbia.

Also, a bill (H. R. 8072) prohibiting the enlistment of any member of the Negro race in the military or naval service of the United States of America, and directing the discharge of all members of the Negro race now serving in any branch of the military or naval services of the United States; to the Committee on Military Affairs.

By Mr. WASON: A bill (H. R. 8073) authorizing the Secretary of War to donate to the town of New Boston, N. H., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TREADWAY: A bill (H. R. 8074) to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, as amended by the act approved October 6, 1917; to the Committee on Interstate and Foreign Commerce.

By Mr. KELLEY of Michigan: A bill (H. R. 8075) providing for a public building at Flint, Mich.; to the Committee on Public Buildings and Grounds.

By Mr. BYRNS of Tennessee: A bill (H. R. 8076) authorizing the county of Montgomery, Tenn., to construct a bridge across the Cumberland River within 7 miles of Clarksville, Tenn.; to the Committee on Interstate and Foreign Commerce.

By Mr. MORIN: A bill (H. R. 8077) to amend section 234 of the revenue act of 1918; to the Committee on Ways and Means.

By Mr. LONGWORTH: A bill (H. R. 8078) to regulate the importation of coal-tar products, to promote the establishment of the manufacture thereof in the United States, and, as incident thereto, to amend the act of September 8, 1916, entitled "An act to increase the revenue, and for other purposes"; to the Committee on Ways and Means.

By Mr. FOSTER: A bill (H. R. 8079) for the erection of a public building at Jackson, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 8080) to encourage the building of homes by providing for exemption from taxation of the income of mortgages on real estate; to the Committee on Ways and Means.

By Mr. FORDNEY: A bill (H. R. 8081) authorizing the Secretary of War to donate to the city of St. Louis, Mich., one condemned "baby tank" and its guns; to the Committee on Military Affairs.

By Mr. NELSON of Wisconsin: A bill (H. R. 8082) for the construction of a road in the Bad River Indian Reservation; to the Committee on Indian Affairs.

By Mr. JOHNSON of Kentucky: Joint resolution (H. J. Res. 169) for the construction of a detour in the Dixie Highway around the reservation at Camp Knox, Ky.; to the Committee on Military Affairs.

By Mr. PARK: Resolution (H. Res. 219) to pay George W. Sabine; to the Committee on Accounts.

By Mr. FITZGERALD: Resolution (H. Res. 222) for the sale of the wheat raised in the United States during this year at the world's market price, and requesting the Attorney General to take necessary steps to stop speculation and gambling in food products and other necessities of life; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CAMPBELL of Pennsylvania: A bill (H. R. 8083) granting a pension to Patrick Fitch; to the Committee on Pensions.

By Mr. CARAWAY: A bill (H. R. 8084) granting to certain claimants the preferential right to purchase certain alleged public lands in the State of Arkansas, and for other purposes; to the Committee on the Public Lands.

By Mr. CLEARY: A bill (H. R. 8085) for the relief of the Moran Towing & Transportation Co.; to the Committee on Claims.

By Mr. DENISON: A bill (H. R. 8086) granting a pension to Bronislawa Wypiewski; to the Committee on Pensions.

By Mr. DICKINSON of Missouri: A bill (H. R. 8087) granting an increase of pension to Daniel Brummett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8088) granting an increase of pension to W. W. Green; to the Committee on Invalid Pensions.

By Mr. EAGAN: A bill (H. R. 8089) for the relief of Ellen Cashin, Mary Cavanaugh, and James Moylan; to the Committee on Claims.

By Mr. FAIRFIELD: A bill (H. R. 8090) granting a pension to Isabella Parsons; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 8091) granting an increase of pension to W. E. Tucker; to the Committee on Invalid Pensions.

By Mr. GARD: A bill (H. R. 8092) for the relief of James H. Tucker; to the Committee on Military Affairs.

By Mr. GANDY: A bill (H. R. 8093) granting a pension to Abraham M. Reams; to the Committee on Pensions.

By Mr. HARDY of Colorado: A bill (H. R. 8094) granting an increase of pension to Henry W. Redman; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 8095) granting a pension to Louis R. Click; to the Committee on Invalid Pensions.

By Mr. JOHNSTON of New York: A bill (H. R. 8096) granting an increase of pension to Harry W. Crull; to the Committee on Pensions.

By Mr. KING: A bill (H. R. 8097) granting a pension to Simon P. Parrish; to the Committee on Pensions.

By Mr. KNUTSON: A bill (H. R. 8098) granting a pension to Frederick S. Chamberlain; to the Committee on Invalid Pensions.

By Mr. MacCRATE: A bill (H. R. 8099) for the relief of the heir at law of A. Beemer; to the Committee on Claims.

By Mr. MacGREGOR: A bill (H. R. 8100) granting a pension to Alice McDowell; to the Committee on Invalid Pensions.

By Mr. McARTHUR: A bill (H. R. 8101) granting an increase of pension to Miriam A. Gregory; to the Committee on Invalid Pensions.

By Mr. McKENZIE: A bill (H. R. 8102) granting an increase of pension to William P. Robbe; to the Committee on Invalid Pensions.

By Mr. RADCLIFFE: A bill (H. R. 8103) granting an increase of pension to Ambrose W. Kearsing; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8104) granting a pension to Robert Crawford; to the Committee on Invalid Pensions.

By Mr. REBER (by request): A bill (H. R. 8105) granting a pension to Thomas J. Rose; to the Committee on Invalid Pensions.

By Mr. SMITH of Michigan: A bill (H. R. 8106) granting an increase of pension to Charles N. Bacon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8107) granting a pension to Isaac Hawley; to the Committee on Invalid Pensions.

By Mr. STRONG of Kansas: A bill (H. R. 8108) granting a pension to Alida A. Marshall; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 8109) granting a pension to William R. Phillips; to the Committee on Pensions.

By Mr. TILLMAN: A bill (H. R. 8110) granting an increase of pension to Silas W. Norris; to the Committee on Invalid Pensions.

By Mr. TINKHAM: A bill (H. R. 8111) for the relief of Stephen J. Crotty; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Petition of Glass Bottle Blowers' Association of Coshocton, Ohio, in favor of the Kenyon bill to regulate packers; to the Committee on Agriculture.

By Mr. DYER: Petition of the Central Labor Union of St. Louis, urging local unions to render financial and moral assistance to striking telephone employees; to the Committee on Labor.

By Mr. GRIEST: Petition of Charles F. Adams, manufacturing confectioner, Lancaster, Pa., protesting against the 5 per cent excise tax on candy; to the Committee on Ways and Means.

Also, petition of Anna J. Gregg, secretary Fulton Grange, No. 66, Lancaster County, Pa., indicating disapproval of the Mondell land bill; to the Committee on the Public Lands.

By Mr. McLAUGHLIN of Nebraska: Petition of numerous citizens of Ceresco, Davey, Raymond, and Valparaiso, Nebr., urging the immediate repeal of the daylight-saving law; to the Committee on Agriculture.

By Mr. O'CONNELL: Petition of J. F. Callbreath, of Washington, D. C., favoring the enactment of House bills 2929 and 5218; to the Committee on Ways and Means.

By Mr. RAKER: Resolutions adopted by the Railway Clerks, Riverbank Lodge, No. 265, Riverbank, Calif., asking that Government ownership of railroads be continued for five years; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Polish National Alliance of the United States of North America, Chicago, Ill., protesting against the enactment of Senate bill 2099; to the Committee on Printing.

Also, resolutions adopted by the Mission Parlor No. 38, N. S. G. W., San Francisco, Calif., indorsing the Lane plan for homes for soldiers; to the Committee on the Public Lands.

Also, letter and resolutions adopted by the Hamilton S. Hawkins Auxiliary, No. 29, Department of California, Spanish War Veterans, indorsing House bill 1715 and asking that adequate pensions be allowed the veterans of the Spanish War; to the Committee on Pensions.

By Mr. ROWAN: Petition of J. F. Callbreath, of Washington, D. C., favoring the passage of House bills 2929 and 5218; to the Committee on Ways and Means.

Also, petitions of John K. Parcell and the Federal Employees' Union No. 4, of New York City, favoring the enactment of House bill 6577; to the Committee on Ways and Means.

SENATE.

FRIDAY, *August 1, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we seek mastery over every circumstance by the mastery of ourselves, by lives that are centered in God. We seek wisdom by contemplating the problems of life, by drawing from Thee that divine wisdom and grace that makes us wise in determining the justice of all affairs of life. We pray Thee to guide us this day that we may ever have our thoughts upon Thee, Thy law, Thy will, that this Nation may be a nation whose lord is God and whose laws are written after the divine order. For Christ's sake. Amen.

On request of Mr. CURTIS and by unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with and the Journal was approved.

PROTOCOL TO TREATY OF PEACE WITH GERMANY (S. DOC. NO. 66).

The VICE PRESIDENT. The Senate having heretofore ordered that the treaty of peace with Germany be considered in open executive session, the Chair lays before the Senate the following message, and refers it, with the accompanying document, to the Committee on Foreign Relations. The message will be read.

The Secretary read the message, as follows:

To the Senate:

I have the honor to transmit to the Senate herewith, accompanied by a letter from the Secretary of State, a brief protocol to the treay of peace with Germany. The certified copy which I transmit has just been received by the Department of State, and I am transmitting it without delay.

The protocol originated in a written interchange of views between the representatives of the allied and associated powers and the representatives of Germany, as a result of which the representatives of Germany requested that certain explanations of methods and facilities which it was proposed should be accorded the German Government in the execution of the treaty should be reduced to writing and signed by the powers signatory to the treaty, so as to form a definite and binding memorandum.

WOODROW WILSON.

THE WHITE HOUSE,
31 July, 1919.

Mr. LODGE subsequently said. I understand that the message of the President transmitting to the Senate a protocol relating to the treaty now before the Senate has been read. I move that, as in open executive session, it be printed and referred to the Committee on Foreign Relations and that the injunction of secrecy be removed from it.

The VICE PRESIDENT. The Chair has ruled that that has already been done, but the question is on the motion of the Senator from Massachusetts.

Mr. LODGE. I ought to have made the motion before.

The motion was agreed to.

SENATE OFFICE BUILDING COMMISSION.

The VICE PRESIDENT. The Senate Office Building was erected under the supervision of the Senate Office Building Commission, provided for in the sundry civil bill approved April 28, 1904. That act authorized its construction under the supervision of a commission and placed the actual construction, letting of contracts, and employment of skilled and other services under the control of the Superintendent of the United States Capitol Building and Grounds, who still is acting as such.

The building is not yet wholly completed, the delay having arisen partly from certain privileges granted the Washington Terminal Co. to pass through square 690 by means of a subsurface railway tunnel, and it was deemed inadvisable to fully complete the building until the settlement of the earth over the tunnel and near the building had finally ceased.

The building has what one of our American humorists described as a Queen Ann front and Mary Ann rear. The wooden approach and steps on Delaware Avenue are not only unsightly but dangerous. The personnel of the commission has disappeared save the Hon. LEE S. OVERMAN, Senator from North Carolina. The Chair renews the commission by the appointment of the Hon. FRANCIS E. WARREN, Senator from Wyoming, and the Hon. PHILANDER C. KNOX, Senator from Pennsylvania, and makes the modest request that the commission take up at least the question of finishing the Delaware Avenue entrance with Mr. Elliott Woods, Superintendent of the Capitol Building and Grounds and superintendent of the construction of said building.

UNUSED LANDS FOR SOLDIERS (H. DOC. NO. 173).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior submitting evidence that soldiers, sailors, and marines in the war with Germany are interested in the plan of Congress for providing them with farms upon the unused lands of the country, which, with the accompanying paper, was referred to the Committee on Public Lands and ordered to be printed.

DISPOSITION OF USELESS PAPERS.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of the Interior transmitting a list of useless papers on the files of the Interior Department devoid of historic interest and requesting action looking to their disposition. The communication and accompanying paper will be referred to the Joint Select Committee on the Disposition of Useless Papers in the Executive Departments, and the Chair appoints the Senator from Montana [Mr. WALSH] and the Senator from Maryland [Mr. FRANCE] the committee on the part of the Senate. The Secretary will notify the House of Representatives thereof.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills:

S. 2594. An act to extend the time for the construction of the Broadway Street Bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark.; and

S. 2595. An act to extend the time for the construction of the Main Street Bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 6323. An act for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes;

H. R. 7478. An act to amend sections 5200 and 5202 of the Revised Statutes of the United States as amended by acts of June 22, 1906, and September 24, 1918; and

H. J. Res. 150. Joint resolution to suspend the requirements of annual assessment work on certain mining claims during the year 1919.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 180. An act to incorporate Near East Relief;

S. 1361. An act further extending the time for the commencement and completion of the bridge or bridges authorized by an act entitled "An act to amend an act to authorize the Dauphin

Island Railway & Harbor Co., its successors or assigns, to construct and maintain a bridge or bridges or viaducts across the waters between the mainland at or near Cedar Point and Dauphin Islands, both Little and Big; also to dredge a channel from the deep waters of Mobile Bay into Dauphin Bay; also to construct and maintain docks and wharves along both Little and Big Dauphin Islands," approved June 18, 1912, as extended by an act approved June 30, 1916; and

S. 1378. An act to authorize the Central Railroad Co. of New Jersey to construct a bridge across the navigable waters of the Newark Bay, in the State of New Jersey.

PETITIONS AND MEMORIALS.

Mr. WARREN presented telegrams in the nature of petitions from sundry citizens of Casper, Wyo., praying for the repeal of the so-called amusement tax, which were referred to the Committee on Finance.

Mr. PAGE presented a memorial of sundry citizens of Hardwick, Vt., remonstrating against the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. PHELAN presented petitions of Plumbers' Local Union No. 262, of Hanford; of Cooks and Waiters' Local Union No. 673, of San Bernardino; of Eola Rebekah Lodge, No. 256, of Igo; and of the Board of Supervisors of Alameda County, all in the State of California, praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. MYERS presented a petition of sundry citizens of South Bend, Ind., praying for the enactment of legislation to prevent experiments upon living dogs in the District of Columbia, which was referred to the Committee on the Judiciary.

Mr. JOHNSON of South Dakota presented a petition of sundry citizens of Flandreau, S. Dak., praying for the repeal of the tax on ice cream, soda, soft drinks, etc., which was referred to the Committee on Finance.

OCCUPATION OF THE RHINE PROVINCES.

Mr. LODGE. Mr. President, I have here a declaration by the United States of America, Great Britain, and France in regard to the occupation of the Rhine Provinces. It has been presented to Parliament and is for sale in London. It is dated the 16th of June. I dare say it has been printed in the press already, but if so it has escaped me. I am quite sure that it has not been presented to the Senate. I send it to the desk and ask that it may be read, so that it will go into the RECORD.

The VICE PRESIDENT. The Secretary will read.

The Secretary read as follows:

DECLARATION BY THE GOVERNMENTS OF THE UNITED STATES OF AMERICA, GREAT BRITAIN, AND FRANCE IN REGARD TO THE OCCUPATION OF THE RHINE PROVINCES.

Presented to Parliament by command of His Majesty.

London: Published by His Majesty's stationery office. To be purchased through any bookseller or directly from His Majesty's stationery office at the following addresses: Imperial House, Kingsway, London, W. C. 2 and 28 Abingdon Street, London, SW. 1; 37 Peter Street, Manchester; 1 St. Andrew's Crescent, Cardiff; 23 Forth Street, Edinburgh; or from E. Ponsonby (Ltd.), 116 Grafton Street, Dublin. 1919. Price 1d. net.

DECLARATION BY THE GOVERNMENTS OF THE UNITED STATES OF AMERICA, GREAT BRITAIN, AND FRANCE IN REGARD TO THE OCCUPATION OF THE RHINE PROVINCES.

The allied and associated powers did not insist on making the period of occupation last until the reparation clauses were completely executed, because they assumed that Germany would be obliged to give every proof of her good will and every necessary guarantee before the end of the 15 years' time.

As the cost of occupation involves an equivalent reduction of the amount available for reparations, the allied and associated powers stipulated, by article 431 of the treaty, that if before the end of the 15 years' period Germany had fulfilled all her obligations under the treaty the troops of occupation should be immediately withdrawn.

If Germany at an earlier date has given proofs of her good will and satisfactory guarantees to assure the fulfillment of her obligations, the allied and associated powers concerned will be ready to come to an agreement between themselves for the earlier termination of the period of occupation.

Now and henceforward, in order to alleviate the burden of the reparations bill, they agree that as soon as the allied and associated powers concerned are convinced that the conditions of disarmament by Germany are being satisfactorily fulfilled, the annual amount of the sums to be paid by Germany to cover the cost of occupation shall not exceed 240,000,000 marks (gold). This provision can be modified if the allied and associated powers agree as to the necessity of such modification.

(Signed) WOODROW WILSON.
G. CLEMENCEAU.
D. LLOYD-GEORGE.

16th June, 1919.

Printed under the authority of His Majesty's stationery office by Eyre & Spottiswoode (Ltd.), East Harding Street, E. C. 4, printers to the King's most Excellent Majesty.

TREATY WITH POLAND (S. DOC. NO. 65).

Mr. LODGE. Mr. President, I also have here a treaty of peace between the United States of America and the British Empire, France, Italy, and Japan on the one part and Poland on the other, signed at Versailles on the 28th of June. It was presented to Parliament some two weeks ago and is for sale in London. It has therefore been made public. I ask that it be printed in the RECORD and also as a document for the information of the Senate.

The VICE PRESIDENT. Without objection, it is so ordered. The treaty is as follows:

TREATY OF PEACE BETWEEN THE UNITED STATES OF AMERICA, THE BRITISH EMPIRE, FRANCE, ITALY, AND JAPAN AND POLAND.

[Treaty Series No. 8 (1919).]

"LETTER ADDRESSED TO M. PADEREWSKI BY THE PRESIDENT OF THE CONFERENCE TRANSMITTING TO HIM THE TREATY TO BE SIGNED BY POLAND UNDER ARTICLE 93 OF THE TREATY OF PEACE WITH GERMANY.

"PARIS, *June 24, 1919.*

"SIR: On behalf of the Supreme Council of the Principal Allied and Associated Powers, I have the honour to communicate to you herewith in its final form the text of the Treaty which, in accordance with Article 93 of the Treaty of Peace with Germany, Poland will be asked to sign on the occasion of the confirmation of her recognition as an independent State and of the transference to her of the territories included in the former German Empire which are assigned to her by the said Treaty. The principal provisions were communicated to the Polish Delegation in Paris in May last, and were subsequently communicated direct to the Polish Government through the French Minister at Warsaw. The Council have since had the advantage of the suggestions which you were good enough to convey to them in your memorandum of the 16th June, and as the result of a study of these suggestions modifications have been introduced in the text of the Treaty. The Council believe that it will be found that by these modifications the principal points to which attention was drawn in your memorandum have, in so far as they relate to specific provisions of the Treaty, been adequately covered.

"In formally communicating to you the final decision of the Principal Allied and Associated Powers in this matter, I should desire to take this opportunity of explaining in a more formal manner than has hitherto been done the considerations by which the Principal Allied and Associated Powers have been guided in dealing with the question.

"1. In the first place, I would point out that this Treaty does not constitute any fresh departure. It has for long been the established procedure of the public law of Europe that when a State is created, or even when large accessions of territory are made to an established State, the joint and formal recognition by the Great Powers should be accompanied by the requirement that such State should, in the form of a binding international convention, undertake to comply with certain principles of government. This principle, for which there are numerous other precedents, received the most explicit sanction when, at the last great assembly of European Powers—the Congress of Berlin—the sovereignty and independence of Serbia, Montenegro, and Roumania were recognised. It is desirable to recall the words used on this occasion by the British, French, Italian, and German Plenipotentiaries, as recorded in the Protocol of the 28th June, 1878:

"Lord Salisbury recognises the independence of Serbia, but is of opinion that it would be desirable to stipulate in the Principality the great principle of religious liberty.

* * * * * * *

"Mr. Waddington believes that it is important to take advantage of this solemn opportunity to cause the principles of religious liberty to be affirmed by the representatives of Europe. His Excellency adds that Serbia, who claims to enter the European family on the same basis as other States, must previously recognise the principles which are the basis of social organisation in all States of Europe and accept them as a necessary condition of the favour which she asks for.

* * * * * * *

"Prince Bismarck, associating himself with the French proposal, declares that the assent of Germany is always assured to any motion favourable to religious liberty.

"Count de Launay says that, in the name of Italy, he desires to adhere to the principle of religious liberty, which forms one of the essential bases of the institutions in his country, and that he associates himself with the declarations made on this subject by Germany, France, and Great Britain.

"Count Andrassy expresses himself to the same effect, and the Ottoman Plenipotentiaries raise no objection.

"Prince Bismarck, after having summed up the results of the vote, declares that Germany admits the independence of Serbia, but on condition that religious liberty will be recognised in the Principality. His Serene Highness adds that the Drafting Committee, when they formulate this decision, will affirm the connection established by the Conference between the proclamation of Serbian independence and the recognition of religious liberty.

"2. The Principal Allied and Associated Powers are of opinion that they would be false to the responsibility which rests upon them if on this occasion they departed from what has become an established tradition. In this connection I must also recall to your consideration the fact that it is to the endeavours and sacrifices of the Powers in whose name I am addressing you that the Polish nation owes the recovery of its independence. It is by their decision that Polish sovereignty is being re-established

over the territories in question and that the inhabitants of these territories are being incorporated in the Polish nation. It is on the support which the resources of these Powers will afford to the League of Nations that for the future Poland will to a large extent depend for the secure possession of these territories. There rests, therefore, upon these Powers an obligation, which they cannot evade, to secure in the most permanent and solemn form guarantees for certain essential rights which will afford to the inhabitants the necessary protection whatever changes may take place in the internal constitution of the Polish State.

"It is in accordance with this obligation that Clause 93 was inserted in the Treaty of Peace with Germany. This clause relates only to Poland, but a similar clause applies the same principles to Czecho-Slovakia, and other clauses have been inserted in the Treaty of Peace with Austria and will be inserted in those with Hungary and with Bulgaria, under which similar obligations will be undertaken by other States, which under those Treaties receive large accessions of territory.

"The consideration of these facts will be sufficient to show that by the requirement addressed to Poland at the time when it receives in the most solemn manner the joint recognition of the re-establishment of its sovereignty and independence and when large accessions of territory are being assigned to it, no doubt is thrown upon the sincerity of the desire of the Polish Government and the Polish nation to maintain the general principles of justice and liberty. Any such doubt would be far from the intention of the Principal Allied and Associated Powers.

"3. It is indeed true that the new Treaty differs in form from earlier Conventions dealing with similar matters. The change of form is a necessary consequence and an essential part of the new system of international relations which is now being built up by the establishment of the League of Nations. Under the older system the guarantee for the execution of similar provisions was vested in the Great Powers. Experience has shown that this was in practice ineffective, and it was also open to the criticism that it might give to the Great Powers, either individually or in combination, a right to interfere in the internal constitution of the States affected which could be used for political purposes. Under the new system the guarantee is entrusted to the League of Nations. The clauses dealing with this guarantee have been carefully drafted so as to make it clear that Poland will not be in any way under the tutelage of those Powers who are signatories to the Treaty.

"I should desire, moreover, to point out to you that provision has been inserted in the Treaty by which disputes arising out of its provisions may be brought before the Court of the League of Nations. In this way differences which might arise will be removed from the political sphere and placed in the hands of a judicial court, and it is hoped that thereby an impartial decision will be facilitated, while at the same time any danger of political interference by the Powers in the internal affairs of Poland will be avoided.

"4. The particular provisions to which Poland and the other States will be asked to adhere differ to some extent from those which were imposed on the new States at the Congress of Berlin. But the obligations imposed upon new States seeking recognition have at all times varied with the particular circumstances. The Kingdom of the United Netherlands in 1814 formally undertook precise obligation with regard to the Belgian provinces at that time annexed to the kingdom which formed an important restriction on the unlimited exercise of its sovereignty. It was determined at the establishment of the Kingdom of Greece that the Government of that State should take a particular form, viz., it should be both monarchical and constitutional; when Thessaly was annexed to Greece, it was stipulated that the lives, property, honour, religion and customs of those of the inhabitants of the localities ceded to Greece, who remained under the Hellenic administration should be scrupulously respected, and that they should enjoy exactly the same civil and political rights as Hellenic subjects of origin. In addition, very precise stipulations were inserted safeguarding the interests of the Mohammedan population of these territories.

"The situation with which the Powers have now to deal is new, and experience has shown that new provisions are necessary. The territories now being transferred both to Poland and to other States inevitably include a large population speaking languages and belonging to races different from that of the people with whom they will be incorporated. Unfortunately, the races have been estranged by long years of bitter hostility. It is believed that these populations will be more easily reconciled to their new position if they know that from the very beginning they have assured protection and adequate guarantees against any danger of unjust treatment or oppression. The very knowledge that these guarantees exist will, it is hoped, materially help the reconciliation which all desire, and will indeed do much to prevent the necessity of its enforcement.

"5. To turn to the individual clauses of the present Treaty. Article 2 guarantees to all inhabitants those elementary rights, which are, as a matter of fact, secured in every civilised State. Clauses 3 to 6 are designed to insure that all the genuine residents in the territories now transferred to Polish sovereignty shall in fact be assured of the full privileges of citizenship. Articles 7 and 8, which are in accordance with precedent, provide against any discrimination against those Polish citizens who by their religion, their language, or their race, differ from the large mass of the Polish population. It is understood that, far from raising any objection to the matter of these articles, the Polish Government have already, of their own accord, declared their firm intention of basing their institutions on the cardinal principles enunciated therein.

"The following articles are of rather a different nature in that they provide more special privileges to certain groups of these minorities. In the final revision of these latter articles, the Powers have been impressed by the suggestions made in your memorandum of the 16th June, and the articles have in consequence been subjected to some material modifications. In the final text of the Treaty it has been made clear that the special privileges accorded in Article 9 are extended to Polish citizens of German speech only in such parts of Poland as are, by the Treaty with Germany, transferred from Germany to Poland. Germans in other parts of Poland will be unable under this article to claim to avail themselves of these privileges. They will therefore in this matter be dependent solely on the generosity of the Polish Government, and will in fact be in the same position as German citizens of Polish speech in Germany.

"6. Clauses 10 and 12 deal specifically with the Jewish citizens of Poland. The information at the disposal of the Principal Allied and Associated Powers as to the existing relations between the Jews and the other Polish citizens has led them to the conclusion that, in view of the historical development of the Jewish question and the great animosity aroused by it, special protection is necessary for the Jews in Poland. These clauses have been limited to the minimum which seems necessary under the circumstances of the present day, viz., the maintenance of Jewish schools and the protection of the Jews in the religious observance of their Sabbath. It is believed that these stipulations will not create any obstacle to the political unity of Poland. They do not constitute any recognition of the Jews as a separate political community within the Polish State. The educational provisions contain nothing beyond what is in fact provided in the educational institutions of many highly organised modern States. There is nothing inconsistent with the sovereignty of the State in recognising and supporting schools in which children shall be brought up in the religious influences to which they are accustomed in their home. Ample safeguards against any use of non-Polish languages to encourage a spirit of national separation have been provided in the express acknowledgment that the provisions of this Treaty do not prevent the Polish State from making the Polish language obligatory in all its schools and educational institutions.

"7. The economic clauses contained in Chapter II of the Treaty have been drafted with the view of facilitating the establishment of equitable commercial relations between independent Poland and the other Allied and Associated Powers. They include provisions for reciprocal diplomatic and consular representation, for freedom of transit, and for the adhesion of the Polish Government to certain international conventions.

"In these clauses the Principal Allied and Associated Powers have not been actuated by any desire to secure for themselves special commercial advantages. It will be observed that the rights accorded to them by these clauses are extended equally to all States who are members of the League of Nations. Some of the provisions are of a transitional character, and have been introduced only with the necessary object of bridging over the short interval which must elapse before general regulations can be established by Poland hereself or my commercial treaties or general conventions approved by the League of Nations.

"In conclusion, I am to express to you on behalf of the Allied and Associated Powers the very sincere satisfaction which they feel at the re-establishment of Poland as an independent State. They cordially welcome the Polish nation on its re-entry into the family of nations. They recall the great services which the ancient Kingdom of Poland rendered to Europe both in public affairs and by its contributions to the progress of mankind which is the common work of all civilised nations. They believe that the voice of Poland will add to the wisdom of their common deliberations in the cause of peace and harmony, that its influence will be used to further the spirit of liberty and justice,

both in internal and external affairs, and that thereby it will help in the work of reconciliation between the nations which, with the conclusion of Peace, will be the common task of humanity.

"The treaty by which Poland solemnly declares before the world her determination to maintain the principles of justice, liberty, and toleration, which were the guiding spirit of the ancient Kingdom of Poland, and also receives in its most explicit and binding form the confirmation of her restoration to the family of independent nations, will be signed by Poland and by the Principal Allied and Associated Powers on the occasion of, and at the same time as, the signature of the Treaty of Peace with Germany.

"I have, &c. "CLEMENCEAU."

—

"The United States of America, the British Empire, France, Italy and Japan, the Principal Allied and Associated Powers, on the one hand; and Poland on the other hand;

"Whereas the Allied and Associated Powers have by the success of their arms restored to the Polish nation the independence of which it had been unjustly deprived; and

"Whereas by the proclamation of March 30, 1917, the Government of Russia assented to the re-establishment of an independent Polish State; and

"Whereas the Polish State, which now in fact exercises sovereignty over those portions of the former Russian Empire which are inhabited by a majority of Poles, has already been recognized as a sovereign and independent State by the Principal Allied and Associated Powers; and

"Whereas under the Treaty of Peace concluded with Germany by the Allied and Associated Powers, a Treaty of which Poland is a signatory, certain portions of the former German Empire will be incorporated in the territory of Poland; and

"Whereas under the terms of the said Treaty of Peace, the boundaries of Poland not already laid down are to be subsequently determined by the Principal Allied and Associated Powers;

"The United States of America, the British Empire, France, Italy and Japan, on the one hand, confirming their recognition of the Polish State, constituted within the said limits as a sovereign and independent member of the Family of Nations, and being anxious to ensure the execution of the provisions of Article 93 of the said Treaty of Peace with Germany;

"Poland, on the other hand, desiring to conform her institutions to the principles of liberty and justice, and to give a sure guarantee to the inhabitants of the territory over which she has assumed sovereignty;

"For this purpose the High Contracting Parties represented as follows:

"The President of the United States of America, by:
"The Honourable Woodrow Wilson, President of the United States, acting in his own name and by his own proper authority;
"The Honourable Robert Lansing, Secretary of State;
"The Honourable Henry White, formerly Ambassador Extraordinary and Plenipotentiary of the United States at Rome and Paris;
"The Honourable Edward M. House;
"General Tasker H. Bliss, Military Representative of the United States on the Supreme War Council;

"His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, by:
"The Right Honourable David Lloyd George, M. P., First Lord of His Treasury and Prime Minister;
"The Right Honourable Andrew Bonar Law, M. P., His Lord Privy Seal;
"The Right Honourable Viscount Milner, G.C.B., G.C.M.G., His Secretary of State for the Colonies;
"The Right Honourable Arthur James Balfour, O.M., M.P., His Secretary of State for Foreign Affairs;
"The Right Honourable George Nicoll Barnes, M.P., Minister without portfolio;

"And

"For the Dominion of Canada, by:
"The Honourable Charles Joseph Doherty, Minister of Justice;
"The Honourable Arthur Lewis Sifton, Minister of Customs;

"For the Commonwealth of Australia, by:
"The Right Honourable William Morris Hughes, Attorney General and Prime Minister;
"The Right Honourable Sir Joseph Cook, G.C.M.G., Minister for the Navy;

"For the Union of South Africa, by:
"General the Right Honourable Louis Botha, Minister of Native Affairs and Prime Minister;
"Lieutenant-General the Right Honourable Jan Christiaan Smuts, K.C., Minister of Defence;

"For the Dominion of New Zealand, by:
"The Right Honourable William Ferguson Massey, Minister of Labour and Prime Minister;

"For India, by:
"The Right Honourable Edwin Samuel Montagu, M.P., His Secretary of State for India;
"Major-General His Highness Maharaja Sir Ganga Singh Bahadur, Maharaja of Bikaner, G.C.S.I., G.C.I.E., G.C.V.O., K.C.B., A.D.C.;

"The President of the French Republic, by:
"Mr. Georges Clemenceau, President of the Council, Minister of War;
"Mr. Stéphen Pichon, Minister of Foreign Affairs;
"Mr. Louis Lucien Klotz, Minister of Finance;
"Mr. André Tardieu, Commissary General for Franco-American Military Affairs;
"Mr. Jules Cambon, Ambassador of France;

"His Majesty the King of Italy, by:
"Baron S. Sonnino, Deputy;
"Marquis G. Imperiali, Senator, Ambassador of His Majesty the King of Italy at London;
"Mr. S. Crespi, Deputy;

"His Majesty the Emperor of Japan, by:
"Marquis Saïonzi, formerly President of the Council of Ministers;
"Baron Makino, formerly Minister of Foreign Affairs, Member of the Diplomatic Council;
"Viscount Chinda, Ambassador Extraordinary and Plenipotentiary of H.M. the Emperor of Japan at London;
"Mr. K. Matsui, Ambassador Extraordinary and Plenipotentiary of H.M. the Emperor of Japan at Paris;
"Mr. H. Ijuin, Ambassador Extraordinary and Plenipoteniary of H.M. the Emperor of Japan at Rome;

"The President of the Polish Republic, by:
"Mr. Ignace J. Paderewski, President of the Council of Ministers, Minister of Foreign Affairs;
"Mr. Roman Dmowski, President of the Polish National Committee;

"After having exchanged their full powers, found in good and due form, have agreed as follows:

"CHAPTER I.

"ARTICLE 1.

"Poland undertakes that the stipulations contained in Articles 2 to 8 of this Chapter shall be recognised as fundamental laws, and that no law, regulation or official action shall conflict or interfere with the stipulations, nor shall any law, regulation or official action prevail over them.

"ARTICLE 2.

"Poland undertakes to assure full and complete protection of life and liberty to all inhabitants of Poland without distinction of birth, nationality, language, race or religion.

"All inhabitants of Poland shall be entitled to the free exercise, whether public or private, of any creed, religion or belief, whose practices are not inconsistent with public order or public morals.

"ARTICLE 3.

"Poland admits and declares to be Polish nationals *ipso facto* and without the requirement of any formality German, Austrian, Hungarian or Russian nationals habitually resident at the date of the coming into force of the present Treaty in territory which is or may be recognized as forming part of Poland, but subject to any provisions in the Treaties of Peace with Germany or Austria respectively relating to persons who became resident in such territory after a specified date.

"Nevertheless, the persons referred to above who are over eighteen years of age will be entitled under the conditions contained in the said Treaties to opt for any other nationality which may be open to them. Option by a husband will cover his wife and option by parents will cover their children under eighteen years of age.

"Persons who have exercised the above right to opt must, except where it is otherwise provided in the Treaty of Peace with Germany, transfer within the succeeding twelve months their place of residence to the State for which they have opted. They will be entitled to retain their immovable property in Polish territory. They may carry with them their movable property of every description. No export duties may be imposed upon them in connection with the removal of such property.

"ARTICLE 4.

"Poland admits and declares to be Polish nationals *ipso facto* and without the requirement of any formality persons of German, Austrian, Hungarian or Russian nationality who were born in the said territory of parents habitually resident there, even if at the date of the coming into force of the present Treaty they are not themselves habitually resident there.

"Nevertheless, within two years after the coming into force of the present Treaty, these persons may make a declaration before the competent Polish authorities in the country in which they are resident, stating that they abandon Polish nationality, and they will then cease to be considered as Polish nationals. In this connection a declaration by a husband will cover his wife, and a declaration by parents will cover their children under eighteen years of age.

"ARTICLE 5.

"Poland undertakes to put no hindrance in the way of the exercise of the right which the persons concerned have, under the Treaties concluded or to be concluded by the Allied and Associated Powers with Germany, Austria, Hungary or Russia, to choose whether or not they will acquire Polish nationality.

"ARTICLE 6.

"All persons born in Polish territory who are not born nationals of another State shall *ipso facto* become Polish nationals.

"ARTICLE 7.

"All Polish nationals shall be equal before the law and shall enjoy the same civil and political rights without distinction as to race, language or religion.

"Differences of religion, creed or confession shall not prejudice any Polish national in matters relating to the enjoyment of civil or political rights, as for instance admission to public employments, functions and honours, or the exercise of professions and industries.

"No restriction shall be imposed on the free use by any Polish national of any language in private intercourse, in commerce, in religion, in the press or in publications of any kind, or at public meetings.

"Notwithstanding any establishment by the Polish Government of an official language, adequate facilities shall be given to Polish nationals of non-Polish speech for the use of their language, either orally or in writing, before the courts.

"ARTICLE 8.

"Polish nationals who belong to racial, religious or linguistic minorities shall enjoy the same treatment and security in law and in fact as the other Polish nationals. In particular they shall have an equal right to establish, manage and control at their own expense charitable, religious and social institutions, schools and other educational establishments, with the right to use their own language and to exercise their religion freely therein.

"ARTICLE 9.

"Poland will provide in the public educational system in towns and districts in which a considerable proportion of Polish nationals of other than Polish speech are residents adequate facilities for ensuring that in the primary schools the instruction shall be given to the children of such Polish nationals through the medium of their own language. This provision shall not prevent the Polish Government from making the teaching of the Polish language obligatoory in the said schools.

"In towns and districts where there is a considerable proportion of Polish nationals belonging to racial, religious or linguistic minorities, these minorities shall be assured an equtable share in the enjoyment and application of the sums which may be provided out of public funds under the State, municipal or other budget, for educational, religious or charitable purposes.

"The provisions of this Article shall apply to Polish citizens of German speech only in that part of Poland which was German territory on August 1, 1914.

"ARTICLE 10.

"Educational committees appointed locally by the Jewish communities of Poland will, subject to the general control of the State, provide for the distribution of the proportional share of public funds allocated to Jewish schools in accordance with Article 9, and for the organisation and management of these schools.

"The provisions of Article 9 concerning the use of languages in schools shall apply to these schools.

"ARTICLE 11.

"Jews shall not be compelled to perform any act which constitutes a violation of their Sabbath, nor shall they be placed under any disability by reason of their refusal to attend courts of law or to perform any legal business on their Sabbath. This provision however shall not exempt Jews from such obligations as shall be imposed upon all other Polish citizens for the necessary purposes of military service, national defence or the preservation of public order.

"Poland declares her intention to refrain from ordering or permitting elections, whether general or local, to be held on a Saturday, nor will registration for electoral or other purposes be compelled to be performed on a Saturday.

"ARTICLE 12.

"Poland agrees that the stipulations in the foregoing Articles, so far as they affect persons belonging to racial, religious or linguistic minorities, constitute obligations of international concern and shall be placed under the guarantee of the League of Nations. They shall not be modified without the assent of a majority of the Council of the League of Nations. The United States, the British Empire, France, Italy and Japan hereby agree not to withhold their assent from any modification in these Articles which is in due form assented to by a majority of the Council of the League of Nations.

"Poland agrees that any Member of the Council of the League of Nations shall have the right to bring to the attention of the Council any infraction, or any danger of infraction, of any of these obligations, and that the Council may thereupon take such action and give such direction as it may deem proper and effective in the circumstances.

"Poland further agrees that any difference of opinion as to questions of law or fact arising out of these articles between the Polish Government and any one of the Principal Allied and Associated Powers or any other Power, a Member of the Council of the League of Nations, shall be held to be a dispute of an international character under Article 14 of the Covenant of the League of Nations. The Polish Government hereby consents that any such dispute shall, if the other party thereto demands, be referred to the Permanent Court of International Justice. The decision of the Permanent Court shall be final and shall have the same force and effect as an award under Article 13 of the Covenant.

"CHAPTER II.

"ARTICLE 13.

"Each of the Principal Allied and Associated Powers on the one part and Poland on the other shall be at liberty to appoint diplomatic representatives to reside in their respective capitals, as well as Consuls-General, Consuls, Vice-Consuls, and Consular agents to reside in the towns and ports of their respective territories.

"Consuls-General, Consuls, Vice-Consuls and Consular agents, however, shall not enter upon their duties until they have been admitted in the usual manner by the Government in the territory of which they are stationed.

"Consuls-General, Consuls, Vice-Consuls and Consular agents shall enjoy all the facilities, privileges, exemptions and immunities of every kind which are or shall be granted to consular officers of the most favoured nation.

"ARTICLE 14.

"Pending the establishment of an import tariff by the Polish Government, goods originating in the Allied and Associated States shall not be subject to any higher duties on importation into Poland than the most favourable rates of duty applicable to goods of the same kind under either the German, Austro-Hungarian or Russian Customs Tariffs on July 1, 1914.

"ARTICLE 15.

"Poland undertakes to make no treaty, convention or arrangement and to take no other action which will prevent her from joining in any general agreement for the equitable treatment of the commerce of other States that may be concluded under the auspices of the League of Nations within five years from the coming into force of the present Treaty.

"Poland also undertakes to extend to all the Allied and Associated States any favours or privileges in customs matters which she may grant during the same period of five years to any State with which since August, 1914, the Allies have been at war, or to any State which may have concluded with Austria special customs arrangements as provided for in the Treaty of Peace to be concluded with Austria.

"ARTICLE 16.

"Pending the conclusion of the general agreement referred to above, Poland undertakes to treat on the same footing as national vessels or vessels of the most favoured nation the vessels of all the Allied and Associated States which accord similar treatment to Polish vessels.

"By way of exception from this provision, the right of Poland or of any other Allied or Associated State to confine her maritime coasting trade to national vessels is expressly reserved.

"ARTICLE 17.

"Pending the conclusion under the auspices of the League of Nations of a general Convention to secure and maintain freedom of communications and of transit, Poland undertakes to accord freedom of transit to persons, goods, vessels, carriages, wagons and mails in transit to or from any Allied or Associated State over Polish territory, including territorial waters, and to treat them at least as favourably as the persons, goods, vessels, carriages, wagons and mails respectively of Polish or of any other more favoured nationality, origin, importation or ownership, as regards facilities, charges, restrictions, and all other matters.

"All charges imposed in Poland on such traffic in transit shall be reasonable having regard to the conditions of the traffic. Goods in transit shall be exempt from all customs or other duties. Tariffs for transit traffic across Poland and tariffs between Poland and any Allied or Associated Power involving through tickets or waybills shall be established at the request of that Allied or Associated Power.

"Freedom of transit will extend to postal, telegraphic and telephonic services.

"It is agreed that no Allied or Associated Power can claim the benefit of these provisions on behalf of any part of its territory in which reciprocal treatment is not accorded in respect of the same subject matter.

"If within a period of five years from the coming into force of the present Treaty no general Convention as aforesaid shall have been concluded under the auspices of the League of Nations, Poland shall be at liberty at any time thereafter to give twelve months notice to the Secretary General of the League of Nations to terminate the obligations of this Article.

"ARTICLE 18.

"Pending the conclusion of a general Convention on the International Régime of waterways, Poland undertakes to apply to the river system of the Vistula (including the Bug and the Narev) the régime applicable to International Waterways set out in Articles 332 to 337 of the Treaty of Peace with Germany.

"ARTICLE 19.

"Poland undertakes to adhere within twelve months of the coming into force of the present treaty to the International Conventions specified in Annex I.

"Poland undertakes to adhere to any new convention, concluded with the approval of the Council of the League of Nations within five years of the coming into force of the present Treaty, to replace any of the International instruments specified in Annex I.

"The Polish Government undertakes within twelve months to notify the Secretary General of the League of Nations whether or not Poland desires to adhere to either or both of the International Conventions specified in Annex II.

"Until Poland has adhered to the two Conventions last specified in Annex I, she agrees, on condition of reciprocity, to protect by effective measures the industrial, literary and artistic property of nationals of the Allied and Associated States. In the case of any Allied or Associated State not adhering to the said Conventions Poland agrees to continue to afford such effective protection on the same conditions until the conclusion of a special bi-lateral treaty or agreement for that purpose with such Allied or Associated State.

"Pending her adhesion to the other Conventions specified in Annex I, Poland will secure to the nationals of the Allied and Associated Powers the advantages to which they would be entitled under the said Conventions.

"Poland further agrees, on condition of reciprocity, to recognise and protect all rights in any industrial, literary or artistic property belonging to the nationals of the Allied and Associated States in force, or which but for the war would have been in force, in any part of her territories before transfer to Poland. For such purpose she will accord the extensions of time agreed to in Articles 307 and 308 of the Treaty with Germany.

"ANNEX I.

"TELEGRAPHIC AND RADIO-TELEGRAPHIC CONVENTIONS.

"International Telegraphic Convention signed at St. Petersburg, July 10/22, 1875.

"Regulations and Tariffs drawn up by the International Telegraph Conference, signed at Lisbon, June 11, 1908.

"International Radio-Telegraphic Convention, July 5, 1912.

"RAILWAY CONVENTIONS.

"Conventions and arrangements signed at Berne on October 14, 1890, September 20, 1893, July 16, 1895, June 16, 1898, and September 19, 1906, and the current supplementary provisions made under those Conventions.

"Agreement of May 15, 1886, regarding the sealing of railway trucks subject to customs inspection, and Protocol of May 18, 1907.

"Agreement of May 15, 1886, regarding the technical standardisation of railways, as modified on May 18, 1907.

"SANITARY CONVENTION.

"Convention of December 3, 1903.

"OTHER CONVENTIONS.

"Convention of September 26, 1906, for the suppression of night work for women.

"Convention of September 26, 1906, for the suppression of the use of white phosphorus in the manufacture of matches.

"Convention of May 18, 1904 and May 4, 1910, regarding the suppression of the White Slave Traffic.

"Convention of May 4, 1910, regarding the suppression of obscene publications.

"International Convention of Paris of March 20, 1883, as revised at Washington in 1911, for the protection of industrial property.

"International Convention of Berne of September 9, 1886, revised at Berlin on November 13, 1908, and completed by the Additional Protocol signed at Berne on March 20, 1914, for the Protection of Literary and Artistic Work.

"ANNEX II.

"Agreement of Madrid of April 14, 1891, for the Prevention of False Indications of origin on goods, revised at Washington in 1911, and

"Agreement of Madrid of 14 April, 1891, for the international registration of trade marks, revised at Washington in 1911.

"ARTICLE 20.

"All rights and privileges accorded by the foregoing Articles to the Allied and Associated States shall be accorded equally to all States members of the League of Nations.

"ARTICLE 21.

"Poland agrees to assume responsibility for such proportion of the Russian public debt and other Russian public liabilities of any kind as may be assigned to her under a special convention between the Principal Allied and Associated Powers on the one hand and Poland on the other, to be prepared by a Commission appointed by the above States. In the event of the Commission not arriving at an agreement the point at issue shall be referred for immediate arbitration to the League of Nations.

"The present Treaty, of which the French and English texts are both authentic, shall be ratified. It shall come into force at the same time as the Treaty of Peace with Germany.

"The deposit of ratifications shall be made at Paris.

"Powers of which the seat of the Government is outside Europe will be entitled merely to inform the Government of the French Republic through their diplomatic representative at Paris that their ratification has been given; in that case they must transmit the instrument of ratification as soon as possible.

"A procès-verbal of the deposit of ratifications will be drawn up.

"The French Government will transmit to all the signatory Powers a certified copy of the procès-verbal of the deposit of ratifications.

"In faith whereof the above-named Plenipotentiaries have signed the present Treaty.

"Done at Versailles, the twenty-eighth day of June, one thousand nine hundred and nineteen, in a single copy which will remain deposited in the archives of the French Republic, and of which authenticated copies will be transmitted to each of the Signatory Powers."

REPORTS OF COMMITTEES.

Mr. CURTIS, from the Committee on Indian Affairs, to which was referred the joint resolution (S. J. Res. 77) to amend section 18 of the Indian appropriation act approved June 30, 1919, reported it without amendment and submitted a report (No. 130) thereon.

Mr. JONES of New Mexico, from the Committee on Public Lands, to which was referred the bill (S. 667) limiting the creation or extension of forest reserves in New Mexico, reported it with amendments and submitted a report (No. 131) thereon.

Mr. CAPPER, from the Committee on Military Affairs, to which was referred the bill (S. 2446) to amend section 1318, Revised Statutes, reported it with amendments.

Mr. WADSWORTH, from the Committee on Military Affairs, to which were referred the following bills reported them each without amendment and submitted reports thereon:

A bill (S. 2623) to extend the provisions of an act entitled "An act to provide quarters or commutation thereof to commissioned officers in certain cases," approved April 16, 1918 (Rept. No. 133); and

A bill (S. 2624) to provide travel allowances for certain retired enlisted men and Regular Army reservists (Rept. No. 134).

Mr. WADSWORTH, from the Committee on Military Affairs, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

A bill (S. 2676) to amend section 56 of an act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916 (Rept. No. 135); and

A bill (S. 2677) to provide for further educational facilities by authorizing the Secretary of War to sell at reduced rates certain machine tools not in use for Government purposes to trade and technical schools and universities, other recognized educational institutions, and for other purposes (Rept. No. 136).

LOCAL DRAFT BOARDS.

Mr. HARDING. On the 21st ultimo I introduced the joint resolution (S. J. Res. 73) providing for payment of compensation for services of members of local draft boards who served also as clerks of their respective boards, and it was inadvertently referred to the Committee on Claims. I ask that the Committee on Claims be discharged from the further consideration of the joint resolution and that it be referred to the Committee on Military Affairs.

The VICE PRESIDENT. Without objection, that action will be taken.

MILITARY JUSTICE.

Mr. MOSES, from the Committee on Printing, reported the following resolution (S. Res. 146), and it was considered by unanimous consent and agreed to:

Resolved, That the manuscript entitled "Military Justice" by Lieut. Col. S. T. Ansell, delivered on June 26, 1919, at Bedford Springs, Pa., before the Pennsylvania Bar Association, be printed in the RECORD.

The manuscript is as follows:

[Delivered by Lieut. Col. S. T. Ansell on June 26, 1919, at Bedford Springs, Pa., before the Pennsylvania Bar Association.]

"MILITARY JUSTICE.

"I.

"One view:

"The army is the army of the King, to be disciplined by him and his commanders under his ordinances and at his pleasure. (Recital of the ordinances of Richard II.)

"And another view:

"Congress shall have (the exclusive) power to raise and support armies; Congress shall have (the exclusive) power to make rules for the regulation and government of the land and naval forces. (The Constitution of the United States.)

"Among the nations of the world there are two diametrically opposite theories as to the place that the army shall occupy as an institution of government. Those theories are well illustrated by the two texts quoted at the beginning of this discussion. The one clearly represents the monarchical, reactionary, and personal government view. The other is a necessary part of that larger theory of government which insists that the source of all political power is to be found in the people. Under the one theory the army is an army of a king or emperor or person in authority; under the other it is an institution ordained by the people to do their service. Under the one, the obligation of the soldier is to a military chieftain; under the other, it is to the State. Under the one, the military relationship is governed by considerations of personal loyalty and fealty to those in authority; under the other, the military obligation and all relations *inter sese* are established and governed by law established, not intra-institutionally but by the people themselves. Under the one theory the army has a detached, independent, and self-sufficient existence, finding within itself the source of its own government; under the other it is but an institution of government, drawing, like all other institutions, its power from a common superior source upon which it depends for its government and its very existence. Under the one the common soldier was but a serf, a personal retainer of the King, or a subordinate commander, and under the other he is a citizen serving the State in the highest capacity of citizenship.

"That the army belonged to the King rather than to the people was a doctrine maintained in England from earliest times, and which has only been modified with, and rather less slowly than, the progressive growth of popular government. Even at the time of our separation such was the constitutional theory. The right of control by Parliament was practical rather than legalistic. Such organic relations, once established, do not soon or easily disappear. They still persist in and pervade the military code of England; and, notwithstanding the provisions of our fundamental law, relics of the same organic relation strangely persist in our own military code even more strongly than in England's.

"At the time of our separation the respective spheres of power of Parliament and the King over the army had not been definitely determined, but, on the other hand, were a matter of grave and serious contention; indeed, they have not been determined to this day. A matter of such tremendous import to their liberties as the question of the control of the Army, the fathers of our Government were not disposed to leave unsettled. As they did not intend that our people should inherit this controversy regarding the control of the armed forces, they did not intend that the Chief Executive of this Nation should inherit those military powers which in the motherland had been deemed inherent in the Crown. They resolved to make it certain that the Army of the United States should be called into being only by Congress, should continue to exist only at the will of Congress, and should be governed and disciplined only in accordance with laws enacted by Congress. Thus it was that the Constitution, while conferring upon the Chief Executive the power of command, expressly and exclusively conferred upon Congress the power to raise and support armies and the power to make rules for their regulation and government.

"It is under this latter power that Congress enacts the code for the discipline of the Army, commonly known as the Articles of War. The power to make rules for the regulation and government of the armed forces is the power to prescribe the relations, the powers, and the rules of conduct for all the members of those forces, both officers and men, and provide sufficient sanction. It has power to prescribe the substantive offense, the penalty, the tribunal, and the methods of procedure and trial, all subject, of course, to the limitations upon the legislative power found elsewhere in the Constitution. Accordingly, it has the sole power to enact a penal code for the complete government of all who occupy the military status. A soldier is also a citizen, and his conduct must conform not only to the requirements of the general law of the land but to the special requirements of the Military Establishment. The military code is comprehensive of both relations. It adopts the substantive provisions of general social law, and it denounces and penalizes the myriad manifestations of misconduct prejudicial to the military obligation.

"Such exercise of penal power should be in keeping with the progress of enlightened government and should not be inconsistent with those fundamental principles of law which have ever characterized Anglo-American jurisprudence. The military code, being a penal code, it should see that it can be applied to none except upon probable cause. It should be specific with respect to the definition of the offense denounced and the penalty provided. It should particularize with respect to matters of procedure that the trial may be full, fair, and impartial. It should require recognition of those rules of evidence which our jurisprudence has evolved as necessary to elicit those facts upon which the ultimate conclusion of guilt or innocence may with safety and justice rest. With the utmost care it should guarantee those safeguards and that protection for an accused whose life and liberty are placed in jeopardy, which are the pride of our enlightened civilization.

"None of these things does our code do. Its failure to do justice regulated by law should be patent to all who will but observe, and the reasons therefor should not, even to the meanest intellect, be obscure.

"II.

"One view:

"(a) There was extant, I observed, one system of articles of war which had carried two empires to the head of mankind, the Roman and the British, for the British articles of war are only a literal translation of the Roman. It would be vain for us to seek in our own invention or the records of warlike nations for a more complete system of military discipline. I was, therefore, for reporting the British articles of war totidem verbis. * * *. So undigested were the notions of liberty prevalent among the majority of the members most zealously attached to the public cause that to this day I scarcely know how it was possible that these articles could have been carried. They were adopted, however, and they have governed our armies with little variation to this day. (History of the adoption of the British articles of 1774 by the Continental Congress; Life and Works of John Adams, vol. 3, pp. 68–82.)

"(b) Our military code, however, stands alone among our public statutes in its retaining many provisions and forms of expression dating back from 200 to 500 years, and while it is desirable that some of the articles should be made more precise or extended in scope and the code itself simplified by dropping a few articles and consolidating others, any radical remodeling which would divest this time-honored body of law of its historical associations and interests would be greatly to be deprecated. (Winthrop's Law, Standard Military Text, vol. 1, p. 15.)

"And another:

"Our military code is the British code of 1774 practically unchanged; it has long since outlived its time and whatever usefulness it may have had; it is archaic and cruel; it is not worthy of the name either of law or justice. (Executive committee of the American Bar Association, February, 1919.)

"Our Articles of War, organically and for the most part in detail, are the British articles of 1774, which themselves are of more ancient origin. That this is true of the articles, cer-

tainly as they existed up to the 'revision of 1916,' all military authorities and military text writers, with the love that such have for ancient legal and literary lineage, have proudly declared. The various English codes since the articles of Richard II in 1385 will be found set out in such texts as Winthrop and Davis. A comparison of the several ancient British codes will show you that up until the middle of the last century the British military law changed none in system and principle and only slightly and slowly toward more liberal provisions. The code of 1774, the one we adopted, is buttressed in the principles of and adopts most of its provisions from its prototypes of centuries before. This was the code which our Continental Congress adopted at the beginning of the Revolution, and in principle and in most of its provisions it is the code which we have to this day, unless in truth it can be said that the so-called 'revision of 1916' wrought therein a substantial and systemic change. Legislative history records, as a moment of comparison will serve to verify, that our Continental Congress did, in 1775, adopt in their entirety the British articles of 1774. This Congress did rather inconsiderately to meet an emergent situation in the discipline of the Continental Army. John Adams, distinguished as a statesman and as a scholar rather than as one endowed with the keenest appreciations of democracy, put the British articles through. He himself, appreciating their rigorous character, did not expect them to pass without serious liberalization. He said:

"It was a very difficult and unpopular subject, and I observed to Jefferson that whatever alteration we should report with the least energy in it or the least tendency to a necessary discipline of the Army would be opposed with as much vehemence as if it were the most perfect; we might as well, therefore, report the complete system at once and let it meet its fate. Something perhaps might be gained.

"Writing in 1805 he expressed surprise that it was possible that these articles could have been carried.

"Of this adopted code, the Judge Advocate General, in his letter to the Secretary of War proposing the 'revision of 1916,' said:

"Passing over the earlier enactments of the American Colonies of the Articles of War for the government of their respective contingents, we come to the first American articles—the code of 1775—enacted by the Second Continental Congress June 30, 1775. Of this code, comprising 69 articles, the original was the existing British code of 1774, from which said articles were largely copied.

"There have been several so-called 'revisions' of this code of 1774—the 'revision' of 1775, the 'revision' of 1776, the 'code' of 1786 (which survived the Constitution and was kept in force by successive statutes until 1806), and the 'code' of 1806. The Judge Advocate General in illustrating the necessity for his revision of 1916 showed what is universally conceded that none of these really revised the old British code of 1774; that they made no change in substance, system, or principle, and but little in terms. Of these 'revisions,' doubtless the code of 1806 was the most important. Of this code, Winthrop, agreeing with the present Judge Advocate General and all the authorities, states, what a comparison will show to be true, that—

"It repeated the provision of 1786 in regard to courts-martial, with some slight modification consisting merely in extending the authority to convene general courts and in substituting the President for Congress in the cases in which the latter had previously been vested with final revisory authority.

"In a statement to the Military Committees the Judge Advocate General, on May 14, 1912, said that our code as it then existed 'was substantially the code of 1806.' He also showed that the code of 1806 was systematically the code of 1774, and, as just seen, he could have given an even more ancient lineage. Of this code of 1806 he said:

"The 1806 code was a reenactment of the articles in force during the Revolutionary War period, with only such modifications as were necessary to adapt them to the Constitution of the United States.

"He also said:

"We are governing the Army to-day under a rather ancient code, one which has many of the defects of a code that has been compiled rather than written.

And, furthermore, he said to the committees:

"It is to be doubted if the Congress has ever been called upon to amend legislation which is as archaic in its character as our present Articles of War.

"Speaking to his so-called 'revision' of 1916, the Judge Advocate General summed up as follows:

"It is thus accurate to say that during the long interval between 1806 and 1912—106 years—our military code has undergone no change except that which has been accomplished by piecemeal amendment. Of the 101 articles which made up the code of 1806, 87 survive in our present code unchanged, and most of the remainder without substantial change. Meanwhile the British code, from which, as we have seen, these articles were largely taken, has been, mainly through the medium of the army annual act, revised almost out of recognition, indicating that the Government with which it originated has recognized its inadaptability to modern service conditions.

"Now, was the Crowder revision of 1916 an organic revision? Did it change the system or the basic principles of the code as it then existed, which was known by all and declared by him to be medieval British code? If the Crowder revision made no such organic change, then we still have an archaic code.

"It made no such change. A comparison will demonstrate that it made no such change. Proponents of the 'revision' themselves stated that the revision requested was a verbal one. It was not intended or designed to make a single fundamental change. So the Secretary of War and the Judge Advocate General both frankly declared. Secretary Stimpson, in his letter of April 19, 1912, to the Committee on Military Affairs, in submitting the proposed revision, described the 'broad features of the project' as follows:

"1. The revision was undertaken in the conservative spirit that legislative reforms should be evolutionary. In other words, that which has successfully withstood the test of experience should be retained and changes and innovations should be limited to the wisdom of experience. As a matter of draftsmanship it has been sought to build upon established lines and to conform in general to settled administrative and judicial construction.

"2. The existing articles are notoriously unsystematic and unscientific. Inevitably this condition hampers their easy and effective enforcement. A careful classification has been made; disassociated legislation in the new Articles of War has been incorporated therein, resulting in an analytical, precise, comprehensive, and easily enforceable code.

"3. There is necessity for a new inferior court.

"The Judge Advocate General, in his letter submitting the project for revision, described the 'more important changes sought to be made' as those of 'arrangement and classification.' The revision of 1916 does nothing but assemble, classify, and render more convenient old articles, dresses them up in rather more modern language, writes into them what hitherto had been legally implied into them by construction, and makes not one single fundamental change. That this is so will become apparent upon a comparison of the 1916 revision with the law as it previously existed. Nobody, neither the Judge Advocate General, the Secretary of War, nor either of the committees of Congress, has ever regarded the project of 1916 as a real, substantial revision; indeed, the Judge Advocate General took occasion to deny that it was anything but a restatement of existing law for the sake of convenience and clarity. If you are interested in verifying this statement, you may do so by reference to the printed hearings before the Committee on Military Affairs upon the revision of the Articles of War in 1912, 1915, and 1916. You will find there that the author of the project, discussing it before the committees, article by article, was quick to assure them upon every occasion and with respect to every article having to do with military justice that the project made and contemplated no substantial change in the articles, which he truthfully traced to the British articles of 1774 and beyond. He himself said, at page 43 of these hearings:

"If Congress enacts this revision, the service will not be cognizant of any material changes in the procedure, and courts will function much the same as heretofore. * * * The revision will make certain a great deal that has been read into the existing code by construction.

"That was the truth. Nobody has experienced any change for the better.

"III.

"One view:

"(a) Courts-martial are not courts, but are, in fact, simply instrumentalities of the executive power provided by Congress for the President, as Commander in Chief, to aid him in properly commanding the Army and enforcing discipline therein, and utilized under his orders or those of his authorized military representative; they are, indeed, creatures of orders, and, except in so far as an independent discretion may be given them by statute, they are as much subject to the orders of a competent superior as is any military body of persons. (Winthrop's Law, Standard Military Text, vol. 1, p. 54.)

"(b) An army, to be successful in the field, must from the moment it begins to train at home have absolute control of its discipline. The commanding general is everything. He must bear the three keys. He must have final control. He must be the judiciary, the legislative, and the executive. If he were not he would not have an army. (News editorial read into the CONGRESSIONAL RECORD of February 27, 1919, pp. 4507 and 4508, by Representative KAHN, chairman House Committee on Military Affairs, at the request of the Judge Advocate General of the Army.)

"(c) The fittest field for the complete application of military law is to be found in the camp. (Declaration by the Judge Advocate General of the Army in a report to the Secretary of War, resisting the view that judgments of court-martial should be subject to legal revision.)

"Another:

"The whole proceeding (the administration of military justice through courts-martial) from its inception is judicial. The trial, findings, and sentence are the solemn acts of a court organized and conducted under the authority of and according to the prescribed forms of law. It sits to pass upon the most sacred question of human rights that are ever placed on trial in a court of justice; rights which, in the very nature of things, can neither be exposed to danger nor subjected to the uncontrolled will of any man, but which must be adjudged according to law. (Supreme Court of the United States, in Runkel *v.* the United States, 122 U. S., p. 543.)

"It follows from what has been said, and it is true, that there are two diametrically opposed legal theories as to courts-martial. One is that a court-martial is an executive agency belonging to and under the control of the military commander; is, indeed, but a board of officers appointed to investigate the accusation and report their findings to the commander for his approval. Under such a theory a commander exercises an almost unrestrained and unlimited discretion in determining (1) who shall be tried, (2) the prima facie sufficiency of the proof, (3) the sufficiency of the charge, (4) the composition of the court, (5) all questions of law arising during the progress of the trial, (6) the correctness of the proceedings and their sufficiency in law and in fact. Under such a theory all these questions are controlled not by law but by the power of military command.

"The other theory is that a court-martial is inherently judicial, its functions from beginning to end are judicial, and are to be regulated and limited by established principles of jurisprudence which govern the exercise of judicial functions in our system.

"Obviously the first theory would better accord with those Governments which are classed as arbitrary, while the judicial theory is the one best adapted to our own liberal institutions. Yet the arbitrary system is the one that we have, an inheritance of reactionary days. It is a system which, while subjecting every man in the establishment to the direct penalties, even death, proceeds to do so without requiring or contemplating the participation of a single man of legal qualification at any phase of the trial, from the filing of the charges to the moment of execution. It is a system which proclaims itself man-governed rather than law-governed.

"It is not, however, the system which our fundamental law contemplated. Obviously our fathers contemplated one system of military justice and our first Congress enacted another, which we still have with us. This it did to meet an emergency. The emergency over, interest in the subject ceased. In time of war there is no opportunity to reform the system, and in time of peace nobody is interested in reforming it, which suggests a homely illustration. So it is that to this day we have foisted upon us a system of military justice that obtained in England in medieval times.

"That system is un-American. It came to us by inheritance and rather witless adoption out of a system of government, in which the King controlled the army and out of an age noted for its harshness to all alleged or suspected offenders and for the utter disregard of the rights of the common soldier. This system of military justice has in the meantime undergone no change to suit it to our conditions and is as far out of accord with the principles and policies of our Government and the views of our people as were the European systems of government of that day. The system is not only of British origin. It is itself British and the British of several centuries ago. It belongs to a land and an age in which the common soldier was but the personal retainer of the King and not a servant of the State.

"Britain would not recognize that code now. Quite as the Judge Advocate General said in his letter of April 12, transmitting his project for revision:

"Meanwhile the British code, from which, as we have seen, these articles were largely taken, has been, mainly through the medium of the army annual act, revised almost out of recognition, indicating that the Government with which the code originated has recognized its inadaptability to modern service conditions.

"While Great Britain has not done all in the way of liberalizing her military code that a liberty-loving race, though living under a monarchical form of government, might have been expected to do, she has done immeasurably more than we. We have done nothing. We have remained absolutely stagnant. The truth of the matter is that while the English-speaking races are the greatest lovers of civil liberty on earth, for various reasons they have had but little interest in their soldiery and the soldiers' welfare.

"When we separated from England the King was not only the commander of the Army, he was the legislator for the Army. He made the laws for its government; he prescribed the Articles of War, though Parliament contented itself with the view that he did so by reason of parliamentary grant; he prescribed the offenses and the penalty; he prescribed both the substantive and precedural law; he prescribed the courts-martial, their jurisdiction, and their procedure. He controlled the entire system of discipline and the methods of its administration. The army was the King's army, the officers were his officers and from him drew their authority. The men were the King's men, placed by the King under his officers and subjected to the personal authority of the King and officers. Courts-martial were courts-martial of the King and of the officers representing him and his power of command. The courts-martial, therefore, applied the King's law, the King's penalty, followed the King's procedure, and were subject to the King's command as delegated to an underofficer. Under such a scheme a court-martial was but an agency of command, nowhere in touch with the popular will, nowhere governed by laws established by the people to regulate the relation between sovereign and subject. It was not a judicial body. Its functions were not judicial functions. It was but an agency of the power of command to do its bidding.

"Such is the system we have with us to-day. It does not contemplate that a court-martial shall be a court doing justice according to established principles of jurisprudence and independently of all personal power; quite the contrary. It regards the court-martial simply as the right hand of the commanding officer, to aid him in the maintenance of discipline. It is his agent; he controls it. It is answerable not to the law but to him. Think of what that means. The court-martial is not a court at all; it is but an agency of military command governed and controlled by the will of the commander. Under such a system an officer belongs to a caste—is a thing apart. Any officer can prefer charges against a man and at his will can succeed in getting him tried. The statute requires no preliminary investigation to determine whether or not he may be tried, and such as is required by regulation is also controlled by the military commander and is neither thorough nor effective.

"From then on everything is governed not by law but by the power of military command. The detail of counsel, the membership of the court, the question of the validity of the charge, the sufficiency of the evidence, the correctness of the procedure, the validity of the judgment and sentence, and the thousand and one questions arising in the progress of a criminal trial are all left finally to the judgment of the commanding general. Even the ultimate conclusion of guilt or innocence is subject to his control. There is no right of review; there is no legal supervision. All is to be determined by the commanding general. Whatever he says is right and becomes right as his ipse dixit, regardless of general principles of jurisprudence, and right beyond any power of review. He is the law. No matter how great the departures are from the well-established principles of law and right and justice, these departures become error or not just as the commanding officer may choose to regard them. There is no legal standard to which courts-martial procedure must conform, and therefore there can be no error adjudged according to a legal standard. In other words, military justice is administered not according to a standard of law at all but under the authority of a commanding officer. The results are, as might be expected when one man is left to be judged at the will of another, the penalties and sentence are shockingly harsh; and I think that everybody, if everybody would speak frankly and helpfully, must be heartily ashamed of them.

"The Constitution contemplates that the administration of military justice should be governed in accordance with the laws of Congress and not in accordance with the will of any person; that Congress should define specifically the offense, definitely prescribe the punishment, establish the procedure, and keep all upon the fundamental principles of our jurisprudence. The highest tribunal of the land, whenever it has had occasion to speak, has accentuated the fact that courts-martial are inherently courts dealing with judicial functions of the most sacred character. Congress has utterly failed to legislate in furtherance of the constitutional and judicial theory, and by its failure to legislate and by its adoption and retention of a system emanating out of a different theory has left it so that military command may continue that medieval system of discipline which is governed not by law but by the will of the military commander.

"IV.

"One view:

"The introduction of fundamental principles of civil jurisprudence into the administration of military justice is to be discouraged and resisted. (The departmental view as expressed in the hearing (1912) on the bill to amend the Articles of War.)

"Another:

"A court-martial is a court deriving its authority from the United States. * * * Congress, by express constitutional provisions, has the power to prescribe rules for the government and regulation of the Army, but those rules must be interpreted in connection with the prohibition against a man's being twice put in jeopardy for the same offense. The former provision must not be so interpreted as to nullify the latter. (Supreme Court of the United States, in Grafton *v.* The United States, 206 U. S., 333, 352.)

"This theory of control of courts-martial by the power of military command is, of course, in irreconcilable conflict with the view that trial by court-martial should conform to those fundamental principles of civil jurisprudence that are designed to secure for every accused a full, fair, and impartial trial. The militaristic view insists that trial shall be no more than a

hearing by or for a commanding officer. The opposing view, which accords with our institutions and seems to be required by fundamental law, insists that the trial shall be in accordance with established principles of law, that discipline must be attained through and by law, and that discipline, both in the legal and moral sense of the term, can not exist except with and through justice. According to the former view courts-martial are not courts of law, independently administering the law and governed by the law, but are indeed above the law. They are of an unquestionable rectitude and quality, and their methods and judgments are not to be tested by the simple rules designed for the government of men in all social relations. Officers of the Army—at least unless once entangled in their toils—love to denominate them 'courts of honor,' functioning independently of the ordinary human rules and endowed with a refinement of judgment not recognized in other spheres of society. Being courts of honor and not of law, they need know no law, are presumed to know no law, and, as a rule, do know no law. Thus it is that these principles designed to secure a fair and impartial trial, which, having been evolved by our civilization, are at the basis of our Government and are written into our fundamental law, need not be observed by these courts. That a man shall not be tried except upon probable cause judicially determined; that he is entitled to a fair and impartial judge; that a judge may not sit in his own cause or be a prosecuting witness in the case before him; that the accused shall have the right to a judicial test of the validity of the accusation; that he shall be fully informed of the nature and cause of the accusation against him; that he is entitled to the assistance of counsel; that he is entitled to witnesses in his own behalf and the right to confront the witnesses opposed to him; that he has the right fully to test by proper cross-examination any witness regardless of rank or other earthly circumstance; that he is entitled to a public hearing, and finally shall be accorded an opportunity to appeal for clemency—these matters, found essential to fairness in a court of law, are not recognized as necessary or advisable to be secured to an accused on trial before these 'courts of honor.'

"These distinguishing characteristics of the administration of civil justice must not, say military men, be introduced into the military code. The present Judge Advocate General of the Army in calling attention to these essential differences between military and civil justice quotes from Col. Burkeheimer, author of Military and Civil Law, as follows:

"The military code prescribed a rule of conduct to a body of men who consecrate their lives to the profession of arms. The camp is the fittest field of application. It may be very objectionable in some respects contemplated from the purely legal standpoint and yet be admirably adapted to the purposes of uniting, governing, and directing to a single object the armed forces of the United States.

"He further quoted from Judge Advocate General Lieber, who, writing in 1879, said:

"Military law is founded on the idea of a departure from civil law, and it seems to me a grave error to suffer it to become a sacrifice to principles of civil jurisprudence at variance with its object.

"He quotes also from Gen. Sherman, in which he said:

"It is greatly to be desired that the common law for the armies of the United States should be compiled not from the doctrines and experiences of civil lawyers but from the experience of the best ordered and best governed armies of Europe and America.

"And the same authority, pointing out that this essential difficulty between the military and civil criminal code, said that it was so because 'of the necessities of the military state and the especial purposes which any military code is intended to serve.'

"So say they all. The sacrifice of legal principles and of our sense of natural justice in the trial of military offenders is said to be necessary for the maintenance of discipline. It may well be that military punishments should be severe and certain and not long delayed, but such requirements do not serve to distinguish military from civil justice. A man should not be punished unless he is tried and tried fairly. Guilt must be established in accordance with legal principles before the penalty can be legally applied. To do otherwise is to resort to the methods of the mob. It is not necessary to do injustice in order to achieve discipline. Let us not forget the truth, as William Pitt said, that—

"Necessity is the argument of tyrants; it is the creed of slaves.

"Or, as expressed by Milton—

"And with necessity,
The tyrant's plea, excused his devilish deeds.

"Necessity can never be admitted as a proper basis for normal action.

"Under the military theory that a court-martial is not a court, that its functions are not judicial, and that it does not try crimes but simply mere breaches of the military obligation, it has been the long-standing view of the department, supported by the decisions of many of the lower Federal courts, that the constitutional prohibition against double jeopardy and such like principles of the Bill of Rights had no application to these trials. Upon this theory an enlisted man tried and acquitted by court-martial in the Philippines of murder was subsequently subjected to trial for the same homicide before a civil court in that Federal jurisdiction. The civil court overruled the plea in bar of trial and its judgment upon conviction was sustained by the supreme court of the Philippines. The Supreme Court of the United States reversed the judgment, discharged the soldier from custody, and in doing so rendered an opinion which is of the greatest significance, though it seems to have fallen on deaf ears, so far as the War Department and Congress are concerned. The court pointed out that a court-martial is a court exercising judicial functions, as much so as any other court of the United States; and after having further pointed out that the civil court had tried the soldier for an offense of which he had been previously acquitted by a court of the United States having competent jurisdiction—the court-martial—the court said:

"It is attempted to meet this view by the suggestion that Grafton committed two distinct offenses—one against military law and discipline, the other against civil law, which may prescribe the punishment for crimes against organized society by whomsoever those crimes are committed—and that a trial for either offense, whatever its result, whether acquittal or conviction, and even if the first trial was in a court of competent jurisdiction, is no bar to a trial in another court of the same government for the same offense. We can not assent to this view.

"The court went on to say:

"Congress by express constitutional provision has the power to prescribe rules for the government and regulation of the Army, but those rules must be interpreted in connection with the prohibition against a man's being twice put in jeopardy for the same offense. The former provision must not be so interpreted as to nullify the latter. If, therefore, a person be tried for an offense in a tribunal deriving its jurisdiction and authority from the United States and is acquitted or convicted, he can not again be tried for the same offense in another tribunal deriving its jurisdiction and authority from the United States.

"And then the court took occasion to state that it based its decision that the soldier was entitled to this protection not on the ground that an article of war provides against second trials nor that the organic act of the Philippines contained a similar provision but on the ground of constitutional requirement, saying:

"But we rest our decision of this question upon the broad ground that the same acts constituting a crime against the United States can not, after the acquittal or conviction of the accused in a court of competent jurisdiction, be made the basis of a second trial of the accused for that crime in the same or any other court, civil or military, of the same Government.

"Surely a court-martial may not perform its fundamental functions as a court of law without recognizing those principles of civil jurisprudence designed to secure a fair trial.

"V.

"One view:

"(a) The President may prescribe the procedure, including modes of proof, in cases before courts-martial. (New Articles of War (38th), which was enacted in 1916 upon the recommendation of the Judge Advocate General and the War Department and which abolished the rule requiring courts-martial to recognize the rules of evidence applied in the criminal courts of the United States.)

"(b) And why should not a soldier commit himself? The business of courts-martial is not to discuss law but to get at the truth by all the means in its power. We soldiers want to get at the fact, no matter how, for the sake of discipline, and I know of no better evidence against a man than himself. (Napier's Notes, Military Law, accepted and frequently quoted by officers of the United States Army.)

"Another:

"(a) Our rules of evidence are the safeguards of every subject of your Majesty, high and low, rich and poor, young and old. Were those rules to be disregarded, anybody might at any time be found guilty of anything. They ought, of all others, to be kept inviolate, for the whole administration of justice depends upon them. They are, as I have this day seen observed in full force and eloquence, the result of the collective wisdom of generations and founded on the principles of immutable equity. (Warren's Letter to the Queen on a Late Court-Martial (p. 8), which was instrumental in revolutionizing the British military code.)

"(b) It is one purpose of this bill to require that the question of guilt or innocence shall be determined only upon evidence admitted in accordance with the established rules as applied by the criminal courts of the United States; that is to say, the common-law rules of evidence as modified by Congress. (Statement of principles of the Chamberlain-Johnson bill to establish military justice.)

"The militaristic mind is intolerant of those methods and processes necessary to justice. Justice is not a thing which can be left to nature unnurtured by man. Frequently it must be achieved through pain and toil. It is a high object of government, and government is required for its establishment. When resort is had to a trial, justice can not be achieved unless the methods of the trial are themselves just. The procedure leading to the result and the result itself are essentially involved in justice, and if the procedure is wrong so must be the result. The one is no less important than the other. Neither the

President nor any of his military minions should be permitted to prescribe those rules of procedure, including the rules of evidence, which govern the results in criminal prosecutions. To prescribe such procedure is not an executive function.

"But the revision of 1916 so made it. Three new articles affecting military justice were introduced by the revision, all of which were reactionary, still further subjecting judicial functions to military command. One of these (thirty-eighth) authorized the President to prescribe the procedure, including modes of proof, in cases before courts-martial. This was enacted at the request of the military authorities and in deference to the military view, which insists that military command should control the trial. It must also be remembered that while the statute in terms confers the power upon the President as an administrative fact, it is not the President who will exercise it, but the Chief of Staff and the Judge Advocate General of the Army—ultramilitary men.

"While the military mind is intolerant of all protective principles and of all rules governing a trial, it is particularly so of the rules of evidence. The text quoted from Napier is orthodox American military doctrine. With one accord the professional officers of our Army believe with Napier 'that the business of courts-martial is not to discuss law, but to get at the truth by all the means in its power.' Our officers, both in formal and in informal statements in support of our system of military justice, habitually drop into the very language used by that distinguished British officer when he took the British bar to task for its interference in court-martial matters, and boldly declared:

"We soldiers want to get at the fact, no matter how, for the sake of discipline.

"'There is no better witness against a man than himself.' That statement is axiomatic among our officers. They will hear of no qualifications, nor can they see any evil consequences of the generous application of what is so good. It is the basis of our third-degree methods. It helps the investigating officer to impose his authority upon the unfortunate suspected man and enmesh him in words and conduct having no origin in fairness and truth. It is an excuse for the reception of incompetent confessions or for holding them to be without prejudicial effect. It justifies in a thousand instances that situation in which an accused, with incompetent counsel or none, is induced to take the stand and make out, for the benefit of the record at least, a case which the Government had failed to prove. I have seen the office of the Judge Advocate General dispose of hundreds of cases with a review like three which I have had occasion to observe this day, one of which was as follows:

"Taking this record as a whole, and considering the testimony of the accused, there is sufficient evidence to support the findings and sentence. This case is similar to C. M. 126171, in which the findings and sentence were sustained, although the prosecution, when it rested, had failed to make out a case by competent evidence but had introduced incompetent testimony tending to show the guilt of the accused. In that case, as in this, the accused took the stand and established a case against himself by his own statements. The board therefore recommends that this case be passed to the files.

"'We want to get the fact, no matter how, for the sake of discipline.' What a confession! What a wonderful mixture of arrogance and inconsistency! According to it, fact is something absolute, that can be and should be established without regard to law, logic, or human rights. All is to be done 'for the sake of discipline.' That end is to justify the most lawless means—extortion, oppression, cruelty—whatever those in authority deem necessary to 'get the facts.'

"A professor of the law of evidence of national repute who, after brief military service, is an ardent upholder of the present system of military justice, recently testified before the committee of the American Bar Association that the system was more nearly perfect than most judicial institutions, and then, intending to voice but a mild criticism, and apparently without observing the destructive character of the criticism and of his own inconsistency, said:

"The one fault with our courts-martial is that they give us too few facts.

"All too true! Ignoring the established safeguards, discarding all rules of procedure and evidence, they give us everything but facts. They give us oppression that is approved or condoned; they give us error that goes uncorrected; they give us unfairness that destroys all faith in military procedure; and, in the end, they give us conviction of the innocent and bring sadness in ten thousand American homes. They have proved the truth of Warren's statement, as every lawyer familiar with the facts and uninfluenced by military control surely knows, that—

"Were those rules (of evidence) to be discarded, anybody might at any time be found guilty of anything.

"I wish to say with all the emphasis I can put into the statement that, by reason of our utter disregard of those principles of our jurisprudence which must govern every just trial, no lawyer who believes in and wants to see established justice regulated by law can have confidence in or respect for the results of our courts-martial during this war.

"VI.

"One view:

"While in many cases the trials of enlisted men are not so elaborate as the trials of officers, and in many cases the rules of evidence are not observed and counsel is obviously inadequate, and while in a considerable percentage of the cases we find the decision is not sustained by the fact, still I do not recall a single case in which, morally, we were not convinced that the accused was guilty. (Testimony of a reviewing judge advocate before committee American Bar Association, Mar. 27–28, 1919, notes, vol. 1; concurred in by the others.)

"Another:

"It concerns the safety of all citizens alike that legal guilt should be made the sole condition for legal punishment; for legal guilt, rightly understood, is nothing but moral guilt ascertained according to those rules of trial which experience and reflection have combined to suggest for the security of the State at large. * * * They (these fundamental principles of our law) have, nevertheless, been lost sight of, and with a disastrous effect, by the military authorities conducting and supporting the validity of the proceedings about to be brought before Your Majesty. (Warren's letter to the Queen, p. 9.)

"The two texts just quoted, the one recently expressed by a few lawyers who after but a brief subjection to military authority have become surprisingly and quickly imbued with the necessity of approving records of trial, however violative of all legal principles, and the other which is the antithesis of the first and which I should have supposed all lawyers would accept as axiomatic, are interesting and pertinent. The first, because it shows among other things to what extent subjection to power of military command deflects legal judgment; it shows how the military relationship as it exists to-day imposes itself upon professional appreciation and obscures those first principles which are normally regarded as tenets of the faith and foundation stones of the temple of justice. The last man in the world to be expected to prefer his impression of moral guilt to guilt duly adjudged, his own judgment to the judgment of a court of law, his personal views upon insufficient investigation for the institutional results of established legal procedure—should be the lawyer. What does it mean for lawyers sitting in a judicial capacity to say: We find the soldier has not been well tried; we find that the rules of evidence were not observed in his case; we find that he had not the substantial right of assistance of counsel; we even find that the decision was not sustained by the facts of record; and yet we are morally convinced that the accused was guilty, so let him be punished? That leads to something worse than injustice to the accused; it leads to anarchy. It is the argument of the mob, and leads to the destruction of our Government. You break faith with your profession and your citizenship when, in the name of justice, you can tolerate such a state of things.

"VIII.

"One view:

"Hagenback, of Hamburg, has shown that there is no beast on earth that can not be made to behave itself in fear of punishment by a higher power. The same rule applies to all men. (Published essay of Lieut. Col. Woodruff, Regular Army, concerning discipline; a prevalent military idea.)

"Another:

"Discipline, in the correct sense of the term, can be preserved in our Army only with justice and the assurance of justice. The spirit, the moral quality of our men, must be appealed to. A military leader worthy of the name must aim to develop the moral quality of the soldier. He must appeal to and depend upon the sense of self-respect and the principles of citizenship upon which our patriotism rests, and develop and rely upon the mutual trust and confidence required for the supreme self-sacrifice. (Speech of Col. S. T. Ansell before the Washington Civic Forum, Mar. 18, 1919.)

"The maintenance of discipline through fear of punishment is too much of a military motto. Discipline there must be in the Army and out of it; punishment also. But threats and examples of punishment are far less effective than the military man appreciates, and when resorted to in terrorem are destructive of all discipline. The apprehensive faculty is not at the basis of social coherence or military morale. Man, even when temporarily a soldier, is not a brute beast. The soldier's best is not brought out through fear of or oppression by his superiors. Punishment must be the last resort, a fact that our Army fails to grasp. Every year in days of peace we ran 6½ per cent of our men before general courts-martial and expelled 5 per cent of them from the service in disgrace with long terms of imprisonment; and every year we ran 70 per cent of our men before the inferior courts. Though our war army did not begin to mobilize until late in 1917 and was not mobilized in large numbers until the spring of 1918, still, in the short time intervening before the armistice, we had some 22,000 general-court cases and 320,000 inferior-court cases, and recent statistics indicate that the general-court cases, including, as they did, some of the most

trivial offenses, averaged sentences of more than seven years' imprisonment, including dishonorable discharge from the service. Surely, discipline of our soldiery in this war was due to qualities that characterize American citizenship—not to the unhappy methods which the Army adopted for maintaining it.

"VIII.

"I have not been made to believe, by a perusal of these complaints, that justice is not done to-day under the military law or has not been done during the war period. (Open letter of the Secretary of War, Mar. 1, 1919.)

"This letter was not written by the Secretary of War, but for him. It expresses the military and departmental view; whether his own or not nobody knows. Out of my experience as Acting Judge Advocate General during this war and my long connection with the Army, I have had to insist that that view was wrong; that, on the other hand, our system is one of organized, spirit-crushing injustice. This insistence, while it has yet led to no reform of the system, has resulted in something of a general jail delivery by way of clemency. I quote from the most recent clemency report (June 6):

Total number of cases finally passed upon during the period Feb. 24 to June 4, inclusive	3,976
Number of cases in which clemency was extended	3,465
Number of cases in which no clemency was extended	511
Percentage of cases in which clemency was extended	87.165
Percentage of cases in which no clemency was extended	12.835
Average sentence to confinement—years	7.05
Average sentence to confinement remaining after remission, years	1.69
Number of unexecuted sentences to confinement remitted	1,153
Number of men recommended for or authorized to apply for honorable discharge (instead of dishonorable, as sentenced)	336
Number of men recommended for restoration to duty	182
Aggregate sentences to confinement—years	28,040
Aggregate sentences to confinement remaining after remission, years	6,724
Percentage of reduction	76.11

"Clemency, however, is not the remedy in case of an unlawful conviction. Clemency proceeds generally upon the predicate of guilt. It is forgiveness of sin. Justice in the case of a man unlawfully convicted requires that the judgment be reversed or set aside.

"An examination of the records will show, to the satisfaction of any lawyer seeking to ascertain facts rather than to support the system, that—

"(a) Sixty per cent of the general courts-martial cases ought never to have been tried.

"(b) That according to a reasonable, common-sense, and untechnical standard 70 per cent of the cases were not well tried.

"(c) That 20 per cent were so poorly tried that the record can not be relied on at all.

"(d) That in 75 per cent of the convictions the punishment awarded was such as to shock the conscience.

"This same state of facts is reflected in the clemency reports. Such facts are inconsistent with any standard of justice.

"IN CONCLUSION.

"The defects of the code, as I see them, have already herein been sufficiently reflected. Discipline through courts-martial is governed by men and not by law. The judicial functions of the Army are subject absolutely to the power of military command, with only the slightest of legal restraints. A court-martial is not a court. It is the agency of a military commander. He creates it and governs it, and to him it is responsible. The system not being one of law, the standard is not a legal standard, but one of conformity to the views of a commanding general. Questions of law as such can not arise, and such questions as do arise are presented to him for determination not as questions of law to which he is bound to defer but as questions to be disposed of by him finally and in accordance with his ideas, first, as to the requirements of discipline, and, secondly, of right and justice. The system, which is one of absolute penal government of every person subjected to military law, and which results in an almost incomprehensible number of courts-martial annually, is most remarkable in that it neither contemplates nor requires the participation of a lawyer at any point. The military commander governs the trial from the moment of accusation to the execution of the sentence, and such law adviser as he may have on his staff is without authority or right to interpose. At every point the decision of the commanding general is final and beyond all review. All the legal machinery designed to 'advise' commanders in the administration of justice is extralegal, is not established by law, much of it was created by me during this war, may be abolished at the pleasure of superior military authority (and doubtless will be). Such legal machinery does not function independently, but in strict subordination to the power of military command. The Judge Advocate General of the Army, as well as his office, his department, and all his functions, are by express provision of the statute made subject to the power of the Chief of Staff, and the 'decisions' of the Judge Advocate General and of every officer in his department, even upon questions of pure law, are subject to military 'supervision.'

"All these matters of military justice are left to be determined by power of military command. We may be frank without being offensive in dealing with common-sense truths. Any officers, like other men, can judge facts. But who can honestly contend that they are fit judges of law? Their training is, as a matter of fact, away from law. No man, as a rule, has cruder legal appreciations than the professional soldier. I am at a loss to see how Army officers should know any more about pure law than lawyers should know about military tactics and strategy. The courts themselves consist of military men, with nobody sitting with them or over them with a judicial capacity to govern them in matters of law. As was once said by a distinguished British barrister:

"It would indeed seem as reasonable to expect 15 military men capable of conducting satisfactorily a purely judicial investigation, dependent in every stage on the application of principles of a jurisprudence with which they can not have become acquainted, as to imagine the 15 judges of Your Majesty's superior and common-law courts at Westminster competent to form a correct opinion concerning critical military operations dependent upon pure strategical science.

"Errors committed in such trials by men ignorant of law are not likely to be regarded as untenable and idle, according to any system of law. They are likely to be, indeed they are, ridiculous blunders with tragic consequences. Proceedings of courts-martial consisting of unlettered men and having with them no judge of the law, and applying a code that, though penal, is not specific either in defining the offense, penalty, or procedure, must be expected to be, and they are, wrong from beginning to end; wrong in fact; wrong in law; wrong in the conduct of the inquiry; wrong in the finding; wrong in the advice given by compliant and impotent law officers, who recommend the approval of such proceedings; wrong in the ignorant confirmation of such proceedings; wrong in everything. And yet of such errors there can be no review, not even by any military authority superior to the officer who convened and governed the court and finalized its proceedings.

"The code, if such it can be called, does little or nothing more than permit the commander to do as he pleases. It is a 'do-as-you-please' code, out of deference to the power of military command. It prescribes little or no procedure. It contains 42 punitive articles. The offense is defined in none of these, but is left to be taken care of by military custom. Twenty-nine of them prescribe that the offense denounced 'shall be punished as a court-martial may direct.' Under this authority the court-martial may award any punishment whatever except death, and for a minor military offense may, if they choose, sentence an offender to imprisonment for life. Eleven of the articles prescribe that the offenses therein defined 'shall be punished by death or such other punishment as a court-martial may direct.'

"For these offenses the court-martial may, in their discretion, award the sentence of death. And two articles make death mandatory. In time of war a court-martial may award any punishment it pleases other than death for any offense whatever, and for many offenses which in civil life would be regarded as meriting no serious punishment they may award the penalty of death. In time of peace Congress has authorized the President in such cases to fix maximum limits of punishment, but of course not he, but the military men of the department, really fix the penalties. Such an application of penal law-making power has little to commend it from any point of view.

"The defects pointed out, both generic and specific, are, unless I am utterly wrong, such as to require immediate remedy, and the remedy is not difficult to prescribe."

COMMITTEE ON FINANCE.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 144, submitted by Mr. PENROSE on the 31st ultimo, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Finance, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-sixth Congress to send for persons, books, and papers; to administer oaths, and to employ a stenographer, at a cost not exceeding $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES of New Mexico:

A bill (S. 2701) for the relief of Frank Grygla; to the Committee on Claims.

By Mr. MYERS:

A bill (S. 2702) for the protection of timber on the public lands from forest fires; to the Committee on Appropriations.

By Mr. CALDER:

A bill (S. 2703) for the retirement of certain officers of the Navy; to the Committee on Naval Affairs.

By Mr. HARDING:

A bill (S. 2704) granting a pension to Margaret Schwaner; to the Committee on Pensions.

By Mr. FERNALD:

A bill (S. 2705) granting a pension to William Ingersoll (with accompanying papers); to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 2706) granting a pension to Charles W. Rhodes (with accompanying papers); to the Committee on Pensions.

A bill (S. 2707) for the relief of Ellen M. Willey, widow of Owen S. Willey; to the Committee on Naval Affairs.

A bill (S. 2708) for the relief of Einar Barfod; to the Committee on Claims.

By Mr. WALSH of Montana:

A bill (S. 2709) authorizing the Secretary of the Interior to issue patent to school district No. 8, Sheridan County, Mont., for block 1, in Wakea town site, Fort Peck Indian Reservation, Mont., and to set aside one block in each township on said reservation for school purposes; to the Committee on Indian Affairs.

AFFAIRS IN ARMENIA.

Mr. KING. I offer the resolution which I send to the desk, and ask that it be read and referred to the Committee on Foreign Relations.

The resolution (S. Res. 147) was read and referred to the Committee on Foreign Relations, as follows:

Whereas it is the purpose of the allied and associated powers to restore Armenia to her ancient territorial boundaries and to liberate the Armenian people from the despotism of the Ottoman Turks; and

Whereas, notwithstanding the armistice with Turkey, the purposes of the allied and associated powers are in danger of being thwarted by imminent threats of a general massacre of the Armenian population by armed bands of Turks, Tartars, and Kurds, who are prepared to advance into Armenia from the west, the north, and the east, for the purpose of reducing by murder the Armenian people to such a condition as to give the Turks, Tartars, and Kurds the occupation and control of the country; and

Whereas by the terms of the armistice between Gen. Allenby (commander in chief of the British forces, acting for and on behalf of the allied and associated powers) and the Turks, the right was reserved to occupy the villayets of Armenia and other villayets of Turkey in the event of disorders affecting the life, liberty, or property of the inhabitants; and

Whereas the Armenian people are to a large extent without weapons, armaments, or means of military defense: Now, therefore, be it

Resolved, That it is the sense of the Senate of the United States that the peace conference at Paris, by and with the advice of the supreme war council, should demand the immediate evacuation from the villayets of Armenia and from the villayets of Anatolia, in which disorders are threatened, of all Turkish troops and of all Turkish, Tartar, and Kurdish bands bearing arms, and should take effective measures in conformity to the rights reserved in the armistice with Turkey to occupy the villayets of Armenia and the villayets of Anatolia, where disorders are threatened, with military forces of the allied and associated powers, and that further measures be taken to effectively equip the Armenian population with weapons and arms for defense and to supply adequate food, clothing, medical supplies, and other necessities to enable the Armenian people to effectually organize an independent government and control the national territory of Armenia.

HIGH COST OF LIVING.

Mr. McKELLAR submitted the following resolution (S. Res. 148), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That a select bipartisan committee of six Senators, three from the majority and three from the minority, be appointed by the President of the Senate, and when so appointed shall be authorized to select its own chairman, to send for persons and papers, to administer oaths, and to employ a stenographer or stenographers to report such hearings as may be had in connection with the subject of the high cost of living; and said committee is also authorized to employ such other expert assistants as may be necessary; that the committee may sit daily during the sessions or recess of the Senate, and it shall report its findings and recommendations to the Senate at the earliest date possible; that the expenses thereof shall be paid out of the contingent fund of the Senate.

THE MERCHANT MARINE.

Mr. FLETCHER. I have here a communication from Mr. Wharton Barker, of Philadelphia, on the subject of the use of the merchant ships of the United States built with public money. It is not very long, and I ask to have it printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the communication was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

PHILADELPHIA, *July 23, 1919.*

Hon. DUNCAN U. FLETCHER,
United States Senate, Washington, D. C.

DEAR SENATOR: In accordance with previous correspondence over the subject of the use of the merchant ships of the United States built with public money, I have prepared a memorial to the Senate, which I inclose herewith. I hope you will have it read in the Senate, so that it can be printed in the RECORD of the Senate and later made a public document for distribution among the citizens.

Yours, very truly,

WHARTON BARKER.

A memorial.

SENATORS OF THE UNITED STATES:

The use of the merchant ships built by the United States for war service, paid for with public money, is an immediate and prime question for the Congress to solve.

For more than 50 years foreign commerce of the United States has been done in ships British, European, and Asiatic, with consequent large tribute to foreign shipowners and often at great disadvantage to farmers, miners, merchants, and manufacturers of the United States, because these foreign shipowners designated the American ports from which shipments must be made, thus causing unnecessary land transportation and congestion of freight at some ports and, for these reasons, waste of time and money.

To meet these burdens subsidies paid by the United States to corporate and private shipowners have been proposed, but as these bounties would have been paid to American shipowners almost always working in accord with foreign shipowners, no advantage could result to American producers, and so the proposals went by the board.

Because of construction of ships for war service now near completion, the United States will have in 1920 between fifteen and sixteen million tons of ocean-going shipping, about 70 per cent public-owned ships (estimates of United States statisticians), and these ships adapted to every kind of overseas trade.

American ownership of this great ocean marine liberates the United States from the bondage to foreign shipowners and from bondage to American shipowners allied, provided American people-owned ships are operated by a department of the Government of the United States or by a corporation created by the Congress, all capital owned by the United States. Such operation of ships would insure shipment of natural and manufactured products from ports most advantageous for the several shipments at stable rates, made as low as maintenance and operation of ships at highest efficiency—of course, at adequate wages for officers, crews, and stevedores—plus interest upon capital and sinking fund of capital within 15 years, plus insurance against loss of ships, would permit.

The capital sinking fund to be expended for building new ships to take the place of worn-out ships.

The capital cost of the ships when taken over by the Department of Commerce or by the corporation spoken of, should be not more than $70 per ton—perhaps $50 per ton—and the difference between this per ton charge and actual cost during the war exigency period should be charged to war expenditures, so that the ships would be operated without handicap. The usual profits of private shipowners would be saved, and the public would have the profits—not individuals, firms, or private corporations.

At no time would the interest charge upon capital investment, the United States the borrower, be more than two-thirds what the charge would be if the borrower was an individual, firm, or private corporation.

Under public operation there would be no discrimination in charges and no shipments of one shipper have preference over another shipper.

As foreign ships would have to meet the competition of the American public owned and operated ships, a competition they could not meet unless foreign nations adopted and practiced the plan proposed, the American merchant marine would have almost all of the overseas commerce of the United States.

This tonnage, built with public moneys, will constitute the American people's greatest asset in its commercial relations with the world. Operated by the Government at rates that will be stable and low because operated without profit beyond the sinking fund needed for amortization, and directly advantageous to farmer, miner, manufacturers, and merchants because they are stable and low, this tonnage means American independence of all foreign control of ocean transportation.

This plan of operation of the United States owned merchant ships can be and will be opposed only by those citizens who have grown rich and powerful because of the special privileges granted to them by the Congress of the United States and by the legislatures of the several States.

When Senators and Representatives of the Congress of the United States vote—and they must vote soon—upon the question of how the merchant ships built with public money must be met, they will ponder upon the proposal here made and, I believe, will look upon it as the only proposal that will preserve the commonweal and so vote for the plan and reject all plans for sale or lease of the public-owned ships of the United States.

WHARTON BARKER.

PHILADELPHIA, PA., *July 23, 1919.*

TREATY WITH GERMANY.

Mr. FLETCHER. I have also a letter appearing in the Evening Post, of New York, by Mr. Theodore Gilman, dated July 24, on the subject of the treaty, and advocating that all amendments should be made after the treaty is ratified. I ask to have it printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

RATIFICATION, THEN AMENDMENT.

"TO THE EDITOR OF THE EVENING POST.

"SIR: The discussions which arose when the Constitution of the United States was transmitted to the several legislatures in 1787 for its adoption or rejection called forth from the friends and enemies of that instrument arguments in its favor and against it which are strikingly similar to the discussions which are now taking place in connection with the adoption of the covenant of the league of nations.

"Among those who opposed the adoption of the Constitution was Patrick Henry, the great orator of the Revolution. He saw dangers for such a government as was proposed in the Constitution which experience has shown to be imaginary. He thought, truly, that the convention was not authorized to draw up such a compact as is contained in the Constitution. He said that the people gave the members of the Constitutional Convention no

power to use their name, and that they exceeded their power is clear. He said the Federal Convention ought to have amended the old system and this was the object of their mission. When he came to examine the features of the new Constitution, they appeared to him horribly frightful—'it squints toward monarchy.' The Senate is so imperfectly constructed that our dearest rights may be sacrificed by a small minority. 'Where,' he asked, 'are your checks on this Government? Your strongholds will be in the hands of our enemies.' He said, 'If you agree to previous amendments, you shall have union, firm and solid. I can not conclude without saying I shall have nothing to do with it, if subsequent amendments be determined upon.' He was for the amendment first and ratification afterwards, which is the orderly procedure which any lawyer's clerk would advise. It is the view in which logical and legal minds become involved.

"When Henry saw that the contest was going against him he said, like a true patriot, 'I will be a peaceful citizen. With my head, my hand, and my heart I will endeavor to remove the defects of that system in a constitutional way.'

"These views are examples of those which were originated by the opponents of the Constitution. Similar objections are to be heard now from those who oppose the league of nations.

"On the other hand, those who supported the Constitution were represented, among others, by Randolph of Virginia, who said, 'When I maturely weigh the advantages of the union and the dreadful consequences of its dissolution; when I see safety on my right hand and danger on my left; when I behold respectability and happiness acquired by the one, but annihilation by the other, I can not hesitate to decide in favor of the former.' This was the practical view which appealed to the common sense of the legislatures.

"James Madison, the fourth President of the United States, was the most powerful advocate for the adoption of the Constitution. He said, 'Though vast must be the difficulty of concentrating in one Government the interests and the conciliating of opinions of so many different heterogeneous bodies, when we consider this Government, we ought to make great allowances. We must calculate the impossibility that every State should be gratified in its wishes. It has never been denied by the friends of the Constitution that it has its defects, but they do not think that it contains any real danger. They conceive that they will in all probability be removed where experience will show it to be necessary. Suppose Virginia should propose certain alterations as the previous condition of her accession. If the other States should be disposed to accede to her proposition, the difficulty attending it would be immense. Every one of the eight States which have ratified the Constitution must take up the subject again. When the amendments are brought together in one assembly they must go through and accede to every one of the amendments. No less than 40 amendments and a bill of rights, which contains 20 amendments and 20 other alterations, have been brought forward. Will not every State think herself equally entitled to propose as many amendments? I leave it to this convention whether the States can agree to anything but the Constitution which is now on the table.'

"In the New York convention a proposal for conditional ratification of the Constitution was met by Alexander Hamilton in a brilliant speech, and Melancthon Smith, a member of the legislature, confessed that he was convinced by that speech that conditional ratification was absurd and weak. The legislature added to its ratification these words: 'An invincible reluctance to separating from our sister States has prevailed upon a sufficient number of us to ratify the Constitution without stipulating for previous amendments.'

"The practical method debated by the State conventions affords a guide for the action of the various parliaments and for our Senate in the action that they should take in disposing of this question of the adoption of the league of nations.

"Several States in transmitting in 1788 to Congress their assent and ratification of the Constitution added: 'The convention do, in the name and behalf of the people of this Commonwealth, enjoin it upon their Representatives in Congress at all times until the alterations and provisions aforesaid have been considered agreeably to the fifth article of said Constitution to exert all their influence and use all reasonable and legal methods to obtain ratification of the said alterations and provisions in such manner as is provided in the said article.'

"There have been various amendments, alterations, and reservations suggested by the opponents of the present form of the covenant for the league of nations in the Senate of the United States and in the Parliaments of France and Italy, and probably there will be other such changes suggested by the legislative bodies of other countries.

"Only a few countries will probably accept the draft without suggestions of any alterations. The confusion which would result from an attempt to consider and act upon and adopt these amendments was well described by James Madison before the convention in Virginia. To avoid this confusion it will be necessary to adopt the covenant for the league of nations just as the Constitution of the United States was adopted by the State legislatures in 1788, without any changes, amendments, or reservations, and then by resolution to enjoin upon the representatives of our country to use their best efforts to have changes made when the league of nations convenes in legislative assembly in accordance with the provisions for amendment which are contained in the covenant.

"When the first Congress convened it found there were 201 proposed amendments to the Constitution. As some of these were similar, the number of proposals requiring consideration by Congress was reduced to about 60. Out of these 12 amendments were submitted by Congress to the States, of which 10 were adopted in less than 3 years.

"The statesmanlike management by the patriots of 1788 of this difficult question affords a good example to be followed by our Senators of to-day, which is to ratify the treaty and covenant for the league of nations without changes, and to instruct our representatives in the league to urge the amendments which the Senate may agree are necessary and desirable.

"THEODORE GILMAN.

"NEW YORK, *July 24*."

LETTER OF ARTHUR LE SUEUR.

Mr. GRONNA. Mr. President, I have here a letter which I may say is rather an unusual one, and if I may be permitted to say just a word to the Senate I will state why I am asking to have it printed in the RECORD. It is written by one of the ablest lawyers in the West—Mr. Arthur Le Sueur. At one time he was a citizen of the State which I have the honor in part to represent. He was employed as attorney for the Great Northern road. I simply mention this to show that he is a man of recognized ability. He became much interested in economic and social questions and was called socialistic, and while he has had no desire to hold office he has spent his own money and devoted his time to a study of grave economic questions. Whether we agree with Mr. Le Sueur or differ with him as to his position, it must be admitted that he is honest. I therefore wish to have his letter read.

The VICE PRESIDENT. Without objection, the Secretary will read.

The Secretary read as follows:

ST. PAUL, MINN., *July 25, 1919.*

Hon. ASLE J. GRONNA,
Chairman Senate Committee on Agriculture, Washington, D. C.

DEAR SENATOR: I do not know whether you will remember me or not, and for the purposes of this letter it will make little difference, as I desire simply to impress upon you as earnestly as I can the necessity of action being taken to curb the monopolistic interests in the food line in this country.

I believe that the Kenyon-Anderson bill is a step in the right direction. It is not too radical, and it allows the packers to be practically the sole determining factor as to whether or not the more stringent features of the law will be put in operation at all. I do not look upon this legislation as a cure-all, but I do look upon it as forward looking and going as far as the country can afford to go in a first step of this kind. It will reduce the high cost of living, which must be reduced, and it will accomplish this by making the reduction out of the profits of middlemen and not out of prices paid to the producers of foodstuffs, which prices now in many instances do not afford a margin over cost production.

I am mingling daily with organized workers in the Northwest, and I wish to assure you that unless something is done to stop the mounting cost of living we are making a bid for the kind of revolution that is tearing Europe to pieces to-day. The common workers of this country can not stand a continued advance in the cost of living. It is not a question of their loyalty or patriotism or their good or ill will to government; it is a question of the possibility of making both ends meet.

Hundreds of thousands of workers throughout the Northwest are to-day drawing upon scanty savings to add to their daily wage in making it possible for them to live. I sincerely hope that this bill will receive your support and approval as a measure calculated to afford a little relief in the right direction.

One more proposition which seems to me of very vital interest to the people of the United States is the question of the ratification of the Versailles treaty and covenant. People are coming more and more—throughout this part of the country at least—to have an opinion on that subject. The spectacle of the President of the United States telegraphing to Cabinet members of the Governments of France and England for permission to disclose to the Senate of the United States the facts under which it is proposed to deal with the destinies of the people of the United States is not one calculated to stir the pride or respect of any real American.

Again, suppose that President Wilson and the Congress in the declaration of war had said to the American public, "Let us take the Shantung Peninsula away from Germany and give it to Japan. Let us declare war on Germany, who is fighting Russia and liberal governments the world over, so that we may have the privilege of fighting popular government in Russia—so that we may send our soldiers there, in company with France and England, to take away from Russia great slices of her territory and compel the Russian people to adopt such a government as looks good to us." Suppose that had been the basis for a declaration of war; suppose that had been stated as in part the purposes for which we should fight; suppose that had been stated as a part of the terms of the treaty to be enacted into international law after the defeat of Germany.

Suppose it had also been stated at that time by President Wilson or Congress that the terms of the treaty, the actual facts upon which it rests, should never be made known to the American people—should be hid by the President even from the United States Senate. Suppose it had been stated specifically among the 14 points that the infamous secret treaties existing between Japan, France, England, Italy, and Russia were to be indorsed and affirmed by a treaty to which the United States should be a party. Suppose all these things had been known when war was declared and made the basis for our participation in the war.

Senator, do you for one moment think that Congress would have dared declare war or that the American people would have supported a war with such aims and purposes? If there be any truth in that, then most assuredly should that treaty be rejected as not being the will of the American people.

And, further, if it is accepted and ratified, it seems to me as clear as the sunlight that it will not even cause an interlude in the wars now proceeding and will furnish the basis for a dozen new wars. It is neither honest with America or with Europe. It is a desperate attempt, if I read it aright and guess aright as to the facts behind it which are not disclosed either to you or to me—it is a last desperate attempt to bolster up a decadent aristocracy and an outworn principle of property.

It ought to be rejected, lock, stock, and barrel, and a treaty arranged for between all the civilized nations of the world, with the negotiations openly carried on by representatives of the people of these countries rather than representatives of their governments. No other method of arriving at a treaty of peace will ever be successful. All of the governments of Europe are at war with their people, and the right of governments to rule people regardless of the consent of those people is a principle that is almost done functioning in this world. The treaty is a last desperate effort to keep it alive.

I hope you will give your most earnest consideration to these problems, and feel that you will do so, and I earnestly hope you will see your way clear to arrive at conclusions that will further the best interests of the people of the world.

Very truly, yours, ARTHUR LE SUEUR.

Mr. WILLIAMS. I came in a moment late and in the middle of the reading of the letter which has just been read from the desk. Do I understand it to be a plea for Bolshevism?

Mr. KING. Yes; I think that is right.

Mr. WILLIAMS. Has unanimous consent been given for its insertion in the RECORD?

Mr. GRONNA. The Senator from Mississippi was not here when I offered the letter. I hold no brief for Mr. Le Sueur, but I will say that I believe he is as good a lawyer as there is on the floor of the Senate. He has held responsible positions, and has never been looked upon, so far as I know, as a Bolshevist. It is true, as has been sometimes stated, that he is the brains back of the so-called Nonpartisan League; but, so far as I know, he has never been accused of disloyalty or of being an exponent of Bolshevism.

Mr. WILLIAMS. I caught a few lines only of the letter, but it seemed to me that the writer of the letter was undertaking to defend Russian Bolshevism and to bolster it up as a very democratic proposition, worthy of all men's commendation; and unless unanimous consent has been given for its insertion in the RECORD, I am not willing for the letter to go in——

Mr. SMOOT. It is in the RECORD now.

Mr. WILLIAMS. Especially as my good friend the Senator from North Dakota [Mr. GRONNA] states that he does not agree with it, does not father it, and does not want it inserted as a part of his remarks.

Mr. GRONNA. Mr. President, the Senator from Mississippi misunderstood me. I have asked to have the letter read, and I have stated that, whether I agreed with Mr. Le Sueur or disagreed with him, he has been and is now recognized as a student of economics and a man of exceptional ability; and that I, therefore, wanted the letter read and wanted it to appear in the RECORD. I assure the Senator from Mississippi that the letter will go into the RECORD at some time if I have to read it on the floor of the Senate myself.

Mr. WILLIAMS. Well, it has already been read now, so that it will go into the RECORD.

The VICE PRESIDENT. It will appear in the RECORD unless it shall be ordered to be stricken out.

Mr. WILLIAMS. I merely wanted to enter a protest against Bolshevist propaganda in the Senate of the United States, by whomsoever presented, from whomsoever presented, and by whomsoever written. As I understood the reading of the article, it is regular Bolshevik propaganda.

Mr. GRONNA. Mr. President, since I offered this letter, I think perhaps that statement might refer to me; so I want to assure the Senator from Mississippi that before the pending treaty has been ratified he is likely to find that some of the time of this body will be taken up in calling attention to the matters that are mentioned in this letter; and, whether it may be called Bolshevism or not by the Senator from Mississippi, it will not deter some of us from calling attention to conditions which actually exist in European countries, and which, if we adopt a proposition such as is desired to be adopted by the Senator from Mississippi and others, may exist in this country.

Mr. WILLIAMS. Mr. President, I had not even feared that I would evoke from the Senator from North Dakota a commendation or approbation for this miserable stuff. I had thought that he was merely putting it into the RECORD out of politeness to somebody; I had no idea that he indorsed it. In fact, I thought from his remarks that he did not, or at any rate that he was not prepared to say that he did; but, Mr. President, there is this to be said: Perhaps in Russia under the Czar, perhaps in Germany under the Kaiser, and perhaps in Turkey under the Sultan men might have been justified in carrying on a propaganda for the overturning of civilized government, for Bolshevism, for anarchy, and for almost anything else out of a blind revolutionary antagonism to autocracy, but that sort of thing does not exist in the United States——

Mr. NELSON. Mr. President——

Mr. WILLIAMS. One moment and I will yield—and there is no justification in this country of free people, where every man can vote, or at any rate presumably can vote, for the idea of the overturning of government and declaring war upon all civilization. Now I yield to the Senator from Minnesota.

Mr. NELSON. Mr. President, I wish simply to say to the Senator from Mississippi for his information that this Mr. Le Sueur, who is one of the moving spirits in the Nonpartisan League, is a rank socialist, and during the war came as near being disloyal as it was possible for any man to be and not step over the line.

Mr. WILLIAMS. Without being arrested and sent to jail, as were a great many others like him. But, Mr. President, that is not the point. The point is this: Under an autocracy or a despotism men are justified in proceeding to revolutionary methods; in America the man who advocates revolutionary methods or so-called "direct" methods or an exercise of violence in order to overthrow either the existing government or all governments ought to be either hanged or put in prison. This is not the forum where he ought to be heard, because we are a part of the lawmaking power of this country, and we believe that laws should be changed by new laws, that wrong majorities should be upset by new majorities, and that we can carry the torch of civilization for ourselves and partially for the world as a democratic torch and not as a mere revolutionary torch. The man who teaches violence in America in order to upset government, instead of teaching the use of the ballot in order to upset government, is a public enemy and deserves to be lynched.

THE MOONEY CASE.

Mr. SHERMAN. Mr. President, I send to the desk of the Secretary and ask to have printed in the RECORD, without reading, the reply of the district attorney of the city and county of San Francisco, Mr. C. M. Fickert, to the findings of the Federal Mediation Commission on the Mooney case.

The VICE PRESIDENT. Without objection, the matter referred to by the Senator from Illinois will be printed in the RECORD.

The matter referred to is as follows:

REPLY TO THE FINDINGS OF THE FEDERAL MEDIATION COMMISSION ON THE MOONEY CASE.

(By C. M. Fickert, district attorney of the city and county of San Francisco.)

"Introductory to their report to the President, the Mediation Commission state that their investigation was made 'informally and without publicity.' The informality consisted in accepting without question the unsworn statements of the attorneys and sympathizers of the defense without consulting anyone in authority in connection with the prosecution and without giving any consideration to the testimony of the prosecution's witnesses. Be it said, however, to the credit of said commission, that in the introduction to their report they have omitted to suggest that the same was either made impartially, exhaustively, or with any desire to arrive at the truth. Rather, it is suggested in their report that a desire to appease the liberal element in Russia was paramount in the minds of the commissioners. The liberal element in Russia has only heard one side of the Mooney case, viz, that of the defense.

"Beginning, therefore, with an avowed purpose of satisfying what the said commission see fit to term the 'liberal element,' but which, we believe, can more truly and appropriately be termed the 'anarchistic element,' in Russia, the one-sided report of said commission is easily explained. If reports which come to our hands from Russia are authentic, it would appear to us that that country, devastated by a foe from without and torn to pieces by anarchy and revolution within, has sufficient problems to absorb her attention without endeavoring to overturn a judgment legally and justly obtained in a democratic community under democratic institutions.

"But that the line of activities pursued by Mooney and his fellow 'Blasters' was the same as that pursued by the leading anarchists of Russia—with some of whom it is known Mooney was associated—is made patent in the threat published in the Blast, the anarchistic organ published in San Francisco by Mooney and Alexander Berkman, now serving a sentence for obstructing the draft, to assassinate the President of our country, Woodrow Wilson. From Issue VIII of the Blast, of March 4, 1916, at page 4, we quote the following:

"We don't complain; we understand Wilson's position; he must do his master's bidding. This is the 'sane policy'; but we want to warn the weathercock in the White House that it may not prove safe. Suppression of the voice of discontent leads to assassination. Vide Russia.

"Immediately after the arrest of the defendants, and before the case of Thomas J. Mooney was set for trial, he and his sympathizers stated that they could not and would not rely upon a trial in a court of justice for a vindication. And this in a court where every presumption is in favor of the defendant. Mooney asserted that his only hope of escaping a conviction was to rely upon public agitation. From correspondence it is shown that through agitation they expected to secure a one-sided investigation conducted by some partisan body that would only see and hear one side of the case.

"In furtherance of this plan, on September 25, 1916, more than three months before the trial of Mooney was commenced, Alexander Berkman, the notorious anarchist now serving a term in the Federal prison, wrote to Frank P. Walsh, chairman of the United States Industrial Relations Commission, stating:

"I have to join with the boys in jail in saying that I see no way on earth to save their lives except Frank P. Walsh.

"I hope that I am not exaggerating. You know that I did not call to you upon light consideration, and I rely upon that fact to make you believe that what I now say is not ill-considered.

"Berkman's plans are clearly set forth in a letter written by him to Anton Johannsen (Johannsen was subsequently the chief agitator for Mooney in the Eastern and Middle States). In this letter Berkman says:

"And all my experience has convinced me that in such matters the thing of chief of importance is to create favorable public sentiment.

"The moral is obvious * * * public agitation to change the psychology of the people is more important in such matters than big funds.

"For all I know, they may have no cognizance at all of the things they are charged with. But guilty or innocent, a worker in the hands of the enemy is always the victim, and never guilty, in my viewpoint.

"These letters were seized at the office of the Blast, the anarchistic paper edited by Berkman before Mooney's trial.

"It is therefore evident that the anarchists in America as well as the anarchists in Russia had a hand in bringing about the investigation.

"With these facts in mind, therefore, we proceed to a consideration of the findings of said commission.

"After finding upon the undisputed fact that on July 22, 1916, a most heinous murder was committed, the commission takes up the question of the threatening letters written before the parade and arrives at this absolutely untrue and unsupported finding that the 'public authorities, however, did not deem the letters significant, and the identity of their writers has never been established.'

"The unpardonable part of this false finding is the fact that had the commission asked one single question of Capt. Duncan Matheson, who was in charge of the bomb investigation, they would have learned that in this finding there was not one vestige of truth. The fact is, as Capt. Duncan Matheson is ready to substantiate under oath, that said letters were carefully considered; that they were turned over to the United States postal authorities; that an investigation was made which showed that the said letters had been mailed somewhere between the Mooney residence and the office of the San Francisco Bulletin, a distance of about two blocks. More than that, the said letters were compared with resolutions denouncing the preparedness-day parade and anticipating violence, which were drawn up by Mooney and published in the Bulletin the day prior to the parade. The same verbiage, phraseology, and sentiment found in both tend to disclose the same authorship. The commission inadvertently find that the said letters were written by an 'avowed pacifist' aimed 'against such manifestations of militarism as a preparedness parade was conceived by them to be.' The commission might further have found that said letters showed on their face that they were written by anarchists and believers in direct action. Who, then, besides Mooney, Berkman, and their followers were the anarchists, the dynamiters, and the believers in direct action in San Francisco? Taking all these circumstances together, therefore, the finding of this commission in favor of the defendants, based upon these letters, should be reversed.

"The next finding of the commission, to the effect that the police and the district attorney turned to a quarter for an explanation of this crime different from that indicated by the threatening letters, falls for the same reasons heretofore stated. In this connection it may be said that the police of San Francisco ran down hundreds of clews before fastening the crime upon Mooney.

"A reasonable analysis of the finding of the commission found in paragraph 4 will show that the same is inconsistent with itself and falls of its own weight. The said commission find that Mooney was an anarchist and a believer in direct action, but make the astounding statement that his direct action proclivities were limited to 'labor controversies.' In other words, the commission would have intelligent citizens believe that Mooney was an avowed anarchist and a believer in direct action; that he would use direct action to bring about a result in a labor dispute, but would fail to use the same course to bring about that which was uppermost in his mind, to wit, anarchy. Had the commission made any endeavor to view Thomas J. Mooney in his true light, not from what people said about him, but from writings over his own signature, all of which were available to said commission, it would have found that Thomas J. Mooney was an anarchist, first, last, and all the time; that he simply engaged in labor disputes in which he had no interest for the purpose of using violence, bringing about discontent, increasing unrest, and thereby bringing his dream of anarchy nearer to realization. Why this desire on the part of this commission to sidestep truth and split hairs, in order to protect not only a foul murderer but a traitor to his country?

"In the second paragraph of finding 4, the commission find that in the spring of 1916 'Mooney and his wife were leaders in a bitter and unsuccessful fight to organize the carmen of the United Railroads.' Compared wtih other strikes, however, the attempt of Mooney lacked as much the element of bitterness as it did of success. As a matter of fact, the whole thing attempted by Mooney was a fizzle and was never seriously considered by the company or by organized labor, which refused to sanction the same. To say that any of the utilities were resentful toward Mooney for his action in said strike is ludicrous. In other words, in strikes that have cost vast sums of money to fight, and in which the system of the company was tied up for weeks and the service demoralized for months, no attempt was ever made to make the leader or leaders pay the penalty. But in the weak attempt at a strike by Mooney, which died before it began, and cost the company not one cent to fight, the commission find, without a word or scintilla of evidence to justify said finding, that Mooney 'was an especial objective of their (the public utilities) opposition.' Said finding, therefore, is not only lacking in evidence to substantiate it, but is directly opposed to reason and the facts.

"An attempt is also made by the commission to eulogize Mrs. Mooney. No mention is made of her passion for violence as it is disclosed by the evidence. The following incidents will negative the finding of the commission: On July 14, when her husband and several of his followers attempted to induce the platform men of the United Railways to strike and blockade the cars at Third and Market Streets, the refusal of the carmen to leave their platforms was sufficient for Tom Mooney and the other men in the party to acknowledge defeat and they skulked away without further effort. But not so with Rena Mooney. Filled with rage and a desire to commit violence, even though deserted by her male companions, she leaped over the closed gate of a United Railway car and violently attacked the motorman, filling the air with her oaths. On the afternoon of July 22, 1916, as she viewed the civilian marchers coming up Market Street she, in a violent rage, said, 'What a beautiful mess I could make of those marchers with a machine gun!'

"The commission ignore the fact that three books on how to use dynamite were found in Mrs. Mooney's possession; that this gentle music teacher also had in her possession cartridges with steel jackets, of the same make and caliber as those found in the bodies of the victims and contained in the bomb. Neither she nor her husband had any pistol that would fit these cartridges. Her library contained almost all known books on anarchy and revolution.

"Attention is further called to the fact that in the correspondence which passed between the founders of the Blast, resulting in its establishment, Mrs. Rena Mooney was mentioned as one who would be 'on the job as she always is.'

"But the most astounding finding of the commission, based as it is upon no evidence whatever and amounting practically to nothing more than a guess, is found in the fifth paragraph, as follows:

"The utilities against which Mooney had directed his agitation or who suspected him of mischievous activities undoubtedly sought 'to get' Mooney.

"If this commission have in their possession any evidence pointing to the fact that any person or set of persons set about to fasten this crime upon any person except the perpetrator, it is their duty as citizens to divulge said fact in order that the said persons may be prosecuted. On the other hand, if they have no such evidence, the charge contained in said finding should never have been made. The commission apparently base their findings upon the fact that one Martin Swanson was employed as a detective by the district attorney to assist in the investigation of the perpetrators of the crime. Swanson had formerly been employed by a corporation to run down dynamiters who had destroyed some of its property and had accused Mooney of complicity therein, and which Mooney afterwards admitted was true. The fact remains, however, that while the commission were in San Franciso Mr. Swanson was in San Francisco and was available as a witness. He was neither interrogated by the commission nor was any statement obtained from him. This honorable commission, therefore, are such firm believers in democratic government and in democratic institutions that they would convict a man of the charges made by the commission against Swanson without giving him his day in court or an opportunity to answer any inquiry in his own behalf. In other words, as far as Thomas J. Mooney is concerned—being an anarchist, a traitor to his country, and a believer in direct action—his conviction should be set aside even after a fair and impartial trial in which every opportunity was given to make his defense, and Martin Swanson, because he has always been an honest, honorable, and upright citizen, who had served his country in 1898, against whom not one word derogatory to his character has or can be said, should be convicted without the formality of a trial or without even according him the opportunity of offering an explanation, and all this upon unsworn statements of persons interested in the defense.

"The commission proceed further to find that Swanson offered a reward to the codefendants Israel Weinberg and Warren K. Billings to implicate Mooney. No reward was ever offered by Swanson to anybody to implicate any person in any dynamiting. The reward mentioned by the commission was a reward offered by the United Railways to any person who would give information that would lead to the arrest and conviction of the person or persons who had dynamited the towers carrying the high transmission electric wires supplying the power to operate the cars of the United Railways of San Francisco. In light of the letters which were discovered after the crime of July 22, 1916, there can be no doubt in any person's mind but that Swanson, in suspecting Mooney for the tower dynamiting, was on the right track. Mooney, in his dynamiting activities in Contra Costa County, which in a letter to Mother Jones—known in anarchistic circles as an important a figure as Emma Goldman, now serving a penitentiary sentence for obstructing the draft—he confesses resulted in the destruction of over $200,000 worth of property, was assisted by Joe Brown and H. G. Hanlon. Letters will show that prior to the dynamiting of the towers on June 12 Mooney attempted to locate Hanlon and Brown in order that they might be with him in the same activities in San Francisco. Writing to his friend, R. C. Greenley, under date of April 29, 1916, concerning the strike of June 11, 1916, Mooney states:

"There are a great many other things in connection with this work that I don't care to mention in this letter, or in any other for that matter. You know me well enough to know how I think a strike should be fought and conducted in a case of this kind under these circumstances.

Mooney being a stanch believer in direct action and dynamiting to bring about his ends, it can not be doubted but that the things he did not care to mention in the letter were matters having to do with the said subjects.

"Nor can any adverse criticism justly be placed upon the public authorities for the employment of Martin Swanson. In this connection, however, it is important to note that Martin Swanson took absolutely no part in the investigation made by the police under the bomb bureau, but was solely connected with the office of the district attorney. None of the witnesses who appeared in this case were either procured by Martin Swanson or testified at his suggestion, nor did said Swanson either arrest any of the defendants or cause the arrest of said defendants.

"In paragraph 8 the commission wind up with a finding that 'following the trials of Billings and Mooney there was a change in the evidence which not only resulted in the acquittal of Mrs. Mooney and Weinberg, but also cast doubt upon the prior convictions of Billings and Mooney.'

"The details of the changes which the commission claim were made in the testimony of the witnesses for the prosecution between the Thomas J. Mooney trial and the Rena Mooney trial or the names of the witnesses who made any such alleged changes in their testimony are not stated. The fact is that there has been no change in the testimony of any of the prosecution's witnesses. The acquittal of Mrs. Mooney and Weinberg is absolutely immaterial in determining the guilt of Mooney and Billings. Mooney and Billings were the main actors in this crime; Weinberg and Mrs. Mooney were accomplices. It is a matter of common knowledge among persons who pretend to know anything about our judicial procedure that it is vastly more difficult to establish the guilt of an accomplice by legal evidence than it is that of the principals. But that was not the only obstacle the prosecution had to meet in the Rena Mooney case. The fact that the defendant was a woman was a potent factor in bringing an exhausted and weary jury, after over 50 hours of continuous deliberation, to a verdict in favor of the defendant. Moreover, the campaign of poisoning public opinion against the prosecution begun in Russia, as stated by the commission, reached the court room, and the case was surrounded by an element of doubt, which arose not from the testimony of the witnesses produced in court but by agitation from without. When it is considered, therefore, that the defendant was a woman, that she was admittedly only an accomplice, that the prosecution had the burden of proving her guilt beyond all reasonable doubt, and that agitation in her favor was widely circulated by certain newspapers and among radicals, the verdict in her case is not even determinative of her own guilt and surely casts no discredit upon the verdicts of guilty in the former cases. It is a well-known fact that criminal cases grow weaker with age; witnesses die, witnesses are scattered, witnesses lose their memory concerning details—all these things redound to the favor of the defense.

"In the Weinberg case, the very fact that in the midst of said trial publicity was given to the fact that a commission appointed by the President of the United States was in San Francisco investigating the very charge that was being tried was sufficient to cast an element of doubt in the mind of an ordinary jury, and under our system a verdict of 'not guilty' might logically follow.

"The failure of the commission to comment upon any of the threats to commit the crime of July 22, 1916, found in the Blast is significant because it shows a deliberate intention on the part of said commission to overlook and to minimize anything that might tend to connect Mooney with the crime. The evidence connecting Mooney with the Blast is conclusive, consisting as it does of written documents the authenticity of which can not be questioned. Why so much importance to the threats found contained in the anonymous letters, the writers of which it is necessarily difficult to establish beyond question, and why such an utter disregard for the same threats found in Mooney's newspaper? The answer is obvious—a deliberate effort to protect Mooney and to avoid the truth.

"The commission also find that the testimony of Oxman was discredited and that therefore the verdict against Mooney should be likewise discredited. The commission, however, have failed to take into consideration the following facts:

"In the trial of Thomas J. Mooney practically all the witnesses who testified against Warren K. Billings were called to testify against Mooney. The only witness of any importance testifying in the Billings trial and omitted at the Mooney trial was Estelle Smith. Estelle Smith, however, was not a witness of great importance against Thomas J. Mooney, because she had never testified that she saw Thomas J. Mooney at 721 Market Street, her testimony being limited to Warren K. Billings and Rena Mooney, wife of the defendant. Therefore without the testimony of any new witnesses there was sufficient testimony before the jury in the Mooney case to warrant a verdict of guilty. Frank C. Oxman was called as a witness in the Mooney case, and his testimony is made the basis of the application for a new trial in said case.

"There were 90 witnesses called by the State, and that the jury would have convicted Mooney without Oxman's testimony is shown by the following statement made by William R. MacNevin, the foreman of the jury. This statement, made and published the night of the conviction, and before any attack was made upon Oxman, is as follows:

"The jurors felt that the structure of the evidence produced by the prosecution was so strong that they could not conscientiously follow their oaths as jurors and recommend life imprisonment. You ask me if it was the evidence of Frank C. Oxman, the chief witness of the prosecution, that convinced the jurors of the guilt of Mooney. It was not this alone. It was the whole case that convinced us. We felt that the volume of evidence introduced was overwhelming, and that we had no alternative but to agree on a verdict of guilt.

"John McDonald, the waiter, impressed us by his testimony. So did Mrs. Edeau and her daughter, the Oakland dressmaker. We felt that all these people could not be mistaken in their identification of Mooney, Mrs. Mooney, Warren K. Billings, and the man with the scraggly mustache as the persons they saw in the jitney of Israel Weinberg just before the explosion at Steuart and Market Streets. One of them might be mistaken, but all of them couldn't be.

"The attack made by the defense upon the testimony of Oxman is collateral in this, that no effort is made to show that Oxman did not witness all the matters to which he has testified nor is any attempt made to show that Oxman, in any part of his testimony in the Thomas J. Mooney case, testified falsely; but an attempt is made, by reason of the fact that Oxman wrote certain letters and by placing upon the said writing the construction contended by the defense, to show that Oxman is unworthy of belief.

"The issue as to whether the letters written by Oxman were written with an intent to suborn perjury was tried out in the case of People versus Oxman before Hon. Frank H. Dunne and prosecuted not by the district attorney of the city and county of San Francisco but by the attorney general of the State of California, against whom the defense have never made any accusations of unfriendliness. And this trial resulted in the acquittal of Oxman. In the trial of Oxman the prosecution was permitted by the trial judge to bring out every detail and circumstance which occurred not only in San Francisco but outside the State. In short, the prosecution was permitted to show every act, conversation, statement, and communication that passed between Oxman and Rigall, to whom the letters were written. The entire matter was fully and fairly presented to the jury, and Oxman was promptly acquitted by a unanimous verdict of the jury. In considering the testimony of Oxman it is important to consider that the first time that Oxman was interviewed by a representative of the public authorities he was outside the State of California, and he made a statement at said time identical with the testimony given by him in the trial of Thomas J. Mooney. At the time said statement was made the only witness that had testified concerning the defendants at Steuart and Market Streets was John McDonald, and in his testimony no mention was made of an automobile, and no other witness had ever testified that an automobile turned into Steuart from Market Street. Testimony that an automobile turned from Market into Steuart Street at the time and place mentioned by Oxman was offered in the trial of Thomas J. Mooney for the first time on rebuttal, but Superior Judge Franklin H. Griffin, who presided at the trial of Mooney, refused to permit the same, on the ground that said testimony should have been part of the case in chief.

"That a jitney bearing five people turned from Market Street into Steuart at the time and place testified to by Oxman, was corroborated by eight witnesses.

"These witnesses are: J. Walter Smith, a veteran of the Civil War, an old resident of this city, and a man of unimpeachable character. He testifies that he saw a small machine turned into Steuart Street from Market and in said machine in the rear seat was a lady and that she was motioning to some men who were standing at the corner of Steuart and Market Streets. Henry W. Doscher, a well-known business man, who was marching with the division that formed in Steuart Street, saw the machine going southerly on Steuart toward Mission. Albert Brady, a veteran of the Spanish-American War, also saw the said machine going southerly on Steuart Street toward Mission. Capt. Robert M. Bramlet, of the United States Army, also saw the small machine going southerly on Steuart Street toward Mission. Walter D. Logan, a police officer, stationed at Steuart and Market Streets, saw the said machine come southerly on Steuart and turn westerly at Mission Street. Mrs. A. L. Baldwin, Mrs. Gertrude Ellis, and Mrs. Julia Knapp, seated in the mezzanine floor of the drug store on the north side of Market Street directly opposite Steuart, saw a small machine heavily loaded with passengers swing into Steuart Street from Market.

"At the time Oxman first made his statement, it was impossible for him to have known that the witnesses just mentioned were in existence. Had Oxman been testifying to matters that he did not actually see, it would have been most natural and most probable that he would have followed the testimony of McDonald and would have corroborated the said testimony, if not in every detail, at least in its many points. The testimony of Oxman, however, shows a different phase of the transactions that occurred at Steuart and Market Streets; so much so, that the main argument of the defense in the case of Thomas J. Mooney was that the testimony of Oxman and the testimony of McDonald were irreconcilably in conflict. As a matter of fact, however, the two witnesses saw different phases of the same transactions. But the things seen by McDonald could in no way even suggest the matters testified to by Oxman.

"After the conviction of Billings, the defense produced two witnesses who afterwards admitted that they had committed deliberate perjury in order to save Billings. They were Neil McAuliffe, who afterwards testified that when he made the affidavit for a new trial in the Billings case he had been plied with liquor by the attorneys for the defense and that everything he had sworn to was absolutely false, and Dan Donaldson, who subsequently testified that he was not in San Francisco during the time that the events set forth in his affidavit were alleged to have taken place. The defense, however, were not discouraged at the failure of their prejury in the Billings case, and resorted to the same tactics upon the motion for a new trial in the case of Thomas J. Mooney. Of course, Donaldson and McAuliffe were no longer available, but one Charlotte LaPosse was produced, who took their places and swore that she was standing with Oxman on Market Street, about 1 mile from the scence of the explosion, from about half past 1 until after the explosion, and therefore it was impossible for Oxman to witness the transaction at Steuart and Market Streets. A great many details were gone into by the said Charlotte LaPosse, suggested undoubtedly by the attorneys for the defense to throw discredit upon the testimony of said Oxman.

"Notwithstanding, however, the fact that the defense upon the motion for a new trial had relied entirely upon the testimony of the said Charlotte La Posse, the same defense subsequently caused the arrest of the said Oxman upon their representation to the judge who issued the complaint that they would endeavor to show that Oxman was not in San Francisco at the time mentioned in the affidavit of the said Charlotte W. La Posse.

"Any report having for its object the dealing with the truth would have mentioned these matters. The mediation commission, however, discarded these facts in their report, in the same manner as they did every fact which would serve to connect Thomas J. Mooney and his associates with the awful crime of July 22, 1916.

"Considering, therefore, that the testimony of Oxman was not necessary for a conviction in the case of Thomas J. Mooney; that the attack on his testimony is purely collateral; that even the collateral attack is offset by his acquittal; that the direct attack on his testimony was a dismal failure; and that the circumstances are such that it would have been practically impossible for Oxman to have invented the narrative that he told on the stand, we submit that there is absolutely no reason why the verdict of the jury, arrived at after the most fair and impartial trial, should be disturbed.

"Since Frank C. Oxman testified in the Thomas J. Mooney case, the defense, with unlimited means at their disposal, have searched all over the United States and in every place where Oxman has lived for evidence tending to impeach his integrity, but none has been found. The witness is a well-known and successful cattle dealer, living in Oregon, and not interested in any way in matters pertaining to San Francisco. His testimony, corroborated in the manner herein set forth, would be accepted by any jury.

"The commission comment upon the fact that the prosecution failed to call Oxman in the trial of Rena Mooney and in the trial of Israel Weinberg. At the time of the Rena Mooney trial, Oxman had been held to answer on a trumped-up charge, but the trial had not taken place, and in justice to him the prosecution could not ask him to take the stand. The Weinberg case was tried after Oxman had been acquitted, again arrested, and again discharged. The prosecution asked him to be a witness in the Weinberg case, and he offered to come as a witness, asking only that the prosecution assure him that he would not be again subjected to arrest and prosecution on groundless charges as he had been in the past. The influence of the defense was so powerful, however, that the prosecution was unable to offer Oxman any assurance whatsoever, because it had no control over the activities of the defense, and no reasonable man can blame him for not again appearing as a witness.

"The commission in their conclusion moralize upon the duties we all owe to the cause of democracy. We venture to suggest in this regard, however, that democracy has no worse enemy than the man or set of men who, upon the unsworn statements of interested persons and without considering both sides of the case, undertake to set aside the verdict of two juries, which said verdicts have been sustained by the trial and appellate tribunals, in order to satisfy the demands of anarchists on a different continent whose views are entirely out of harmony with democracy as well as any other kind of organized government. Anarchy and murder will never assist the cause of democracy, nor will an effort to overturn the Constitution and laws of our country to save murderers and anarchists increase the regard for democracy entertained by honest and patriotic citizens. Even the knowledge that these things are done in response to the great and world-wide influence which anarchists are able to wield in defense of their kind will add nothing to the strength of faith in democracy.

"Making the world safe for Mooney and his ilk will not make it safer for democracy; neither will it stimulate patriotism nor inspire respect for our institutions.

"C. M. FICKERT,
"*District Attorney of the City and*
"*County of San Francisco.*

"Dated: April 9, 1918."

PREVENTION AND CURE OF TUBERCULOSIS.

Mr. PHIPPS. I present a letter covering a resolution passed by the National Tuberculosis Association protesting against the repeal of the daylight-saving law. I ask that it be read and referred to the appropriate committee.

There being no objection, the letter was read and ordered to lie on the table, as follows:

NATIONAL TUBERCULOSIS ASSOCIATION,
New York, July 23, 1919.

Hon. LAWRENCE C. PHIPPS,
Denver, Colo.

MY DEAR SIR: I beg to inform you that at a meeting of the National Tuberculosis Association held in Atlantic City, June 17, 1919, the following resolution was adopted:

"Whereas the National Tuberculosis Association has always advocated a maximum of sunlight and fresh air as a means of prevention and cure of tuberculosis; and

"Whereas the said association considers the present daylight-saving law an aid in preserving the general health of the country, and in particular a help in the prevention of tuberculosis: Be it

"*Resolved* That the National Tuberculosis Association views with concern the present effort to abrogate the daylight-saving law, and hereby protests against any effort that shall tend to stop the operation of that law."

Yours, respectfully,

CHARLES J. HATFIELD,
Managing Director.

GOVERNMENT OPERATION OF RAILROADS.

Mr. CALDER. Mr. President, I have a letter from Mr. A. H. Smith, president of the New York Central Lines, who was regional director of the United States Railroad Administration at New York. The letter is a splendid contribution to the question of Government operation of railroads, and I ask unanimous consent that it be inserted in the RECORD for the information of the Senate.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NEW YORK CENTRAL LINES,
New York, July 17, 1919.

MY DEAR SENATOR: When I resigned as regional director of the United States Railroad Administration certain newspapers asked for a statement of my impressions of Government operation of the railroads and my views of the railroad problem generally. I have refrained from issuing such a statement, believing that it would be best to convey any ideas that I have on the subject to you and the other gentlemen who are working on the problem. Therefore, if your mind is still open with reference to the solution of the railroad situation, perhaps what I have to say may be acceptable to you.

The human element in American railroads represents 90 per cent of its effectiveness. The other small percentage of the whole would be useless without individual vision, effort, and experience. Fixed responsibility really has seemed to be impossible under Government management. It leads into such a maze of interests and interferences that the employees do not get into that state of mind that they do in private operation, and the state of mind is one of the most important parts of railroad operation. Destroy it and the effect is manifest all through the rank and file and every part of the great machine.

I know that you realize fully that it is a business that must have the individual concern of the employee—the engineer at the throttle, the fireman beside him, the conductor, the flagman, the signalman, the section foreman, and on up to the officers of the company—they all must have a fixed responsibility. Most of the work is done beyond the eye of the officers, because it spreads over a vast territory. The man at midnight and in the storm must do his duty absolutely and fully, with no one to see him and no one to direct him. He must have an incentive—not one of mere salary, but one of pride and hope that he may some time be more than he is.

It has been stated, and so far as I know never disputed, that before the war the American railroads for each dollar paid them rendered considerably greater and substantially better service than the railways of England, France, or Germany. The European railways, however, do not in any degree compare with the American railways in extent. They are short railways for the most part, with dense populations, while the American railways are spread over a vast and, in some cases, sparsely settled territory.

If we are to become what we are destined to become if we make no mistakes—a great commercial country, from a foreign as well as a domestic standpoint—we must have sufficient and efficient transportation. Those that produce it by providing the capital and labor should be properly rewarded. The manufacturers and the merchants and the public as a whole owe that to them. Ours is a country of great distances, and with that handicap we will not be able to compete successfully with those countries with shorter distances unless our transportation system is adequate and efficient. The American railways require capital properly and liberally expended to furnish more facilities and modern equipment to offset the labor and other charges which have been placed upon them. To my mind, it is important, therefore, that a fair return be allowed, so that capital will enter and provide those facilities that will give what the country must have.

Looking backward, it is a little over a year ago when the congestion was so acute that the people were willing to pay almost anything for transportation if they could have it, and such conditions should be avoided. These railroads have stood still in their expansion and development, broadly speaking, for a long time. Economy is going to come in their expansion and refinement, and economy in rates will result, not from radically cutting wage costs, but by giving the railroads and employees a better machine to work with, more facilities, more yards and shops, and other essentials that go to make up a successful transportation instrumentality. Prewar we had approximately $450,000,000 of equipment standing idle. Since the signing of the armistice we have seen substantially the same condition repeated. This is a situation that is inevitable and the compensation to the railroad companies must provide for the lean years which produce such a condition, for the reason that it is impossible to provide the facilities as fast as the business demands in periods of abnormal traffic.

In the matter of the return of the railroad to the corporation. My opinion is that they should be restored at an early date. It will eliminate uncertainty in the state of mind referred to previously, and the morale will improve. The Government said when the roads were taken over that they would be returned in as good condition as when they were taken. That means not only physically but as nearly as possible mentally, and the Government can not afford to do other than to keep its promise. Perhaps a law can be written that will cover all the involved questions that exist and permit settlement with the restoration. But the situation is very complicated, and it may be that the Government will find it advisable to appoint a commission or board to make the settlement after the return, in the meantime giving the benefit of private operation to the people—the present system of compensation being continued as a guaranty pending settlement—a limited time to be allowed after the return to effect the settlement and avoid protracted delays. This commission might well be made a permanent feature of our system of railroad regulation and should be composed of at least three commissioners and be charged with the responsibility of keeping informed with respect to the transportation necessities of the country generally, and to make representations to the Interstate Commerce Commission with respect to the revenues required to provide the necessary facilities and service and insure proper development of the transportation system.

The cases of the weak and the strong roads, so to speak, should be weighed out by this commission. If the road is so weak that it can not stand, it should have special treatment. If it is absolutely necessary to the needs and comfort of the people they should have some extra allowances locally or otherwise. The entire rate structure should not be thrown out of proper position because of some exceptional case any more than any other business undertaking in our country should be gauged by the exceptions. The question of rates, in which the public are most deeply concerned, because it affects the cost of living and the amount of business we may do, is a matter for study by experts. Much has already been accomplished in this direction by the Interstate Commerce Commission and those drafted into Government service, and they have shaped up a great amount of valuable information which is available to any authority that the Government might designate. Rates established as a war measure and to meet the changed conditions should be continued as presumptively reasonable. Prewar rates should not be the basis of future rate regulation. I believe that it is generally admitted that the interstate commerce law sought to regulate the railways on a basis of reasonableness and justice. The operation of that act, however, has put the burden of proof in all instances on the railroads, and that, it seems to me, is a fundamental violation of justice. As I see it, what is needed is to bring order out of the confusion of unrestrained or biased regulation and out of the confusion of conflict of regulation between the various authorities.

Briefly, the foregoing suggestions contemplate the prompt return of the railroads; the continuance of the present rates until changed and adjusted to meet the largely increased charges; the continuance of the guaranteed standard return until this is accomplished; the creation of a board or commission which will act as an administrative board, charged with the responsibility to represent the public interest in respect to the adequacy of facilities and service, and in addition to exercise the functions and powers of the present Interstate Commerce Commission, except as to accounting, valuation, rates, etc.

It is estimated that 12 per cent of the Nation's wealth is invested in the country's transportation systems. It is safe to say that 100 per cent of the public interest is involved therein. It is one of the great problems that we have before us. It is of prime importance that it be solved properly. Politics or theories have no place in its consideration; it is a business of manufacturing transportation. Good machinery should be used, together with good brains and full effort, to the end that the country and the people will continue to have what they always have had—the best transportation in the world; the greatest in volume and heretofore the least in cost.

With assurances of my high esteem, I remain,

Very truly, yours,

A. H. SMITH.

Hon. WM. M. CALDER,
United States Senate, Washington, D. C.

CLAIMS AGAINST MEXICO (S. DOC. NO. 67).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Senate:

I transmit herewith a report from the Secretary of State in response to the resolution adopted by the Senate on June 19, 1919, in respect to claims against Mexico for the destruction of life and property of American citizens in that country.

WOODROW WILSON.

THE WHITE HOUSE,
July 31, 1919.

HOUSE BILLS AND JOINT RESOLUTION REFERRED.

H. R. 6323. An act for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes, was read twice by its title and referred to the Committee on Public Buildings and Grounds.

H. R. 7478. An act to amend sections 5200 and 5202 of the Revised Statutes of the United States as amended by acts of June

22, 1906, and September 24, 1918, was read twice by its title and referred to the Committee on the Judiciary.

H. J. Res. 150. Joint resolution to suspend the requirements of annual assessment work on certain mining claims during the year 1919, was read twice by its title and referred to the Committee on Mines and Mining.

AFFAIRS IN ARMENIA.

Mr. KING. Mr. President, the situation in Armenia is so serious that I have felt impelled to offer the resolution which has just been submitted and referred to the Committee on Foreign Relations. I sincerely hope the committee will immediately consider the resolution and report it in some form back to the Senate for approval.

The sufferings of Armenia have appealed to the civilized world for many years. Their history is written in blood and is full of tragedy and sorrow. For centuries the Armenian people have been under the tyrannous yoke of the Ottoman Empire. It seems incredible that a nation which has enjoyed diplomatic relations with civilized nations and which has been regarded as a nation with whom the great Christian peoples of the world could hold commercial and political relations would follow for centuries a policy of cruelty, bloodshed, and oppression with respect to peoples within its own territorial dominion and acknowledging its sovereignty and control. We have been compelled, however, to admit the fact that the Turkish Government deliberately sought the extermination of the Armenian race. This is not the time to enter into a discussion of the reasons which prompted the Ottoman Turks to butcher and destroy several million of brave, industrious, and progressive people who constituted such an important part of the strength of the Turkish Empire. During the recent war, while Turkey was fighting for her existence against the allied nations, she carried on her predetermined policy to destroy the Armenian people. The most savage cruelties were inflicted upon defenseless men, women, and children, and the edge of the sword was turned against these unfortunate people when it might have been used against the allied forces. I do not mean to convey the idea that Turkey did not fight with Germany and Austria and Bulgaria against the allied forces. Indeed, she gave strong support to the nations with which she was associated. It was known, of course, that the sympathies of the Armenian people were with the allied cause, and this doubtless increased the hatred of the Turks for the Armenians and intensified their purpose to destroy the entire race. It was the fervent hope of all civilized nations that with the end of the war freedom and liberty would come to Armenia; that the dark day of her sufferings and sorrows would end and the light of a bright and glorious period shine upon her devastated territory and the survivors of the horrors and persecutions of the past. I believe that each of the allied nations desired that the Armenian people should be restored to their ancient territory and should enjoy a government of their own choosing. As a matter of fact, the Armenians have erected a government of their own, democratic in form and in spirit. Suffering for so many centuries under the iron rule of an imperial and tyrannous government, they have sought the establishment of a Republic under which liberty and justice might be secured. These people, however, have been weakened by reason of the course pursued by Turkey, and as a result of the robberies and exploitation to which they have been subjected many of their cities and towns have been destroyed, extensive areas of Armenia have been laid waste, and property to the extent of millions has been destroyed. Tens of thousands of men have been murdered and hundreds of thousands of men, women, and children have been driven from their homes and have perished either at the hands of the sword or from exposure and starvation to which they have been subjected by their brutal oppressors.

In the circumstances it will be perhaps impossible for Armenia to maintain herself for a number of years to come without aid from friendly powers. She will require material aid and support in order to meet her obligations and to maintain herself as a nation in the struggle for national existence. I believe, however, that the Armenians are capable of self-government, and that their country possesses resources so rich and limitless as that within a reasonable time a government stable and strong will arise, and the support of friendly nations will not longer be required. For the present, however, the needs of Armenia are such as to call for aid from this and other nations. It would be a tragedy and an international crime if Armenia were to perish. The allied nations have not completed their work by freeing Armenia from the Turks. A duty still exists to give succor and support to this unfortunate people.

The Associated Press dispatch of yesterday portrays the dangerous situation in which the Armenians are now placed. The Turks and Tartars are moving upon them from three sides, seeking the overthrow of their Government, the seizing of their property, and the extermination of all classes. Maj. Joseph C. Green, who is directing the American relief work in Tiflis, in the northern part of Armenia, has called the attention of the world to the serious condition there prevailing. The same dispatch states that Mr. Hoover, after learning of the precarious condition of the Armenians, submitted Maj. Green's message to the peace conference, "which had already received similar reports from American and British observers."

I call particular attention to Maj. Green's message, which bears date of July 23. He states:

> Had a long conference with the Armenian President to-day. The situation is worse. The Turkish Army, well prepared, and Tartars are advancing from three sides. If military protection is not afforded to Armenia immediately the disaster will be more terrible than the massacres in 1915, and the Armenian nation will be crushed, to the everlasting shame of the Allies.
>
> Relief work is impossible in the present situation unless order is restored. Can not something be done to have the British forces in the Caucasus intervene to save Armenia?

Under date of July 25 Maj. Green also telegraphs:

> The Turks and Tartars are advancing in the districts of Karabagh and Alagbez. They now occupy approximately the reopened territory of Russian Armenia. Khalil Bey, a Turkish colonel, is commanding the Azerbaijan Tartars.

Mr. Charles A. Selden, one of the very best journalists and one of the keenest observers in Europe, the correspondent of the New York Times, writes to his paper this article, which appeared in yesterday's issue of the Times:

> The situation in Asia Minor, due to hostilities by Turkish troops, is admitted in Paris to be about the gravest menace now confronting the peace conference. Furthermore, it is attributed chiefly in French and American quarters to uncertainty among the Turks themselves as to what they may expect in the future, so far as a mandate government is concerned.

I shall not read the entire article, but shall ask that it be inserted in the RECORD as a part of these informal observations. I desire, however, to call attention to the concluding part of Mr. Selden's statement:

> The most effective thing that could happen to put an end to the present menace of disorder which is involving the Kurds and threatening Armenian extinction would be, according to opinion in Paris, a declaration from leaders of the American Congress that they intended when the time came to authorize the American Government to take the mandates for Constantinople and Armenia.
>
> Such a declaration would quell the fighting Turkish troops much more quickly and effectively than the allied forces now in Asia Minor seem able to do. Actual acceptance of the mandate or formal action by Congress at this moment is not essential, but merely some sign of action in the future that would convince the Turks.
>
> If America is not to take the mandate, certain knowledge of that fact would also be far better than the present uncertainty, for with the United States definitely eliminated from the situation the European powers could at least make an attempt to agree among themselves and settle the mandate on one of their own number, thereby removing the present vagueness which gives the Turks their excuse and chief opportunity for starting a new war.

Mr. President, I do not mean to convey the idea that I am advocating that the United States should accept the mandatory of Armenia, but Mr. Selden's article is a very strong argument in favor of that policy.

Of course, until the treaty of peace shall have been ratified, it would be improper to talk of the United States becoming a mandatory of any province or territory. It may be that after such ratification there will be great opposition to our Government assuming such obligation with respect to any of the lands or territory formerly belonging to the Governments with which our Nation has been at war. I believe, however, that the American people have such an abiding interest in Armenia and sympathize so deeply with her because of past and present misfortunes that if the United States should become a mandatory for any country or territory Armenia would most strongly appeal for such protecting care. The views, however, of Mr. Selden indicate that some positive step should be taken immediately by this Government and by the Allies for the purpose of protecting Armenia. It is clear from the article referred to that if our Government should announce its determination to see that justice is done to the Armenian people, it would have a deterring effect upon the Turks and their military forces now menacing the Armenian people. I believe that if the Paris conference should adopt a strong statement demanding the withdrawal of all Turkish military forces from Armenia it would have a most salutary effect upon those forces now moving into Armenian territory.

I believe that a declaration by the Senate of the United States, expressing the hope that steps will be taken to afford protection to the Armenian people, would stay the hand of the enemies of this unhappy people. It would be, as Maj. Green

said, "an everlasting shame" if the allied nations should sit supinely by and permit the extermination of this brave and heroic people.

Mr. President, more than 1,000,000 Armenians perished at the hands of the Turks and the Germans associated with them during this war. There are, approximately, 2,000,000 Armenians still living. They reside in a vast territory extending from the Mediterranean Sea to the Black Sea. These people have no military resources. Much of the man power has been destroyed, and those remaining have been denuded of means for their defense. There are approximately 15,000 Armenians constituting the national military forces, but they are without arms or military supplies. If the Armenian people had guns and munitions and sufficient military supplies, perhaps they might be able to defend themselves against those now invading their land. But because of their impoverished condition it is manifestly impossible for them to resist military forces coming from three different directions and equipped with the modern implements of war.

The situation calls for immediate aid. This Nation and the allied nations will be guilty of a great delinquency if they fail at this juncture to protect Armenia from the peril now impending and which threatens her destruction.

The VICE PRESIDENT. The resolution introduced by the Senator from Utah will be referred to the Committee on Foreign Relations, and, without objection, the article referred to will be printed in the RECORD.

The article is as follows:

PARIS, *July 30.*

The situation in Asia Minor, due to hostilities by Turkish troops, is admitted in Paris to be about the gravest menace now confronting the peace conference. Furthermore, it is attributed chiefly in French and American quarters to uncertainty among the Turks themselves as to what they may expect in the future so far as a mandate government is concerned.

The activity of the Turkish troops under Mustapha Kaimil Pasha, who calls himself "Dictator of National Defense," would not have been started if the Turks themselves had had assurances that the United States was to govern Armenia and Constantinople. For a long time it was taken for granted in Asia Minor that such a mandate would be accepted by the United States, and in expectation of such powerful rule the Turks behaved. This certainty was based largely on what President Wilson said concerning Armenia in his Boston speech on his first return to the United States.

That speech was interpreted in Europe as showing conclusively that President Wilson himself was in favor of taking the mandate, and Europe, as well as Asia Minor, was well pleased. Since then there has been increasing uncertainty due to adverse criticism in the United States of the whole question of mandates and to the delay of Congress in indicating its future course in the matter.

That uncertainty concerning America is now supplemented by uncertainty as to what England is going to do. The leaders of the Turkish uprising are making much capital out of the insistence on the part of labor in England that British troops shall be withdrawn from Asia Minor as well as from Russia. The Turks are also fully aware of the present controversy between England and France over the limits of their respective zones in central Asia Minor as provided for in the agreement of 1916.

TURKS PROFIT BY EUROPE'S DIFFERENCES.

The net result of all this is that the Turks see a repetition of their traditional opportunity to make capital for themselves while the European Powers fail to agree among themselves on Turkish policy.

The most effective thing that could happen to put an end to the present menace of disorder which is involving the Kurds and threatening Armenian extinction would be, according to opinion in Paris, a declaration from leaders of the American Congress that they intended when the time came to authorize the American Government to take the mandates for Constantinople and Armenia.

Such a declaration would quell the fighting Turkish troops much more quickly and effectively than the allied forces now in Asia Minor seem able to do. Actual acceptance of the mandate or formal action by Congress at this moment is not essential, but merely some sign of action in the future that would convince the Turks.

If America is not to take the mandate, certain knowledge of that fact would also be far better than the present uncertainty, for with the United States definitely eliminated from the situation he European powers could at least make an attempt to agree among themselves and settle the mandate on one of their own number, thereby removing the present vagueness which gives the Turks their excuse and chief opportunity for starting a new war.

CIRCULATION OF CURRENCY.

Mr. MYERS. Mr. President, I ask that Senate resolution 142 be laid before the Senate.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from yesterday, which will be read.

The Secretary read Senate resolution 142, submitted by Mr. MYERS on the 29th instant, directing the Committee on Banking and Currency to investigate and report upon the advisability of a gradual reduction of the amount of money in circulation.

Mr. THOMAS. Mr. President, the object sought to be subserved by the resolution of the Senator from Montana is a very meritorious one, as are all similar resolutions or bills designed for the solution of that problem of problems confronting all classes and conditions of men—the high cost of living.

I sympathize with the purpose as keenly as any man in this Chamber, and I wish I knew of some better solution of the difficulty than that which, in the opinion of the Senator from Montana, may be effectual. There is no question but that whenever the expense involved in securing the necessities of life equals or exceeds the compensation of a large portion of society, the disturbed conditions which ensue not only disturb those immediately affected, but their reflex influence upon the social body is pernicious. They are bound sooner or later to lead to disturbance and, in many instances, to bloodshed and insurrection. We see around us evidences of the unrest and discontent which these conditions engender, and I am as conscious of the fact that extremes in cost have been reached and passed as anyone can be.

But I question very much, Mr. President, whether an inquiry such as is here sought to be secured will prove efficacious, because the amount of currency in circulation is, in some degree, an effect rather than a cause, and there is practically no possibility of a deflation within the next two or three or four years. All wars, Mr. President, result in an increase of prices, in an increase of currency circulation, and in a disturbed economic condition which continues for a long period after the war itself is over. An impetus is given to the overthrow of normal conditions, which carries beyond the cause and can not be arrested until it shall have spent its course.

The expense, for instance, consequent upon a great war not only continues to increase, not for any mathematically definite period of time, but for a considerable time after peace is restored. That is a fact that can be demonstrated by history, and I know of no exception to it.

So that what we are suffering from, in so far as causes are concerned, is an inflated political, social, economic, and financial condition engendered by the war and extending beyond it, and nothing that can be attempted, while it may mitigate existing conditions, can, in my judgment, sensibly affect them.

The Government of the United States was required upon entering this war to go into the market, not as a competitor but as a monopolist, and secure enormous quantities of almost every conceivable material. The insistence of the Government was not for what was in sight, but for everything that could be produced, and, of course, it was necessary to offer extraordinary inducements to secure increased production, and to meet the expense consequent upon Government demands the credit of the Nation had to be mobilized, which is but another method of currency expansion; and it was mobilized, as typified in every bond issue and in every contract which was made on behalf of the public for war materials.

Fortunately we had a banking system, providentially enacted only two or three years before our entrance into this war, under which, by an automatic process of mobilizing credits, the needed currency could be issued and put into the channels of circulation in exchange for these goods. The difference between this inflation and the inflations of the past is that the present one has a substantial basis, and instead of having the ordinary fiat money, such as was used during the Civil War and in other wars between other countries, we have a money based upon all those available foundations for a healthy and substantial currency that the ability and the wisdom of Congress could devise in its enactment of that law. It provides, of course, for an automatic retirement of issues to correspond with the decreased requirements of currency as those conditions inevitably arise from year to year in the transaction of business and the course of commerce. The very fact that we have had up to this time no decrease of currency circulation, and, on the other hand, no abnormal increase, because I think that is impossible under the law, indicates that so far as the currency problem is concerned conditions are as normal as abnormal times will permit.

Of course, there is no question about the fundamental truth announced by the Senator from Montana [Mr. MYERS] that the value of money decreases with its quantity when measured by purchasing power, and that a man's compensation, therefore, depends not upon the number of dollars he gets but upon the amount of material he can obtain in exchange for them; and it is the nonrecognition of that fact which is in some degree the cause of the existing unrest.

We have been raising prices and then raising salaries, then raising prices and then raising salaries, then raising prices and then raising salaries, practicing the operation of a merry-go-round, in the hope that somewhere the cat would catch the end of its tail, and we propose to continue that process—and when I say we I mean the Nation at large, including the Congress—in the vain hope that somewhere there will be a check and the operation will be reversed, when the tail will chase the

head instead of the head chasing the tail. But unfortunately no one is willing to begin that process.

We are to blame, the American Congress is largely to blame for its contributions to this general condition. Ever since the war began the employees of the Government have, with every session of Congress, applied for an increase in their compensation, and we have given it to them. I have made the prediction on every such occasion that it would only result in an increase of prices, with the return to Congress for more money, and I notice this morning, Mr. President, with much satisfaction that the head of one of the organized bodies of trainmen concurs in this statement in an interview that was published yesterday, as follows:

It developed yesterday that demands for more wages were pending before the Railroad Administration from several hundred thousand employees. Perhaps the frankest talk which Government officials have heard in a long time came in this connection, in the statement of W. G. Lee, president of the trainmen, before the Wage Adjustment Board. Mr. Lee told the board that an increase in wages was not the proper solution of the present economic hardships under which workingmen are laboring, because they would be followed by new increases in the cost of everything, which would more than absorb the additional pay.

MAY PRECIPITATE UPHEAVAL.

Until all classes get together to stop "profiteering," he said, the only thing for everyone to do is to get all the wages he can, a course which he declared would result eventually in precipitating the "upheaval" now feared.

Truer words were never uttered. But can all classes get together? Mr. Gompers has announced that under no circumstances shall wages be reduced. The farmers complain of high prices, but they do not desire to see any reduction in the prices of their products. The salaried man is the man who suffers principally, because, generally speaking, his income is fixed. But the organized bodies, the federations of labor, though anxious, of course, and very properly, to see a reduction in the living scale, will not consent to the consideration of a reduction in the wage scale. As a consequence I do not see that the classes can get together. But they must get together if profiteering is to stop, no matter how we may legislate.

Now, what is profiteering? A man who gets $10 a day and gives in return for it $5 worth of work is a profiteer. Any organized body which, for the purpose of enforcing its demands for higher pay, quits work and interferes with the normal operation of public business is a profiteer. A man who adds an unusual and improper profit to the necessities of life is a profiteer. Every man, in other words, whether he works with his hands or with his head, whether he is a laborer or trader, whether he is a farmer or a manufacturer, whether he is a cotton grower or a meat packer, is a profiteer if he insists upon getting more now than he ought to have for his product, whether that product be labor, whether it be the products of the soil, or whether it be a manufactured article, or all of them together.

We are all doing this. I am not speaking of it, Mr. President, in any complaining sense, because it is not unusual. Indeed, anything else than this would, in a time like this, be unusual.

There is another reason for it. We are at present paying into the Treasury of the United States every year $6,000,000,000, the most enormous revenue that any country ever raised, and more than six times as much as our people were compelled to pay before the war began. It is human nature for every man who pays a tax to pass it on, and the man is not yet born who can devise a plan of taxation that will prevent that practice. I pay my tax, and if there is any way to shove it onto the shoulders of my neighbor I do it, and so does every other taxpayer in the country.

The result is that this $6,000,000,000 is for the most part added to the cost of consumption, and consequently it is loaded upon the cost of the necessities of life. Just so long as we have high taxes, just so long will we endure, because we must endure, increased cost of living. You may have all the investigating committees on earth and inquire into every conceivable cause of the high cost of living, but so long as we are overtaxed just so long will there be an increased cost of living.

The Senator from Florida [Mr. FLETCHER] suggests the income tax. In the first place, it has been impossible for the Congress to enact a measure which prevents the saddling of the income tax on corporate securities upon the creditor. We have tried it several times. We have brought bills into this body containing that clause, and it has gone out every time in the conference committee. Incidentally there is a disposition to increase costs in order to obtain increased income, which, of course, benefits the Government if there is an increase. The income tax comes more nearly being an exception to the rule that taxes are always passed on than any other tax we have yet been able to devise, but it is far from a complete success.

The Senator speaks of the difficulties encountered by street railway companies. They have encountered a great many. It is a matter of sincere regret that they are financially embarrassed, but, to be perfectly frank, I have very much less sympathy for the municipal transportation companies than I have for many other classes now embarrassed, because during the days when these municipal transportation companies were being organized and consolidated, to use a common expression, they "milked" the public in their watered stock and their vast overissued bond capitalization far beyond their possibility, except under most extraordinary circumstances, to ultimately meet and overcome this fixed burden, and with the war and the increase in the price of materials, the demand for higher wages from all employees, they simply faced the whirlwind, having sown the wind before the war occurred. That is not to say that they should not be relieved, but it is to say that the situation which confronts that class of activities was inevitable from the good days when the spirit of speculation and the eager desire to secure everything possible through their overcapitalization was so manifest.

I do not believe, therefore, Mr. President, that the inquiry which the Senator desires is one which will result in giving us any more information than we can obtain from a consideration of the general history of inflation as an inseparable adjunct to war and the impossibility of reducing it until times become more normal than they are immediately after the war.

That brings me, Mr. President, to another consideration. Is it wise to consider deflation at this time? Are not the evils which inevitably will result from deflation as great as or greater than those which now confront us? Nearly all of the panics of the past in this country, particularly since the Civil War, have been the result of undue deflation.

Mr. FLETCHER. Mr. President——

Mr. THOMAS. In just a moment. The panic of 1873 was the direct result of the retirement of millions of greenbacks, as that of 1893 was due to the unfortunate action of the leading countries of the world in placing their monetary systems upon the basis of a single precious metal.

I now yield to the Senator from Florida.

Mr. FLETCHER. Mr. President, I wish to suggest to the Senator this proposition, because it seems to me very logically to reach the point which he has stated so clearly: Until we arrive at normal conditions we can not expect great depreciation in the high cost of living, and the question then would be how ought we to hasten the arrival of normal conditions? Can we do that? Can the Senator suggest the means of doing it, and will deflation hasten the arrival of that time?

Mr. THOMAS. I think we can hasten it if we will. The Congress of the United States can begin by setting the example and economizing in their expenditure of the public funds, because by that means we will reduce taxation to its minimum. If Members of this Congress, as I hope may be the case, will make a sincere effort, ignoring the pressure of their local constituencies and forgetting for the present their manifold demands upon the Public Treasury, the most of which are not now necessary, I feel very sure that our good example will be imitated by the States and the municipalities and adopted in the administration of many of our public and semipublic utilities. I am very much afraid that is not going to be done.

Mr. MYERS. Mr. President——

Mr. THOMAS. I yield to the Senator from Montana.

Mr. MYERS. I wish to ask the Senator if he has any hope of Congress setting such an example?

Mr. THOMAS. No, I have not. The Republican Party wants the vote of four millions of soldiers. The Democratic Party wants the vote of four millions of soldiers. This want is an overpowering one on both political sides of the country. The public moneys are under our joint control. Consequently we are not only disposed to give the soldiers all they want, but all the Nation possesses. There is a bill now pending to pay every soldier $360 bonus for his services, which would be a trifle of about $1,400,000,000. There is another bill pending, I believe, to make it $500 each, that was introduced by a politician on the other side, in all probability a little higher bid for the soldier vote, which will take only $2,000,000,000. We propose to give them all the land they want, and I do not object to that a particle. God knows I want to see the public lands of the United States in private ownership just as soon and just as quickly as possible; but we propose practically to give every man who was in the war a very considerable sum of money, and this can be done only by taking it out of the pockets of the people. When you do that you not only extend the tendency to inflation, in a way, by increasing the amount in circulation, but you will add to the national debt, because we need $6,000,000,000 of taxes, and about $6,000,000,000 more to meet the

ordinary expenses of the Government for the current fiscal year. But if we are to add these enormous sums, and I repeat with all due respect to the public, for the purpose of propitiating the soldier vote, we will add most horribly to the upward tendency of prices all over; in other words, we will be contributing to instead of discouraging the upward flight of prices for all the necessities of life.

Mr. KING. Mr. President——

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from Colorado yield to the Senator from Utah?

Mr. THOMAS. I yield.

Mr. KING. The Senator has invited attention to one of the very great drafts which it is proposed to make upon the Federal Treasury. I invite his attention to another one, *namely*, the determination upon the part of some men in public life, including some Senators, to have the States abdicate their functions and fail to discharge the duties which devolve upon them, and place the responsibility of State governments upon the Federal Government. Accordingly we have a bill here to appropriate $100,000,000 for education; we passed a bill the other day appropriating $200,000,000 for roads; there will be a bill here shortly proposing to appropriate $50,000,000 for public health, and so on ad infinitum. There will be bills here aggregating more than $1,000,000,000 a year for direct appropriation to the States to aid the States in the performance of duties and obligations which rest upon them, and which they or some politicians are trying to put upon the shoulders of the Federal Government.

Mr. THOMAS. That is true. Everybody in the country believes in getting while the getting is good, and just now it would seem as though the getting was remarkably good. My constituents want as much money out of the Treasury as possible. I do not blame them. That is the tendency of the times. The Senator's constituents want as much money out of the Treasury as possible. The Senator from Florida [Mr. FLETCHER] is in the same position. My friend the Senator from Georgia [Mr. SMITH], who is sponsor for the $100,000,000 educational bill, has the wants of the people of Georgia to consider. There we are. What are we to do? The able statesman of the twentieth century is the man who can bring to his constituents the most money from the Public Treasury. That is the current test of ability.

Mr. SMITH of Georgia and Mr. JONES of New Mexico addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Colorado yield; and if so, to whom?

Mr. THOMAS. I yield first to the Senator from Georgia.

Mr. SMITH of Georgia. Mr. President, I wish to make two corrections. I wish to correct the Senator from Utah [Mr. KING] and substitute the word "statesman" for "politician" as he used it.

Mr. KING. I accept the correction.

Mr. SMITH of Georgia. I wish to correct the statement of the Senator from Colorado [Mr. THOMAS] and say in the interest of the children of the entire country and not simply of my own State.

Mr. THOMAS. I did not mean that for a moment. If I said that the Senator was interested only in the children of the State of Georgia, I must make the correction myself. It is all the children in the United States who need the $100,000,000, Mr. President. There is no question about that. I am getting letters written in propagandist style from very nearly every teacher and association in my State insisting that I must vote for the bill.

I now yield to the Senator from New Mexico.

Mr. JONES of New Mexico. I should like to inquire of the Senator whether he agrees with the Senator from Utah [Mr. KING] and if it makes any difference whether the Federal Government incurs the expenditure with respect to the cost of living or whether the States do it. If the work is to be done by the public, either the Federal Government or the States, it will necessarily be paid for through taxation ultimately. Can it make any possible difference in the cost of living whether the Government does the work or the States do it?

Mr. THOMAS. It will simply make this difference, so far as the subject which I am discussing is concerned: It will double the cost of the education of every child in the country. One half will be paid by the States—the amount they have been paying—and the other half will be paid by Uncle Sam. But what is worse, it will foist another bureaucratic institution upon the Government, with its added swarm of employees protected by civil-service regulations, and, of course, prospective members of the national employees' union. And so we go.

Mr. President, I have spoken longer than I intended on this subject. I am profoundly convinced that we ought to do something about it if we can. I am profoundly convinced that we should make every effort to ascertain whether we can correct this terribly important condition of affairs, but I am afraid that, after all, we will have to come back to voluntary action, as suggested by Mr. Lee, who has evidently given this subject very careful attention, and see if we can not get all classes together to stop profiteering, to stop eating each other up, to stop this system, this vicious circle of a constant rise of everything to meet a constant rise of everything else.

I am sure, Mr. President, coming back to the purposes of the resolution, that this is not the time to consider the matter of deflation, which would have far more destructive consequences to social institutions and industrial conditions than our present comparatively modest inflation possibly can have.

Mr. SMOOT. Mr. President, will the Senator from Colorado yield for just a moment?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Utah?

Mr. THOMAS. I yield the floor.

Mr. SMOOT. I merely wish to ask the Senator a question. Would it not be just as well to make a statement of facts as they no doubt exist to-day and no doubt will exist for years to come? The per capita circulation of this country is about $54.25—the largest that ever was known in this country. If we are going to finance Europe, if we are to build up all of the waste places of Europe and furnish the money for the rehabilitation of Europe, we need not expect this circulation to decrease; that is true beyond a doubt, and I think the Senator from Colorado will admit it.

Mr. THOMAS. I think so, Mr. President, and I think, in addition to that, in view of our coming responsibility, that we ought to enlarge our basis of circulation by the remonetization of silver.

Mr. SMOOT. I will say, Mr. President, that there is no other way to accomplish the task before us than by an increased circulation per capita, based upon the resources of our country. We have not any more gold than we had, and the only way we can get more circulation at all is to increase our paper money. I expect, I will say to the Senator from Montana, to see our circulation not stop at $54.25 per capita, but if we are going to undertake to finance Europe I expect it to go higher. Some of the countries in Europe now have three times as high a circulation per capita as we; I think Germany has four or five times as much. Nobody really knows the per capita circulation there to-day. It has gone beyond any question of anyone having any interest in it, because it is, beyond all doubt, more than Germany can ever pay. Therefore nobody is taking any interest in the subject. The circulation of every country in the world has not only increased to nearly double ours, but in most of them it has increased more than double our circulation. It will be a long time before we get back to normal conditions of circulation in this country.

Mr. MYERS. Mr. President, I am glad to have had the views of the Senator from Colorado [Mr. THOMAS] and the Senator from Utah [Mr. SMOOT] on this matter. They are always illuminating. However, neither one of them offers any hope of any alleviation of the existing conditions of the day, at which the pending resolution is aimed. The only suggestion the Senator from Colorado makes is that Congress set an example of economy by reducing expenditures and economizing on appropriations, and he admits there is no hope of that. If we have to depend upon economy by Congress in its appropriations to bring down the cost of living, then I have no hope whatever of it; there is simply no hope if that is the only reliance.

We are confronted with the fact to-day that there is about double the amount of money in circulation in this country that there was five years ago, and that the cost of living is quite double what it was five years ago. The two facts are just as closely related as are the condensation of moisture and the precipitation of rain—one is cause, the other is effect. Committees of Congress, the Federal Trade Commission, and other trade bodies and committees of citizens are conducting long and laborious investigations into the causes of the high cost of living. They need not investigate for one minute, because right here in this statement to the Senate by the Secretary of the Treasury can be found the reason. I assert, and it is a fact which I do not think anybody will deny, that if we should at this time double the amount of money in circulation in this country immediately there would be a doubling of all prices in the country.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from North Dakota?

Mr. MYERS. I yield with pleasure to the Senator from North Dakota.

Mr. GRONNA. To a certain extent I agree with the Senator from Montana, but we must not forget the fact that we are not trying to take care of the United States alone now, but that we are trying to the extent of our ability to help all the countries of the world. The Senator from Montana has, perhaps, seen the bill which is now pending before the Senate which is called a banking bill, but which in reality is a commercial proposition. The complaint is now that the American dollar is too high; that the American dollar is worth $1.40 as against the money of the most stable countries in Europe; that the pound sterling has decreased from $4.86—its intrinsic value—to $4.26, and below that.

It seems to me that if we should make an effort to reduce the issue of American currency our money would again rise in value and there would be a further burden upon European countries. Has the Senator from Montana taken that into consideration?

Mr. MYERS. I have given it some thought, though I am not particularly informed as to the provisions of the bill to which the Senator refers.

Mr. KING. Mr. President, will the Senator from Montana yield to me?

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Utah?

Mr. MYERS. I yield with pleasure.

Mr. KING. Does not the Senator from North Dakota misconceive the cause which leads to the exchange being so favorable to our country and so unfavorable to foreign countries? The Italian lira, which normally sustains the ratio of about 5.26 to the dollar, is now nearly 9 to the dollar. That results from the balance of trade being so disastrously against Italy. Italy has no exports with which she can meet her obligations and her interest charges, and, therefore, of necessity, her money goes down in value when measured by the American dollar, in whose favor the balance of trade runs.

Take, for instance, Spain. The balance of trade being in favor of Spain, the American dollar there was far below Spanish money; indeed, at one time it was only worth about 56 per cent of Spanish money; so that the cause which the Senator alleges, it seems to me, is wrong. It depends entirely upon the balance of trade. Our money in many countries is cheap because the balance of trade is against this country, while in other countries it is high because the balance of trade is so great in our favor.

Mr. GRONNA. Mr. President, will the Senator from Montana yield to me to reply to the Senator from Utah?

The PRESIDING OFFICER. Does the Senator from Montana yield further to the Senator from North Dakota?

Mr. MYERS. With pleasure.

Mr. GRONNA. Mr. President, I assume that the Senator from Utah knows why the Spanish money was taken in exchange at the high prices that it was taken during the war. It was because the American banker and the people of our country "pegged" the money in New York, and when, as a matter of fact, the pound sterling was worth about 54 cents on the dollar we took it at a discount of about 2 per cent.

I say to the Senator from Utah those are facts which can not be contradicted. Spain, instead of sending her own money to New York, bought pounds sterling because she profited by it; she could buy more pounds sterling for her money than she could buy American dollars for her money, and that is why she bought them.

I agree with the Senator that the balance of trade has something to do with the conditions referred to; but during the war, when the balance of trade with Spain was $50,000,000 in our favor, Spain never paid us a dollar in our own money, but bought foreign drafts and paid us in pounds sterling, because she could buy them cheaper. Every sensible man must know that one of the main reasons why European money is cheap is because their money is inflated. I do not wish to take the time of the Senator from Montana, but if I had the opportunity I could present tables to show the tremendous inflation of money in those countries. It is a simple proposition. If I am worth $100 and my note is circulating through the country for a million dollars, the people who happen to know me become suspicious and are going to insist upon a liberal discount if they take my note at all.

Mr. KING. Mr. President, just a word further.

The PRESIDING OFFICER. Does the Senator from Montana yield further to the Senator from Utah?

Mr. MYERS. With pleasure.

Mr. KING. Of course the Senator from North Dakota is a sensible man, and knows very much more about some of these problems than do other Senators, and I do not pretend to match my knowledge of financial questions against the superior knowledge of the distinguished Senator from North Dakota; but the Senator must know that the rule to which I refer is an axiomatic one. Take the South American Republics, for example. Here is our neighbor, Colombia; the American dollar there was selling for 84 cents because the balance of trade was against us. In Argentina, when the balance of trade was against us, the American dollar was selling at from 74 to 90 cents. It is simply a question of the balance of trade. In Spain we were buying millions and tens of millions of dollars of her products for the American Expeditionary Forces; we bought tens of thousands of head of horses and products of which she had a surplus; so the balance of trade ran in her favor; and in order to pay her we bought exchange when our money was worth there, as I have stated, very much less than it was at home. The balance of trade was so great that the American dollar in Spain was only worth about 50 cents.

Mr. MYERS. Mr. President, so far as the money of Germany is concerned, Germany has a greatly inflated currency; there is no doubt about that. Much of its currency is fiat currency, and I do not think we ought to measure the worth of our money against money of that kind.

So far as the United States being obligated to take care of all the world, as has been stated by some Senators, is concerned, I think the United States ought to pay some regard to the welfare of its own people; that they should come first. I am not in favor of taking care of the obligations of the world, to the absolute detriment of millions of people in this country who are suffering because of the abnormally high cost of living.

To my mind this is a simple mathematical proposition. There is, roundly speaking, double the amount of money in circulation in this country that there was five years ago. Our resources are not double what they were then, but the cost of living is. The cost of living will not decline until there is a reduction of the volume of money. If it takes now $20 to buy a good, substantial, serviceable pair of shoes—and I am told it takes that much to buy some shoes of the better grade—no man can buy that pair of shoes for $10 so long as there is the present amount of money in circulation. No one will be able to buy that pair of shoes for $10 until there is only one-half the amount of money in circulation in this country that there is to-day. We may have investigations by Congress, by the Federal Trade Commission, and by associations of citizens; we may hunt for causes and descant upon results until the end of time; but we are not going to have any substantial reduction in the cost of living in this country until there is some contraction in the amount of money in circulation.

That is a law of finance that is as sure as a mathematical calculation. There are more strikes and threatened strikes, there is more unrest, there are more industrial disturbances, in this country to-day than there have been at any time in the last 25 years. Undoubtedly that is true, and nearly all of it comes from the high cost of living.

It has been very plainly indicated in the last few days by one of the high officials of one of the brotherhoods of railway workers that unless, by the 1st of October, there is an increase of the wages of railroad employees or a reduction in the cost of living there will be a nation-wide railroad strike. Is Congress going to do nothing in the face of this? Does Congress want that state of affairs to continue in this country? It was all right to have an extraordinary volume of money in circulation in time of war. It was necessary. We had to have it to win the war, and it was one of the workings of the flexible currency law which we have in existence in this country, but is there any necessity for that state of affairs to continue indefinitely and permanently in time of peace, together with its attendant strikes, industrial and labor troubles, high wages, high cost of living, endless chains of rising prices, eddies by the hundreds of increasing wages and increasing cost of living, and prices of products going up interminably? Are we going to view calmly that state of affairs, without any effort to find or bring about a remedy or a betterment of conditions, simply because we want to discharge the obligations of all the world and carry all the world on our shoulders? It is absolutely inevitable that if the amount of money in circulation in this country to-morrow were half what it is to-day the cost of everything would be half what it is to-day.

I do not know that it would be advisable, for a number of years, to bring the amount of money in circulation down to one-half of what it is now. It may never be advisable, and if any contraction at all is to be had it ought to be had gradually and along natural lines in accordance with sound laws of finance. I do not think there ought to be any sudden contraction. Perhaps there ought not to be any contraction at all for a while, but there is bound to be some before we ever can get a reduction of the cost of living. It is only a question of when.

Mr. KING. Mr. President, will the Senator yield?

Mr. MYERS. I yield.

Mr. KING. The Senator appreciates, does he not, that the prices of commodities and of labor depend not alone upon the volume of money in circulation in a community or in a country, but depend also in part upon the volume of credit that exists—if I may be permitted to use the word "volume"—in a community?

We have now billions of dollars of governmental securities issued. These consist of short-time obligations and of bonds running over a period of 40 years, as I recall. Does not the Senator think that so long as there is such an enormous base for credit—and that base exists so long as those governmental obligations are in existence—there will be a high volume of credit, and that will tend to the maintenance of high prices, regardless of the volume of currency in circulation?

Mr. MYERS. It has some tendency that way, but I do not think it is as determinative as the amount of money in circulation. The billions of dollars of bonds that have been issued by the Federal Government and by State and municipal governments and by private institutions simply, in effect, add that much to the amount of money in circulation. They are virtually money. They are supposed to be as good as money and pass as money; so the amount of money in circulation is really far greater than the amount of currency in circulation. We are living in an age of extravagance and speculation, in a fictitious age; and the extraordinary amount of money in circulation, the unusual amount of bonds that have been issued, the amount of the country's credits tend to extravagance, speculation, and fictitious values. Negroes in Washington, and some others, enjoying sudden prosperity, are riding in automobiles and wearing fine clothes, while lots of people are unable to afford the necessities of life on account of high prices of labor and products. It is an abnormal condition of affairs, but it is becoming worse and worse. There is a constantly increasing tendency to increase wages and, along with it, to increase the cost of everything that labor has to buy as well as all it produces.

I think the country is confronted with a condition of which Congress should take cognizance. It is confronted, among other things, with a very plain statement that unless there is a reduction of the cost of living or an increase of the wages of railroad workers by the 1st of October there is likely to be a Nation-wide railroad strike, such a strike as would paralyze the business of this country and bring on a panic worse in its nature and effect than any other this country has ever endured.

As to all classes getting together, as has been suggested by the Senator from Colorado [Mr. THOMAS], I do not believe that all classes will get together. It is an impossible thing. It is something that never has been accomplished except in the face of threatened destruction—destruction of one's country and of the security which it gives to the people. When a nation is attacked in war, when its life is at stake, nearly all of the people get together; but nothing short of that dire emergency will cause all of the people to get together. Everyone is too much for himself for that to occur in time of peace.

I do not know what ought to be done in the way of financial legislation, if anything; but we have a committee of this body which is supposed to be authority on those things, and I believe the conditions that have been discussed here to-day ought to be referred to that committee. Certainly no harm could come from it. It would certainly show that the Senate is interested in this all-absorbing and all-threatening subject, which is pressing right now at the doors of the Nation, with impending peril almost as great as that of the war from which we have just emerged.

Mr. JOHNSON of South Dakota. Mr. President——

The PRESIDING OFFICER (Mr. DIAL in the chair). Does the Senator from Montana yield to the Senator from South Dakota?

Mr. MYERS. I yield, with pleasure, to the Senator from South Dakota.

Mr. JOHNSON of South Dakota. I should like to ask the Senator from Montana one question. If decreasing the amount of currency in circulation would tend to lower the cost of all of the necessities we have to buy, would it not also decrease the value of all property? What is the Senator's idea on that subject?

Mr. MYERS. It would, undoubtedly; yes. It would bring down the cost of everything proportionately; but it seems to me that unless we in some way better the condition of which there is universal complaint, we are liable to have a panic brought on in this country by a nation-wide cessation of industry, by nation-wide strikes which would destroy property values; and that, it appears to me, is about the only way in which a panic can be brought about in these days. Our banking and currency law is said to be a flexible law. It certainly is flexible so far as making provision for increasing the amount of money in circulation is concerned; but its flexibility does not seem to work so well when the emergency is over, when it comes to withdrawing from circulation some of the money issued for emergency purposes. In fact, the ordinary panic from ordinary causes, as we have heretofore known it, I think is beyond the possibility of occurrence under the present banking and currency law. We have provided a banking and currency law by which, whenever there is a shortage of money in any line of industry, it may be supplied if that line of industry has any security to offer. It is the boast of those who framed the present banking and currency law that under it a panic is impossible. Ordinarily when there is an era of inflation, speculation, fictitious values, extravagance, natural laws provide a remedy by bringing on a panic.

Mr. HITCHCOCK. Mr. President, I should like to ask the Senator whether his resolution contemplates that the Committee on Banking and Currency shall take up this matter and have hearings?

Mr. MYERS. Oh, no; not at all.

Mr. HITCHCOCK. It merely seeks an expression of opinion of the Committee on Banking and Currency?

Mr. MYERS. An expression of opinion; yes, sir. I am opposed to hearings, as a rule. Nine-tenths of the hearings that are conducted by Congress, I think, do no good. But it seems to me that the banking and currency law needs some amendment by which the withdrawal of emergency currency may be more easily brought about. It seems to me that the banking and currency law is defective in that respect. Certainly, when in time of war or some other great emergency, great quantities of emergency currency are issued, to tide the country over temporary difficulties, there ought to be some way, after the passing of the emergency, of retiring some of the emergency currency. The country does not need as much money in peace as in war. What is only enough in time of war may be too much in time of peace, and when there is too much money in circulation it breeds extravagance, reckless living, extortionate prices, abnormally high cost of living.

As I was saying, under the present banking and currency law I think such a panic as this country had in 1873 is impossible. The usual and ordinary result of such an era of inflation, extravagance, and speculation as we have been going through is a panic. The laws of finance supply it, just as the laws of nature bring about relief when a superheated condition of the atmosphere arises; the overheated atmosphere goes upward and creates a vacuum, and there is an inrush of cold air, bringing about thunderstorms, lightning, and showers. I think, however, that the present banking and currency law has in a measure committed an abortion on the laws of finance, in that natural laws are unable now to bring a setback to extravagance, speculation, inflation, and fictitious values. We can keep on going in that reckless course, apparently, to the end of time. But there is one way in which a panic can be brought about, and that is if the laboring men of the country in any line of industry or all lines of industry—say the railroad workers, for instance—unanimously resolve on a nation-wide strike on account of the high cost of living. That would bring about a panic, and the worst panic this country has ever had, and it is to-day actually threatened.

I have now no remedy to offer. This resolution does not initiate any legislation. It does not commit the Senate to any legislation. It simply refers the all-absorbing and vital question of the day to one of the committees of this body, not necessarily for hearings, but merely for a report from that committee as to whether or not it thinks any further financial legislation at this time would be advisable, and if the committee makes a report it will be only advisory; it will be in no wise binding upon the Senate. I, for one, would like to have the opinion of that committee on these matters. I think it would have some value, and surely the Senate is not going to put itself on record as not desiring an opinion from one of its committees, the committee which handles these matters, in this day of threatened trouble, when everybody is clamoring for relief of some kind.

I submit that the resolution should be adopted. It can do no harm. It may shed some light on a subject that is agitating the country and we want all the light we can get. The country wants all the light it can get, and I submit that the resolution for that reason should be adopted without objection.

Mr. KING. Mr. President, one observation submitted by the able Senator from Montana [Mr. MYERS] prompts me to say just a word. As I understood the Senator, replying to a suggestion made by the Senator from Colorado [Mr. THOMAS], his position is that the various forces in the United States, the forces of labor and the so-called forces of capital, can not get together and that concord or any harmonious arrangement that might

make for pacific conditions and tend to avert strikes and financial or other difficulties is impossible.

Mr. MYERS. I meant to bring about a reduction of the cost of living more particularly. That is what I had in mind.

Mr. KING. With the qualification which the Senator has just made, I still desire to submit an observation by way of reply thereto.

Mr. President, I do not quite agree with the position taken by the able Senator from Montana, even though the position be as indicated by the qualification just stated by him. During the war, when there was a test of the loyalty and patriotism of the American people, I think every American was gratified at the attitude of all classes of our people.

Mr. MYERS. If the Senator will permit me, I made an exception of war. I said that a time of war was an exception.

Mr. KING. I appreciate what the Senator now says, but my contention is that the attitude of the American people then was only a manifestation of their true sentiments and feelings and that there has been no material change in their position since the termination of the war.

The war through which we have passed merely illustrated the deep devotion of the great mass of the American people to their Government and to our institutional life. It is true it revealed here and there a few festering spots and sordid influences. It also gave evidence of the fact that we had perhaps been too liberal in our immigration laws and there had come to our shores too many who were not in sympathy with our Government and who had no purpose to become identified with the American people. They came as aliens and remained aliens. But, speaking generally, the American people exhibited a love for their country, a devotion to the letter and spirit of our Constitution, that argues well for the perpetuity of the Republic.

I sometimes think we have used the words "laboring man" and "capitalist" rather loosely in this country. Most of the American people are laborers. Substantially all of the so-called capitalists of our country a few years ago touched elbows with men in the field and on the farm and in the shop or mine or in other industrial and manual pursuits. Our institutions—our form of government—permit the poor boy of to-day to become the capitalist of the morrow, and many of the manufacturing institutions and plants of our country have been builded by those who have toiled with their hands and have earned their bread in the "sweat of their brow."

But labor, as the term is usually employed, during the war loyally supported our Nation and the allied cause and contributed materially to the great victory which was won. The farmer and employee in the mine and in the factory—indeed, the American people everywhere—industriously labored to produce the things required on land and on sea by the military and naval forces of the United States as well as by the civilian population everywhere. The man of wealth, the banker and the capitalist, the man of moderate means as well as the poor man, all liberally contributed of their means to meet taxes and to purchase Government bonds and securities in order that the credit of our Nation might be maintained and the sinews of war supplied. No people ever exhibited a greater spirit of fidelity to their country than did the American people. No people were truer to the ideals of a progressive, democratic, Christian nation than were the people of the United States. The spirit exhibited by the people demonstrated that they are one in thought and in spirit. The spirit of patriotism and devotion to the cause of righteousness and justice is not the product of a moment, it is not spontaneously generated. It is in part the inheritance of the past and in part the product of right thinking and right living and of the educational processes past and present.

Devotion and patriotism and love of country, manifested in an hour of peril, are merely the fruits, the symptoms, of conditions that have prevailed for an indefinite period. A patriotic people devoted to their country and its cause give daily evidence of the same. Of course, this patriotic fervor manifests itself more acutely and the spirit of patriotism burns more brightly when the life of the Nation is endangered by a powerful foe. I am merely attempting to convey the idea that there is a spirit of unity and solidarity among the American people; that there is not that class warfare, that irrepressible conflict that rends asunder the social and economic structure, which the enemies of government and orderly progress declare. At bottom the great mass of the American people are united in thought and in purpose. They have the same ideals, the same hopes and aspirations. They are working to the same common end. They believe in this Nation, in its great mission, and in its divinely appointed task to hold aloft the torch of liberty and justice, and to aid in the enlightenment of humanity and in the guidance of the world. They are seeking the establishment of justice and the orderly and progressive development of this Nation as well as of all nations. In their desire to aid humanity they are not blind to their higher allegiance to this Republic. To them the Stars and Stripes symbolize freedom and justice, and they regard this Nation as the greatest the world has ever seen. In war and in peace this flag is the sacred banner under which the democratic forces of this Republic will work out the mighty problems which a virile and puissant people in a world of conflicting currents will be required to meet.

Post-war periods always have developed problems serious and difficult of solution. Some peoples have been incapable of meeting them, and their struggles have proven abortive and they and their governments have gone down in ruin. But the people of this Republic, nurtured in the principles of self-government, will, in my opinion, prove competent to meet the problems of this hour, serious and menacing though they may be. This is a time for hope, for courage, for faith, and for sanity. This is not an hour for pessimism, for despair, for distrust of the institutions of our Nation and the government of Washington and Jefferson and Lincoln and Wilson. The temple of liberty, the great national superstructure erected by the fathers, will not be destroyed by any iconoclasts abroad in the world to-day. Other nations may be rocked to their foundations. Peoples not schooled in the principles of liberty and not possessed of the ideals of those who read the mission of this great Republic may be unable to meet the advancing tides of revolution and destruction and may be overwhelmed by their destructive force.

And yet, after storms that are beating in many parts of the world to-day, and threatening peoples and nations with ruin and destruction, have passed by, tranquillity and order will come; newer and better forms of government will arise in other lands and a brighter day will dawn for the people, promising liberty and justice to the world. When I behold the disruptive forces and the conflagrations manifesting themselves in various parts of the world I am reminded of the statement of Lowell, which was, in substance, that when he saw the fires and revolutions in the world he took comfort in the thought that the universe was fireproof or Providence would not have permitted us to play with matches.

Mr. President, there are, of course, dangers and problems wherever you find a virile, puissant, and progressive people. A stagnant, decadent people have no problems. The man without ambition or purpose, who lives in a horrible state of monotony and is mentally moribund, has no problems. He ceases to function as a human being and is no longer a vital force in the world. But wherever there is life and energy there will be motion, and motion involves more or less a disturbance of existing and pre-existing conditions. This alone develops problems, produces conditions fraught with greater or less danger, and a situation calling for wisdom and patriotic rational thought.

It is not vanity that prompts us to believe that ours is the greatest nation in the world and that it has more to do with the immediate and future development and progress of the world than any other nation. We sincerely believe it to be the great moral leader among the nations and that it has been the liberalizing force operating against the crystallized principles of medieval oppression. Its great resources have made it the financial bulwark in this period of stress and international bankruptcy. True Americans, therefore, insist that it must be the standard bearer in the movement which seeks the stabilization of the world and the attainment of that position where the progressive and moral forces of the world may operate for the welfare and happiness of humanity.

Our problems are not only domestic, but whether we will or not, we have many that are world-wide in their extent. Our commercial relations with the world create international problems. The bankrupt condition of the peoples with whom we must trade and to whom our surplus products must be sent compel the consideration of questions that go to the heart of our economic system.

Mr. President, the conditions referred to by the Senator from Montana and others who have spoken are only such as are to be expected after the world conflagration through which we have just passed. An era of high prices usually follows wars, particularly where inflation has been as extensive as that which has occurred during the past five years. It would be impossible for billions of dollars of currency to be placed in circulation and billions of dollars of credits mobilized and put into operation without there being an enormous advance in not only the prices of commodities but of all forms of property. Such a situation results in cheap money and higher commodity prices. Inevitably there will follow high wages and high prices of all property, real and personal, and particularly the articles essential for consumption. All statesmen and persons who have familiarized themselves with history and with world conditions

expected as an aftermath of the war very serious industrial and economic conditions, and anticipated that crises, perhaps political and certainly economic, would exist in many countries. We need not expect that our Nation will be free from the influences of the war, and that it will escape dangers and difficulties which are necessary concomitants to the transition period from war to the tranquil days of peace. But the American people will meet the problems and dangers and difficulties with courage, with confidence, and with the knowledge that they will successfully solve them. Our form of government will not be changed nor this Republic destroyed. There is no fertile soil in this country for Bolshevism and communism or the anarchy which may find expression in some other lands. The American people at heart are sound and sane, loyal to the principles underlying this Republic, and are guided by the inspiration that has led the Christian people who gave us this Nation and who have preserved it for us and for those who shall come after us. No radical revolutionary minority will destroy majority rule or convert this Republic into a Bolshevist dictatorship.

Unquestionably the war and the conditions now existing in the world have produced in the world a large number of people who seek the destruction of all organized government, and who would precipitate the entire world into a deadly class conflict.

The Bolshevists of Russia have established a brutal, oppressive, and bloody dictatorship. The people of Russia do not rule; indeed the Bolshevist creed as expounded by Lenin and Trotski forbids majority rule. Bolshevism is no democracy; it is not the rule of the people. It is not the expression of liberty or freedom or justice or orderly growth or evolutionary development or true and genuine progress. The class warfare is the most cruel and destructive of all warfare. This is shown in the destructive and barbarous control by the Bolshevists of certain portions of Russia where Bolshevism is sustained, in part, by alien troops. It is not to be expected that this country would be entirely free from these revolutionary influences which have worked so disastrously in Russia, and which are seeking the overthrow of all governments of Europe. Unfortunately there are in our midst a few communists, Bolshevists, revolutionists, men who are disloyal to our Government, and who would overthrow it as they would also destroy all government. They are seeking to poison the minds of the American people, to breed discontent and distrust among the laborers of the land, and to light the fires of revolution in this Republic. They are promoting strikes, inciting riots, and availing themselves of every possible means to prevent the restoration of normal conditions and the orderly growth and progress of the economic and political life of the people. These influences speak through a few wicked and disloyal newspapers. It is my opinion, however, that these newspapers will find but few sympathetic readers in the United States. The efforts to spread discontent and sedition and to array class against class and to destroy the faith of the American people in this Republic and in the orderly processes which underlie civilization will prove abortive. The true, the genuine laboring man of this country is not a Bolshevik, he is not an enemy to his country, he sees the sophistry, the lies, and the subtle intrigue of the sinister figures throughout the land. He is able to unmask their hypocrisy and to understand that instead of being the friends of labor and of progress and civilization they are the foes, the deadly and diabolical foes, of everything that is good and noble and just and righteous in this land and throughout the world.

Mr. President, this hour calls for genuine patriotic service upon the part of the American people. I say patriotic service because patriotism manifests itself as much in peace as in war. It calls for devotion to country and to flag in hours of peace as well as when foes seek to pollute our land. We need never fear the military aggressions of any foreign foe. Any dangers that this Nation encounters will be of a domestic character—will be from within, not from without. While it is true nations have been destroyed by superior military powers, I think history proves that more nations have died from self-inflicted wounds. There is national sabotage and national suicide as well as destruction from international foes.

But I firmly believe that the men who toil and the men who own the factories and the great industrial plants of our country—indeed, that all classes, rich and poor, capitalist and laborer—will patriotically join hands for the purpose of solving the industrial and economic problems now before the American people and the world. I believe that labor will bring to the conference of the Nation a spirit of justice and fairness that will make more easy the solution of the problem, and I believe that capital will sit down with labor, and together a course will be mapped out that will make for industrial peace and tranquillity and for the development of the political ideals of the American people. Labor must not only have a living wage but a fair and generous wage. Its living conditions must not only be tolerable but such as comport with what a free and producing people should enjoy. It must be admitted that in the past there has been too often a disregard of the rights of labor. There has been too much selfishness upon the part of the employer. It must not be forgotten that we are indissolubly bound together and that whatever contributes to the benefit of one proves advantageous to all, and whatever hurts the one injures the many.

This is a time for forbearance and patience. During this period the spirit of justice and fair dealing should dominate all. Of course human nature will manifest itself and there will be among all classes some who try to overreach and seek to profit by the misfortunes and at the expense of others; but I can not help but believe that the spirit evinced by the American people during the war is still the controlling note in their business relations and in all of their activities. Sacrifice was the triumphant note of the war. It will be the controlling note in this period of readjustment. There must be no jealousies and class distinctions and class warfare, but as the war brought all Americans together so that all touched shoulders and rubbed elbows and drank from the same fountain of inspiration, so now, when dangers threaten the Republic, the same spirit must be controlling and dominate the activities of the people. I therefore reply to the distinguished Senator from Montana that, in my opinion, the American people will get together. There will be a concerted effort to solve the questions confronting this Republic. Laborers' rights will be recognized and the rights of property will be protected. There will be, I believe, a larger consecration of the people to the service of humanity. There will be an insistent demand that justice shall be enjoyed by the humblest and that the sacrifices of the war shall result in enriching the lives not only of the peoples of this land but of every land. This is no time for alarm or for hysterical legislation or untried experiments. The lamp of experience sheds its light along our pathway. We need not stumble or fall. Heeding the lessons of the past and following the light that God gives for the guidance of humanity, the future of this Nation will be secure. The mountain before us may be scaled; the people of this great Republic see the heights ahead, and with courage and faith in their destiny, and devotion to the principles of liberty and justice, they will steadfastly march to their goal.

Mr. KIRBY. Mr. President, I have listened to the discussion here with some interest, and I want to say just a few words.

Mr. MYERS. Mr. President, I ask unanimous consent that the pending resolution go over until to-morrow without prejudice; otherwise it will go on the calendar at 2 o'clock. I shall, however, be very glad to hear what the Senator from Arkansas has to say.

The PRESIDING OFFICER. Without objection, it is so ordered, and the resolution will go over without prejudice.

Mr. KIRBY. The time has come, it seems to me, when something besides talking about it should be done to reduce the high cost of living. We talk about the American people rising to this emergency and the problem being satisfactorily solved. Some say we have faith that this will be done, but it is about time this faith should be accompanied by something else. In the Scripture it is said, "Faith, if it hath not works, is dead, being alone." We have had a lot of faith expressed here, but nothing has been done by the Government or Congress in this condition to relieve it, and something ought to be done. This resolution has been suggested, and it is thought by its author that it might result beneficially along that line. I am going to say just one or two things about the matter. First I quote from a message of a President of the long ago. After congratulating our country upon the conditions existing he said:

> With all these blessings—
>
> After recounting them—
>
> what more is necessary to make us a happy and a prosperous people? Still one thing more, fellow citizens—a wise and frugal Government which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government, and this is necessary to close the circle of our felicities.

What is the condition to-day? There is unrest and discontent, exorbitant charges and outrageous exactions complained of everywhere in the United States of America.

What is the condition in commerce? The clothiers met the other day in New York City and announced that we would better buy our clothing now, since it would be 100 per cent higher this fall. The shoe manufacturers and dealers met recently and said in effect to the people, "You may as well buy your shoes at the present prices, because shoes are going to advance in price, and may be $30 a pair in the coming autumn."

Why should not a reduction instead of an advance in the price of both shoes and clothing be realized? The 246,000,000 pounds of wool taken by the Government for Army supplies for 1919 has been released for civilian use and in addition there was the 15,000,000 pounds allocated for commercial purposes. The war is over. There is now no need for the enormous blanket and clothing supply for the Army, nor for the purchase of 20,000,000 pairs of shoes yearly for the men. The people are demanding a reduction in price of the necessaries of life. The conditions warrant its being made, and they are entitled to have it done.

The PRESIDING OFFICER. The Senator from Arkansas will suspend. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 3854) for the repeal of the daylight-saving law.

Mr. KIRBY. The Department of Labor in its last bulletin has stated:

> The price of food for the United States shows an increase of 4 per cent for April, 1919, as compared with March, 1919.

Food prices are increasing 4 per cent a month with the war over. And further—

> * * * In April, 1919, the cost of all articles of food combined was 18 per cent more than in April, 1918.

The cost of food in this country in April this year, six months after the armistice was signed, was 18 per cent higher than it was when war was flagrant, when everybody was drawing to the limit on his means to buy Liberty bonds and we had 4,000,000 men in the Army to maintain. That is the condition which now confronts this country and we must take steps for relief against it.

Mr. KING. Mr. President, will the Senator yield?

Mr. KIRBY. I yield.

Mr. KING. I ask for information only, not for the purpose of diverting the Senator. I saw in a paper two or three days ago that the farmers were receiving 23 cents a pound for hogs on foot, a very high price for their corn, and that they were charging very high prices for their vegetables and all farm produce. Does the Senator think that the farmers were profiteering and are profiteering in the charges they are making for their products?

Mr. KIRBY. The farmers are only meeting the situation which has been forced upon them and everybody else by the condition existing in the country, the necessities of the case.

I think the Government is largely to blame for this condition, and I am going to tell you where and why. We have vast stores of supplies that we purchased for the Army that have not been used. They have not been sold at a discount, they have not been put on the market at 25 to 40 per cent less than they cost, so the people could have had the benefit of them at the reduced prices. The Government must lose in any event. War is the most wasteful of all human activities, and it might have taken its loss along that line and have remedied living conditions. But what did the Government do? While the war was being waged the Government had to take advantage in its preparations of the best intellect and business ability from all over this country in order to procure and increase the manufacture of munitions and supplies that had to be provided. It called all the best business men in the country and encouraged them to combine and to allow high prices that would stimulate all those activities. That was done while the war was on. From that same practice permitted by the Government in a time of direst need they have still remembered the art of combination to increase prices, and are still keeping up the prices and putting them higher and higher. The Government approved the practice in the first instance, and the Government now is encouraging it, and how?

The Government said, before the war was over, we will fix the price of wheat at $2.26 a bushel. After the war was over and before more than one-fourth of the wheat crop was planted, what was done? The Congress passed the wheat guaranty price bill, providing that the Government would pay $2.26 a bushel, the guaranteed price, and an appropriation was made for that purpose. That necessarily keeps the price of wheat at $2.26. I offered an amendment to that bill at the time——

Mr. GRONNA. Mr. President, I want to inform the Senator that wheat is selling in Minneapolis to-day at $3.05 a bushel.

Mr. KIRBY. I will state to the Senator that I introduced an amendment at that time which provided that it should be unlawful for the governmental agencies to manipulate the market and cause wheat and wheat products to sell for more than the price would have been if no such regulation had been provided and no such price guaranteed; in other words, if under the usual law of supply and demand wheat would have gone to $1 or $1.25 a bushel, then the Government should not have manipulated the market to make the consumer pay $2.26 in order to give the producer the other $1.26. If the Government thought it was necessary under the conditions to pay the fixed price, it ought to have paid the bonus out of the Treasury. That amendment was defeated and the bill passed, and that has been done by the Congress. Those supplies are still stored and have not been sold. There are automobiles all over the country which are not being sold—and why? Because it is feared evidently that the manufacturers would not be able, if they were put on the market at a reduced price, to get the prices they are demanding for the new product. There is no other reason on earth that can be advanced.

Let us go a little further. Let us consider the price of steel. The Government fixed the price of steel during the war emergency. After the war was over and the people had a right to expect a readjustment under new conditions, the governmental agency here in Washington fixed the price of steel and set it so high that the Director General of Railroads refused to pay it, stating it was an outrage and that he would not buy steel for the railroads at such a price, but he finally had to buy at the outrageous and exorbitant price, as he believed, because the governmental agency that was supposed to be here operating for the benefit of the people of these United States had fixed the price. That is another thing. If this price of steel should be reduced to where it ought to be—and, Mr. President, in talking about this matter, I have rather criticized others, because we all talk about saving the country and redeeming the situation and relieving it, without any suggestion as to what should really be done.

We fixed the price of certain things while the war was going on, and if conditions do not improve, in my judgment, the Government of the United States must fix the price of products that are sold. I am going to offer a resolution, when it is in order, but I am going to read it now:

> *Resolved*, That the Senate Judiciary Committee be, and it is hereby, instructed to report whether it is practicable, and if so, to report a bill providing adequately for the fixing of maximum sale prices of not less than 25 per cent less than the prevailing market price on all articles, products, and commodities transported in interstate commerce, with a view to a reduction in the high cost of living.

I am going to offer that resolution and have it submitted to the Committee on the Judiciary, composed of lawyers of the Senate, to get the benefit of their combined wisdom upon the legality of the proposition. So far as I am concerned, I am satisfied that it is feasible. I know the Government has the power to do it, and certainly the necessity exists.

Mr. KING. Mr. President, will the Senator yield?

Mr. KIRBY. Certainly.

Mr. KING. Does not the Senator know that from the days of antiquity very wise men in nearly all governments, in times of crises, have risen up and insisted upon the fixing of prices, either maximum or minimum or both, as a panacea for the evils existing, as a cure for high prices, and does not the Senator know that every publicist of any authority, every economist of any standing in any country—and when I say every one I mean substantially all—has reached the conclusion that an attempt by the Government to fix prices has been and, in the nature of things must be, a failure; that the law of supply and demand coupled with statutes against regrating and forestalling, such as the common law provided in England and such as the Sherman antitrust law provided in the United States, are sufficient to meet existing conditions, and that an attempt by the Government to establish prices fails; that even in Germany, during the war, where they had a repressive autocracy, having a military government stronger than any other in the world, price fixing was a failure, so recognized there and so recognized by political economists everywhere?

Mr. KIRBY. So far as price control by regular law of supply and demand is concerned we all agree that that is the best method, that that is the natural and usual method, but when you undertake to control the law of supply and demand by conspiracy or by agreement or by law, then there ought to be something else done; the restrictions should be removed or the condition relieved by other appropriate suggestion.

As to price fixing being a failure, why did you fix the price of steel during the war? Why did you fix the price of wheat when flour went to $18 a barrel? You fixed it because it was necessary and you had the power to do it. It can be done now, in my judgment, and I shall ask that this sort of a resolution go to the committee and that something be done along that line to furnish relief.

The trouble in this country is too credulous a disposition, as some have said, to believe that the people ought to get together and they ought to agree on the reduction of prices. There never has been a meeting by manufacturers and producers in this country for reducing the price of their products, and there never

will be. It has always been for the purpose of enhancing and putting up prices and taking all that the traffic would bear. It is the business of the Government, the business of the Congress, to look after these matters and to see that we have as much as possible a wise, frugal Government which shall restrain men from injuring one another and shall leave them otherwise free to regulate their own pursuits of industry and improvement. But we have gotten too far away from that I am afraid. I presume the Senators know that statement is contained in Jefferson's inaugural message. It was the "sum of good government" then and it is the sum of good government now.

CALLING OF THE ROLL.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Borah	Harris	Moses	Smith, Ariz.
Brandegee	Henderson	Myers	Smith, Ga.
Calder	Hitchcock	Nelson	Smith, S. C.
Capper	Johnson, Calif.	New	Smoot
Chamberlain	Johnson, S. Dak.	Norris	Spencer
Colt	Jones, N. Mex.	Nugent	Sutherland
Curtis	Kenyon	Overman	Thomas
Dial	King	Page	Trammell
Dillingham	Kirby	Penrose	Underwood
Elkins	Knox	Phipps	Wadsworth
Fall	La Follette	Poindexter	Walsh, Mass.
Fletcher	Lenroot	Pomerene	Walsh, Mont.
Gay	McCumber	Ransdell	Warren
Gronna	McKellar	Sheppard	
Harding	McNary	Simmons	

Mr. McKELLAR. I wish to announce that my colleague, the senior Senator from Tennessee [Mr. SHIELDS], is absent on important business.

I wish also to announce that the Senator from Arizona [Mr. ASHURST], the Senator from Arkansas [Mr. ROBINSON], and the Senator from Rhode Island [Mr. GERRY] are detained on official business.

The PRESIDING OFFICER. Fifty-eight Senators having answered to their names, there is a quorum present.

LEAGUE OF NATIONS.

Mr. FALL. Mr. President, I regret having announced yesterday that I should expect to address the Senate this morning after the close of morning business, as undoubtedly it has embarrassed some of the Senators who desired to speak to be hurried through the remarks which they might have to make.

Mr. President, if I were an orator, I presume that, as other orators in the body, I could discuss the league of nations or any other matter from a position in the clouds, but as my ability does not measure up to the point of oratory it is necessary for me, if I propose to discuss any question whatsoever intelligently, to feel that I have some foundation, some firm ground under my feet, upon which to stand. This will be my excuse in approaching the discussion of some of the provisions of the proposed constitution of the league of nations for occupying a portion of the time of the Senate in endeavoring to get back to earth out of the clouds, out of the realm of speculation, to get back to the United States of America, if it is possible for Americans to do so at this time. So I wish to call the attention of the Senate of the United States for a few moments to some occurrences in American history that I may have a standpoint from which to discuss, as I propose to discuss more in detail, the various provisions of the league of nations.

We are listening every day to speeches and addresses referring to the "spirit" of the American people; to the desire of the American people to serve mankind; of the duty of the American people to the Buddhists of Japan and India, the Confucians of China, the Voodoo worshipers of Africa, the fire worshipers of Persia, the Mohammedans of Turkey, the Jews and gentiles of the world—in fact, to all the peoples and races and tribes beyond the bounds of the United States and its insular possessions.

It might appear to some pigmy minds and to those of limited mental horizon that indeed the proponents and supporters of the league had entirely forgotten or overlooked the interests of the people of the United States of America, or that such interests were regarded as merely selfish and unworthy of consideration; that patriotism defined as "love of country," "the passion inspiring one to serve one's own country," had during the last few years become an obsolete word, and certainly that the sentiment formerly expressed by the word was, as in effect declared upon more than one occasion by President Wilson, merged into or confounded with the "spirit" of America in dealing honorably, fairly, justly, and generously with and by other peoples of the world.

To my mind, such American spirit of just and fair dealing is the outgrowth of enlightened American patriotism of love of our country; of loyalty to its Government, of a common understanding of its Constitution and laws, and of profound conviction that the perpetuity and growth of its institutions should and will ever be the care and pride of its citizens.

Realizing that I am a mental dwarf by comparison with the league proponents and some of its supporters; admitting that, in my insistence upon care for and consideration of the interests of the people of the United States of America first, my political horizon is limited and my action to some extent selfish; admitting that my pride is in being an American and not a follower of Karl Marx, I propose to refer briefly to a few paragraphs in our history.

It occurs to me that enlightened American patriotism spoke on April 6, 1917, through the Congress of the United States, in declaring war upon the Imperial German Government after hearing the President, in pursuance, as he said, of his constitutional duty, solemnly advise on April 2:

> With a profound sense of the solemn and even tragical character of the step I am taking and of the grave responsibilities which it involves, but in unhesitating obedience to what I deem my constitutional duty, I advise that the Congress declare the recent course of the Imperial German Government to be in fact nothing less than war against the Government and people of the United States; that it formally accept the status of belligerent which has thus been thrust upon it; and that it take immediate steps not only to put the country in a more thorough state of defense, but also to exert all its power, and employ all its resources to bring the Government of the German Empire to terms, and end the war.

It has always been my conviction that American patriotism spoke through the Declaration of Independence and that it crystallized into the Constitution adopted and the Government formed under it in 1789.

American patriotism spoke in 1798 when the Congress, in resentment of the acts of the French agents in this country; of the French ships and privateers upon the sea; of the French armed forces in Martinique; of the action of the French Government itself in demanding tribute from our commissioners; of French insults and demands, placed this country upon a war footing, sent its ships of war against those of the French fleet and called Washington from his retirement at Mount Vernon to lead American forces, if necessary, in defense of American honor and American rights against the aggressions of the French; and it spoke again when the American Congress of loyal, patriotic Americans denounced the league, or treaty of alliance with France.

American patriotism answered in no uncertain terms to the suggestion of President Jefferson that this country no longer submit to the tribute exacted by the Algerian and Tripolitan pirates, and when he sent Decatur to the coast of Barbary, and in 40 days after the sailing of our vessels, secured that freedom of commerce which England, France, and older nations of the world had never been able to wrest from the outlaws of the African coast.

American patriotism again spoke through the Congress of the United States and through its people when we declared war against Great Britain because of her outrageous oppression of our commerce and the indignities heaped by her upon our sailors and citizens in 1812.

American patriotism was voiced by the Congress of the United States, when by the resolution of January 15, 1811, it provided that:

> Taking into view the peculiar situation of Spain and of her American Provinces, and considering the influence which the destiny of the territory adjoining the southern border of the United States may have upon their security, tranquillity, and commerce: Be it
>
> *Resolved*, That the United States under the peculiar circumstances of the existing crisis can not without serious inquietude see any part of the said territory pass into the hands of any foreign power; and that a due regard for their own safety compels them to provide, under certain contingencies, for the temporary occupation of the said territory; they at the same time declaring that the said territory shall, in their hands, remain subject to future negotiations.

American patriotism enlightened and informed, crystallized in the words of Jefferson and Monroe in 1823, the American doctrine of self-defense suggested by Washington in his papers and in his Farewell Address and the Monroe doctrine, remains, until recently, unchallenged as the declaration of American patriotism and American policy.

American patriotism again was voiced in the resolution annexing Texas, and in the Mexican War at the battles of Buena Vista, Sacramento, and Chapultepec.

American patriotism spoke in the four bloody years of 1860 to 1865, and thus speaking, as those who died and who lived

through the fearful conflict believed, saved the American Union undivided and supreme as the heritage of their children and their children's children through unknown generations.

Again American patriotism spoke in 1898, and through its declaration and by its action with armed forces secured the freedom of the Cubans from hundreds of years of oppression and Weylerism, destroying concentrado camps, feeding the starving, and establishing a nation of free men near our shores.

One of the results of its words and its actions was the wresting of the Philippine Islands from the domination of Spain, and we have seen its further results through the presentation in recent days of the claim for absolute independence of those islands, upon the theory that within 20 years' time American policy and American spirit have done more to civilize and equip these people for self-government than had been done under 400 years of Spanish domination.

The same declaration and the same action attached the people of Porto Rico to this country, to be followed only last year by the bestowal upon the people of that island of the self-governing constitution under which we expect to see them in a very brief period fitted either for independence or for sovereign statehood within the United States of America, under its Constitution and under its laws.

And, finally, in arms American patriotism answered the call of the American President in April, 1917, when he requested of the Congress of the United States that it declare a status of war as thrust upon us by the acts of the Imperial German Empire, and so speaking it gave 4,000,000 of the youth of this country for the service of this country, and that in serving its country it might, as it must, serve civilization, Christianity, and the cause of peace over the civilized world.

No greater evidence of patriotism was ever evinced by any people than those of the remaining 110,000,000 who stayed at home, sacrificing their own comfort, yielding to those in need a portion of their own daily sustenance, paying without regret or hesitation taxes such as here had never been dreamed of before, lending of their wealth at a sacrifice to their own business, comfort, and welfare, such enormous sums of money to the other peoples of the world as prior to 1917 could only be calculated by some mathematical expert in the recesses of some statistical office.

American patriotism and care for American interests, love of country, belief in its institutions and confidence in its great future, prevailed over the objections of the French, our Allies, and against the contentions of the English, our recent opponents, when in 1782 we secured from Great Britain that vast territory extending along parallel 49 and down the Mississippi to the Floridas, more than doubling the area of those 13 States which had but recently won their independence from Great Britain.

Again American patriotism exhibited itself in 1803, when, through the great patriot, Jefferson, we secured from France that vaster territory extending to the Pacific and embracing nearly 900,000 square miles which we have since erected into 14 States with a population of more than 25,000,000.

American spirit of loyalty and patriotism has never achieved a greater diplomatic victory over Great Britain, Spain, France, and of the world than by Jefferson and his agents in securing this the Louisiana Purchase.

Again American patriotism spoke through the vigorous action of Gen. Andrew Jackson and the governor of Georgia and other American patriots when we first declared West Florida and later East Florida our territory and finally cleared our title in 1819 by the treaty with Spain, and from which territory we have since created the State of Florida and a portion of the State of Alabama.

As I have said in referring to the occasions upon which our patriotism has exercised armed force, the spirit of enlightened American patriotism again made itself heard when we added Texas to this Union of States and secured, through the treaties of Guadalupe Hidalgo and Gadsden, the territory now comprising the States of California, Arizona, New Mexico, and a portion of the State of Colorado.

Again was it heard in 1846, when, meeting the contentions of Great Britain, it added to our territory 250,000 square miles which now comprises all or a portion of the States of Idaho, Washington, and Oregon.

In 1867 American patriotism, loyalty, regard for the eventual safety and for the present and future welfare of our country, spoke in opposition to the "little Americans" when we acquired Alaska from Russia and added 600,000 square miles now constituting the only remaining territory within our continental confines.

American patriotism and far-sighted American policy and regard for our country and its people finally made itself heard in the peaceful acquisition of the Hawaiian Islands.

Let us distinguish a moment the American spirit of justice and of fair dealing.

The American spirit of justice and of fair dealing to all nations has evinced itself in all the treaties entered into by this country with foreign countries since that of 1782, with Great Britain, down to and including the recent reratification of the expiring arbitration treaties with Great Britain, France, and other nations.

This American spirit of fair dealing, this American recognition of justice and right in our dealings with other nations and in our dealings with all the peoples of such other nations wherever they may be found; this recognition of the rights of such peoples and such nations to pursue their own lawful course under such form of government as may be pleasing to them; this spirit of equity and fair play and reciprocity inaugurated by the American patriots who first negotiated our treaties with Prussia in 1785, 1798, and 1828, and our treaties with the Netherlands and with all countries of the civilized world.

This desire of our patriots and loyal American citizens to establish their relations with the other peoples and the other nations so firmly upon right and justice that there could be no cavil or question by such other peoples of the declared right of the United States to maintain its own policy and insist upon its claim when it spoke with reference to affairs upon this hemisphere has been in recent years apparently mistaken by some writers, publicists, and public men for that enlightened American patriotism which made this country and which maintained it in its power and in its own self-respect and in the respect of the world to the point where it could make its spirit, as evinced in these treaties and in its ordinary dealings with the other nations of the world, understood and regarded.

This spirit of the American people could not have made itself understood nor respected nor regarded by the other nations and peoples of the world had not they understood, as they now understand, irrespective of the high position of he who may proclaim himself as the custodian of the heart and the mouthpiece of the sentiment of the American people, that supporting this spirit, creating it, sustaining it, is that American patriotism of Washington, of Jefferson, or of the fathers and all our great men down to and including Theodore Roosevelt.

The President of the United States in his recent address to the Senate, when he laid before that body the instrument which is designated as the treaty of peace which we are requested to ratify as the end of the war between this country and Germany, spoke most beautifully and eloquently of our duty to humanity in Europe, Asia, and Africa, and demanded to know of us whether we would "break the heart of the world." But in listening to this most beautiful appeal I was impressed particularly with that portion of the paragraph third to the last in the printed copy of his speech in which he uses the following language:

> America may be said to have just reached her majority as a world power. It was almost exactly 21 years ago that the results of the War with Spain put us unexpectedly in possession of rich islands on the other side of the world and brought us into association with other Governments in the control of the West Indies. It was regarded as a sinister and ominous thing by the statesmen of more than one European chancellery that we should have extended our power beyond the confines of our continental dominions. They were accustomed to think of new neighbors as a new menace, of rivals as watchful enemies. There were persons amongst us at home who looked with deep disapproval and avowed anxiety on such extensions of our national authority over distant islands and over peoples whom they feared we might exploit, not serve and assist. But we have not exploited them. And our dominion has been a menace to no other nation. We redeemed our honor to the utmost in our dealings with Cuba. She is weak but absolutely free; and it is her trust in us that makes her free. Weak peoples everywhere stand ready to give us any authority among them that will assure them a like friendly oversight and direction. They know that there is no ground for fear in receiving us as their mentors and guides. Our isolation was ended 20 years ago; and now fear of us is ended also, our counsel and association sought after and desired.

Mr. President, to me it seemed, and subsequent consideration of the entire address has but confirmed the belief, that the President did not realize that this paragraph of his address was an absolute and unqualified answer in the negative to the appeal which he was making to the Senate of the United States, or through it to some of the people of the United States.

I call upon the President himself and upon the Senators in this body to consider that while we had truly gained the respect of all the world and the confidence of all the nations, great and small, through our dealings with them subsequent to the Spanish-American War, in the performance of our pledge to Cuba, in our care of the people of Porto Rico, in our consideration for

and generosity toward the people in the Philippines, in our dealings with the people of Asia, with whom we have been thrown into more close social and commercial contact by virtue of our retention of the Philippines; that this confidence and respect of the other peoples, because of the facts cited by the President, was gained under the American spirit of government; the American spirit of fair dealing with other nations; the American spirit of justice and generosity and of service which has grown with this country as the country itself grew, and which was, is, and shall be the product of the American policy of no entangling political alliances with the peoples of any other nation or nations under the sun.

The President's attention is called to the fact that, as he so well said, the people of other nations were accustomed to look with well-founded suspicion upon closer contact of any kind with other nations because of the general selfish practice of the nations of the world to exploit new people and new countries and selfishly to administer them for their own benefit and selfishly to treat with other nations with whom they were thrown from time to time in close or closer contact.

And then the President appeals to the Senate of the United States to join him in overturning the American policy of 140 years, in undermining every influence with other nations which that policy has created and maintained; in deadening the influence of American patriotism here at home; in rendering obsolete the word patriotism in our vocabulary; in joining this Nation, now possessing the confidence, respect, and admiration of the people of the other nations, won through so many years of travail and toil and struggle and sacrifice, in a bond of alliance, hard and fast, with the very selfish nations who have caused our conduct to stand out in such brilliant contrast, in a council where our freedom of action hereafter will be controlled by the vote of eight of these nations referred to by the President, whose administration of colonies or new countries or more intimate contact with other peoples have led such other people to expect only exploitation and selfish administration.

I have referred to our treaties inaugurating and pursuing our American policy from the days of 1782 down to the present time, but I have not nor shall I attempt to enumerate or discuss these various treaties in detail. I think, however, that the people of the United States who do not understand what has been the trend of our former negotiations and who are now being assured that this present proposed treaty will create the dawn of a new international era of peace should understand once for all that this country has 25 or more arbitration treaties with all the great and small civilized countries; that under the terms of these treaties we submit to arbitration all questions which may arise involving construction of treaties or points of international law, or any other matter or matters of dispute whatsoever, excepting always the Monroe doctrine and purely American questions, such as immigration and the rights of third parties.

Hearing, as they do, that this proposed treaty provides for the settlement of international disputes, the people of the United States who have not given thought or study to the subject might think that the Wilsonian era has indeed inaugurated a new policy in the history of this country.

Arbitration treaties exist now not only between this country and other nations but between practically each of the other nations, one with the other, and a general Hague arbitration agreement was signed and ratified by practically all the civilized countries of the world.

I have heard from the lips of the President of the United States, at least through the reading of one of his addresses, I believe to the Daughters of the American Revolution, that the fathers who founded this country and the captains who steered the ship of state through the shoals and turbulent waters of national and international troubled seas until recent days had no such complicated questions to meet and decide as were now to be considered, even before this country entered the European war as a belligerent.

I might remind the people of the country that during the progress of the war and before we became belligerents a German cruiser ship of war sunk the *William P. Frye*, a vessel owned by American citizens, and that upon the request being made by the President of the United States to the Imperial German Government that reparation for such destruction should be made, the German Government immediately admitted this liability under the treaty of amity and commerce entered into in 1782 between the Emperor of Prussia and the United States of America represented by Pennsylvania's great citizen, the diplomat and patriot, Benjamin Franklin.

I might further remind the President and the people of the United States that upon one point of the controversy, that is, what body or tribunal under the terms of this treaty had jurisdiction to determine the value of the destroyed property, the German Government suggested that this matter should be submitted to The Hague tribunal and that such suggestion was immediately accepted on behalf of the people of the United States by its President, Woodrow Wilson.

American patriotism has been a development growing with the growth of the Nation and developing with the recognition of the fact that this was originally intended to be and is now one great Nation of free people.

During the discussions leading up to and following the adoption of our present Constitution and form of government many sincere and able Americans held to the principle that loyalty and patriotism were first due to the States which formed the Union.

For many years after the formation of this Government, able men, of whom John C. Calhoun was one, if not the most prominent, example, announced and endeavored to fix upon our policy the doctrine that each State of the Union had reserved to itself the right to ignore and refuse to enforce within its own boundaries any act of the Congress of the United States which, in the opinion of such individual State, was not for the best interest of the people of the State or which was not enacted under the direct powers given by the people of such State to the Federal Government.

A great majority of those who held to this doctrine were, in so far as foreign relations were concerned, as patriotic American citizens as those who contended for the absolute supremacy in the United States of the Federal Government in all matters within its sphere, whether enacted, if laws, under direct power delegated or necessarily implied.

This coterie of statesmen, loyal, as I have said, and patriotic in the true sense of the word where patriotism means love of country, in any matter concerning other countries than the United States, were, nevertheless, sincere in their belief that the Constitution of this Union was simply a compact or covenant of sovereign States for their mutual protection and the conservation of their mutual interests and that the Federal Union in itself was not intended to be a great, powerful Government of and within itself.

Those patriots who held to the contrary doctrine were led by John Marshall and Daniel Webster, and to me it would seem that many persons might now with great profit read the debates between Calhoun and Hayne upon the one part and Webster and others during what has been known as the "States Rights" debates extending over a long period of years.

It was pointed out by Calhoun and others of his school of thought that there was no provision in the Constitution itself by which or through which the Federal Government was directly empowered to enforce its laws within the States as against the opposition of the people or of the authorities of such State.

This argument was answered by Webster in most masterly speeches and arguments confuting the contention that the State could remain in the Union at all and defy the enforcement within its boundaries of any law or act of the Federal Government itself.

Webster admitted, as all must admit, that such an inherent right remained if the State chose to resort to an armed overthrow of the Government and could finally succeed in such effort. In other words, it was admitted that the right of the rebellion as set forth in the Declaration of Independence was the inherent right of man. It was denied that any State could nullify or refuse to obey any act of the Federal Government while remaining in the Union.

The rebellion was the natural child of the doctrine of nullification, and despite the fact that various States had reserved the right of withdrawal when they ratified the Federal Constitution, when secession was followed by rebellion and war, the ultimate arbiter in all like disputes decided against the right of withdrawal and secession, and such decision has now the unanimous approval of the men of all countries, and certainly of all of the citizens of this great Federal Union.

And yet the arguments to which the Senate has recently listened, coming from the majority of the supporters of the proposed peace treaty and constitution of the league of nations, has been exactly in line with the arguments used by those who would have destroyed by limitation the powers of the Federal Government prior to 1861.

Word for word, line for line, and sentence for sentence, almost identical arguments have been used by those within this Chamber who would have the constitution of the league of nations adopted as it is written when they have undertaken to meet the arguments of those who insisted that the proposed constitution of the league not only created limitations of the powers of the sovereignty of this Government but constituted in various articles unconstitutional delegations of the power delegated

to the Senate of the United States by the people of the United States.

Several of the Senators, and particularly one of them, within the last 10 days has attempted to class opponents of the league in this Chamber as "reactionaries," because of the fact that they refused to have this country ratify the league articles as they stand, and at least one Senator has referred to them as of the school of those who opposed the adoption of the Constitution.

Such an argument, of course, is unworthy of serious consideration, for upon the face of it it bears its own refutation.

Those who are opposing the delegation of the supreme powers of this great Federal Union to a political body, overwhelming control whereof shall be vested in the other nations joining the league, are of the school of thought of John Marshall and Webster. Those who are favoring the league provisions as they stand are the natural intellectual descendants and members of the same school who, prior to 1860, sought to limit in every way possible the Federal powers and who maintained the right then, as their intellectual descendants are now, maintaining it, to nullify the acts of the Government which they themselves established. They claim that we can enter the league and then nullify its orders by declining to enforce them, and that we can do this without reserving such right in the ratifying resolution and having such reservation accepted by the other parties to the proposed league.

As the Federal Government established in 1789 under the constitution of 1787 was not a party to the Constitution under which it was created, neither is the league of nations itself a party to the treaty which seeks to create such league.

Measured by all the definitions of a government, the league, if constituted, is a government. The league articles themselves limit the sovereignty of the various members joining the league, exactly as the constitutional provisions limited directly the rights of the various States forming this Federal Union in the matter of making treaties, of making war or declaring war, of interference with interstate commerce, and so forth.

The Constitution of the United States not only limits the powers of the different States but of itself, under the acts passed in pursuance thereof and of the treaties made under its authority or in pursuance of the Constitution, operates directly upon the people themselves.

Under the constitution of the league of nations and the proposed treaty, of which it is a part, the council and assembly of the league of nations, while dealing more generally through their acts, resolutions, and orders, with the States constituting the league, yet has every element of sovereignty and government in that it also deals directly with peoples.

It deals directly with the people of the Saar Basin. It deals directly with the people of Poland and Germany for an untold or unfixed number of years in the creation of and control over certain districts lying between the boundaries of those two countries yet to be fixed.

It deals directly with the Rhine Provinces and the inhabitants thereof.

It deals directly with the people of the German overseas colonies who are ceded with their respective territories directly to the five "principal allied and associated powers," that is, Great Britain, France, Italy, Japan, and the United States, as will be seen by reference to articles 120 and others of the treaty of peace and will be confirmed by consideration of the decisions of the Supreme Court of the United States, particularly in the insular and other case.

Contrary to the impression in the minds of many people, the German overseas colonies are not turned over directly to the league, or the council, or assembly, or to the members of the league, but to the five powers which I have named.

Under the vague provisions of Article 22 of the proposed league constitution, it will be seen that, while it is the apparent purpose to turn such colonies over to individual powers as mandatories, the rules and regulations for the governing of the people of such colonies, and those hereafter to be placed at the disposition of the same or other individual powers, are under the direct control and supervision of the council of the league of nations itself.

In terms, the treaty and the league articles do not provide for military protection of the colonies. The five powers or the league would have that power and duty.

The league itself shall have general supervision over the trade in arms and munitions of the countries in which control of this traffic is necessary in the common interest; it will have control and general supervision over the execution of agreements with reference to the traffic in women and children and the traffic in opium and other dangerous drugs; it will have control over all international bureaus and commissions.

I desire to say that I am not objecting to such control as is herein provided being vested, as at present it is vested, in bureaus or commissions, nor to such bureaus or commissions being consolidated; but I am simply calling attention to this provision to emphasize the fact that this league constitution forms a government with supreme control beyond that of each or all the other governments of the world with regard to certain matters.

Without attempting to review each of the different articles, I may say shortly that article 2 provides that the action of the league shall be effected through the instrumentality of the assembly and council with a permanent secretariat.

This article, with article 3 and article 4, constitute an assembly and council, the legislative and administrative bodies of a great supergovernment, while other articles, some of which have been fully discussed and others but glanced at, outline directly or by necessary implication the functioning, both in the legislative and administrative way, of the council of the league as the actual governing body of the league, leaving to the council itself its method of organization in so far as the election of a permanent or temporary president and other officers is concerned.

I have in the only speech which I have heretofore made on this subject called attention to the words of article 3, wherein, when the assembly is in session, it may "deal with any matter within the sphere of action of the league," or (and these are the broad terms of its general jurisdiction) "any matter affecting the peace of the world."

The same general jurisdiction is given by article 4 to the council of the league, and there is no limitation whatsoever with reference to either "dealing with" or how they shall "deal with" any matter which, in their judgment, may "effect the peace of the world."

This power is delegated to the council and the assembly by each of the members of the league ratifying its constitution, and if such delegation is constitutional, then, in so far as this country is concerned, either the assembly or council having dealt with such matter, it would become the duty of the executive officer or of the administrative officers of the United States of America to put in force here the action of the council or of the assembly thereupon. Under our Constitution, with its three distinct departments of government, the executive is that department which executes the laws or puts in effect such laws or necessary measures.

This construction, of course, applies with even more force with reference to articles 10, 11, 15, 16, and 17 of the constitution of the proposed league.

In the discussion of the armed-neutrality resolutions and other measures before our declaration of war I cited the action of the constitutional convention and the debates thereupon in the matter of the adoption of the provision that the Congress of the United States should "declare war." I then pointed out the distinction not only as understood generally but as followed in the convention and as since followed in practice in the United States between the congressional power and duty to declare war and the right of the President of the United States, as the Chief Executive, to wage or "make" war.

To illustrate the point which I am now touching upon, if we will examine article 16 of the treaty it will be found that any country making war upon any other country in violation of its league agreements shall be considered to have declared or to be waging war against all the members of the league. If we can delegate that authority, and we clearly attempt to do so, then as clearly must the fact be established that the recommendation to be made by the council to the several Governments as to what effective military, naval, or air forces the members of the league shall severally contribute for the protection of the covenants would be made only to the executive department of this Government. For the sake of argument, granting the right to delegate this power, then the executive department of this Government, and that department alone, could, and in my judgment it would be its duty to, immediately follow such recommendation and use such portion of our land and naval or air forces, or either, as were required by such recommendation.

It must be borne in mind that, generally speaking, that is to say, unless there are clear terms of limitation, the word "may" in international law is understood as meaning "must," and a recommendation under such circumstances would undoubtedly be construed by any international tribunal as an order.

The Government, that is to say, the Congress, as a portion of such Government, under the decisions of our own tribunals, could have, and would have, no voice whatsoever in the control of the executive action in this matter except possibly through legislative control over the funds for moving land, naval, or air forces.

To my mind it is equally as clear that the refusal of Congress under such circumstances to provide the funds, in event the President has not in his control such necessary funds, or the failure or refusal of the President himself to act, would in either event be an act of rebellion against the league government and would justify war upon us.

There is no question in my mind that under article 11, granting for the sake of argument that we can constitutionally vest the league with the power to take any "action" that it may deem "wise and effectual" to safeguard the peace of the nations, that the governing body of the league can declare war or declare a State to be in rebellion or declare that armed protection is necessary for some colony or country under mandate, and direct measures to be taken by each of the members of the league, and that such measures would be not only directed to the executive of each such member government, but that under our form of government it would be the duty of the President of the United States, without calling upon Congress, to make war in enforcing the orders of the league.

I have heard statements made upon the floor that the Supreme Court of the United States had declared the power of Congress to set aside or abrogate or refuse to enforce the provisions of and thus annul any treaty to which the United States was a party.

Of course, the Supreme Court of the United States must in cases arising within the United States, or within the jurisdiction of such court, where arising under our municipal law, be governed by such municipal law, although in conflict with treaty rights. Time and again, however, the court has pointed out the distinction between the international obligation of such treaty and the municipal force of such treaty when in conflict with the subsequent act of Congress.

Never has the Supreme Court of the United States held that, as to the international obligation, an act of Congress could annul it, in so far as the contentions of other parties to it are concerned, or could prevent diplomatic complications or responsibility under international law and the treaty provisions, ensuing to us. In fact, not only have our courts held in every case where considered that such complications might arise and such responsibility be asserted, but the other nations of the earth have invariably declined to recognize the doctrine that a congressional act relieved us from treaty responsibility where the government with which we had the treaty either directly for itself or for one of its nationals chose to insist upon the terms of the treaty or upon the performance of international obligations.

It will be only necessary to cite one or two instances where foreign Governments have asserted this principle to establish the point.

In the letter of the British ambassador to the Secretary of State, under date of February 27, 1913, referring to the claim of our State Department that, even if the tolls-exemption act of itself conflicted with the Hay-Pauncefote treaty, yet at the time of the British protest no injury had arisen of which Great Britain could complain, said:

> From this view His Majesty's Government feel bound to express their dissent. They conceive that international law or usage does not support the doctrine; that the passing of the statute in contravention of the treaty right offers no ground of complaint for the infraction of that right; and that the nation which holds that its treaty rights have been so infringed or brought into question by the denial that they exist must, before protesting and seeking a means of determining the point at issue, wait until some further action violating those rights in a concrete instance has been taken. * * *
>
> In their view the act of Congress * * * was in itself, and apart from any action which may be taken under it, inconsistent with the provisions of the Hay-Pauncefote treaty. * * * In their opinion the mere conferring by Congress of power * * * amounts to the denial of the right of British shipping to equality of terms. * * *
>
> His Majesty's Government holds that the difference which exists between the two Governments is clearly one which falls within the meaning of article 1 of the arbitration treaty of 1908.

It will thus be seen that Great Britain at least claims that any act of Congress, whether enforced or not, which act of Congress Great Britain herself may conclude to be a denial of something which she claims to be a treaty right, is a matter for her consideration and, even over our contention to the contrary, a matter for arbitration, or, if the constitution of the league should be ratified, would be a matter for the council to decide in event arbitration was not sought or submitted to.

Followed to its logical conclusion, this would mean that all acts of the Congress of the United States would be subject to an exactly similar claim by any country a member of the league, and it would become a matter for the eventual consideration of the council as to whether such act either operated when enforced as a nullification of the treaty provision or constituted a denial of some treaty right, although not put in operation or effect.

In other words, this Congress can not sit here in its regular session and pass any act hereafter without the understanding that every nation of the world a party to the league of nations document has the right to inspect, pass upon, and drag us into an international court to ascertain the meaning of an act of Congress, although it may be a purely domestic matter; though it may be only for our municipal government.

Again, to cite another instance, concerning the matter of contention during this debate, Japan, in a letter to her ambassador here under date of June 10, 1914, referring to the denial of the right of the Japanese to hold lands in California, said:

> Among the more important pending questions that confronted me when I assumed charge of this department was the issue resulting from the enactment last year of the Legislature of California respecting alien property ownership. The measure, as you are aware, undertook in effect to draw a distinction in the matter of such ownership between aliens belonging to different races. The avowed purpose of the law was, on the one hand, to annul the then existing right of ownership so far as Japanese subjects were concerned and, on the other, to continue the right in favor of aliens of the white and black races.
>
> I have given the subject my most serious consideration and am consequently well satisfied that the enactment in question is not only in disregard of the letter and spirit of the existing treaty between Japan and the United States of America, but is essentially unfair and invidiously discriminatory against my countrymen and inconsistent as well with the sentiment of amity and good neighborhood which has always presided over the relations between the two countries. Nor can I escape the conviction that the said enactment which was intended to have international effect is also in excess of the authority of the State of California for the reason that the separate States of the United States are, internationally speaking, wholly unknown and entirely without responsibility. In any case the Imperial Government are confident that such action as complained of stands without historical parallel, and they are happy to believe that the legislation in question forms no part of the general policy of the Federal Government, but is the outcome of unfortunate local conditions. I therefore fully concur in the views which you, in pursuance of instructions from my predecessor, presented to the honorable the Secretary of State on the subject.

The same thing applies to every convention suggested by Mr. Bryan for the settlement of this difficulty, as we submit it to no convention between the two nations. Well might Japan enter the league of nations, although her insistence upon what she calls the racial clause was not agreed to, because under the terms of the league itself every question which Japan has with the United States, both as to immigration and as to racial discrimination, as to the laws in the different States, is distinctly reserved to be decided by the council of the league of nations in event arbitration fails.

The letter continues:

> I also cordially appreciate the motives which in the interest of international conciliation and good will induced Baron Makino to give favorable consideration to the idea of concluding a convention regarding the matter. But the project, as it stands at the present time, instead of composing existing misunderstandings, would, I fear, tend to create new difficulties. Accordingly, you are instructed to inform Mr. Bryan that the Imperial Government are disinclined to continue the negotiations looking to the conclusion of a convention on the lines of the project which has been under discussion, but that they prefer to recur to the correspondences which were interrupted by the ineffective negotiations, and that they will now look for an answer to the note which you handed to Mr. Bryan on the 26th of August last, hoping that in a renewal of the study of the case a fundamental solution of the question at issue may happily be found.

Such a question being raised by Japan, it would be futile for the United States to offer before the council or any arbitration commission the defense attempted to be set up that the Federal Government, not being able to control the State of California in this matter, was itself not therefore responsible in event the council or arbitration commission decided that the act of the State of California was, as claimed by Japan, a violation of her treaty provisions, or a violation of international law, or that the question of fact raised by Japan should be considered by the commission or by the council.

In either of the instances cited, the United States being a party to the dispute, would have no vote in the decision of the council upon the subject.

Having delegated, granting for the sake of argument that we can delegate, the authority to the council or to the commission to consider such matters, the orders in the premises as made by the council would be directed to the executive department of this Government and under our obligations as a member of the council, we must obey same immediately or be in rebellion against the league with all the consequences which such an act of rebellion might visit upon us.

I will not dwell longer at this time upon the proposition which I have been discussing.

Mr. President, in view of some correspondence which has recently been published in the newspapers, and in view of various articles emanating from the author of that correspondence, I want to digress here for a moment in closing the discussion as to the political character of the supergovernment which we are proposing to establish, to call attention to the inconsistency of members and supporters of the league to

enforce peace in their attitude now in support of the league, the constitution of which is before us.

The League to Enforce Peace was formed for a purpose; it had a platform; it published it to the world, and proceeded with such a propaganda to secure support for it as has never before been witnessed in this country. That proposition, so earnestly insisted upon by Mr. Taft, its president, was the establishment of an international court of justice, the exact opposite of a political legislative body. Therefore, I could readily understand the situation when I saw in the press a few days since that Mr. Taft criticized the President of the United States for his dislike of courts. It is well understood that the assistance of the President of the United States before he departed for Europe was sought by Mr. Taft and the League to Enforce Peace for their propaganda, and the President failed to give it. The platform of principles of the League to Enforce Peace, of which Mr. Taft is the president, is as follows:

We believe it to be desirable for the United States to join a league of nations binding the signatories to the following:

First. All justiciable questions arising between the signatory powers, not settled by negotiation, shall, subject to the limitations of treaties, be submitted to a judicial tribunal for hearing and judgment, both upon the merits and upon any issue as to its jurisdiction of the question.

Second. All other questions arising between the signatories and not settled by negotiation shall be submitted to a council of conciliation for hearing, consideration, and recommendation.

Mr. President, it is not for me to say that the birthright of the League to Enforce Peace has been traded for a mess of pottage, but it is possibly well enough that I should read the trade which they have made. Article 14 of the constitution of the league of nations provides:

The council shall formulate and submit to the members of the league for adoption plans for the establishment of a permanent court of international justice. The court shall be competent to hear and determine any dispute of an international character which the parties thereto submit to it. The court may also give an advisory opinion upon any dispute or question referred to it by the council or by the assembly.

Mr. President, as to any question which may be raised concerning the league or as to any question in which the league or the council may be interested, there is not even given to the league of nations or to the assembly of the league or to the council of the league the jurisdiction, power, or authority which we have given to the Supreme Court of the United States here over our own Federal Government. This court which it is proposed to establish hereafter may act simply in an advisory capacity.

It is not for me to criticize—for I have no interest in it—the action of those conducting the affairs of the League to Enforce Peace for the use of the money which they have had in their possession. A simple comment is sufficient. Under this platform they sought here in the city of Washington subscriptions for their propaganda, and, as will be seen by reference to the columns of the press of this city, in 1916 in three days they secured $348,000 in cash or practically in cash, for the use of the League to Enforce Peace in its propaganda. As to what they have done with it or how much they have since collected I have no knowledge. This is a matter published in the press. My point is simply that it was collected for an entirely different purpose—for the establishment of a great international court to which nations should submit questions of international law, exactly as we submit questions to the Supreme Court of the United States here in our own country, and that we should abide by the decisions of that court.

Mr. President, I, for one, stand here now prepared to vote for any such agreement at any time. The United States has never failed, it has never refused to submit to arbitration, and to abide by arbitration, to submit to a court and to abide by its decisions, and it never will. Now, we are dragged into a political combination with the other nations of the world, the "selfish nations of the world" to whom the President of the United States refers.

I have already spoken of the difference of opinion, and of two schools of thought in this country upon the powers of the Federal Union and the powers and rights of the States. Another line of division in thought was clearly marked for a short period only, under the administration of Andrew Jackson.

It was maintained by Gen. Jackson and his friends in asserting the authority of the executive department of this Government that the same should be regarded as a unit; that is, that all the executive officers should be bound to obey the commands and execute the orders of the President and be amenable to him and he responsible for them.

Prior to his administration, it had been contended that such officers were bound to observe and obey the Constitution and laws, subject to the general superintendence of the President "and each responsible by impeachment and to the tribunals of justice for injuries inflicted upon private citizens," as was said by Henry Clay in a speech in Hanover County, Va., on June 27, 1840.

Gen. Jackson even went to the extent of claiming that the Constitution and laws of the United States were to be executed as he understood them; that he, being a sworn officer, must carry the laws into effect according to his sense of their meaning, and so forth.

No other President has, in so far as I know, in similar language suggested such an interpretation of executive duty and executive rights; but in his "Constitutional Government," in the United States, the Hon. Woodrow Wilson has announced without qualifications, simply and plainly, that this Government of ours is a "government of men" and not a "government of laws." He has stated, in effect, in commenting upon this proposition, that Washington, Jefferson and Madison and Jay and Hamilton and the other framers of our Constitution and the founders of our Government, did not understand the character of the Government which they had formed. He claims that they thought that, being familiar with Montesquien's "Spirit of the Laws," they were framing a Government according to what Mr. Wilson pleases to designate as the "Newtonian" theory, while he, then Mr. Wilson, now President Wilson, asserts that the Government which they formed was after the "Darwinian" theory, whatever that may be.

It is following this, Mr. Wilson's discovery of the mistake of of the fathers of our Government that he asserts the doctrine that this is a government of men and not a government of laws; that the Massachusetts Bill of Rights "to the end that this shall be a government of laws and not a government of men," was not adopted into our form of government; that, in fact, there could be no such government as that of men and not of laws.

In this one matter, at least, President Wilson has followed Dr. Wilson most consistently. Bearing in mind this conclusion of President Wilson, one can readily understand some of his acts; some of his statements and at least one of his appeals, which, without such realization of President Wilson's theories, have not been understood by many citizens of the United States.

For instance, in Mr. Wilson's appeal prior to the last election to the voters of the country to elect a Democratic House and a Democratic Senate, or else he would not be so well able to carry out his policies abroad, and so forth, Mr. Wilson was undoubtedly sincere in the belief that this was a government of men, of whom he was the duly chosen leader, and he was equally sincere in the opinion that the people of the United States realized this fact fully, and was undoubtedly astounded when they did not grant his request.

Undoubtedly Mr. Wilson thought there must have been some misunderstanding of his plea to the people which caused them to vote as they did, because he went to Europe insisting upon every occasion that he knew the heart and the spirit and voiced the demands of the American people, and that in their name he insisted upon writing into the treaty the constitution of the league of nations.

Undoubtedly he was again astounded when upon his temporary return from Europe he found that certain Members of the Senate could not agree to approve nor bind themselves to ratify the proposed constitution of the league.

I give the President credit for being entirely sincere in his construction of our form and principle of government, and yet I refuse to believe that the majority of the people of the United States agree in such construction. I believe that they rather adopt the theory of Webster and other great Americans that this is a "government of laws and not a government of men."

I believe that the mass of the people think as Webster thought when he said that "whatever government is not a government of laws is a despotism, let it be called what it may."

I give the President credit for absolute and entire sincerity in his theory, because I have seen that he has impressed such theory upon the representatives of his party, at least in the Congress of the United States, and I know that he has impressed it upon as many newspaper followers throughout the country.

Thus, therefore, we may understand the otherwise somewhat puzzling proposition insisted upon so consistently—and I had almost said vociferously—during the debate in this body, that anyone who disagrees with any word or line or who cares to dot an "i" or cross a "t" in the proposed constitution of the league or in the peace treaty as written must be guided entirely by "political partisanship" and the desire to make political capital through opposition to the President or must be guided by personal enmity to the President himself.

If I could not give credit for sincerity to those Senators who have been pursuing this line of denunciation, I could offer to myself no possible excuse for their supreme egotism in arrogating to themselves the sincerity, patriotism, and statesmanship in their support of the league provisions as they stand and the treaty provisions as they are written.

. This line of thought which the President's overwhelming ability and dominating personality has impressed upon his political followers gives them an excuse not only for abandoning but for uttering sentiments diametrically opposed to the arguments they used in 1912 in objecting to the proposed arbitration treaties offered by Mr. Taft because such treaties contained a provision for a commission, which commission, it was insisted, might pass upon questions to be arbitrated and thus deprive the Senate of one of its constitutional functions.

This conviction, so impressed upon his party followers, justifies their contention now that there should be no reservation in or amendments to the present treaty, when in March, 1912, their then leader, Senator Bacon, followed by every Democrat then in the Senate, many of whom are now members, among whom I will only mention Senators Hitchcock of Nebraska, Williams of Mississippi, Smith of Georgia, Smith of South Carolina, Swanson of Virginia, Fletcher of Florida, Pomerene of Ohio, and so forth, voted for the amendment offered by Senator Bacon in words as follows:

Provided, That the Senate advises and consents to the ratification of the said treaty with the understanding, to be made a part of such ratification, that the treaty does not authorize the submission to arbitration of any question which affects the admission of aliens into the United States, or the admission of aliens to the educational institutions of the several States, or the territorial integrity of the several States or of the United States, or concerning the question of the alleged indebtedness or monied obligation of any State of the United States, or any question which depends upon or involves the maintenance of the traditional attitude of the United States concerning American questions commonly described as the Monroe doctrine or other purely governmental policy.

Joined at that time by some of the Senators who yet remain upon this side of the Chamber, this amendment to the treaties was then adopted by a vote of 46 to 36.

If it proves a matter of further interest, I may quote from some of the illuminating speeches made during this debate by some of those Senators upon the other side, whose names I have mentioned, who then upheld the honor of the United States and gloried in its isolation and damned he who would either offer this country as a sacrifice in an entangling alliance or who would suggest that the Government of the United States itself and particularly this great Senate body should be deprived in any respect of its powers under the Constitution of the United States.

We have seen and heard evidence not only of propaganda throughout the United States in favor of the league for universal peace, but there is no questioning the fact that aside from the well-organized propaganda in that direction there does exist in the minds of a great majority of the people of the United States and of the world the keenest desire that some means should be discovered and worked out by which such wars as that supposed to have been ended when Germany affixed her signature to this treaty should be rendered impossible of repetition in the future.

Such desire has been expressed from time to time by the people of the earth since the days of Confucius. Such an overwhelming desire of the people of the world is accounted responsible for the faith of the primitive Christians in the doctrine that there will be a kingdom of God on earth which would last for a period of from 400 to 1,000 years. This idea or doctrine, known as that of the millennium, has come down to us, to be revived from time to time, and is really responsible to a great extent for the sincere belief of hundreds of thousands, aye, of millions possibly, of human beings now on earth that it is possible to legislate good into man; that it is possible by covenants and agreements made between nations from time to time to prevent wars in the future and to compel all men to live together in brotherly love and in harmony, without regard to the fact that some of these men are of one color and some of another; that some are of one religion and some are of another; that some speak one language which four-fifths of the other inhabitants of the world are not able to understand.

Many most excellent people do not understand fully the fundamental psychological and not-to-be-disputed fact, lost sight of by the chiliasts of every age, that the mere form of government under which the people may temporarily live and do business does not necessarily mean that such people entertain the same idea of the spirit of government or the duty of the government to its citizens and of the duty of citizens to their government which people of another race or another country or of other training entertain who live under a similar constitution or form of government.

The people of Germany were confederated together under a constitution and with two legislative and one executive department of their Government. Some of the constituent elements of the German confederation were the old Hanse free towns which in the fourteenth century practically controlled the commrece of the earth.

The President of the United States fell into the common error when he insisted time after time that the German people were not responsible for the late war, that it was merely their rulers who were responsible, and when he insisted in effect that we would only deal with them when they had overthrown their rulers.

And now he has dealt with them possibly more harshly than any other conquered people were ever dealt with by a civilized conqueror.

The President of the United States has seemed to think that because Mexico has the form of a republican representative government based upon that of the United States that necessarily if the people of Mexico had an opportunity, or the great submerged 80 per cent had an opportunity in that country, they would consider their Government from the same standpoint occupied by the citizens of the United States in considering ours.

He has made no allowance for thousands of years of heredity as affecting the thought, the ideas, and the principles of the various people of the earth. He has fallen into the error so common to idealists and theorists and reformers of overlooking precedent in dealing with people and with facts and has vainly imagined, as his followers now vainly imagine, that by simply entering into a covenant to keep the peace and adopting a constitution for the government of the world, that this one country of ours can by such agreement bring about the millennium on earth.

I know that to the minds of many in this Senate the suggestion that precedent be considered meets with no favorable response, but merely with the cry that one making such a suggestion is a reactionary, and yet I desire to call attention for a moment to the only precedent in modern times which we have in full historical, definite form, and that is to the constitution of the Holy Alliance adopted in 1815 and referred to some time since in the Senate by Senator JOHNSON of California.

Remember that not only Europe but the world had been at war for approximately 20 years when the quadruple alliance of Russia, Prussia, Austria, Great Britain, later to become the quintuple alliance by the adhesion of France, was formed in Vienna, to be followed later by, and not to be confounded with, the Holy Alliance formed by Russia, Prussia, and Austria under the leadership of Alexander the First of Russia.

Remember that not only all the countries of Europe which have been engaged in the recent war were parties to the wars ending in 1815, but that Holland, not a party to the war which we hope has now just closed, Denmark, at times Norway and Sweden, and Spain had been involved, and even Switzerland disturbed, and that the United States itself had been at war with Great Britain while the Latin American countries on this continent had also been in revolution against the parent Government of Spain, and then prior to the exile of Napoleon, as now after the armistice of 1918, the peoples of the earth demanded, as now they pray, that wars should cease and that peace should reign forevermore.

Just stop and think of this for a moment, Senators. We have heard here time and time and time again that the present war is a world war; that the world has never before witnessed such a war. In points of numbers of men engaged in the different armies that may be true. In point of money expended in carrying on the war that may be true. In point of numbers of States engaged it is not true. In the Napoleonic wars of 1797 up to 1813 every country of the world was in one way or another directly involved in the entente, and none stood out. As I pointed out, even the countries of Latin America and this country itself were then, as now, at war. The same demand always goes up that war shall cease. Just as sincere and honest men attempted to provide methods by which war should be prevented then, as any man is honest or sincere who is engaged in the present effort.

The conception of the creation of the Holy Alliance by the great chiliast of that age, Alexander the First, was not his conception. He was as fanatically sincere in demanding peace as was any man who ever lived. He became convinced that Napoleon was anti-Christ; that the time had come for the establishment of the millenium; and under the influence of the good Moravians, of Madam von Krudener, and others, he invited his brothers of Prussia and Austria to join him in establishing the reign of Christ on earth, to continue for a thousand years, to bring about the millenium; and to that end to join in extending an invitation to all nations of Europe to adopt and enforce the provisions of the constitution of the Holy Alliance.

Under the influence of the struggle of free men for freedom in France, then temporarily crushed, the patriots of other nations

and of kingdoms rose against their oppressors and sought to overthrow them or to extort from them a greater measure of self-government for the peoples, and being sincerely convinced that such internal conditions would threaten the peace of the world, a meeting of the members of the Holy Alliance was called for Troppau, and on the 19th of November, 1822, a protocol to the constitution of the Holy Alliance was adopted which was, in words, as follows:

States which have undergone a change of government due to revolution, the result of which threatens other States, ipso facto cease to be members of the European alliance and remain excluded from it until their situation gives guaranties for legal order and stability.

If, owing to such alterations, immediate danger threatens other States, the powers bind themselves, by peaceful means, or, if need be, by arms, to bring back the guilty State into the bosom of the great alliance.

I pause for a moment to read you the provisions of article 11 of the proposed constitution of the league of nations:

ARTICLE 2.

Any war or threat of war, whether immediately affecting any of the members of the league or not, is hereby declared a matter of concern to the whole league, and the league shall take any action that may be deemed wise and effectual to safeguard the peace of nations. In case any such emergency should arise the secretary general shall, on the request of any member of the league, forthwith summon a meeting of the council.

It is also declared to be the friendly right of each member of the league to bring to the attention of the assembly or of the council any circumstance whatever affecting international relations which threatens to disturb international peace or the good understanding between nations upon which peace depends.

Almost word for word the language of the Troppau protocol of 1822.

Under the provisions of the Troppau protocol, within a short time after its adoption, Austria, as mandatory for the alliance, overturned the liberal government in the two Sicilies, and France, as a mandatory for the alliance, overthrew the government of the Cortez and subverted the liberal constitution of 1812 in the Kingdom of Spain.

Russia had always been a friend of the United States, and during the period from 1815 until subsequent to the Spanish treaty of 1819 had acted upon more than one occasion as arbitrator of disputes between ourselves and other countries, or as our friend in diplomatically settling threatening disputes. Although she did not officially approach us with an invitation that we should join the alliance, it is well understood that certain officials of our Government or prominent Americans here were "sounded" by representatives of the Russian Emperor, only to discover that membership in such an alliance was not looked upon with favor here.

Castlereagh, prime minister of Great Britain, had refused to sign the constitution of the alliance or attend the meeting at Troppau, and thus England had not become a member, although the Prince Regent had expressed his adhesion to the principles announced. Yet Great Britain, wearied and worn by the years of war when she was engaged in breaking down Napoleon, felt that she could not defy the powers of the earth as she had defied Napoleon himself in the days of his supremacy, and hence was compelled to leave the Kingdom of Naples, the Kingdom of the two Sicilies, and the Cortez and the Government of Spain to their own resources, and stand by and see efforts for freedom in Europe crushed without daring to lift her voice or her hand in protest.

Finally, it remained for this young giant, this Nation, of all the others of the earth, to throw herself across the path of all of the conquering nations of Europe; and, through the voice of Jefferson and Monroe, to say to Russia, Prussia, Austria, Spain, and all the allied nations of the earth "thus far canst thou go and no farther," and "now and henceforth no nation of the Old World, or of any other hemisphere, can interfere with the Government or seize the territory of any country upon this hemisphere without dealing with the country of Washington, the United States of America."

And now, by another great chiliast, after a similar period to that preceding the formation of the Holy Alliance, we are requested—nay, we are commanded—to surrender our freedom, to yield our sovereignty, to subvert our Government, to become one of a league of nations, many worshipping no gods, or other gods, few among the peoples of the nations speaking our language, not one understanding the true patriotism of the United States nor the true spirit of our people nor the true form of our government.

We are asked to surrender that political freedom which of itself constitutes, out of all the forces known to man, the great force for freedom, for right, for justice—the unhampered, unswathed, untrammeled power of this great Nation of 110,000,000 people, governed under one law or form of government, breathing the same air of freedom, speaking with the same tongue, and worshipping the one God. Untrammeled, free to act, to strike as we have just struck in defense of ourselves and what our own Government stands for, and to aid in striking down the military power which threatened the people of all the earth, we, and we alone, except for the sympathy existing between us and those other nations who desire right and justice, can and will command the peace of the world.

Joined with the other people of the world in this so-called peace treaty, joined with those nations every one of whom we are told, even by the President, sat at the peace table insisting and insistent upon selfish rights or claims or readjustment of rights or claims, of international boundaries and of new boundaries; constituting only a fraction of the governing body of the league, unable within the league to impress ourselves and our ideas and to make our demands as we could out of it, because of the fact that we delegate to others the right to vote, eight votes to one against us in any matter of selfish interest in which they can unite; we have not only destroyed the Government of our fathers but, in my mind, we have committed a crime against the nations of the earth, against civilization itself, and retarded for more than a thousand years that reign of Christ which we all hope will eventually bring the people of the earth together.

And yet, entertaining these convictions as sincerely as some of us do, we are criticized for uttering a word in defense of them by imitators or followers of one who dreams and has not yet learned with Kipling that he must not make dreams his master and that, thinking, he must not make thoughts his aim.

To such Senators as have criticized the opponents of the proposed league as being merely captious critics or political opponents, rather than in my feeble words I would answer in the words of the great expounder of the Constitution, Daniel Webster:

Sir, I love liberty no less ardently than the gentleman, in whatever form she may have appeared in the progress of human history. As exhibited in the master states of antiquity, as breaking out again from amidst the darkness of the Middle Ages, and beaming on the formation of new communities in modern Europe, she has, always and everywhere, charms for me. Yet, sir, it is our own liberty, guarded by constitutions and secured by union; it is that liberty which is our paternal inheritance, it is our established, dear-bought, peculiar American liberty, to which I am chiefly devoted, and the cause of which I now mean, to the utmost of my power, to maintain and defend.

ADDITIONAL PAY FOR DISCHARGED SOLDIERS.

Mr. CALDER. Mr. President, I have filed with the Secretary of the Senate this afternoon a gigantic petition collected by the Hearst newspapers of the United States, containing 6,100,000 names, urging the Congress to pay to every honorably discharged soldier, sailor, and marine of the European war a sum equal to six months' pay. This petition, addressed to the Members of the Senate and the House, is as follows:

To Congressmen and Senators:

The National Legislature, of which you are an honored Member, voted to take young men away from their homes, from their work, asking them to sacrifice their immediate future if necessary, their lives.

That was necessary legislation. The Nation approved it and thanks you for it.

I ask you to use your influence now and see to it that these young men returning from war are justly treated. Give them the same consideration that is given to the bigger man who is dealing with the Government financially, while the little man was simply offering his life.

I urge you to vote for a bill that will guarantee to every soldier at least six months' full pay after he leaves the Army—little enough and far too little to do for men to whom the country owes so much.

Mr. President, I ask that the petition be referred to the Committee on Military Affairs.

The PRESIDING OFFICER (Mr. MYERS in the chair). The petition will be referred to the Committee on Military Affairs.

INVESTIGATION OF HIGH COST OF LIVING.

Mr. SHERMAN. Mr. President, I offer a resolution and ask that it be read. Before the reading, I wish to state that it is merely to cover probably an oversight in another resolution authorizing the District of Columbia Committee of the Senate to conduct an investigation into the high cost of living. They are now engaged in that investigation by virtue of a resolution reported out from the Committee to Audit and Control the Contingent Expenses of the Senate, and passed, but some question has been raised by the proper officers of the Senate as to the sufficiency of that resolution. The chairman of the Committee to Audit and Control the Contingent Expenses is here, and I believe he will make no objection to the immediate adoption of the resolution. I ask that the resolution be read and referred to that committee.

The resolution (S. Res. 150) was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the Committee on the District of Columbia, or any subcommittee thereof, be directed to inquire into the question of prices, rents, or related subjects in the District of Columbia and report to the Senate thereon, together with their recommendation of any steps which they may deem it necessary to take with a view to remedying the conditions.

Mr. CALDER. Mr. President, I had assumed that the report submitted several days ago covered this very subject, but some of the officials of the Senate have believed it does not, and with that in mind I report back the resolution favorably and ask for its present consideration.

The resolution was considered by unanimous consent and agreed to.

PRICE FIXING OF FOOD PRODUCTS.

Mr. KIRBY. I offer a resolution, which I ask may be read and lie on the table.

The resolution (S. Res. 149) was read, as follows:

Resolution, That the Senate Judiciary Committee be, and it is hereby, instructed to report whether it is feasible, and if so, to report a bill providing adequately for the fixing of a maximum sale price of not less than 25 per cent less than the prevailing market price on all articles, products, and commodities, transported in interstate commerce, with a view to the reduction of the high cost of living.

The PRESIDING OFFICER. The resolution will be printed and lie on the table.

ADDITIONAL PAY FOR DISCHARGED SOLDIERS.

Mr. THOMAS. Mr. President, a moment ago the Senator from New York offered a petition, if I understood it correctly, signed by 100,000 people——

Mr. CALDER. Six million one hundred thousand.

Mr. THOMAS. Signed by 6,100,000 people?

Mr. CALDER. Yes.

Mr. THOMAS. A petition asking for appropriate legislation giving to each soldier who served in the late war six months' pay. I will ask the Senator if he has made any estimate of what the aggregate sum would amount to which would be required if we should comply with the petition?

Mr. CALDER. I have not, but I will say, offhand, it would be somewhere in the neighborhood of $500,000,000.

Mr. THOMAS. The Senator is $220,000,000 shy. It would require $720,000,000. It occurred to me that perhaps the 6,000,000 people who signed the petition were unaware of the fact that we would have to increase our present burden of taxation at least that sum of money, and they would have to pay a great part of it.

Mr. President, it seems that we are beginning a course here which, if continued, will not only bankrupt the United States but will smear all over the record of patriotism and valor made by this Army with the sign of the dollar mark.

ADDITIONAL PAY FOR PRINTING OFFICE EMPLOYEES.

Mr. SMOOT. Mr. President, from the Committee on Printing I report back favorably without amendment the bill (H. R. 5418) increasing the pay of printers and pressmen employed in the Government Printing Office, and for other purposes, and ask unanimous consent for its consideration.

I wish to take just a moment to state the reason why I make the request. Perhaps I had better talk plainly to the Senate, so that Senators may know the situation. The printers, linotype operators, monotype keyboard operators, makers-up, copy editors, proof readers, bookbinders, and bookbinder machine operators in the Government Printing Office to-day are receiving 65 cents an hour. Such employees are paid outside, at the lowest, a dollar an hour, and some of them $1.25 an hour. The outside trade is taking them away from the Government Printing Office so fast that we can not keep up the printing required.

The requirements of the departments are such that we have got to secure more printers for the Government Printing Office or we shall be compelled to have a part of the printing done outside the Government Printing Office.

These employees are asking for $1 an hour. The bill proposes to pay 75 cents an hour, an increase from 65 to 75 cents.

Mr. THOMAS. May I ask the Senator a question?

Mr. SMOOT. Certainly.

Mr. THOMAS. If I understood the Senator correctly, he stated that these printers are getting 65 cents an hour and are paying at the present time something over a dollar for sustenance for each 65 cents received. Is that correct?

Mr. SMOOT. No; I did not say that. I said printers outside doing the same work are paid from $1 to $1.25 per hour.

Mr. THOMAS. I misunderstood the Senator.

Mr. SMOOT. The outside trade is taking men away from the Government Printing Office so fast that it is impossible for us to keep printers in the Government Printing Office to do the required work.

Mr. SMITH of Arizona. If the Senator will permit me, I think it has been demonstrated to us that whenever we do any outside work it costs largely more than when done by the Public Printer. It is for that reason, and that alone, and on account of the exigencies of the situation, that I am convinced, as I think is also the Senator from Utah, of the necessity for this increase.

Mr. SMOOT. I feel quite sure if we grant this 75 cents an hour, taking all the other questions into consideration, namely, the $240 bonus that will go to each one, whether the pay is or is not increased, together with 30 days' leave of absence and 20 per cent increase for overtime, we can maintain the number of employees at the Government Printing Office that will be necessary.

I believe that Senators know me well enough to conclude that I would not be here pleading for this increase unless it were absolutely necessary. It is for that reason, and that only, that I ask unanimous consent for the present consideration of the bill. If it is not passed to-day, it can not go over to the House before their recess, as the House takes a recess to-morrow, and I should like to have it passed and signed before to-morrow afternoon.

The VICE PRESIDENT. Is there any objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, and it was read, as follows:

Be it enacted, etc., That on and after the passage of this act the pay of all printers, printer linotype operators, printer monotype keyboard operators, makers-up, copy editors, proof readers, bookbinders, bookbinder-machine operators, and pressmen employed in the Government Printing Office shall be at the rate of 75 cents per hour for the time actually employed.

Mr. THOMAS. Mr. President, I do not oppose the passage of this measure. I could not do so successfully if I made the attempt. I merely wish, however, to reiterate the assertion that I have made on every similar occasion since the war began. It is that immediately after legislation increasing the compensation of Government employees the price of all necessities of life will rise in a similar ratio, with the result that instead of giving relief, however greatly it may be needed, we have simply used the employees of the Government as a conduit to take money from the Treasury of the United States and put it into the pockets of the purveyors. This bill may result in keeping printers in Washington in the Government service who otherwise would go elsewhere, but that it will cure the difficulty as is claimed I absolutely deny.

Mr. SMOOT. I agree with the Senator entirely upon that last proposition.

Mr. THOMAS. We are feeding an appetite for increased compensation in the vain hope that we can satisfy it. The appetite is a natural one, an unavoidable one, in view of existing conditions, but it is stimulated as the appetite of the inebriate is stimulated by the constant and increasing use of stimulants. We can no more overcome this problem of the high cost of living by an increase of compensation to employees of the Government than we can overcome the law of gravitation, and we might just as well try to repeal that natural law by a Federal statute as to attempt even to retard the progress of that inevitably recurring system of conduct by which prices adapt themselves to the means of the consumer.

The Senator from Utah, in his capacity as chairman of the Joint Committee on Printing, within six months from now in all probability will be here with a similar bill designed to keep the printers for the Government in Washington, because, in view of the added cost of living and the rise in wages elsewhere, they will be attracted from Washington.

Let me say, Mr. President, I would not regard the diminution of employees in the Public Printing Office as an unmixed evil. I think it is safe to say that 50 per cent of the printing done by the Government of the United States consists of time, printers' ink, and paper wasted. I think it is safe to say that less than 50 per cent of the material turned out by the Government Printing Office, which is the greatest in the world, is ever read by anybody, and it is certain that 95 per cent of it is forgotten before it is three months old.

The Senator from Utah remembers that some months ago he and I unsuccessfully resisted an application to print a report on the electric power in the United States, the object being to show that it was a monopoly. We said everybody knew it was a monopoly, that it did not require a printer's bill costing the Government $91,000 to establish that proposition. We also said that nobody would read it after it was published, and that everybody would forget it within three months thereafter. I venture the assertion that not a single Member of the Senate

has ever read that ponderous document. I venture the assertion that not 10 per cent of those who now listen to me remember a thing about it or even the incident of its publication. So far as the public getting benefit from that money is concerned, we might just as well have taken it out to the incinerating furnace and destroyed it.

Let the bill pass. I shall not oppose it, as I said; but it will not affect anything except to minister to the tendency to increase prices and to diminish to that extent the money in the Treasury.

Mr. SMOOT. Mr. President, I simply want to say to the Senator from Colorado that the Joint Committee on Printing are now undertaking, with every power at their command under the law that was passed as an amendment to the legislative, executive, and judicial appropriation bill, to cut out needless publications, and the statement made by the Senator from Colorado is absolutely correct. There is at least one-half of the printing of the departments of the Government that never ought to be allowed. We are trying to cut it down, but, notwithstanding we have already cut it down at least $100,000, we are short in the number of men required, and if we are going to do the printing that is required we must increase the pay. That is why I plead for this legislation at this time.

Mr. McCUMBER. Mr. President, I should like to ask the Senator what under the bill a printer will receive for ordinary work?

Mr. SMOOT. Each printer under the bill, counting in the $240 bonus which began on the 1st day of July, will receive 85 cents per hour, and if they work eight hours a day it will be $6.80 a day.

Mr. McCUMBER. What does a policeman receive?

Mr. SMOOT. Do you mean in the District?

Mr. McCUMBER. Yes; policemen in the District and policemen around the Capitol.

Mr. SMOOT. The policemen around the Capitol receive $1,050 and $240 bonus; that is $1,290 a year.

Mr. McCUMBER. That is how much a day?

Mr. SMOOT. It is about $4.30 a day, counting 300 working days in a year.

Mr. McCUMBER. Can the Senator give me a very good reason for paying a policeman, considering the intelligence there ought to be in the matter of police service, $4.30 a day and paying our printers $6.80?

Mr. SMOOT. I am not saying anything as to whether the policemen around the Capitol are receiving sufficient pay or not, but I do know that there is quite a difference between the service rendered by the police around the Capitol and the service rendered by a competent linotype operator or a first-class printer or proof reader, and that is the type of work we are trying to take care of and retain at this time.

I will admit to the Senator frankly that $1,050 for policemen around the Capitol, under conditions existing to-day, is not sufficient. But I know we can get 10 policemen around the Capitol where we can not get one of this class of labor in the Government Printing Office.

Mr. McCUMBER. I think it shows, Mr. President, the bad system of selecting one class and raising wages without having a general bill to cover all classes of Government employees. There is no question that there are great inconsistencies and injustices under the present system which we have adopted.

Mr. SMOOT. There is no doubt that is true. Every printer, every linotype operator, who is in the Government Printing Office can leave there to-day and get at least $1 an hour, and many of them are paid $1.25 an hour in different shops throughout the United States. I will admit that if it were possible to regulate these things in a comprehensive, businesslike way that should be done, but we are up against a situation to-day that we must act upon or we can not do the work. I do not stand upon the floor of the Senate and talk this way unless I know what the true situation is.

Mr. TRAMMELL. Mr. President, I feel confident that the Senator reporting the bill has given us the true situation, and therefore I do not feel disposed to offer an objection to this bill, but shall support the same.

While we are discussing the subject of adjusting salaries and doing justice by those who are serving and those who have served their country I wish as one Senator to add my hearty indorsement to the sentiment of the 6,000,000 loyal and patriotic American citizens who have petitioned the United States Senate and the House of Representatives to do justice by the soldiers who went to the battle front and won the victory for our beloved country. I think, Mr. President, we have been a little tardy in doing justice by the men who responded to the call of their country, who endured the heat of summer, the chill of winter, and bore the brunt of battle and carried the great sacrifices which brought victory to our Republic in the greatest of all wars.

Feeling that, as a grateful Nation, as an appreciative people, we should give a token to our soldiers who had so loyally served their country for a pittance of $30 per month, the next day after the armistice was signed I introduced a bill providing that each soldier should be given a bonus of one month's salary. I did not restrict it to this sum because I thought that was all he merited. I restricted it to that amount, however, because at that time the War Department, so the papers stated, was willing to give approval to a measure paying them only such sum. The step was taken as an entering wedge. I tried to get the amount increased to three months. As an outcome of that the conferees adopted the $60-bonus amendment.

Our soldiers who have been discharged and those who will be discharged have received $60; but, Mr. President, I do not think that amount is sufficient reward, is sufficient recognition and token of the Nation's gratitude to these men who made the sacrifice and endured the hardship of the battle. I am heartily in sympathy with the sentiments expressed by these 6,000,000 people. From my observation and from the expressions that I have heard from the people throughout the country, I do not believe that it is the desire of the American people that the American Congress shall deal with the soldiers in a penurious way; that we shall withhold from them a just recognition of the Nation's gratitude. I do not know of anyone who objects to paying the bonus. So I arose, Mr. President, for the purpose of suggesting that the United States Senate and the House of Representatives should consider seriously the matter of enacting appropriate legislation to give a reasonable bonus to our soldiers who endured great hardships and won the victory for their Nation in the battles of the recent war.

Of course $300,000,000 or $400,000,000 looks like a tremendous sum, but when it comes to a question of making adjustments of other claims I have noticed running all through the governmental departments and all through the action of the Senate a disposition to repair any losses or any injuries that individual citizens or companies or corporations may have suffered, though they did not shoulder a gun and go to the battle front.

Who is there who can say that the soldier serving for $30 a month did not make a sacrifice for his country that a grateful nation should reward when it is amply able to do so? I had a letter a few days ago from a friend of mine in Florida, who stated to me that he did not know what his son would have done in order to purchase a suit of civilian clothes and a few other articles of wearing apparel if it had not been for the $60 bonus. By the time he paid his insurance and made certain contributions in the way of allotments to his parents he had the pitiable sum of five or six dollars left out of his salary. Many soldiers are left penniless when they quit the service, and I contend, Mr. President, that $60 is not sufficient.

I believe the more equitable and just plan would be to place it upon the basis of a graduated scale—that is, those who have served from 90 to 120 days, allowing credit for the present bonus of $60, should receive, say, $90; those who have served from four to five months should receive $120; those who have served from five to six months should receive $150; and all who have served seven months or more, $150. I believe, according to the scale which I have suggested in my amendment, those who have served from six to seven months should receive $150. That would make the lower class, who had served less than three months, receive $90, the next class $120, the next class $150, the highest class being $150; with the $60 already received, making a total of $210.

I am not sure just what that would amount to, though I have asked both the Secretary of War and the Secretary of the Navy, respectively, to give me a report as to the number that would be in each class. I believe, however, that would be the more equitable plan.

I feel that we will be just a little tardy, just a little neglectful, if we delay much longer giving a substantial recognition to our soldiers. For that reason, Mr. President, I hope that the Military Affairs Committee of the Senate will deem it proper soon to give serious consideration to this subject.

Mr. WILLIAMS. Mr. President, I do not much believe in mixing up patriotism and money. I remember that after the Confederate soldiers came back home they not only did not have any bonuses but they did not have anything else except now and then a horse that Grant let them bring home to put in their crops.

Mr. TRAMMELL. Mr. President, will the Senator from Mississippi permit a question?

Mr. WILLIAMS. Yes.

Mr. TRAMMELL. Is it not a fact that all of the Confederate States have for years pensioned their soldiers in recognition of the service which they rendered for their country and that those States are doing so to-day?

Mr. WILLIAMS. Yes. Mr. President, the Southern States have pensioned such of their soldiers as have needed help.

I never have had much sympathy with mixing up money and patriotism; I never have had much sympathy with what is called the "roll of honor," giving a man money, whether he needed it or not, just because he had served his country in time of war. I do believe that every community, no matter how poor, ought to take care of those who in the service of their country have become crippled or otherwise disabled; but I can not find it in my heart to approve of any system that calls upon the citizens of a country to come pretty near bankrupting themselves because you or I or somebody else had been called into the service and did his duty in the service. I do not believe my boys want it; I do not believe the other boys want it; I do not believe any of them want to profiteer at the expense of their country. I do not believe that they want to capitalize their patriotism. We passed an act of insurance and indemnity and reparation, and Heaven knows what else, with the hope that it would take the place of pensions and bonuses.

I can not speak for all the soldiers coming back, but I do hope that our boys, having made a magnificent record in Europe for courage, fortitude, good nature, and enthusiasm, charging, as somebody has said, as if there was a bet as to which should reach the German trenches first, are not coming back with the idea of bankrupting the United States Treasury. Of course, if they wish to do that, they can do it; they have the votes; they can effect the necessary organization; they can influence politicians; they can make every Member of the Senate and of the House come up to the lick log, and, if they want to, they can literally bankrupt the Government; but I do not believe they want to do it; I know mine do not.

Mr. President, I have a reminiscence in my mind. I remember when old Maj. Pickett came to my grandmother and said, "Mrs. Sharp, you are entitled to a service pension because Capt. Sharp was an officer in the Mexican War." He was wounded at Buena Vista, but not seriously in the long run. My old grandmother, Scoteh-Irish as she was, turned around and said, "Major, I will have you know that Capt. Sharp did not fight for money." I want the boys who wore the uniform of this country and who upheld its honor to be able to say that they did not fight for money.

Why, Mr. President, if we were going to pay a soldier what his service was worth, risking his life, risking his property, and risking the dependence of his family, it would be cheap at $40,000 a year apiece, and if he demanded what it was worth he would bankrupt this country. You not only could not help yourselves, you not only could not pay the war debt, but you could not help the other nations of the world that need help. I do not believe that they want to enter into that sort of a conspiracy, although I have received letters from several of them that indicate the very utmost degree of selfishness and the utmost disposition to subject this Government to all sorts of demands that they can obtain from it in the way of money, but I believe they are a mere minority.

Mr. President, I rose, however, for the purpose of presenting an amendment to the pending bill. If we have reached the proper place for its consideration, I want it considered, but if not I want it pending. I move to strike out the period in line 8, after the word "employed," insert a comma, and add the words "the compensation for the foreman of printing, the foreman of binding, and the foreman of press work is increased from $2,500 to $3,000."

A friend of mine brought this amendment to me and told me that it ought to be adopted. I promised to offer it and I promised to make the best argument in favor of it that I could. Meanwhile I have had a talk with the Senator from Utah [Mr. SMOOT], who tells me that for certain reasons it ought not to be adopted. Notwithstanding his argument I think it ought to be adopted, because I believe that if the other members of the force are to have their salaries increased these men ought to have theirs increased proportionately. I shall leave it for the consideration of the Senate.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Mississippi.

Mr. SMOOT. Mr. President, I simply wish to say a word. I sincerely hope the Senate will not approve this amendment. The object of asking for the consideration of the bill at this time is so that it may be returned to the House of Representatives to-morrow and be signed before that body adjourns.

Mr. LODGE. Mr. President, I will say to the Senator that I have just heard from the House that they are not going to adjourn

Mr. SMOOT. I heard a few moments ago that there was such a suggestion.

Mr. LODGE. They have received a message from the President of the United States asking them to remain in session.

Mr. SMOOT. So I have heard.

Mr. President, the three men who are involved in the amendment of the Senator from Mississippi are receiving to-day $2,500 a year, and they will also receive the $240 bonus, making $2,740. What the committee had in view was to take care of the men who are to-day only receiving 65 cents an hour, and we are in hopes that nothing more will be added to this bill. Therefore, Mr. President, I trust the Senate will not adopt the amendment offered by the Senator from Mississippi.

Mr. WILLIAMS. Mr. President, it seems to me that we ought to treat the public employees fairly relatively to one another, and if you are going to increase the salaries of these other people the salaries of the foremen ought to be increased also. I do not wish to express an opinion as to how much they should be increased, although I have offered an amendment stating how much; but I do think it is very unfair to increase one and not increase another, although you carry one under the description of a bonus and the other under the description of a salary.

Mr. SMITH of Arizona. Mr. President——

Mr. SMOOT. No; the Senator is mistaken about that. They all get the bonus of $240. The only reason why I referred to that was because the Senator's amendment proposes to increase them from $2,500 to $3,000, whereas they get to-day $2,500 and a bonus since the 1st of July of $240, making $2,750.

Mr. WILLIAMS. Do they all get $2,500? Some of them get only $2,300, as I understand.

Mr. SMOOT. No; I will say to the Senator that the foremen get $2,500.

Mr. WILLIAMS. Well, I will leave it to the good sense of the Senate. I think the amendment ought to be adopted.

Mr. FLETCHER. Mr. President, may I ask what the amendment is?

Mr. SMOOT. It is to increase the salary of the foremen of printing and binding from $2,500 to $3,000.

Mr. FLETCHER. It is offered as an amendment to the House bill?

Mr. SMOOT. It is offered as an amendment to the House bill by the Senator from Mississippi [Mr. WILLIAMS].

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Mississippi.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

INTERNATIONAL LABOR CONFERENCE.

Mr. LODGE. From the Committee on Foreign Relations I report back favorably, with amendments, the joint resolution (S. J. Res. 80) to authorize the President to convene the first meeting of the international labor conference in Washington and to appoint delegates thereto, and I ask for its present consideration.

The VICE PRESIDENT. Is there any objection to the present consideration of the joint resolution?

Mr. THOMAS. Mr. President, reserving the right to object, I ask to have the joint resolution read.

The VICE PRESIDENT. The Secretary will read the joint resolution.

The SECRETARY. The committee proposes to strike out the preamble, and the joint resolution reads:

Resolved, etc., That the President of the United States be, and he hereby is, authorized to convene and to make arrangements for the organization of such first meeting of the said conference and to appoint delegates thereto: *Provided, however,* That nothing herein shall be held to authorize the President to appoint any delegates to represent the United States of America at the said meeting of such conference or to authorize the United States of America to participate therein unless and until the Senate shall have ratified the provisions of the said proposed treaty of peace with reference to such general international labor conference.

Mr. LODGE. There are some amendments proposed by the committee.

The VICE PRESIDENT. Is there any objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The amendments were, on page 2, lines 2 and 3, strike out the words "such first meeting of the said conference and to appoint delegates thereto" and insert "a general international labor conference to be held in Washington, D. C."; in line 6 strike out the words "the said meeting of"; in line 9, after the words "treaty of peace," insert the words "with Germany"; in line 9 strike out the word "such" and insert the article "a."

The amendments were agreed to.

Mr. WADSWORTH. May I ask the Senator from Massachusetts just exactly what the effect of this will be? It is impossible for a Senator hearing the joint resolution read in this way to know what it proposes.

Mr. LODGE. I ask that the joint resolution be read as amended.

The VICE PRESIDENT. The Secretary will read the joint resolution as amended.

The Secretary read as follows:

Resolved, etc., That the President of the United States be, and he hereby is, authorized to convene and to make arrangements for the organization of a general international labor conference to be held in Washington, D. C.: *Provided, however,* That nothing herein shall be held to authorize the President to appoint any delegates to represent the United States of America at such conference or to authorize the United States of America to participate therein unless and until the Senate shall have ratified the provisions of the proposed treaty of peace with Germany with reference to a general international labor conference.

Mr. THOMAS. I assume that the purpose of this joint resolution is to provide for a meeting of an international labor conference such as is provided for in part 13 of the treaty. Is that correct?

Mr. LODGE. That is the labor conference that is covered by it, undoubtedly.

Mr. THOMAS. The treaty, among other things, requires the league of nations to pay the expenses of these conferences. Do I understand that this meeting, if held, and if the treaty in the meantime should be ratified, would be subject to that requirement?

Mr. LODGE. Mr. President, as I understand the treaty, certain expenses are paid by the powers appointing delegates. Other expenses are paid from the general fund of the league. There is no provision in the treaty that I have been able to find for that general fund.

Mr. THOMAS. I know there is not.

Mr. LODGE. I do not know where it is coming from, and I do not know anything about it; but it is mentioned in that article; so I suppose there will be a general fund.

Mr. THOMAS. The contingency I have in mind is that if such a fund is not provided by that time, Congress will be requested to make an appropriation for the payment of these expenses.

Mr. LODGE. I think it highly probable.

Mr. THOMAS. The provision to which I refer is article 424:

The first meeting of the conference shall take place in October, 1919. The place and agenda for this meeting shall be as specified in the annex hereto.

Arrangements for the convening and the organization of the first meeting of the conference will be made by the Government designated for the purpose in the said annex.

That is the United States.

That Government shall be assisted in the preparation of the documents for submission to the conference by an international committee constituted as provided in the said annex.

The expenses of the first meeting and of all subsequent meetings held before the league of nations has been able to establish a general fund, other than the expenses of delegates and their advisers, will be borne by the members in accordance with the apportionment of the expenses of the International Bureau of the Universal Postal Union.

Of course I am unable to say when the Senate will finally vote upon the treaty. It may be that the treaty will be disposed of in some fashion before this meeting is held in October, and it may not; but I think the Congress should bear in mind the possible contingency of a request made to it to meet these expenses, or some of them, out of the Public Treasury.

Mr. LODGE. Mr. President, this joint resolution, introduced by the Senator from Iowa, came before the Committee on Foreign Relations, and we heard the Secretary of Labor in regard to it this morning. It is desired simply that the President should be relieved from the inhibition placed upon him by a clause in the general deficiency act approved March 4, 1913. That clause prohibits the President from calling conventions of any kind. This was to give him the opportunity to call this convention, but there is no authority given—in fact, the authority is expressly withheld—to appoint delegates or to have the United States participate. This merely gives authority to the President to issue invitations to the labor delegates of other nations. The committee amended the joint resolution and presented it to the Senate and asked for immediate action, because it seems important—it seemed more important this morning—that there should be immediate action this afternoon.

Mr. KENYON. Mr. President, will the Senator from Massachusetts yield to me?

Mr. LODGE. I yield.

Mr. KENYON. As the joint resolution now reads, the expenses of the different delegates of these various countries will be borne by the nations themselves.

Mr. LODGE. That is in the treaty.

Mr. KENYON. No; but as the matter now stands, if we pass this joint resolution, there is nothing in it about the expense.

Mr. LODGE. No; there is nothing in it about expense.

Mr. KENYON. Each nation would have to bear the expenses of its own delegates.

Mr. LODGE. That is provided in the treaty.

Mr. WILLIAMS. But even if there were no treaty and if we made no appropriation they would have to do it anyhow.

Mr. LODGE. We shall have to make an appropriation probably to care for them when they are here. I fancy nothing very large.

Mr. KENYON. That is a question that may arise later.

Mr. WILLIAMS. And there will be no American delegates unless, in the meantime, the treaty shall have been ratified.

Mr. SMOOT. Mr. President, I should like to ask the Senator from Massachusetts if it would not be wise to put in this joint resolution the usual provision in the case of joint resolutions of this kind, that no future appropriation shall be made for the expenses of the delegates or the conference?

Mr. LODGE. Why, Mr. President, that is all provided for in the treaty. If the meeting is ever held, it is provided for in the treaty. The joint resolution did not go beyond that point, and the committee thought it wise not to go any further.

Mr. WADSWORTH. Will the Senator from Massachusetts yield to me?

Mr. LODGE. I yield.

Mr. WADSWORTH. If the Senator has said so before, I did not happen to hear it; but will the Senator now say upon what date it is planned that this conference shall be held?

Mr. LODGE. In the treaty it is fixed for October, 1919. The joint resolution fixes no date. It leaves it to the President to convene it when he chooses.

Mr. WADSWORTH. Then the best answer to the inquiry is that the treaty fixes the date?

Mr. LODGE. The treaty fixes a date.

Mr. WADSWORTH. A date. Then this really means the meeting to be held under the treaty, or is it quite uncertain as to when it is to be?

Mr. LODGE. No; it leaves it to the President to select any date that he may desire. The date was left out purposely.

Mr. WADSWORTH. I was wondering what is the cause for haste in consideration.

Mr. LODGE. The cause for haste is that the House wants to adjourn for five weeks to-morrow. There seems to be a cloud of uncertainty over that adjournment, but that was the basis of the haste and demand for immediate action; and the Senate committee complied with the wishes of the Secretary by bringing it in at once this afternoon.

Mr. WADSWORTH. Is the Senator from Massachusetts quite confident that the passage of this joint resolution by the Senate will have no bearing whatsoever upon the Senate's consideration of the peace treaty and the covenant of the league of nations?

Mr. LODGE. I can not see how it has any. The peace treaty is alluded to where we prohibit the appointment of delegates, which was in the original joint resolution. I do not think the allusion there made will have any effect on ratifying the treaty

Mr. WADSWORTH. The Senator from New York is glad to be assured of that.

Mr. KNOX. Mr. President, I should like to say why I was willing to vote for this joint resolution. The Secretary of Labor, representing, of course, the administration, appeared before the Committee on Foreign Relations this morning and asked to have this, or practically this, joint resolution passed.

I understood from his statement—and if I am not correct about that the Secretary is present and somebody can answer for him—that if this joint resolution were passed it would have no relation whatever to the treaty. The resolution as presented by the Secretary of Labor contains a distinct provision that the United States is not to be represented at this conference unless and until the proposed treaty of peace with Germany is ratified. Speaking for myself, I do not propose to be put in the position that I am estopped in any way, by voting for the joint resolution, from opposing the treaty in any or all its provisions as I see fit, and if it is not so generally understood by the Senate I shall oppose the consideration of it and vote against it.

Mr. WILLIAMS. How could it be otherwise understood?

Mr. KNOX. I do not think it is otherwise understood.

Mr. KENYON. Mr. President, I introduced the joint resolution at the request of the Secretary of Labor, because a very embarrassing situation had arisen—embarrassing to the administration and to him. The position stated by the Senator from Pennsylvania is exactly the position of the Secretary of Labor.

If the treaty shall be ratified in the meantime, then possibly other questions will arise. But this measure has in its present form nothing at all to do with the treaty; nobody is estopped by any action he may take here, and that is thoroughly understood.

Mr. LODGE. Of course, Mr. President, if there had been any thought that this measure had anything to do with the ratification of the treaty or affected it in any way it certainly would not have been reported, as it has been, with the unanimous favorable vote of the committee. It has, in my judgment, no effect whatever upon the treaty, its ratification, or its amendment.

Mr. POMERENE. Mr. President, if I may add a word, it was especially called to the attention of the committee by the Secretary of Labor this morning that the treaty itself provided that it should take effect, as between the parties ratifying it, so soon as it was ratified by three of the nations. The treaty itself provides that the President shall call this first international convention, so it follows that as soon as the treaty is ratified by three or more of the signatory powers there is a request in the treaty itself to the President to call this convention together.

It is simply a courtesy, as it seems to me, to the other nations that may ratify the treaty, and every one understands, of course, that it will have no influence whatever upon the individual judgment of any Senator who may be called upon to act in regard to the treaty later on.

The joint resolution was reported to the Senate as amended and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The VICE PRESIDENT. The committee recommends the striking out of the preamble, and it will be stricken out without objection.

The title was amended so as to read: "A joint resolution to authorize the President to convene a meeting of an international labor conference in Washington, D. C."

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 30 minutes spent in executive session the doors were reopened.

REPEAL OF DAYLIGHT-SAVING LAW.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 3854) for the repeal of the daylight-saving law.

Mr. CUMMINS. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Brandegee	Harris	Nelson	Smith, S. C.
Calder	Johnson, Calif.	Nugent	Spencer
Capper	Johnson, S. Dak.	Overman	Sutherland
Colt	Jones, N. Mex.	Penrose	Swanson
Cummins	Kirby	Phipps	Thomas
Dial	Knox	Pittman	Underwood
Elkins	La Follette	Pomerene	Wadsworth
Fall	McKellar	Sheppard	Walsh, Mass.
Fletcher	McNary	Sherman	Warren
Gay	Moses	Smith, Ariz.	Watson
Gerry	Myers	Smith, Ga.	

The VICE PRESIDENT. Forty-three Senators have answered to the roll call. There is not a quorum present. The Secretary will call the names of the absent Senators.

The Secretary called the names of the absent Senators, and Mr. KING, Mr. POMERENE, and Mr. TRAMMELL answered to their names when called.

Mr. CHAMBERLAIN and Mr. NEW entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-eight Senators have answered to the roll call. There is not a quorum present.

Mr. CUMMINS. I move that the Sergeant at Arms be instructed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will carry out the order of the Senate.

Mr. GRONNA entered the Chamber and answered to his name.

The VICE PRESIDENT. Forty-nine Senators have answered to the roll call. There is a quorum present.

Mr. CUMMINS. Mr. President, I intend to keep my promise in regard to this bill. All that I desire to say is that a vote in the affirmative means the repeal of the daylight-saving part of the act of 1918. A vote in the negative means the retention of the so-called daylight-saving law. I believe that every Senator knows precisely how he wants to vote upon the question, and I have no intention of further taking up the time of the Senate.

Mr. WARREN. Mr. President, may I ask the Senator what is done about the matter of standard time?

Mr. CUMMINS. That is not disturbed.

Mr. WARREN. I remember that that was the occasion of the veto.

Mr. CUMMINS. No; it was not.

Mr. WARREN. I mean, as it appeared in the papers.

Mr. CUMMINS. The veto was lodged against the proposal in the bill to advance the clock one hour at a certain time of the year and to retard it one hour at another time of the year. That is the provision as contained in section 3 of the act to which I have referred. The other two sections of the bill remain as they were originally.

Mr. PITTMAN. Mr. President, I should like to ask the Senator from Iowa if this bill attempts to accomplish the same purpose as the amendment that was in the bill that was vetoed by reason of the amendment?

Mr. CUMMINS. I think this is identical with that.

Mr. PITTMAN. Then, Mr. President, I make the point of order against the bill on the ground that it is identical legislation with legislation that at this session of Congress was defeated by a veto of the President, and a failure of the Congress to pass it over the veto by a two-thirds vote.

Mr. GRONNA. Mr. President——

Mr. CUMMINS. Mr. President, may I correct myself? The bill, of course, accomplishes the same general result with regard to the daylight-saving portion of the law as it now is; but it is not identical with the amendment that was attached to the Agricultural appropriation bill in that the first two sections of the act of 1918 are retained in the present bill, and no mention was made of them in the amendment that was attached to the appropriation act. So there is no identity of bills or measures. There is a certain identity in the objects to be accomplished.

Mr. PITTMAN. Mr. President, I take it that the substance of the legislation is the same, and that merely stating it in different language would be an evasion of the rule of the Senate. If it were not so, this body could be compelled to vote time and time again upon, in substance, exactly the same legislation after it had been defeated.

The VICE PRESIDENT. The Chair is not in possession of the language of the original bill, so as to make a comparison. The Chair is clearly of the opinion that when a measure has once been defeated in this body it can not be again introduced and voted upon at the same session of the Senate; but this was not defeated, even if it was in the same terms. This was passed by the Senate.

Mr. CUMMINS. Mr. President, I assumed that all Senators were familiar with the general course of this legislation.

This is a House bill. It has come to the Senate in the regular way. It has been reported by the Committee on Interstate Commerce by a large majority of that committee. The act of 1918 provides, in its first section:

> That for the purpose of establishing the standard time of the United States the territory of continental United States shall be divided into five zones in the manner hereinafter provided. The standard time of the first zone shall be based on the mean astronomical time of the seventy-fifth degree of longitude west from Greenwich; that of the second zone on the ninetieth degree; that of the third zone on the one hundred and fifth degree; that of the fourth zone on the one hundred and twentieth degree; and that of the fifth zone, which shall include only Alaska, on the one hundred and fiftieth degree. That the limits of each zone shall be defined by an order of the Interstate Commerce Commission, having regard for the convenience of commerce and the existing junction points and division points of common carriers engaged in commerce between the several States and with foreign nations, and such order may be modified from time to time.

The section I have just read remains unaffected by the bill now before the Senate.

Section 2 provides:

> That within the respective zones created under the authority hereof the standard time of the zone shall govern the movement of all common carriers engaged in commerce between the several States or between a State and any of the Territories of the United States, or between a State or the Territory of Alaska and any of the insular possessions of the United States or any foreign country. In all statutes, orders, rules, and regulations relating to the time of performance of any act by any officer or department of the United States, whether in the legislative, executive, or judicial branches of the Government, or relating to the time within which any rights shall accrue or determine, or within which any act shall or shall not be performed by any person subject to the jurisdiction of the United States, it shall be understood and intended that the time shall be the United States standard time of the zone within which the act is to be performed.

That section of the act of 1918 remains unimpaired, untouched, by the bill that is now before the Senate.

Section 3 of the act to which I am referring, the act of 1918, reads as follows:

> That at 2 o'clock a. m. of the last Sunday in March of each year the standard time of each zone shall be advanced one hour, and at 2 o'clock a. m. of the last Sunday in October in each year the standard time of each zone shall, by the retarding of one hour, be returned to the mean astronomical time of the degree of longitude governing said zone, so that between the last Sunday in March at 2 o'clock a. m. and the

last Sunday in October at 2 o'clock a. m. in each year the standard time in each zone shall be one hour in advance of the mean astronomical time of the degree of longitude governing each zone, respectively.

The bill before the Senate repeals that section of the act of 1918. The amendment attached to the Agricultural appropriation bill repeals the entire act of March, 1918; so it can not be said that there is any complete identity between the amendment put upon the appropriation bill and the bill now before the Senate.

The VICE PRESIDENT. This is the repealing clause of the Agricultural appropriation bill:

That at and after 2 o'clock a. m. on Sunday, October 26, 1919, next, the act entitled "An act to save daylight and to provide standard time for the United States," approved March 19, 1918, be, and the same is hereby, repealed.

That was a repeal of the entire statute, while this is only a repeal of one section. The point of order is overruled.

Mr. FLETCHER. Mr. President, I do not care to take up any time in discussing the bill. I will simply mention the fact that the effect of the law as it stands is to cause the people in Florida to advance their clocks and watches two hours, and it is rather inconvenient; so the present condition is that at 7 o'clock in the morning it is scarcely daylight and at 8 o'clock in the evening it is full daylight.

I ask to have inserted in the RECORD a communication signed "Nina H. Weaver, lecturer, Grange No. 957, Clintondale, N. Y., July 16, 1919," which a constituent sends to me with his approval and which seems to me to furnish all the argument that need be offered.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

CHILDREN AS WELL AS COWS.

To the Editor of The Tribune.

SIR: In your editorial of yesterday, "Daylight saving to continue," you speak as though the only possible objection to the thoroughly childish setting of the clock one hour ahead was that the dairymen have to catch earlier trains. I have no doubt that you will class the objections I cite here as "avoidable inconveniences," and in that I will agree; but the only method of avoidance is repeal.

Our children have to go 4 miles to school, and where rising at 7 o'clock used to be early enough now it is 6, and they can't get the needed sleep in the evening, for it is daylight. I haven't heard one mother of small children speak in favor of daylight saving.

Not only is it difficult for farmers to harvest their hay and grain with the dew heavy on their crops in the morning and the help quitting work at 4 o'clock (sun time), just as the grain is in the best condition, but the fruit growers also have to leave their currants and berries, their grapes and pears, their peaches and apples, until the morning is half gone, and then when the picking is good the pickers are gone.

But you will say this matter could be arranged between the farmer and his employees, so that they will stay later. Why could not the matter be arranged between the city employer and employees so that they go to work an hour earlier? Then they will have their coveted hour extra for recreation without upsetting the whole country and causing such great discomfort, inconvenience, and pecuniary loss to a good half the population.

The newspapers, politicians, and the President himself, with the other devotees of the labor unions, make the mistake of thinking the farmers are in a little world of their own, which they need not so much as notice, not to mention giving their rights any consideration. But your newspaper advertises "First to last—the truth," but on the questions which concern agriculture you have very distorted views, and I would advise that you search out the truth. It is not enough for any paper to portray the public sentiment just around it; it should seek to portray the best public sentiment and lead up to the best American ideals, which include some regard for the rights of others.

NINA H. WEAVER,
Lecturer, Grange No. 957.

CLINTONDALE, N. Y., *July 16, 1919.*

P. S.—As an item of information I might add that the grange, the Dairymen's League, the farm bureau, the horticultural socities and all farmers' organizations are opposed to the daylight-saving law.

Mr. LODGE. Mr. President, the House will probably rescind the concurrent resolution to-night, and certainly to-morrow, I think. In any event, it will be necessary for the Senate to be in session, because the concurrent resolution can not be rescinded without our joining them in the act. Therefore, unless the Senator from Iowa desires to go on at this hour——

SEVERAL SENATORS. Let us vote.

Mr. LODGE. Very well.

Mr. CALDER. Mr. President, I shall occupy the time of the Senate for only a moment or two.

This matter has been voted upon by the House four separate and distinct times during the present session: First, when the bill we are considering passed the House; second, when the Senate amendment to the agricultural bill, referred to a moment ago, was agreed to by the House; third, when the effort was made, which failed, to override the President's veto; fourth, when an amendment was offered to the agricultural bill containing the same language as the bill now under consideration. At that time it was defeated by a very large majority. We are now really attempting to pass a bill which will cover the same ground as the amendment in the agricultural appropriation bill which the President vetoed and upon which the Senate has already acted.

I do not think it is necessary for me to go into the details of this measure. The Senator from Colorado [Mr. PHIPPS] this morning had read into the RECORD a letter from the antituberculosis league of the United States, in which it was contended that this law was helpful to the health of the country. Every one of us, I am sure, has received letters, telegrams, and petitions on this subject from all over the country. My own judgment is that at least 80 per cent of the people of the United States desire this law to continue.

No measure that has been passed in recent years has been more appreciated by the teeming millions of our citizens who are employed in the factories, workshops, and offices of the country.

It has afforded these people an additional hour of recreation at the close of the day. It has given men who labor, an opportunity of enjoying an additional hour with their families while there is still daylight, tending to their gardens, and working around their homes. It has exchanged, for a vast majority of our people, an hour of daylight for an hour of darkness.

Undoubtedly the President will veto this bill again, and the Senate will have wasted its time in the discussion of it. I received a letter this morning from a citizen of my State who said that he thought the Senate, rather than engaging in passing legislation attempting to repeal this law, or discussing the league of nations or prohibition legislation, might better be engaged in doing something to reduce the high cost of living. I say so, too.

This measure, in its operation last year, undoubtedly saved at least 1,500,000 tons of coal which otherwise would have been used, and reduced the bills for artificial illumination at least 10 per cent in the seven months of its operation, and I think it fairly can be said by those who have studied the question that the vast majority of our people wish to have it continued.

I hope, Mr. President, that the bill will be voted down.

Mr. GRONNA. Mr. President, I had not intended to say a word on this bill because I did not deem it necessary, but after listening to the statement of the Senator from New York [Mr. CALDER] that it would be a saving of untold millions to the people of this country to continue to keep on our statute books this so-called daylight-saving law, I believe that I should say a word. I think that it can be demonstrated that the law has been a detriment to the producers of this country, and I do not believe that the claims made by the friends of this bill to the effect that it has saved our country many millions of dollars can be substantiated by facts.

Mr. President, let us look at this question for just a moment. Labor is scarce and difficult to obtain on the farm at the present time. Those who are familiar with farm work know that when 6 o'clock comes the farm laborer is ready and will quit his work. Every one of us ought to know that, during the summer time at least, when the farmer goes to work in the morning his work must be postponed for an hour or two because of the heavy dew which he finds in the field. With this law in effect he loses an additional hour. It has been estimated, I do not know with what accuracy, that by reason of the present law there has been an actual loss to the farmers of the United States of from ten to fifteen million dollars a day.

If this be true, may I ask the Senator from New York, or some other Senator, how it can be argued that this law has been the means of saving the people of this country any money whatsoever? It has been stated that this law has saved the people of this country a million five hundred thousand tons of coal by reducing the use of artificial light. This can not possibly be true, because the present law provides that at 2 o'clock antemeridian on the last Sunday of March the standard time of each zone shall be advanced one hour, and that on the last Sunday in October the clock is moved back one hour, so that this law operates between the last Sunday in March and the last Sunday in October. How can it be argued that there is a saving in fuel and light by advancing the clock one hour during the summer months? I think it must be conceded by everyone that during the summer and fall months it is daylight at 6 o'clock in the evening sun time, but let me remind you that at 6 o'clock new time in the morning, which would be 5 o'clock sun time, it is not daylight, and the farmer who has chores to do will have to use a lantern in the barn for an extra hour for at least two months during this period of time, and the housewife is compelled to burn electricity, kerosene oil, the tallow candle, or whatever she may have to burn at least one hour longer. This statement can not be contradicted, so where is your saving in coal or oil?

Mr. President, I simply want to say that every farm organization in this country is opposed to the legislation which was enacted on this subject. I want to state further that several labor organizations in the cities have sent memorials to me as chairman

of the Committee on Agriculture and Forestry protesting against the law and asking for its repeal. I can not state with accuracy that a majority of the laboring men are against the law, but I believe that a large majority of those who really perform labor are against it, and, as suggested by the Senator from Wisconsin [Mr. LA FOLLETTE], the American Federation of Labor voted by an overwhelming majority in favor of the repeal of the law.

Mr. President, the hour is late and I can not possibly take up the time of the Senate to intelligently discuss this subject. I simply want to say that this is a law in the interest of no one; that it is only for the convenience of a few who wish to play golf or some other game of recreation and amusement, to which, of course, I have no objection; but I repeat that the farmer is the only one who actually sustains a financial loss, and I challenge contradiction of that statement by anyone.

Mr. President, I have a great many letters and memorials from people throughout the country asking for the repeal of this law. I ask unanimous consent to have a few of these letters and resolutions printed in connection with my remarks.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and leave is granted.

Article from Stockman and Farmer:

DAYLIGHT SAVING.

Agriculture, the greatest industry in America, was responsible for the repeal of daylight saving, which it has found after fair trial to be a costly nuisance. Agriculture is consequently disappointed by the President's veto. No one who is familiar with the operation and effect of daylight saving outside of cities can possibly agree with the President's statement that it "gave all but universal satisfaction." Outside of the city, and in some cities also, it gave all but universal dissatisfaction, or farmers would never have insisted on its repeal. Dairy farmers, who normally work all hours of daylight, can't see why they should work in the dark for the sake of industrial classes, who work only eight hours at any time. Other farmers are too dense to understand why they should pay men to work when it is impossible to do anything so that other men can quit in the middle of the afternoon. The end of this matter is not yet in sight. The present plan is intolerable to agriculture and the law must either be repealed or some adjustment made whereby farmers are relieved of its resulting waste of time and labor, already inadequate to save the crops. The President's veto will probably stand, and unless farmers can show him some things he apparently doesn't know they have a slim chance of getting rid of daylight saving.

—

Letters from "A Farmer and Dairyman," urging repeal of daylight-saving law:

WEST NEWTON, PA., *July 21, 1919.*

Senator GRONNA, *Washington, D. C.*

DEAR SENATOR: We see by the daily paper that you are taking a noble stand in the interest of agriculture and justice to the American farmer and dairyman, and you can surely count on the farmer and dairyman as your friends, and we hope you will continue the fight until you win.

We have written a letter to the President, which we send to you for inspection. If you think it would do our cause any good, would like for you to take a copy and have it published, particularly an article which we have inclosed from the Stockman and Farmer, the greatest farm paper in the United States. If you think it would be any offense to the President to publish a letter that was addressed to him, we would not want it published or for him to know that you had inspected it, without you could arrange in such a way that he would not know how you received a copy. Please inclose the article and letter as soon as possible.

With best of wishes, I remain,

Your friend,

A FARMER AND DAIRYMAN.

—

WEST NEWTON, PA., *July 21, 1919.*

Mr. WOODROW WILSON, *Washington, D. C.*

DEAR PRESIDENT: We notice by the Pittsburgh paper that Congress is going to attempt to attach a rider to the new Agricultural bill and that you were likely to veto it again. We thought if you knew the hardships it caused the farmer and dairyman you would not do so.

While you were absent from this country during the last session, the Chamber of Commerce of Pittsburgh took a very active part in trying to prevent the law from being repealed. We have never understood why they are so active, as they have no interest in it, particularly no vital interest, as they are business men and men of wealth, and that they sleep until 9 or 10 o'clock, and some, perhaps, later, and many of them spend the balance of the day motoring. I spent 20 years of my life in town, and I know whereof I speak. The dairyman and farmer are the ones that have a vital interest, and their wishes certainly should have the preference.

We farm and dairy, and we get up a little after 4 o'clock, making it just a little after 3 by the correct time, and other dairymen who have more cows and five or six miles to go to the train have to get up about half past 3, making it half past 2 by sun time. A farmer who has men to help him through harvest loses an hour a day on each man he has employed in the harvest field. The men come at 7 o'clock and quit at 4, and most of the mornings there is such a heavy dew that it is almost noontime before you can commence work in the harvest field, and you have to find the men something else to do until that time. If it was not for the new time, we could get an hour's more work during the day in the harvest field. The law was passed as a war measure. The farmer and dairyman stood it without any complaint. No one cares to go to bed before dark, which is about 10 o'clock, new time, and getting up at 3 or 4 o'clock, which gives them only five or six hours sleep, which, of course, you know is not enough. We see in an article from Washington that Congressmen who are against the repeal are enjoying the sport of the fight, and the farmer and dairyman have to stand the blunt. According to the papers, when you wrote the veto you made the statement that the law had given almost universal satisfaction, which was not justified by facts. As Congress represents all parts of the country, if you would consider their vote, which was 223 to 122 in favor of the repeal, and the Senate 50 to 6, ought to be evidence that people are universally dissatisfied. There was quite a number of towns that refused to turn the clock forward. Because of a few business men who have no vital interest at all, and who think their opinion represents every person's opinion, has led you to believe that the law has given satisfaction. The paper states that some of the Congressmen who are in favor of the law, and some of the business men, want to see more sunshine.

If they would get up in the morning and go to work at 7 o'clock like other people they would see more sunshine, or come to the country and help the farmers to dairy they would get all the sunshine that is coming to them. There is not any evidence of any particular benefit being derived from getting to work an hour earlier by people of the cities, but even if there had been the same thing could be accomplished without changing the clock. You have been a strong advocate of justice and humanity and the farmers are not asking anything but that which is just and right, the correct time—sun time. Now, for the sake of humanity for the farmer and dairyman, whose family has to get out at 3 o'clock in the morning, we hope that you will recommend to Congress the repeal of this obnoxious law.

Many of the soldiers who were formerly on the farm are not going back to the farm, and there are many boys leaving the farm every year and going to town, where they can go to work at 7 and quit at 4 or 5. They do not care for the farm and dairy, where they have to get up at 3 o'clock and work until dark. If the exodus of the young men continues to increase from the farms the food problem may become serious in the future, and any legislation by Congress, or any action by the President which makes farm life more unpopular to the young men on the farm, it is certainly not wise.

Some of the Congressmen claim there was a saving of fuel. The report made to Congress last fall that there was no saving at all in the Pittsburgh district and there was only a few cities in the United States that reported any saving, and no doubt that was because fuel was high and hard to obtain and for patriotic reasons.

We know that in this section that the time the law went into effect, the 1st of March, and it will be the same this fall, commencing about September, that men who go to work at 7 o'clock were going just about daylight, and by changing the time they were pushed back into the dark an hour. Now if it should take one quart of oil for each family in the morning and if people would go to bed an hour earlier in the evening and save a quart where would be the gain? If the clock had been moved back, then all men who go to work at 7 a. m. and their families could have gotten up at daylight or after, and had gone to bed an hour earlier in the evening, then there would have been some sense in the fuel-saving claim.

Now, taking all these things into consideration we believe you will come to the conclusion there is nothing in the law, not even good common sense.

In the Canadian Parliament the same kind of bill was proposed but did not pass. One of the reasons given was that it would cause an ill feeling between the city and country people, but our "sunshine" Congressmen do not take that into consideration. Please find inclosed an article from the Stockman and Farmer, the greatest farm paper in the United States, which we hope you will consider carefully.

Hoping you will consider this letter kindly, with the greatest respect and good will for our President, we remain,

Yours, truly,

A FARMER AND DAIRYMAN.

A letter from Bloomfield, Conn., requesting repeal of the law:

TUNXIS GRANGE, No. 13, P. OF H.,
Bloomfield, Conn., May 6, 1919.

To the Members of the Senate and the House of Representatives, Washington, D. C.:

We, members of Tunxis Grange, No. 13, P. of H., Bloomfield, Conn., have passed the following resolution requesting the next Congress to repeal the so-called "daylight-saving law."

We consider it detrimental, unnecessary, and actual injustice to the farmer.

Very cordially, yours,

F. M. MAUSUR, *Master.*
ANNIE M. CHRISTENSEN, *Secretary.*

A telegram from Riverside Grange, No. 125, of New Jersey, comprising 300 members, requesting repeal of the law:

THREE BRIDGES, N. J., *June 13, 1919.*

THOS. C. ATKINSON,
303 Seventh Street NW., Washington, D. C.:

Riverside Grange, 125, of Three Bridges, N. J., comprising 300 members, requests your support in the repeal of the daylight-saving bill now pending in Congress.

VAN WALDRON, *Secretary.*

A memorial from the Marion County Farm Bureau urging the repeal of the law:

SALEM, ILL., *July 18, 1919.*

AGRICULTURAL COMMITTEE,
Washington, D. C.

GENTLEMEN: Every farmer and his family on the 3,425 farms in Marion County, Ill., are looking to you to pass the repeal of the daylight-saving law over the President's veto. It works a great disadvantage on the farm and causes millions of dollars loss to the farmers in Illinois every year. There is absolutely no benefit in this daylight-saving law for the farmer. When the farmer makes up the greater part of the population of the United States, we petition you as a farm bureau and I as a county agent to do all in your power to see that this daylight-saving law is repealed.

Yours, very truly,

MARION COUNTY FARM BUREAU,
FRED J. BLACKBURN, *County Agent.*

Letter from National Grange, with inclosures against the law:

WASHINGTON, D. C., *July 14, 1919.*

Hon. A. J. GRONNA,
Senate Committee on Agriculture,
Senate Office Building, Washington, D. C.

DEAR SIR: We wish to express our appreciation of your efforts and those of your colleagues in reporting the daylight-saving repeal measure as an amendment to the appropriation bill. In view of the favorable report from the House Committee on Agriculture and later from

Interstate Commerce, and the general turn of public sentiment as evidenced in the recent action at Atlantic City, as well as the continued flood of petitions from farm organizations, it seems as if this amendment might be kept in the appropriation bill and make an end to this situation which is obnoxious to every working farmer.

I am inclosing communications recently received on this subject. If it is of value to have them in the Senate RECORD, we trust you will have this done.

Yours, sincerely,

THE NATIONAL GRANGE,
THOS. C. ATKESON, *Representative.*

DAYLIGHT-SAVING BILL.

The farmers have been consistent as well as persistent in their fight for the repeal of the daylight-saving bill, which has worked to such a disadvantage to them. Regarding it as a war-time measure, they meekly bore it, but when it was proposed to make it perpetual they began a big fight against it.

The bill repealing it was vetoed by President Wilson recently, and the attempt to pass it over his veto failed on Monday of last week, the vote being 247 to 135. The total necessary to pass it over the veto was 255. The vote showed a large majority in favor of the repeal, but a two-thirds vote was required.

We believe the farmers have the right of it, and it is only perpetuated in the interests of the golfers and sporting element. It is a nuisance to the farmer and seriously interferes with religious work during the summer.

The following 15 arguments against the daylight-saving law are offered by the farmers:

1. Farmers waste time instead of saving.
2. Lose one hour in the morning on account of dew.
3. Hired help want to quit at 6 o'clock.
4. Forced to carry new and old time.
5. Teams and men must work in hottest part of day.
6. Can't change habits of farm animals—come up at usual time.
7. Entertainments scheduled on new time are too early for farmer's family.
8. School children have to start one hour earlier.
9. Stores and shops in country towns close too early for farmer.
10. Small town merchant must work extra hour.
11. Farmers work by sun, not by clock.
12. Must start one hour earlier to catch trains.
13. Cows must be milked one hour earlier where milk is shipped.
14. Chickens won't go to roost until usual time.
15. Increases convenience and efficiency of city folks at farmer's expense.

We trust the farmers may keep up their protests and agitation and never let up on the subject until the change is made.

Letter from Boston, Mass., showing defects of daylight saving:

333 STATE HOUSE,
Boston, Mass., July 24, 1919.

To the Hon. Mr. GRONNA,
Chairman Senate Agricultural Committee,
Washington, D. C.

MY DEAR SIR: May I ask you to kindly pardon the liberty I am taking, but in a few brief remarks I should like to refer to the repeal of the "daylight-saving" law.

From a standpoint of humanity to mothers and children the following-mentioned reasons would seem to favor a repeal:

One has only to walk through the crowded quarters of the north and west ends of our city and see the hundreds of children who suffer, as they do, from living in close and hot tenements. This same condition presumably exists in all of our large cities.

It is 9 o'clock according to this law, but it is 8 o'clock according to the true sun time.

Tired children should be in their beds, that weary mothers may have a few moments to relax before they themselves must retire.

It is still daylight; quiet does not prevail, and children can not sleep. Neither is sleep prolonged for them in the morning, for again at dawn begins the noise and din caused by cars and vehicles in our city streets.

What of these children when grown to men and women. The loss of many hours of sleep, together with a lack of proper nourishment in their childhood, is a serious matter and ought to be given much consideration.

The question of a repeal, as viewed from the standpoint of our domestic animals, namely, the horse and the cow, those faithful creatures on whom we are so dependent, also needs to be considered.

Many are the extra hours which the weary horses of hucksters and junk collectors must work at this season owing to this extended evening daylight.

Let us hesitate to be longer responsible for a cruel injustice deliberately imposed upon the helpless and those who can not speak for themselves.

With a hope eternal that the Members of Congress who are opposed to this repeal may be urged to favor it and thereby bestow a blessing and a benefit upon many of God's creatures.

Again asking you to kindly pardon the liberty I have taken in writing to you,

With much appreciation,
Most respectfully, yours,

(Miss) MARY E. HANNAN.

Letter from Providence, Ky., opposed to daylight saving:

PROVIDENCE, KY., *July 22, 1919.*

AGRICULTURE COMMITTEE,
Washington, D. C.

SIRS: I send this letter to you not only in my own name but in the name of many others. There are multiplied thousands who never write to a Senator or Congressman or President or a committee in Congress, yet they feel the injustice done them when President Wilson vetoed the repeal of the daylight bill, briefly so called.

Can not something be done to relieve the situation? Can not a law be made, if it is necessary to have a law, that on Monday after the last Sunday in March all manufacturing plants, corporations, or any company employing so many hundred men, in cities or elsewhere, shall begin work one hour earlier and quit one hour in afternoons until Saturday before the last Sunday in October?

Of course, give us back our standard time first. Why is not the same result reached—an hour gained by going to work an hour earlier? As the law now stands, much confusion and dissatisfaction prevail. Thousands of country people do not observe the advanced hour. Men tell me they could have nearly an hour in the cool of the morning under standard time to work their gardens, but can not come out of mines or shops, where they have been for 8 or 10 hours, and go right out in hot sun to work, but must wait till the sun is going down and its cooler. Many get a crowd together after working hours and auto to some park, and many gamble or loaf. It also puts extra work on the housekeeper or wife.

In the name of multiplied thousands, keep on until we have our standard time again.

Yours,

C. R. CROWE,
Pastor Methodist Church.

A letter from a business man, of Liverpool, N. Y.:

LIVERPOOL, N. Y., *July 31, 1919.*

Hon. GRONNA,
Washington, D. C.

DEAR SIR: We are pleased to note inclosed clipping from Syracuse daily paper that you are fighting against this miserable, fake daylight, and if it was put to a vote for the people to vote on we will bet $500 to $50 that it would be defeated by 250,000. Find what we cut out of a church paper, inclosed.

Trusting you will fight on to victory, we remain,

Respectfully, LEHNE-MILLER CO.

DAYLIGHT SAVING.

CALDER—FOR.	GRONNA—AGAINST.
1. Ninety per cent of the people want daylight saving.	1. Majority of the people are against daylight saving.
2. Saved 1,500,000 tons coal last year by reducing use of artificial light.	2. Means additional artificial light.
3. Conserved health of people by giving an extra hour for recreation.	3. Prevents children from going to bed early and getting sufficient sleep.
4. Reduces cost of living by affording daylight in evenings for cultivation of home gardens.	4. Loses millions of dollars to farmers, who lose an hour a day because unable to start work early in morning.
5. Enables people to get up in daylight and go to bed at dark.	5. Forces farmers to get up in dark to catch milk trains.

Mr. UNDERWOOD. Mr. President, I shall detain the Senate for only a moment, but I want the RECORD to show my reason for voting in favor of a bill repealing the law.

When it was proposed as a war measure I supported it, because I thought it might be helpful, and I did not see where it would be seriously hurtful as far as war conditions were concerned. When the war was over and the question came before the Senate for its repeal, I voted for its repeal; and I intend to vote for its repeal again. My reason for doing so is not a consideration of the particular interest that has been represented here on one side or the other; but time has been fixed for ages by the movement of the sun, and I assume that it will continue to be fixed for ages to come by the movement of the sun.

As to the question of labor of all kinds adjusting itself to time, that has grown up through centuries. It is not a question of the moment. Workmen go to their bench at a certain hour because communities through generations have adjusted themselves to going to work at that hour. A lawyer goes to his desk at a certain hour because through many generations it has become the custom of lawyers to go to their desks at that hour. It is a plain custom of the people of all branches of society. They respond because sentiment and custom and their own convenience have adjusted themselves to that particular hour. We readjusted that hour for war purposes. We changed the conditions of men, their moments of going to work; but the emergency is past, and I am one of those old-fashioned Democrats who believe that except in emergencies and where questions come clearly and distinctly for the public good of all the people, it is wise to allow the people of the country to pursue the even tenor of their way and stand by the custom that generation after generation has adopted.

Mr. THOMAS. The Senator said that from time immemorial men have measured time by the movement of the sun. Did the Senator mean that?

Mr. UNDERWOOD. I will say from the time we adjusted the clock to the sun.

Mr. THOMAS. That is better.

Mr. UNDERWOOD. The Senator can interpret it in his own way.

That is my only reason, Mr. President, for voting for the repeal of the law. I think the American people have adopted the hour of going to work by custom satisfactory to them, and now that the war is over I do not see any reason why by law we should attempt to change the custom of the people.

Mr. CURTIS. Mr. President, it was my purpose to submit some remarks on the bill. I am in favor of repealing the law. However, I will merely submit a letter written to me by one of my constituents. As it is late, I will simply ask permission to have the letter printed in the RECORD without reading it. It is on the subject under discussion.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SCIENTIFIC TIME VERSUS FAD TIME.

"We have heard a great deal in the newspapers for several years about daylight saving; that by setting the hands of our clocks back one hour we would save one hour of daylight and save one hour in the cost of heat and light in our homes, which would amount to many millions of dollars to the people of the country from April 1 to October 1.

"Those who have been foremost in advocating this fad time and who prevailed upon Congress to pass a law making it the legal time of the country from April 1 to October 1 do not seem to comprehend fully the meaning of the proposition they are advocating, for one day they talk about setting the hand of the clock back an hour and the next day they talk about setting the hand of the clock an hour ahead, as if it made no difference whether the hand of the clock was set back an hour or ahead an hour, whereas it makes a difference of two hours.

"We will try to make the matter so plain that there need be no confusion in the mind of anyone. The whistle of Armour's plant is heard over a large part of the city at 5 o'clock every morning. If the hand of the clock is set back one hour, it will be set at what is now 4 o'clock, but called 5 o'clock, using fad time, requiring everyone who has been awakened by the 5 o'clock whistle and getting up by it to rise an hour earlier, with the hour hand pointing to 5 o'clock, and hearing the whistle as usual.

"If we set the hand of the clock an hour ahead of natural time, we should hear the 5 o'clock whistle at what is now 6 o'clock, and be preparing to get up, and would not require any light and very little heat during the six months' change of time, whereas by the fad time legalized by act of Congress we are obliged to use two hours' lighting on the 1st of April, which gradually decreases until the summer solstice, when not more than half an hour's lighting would be necessary, but which would gradually increase from that date to the 1st of October, when we would be using two hours' lighting again, with perhaps some heat.

"What do we want to save daylight for, when under modern conditions an eight-hour day prevails in nearly every business throughout the country, and during the shortest day of the year, when the sun at the winter solstice in December, the days are not much more than nine hours' long, and it is not necessary for any man to work by artificial light, or by any other light than the light of the sun, except when he works in a shift.

"It is to be regretted that Congress, the law-making power of the country, has allowed itself to be imposed upon by faddists and led to pass a law the syllabus of which, daylight saving, is inaccurate and misleading, whereas if scientific and expert advice had been called before the committee having the matter in charge it could have been correctly advised and given an honest title to the law.

"We all know that when the sun is on the meridian, the highest point in the heavens, it is noon, the middle of the day, and the clock strikes 12; the number of hours back to sunrise is equal to the number of hours to sunset, and that when the sun is at the nadir, the lowest point beneath us, it is midnight, and that the number of hours back to sunset is equal to the number of hours to sunrise, and this is what we call sun time, or natural time. There is sidereal time, with which we need not deal here.

"Who is it really wants fad time? It surely can not be the unskilled worker, for under present conditions he is not likely to work more than nine hours, very nearly the shortest day of the year, and it is not reasonable to suppose that he is anxious to stand the cost of from two hours to half an hour for light and heat during each day of the six months, which he would not have to pay for under the natural system.

"We are not ready to believe that it would be the skilled worker—the mechanic, the machinist, who work in the factories and shops—for they work only eight hours a day, and there is no necessity for them to get up at 4 o'clock, natural time, and use two hours of heat and light, when under the natural system they would not be required to use any heat and light, except heat for cooking.

"The general business man and banker could hardly feel interested in the early rising at 4 o'clock, natural time, for they do not get to their offices and places of business before 8, 9, or 10 o'clock, nor are their places of business open to the public before 8 or 9 o'clock.

"The miners—the coal miners of the country—are opposed to the misnamed daylight-saving law, and have taken collective action to ignore it when it goes into effect April 1, and have petitioned the railroad companies operating miners' trains to leave one hour late after April 1, which would conform to natural time.

"The farmers of the country are almost as one opposed to this misnamed and misleading daylight-saving law, and have sent a protest to Congress against extending its operation, giving many reasons why its further extension would be injurious to their interests.

"Renewing the question, who is it who really wants the fad time? After a very thorough search we are unable to find anyone who is willing to strictly abide by it who wants it; but we are able to find several classes of people who certainly would not abide by its operation, yet to whom it would be a convenience in lengthening the evening end of the day; we mean the sporting fraternities.

"Golfers and baseball players almost invariably get to their fields and grounds toward the middle of the afternoon and generally play late, as long as the light is good, and who has not repeatedly heard the expression from a golf enthusiast or baseball fan, 'Oh, if we could only have had another hour of daylight to complete the game.'

"Sporting people and amusement people and their patrons, we all know, are not early risers, and we believe that they have too keen a sense of justice to want a law which they are unwilling to abide by; a law that requires the toilers of the country to rise at an unseasonable hour during six months of the year to gratify the whims of a few faddists who would not observe the letter of the law, at a cost, too, of the millions of dollars to the toilers who are expected to observe it.

"The syllabus to the law does violence to nature, for it does not represent the facts, and daylight saving should not be placed as a syllabus over the act of Congress unless the act expresses a truth, unless those who conform to the law really save daylight, which we have shown to be an impossibility.

"There has been no general discussion of the proposition of daylight saving, of the necessity for it, and, if a necessity was found, how it could be accomplished, who it would benefit most, and whether its operation would work a hardship upon any class of our people, and what advice expert scientists who are familiar with propositions relating to the divisions of time would say about the matter.

"Admitting, for argument's sake, that the law, as it stands will benefit any considerable class, which is emphatically denied, without an injury to another considerable class, let us ask, Would it not have been more just to all to have had a full discussion as to the merits of the proposition, and ascertained the wishes of all whom the changes would affect, before having Congress take action upon a proposition which, if enacted into a law, would entail unnecessary cost of millions of dollars upon the toilers of the country?

"There has been some mystery as to who was back of this misnamed daylight-saving proposition, and who was urging Congress to enact it into law, for we have seen no accounts in the newspapers of petitions from the workers and business interests of the country being forwarded to Congress asking its enactment into law.

"We first heard about this misnamed daylight-saving scheme early in the World War in connection with German efficiency, which was dinned into our ears ad nauseum, and as Germany had adopted the daylight-saving plan and set the hands of her clocks back one hour, and was saving millions of dollars by the scheme, and as she had a monopoly on 'efficiency,' the faddists seemed to have been impressed that the world should follow in her steps in daylight saving.

"It is a singular fact that the proponents of the daylight-saving plan do not quote the indorsement of a single expert scientist, whose field of science should make him familiar with every phase of the division of time, in support of the proposition, which of itself should be sufficient to cast suspicion upon it.

"It is admitted by the proponents of the daylight-saving proposition that its purpose is to require everybody to rise an hour earlier every morning for six months, from April 1 to October 1; we therefore propose to point out wherein the enforcement of such a law does violence to the rights and needed rest of men and domestic animals.

"We appeal to all persons who have been brought up on a farm, and who have had much to do in the care and management of domestic animals, particularly horses and cattle, if it is not a fact that a horse gets his main rest and sleep just before daybreak, and that cows and oxen feed the early part of the night, where they have feed, and lie down and rest and chew their cuds the latter part of the night and up to daylight.

"When a boy my father used oxen on the farm as much as horses; there was an abundence of wild grass all around us during the spring and summer that made good grazing; after using th oxc all day plowing, we unyoked the pair and turned them out to graze during the night, putting a bell on one of them, for they usually stayed together.

"My father, who was sometimes wakeful and got up several times during the night, told us the next morning before starting out to hunt up and bring in the oxen, that he had heard the jingle of the bell on the belled one until the latter part of the night, when all became still.

"We started out to look them up and bring them in any time from daylight until the dew was off the grass, and always found them in some secluded spot, lying down chewing their cuds, showing that the latter part of the night is the time for rest and recuperation of the bovine species.

"But we have further evidence of this fact. Our cows, whether they grazed during the night on the range or stayed on the premises, waiting for their meal and bran at milking time, could always be seen at daylight lying down resting and chewing their cuds, and we take it that anyone who has had the handling and care of domestic animals, particularly horses and cattle, knows that the latter part of the night, extending up to daylight, is the time they have for sleep and rest and the supplying of the nerve centers with nervous energy for the requirements of the coming day.

"We may give another concrete illustration of the necessity that exists for cattle to have sleep and rest the latter part of the night. In 1858, when a boy of 15, I drove an ox team for the Government freight contractors hauling freight from Fort Leavenworth to Forts Kearney and Laramie for the Utah expedition, under Gen. Andrew Sidney Johnston; there were 8 to 10 oxen in a team, and a train was made up of 25 to 30 teams; this teaming was mainly during the summer months, and we herded our stock of nights to let them graze. There were two details, the first up to midnight, and the second from midnight to daylight, when the stock was driven in.

"Now, by 1 and 2 o'clock the animals were generally filled up with grass, and their activities commenced to flag, and in a short time they were lying down to rest, and soon were chewing their cuds, and continued in this state of relaxation until they were aroused the next morning and driven into camp.

"Every veteran of the Civil War who belonged to the Cavalry and did much night marching will easily recall that just before daybreak the flagging energy of his horse and inclination to stumble, as if half asleep was noticeable, and as it is generally known that that is the time when the horse gets his sleep and rest, he should not be disturbed, unless an emergency exists for it.

"Kind treatment of our domestic animals should be encouraged everywhere, and that this fact is generally recognized is shown by the enactment in nearly all the States of laws for the prevention of cruelty to animals.

"The lives of men and animals through countless ages have been adjusted to sun time and to daylight conditions, except some species, whose eyes and life-serving functions have been adjusted to night conditions and sleep and rest during the day.

"We have said that the farmers were opposed to the so-called daylight-saving law; let us see why: They rise at daylight, and work and do their chores until the dusk of evening, which they consider affords hours enough for any man to work; and requiring them to rise an hour or so before daylight adds that much time to the cost of heat and light, besides the many inconveniences it entails stumbling around in the dark or carrying a lantern about their barns and stables to wake up and feed their resting stock, and that it also unduly increases their tired feeling when night comes.

"The good farmer, like the good housewife, finds something to do from daylight to dark, and to disturb this adjustment brings an increased burden upon him to satisfy the whims of a few faddists whose useful employment can not be said would add very much to the sum of human happiness.

"There are doubtless a good many farmers who do not keep hired help and who may continue to use natural time; but there are also a good many who will be obliged to adjust themselves to the new time in order to save themselves from losses in the sale and disposal of their products.

"A farmer who sells milk or any products that he ships to any dealer in the city must rise an hour earlier than usual to have his milk or produce at the station to meet the new schedules of the railroads or interurban lines, and is thus placed at a disadvantage, inconvenience, and put to an unnecessary cost in managing his business to meet a change of time, the syllabus of which states an untruth, a change, too, for which there was no demand except from a few faddists.

"WILEY BRITTON."

Mr. POMERENE. Mr. President, I voted for the bill originally and I voted for the repeal of the legislation, and I am going to vote for it now. I will state my principal reason for doing so.

The dividing line between eastern time and central time for years had been at Pittsburgh. The clock was advanced one hour under the daylight-saving law. Later on the line between central time and eastern time was moved westwardly from Pittsburgh to Mansfield, Ohio, a distance of about 200 miles or more. The result is that in the eastern half of Ohio, as well as in the western part of Pennsylvania, it makes a difference of two hours in time, and I see no reason why that condition should prevail any longer.

Mr. LODGE. Mr. President, only a word. I shall vote against the bill. It has been really a very valuable change for the urban and industrial populations of a State like mine, and I have thought that the experiment was a good one.

But, Mr. President, it seems to me that those who oppose it, and who refer, as the Senator from Alabama [Mr. UNDERWOOD] did, to the sun time, forget that a new day has dawned. It was a good old sun in its day. The world liked the sun's time for a long time, but we have outgrown it, as you know. Human nature has changed, and the time has come to go to something better than the sun. The sun occupies very much the position of George Washington. He was an excellent man in his day, but he has been outgrown, and the principles he laid down are no longer to be considered. The time of the sun has become old-fashioned. I think we should cling to it, and I have a strong suspicion that we shall end by clinging to the principles of George Washington.

Mr. PITTMAN. Mr. President, I raised the point of order that this is the same legislation that was defeated on another bill during the present session of Congress. It is true that the legislation which attempted to repeal the law embraced two other sections. Therefore I have no complaint to make with the ruling of the Chair on the point of order. I call the attention of the Senate, nevertheless, to the ground upon which the former legislation was repealed. It was on the ground that they were changing time back to the normal time. This attempts to accomplish exactly the same purpose. The President vetoed the Agricultural appropriation bill for that very reason. If he is consistent he will veto this bill for exactly that reason. He vetoed the Agricultural appropriation bill because it attempted to repeal section 3 of the daylight-saving act. This bill attempts to repeal section 3 of the daylight-saving act, just the same as it was done in the Agricultural appropriation bill.

The purpose of this act is identical with the purpose of the amendment to the Agricultural appropriation bill. The other two sections that were added to the Agricultural appropriation bill have nothing to do with daylight saving. They simply reaffirm or establish astronomical time in five zones of the United States. That was not objectionable to the President, but section 3, which advanced the clock one hour under the former act, was attempted to be repealed on the Agricultural appropriation bill, and that he objected to. As I said, this act is intended to accomplish exactly the same purpose.

I take it that the wishes of Congress have been ascertained on this matter by a veto of the President and the failure of Congress by a two-thirds vote to carry it over the veto. In spite of having that question absolutely settled during the present session of Congress, we are now attempting to accomplish the same thing that has been determined at this session according to the laws of the country.

We all know well enough that you might attempt to reach the same subject in another bill after this bill is vetoed, and in still another bill, by changing it to some extent; but the substance of the act is the same, and there is not a Senator here who does not believe that the President will act in exactly the same manner that he did act, and that the same question will come back to the Senate on overruling or sustaining the veto that arose on the Agricultural appropriation bill.

I wish to place in my remarks, without reading it, the veto message of the President when this same matter came up before.

The message referred to is as follows:

To the House of Representatives:

I take the liberty of returning H. R. 3157, "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920," without my signature.

I realize, of course, the grave inconvenience which may arise from the postponement of this legislation at this time, but feel obliged to withhold my signature because of the clause which provides that "at and after 2 o'clock antemeridian on Sunday, October 26, 1919, next, the act entitled 'An act to save daylight and to provide standard time for the United States,' approved March 19, 1918, be, and the same is hereby, repealed."

I believe that the repeal of the act referred to would be a very grave inconvenience to the country, and I think that I am justified in saying that it would constitute something more than an inconvenience. It would involve a serious economic loss. The act of March 19, 1918, to "save daylight" resulted not only from a careful study of industrial conditions by competent men familiar with the business operations of the country, but also from observation of the happy and beneficial consequences of similar legislation in other countries where legislation of this character has been for some time in operation, and where it has resulted, as the act of March 19, 1918, has resulted in the United States, in substantial economies. That act was intended to place the chief business activities of the country as nearly as might be within the limits of daylight throughout the year. It resulted in very great economies of fuel and in substantial economies of energy, because of the very different effect of work done in the daylight and work done by artificial light. It, moreover, served the daily convenience of the many communities of the country in a way which gave all but universal satisfaction, and the overwhelming testimony of its value which has come to me convinces me that I should not be justified in acquiescing in its repeal.

WOODROW WILSON.

THE WHITE HOUSE,
11 July, 1919.

The bill was reported to the Senate without amendment, ordered to a third reading, and was read the third time.

The VICE PRESIDENT. Shall the bill pass?

Mr. CUMMINS. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BRANDEGEE (when his name was called). I am paired with the senior Senator from Tennessee [Mr. SHIELDS]. I transfer that pair to the junior Senator from Maryland [Mr. FRANCE] and vote "yea."

Mr. FALL (when his name was called). I have a general pair with the Senator from Wyoming [Mr. KENDRICK], who is absent, but on this question I am at liberty to vote. I vote "yea."

Mr. FLETCHER (when his name was called). I have a general pair with the Senator from Delaware [Mr. BALL], who is not present. I transfer that pair to the Senator from Arizona [Mr. ASHURST] and vote "yea."

Mr. JOHNSON of South Dakota (when his name was called). I am paired with the Senator from Maine [Mr. FERNALD]. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. PENROSE (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. WILLIAMS], and being informed that he is absent I will refrain from voting.

Mr. GAY (when Mr. RANSDELL'S name was called). I desire to state that the senior Senator from Louisiana [Mr. RANSDELL] is detained on official business.

Mr. McKELLAR (when Mr. SHIELDS'S name was called). I wish to announce that the senior Senator from Tennessee [Mr. SHIELDS] is absent on important business.

Mr. SIMMONS (when his name was called). I inquire whether the junior Senator from Minnesota [Mr. KELLOGG] has voted?

The VICE PRESIDENT. He has not.

Mr. SIMMONS. I transfer my pair with that Senator to the Senator from California [Mr. PHELAN] and vote "yea."

Mr. SUTHERLAND (when his name was called). I have a general pair with the Senator from Kentucky [Mr. BECKHAM]. In his absence I transfer that pair to the Senator from Maine [Mr. HALE] and vote "nay." I understand the junior Senator from Maine would also vote "nay."

Mr. SWANSON (when his name was called). I have a pair with the senior Senator from Washington [Mr. POINDEXTER]. Not knowing how he would vote, I transfer my pair to the junior Senator from Kentucky [Mr. STANLEY] and vote "yea."

Mr. THOMAS (when his name was called). I transfer my general pair with the senior Senator from North Dakota [Mr. McCUMBER] to the senior Senator from Missouri [Mr. REED] and vote "nay."

Mr. UNDERWOOD (when his name was called). I am in favor of the bill, and if I were allowed to vote I would vote "yea." I have a general pair with the junior Senator from Ohio [Mr. HARDING] and, unless I can secure a transfer of my pair, I shall refrain from voting.

Mr. WATSON (when his name was called). I have a general pair with the senior Senator from Delaware [Mr. WOLCOTT]. In his absence I transfer my pair to the junior Senator from New Hampshire [Mr. KEYES] and vote "yea."

The roll call was concluded.

Mr. CHAMBERLAIN (after having voted in the affirmative). I note that my pair, the junior Senator from Pennsylvania [Mr. KNOX] has now voted. I transfer my pair to the Senator from Nebraska [Mr. HITCHCOCK] and let my vote stand.

Mr. SMITH of South Carolina. I understand that the Senator from South Dakota [Mr. STERLING], with whom I have a pair, would vote as I would. Therefore I will vote. I vote "yea."

Mr. KIRBY. I announce the unavoidable absence of my colleague [Mr. ROBINSON] on official business. He has a general pair with the Senator from Michigan [Mr. TOWNSEND]. I am informed that if my colleague were present he would vote "nay" on this question.

Mr. GERRY. I desire to announce the necessary absence of the Senator from Kentucky [Mr. BECKHAM] and the Senator from Wyoming [Mr. KENDRICK] on official business.

Mr. SIMMONS (after having voted in the affirmative). The Senator from California [Mr. PHELAN] has entered the Chamber and voted, but I am advised that the Senator from Minnesota [Mr. KELLOGG], if present, would vote as I have voted. Therefore I will let my vote stand.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Illinois [Mr. McCORMICK] with the Senator from Nevada [Mr. HENDERSON];

The Senator from Michigan [Mr. NEWBERRY] with the Senator from Virginia [Mr. MARTIN];

The Senator from Michigan [Mr. TOWNSEND] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH]; and

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH].

The result was announced—yeas 41, nays 12, as follows:

YEAS—41.

Bankhead	Harris	Nelson	Smith, Ga.
Brandegee	Harrison	New	Smith, S. C.
Capper	Johnson, S. Dak.	Norris	Spencer
Chamberlain	Jones, N. Mex.	Nugent	Swanson
Cummins	Kenyon	Overman	Trammell
Curtis	King	Poindexter	Wadsworth
Dial	Kirby	Pomerene	Warren
Fall	La Follette	Sheppard	Watson
Fletcher	Lenroot	Sherman	
Gay	McKellar	Simmons	
Gronna	Moses	Smith, Ariz.	

NAYS—12.

Calder	Gerry	Phelan	Sutherland
Colt	Lodge	Phipps	Thomas
Elkins	McNary	Pittman	Walsh, Mass.

NOT VOTING—43.

Ashurst	Hale	McCumber	Shields
Ball	Harding	McLean	Smith, Md.
Beckham	Henderson	Martin	Smoot
Borah	Hitchcock	Myers	Stanley
Culberson	Johnson, Cal.	Newberry	Sterling
Dillingham	Jones, Wash.	Owen	Townsend
Edge	Kellogg	Page	Underwood
Fernald	Kendrick	Penrose	Walsh, Mont.
France	Keyes	Ransdell	Williams
Frelinghuysen	Knox	Reed	Wolcott
Gore	McCormick	Robinson	

So the bill was passed.

ADJOURNMENT.

Mr. LODGE. I move that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Saturday, August 2, 1919, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate August 1, 1919.

UNITED STATES DISTRICT JUDGE.

Samuel H. Sibley, of Union Point, Ga., to be United States district judge, northern district of Georgia. An additional appointment, under provisions of the act approved February 25, 1919 (Public, No. 265).

COLLECTORS OF INTERNAL REVENUE.

Henry T. Graham, of Wilmington, Del., to be collector of internal revenue for the district of Delaware. New office.

William E. Byerly, of Velva, N. Dak., to be collector of internal revenue for the district of North Dakota. New office.

James E. Kennedy, of Essex, Vt., to be collector of internal revenue for the district of Vermont. New office.

PROMOTIONS IN THE ARMY.

CAVALRY ARM.

To be captains.

First Lieut. Leslie B. C. Jones, Cavalry (subject to examination required by law), from February 13, 1919.
First Lieut. Kramer Thomas, Cavalry, from March 22, 1919.
First Lieut. James R. Finley, Cavalry, from April 4, 1919.
First Lieut. Willard S. Wadelton, Cavalry, from June 6, 1919.

FIELD ARTILLERY ARM.

To be captains.

First Lieut. Clifford H. Tate, Field Artillery, from February 16, 1919.
First Lieut. Ottomar O'Donnell, Field Artillery, from March 11, 1919.
First Lieut. Oliver P. Echols, Field Artillery, from April 19, 1919.
First Lieut. Clement Ripley, Field Artillery, from April 22, 1919.
First Lieut. Edward M. Smith, Field Artillery, from June 19, 1919.

COAST ARTILLERY CORPS.

To be captains.

First Lieut. Edward A. Murphy, Coast Artillery Corps (Signal Corps), from June 19, 1919.
First Lieut. Jep C. Hardigg, Coast Artillery Corps, from June 19, 1919.
First Lieut. Dale D. Hinman, Coast Artillery Corps, from June 19, 1919.
First Lieut. George D. Davidson, Coast Artillery Corps, from June 19, 1919.
First Lieut. Robert E. Turley, jr., Coast Artillery Corps, from June 19, 1919.
First Lieut. Richard B. Webb, Coast Artillery Corps, from June 19, 1919.
First Lieut. Moses Goodman, Coast Artillery Corps, from June 19, 1919.
First Lieut. Kenneth S. Purdie, Coast Artillery Corps, from June 19, 1919.
First Lieut. Robert E. Phillips, Coast Artillery Corps, from July 11, 1919.

APPOINTMENT IN THE NAVY.

Rear Admiral Thomas Washington to be Chief of the Bureau of Navigation, in the Department of the Navy, with the rank of rear admiral, for a term of four years.

CONFIRMATIONS.

Executive nominations confirmed by the Senate August 1, 1919.

ASSISTANT DIRECTOR OF THE CENSUS.

William M. Steuart to be Assistant Director of the Census.

COLLECTORS OF INTERNAL REVENUE.

Lewis Williams to be collector of internal revenue for the district of Idaho.

George L. Donald to be collector of internal revenue for the district of Mississippi.

POSTMASTERS.

CONNECTICUT.

John W. Cook, Beacon Falls.
J. P. Callahan, Branford.
Edward R. Wooster, Bridgewater.
Frank La Favre, Central Village.
Everett I. Pardee, Cheshire.
Willys R. Monroe, Coscob.
Thomas H. Collins, Farmington.
David A. Wilson, Hartford.
Thomas F. Ryan, Litchfield.
Frederick H. Wall, Manchester.
John F. Penders, Meriden.
George H. Foley, Mystic.
John Mulville, Norfolk.
Michael J. Howard, Norwalk.
Walter H. Bishop, North Haven.
Timothy J. Kelly, Oakville.
Emery W. Doolittle, Plantsville.
Alexander Gilman, Putnam.
William P. Stone, Salisbury.
John J. Moran, Southington.
William A. Russell, Southport.
Joseph F. Leahy, Stonington.
Daniel P. Hurley, Terryville.
William L. Hanley, Thomaston.
Thomas S. Rourke, Unionville.
William C. Saunders, Waterford.
Edward L. Reidy, Winsted.

MAINE.

Austin W. Keating, Belfast.
Linza A. Burns, Clinton.
Fred A. Pitts, Damariscotta.
Samuel G. Wing, Fairfield.
Harry B. Brown, Farmington.
John W. Hutchins, Fryeburg.
George D. Vose, Kingsfield.
Stanley Renier, Madison.
Alvin E. Dresser, Millbridge.
Edith G. Stuart, National Soldiers Home.
Dwight P. Macartney, Oakland.
James W. Sewall, Oldtown.
Ferdinand H. Parady, Orono.
John P. Coughlin, Saco.
Alice C. Havener, Searsport.
Joseph A. Kenney, South Paris.
Rufus L. Mudgett, Stockton Springs.
Elmer E. Crockett, Stonington.
Frank B. Hills, Thomaston.
Louis P. Gagnon, Van Buren.
Mary P. Ross, Vanceboro.
Allen H. Stinehfield, Wayne.

NEW HAMPSHIRE.

Henry A. Browne, Farmington.
Otis F. Sumner, Goffstown.
Jesse C. Parker, Hillsboro.
William H. Drew, Intervale.
Harriet O. Harriman, Jackson.
Charles L. Bemis, Marlboro.
Nellie A. Card, New Castle.
Andrew D. Davis, North Conway.
Enoch F. Stevens, Raymond.
John N. Grimes, Troy.

SOUTH CAROLINA.

Andrew P. Burgess, Summerton.
John W. Geraty, Yonges Island.
Loka W. Rigby, Moncks Corner.
Charles R. Calhoun, Greenwood.
Stella R. Nelson, Ridgeway.
M. Zella D. Abercrombie, McCormick.
Josephine B. Pelzer, Pelzer.
Estella S. Herndon, Eutawville.

HOUSE OF REPRESENTATIVES.

FRIDAY, *August 1, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, confronted with a feeling of unrest throughout the world, which has reached the people of our own beloved country, we pray that the authorities in this Capital City in all branches of our Republic may strive earnestly to adjust every difficulty in accordance with the traditions and genius of our Nation.

With the largest crops in the history of our country, prices are beyond reason and common sense and the people look for speedy relief; and we pray most fervently that a league of nations, not the league before the Senate and the people of the United States, but a peace league founded upon the highest moral conceptions and religious truths, may spring spontaneously from the hearts of all peoples of all the world; that war may be assigned to the limbo of the past, where it belongs. In God's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

PROTECTION OF COASTWISE TRADE.

Mr. SNELL. Mr. Speaker, I offer a privileged report from the Committee on Rules.

The SPEAKER. The gentleman from New York offers a privileged report from the Committee on Rules, which the Clerk will report.

The Clerk read as follows:

House resolution 216.

Resolved, That immediately upon the adoption of this resolution it shall be in order for the House to consider H. R. 7500, a bill "To protect the coastwise trade of the United States, and for other purposes." That debate on said bill shall be limited to 1 hour and 30 minutes,

one-half to be controlled by those in favor of the bill, one-half by those opposed to the bill. That during said debate amendments may be offered, to be voted upon in the order in which they are offered at the conclusion of such debate. That at the conclusion of the debate the previous question shall be considered as ordered on all amendments and the bill to final passage without intervening motion except one motion to recommit.

The committee amendment was read, as follows:

In line 5, strike out the words "and 30 minutes," so that the line will read: Debate on said bill shall be limited to one hour, to be controlled," etc.

Mr. SNELL. Mr. Speaker——

Mr. HARDY of Texas. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HARDY of Texas. If the previous question shall be ordered and agreed to, there will then be 20 minutes on a side on the rule?

Mr. SNELL. Well, it was not the intention to have any debate on the rule itself proper, unless there is some demand from the gentleman from North Carolina [Mr. POU].

Mr. HARDY of Texas. That is a right under the parliamentary situation.

Mr. SNELL. I was just going to ask the gentleman from North Carolina [Mr. POU].

Mr. POU. As far as I know, there is no desire to debate the rule on this side.

Mr. HARDY of Texas. Well, the gentleman has not consulted with me at all. I do desire to debate it during the 20 minutes.

Mr. POU. Neither has the gentleman consulted with me at all.

Mr. HARDY of Texas. Surely, I did not know the Rules Committee was acting on the matter.

Mr. POU. All right.

Mr. KAHN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from California rise?

Mr. KAHN. To ask a question. This is a very important bill. I do not oppose the repealing of the coastwise law, but there is a situation in the West on the Pacific coast with respect to Hawaii that I think the House should thoroughly understand, and I will ask those in charge of the bill whether I can have 15 minutes of the hour's time to explain the thing to the House.

Mr. JOHNSON of Kentucky. Mr. Speaker, I believe we ought to have a quorum here on this matter, and I make the point of order that there is no quorum present.

Mr. CLARK of Missouri. Will the gentleman withhold that a minute?

Mr. JOHNSON of Kentucky. I withhold it for the present.

Mr. CLARK of Missouri. I will ask the gentleman from New York if he would not be willing to take the 40 minutes that usually goes with the so-called debate on the rule, and never is, and add it to the time provided in the rule?

Mr. HARDY of Texas. Making it an hour and 40 minutes to be equally divided.

Mr. SNELL. We will agree to that.

Mr. POU. I have no objection.

Mr. SNELL. Mr. Speaker, I ask unanimous consent that that amendment be included in the resolution.

The SPEAKER. The gentleman asks unanimous consent that the rule be amended by adding 40 minutes to the general debate. Is there objection? [After a pause.] The Chair hears none.

Mr. HARDY of Texas. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HARDY of Texas. I suppose that the rule provides that the time be equally divided?

The SPEAKER. Yes; and it is understood that debate on the rule is to be omitted.

Mr. HARDY of Texas. That is all right. The rule provides the time shall be equally divided between those in favor and those opposed to the bill?

Mr. SNELL. Yes, sir.

The SPEAKER. The question is on adopting the resolution.

The question was taken, and the resolution was agreed to.

Mr. JOHNSON of Kentucky. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Kentucky makes the point of order there is no quorum present, and obviously there is not.

Mr. SNELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Andrews, Md.	Fitzgerald	Longworth	Sanders, N. Y.
Babka	Frear	Lufkin	Sanford
Baer	Freeman	McAndrews	Saunders, Va.
Bee	Fuller, Ill.	McClintic	Scully
Benson	Fuller, Mass.	McCulloch	Sears
Bland, Va.	Gallagher	McKeown	Sherwood
Booher	Gallivan	McKinley.	Shreve
Brand	Ganly	McKinley	Sims
Britten	Gard	McLane	Slemp
Brooks, Ill.	Godwin, N. C.	MacGregor	Smith, Ill.
Brooks, Pa.	Goldfogle	Magee	Smith, N. Y.
Browne	Good	Maher	Snyder
Burdick	Goodall	Mansfield	Steagall
Butler	Gould	Mason	Steele
Byrnes, S. C.	Graham, Pa.	Mead	Stephens, Miss.
Caldwell	Graham, Ill.	Merritt	Stevenson
Campbell, Pa.	Green, Iowa	Michener	Stiness
Cantrill	Griffin	Miller	Sullivan
Carew	Hamill	Moon	Summers, Wash.
Carss	Hamilton	Mooney	Sumners, Tex.
Christopherson	Hardy, Colo.	Morgan	Taylor, Ark.
Classon	Haugen	Mudd	Taylor, Tenn.
Cooper	Hickey	Neely	Temple
Costello	Hicks	Nicholls, S. C.	Thompson, Okla.
Cramton	Hill	O'Connor	Tinkham
Currie, Mich.	Houghton	Olney	Upshaw
Davey	Howard	Osborne	Vare
Davis, Minn.	Hulings	Paige	Venable
Dempsey	Husted	Parker	Voigt
Denison	Jefferis	Pell	Ward
Dewalt	Johnston, N. Y.	Phelan	Watkins
Dickinson, Mo.	Jones, Pa.	Ramsey	Watson, Pa.
Dooling	Juul	Reed, N. Y.	Weaver
Dupré	Kennedy, R. I.	Riordan	Webb
Dyer	Kettner	Rouse	Webster
Echols	Kiess	Rowan	Wilson, Ill.
Emerson	Kraus	Rucker	Wilson, Pa.
Esch	Lea, Calif.	Sabath	Woodyard
Fairfield	Lee, Ga.	Sanders, Ind.	Young, Tex.
Ferris	Lever	Sanders, La.	Zihlman

The SPEAKER. A quorum is present.

Mr. SNELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

Mr. BYRNS of Tennessee. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BYRNS of Tennessee. A day or two ago I was granted unanimous consent to address the House for 35 minutes this morning. I want to ask if I may be recognized now?

The SPEAKER. The Chair has forgotten the wording of the unanimous consent. The Chair recollects that unanimous consent was given subject to business on the Speaker's table and privileged business. Was not that the fact?

Mr. BYRNS of Tennessee. My request was worded so as to provide that consent should be given to me after the reading of the Journal and disposal of such business as was on the Speaker's desk. I assume the RECORD so shows.

The SPEAKER. The gentleman was not here when the reading of the Journal was completed.

Mr. BYRNS of Tennessee. That is true, Mr. Speaker, but I call the attention of the Speaker and the House to the fact that the House met at an unusual hour this morning, and I temporarily had forgotten that the House met at 11 o'clock. I came in here very shortly after the roll began, and there has really been no time lost.

The SPEAKER. The Chair is disposed to think that technically, inasmuch as this rule has been adopted in the absence of the gentleman, the gentleman's right would be superseded by the rule. But the gentleman might now ask unanimous consent. Of course, the Chair does not know whether or not it would be granted.

Mr. BYRNS of Tennessee. Mr. Speaker, as I stated the other day, it has always been the uniform practice that a statement on the subject of appropriations be made by the ranking minority member of the Committee on Appropriations, and since I was granted this leave the other day I wish to ask unanimous consent that I may be permitted to proceed now for 35 minutes.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that he may be permitted to proceed 35 minutes on the subject of appropriations. Is there objection?

Mr. SNELL. Mr. Speaker, reserving the right to object, could not the gentleman get in on the debate on this bill? We have increased the limit of time to 1 hour and 40 minutes.

Mr. BYRNS of Tennessee. I understood the debate was confined to the bill. I do not know whether the gentlemen will have time to yield me or not. I hope the gentleman will not object to this request.

Mr. SNELL. I do not want to do so, but I had hoped that the gentleman could get in under general debate.

Mr. HARDY of Texas. We have not the time to yield in general debate.

Mr. BYRNS of Tennessee. The gentleman from Texas states he has not the time. I hope there will be no objection to my request.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee to proceed now for 35 minutes? [After a pause.] The Chair hears none. [Applause.]

EXTENSION OF REMARKS.

Mr. RAMSEYER. Will the gentleman from Tennessee yield?

Mr. BYRNS of Tennessee. I yield, not to be taken out of my time.

Mr. RAMSEYER. Mr. Speaker, I wish to ask unanimous consent to extend my remarks in the RECORD on the subject of the jurisdiction of the Committee on the Post Office and Post Roads over telegraph and telephone legislation. It is a brief argument prepared by myself for the guidance of the House, if the subject ever comes up again.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD by printing the argument referred to. Is there objection? [After a pause.] The Chair hears none.

Mr. WHITE of Maine. Mr. Speaker, will the gentleman from Tennessee yield to me to submit a request?

Mr. BYRNS of Tennessee. Yes.

Mr. WHITE of Maine. Mr. Speaker, I ask unanimous consent to extend my remarks upon the pending bill.

The SPEAKER. The gentleman from Maine asks unanimous consent to extend his remarks in the RECORD on the bill before the House. Is there objection? [After a pause.] The Chair hears none.

RESIGNATION OF A MEMBER.

The SPEAKER. The Chair lays before the House the following resignation, which the Clerk will read.

The Clerk read as follows:

HOUSE OF REPRESENTATIVES, UNITED STATES,
Washington, D. C.

Hon. FREDERICK GILLETT,
Speaker of the House of Representatives,
Washington, D. C.

MY DEAR MR. SPEAKER: I have this day tendered my resignation as a Representative in Congress from the seventh congressional district of the State of South Carolina to the governor of said State, the same to take effect August 1, 1919.

Cordially, yours, A. F. LEVER.

APPROPRIATIONS.

Mr. BYRNS of Tennessee. Mr. Speaker, it has always been the custom for the ranking minority member of the Committee on Appropriations to submit some remarks with reference to appropriations during the session. By way of explanation I wish to say that I would have submitted these remarks at an earlier date had it not been for the fact that for a week or more the House has been engaged in the consideration of the prohibition-enforcement legislation and other important matters.

I wish to make a connected statement, and shall therefore ask the indulgence of the House that I be not interrupted until after I have concluded, at which time, if I have the time, I will be very glad to yield to any Member.

At the close of the Sixty-fifth Congress, on March 4, 1919, six of the supply bills carrying appropriations for governmental activities for the fiscal year beginning July 1, 1919, had not been enacted into law. These were the bills making appropriation for the sundry civil expenses, the Agricultural and the Indian Service, the District of Columbia, and the Army and the Navy. In addition to this, the deficiency bill and the appropriation for the Railroad Administration also failed to become law. The country is familiar with the reasons why these bills were not enacted before the expiration of that term of Congress. All of them were passed by a Democratic House in ample time to have become law, but they were killed in the Senate by the filibuster of Republican minority Senators, who deliberately planned and carried on the filibuster for political purposes, and with the avowed purpose of compelling the President to call an early extra session in order to provide funds for the fiscal year 1919–20. It was stated that the desire for an early extra session was in order that reconstruction legislation might be quickly undertaken, but everyone knows that the real reason underlying the filibuster was to force, if possible, the President's return from Paris before he had completed framing the peace treaty which was to insure the peace of the world and to enable our boys to quickly return home. If the desire for reconstruction legislation was its real purpose, why is it that now, after a session of only two months, the Republican majority in Congress has decided to take a five-week recess with this legislation not enacted? If it was considered so important last spring as to demand an immediate extra session, why take a long recess now before it is enacted? They have passed the appropriation bills which were defeated at the last session by the filibuster, and having started certain fishing political investigations, with the hope that something may turn up which will be of advantage to their party, they are now anxious to take a long recess and permit this important legislation to await their own good pleasure.

Ours is a government by majority, and a deliberate filibuster by a minority can seldom be justified, but certainly no filibuster was ever more unjustifiable and more deserving of rebuke by the people than the one which resulted in the defeat of these appropriation bills. [Applause on the Democratic side.] It was not actuated by opposition to the pending bills, but by a purpose wholly foreign to them. For my part I believe that the President should have gone to Paris, but, waiving that question, the fact remains that he had the right to go, and that he was actually there as the head of our Nation and in the midst of the negotiations and could not leave without sacrificing many of those things for which our country stands and for which our brave boys sacrificed their lives. And this filibuster on the part of members of the opposite party, and consequent defeat of these bills, was only one of many things which were done to hamper and embarrass him while he was engaged in formulating peace terms which were to bring to a close the greatest war of all the ages.

As a result the President called the new Congress into extra session on May 19 in order that these bills might be enacted into law before the beginning of the fiscal year and the necessary funds provided to carry on the Government. All of these bills have now been enacted into law. It will be illuminating to compare the amounts carried in these bills as passed by a Republican Congress with the amounts proposed by a Democratic House in the last Congress for exactly similar services and for the same fiscal year.

A few days ago the gentleman from Iowa [Mr. GOOD], as chairman of the Committee on Appropriations, presented to the House a carefully prepared statement in which he undertook to analyze the appropriations which have been made and to compare them with those proposed at the last session of the Sixty-fifth Congress. Had he followed the usual custom and presented an impartial comparison of the amounts appropriated by this Congress with those passed by a Democratic House at the last session, I would have nothing to say. Personally I have a very warm and high regard for the gentleman from Iowa. We are personal friends, and I know that he would not intentionally misrepresent any fact or do anyone an injustice, but he sometimes permits his intense eagerness to serve his party to warp his judgment. And I regret that in this instance he forgot that he was speaking to the Congress and to the country as the chairman of the great Committee on Appropriations but permitted himself to be drawn off in an effort to secure a partisan advantage for his party rather than present a fair comparison of the appropriations made at this and the last session. In reply to the gentleman I shall show by a brief analysis of the various bills that this session has increased the charges on the Treasury by a number of millions of dollars for the ordinary running expenses of the Government over the amount proposed by a Democratic House at the last session.

The gentleman from Iowa asserted that—

> The net result of the work of this Congress, so far as it has acted on appropriations, notwithstanding the necessarily large increases for war-risk insurance, shows a net decrease of $939,629,541.97 in the appropriations made by this Congress as compared with the last action of the Sixty-fifth Congress on the same bills. But if the saving made by this Congress in the matter of appropriations is measured by the amounts asked for by the executive departments and considered by this Congress the aggregate is $1,685,837,893.64, a magnificent record of achievement in 37 legislative days.

The gentleman failed to state that the speed with which these bills were put through was made possible only by the fact that extensive hearings were conducted on all of these bills at the last session and that these hearings and the bills then prepared were made the basis for the bills introduced at this session, and that, as a matter of fact, the greater portion of the items of appropriation then proposed were accepted without question. He knows full well that if it had not been for that fact it would have been impossible to have prepared and passed these bills within the time stated.

He also, by his comparison, seeks to show that the combined amounts proposed in these bills at the last session greatly exceeded the amounts appropriated at this session. He forgets that every Member of his party in the House voted for these bills at the last session, and that he, as a member of the Committee on Appropriations, helped to frame a number of them, and his claim, by inference, that they were unduly large is a severe indictment of himself and his party in not having opposed them

and called the attention of the country to them at the time. [Applause on the Democratic side.] No, Mr. Speaker, the gentleman knows that the reductions to which he refers were made in three appropriations alone, that of the Army, the Navy, and the Shipping Board or Emergency Fleet Corporation, which I shall presently show should not be considered on account of a change in conditions since the last session of Congress, and that, eliminating these, the Republican majority in the present session has actually increased by millions of dollars the appropriations made by a Democratic majority in the House at the last session of the Sixty-fifth Congress for exactly similar services for the fiscal year 1920. And this despite the widely heralded program of economy which the Republican Party announced that it proposed to institute in behalf of the burdened taxpayers. Why, Mr. Speaker, the Republican Party can no more change its old habit of extravagance in spending the public revenues than a leopard can change its spots.

The gentleman from Iowa realized this, and he, therefore, resorted to the unheard of argument of claiming a saving of more than a billion and one-half dollars, because the appropriations are that much less than the estimates submitted. He knows that many of these estimates were war-time estimates, and he also knows that there has never been a session of Congress under either Republican or Democratic administrations that the appropriations actually made were not far less than the estimates submitted. If I had the time, I could cite instances of this in every session of Congress, and numerous instances where Democratic Congresses have made equally as great reductions in the estimates submitted. But this would get us nowhere, for it would neither be illuminating or conclusive as to whether Congress had shown proper economy, and I am sure that not even the gentleman from Iowa will seriously insist that it is a just or fair claim.

As another evidence of the unfairness of the gentleman's statement, let me call attention to the fact that in referring to appropriations proposed by the last session of the Sixty-fifth Congress, he did not take the appropriations as actually passed by the House, but he chose rather to use the figures as reported by a committee of the Senate, after the bills had passed the House and been messaged to the Senate. Everyone knows that the report of the committee, consisting of both Democrats and Republicans, was by no means binding on the Senate, to say nothing of the House. It so happened that the amounts reported by the Senate committee were largely in excess of the amounts provided by the House and hence the committee figures were used. I do not recall but one instance since I have been in Congress that the House did not largely reduce the appropriations passed by the Senate, and the gentleman can not hold a Democratic majority in the Sixty-fifth Congress responsible for what some Senate committee may have reported. The only fair and just comparison is to take the bills as they actually passed this body and not as reported by the committee.

The gentleman from Iowa, using the figures as reported by the Senate committee instead of those contained in the bill as it actually passed the House, states that this Congress has appropriated over $400,000,000 less for Army purposes than was proposed at the last session. Now, what are the real facts? The Army bill of the last session was prepared in January and February of this year, but a little over two short months after the signing of the armistice. At that time it was expected that there would be sufficient troops in France and this country after July 1 and for several months thereafter to make it necessary to provide for an average Army of 509,000 men during the fiscal year 1920. I do not mean that it was contemplated retaining an Army of that size, but this was the average number of soldiers which it was believed would have to be provided for. The number would be larger during the first of the fiscal year and decrease as demobilization proceeded. Hence the bill prepared and passed by the House at the last session provided sufficient funds to maintain an average Army of 509,000 men. But when Congress met in extra session in May it was found that the rapidity with which our men were being returned and discharged had exceeded former expectations and that it would be necessary to provide for an average Army of only 325,000 men. This explains the large difference in the two appropriations, and I submit, Mr. Speaker, if there was any saving it was due to a Democratic administration's efficiency in bringing our soldiers back and not to any action of economy of a Republican Congress. [Applause on the Democratic side.] Ah, Mr. Speaker, why did not my friend, in the interest of fairness, state these facts when he made claim that this Congress had reduced the Army appropriations for next year by over $400,000,000 from the sum which was proposed at the last session? The gentleman from California [Mr. KAHN], who was ranking Republican on the Military Affairs Committee last session, and who as such gave the former bill his support, and who is now chairman of the committee, frankly admitted this to be true, and said in justification of the former bill that:

> The committee was justified at that time in appropriating for that number (509,000 men) because it seemed to the committee that it would not be possible to demobilize our forces as rapidly as they have been demobilized.

A splendid tribute from a high Republican source to the efficiency of a Democratic administration. [Applause on the Democratic side.] As a matter of fact, even had the larger sum been appropriated, it would not have been spent, because it could have been used only for the support of the soldiers, and since they have been so rapidly demobilized that there will not be an average of 509,000 men next year, the balance would have remained in the Treasury.

The same is true of the naval bill. The gentleman from Iowa compares the amount appropriated at this session of Congress for naval purposes with the amount recommended to the Senate at the last session by a Senate committee, composed of both Democrats and Republicans, and who unanimously agreed on the report. Everyone knows that the House would never have agreed to that report. Why did he not, therefore, use the amount as passed by the House? It would have been fairer and represented the judgment of 435 Members, rather than the judgment of a very few Senators on the Senate committee. The reason is obvious.

Mr. TOWNER. Mr. Speaker, will the gentleman yield?

Mr. BYRNS of Tennessee. I regret that I can not yield.

Mr. TOWNER. This is a question that I think the gentleman ought to answer.

Mr. BYRNS of Tennessee. I will yield to the gentleman after I get through. I can not yield unless the gentleman can assure me more time. I will yield later to the gentleman.

The SPEAKER. The gentleman declines to yield.

Mr. BYRNS of Tennessee. The bill as it passed the House at the last session carried $720,693,000.33, while the Senate committee reported $824,708,521.88, or over $104,000,000 more. But take his own figures. Is there any real saving? Not at all. The reduction in the bill passed at this session was made possible solely by a change of conditions and events occurring since the adjournment of the last Congress. I quote as authority for the statement no less a person than the able chairman of the Committee on Naval Affairs, the gentleman from Pennsylvania [Mr. BUTLER], who is one of the most beloved and respected men in this House. The bill which previously passed the House carried appropriations for the construction of new vessels and an enlisted strength of 225,000 men.

In the bill which passed at this session the new construction of vessels was eliminated on the advice and suggestion of a Democratic Secretary of the Navy, and it provides for an average enlisted strength of 193,000 men. But let me say just here that the reductions carried in the bill passed at the present session, and which were made possible by the elimination of new construction and for arms and armament, are temporary, and additional appropriations for those purposes will have to be made later on by this Congress. So, again, we find that if there is any saving in this bill, it is due to a change of condition since the adjournment of Congress in March and to a Democratic administration, and not, as the gentleman from Iowa would have the country understand, to the economy of a Republican Congress.

The Agricultural bill as it passed the House at the last session carried $31,691,562 for the next fiscal year. The bill as it passed this session for the same year and for exactly the same services carries $33,869,761, or an increase of $2,178,199 over the sum proposed by a Democratic House at the last session. And yet the gentleman from Iowa in his speech refrained from even mentioning the appropriations made by the House at the last session, but chose rather to make his comparison with the figures reported by a committee to the Senate, and which was not even binding on the Senate, to say nothing of the House.

The bill making appropriations for the District of Columbia as passed at this session carries $15,364,421. The gentleman refers to the fact that it passed the Senate at the last session carrying $14,446,364, but he forgot to mention that this same bill also passed the House at the last session, and that it only carried the sum of $14,093,701. Since it was thrown into conference and never became a law, it would certainly have been as fair to refer to the figures of the House as it was to the figures of the Senate. He chooses, however, the larger figures, but even then he is bound to concede that the bill passed by this Congress carries $918,057 more for the next fiscal year for the same services than the amount fixed by the Senate at the last session. And if you compare it with the amount appropriated by the House at the last session, it represents an increase of $1,270,720. He takes some solace in the fact that the bill as it passed this

session is $271,280 less than the estimates. Since he saw fit to refer to estimates, why not tell the whole story and show that the bill as it passed the House at the last session reduced the estimates in the sum of $1,835,018? [Applause on the Democratic side.]

There was appropriated by this Congress for sundry civil expenses the sum of $605,160,207.95. Of this amount the sum of $356,000,000 was for the Shipping Board or Emergency Fleet Corporation, leaving $249,160,207.25 for all other expenses. This bill was passed by the House at the last session of the Sixty-fifth Congress, carrying $851,171,859.25. Of this amount $660,903,254 was for the Shipping Board, leaving $190,268,605.25 for all other services. Leaving out, therefore, the appropriations for the Shipping Board, which I will presently show should be done, it will be found that the Republican majority in this Congress actually appropriated for sundry civil expenses for the fiscal year 1920 the sum of $58,891,602 more than was appropriated by a Democratic House in the last session of the Sixty-fifth Congress for the same services and for the same fiscal year. The gentleman from Iowa refers to the fact that the bill passed at this session carries a greater sum for the War Risk Bureau. That is true, but even if you omit the appropriation carried for this service in both bills you will still find that the bill as it passed this session has increased the amount carried in the bill which was passed by the House at the last session by the sum of $13,891,602. This is a striking contradiction of the claim made by the Republican Party that it has entered on an era of close economy.

In this statement I have not charged the majority party with the sum of $8,000,000 which was added to the bill after the veto of the President, in order to provide proper subsistence and training for those of our soldiers who were wounded and disabled in their service for our country during the war. I thought it unfair to do so, because they denied this sum in the bill as it first passed, and it was only through the veto of the President and the efforts of the Democratic minority that it was made possible to do this act of justice to those who fought so bravely in behalf of our flag and who suffered disabilities resulting in a decrease of their earning capacity.

I have said that for the purpose of this comparison the appropriations made for the Shipping Board should not be considered. There was appropriated by the House at the last session the sum of $660,903,254 for this service, while the present Congress appropriated the sum of $356,000,000, or a difference of over $304,000,000. But this represents no real decrease. It is simply a saving on paper and will not save one cent of the public revenues. In order to make this showing on paper, the bill passed at this session makes available certain sums which otherwise would have gone into the Treasury. For instance, since the last session of Congress a large number of wooden ships and ships of slow-going type have been sold, and it is contemplated selling more in the future, and the sum so derived will amount to many millions of dollars. Then it has been found that the operation of ships is proving profitable. Sixty millions of dollars will probably be received from this source during this fiscal year. Then there has been heretofore appropriated many millions of dollars for working capital in the operation of ships, and it was found that there was $118,000,000 of a former appropriation for the purchase of ships which has not been and will not be used. The bill as it passed at the last session contemplated that these sums would be covered into the Treasury and made a direct appropriation out of the Treasury of the amount which was believed would be needed for this service. But not so with this Congress. It had to make a record for economy by a seeming reduction of the former appropriation. Hence it made these sums available for ship construction, and thereby reduced the appropriation carried in the bill to that extent. I repeat there was no saving to the people, for every dollar belongs to the people, and it makes no difference, in so far as the Treasury is concerned, whether the money is appropriated directly out of the Treasury or whether it is taken from a fund which would otherwise be paid into the Treasury. Such a practice, however, can not be too severely criticized, for it has a tendency to mislead the people and conceal from them the amount that is actually being appropriated, something a Democratic House sought to avoid by permitting these sums to be paid into the Treasury and then making a direct appropriation of the sum which was needed.

The gentleman from Iowa [Mr. GOOD] further stated that there had been a reduction made in the appropriation for the Indian Service of $326,400, comparing the amount as passed at this session with the amount of the bill as it passed the Senate. The gentleman overlooked the fact that the Indian bill passed the House and was messaged to the Senate and passed the Senate and went to conference, and the conferees actually agreed upon a report, and that report of the conference committee was adopted by the House, carrying $43,509.78 less than the amount appropriated at this session for the Indian Service. [Applause on the Democratic side.] In other words, the total appropriation made by the last session of the Sixty-fifth Congress, as agreed to in conference and adopted by the House, was $10,941,587.25, whereas the total appropriation made at this session for the Indian Service, and standing as a charge upon the Treasury, is $10,985,097.03, or a difference, as I stated, of $43,509.78.

An analysis of all these bills shows that the filibuster in the Senate last March cost the Treasury of the United States more than $62,000,000 in appropriations alone, for this Congress has increased to that extent the amounts carried for ordinary expenses of the Government for the fiscal year 1920, in the sundry civil, Agricultural, District of Columbia, and Indian appropriation bills, and if you deduct the total amount provided for the war risk, it will still be found that the appropriations in these four bills for ordinary services of the Government have been increased more than $16,000,000. These bills would have been enacted into law had it not been for that filibuster, and an extra session would not have been necessary to pass them, and this Congress would not have had the opportunity to increase them.

Let me say, further, that in order to make a record before the people at this particular time for economy, appropriations which were manifestly and clearly necessary to carry on certain governmental activities during the present fiscal year have been cut below the amount necessary, with the idea that they can be taken care of in deficiency bills to be passed later on. [Applause on the Democratic side.] Everyone recognizes that it is poor policy and wasteful extravagance to invite deficiencies, but I charge that this has been done, and I could cite a number of instances to prove it. The deficiency bills to be passed later on at this session and the next session will prove it, and I shall take occasion at that time to call them to the attention of Congress and the country.

The gentleman from Iowa called attention to the fact that there was a failure to enact many of the appropriation laws before the beginning of the fiscal year for which the appropriations were made and that it was therefore necessary to pass continuing resolutions in certain sessions of the Forty-fourth, Forty-seventh, Forty-eighth, Forty-ninth, Fiftieth, Fifty-first, Fifty-third, Sixty-second, Sixty-third, Sixty-fourth, and Sixty-fifth Congresses. I have examined the records and I find that both branches of Congress were Republican in the Forty-seventh and Fifty-first Congresses and Democratic in the Fifty-third, Sixty-third, Sixty-fourth, and Sixty-fifth Congresses.

The country is entirely familiar with the fact that it was the filibuster which was carried on in the Senate last March which prevented the enactment of certain appropriation bills in the last session of the Sixty-fifth Congress. In the Sixty-third and Sixty-fourth Congresses the Democratic Party was in control of the Government for the first time after a long period and both the House and the Senate were engaged in the consideration of a number of most important and progressive measures, the need of which had long been apparent, and this fact delayed the passage of certain appropriation bills for a short period. But in the Forty-fourth, Forty-eighth, Forty-ninth, Fiftieth, Fifty-second, and Sixty-second Congresses, the House was Democratic and the Senate Republican. With the exception of the fortifications bill in the Forty-eighth Congress, the fortifications and sundry civil bills in the Forty-ninth, and the fortifications bill in the Fiftieth Congress, all of the appropriation bills in these Congresses were passed by a Democratic House before the beginning of the fiscal year and in ample time to have been passed upon by the Republican Senate. [Applause on the Democratic side.] Some of these bills were passed by the House from three to five months before the beginning of the fiscal year and their failure to become a law at the proper time must rest with the Republican Senate and not the Democratic House. [Applause on the Democratic side.] I shall append to my remarks a table showing when these bills passed the House, and leave it to an impartial and fair public to pass judgment on the efficiency of the Democratic House and the Republican Senate in those Congresses.

Let me remind the gentleman and his party colleagues that they can no longer make use of the old threadbare and false arguments as to the inefficiency of the Democratic Party, which we were accustomed to hear in the years gone by. They can not fool the people as to the record of the party. For six years it had control of both the administrative and legislative branches of our Government. [Applause on the Democratic side.] It stayed on

the job and made a record for efficiency which the Republican Party has never equaled. I lay it down as a fact which can not be contradicted that during those years more wise and progressive measures of real value to the people were placed on the statute books than during the whole time the Republican Party was in control of the Government. Among the measures passed were the Federal reserve banking act, which took the control of our finances from Wall Street and gave it to the people to whom it belongs. It passed the Federal farm-loan act for the benefit of the farmers, the only measure ever passed for the primary benefit of the farming classes with the exception of the law providing for rural free delivery of the mails. It passed the income-tax law, which has equalized the burdens of taxation and made wealth bear its just proportion of the expenses of government. It has created a merchant marine in the interest of our commerce.

It has passed legislation in behalf of good roads, and for the first time in more than half a century the Federal Government is now extending substantial aid to the States in the building of highways. It created the parcel post for the benefit of the consumers. It provided a system of cheap insurance for our soldiers and sailors in the Great War and made provision for the support of their dependents while they were engaged in the service of their country, and has made it possible for those who were wounded or disabled in the service to receive a vocational training in some useful occupation or calling. It entered upon a constructive naval program, and has made it possible to provide adequate naval protection to our Pacific as well as our Atlantic coast. These but constitute a part of the constructive measures enacted by a Democratic Congress and under a Democratic administration.

But above all and beyond all, Mr. Speaker, this Great War was fought to a successful conclusion under a Democratic administration. The speed and thoroughness with which our country made ready to meet the issues of the war, and the efficiency with which its vast problems were handled, were equaled only by the splendid courage of our soldiers and the sacrifices made by our citizenship. The world recognizes the great and glorious part which our country took in bringing the war to a successful conclusion, and the petty faultfinding and criticism which is heard in our midst and nowhere else will be forgotten in the glorious record of the achievement of our country, which is acclaimed in every land. [Loud applause on the Democratic side.]

Mr. Speaker, I ask unanimous consent to include the statement to which I have referred.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to insert a statement to which he has referred. Is there objection?

There was no objection.

Following is the statement referred to:

ANNUAL APPROPRIATION LAWS (WITH DATES OF APPROVAL AND DATES OF PASSAGE BY THE HOUSE) WHICH WERE NOT ENACTED IN TIME TO BE EFFECTIVE FROM THE FIRST DAY OF THE FISCAL YEAR.

FORTY-FOURTH CONGRESS (FISCAL YEAR 1877).

(House, Democratic; Senate, Republican.)

Army, July 24, 1876. Passed House June 19, 1876.
Consular and Diplomatic, August 15, 1876. Passed House February 1, 1876.
Indian, August 15, 1876. Passed House June 6, 1876.
Legislative, etc., August 15, 1876. Passed House April 28, 1876.
Military Academy, August 7, 1876. Passed House January 31, 1876.
Post Office, July 12, 1876. Passed House May 7, 1876.
Sundry civil, July 31, 1876. Passed House June 23, 1876.
(Seven in all.)

FORTY-EIGHTH CONGRESS (FISCAL YEAR 1885).

(House, Democratic; Senate, Republican.)

Army, July 5, 1884. Passed House May 19, 1884.
Consular and Diplomatic, July 7, 1884. Passed House May 19, 1884.
District of Columbia, July 5, 1884. Passed House May 19, 1884.
Fortifications, July 5, 1884. Passed House July 2, 1884.
Indian, July 4, 1884. Passed House April 4, 1884.
Legislative, etc., July 7, 1884. Passed House June 12, 1884.
Pensions, July 4, 1884. Passed House April 22, 1884.
Post Office, July 5, 1884. Passed House March 18, 1884.
Navy, July 7, 1884. Passed House March 6, 1884.
Sundry civil, July 7, 1884. Passed House June 23, 1884.
(Ten in all.)

FORTY-NINTH CONGRESS (FISCAL YEAR 1887).

(House, Democratic; Senate, Republican.)

District of Columbia, July 9, 1886. Passed House April 12, 1886.
Fortifications (failed of enactment). Passed House July 19, 1886.
Legislative, etc., July 31, 1886. Passed House June 16, 1886.
Navy, July 26, 1886. Passed House June 21, 1886.
Pensions, July 2, 1886. Passed House March 4, 1886.
Sundry civil, August 4, 1886. Passed House July 1, 1886.
(Six in all.)

FIFTIETH CONGRESS (FISCAL YEAR 1889).

(House, Democratic; Senate, Republican.)

Agriculture, July 18, 1888. Passed House June 2, 1888.
Army, September 22, 1888. Passed House June 16, 1888.
Diplomatic and Consular, July 11, 1888. Passed House May 21, 1888.
District of Columbia, July 18, 1888. Passed House May 21, 1888.
Fortifications, September 22, 1888. Passed House August 16, 1888.
Legislative, etc., July 11, 1888. Passed House June 1, 1888.
Navy, September 7, 1888. Passed House June 22, 1888.
Post Office, July 24, 1888. Passed House May 24, 1888.
Sundry civil, October 2, 1888. Passed House June 22, 1888.
(Nine in all.)

FIFTY-SECOND CONGRESS (FISCAL YEAR 1893).

(House, Democratic; Senate, Republican.)

Agriculture, July 5, 1892. Passed House June 8, 1892.
Army, July 16, 1892. Passed House May 3, 1892.
Diplomatic and Consular, July 16, 1892. Passed House May 3, 1892.
District of Columbia, July 14, 1892. Passed House March 3, 1892.
Fortifications, July 25, 1892. Passed House June 15, 1892.
Indian, July 13, 1892. Passed House March 1, 1892.
Legislative, etc., July 16, 1892. Passed House June 6, 1892.
Military Academy, July 14, 1892. Passed House February 12, 1892.
Navy, July 19, 1892. Passed House April 18, 1892.
Pension, July 13, 1892. Passed House March 7, 1892.
Sundry civil, August 5, 1892. Passed House March 27, 1892.
(Eleven in all.)

SIXTY-SECOND CONGRESS (FISCAL YEAR 1913).

(House, Democratic; Senate, Republican.)

Agriculture, August 10, 1912. Passed House March 12, 1912.
Army, August 24, 1912. Passed House July 2, 1912.
Indian, August 24, 1912. Passed House April 9, 1912.
Legislative, etc., August 23, 1912. First passed House May 10, 1912.
Military Academy, August 9, 1912. Passed House May 31, 1912.
Navy, August 22, 1912. Passed House May 28, 1912.
Pension, August 17, 1912. Passed House February 21, 1912.
Post Office, August 24, 1912. Passed House May 21, 1912.
Sundry civil, August 24, 1912. Passed House June 21, 1912.
(Nine in all.)

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 662. An act to amend section 107 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as heretofore amended;

S. 687. An act to reimburse Horace A. Choumard, chaplain in Twenty-third Infantry, for loss of certain personal property;

S. 767. An act for the relief of the heirs of W. H. Sneed, deceased;

S. 257. An act for the relief of certain officers in the Army of the United States, and for other purposes;

S. 219. An act for the relief of Kate Canniff;

S. 2250. An act providing for the exchange of certain legation buildings and grounds owned by the Government of the United States in Bangkok, Siam; and

S. 1375. An act for the relief of Catherine Grace.

The message also announced that the Vice President had appointed Mr. WALSH of Montana and Mr. FRANCE members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Interior Department.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 767. An act for the relief of the heirs of W. H. Sneed, deceased; to the Committee on Claims.

S. 687. An act to reimburse Horace A. Choumard, chaplain in Twenty-third Infantry, for loss of certain personal property; to the Committee on Claims.

S. 662. An act to amend section 107 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as heretofore amended; to the Committee on the Judiciary.

S. 219. An act for the relief of Kate Canniff; to the Committee on Claims.

S. 257. An act for the relief of certain officers of the Army of the United States, and for other purposes; to the Committee on Claims.

S. 1375. An act for the relief of Catherine Grace; to the Committee on Claims.

S. 2250. An act providing for the exchange of certain legation buildings and grounds owned by the Government of the United States in Bangkok, Siam; to the Committee on Foreign Affairs.

PROTECTION OF COASTWISE TRADE.

The SPEAKER. Under the rule which has been adopted, the bill before the House is H. R. 7500, to protect the coastwise trade of the United States, and for other purposes; and the gentleman from Massachusetts [Mr. GREENE] is recognized for 50 minutes.

Mr. HARDY of Texas. Mr. Speaker, is it understood that the time is awarded to the gentleman from Massachusetts in favor of the bill and to myself to control the time in opposition?

Mr. GREENE of Massachusetts. Yes; to control the time in opposition.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 7500) to protect the coastwise trade of the United States, and for other purposes.

Be it enacted, etc., That the act entitled "An act giving the United States Shipping Board power to suspend present provisions of law and permit vessels of foreign registry and foreign-built vessels admitted to American registry under the act of August 18, 1914, to engage in the coastwise trade during the present war and for a period of 120 days thereafter, except the coastwise trade with Alaska," approved October 6, 1917, is repealed.

SEC. 2. That vessels of foreign registry and foreign-built vessels admitted to American registry under the act entitled "An act to provide for the admission of foreign-built ships to American registry for the foreign trade, and for other purposes," approved August 18, 1914, may carry passengers from or to ports in the Territory of Hawaii to or from ports in the United States, except ports in Alaska, upon special permits issued by the collector of customs for the district in which is situated the port of embarkation. Such permits shall be granted only upon payment to the collector of a fee of $40 for each passenger so carried. Such fees shall be paid into the Treasury as miscellaneous receipts. The Secretary of the Treasury and the Secretary of Commerce shall jointly make regulations necessary for the issuance of such permits.

Whenever the President is satisfied that vessels of the United States, other than those admitted to American registry under such act of August 18, 1914, are engaged in trade between such ports in sufficient numbers to accommodate the passenger trade between such ports he shall so declare by proclamation, and thereafter this section shall cease to be in effect.

With a committee amendment, as follows:

Page 1, line 5, after the word "registry," insert a comma, and in line 9 of page 2 strike out the word "Such" and insert the words "After July 1, 1920, such."

Mr. GREENE of Massachusetts. Mr. Speaker, this bill was referred to a subcommittee of the Committee on the Merchant Marine and Fisheries, who held hearings on the bill. That subcommittee consisted of four Republicans and three Democrats. There was no opposition shown in the hearings, and no opposition came from the committee. The subcommittee unanimously reported the bill to the committee, and upon consideration in the committee, after a debate of considerable length, most of the time being occupied by the gentleman from Texas [Mr. HARDY], who opposed the bill, the bill was finally reported to the House, with but one opposition vote. The rest of the committee of both parties were in favor of reporting the bill as presented to the House. The gentleman from Texas [Mr. HARDY] was authorized to file minority views.

I do not wish to occupy further time, but I will yield the balance of my time to the gentleman from Michigan [Mr. SCOTT], the chairman of the subcommittee.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. GREENE of Massachusetts. Yes.

Mr. MOORE of Pennsylvania. Is the act of August 18, 1914, referred to in this bill the Panama Canal act?

Mr. GREENE of Massachusetts. It is not.

Mr. MOORE of Pennsylvania. The gentleman says it is not?

Mr. GREENE of Massachusetts. Yes.

Mr. MOORE of Pennsylvania. Is that the act that was brought into the House when the gentleman from Missouri [Mr. ALEXANDER] was chairman of the Committee on the Merchant Marine and Fisheries, to give foreign vessels the right to enter the coastwise trade?

Mr. GREENE of Massachusetts. Yes. This bill repeals that act and also grants relief to the citizens of the Hawaiian Islands.

Mr. MOORE of Pennsylvania. That is what I wanted to get at.

Mr. SCOTT. Mr. Speaker, at the outset I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. SCOTT. Mr. Speaker and gentlemen of the House, the bill H. R. 7500, which the Committee on the Merchant Marine have reported to you gentlemen, repeals the so-called war-time coastwise-trade law, making an exception in the instance of the Hawaiian Islands, extending the war-time provisions of the law to the islands until July 1, 1920, prescribing a penalty for its extension after that time in order to take care of a situation which the committee unanimously felt was entitled to the consideration of this House.

The war-time coastwise-trade law was put on the statute books in order that the United States might utilize to its utmost capacity all of the shipping facilities of the world, including our coastwise trade. The first coastwise law was passed in 1789, 14 years after we became an independent Nation. Since that time it has been the policy of this country to protect our coastwise trade. The result of that has been that when we entered this war we had nearly 7,000,000 dead-weight tons of shipping in our coastwise trade.

After we entered the war it was discovered that other countries were not allowing their shipping to go into the danger zone, and we realized the necessity of utilizing every pound of tonnage anywhere in the world. Therefore we passed the war-time coastwise-trade law, that foreign ships which were not being used might be lured into our coastwise trade which was safe. As a result of that legislation approximately 2,000,000 tons of foreign ships came into this trade. Four hundred and forty-one foreign ships came into our coastwise trade with their foreign crews and took advantage of the opportunity which theretofore the United States had reserved to its own citizens. The following foreign ships engaged in this trade:

List of vessels by countries granted permits to operate in coastwise service during the war and after Nov. 11, 1918.

DURING THE WAR.

	Number of ships.
Atlantic and Gulf coastwise service:	
British	39
French	1
American	42
Norwegian	45
Canadian	67
Danish	29
Swedish	16
Chilean	2
Dutch	18
Mexican	2
Russian	4
Peruvian	1
Total	266
Intercoastal:	
British	1
French	7
American	1
Norwegian	2
Japanese	1
Chinese	1
Total	13
Great Lakes:	
British	9
Canadian	73
Cuban	1
Total	83
Pacific:	
British	1
French	2
American	2
Canadian	1
Mexican	2
Total	8
Grand total	370

AFTER NOVEMBER 11.

Atlantic and Gulf coastwise service:	
British	5
Dutch	2
American	38
Norwegian	4
Canadian	14
Danish	2
Total	65
Pacific:	
American	3
Norwegian	3
Total	6
Grand total	71

A large portion of these ships were not operating prior to the time we opened to them our safe coastwise trade; they came and supplanted American-owned ships which went into the overseas trade; many of them were sunk.

Now the necessity for a continuation of this privilege to foreign ships is over. There is no reason why foreign ships should come in and use the trade which the United States and its citizens have built up. Therefore your committee asks that the war-time extension of the coastwise law be repealed and that we resume our prewar condition.

The Shipping Board has canceled all permits and licenses on foreign ships, so Congress is not hampered in this respect by continuing permits which would preclude the immediate purpose of this legislation.

I do not anticipate that this House will oppose the resumption of prewar conditions. The record of our coastwise ships is a glorious page in our national history. I do not anticipate that there will be any opposition on either side of the House to a resumption of that very healthy trade condition which resulted in the magnificent coastwise and Great Lakes trade

that contributed so largely to the winning of this war. The only opposition I anticipate will be to the provision excluding the Hawaiian Islands from the provisions of this act. The situation there is this: At no time have the Hawaiian Islands had sufficient tonnage to accommodate their passenger trade. They have had sufficient freight tonnage, but never sufficient passenger tonnage.

Mr. KAHN. Will the gentleman yield?

Mr. SCOTT. Yes.

Mr. KAHN. The gentleman does not mean to say that prior to the war they did not have sufficient passenger tonnage?

Mr. SCOTT. I do.

Mr. KAHN. Of course, during the war they have not had, but prior to the war they did have sufficient passenger tonnage.

Mr. SCOTT. The Hawaiian Islands at no time have had sufficient tonnage to accommodate their passenger trade. Of course we can not lose sight of the fact that the Hawaiian Islands are so situated that it might be impossible for us to give them sufficient tonnage to accommodate them for many years to come. The Hawaiian Islands are 2,000 miles from the mainland. On several occasions in the past even members of the Cabinet have found themselves stranded on the Hawaiian Islands, unable to get transportation on American ships, and have been obliged to violate the laws of the United States by taking passage on foreign ships, paying a penalty of $200 and then spending several months in an effort to get themselves exonerated and securing a refund of the penalty. That situation has prevailed for years. The records show that at the present time the Hawaiian Islands have approximately 300 people every week who wish to come from the Islands to the mainland. There is no dispute that at the present time and during the war there has been accommodations on all the lines, American and foreign, for only 50 passengers each week. In other words, 250 passengers per week have been obliged to remain on the Hawaiian Islands in consequence of this lack of accommodation. What we propose to do in this bill is to allow American citizens in the Hawaiian Islands the opportunity to travel on foreign ships without becoming criminals; and in order to protect the coastwise trade after July 1 of next year, which, from the testimony, we considered to be the time when American tonnage ought to get back to take care of that trade, we penalize them 50 per cent of the uniform purchase price of tickets. Certainly no Democrat ought to object to that penalty of 50 per cent which is a reduction of 75 per cent and no Republican ought to object to it, because it is the highest protective tariff we have ever insisted upon.

Mr. KRAUS. Will the gentleman yield?

Mr. SCOTT. Very gladly.

Mr. KRAUS. Is it not anticipated that by the enactment of this legislation the Shipping Board will have a better market for the tonnage which it desires to sell?

Mr. SCOTT. The gentleman is correct, but I did not intend to discuss that proposition. I felt that the Members of the House were fully informed. I think Members on both sides of the House know that the United States Government is in the shipping business—losing money—and we are trying to get out as rapidly as we can. [Applause.]

Mr. KAHN rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. KAHN. Mr. Speaker, it was understood when the question of discussing the rule came up that I was to have 15 minutes. I find the gentleman from Texas [Mr. HARDY] thinks that he should have all the time on his side. I do not know how the gentleman from Michigan feels, but I want to know where I come in.

Mr. SCOTT. Mr. Speaker, I will say that when the time was allotted we assumed that in view of the fact that the gentleman from Texas [Mr. HARDY] and Mr. KAHN were the only opponents—and I do not consider Mr. KAHN as an opponent, but he has an amendment—the two gentlemen were the only two opposed to the bill, I thought that 50 minutes could fairly be distributed between those two when I had four or five men to distribute my time to. I have no objection to the House granting the gentleman from California as much time as he may desire.

Mr. HARDY of Texas. Mr. Speaker, I want to agree with what the gentleman from Michigan says, because it is an apparent misunderstanding. Certainly it was not my thought to diminish the time I would have in the discussion of the bill by any agreement to devote the time usually accorded to the rule to the time on the discussion of the bill. I had no idea that the gentleman from California expected to get any time from me. On the contrary, the gentleman's position is rather adverse to mine.

Mr. SCOTT. Mr. Speaker, I ask unanimous consent that the gentleman from California may have 15 minutes not to be charged to the time already allotted.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the time may be extended 15 minutes, and that time be given to the gentleman from California. Is there objection?

There was no objection.

Mr. SCOTT. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. EDMONDS].

Mr. EDMONDS. Mr. Speaker and gentlemen, in five minutes I shall not have time to answer the arguments of the gentleman from Texas [Mr. HARDY]. I have been doing it about six years in committee. But I just want to call the attention of the committee to a few facts. In the first place, the gentleman spoke to you about freight rates. In the shipping act, passed about four years ago, full authority and power were given to the Shipping Board to prevent, in the shipping business, both coastwise trade and otherwise, and particularly in the coastwise trade, any extortionate rates. That you will find in the shipping act. In the next place, the gentleman speaks of the reservation of the coastwise trade. I will read now from the Department of Commerce Document 119, "Government Aid to Merchant Shipping," published in 1916. It says here:

> The United States, France, Italy, Austro-Hungary, Spain, and Belgium reserve their coasting trade for their own ships. Russia reserves her entire coasting trade, both her Pacific and Atlantic, to her own ships. Portugal reserves her coastal trade to her own ships, and not only that, reserves her African trade to Portuguese vessels.

England does open her coasting trade to foreign vessels, but she accomplishes the same purposes by means of what they call "conference agreements." To show you that they have not, on account of league of nations nor the agreement of amity and equal treatment which is contained in the league of nations, given up this practice, on May 15 Charles J. Pisar, consul at Cape Town, South Africa, sent to the Department of Commerce—and it is published in the Commerce Reports—the following:

NEW SHIPPING AGREEMENT PENDING WITH CONFERENCE LINES.

(Vice Consul Charles J. Pisar, Cape Town, South Africa, May 15, 1919.)

> The Cape Town Chamber of Commerce recently received a communication from its representative in the South African Trade Association (London) announcing that the revival of the shipping agreement between conference lines and merchants is under consideration. A statement has been issued jointly by a number of steamship companies in the South African trade, describing the new proposed agreement. Some interesting points are to be noted in the summary of this statement as published in the Cape Argus of May 10, 1919:
>
> The former agreement bound the signatory merchants to use the ships of the lines signatory to the agreement in making shipments from the Continent to South African ports. The new proposed agreement leaves them free to use whatever steamship service they choose in shipments from Italy, Portugal, and the Scandinavian countries, and binds them to give their entire support to the British shipping interests for all shipments from ports of the United Kingdom and of the continental coast from Bordeaux to Hamburg, inclusive.
>
> Provision is made that in case of competition of other lines, resulting in a disturbance of the stability of freight rates, the shipowners will take effective measures in consultation with the South African Trade Association to protect the interests of the signatory shippers. If adjustment is not effected within 14 days to the satisfaction of both parties, any signatory may withdraw from the agreement after 30 days' notice.
>
> A schedule of rates is drawn up, and the shipowners reserve the right to revise these as conditions may require, but agree not to make any general changes without consultation with the South African Trade Association. In the event of a failure to agree in the matter of alteration of rates, the question in dispute is to be referred to arbitration.

Now, whether England reserves her entire coastwise trade or not, as long as those agreements are in existence—and the examination made of the shipping agreements by the Committee on the Merchant Marine and Fisheries for years showed that they were in existence all over the world—they protect just as effectively the coastwise trade of England to English ships as our passing this act and protecting our coastwise trade will protect American ships.

The only other argument the gentleman from Texas makes is in regard to shipbuilders. To-day we have 400,000 men engaged in that work, and I think I am fair in saying that they are 98 per cent family men, with possibly families of five or six people dependent on them, engaged in building ships in this country. Back of those are probably 400,000 or 500,000 other men making material for use in shipyards. If it is a vice to protect these men in their labor and their occupation, then I am perfectly willing to vote for the vice. [Applause on the Republican side.]

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. SCOTT. Mr. Speaker, I yield 15 minutes to the gentleman from California [Mr. KAHN].

The SPEAKER. The gentleman from California is recognized for 15 minutes.

Mr. KAHN. Mr. Speaker, this is a very important question. It is not the first time that it has been up in Congress. For 5 or 6 years up to about 10 years ago efforts were constantly being made to break down the coastwise-trade laws between Hawaii and the mainland. It was always contended that they did not have enough ships to carry the passengers. I always opposed the proposed change, and am happy to say that we successfully defeated it. And what happened? As the result of the defeat of the proposed changes, there were no less than 8 or 10 American ships built, flying the American flag, giving employment to American shipbuilders, American seamen, and American officers, instead of building up the Japanese line. [Applause on the Republican side.]

That is the milk in the coconut of this legislation. The Japanese line pays probably $20 a month to its sailors. They used to pay about $12. Probably wages in Japan have also gone up. But the American ship pays the wages of the home port of the ship, which in this case happens to be San Francisco. The wages of the American sailors on those ships is $65 a month. The officers are paid in proportion. The American officers get a much larger wage than the Japanese officers.

As a result of the continuation of the coastwise law as we had it prior to the war, several companies had built the finest vessels that were afloat on the Pacific. The *Matsonia* and the *Maui* have no competitors in the matter of comfort for passengers on the Pacific. When we got into this war, having these American ships, our Government was able to take them over immediately and put them into the transport service in carrying troops across the Atlantic Ocean to France. These ships carried between 3,000 and 4,000 men each on every trip. Outside of the very largest of the German vessels which we took over, they were the best and largest ships we had in our transport service. I rang up the director of transportation of the American Army this morning, Gen. Hines, to find out when those three ships which were taken over will be back in the passenger service between the mainland and Hawaii. The *Wilhelmina* will arrive in this country in a few days. She is on her last trans-Atlantic trip. She will immediately be returned to her owners, to go into the passenger traffic on the Pacific, and I am assured by the chief of transportation of the Army that the two other ships—the *Matsonia* and the *Maui*—will be back in the hands of their owners by the end of this month. They will go back into this business between the mainland and Hawaii. The Matson Co. contemplated building additional American ships when this war broke out. They were stopped in their efforts on account of the war, but I have no doubt that as soon as conditions are again normal this line will put additional American ships into the service between the mainland and the Hawaiian Islands.

Mr. CAMPBELL of Kansas. Will the gentleman yield for a question?

Mr. KAHN. Yes.

Mr. CAMPBELL of Kansas. Long prior to the war the passenger service between Hawaii and ports on the mainland was wholly inadequate, was it not?

Mr. KAHN. No, it was not. Let me make a statement in answer to that. There were probably two months in the year when that service was inadequate, but not greatly inadequate; but during the rest of the year every ship that carried passengers had staterooms that were unoccupied, and when I discussed this matter on the floor of the House some 10 years ago I put into the RECORD, as I recall, lists of the ships that had made the run, showing that they did not have enough passengers to fill their space. The same condition prevails to-day with respect to the railroads. We come from the Pacific coast. There are certain seasons of the year when a passenger, in order to get accommodations for Washington, will have to book two or three weeks in advance. Everything is taken up in the meantime.

Mr. CAMPBELL of Kansas. Will the gentleman state what is the busy season to Hawaii?

Mr. KAHN. During the summer, when the tourist season is on. We have to wait for our railroad accommodations, and there was a time here in Washington during the war when nobody could get out of Washington just at the time he wanted to leave. He would have to book days and probably weeks in advance in order to get accommodations.

Now, my plea is to build up American ships, build up American lines, employing American seamen, flying the American flag. [Applause.] I ask you to do that instead of building up the Japanese line or any other foreign line of steamships. By having done that in the past, by having defeated this very kind of legislation, we had those American ships, which were immediately taken over by this Government for the transport service the moment we got into the war. If we had passed legislation of this kind prior to the time that the American ships were built, I apprehend no capitalist in this country would have been willing to invest $1,000,000 or $2,000,000 in building American ships in American shipyards for that trade. It costs several million dollars to build one of these ships.

Mr. KALANIANAOLE. Will the gentleman yield for a question?

Mr. KAHN. Yes.

Mr. KALANIANAOLE. Was it Hawaiian capital or was it mainland capital that made it possible for the American flag to be flying on the Pacific Ocean to-day?

Mr. KAHN. Oh, frankly, there was some Hawaiian capital and there was mainland capital.

Mr. KALANIANAOLE. Does not the gentleman know that we control the Matson Co. to-day?

Mr. KAHN. I do not know who owns the stock. I do not know who controls the stock of the Matson Co. But, gentlemen, I went to Honolulu 10 years ago. This agitation was on at that time. The Chamber of Commerce of Honolulu were then agitating for this legislation. They invited me to a dinner. I appeared before the Chamber of Commerce of Honolulu and told them to their faces that they ought to be willing to build up the American steamship lines, ships flying the American flag; that they ought to be willing to pay something for being under the American flag. And the agitation stopped immediately and the American ships were built after that period.

Mr. MONTAGUE. Will the gentleman yield for a question?

Mr. KAHN. Yes.

Mr. MONTAGUE. What is the gentleman's specific objection to this bill?

Mr. KAHN. I simply say, let us continue the present conditions until July 1, 1920, and then repeal the law; put a provision in this bill that the law shall be repealed, as to Hawaii, on the 1st of July, 1920; and I guarantee that before the 1st of July, 1920, you will have all the Matson Line ships back again, and you will probably have two or three other ships back again. I am in favor of keeping the American flag on the seas. I do not care about the flag of any other country. [Applause.]

At the proper time I shall offer an amendment to strike out all of section 2, and to allow the present law to continue until the 1st of July, 1920.

Mr. HUMPHREYS. Would not the last paragraph on page 2 satisfy the gentleman?

Mr. KAHN. No; it will not.

Mr. HUMPHREYS. The gentleman does not want the law repealed unless there is sufficient accommodation.

Mr. KAHN. The question of what is sufficient accommodation is all a matter of opinion. I may probably think that they have all the ships that are necessary if they have 10 or 12 ships. The President, who believes that Americans should match their wits with the people of foreign countries in the matter of the upbuilding of our commerce without governmental aid of any kind, may not believe that we have sufficient ships if we have 20. I think if we put a provision into the bill stating positively that on July 1, 1920, the existing situation may be changed, we will be serving the interests of Hawaii and the welfare of the American people. [Applause.]

Mr. ALEXANDER. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. ALEXANDER. Under the provisions of this bill, if a Hawaiian citizen wishes to travel on a foreign ship after 1920 he is penalized.

Mr. KAHN. Yes. Let me tell you that this is rather a peculiar situation in this bill.

The SPEAKER. The time of the gentleman from California has expired.

Mr. KAHN. Mr. Speaker, can I have five minutes to explain the situation alluded to by the gentleman from Missouri [Mr. ALEXANDER]?

Mr. ALEXANDER. I do not want to object; I do not know how much time I am going to have.

Mr. KAHN. If there is to be any objection, I do not want to trespass on the time of the House.

Mr. SCOTT. Mr. Speaker, I yield 10 minutes to the Delegate from the Hawaiian Islands [Mr. KALANIANAOLE].

Mr. KALANIANAOLE. Mr. Speaker, the statement made by the gentleman from California [Mr. KAHN] that this bill was presented to Congress and defeated should be corrected. It never has been defeated by Congress. In fact, it passed the House, and the people of Hawaii, after being assured by the Matson Steamship Co. that they were to have another steamer running in a few months, withheld the bill, and it was never presented to the Senate.

So far as the talk about the American flag is concerned, we all believe in it. It is the trade that was created by Hawaii which is the cause of the American flag flying to-day on the Pacific Ocean. [Applause.] You had the American flag on

the Pacific Mail Steamship Co., which had the finest and largest steamers afloat on the Pacific Ocean. Where are they to-day? Three of them were sold to the Japanese. Why? I presume you all know the reason.

Mr. KAHN. Will the gentleman yield?

Mr. KALANIANAOLE. Yes.

Mr. KAHN. The gentleman knows that the Pacific Mail Steamship Co. did not have the benefit of the coastwise trade law. They were foreign ships running on the Pacific Ocean.

Mr. SCOTT. If the gentleman from Hawaii will yield, that is not a correct statement. Every foreign ship has had the benefit of the coastwise trade law.

Mr. KAHN. That was only during the war.

Mr. SCOTT. And 120 days after, which will not expire until 120 days after the declaration of peace.

Mr. KALANIANAOLE. In reply to the gentleman from California [Mr. KAHN], permit me to say that the Pacific Mail Steamship Co. did operate in the Pacific five large vessels, all flying the American flag, which were entitled to engage in the coastwise trade and did so engage prior to the suspension brought about by the war legislation referred to by the gentleman from Michigan [Mr. SCOTT].

Mr. Speaker, in view of the fact that the United States has commandeered and still retains the passenger ships formerly serving the Hawaiian Islands, we ask that Hawaii be exempted from the repeal of the coastwise suspension law, in so far as passenger traffic is concerned, as provided in this bill, until July 1, 1920. I desire to make it clear to the Members of this House that Hawaii is a thorough and consistent believer in the protection policy and principle. Therefore this bill further provides that after July 1, 1920, a charge be made of $40 per ticket, which will be in the nature of a protective tariff against travel on all foreign ships in favor of American ships, this to continue until the President of the United States is satisfied that sufficient American steamers have been provided to accommodate the passenger trade between the Territory of Hawaii and the mainland of the United States.

In recent years, and during the course of the war, five of the largest steamers formerly serving the passenger traffic between Hawaii and the Pacific coast, belonging to the Pacific Mail Steamship Co., have been transferred, two to the Atlantic trade and three to foreign registry. I am convinced that sufficient American tonnage can not be provided to take care of the normal and increasing volume of passenger travel between Hawaii and the mainland for several years to come. Hawaii therefore asks that permits be issued for travel on boats of foreign registry upon the payment of a fee of $40 to secure to us the physical possibilities of travel when urgent business or personal reasons demand it.

Mr. Speaker, for the information of the Members of the House, let me call attention to the status of the passenger-carrying capacity to and from Hawaii of the then American ships serving that traffic before the war and the conditions that exist to-day. Before the war the Pacific Mail Steamship Co. was operating under the American flag the *Manchuria*, the *Mongolia*, the *Korea*, the *Siberia*, and the *China*. While these were through boats, still there was available limited accommodations to and from Hawaii. Two of the largest of these boats—the *Manchuria* and the *Mongolia*—will no longer be available in giving service to the Hawaiian Islands, as they are permanently in the Atlantic trade. The accommodations which may be available on the three boats left, now under foreign flag, will be denied us if Congress fails to exempt Hawaii in the repeal of this coastwise suspension law.

The *Maui*, the *Matsonia*, the *Wilhelmina*, of the Matson Co., the *Sierra*, of the Oceanic Co., and the *Great Northern*, our fastest and greatest prewar passenger carrier, with a combined passenger capacity of 1,450, all under the American flag, and our main travel lines between the coast and the island Territory are now under Government control in the Atlantic transport service.

Mr. Speaker and gentlemen of this House, we people of Hawaii are to-day left with four small steamers, flying the American flag, with only a total passenger capacity of 231. We are virtually marooned. The relief given us by the suspension of the coastwise shipping law during the war made it possible for us to travel on vessels operating under foreign flags. Passenger accommodations were so limited, due to these vessels catering to the through trade, that Hawaii has had little benefit from the privilege. In 1918, with 10 vessels plying under foreign flags, made average total weekly carrying from San Francisco to Hawaii of only 46 passengers and from Hawaii to San Francisco of only 36 passengers.

Reliable advices from the best informed shipping men in San Francisco are to the effect that 700 persons have been unable to secure bookings in the past six months. These 700 desired to go to Hawaii for important business or personal reasons. Their number does not include some 3,000 or more who, making inquiry for transportation, were informed that if they were successful in securing transportation to Hawaii they could not expect to return during this year, as there would not be available passenger accommodations. The four steamers of the Matson Co., flying the American flag, are booked to capacity until next winter.

WHAT ABOUT SHIPS?

Unless Hawaii wakes up and takes immediate steps to provide for shipping facilities, we are going to be virtually marooned here on our islands with almost negligible steamship connection with the mainland and the Orient.

The report that the Toyo Kisen Kaisha plans to take not only the *Siberia*, as heretofore announced, but also the *Tenyo*, *Shinyo*, and *Korea* off the Honolulu run, leaving of the Japanese boats only the almost obsolete *Nippon* and *Persia*, need occasion little surprise, but it gives cause for real apprehension.

Of course, the T. K. K. feels under no obligation to Hawaii. The company evidently thinks that it can make more money by cutting out Honolulu and running its principal vessels directly between San Francisco and the Orient. If it can, it assuredly is not going out of its way to oblige Hawaii.

That throws us upon our own resources, and it must be admitted that at present they are not great. True, we hope to have all the Matson steamers back before many months, but they are not enough to take care of the volume of freight and passenger trade, which, it should be remembered, appears liable greatly to increase before long.

Mr. KAHN. Will the gentleman yield?

Mr. KALANIANAOLE. Yes.

Mr. KAHN. I am advised that the three Matson boats will be ready to be returned by the 1st of September at the very latest.

Mr. KALANIANAOLE. We have been asking for relief, and were told that we would get them back in July, and later extended to August, and now I understand that we will not get them until January.

Mr. KAHN. The boats will be turned over to the Matson Line this month.

Mr. KALANIANAOLE. We were told that the *Matsonia* and the *Maui*, being the cheapest transports to operate in the Atlantic Ocean, will be the last boats to be returned; when that will be is a matter of conjecture.

Mr. KAHN. I can assure the gentleman that I was informed by the chief of transportation that they will be returned this month.

Mr. KALANIANAOLE. I hope so; but it will take some time to reconstruct and refit them before they can be put into actual running. I will now continue the reading of the newspaper article:

What are we going to do for ships?

That is a question that can no longer be ignored. We can't go on leaving everything to chance. There are no increased shipping facilities in sight, except the Matson boats, which, as stated above, are insufficient to care for our business.

Hawaii simply must have more steamers. If we don't take steps pretty soon to get them we might as well give up our dreams of becoming an important trade and shipping center and lapse back into a dreamy island refuge for such occasional tourists as can manage to get here.

Let me call your attention to a statement made by Director Mather, of the National Park Service, who had a most strenuous time in his recent journey to Hawaii and return. None of the American steamship companies could assure him of an early return, so after overstaying his leave he finally succeeded in purchasing the quarters of a Japanese officer on the *Korea Maru* for the sum of $150 over and above the regular fare. My own recent experience in trying to leave Honolulu to come here for this session is also illustrative of our situation. Anticipating an extra session, I began to apply for bookings in April. There was no space available. Eventually, on June 9, the captain of the *Lurline* brought me across. My bunk was the lounge in the chart room. A concession for which I was truly grateful.

The business and professional men and Government officials have not only suffered by this woeful lack of transportation, but the women marooned in Hawaii and Hawaiian women marooned on the mainland have had a more trying situation. Let me impress you with the fact that within the last six months several women have been found on boats leaving Honolulu as stowaways. One young lady, now in San Francisco, arrived on July 16. She left her mother in Honolulu and stowed away on one of the Matson Co. steamers in order that she might meet and marry her soldier boy arriving from France and marooned on the mainland. The other lady, after trying various ways to reach San Francisco and join her family, not being able to secure legitimate passage, took a chance as a stowaway, paying the captain for her passage after they found her at sea.

During this month I received a cable urging that I ask the Shipping Board to permit two ladies who have been marooned

in Honolulu to sail by the S. S. *Chipchung* to New York, either as passengers or as members of the crew. The *Chipchung* is a freight boat loading sugar at Honolulu for New York. She has no passenger license. So that if the ladies were granted the permission they had to sign on as members of the crew of a freighter. This only further shows our travel conditions:

TWO WOMEN TRY TO STOW AWAY ON "SACHEM."

Desperate because they could not obtain passage on any steamer bound for San Francisco, two women attempted recently to stow away on a Matson boat bound for the coast.

They had been unable to secure accommodations on account of the great passenger congestion which has prevailed for the last several months, so, determined to get away, they hid on board the steamer. They were found and put ashore before the boat sailed.

Now, let me make this clear to the Members of the House. We in Hawaii have never had ample travel facilities. Remember, the Pacific every day comes more to the fore in our national affairs. Hawaii must be made easy of access from the mainland. With the granting to us of the two exceptions in this repeal of the coastwise suspension law our needs will not then be met. Hawaii is to have a permanent Army garrison of some 30,000 soldiers; our naval base at Pearl Harbor will grow in national importance year by year. This means an influx of people to Hawaii. The prewar conditions will not measure up to our needs when we are again on a peace basis. We must be given this opportunity to provide travel facilities now. This can be done in two ways. Exempt Hawaii until July 1, 1920, from the repeal of this suspension. I truly trust that by that time our best boats, now bringing soldiers from France, will be rebuilt and restored to Hawaii. With their return the insufficiency in travel accommodations will not even then be met. And it will not be met by allowing us after that date to take advantage of travel in vessels of foreign registry on the payment of a customs duty of $40 per passenger per trip. We ask this to relieve a congestion that is bound to exist and to make it possible to voyage from Hawaii to the mainland in case of necessity. Remember that we do not ask this last provision be made operative for Hawaii without end. A limit is placed upon it, and that limit is to be determined by the President of the United States when he feels convinced that adequate shipping flying the American flag is operating between Hawaii and the mainland, and that we Hawaiian people have equal advantages of travel with the people of the various States.

Mr. Speaker, many of the Members of Congress, I am pleased to state, have been to Hawaii and are familiar to a degree with our conditions. These Members know that what I now ask is not unreasonable, but just and equitable. They know the value of Hawaii to the United States, and they know that Hawaii never asks for favors from the Federal Government through the National Congress unless the request is based on right and justice.

Let there be no mistake or misunderstanding on this subject. Hawaii is not asking this privilege of travel in order to secure lower rates. Certainly we are not asking it for the benefit of foreign ships. Neither are we asking it as a matter of choice or preference. We ask it only as a matter of necessity, in order to secure the physical possibility of travel and reasonable freedom and facility for going to and coming from the mainland of the United States.

Therefore, Mr. Speaker, if the House feels that the war-time suspension of the coastwise law should be repealed now, then I ask that Hawaii be exempted as provided for in the bill.

Mr. HARDY of Texas. Mr. Speaker, I yield 10 minutes to the gentleman from Alabama [Mr. BANKHEAD].

Mr. BANKHEAD. Mr. Speaker and gentlemen of the House, in order that you may have a comprehensive understanding of the chronology of the legislation affecting the bill directly pending before us, it might be well to advert a moment to the original status of this legislation, because, as you have found out from the arguments this morning, one of the great propositions that will come up for consideration in this Congress is from the Merchant Marine Committee, namely, the disposition and operation of our shipping facilities. As you have no doubt learned from the remarks of the gentleman from Texas, Judge HARDY, who represents that school of thought favoring the repeal of our coastwise law, a large part of the controversy will be as to what shall be the permanent policy of the Government of the United States with reference to the coastwise trade.

The particular bill which we are considering was primarily originated for the relief of the inadequate passenger service between Hawaii and the mainland of the United States, but after the committee had given some consideration to that primary proposition, it developed on the recommendation of the Shipping Board that, in their judgment, the time had now arrived when we could safely repeal the provisions of the emergency act which we passed and which was approved on October 6, 1917. So that a repeal of that emergency act approved on that day was incorporated and is now section 1 of the pending bill.

What was the status of this legislation affecting the coastwise trade at the time that the United States went into the war? It was based on an amendment to the original Panama Canal act, and was approved on August 24, 1914. That act, which covered the situation at the time of our entering into the war, provided that no foreign-built vessels registered pursuant to the act should engage in the coastwise trade of the United States. So that at the time we went into the war the coastwise trade was only open to American-built or American-owned vessels under the American flag; and, as has been suggested, in order that we might meet the emergency in our overseas trade and the great demand for tonnage, it was thought advisable temporarily to suspend the provisions of that law. Therefore we passed the act of October 6, 1917.

The first section of the pending bill is to repeal the emergency act of October 6, 1917, so that we shall revert to the original status affecting the coastwise trade as provided in the permanent law of 1914.

I must frankly confess that I have not as yet formed any fixed opinion as to the wisdom or unwisdom of in anywise changing the existing policy with reference to the coastwise trade, and I want to suggest particularly to the new Members of this Congress that they should endeavor to secure the extensive hearings that are now being and have been conducted by the Merchant Marine Committee, and that will be conducted hereafter, in order that they might form an intelligent and sound judgment one way or the other upon that great proposition. I must confess that I was very deeply impressed by some of the arguments made by my distinguished friend from Texas, Judge HARDY, and it is a problem that is going to require the conservative thought and solution of this Congress.

The statement has been made here that this merchant marine question is one of the biggest questions before the country. I know of none of more paramount importance. There is not a district in the United States that is the producer of any raw material or any manufactured article that is not vitally interested in this question of transportation. Primarily, those who are interested in foreign markets are interested in railroad transportation; and if they are seeking the development of foreign markets for their goods, the proposition of overseas carrying vessels for that trade is most important. I know that in our section of the country, where we are producers of such a large amount of raw material and manufactured products, we are deeply interested in it.

The situation is this: When the Shipping Board has completed its present program they will have available for disposition approximately 14,000,000 tons of shipping. That has largely been built out of the Treasury of the United States. We have appropriated staggering sums of money, and we acted wisely in doing that. We will be confronted with the situation of having a great merchant marine; and then the problem is, how are we going to wisely and safely and economically operate it in order to develop our foreign trade in competition with our foreign neighbors? So that you will see that this question that has been opened up here this morning, although not directly pertinent to the bill pending before the House, is fraught with grave and extreme importance with reference to the future and with reference to drawing proper deductions from the state of facts now existing. The problem that we are going to confront first is the question of the cost of production of American-built ships. Mr. Hurley stated before the committee a few days ago that in his opinion we have now reached a situation where we can build ships approximately as cheaply as foreign countries. That is going to be of primary consideration. If we can not do that, we are handicapped at the very beginning of our overseas trade. I believe that with American ingenuity, American genius for organization and efficiency, this can be done.

Aside from that vital question of cost of construction, the next element will necessarily be the cost of operation. Under the provisions of the American seamen's act now existing, and which I am not in favor of repealing, because I believe in preserving the high standard of wages and living conditions for American seaman, the next element is the question, Can we, under the provisions of that act, compete with the labor employed on foreign vessels in this overseas trade? If we can not meet those two elements of competition, then, in order to compete and carry on and operate our great merchant marine, we will have to devise some measure of meeting that deficiency. We must look the question squarely in the face. If an investigation of those two preliminary propositions develops without controversy that we can not meet the character of that

opposition, then some plan, either of subvention, or subsidy, or something of that kind, must be devised, otherwise we can not operate them. I am expressing no opinion upon that proposition. I am inherently opposed, as is nearly everyone in this House, to the principle of Government subsidy; that is, the payment out of the Treasury of the United States to one class of business enterprise of the money which is taxed out of the pockets of all the people of the United States. We may just as well realize now as hereafter, because we are coming to it, that we have to meet the issue that that is the situation with which we are going to be confronted. I prefer to be optimistic in respect to the situation. I believe that this great reawakened American people, with the genius of its citizenship, will be able to meet this problem on terms of equality in competition with the whole world. I believe that this Republic of ours, which sent abroad 2,000,000 glittering bayonets, carried by 2,000,000 brave and stalwart sons, can by the same character of aggressive competition carry the flag of the American merchant marine, manned by American sailors, in competition to every part of the seven seas. [Applause.]

Mr. DOUGHTON. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from North Carolina makes the point of order that there is no quorum present.

Mr. SCOTT. Mr. Speaker, will the gentleman withhold that for a moment?

Mr. DOUGHTON. I withhold it for the present.

Mr. SCOTT. Mr. Speaker, I yield 10 minutes to the gentleman from Missouri [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Speaker, within 10 minutes I shall not undertake to travel the path that has been traveled by other gentlemen as regards this legislation. An experience of many years as a lawyer before a jury has taught me that we ought to understand what the issue is in order to decide the question involved. This is a bill to extend additional passenger facilities to the people of Hawaii. The Hawaiian Islands are under the American flag. Their citizens are American citizens. Those islands are the paradise of the Pacific. They are among our greatest possessions, and the wishes of the people of those islands should have some sort of consideration by this Congress rather than the interests of some steamship company. [Applause.] The gentleman from California speaks for the Matson Steamship Co. I speak for the American citizens, also under the American flag, marooned in the Pacific Ocean. Now, the first section of this bill (H. R. 7500) simply repeals the act of October 6, 1917. The provisions of that act are as follows:

An act giving the United States Shipping Board power to suspend present provisions of law and permit vessels of foreign registry and foreign-built vessels admitted to American registry under the act of August 18, 1914, to engage in the coastwise trade during the present war and for a period of 120 days thereafter, except the coastwise trade with Alaska.

Be it enacted, etc., That during the present war with Germany and for a period of 120 days thereafter the United States Shipping Board may, if in its judgment the interests of the United States require, suspend the present provisions of law and permit vessels of foreign registry, and foreign-built vessels admitted to American registry under the act of August 18, 1914, to engage in the coastwise trade of the United States: *Provided*, That no such vessel shall engage in the coastwise trade except upon a permit issued by the United States Shipping Board, which permit shall limit or define the scope of the trade and the time of such employment: *Provided further*, That in issuing permits the board shall give preference to vessels of foreign registry owned, leased, or chartered by citizens of the United States or corporations thereof: *And provided further*, That the provisions of this act shall not apply to the coastwise trade with Alaska or between Alaskan ports.

Approved, October 6, 1917.

You will note that under the provisions of that act that vessels of foreign registry and foreign-built vessels admitted to register under the American flag under the act of August 18, 1914, can engage in our coastwise trade under certain limitations. It is a matter of no concern to me whether that act is repealed or not at this time, because it expires by limitation of law in 120 days after the ratification of the peace treaty. The gentleman from Michigan [Mr. SCOTT] has stated that the Shipping Board has already canceled all permits granted under that so that in effect that law is already repealed. So that disposes of that question. The repeal of the act of October 6, 1917, is of no other concern under the circumstances, as it is no longer in operation.

My esteemed friend, for I regard him as such as well as one of the finest characters in this House, the gentleman from Texas [Mr. HARDY], has always been in favor of free ships. He has always opposed the limitation that no other than American ships should be admitted to the coastwise laws. I am frank to say that if we had adopted that policy following the Civil War and for a definite period of years, it would have done much to uphold our merchant marine in the foreign trade, but we did not build any ships for 40 years of any consequence for the foreign trade.

So that I am in accord with much Judge HARDY says, if applied to prewar conditions. In 1912, when the Senate was Republican and the House Democratic and William H. Taft was President of the United States, I caused to have incorporated in section 5 of the Panama Canal Act the provision permitting foreign-built ships to be brought in under the American flag to engage in the foreign trade. And after the war in Europe began in August, 1914, I introduced the bill to repeal so much of section 5 of the Panama Canal Act as provides that vessels not more than five years old might be admitted to registry under the act. The bill passed the House under suspension of the rules and was unopposed in the Senate. It was an emergency measure, and under the provisions of the act foreign-built ships American owned have been admitted to American registry. Under its provisions more than 1,000,000 tons of vessels have come under the American flag. But those were ships for the most part built for and employed in the foreign trade. Some were vessels owned by the United States Steel Corporation, others by the Standard Oil Co., and a large number by the United Fruit Co. They are not engaged in the trade between the Hawaiian Islands and the mainland, and they would not meet the present emergency to serve the trade at this time. Now, section 2 of this bill simply provides:

SEC. 2. That vessels of foreign registry and foreign-built vessels admitted to American registry under the act entitled "An act to provide for the admission of foreign-built ships to American registry for the foreign trade, and for other purposes," approved August 18, 1914, may carry passengers from or to ports in the Territory of Hawaii to or from ports in the United States, except ports in Alaska, upon special permits issued by the collector of customs for the district in which is situated the port of embarkation. After July 1, 1920, such permits shall be granted only upon payment to the collector of a fee of $40 for each passenger so carried. Such fees shall be paid into the Treasury as miscellaneous receipts. The Secretary of the Treasury and the Secretary of Commerce shall jointly make regulations necessary for the issuance of such permits.

Whenever the President is satisfied that vessels of the United States, other than those admitted to American registry under such act of August 18, 1914, are engaged in trade between such ports in sufficient numbers to accommodate the passenger trade between such ports he shall so declare by proclamation, and thereafter this section shall cease to be in effect.

This bill extends to the people of the Hawaiian Islands very meager relief. I seriously question whether they will, even if this bill becomes a law, have sufficient passenger accommodations. In order to have such accommodations they must have a very large increase in the number of ships plying between the Pacific coast and the Hawaiian Islands. Unless they can utilize the passenger accommodations on foreign ships their needs will not be met in any reasonable measure. We are just beginning to develop the trans-Pacific trade, and it will take time to do so, and for that reason I can not imagine any good reason why this condition should not be relieved temporarily in the very reasonable and conservative manner proposed by this bill.

Now, Mr. Dillingham, president of the Chamber of Commerce of Honolulu, made this statement before the committee:

The situation that is presented to Hawaii at this time is that under the suspension of the coastwise act, within 120 days after the signing of peace, the privilege to travel on boats of foreign registry is denied to travelers between San Francisco and Hawaii. We have lost practically all of our passenger boats since the entry of the United States into the war, as our best boats were taken to the Atlantic and used in the transport of troops overseas.

That is true, and while these ships may come back in the next month or two months or three months they have to be overhauled before being available for that trade, and no three ships will be sufficient for the trade. And, mind you, the provisions of this bill do not extend to the freight business, but to the passenger business alone. In further answer to questions propounded to him by me he said:

Mr. DILLINGHAM. The suspension of the coastwise shipping law during the war has made it possible for us to travel on any of these boats when there was accommodation. Accommodations, however, have been so limited, due to the business in the Far East, that Hawaii has had little benefit from the privilege. The average in 1918 was 46 a week one way and 36 a week the other way. In other words, that is the relief we had out of the Toyo Kisben Kaisha Line, and this line operates the *Korea* and *Siberia*, American steamers which were bought by the Pacific mail in 1916.

* * * * * * *

Mr. DILLINGHAM. I was coming to that, but I wanted to give you a picture, first, of what the situation has been during the past two years. Hawaii has been very glad to contribute everything we had and to put up with all kinds of inconvenience and loss as our contribution to winning the war. Now we are trying to get back to a peace basis, as are the other sections of the United States. We do not mean to be unreasonable, but only partial relief will come through turning back our boats now in the transport service. Within the next year, the *Maui*, a 10,000-ton boat, the *Matsonia*, a 10,000-ton boat, the *Wilhelmina*, a 7,000-ton boat, and the *Sierra*, of the Oceanic Steamship Line, a 6,000-ton boat, will be returned to us. With these boats back on the run we will, of course, be in very much better shape than we are to-day; but if the business with the Far East continues we will not be able to use the through foreign boats any more than we have been able to use them during the war.

The growing business of Hawaii can not be taken care of by the whole Matson fleet. While these will be a tremendous help to us, they

will not be sufficient to take care of all the business, and it will take, we feel, a year or two for American shipping to reach the point where other American boats can be put on the run between San Francisco and Hawaii. What we are asking is that instead of closing the door absolutely to travel on these boats, that the right to use boats of foreign registry be extended to Hawaii until such time as American boats sufficient to handle our business are available.

* * * * * * *

Instead of having accommodations for 300 a week on an average, we have been reduced to an average capacity of about 50 a week. The tourist business of the islands has been steadily increasing until, in 1916, there were 12,000 passenger fares sold between Honolulu and San Francisco. In 1917 it was cut down to 10,000; in 1918 to about 4,500, and for the first half of this year there have only been 1,700 passengers between those two points. The tourist business of necessity, of course, has been entirely cut out. We have been depending on foreign boats for some relief, but when I tell you that in June of this year a boat came through Honolulu and only 10 of the 250 people awaiting passage from Honolulu to San Francisco could secure passage you will appreciate that even with the privilege of traveling on foreign boats we are up against a serious situation. The proposition of cutting off all travel on these through foreign boats within the next 120 days, if no action is taken as now suggested by bill 7500, means that we are going to be practically marooned in the Pacific. We will be thrown back on the five small local boats now operating.

The SPEAKER. The time of the gentleman has expired.

Mr. ALEXANDER. Can the gentleman give me five minutes more?

Mr. SCOTT. I have only five or six minutes remaining.

Mr. ALEXANDER. I want to say, gentlemen, this bill should pass in the form in which it was reported by the committee, and even then it will only give partial relief to the citizens of the Hawaiian Islands. [Applause.]

Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. SCOTT. I would ask the gentleman from Texas to use the balance of his time as there is only to be one other speech on this side.

Mr. HARDY of Texas. Mr. Speaker, I shall at the proper time offer an amendment to this bill striking out all after the enacting clause, and when read and understood it simply means to retain the——

The SPEAKER. The Chair will suggest that all amendments have to be offered during the time of debate.

Mr. HARDY of Texas. Then I offer it now.

The SPEAKER. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HARDY of Texas: Strike out all after the enacting clause and insert the following:

"That the act entitled 'An act giving the United States Shipping Board power to suspend present provisions of law and permit vessels of foreign registry and foreign-built vessels admitted to American registry under the act of August 18, 1914, to engage in the coastwise trade during the present war and for a period of 120 days thereafter, except the coastwise trade with Alaska,' approved October 6, 1917, is repealed in so far as said act permits vessels of foreign registry to engage in the coastwise trade of the United States, and all provisions in said act limiting the period of its operation are repealed.

"SEC. 2. That vessels of foreign registry may carry passengers from or to ports in the Territory of Hawaii to or from ports in the United States upon special permits issued by the collector of customs for the district in which is situated the port of embarkation. Such permits shall be granted only upon payment to the collector of a fee of $40 for each passenger so carried. Such fees shall be paid into the Treasury as miscellaneous receipts. The Secretary of the Treasury and the Secretary of Commerce shall jointly make regulations necessary for the issuance of such permits."

Mr. SCOTT. Mr. Speaker and gentlemen of the House, as was very aptly said by the gentleman from Alabama [Mr. BANKHEAD], there is really only one proposition before the House at the present time, and I wish at this time to pay my respects to the ability of the gentleman from Alabama, who is a valuable member of our committee. The only proposition that is before this House is to repeal the war-time coastwise trade law, which allowed all foreign ships to come in to our coastwise trade and take the benefit of 100 years of American activities in building up that trade. No man on the Democratic side ought to object to the exception of the Hawaiian Islands, because the bill allows the President of the United States to terminate the law when in his judgment there is sufficient American tonnage to accommodate the people of the Hawaiian Islands.

Mr. BLACK. Will the gentleman yield?

Mr. SCOTT. Yes.

Mr. BLACK. I would like to know the reason why a tax of $40 per passenger should be imposed.

Mr. SCOTT. It is a protection to our American-owned ships against foreign ships, with their cheap labor.

Mr. BLACK. I wish to say I am not in favor of a tax of that sort.

Mr. ALEXANDER. I may suggest that it is $200 now.

Mr. SCOTT. I endeavored to explain that this bill reduces the penalty 75 per cent.

Now, my good friend from Texas [Mr. HARDY] insists that he wants to get all the ships possible to come under the American flag.

No man in this House, on either side of the aisle, is opposed to that propositon. It is not a question of politics. It is a question of policy in which we are all united. But as was aptly said by the gentleman from Alabama [Mr. BANKHEAD], this bill relates only to the coastwise trade. It does not relate to the transoceanic trade. The two are as different as daylight and darkness. The fact that we had only 8 per cent of the trans-Atlantic trade prior to the war is not any reflection on the policy which made possible our enormous coastwise trade, because before the war we had a coastwise trade greater than the combined trade of any five other countries.

Mr. HARDY of Texas. Mr. Speaker, will the gentleman yield?

Mr. SCOTT. Just in a moment. Let me call the attention of the House to this fact: Although the United States is a comparatively young Nation, yet as soon as we in 1789 inaugurated a protective policy, in so far as our coastwise trade was concerned, every other nation engaged in coastwise trade has followed our example, and to-day and before the war England, Norway, Germany, France, Italy, and every other nation has protected its coastwise trade, the same as we protect ours and have protected ours for the last one hundred and thirty-odd years. We are not retrogressing. We set the precedent and they all followed it.

Now, the gentlemen, in speaking to the other side of the House, said that the policy of the administration is to encourage ships to come under the American flag, and he quoted Mr. Hurley on the proposition. Before presenting this bill we realized that the Government was vitally interested in any bill that was presented touching this subject.

The SPEAKER. The time of the gentleman has expired.

Mr. SCOTT. I ask unanimous consent for one minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. SCOTT. The committee wrote Mr. Hurley, chairman of the United States Shipping Board, and sent him a copy of this bill, and asked him to give us the opinion of the board touching the proposed legislation. Here is his reply:

We see no objection to the withdrawing of the coastwise trade privilege. The only exception we submit to your committee is in the instance of Honolulu and the Hawaiian Islands.

We have entirely complied with the suggestion of the Shipping Board which is charged with this particular subject. In so far as the Hawaiian Islands are concerned, we have endeavored to relieve their situation in accordance with the suggestion of Mr. KALANIANAOLE, the Delegate from the Hawaiian Islands, who has in a most capable manner presented a case which entitles his countrymen and visitors to the islands to every relief the Congress can give.

The SPEAKER. The gentleman has one minute left.

Mr. SCOTT. Mr. Speaker, I yield that minute to the gentleman from California [Mr. KAHN].

Mr. KAHN. I thank the gentleman. Mr. Speaker, I desire to offer an amendment.

The SPEAKER. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KAHN: Page 2, strike out all of section 2 and insert in lieu thereof the following:

"*Provided*, That the said repeal shall not take effect as to the Territory of Hawaii until July 1, 1920."

Mr. BANKHEAD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BANKHEAD. Is the bill now being read for amendment?

The SPEAKER. No. The bill has already been read for amendment. The rule provides that amendments can only be offered during the time allowed for general debate. The time has expired and, according to the rule, the first amendments in order are the committee amendments. The Clerk will report the committee amendments.

The Clerk read as follows:

On page 1, line 5, insert a comma after the word "registry."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 2, line 9, strike out the word "Such" at the end of the line and insert "after July 1, 1920, such."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SCOTT. Mr. Speaker, I wish to call the attention of the House to a typographical error in line 2 of page 2. The printer has placed a comma after the word "registry," and the comma should be placed after the word "registry" in line 1. I ask that the correction be made.

The SPEAKER. Without objection, the correction will be made.

There was no objection.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Texas [Mr. HARDY].

Mr. HARDY of Texas. Mr. Speaker, I think I may want to alter my amendment. I would like to ask unanimous consent to strike out section 2 of the amendment that I offered, so that it will contain only section 1.

The SPEAKER. The gentleman from Texas asks unanimous consent to modify his amendment by striking out section 2. Is there objection?

There was no objection.

Mr. SCOTT. Mr. Speaker, I think the amendment ought to be read.

The SPEAKER. Without objection, the amendment will again be read.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. HARDY of Texas: Strike out all after the enacting clause and insert the following:

"That the act entitled 'An act giving the United States Shipping Board power to suspend present provisions of law and permit vessels of foreign registry and foreign-built vessels admitted to American registry under the act of August 18, 1914, to engage in the coastwise trade during the present war and for a period of 120 days thereafter, except the coastwise trade with Alaska,' approved October 6, 1917, is repealed in so far as said act permits vessels of foreign registry to engage in the coastwise trade of the United States, and all provisions in said act limiting the period of its operation are repealed."

Mr. SCOTT. Mr. Speaker, I reserved a point of order on that amendment. I do not think there is any question but that the point of order would be sustained in connection with it, but I realize that the House should vote on the matter if it wanted to, and therefore I withdraw the point of order.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Texas.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. HARDY of Texas. Mr. Speaker, a division.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 8, noes 82.

So the amendment was rejected.

The SPEAKER. The question recurs on the amendment offered by the gentleman from California [Mr. KAHN], which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KAHN: Page 2, strike out all of section 2 and insert in lieu thereof the following:

"*Provided*, That said repeal shall not take effect as to the Territory of Hawaii until July 1, 1920."

The SPEAKER. The question is on agreeing to the amendment.

Mr. SCOTT. I understood the amendment to provide only for the passenger trade.

Mr. KAHN. No; it is just as I have offered it.

The SPEAKER. The question is on agreeing to the amendment.

The question being taken, the amendment was rejected.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time.

Mr. KAHN. Mr. Speaker, I desire to offer a motion to recommit.

The SPEAKER. The gentleman will offer it.

Mr. KAHN. I move to recommit the bill with instructions to report the same back forthwith, with the amendment which I offered.

The SPEAKER. The gentleman from California offers a motion to recommit, which the Clerk will report.

The Clerk read as follows:

Mr. KAHN moves to recommit the bill to the Committee on the Merchant Marine and Fisheries with instructions to that committee to report the same back forthwith with the following amendment: Page 2, strike out all of section 2 and insert in lieu thereof the following:

"*Provided*, That said repeal shall not take effect as to the Territory of Hawaii until July 1, 1920."

Mr. SCOTT. Mr. Speaker, I make the point of order against the motion to recommit, that, in view of the fact that the House considered and passed upon this precise amendment, the same subject matter can not be contained in a motion to recommit, the House having passed on the amendment adversely.

Mr. MANN. Mr. Speaker, Speaker CLARK held repeatedly, and it became the rule of the House, that where an amendment had been agreed to by the House it was not then in order to offer a motion to recommit striking out that amendment. That had not been the rule of the House prior to the occupancy of the Speaker's chair by the very distinguished gentleman from Missouri [Mr. CLARK]. But I do not recollect that he ever went so far—I am quite sure my recollection is correct upon the subject—as to hold that where the House had rejected an amendment it could not be included in a motion to recommit. It does not come within the reasoning which Speaker CLARK used—a line of reasoning which I always doubted—that the House having just agreed to an amendment, it was not in order to offer a motion to recommit to strike out the amendment. Of course, it is perfectly patent that the rejection of an amendment by the Committee of the Whole would not prevent the offering of a motion to recommit. I see that the Chair is prepared to rule.

The SPEAKER. A citation has been put before the Chair in accordance with the argument just made by the gentleman from Illinois [Mr. MANN], and the Chair overrules the point of order.

Mr. SCOTT. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question being taken, on a division (demanded by Mr. KAHN) there were—ayes 6, noes 88.

Accordingly the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

On motion of Mr. SCOTT, a motion to reconsider the vote by which the bill was passed was laid on the table.

THOMAS J. MOONEY.

Mr. BLANTON. Mr. Speaker, I move to discharge the Committee on Labor from further consideration of House resolution No. 185, and upon that I demand the previous question.

Mr. MANN. I ask for the regular order, and make the point of order that the gentleman's motion is not in order.

The SPEAKER. The Chair will be glad to hear the gentleman.

Mr. BLANTON. This is a privileged resolution.

Mr. MANN. The resolution has not been reported.

Mr. BLANTON. I ask that the resolution be reported.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 185.

Resolved, That the Secretary of Labor be, and he is hereby, directed to report forthwith to the House of Representatives of the United States of America the following facts:

(1) What fact or facts, if any there are, have caused him to fail to comply with the request of the House of Representatives made upon him by H. Res. 128 passed by the House of Representatives on June 27, 1919, of the following tenor:

"*Resolved*, That the Secretary of Labor be, and he is hereby, requested to promptly report to the House of Representatives at the earliest date practicable the following facts:

"(1) What connection in behalf of the Department of Labor, if any, has John B. Densmore, now Director of the United States Employment Service, had with the case of Thomas J. Mooney, convicted in California of crime, stating in detail the activities of said Densmore concerning said case, and the expenses of same itemized that were paid by the Government, and upon what authority of law, attaching copies of all reports concerning same made to the Department of Labor by said John B. Densmore.

"(2) What connection in behalf of the Department of Labor, if any, since the punishment of said Thomas J. Mooney was commuted to life imprisonment, has any employee of said Department of Labor had with the said case of Thomas J. Mooney, stating such activities in detail, the purposes thereof, the expense itemized in connection therewith that has been paid or is to be paid by the Government, and upon what authority of law, attaching copies of all reports made to the Department of Labor concerning said case.

"(3) What requests on the Department of Labor, if any, have been made by a grand jury or a court in California for said John B. Densmore to appear in California to give evidence, and what action concerning same was taken by the Department of Labor."

(2) *Resolved further*, That said Secretary of Labor be, and he is hereby, directed to furnish forthwith to the House of Representatives the facts called for in the said H. Res. 128, set forth above, as passed June 27, 1919.

Mr. GARRETT. Mr. Speaker, I make the point of order that the resolution is not privileged.

Mr. MONDELL. I move to lay the motion of the gentleman from Texas on the table.

The SPEAKER. The gentleman from Tennessee will state his point of order.

Mr. GARRETT. It calls for reasons, not for facts. I have not the resolution before me, but in the first part of it he is asked for facts that have caused certain actions.

Mr. MANN. It is purely a matter of opinion.

Mr. GARRETT. Why, certainly; it is necessarily a matter of opinion.

Mr. MANN. While it nominally purports to call for facts, it asks for facts which caused certain opinions to be formed.

Mr. BLANTON. I should like to be heard on the point of order before the Chair rules.

The SPEAKER. The Chair will hear the gentleman from Texas.

Mr. BLANTON. Mr. Speaker, on June 27 this House passed House resolution 128, which called upon the Secretary of Labor to furnish to this House at the earliest date practicable certain information specified therein. There are various things which could have intervened that might have prevented the Secretary of Labor from complying with the request of the House. For instance, the data called for might have been misplaced in his office, so that it could not be found. The person in charge of the data might have been sick, so that he could not have prepared it. Various facts might have intervened which would have necessarily prevented the Secretary of Labor from complying with the request of the House. The fact remains that at the time the resolution now under consideration, House resolution 185, was introduced in the House the Secretary of Labor had not complied with any portion of the request contained in resolution No. 128.

This resolution, House resolution 185, does not call for any opinion. It calls for nothing but a fact. It is a fact whether or not the Secretary of Labor has complied with the request. It is a fact whether or not the Secretary of Labor can comply with the request. Whether he will comply with it might depend upon an opinion, but whether he has been prevented from complying with the request of the House is dependent absolutely upon some fact which may or may not exist in that department. It might be a fact of negligence; it might be a fact of simple refusal; it might be a fact of some particular action of some person in his department. I submit to the Chair that there is nothing called for in the resolution except facts, and no opinion is asked of the Secretary of Labor.

In response to the resolution he could not state opinions, only state what is called for, and those are facts. The resolution has laid over for a week, has been unreported by the Committee on Labor, and therefore, under Rule XXIII, becomes privileged.

The SPEAKER. The Chair will be glad to hear from the gentleman from Tennessee or the gentleman from Illinois.

Mr. GARRETT. Mr. Speaker, I have nothing further to add. I now have the resolution before me. The first paragraph says what fact or facts, if any there are, have caused him to fail to comply with the request of the House of Representatives made upon him by House resolution, and so forth.

I think unquestionably that calls for an opinion from the Secretary of Labor. It is in fact asking him to give his reasons for not complying.

Mr. MANN. Mr. Speaker, I fully agree with the gentleman from Tennessee. While nominally the resolution calls for facts, it does not call for facts outlined by the resolution. It is a fishing excursion. and it has always been held that these privileged resolutions were not fishing excursions. This calls for the opinion of the Secretary of Labor as to why he did not do something under the guise of facts which caused him to do so and so.

Facts may not be information. Facts may be information purely, but under that the Secretary would have the power to give all sorts of opinions. That is what they ask for. It never was the design of the rule to give the privilege to anything except that which asked for information in the possession of the department, and the rulings have been frequent and consistent against enlarging the privilege by calling for opinions. It is a matter of opinion, if they have not done something, why they have not done it.

Mr. MAPES. Mr. Speaker, I call attention to the language in line 11, page 2, where the department is asked to "state such activities in detail and the purposes thereof." It seems to me that "purposes thereof" is clearly subject to a point of order.

Mr. BLANTON. Mr. Speaker, that is a portion of the original resolution already passed by the House.

The SPEAKER. The Chair is in some doubt about this question. It is obviously an ingeniously worded attempt to inquire of the Secretary of Labor why he has not complied with the request of the House.

Mr. WALSH. Mr. Speaker, may I direct the Speaker's attention to the language, which says "if any there be," which clearly would give the Secretary of Labor an opportunity to express opinions as to whether there were facts or not. The resolution calls for facts if any there be. That leaves the Secretary of Labor to say whether there are facts or not, clearly expressing an opinion on the question.

The SPEAKER. The Chair thinks it is a close question whether by verbally asking for only facts one does comply with the rule of the House, which says that the House can always ask for facts and nothing but facts. The Chair is disposed to think that, while in language a strict compliance with the rule, it really does ask for the reasons and opinion of the Secretary of Labor, and the Chair sustains the point of order.

EXTENSION OF REMARKS.

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of price-fixing commission.

The SPEAKER. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. BARBOUR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bill just passed in relation to the laws of coastwise shipping.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

AVIATION INVENTORY.

Mr. LAGUARDIA. Mr. Speaker, I ask for the present consideration of House resolution 190, a privileged resolution.

The Clerk read as follows:

House resolution 190.

Resolved, That the Secretary of War be, and he hereby is, directed to send forthwith to the House of Representatives, for the information of the House, a commercial inventory showing:

1. Number and type of aviation motors, with the number of each motor, where it is located, its condition, hours of use, and purchase price or cost of manufacture.

2. The number and type of planes, number of each plane, its location, hours of use, condition, and purchase price or cost of manufacture.

3. The number of spare parts for motor and plane of the respective types of motors and planes, where located, and cost.

4. Quantity and description of raw material, such as lumber, including spruce, ash, soft and hard woods; metals, such as steel, copper, aluminum, iron, brass, etc.; cloth, such as linen, silk, tape, cotton, and all raw material now the property or in the possession of the Air Service, and a statement showing the quantity of said motors, planes, and material now surplus and for sale.

Mr. LAGUARDIA. Mr. Speaker, this resolution was presented to the Committee on Military Affairs and reported with the recommendation that it pass. The purpose of my resolution, among other things, is to try to help the Air Service help itself.

In order to ascertain just what the Air Service has on hand and how much of its supplies and matériels are surplus, it is necessary to have a commercial inventory giving the information set forth in the resolution. The vital importance of having complete adequate information of Air Service matériel at this time is being emphasized every day. Recent sales in the Air Service would indicate that large amounts of equipment and matériel were sold without exact information of the condition of such matériel and equipment at the time the sale was made.

The two great items to be considered are parts in production, and planes and motors and parts in operation. A part or plane or motor which is listed as in production should be clearly defined as to what stage of completion it has progressed. If in operation how much of serviceable life has been consumed. The value of an aviation motor can only be determined by the number of hours it has flown; therefore it is necessary to know not only how many motors are available and surplus, but the record and life of each motor. Such records are kept of each motor, and this information is available if a proper inventory is taken. It will then develop whether it will pay to sell such as raw material or scrap, or to spend additional money on it, and to finish or repair the same and sell it or turn it over to the operating side of the Air Service at full value.

The relationship between the matériel that is required for the operation of the Air Service and the matériel now on hand, should be clearly established, and until such is accomplished it will never be known what is surplus. The so-called surplus which has been declared by the operating section of the Air Service up to the present time has not shown that this relationship has been established.

The Air Service at this moment does not have a commercial inventory of its assets in the shape of planes, motors, parts, and machinery. It is vital that this be determined, thoroughly classified, locations noted, and full information obtained. When this is done any group of intelligent business men or Air Service officers could determine what should be held for training and active use in the Air Service and what would be surplus to be sold to reimburse the Treasury of the United States.

With this inventory on hand, the sales department, or such agency intrusted with the sales of this matériel and equipment, will be enabled to dispose of such matériel and equipment and obtain its reasonable market value. Responsibility for failure to obtain reasonable market value will then be easily fixed. Also with such inventory on hand it can for once be determined just what new equipment the Air Service should acquire during the present fiscal year.

They have something like $250,000,000 worth of property. I have said so much about the sale of the Curtiss motors and the Curtiss planes, $22,000,000 worth being sold for $2,000,000, that I need not repeat the history of that sale at this time.

Mr. WINGO. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. In just a moment. The reason that sale was made was due to the fact that the Air Service apparently did not know the condition of those motors and planes at the time the sale was made. At least that is the charitable thing to say for the present. They, it appears, were under the impression that most of them were junk or used matériel. They must realize now that the matériel was in first-class condition, because 90 per cent of the planes are being flown from the fields and are far from junk. I yield to the gentleman.

Mr. WINGO. Suppose we should go to the expense of this, spend thousands of dollars to get this information, and it is brought here to the House. What will it be worth to the House and to the department after it is obtained?

Mr. LAGUARDIA. If we get this inventory—and this seems to be the only method by which we can compel the Air Service to find out for themselves what they have—the department of sales will know how to fix prices for what is surplus. To give a concrete example: They sold the Curtiss planes and the OX–5 motors when they should have kept some of those motors and planes for training purposes. The only way that the value of a plane can be ascertained, or of an aviation motor, is by determining the number of hours that either has been used. An aviation motor has so many hours of life. If we know that we have a certain number of motors that have had a certain number of hours of use, we can immediately establish the value of the motors, if they are surplus, and dispose of them intelligently and to the best interest of the Government.

Mr. WINGO. Evidently the gentleman did not get the point I want to get at. It is a practical point, and not asked in the spirit of controversy. For the life of me I can not understand how the spending of this money to get this information—and it is technical in its nature—will be of value, how it will be worth anything to us, except to the committees. How will that give this information to those gentlemen down there who the gentleman says have not got it?

Mr. LAGUARDIA. In the first place it will not cost thousands of dollars to obtain this information, because they have the personnel and the officers. If the Air Service is not able to tell us what they have, it surely is in a sad state of affairs. Each motor has its history with it, and all that is required is to check up what they have, and it will not cost anything. Second, they have no commercial inventory at this time. We do not know exactly how much spruce, how much ash, how many motors of one kind, how many motors of another kind, they have, so that they are selling supplies without knowing whether such supplies are surplus or not. The sales department, which I have criticized a great deal on the floor of this House, in this instance is not to blame. They can not get it, and I want to cooperate with the sales department in this, to help ascertain the true condition of declared surplus. When we get this inventory the sales department can use it and the Air Service itself may use it. If the department can not help itself, we can at least try to help it while we are getting information which will prove very valuable.

Mr. GARRETT. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. GARRETT. The Committee on Expenditures in the War Department, or a subcommittee thereof, has been appointed expressly to go into this particular question, along with all other questions connected with aviation. Let me submit to the gentleman from New York—I am not a member of that subcommittee—in all good reason that he is about to require a duplication of work upon the part of the War Department. It seems to me that the gentleman should be willing to leave to the committee appointed for the purpose the question of investigating that and the development of these facts.

Mr. LAGUARDIA. In reply to the gentleman I will state that I have been cooperating and have constantly conferred with the chairman of the subcommittee on aviation, and the information asked by this resolution will be a valuable index for their work.

Mr. GARRETT. They surely can obtain the matter without this. From how many different angles are you going to approach this proposition? I thought that committee was appointed to find about this particular thing. You are now calling upon the War Department to furnish it independent of the committee. Is it a lack of confidence in your committee?

Mr. LAGUARDIA. Not at all, and the gentleman knows it. It is simply to obtain information in the most expeditious manner. I have had this resolution in for some time. I could hardly believe that the Air Service could not give me this information by simply writing for it. But that is the fact. Remember, we have a right to know what is on hand. The information is necessary, and it will be saving time.

Mr. GARRETT. Mr. Speaker, will the gentleman yield further?

Mr. LAGUARDIA. Certainly.

Mr. GARRETT. It seems to me that the gentleman surely does not desire to seriously press this resolution. Some time ago the committee was organized for the express purpose of obtaining the precise information for which the gentleman asks. That committee has been empowered to summon and swear witnesses. As a matter of fact that committee is proceeding, and that very subcommittee is sitting at this very hour. Is it possible that the gentleman and his side of the House have lost confidence in the committee they have appointed for this particular purpose?

Mr. LAGUARDIA. The gentleman knows that is not the intention. It is simply to assist that committee and get this information before it. The resolution was pending. We are saving time by doing this.

Mr. GARRETT. In what way can this assist the committee? The committee has full power to send for these people and swear them.

Mr. LAGUARDIA. But there is not one man in the department, from the Secretary down, who is able to testify what the Air Service owns and has now after spending a billion dollars.

Mr. GARRETT. How are they going to give you the information?

Mr. LAGUARDIA. By taking an inventory—something that should have been done months ago. I can appreciate the gentleman's anxiety. Mr. Speaker, I move the previous question on the resolution.

Mr. BANKHEAD. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore (Mr. KELLEY of Michigan). The question is on ordering the previous question.

The question was taken; and on a division (demanded by Mr. BANKHEAD) there were—ayes 66, noes 40.

Mr. BANKHEAD. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. Evidently there is no quorum present. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 156, nays 108, answered "present" 2, not voting 163, as follows:

YEAS—156.

Ackerman	Goodykoontz	McArthur	Rowe
Anderson	Gould	McCulloch	Schall
Andrews, Nebr.	Graham, Ill.	McFadden	Scott
Anthony	Green, Iowa	McLaughlin, Mich.	Sells
Bacharach	Greene, Mass.	McLaughlin, Nebr.	Shreve
Baer	Griest	McPherson	Siegel
Barbour	Hadley	MacCrate	Sinclair
Begg	Haskell	Magee	Smith, Idaho
Benham	Haugen	Mann	Smith, Mich.
Bland, Ind.	Hernandez	Mapes	Snell
Boles	Hersey	Merritt	Steenerson
Bowers	Hickey	Michener	Stiness
Brooks, Ill.	Hoch	Miller	Strong, Kans.
Browning	Hull, Iowa	Monahan, Wis.	Strong, Pa.
Burke	Hutchinson	Mondell	Sweet
Burroughs	Ireland	Moore, Ohio	Taylor, Tenn.
Campbell, Kans.	James	Moore, Pa.	Temple
Cannon	Johnson, S. Dak.	Moores, Ind.	Thompson, Ohio
Chindblom	Johnson, Wash.	Morin	Tilson
Cole	Kahn	Mott	Timberlake
Copley	Kearns	Newton, Minn.	Tincher
Costello	Kelley, Mich.	Newton, Mo.	Towner
Crowther	Kelly, Pa.	Nichols, Mich.	Treadway
Curry, Calif.	Kendall	Nolan	Vaile
Dale	Kennedy, Iowa	Ogden	Vestal
Dallinger	King	Platt	Volstead
Darrow	Kleczka	Purnell	Walsh
Dickinson, Iowa	Knutson	Radcliffe	Walters
Dowell	Kraus	Ramsey	Wason
Dunbar	Kreider	Ramseyer	Watson, Pa.
Dunn	LaGuardia	Randall, Wis.	Webster
Edmonds	Lampert	Reed, W. Va.	Wheeler
Elston	Langley	Rhodes	Williams
Evans, Nebr.	Layton	Ricketts	Wilson, Ill.
Fess	Lehlbach	Riddick	Winslow
Fordney	Little	Robsion, Ky.	Wood, Ind.
Foster	Longworth	Rodenberg	Woodyard
French	Luce	Rogers	Yates
Garland	Luhring	Rose	Young, N. Dak.

NAYS—108.

Alexander	Collier	Hudspeth	Oldfield
Almon	Connally	Hull, Tenn.	Oliver
Ashbrook	Cullen	Igoe	Overstreet
Ayres	Davey	Jacoway	Padgett
Bankhead	Davis, Tenn.	Johnson, Ky.	Parrish
Barkley	Dent	Johnson, Miss.	Phelan
Bell	Doremus	Keller	Quin
Black	Doughton	Kincheloe	Rainey, H. T.
Blackmon	Drane	Kitchin	Rainey, J. W.
Bland, Mo.	Dupré	Lanham	Raker
Bland, Va.	Eagan	Lankford	Rayburn
Blanton	Eagle	Larsen	Romjue
Booher	Evans, Mont.	Lea, Calif.	Rubey
Box	Evans, Nev.	Lesher	Smithwick
Brand	Fisher	Lonergan	Steagall
Briggs	Garner	McAndrews	Stedman
Buchanan	Garrett	McDuffie	Taylor, Colo.
Byrns, Tenn.	Godwin, N. C.	McGlennon	Tillman
Campbell, Pa.	Goodwin, Ark.	Major	Watkins
Candler	Griffin	Mansfield	Watson, Va.
Caraway	Hardy, Tex.	Martin	Welty
Carss	Harrison	Mays	Whaley
Carter	Hayden	Minahan, N. J.	Wilson, La.
Clark, Fla.	Heflin	Montague	Wingo
Clark, Mo.	Hersman	Nelson, Mo.	Woods, Va.
Cleary	Howard	O'Connell	Wright
Coady	Huddleston	O'Connor	Young, Tex.

ANSWERED "PRESENT"—2.

Benson Hawley

NOT VOTING—163.

Andrdews, Md.	Flood	Lufkin	Sanders, La.
Aswell	Focht	McClintic	Sanders, N. Y.
Babka	Frear	McKenzie	Sanford
Bee	Freeman	McKeown	Saunders, Va.
Brinson	Fuller, Ill.	McKiniry	Scully
Britten	Fuller, Mass.	McKinley	Sears
Brooks, Pa.	Gallagher	McLane	Sherwood
Browne	Gallivan	MacGregor	Sims
Brumbaugh	Gandy	Madden	Sinnott
Burdick	Ganly	Maher	Sisson
Butler	Gard	Mason	Slemp
Byrnes, S. C.	Glynn	Mead	Small
Caldwell	Goldfogle	Moon	Smith, Ill.
Cantrill	Good	Mooney	Smith, N. Y.
Carew	Goodall	Moore, Va.	Snyder
Casey	Graham, Pa.	Morgan	Steele
Christopherson	Greene, Vt.	Mudd	Stephens, Miss.
Classon	Hamill	Murphy	Stephens, Ohio
Cooper	Hamilton	Neely	Stevenson
Crago	Hardy, Colo.	Nelson, Wis.	Sullivan
Cramton	Hastings	Nicholls, S. C.	Summers, Wash.
Crisp	Hays	Olney	Sumners, Tex
Currie, Mich.	Hicks	Osborne	Taylor, Ark.
Davis, Minn.	Hill	Paige	Thomas
Dempsey	Holland	Park	Thompson, Okla.
Denison	Houghton	Parker	Tinkham
Dewalt	Hulings	Pell	Upshaw
Dickinson, Mo.	Humphreys	Peters	Vare
Dominick	Husted	Porter	Venable
Donovan	Jefferis	Pou	Vinson
Dooling	Johnston, N. Y.	Randall, Calif.	Voigt
Dyer	Jones, Pa.	Reavis	Ward
Echols	Jones, Tex.	Reber	Weaver
Elliott	Juul	Reed, N. Y.	Webb
Ellsworth	Kennedy, R. I.	Riordan	Welling
Emerson	Kettner	Robinson, N. C.	White, Kans.
Esch	Kiess	Rouse	White, Me.
Fairfield	Kinkaid	Rowan	Wilson, Pa.
Ferris	Lazaro	Rucker	Wise
Fields	Lee, Ga.	Sabath	Zihlman
Fitzgerald	Linthicum	Sanders, Ind.	

So the previous question was ordered.

The Clerk announced the following pairs:

Until further notice:

Mr. KIESS with Mr. SUMNERS of Texas.

Mr. ANDREWS of Maryland with Mr. UPSHAW.

Mr. HOUGHTON with Mr. BABKA.

Mr. MASON with Mr. CANDLER.

Mr. EMERSON with Mr. MOONEY.

Mr. BUTLER with Mr. STEELE.

Mr. GOODALL with Mr. MCCLINTIC.

Mr. HARDY of Colorado with Mr. MAHER.

Mr. OSBORNE with Mr. BENSON.

Mr. DYER with Mr. SANDERS of Louisiana.

Mr. FAIRFIELD with Mr. SCULLY.

Mr. BROWN with Mr. OLNEY.

Mr. SNYDER with Mr. SMITH of New York.

Mr. COOPER with Mr. THOMPSON of Oklahoma.

Mr. CHRISTOPHERSON with Mr. SULLIVAN.

Mr. MCKINLEY with Mr. GALLIVAN.

Mr. PAIGE with Mr. GOLDFOGLE.

Mr. MACGREGOR with Mr. LEE of Georgia.

Mr. SUMMERS of Washington with Mr. HAMILL.

Mr. JEFFERIS with Mr. MOORE of Virginia.

Mr. HUSTED with Mr. NICHOLLS of South Carolina.

Mr. HULINGS with Mr. PARK.

Mr. HAYS with Mr. PELL.

Mr. STEPHENS of Ohio with Mr. BEE.

Mr. HAMILTON with Mr. POU.

Mr. SMITH of Illinois with Mr. BRINSON.

Mr. GREENE of Vermont with Mr. RIORDAN.

Mr. SLEMP with Mr. BRUMBAUGH.

Mr. GRAHAM of Pennsylvania with Mr. ROBINSON of North Carolina.

Mr. HILL with Mr. BYRNES of South Carolina.

Mr. GOOD with Mr. ROWAN.

Mr. HICKS with Mr. CANTRILL.

Mr. GLYNN with Mr. RUCKER.

Mr. HAWLEY with Mr. CAREW.

Mr. FULLER of Illinois with Mr. SABATH.

Mr. ZIHLMAN with Mr. CASEY.

Mr. FULLER of Massachusetts with Mr. SAUNDERS of Virginia.

Mr. WHITE of Maine with Mr. CRISP.

Mr. WHITE of Kansas with Mr. DEWALT.

Mr. FREEMAN with Mr. SEARS.

Mr. FREAR with Mr. SHERWOOD.

Mr. WARD with Mr. DICKINSON of Missouri.

Mr. FOCHT with Mr. SIMS.

Mr. VOIGT with Mr. DOMINICK.

Mr. ESCH with Mr. SISSON.

Mr. VARE with Mr. DONOVAN.

Mr. MADDEN with Mr. LEE of Georgia.

Mr. MORGAN with Mr. LAZARO.

Mr. MCKENZIE with Mr. LINTHICUM.

Mr. KINKAID with Mr. MCKINIRY.

Mr. LUFKIN with Mr. MCKEOWN.

Mr. KENNEDY of Rhode Island with Mr. MCLANE.

Mr. ELLSWORTH with Mr. SMALL.

Mr. TINKHAM with Mr. DOOLING.

Mr. ELLIOTT with Mr. ASWELL.

Mr. SINNOTT with Mr. FERRIS.

Mr. ECHOLS with Mr. STEPHENS of Mississippi.

Mr. SANFORD with Mr. FIELDS.

Mr. DENISON with Mr. STEVENSON.

Mr. SANDERS of New York with Mr. FLOOD.

Mr. DEMPSEY with Mr. TAYLOR of Arkansas.

Mr. SANDERS of Indiana with Mr. GALLAGHER.

Mr. DAVIS of Minnesota with Mr. THOMAS.

Mr. REED of New York with Mr. GANDY.

Mr. CURRIE of Michigan with Mr. TILLMAN.

Mr. REBER with Mr. GANLY.

Mr. REAVIS with Mr. GARD.

Mr. BROOKS of Pennsylvania with Mr. WILSON of Pennsylvania.

Mr. PORTER with Mr. HASTINGS.

Mr. BURDICK with Mr. WELLING.

Mr. PETERS with Mr. HOLLAND.

Mr. CRAMTON with Mr. VENABLE.

Mr. PARKER with Mr. HUMPHREYS.

Mr. CRAGO with Mr. VINSON.

Mr. JONES of Pennsylvania with Mr. MOON.

Mr. JUUL with Mr. MEAD.

Mr. MURPHY with Mr. JONES of Texas.

Mr. CLASSON with Mr. WEBB.

Mr. BRITTEN with Mr. WISE.

Mr. MUDD with Mr. KETTNER.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present, and the Doorkeeper will open the doors.

Mr. GARRETT. Mr. Speaker, I ask unanimous consent that I may address the House for five minutes on this proposition.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that he may address the House for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. GARRETT. Mr. Speaker, I am very anxious to keep my friends on the Republican side from making a very serious mistake.

Along about the 1st of June a special committee was created to investigate expenditures in the War Department. That committee was subsequently divided into five subcommittees. One of those subcommittees was expressly charged with the duty of investigating every phase and character of the Aviation Service. That subcommittee has been authorized by the full committee under resolution of the House to employ a lawyer to review the report that was made upon this matter some time ago and the decision upon same of that former Justice of the Supreme Court of the United States, the Hon. Charles Evans Hughes. It seems that, not content with appointing a committee with full power to investigate and to call before it these people and put them upon their oaths, not content to hire a lawyer to review the decision of a former Justice of the Supreme Court of the United States and your party's nominee for President in 1916, you now propose to go still further, and pass another resolution calling upon the Secretary of War to give, but not under oath, the very thing that that subcommittee is charged with the duty of finding.

What sort of a reflection is that upon the committee that you have appointed? It certainly does seem to me that you ought to have confidence in that committee of your selection which is now at work day and night in the effort to obtain this evidence in the way that the House has instructed that it be obtained. And for that reason, Mr. Speaker, and in order to save these Republican gentlemen from making that tremendous mistake, I move to recommit this resolution to the Committee on Military Affairs, and on that I move the previous question.

The SPEAKER. The gentleman from Tennessee moves to recommit the resolution to the Committee on Military Affairs.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that I may have two minutes in which to address the House.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Speaker, it is true that there is a committee investigating the Air Service. It is true also that that committee discovered the very amazing fact that, having spent nearly $700,000,000 for airships, the War Department did not know how many they had or where they were. That committee so investigating might have asked for this information. It so happens that it is asked for by a member of another committee of the House, but the gentleman in charge of that committee will be delighted to secure this information in any way, and this is the way to secure it. Do the gentlemen on the other side object to having it secured or do they fear the War Department will not be able to furnish it? [Applause on the Republican side.]

The SPEAKER. The gentleman from Tennessee [Mr. GARRETT] moves to recommit the resolution to the Committee on Military Affairs.

Mr. LAGUARDIA. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LAGUARDIA. The House has just voted on the previous question. Is it not the proper thing to move the passage of the resolution before the motion of the gentleman from Tennessee?

The SPEAKER. The Chair does not quite understand the gentleman's question.

Mr. LAGUARDIA. We have only arrived at the stage where we have voted on the previous question. Therefore is not the motion of the gentleman from Tennessee rather premature? Is it not proper to first move the passage of the resolution?

The SPEAKER. This is a resolution, not a bill, and there is only one vote. The question is on the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Tennessee to recommit the bill to the Committee on Military Affairs.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. GARRETT. Division, Mr. Speaker.

The House divided; and there were—ayes 62, noes 119.

Mr. GARRETT. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The question is on the motion to recommit. Those in favor will, as their names are called, answer "yea," those opposed will answer "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 105, nays 145, answered "present" 2, not voting 177, as follows:

YEAS—105.

Almon	Cullen	Johnson, Miss.	Padgett
Ashbrook	Davey	Jones, Tex.	Parrish
Aswell	Davis, Tenn.	Keller	Phelan
Ayres	Dent	Kincheloe	Quin
Bankhead	Doremus	Kitchin	Rainey, H. T.
Barkley	Doughton	Lanham	Rainey, J. W.
Bell	Drane	Lankford	Raker
Black	Eagan	Larsen	Rayburn
Blackmon	Eagle	Lazaro	Romjue
Bland, Mo.	Evans, Nev.	Linthicum	Rubey
Bland, Va.	Fisher	Lonergan	Smithwick
Blanton	Fitzgerald	McAndrews	Steagall
Booher	Garrett	McDuffie	Stedman
Box	Goodwin, Ark.	McGlennon	Tillman
Briggs	Griffin	McKeown	Watkins
Brinson	Hardy, Tex.	Major	Watson, Va.
Buchanan	Harrison	Mansfield	Welling
Byrns, Tenn.	Hastings	Martin	Welty
Campbell, Pa.	Hayden	Mays	Whaley
Candler	Holland	Minahan, N. J.	Wilson, La.
Caraway	Howard	Moon	Wingo
Carss	Huddleston	Moore, Va.	Woods, Va.
Clark, Fla.	Hudspeth	Nelson, Mo.	Wright
Clark, Mo.	Hull, Tenn.	O'Connell	Young, Tex.
Coady	Igoe	Oldfield	
Collier	Jacoway	Oliver	
Connally	Johnson, Ky.	Overstreet	

NAYS—145.

Ackerman	Goodykoontz	McArthur	Scott
Anderson	Gould	McFadden	Sells
Andrews, Nebr.	Green, Iowa	McKenzie	Shreve
Anthony	Greene, Mass.	McLaughlin, Mich.	Siegel
Bacharach	Griest	McLaughlin, Nebr.	Sinnott
Baer	Hadley	McPherson	Smith, Idaho
Barbour	Haskell	MacCrate	Smith, Mich.
Begg	Hernandez	Madden	Snell
Benham	Hersey	Magee	Steenerson
Bland, Ind.	Hickey	Mapes	Stephens, Ohio
Bowers	Hoch	Michener	Stiness
Britten	Hull, Iowa	Miller	Strong, Kans.
Brooks, Ill.	Hutchinson	Monahan, Wis.	Strong, Pa.
Browning	Ireland	Mondell	Sweet
Burke	James	Moore, Ohio	Taylor, Tenn.
Burroughs	Johnson, Wash.	Moore, Pa.	Temple
Cannon	Kahn	Moores, Ind.	Thompson, Ohio
Chindblom	Kearns	Newton, Minn.	Tilson
Cole	Kelley, Mich.	Newton, Mo.	Timberlake
Copley	Kelly, Pa.	Nichols, Mich.	Tincher
Crago	Kendall	Ogden	Treadway
Crowther	Kennedy, Iowa	Platt	Vaile
Curry, Calif.	King	Purnell	Vestal
Dale	Kinkaid	Radcliffe	Volstead
Dallinger	Kleczka	Ramsey	Walters
Denison	Knutson	Ramseyer	Wason
Dickinson, Iowa	Kraus	Randall, Wis.	Watson, Pa.
Dowell	Kreider	Reavis	Webster
Dunbar	LaGuardia	Rhodes	Wheeler
Edmonds	Lampert	Ricketts	Williams
Elston	Langley	Riddick	Winslow
Esch	Layton	Robsion, Ky.	Wood, Ind.
Evans, Nebr.	Lehlbach	Rodenberg	Woodyard
Fess	Little	Rogers	Young, N. Dak.
Fordney	Longworth	Rose	
Foster	Luce	Rowe	
French	Luhring	Schall	

ANSWERED "PRESENT"—2.

Benson	Hawley

NOT VOTING—177.

Alexander	Flood	Lufkin	Sanders, N. Y.
Andrews, Md.	Focht	McClintic	Sanford
Babka	Frear	McCulloch	Saunders, Va.
Bee	Freeman	McKiniry	Scully
Boies	Fuller, Ill.	McKinley	Sears
Brand	Fuller, Mass.	McLane	Sherwood
Brooks, Pa.	Gallagher	MacGregor	Sims
Browne	Gallivan	Maher	Sinclair
Brumbaugh	Gandy	Mann	Sisson
Burdick	Ganly	Mason	Slemp
Butler	Gard	Mead	Small
Byrnes, S. C.	Garland	Merritt	Smith, Ill.
Caldwell	Garner	Montague	Smith, N. Y.
Campbell, Kans.	Glynn	Mooney	Snyder
Cantrill	Godwin, N. C.	Morgan	Steele
Carew	Goldfogle	Morin	Stephens, Miss.
Carter	Good	Mott	Stevenson
Casey	Goodall	Mudd	Sullivan
Christopherson	Graham, Pa.	Murphy	Summers, Wash.
Classon	Graham, Ill.	Neely	Sumners, Tex.
Cleary	Greene, Vt.	Nelson, Wis.	Taylor, Ark.
Cooper	Hamill	Nicholls, S. C.	Taylor, Colo.
Costello	Hamilton	Nolan	Thomas
Cramton	Hardy, Colo.	O'Connor	Thompson, Okla.
Crisp	Haugen	Olney	Tinkham
Currie, Mich.	Hays	Osborne	Towner
Darrow	Heflin	Paige	Upshaw
Davis, Minn.	Hersman	Park	Vare
Dempsey	Hicks	Parker	Venable
Dewalt	Hill	Pell	Vinson
Dickinson, Mo.	Houghton	Peters	Voigt
Dominick	Hulings	Porter	Walsh
Donovan	Humphreys	Pou	Ward
Dooling	Husted	Randall, Calif.	Weaver
Dunn	Jefferis	Reber	Webb
Dupré	Johnson, S. Dak.	Reed, N. Y.	White, Kans.
Dyer	Johnston, N. Y.	Reed, W. Va.	White, Me.
Echols	Jones, Pa.	Riordan	Wilson, Ill.
Elliott	Juul	Robinson, N. C.	Wilson, Pa.
Ellsworth	Kennedy, R. I.	Rouse	Wise
Emerson	Kettner	Rowan	Yates
Evans, Mont.	Kiess	Rucker	Zihlman
Fairfield	Lea, Calif.	Sabath	
Ferris	Lee, Ga.	Sanders, Ind.	
Fields	Lesher	Sanders, La.	

So the motion to recommit was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. DARROW with Mr. CARTER.

Mr. JOHNSON of South Dakota with Mr. HERSMAN.

Mr. ELLIOTT with Mr. DUPRÉ.

Mr. BURDICK with Mr. ALEXANDER.

Mr. JONES of Pennsylvania with Mr. JOHNSTON of New York.

Mr. PORTER with Mr. HEFLIN.

Mr. GARLAND with Mr. EVANS of Montana.

Mr. MCCULLOCH with Mr. LEE of Georgia.

Mr. HAUGEN with Mr. GARNER.

Mr. COSTELLO with Mr. BRAND.

Mr. CURRIE of Michigan with Mr. CALDWELL.

Mr. MORIN with Mr. NEELY.

Mr. MERRITT with Mr. MCKINIRY.

Mr. YATES with Mr. WEAVER.

Mr. TOWNER with Mr. TAYLOR of Colorado.
Mr. WILSON of Illinois with Mr. VINSON.
Mr. MANN with Mr. LESHER.
Mr. SMITH of Illinois with Mr. WISE.
Mr. REED of West Virginia with Mr. STEVENSON.
Mr. NOLAN with Mr. SISSON.
Mr. PETERS with Mr. GODWIN of North Carolina.
Mr. LUFKIN with Mr. LEA of California.
Mr. GRAHAM of Illinois with Mr. FERRIS.
Mr. DUNN with Mr. CLEARY.
Mr. CAMPBELL of Kansas with Mr. BEE.
Mr. NELSON of Wisconsin with Mr. RANDALL of California.
Mr. MOTT with Mr. O'CONNOR.
Mr. MORGAN with Mr. MONTAGUE.

Mr. LEA of California. Mr. Speaker, I desire to be recorded.

The SPEAKER. Was the gentleman present in the Hall, listening?

Mr. LEA of California. I was present, but I did not hear.

The SPEAKER. Was the gentleman in the Hall, listening?

Mr. LEA of California. I was present, but I did not vote.

The SPEAKER. The gentleman does not qualify.

The result of the vote was announced as above recorded.

Mr. CLARK of Missouri. Mr. Speaker, I ask for the yeas and nays on the passage of this resolution.

The SPEAKER. The gentleman from Missouri demands the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The question is on agreeing to the resolution. Those in favor of the resolution will answer "yea" when their names are called; those opposed will answer "nay."

The question was taken; and there were—yeas 151, nays 106, answered "present" 1, not voting 171, as follows:

YEAS—151.

Ackerman	Goodykoontz	McFadden	Sanders, Ind.
Anderson	Green, Iowa	McKenzie	Schall
Andrews, Nebr.	Greene, Mass.	McLaughlin, Mich.	Scott
Anthony	Griest	McLaughlin, Nebr.	Sells
Bacharach	Hadley	McPherson	Shreve
Baer	Haskell	MacCrate	Siegel
Barbour	Hawley	Madden	Sinnott
Begg	Hernandez	Magee	Smith, Idaho
Benham	Hersey	Mapes	Smith, Mich.
Bland, Ind.	Hickey	Michener	Snell
Bowers	Hull, Iowa	Miller	Steenerson
Brooks, Ill.	Hutchinson	Mondell	Stephens, Ohio
Browning	Ireland	Moore, Ohio	Stiness
Burke	James	Moore, Pa.	Strong, Kans.
Burroughs	Johnson, S. Dak.	Moores, Ind.	Strong, Pa.
Campbell, Kans.	Johnson, Wash.	Morin	Sweet
Cannon	Kahn	Mott	Taylor, Tenn.
Chindblom	Kearns	Newton, Minn.	Temple
Copley	Kelley, Mich.	Nichols, Mich.	Thompson, Ohio
Crago	Kelly, Pa.	Nolan	Tilson
Crowther	Kendall	Ogden	Timberlake
Curry, Calif.	Kennedy, Iowa	Platt	Tincher
Dale	King	Porter	Treadway
Dallinger	Kinkaid	Purnell	Valle
Darrow	Kleczka	Quin	Vestal
Denison	Knutson	Radcliffe	Volstead
Dickinson, Iowa	Kraus	Ramsey	Walters
Dowell	Kreider	Ramseyer	Wason
Dunbar	LaGuardia	Randall, Calif.	Watson, Pa.
Dunn	Lampert	Randall, Wis.	Webster
Edmonds	Langley	Rhodes	Wheeler
Elliott	Lehlbach	Ricketts	Williams
Elston	Little	Riddick	Wilson, Ill.
Esch	Longworth	Robsion, Ky.	Winslow
Evans, Nebr.	Luce	Rodenberg	Wood, Ind.
Fess	Lufkin	Rogers	Woodyard
Fordney	Luhring	Rose	Young, N. Dak.
Foster	McArthur	Rowe	

NAYS—106.

Alexander	Collier	Hull, Tenn.	Oliver
Almon	Cullen	Igoe	Overstreet
Ashbrook	Davey	Jacoway	Padgett
Aswell	Davis, Tenn.	Johnson, Ky.	Parrish
Ayres	Dent	Jones, Tex.	Phelan
Bankhead	Doremus	Keller	Rainey, J. W.
Barkley	Doughton	Kincheloe	Raker
Bell	Drane	Kitchin	Rayburn
Black	Eagan	Lanham	Romjue
Blackmon	Eagle	Lankford	Rubey
Bland, Mo.	Evans, Nev.	Larsen	Smithwick
Bland, Va.	Fisher	Lea, Calif.	Steagall
Blanton	Fitzgerald	Lesher	Stedman
Booher	Garrett	Lonergan	Tillman
Box	Godwin, N. C.	McAndrews	Vinson
Brand	Goodwin, Ark.	McDuffie	Watkins
Briggs	Griffin	McKeown	Watson, Va.
Brinson	Hardy, Tex.	Major	Welling
Buchanan	Harrison	Mansfield	Welty
Byrns, Tenn.	Hastings	Martin	Whaley
Campbell, Pa.	Hayden	Mays	Wilson, La.
Candler	Heflin	Minahan, N. J.	Wingo
Carss	Hersman	Moon	Woods, Va.
Clark, Fla.	Holland	Moore, Va.	Wright
Clark, Mo.	Howard	Nelson, Mo.	Young, Tex.
Cleary	Huddleston	O'Connell	
Coady	Hudspeth	Oldfield	

ANSWERED "PRESENT"—1.

Benson

NOT VOTING—171.

Andrews, Md.	Focht	Lee, Ga.	Sabath
Babka	Frear	Linthicum	Sanders, La.
Bee	Freeman	McClintic	Sanders, N. Y.
Boies	French	McCulloch	Sanford
Britten	Fuller, Ill.	McGlennon	Saunders, Va.
Brooks, Pa.	Fuller, Mass.	McKiniry	Scully
Browne	Gallagher	McKinley	Sears
Brumbaugh	Gallivan	McLane	Sherwood
Burdick	Gandy	MacGregor	Sims
Butler	Ganly	Maher	Sinclair
Byrnes, S. C.	Gard	Mann	Sisson
Caldwell	Garland	Mason	Slemp
Cantrill	Garner	Mead	Small
Caraway	Glynn	Merritt	Smith, Ill.
Carew	Goldfogle	Monahan, Wis.	Smith, N. Y.
Carter	Good	Montague	Snyder
Casey	Goodall	Mooney	Steele
Christopherson	Gould	Morgan	Stephens, Miss.
Classon	Graham, Pa.	Mudd	Stevenson
Cole	Graham, Ill.	Murphy	Sullivan
Connally	Greene, Vt.	Neely	Summers, Wash.
Cooper	Hamill	Nelson, Wis.	Sumners, Tex.
Costello	Hamilton	Newton, Mo.	Taylor, Ark.
Cramton	Hardy, Colo.	Nicholls, S. C.	Taylor, Colo.
Crisp	Haugen	O'Connor	Thomas
Currie, Mich.	Hays	Olney	Thompson, Okla.
Davis, Minn.	Hicks	Osborne	Tinkham
Dempsey	Hill	Paige	Towner
Dewalt	Hoch	Park	Upshaw
Dickinson, Mo.	Houghton	Parker	Vare
Dominick	Hulings	Pell	Venable
Donovan	Humphreys	Peters	Voigt
Dooling	Husted	Pou	Walsh
Dupré	Jefferis	Rainey, H. T.	Ward
Dyer	Johnson, Miss.	Reavis	Weaver
Echols	Johnston, N. Y.	Reber	Webb
Ellsworth	Jones, Pa.	Reed, N. Y.	White, Kans.
Emerson	Juul	Reed, W. Va.	White, Me.
Evans, Mont.	Kennedy, R. I.	Riordan	Wilson, Pa.
Fairfield	Kettner	Robinson, N. C.	Wise
Ferris	Kiess	Rouse	Yates
Fields	Layton	Rowan	Zihlman
Flood	Lazaro	Rucker	

So the resolution was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. MANN with Mr. LINTHICUM.
Mr. TINCHER with Mr. SISSON.
Mr. GOULD with Mr. JOHNSON of Mississippi.
Mr. FRENCH with Mr. CONNALLY.
Mr. SINCLAIR with Mr. H. T. RAINEY.
Mr. NEWTON of Missouri with Mr. O'CONNOR.
Mr. COLE with Mr. BEE.
Mr. COSTELLO with Mr. CARAWAY.

The result of the vote was announced as above recorded.

On motion of Mr. LAGUARDIA, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

IMPORTATION OF COAL-TAR PRODUCTS.

Mr. LONGWORTH. Mr. Speaker, by direction of the Committee on Ways and Means, I present a report to accompany H. R. 8078, and I ask unanimous consent to extend my remarks in the RECORD by printing the report.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD by printing the report. Is there objection?

There was no objection.

The SPEAKER. The bill, with the accompanying report, will be printed and referred to the Committee of the Whole House on the state of the Union.

Mr. BLACK. Mr. Speaker, I reserve all points of order on the bill.

The report is as follows:

The Committee on Ways and Means, to whom was referred H. R. 8078, "A bill to regulate the importation of coal-tar products, to promote the establishment of the manufacture thereof in the United States, and as incident thereto to amend the act of September 8, 1916, entitled 'An act to increase the revenue, and for other purposes,'" having had the same under consideration, report it back to the House without amendment and recommend that the bill be passed.

This bill amends the present law in four important particulars. In its technical details it follows substantially the recommendations of the Tariff Commission in bringing the phraseology of the law up to date so as to prevent evasions of its provisions through undervaluation or false designation of articles sought to be imported. Experience in the administration of the existing law has made it clear that it is not so worded as to completely give effect to the intent of Congress, and it is believed that these technical changes will fulfill that purpose. In the second place it repeals that provision under which the specific duties shall be reduced at the rate of 20 per cent a year for five years. It increases the rates of duty from 15 per cent ad valorem and 2½ cents a pound on the intermediates to 40 per cent ad valorem and 6 cents a pound, and upon the finished product from 30 per cent ad valorem and 5 cents a pound to 45 per cent ad valorem and 7 cents a pound. Expert chemical opinion was unanimous that the rates of duty on the intermediates should be substantially the same as those upon the finished

product. In the fourth place, the bill provides that for two years no foreign dyes can be imported except under a license granted by a board created in the bill.

The bill subdivides, as does the present law, the materials used in the dye industry into three classes, the crudes, the intermediates, and the finished product. The process of producing the crudes is comparatively simple, they being actually present in coal tar and only an isolation. Any country which, like this, has an abundant supply of cheap coal and a great steel industry requiring much coke has an unlimited supply of the raw material, and the rules therefore require no protection. But with regard to the intermediates the situation is entirely different. Their production requires the most elaborate chemical processes, which can be carried out without the waste of a large proportion of the raw materials used only by men of the most profound chemical knowledge and long experience, and such men are not yet available in sufficient numbers in this country. Under these circumstances therefore it is apparent that this industry requires for the present at least a very high degree of protection.

All this is still more true of the finished product, which may take one of six different forms. By further chemical processes, in some cases very simple, these intermediates may be converted into dyes, perfumes, pharmaceuticals, tanning materials, high explosives like T. N. T. and picric acid, or into poison gas. As a class these finished products, requiring, as they do, further labor and skill of a class plentiful in Germany, but still very scarce in this country, need a greater, though not much greater, measure of protection than do the so-called intermediates.

The remarkable interdependence of the dye and the explosive industry is well illustrated by the fact that once having obtained by a long series of elaborate chemical operations a certain intermediate, that intermediate may be converted by one very simple chemical change into sulphur black, one of the most widely used dyes, or into picric acid, one of the most important of high explosives. The technical knowledge and skill, the materials, and the apparatus necessary to make high explosives as well as poison gases and their antidotes are precisely what are to be found in any well-equipped dye works and nowhere else. A nation, therefore, which has a thoroughly complete dye industry capable of supplying its dye needs is always ready for a defensive or offensive war so far as the production of explosives and chemical gases are concerned. If, as seems likely, we are entering upon a period of international disarmament, the possession of such an industry becomes of infinite importance. In a world disarmed a nation possessing such a potential arsenal would be in a position to overwhelm any nation which had none and would be practically immune from attack.

An important, if not the most important, phase of this industry is its bearing upon the advancement of medical and industrial chemistry. It is the one industry which deals on a colossal scale with organic chemistry, and it is upon organic chemistry that the progress of modern medicine rests. Salvarsan, for instance, was developed in a dye-works laboratory, and is the first known certain cure for one of the most terrible scourges of humanity. It is confidently predicted that upon the further development of organic chemistry will rest the discovery of other cures for such devastating diseases as tuberculosis and even cancer.

This development rests upon the further development in this country of skilled research chemists, and it is only in a dye laboratory that large numbers of such chemists can find a livelihood. Accordingly a well-developed dye industry in this country will furnish a tremendous reservoir of technically trained men and of scientific knowledge upon which the most important industries of the country may draw in time of peace and the Nation itself in time of war or of threatened war.

The economic importance of the industrial side of this question is illustrated by the fact that industries in this country producing nearly $3,000,000,000 worth of goods each year are absolutely dependent upon coal-tar dyes, and industries producing as much more annually are indirectly dependent upon coal-tar dyes and kindred materials.

For many years before the war we had practically no dye industry in this country. Such dye works as we had were merely assembling plants for German materials and supplied only about one-tenth of the American market. Accordingly all the huge industries requiring dyestuffs were absolutely at the mercy of Germany and could have been dealt a crushing blow by Germany at any time the German trust saw fit. That Germany realized this is illustrated by a dispatch sent on March 13, 1915, by Count von Bernstorff to his own Government, as follows:

"Serial No. 432 of March 13, 1915. It is reported to me by Hossenfelder (telegram No. 4) that the stock of dyes in this country is so small that by a German embargo about 4,000,000 American workmen might be thrown out of employment."

As a matter of fact, Germany early in 1915, by the withdrawal of her supplies of dyes, attempted to force this Government into hostile action against Great Britain, and if she had had the power to send her own textiles into this country she would have inflicted a blow upon our textile industry from which probably it would have never recovered.

The war forced upon America the building up of the dye industry, for a situation arose under which many industries came to a practical standstill, and even the Government itself was in danger of having to cease to function in many important branches. For instance, the difficulty of securing printer's ink, which was entirely dependent upon dyes, brought about a situation under which the closing of the Government Printing Office seemed imminent and the Bureau of Engraving and Printing was in most serious embarassment. The dyes necessary for even cheap and necessary clothing jumped in price, in some cases 5,000 per cent and in other cases were not procurable at all. Fortunately we had in this country an unlimited supply of the raw materials, and patriotic Americans in all branches of industry set to work to remedy the situation by making their own dyes.

Vast amounts of capital were risked without any assurance that it would not in the end be a total loss, as no one could guess how long the war would last, and as a result to-day we have in this country a dye industry which, although it is a mere baby, is able to supply the country's needs in most essentials, and will undoubtedly be able to supply the missing colors if given a reasonable time to get surely on its feet.

Under such conditions it would seem impossible that any loyal American would not realize the absolute necessity of saving and fostering such an industry as this. Only three methods of legislative assistance have been suggested—a tariff—a tariff supplemented by an antidumping provision and a tariff supplemented by a licensing system. Your committee believes that only the last of these methods would be effective, and has accordingly recommended its adoption.

The plan as provided in this bill is to form a licensing commission, its members to be designated by associations engaged in and representative of both the producing and consuming industries. This commission will have power to grant licenses for the importation of foreign dyes under certain conditions. It is positively commanded to grant licenses to any applicant to import any foreign dye which is not obtainable in this country from domestic sources, and any dye which, while made in this country, is not obtainable at a reasonable price, of good quality, and within a reasonable time. Thus absolute assurance is given any American consumer of dyes that he can at any time obtain the foreign product where the American industry is unable to supply on favorable terms. Conversely it will absolutely exclude transportation of dyes which are made in this country of satisfactory quality and at fair prices and insure the development and extension of the manufacture of those dyes. Furthermore, the applications for the importation of such dyes as are not made here will promptly stimulate our manufacturers to make the same dyes by showing that a strong demand exists for them and will thus guide the industry into the development which is really required.

During the life of this system a substantial number of dyes not made in this country will no doubt be imported, and as they will be subject to the rates of duty provided in this bill will produce a very substantial revenue for the Government.

Your committee does not suggest a license system as a permanent governmental policy, but feels that nothing else can meet the present emergency. Accordingly your committee recommends the license plan, together with an increased tariff, because as soon as the peace treaty is ratified the new American dye industry will be exposed to competition from an adversary so powerful and so desperate that no practical rate of duty can offer any real defense. The whole huge German dye industry, capable at the time of supplying the entire demand of the world, was combined in 1916 into a single immense trust, organized on purpose to fight its way back to the former German world monopoly. The combination is even now enormously prosperous. Starting with assets of nearly half a billion dollars, invested in the empire's most remunerative industry, plants of the trust have been busy throughout the war making all Germany's poison gases, many of her munitions, and at the same time enough dyes to accumulate a reserve capable of flooding the market of this or any other country. Recent observers report that the working forces have been held together complete and intact throughout the war and since its cessation, and that one at least of the component companies has made large additions to plants since the armistice.

The resources of the trust are therefore colossal. Its plants are so huge and organized for such vast production that unless it can regain most of its former world market half its equipment must lie idle and the other half run at low efficiency. It must then recover its world market or cease to exist as a profitable business. Even before the war, when its supremacy was uncontested, the German industry's competition was utterly unscrupulous. It practiced ruthlessly every form of corrupt and unfair competition known to commerce. What can be more certain, then, than that in the almost immediate future, when instead of a comfortable and safe supremacy it faces possible destruction, it will attack all competitors with reckless disregard of all considerations of business decency.

This attack, unless Congress acts very speedily, will be concentrated upon us. Great Britain, France, and Japan have protected their own Government-aided dye industries by license laws essentially similar to the one herein recommended. The market of the United States is therefore, except that of China, Germany's last opening. To penetrate it and destroy our domestic producers the trust will surely be glad to spend millions of its surplus. Not many millions would be needed. A very few, adroitly used in practically giving away selected dyes, would kill the business of even the strongest of our companies and leave us once more at the trust's mercy. Such an onslaught would be dangerous, even if German costs of production were as high as ours; but they are not. Even if the prices of labor and material are equal, an old dye industry can always undersell a new one. In making textiles or typewriters or paper or almost any other article that could be mentioned the maker gets practically all of his raw material back in finished product. In making dyes, however, some is lost in each of the many steps in the manufacture. How great each of these successive losses is depends on the experience of the manufacturer. The total of his successive losses when the work is done by an inexperienced man is enormous. We, new at the job, lose half our raw material as the work goes on. The Germans, who have been at it for 40 years, lose but a trifling proportion. Their costs are thus far below ours and are likely to remain so, though in a decreasing degree, for a long time. An attempt to meet under such conditions such an assault from such an adversary would require unheard-of tariff rates, and it is highly probable that by undervaluation, rebates, and concessions, coupled with the old German method of full-line forcing and bribery, the German trust could nullify their effect.

No antidumping law yet suggested seems at all likely to meet the conditions in this particular industry, on account of its immense complexity and the ease with which imports can be camouflaged by the skilled and unscrupulous German chemist. It is apparent, then, that any tariff bill which could possibly become law might and indeed probably would fail to insure the development of this industry which is so essential to our national defense and well-being. It is equally clear that the proposed license plan, faithfully administered, will certainly furnish the necessary protection, and that, too, without sacrificing revenue. Your committee believes that the industry is too important to be risked, and therefore recommends the adoption of this certain though unusual means of defense. Your committee makes this recommendation also as the only suitable answer to the similar British, French, and Japanese license laws. Those laws keep the competition of our dyes out of Great Britain, France, and Japan. Your committee does not believe that we should aid in building up their new subsidized industries by giving them at the expense of our producers unlimited access to our market. When by this simple expedient we can at the same time make sure of obtaining every foreign product we need and of building up our own vitally important industry, we feel that Congress ought not to hesitate or rest content with any doubtful remedy.

Mr. MOORE of Pennsylvania. Mr. Speaker, the bill (H. R. 8078) introduced by the gentleman from Ohio [Mr. LONGWORTH] to regulate the importation of coal-tar products makes provision for a dye licensing commission, which I can not approve. The purpose of the bill is to protect the manufacture of dyestuffs in the United States, and with the tariff rates enumerated I find no fault, since they seem to be satisfactory to all parties in interest and are admitted to be sufficiently high for protective purposes. But the addition to these high tariff rates of a dye-

licensing commission to keep out of the United States dyestuffs that are not manufactured here, and upon which many of our textile industries in the United States are dependent, is, as I see it, carrying the protective policy a step too far, in that the effect of it will be to foster monopoly in dye production, compel the users of dyes in the hundreds of allied industries to pay such prices for their working materials as the dye producers may see fit to impose, and put the business men concerned to unnecessary inconvenience.

Although the hearings upon the dyestuffs bill disclosed that the purpose on the part of the big American dyestuffs manufacturers and the Chemical Foundation (Inc.), to whom the Alien Property Custodian, at private sale, sold 4,500 German patents for $250,000, was to secure absolute protection against the importation of German dyes by creating a dye-licensing commission, it was manifest that the users of dyes, including manufacturers of leather, textiles—woolens and worsteds, cottons and silks—although believing in the protective principle and in favor of high tariff rates, are very much disturbed over the continuance in peace times of boards and war bureaus to whom they must go for the right to do business in their own way in conformity with law and the usual conditions that hold in the trade.

TYING UP THE DYE USER.

And that the proponents of the bill are aware of this feeling of unrest and dissatisfaction on the part of business men who desire to be relieved from the delays and annoyances of bureaucratic oversight is shown in the changes of front that have been made since the original bill, H. R. 2706, was presented, May 23, 1919. In that original bill high protective tariff rates were included, and many manufacturers, both dyers and consumers, heartily indorsed the program. Petitions were signed up by manufacturers of wools and woolens, cottons and silks, hosiery and underwear, in sympathy with the general proposition to keep German dyestuffs from undermining the dyemakers who had established themselves in the United States during the war.

They all realized that Germany had a strangle hold on the dyestuffs situation before the war and wished this country to be free as England has become free of that economic control. But when, on June 23, H. R. 6495, the forerunner of the present bill, H. R. 80783, was introduced, carrying the protective tariff rates of H. R. 2706, it was found to contain provision for a dye licensing commission which was to be appointed by the President, who had entrusted all of the German dye business to the Alien Property Custodian, which commission, notwithstanding the high tariff rates already proposed, was to have power to prevent imports except by license, which license was to involve such disclosures of the American applicant's business as might be deemed necessary "in the judgment of the commission having respect to reasonable terms as to price, quality, and delivery."

PLAN OF ALIEN PROPERTY CUSTODIAN.

The commission was to be given the power to limit licenses in such manner as it saw fit, so that the average business man, desiring to obtain dyes not procurable in the United States in order to prepare for the manufactured colored goods to be gotten ready for the spring trade, would be obliged to submit to "the judgment of the commission" before he could have authority to start the wheels of his mill running. This new bill, H. R. 6495, provoked considerable discussion, and those who appeared in support of it were chiefly the Alien Property Custodian, Mr. Garvan, and the general counsel for the Chemical Foundation (Inc.), Mr. Joseph H. Choate, jr., of New York, who had been associated with the Alien Property Custodian's Office.

Although representatives of the National Aniline & Chemical Co., which consolidated many of the American dyestuffs industries, were in attendance upon the hearings, neither they nor the Du Ponts, who manufacture dyestuffs, nor any other large dyestuffs manufacturers, appeared before the committee to justify the bill. The argument made by Mr. Choate, Alien Property Custodian Garvan, and others who appeared on behalf of the Chemical Foundation (Inc.), was that the protective tariff rates in the bill, although much higher than in existing law, would not be sufficient to keep out German imports. On the other hand, while not opposing all reasonable restrictions upon German imports, textile manufacturers, and others protesting against the dye license commission, contended that American manufacturers should be free from the bureaucratic limitations the bill imposed. They said there were certain dyestuffs not manufactured in the United States, but for which the Chemical Foundation (Inc.) and others in the United States held the patents, the exclusion of which would not only deprive this country of its customs revenues but would prevent the consumers of dyestuffs here from obtaining materials they had been accustomed to use, which materials and dyestuffs in the hands of their competitors in England and elsewhere would permit those competitors to obtain a great lead over American manufacturers by shipping finished products into the United States, against which finished products, including hosiery, underwear, woolens, and silk goods, they would not be able to produce because the raw materials were not available.

PROTESTS CAUSE MODIFICATIONS.

The storm of protest against the licensing commission delayed the Ways and Means Committee in coming to a conclusion upon the bill, consideration of which was held up until July 24, when certain amendments modifying the licensing commission provisions were presented in committee to be printed. These modified suggestions, still including the obnoxious new bureau, somewhat sugar-coated, but still operating under the title "dye licensing commission," was preserved, and, with some additional modifications, is carried on into the present bill—H. R. 8078.

It is not my purpose to dwell extensively upon the long and somewhat sensational hearings in which Mr. Garvan, the Alien Property Custodian, and Mr. Choate took part. They are well worth reading, though they merely skim the surface of the vast field of activity covered by the Alien Property Custodian in his search for German holdings in the United States and his efforts to "Americanize" them. That is a chapter which may well stand for further elaboration.

But pertinent to the dyestuffs bill is a brief summary of what transpired up to the point of the organization of the Chemical Foundation (Inc.). In the "trading-with-the-enemy act," authorizing the creation by the President of the Alien Property Custodian, the presumption as well as the letter of the law was that the Alien Property Custodian should be "trustee" for German property taken and that the disposal of that property should ultimately be determined by Congress. And it is interesting here to observe that Americans whose property was taken in Germany are expecting to get that property back. Let that statement stand for the present.

CUSTODIAN OBTAINS GREAT POWERS.

By Executive order, by virtue of the "trading-with-the-enemy act," the President conferred great powers upon the Alien Property Custodian; Congress did also, by riders to appropriation bills passed while the war was on, and ultimately the Alien Property Custodian was permitted to sell German property, which he had seized, first at public sale and then at private sale. When it came to the disposal of 4,500 dyestuff patents, enemy owned, which the Alien Property Custodian seized, a plan was evolved in the office of the Alien Property Custodian to protect the dyestuff industry in the United States and to keep out German importations by utilizing these seized German patents and leasing them through the medium of the Chemical Foundation (Inc.), an organization headed by some responsible gentlemen who obtained a charter under the laws of the State of Delaware, with a capital of $500,000. The trustees and officers and attorneys of this corporation, including the Alien Property Custodian, Francis P. Garvan, who is president, were all associated with the Alien Property Custodian's office in one capacity or another.

It is now largely through the agitation of those in control of the Chemical Foundation (Inc.) that the support comes for the creation of the dye license commission. The Chemical Foundation thus created by Government officials has been recognized to a certain extent by the War Trade Board, now attached to the State Department, and by the Federal Trade Commission, whose chairman recently circularized those who hold licenses from the Federal Trade Commission, as to the advisability of their taking licenses from the Chemical Foundation (Inc.). It is a long story and one which is not fully told, even in the lengthy hearings of the Ways and Means Committee, hearings which so far as they have been printed should be carefully perused by Members of the House.

PROTECTION UPON PROTECTION.

Now, as to the bill before us: There is little or no serious objection to the protective-tariff rates on dyestuffs, as proposed in the bill. There is objection, however, to placing our extensive and widely diversified manufactories that are obliged to use dyestuffs under the control of a dye licensing commission which is admittedly in the interest of the dye manufacturers who have sprung up, and some of them consolidated, in the United States during the war. The protective tariff provided in the existing dyestuffs law was admitted to be sufficient prior to our entering the war in Europe. The rates proposed in this bill are so much higher than existing rates as to be almost

prohibitive. They apply to dyes which come out of England, France, and Switzerland as well as to those which might come out of Germany. But, even if these barriers were not sufficient, there are other reasons why a new bureau, to be under the control of special interests at the expense and to the annoyance of legitimate business interests, should not be established.

First. The War Trade Board, which the President has covered over into the State Department by Executive order, is still in existence and has only recently issued an order opening up trade with Germany except as to dyes, dyestuffs, potash, drugs, or chemicals. How can unfair dyes or dyestuffs come into the United States under that order unless they are smuggled through England or some other country, which, if it can obtain dyestuffs from Germany, would have an advantage over the manufacturers of the United States, who can not obtain such dyestuffs?

Second. Under the terms of the peace treaty an Allies' reparation committee has taken control of the dyestuff situation, so far as Germany is concerned, and as to $20,000,000 worth of dyes, which the Chemical Foundation agents feared might be dumped upon this country, has agreed upon an apportionment amongst themselves. That constitutes a second barrier, evidently, as strong as British warships supported by the Allies can make it, against the admission into this country of materials that might permit the Germans to get an undue foothold here. If this country is to be treated as other countries expect to be treated, the allied supreme economic council will certainly afford protection against unfair German practices, i. e., if the United States is to be treated fairly with the other nations.

Third. All the war powers of the President are preserved, and most of his war boards in one form or another hold on until he proclaims peace, or until Congress abolishes them.

Fourth. The Chemical Foundation (Inc.), backed by the Federal Trade Commission and the Alien Property Custodian, controls the German patents, the use of which in the United States will enable it or its licensees to manufacture anything the Germans can manufacture, which patents, although taken over at private sale under an Executive order, are also protected by a clause in the treaty of peace, barring German nationals from ever making claim against the Alien Property Custodian or any other authority authorizing such private sale.

Why, then, with all these safeguards and the highest protective tariff rates conceded, should this new Government bureau—this dye licensing commission—be set up at the Government expense, to harass and delay those American business men who have already been overburdened with legislative restrictions and departmental functionaries during the war and whose normal activities represent an expenditure of $3,000,000,000?

TARIFF COMMISSION DOUBTFUL.

The Tariff Commission, which has gone extensively into the dyestuffs problem, does not seem to be enamored of the licensing commission idea, some of its members having been outspoken against it. At a meeting of the American Chemical Society at Buffalo, April 8, 1919, Mr. Culbertson, a member of the commission, having made a special study of the entire question, said:

Among the most—perhaps the most—urgent tariff problems which Congress will be called upon to consider fall within the chemical schedule. The reasons for this is obvious. The war's effect was, as I have suggested, more revolutionary among the chemical industries than elsewhere. I wish it were possible for me to discuss a number of chemical products worthy of consideration, but this can not be done within the limits of this address. Not all the items in the chemical schedule have an equal claim to legislative assistance. A few have none. Each should be considered on its own merits, keeping in mind the advantages of production, the availability of foreign supply, the needs of the American consumer, and the diversification and development of the structure of our industrial life. I shall speak specifically of the industry producing coal-tar products, for I regard it as a clear case deserving of legislative help.

Before hostilities ceased, Great Britain had declared the industry producing synthetic dyes essential to her national well-being. For its protection she has made a radical departure from her traditional policy of laissez faire in trade. She has provided State aid for the dye industry in the form of loans and grants for buildings and research. The importation of all dyes is prohibited except under license granted by a licensing committee. No dye is to be imported which the domestic industry is able to supply or for which an adequate substitute is made in the country. I believe that such a plan has been suggested as desirable for this country. For my part, I can not regard it with favor. In Great Britain the plan is in the early stages of experimentation. There the firms are comparatively few, and the Government is closely associated with them in the enterprise. In the United States our industry is too diversified and varied, the problems of administration too vast, the political consideration too uncertain to warrant meeting the dye problem with prohibition, importation licenses, and direct Federal supervision.

The alternative is a tariff which will equalize, with a fair margin, the conditions of competition between this country and abroad.

AN INNOVATION IN A TARIFF BILL.

Mr. Chairman, the licensing system is an innovation which is not contemplated in a protective tariff system as Republicans understand it. It is a war-born product, first tried out in England, where the country is small and the population dense. It should not be applied to a country like the United States, whose manufacturers and business men are far removed from headquarters at the Capital.

If licenses must be secured from Washington to obtain raw materials used by manufacturers, then the manufacturer in Philadelphia, or New York, or Boston who can get to Washington in a few hours has a decided advantage over his competitor in Chicago or St. Louis, in New Orleans, or Detroit, or San Francisco, who would have to wait days, and sometimes weeks, before he would know whether he could proceed with his business. The licensing system during the war was distressful enough to all those who had to deal with it. It is calculated to operate against anyone whose competitor happens to be close to the commission or who has superior facilities for dawdling around Washington, from office to office and commission to clerk, until his business is attended to.

The continuance of the system for normal business is proposed first in what is presumed to be the strongest case, that of dyestuffs, which involve German competition; but it is to be tried out on potash, the farmers' commodity, and if successful in these two instances, may become a fixture before the business men of the country are fully aware of the influences that are seeking to bind them up to it.

AMERICAN PRODUCERS READY TO COMPETE.

When the American producers of dyestuffs were consolidating their interests during the war and were announcing with evident satisfaction the growth of the industry in the United States, there was little or no complaint about the adequacy of governmental protection. In an announcement to the trade July, 1917, the E. I. Du Pont de Nemours & Co., which had added the manufacture of coal-tar dyes and intermediates to its vast business in explosives, advised the trade that it did not fear its ability to stand against its competitors. I quote from the announcement of the company that it had decided to enter the coal-tar dye industry:

The explosive and coal-tar dye industries are closely allied. Both require intermediates, which we manufacture in a large way; both are highly scientific and thoroughly developed; and both require large technical and commercial organizations.

We start with (1) the necessary raw materials, products of this country, therefore not dependent upon Europe; (2) a chemical and engineering organization second to none in magnitude and scientific attainment; (3) unequaled plant and laboratory facilities; and (4) an adequate commercial organization.

Another concern which has taken a deep interest in the passage of the Longworth bill is the National Aniline & Chemical Co. (Inc.), a war-created consolidation, which includes the Schoelkopf Aniline & Chemical Works, Buffalo, N. Y.; W. Beckers Aniline & Chemical Works (Inc.); Benzol Products Co.; Marcus Hook, Del.; Standard Aniline Products Co., Wappingers Falls, N. Y.; Century Colors Corporation, including plant at Nutley, N. J., and sales organization in New York City; National Aniline & Chemical Co., sales organization in New York City, and miscellaneous products plants acquired from the Barrett Co.; General Chemical Co.; and Semet-Solvay Co. in New York and Pennsylvania.

This concern, which with its subsidiaries reported good business in the manufacture of American dyes during the war, announced in a circular dealing with its stock transactions that the plan of the Chemical Foundation (Inc.) would have "the effect of totally excluding from the United States" the importation of such dyes or chemicals as were made in any country under patents now held by the Chemical Foundation (Inc.). I quote from this circular the following statement intended to support its prospectus for a disposal of stock:

The manufacture of coal-tar dyes is firmly established in the United States, approximately two-thirds of the total number of different dyes and shades which were formerly imported into the United States from Germany now being made by one or more American manufacturers. During 1917 American manufacturers of dyestuffs produced 180 different dyes, of which the National Aniline & Chemical Co. (Inc.) produced 106 dyes, including 38 dyes not made by any other American producer. The total production of finished coal-tar dyes and chemicals from 81 establishments in the United States during 1917, exclusive of explosives and synthetic phenolic resins, represented a value of approximately $69,000,000.

AIDED BY ALIEN PROPERTY CUSTODIAN.

The Alien Property Custodian, acting under the authority of the amended trading-with-the-enemy act of November 4, 1918, has organized a corporation known as the Chemical Foundation (Inc.), all of whose $500,000 capital stock has been subscribed for at par in cash by a large number of American manufacturers of chemicals and dyestuffs. The Chemical Foundation (Inc.) has purchased from the Alien Property Custodian for $250,000 about 4,500 patents covering chemical processes and products registered in the United States by German and other enemy alien owners. The Chemical Foundation (Inc.) will issue without discrimination nonexclusive license to any American manufacturer who may make application therefor, under the terms of which the American manufacturer may use or make the patented processes and products on a moderate royalty basis. The effect of this plan will be to totally exclude from the United States the importation of any dyes or chemicals made in any country in the world under any of the patents

held by the Chemical Foundation (Inc.). Of the subscribed capital of the Chemical Foundation (Inc.), $250,000 is available as a working fund for the prosecution of actions involving the importation or manufacture of products infringing on the patents to which the Chemical Foundation (Inc.) has acquired title.

The patents now held by the Chemical Foundation (Inc.) cover most of the processes and products used in the dye industry; and in addition to this protection afforded under the patent laws, there is now in effect the tariff act of September 8, 1916, which imposes a heavy ad valorem duty on finished dyestuffs made from coal tar and smaller ad valorem duties on intermediates, together with specific duties on both finished products and intermediates. These customs duties apply to all synthetic dyestuffs imported, wherever made and by whatever process.

The officers of the National Aniline & Chemical Co. (Inc.) are men who were interested in importing German dyes prior to the war and manufactured them in the United States during the war, when they had no foreign competition and should therefore be competent to testify as to their ability to cope with foreign trade now. Circulars issued by agents of this company throw a little more light on this subject and justify the setting up of an interrogation point as to why, having all the protection above described, they still want a license commission to govern the distribution of dyes needed by manufacturers to carry on their business. I quote a few sample expressions of confidence with regard to the American dye industry's ability to take care of itself. These extracts are from trade circulars issued by the National Aniline & Chemical Co.:

CAN COMPETE WITH GERMANS.

The Germans will enjoy no supply of raw materials or intermediates which the National Co. does not now possess. With the depreciated currency and the labor unrest in Germany, it is not to be expected that the labor costs of the German manufacturers in the future will be proportionately as low as in the past. With the protective tariff on dyestuffs and the exclusions steps taken by the Alien Property Custodian, the National Co. certainly has no cause to fear German competition for some time to come.

* * * * * * *

Under the tariff act of September 8, 1916, all finished dyes are taxed 30 per cent ad valorem and 5 cents a pound specific duty, with a reduction each year after 1921 in the specific duty of 1 cent a pound. Intermediates are taxed under that law 15 per cent ad valorem and 2½ cents a pound specific duty, with a reduction of one-half cent a pound per year after 1921. Raw materials are admitted free of duty. On dyes worth $1 a pound, this duty would amount to 35 cents a pound.

* * * * * * *

The Chemical Foundation (Inc.) has been organized by the Alien Property Custodian with a capital stock of $500,000, and has acquired title to about 4,500 patents on processes and products covering all kinds of dyes and other chemicals which were registered in the United States by Germans or other alien enemies. The Chemical Foundation (Inc.) will issue nonexclusive licenses to American manufacturers to use these patents on a moderate royalty basis, and will protect all holders of licenses under these patents from the manufacture in the United States or the importation into the United States of all dyes or other chemicals made in any other country in the world under processes which infringe on the patents to which the Chemical Foundation holds title.

And here follow a few sidelights on the dyestuffs situation:

Because of its large earnings the company will be subject to heavy Federal taxes in 1918. It is pursuing a conservative policy of charging off out of earnings all normal depreciation and obsolescence of its plant, and is also setting aside extraordinary depreciation reserved to mark off a part of the excessive war costs involved in the construction of its plants built since 1914.

* * * * * * *

There has been a temporary slowing up of purchases of dyestuffs by the textile industry since the signing of the armistice, but the National Co. has not made any general reductions in the prices of its products, the last cut in prices having taken place in the spring of 1918. The gross sales for 1919 may not be as large as for 1918; but, on the other hand, the cost of raw materials shows a declining tendency. The appropriations for depreciation and tax reserves in 1919 probably will not be as large as in 1918.

* * * * * * *

The stock which the syndicate is offering was not bought from the company, but was acquired from various minority stockholders in the company who received the stock originally in 1917 in part payment for their interests in certain of the merged companies.

BRIDGES ACROSS ARKANSAS RIVER, LITTLE ROCK, ARK.

Mr. JACOWAY. Mr. Speaker, I ask the Speaker to lay before the House S. 2594, to extend the time for the construction of the Broadway Street Bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark., a similar House bill having been favorably reported and being on the House Calendar.

The SPEAKER. The Chair lays before the House S. 2594, a similar House bill having been favorably reported.

The bill was read, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge and approaches thereto, authorized by act of Congress approved August 7, 1914, to be built from Broadway Street, in the city of Little Rock, Ark., to a point on the north bank of said river, in the city of Argenta, county of Pulaski, Ark., are hereby extended one year and three years, respectively, from the date of approval hereof.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. JACOWAY, a motion to reconsider the vote by which the bill was passed was laid on the table.

By unanimous consent, the corresponding House bill was ordered to lie on the table.

Mr. JACOWAY. I ask the Speaker to lay before the House S. 2595, another bill for a similar purpose. A corresponding House bill has been favorably reported by the committee and is on the calendar.

The Speaker laid before the House the bill (S. 2595) to extend the time for the construction of the Main Street Bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark.

The bill was read, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge and approaches thereto, authorized by act of Congress approved October 6, 1917, to be built across the Arkansas River at the city of Little Rock on the site now occupied by the free highway bridge constructed by said county in the years 1896 and 1897, are hereby extended one year and three years, respectively, from the date of approval hereof.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. JACOWAY, a motion to reconsider the vote by which the bill was passed was laid on the table.

By unanimous consent, the corresponding House bill was ordered to lie on the table.

COMMITTEE ON EXPENDITURES IN THE TREASURY DEPARTMENT.

Mr. IRELAND. Mr. Speaker, I desire to present for consideration a privileged resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Illinois calls up a privileged resolution from the Committee on Accounts, which the Clerk will report.

The Clerk read as follows:

House resolution 211.

Resolved, That the Committee on Expenditures in the Treasury Department be, and is hereby, authorized and empowered to employ such stenographic, clerical, and legal assistance, and such accountants, and to have such printing and binding done, as it may deem necessary. All expenses that may be incurred by said committee, including the expenses of any subcommittee thereof, shall be paid out of the contingent fund of the House on vouchers signed by the chairman of said committee and approved by the Committee on Accounts.

With the following committee amendments:

In line 3, after the word "empower," insert the words "during the first session of the Sixty-sixth Congress."

In the same line, after the word "stenographic," insert the word "and."

In the same line, after the word "clerical," strike out the words "and legal assistance."

The SPEAKER. The question is on the committee amendments.

The committee amendments were agreed to.

The resolution as amended was agreed to.

COMMITTEE ON EXPENDITURES IN THE NAVY DEPARTMENT.

Mr. IRELAND. Mr. Speaker, I present the following privileged resolution.

The Clerk read as follows:

House resolution 184.

Resolved, That the Committee on Expenditures in the Navy Department of the House of Representatives be, and is hereby, authorized and empowered to employ such stenographic, clerical, and legal assistance and such accountants, and to have such printing and binding done as it may deem necessary.

All expenses that may be incurred by said committee, including the expenses of said committee or any subcommittee thereof, when sitting outside of the District of Columbia, shall be paid out of the contingent fund of the House of Representatives on vouchers signed by the chairman of said committee, or by the chairman of a subcommittee, where such expenses are incurred by such subcommittee.

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"*Resolved*, That the Committee on Expenditures in the Navy Department be, and is hereby, authorized and empowered during the first session of the Sixty-sixth Congress to employ such stenographic and clerical assistance and such accountants, and to have such printing and binding done as it may deem necessary. All expenses that may be incurred by the said committee, including the expenses of any subcommittee thereof, shall be paid out of the contingent fund of the House on vouchers signed by the chairman of said committee and approved by the Committee on Accounts."

Mr. IRELAND. Mr. Speaker, I desire to yield 10 minutes to the gentleman from Oklahoma [Mr. HASTINGS].

Mr. HASTINGS. Mr. Speaker and gentlemen of the House, I have not taken up much time of the House in opposing clerical assistance for committees. I have not done it when

any other resolution has been before the House. I think this is a piece of pure extravagance. I can not give my consent to vote for it.

Let me tell you what this resolution is about, so that you who vote for it can vote with your eyes open. This resolution provides for clerical assistance and accountants without any limit, with bars down for this Expenditure Committee of the Navy Department. I assert that this is pure extravagance. I want to say to the Members of the House that the committee has already allowed them a clerk. Members will remember that many of these expenditure committees were not allowed a clerk during the first session of the last Congress, a number during the second session of the last Congress, and none of them, so far as I recall, has been allowed in the last session of the last Congress. I think that most of them were allowed a clerk during the second or long session.

Now, I want to call attention to this: Remember we have allowed them a clerk, and this is in addition to that clerk—that they be allowed additional clerical assistance and accountants, and have printing and binding done. You know the Committee on Expenditures in the Navy Department has never had any experience in investigating the Navy. Here is the Member of Congress from Pennsylvania, Mr. BUTLER, chairman of the Naval Committee; the gentleman from Michigan, Mr. KELLEY; the gentleman from Tennessee, Mr. PADGETT; and a great many able men, men of long experience on this committee. I insist that they have to investigate everything connected with the Navy Department in making appropriations. When the chairman on Expenditures in the Navy Department was before the committee in support of this resolution, we allowed him a clerk, but he did not put his finger on any single specific thing that he wanted to investigate. They have only had one meeting, as suggested by my colleague, who is on the committee. I call attention to the Members of the House who are in favor of economy that there is no limit to the expense that might be incurred.

Mr. KING. Will the gentleman yield?

Mr. HASTINGS. Yes.

Mr. KING. Does not the gentleman think it is rather late in the day for him to criticize us about extravagance?

Mr. HASTINGS. I have always been in favor of economy, always voted for economy, and it is never too late to talk about it. You voted last year against allowing this side of the House to have a clerk for this committee. And yet, no sooner do you have the power, than you come every morning, and the Committee on Accounts is besieged by people asking for clerical assistance. We have just passed a resolution allowing the Committee on Expenditures in the Treasury Department to make an investigation. They claim that they want to investigate the War Risk, and we, thinking they had made out a fair case before the Committee on Accounts—showing that it is not a partisan question—we did not oppose it. We said if there is anything to investigate, why, investigate it. But we said to the Committee on Expenditures in the Navy Department, if you have anything you want to investigate we will give you a clerk, and if you find there is really something you want to investigate and really want some assistance then come before the Committee on Accounts and make a proper showing, and we will allow it.

But let me tell that side of the House, as well as our own side, that it will not be 30 days until every single solitary one of the little expenditure committees will be down before the Committee on Accounts with similar resolutions, and they will want clerical assistance unlimited, as this is unlimited; they will want accountants unlimited, and it is simply pure political bunk. That is all there is to it. [Applause on the Democratic side.] That is all there is to it; there is no need of our concealing it.

Mr. LAYTON. Mr. Speaker, will the gentleman yield?

Mr. HASTINGS. Yes.

Mr. LAYTON. I have noticed a great deal of solicitude on the part of gentlemen on the Democratic side of the House over the Republicans executing a facilis descensus in Averno. Why is the gentleman so disturbed over our committing mistakes?

Mr. HASTINGS. Oh, I have never been disturbed over your committing mistakes. I never saw the Republican Party do anything but make blunders all of my life, and I have gotten used to their doing that, but I want to call attention to this resolution so that the Members of the House may understand it, so that they will vote for it with their eyes open, so that they will understand that they have already been allotted a clerk, and that we are not denying them proper clerical assistance, and that this is in addition to the clerk already allowed by the committee.

Mr. BLACK. Mr. Speaker, will the gentleman yield?

Mr. HASTINGS. Yes.

Mr. BLACK. I would like to ask the gentleman if any showing was made that this Committee on Expenditures in the Navy Department would need other clerical assistance than that of the clerks to their own committees?

Mr. HASTINGS. I assert positively none whatever, and as I remember the statement before the committee that that committee had but one meeting. Of course everybody knows that the committee presided over by the gentleman from Pennsylvania [Mr. BUTLER], the Committee on Naval Affairs, investigates every phase of this question. It has the Secretary of the Navy and other naval officials before it, and it is for that reason that we oppose the passage of this resolution. We do not believe that the resolution ought to be favorably acted upon, and we are opposed to it.

Mr. DENISON. Mr. Speaker, will the gentleman yield?

Mr. HASTINGS. Yes.

Mr. DENISON. Was there any showing made at all before the committee that they intended to investigate the Navy Department?

Mr. HASTINGS. Oh, the chairman came in and generally said that he wanted to investigate it, but there was no showing of anything in particular he wanted to investigate; none whatever.

The SPEAKER. The time of the gentleman from Oklahoma has expired.

Mr. IRELAND. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. HASKELL].

Mr. HASKELL. Mr. Speaker and gentlemen of the House, this is the usual resolution providing ways and means so that the Committee on Expenditures in the Navy Department can proceed with its important work. This resolution is substantially the language of the resolution which you passed authorizing the select committee to investigate the War Department. The Democrats right along have been in favor of these investigations. They have courted them, claiming there was no fear of the outcome, when, lo and behold, our friend from Oklahoma [Mr. HASTINGS] who, gentlemen will remember, in the last Congress was willing to pass a resolution here providing for the payment of two salaries to a clerk holding two positions, to-day camouflages his opposition against this resolution which, if defeated, defeats the investigation of the Navy Department. It is true that the Committee on Expenditures in the Navy Department has had but one meeting in this session of Congress, but gentlemen know the committee has been completed in its membership only during the last week or 10 days. We want to start during the recess, if we are to have one, and make up for lost time. We want to conduct a thorough investigation into the affairs of the Navy Department, and gentlemen of the minority in the past have said that they were in favor of just that kind of a proposition. Why put obstacles and impediments in our way in accomplishing the very things which you have said and proclaimed from the housetops you wanted us to do? You can join hands with us in passing this resolution and provide us the ways and means to conduct the investigation. My friend has made several misstatements. One of them is that this Committee on Expenditures in the Navy Department has a clerk. We have none.

Mr. HASTINGS. Mr. Speaker, will the gentleman yield?

Mr. HASKELL. Yes.

Mr. HASTINGS. I know the gentleman perhaps does not know it, but we did authorize a favorable report upon the other resolution unanimously the day before. I do not know whether the chairman has presented it or not, but I submit to the chairman whether we have not done that.

Mr. HASKELL. I decline to yield for a speech. My friend from Oklahoma has also opposed giving us counsel for this committee. The minority have opposed giving us counsel. I think as practical men we all recognize the necessity in a great investigation of having counsel to assist the committee. The resolution as now reported denies us counsel, and so the members of the committee must act as counsel and perform the other work as well. The minority already have gone back upon their previous statement that they were willing to cooperate with the majority to have the light of publicity turned on the affairs of the administration, and they are restricting and limiting us. They have taken away our counsel, and now my friend from Oklahoma, who, as I say, in the last Congress was willing to vote for a resolution to pay a clerk in two separate positions, to give him a double salary, to-day has the temerity to oppose a resolution which is in the interest of turning the light of publicity upon the affairs in the Navy Department, vindicating that department if nothing improper exists, and if it does exist, then calling it to the attention of the people of the country.

I respectfully submit that it requires no lengthy argument to the Members of this House, but that you will all recognize the fairness of this resolution, the necessity for it, the expediency,

and the purpose of it, so if we are to recess we can start in this work and keep after it until we have concluded it to your satisfaction and bring our report in here of the work done. No abuse will be taken by the committee of the authority conferred upon us, not one penny will be spent except as necessary, and my friend need have no fear that there will be any unnecessary expenditure of money by the Committee on Expenditures in the Navy Department. [Applause.]

Mr. IRELAND. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. PARRISH].

Mr. PARRISH. Mr. Speaker and gentlemen of the House, as a member of the Committee on Accounts I want to go on record in opposition to this resolution. I do not believe that the best interest of this country—I am trying to view it from the standpoint of one who looks above partisanship—is going to be served by turning loose every committee of this House with unlimited authority to employ all the clerks, stenographers, or assistants that they may wish, and then place their hands in the Public Treasury and make the American people stand for the bills. [Applause.] The time has come in the history of legislation that it is necessary to stop somewhere, and in the name of reason, men, why shall we not stop when we have already provided this committee with one clerk, which will take care of any or all the investigations that it cares to make. [Applause.] The committee calling for these broad powers has met but one time since Congress has been in session. The chairman himself did not say to this House that they expected to work during the vacation, if there was one. He said they expected they might work or something of that kind. Gentlemen, I emphasize we must call a halt, and now is the time to do it. [Applause.] This committee has already been given one clerk, and the Naval Committee of the House has authority to investigate everything pertaining to the Navy Department, and to pass this legislation will amount to taking off all restrictions and giving the Committee on Expenditures in the Navy Department authority to incur every character of expense, some of which, at least, we ought not to pay. Another thing, this is but the beginning of the end. If we pass this legislation, we are going to be flooded with other similar resolutions. Did you hear the argument of the gentleman, the distinguished chairman of this committee, who has just preceded me—he said they wanted legal assistance. The select Committee on Expenditures in the War Department has legal assistance.

They are modeling their resolution after the one creating the special committee. As a Member of this House and of the Democratic Party, I am not opposed to investigations. I am willing that the light of the truth may shine through from beginning to end of every governmental agency, and if there are those who can not stand the sunshine of truth I, for one, say let him stand out and let the American people see him. [Applause.] There is absolutely no reason why we should pour the public money out recklessly and needlessly. I warn you we have no control over these expenditures when this resolution is finally passed. I repeat, gentlemen of the House, it is time to call a halt. Let your vote be against this resolution. If the gentlemen of the committee, in fact, want to investigate and will come back to our committee and tell us that one clerk is not sufficient and point out to us the further assistance necessary, I am sure that the Committee on Accounts will give them such assistance as is really necessary, but to give them blanket authority is a dangerous precedent. This resolution should be voted down. [Applause.]

Mr. IRELAND. Mr. Speaker, I move the adoption of the resolution.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on agreeing to the resolution as amended.

The question was taken, and the Speaker announced the ayes appeared to have it.

On a division (demanded by Mr. PARRISH) there were—ayes 62, noes 52.

Mr. CONNALLY. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Texas demands the yeas and nays. The Chair will count. [After counting.] Twenty-six gentlemen have risen, not a sufficient number, and the yeas and nays are refused.

Mr. PARRISH. Mr. Speaker, I make the point of no quorum.

Mr. IRELAND. Mr. Speaker, I move a call of the House.

The SPEAKER. That is not necessary. It is an automatic call. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absent Members, and the Clerk will call the roll. Those in favor of the resolution will, as their names are called, answer "yea," those opposed will answer "nay."

The question was taken; and there were—yeas 148, nays 110, answered "present" 1, not voting 169, as follows:

YEAS—148.

Ackerman	Frear	Longworth	Rogers
Anderson	French	Luce	Rose
Andrews, Nebr.	Garland	Lufkin	Rowe
Bacharach	Glynn	Luhring	Sanders, Ind.
Baer	Goodykoontz	McArthur	Schall
Barbour	Gould	McFadden	Scott
Begg	Green, Iowa	McKenzie	Shreve
Bland, Ind.	Greene, Mass.	McLaughlin, Nebr.	Siegel
Boies	Greene, Vt.	McPherson	Sinclair
Bowers	Griest	MacCrate	Sinnott
Brooks, Ill.	Hadley	Magee	Smith, Idaho
Browning	Haskell	Mapes	Smith, Mich.
Burke	Hawley	Michener	Snell
Burroughs	Hays	Miller	Steenerson
Campbell, Kans.	Hernandez	Monahan, Wis.	Stephens, Ohio
Cannon	Hickey	Moore, Ohio	Stiness
Chindblom	Hoch	Moore, Pa.	Strong, Pa.
Cole	Hull, Iowa	Moores, Ind.	Sweet
Copley	Ireland	Mott	Taylor, Tenn.
Crago	James	Nelson, Wis.	Temple
Crowther	Johnson, Wash.	Newton, Minn.	Thompson, Ohio
Curry, Calif.	Kahn	Nichols, Mich.	Tilson
Dale	Keller	Nolan	Timberlake
Dallinger	Kelley, Mich.	Ogden	Tincher
Darrow	Kelly, Pa.	Platt	Towner
Denison	Kendall	Porter	Treadway
Dickinson, Iowa	Kennedy, Iowa	Radcliffe	Vaile
Dowell	King	Ramsey	Volstead
Dunbar	Kinkaid	Ramseyer	Walters
Dupré	Kleczka	Randall, Calif.	Wason
Eagle	Knutson	Randall, Wis.	Watson, Pa.
Edmonds	Kraus	Reed, W. Va.	Webster
Elliott	Kreider	Rhodes	Wheeler
Elston	LaGuardia	Ricketts	Williams
Evans, Nebr.	Lampert	Riddick	Wood, Ind.
Fordney	Lehlbach	Robsion, Ky.	Woodyard
Foster	Little	Rodenberg	Young, N. Dak.

NAYS—110.

Almon	Davey	Johnson, Miss.	Phelan
Ashbrook	Davis, Tenn.	Kincheloe	Quin
Aswell	Dent	Kitchin	Rainey, H. T.
Ayres	Doughton	Lanham	Rainey, J. W.
Bankhead	Drane	Lankford	Raker
Barkley	Eagan	Larsen	Rayburn
Bell	Fisher	Lesher	Romjue
Black	Fitzgerald	Lonergan	Rubey
Blackmon	Flood	McAndrews	Sims
Bland, Mo.	Garrett	McDuffie	Sisson
Bland, Va.	Godwin, N. C.	McGlennon	Smithwick
Blanton	Goodwin, Ark.	Major	Steagall
Booher	Griffin	Mansfield	Sumners, Tex.
Box	Hardy, Tex.	Martin	Taylor, Colo.
Briggs	Harrison	Mays	Thomas
Brinson	Hastings	Mead	Tillman
Buchanan	Hayden	Minahan, N. J.	Vinson
Byrns, Tenn.	Heflin	Montague	Watkins
Campbell, Pa.	Hersman	Moon	Watson, Va.
Candler	Holland	Moore, Va.	Welty
Caraway	Howard	Nelson, Mo.	Whaley
Carss	Huddleston	O'Connell	Wilson, La.
Clark, Mo.	Hudspeth	O'Connor	Wingo
Cleary	Hull, Tenn.	Oliver	Woods, Va.
Coady	Humphreys	Overstreet	Wright
Collier	Igoe	Padgett	Young, Tex.
Connally	Jacoway	Park	
Cullen	Johnson, Ky.	Parrish	

ANSWERED "PRESENT"—1.

Benson

NOT VOTING—169.

Alexander	Dyer	Hutchinson	Neely
Andrews, Md.	Echols	Jefferis	Newton, Mo.
Anthony	Ellsworth	Johnson, S. Dak.	Nicholls, S. C.
Babka	Emerson	Johnston, N. Y.	Oldfield
Bee	Esch	Jones, Pa.	Olney
Benham	Evans, Mont.	Jones, Tex.	Osborne
Brand	Evans, Nev.	Juul	Paige
Britten	Fairfield	Kearns	Parker
Brooks, Pa.	Ferris	Kennedy, R. I.	Pell
Browne	Fess	Kettner	Peters
Brumbaugh	Fields	Kiess	Pou
Burdick	Focht	Langley	Purnell
Butler	Freeman	Layton	Reavis
Byrnes, S. C.	Fuller, Ill.	Lazaro	Reber
Caldwell	Fuller, Mass.	Lea, Calif.	Reed, N. Y.
Cantrill	Gallagher	Lee, Ga.	Riordan
Carew	Gallivan	Linthicum	Robinson, N. C.
Carter	Gandy	McClintic	Rouse
Casey	Ganly	McCulloch	Rowan
Christopherson	Gard	McKeown	Rucker
Clark, Fla.	Garner	McKinley	Sabath
Classon	Goldfogle	McKinley	Sanders, La.
Cooper	Good	McLane	Sanders, N. Y.
Costello	Goodall	McLaughlin, Mich.	Sanford
Cramton	Graham, Pa.	MacGregor	Saunders, Va.
Crisp	Graham, Ill.	Madden	Scully
Currie, Mich.	Hamill	Maher	Sears
Davis, Minn.	Hamilton	Mann	Sells
Dempsey	Hardy, Colo.	Mason	Sherwood
Dewalt	Haugen	Merritt	Slemp
Dickinson, Mo.	Hersey	Mondell	Small
Dominick	Hicks	Mooney	Smith, Ill.
Donovan	Hill	Morgan	Smith, N. Y.
Dooling	Houghton	Morin	Snyder
Doremus	Hulings	Mudd	Stedman
Dunn	Husted	Murphy	Steele

Stephens, Miss.	Tinkham	Ward	Wilson, Pa.
Stevenson	Upshaw	Weaver	Winslow
Strong, Kans.	Vare	Webb	Wise
Sullivan	Venable	Welling	Yates
Summers, Wash.	Vestal	White, Kans.	Zihlman
Taylor, Ark.	Voigt	White, Me.	
Thompson, Okla.	Walsh	Wilson, Ill.	

So the amendment was agreed to.

The Clerk announced the following additional pairs:

On this vote:

Mr. LANGLEY (for resolution) with Mr. CANTRILL (against).

Until further notice:

Mr. WINSLOW with Mr. STEDMAN.

Mr. MONDELL with Mr. RUCKER.

Mr. ANTHONY with Mr. BRAND.

Mr. PURNELL with Mr. RIORDAN.

Mr. HUTCHINSON with Mr. DOREMUS.

Mr. JOHNSON of South Dakota with Mr. CLARK of Florida.

Mr. LAYTON with Mr. EVANS of Montana.

Mr. KEARNS with Mr. EVANS of Nebraska.

Mr. VESTAL with Mr. OLDFIELD.

Mr. NEWTON of Missouri with Mr. JONES of Texas.

Mr. STRONG of Kansas with Mr. MCKEOWN.

Mr. SELLS with Mr. LARSEN.

Mr. MCLAUGHLIN of Michigan with Mr. GARNER.

Mr. ESCH with Mr. CARTER.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. A quorum is present. The Doorkeeper will open the doors.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 5418. An act increasing the pay of printers and pressmen employed in the Government Printing Office, and for other purposes.

SPECIAL EMPLOYEES UNDER THE DOORKEEPER.

Mr. IRELAND. Mr. Speaker, I ask consideration of the privileged resolution which I send to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Illinois submits a privileged resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 154.

Resolved, That the salaries of the two special employees of the House be $1,800 per annum: *Provided*, That the said salaries be paid out of the contingent fund of the House of Representatives until otherwise provided by law.

With a committee amendment as follows:

Strike out all after the word "*Resolved*" and insert in lieu thereof the following: "That there be paid from the contingent fund of the House of Representatives additional compensation at the rate of $300 per annum, payable monthly, to the special employee of the office of the Doorkeeper of the House of Representatives."

The SPEAKER. The question is on agreeing to the amendment.

Mr. CLARK of Missouri. Mr. Speaker, what is this?

Mr. IRELAND. A resolution granting $300 additional compensation to the special employee of the Doorkeeper, which makes that office conform with the corresponding office on the minority side. It is the same as we did a short time ago with respect to the special employee of the minority. This is to grant the same additional compensation to the corresponding employee on the majority side.

Mr. CLARK of Missouri. I just want to ask the gentleman one question.

Mr. IRELAND. Very well.

Mr. CLARK of Missouri. Are we going to raise all salaries before we quit? [Laughter.]

Mr. IRELAND. I can not say that we will follow the Democratic precedent by doing that. [Laughter.]

Mr. CLARK of Missouri. You are not going to raise the salaries of Congressmen? [Laughter.]

Mr. IRELAND. I could not say as to that.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

JOEL GRAYSON.

Mr. IRELAND. Mr. Speaker, I submit another privileged resolution.

The SPEAKER pro tempore. The gentleman from Illinois submits another privileged resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 141.

Resolved, That there shall be paid out of the contingent fund of the House, until otherwise provided by law, compensation at the rate of $2,500 per annum for the services of Joel Grayson in the House document room in lieu of the compensation now being paid to him.

With committee amendments, as follows:

After the word "law," in line 2, insert the word "additional." Strike out on line 3 "$2,500" and insert in lieu thereof "$350, payable monthly," and after the word "annum" insert the words "payable monthly," and after the word "room," in line 4, strike out the words "in lieu of the compensation now being paid to him," so that as amended the resolution will read

"Resolved, That there shall be paid out of the contingent fund of the House, until otherwise provided by law, additional compensation at the rate of $350 per annum, payable monthly, for the services of Joel Grayson in the House Document Room."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

Mr. BLANTON. Mr. Speaker, may I ask the gentleman from Illinois a question?

Mr. IRELAND. Yes.

Mr. BLANTON. What salary will this gentleman receive under the committee amendment? Will it be less than $2,500, or equal to it, as provided in the original resolution?

Mr. IRELAND. I believe it will be a little bit less. I can not be positive as to that. We passed on several resolutions.

Mr. BLANTON. Can not the gentleman tell? It is the gentleman's resolution.

Mr. HASTINGS. He will get exactly $2,500, as I recall, under this amendment.

Mr. BLANTON. What was the purpose of the committee amendment—to leave the compensation exactly where it was before it was amended?

Mr. IRELAND. No; it does not do anything of the kind.

Mr. HASTINGS. I think I can explain it, if the gentleman will yield to me.

The SPEAKER pro tempore. Does the gentleman from Illinois yield to the gentleman from Oklahoma?

Mr. IRELAND. Yes.

Mr. HASTINGS. Three hundred and fifty dollars will come out of the contingent fund.

Mr. CLARK of Missouri. What is his salary now?

Mr. HASTINGS. Two thousand one hundred and fifty dollars. Three hundred and fifty dollars comes out of the contingent fund of the House, and $2,150 comes out of the regular appropriation, so that he gets only $2,500 from both of them together.

Mr. IRELAND. The $2,150 is paid out of the appropriation so as not to beggar the contingent fund of the House.

Mr. HASTINGS. And adding the two amounts together it makes $2,500.

The SPEAKER pro tempore (Mr. TILSON). The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the passage of the resolution as amended.

The resolution as amended was agreed to.

W. RAY LOOMIS.

Mr. IRELAND. Mr. Speaker, I beg the further indulgence of the House for a moment.

The SPEAKER pro tempore. The gentleman from Illinois submits a privileged resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 182.

Resolved, That there shall be paid, out of the contingent fund of the House until otherwise provided for by law, compensation at the rate of $3,000 per annum, payable monthly, to W. Ray Loomis for his services as editor and compiler of the Weekly Compendium and Monthly Compendium and as assistant in the document room.

With the following committee amendment:

In line 3 strike out "$3,000" and insert in lieu thereof "$2,500."

Mr. IRELAND. Mr. Speaker, this resolution is reported by the Committee on Accounts without recommendation, because while we are well aware of the ability and value of the services of the man named in the resolution it is impossible for us to determine whether a majority of the membership of the House think the Weekly and Monthly Compendium of sufficient value to be continued. About the only way we can arrive at a conclusion is to present the resolution to the House for their action. You have all received the compendium. Some of you are very strong in its praises and others have not used it to any great extent. The views of the House on the merits of this publication should control the action of the House on this resolution. So it was with that thought that the committee reported it to the House for its action without recommendation.

Mr. HASTINGS. Mr. Loomis does regular work in the document room at present in addition to getting out this compendium?

Mr. IRELAND. Yes; that is the understanding—that he is to continue to do that.

Mr. HASTINGS. The resolution so provides?

Mr. IRELAND. Yes.

Mr. BLANTON. Does this gentleman draw any other salary?

Mr. IRELAND. No; he does not, and he has not been on the pay roll at all since July 17, I believe, though he is serving at present in the document room in place of an appointee who has not yet arrived. His services are in demand there.

Mr. WINGO. Will the gentleman yield for a question?

Mr. IRELAND. Certainly.

Mr. WINGO. If he is the man whom I have in mind, he and Mr. Grayson are the two most experienced men in the document room.

Mr. IRELAND. I understand they are.

Mr. WINGO. And their services are really very valuable, aside from this special work that Mr. Loomis does?

Mr. IRELAND. Yes.

Mr. WINGO. There is no question about the man's efficiency?

Mr. IRELAND. I think not. I desire to yield to the gentleman from Tennessee [Mr. DAVIS] on this question such time as he may desire.

Mr. DAVIS of Tennessee. Mr. Speaker and gentlemen, I want to supplement the statement made by the chairman of the committee [Mr. IRELAND] by saying that heretofore Mr. Loomis has received $3,600 per annum, $2,100 as an assistant in the document room and $1,500 for this special work of editing and compiling the Weekly and Monthly Compendium. The only salary he will receive hereafter, as provided in this resolution, is $2,500, which is $1,100 less than he has received heretofore, not taking into account the bonus. This resolution expressly provides that he shall not only render these service but that he shall also act as assistant in the document room, as he has heretofore done. As was suggested by a question awhile ago, Mr. Grayson has been retained through all the different administrations of the House on both sides, because of his efficiency and knowledge, and he and Mr. Loomis are the two most experienced men in the document room. I think it is highly important that both of them be retained. In addition to rendering these special services, Mr. Loomis is always well informed, and those of you who desire to do so can find out from him the status of legislation, and the whereabouts of riders and other provisions about which you receive inquiries. He has consented to a reduction of his salary to $2,500, which is $1,100 less than he has heretofore received, and I believe that his services will be well worth the price.

Mr. IRELAND. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania.

Mr. GARLAND. Mr. Speaker, I want to ask whether the gentleman does not think that the Weekly and Monthly Compendium is a great assistance to the House, and to the new Members especially?

Mr. IRELAND. Yes; I think it is to anyone active on the floor of the House in following the bills. It must be a great help.

Mr. GARLAND. From the fact that we want to have the compendium I think it is worth while to keep this employee, and, Mr. Speaker, I move to amend the committee amendment by striking out $2,500 and inserting $3,600.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amend the committee amendment by striking out $2,500 and inserting $3,600.

Mr. CANNON. Mr. Speaker, I hope that will not be done. I know Mr. Grayson, who has been continually in the document room for many years. I think $2,500 is proper pay for him, and if that resolution had not passed the House, if this man's pay is to be increased to $3,600, certainly Joel Grayson should have his increased to that amount, because he can give this man cards and spades and then be more competent. I hope the amendment will not be agreed to.

Mr. IRELAND. Mr. Speaker, this question was very thoroughly considered by the committee. I hope the committee amendment will be adopted and that the amendment offered by the gentleman from Pennsylvania will be voted down.

The SPEAKER pro tempore. The question is on the amendment offered to the committee amendment by the gentleman from Pennsylvania.

The question was taken, and the amendment to the amendment was rejected.

The committee amendment was agreed to.

The resolution as amended was agreed to.

GEORGE W. SABINE.

Mr. IRELAND. Mr. Speaker, I offer the following privileged resolution.

The Clerk read as follows:

House resolution 219.

Resolved, That there shall be paid out of the contingent fund of the House, until otherwise provided by law, increased compensation at the rate of $700 per annum for the services of George W. Sabine, Librarian on the floor of the House of Representatives, in lieu of the compensation now being paid to him.

With the following committee amendment:

Line 3, page 1, strike out "$700" and insert "$300."

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The resolution as amended was agreed to.

AUGUST BUEHNE.

Mr. GARLAND. Mr. Speaker, I offer the following privileged resolution.

The Clerk read as follows:

House resolution 162.

Resolved, That there shall be paid out of the contingent fund of the House $500 to August Buehne for extra services rendered the Members of the House of Representatives during the third session of the Sixty-fifth Congress and first session of the Sixty-sixth Congress as employee detailed from the Government Printing Office.

Mr. GARRETT. Can the gentleman tell the House what the condition of the contingent fund of the House is?

Mr. IRELAND. I can, approximately. I should say $65,000 or $68,000.

Mr. GARRETT. That much is on hand now?

Mr. IRELAND. Yes; but by the time the war-expenditure committee gets through with it I think there will be little left.

Mr. SISSON. Is this the usual amount paid to this employee?

Mr. IRELAND. This man from the document room draws a salary of $950 a year, and it has been the custom in the past to award him $500 every second session.

Mr. SISSON. Was anything paid him for the last session?

Mr. IRELAND. Not for the third session of the Sixty-fifth or the first session of the Sixty-sixth. The gentleman from Illinois, Dr. FOSTER, usually attended to the resolution.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

LABORATORY GLASSWARE, PORCELAIN WARE, AND OPTICAL GLASS.

Mr. FORDNEY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7785, and pending that, as I do not see the gentleman from North Carolina here, I want to see if I can arrange for some time. The gentleman from North Carolina said he wanted one hour on that side.

Mr. HENRY T. RAINEY. Will the gentleman hold up that matter until to-morrow?

Mr. FORDNEY. What I would like to do is to get the bill under way and then adjourn until 11 o'clock to-morrow.

Mr. HENRY T. RAINEY. We can fix the time when the gentleman from North Carolina comes into the House. We can fix it in the morning before we go into Committee of the Whole.

Mr. FORDNEY. It was suggested by the gentleman from North Carolina [Mr. KITCHIN] that we have two hours, one hour on each side. If that is agreeable to the gentleman from Illinois, I will ask that two hours be allowed for general debate, one-half of that time to be controlled by the gentleman from North Carolina [Mr. KITCHIN] and one-half by myself.

Mr. HENRY T. RAINEY. That may be ample; I do not know whether it is or not. I wish the gentleman would wait and he can make his request in the morning.

Mr. CANNON. Mr. Speaker, I would like to have the title of the bill read.

Mr. FORDNEY. I will explain that to the gentleman.

Mr. CANNON. But the title will show it.

The SPEAKER. Without objection, the Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 7785) to provide revenue for the Government, to establish and maintain in the United States the manufacture of laboratory glassware, laboratory porcelain ware, scientific and surgical instruments.

Mr. FORDNEY. Mr. Speaker, some gentlemen do not wish to adjourn. I suggest to the gentleman from Illinois we would better agree on time for general debate now.

Mr. HENRY T. RAINEY. Mr. Speaker, I do not know anything about it.

Mr. FORDNEY. I will say to the gentleman that that was the request of the gentleman from North Carolina [Mr. KITCHIN] this afternoon.

Mr. HENRY T. RAINEY. If the gentleman has that arrangement with Mr. KITCHIN, it is entirely satisfactory to me.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent that there be two hours of general debate, one-half of that time to be controlled by myself and one-half by the gentleman from North Carolina [Mr. KITCHIN].

The SPEAKER. The gentleman from Michigan [Mr. FORDNEY] moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7785, and pending that asks unanimous consent that general debate on this bill be limited to two hours, one-half to be controlled by himself and one-half to be controlled by the gentleman from North Carolina [Mr. KITCHIN]. Is there objection?

There was no objection.

Mr. CANNON. Mr. Speaker, does the gentleman propose to have anything but general debate to-day?

Mr. FORDNEY. No; I believe not. At least I would rather not, if that is the wish of the House.

Mr. CANNON. I think we ought to have some understanding about that. If it is to be considered under the five-minute rule, notice of that fact ought to be given now.

Mr. FORDNEY. I would say to the gentleman from Illinois [Mr. CANNON] that the floor leader does not want us to adjourn now. I do not know how long he wants us to remain in session to-night. I am willing to stay here until we finish the bill, if necessary. It is a very important bill.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. BLANTON. If that side of the House is to comply with the suggestion made by the President to do away with the recess, what is the use of working on to-night?

Mr. FORDNEY. If this side of the House was of the same frame of mind as I am they would tell the President that we are going home. [Applause.]

Mr. BLANTON. I would tell him the same thing.

Mr. McARTHUR. Mr. Speaker, I demand the regular order.

The SPEAKER. The question is on the motion of the gentleman from Michigan, that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7785.

Mr. BLANTON. Mr. Speaker, I move that the House do now adjourn.

The question was taken, and the motion was rejected.

The SPEAKER. The question is on the motion of the gentleman from Michigan that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7785.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7785, with Mr. TILSON in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read the bill, as follows:

A bill (H. R. 7785) to provide revenue for the Government, to establish and maintain in the United States the manufacture of laboratory glassware, laboratory porcelain ware, optical glass, scientific and surgical instruments.

Be it enacted, etc., That on and after the day following the passage of this act there shall be levied, collected, and paid upon articles named herein, when imported from any foreign country into the United States or any of its possessions (except the Philippine Islands, the Virgin Islands, and the islands of Guam and Tutuila), the rates of duties herein prescribed, namely:

Glasswares and porcelain wares, laboratory apparatus, and other apparatus and appliances wholly or in part of glass or porcelain, for use in the sciences or in analyzing or testing or for use in education, 60 per cent ad valorem.

Optical glass in any and all forms or glass for use in optical instruments or for any optical purposes, and all instruments and appliances of any and all kinds containing parts of optical glass or used for optical purposes, finished or unfinished, 45 per cent ad valorem.

Philisophical, scientific, and laboratory apparatus, utensils, instruments, and appliances and parts thereof, finished or unfinished, and preparations, including bottles and boxes containing the same, not otherwise provided for, 45 per cent ad valorem.

Surgical and dental instruments, or parts thereof, made wholly or in part of iron, steel, copper, brass, nickel, aluminum, or other metal, finished or unfinished, 60 per cent ad valorem.

That all articles provided for in this act shall not be entitled to free entry under paragraph 573 of the tariff act of October 3, 1913.

SEC. 2. That all provisions of any act or acts inconsistent with the provisions of this act are hereby repealed.

Mr. FORDNEY. Mr. Chairman, I yield two minutes to the gentleman from Pennsylvania [Mr. MOORE.]

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on the bill H. R. 8076, a bill to regulate the importation of coal-tar products, and so forth.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. I also ask leave to file the minority views on that bill sometime during the day or to-morrow.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to file minority views sometime during the day or to-morrow. Is there objection?

There was no objection.

Mr. FORDNEY. Mr. Chairman, I yield 30 minutes to the gentleman from New Jersey [Mr. BACHARACH].

Mr. BACHARACH. Mr. Chairman, I ask the privilege of revising and extending my remarks.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. BACHARACH. Mr. Chairman, the bill before the House is designed chiefly to protect and foster, so far as it is practicable to do so by reasonable legislation, the manufacture of chemical glassware and chemical porcelain ware, optical glass, scientific instruments and apparatus, and surgical and dental instruments; industries which, I might say, were forced into existence in this country because of our needs due to our activities in the World War.

The bill provides an increase of 15 per cent in the rate of duty on chemical glassware, 10 per cent on porcelain ware, 25 per cent on scientific instruments, 40 per cent on surgical and dental instruments, and it removes optical glass from the free list and places thereon a duty of 45 per cent. In addition to these specific rates, the bill also repeals the duty-free provisions of paragraph 573 of the present tariff act, in so far as it applies to the products of these industries.

With these increased rates it is felt that our revenues will be materially increased if American consumers still insist upon buying these supplies in foreign markets.

While these industries are each separate and distinct, they are so closely allied and the history of the development of each industry so closely parallels the other, that, for the sake of brevity, I shall refer to them collectively, more or less, in my remarks.

What we seek to accomplish under this bill is to build up a wall of protection around these essential "infant industries," such as will enable them to continue in operation and not force them out of business by compelling them to compete with the low-labor conditions of Europe, and especially of the Orient; the latter will be the inevitable result, and that very soon, if the industries are not given this protection.

We feel that now, immediately, national encouragement should be given to these industries, because they are the "key" industries of the country, without the existence of which America can not hope to remain economically free and commercially independent, as we are at this moment.

By "key" industries, I mean that the products of these industries are used not only for scientific instruction in our schools and colleges, but in all of the commercial industries of any importance to the welfare of the country and in our governmental activities, and without them our national safety is jeopardized.

Chemical apparatus and scientific instruments are indispensable in the laboratories which control the manufacture of steel, iron, paper, rubber, dyes, chemicals, sugar, cotton, munitions, and explosives.

They are necessary adjuncts in the laboratories of every important industry in every part of our country for testing and analyzing the things which go into the make-up of the product of these various industries, as well as for testing and analyzing the product itself. There is no industry of any importance that does not now possess a well-equipped laboratory and retain a corps of expert chemists.

Prior to the outbreak of the war, in 1914, there was but a very limited quantity of the lower grades of chemical glassware manufactured in the United States; there was practically no optical glass made in this country, and our production of other scientific instruments was not sufficient to take care of our peaceful domestic needs. Most of these supplies were imported from Germany and Austria.

Following the outbreak of the war and up until the time England had established a strict blockade against the Central Powers a sufficient quantity of these materials and supplies had been imported to take care of our needs for a year or two.

But when the United States entered the war and the demands of our Government for these supplies increased to an enormous extent it was found that the country was absolutely bare of chemical glass of the higher kinds and of optical glass. It was further found that none of our factories knew the manufacturing processes and that it was impossible to find skilled mechanics to perform the work.

For instance, there was no glass in the country that could be used for gun sights, periscopes, field glasses, or for any of the

innumerable uses that the Army and Navy must make of glass of this sort.

We all have fresh in our minds the appeal of our Navy Department, through the columns of the press and by every other means, to attract the attention of American people, to "Lend the Navy your eyes." Binoculars, telescopes, field glasses, and other cast-off articles of the like were eagerly sought from whomsoever could lend them for use of our men on the ships patroling the seas.

And it is a fact that the gun sights and range finders on our ships and on the battle fields, through the aid of which our gallant lads in the Navy were able to shoot down the destructive U-boats and by the use of which our brave boys in the Artillery were able to get a bead on the enemy and mow them down with the withering and accurate gunfire for which they soon became noted, were instruments many of which were manufactured in Germany and imported into this country.

It is obvious to all that without field glasses, without range finders, without gun sights, and the like, an Army or Navy is comparatively blind. It is equally obvious that without chemical apparatus and instruments the production of high explosives is almost impossible, and an element of danger is necessarily introduced wherever poor materials must be substituted for proper materials in the manufacture of these high explosives.

It was found that there was not an adequate supply of chemical glassware to give efficient service to our scientific and manufacturing industries or to the various scientific departments of the Government; the same may be said of scientific instruments which were so imperatively needed, and, as a result, on entering the war the United States found itself without these vitally essential necessities.

Frantic appeals were made to the American manufacturers to come to the aid of their country by equipping their plants for the manufacture of these apparatus and instruments.

Thanks to the patriotism and genius of the men appealed to, they were able to meet the demands of their Government in increasing quantities, for both the employer and the employee put their shoulders to the wheel when they realized that so much was needed from them to support and back up the boys who had gone "over there" to do the fighting.

There were numerous obstacles to surmount in developing these industries to a state of efficiency. Although there were many skilled mechanics of years of training along other lines of glasswork, the development of the chemical line was at first a slow proposition and it took months before these highly trained mechanics became proficient in turning out this chemical ware. This period of training and development naturally resulted in heavy financial loss to the manufacturers.

Estimates of the value of imported chemical glassware before the war by two of the principal importers for the year 1913, as compiled by the United States Tariff Commission, place it from $1,200,000 to $1,500,000; of these totals the value of the merchandise imported free of duty for educational institutions the same year was $500,000 to $800,000, or from 42 per cent to about 53 per cent.

In 1915 American factories and shops produced chemical glassware to the value of $950,319, according to the report of the Tariff Commission, and in 1918 it was valued at $2,865,774.

With the lifting of the blockade against Germany, we may expect an immediate renewal of competition from that country. But a more serious competition, and one that is giving greater anxiety to the American manufacturer, is the competition of Japan. Japan, like America, has been developing these industries only since the outbreak of the war.

Lately Japanese goods have flooded the American markets, and it must be obvious to everyone that with the present-day price of American labor, our manufacturers can not compete with the products of the cheap labor of Japan.

I am advised by the Secretary of Commerce, in response to an inquiry addressed to him asking for information as to the wages paid to skilled workmen engaged in the glass industry in Japan, that the wages are as follows:

> The average daily wages in 1917 for males over 15 years of age was 37½ cents; for females 16½ cents. For males under 15 years of age 14 cents and for females 11 cents. The number of working days in a year is given as 283, and the hours per day as 11½.

The Secretary further advised me, under date of June 26 of this year that the—

> probable wages for 1918 are: For males over 15 years of age, 53 cents; for females, 24 cents; males under 15 years of age, 20 cents, and females 15 cents.

The average daily wages for skilled glass workers in the United States is $6.60. Child labor is not employed, and there are but few females employed in the industry.

England, soon after the outbreak of the war, found herself in much the same predicament as did America later on. Practically all of these essential supplies used by England was imported from Germany and Austria. Like America, too, England has made much progress in the development of these industries, and efforts are now being made to not only keep the industry in existence but to have it compete in foreign markets.

I am advised that England is now contemplating the absolute barring out of imports of chemical glassware and optical glass in order that the development of these industries in her own country may continue, because she considers that these industries are vital for the national protection.

The New York Sun of June 22, 1919, reprints an article taken from the London Times with reference to the support being given to the chemical-glassware industry in England, by the British Government, in which it is stated that a department of glass technology was opened at Sheffield University with the support of the Government, and that the Government has been asked to provide $364,987 over a period of five years, and the manufacturers will contribute a further sum of $121,662.

The American manufacturers neither ask for nor do they want a subsidy of any kind; they merely want the adoption of legislation which will give them a fair chance to compete in the open markets with foreign countries.

ELIMINATION OF THE DUTY-FREE CLAUSE.

The last section of this bill provides for the elimination of paragraph 573 of the tariff act of October 3, 1913, and prior acts, known as the "duty-free" clause, under which educational institutions and the like were permitted to import these scientific instruments and apparatus free of duty when they were to be used solely for educational purposes.

It is estimated that about one-half of the imports of scientific instruments and apparatus into this country comes in under this duty-free clause. This actually means that the American manufacturer is shut off from bidding or competing for one-half of the demands of this country.

This paragraph was first incorporated in the tariff act of 1790. It was ostensibly for the purpose of encouraging higher education in this country, and in the early history of our country's development it unquestionably was a wise and proper thing to do.

But the perpetuation of this duty free clause in our later tariff laws has done more to retard the manufacture of these chemical essentials in this country than any other one thing.

Not only did it deprive our manufacturers of one-half of the market for these supplies, but under the cloak of this paragraph there was inaugurated in our schools and colleges a propaganda of the most vicious character, which filled the minds of the youth of our country with the idea that America could not make the instruments and apparatus which they needed in their education. From the time our young men entered our institutions of higher education they were confronted with instruments and apparatus which bore the stamp, "Made in Germany."

They were told that American workmen could not make satisfactorily the things which they saw there in the laboratories and that it was necessary to import these things from Germany. This was so thoroughly drilled into them that they came out of school with their minds educated to that belief and they unconsciously carried on this propaganda, either in commercial industries or in colleges where they took up the vocation of teaching.

Heretofore this was all German propaganda, but with the advent of the Japanese into these industries we can expect the same tactics from them, unless we stop it here and now before Japan has an opportunity to get a foothold.

I am happy to say that most of our celebrated chemists and college professors are now awake to the use that has been made of our institutions of learning in carrying on this foreign propaganda, and they are now carrying on a campaign of education with the idea of substituting the trade-mark "Made in America" for "Made in Germany," or "Made in Japan," or made in any other country.

To that end they are almost universally of the opinion that the "duty-free" privilege to educational institutions should be withdrawn and that our universities should be the first to take up and teach the slogan of "America for American-made goods first, last, and all the time."

Let me quote briefly from the testimony of some of the witnesses who appeared at the hearings before the Committee on Ways and Means.

These men were all of the opinion that the tariff rates as carried in this bill should be enacted into law. They represented the manufacturers of these goods, the workmen who are engaged in the industries, and the American Chemical Society, representing practically all of the chemists of the country. They were likewise of the opinion that the duty-free clause should be eliminated.

In this connection I desire to say that I have not received a single protest against the passage of the bill, either from people engaged in manufacturing or importing this ware or from any school, college, or university.

I want to quote very briefly from the testimony of the various people who testified before the Committee on Ways and Means in reference to this matter. We held our hearings on June 11, 12, and 13 of this year, and I want to call attention to the various witnesses who testified before the committee, and I say in this connection that up to the present time there has not been a complaint by either a manufacturer or a college regarding the new duties which we propose to impose. I quote very briefly from the statement of Mr. E. C. Sullivan, Corning Glassware Works, manufacturers of Pyrex flasks and beakers, of Corning, N. Y.:

About the first of this year, after producing chemical wares some three or four years, we found our cost had practically doubled, and prices were raised about 25 per cent. Now we have to face Japanese competition. American universities are buying Japanese ware. The result will be to create in the generation of chemists now in school the same prejudice in favor of Japanese ware which has existed in the past in favor of German ware. We have reason to believe that Japan to-day, undisturbed by war as that country has been, can produce at a cost far below ours. We believe that Japan should not be allowed to obtain a foothold in this line. We can not cut prices to meet Japanese competition at this time, and we believe that a duty of 60 per cent ought to be imposed for the protection of this industry. It is not our intention to raise the price when such a duty is established. The desirability of having at home ample sources for chemical glassware in case of future wars is to-day obvious. England is understood to have been seriously embarrassed by lack of chemical glass supplies at the outbreak of the recent war.

I want to call attention to the statement by Dr. W. F. Hillebrand, chief chemist, Bureau of Standards. Dr. Hillebrand testified as follows:

Dr. HILLEBRAND. I think I can say that the director feels that the glass industry—and the porcelain industry, undoubtedly—has suffered by lack of protection. I do feel—and in fact I know that the Bureau of Standards feels—that the glass industry and the porcelain industry, which did not exist before the war, practically had suffered from lack of protection against foreign importation, and undoubtedly the imposition of a duty is going to help the domestic glass industry. That is beyond question.

I want to quote from the statement of Mr. Frank J. Sheridan, of the Tariff Commission, in response to a question asked by the Tariff Commission of the various colleges whether there would be any objection to a withdrawal of the duty-free clause. He stated as follows:

In response to question No. 1—would the withdrawal of the duty-free privilege heretofore enjoyed by educational institutions and the continuance of the present rate of duty on apparatus and chemicals increase the development and manufacture of such merchandise in the United States—elicited the following: The heads of the chemical departments of 20 universities and scientific institutions replied to this question. The institutions included Yale, Cornell, Pennsylvania, Leland Stanford, Illinois, Pittsburgh, Chicago, Washington and Lee, Ann Arbor, Washington, the Carnegie Institute, Rockefeller Institution, Bureau of Chemistry, Bureau of Standards, Washington Hygiene Laboratory, Geophysical Laboratory, and Pratt Institute. Of these, 17 stated that the withdrawal of the duty-free privilege would increase the development and manufacture of chemical articles, 1 said it would have little effect, 1 answered in the negative, and 1 was noncommittal.

I want to call attention to the fact that with this duty-free advantage which educational institutions have had they have not sold to their students their supplies at cost. Mr. Sheridan, of the Tariff Commission, in quoting from the manufacturer, states:

Some schools charge net prices, but the majority add from 100 to 200 per cent to the cost, which was not intended by the Government when the law was passed. In other words, a great many schools compel the students to pay the entire operating expenses of the laboratory supply department by adding a profit to the duty-free prices. One large western university pays interest on the equipment of the storeroom and the running expenses of same, including the salary of the purchasing agent, and shows a profit. We do not know of any that charge the actual cost price. The spirit and literal interpretation of the duty-free law has been broken by a great many schools in checking up the apparatus used by instructors and students in allowing the same to be carried away from the institution. Some of the duty-free goods have been disposed of by the laboratories.

I want to quote now from the testimony as given by Mr. William P. Clark, president American Flint Glass Workers' Union of North America. Mr. Clark in his statement states that there are 85,000 glass workers in the United States and about $250,000,000 invested in the enterprise and he goes on to state in reference to the 60 per cent ad valorem:

Mr. CLARK. This Japanese competition warrants us in asking for 60 and not 45 per cent ad valorem—and that will not meet the situation, although it will lessen the evil. That 45 per cent clause, which Mr. Sheridan spoke about, was suggested at a time when we did not have this Japanese competition in reality, and we felt that if the 45 per cent were placed on this ware, and you did not let it go to these laboratories and hospitals free, when from 42 to 53 per cent of it is used there—if that was to bear the tariff, in place of coming duty free, that would have relieved the situation, in so far as Germany, Austria, and Belgium were concerned; but we were reckoning then, in January, 1918, with Japan, with which we must reckon now. For that reason, we are anxious to have a clause in paragraph 573, in its application to this chemical glassware, annulled, and to make this ware subject to the regular tariff; and that tariff, we think, should be 60 per cent in place of 45 per cent.

I also desire to quote from the testimony of Mr. Charles L. Parsons, Washington, D. C., secretary of the American Chemical Society. And I want to call Members' attention particularly to the testimony of Mr. Parsons:

Mr. PARSONS. I am secretary of the American Chemical Society, sir, which has a membership of 13,500 of the chemists of our country.

Mr. COPLEY. Do you believe the chemical industry was exceedingly important in the successful prosecution of this war by the American people?

Mr. PARSONS. I am naturally prejudiced, but I think there was none more important.

Mr. COPLEY. And you think we successfully disproved the claim of Germany of the superiority of her chemical glassware in her prewar propaganda?

Mr. PARSONS. I know we did.

Mr. COPLEY. And you regard this industry as absolutely essential to the chemical independence of this country in the event of future wars?

Mr. PARSONS. I think there is no question about that. We have to have our gas warfare and all those things.

Now, here is something I think of vital interest to the Members of the House who are interested in this particular bill. Referring to the statement made by him, I asked him this question:

Mr. BACHARACH. In addition to the fact you want American-made goods for the reason they should be American-made goods; you want to prevent any further propaganda such as we had prior to the war?

Mr. PARSONS. Yes, sir.

Mr. HULL. Does your organization represent chemists of the universities?

Mr. PARSONS. Probably every chemical professor and most all of the chemical instructors in all the universities of America. I say probably; I know it; there is no question but that they are all members of the American Chemical Society. And in this organization large numbers of those were present and there was very little dissent among those present as to the desirability of this action.

Mr. COLLIER. You say those connected with these universities and colleges were there and approved of this proposition?

Mr. PARSONS. They were there and favored it; yes, sir. There were representatives from Cornell, Yale, the University of California, the University of Pennsylvania, Columbia University—I can get a list if it would be of any interest. But it is practically the most representative chemical organization that can be gotten together in America, composed of representatives elected by the local sections. We have 55 local sections in America, which are very largely controlled by the colleges and universities.

Mr. COLLIER. And I understood you to say, in answer to a question from Mr. Oldfield, this association is in no way, directly or indirectly, connected with the manufacture?

Mr. PARSONS. It is a scientific association which does not make a cent of money from any person, individual, firm, or corporation. It is only a scientific association, the same as the Association of Mechanical Engineers, the Association of Civil Engineers, etc. It is an association gotten together for the development of the chemical science and industry.

Mr. YOUNG. If I understood you correctly, your main purpose is to secure a dependable supply for all time to come in this country?

Mr. PARSONS. That is it, exactly.

We also have the testimony of quite a number of manufacturers. We have the testimony of Dr. Herty, who has charge of chemistry of the University of North Carolina, and Dr. Herty in his statement said that it did not make any difference, in his judgment, what the rate of duty should be, just so it would be high enough that the youth of this country were not compelled to use chemical and laboratory glassware made either in Germany or Japan. It was proven, so far as America is concerned, that her glassware is the equal of the German glassware and far superior to the Japanese glassware. I want to call attention to the fact that America can not compete with Japan.

Among all the witnesses who appeared before the committee there was evidenced a great feeling of pride in the accomplishments of American genius and American labor in these scientific industries.

The chemists, both those engaged in commercial lines and the professors in our universities, are proud of the fact that through the energies of American capital and labor their needs were supplied at a time when their country demanded the best of their genius; the manufacturers are proud in their realization that when war menaced our very existence their organizations were able to meet the most critical and trying demands of the Government; and the skilled workmen are deservedly proud of the fact that, like the skilled artisans in all other lines, when their country called upon them for its most essential needs, they were able to produce in kind and quantity scientific apparatus, utensils, and appliances which the scientists of America, by a most invidious propaganda, had been educated to believe could not be satisfactorily produced in the United States.

The accomplishments and achievements of the American manufacturer and the American skilled mechanic in these scientific industries are most remarkable and are deserving of the highest commendation. They have demonstrated to the world since the outbreak of the World War that we have once and for all acquired our independence of foreign countries in these industries.

National defense and our industrial independence require and demand that the manufacturing of chemical glassware and

porcelain ware, optical glass, and other scientific instruments and apparatus, developed in America since the outbreak of war, shall be continued, and that the United States shall never again find itself, with respect to these industries, in the very humiliating and alarming situation in which we found ourselves, for want of these industries, in the early part of 1915.

With this end in view, those who are most vitally interested in the perpetuity of these industries come to you and ask for a reasonable protection against foreign competition which will enable these industries to continue in existence.

Are you going to reward the skilled mechanics of America, thousands of whom are engaged in these industries, for their devotion to their country and for their wonderful achievement in bringing about the industrial independence of America in these industries by affording to them that protection which will permit them to continue their employment at a fair wage?

Or are you going to force them out of employment and once again place America under the yoke of foreign domination in these essential and important industries by compelling American manufacturers to go out of business by forcing them to compete against the low paid and wily Jap and recently despised Hun?

I am showing here a nest of 13 beakers, made by the Whiteall Tatum Co., and its price to the trade of this Nation is $1.27½. Of course these beakers are all heat resisting. The chemical side is something I can not explain as it should be explained, except all of this glass has heat resistance and very great resistance, and after being placed to an exceedingly high temperature of heat these are placed in cold water, and they have to withstand that change. Here are the Japanese goods, which can be delivered inland, in a small town of New Jersey, for $1.01, with a duty of 45 per cent ad valorem on them. The glass people are only asking that that duty shall be increased from 45 to 60 per cent. The manufacturers have already stated if the duty is increased 45 to 60 per cent they are perfectly willing to go ahead and continue the manufacture of this chemical glassware. Not only are they interested from the fact that it was a patriotic movement during the war, but it has done more, probably, to help the laboring classes that are interested in the glass industry than any one thing that has occurred during the war.

I want to revert to the testimony before the committee given by Mr. Ralph Barber. Until the needs of our country for chemical glassware demanded that new factories be brought into being for the manufacture of this line of merchandise Mr. Barber was employed as a skilled mechanic.

In speaking of the efforts that had been made to develop the chemical glass industry in this country before the war, and of the concessions that had been made by the American Flint Glass Blowers Association in their desire to help the manufacturers to build up this industry by accepting longer hours of service at no increase in wages, in the hope that the industry could be maintained in this country, but without success, Mr. Barber made this very significant statement:

> All efforts, however, proved futile, so far as results were concerned; but the coming of the war gave us the opening that we had long sought for. The resultant difficulty in securing goods made it necessary to look to the American workingmen of their goods. I might say that I was possibly one of the few workmen who at that time felt that I had gotten the opportunity that I had long looked for—a chance to demonstrate to the American people that the American manufacturer and the American workingman could make glassware just as good and just as cheaply as could be made by anybody anywhere under the same rate of wages."

The point I wish to make in connection with Mr. Barber's statement is this, that to give encouragement to the American workmen when they deserve it is the surest remedy for the eradication of Bolshevism, I. W. W.'ism, and all other manner of social unrest.

We should encourage the youth of our country in doing things well, whether it be the product of hands or brains, pay them for their efforts and energies, supply a practical worthy ideal, and the spirit of discontent is gone.

By doing this, in place of discontent you have awakened the man to his responsibilities—a life of usefulness; you have made him a thing of worth to his fellow man. The world looks brighter to him; he is doing something useful, doing something worth while, making something his country needs.

All success consists in doing something for somebody, benefiting humanity; and the feeling of success comes from a consciousness of this. Interest the American youth in useful employment and you have sounded the death knell of anarchy.

This is one of the big things which the bill now before the House will help to accomplish, and for this and the other essential needs of the country, as I have endeavored to show them to you, I ask your support of the bill.

Mr. SMITH of Michigan. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from New Jersey yield to the gentleman from Michigan?

Mr. BACHARACH. I yield.

Mr. SMITH of Michigan. As I understand, the Japanese wages are about 51 cents a day?

Mr. BACHARACH. The Japanese male wages are about 53 cents a day.

Mr. SMITH of Michigan. What are the wages in America?

Mr. BACHARACH. A first-class skilled mechanic gets $6.60 a day.

Mr. SMITH of Michigan. The Japanese wages are one-twelfth of what our workmen get here?

Mr. BACHARACH. Yes. And the Japanese workmen labor 12 hours a day and our workmen 8 hours a day.

Mr. SMITH of Michigan. And the idea is to meet the difference in the wages?

Mr. BACHARACH. And if the Japanese workmen would do as much work as our workmen we would have to have our duty way up in the hundred per cents.

Mr. ACKERMAN. Will the gentleman tell us whether the glassware in Japan is made by hand labor or whether the glass made in America is made by hand labor, or is it made by machine?

Mr. BACHARACH. I will say that most of the labor in Japan is by hand. A great deal of the glassware is manufactured not in large shops the same as we have in this country, but manufactured in small shops and in the homes. In this country we are manufacturing a great deal of this work not alone by hand, but a great deal of it also is manufactured by machine.

Mr. ACKERMAN. I wanted to know whether the difference between what can be laid down here for $1.01 by the Japanese compared with $1.27½ for that made in America is precisely in the same ratio as Japanese efficiency compared with American efficiency?

Mr. BACHARACH. With the beakers exactly the same.

Mr. TREADWAY. Is not the gentleman's colleague from New Jersey also referring to the comparison of quality as between the manufactures?

Mr. BACHARACH. He did not ask me anything about the quality.

Mr. TREADWAY. I think that is what he had in mind.

Mr. BACHARACH. So far as we can ascertain, the American goods are superior in quality to the Japanese goods.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BACHARACH. Can I have two more minutes?

Mr. FORDNEY. I yield two more minutes to the gentleman.

Mr. BACHARACH. I want to call attention of the committee to some of the glassware made in this country. Of course, none of it was made here prior to the war. I want to quote the prices. This [illustrating] is a sulphur apparatus, and the price of it in Vineland is 90 cents, and the Japanese cost to the college would be 58, and including the ad valorem duty is 85 cents on the Japanese article. This is a construction apparatus used principally in making food analyses. This is made by the Kimball Glass Co. The price of it in this country is $4.50, the selling price. It cost from $3.50 to $3.75 to manufacture it, and $2 of that amount goes to the man that manufactures it. [Applause.]

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. FORDNEY. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. LAGUARDIA].

The CHAIRMAN. The gentleman from New York is recognized for five minutes.

Mr. LAGUARDIA. Mr. Chairman, I desire to call the attention of the House to the fact that I have this day filed a petition, signed by 6,500,000 citizens of the United States, indorsing the proposition of six months' pay for soldiers. This petition was circulated by the Hearst newspapers throughout the United States, and these signatures were acquired in a few days. Several carloads of these petitions arrived in the Capitol to-day and were delivered to the Clerk of the House.

Mr. McARTHUR. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Not now. This is substantial evidence that the people of the United States are in favor of giving the soldiers, besides the button we have given them, something more substantial for their services during the great world war.

Mr. McARTHUR. Mr. Chairman, will the gentleman yield now?

Mr. FORDNEY. The gentleman has no time to yield.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FORDNEY. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. MOORE].

The CHAIRMAN. The gentleman from Ohio is recognized for five minutes.

Mr. MOORE of Ohio. Mr. Chairman, it is my purpose to speak a few words in favor of this bill, chiefly because there

are a number of manufacturing industries and workmen in the fifteenth Ohio district that are greatly interested in its passage.

The author of the bill has very well explained the necessity for the legislation, and I am sure that the Committee on Ways and Means has carefully conducted investigations which have led to this legislation, although some of the manufacturers express a well-founded fear that the proposed protection will not be sufficient.

As I recall the history of it, as far back as 1790 a great many of our institutions of learning began receiving their laboratory porcelain and laboratory glassware from Germany and Austria free of duty, and have been since so receiving it. This has resulted in the fact that practically all of our laboratory glassware and porcelain came from these countries, which made our institutions of learning and those who studied therein feel that these could not be produced in this country. I am sure now that our splendid and heroic young men who come back from the great World War and again enter our institutions of learning and our industrial plants will not care to have before them an equipment manufactured in some foreign land, but they will be glad to know that the equipment with which they work was made in our own country [applause] by our own skilled and efficient workmen.

For years we bought these products from Germany, and when the time came that we needed them in our industries and educational institutions, and there was a blockade on account of the war, we did not have them in America. But American initiative, American ingenuity, American constructive skill, American wealth, and American labor were all joined together by the employee and the employer to see that we produced the things that we needed in this country in a time when we were called upon to participate in the great World War.

We have learned many lessons from the war. I think we should observe this, that Germany tried to be independent, so that when the war broke out she had many things that she needed, and did not depend on other countries. But we had this lesson, that these things that we needed in our munition plants to make investigations and to carry on our work in our laboratories we did not possess. If this bill should be passed we shall encourage these industries and provide against an embarrassing situation. In fact, if the bill does not pass these industries must suffer, indeed likely cease to exist, because, as the gentleman from New Jersey [Mr. BACHARACH] has suggested, our workmen can not compete economically with foreign laborers who receive only about one-tenth or one-twelfth as much as our workmen receive.

Three splendid industries, at least, and there may be others, in the district which I have the honor to represent, are interested in this bill. The Cambridge Glass Co., of Cambridge, has been producing laboratory glassware. The Ohio Pottery Co., at Zanesville, and the Guernsey Earthenware Co., at Cambridge, have been manufacturing laboratory porcelain. The men behind these industries have put their funds into the work, and the men in the factories have learned the trade and applied their skill. These men, both the manufacturers and the workmen, came to the aid of the Government when the Government needed these products. It is now the duty of those of us who represent the Government to protect them when they need the protection.

There is a real danger of destroying these industries if we do not immediately provide adequate protection, for both Japan and Germany have these products ready to place in our markets. I think that unquestionably this bill should pass. The institutions of learning that have been receiving these goods duty free, as has been stated here, will be very glad to see that we make that which the youth of our land use in our institutions of learning and in our great industrial plants and to observe that these things are made in America; not made by cheap foreign labor and child labor, but made in our own industries, with our own money and with our own hands. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. MOORE of Ohio. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FORDNEY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 7785) to provide revenue for the Government, to establish and maintain in the United States manufacture of laboratory glassware, laboratory porcelain ware, optical glass, scientific and surgical instruments, and laboratory apparatus, had come to no resolution thereon.

ZINC.

Mr. FORDNEY, from the Committee on Ways and Means, reported a bill (H. R. 6238) to provide revenue for the Government and to encourage the production of zinc ores and manufactures thereof in the United States, which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

RECESS RESCINDED.

Mr. MONDELL. Mr. Speaker, I present a concurrent resolution and ask unanimous consent for its immediate consideration.

The SPEAKER. The gentleman from Wyoming asks unanimous consent for the present consideration of a concurrent resolution, which the Clerk will report.

The Clerk read as follows:

House concurrent resolution 26.

Resolved by the House of Representatives (the Senate concurring), That the action taken under concurrent resolution of July 28, 1919, providing for an adjournment of the House from Saturday, the 2d day of August, until 12 o'clock meridian, Tuesday, the 9th day of September, 1919, be, and the same is hereby, rescinded.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. BLANTON. Mr. Speaker, reserving the right to object——

Mr. McARTHUR. Regular order!

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to proceed for five minutes on this resolution.

Mr. McARTHUR. I object.

Mr. BLANTON. Then I object to the consideration of the resolution.

The SPEAKER. The gentleman from Texas objects.

Mr. CAMPBELL of Kansas. Mr. Speaker, I present a privileged report from the Committee on Rules.

The SPEAKER. The gentleman from Kansas presents a privileged report from the Committee on Rules. The Clerk will report it.

The Clerk read as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to consider House concurrent resolution No. 26, a resolution rescinding the action of the House heretofore taken providing for an adjournment from August 2, 1919, until September 9, 1919. Said resolution shall be considered under the general rules of the House.

Mr. BLANTON. Mr. Speaker, I make a point of order.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. My point of order against this resolution is that it is out of order, for the reason that this House last Monday, by an almost unanimous vote, at least without a call for a division—and I take it that that means it was practically unanimous—passed a resolution providing that when this House adjourns to-morrow it adjourn to meet on the 9th day of September. A motion was made to reconsider the vote by which that motion was passed and to lay that on the table, and the latter motion was agreed to, which made such action of the House final. The membership of the House, acting upon the record made then, took it for granted that the House meant what it said when it agreed that it would adjourn to-morrow to meet on the 9th day of September, and at least 100 Members have gone to their homes, scattered over the United States. At least 200 other Members have bought their transportation home. It is not fair to them. What is the emergency? Another threat from the four great railroad brotherhoods of a nation-wide strike on September 1. Another holdup, if you please. And the people are paying the bills.

Mr. McARTHUR. Mr. Speaker——

Mr. BLANTON. I take it it is beyond the province of the Rules Committee to go behind the action of the House thus taken. We have become regular jumping jacks for demands for increase of salaries. If we want to decrease the high cost of living, we must begin by using some reasonable economy in running the affairs of our Government.

The SPEAKER. The Chair thinks it has been well settled by precedent that the Committee on Rules have authority to bring in this resolution. In fact, if the Chair is not mistaken, it has been done in a case exactly similar to this. The Chair overrules the point of order.

Mr. CAMPBELL of Kansas. Mr. Speaker, this resolution is in accordance with the precedents of the House, and brings before the House a resolution to enable the House to express its will in a resolution rescinding the action heretofore taken by the House providing for a recess. It is a matter that the House

has a perfect right to do under the precedents. The resolution presented by the Committee on Rules makes the rescinding resolution in order under the rules of the House.

Mr. WALSH. Will the gentleman yield?

Mr. CAMPBELL of Kansas. I yield for a question.

Mr. WALSH. Does the gentleman intend, before moving the previous question, to present an explanation as to why this rule is necessary?

Mr. CAMPBELL of Kansas. It is necessary because of the objection of the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. And I objected because this is based upon a move by railroad employees to again raid the Treasury, and made because of the railroad brotherhoods in this country trying to hold up the people of the country again for about the seventh time. There is the real reason. First the Adamson law, forced by threats, then an annual increase in wages from Director McAdoo of $760,000,000, then an additional annual increase from Director Hines of $67,500,000, and now upon threats to tie up all railroads in a nation-wide strike September 1 Congress must either truckle or fight. For one I am in favor of a show-down.

The SPEAKER. The gentleman must not break in upon the debate without addressing the Chair and being recognized either by the Chair or by the gentleman who has control of the time.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL of Kansas. I yield for a question.

Mr. WALSH. Is it the gentleman's intention to state to the House why it is necessary to consider the proposition to rescind the resolution providing for a recess?

Mr. CAMPBELL of Kansas. That is a matter that will be discussed, no doubt, by the gentleman who presented the rescinding resolution. The resolution that I have presented from the Committee on Rules merely makes the rescinding resolution in order at this time.

Mr. GARRETT. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL of Kansas. I yield to the gentleman from Tennessee.

Mr. GARRETT. Does not the gentleman think that in order to enable the Members of the House to vote intelligently even upon the rule, which is a very extraordinary rule, there should be read in the gentleman's time and before he moves the previous question the letters that are the occasion for this extraordinary procedure?

Mr. CAMPBELL of Kansas. The letter from the President is a short letter, but the letter to which the President refers would consume 20 minutes in the reading.

Mr. RAMSEYER. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL of Kansas. I had already yielded to the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT. It seems to me, if I may suggest it to the gentleman from Kansas [Mr. CAMPBELL]—and of course the gentleman understands that I am in favor of the rule—that it might be just as well to present the matter now as to reserve it and present it on the concurrent resolution. If we had obtained unanimous consent that would have been different.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield to the gentleman from Wyoming—how much time?

Mr. MONDELL. Five minutes.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, the resolution which I presented is predicated on certain communications received by the Speaker and Members of the House from the President of the United States. The letter to the Speaker of the House I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

THE WHITE HOUSE,
Washington, 1 August, 1919.

MY DEAR MR. SPEAKER: The Director General of Railroads informs me that the situation with reference to the railroads is growing so critical every hour that I hope it will be possible for the House to postpone its recess until some definite action is taken upon the recommendations contained in my letter to Mr. ESCH. Officials of the Government have been in consultation with reference to the problems growing out of the high cost of living, upon which I expect recommendations to be made within a fortnight. I sincerely trust that the proposed recess of Congress may be postponed at least until such time as we may know definitely the problems which confront us, growing out of this intricate situation.

Cordially and sincerely yours,

(Signed) WOODROW WILSON.

Hon. FREDERICK H. GILLETT,
Speaker, House of Representatives.

Mr. MONDELL. Mr. Speaker, I had the honor to receive a letter identical with that addressed to the Speaker and just read. The letter addressed to the gentleman from Wisconsin [Mr. ESCH] I send to the desk and ask to have read.

The Clerk read as follows:

THE WHITE HOUSE,
Washington, 1 August, 1919.

MY DEAR MR. ESCH: I take the liberty of inclosing a copy of a letter which I have just received from Mr. Walker D. Hines, the Director General of Railroads, and which I am sure you will agree with me in thinking contains matter for very serious thought and for action also.

May I not say that I concur in the suggestions which Mr. Hines makes in the two concluding paragraphs of his letter? I hope that it will be possible for your committee to consider and recommend legislation which will provide a body of the proper constitution, authorized to investigate and determine all questions concerning the wages of railway employees, and which will also make the decisions of that body mandatory upon the rate-making body and provide, when necessary, increased rates to cover any recommended increases in wages and, therefore, in the cost of operating the railroads. In view also of the indisputable facts with regard to the increased cost of living, I concur in Mr. Hines's suggestion that the legislation undertaken should authorize the body thus set up to make its findings with regard to wage increases retroactive to the 1st of August, 1919, at any rate to the extent that that tribunal may regard reasonable and proper, in order to give real relief to the employees concerned.

I need not, I am sure, urge upon you the importance of this matter, which seems vital from more than one point of view, and I hope that you will think this form of action the proper and necessary one.

Cordially and sincerely, yours,

(Signed) WOODROW WILSON.

Hon. JOHN J. ESCH,
Chairman Committee on Interstate and Foreign Commerce, House of Representatives.

Mr. MONDELL. Mr. Speaker, when the House, after careful consideration of all matters involved, agreed upon the recess of five weeks it was with the view and expectation that all pending matters of legislation of importance would be advanced by the recess, because of the fact that the recess would afford an opportunity for the committees to continue uninterruptedly in the consideration of matters before them.

This was particularly true with regard to the Committee on Interstate and Foreign Commerce, which is now considering and proposed to continue to consider during the recess all of the questions involved in and related to the railway problems of the country, and including, of course, the very questions now suggested and presented by the President.

These and other matters of reconstruction would have been carefully and thoroughly considered by this committee and the other committees, and I am still of the opinion that their careful and wise consideration and settlement by the committees would have been advanced by the recess.

The President, however, presents an added reason for the continuation of the House in session; that is, the consideration of the problems growing out of the high cost of living. These are tremendously important questions. They would have received consideration and attention by the committees which remained in session during the recess, but the President suggests that he may be able to make recommendations to the Congress on this all-important subject within a fortnight. We certainly can not afford to miss any possible opportunity to consider and pass upon any suggestions or recommendations that shall promise relief from the present intolerable conditions.

In view of these facts, and in the hope that the President may be able to make recommendations to the Congress containing practical suggestions of means for the reduction of the high cost of living, I feel it is the duty of the House to remain in session. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I move the previous question on the resolution.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 135, noes 1.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from Texas makes the point of order that no quorum is present. Evidently there is no quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 235, nays 4, answered "present" 6, not voting 184, as follows:

YEAS—235.

Ackerman	Edmonds	Lampert	Ricketts
Almon	Elliott	Lanham	Robsion, Ky.
Anderson	Esch	Lankford	Rodenberg
Andrews, Nebr.	Evans, Nebr.	Larsen	Rogers
Ashbrook	Fisher	Lea, Calif.	Romjue
Aswell	Fitzgerald	Lehlbach	Rose
Ayres	Flood	Lesher	Rowe
Bacharach	Fordney	Lonergan	Rubey
Baer	Foster	Longworth	Sanders, Ind.
Bankhead	French	Luce	Schall
Barbour	Gandy	Lufkin	Scott
Barkley	Garland	Luhring	Sells
Begg	Garrett	McAndrews	Shreve
Benham	Glynn	McArthur	Siegel
Black	Godwin, N. C.	McDuffie	Sinnott
Blackmon	Goodwin, Ark.	McFadden	Sisson
Bland, Ind.	Gould	McGlennon	Smith, Idaho
Bland, Mo.	Graham, Ill.	McKeown	Smith, Mich.
Bland, Va.	Green, Iowa	McLaughlin, Mich.	Smithwick
Bowers	Greene, Mass.	McLaughlin, Nebr.	Snell
Box	Greene, Vt.	McPherson	Steagall
Briggs	Griest	MacCrate	Stiness
Brooks, Ill.	Griffin	Madden	Strong, Kans.
Burke	Hadley	Magee	Strong, Pa.
Burroughs	Hardy, Tex.	Major	Sweet
Byrns, Tenn.	Haskell	Mansfield	Taylor, Tenn.
Campbell, Kans.	Hastings	Mapes	Temple
Campbell, Pa.	Haugen	Martin	Thomas
Candler	Hawley	Mays	Thompson, Ohio
Cannon	Hayden	Michener	Tillman
Caraway	Hays	Minahan, N. J.	Tilson
Carss	Heflin	Monahan, Wis.	Timberlake
Casey	Hernandez	Mondell	Tincher
Chindblom	Hickey	Moore, Ohio	Treadway
Clark, Mo.	Hoch	Moores, Ind.	Valle
Cleary	Holland	Morin	Vestal
Coady	Howard	Mott	Vinson
Cole	Huddleston	Nelson, Mo.	Voigt
Collier	Hudspeth	Newton, Minn.	Volstead
Connally	Hull, Iowa	Newton, Mo.	Walsh
Crago	Igoe	Nichols, Mich.	Walters
Crowther	Ireland	Nolan	Wason
Cullen	Jacoway	O'Connell	Watkins
Dale	James	Ogden	Watson, Pa.
Dallinger	Jefferis	Padgett	Webster
Darrow	Johnson, Wash.	Park	Welling
Davis, Tenn.	Jones, Tex.	Parrish	Welty
Denison	Keller	Porter	Whaley
Dent	Kelley, Mich.	Quin	Wheeler
Dickinson, Iowa	Kelly, Pa.	Radcliffe	Williams
Dominick	Kendall	Rainey, H. T.	Wilson, La.
Doughton	Kincheloe	Rainey, J. W.	Wingo
Dowell	King	Raker	Winslow
Drane	Kinkaid	Ramsey	Wood, Ind.
Dunbar	Kitchin	Ramseyer	Woods, Va.
Dunn	Kleczka	Randall, Calif.	Wright
Dupré	Knutson	Randall, Wis.	Young, N. Dak.
Eagan	Kraus	Rayburn	Young, Tex.
Eagle	LaGuardia	Reed, W. Va.	

NAYS—4.

Blanton	Curry, Calif.	Moon	Platt

ANSWERED "PRESENT"—6.

Boies	Kreider	Stephens, Ohio	Sumners, Tex.
Kearns	Layton		

NOT VOTING—184.

Alexander	Dyer	Johnson, Miss.	Oliver
Andrews, Md.	Echols	Johnson, S. Dak.	Olney
Anthony	Ellsworth	Johnston, N. Y.	Osborne
Babka	Elston	Jones, Pa.	Overstreet
Bee	Emerson	Juul	Paige
Bell	Evans, Mont.	Kahn	Parker
Benson	Evans, Nev.	Kennedy, Iowa	Pell
Booher	Fairfield	Kennedy, R. I.	Peters
Brand	Ferris	Kettner	Phelan
Brinson	Fess	Kiess	Pou
Britten	Fields	Langley	Purnell
Brooks, Pa.	Focht	Lazaro	Reavis
Browne	Frear	Lee, Ga.	Reber
Browning	Freeman	Lever	Reed, N. Y.
Brumbaugh	Fuller, Ill.	Linthicum	Rhodes
Buchanan	Fuller, Mass.	Little	Riddick
Burdick	Gallagher	McClintic	Riordan
Butler	Gallivan	McCulloch	Robinson, N. C.
Byrnes, S. C.	Ganly	McKenzie	Rouse
Caldwell	Gard	McKiniry	Rowan
Cantrill	Garner	McKinley	Rucker
Carew	Goldfogle	McLane	Sabath
Carter	Good	MacGregor	Sanders, La.
Christopherson	Goodall	Maher	Sanders, N. Y.
Clark, Fla.	Goodykoontz	Mann	Sanford
Classon	Graham, Pa.	Mason	Saunders, Va.
Cooper	Hamill	Mead	Scully
Copley	Hamilton	Merritt	Sears
Costello	Hardy, Colo.	Miller	Sherwood
Cramton	Harrison	Montague	Sims
Crisp	Hersey	Mooney	Sinclair
Currie, Mich.	Hersman	Moore, Pa.	Slemp
Davey	Hicks	Moore, Va.	Small
Davis, Minn.	Hill	Morgan	Smith, Ill.
Dempsey	Houghton	Mudd	Smith, N. Y.
Dewalt	Hulings	Murphy	Snyder
Dickinson, Mo.	Hull, Tenn.	Neely	Stedman
Donovan	Humphreys	Nelson, Wis.	Steele
Dooling	Husted	Nicholls, S. C.	Steenerson
Doremus	Hutchinson	O'Connor	Stephens, Miss.
	Johnson, Ky.	Oldfield	Stevenson
Sullivan	Towner	Weaver	Wise
Summers, Wash.	Upshaw	Webb	Woodyard
Taylor, Ark.	Vare	White Kans.	Yates
Taylor, Colo.	Venable	White, Me.	Zihlman
Thompson, Okla.	Ward	Wilson, Ill.	
Tinkham	Watson, Va.	Wilson, Pa.	

So the previous question was ordered.

The Clerk announced the following additional pairs:

Mr. FESS with Mr. HUMPHREYS.

Mr. WOODYARD with Mr. FERRIS.

Mr. BOIES with Mr. DAVEY.

Mr. COPLEY with Mr. BELL.

Mr. BROWNING with Mr. HARRISON.

Mr. KAHN with Mr. BOOHER.

Mr. KENNEDY of Iowa with Mr. BUCHANAN.

Mr. LITTLE with Mr. OVERSTREET.

Mr. RHODES with Mr. PHELAN.

Mr. RIDDICK with Mr. SIMS.

Mr. SINCLAIR with Mr. STEDMAN.

Mr. STEENERSON with Mr. MOORE of Virginia.

Mr. TOWNER with Mr. OLIVER.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present, the Doorkeeper will unlock the doors. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

Mr. MONDELL. Mr. Speaker, I think the resolution speaks for itself. The President's letters and the brief statement I have made presents the matter fully to the House. I ask for the reading of the resolution.

The SPEAKER. The clerk will report the resolution.

The Clerk read as follows:

House concurrent resolution 26.

Resolved by the House of Representatives (the Senate concurring), That the action taken under concurrent resolution of July 28, 1919, providing for an adjournment of the House from Saturday, the 2d day of August, until 12 o'clock meridian, the 9th day of September, 1919, be, and the same is hereby, rescinded.

Mr. MONDELL. Mr. Speaker, I do not think any further debate or discussion is necessary, and therefore I move the previous question.

Mr. WINGO. The gentleman is not going to give an opportunity for any debate?

The question was taken, and the previous question was ordered.

Mr. CLARK of Missouri. Mr. Speaker, is this a concurrent resolution?

Mr. CAMPBELL of Kansas. It is a concurrent resolution.

Mr. CLARK of Missouri. I did not know whether it was a joint or concurrent resolution.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

On motion of Mr. MONDELL, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

Mr. HEFLIN. Mr. Speaker, I think we ought to have the yeas and nays.

The SPEAKER. The gentleman is too late.

LEAVE OF ABSENCE.

By unanimous consent,

Mr. ROBERT E. EVANS was granted leave of absence for an indefinite term on account of sickness in his family.

Mr. MOON was granted leave of absence indefinitely on account of important business.

Mr. DRANE was granted leave of absence indefinitely on account of important business.

Mr. HULINGS was granted extended leave of absence for two days on account of illness in family.

EXTENSION OF REMARKS.

Mr. PARRISH. Mr. Speaker, I ask unanimous consent to extend and revise my remarks on the resolution offered awhile ago.

The SPEAKER. Is there objection [After a pause.] The Chair hears none.

Mr. BLANTON. Mr. Speaker, I make the same request on the resolution just passed.

Mr. WALSH. Mr. Speaker, gentlemen do not have to get consent to revise their remarks. If they want to extend them, they have to get consent to do it. They have the privilege of revising and correcting errors.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks. Is there objection?

Mr. NOLAN. Mr. Speaker, I object.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent for the printing in the RECORD of the letter from Walker D. Hines, Director General of the Railway Administration, to the Presi-

dent of the United States, referred to in the President's letter to the gentleman from Wisconsin [Mr. ESCH].

The SPEAKER. The gentleman from Wyoming asks unanimous consent for the printing in the RECORD of a letter from Mr. Hines to the President, referred to in the letter to Mr. ESCH. Is there objection? [After a pause.] The Chair hears none.

The letter is as follows:

JULY 31, 1919.

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: Several months ago the railroad shop employees asked for an increase in wages. The matter was considered by the Railroad Administration's Board of Wages and Working Conditions, which is composed of three representatives of labor and three representatives of the railroad managements. This board was unable to agree and therefore took no action as a board, but on July 16 I received two reports from members of the board, one from the three labor members recommending a general increase in wages (for example increasing the wages of machinists from 68 cents per hour to 80 cents per hour and proportionately increasing the wages of other classes of shop employees), and another report from the three management members recommending against any general increase in wages, although recommending certain readjustments of the wages of some classes of the employees.

The position of the labor members of the board is that the wages of railroad shopmen are substantially below the wages paid similar classes of employees in the navy yards, arsenals, and shipyards, and in many industrial enterprises in the principal cities of the country, and that substantial increases in the wages in the shipyards and outside industrial enterprises have taken place since the wages of the shop employees were established in the summer of 1918, and that the cost of living has been, and is, steadily rising. The position of the management members on the board is that the wages of shop employees are not properly comparable with the wages of nonrailroad employees cited by the employees and their representatives and that these latter industries have differentiating conditions which account for the high wages paid by them, and that a further wage increase at this time would simply begin a new cycle in the increased cost of living which would not benefit the employees. They urge instead, the adoption of effective methods of reducing the cost of living; but they add that unless some action can be taken within a reasonable time to accomplish this result they see no alternative but to continue the wage cycle increases with corresponding increased cycles of living costs.

On July 28 a conference was begun in accordance with an arrangement made on July 8 between the representatives of the Railroad Administration and representatives of the shop employees. At this conference the representatives of the employees made it plain to my associates that their members expected, and believed that they were entitled to, a substantial increase in wages retroactive to January 1, 1919, and that the state of unrest was so great that it was of the highest importance that a definite answer be given on the wage matter without delay. These representatives expressed the same views to me yesterday.

On July 17 the Shop Crafts Convention, meeting at Atlanta, Ga., and representing employees from 16 railroads in the Southeast, strongly urged the necessity for substantial increases in wages by August 1, retroactive to January 1, 1919.

The earnest insistence that immediate action be taken to equalize wages with the rapid increase in the cost of living is not confined to the shop employees.

The triennial convention of the Brotherhood of Railroad Trainmen, representing about 160,000 railroad employees, meeting at Columbus, Ohio, adopted on May 31 a resolution strongly urging substantial additional increases in wages, to meet the cost of living.

The triennial convention of the Brotherhood of Locomotive Firemen, meeting at Denver from June 9 to July 15, and representing about 116,000 employees, likewise adopted resolutions insisting upon the necessity for substantial increases in wages, to meet the increased cost of living.

The thirteenth annual convention of Railway Signalmen of America, in session at Kansas City on July 15, strongly urged a further increase in wages, and similar action was taken at Boston on July 27 by 150 delegates to the convention of the United Brotherhood of Maintenance of Way Employees and Railroad Shop Employees of the railroad systems of New England and New York. The international convention of the Brotherhood of Railway Clerks, which was held in Cincinnati from May 12 to 24, indorsed proposals to the Railroad Administration, which also urged an increase and readjustment of the wages of the employees represented by that organization.

The representatives of the Railroad Administration have had assurances from representatives of practically all classes of employees that the continuance in the increase in the cost of living would necessarily involve very substantial increases in wages, and that increases in wages given to any one class of railroad employees would necessitate corresponding increases to all other classes of railroad employees.

The situation thus presented involves the following considerations:

We have received the most positive assurances that any general increases to shop employees will result in demands for corresponding increases to every other class of railroad employees. The situation therefore can not be viewed except as a whole for the entire 2,000,000 railroad employees. Viewing it as a whole, every increase of 1 cent per hour means an increase of $50,000,000 per year in operating expenses for straight time, with a substantial addition for necessary overtime. An increase of 12 cents per hour, as asked for by the shop employees, would, if applied to all employees, mean (including necessary overtime) an increase of probably $800,000,000 per year in operating expenses.

The Government is already incurring a deficit at the rate of several hundred million dollars per year in operating the railroads, because the increase in transportation rates has been proportionately less than the increases in wages already granted and the increases in prices which have taken place. Therefore there is no fund whatever out of which additional wages can be paid, so that additional wages can not be paid unless new revenues are produced through an increase in transportation rates, and immediate payment of additional wages would necessitate for several months an appropriation by Congress out of the Treasury, because substantial increases in rates could not be made immediately effective.

While you may find it expedient to use the temporary rate-making power which was conferred upon you as a war emergency during Federal control to prevent the continuance of the deficit now being incurred which grows out of increases in wages and prices due to the war, you would not, in my opinion, be justified in regarding that rate-making power as a sufficient warrant for making still additional increases in rates for the purpose of paying still additional increases in wages to be established under existing peace conditions and to be controlling as the wage basis in the future.

The question presented for an additional increase in wages, whether the total amount be $800,000,000 or any proportion of that sum, is a peace-time question between the entire American public on the one hand and the 2,000,000 railroad employees and the members of their families on the other hand. It is a question which I do not believe the Executive ought to undertake to decide unless specific authority is conferred upon him for the express purpose of deciding it.

The fact that these demands are made and are so urgently pressed emphasizes the great necessity of having for their decision legislation which will provide adequate machinery representing both the public and the employees. Obviously, any such machinery should include a method whereby revenues will be provided to the extent required to pay the increased wages awarded.

While the general powers implied in the Federal-control act were sufficient to admit of taking as war measures the necessary steps to deal with the wage problems that arose during the war, they are not sufficient to satisfy the requirements arising in connection with any present proposals for general wage increases. Under the existing machinery the ultimate public interest is exclusively represented by the Railroad Administration in the making of wages but by the Interstate Commerce Commission in the final decision upon rates. Moreover, the Railroad Administration, while thus charged with the final decision as to what wages are proper as between the American public and railroad labor, is also charged with the responsibilities incident to the day-to-day operation of the railroads. On the one hand, a decision by the Railroad Administration against an increase in wages will be regarded by the employees as a decision dictated more by the immediate difficulties of railroad management than by the broad interests of the public as a whole. On the other hand, a decision by the Railroad Administration in favor of an increase in wages will not necessarily be binding on the Interstate Commerce Commission, which is now the final representative of the public as to transportation rates. To deal with these problems under peace-time conditions there ought to be a final and authoritative representation of the public, whose decision when in favor of a wage increase would carry with it the obligation on the part of the final rate-making power to prescribe rates which would furnish the necessary funds with which to pay the increased wages. It is obvious that no wage increases could be put into effect at the moment except on the theory that for several months they would be paid by an appropriation of Congress, because even under the existing machinery rate increases could not actually be put into effect for a substantial period. Undoubtedly any rate increases of a general character ought at the present time to be considered by the Interstate Commerce Commission before they shall be put into effect.

The conclusion to which I have come has been forced upon me by the recent developments above referred to.

When I announced last March the increases in wages for the employees in train and engine service, I stated that they completed the war cycle of wage increases.

When it developed in May and June that the continued pressure of the increase in the cost of living was causing railroad employees generally to urge that they be given substantial protection through further important increases in wages if the cost of living was not reduced, I realized that the question was assuming such wide and deep significance to the American public as well as to railroad employees that the question ought not to be dealt with in the same way in which the railroad wages had been increased in connection with the war emergency. I therefore advised the board of railroad wages and working conditions on July 3 that they could not regard themselves as vested with jurisdiction to formulate and recommend further general wage increases to be made by me, but that in all cases thereafter arising they should report the facts to me, that I might decide, in the light of the facts upon a fair and just procedure.

The receipt of the observations of the members of the board with reference to the shop employees, the hearings now in progress before the board with reference to the Brotherhood of Railroad Trainmen, the conferences I have had in the last three days with the representatives of the shop employees and the conferences which my associates and I have been having recently with the representatives of practically all classes of railroad labor with reference to the menace in the continued increase in the cost of living, force me to the definite conclusion that the problem is too great and has too much permanent significance to the American public as well as to railroad labor to admit of its being decided through the exercise of the war emergency powers of the Federal control act and which are subject to the limitations and embarrassments above pointed out. I feel that the developments have now reached the point where the situation has taken a sufficiently concrete form to serve as the basis for a positive recommendation.

I therefore respectfully recommend that Congress be asked promptly to adopt legislation providing a properly constituted body on which the public and labor will be adequately represented and which will be empowered to pass on these and all railroad wage problems, but not on rules and working conditions (because the latter can not be satisfactorily separated from the current handling of railroad operations and therefore should continue to be dealt with by the Railroad Administration). Such legislation should also provide that if wage increases shall be decided upon it shall be mandatory upon the rate-making body to provide where necessary increased rates to take care of the resulting increases in the cost of operating the railroads.

I do not think that we can properly deal with this great problem without a full recognition of the fact that the cost of living is rapidly rising and that every month that passes promises to impair still further the purchasing power of the existing wages of railroad employees unless the rise in the cost of living can be successfully restrained (as I earnestly hope in the general public interest it can speedily be). I therefore further recommend that Congress be asked to provide in any such legislation that any increases in railroad wages which may be made by the tribunal constituted for that purpose shall be made effective as of August 1, 1919, to such an extent as that tribunal may regard reasonable and proper in order to give railroad employees from that date the benefit which the tribunal may think they were then entitled to. In this way the delay necessarily incident to the creation of such tribunal and its action will not be prejudicial to the fair interests of the railroad employees.

Cordially, yours,

WALKER D. HINES.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to address the House for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Speaker, I hope that to-morrow it may be possible to have some arrangement made whereby the Members of the House can be absent from the city for perhaps the next two weeks through adjournments for three days at a time.

Mr. CANNON. Oh, I hope not.

Mr. MONDELL. Well, I have been requested by a great many Members to make that suggestion as a matter that would be taken up to-morrow morning.

Mr. CLARK of Missouri. Mr. Speaker, I would like to have a minute.

The SPEAKER. The gentleman from Missouri asks unanimous consent to address the House for a minute. Is there objection?

There was no objection.

Mr. CLARK of Missouri. I think the gentleman from Wyoming ought to make that request now. [Applause.] I will give the reason for it. More than two-thirds of the Members in the House have made their arrangements to leave here to-morrow night and have bought their tickets. Now, there are about half of them that are close enough to use tickets and go home and be back here, and if the gentleman would make the request for this three-day adjournment scheme, with the addendum that if they are needed here sooner than the end of the two weeks, the Clerk of the House or the Sergeant at Arms, or the majority and minority leaders, will telegraph them to come back, it would be a great accommodation to a large number of Members. I have all my tickets, but I am not going to try to use them. I am going to stay here and help out.

Mr. MONDELL. Mr. Speaker, I did not make the request, because I did not expect it would be acceded to. I knew that there are several gentlemen who would be pretty likely to object. I think that the gentlemen who have their tickets bought and feel they ought to go home for a few days and must go, could go with a reasonable assurance that by to-morrow we could have the matter of short recesses for a time more fully discussed and arrive at a unanimous agreement relative to it.

Mr. CLARK of Missouri. I will give the gentleman from Wyoming this piece of information, that the "great objector" in the House wants to go home to-night himself. [Laughter.]

Mr. DUPRÉ. Mr. Speaker, a parliamentary inquiry.

Mr. HEFLIN. Mr. Speaker——

Mr. DUPRÉ. Mr. Speaker, I would like to ask who is the "great objector" that the gentleman from Missouri refers to?

The SPEAKER. That is not a parliamentary inquiry.

Mr. DUPRÉ. I thought possibly the gentleman from Missouri would disclose it if asked to do so.

Mr. MONDELL. Mr. Speaker, I feel very confident that we can secure an agreement to-morrow under which gentlemen that feel they must go home for a few days will be perfectly safe in doing so, even in leaving to-night, but from statements that gentlemen have made to me I do not feel disposed to make a request for a brief period of recesses this evening. And, further, I think it would be better to wait until to-morrow and have time to consider the matter before determining what we should do.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 6805. An act to authorize the county of Dougherty, State of Georgia, to construct a bridge across the Flint River, connecting Broad Street, in the city of Albany, said State and county, with the Isabella Road, said county and State;

H. R. 5228. An act granting the consent of Congress to the city of Minneapolis, a municipal corporation, to construct, maintain, and operate a bridge across the Mississippi River;

H. R. 2847. An act providing additional aid for the American Printing House for the Blind;

H. R. 5418. An act increasing the pay of printers and pressmen employed in the Government Printing Office, and for other purposes;

H. R. 6434. An act authorizing the construction of a bridge and approaches thereto across Red River, about 2 miles above its confluence with the Washita River, near Preston, Grayson County, Tex.;

H. R. 6450. An act to amend an act entitled "An act to amend an act entitled 'An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department, approved September 2, 1914,' as amended";

H. R. 6342. An act to authorize the construction of a bridge across the Pend Oreille River, at the town of Usk, in the State of Washington;

H. R. 5648. An act for the construction of a bridge across the Rainy River, between Spooner, Minn., and Rainy River, Province of Ontario, Canada;

H. R. 6438. An act authorizing the counties of Aiken, S. C., and Richmond, Ga., to construct a bridge across the Savannah River, at or near Augusta, Ga.; and

H. R. 6692. An act to extend the time for the construction of a bridge across the White River, at or near Forsyth, Mo.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 10 minutes p. m.) the House adjourned until Saturday, August 2, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury transmitting communication from the Secretary of Agriculture submitting a supplemental estimate of appropriation required by the Department of Agriculture for preventing the spread of the European corn borer, fiscal year 1920 (H. Doc. No. 171); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Interior transmitting list of useless documents and papers and recommending that authority be granted to dispose of them (H. Doc. No. 172); to the Committee on the Disposition of Useless Executive Papers and ordered to be printed.

3. A letter from the Secretary of the Interior transmitting reports from Army officials showing the interest of the soldiers in the plan now before Congress to provide them with farms on the unused lands of the country (H. Doc. No. 173); to the Committee on the Public Lands and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 2396) for the relief of John A. Gauley, reported the same without amendment, accompanied by a report (No. 199); which said bill and report were referred to the Private Calendar.

Mr. ROSE, from the Committee on Claims, to which was referred the bill (H. R. 5346) for the relief of the Eastern Transportation Co., reported the same without amendment, accompanied by a report (No. 200), which said bill and report were referred to the Private Calendar.

Mr. O'CONNOR, from the Committee on Claims, to which was referred the bill (H. R. 5807) for the relief of John T. Adams, reported the same without amendment, accompanied by a report (No. 201), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 3211) for the relief of Emma J. Spear, reported the same without amendment, accompanied by a report (No. 202), which said bill and report were referred to the Private Calendar.

Mr. FORDNEY, from the Committee on Ways and Means, to which was referred the bill (H. R. 6238) to provide a tariff and to obtain revenue in connection with the metal contents of zinc ores and products thereof and repealing existing laws fixing the rates of duty on such commodities, reported the same with amendment, accompanied by a report (No. 203), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ROMJUE, from the Committee on Claims, to which was referred the bill (H. R. 1266) for the relief of Mrs. Mamie Duffer, of Shannon, Miss., reported the same without amendment, accompanied by a report (No. 205), which said bill and report were referred to the Private Calendar.

Mr. RAKER, from the Committee on the Public Lands, to which was referred the joint resolution (H. J. Res. 167) making the provisions of section 2296 of the United States Revised Statutes applicable to all entries made under the homestead laws and laws supplemental and amendatory thereof, reported the same without amendment, accompanied by a report (No. 206), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 1125) to authorize the Secretary having jurisdiction of the same, to set aside certain public lands to be used as national sanitariums by fraternal or benevolent organizations, and for other purposes, reported the same with amendment, accompanied by a report (No. 208), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LONGWORTH, from the Committee on Ways and Means, to which was referred the bill (H. R. 8078) to regulate the importation of coal-tar products, to promote the establishment of the manufacture thereof in the United States, and, as incident thereto, to amend the act of September 8, 1916, entitled "An act to increase the revenue, and for other purposes," reported the same without amendment, accompanied by a report (No. 209), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SINNOTT, from the Committee on the Public Lands, to which was referred the bill (H. R. 487) to provide employment and rural homes for those who have served with the military and naval forces through the reclamation of lands, to be known as the national soldiers' settlement act, reported the same with amendment, accompanied by a report (No. 216), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DENISON, from the Committee on Interstate and Foreign Commerce, to which was referred the resolution (H. Res. 217) directing the Federal Trade Commission to inquire into the proposed increase in the price of shoes and the increased price of sugar, clothing, and coffee, reported the same with amendment, accompanied by a report (No. 217), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CARAWAY: A bill (H. R. 8112) directing all common carriers of passengers operating in the District of Columbia to furnish separate vehicles or cars or compartments for the transportation of members of the Caucasian and Negro races, and for other purposes; to the Committee on the District of Columbia.

Also, a bill (H. R. 8113) authorizing and directing the Commissioners of the District of Columbia to set apart certain sections, blocks, and parts of blocks of the District in which shall reside members of the Negro race only, and other sections, streets, blocks, and parts of blocks in which members of the Negro race shall not reside, and for other purposes; to the Committee on the District of Columbia.

By Mr. TINKHAM: A bill (H. R. 8114) governing the rate of pay and allowances of retired enlisted men of the Army and Marine Corps; to the Committee on Military Affairs.

By Mr. HUDDLESTON: A bill (H. R. 8115) to provide further for the national security and defense by encouraging the distribution of necessaries, preventing the sale thereof at excessive prices, punishing conspiracies relating thereto, and otherwise regulating the distribution and sale thereof, and to create a national trade commission; to the Committee on the Judiciary.

By Mr. STEENERSON: A bill (H. R. 8116) to prohibit mail being carried by aeroplane when marked "Not by aeroplane"; to the Committee on the Post Office and Post Roads.

By Mr. McFADDEN: A bill (H. R. 8117) for the construction of a bridge across the Susquehanna River at Falls, Wyoming County, Pa.; to the Committee on Interstate and Foreign Commerce.

By Mr. PHELAN: A bill (H. R. 8118) to amend sections 5208 and 5209 of the Revised Statutes; to the Committee on Banking and Currency.

By Mr. DENT: A bill (H. R. 8119) increasing the limit of cost of a Federal building at Andalusia, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. JAMES: A bill (H. R. 8120) to authorize the President to requisition food, fuel, and other necessaries, and to sell the same at reasonable prices, and for other purposes; to the Committee on Appropriations.

By Mr. KLECZKA: A bill (H. R. 8121) to enlarge and extend the post-office building in Milwaukee, Wis.; to the Committee on Public Buildings and Grounds.

By Mr. HAYDEN: A bill (H. R. 8122) granting pensions to certain soldiers who served in the Indian wars and their widows; to the Committee on Pensions.

By Mr. WASON: A bill (H. R. 8123) to amend paragraph (a), section 628 of the revenue act of 1918, approved February 24, 1919; to the Committee on Ways and Means.

By Mr. GRIGSBY: A bill (H. R. 8124) to increase the cost of the public building at Cordova, Alaska; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8125) to increase the cost of the public building at Juneau, Alaska; to the Committee on Public Buildings and Grounds.

By Mr. VAILE: A bill (H. R. 8126) to amend section 1001 of the act entitled "An act to provide revenue, and for other purposes," approved February 24, 1919; to the Committee on Ways and Means.

By Mr. KELLY of Pennsylvania: A bill (H. R. 8127) providing for condemnation of excess food supplies held in storage and sale of same to the public at reasonable prices; to the Committee on Agriculture.

By Mr. IRELAND: Resolution (H. Res. 224) authorizing session clerks to certain committees; to the Committee on Accounts.

By Mr. BLANTON: Resolution (H. Res. 225) directing the Secretary of Labor to report certain facts in connection with the investigation of Thomas J. Mooney and others to the House of Representatives; to the Committee on Labor.

By Mr. RAMSEYER: Resolution (H. Res. 226) directing the Secretary of State of the United States to communicate certain information to the House; to the Committee on Foreign Affairs.

By Mr. HASTINGS (by request): Resolution (H. Res. 227) for the relief of D. W. Aiken and W. D. Aiken, jr.; to the Committee on Accounts.

By Mr. GARLAND: Joint resolution (H. J. Res. 170) to insure the equitable administration of section 5 of the act of March 2, 1919, providing relief for war minerals producers as intended by Congress and to limit the liability of the Government thereunder to the appropriation already made therefor; to the Committee on Mines and Mining.

By Mr. GOULD: Joint resolution (H. J. Res. 171) to authorize the President to convene a first international meeting of business men and employers in Washington and to invite and appoint delegates thereto; to the Committee on Foreign Affairs.

By Mr. TINKHAM: Memorial of the Legislature of Massachusetts, opposing increases of suburban fares on the part of the United States Railroad Administration; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 8128) granting an increase of pension to Eduard L. Schauck; to the Committee on Invalid Pensions.

By Mr. BLAND of Missouri: A bill (H. R. 8129) granting an increase of pension to Sarah E. Walker; to the Committee on Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 8130) granting a pension to Roger I. Wershing; to the Committee on Pensions.

By Mr. FITZGERALD: A bill (H. R. 8131) granting an increase of pension to Ellen M. Brennan; to the Committee on Pensions.

By Mr. GOODYKOONTZ: A bill (H. R. 8132) for the relief of J. B. Slater; to the Committee on Claims.

By Mr. KIESS: A bill (H. R. 8133) for the relief of Leonore M. Sorsby; to the Committee on Foreign Affairs.

By Mr. KINCHELOE: A bill (H. R. 8134) granting an increase of pension to Samuel T. Pate; to the Committee on Pensions.

By Mr. KLECZKA: A bill (H. R. 8135) granting a pension to John Kerns; to the Committee on Pensions.

Also, a bill (H. R. 8136) granting a pension to Albert Schaffer; to the Committee on Pensions.

Also, a bill (H. R. 8137) granting an increase of pension to Edward R. Buckley; to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 8138) granting a pension to Wallis Bailey; to the Committee on Pensions.

By Mr. McPHERSON: A bill (H. R. 8139) granting a pension to Anna L. Yaple; to the Committee on Invalid Pensions.

By Mr. MONAHAN of Wisconsin: A bill (H. R. 8140) granting a pension to Georgia Rodman Hough; to the Committee on Invalid Pensions.

By Mr. MOORE of Virginia: A bill (H. R. 8141) to provide for the payment to Alice E. Wells, formerly Alice E. Davis, only heir at law of John C. Davis, deceased, of the amount stated in the findings of the Court of Claims in Congressional case No. 9264; to the Committee on Claims.

By Mr. NICHOLS of Michigan: A bill (H. R. 8142) for the relief of Anna Blumenthal; to the Committee on Claims.

By Mr. PARKER: A bill (H. R. 8143) granting an increase of pension to George Henry; to the Committee on Invalid Pensions.

By Mr. PHELAN: A bill (H. R. 8144) granting a pension to Wesley Reed; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 8145) granting an increase of pension to Alfred O. Bragg; to the Committee on Invalid Pensions.

By Mr. REAVIS: A bill (H. R. 8146) granting a pension to Sarah E. McVay; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8147) granting an increase of pension to Charlotte Wolfe; to the Committee on Invalid Pensions.

By Mr. REED of New York: A bill (H. R. 8148) granting an increase of pension to Hadley S. Horth; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8149) granting a pension to Anna E. Hudson; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 8150) granting an increase of pension to Daniel P. Myers; to the Committee on Pensions.

By Mr. TREADWAY: A bill (H. R. 8151) for the relief of Emma Beaudry; to the Committee on Claims.

By Mr. UPSHAW: A bill (H. R. 8152) for the relief of the parents of Jeanette Smith; to the Committee on Claims.

Also, a bill (H. R. 8153) for the relief of the widow of Walter D. McDonald; to the Committee on Claims.

Also, a bill (H. R. 8154) granting a pension to Thomas A. Long; to the Committee on Invalid Pensions.

By Mr. WELTY: A bill (H. R. 8155) granting an increase of pension to Samuel Davis; to the Committee on Invalid Pensions.

By Mr. WOOD of Indiana: A bill (H. R. 8156) granting a pension to Mary L. Ford; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BURROUGHS: Petition of 56 residents of Manchester, N. H., advocating the repeal of the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. CURRY of California: Petition of Federal Employees' Union of Vallejo, Calif., in favor of a 40-hour week in the navy yards of the United States; to the Committee on Naval Affairs.

By Mr. DYER: Petition of National Tuberculosis Association against repeal of the daylight-saving law; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Petition of American Federation of Labor, opposing legislation abridging or restricting the constitutional rights of American citizens; to the Committee on the Judiciary.

Also, petition of common council of the city of Milwaukee urging legislation to reduce the high cost of living, especially fuel, clothing, and foodstuffs; to the Committee on the Judiciary.

Also, petition of Wisconsin State Federation of Labor, of Appleton, Wis., favoring immediate action to reduce high cost of living; to the Committee on Agriculture.

By Mr. GOODYKOONTZ: Papers to accompany House bill 6966, granting a pension to Sarah J. Holley; to the Committee on Pensions.

Also, papers to accompany House bill 7136, granting increase of pension to I. M. Conley; to the Committee on Pensions.

By Mr. GOODWIN of Arkansas: Petition of Business Men's League of Clarksville, Ark., protesting against the repeal of the zone postal rates on second-class periodicals; to the Committee on Ways and Means.

By Mr. KIESS: Papers to accompany House bill 7679; to the Committee on Invalid Pensions.

By Mr. KINKAID: Petition of members of St. Josephat's Congregation, of Loup City, Nebr., against the bill introduced by Senator MYERS to prohibit admission to the mails of the United States of newspapers, magazines, or publications printed in foreign languages; to the Committee on Foreign Affairs.

By Mr. KLECZKA: Petition of sundry citizens of Milwaukee, Wis., of Jugo-Slav nativity or descent, requesting a just settlement of all territorial disputes between Italy and Jugo-Slavia by application of the principle of self-determination; to the Committee on Foreign Affairs.

By Mr. McLAUGHLIN of Nebraska: Petition of 148 citizens of York County, Nebr., urging Congress not to adopt any form of universal military training; to the Committee on Military Affairs.

By Mr. MORIN: Petition of Local Union No. 131, Journeymen Tailors' Union of America, Pittsburgh, Pa., expressing its disapproval of war-time prohibition and urging that the present mild beer of 2¾ per cent alcohol should be exempt from the provisions of the eighteenth amendment, and also from the war-time prohibition measure; to the Committee on the Judiciary.

By Mr. NELSON of Wisconsin: Petition of common council of Milwaukee, Wis., relative to high cost of living; to the Committee on Ways and Means.

By Mr. NEELY: Petition of Civil War veterans, of Cameron, W. Va., requesting increase in pensions; to the Committee on Invalid Pensions.

By Mr. NOLAN: Petition of United States League of Local Building and Loan Associations at their convention, at Detroit, Mich., July 24, 1919, favoring the passage of House bill 6371; to the Committee on Banking and Currency.

By Mr. O'CONNELL: Petition of Chicago Clearing House Association opposing the Kenyon bill; to the Committee on Agriculture.

Also, petition of Farmers' National Congress favoring passage of House bill 7348; to the Committee on Interstate and Foreign Commerce.

Also, petition of Refactories Traffic Association of the St. Louis district urging support of the Poindexter bill; to the Committee on Interstate and Foreign Commerce.

By Mr. ROWAN: Petition of Refactories Traffic Association, of St. Louis district, urging support of the Poindexter bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Chicago Clearing House Association, opposing the Kenyon bill; to the Committee on Agriculture.

By Mr. TINKHAM: Petition of delegates of the Brotherhood of Painters, Decorators, and Paperhangers of America, urging legislation to better working conditions for employees at the navy yards of the United States; to the Committee on Naval Affairs.

Also, petition of District Grand Lodge of New England, Knights of Pythias, of the Eastern and Western Hemispheres, colored, urging legislation to protect and guarantee fair play to the colored race; to the Committee on the Judiciary.

By Mr. YATES: Petition of National Civil Liberties Bureau, by Albert De Silver, director, New York, urging consideration of resolutions adopted by the American Federation of Labor; the National Woman's Trade Union League; and the Workers' Defense Union, protesting against Senate bill 1686 and House bill 6545, or any other peace-time legislation punishing sedition; to the Committee on the Judiciary.

Also, petition of Hon. Frank O. Lowden, Governor of Illinois, calling attention to communication received by him from Dr. S. A. Forbes, State entomologist, concerning the enormous damages by the insect known as the European corn borer; to the Committee on Foreign Affairs.

Also, petition of National Foreign Trade Council, by O. K. Davis, secretary, urging negotiation of a parcel post to Cuba and to that end in removal of Treasury regulation now preventing the importation of cigars in certain lots; to the Committee on the Judiciary.

Also, petition of A. J. Baldwin, care McGraw-Hill Co., New York, urging retention of zone postal rates; to the Committee on the Post Office and Post Roads.

Also, petition of Committee on Uniform Judicial Procedure of the American Bar Association, by Eugene L. Garey, lawyer, Chicago, urging passage of Senate bill 1214 authorizing the Supreme Court of the United States to make rules governing the procedure in cases at law to the same extent that it already has power to regulate the procedure of equity, admiralty, and bankruptcy; to the Committee on the Judiciary.

Also, petition of Louisville & Nashville Railroad Co., by Milton H. Smith, president, Louisville, Ky., protesting against any such legislation as Senate bill 5679 introduced March 3, 1919, because such bill empowers wire companies to encumber in perpetuity the properties of railroads by appropriating rights of way; to the Committee on Interstate and Foreign Commerce.

SENATE.

SATURDAY, *August 2, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou hast given to us our life. In this brief span of human experience Thou dost call us with the stern and solemn demands of stewardship to answer to Thee for the acts of our lives. It is but a step between time and eternity. We are moving on to the unfolding of the divine plan that reaches out into the never-ending world. All the solemn responsibilities of life together press upon us. Grant us this day to live in the light of the eternal issues. By the grace of God may we measure up to the duties of the day. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

DAUGHTERS OF THE AMERICAN REVOLUTION.

The VICE PRESIDENT laid before the Senate the annual report of the National Society of the Daughters of the American Revolution, which was referred to the Committee on Printing.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a bill (H. R. 7500) to protect the coastwise trade of the United States, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a concurrent resolution rescinding the action taken under concurrent resolution of July 28, 1919, providing for the adjournment of the House from Saturday, the 2d day of August, until Tuesday, the 9th day of September, 1919, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 2847. An act providing additional aid for the American Printing House for the Blind;

H. R. 5228. An act granting the consent of Congress to the city of Minneapolis, a municipal corporation, to construct, maintain, and operate a bridge across the Mississippi River;

H. R. 5418. An act increasing the pay of printers and pressmen employed in the Government Printing Office, and for other purposes;

H. R. 5648. An act for the construction of a bridge across the Rainy River between Spooner, Minn., and Rainy River, Province of Ontario, Canada;

H. R. 6342. An act to authorize the construction of a bridge across the Pend Oreille River at the town of Usk, in the State of Washington;

H. R. 6434. An act authorizing the construction of a bridge and approaches thereto across Red River about 2 miles above its confluence with the Washita River, near Preston, Grayson County, Tex.;

H. R. 6438. An act authorizing the counties of Aiken, S. C., and Richmond, Ga., to construct a bridge across the Savannah River at or near Augusta, Ga.;

H. R. 6450. An act to amend an act entitled "An act to amend an act entitled 'An act to authorize the establishment of a bureau of war-risk insurance in the Treasury Department, approved September 2, 1914,' as amended";

H. R. 6692. An act to extend the time for the construction of a bridge across the White River at or near Forsyth, Mo.; and

H. R. 6805. An act to authorize the county of Dougherty, State of Georgia, to construct a bridge across the Flint River connecting Broad Street, in the city of Albany, said State and county, with the Isabella Road, said county and State.

HOUSE RECESS.

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives, which was read:

Resolved by the House of Representatives (the Senate concurring), That the action taken under concurrent resolution of July 28, 1919, providing for an adjournment of the House from Saturday, the 2d day of August, until 12 o'clock meridian, Tuesday, the 9th day of September, 1919, be, and the same is hereby, rescinded.

Mr. LODGE. I move that the Senate concur in the resolution of the House.

The resolution was concurred in.

AGRARIAN LAW OF STATE OF SONORA, MEXICO.

Mr. SMITH of Arizona. Mr. President, I have just received what purports to be a copy of what is known as the agrarian law passed by the State of Sonora under the powers given in the peculiar new constitution of that Republic. Inasmuch as it is a matter of intense interest not only here but probably to the State Department itself, as I know of no other copy, I ask that it be printed in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

"AGRARIAN LAW.

"Plucarco Elias Calles, constitutional governor of the free and sovereign State of Sonora, to its inhabitants, makes known:

"That the honorable congress of the State has addressed me the following:

"No. 81.

"The congress of the State of Sonora, in the name of the people, decrees the following:

"*Agrarian law.*

"CHAPTER 1.

"General basis.

"ARTICLE 1. The object of this law is to create and foment small properties within the State.

"ART. 2. For the effects of this law, the following are considered of public utility:

"I. The dividing into fractions of large private land holdings;

"II. The forming of new agricultural centers with the land and waters which are indispensable to them;

"III. The utilization of waters in order to equitably distribute and apply them toward the cultivation of lands; and

"IV. Anything else which goes toward obtaining the objects enumerated in the preceding article.

"ART. 3. All inhabitants of the State who have the requirements which are specified further on will have the right of acquiring a parcel of land in accordance with the prescriptions of this law.

"ART. 4. The parcels of land referred to in the preceding article will be taken from private properties or from those which, by any reason, the State may have at its disposal.

"ART. 5. Privately owned lands which should be divided into fractions will be divided up by their owners in accordance with this law, but should they not make this division or oppose to its being made, the State, after expropriating same, for the sake of public utility will make the division.

"ART. 6. The expropriation proceedings will be enacted in accordance with the dispositions of the law relative thereto, excepting as regards that which refers to payment, which will be made in accordance with the dispositions of this law.

"CHAPTER 2.

"Agrarian officers.

"ART. 7. The proceedings which refer to matters relative to this law will be handled by the agrarian department of the State, subject to the executive power, and will be in charge of an engineer, having in his charge an office force as provided by the budget.

"CHAPTER 3.

"Classification of lands.

"ART. 8. For the effects of this law lands will be classified in the following manner:

"I. Agricultural lands.

"II. Grazing lands.

"ART. 9. By agricultural lands should be understood those which when asked for are under cultivation or which will be susceptible to immediate cultivation.

"ART. 10. By grazing lands should be understood those which when asked for are not cultivable, due to the nature of the land and which, being susceptible to cultivation, require, therefore, special primary works of irrigation, protection, or breaking up of the ground.

"ART. 11. Agricultural lands, in turn, will be subdivided into—

"I. Irrigation lands.

"II. Lands cultivable during the rainy season. (Temporal.)

"ART. 12. Irrigation lands are those which when asked for have the necessary water to assure at least one harvest per farming year.

"ART. 13. Lands cultivable during the rainy season are those which depend exclusively upon rainfall for their cultivation.

"CHAPTER 4.

"Regarding the maximum area of land which may be owned.

"ART. 14. The maximum area of land which may be owned by one person or legally constituted corporation is as follows: Fifty hectares in lands or private ownership located within the zone which was primarily surveyed as common land within town limits. (Ejidos.)

"Outside of the zone previously defined, the maximum area will be as follows:

"A. In irrigable farming land, 100 hectares.

"B. In agricultural land susceptible to irrigation during the rainy season, 300 hectares.

"C. In grazing lands, 10,000 hectares.

"ART. 15. The areas specified in the preceding article include the areas of one or more lots belonging to the same owner, whether they are adjoining one another or separated one from another or located in one or more municipalities.

"ART. 16. Persons or corporations which, in accordance with the law, have a right to possess lands may possess grazing, irrigable, or lands susceptible to irrigation during the rainy season at the same time, provided each class of land does not exceed the areas specified in article 14.

"ART. 17. When an owner of land susceptible to irrigation during the rainy reason, the area of which does not exceed the size specified for lands of this class, succeeds in making it irrigable land he may continue to own same in its totality.

"ART. 18. Grazing lands within the maximum area which may be asked for for cultivation purposes will be divided up in accordance with the stipulations of this law relative to agricultural lands.

"ART. 19. When the owner of grazing land, the area of which does not exceed the size specified by this law for this class of land, succeeds in converting it wholly or in part into agricultural land he may continue to possess it in its totality.

"CHAPTER 5.

"Regarding the division of lands.

"ART. 20. All properties which exceed the areas specified in article 14 and which belong to a sole owner or to a legally organized company will be considered as a large landed estate and the owner of same will be obliged, for the sake of public interest, to divide the excess amount of area within the time limit stipulated by this law.

"ART. 21. On and after the date of the promulgation of this law, owners of large landed estates within the State will advise the agrarian department of the preparatory operations of division they have made and will send in legalized copies of the respective contracts entered into.

"ART. 22. A period of 10 months, commencing on the date of the promulgation of this law, is given to property owners within which to make the divisions spoken of in the preceding articles.

"ART. 23. When the time limit to which the preceding article refers has elapsed, the areas of land in excess which belong to a sole owner or to a legally organized company will be divided up by the Government of the State, in accordance with Fractions VII and the respective subfractions of article 27 of the general constitution of the Republic and the law of expropriation for the sake of public utility of the State.

"ART. 24. The governor of the State will call together, by means of permanent notices in the "Boletin Oficial" (official Government paper) or by any other means of publicity, all persons who wish to acquire lots in the land which is to be divided up, setting forth conditions of purchase, etc., and when sufficient applications have been received he will proceed with the expropriation.

"ART. 25. For the effects of the preceding article, sufficient requests will be considered received when they reach 10 in number or when without reaching this number they cover an area of 50 hectares. In case the area to be expropriated does not exceed 50 hectares, it will suffice that the applications which are presented cover 50 per cent of said area.

"ART. 26. When a property is divided up the owner will have the right of choosing the portion of land which most suits him, provided it does not exceed the size specified in this law.

"ART. 27. The expropriation of lands made by the executive of the State, when enforcing this law, will be limited to the areas being requested.

"ART. 28. Lands which become property of the State through the exercise of economic coactive right will be turned over to applicants in legal form.

"CHAPTER 6.

"Regarding requests and adjudications.

"ART. 29. The maximum area to be granted will be the following:

"A. Of irrigable lands, 15 hectares.

"B. Of land susceptible to cultivation during the rainy season, 50 hectares.

"C. Of grazing lands, 1,250 hectares.

"Only in exceptional cases and when the applicants have sufficient means, within legal terms, to construct primary works of irrigation, protection, and breaking up of the ground, may the Executive grant as a maximum 100 hectares of irrigable land and 2,500 hectares for grazing purposes, provided the applicant has sufficient means to develop the land and better his live stock.

"ART. 30. Applicants for lands will address themselves in writing to the governor of the State and will state:

"I. Their name and surname, profession or occupation, address, nationality, civil status, and age;

"II. The amount of hectares which are desired and the class of land;

"III. Location of the lot or lots applied for and other data relative to location, expressing the name of the land and of the owner; and

"IV. The number of his dependents, if any, advising the sex and age of the members who compose his family.

"ART. 31. Applicants will substantiate in accordance with the respective regulations the following:

"I. That they have the draft animals and means for the cultivation of the agricultural lands requested, or, if they have not, that they have the necessary money to purchase them;

"II. To have at least 15 head of cattle and 30 sheep, or, if they do not have these, that they have sufficient capital to purchase them in order to make use of the grazing land requested; and

"III. That they substantiate what is expressed in fraction IV of the preceding article—that they are not landowners, and if they are, that they should state the area of the lot or lots, their class, location, and other data relative thereto.

"ART. 32. When there are various applicants for the same parcel of land, preference will be given as follows:

"I. To Mexicans who have served in the Constitutional army; those who have served or are serving personally in the Yaqui campaign; the sons and widows of these and any other persons who have served the cause of the revolution and public instruction; residents of the locality in which the lands requested are located;

"II. The persons mentioned in the preceding fraction who are not residents of the locality where the lands requested are located;

"III. Mexicans working on shares or lessees of the land which is parceled;

"IV. The residents of the locality; and

"V. Any other persons fulfilling the requisites established in article 27 of the general constitution of the Republic and in this law.

"ART. 33. The governor of the State will transfer all requests to the agrarian department, where a register will be kept of them in order to proceed by order of priority with the applications for lots in accordance with the preceding article.

"CHAPTER 7.

"Regarding grantees.

"ART 34. Persons granted lots will have the following obligations, excepting in case of proven "fuerza mayor" (something beyond control):

"I. If relating to agricultural lands which are under cultivation at the time of division, grantees must have them cultivated in their totality within the first year counted from the date on which they are given possession of them;

"II. If relating to lands which were not under cultivation when the division was made, but which are susceptible to immediate cultivation, grantees must cultivate 50 per cent of the land within the first year and the remaining portion within the second year;

"III. If relating to grazing lands requested for cultivation purposes, grantees will have five years in which to place the whole land under cultivation, they being obliged to place under cultivation each year at least 20 per cent of the total area given them;

"IV. If relating to grazing lands requested for that purpose, grantees must constantly maintain on the land at least 15 head of cattle or 30 head of sheep;

"V. When the time limits have elapsed which are stipulated by fractions I, II, and III, they must not fail to cultivate the land during two consecutive years;

"VI. Grantees must pay in due time the yearly payments which they should make to redeem the value of their parcel of land and the interest which said value yields as well as pay the State and municipal taxes which are placed upon them;

"VII. During the period of time the value of the lot is unpaid in its totality grantees can not transfer, mortgage, or encumber in any manner, nor speculate in any form, with the titles of ownership, any contract or operation entered into for those objects being absolutely null by law, the ownership of the lot referred to being transferable only by inheritance during the time its total value has not been paid;

"VIII. Grantees must inscribe their lot or lots in the office of the tax collector (Catastro) of the municipality to which it belongs and in the public registry of property, for fiscal and statistical purposes; and

"IX. Personally cultivate or administer the lot or lots granted them. They will not be permitted to cultivate same through absenteeism, grant same gratis, nor rent same in any form whatsoever.

"ART. 35. When a grantee fails to comply with the stipulations of fractions I, II, III, IV, V, VII, and IX of the preceding article, the Government will declare that the lot or lots which may have been granted can again be asked for, publishing a declaration to this effect in the Boletin Oficial three times consecutively, eight days apart, and making use of any other means of publicity.

"ART. 36. When the order mentioned in the preceding article is complied with, the lot or lots will be granted to the first applicant

who fulfills the requisites exacted by this law and who pays in cash 25 per cent of the money paid by the delinquent farmer and also 50 per cent of the value of the improvements made on the land, and the balance of the money paid or to be paid in installments as stipulated in the contract of grant. The 25 per cent mentioned will be delivered to the first grantee, the balance remaining in favor of the State, as well as the price of the improvements installed, the transfer expenses being for the account of the State.

"ART. 37. Grantees who infringe upon the dispositions contained in fractions VI and VIII of article 34 will be subject to the sanctions which the laws relative thereto establish, and as regards the payment of the annual payments which they have to pay to redeem the value of the parcel of land and the interest which said sum yields they will subject themselves to the disposition of the contracts of grant.

"CHAPTER 8.

"Regarding price and payments of lots.

"ART. 38. The value of the land appropriated will be paid by the government of the State in bonds of the agrarian debt, which will be redeemable at the time and in the manner stipulated by the law relative thereto.

"ART. 39. The value of each lot will be paid by the grantee in 20 annual payments to redeem the capital and interest which this draws at the rate of 5 per cent per annum.

"ART. 40. The payment of the annual payments will be paid to the special department of the general treasury of the State during the first 15 days of the month of July.

"ART. 41. An annual payment not paid within the time limit will be subject to the payment of the interest as stipulated in article 39.

"ART. 42. When the division is made by the Government the value of each hectare will be that determined by or accepted in the tax or collection of rents offices with an increase of 10 per cent, in addition to the value of the improvements and the proportional expenses caused by the division. The value of improvements will be fixed by experts, one named by the owner, another by the grantee, and a third will be named by the Government in case of discord.

"CHAPTER 9.

"General dispositions.

"ART. 43. Lots granted as per this law will be turned over to grantees free of encumbrance, persons having credits against the land reserving the right to bring action in accordance to the laws relative thereto.

"ART. 44. The subterfuge of a bargain and sale contract (compravanta) entered into after the promulgation of this law will be considered as a direct act to elude the compliance of this law, and the lands contracted for by subterfuge will be liable by law, in view of this sole circumstance, to the identical consequences as large landed properties not voluntarily divided up by their owners.

"ART. 45. Difficulties which may arise due to the application of this law will be settled by the executive of the State.

"TRANSITORY.

"ART. 1. The executive of the State is empowered to issue the necessary regulations of the application of this law and name the employees of the agrarian department.

"ART. 2. This law will be published by public proclamation through the State on the 27th day of July of the current year, becoming effective on that date.

"ART. 3. For the application of this law all dispositions which counteract same are declared void.

"Communicate same to the executive for his sanction and observance.

"Hall of sessions of the congress of the State, Hermosillo, June 23, 1919. A. Trujillo; D. P. Alonso G.; Gonzalez, D. S.; W. G. Tena; D. S. Scrolls.

"For which reason I order same printed, published, and circulated for its due fulfillment.

"Palace of the government of the State, Hermosillo, Son., July 3, 1919.

"General:

"P. ELIAS CALLES,

"*Chief Clerk in Charge of the Department.*

"General:

"M. PIÑA, h."

Mr. SMITH of Arizona. I ask out of order, in connection with the matter just ordered printed in the RECORD, the adoption of the resolution which I send to the desk.

The resolution (S. Res. 151) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of State inform the Senate what steps, if any, have been taken by the United States in protest, or otherwise, to the Mexican Government, to prevent the threatened confiscation of landed estates owned by American citizens in said Republic, under what is known as the agrarian law recently promulgated in the State of Sonora.

PETITIONS AND MEMORIALS.

Mr. WARREN. I present resolutions adopted by the Sweetwater County Federated Trades and Labor Council, of Rock Springs, Wyo., favoring the ratification of the proposed league of nations treaty, which I ask to have printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

THE SWEETWATER COUNTY FEDERATED
TRADES AND LABOR COUNCIL,
Rock Springs, Wyo., July 28, 1919.

HON. FRANCIS E. WARREN,
United States Senate, Washington, D. C.

DEAR SIR:

"*Resolved*, That JOHN B. KENDRICK and FRANCIS E. WARREN, representing the State of Wyoming in the United States Senate, are hereby requested to work for the indorsement and acceptance of the league of nations without reservations or amendments; and be it further

"*Resolved*, That our Senators read this resolution in open Senate so that it may become a matter of record; and be it further

"*Resolved*, That the following committee, consisting of R. M. Denney, Robert T. Simkin, and J. H. Noblich, be instructed to notify the above-named Senators of the action of the Trade Council."

We, the above-named committee, hereby notify you of the action taken by the Sweetwater County Federated Trades and Labor Council on July 27, 1919.

Respectfully, yours,

R. M. DENNEY,
ROBERT T. SIMKIN,
JOS. H. NOBLICH,
Committee.

[SEAL.]

Mr. GRONNA presented a telegram in the nature of a memorial from E. N. Saunders, president of the Northwestern Coal Dock Operators' Association, of St. Paul, Minn., remonstrating against the proposed advance in freight rates on coal moving into certain territory, which was referred to the Committee on Interstate Commerce.

He also presented a resolution adopted at the annual convention of the Tri-State Grain Dealers' Association, at Minneapolis, Minn., favoring the return to private ownership of the railroads of the country, which was referred to the Committee on Interstate Commerce.

He also presented a resolution adopted at an encampment of the National Council of the World War Veterans at Aurora, Ill., favoring the enactment of legislation providing that aliens who have served in the Army of the United States shall be granted naturalization papers without expense or delay, which was referred to the Committee on Immigration.

Mr. NELSON presented a petition of sundry citizens of Minnesota, praying for an increase in the exempted incomes of discharged soldiers, sailors, and marines, which was referred to the Committee on Finance.

Mr. MOSES presented a petition of sundry citizens of Milton, N. H., and a petition of sundry citizens of Unity, N. H., praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of Lebanon, N. H., remonstrating against the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. PHELAN presented a petition of Local Union No. 484, Carpenters and Joiners of America, of Dinuba, Calif., and a petition of Local Union No. 224, Plasterers and Cement Finishers' Association, of San Jose, Calif., praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. PAGE presented a memorial of Local Division No. 5, Ladies' Auxiliary to the Ancient Order of Hibernians, of Rutland, Vt., remonstrating against the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

PUBLIC BUILDING AT SANTA FE, N. MEX.

Mr. FERNALD, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 681) to amend an act approved March 4, 1913, entitled "An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes," reported it without amendment.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. CHAMBERLAIN:

A bill (S. 2710) to restore Lieut. Commander J. A. B. Sinclair to the Medical Corps of the United States Navy; to the Committee on Naval Affairs.

By Mr. SMOOT:

A bill (S. 2711) authorizing the Secretary of War to donate to the Maxwell-McKean Woman's Relief Corps, Salt Lake City, Utah, one German cannon; to the Committee on Military Affairs.

By Mr. SWANSON:

A bill (S. 2712) granting a pension to James W. Weaver; to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 2713) granting pensions to soldiers confined in so-called Confederate prisons; to the Committee on Pensions.

By Mr. SIMMONS:

A bill (S. 2714) to provide for furnishing information with respect to shares of stock offered to the public and prescribing penalties; to the Committee on Finance.

By Mr. HENDERSON:

A joint resolution (S. J. Res. 81) to insure the equitable administration of section 5 of the act of March 2, 1919, providing relief for war minerals producers as intended by Congress, and to limit the liability of the Government thereunder to the appropriation already made therefor; to the Committee on Mines and Mining.

HOUSE BILL REFERRED.

H. R. 7500. An act to protect the coastwise trade of the United States, and for other purposes, was read twice by its title and referred to the Committee on Commerce.

JOHN D. RYAN.

Mr. THOMAS. Mr. President, the morning Washington Post contains a somewhat sensational article regarding a gentleman who is well known to me. It is headlined, "John D. Ryan accused." It announces that grave charges involving the official conduct of this gentleman, who was at one time at the head of the Aircraft Production, have been developed at a certain hearing of a House committee. The premature publication of such a charge is perhaps unavoidable, and especially in exciting times like these, but it is a typical instance of the rank injustice that is thoughtlessly—and I am charitable enough to believe it is thoughtless—inflicted upon gentlemen of the highest standing and character, and which, of course, furnish material for their enemies to utilize as their interests or their opportunities may suggest.

I am proud of Mr. Ryan's personal friendship. He came to the assistance of the Government at a very critical hour during the prosecution of the war. It was a time when the fate of the struggle not only hung in the balance but the probabilities seemed to favor the boasted triumph of the German Kaiser. He left the management of a business of stupendous magnitude, and one which then more than at any other time required his personal attention that he might serve his country without money and without price.

He was appointed Assistant Secretary of War and subsequently assigned to the position of manager and director of aircraft construction by the President. He assumed these duties with the greatest reluctance, but due to his vigorous management and his experience as a director of large industrial affairs he succeeded in bringing order out of a somewhat chaotic condition, and had begun the production of aircraft upon a large and successful scale, only leaving his post when the danger was over and the armistice in full operation.

Mr. President, I have known Mr. Ryan ever since he was a struggling young man just beginning life in the city of Denver. He lived there for a number of years and his business career was absolutely without reproach. His abilities were notable from the outset. He soon attracted the attention of old friends in Montana, and shortly after the death of Mr. Daly he was translated to that State, where his abilities received full play and where his success was extraordinary. From there he went to the city of New York, since which time he has been actively engaged in industrial affairs and has everywhere received, as he has deserved, the commendation and confidence of all with whom he came in contact.

Mr. Ryan's record is as "clean as a hound's tooth," and it is outrageous that a man who has given the public service which he so freely gave should be subjected in advance to such disgraceful announcements as the one which I am criticizing. It is wrong. It can not be justified under any circumstances. Of course, if a full investigation should demonstrate that he or any other official has been guilty of improper practices that should be made known, but to anticipate such a condition by the publication of so-called grave charges is little short of criminal, and I for one condemn at this time and in this forum as vigorously as I can such premature attacks upon the reputation of honest and capable men. We can concede much to politics, but not the right to calumniate the character of an honorable and eminent citizen.

Mr. MYERS. Mr. President, I am glad that the esteemed Senator from Colorado [Mr. THOMAS] has testified to his knowledge of Mr. Ryan's character and high standing. I am sure that the testimony of the distinguished Senator from Colorado will carry great weight with all who know him.

I, too, noted what appears to me to be a scurrilous attack upon Mr. Ryan by the action of a House committee in giving wide publicity to grave charges without any accompanying proof or a particle of evidence to support them. I noticed the report of it in the morning Post and hastily scanned it. I did not have time to read it in full, but shall. I regard it as most unjust and unfair to a thoroughly honorable man.

Mr. Ryan is a citizen of the State of Montana, where he has lived and made his home and conducted business for about 25 years. I have not had the pleasure of knowing him so long as has the Senator from Colorado, but perhaps I have known him quite as well. I have known Mr. Ryan nearly all of the time he has lived in Montana and I hold him in the very highest esteem. My confidence in him is unqualified and unbounded. I believe he is a man who always intends to do the right, and it alone.

Mr. Ryan is a gentleman of the very highest standing in the State of Montana, where he is widely known and esteemed. His standing is high all over the United States among the people who know him. His character is beyond question. His word is as good as any bond. His probity and integrity are irreproachable in every way; irreproachable and unimpeachable in the business world, personally, socially, and in every other way. The people of Montana have entire confidence in Mr. Ryan and in his integrity and honesty. I do not believe there is a particle of foundation for the charges that have been brought against him and that have been scattered broadcast in the prints of the day. Upon an investigation of the charges I believe Mr. Ryan will come out entirely harmless and unscathed. I believe it can be shown that he rendered highly valuable services to the United States Government in time of great stress and need, with no motive but the purest patriotism and the most unselfish loyalty. He accepted the position which was given him, that of superintendent of aircraft production and aviation, with reluctance at the urgent solicitation, I understand, of the President of the United States.

It was at a great sacrifice that Mr. Ryan accepted this important position. I have understood and I believe that the services which he rendered to his country in that position were of the highest order and of great value and were greatly appreciated by the President of the United States and the Secretary of War. In fact, in the same article to which reference has been made here I am pleased to see that the Secretary of War comes to the defense of Mr. Ryan and upholds his work in the warmest terms. The Secretary says Mr. Ryan is entirely innocent of the charges made and vouches for him.

Mr. Ryan served for a time during the war as Assistant Secretary of War. In that position he was intimately associated with Secretary Baker, who knew well his work. Mr. Ryan held that high position, with which were connected most important duties, without a word of reproach or of condemnation or of criticism, so far as I know, during the time he was rendering his valuable services. As Assistant Secretary of War Mr. Ryan was in entire charge of aircraft production. He devoted his entire time and all his ability and energy to the duties of the position, and it is a matter of common and general knowledge that during the time he held that office our Aviation Service was for the first time put upon a substantial, effective, operating basis, which made our Aviation Service a power in the war. It is also a matter of general knowledge, which I believe can be corroborated by authority of the War Department, that at the time the armistice with Germany was entered into Mr. Ryan had placed our Aviation Service upon a footing where it was for the first time capable of rendering great and invaluable service to the forces of the United States and the Entente Allies, so that if the war had continued any longer the Aviation Service would have been a most important factor in a speedy winning of the war for the United States and the Entente Allies and in bringing about crushing and overwhelming defeat of Germany and her allies. We were literally ready to swamp and overwhelm the Central Powers with a great, irresistible force of aircraft. In fact, before the armistice our aircraft had done a great part in bringing Germany to her knees. It was Mr. Ryan's ability, skill, and service that brought about this. He performed a patriotic, unselfish, valuable service for his country. When he took charge of aircraft production it was thoroughly demoralized and ineffective, and he brought success out of chaos.

I do not believe that there is a word of truth in or a particle of foundation for the reckless charges which have been made against Mr. Ryan and given publicity. I have entire faith in his integrity and innocence. I hope there will be a speedy,

complete, and thorough investigation of the charges, and if such be made I believe that Mr. Ryan's character will be thoroughly vindicated of the aspersions that have been cast upon it. I hope that his vindication, which I am sure will be complete, will be given as wide publicity as have the charges against him.

With those who know Mr. Ryan, and especially with those who have been associated with him in any capacity, personal or otherwise, and with those who have observed his great work here he needs no defense. I am sure they are all satisfied of his innocence, but for the world at large, for those who may not know him as well as some do, I hope that a speedy announcement will be made of the disposition of these charges, and I am sure that it will carry proof of innocence and vindication for a man who has rendered great service to his country and than whom none stand higher in the business world of the whole of the United States.

Mr. PHELAN. Mr. President, I am well acquainted with Mr. Ryan. I think the Senate has repeated the offense of the other House by giving publicity to these newspaper allegations without inserting at the same time the complete exoneration of Mr. Ryan by the Secretary of War, who is familiar with all the circumstances, whereas we are not. It is stated in the same article to which reference has been made:

> Secretary Baker admitted the facts as to the contracts for the Government sales of copper, but insisted that a full understanding of all the circumstances would show nothing improper reflecting upon Mr. Ryan, whom he regards as a high-minded, patriotic, devoted public servant and scrupulously honest in his business affairs.

In view of that fact I think there has been much ado about nothing. The Secretary of War further adds:

> Secretary Baker said that he was aware of the charges that had been made in connection with the spruce-production division; that he knew of demands made by Senator JONES (Republican) of Washington for an investigation, and that these demands had been supported by lumbering interests in the Pacific Northwest.
>
> He told the committee further that the War Department had made an investigation. This investigation, he said, was made by Maj. M. H. Ray, and the report was a complete exoneration of all the operations complained of.

CIRCULATION OF CURRENCY.

Mr. MYERS. I ask that Senate resolution 142 be laid before the Senate.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a preceding day, which the Secretary will state.

The SECRETARY. Senate resolution 142, submitted by Mr. MYERS on July 29, directing the Committee on Banking and Currency to investigate and report upon the advisability of a gradual reduction of the amount of money in circulation.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

CONSIDERATION OF THE CALENDAR.

Mr. FLETCHER. Mr. President, is morning business closed?

The VICE PRESIDENT. If there is no further morning business, morning business is closed.

Mr. FLETCHER. I move that the Senate proceed to the consideration of Calendar No. 92, which has been on the calendar for some days.

Mr. SMOOT. Mr. President, will the Senator yield that I may ask for a unanimous-consent agreement, which perhaps will cover the case the Senator has in mind?

Mr. FLETCHER. I yield to the Senator.

Mr. SMOOT. I ask unanimous consent that the Senate proceed to the consideration of the calendar under Rule VIII, beginning with No. 51, which is the point where the Senate left off when it last had the calendar under consideration.

Mr. SWANSON. I object to beginning the consideration of the calendar at No. 51.

Mr. SMOOT. That is the number at which we should begin, because the Senate considered the calendar up to that number when it was last under consideration.

Mr. SWANSON. I was not present when one bill came up in which I am interested, and I desire to have that bill considered.

Mr. SMOOT. Then, I move that the Senate adjourn.

Mr. FLETCHER. I hope the Senator will not move to adjourn. The bill which I have in mind ought to be passed.

The VICE PRESIDENT. The Chair can not refuse to put the motion to adjourn. The question is on the motion. [Putting the question.] The Chair is in doubt.

Mr. UNDERWOOD and Mr. MCKELLAR asked for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. MYERS (when his name was called). I have a general pair with the junior Senator from Connecticut [Mr. MCLEAN], who is absent. I transfer that pair to the Senator from Arizona [Mr. ASHURST] and vote "nay."

Mr. SWANSON (when his name was called). I have a pair with the Senator from Washington [Mr. JONES]. I transfer that pair to the senior Senator from Oklahoma [Mr. GORE] and vote "nay."

Mr. THOMAS (when his name was called). I transfer my pair with the senior Senator from North Dakota [Mr. MCCUMBER] to the senior Senator from Missouri [Mr. REED] and vote "yea."

Mr. TRAMMELL (when his name was called). I have a pair with the Senator from Rhode Island [Mr. COLT], which I transfer to the senior Senator from Texas [Mr. CULBERSON] and vote "nay."

Mr. UNDERWOOD (when his name was called). I transfer my general pair with the junior Senator from Ohio [Mr. HARDING] to the senior Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. WALSH of Montana (when his name was called). I inquire if the senior Senator from New Jersey [Mr. FRELINGHUYSEN] has voted?

The VICE PRESIDENT. He has not.

Mr. WALSH of Montana. I have a general pair with that Senator, which I transfer to the junior Senator from Mississippi [Mr. HARRISON] and vote "nay."

Mr. WATSON (when his name was called). I transfer my pair with the senior Senator from Delaware [Mr. WOLCOTT] to the senior Senator from New York [Mr. WADSWORTH] and vote "nay."

The roll call was concluded.

Mr. HENDERSON. I have a general pair with the junior Senator from Illinois [Mr. MCCORMICK]. I transfer that pair to the senior Senator from Louisiana [Mr. RANSDELL] and vote "nay."

Mr. DILLINGHAM. I observe that the senior Senator from Maryland [Mr. SMITH] has not voted. Having a pair with that Senator, I withhold my vote.

Mr. SUTHERLAND. I have a pair with the senior Senator from Kentucky [Mr. BECKHAM]. That Senator being absent, and understanding that he would vote the same way that I shall vote, I vote "nay."

Mr. FLETCHER (after having voted in the negative). I voted, assuming that my pair would come in. As he has not, I transfer my pair with the Senator from Delaware [Mr. BALL] to the Senator from Massachusetts [Mr. WALSH] and will allow my vote to stand.

Mr. BRANDEGEE (after having voted in the affirmative). I voted inadvertently. I am paired with the senior Senator from Tennessee [Mr. SHIELDS]. I transfer that pair to the junior Senator from Maine [Mr. HALE] and let my vote stand.

Mr. GERRY. I desire to announce that the junior Senator from Mississippi [Mr. HARRISON], the senior Senator from Kentucky [Mr. BECKHAM], the junior Senator from Wyoming [Mr. KENDRICK], and the junior Senator from Kentucky [Mr. STANLEY] are necessarily absent. I wish also to announce that the Senator from Massachusetts [Mr. WALSH], the Senator from Arkansas [Mr. ROBINSON], the Senator from Arizona [Mr. ASHURST], and the Senator from Maryland [Mr. SMITH] are detained on official business.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Michigan [Mr. NEWBERRY] with the Senator from Virginia [Mr. MARTIN]; and

The Senator from Michigan [Mr. TOWNSEND] with the Senator from Arkansas [Mr. ROBINSON].

The result was announced—yeas 13, nays 46, as follows:

YEAS—13.

Brandegee	Gronna	Phipps	Warren
Calder	King	Smoot	
Elkins	New	Sterling	
Fernald	Penrose	Thomas	

NAYS—46.

Bankhead	Johnson, S. Dak.	Myers	Smith, Ariz.
Capper	Jones, N. Mex.	Nelson	Smith, Ga.
Chamberlain	Kenyon	Norris	Smith, S. C.
Curtis	Kirby	Nugent	Sutherland
Dial	Knox	Overman	Swanson
Fall	La Follette	Page	Trammell
Fletcher	Lenroot	Phelan	Underwood
Gay	Lodge	Pittman	Walsh, Mont.
Gerry	McCumber	Pomerene	Watson
Harris	McKellar	Sheppard	Williams
Henderson	McNary	Sherman	
Johnson, Calif.	Moses	Simmons	

NOT VOTING—37.

Ashurst	Culberson	Frelinghuysen	Hitchcock
Ball	Cummins	Gore	Jones, Wash.
Beckham	Dillingham	Hale	Kellogg
Borah	Edge	Harding	Kendrick
Colt	France	Harrison	Keyes

McCormick	Poindexter	Smith, Md.	Walsh, Mass.
McLean	Ransdell	Spencer	Wolcott
Martin	Reed	Stanley	
Newberry	Robinson	Townsend	
Owen	Shields	Wadsworth	

So the Senate refused to adjourn.

THE CALENDAR.

The VICE PRESIDENT. The calendar under Rule VIII is in order.

The first business on the calendar was the resolution (S. Res. 76) defining a peace treaty which shall assure to the people of the United States the attainment of the ends for which they entered the war, and declaring the policy of our Government to meet fully obligations to ourselves and to the world.

Mr. POMERENE and Mr. FLETCHER. Let that go over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 529) for the relief of the heirs of Adam and Noah Brown was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 600) for the relief of the heirs of Mrs. Susan A. Nicholas was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

SIMON M. PRESTON.

The bill (S. 1289) for the relief of Simon M. Preston was announced as next in order. It authorizes the Secretary of the Treasury to pay, out of any money in the Treasury not otherwise appropriated, to Simon M. Preston, of Seattle, Wash., $5,838.36, being the amount of the defalcation of D. C. Kearns, a deputy collector under the said Simon M. Preston, who was collector of internal revenue for the first election district of Mississippi from the 1st day of June, 1869, to the 22d day of May, 1873, which was repaid to the United States Government by the said Simon M. Preston, and its collection by him from the said D. C. Kearns having been hindered and prevented by the pardon of D. C. Kearns by the President of the United States and the remission of the fine equivalent to said sum.

Mr. KING. Let us hear the report, Mr. President.

The VICE PRESIDENT. The Secretary will read the report.

The Secretary read the report, submitted by Mr. ROBINSON on June 24, 1919, as follows:

The Committee on Claims, to whom was referred the bill (S. 1289) for the relief of Simon M. Preston, having considered the same, report thereon with a recommendation that the bill do pass.

The facts in the case are fully set forth in Senate Report No. 763, Sixty-fifth Congress, third session, which is appended hereto and made a part of this report.

[Senate Report No. 763, 65th Cong., 3d sess.]

The Committee on Claims, to whom was referred the bill (S. 1102) for the relief of Simon M. Preston, having considered the same, report thereon with a recommendation that it do pass.

The facts in the case are fully set forth in Senate Report No. 366, Sixty-fourth Congress, first session, which is appended hereto and made a part of this report.

[Senate Report No. 366, 64th Congress, 1st sess.]

The Committee on Claims, to whom was referred the bill (S. 1288) for the relief of Simon M. Preston, having considered the same, report thereon with a recommendation that it do pass.

A report made by this committee upon a similar bill during the Sixty-third Congress, which is hereto attached and made a part hereof, quite fully states the facts upon which the claim is based.

[Senate Report No. 375, 63d Cong., 2d sess.]

The Committee on Claims, to which was referred the bill (S. 691) for the relief of Simon M. Preston, late collector of internal revenue for the district of Mississippi, reports as follows:

That it appears that Simon M. Preston was collector of internal revenue and also stamp agent for the first collection district of Mississippi from June 1, 1869, to May 22, 1873; that it was necessary for him to have deputy collectors; that one D. C. Kearns, who was highly recommended, was appointed deputy collector and entered into bonds, with sureties at the time deemed good, for the faithful discharge of his duties; that said Kearns continued to act as deputy collector until the 1st of March, 1871, when it was discovered that he, the said Kearns, had embezzled moneys collected by him for the United States and was a defaulter for the sum of $6,400, for which amount said collector, Simon M. Preston, was bound to the Government and for which he stood debtor to the Government in his account; that the said collector caused the said Kearns to be indicted and convicted and fined $5,836.38, which was the amount of his unpaid defalcations, and sentenced to be imprisoned for 12 months; that the said Kearns was soon after pardoned by the President of the United States and relieved from said fine and imprisonment; that the said Kearns and the said sureties were irresponsible, and there was no means of getting the amount embezzled by him; that the pardon and release of said Kearns removed all chances of compelling restoration from him, and the said collector, Simon M. Preston, was obliged to make good to the Government the defalcation of said Kearns, whereby great injustice was done him.

It further appears that said collector, Simon M. Preston, was a stranger in Mississippi when he was appointed collector there and did not know and was unable to find out the financial responsibilities of said Kearns's bondsmen. These bondsmen were all men of apparently good reputation and prominent in the citizenship of Mississippi.

It also appears that as a result of the suit brought by said Preston against the sureties of said Kearns there could not be recovered the amount of said defalcations, the balance being the amount claimed in this bill, viz, $5,836.38.

It further appears that the statute under which said Kearns was tried and convicted provided that in case of conviction the defendant should not only be imprisoned but he should be fined the amount of his defalcation. He was convicted and fined according to statute and sent to prison, but soon thereafter Gov. Ames, an ambitious statesman of Mississippi, listened to the requests of influential friends of Kearns and urged upon President Grant the pardon of Kearns. It seems quite clear that President Grant consented to do this with the understanding and upon the consideration that the amount of Kearns's defalcation should be made good. The President was informed that this had been done, and there seems to be no doubt but that the President believed that Kearns and his friends had repaid the amount stolen, whereas the fact is that Preston himself had paid the amount to the Government. The claimant, Preston, protested against the pardon of Kearns until the latter repaid to Preston the amount of money that he, Preston, had paid to the Government on account of the wrongdoing of Kearns. It appears that certain influential friends of Kearns were at the time of the pardon making arrangements to refund to Preston the amount he had been obliged to pay for his defaulting deputy, but the hasty pardon by the President prevented the consummation of this.

We do not believe that Mr. Preston has any legal claim against the Government, but we do believe that he has an equitable claim due to the fact that by the action of the President in granting a pardon the claimant was denied the right which the statute evidently contemplated when it required as a part of the penalty the imposition of a fine equal to the amount of the defalcation.

Mr. Preston has no other remedy, and the use of the remedy herein granted is inferentially indorsed by the Supreme Court of the United States (148 U. S., 573) in the following language:

"It is a well-settled rule of law that the Government is not liable for the nonfeasance or malfeasance or negligence of its officers, and that the only remedy to the injured party in such cases is by appeal to Congress."

We therefore report the bill with the recommendation that it do pass.

Mr. PHELAN. Mr. President, are any of these parties now alive?

The VICE PRESIDENT. The Chair is unacquainted with them.

Mr. GRONNA. Mr. President, I am a member of the Committee on Claims. I wish to state that I have been unable to attend the meetings of that committee. I want it understood, however, that I shall not vote for this bill until I get some explanation as to whether the person claiming this amount is alive.

Mr. PENROSE and Mr. SMOOT. Let it go over.

The VICE PRESIDENT. The bill will be passed over.

BILLS PASSED OVER.

The bill (S. 1479) for the relief of the estate of Moses M. Bane was announced as next in order.

The Secretary read the bill.

Mr. GRONNA. Let it go over, Mr. President.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1004) for the relief of the owner of the steam lighter *Cornelia* was announced as next in order.

The Secretary read the bill.

Mr. KIRBY. Let it go over, Mr. President.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1005) for the relief of the owner of the steamship *Matoa* was next on the calendar, and was read.

Mr. LENROOT. Mr. President, I would like to ask some member of the Committee on Claims in charge of the bill, as there are a number of bills of this character, why there should be special bills upon this subject? What are the exceptional circumstances in these cases that call for the action of Congress? Ought there not be a general law covering all cases, unless there be special circumstances in these particular cases? I think the Senate ought to know something about it before it passes these bills. I ask that the bill go over.

The VICE PRESIDENT. The bill will go over.

Mr. KING. I make a similar request as to the three bills following this one on the calendar, namely, the bill (S. 1006) for the relief of the schooner *Horatio G. Foss*, the bill (S. 1222) for the relief of the schooner *Henry O. Barrett*, and the bill (S. 1223) for the relief of the owner of the steamer *Mayflower* and for the relief of passengers on board said steamer.

The VICE PRESIDENT. The bills will be passed over.

BUFFALO RIVER ZINC MINING CO.

The bill (S. 728) for the relief of the Buffalo River Zinc Mining Co. was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any moneys in the Treasury not otherwise appropriated, to the Buffalo River Zinc Mining Co., a corporation of St. Louis, Mo., the sum of $4,200, being the amount of money paid by the said company to the United States of America on or about the 21st day of July, 1904, as the purchase price of certain public lands in Searcy County, Ark., the patents to which have since been canceled at the suit of the United States of America and the said lands having been restored to the public domain: *Provided*, That the Secretary of the Interior shall first make an investigation of all the facts concerning said claim, and shall be satisfied of its justness and of the good faith of the said company and its officers, and that the acts of the agent of the company by reason of which the said patents were canceled were done wholly without the knowledge or consent of said company or any of its officers, and shall certify these facts to the

Secretary of the Treasury, the expense, however, of said investigation, if any, shall be deducted from the amount found to be due said company.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ARUNDEL SAND & GRAVEL CO.

The bill (S. 1670) for the relief of the Arundel Sand & Gravel Co. was announced as next in order.

Mr. SWANSON. I ask to have the bill read, and then I would like to make a statement.

The VICE PRESIDENT. It was read in full yesterday.

Mr. SWANSON. Mr. President, this is a claim growing out of a collision between a schooner, or some ship belonging to this company, and a United States ship on the 26th day of November, 1917. As I understand the law, one can sue in the Court of Claims on a contract. This is a claim for unliquidated damages, and unless authority is given for the court to determine the question the claimants have no authority to get recovery. The difference between this and other claims in bills that have been presented here is that it does not provide for the payment of money, but simply empowers the district court to hear the facts and enter a decree, as is done by the Court of Claims, and then the case comes back to Congress. In this case the district court can decree either for the Government against the party or in favor of the party against the Government. It is very difficult to get such cases before the Court of Claims, and this claim has been pending two years. In cases of this kind, where the Government was at fault, the collision having been caused by a Government vessel, it is nearly impossible for the claimant to get relief.

Mr. LENROOT. I would like to ask, if relief is to be given in these particular cases, why should there not be a general law upon the subject giving everybody like relief?

Mr. SWANSON. I understand the Government has never gone far enough to allow suits in the Court of Claims for unliquidated damages.

Mr. LENROOT. But why should there be a special bill for each of these cases? If it is right at all, why should there not be a general law letting everybody in like circumstances go into court and bring an action?

Mr. SWANSON. Because the cases are not very numerous.

Mr. LENROOT. There are numerous bills on the calendar for that purpose.

Mr. SWANSON. It has never been possible to get any general legislation. It seems to me a great hardship if a person has suffered great loss on account of the fault of the Government that he can not go into the courts of the Government itself and have a decree entered either for the Government or against the Government, and let it be brought back to Congress. It does seem to me it is very hard that this kind of a case should not be disposed of in this way, but should wait for general legislation.

Mr. LODGE. Mr. President, I think there is a good deal of force in what the Senator from Wisconsin has said. If we are going to deal with these collision cases, they should all be dealt with alike. The others are to go over, and I think this one ought also to go over.

Mr. SWANSON. If the Senator will permit me, the difference between this and the other cases is that the others directed money to be paid out of the Treasury. Congress has always insisted on the right to supervise the decrees that are made for the payment of money from the Treasury.

Mr. LODGE. Not of an admiralty court.

Mr. SWANSON. It generally has done so. I should say that this bill is so drawn that it will come back to Congress.

Mr. LODGE. Decrees of United States courts are always paid.

Mr. SWANSON. If there is a judgment against the United States. Provision is made for the Attorney General to be notified and to have a suit brought, and then the decree is certified to Congress for payment.

Mr. LODGE. Let them all go together, Mr. President.

The VICE PRESIDENT. The bill will go over.

EMMA H. RIDLEY.

The bill (S. 174) for the relief of Emma H. Ridley was announced as next in order.

Mr. KING. I ask that that may go over.

The VICE PRESIDENT. The bill will be passed over.

GOVERNMENT DORMITORIES IN WASHINGTON.

Senate resolution 52 was announced as next in order and was read and agreed to, as follows:

Resolved, That the proper officers of the United States Housing Corporation are hereby respectfully requested to transmit to the Senate information as follows:

(1) Information as to what percentage of the Government buildings known as employees' dormitories, situated between the Capitol Building and the Union Station, Washington, D. C., was completed and ready for occupancy November 11, 1918.

(2) Information as to what sum of money has been spent in the construction work in connection with these buildings since November 11, 1918.

(3) Information as to whether the said buildings are now complete and entirely ready for occupancy, and if so, when the work was completed. If work was not completed before May 11, 1919, how many men were at that time employed on them and when will the work be completed.

(4) Information as to what total revenue the Government was obtaining from the said buildings May 1, 1919.

PROTESTANT EPISCOPAL CHURCH FRANCHISE.

The bill (H. R. 5032) to extend the franchise in the parishes and separate congregations of the Protestant Episcopal Church in the District of Columbia was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the convention of the Protestant Episcopal Church of the Diocese of Washington, incorporated by act of Congress approved March 16, 1896, is hereby authorized and empowered on the petition of the vestry of any parish or separate congregation to give the same right to women to vote and hold office as is now conferred upon men by existing law.

Mr. KING. Mr. President, this bill is an illustration of the unwisdom of Congress in granting special charters. It seems to have been the custom in the past to grant special charters for charitable purposes, for business pursuits, and to religious organizations. It is an improper use of the powers of the Federal Government, indeed, a perversion of its powers, for the Federal Government to be granting private and special charters to individuals to engage in philanthropic or religious or business activities. We have a general statute operative within the District of Columbia under which individuals may incorporate for the usual purposes for which incorporations are permitted in the States. I have objected in the past and shall object in the future to the granting of special charters to individuals to carry on charitable work or to engage in private enterprises. I apprehend from the bill that a special charter has been granted, and perhaps the only way to amend it is by an act of Congress, but it reveals the absurdity, the unwisdom, and the impropriety of the policy pursued by Congress in the past. I ask the Senator from Kansas [Mr. CAPPER], who reported this bill from the Committee on the District of Columbia, whether there was a special charter granted to this organization?

Mr. CAPPER. Yes; the Senator is correct as to that. The charter was granted many years ago, and the church in this city asked that it be amended, no one objecting to it. I think it is absolutely necessary to pass the measure now, if we grant the request of the church, so that women may be permitted to have a vote in the affairs of the parish.

Mr. KING. I entirely sympathize with the purpose. I think the women in the churches ought to vote as well as the men. Indeed, as a rule they contribute more to the churches than do the men, and they ought to have as much voice in the operation of the church as men.

Mr. CAPPER. It may have been a mistake to grant the charter in the first place, but it ought to be corrected at this time.

Mr. KING. I shall not object to the consideration of the bill.

Mr. LODGE. It is not a case of issuing a new charter.

Mr. CAPPER. Not at all.

Mr. LODGE. It is that which excites the Senator from Utah so much. It seems to me the bill is pretty harmless. At all events, it is simply to amend an old charter.

Mr. KING. If the distinguished Senator from Massachusetts had been paying attention, he would not have felt the necessity of addressing the Senate or addressing any remarks to the Senator from Utah.

Mr. LODGE. I had to address the Senator from Utah, because he has been occupying all the time of the Senate.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALBERT N. COLLINS.

The bill (S. 2128) for the relief of Albert N. Collins was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That homestead entry 036506, Glasgow series, of Albert N. Collins, for lots 2, 3, and 4 and the southeast quarter northwest quarter, section 19, township 25 north, range 38 east, Montana meridian, be, and the same is hereby, validated, and the Secretary of the Interior is authorized to issue patent thereon upon submission of satisfactory proof of compliance with the law under which said entry was allowed.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

REFUND OF LAND-OFFICE PAYMENTS.

The bill (S. 2129) to amend an act approved March 26, 1908, entitled "An act to provide for the repayment of certain commissions, excess payments, and purchase moneys paid under the public-land laws," was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That an act approved March 26, 1908 (35 Stat. L., p. 48), entitled "An act to provide for the repayment of certain commissions, excess payments, and purchase moneys paid under the public land laws," be amended to read as follows:

"SECTION 1. That where purchase moneys and commissions paid under any public land law have been or shall hereafter be covered into the Treasury of the United States under any application to make any filing, location, selection, entry, or proof, such purchase moneys and commissions shall be repaid to the person who made such application, entry, or proof, or to his legal representatives, in all cases where such application, entry, or proof has been or shall hereafter be rejected, and neither such applicant nor his legal representatives shall have been guilty of any fraud or attempted fraud in connection with such application: *Provided*, That such person or his legal representatives shall file a request for the repayment of such purchase moneys and commissions within two years from the rejection of such application, entry, or proof, or within two years from the passage of this act as to such applications, proofs, or entries as have been heretofore rejected.

"SEC. 2. That in all cases where it shall appear to the satisfaction of the Secretary of the Interior that any person has heretofore or shall hereafter make any payments to the United States under the public land laws in excess of the amount he was lawfully required to pay under such laws, such excess shall be repaid to such person or to his legal representatives: *Provided*, That such person or his legal representatives shall file a request for the repayment of such excess within two years after the patent has issued for the land embraced in such payment, or within two years from the passage of this act as to such excess payments as have heretofore been made.

"SEC. 3. That when the Commissioner of the General Land Office shall ascertain the amount of any excess moneys, purchase moneys, or commissions in any case where repayment is authorized by this statute, the Secretary of the Interior shall at once certify such amounts to the Secretary of the Treasury, who is thereby authorized and directed to make repayment of all amounts so certified out of any moneys not otherwise appropriated and issue his warrant in settlement thereof.

"SEC. 4. That the Secretary of the Interior is hereby authorized to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

STOCK-RAISING HOMESTEADS.

The bill (S. 276) to amend sections 4 and 5 of an act entitled "An act to provide for stock-raising homesteads, and for other purposes," approved December 29, 1916, was considered as in Committee of the Whole.

Mr. KING. Mr. President, I will be glad if any member of the committee can make some explanation respecting this bill. Does it change existing law materially, and if there is any material change will some Senator be kind enough to advise the Senate or at least to advise me?

Mr. SMOOT. Mr. President, as the title of the bill provides, it amends sections 4 and 5 of an act entitled "An act to provide for stock-raising homesteads, and for other purposes," approved December 29, 1916. The Senator will recall that the law provided that wherever an entryman had taken 320 acres under the enlarged homestead law, if it were land of the same character and contiguous to that land, he was entitled to take up to the amount of 640 acres as provided by the homestead law. This is simply an amendment to that law, which the Department of the Interior has asked, so that if land should be taken, it could be taken where it was not contiguous. But the Senator will note that on page 2 of the bill the committee offers an amendment providing—

that the entryman shall be required to enter all contiguous areas of the character herein described open to entry prior to the entry of any noncontiguous land.

In other words, if there is no noncontiguous land, then land that is of the same character can be entered up to 640 acres, but if there be land contiguous to it then it can not be entered.

The bill had been reported from the Committee on Public Lands, with amendments.

The amendments were, on page 2, line 6, after the word "thereof," to insert "*Provided*, That the entryman shall be required to enter all contiguous areas of the character herein described open to entry prior to the entry of any noncontiguous land"; and, in line 21, after the word "entry," to insert "*Provided*, That the entryman shall be required to enter all contiguous areas of the character herein described open to entry prior to the entry of any noncontiguous land," so as to make the bill read:

Be it enacted, etc., That sections 4 and 5 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes," approved December 29, 1916, be amended to read as follows:

"SEC. 4. That any homestead entryman of lands of the character herein described who has not submitted final proof upon his existing entry shall have the right to enter, subject to the provisions of this act, such amount of lands designated for entry under the provisions of this act, within a radius of 20 miles from said existing entry, as shall not, together with the amount embraced in his original entry, exceed 640 acres, and residence upon the original entry shall be credited on both entries, but improvements must be made on the additional entry equal to $1.25 for each acre thereof: *Provided*, That the entryman shall be required to enter all contiguous areas of the character herein described open to entry prior to the entry of any noncontiguous land.

"SEC. 5. That persons who have submitted final proof upon, or received patent for, lands of the character herein described under the homestead laws, and who own and reside upon the land so acquired, may, subject to the provisions of this act, make additional entry for and obtain patent to lands designated for entry under the provisions of this act, within a radius of 20 miles from the lands theretofore acquired under the homestead laws, which, together with the area theretofore acquired under the homestead laws, shall not exceed 640 acres, on proof of the expenditure required by this act on account of permanent improvements upon the additional entry: *Provided*, That the entryman shall be required to enter all contiguous areas of the character herein described open to entry prior to the entry of any noncontiguous land."

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HOMESTEAD SETTLERS AND ENTRYMEN.

The bill (S. 277) to authorize absence by homestead settlers and entrymen, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands with amendments, on page 1, line 7, after "1918," to insert "upon the ground that he comes within article 111 of the act of October 6, 1917, fortieth volume Statutes at Large, page 398," and in line 9, after the word "who," to strike out "has made or shall hereafter make" and insert "before entering upon such course shall have made," so as to make the bill read:

Be it enacted, etc., That every person who, after discharge from the military or naval service of the United States during the war against Germany and its allies, is furnished any course of vocational rehabilitation under the terms of the vocational rehabilitation act approved June 27, 1918, upon the ground that he comes within article 111 of the act of October 6, 1917, fortieth volume, Statutes at Large, page 398, and who before entering upon such course shall have made entry upon or application for public lands of the United States under the homestead laws, or who has settled or shall hereafter settle upon public lands, shall be entitled to a leave of absence from his land for the purpose of undergoing training by the Federal Board of Vocational Education, and such absence, while actually engaged in such training shall be counted as constructive residence: *Provided*, That no patent shall issue to any homestead settler who has not resided upon, improved, and cultivated his homestead for a period of at least one year.

Mr. FLETCHER. I desire to ask if there is not a House bill covering the same ground?

Mr. SMOOT. No; there has been no bill passed which covers this ground. I think the Senator has reference to the bill covering leaves of absence in drought-stricken sections of the country.

Mr. FLETCHER. I remember seeing the title "Leave of absence."

Mr. SMOOT. That had reference to leaves of absence, but no legislation of this character has been passed.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

UNITED WAR-WORK CAMPAIGN.

The joint resolution (S. J. Res. 42) authorizing national banks to subscribe to the united war-work campaign was announced as next in order.

Mr. PENROSE. Let that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

BILLS RECOMMITTED.

The bill (S. 175) for the relief of Kny-Scheerer Corporation was announced as next in order.

Mr. LENROOT. Mr. President, I have been informed that this bill S. 175, for the relief of Kny-Scheerer Corporation, and the next one on the calendar, S. 2145, for the relief of Edward N. McCarty, were reported by the chairman through mistake. I therefore move that they be taken from the calendar and recommitted to the Committee on Claims.

The motion was agreed to.

BILLS PASSED OVER.

The bill (S. 631) repealing certain provisions contained in the urgent deficiency act approved December 22, 1911, was announced as next in order.

Mr. LENROOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1722) for the relief of Watson B. Dickerman, administrator for the estate of Charles Backman, deceased, was announced as next in order.

Mr. SMOOT. I ask that the bill may go over.

The VICE PRESIDENT. The bill will be passed over.

PETER M'KAY.

The bill (S. 390) for the relief of Peter McKay was considered as in Committee of the Whole.

Mr. KING. I should like to ask some member of the committee if there is any general provision for meeting cases of this character,

Mr. GRONNA. I was not present in committee when it was agreed that this bill should be reported out, but I will say to the Senator that I am familiar with the case, because a similar bill was before the committee during the last session. It is in compliance with general law. We have the right in cases of this kind to allow one year's salary, and so far as I know no bill has been reported out for more than one year's pay where it was a case of personal injury.

Mr. KING. This, I understand, is a personal injury and not a death case?

Mr. GRONNA. Yes; it is a personal injury case.

The bill had been reported from the Committee on Claims with an amendment, on page 1, line 6, to strike out "$5,000" and insert "$2,500," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Peter McKay, or his legal representatives, the sum of $2,500, as full compensation for permanent injuries received by the said McKay on the 5th day of May, 1904, at Fort Worden, in the State of Washington, by being struck with a large piece of log hurled by the explosion of an excessive blast of powder discharged without warning by employees of the United States Government engaged in clearing lands at said Fort Worden under the direction and control of the United States Government.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALASKAN STEAMSHIP CO.

The bill (S. 629) for the relief of the Alaskan Steamship Co. was announced as next in order.

Mr. SMOOT. I notice that the auditor, Mr. E. D. Hearne, in summing up this bill in his report, makes the following statement:

The Alaskan Steamship Co. was clearly under contract with Nichols to take the 122 cannery employees from Seward to Seattle, and the claim of $25 per capita for that part of the trip is without equity.

I ask that the bill may go over.

The VICE PRESIDENT. The bill will be passed over.

JAMES W. CROSS.

The bill (S. 822) for the relief of James W. Cross was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, in line 5, after the name "Cross," to strike out "$660" and insert "$92," so as to make the bill read:

Be it enacted, etc, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James W. Cross $92, as full compensation to said James W. Cross for personal injuries received as a result of an accident October 26, 1914, without negligence on his part, while he was engaged in the performance of his duties as a laborer at the State, War, and Navy Department Building.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALFRED SJOSTROM.

The bill (S. 1195) for the relief of Alfred Sjostrom was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, in line 6, after the words "sum of," to strike out "$5,000" and insert "$720," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alfred Sjostrom the sum of $720 for injuries sustained by him while in the performance of his duties as an employee of the Government at Battle Mountain Sanitarium, Hot Springs, S. Dak., on December 3, 1910, in an accident in which he lost all the fingers of his right hand.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HENRY BLACKBURN.

The bill (S. 429) to authorize an exchange of lands with Henry Blackburn was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands with an amendment, on page 1, line 5, before the word "six," to strike out "east" and insert "west," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to accept title to the southwest quarter of the southeast quarter of section 19, township 39 south, range 6 west, Salt Lake meridian, and to convey in exchange therefor to Henry Blackburn, of Orderville, Utah, title to the northeast quarter of the northeast quarter of section 30, township 39 south, range 6 west, Salt Lake meridian, and upon reconveyance the land deeded to the United States shall thereupon become part of the Sevier National Forest and subject to all laws and regulations applicable thereto.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ENTRIES OF MINORS ON PUBLIC LANDS.

The bill (S. 1729) permitting minors of the age of 18 years or over to make homestead entry or other entry of the public lands of the United States was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That any minor of the age of 18 years or over, and otherwise qualified under the public-land laws, shall be permitted to make homestead entry, under and subject to the homestead laws of the United States: *Provided*, That no minor shall be permitted to make final proof upon such an entry or receive patent therefor until he or she shall have attained the age of 24 years: *Provided further*, That such entryman shall comply with all the requirements of the homestead laws as to cultivation and improvement of the land entered, but shall not be required to establish or maintain residence thereupon until he she shall have attained the age of 21 years, and final proof upon such an entry may be submitted at any time within two years after such entryman shall have attained the age of 24 years.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill permitting minors of the age of 18 years or over to make homestead entry of the public lands of the United States."

LINCOLN HIGHWAY ASSOCIATION.

The bill (S. 2220) granting to the Lincoln Highway Association, incorporated under the laws of the State of Michigan, a right of way through certain public lands of the United States was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That right of way 500 feet in width through the public lands of the United States, beginning at or near Orr's ranch, Tooele County, Utah, thence via Broad Hollow Pass and the north point of Granite Mountain to a point known as Black Point, thence westerly to the mouth of Overland Canyon and for 10 miles into said canyon, is hereby granted to the Lincoln Highway Association, incorporated under the laws of the State of Michigan. There is also granted the right to take from the public lands adjacent to the right of way, material, earth, stone, and timber necessary for the construction of the highway.

Before the grant of the right of way herein provided for shall become effective, a map of location of the route of said highway and an outline of the general rules and regulations under which the Lincoln Highway Association will govern said highway, must be filed with and approved by the Secretary of the Interior: *Provided*, That all or any part of the easement herein granted may be forfeited and annulled by the Secretary of the Interior for failure to construct the highway within five years after the approval of maps of location or for nonuser after construction or for abandonment without further legislative or judicial action.

Mr. FLETCHER. Mr. President, I call the attention of the Senator from Utah [Mr. SMOOT] to the letter of the Secretary of the Interior, which is embodied in the report of the committee, recommending certain amendments to the bill. One amendment that he suggests is to limit the region outside of the right of way from which material can be taken from the public lands to 100 feet in width.

Mr. SMOOT. I will say to the Senator from Florida that I notice that the Secretary's letter is dated December 27, 1917. A similar bill has previously passed the Senate with an amendment inserting the word "States," which had inadvertently been omitted. I think the pending bill covers exactly what the bill as it previously passed the Senate covered.

It is to provide for the construction of a link in the Lincoln Highway over which it is now almost impossible to pass. A citizen of the United States has donated $125,000, as I remember, for the construction of this road through this stretch of country, and it is expected to begin construction just as soon as this legislation is enacted.

Mr. FLETCHER. Would the Senator from Utah have any objection to the amendment suggested by the Secretary of the Interior, for instance, in line 5, page 2, so that instead of the language used in the bill, "and an outline of the general rules

and regulations under which the Lincoln Highway Association will govern said highway," it would provide that the applicant will be required to file for approval the actual rules and regulations under which it is proposed to conduct the highway, rather than a mere outline of the rules? That is one suggestion which the Secretary makes, and I do not see but that it would be entirely acceptable to the Senator from Utah.

Mr. SMOOT. I will say, Mr. President, that I think that is sufficiently provided for by the following language in the bill:

Before the grant of the right of way herein provided for shall become effective a map of location of the route of said highway and an outline of the general rules and regulations under which the Lincoln Highway Association will govern said highway, must be filed with and approved by the Secretary of the Interior.

Of course it may be that the rules and regulations will be changed at some time, and if we provide for the filing of an outline the matter will always thereafter be under the charge and direction of the Secretary of the Interior.

Mr. FLETCHER. I am not going to insist on the amendment.

Mr. SMOOT. I wish to say to the Senator from Florida that so far as the land in question is concerned it is practically worthless. My colleague, the junior Senator from Utah [Mr. KING], knows very well what sort of country this road runs through. It is, in fact, at one end of a lake in the county referred to, where the water is briny and where nothing will grow. The bill is simply designed to secure the completion of that link of the Lincoln Highway. As I have stated, a citizen of the United States has offered to put up the money to build the road provided the right of way can be obtained, and of course that can not be done unless this bill is passed.

Mr. FLETCHER. I think this is all right; but I have merely called the attention of the Senator to the amendment suggested by the Secretary of the Interior, thinking it might be entirely satisfactory to him and save trouble in the House.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DRAFT REGISTRANTS ASSIGNED TO EDUCATIONAL INSTITUTIONS.

The joint resolution (S. J. Res. 70) relating to the induction of registrants who applied and were accepted for induction and assigned to educational institutions for special and technical training under the provisions of the act approved August 31, 1918, but whose induction without fault of their own was not completed was considered as in Committee of the Whole.

The Secretary read the joint resolution, as follows:

Resolved, etc., That registrants who applied and who were accepted, prior to November 1, 1918, for induction and assignment to educational institutions for special and technical training under the provisions of the act approved August 31, 1918, but whose induction, through no fault of their own, was not completed prior to November 11, 1918, shall, under such regulations as the Secretary of War may prescribe, be regarded as having been fully inducted into the service, as of the day they reported and were accepted for duty and training at such educational institutions, and shall be entitled to the regular pay and allowances for said period of their actual military service under said act, and to a discharge from the military service as of the dates of termination of their actual military service under the said act.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AFFAIRS IN COSTA RICA.

The resolution (S. Res. 105) requesting the Secretary of State to inform the Senate why Nicaragua is permitted to invade Costa Rica, and why Costa Rica was not permitted to sign the treaty of peace at Versailles, submitted by Mr. LA FOLLETTE on June 30 (calendar date July 1), 1919, was considered by unanimous consent.

The resolution had been reported from the Committee on Foreign Relations with amendments, on page 1, line 1, after the word "the," to strike out "Secretary of State" and insert "President"; in line 2, after the word "Senate," to strike out "why" and insert "if not incompatible with the public interest, whether"; in line 3, after the name "Nicaragua," to strike out "a country over which the United States is maintaining a protectorate"; in line 7, after the name "Costa Rica," to strike out "a nation which has been and now is a friend of the United States" and insert "or has permitted armed bands to organize or rendevous within her territory for such purposes"; in line 11, after the word "the," to strike out "Secretary of State" and insert "President"; in line 12, after the word "Senate," to strike out "if not incompatible with the public interest"; and on page 2, line 2, after the name "Versailles," to strike out ", in view of the fact that the present Government of Costa Rica had been formally recognized as a cobelligerent by all the Allies in the war against Germany, except by the United States, and recognized by the neutral nations of the earth as a constitutional government," so as to make the resolution read:

Resolved, That the President be, and he is hereby, requested to inform the Senate, if not incompatible with the public interest, whether Nicaragua has been and is now permitted, with armed forces, to invade and to threaten with invasion the territory of Costa Rica, or has permitted armed bands to organize or rendezvous within her territory for such purposes: And be it further

Resolved, That the President be, and he is hereby, requested to inform the Senate, if not incompatible with the public interest, for what reason Costa Rica, a belligerent with the Allies in the war just ended, was not permitted to sign the treaty of peace at Versailles.

The amendments were agreed to.

The resolution as amended was agreed to.

BILLS PASSED OVER.

The bill (S. 2259) for the relief of Edward S. Farrow was announced as next in order.

Mr. KING. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1726) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, was announced as next in order.

Mr. KING. I ask that that bill go over.

Mr. SMOOT. I wish to say to my colleague that this is an exact duplicate of the bill which passed the Senate in the closing days of the last session, but failed of passage in the House.

Mr. KING. I am aware of that; but I desire to make some observations in regard to the measure which will take some time.

The VICE PRESIDENT. The bill will be passed over.

ZONING COMMISSION.

The bill (S. 1369) to regulate the height, area, and use of buildings in the District of Columbia and to create a zoning commission, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported by the Committee on the District of Columbia with amendments, in section 1, page 2, line 1, after the word "compensation," to strike out "The Engineer Commissioner of the District of Columbia shall be the executive officer of said commission, and such," and insert "Such"; and in line 7, after the word "compensation," to insert "There is hereby authorized for the expenses of said commission, including the employment of expert services, and all incidental and contingent expenses, the sum of $5,000, payable one half out of any money in the United States Treasury not otherwise appropriated, and the other half out of the revenues of the District of Columbia," so as to make the section read:

That to protect the public health, secure the public safety, and to protect property in the District of Columbia there is hereby created a zoning commission, which shall consist of the Commissioners of the District of Columbia, the officer in charge of public buildings and grounds of the District of Columbia, and the Superintendent of the United States Capitol Building and Grounds, which said commission shall have all the powers and perform all the duties hereinafter specified and shall serve without additional compensation. Such employees of the government of the District of Columbia as may be necessary to carry out the purposes of this act shall be assigned to such duty by the Commissioners of the District of Columbia without additional compensation. There is hereby authorized for the expenses of said commission, including the employment of expert services, and all incidental and contingent expenses, the sum of $5,000, payable one half out of any money in the United States Treasury not otherwise appropriated and the other half out of the revenues of the District of Columbia.

Mr. KING. I think I shall object to this bill.

The VICE PRESIDENT. The bill will be passed over.

Mr. CALDER. I hope the Senator will not insist upon his objection.

Mr. KING. Reserving the right to object, I will hear the Senator; but it seems to me the bill proposes to create another commission.

Mr. CALDER. The bill provides that certain officials of the Government already paid salaries shall be appointed a commission to determine the character of buildings which may be erected upon the different streets of the District of Columbia. I may say that it is copied to some extent from a law enacted in New York City some years ago. It will prevent a man building a garage, a business house, upon a residential street or in a section reserved for private homes; it will prevent the erection of great, high apartment houses on streets reserved for a different character of buildings.

Mr. KING. Will the Senator permit an inquiry?

Mr. CALDER. Certainly.

Mr. KING. It seems to me that there is no necessity for creating a vast amount of machinery for the purpose of passing upon permits for the construction of buildings. I can not understand why an additional appropriation should be required.

Mr. CALDER. Mr. President, if the Senator will permit me, it is necessary to have the proposed commission appointed in order to lay out the districts and determine the different zones; but after once having established the zones, the building department of the District government or the District Commissioners will be able to carry out the law without any further expenditure. The $5,000 provided for in the bill is for the purpose of employing experts to assist in determining the zones and the character of buildings which may be erected in various locations. I think this measure is very much desired by the residents of the District of Columbia generally; it is a measure tending to beautify the city, and it is strongly urged by the District Commissioners.

Mr. FLETCHER. May I ask the Senator if there is not already a law regulating the height of buildings, and all that sort of thing?

Mr. CALDER. There is such a law; but there is no law regulating the use of buildings and the character of buildings that may be erected in the different sections of the city. This matter has been very carefully examined.

Mr. SMOOT. Mr. President, does the Senator think that the proposed zoning commission ought to have the right to say for what purpose a building shall be used?

Mr. CALDER. Yes; to this extent, that when a certain section may be set apart for a certain character of buildings it is desirable that buildings not of the specified character should be forbidden in that area. For instance, on Sixteenth Street, which is strictly a residential street, in the absence of restrictions of any kind, immediately contiguous to a beautiful residence some one may ask for a permit to build a garage. The enactment of this bill into law would prevent that.

Mr. SMOOT. That is just what I was fearful of. Some years ago I built a home on Connecticut Avenue at Calvert Street. It happened that I had room enough in the rear of the dwelling, facing Calvert Street, to build a small garage; but as soon as I undertook to begin the construction of the garage I was told that I could not carry on the work. I asked by what law could I be prevented from using my lot for that purpose, and was told that a garage might be detrimental to the adjoining property; and not only that, but it would not be very nice for the people on the other side of the street to have a garage to look at all the time.

Mr. President, I know what the sentiment is here; and I know that if this bill passes, and the words "use of building" are in it, they will say just where you can have your garage. If you have not got a piece of ground near your home, inside, where nobody can see it, you will never have one.

I think this bill will have to be amended so far as the use of the building is concerned, at least. For that reason I ask that it go over.

Mr. CALDER. I am certain that if the Senator examines the bill carefully he will be assured that it is a meritorious measure.

Mr. SMOOT. It will stop the building of garages.

The VICE PRESIDENT. A garage is a building, is it not?

Mr. KING. I ask that it go over also.

The VICE PRESIDENT. The bill will be passed over.

MILK RIVER VALLEY GUN CLUB.

The bill (S. 793) authorizing the issuance of patent to the Milk River Valley Gun Club was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands with an amendment, on page 2, line 1, after the word "acres," to insert "to be used," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue patent to the Milk River Valley Gun Club for lots 5 and 6 and the southeast quarter of the southwest quarter of section 32, township 31 north, range 31 east, Montana meridian, Montana, containing 76.69 acres, upon payment of $1.25 per acre and the further payment of $50 per irrigable acre for the construction of irrigation works for the Milk River irrigation project, the irrigable area being fixed at 30 acres, to be used for a game preserve: *Provided*, That said Milk River Valley Gun Club shall apply for patent and tender full payment within six months from the date of approval of this act: *Provided further*, That patent issued hereunder shall contain a reservation to the United States of all gas, oil, coal, and other mineral deposits that may be found in said land, and the right to the use of the land for extracting the same, and shall be subject to all rights under the T. E. Brady Canal and Bowdoin Lake Reservoir approved by the Secretary of the Interior October 23, 1901, under the act approved March 3, 1891 (26 Stat. L., p. 1095), and the patent shall also reserve to the United States right of way for canals, ditches, and telephone lines heretofore or hereafter constructed by the authority of the United States: *And provided further*, That if the land is ever used for any purpose other than that herein authorized title thereto shall revert to and revest in the United States.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LANDS FOR SCHOOL PURPOSES.

The bill (S. 794) granting lands for school purposes in Government town sites on reclamation projects was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands with an amendment, on page 2, line 1, after the word "grounds," to insert "*Provided*, That if any land so conveyed cease entirely to be used for school purposes, title thereto shall revert to and revest in the United States," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be hereby authorized, upon application by the proper officers of a school district located wholly or in part within the boundaries of a project of the United States Reclamation Service, to issue patent conveying to such district such unappropriated undisposed of lands within any Government reclamation town site situated within such school district as, in the opinion of the Secretary of the Interior, are necessary for use by said district for school buildings and grounds: *Provided*, That if any land so conveyed cease entirely to be used for school purposes, title thereto shall revert to and revest in the United States.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LIGHTHOUSE RESERVATION, NORTH POINT, MD.

The bill (S. 2494) to transfer the tract of land known as the lighthouse reservation at North Point, Md., from the jurisdiction of the Department of Commerce to the jurisdiction of the War Department was considered as in Committee of the Whole.

The Secretary read the bill, as follows:

Be it enacted, etc., That the following-described tract of land situated at North Point, Md., now under the control and jurisdiction of the Department of Commerce, and known as the Lighthouse Reservation, at North Point, Md., be, and the same hereby is, transferred to and placed under the control and jurisdiction of the War Department for use for military purposes:

Beginning at a post now set in the ground north, 82° east, 1¼ perches from the center of a stump, and north 65° west, 14 perches from a large black oak tree now marked, and running thence south 65° east, 14 perches to the said black oak, thence still south 65° east, 12¼ perches to a post north, 65¾° east, 12 perches to a post standing southwardly 9 feet from a large white oak, thence south 47° east, 48 perches to a marked sassafras, thence still south 47° east, 2 perches, to the water of Chesapeake Bay, thence bounding on the water of said bay and Patapsco River south, 74° west 7 perches, south 80½° west 10 perches, north 71° west 15 perches, north 57½° west 12 perches, north 46½° west 12 perches, north 46½° west 44⅘ perches, until it intersects a line drawn south 48° west from the place of beginning, and thence to the beginning, containing 7 acres and 22 square perches of land more or less.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CRANEY ISLAND AND FISHERMANS ISLAND, VA.

The bill (S. 2495) transferring the tract of land known as Craney Island from the jurisdiction of the War Department to the jurisdiction of the Treasury Department and transferring the tract of land known as Fishermans Island from the jurisdiction of the Treasury Department to the jurisdiction of the War Department was considered as in Committee of the Whole. It proposes that the military reservation known as Craney Island, now under the control and jurisdiction of the War Department, lying on the western side of the Elizabeth River in Norfolk County, Va., and bounded by the waters of the Elizabeth River, Craney Island Creek, Thoroughfare Creek, and James River, be transferred to and placed under the control and jurisdiction of the Treasury Department for the use of the Public Health Service; and that the sand spit or island called Fishermans Island or Linen Bar, now under the control and jurisdiction of the Treasury Department, situate, lying, and being in the county of Northampton off the point of Cape Charles, between the Atlantic Ocean and Chesapeake Bay, in the eastern district of Virginia, about 12 miles south of Cape Charles City and about 1¼ miles from Cape Charles Light, containing 225 acres, more or less, above high-water mark, be transferred to and placed under the control and jurisdiction of the War Department for use for military purposes.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER.

The bill (S. 2496) authorizing the retirement of members of the Army Nurse Corps (female) was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

ORION MATHEWS.

The bill (S. 608) for the relief of Orion Mathews was announced as next in order.

Mr. KING. Let that go over.

Mr. MYERS. Mr. President, I hope the Senator will withdraw that request. This bill has passed the Senate twice, has been unanimously reported by the Senate Military Affairs Committee twice, and is a very meritorious measure.

Mr. KING. I will withhold the objection until I hear the Senator. I understood that it was a case of desertion.

Mr. MYERS. The facts of the case are these: The report shows that Mr. Mathews, who was very young, enlisted and served during a large part of the war. He served until his term of enlistment was out. Then he immediately reenlisted, and served until March or April, 1865, when he disappeared from the service and did not report again, and technically the charge of desertion was entered against him. Affidavits and proofs brought before the committee show, however, that Mr. Mathews participated in about 40 battles, that he served four years, that he was wounded at Antietam, was subsequently wounded in another battle, and a notation of honorable discharge was entered after his name in the war records. The committee thought, in view of his four years of service, whatever may have been the cause for his disappearing from the service at that late day, less than a month before the surrender of Gen. Lee, that he might well be restored to an honorable position on the records of the War Department. That is all that the bill does. It has been reported by the committee twice and has passed the Senate twice, but it has never passed the House for lack of time.

Those are the facts. There is a great deal of merit in them.

Mr. KING. Mr. President, of course the purpose of the bill is to restore this man to the rolls of the War Department and give him a pension. I ask that it go over.

The VICE PRESIDENT. The bill will be passed over.

BILLS PASSED OVER.

The bill (S. 609) for the relief of James Duffy was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 610) for the relief of Henry J. Davis was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

EASTERN DISTRICT OF KENTUCKY.

The bill (S. 2476) to amend the act establishing the eastern district of Kentucky was considered as in Committee of the Whole.

The Secretary read the bill, as follows:

Be it enacted, etc., That regular terms of the District Court of the United States for the Eastern District of Kentucky shall be held at the following times and places, namely:

At Jackson: Beginning on the first Monday in March and the third Monday in September in each year.

At Frankfort: Beginning on the second Monday in March and the fourth Monday in September in each year.

At Covington: Beginning on the first Monday in April and the third Monday in October in each year.

At Richmond: Beginning on the fourth Monday in April and the second Monday in November in each year.

At London: Beginning on the second Monday in May and the fourth Monday in November in each year.

At Catlettsburg: Beginning on the fourth Monday in May and the second Monday in December in each year.

At Lexington: Beginning on the second Monday in January and the second Monday in June in each year.

And at such other times and places as may hereafter be provided by law.

The clerk of the court for the eastern district of Kentucky shall maintain an office in charge of himself, a deputy, or a clerical assistant at each of the places of holding court within said district.

SEC. 2. That this act shall take effect and be in force from and after its passage.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The VICE PRESIDENT. The committee report to strike out the preamble.

The preamble was stricken out.

THE PHILIPPINE SCOUTS.

The bill (S. 2447) for the relief of the Philippine Scouts was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment, on page 1, line 8, after the word "duty," to insert "or when any such officer has heretofore resigned for the purpose of retirement as an enlisted man," so as to make the bill read:

Be it enacted, etc., That officers of the Philippine Scouts shall hereafter be retired under the same conditions as officers of the Regular Army, and shall then be placed on the unlimited retired list. Any former officer of the Philippine Scouts who vacated his office in the Philippine Scouts by discharge or resignation on account of disability incurred in line of duty, or when any such officer has heretofore resigned for the purpose of retirement as an enlisted man, may be reappointed to his former grade and then retired. Officers of the Philippine Scouts now on the retired list, or hereafter retired, shall receive the same pay as retired officers of like grades and length of service in the Regular Army. Hereafter retired officers of the Philippine Scouts shall be eligible for advancement in accordance with the last proviso of section 24 of the act of June 3, 1916.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF AND PROMOTION OF CERTAIN ARMY OFFICERS.

The bill (S. 2448) for the relief of certain officers of the United States Army, and for other purposes, was announced as next in order.

Mr. SMOOT. Let that bill go over.

Mr. NEW. I hope the Senator will withhold that request for a moment, and permit me to say a word or two about this bill.

Mr. SMOOT. I will withhold it for the Senator to make a statement.

Mr. NEW. Mr. President, all the items in this bill have previously passed the Senate. They were inserted in the military appropriation bill which passed the Senate just before June 30, and were stricken out in conference by the House conferees solely on the ground that the House conferees did not want that kind of legislation attached to an appropriation bill. As I understand, there was no dispute whatever on the part of any of them as to the merits of any one of the items making up this measure. All of them passed the Senate after full consideration. They were included in this omnibus bill merely to overcome the objection that was made by the House conferees to their being considered on an appropriation bill, which, I think, is a valid objection, so far as that goes, but I hope the bill may be considered at this time.

Mr. FLETCHER. As I understand, each of these claims has been examined and recommended by the department.

Mr. NEW. Every one of them.

Mr. SMOOT. Mr. President, I have just read the balance of the bill, and see just what it provides. I notice that Mr. Barber was a lieutenant in the British Army, but was an American citizen.

Mr. NEW. No; that is not the fact. Does the Senator want information concerning that case?

Mr. SMOOT. No; I simply state that, as I understand, he was a lieutenant in the British Army when he lost his eyes.

Mr. NEW. Yes.

Mr. SMOOT. And yet he was an American citizen.

Mr. NEW. No.

Mr. SMOOT. Then, if he was not an American citizen, why should we make this provision for him?

Mr. THOMAS. He was in the American service.

Mr. NEW. For this reason: I shall be very glad to make an explanation of that.

Barber was a lieutenant in the British Army. He was sent over here at the request of this Government to instruct our officers in the art of throwing hand grenades. We supplied the hand grenades to be used in his instruction. We gave him a defective hand grenade, and in the act of hurling that grenade it exploded prematurely, and this officer was instantly rendered totally and forever blind in the service of the United States Government. If ever there was an act of justice called for, it is that this officer be placed upon the pay roll of the United States Government for that reason.

Mr. SMOOT. Mr. President, the Senator's statement clears up the matter entirely, and I have not any objection at all to the passage of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay, out of any moneys in the Treasury not otherwise appropriated, to Frank Barber, a first lieutenant of the Dorset Regiment of Infantry of the British Army, who lost the sight of both eyes and became totally blind by reason of a premature explosion on February 14, 1918, while acting as an instructor of the United States troops at Camp Wheeler, Ga., as compensation for disability resulting therefrom, such sums of money as by the act entitled "An act to amend an act entitled 'An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department,' approved September 2, 1914, and for other purposes," approved October 6, 1917, is provided to be paid as compensation for disability to an injured person who has lost both eyes or become totally blind from causes occurring in the line of duty in the service of the United States; and such compensation shall be payable and be paid as of and from the 14th day of February, 1918, and under and according to the terms, conditions, and basis of computation in said act provided, and such sum shall be in full of all claims, legal or equitable, of the said Frank Barber, his heirs, representatives, or assigns.

SEC. 2. Col. William A. Simpson: That the President of the United States, in his discretion, be, and he is hereby, authorized to appoint, by and with the consent of the Senate, Col. William A. Simpson, United

States Army, retired, to the position and rank of brigadier general on the retired list.

SEC. 3. Maj. H. W. Daley: That the President of the United States, in his discretion, be, and he is hereby, authorized to appoint, by and with the consent of the Senate, Maj. H. W. Daley, National Army, to the position and rank of major on the retired list.

SEC. 4. Capt. Daniel W. Hand: That the name of Daniel W. Hand, now captain of Field Artillery, be placed on the lineal list of officers of Field Artillery in the position it would have occupied if he had not suffered the loss of rank announced in General Orders, No. 156, War Department, August 8, 1910; and the President of the United States, in his discretion, be, and he is hereby, authorized to appoint Capt. Hand, by and with the advice and consent of the Senate, to the grade which such restored position on the lineal list requires, to be an additional number in the grade until absorbed, and no longer.

SEC. 5. Capt. Leonard F. Matlack: That the President of the United States, in his discretion, be, and he is hereby, authorized to appoint by and with the advice and consent of the Senate Capt. Leonard F. Matlack, now serving with the Eighth Cavalry, to the position and rank of captain on the retired list.

SEC. 6. Credit in the accounts of Col. Jesse McI. Carter: The accounting officers of the Treasury are authorized and directed to allow and credit in the accounts of Col. Jesse McI. Carter, Cavalry, United States Army, the sum of $352.23, disallowed against him on the books of the Treasury.

SEC. 7. Capt. J. C. Garrett: That the President of the United States, in his discretion, be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, J. C. Garrett, formerly a captain of Cavalry, to take rank as if he had remained continuously in the service.

SEC. 8. Col. Samuel R. Jones: That the President of the United States, in his discretion, be and he is hereby authorized to appoint by and with the advice and consent of the Senate Col. Samuel R. Jones United States Army retired to the position and rank of brigadier general on the retired list.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER.

The bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes, was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

AMENDMENT OF FEDERAL RESERVE ACT.

The bill (S. 170) to amend section 25 of the act of December 23, 1913, known as the Federal reserve act, as amended by the act of September 7, 1916, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Banking and Currency with an amendment, on page 1, line 8, after the word "than," to strike out "one" and insert "five," so as to make the bill read:

Be it enacted, etc., That section 25 of the act approved December 23, 1913, known as the Federal reserve act, as amended by the act of September 7, 1916, be amended by adding a subsection (a) to read as follows:

"SEC. 25a. That any member bank located in a city or incorporated town of more than 500,000 inhabitants and possessing a capital and surplus of $1,000,000 or more may, under such rules and regulations as the Federal Reserve Board may prescribe, establish branches, not to exceed 10 in number, within the corporate limits of the city or town in which it is located: *Provided*, That no such branch shall be established in any State in which neither State banks nor trust companies may lawfully establish branches."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS SEVY.

The bill (S. 428) for the relief of Thomas Sevy was considered as in Committee of the Whole. It authorizes the Secretary of the Interior, in his discretion, to accept title to the following-described lands, either in whole or in part, upon certification by the Secretary of Agriculture that the lands are chiefly valuable for national forest purposes and approximately equal in value to the lands to be given in exchange therefor: The east half of section 32; the north half of the northwest quarter and the south half of the southwest quarter of section 32, township 35 south, range 4 west of Salt Lake base and meridian, situate in the Sevier National Forest; and to issue to Thomas Sevy in lieu thereof patents to the following-described areas, or to such parts thereof as are found by the Secretary of Agriculture to be approximately equal in value to the lands conveyed: The northeast quarter, the north half of the southeast quarter, the southwest quarter of the southeast quarter, the southeast quarter of the northwest quarter, and the southwest quarter of section 31, township 37 south, range 5 west of Salt Lake base and meridian: *Provided*, That the lands conveyed to the Government shall thereupon become parts of the Sevier National Forest and subject to all laws and regulations applicable thereto: *Provided further*, That the Secretary of the Interior and the Secretary of Agriculture shall jointly report to Congress, in detail, the factors upon which the valuations were made.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SOUTHERN STATES LUMBER CO.

The bill (S. 577) for the relief of the Southern States Lumber Co. was considered as in Committee of the Whole. It authorizes the Secretary of the Treasury to pay the Southern States Lumber Co., a corporation, Pensacola, Fla., $603.79.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LANDS IN WYOMING.

The bill (S. 420) providing for the extension of time for the reclamation of certain lands in the State of Wyoming under the Carey Act, was considered as in Committee of the Whole. It authorizes the Secretary of the Interior, within his discretion, to continue not beyond May 5, 1929, the segregation of lands embraced in approved Wyoming segregation list No. 22, under the Carey Act, and to continue not beyond June 10, 1929, the segregation of lands embraced in approved Wyoming segregation list No. 25, under the Carey Act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN ALBERT THOMPSON.

The bill (S. 2378) to authorize the issuance of patent to John Albert Thompson, and for other purposes, was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue patent for the west half of the northeast quarter of section 23, township 158 north, range 90 west of the fifth principal meridian, North Dakota, to John Albert Thompson, pursuant to his homestead entry 02022, Minot series.

SEC. 2. That the Secretary of the Treasury be, and he is hereby, directed to set aside and appropriate, in accordance with the provisions of section 1 of the act of June 17, 1902, entitled "An act appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for reclamation of arid lands," the sum of $120, which was paid by said Thompson as purchase price of the described land.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SURVEY OF PUBLIC LANDS IN FLORIDA.

The bill (S. 578) providing for the survey of public lands remaining unsurveyed in the State of Florida, with a view of satisfying the grant in aid of schools made to said State under the act of March 3, 1845, and other acts amendatory thereof, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That it shall be lawful for the properly credited agent or official of the State of Florida having in charge the adjustment of its school grant to apply to the Commissioner of the General Land Office for the survey of any townships or parts of townships of public lands unsurveyed in any of the surveying districts of said State, with a view to satisfy the grant in aid of schools made to said State of Florida by the act of March 3, 1845, and other acts amendatory thereto to the extent of the full quantity of land called for thereby; and upon the application of said agent or official the Commissioner of the General Land Office shall proceed to have the survey or surveys so applied for made, as in the case of surveys of other public lands; and the lands that may be found to fall within the limits of such townships or parts of townships as ascertained by the survey shall be reserved, upon the filing of the application for survey, from any adverse appropriation by settlement or otherwise, except under rights that may be found to exist of prior inception, for a period to extend from such application for survey until the expiration of 60 days from date of filing of the township plat of survey in the proper district land office, during which period of 60 days the State may select any of such lands not embraced in any valid adverse claim for the satisfaction of its school grant, as aforesaid, with the condition, however, that the agent or official of the State, within 30 days from the date of such filing of the application for survey, shall cause a notice to be published, which publication shall be continued for 30 days from date of first publication in some newspaper of general circulation in the vicinity of the lands likely to be embraced in such townships or parts of townships giving notice to all parties interested of the fact of such application for survey and the exclusive right of selection by the State for the aforesaid period of 60 days as herein provided for, and after the expiration of such 60 days any lands which may remain unselected by the State and not otherwise appropriated according to law shall be subject to disposal under general laws as other public lands: *Provided*, That the Commissioner of the General Land Office shall give notice immediately of the reservation of any townships or parts of townships to the officials of the local land office of the land district in which the land is situated of the withdrawal of such townships or parts of townships for the purpose hereinbefore provided: *Provided further*, That the agent or official of the State of Florida hereinbefore mentioned is authorized to advance money from time to time for the survey of the township or townships, or part thereof withdrawn, at such United States depository as may be designated by the Commissioner of the General Land Office, and the money so advanced shall be reimbursable.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COMMISSION ON HOUSE CONSTRUCTION AND HOME OWNERSHIP.

The bill (S. 168) to create a commission to investigate and report to Congress a plan on the questions involved in the financing of house construction and home ownership and Federal aid therefor was announced as next in order.

Mr. SMOOT. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

SOLDIERS' MEMORIAL IN CITY OF WASHINGTON.

The joint resolution (S. J. Res. 72) authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to employees of the United States Department of Agriculture who died in the war with Germany was announced as next in order.

Mr. THOMAS. Mr. President, I should not object to a joint resolution providing for the erection of a memorial to all the employees of the United States who died in the war with Germany, but this does not cover the ground to that extent, and I shall therefore ask to have it go over.

The VICE PRESIDENT. It will be passed over.

OMER G. PAQUET.

The bill (S. 2445) to permit the reenlistment of Omer G. Paquet in the United States Army was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized to permit the reenlistment in the United States Army, at the grade held by him at the time of his dishonorable discharge from the service, of Omer Germain Paquet, formerly a quartermaster sergeant; and the said Omer Germain Paquet shall, for the purposes of computing continuous service, for ascertaining the rate at which he shall be paid, and for retirement, be considered to have served continuously from the date of his last enlistment.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF FEDERAL RESERVE ACT.

The bill (S. 2472) to amend the act approved December 23, 1913, known as the Federal reserve act, was announced as next in order.

Mr. GRONNA. I ask that the bill may go over.

The VICE PRESIDENT. It will be passed over.

ALBERT H. CAMPBELL.

The bill (S. 1637) for the relief of Albert H. Campbell was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That Albert H. Campbell shall hereafter be held and considered to have been honorably discharged from the military service of the United States as captain of Company G, Fourteenth Regiment Kansas Volunteer Cavalry, on the 30th day of May, 1865.

Mr. CURTIS. The Committee on Military Affairs recommend an amendment to the bill. I move to add the following proviso:

Provided, That no pension, pay, bounty, or allowance shall accrue prior to the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RECREATION ASSOCIATION OF AMERICA.

The bill (S. 2224) to incorporate the Recreation Association of America was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

T. L. LOVE.

The bill (S. 358) carrying into effect the findings of the Court of Claims in the matter of the claim of T. L. Love, surviving partner of Robert Love & Son, was considered as in Committee of the Whole. It authorizes the Secretary of the Treasury to pay to T. L. Love, surviving partner of Robert Love & Son, of Wake County, N. C., the sum of $5,000, to satisfy the findings of the Court of Claims, certified to the President of the Senate January 26, 1915 (S. Doc. No. 851, 63d Cong., 3d sess).

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CAPT. FREDERICK B. SHAW.

The bill (S. 2343) for the relief of Capt. Frederick B. Shaw was considered as in Committee of the Whole. It authorizes the Secretary of the Treasury to pay to Frederick B. Shaw, United States Army, the sum of $356.50, said sum, or so much thereof as may be necessary, to be payment in full for all losses of personal property incurred by him by reason of the sinking of the U. S. transport *Meade* in the harbor of Ponce, P. I., on or about May 16, 1899. But the accounting officer of the Treasury shall require a schedule and affidavit from him, such schedule to be approved by the Secretary of War.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN M. LEA.

The bill (S. 2440) for the relief of the estate of John M. Lea, deceased, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, on page 1, line 4, after the word "pay," to insert "in full settlement of the following claim," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, in full settlement of the following claim, to The Nashville Trust Co., administrator de bonis non cum testamento annexo of the estate of John M. Lea, deceased, late of Nashville, Tenn., the sum of $6,883.31, that being the amount found due by the Court of Claims for rents collected by the Quartermaster Department, United States Army, during the Civil War from the tenants of said John M. Lea, which rents were paid into the Treasury of the United States, as reported to Congress in Senate Document No. 48, Sixty-fourth Congress, first session.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

V. E. SCHERMERHORN AND OTHERS.

The bill (S. 1330) for the relief of V. E. Schermerhorn, E. C. Caley, G. W. Campbell, and Philip Hudspeth was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with amendments, on page 1, line 7, after the name "Schermerhorn," to strike out "$6,250" and insert "$2,767.45"; and on page 2, line 3, after the words "sum of," to strike out "$7,592" and insert "$3,109.45," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to V. E. Schermerhorn, E. C. Caley, G. W. Campbell, and Philip Hudspeth, their heirs, executors, administrators, or assigns, the following sums: V. E. Schermerhorn, $2,767.45; E. C. Caley, $192; G. W. Campbell, $16; and Philip Hudspeth, $134, for the destruction, on October 15, 1908, of their property by fire, which occurred on the Fort Riley (Kans.) Military Reservation while Battery A, Sixth Field Artillery, was engaged in target practice near the northern boundary, and which spread to and caused serious damage to privately owned farms adjoining the reservation; and the sum of $3,109.45 is hereby appropriated for said purpose out of any money in the Treasury not otherwise appropriated.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELIZABETH B. EDDY.

The bill (S. 2453) to carry into effect the finding of the Court of Claims in the claim of Elizabeth B. Eddy was considered as in Committee of the Whole. It authorizes the Secretary of the Treasury to pay to Elizabeth B. Eddy, widow of Charles G. Eddy, of New York, N. Y., the sum of $602.92, and the said sum is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purposes of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

KATIE NORVALL.

The bill (S. 1546) for the relief of Katie Norvall was considered as in Committee of the Whole. It authorizes the Secretary of the Treasury to pay the sum of $10,000 as full compensation to Katie Norvall for the death of her husband, G. Norvall, who was drowned while engaged in the performance of his duties as fireman and engineer, as a result of a collision between the navy-yard launch *Highlander* and the ferryboat *Vallejo* near the Mare Island ferry slip, Vallejo, Calif.

Mr. THOMAS. I move to strike out, in line 6, page 1, the figures "$10,000" and to insert "$5,000."

Mr. FLETCHER. May I inquire how that would compare with the measure of compensation provided by the Federal compensation act? I am not sure what amount of compensation, under that act, the beneficiary would be entitled to. It seems to me we ought to conform to that act if possible.

Mr. THOMAS. I will state my purpose in offering the amendment is I am afraid of the precedent that would be set by the

granting of such a large sum of money in a private bill of this sort. I moved the amendment without reference to the Federal compensation act.

Mr. FLETCHER. I think we ought to conform to that act. If we pass a bill, it seems to me the measure of damages allowed ought to be on the same basis that is there provided.

Mr. PHELAN. I ask the Senator from Colorado to withdraw his objection.

Mr. THOMAS. I will withdraw the objection at the request of the Senator from California.

Mr. PHELAN. Mr. President, this is the case of a widow with several children, whose husband was drowned in San Francisco Bay through the carelessness of an agent of the Government. The amount, $10,000, I assume, is about right as compensation for the death of a husband in the service of the United States under such circumstances.

Mr. FLETCHER. Will the Senator allow me to call attention to the report of the committee, which is, in line 6, to strike out the figures "$10,000" and insert in lieu thereof the figures "$1,173.12"? It seems that that is the basis upon which the bill is favorably reported.

Mr. PHELAN. But the bill itself appropriates $10,000 in full compensation.

Mr. SMOOT. I ask that the bill may go over.

The VICE PRESIDENT. The bill will be passed over.

JOHN M. FRANCIS.

The bill (S. 176) for the relief of John M. Francis was considered as in Committee of the Whole. It authorizes the Secretary of the Treasury to pay to John M. Francis, father of late Cadet John C. Francis, West Point Military Academy, who died on duty at Fort Bayard, N. Mex., the sum of $181, burial and transportation expenses.

Mr. SMOOT. Mr. President, I want to know whether there is any precedent for the payment of this amount of money. It is the first bill I ever saw of the kind. I ask that it go over, without some explanation.

Mr. CALDER. Mr. President, I know about the bill. This boy was a cadet at West Point, who was admitted in perfect health, and because of some conditions there he contracted tuberculosis. He was in the academy for about two years, and was sent to New Mexico to recuperate. The Government sent him there, as they would send a soldier. He was there several months and died. They sent his body home. His father is in very moderate circumstances, and it seemed to me that where the Government sent the body home they should pay for the cost of sending it home.

Mr. SMOOT. Mr. President, many cadets have died at West Point and Annapolis, and I have never yet known of a bill to pay for the transportation of the body home, or to defray the expenses attached to it. If we undertake to do this, Mr. President, we had better pass a general law covering all cases of death. That is all I have in mind. It may be just, but I do not know of any such bill ever having passed the Senate.

Mr. CALDER. I do not, either, Mr. President.

Mr. SMOOT. I suggest that the Senator let the bill go over, and then I will look it up and see about it.

The VICE PRESIDENT. The bill will be passed over.

RINALD BROS.

The bill (S. 1456) for the relief of Rinald Bros., of Philadelphia, Pa., was considered as in Committee of the Whole. It authorizes the Secretary of the Treasury to pay to Rinald Bros., of Philadelphia, Pa., the sum of $645, as an additional price for paint in excess of the amount named in the contract between Rinald Bros. and the Quartermaster's Department, at Philadelphia, for the year ending June 30, 1917.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF INDIAN APPROPRIATION ACT.

The joint resolution (S. J. Res. 77) to amend section 18 of the Indian appropriation act, approved June 30, 1919, was considered as in Committee of the Whole. It amends the second paragraph in section 18 of the Indian appropriation act approved June 30, 1919 (Public, No. 3, 66th Cong., p. 22), by adding after the last word in the proviso at the end of the paragraph the words "out of any funds in the Treasury to the credit of the Cherokee Nation."

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FOREST RESERVES IN NEW MEXICO.

The bill (S. 667) limiting the creation or extension of forest reserves in New Mexico was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands with amendments, in line 5, after the words "limits of the," to strike out "State" and insert "States"; and in the same line, after the words "New Mexico," to insert "and Arizona," so as to make the bill read:

Be it enacted, etc., That hereafter no forest reservation shall be created, nor shall any additions be made to one heretofore created, within the limits of the States of New Mexico and Arizona except by act of Congress.

The amendments were agreed to.

Mr. THOMAS. I desire to further amend that bill by inserting the words "and Colorado" after the words "and Arizona," in line 5.

Mr. SMOOT. Was not the word "Colorado" in the original act?

Mr. THOMAS. I do not think so.

Mr. SMOOT. I am quite sure it was.

Mr. JONES of New Mexico. I am quite sure that the provision of the bill applies already to Colorado.

Mr. THOMAS. Then I withdraw the amendment.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill limiting the creation or extension of forest reserves in New Mexico and Arizona."

APPOINTMENTS AT WEST POINT.

The bill (S. 2446) to amend section 1318, Revised Statutes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with amendments, on page 1, line 6, after the word "case," to insert "That during the calendar years 1919 and 1920"; on line 7, to strike out the words "any person" and insert "any appointee"; on line 9, after the word "in," to strike out "either"; on the same line, after the word "the," to strike out "volunteer or regular service" and insert "Army"; and on line 10, after the word "late," to strike out "European war" and insert "war with Germany," so as to make the bill read:

Be it enacted, etc., That section 1318, Revised Statutes, be, and the same is hereby, amended to read as follows: "Appointees shall be admitted to the academy only between the ages of 17 and 22 years, except in the following case: That during the calendar years 1919 and 1920 any appointee who has served honorably and faithfully not less than one year in the Army of the United States in the late war with Germany, and who possesses the other qualifications required by law, may be admitted between the ages of 17 and 24 years."

The amendments were agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

QUARTERS FOR COMMISSIONED OFFICERS.

The bill (S. 2623) to extend the provisions of an act entitled "An act to provide quarters or commutation thereof to commissioned officers in certain cases," approved April 16, 1918, was announced as next in order.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That from and after the termination of the emergency mentioned in an act entitled "An act to provide quarters or commutation thereof to commissioned officers in certain cases," approved April 16, 1918, the provisions of the said act shall be applicable to every commissioned officer of the Army of the United States who is assigned to duty at a place where suitable public quarters are not available for himself and dependents, and who is not entitled to commutation of quarters under any other provision of existing law.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

TRAVEL ALLOWANCES OF ENLISTED MEN.

The bill (S. 2624) to provide travel allowances for certain retired enlisted men and Regular Army reservists was announced as next in order.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That section 126 of the act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916, as amended by section 3 of an act entitled "An act permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to re-

tain his uniform and personal equipment, and to wear the same under certain conditions," approved February 28, 1919, shall be held to apply to any enlisted man for whom the law authorizes travel allowances as an incident to entry upon and relief from active duty with the Army who has been called into active service during the present emergency, or who shall hereafter be called into active service.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 2676) to amend section 56 of an act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916, was announced as next in order.

Mr. LA FOLLETTE. Let the bill go over.

The VICE PRESIDENT. It will be passed over.

The bill (S. 2677) to provide for further educational facilities by authorizing the Secretary of War to sell at reduced rates certain machine tools not in use for Government purposes to trade and technical schools and universities, other recognized educational institutions, and for other purposes, was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will be passed over. This concludes the calendar.

PUBLIC BUILDING AT SANTA FE, N. MEX.

Mr. JONES of New Mexico. The Senator from Maine [Mr. FERNALD], from the Committee on Public Buildings and Grounds, this morning made a favorable report on Senate bill 681, and it is now on the calendar. It is purely a formal matter. The Senate passed a similar bill at the last session of Congress, and it does not involve any appropriation. I ask unanimous consent to take it up for consideration at this time.

It relates to an appropriation made several years ago for a public building in the city of Santa Fe, N. Mex. The wording of the appropriation act required that the building should be constructed so as to include a courthouse, with provision for holding court in the public building. There is a Federal building now in use in Santa Fe which accommodates the Federal court, and the Federal judge and other court officials and all people who are acquainted with the conditions want to have the law modified so that the building shall not be required to be constructed in such fashion as to accommodate the court, but that it shall be for the post office and other public purposes.

There are a good many other public activities in the city of Santa Fe which are being accommodated through the renting of private properties. A similar bill passed the Senate at the last session but failed to receive attention in the House. There is no objection to it from any source that I have ever heard of, and it should be passed in order to enable the Treasury Department to proceed with the construction of the building in Santa Fe.

Mr. THOMAS. Let the bill be read.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read as follows:

Be it enacted etc., That so much of the act of Congress approved March 4, 1913 (37 Stats., p. 875), as authorized the erection of a building for the accommodation of the post office and United States courts at Santa Fe, N. Mex., be, and the same is hereby, amended so as to require that said building shall be for the accommodation of the post office and other governmental offices, exclusive of the United States courts.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ADJOURNMENT.

Mr. CURTIS. I move that the Senate adjourn.

Mr. FLETCHER. May I inquire of the Senator whether it will be possible to have an executive session to-day?

Mr. CURTIS. I think not to-day.

Mr. FLETCHER. It is important that the nominations of members of the Shipping Board shall be acted upon to-day, if possible. Does the Senator think we can have an executive session for that purpose on Monday?

Mr. CURTIS. There are several Senators interested in the matter who were informed that at this time, on the conclusion of the consideration of the calendar, there would be an adjournment without an executive session. For that reason I think it better to let the matter go over until Monday. I move that the Senate adjourn.

The motion was agreed to; and (at 2 o'clock and 5 minutes p. m.) the Senate adjourned until Monday, August 4, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SATURDAY, *August 2, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, we lift up our hearts in gratitude to Thee that measures are being put into practice to alleviate the unparalleled conditions existing in our country; that the authorities will look into them with a view of cutting down the high cost of living and profiteering in all branches; that the pursuit of life, liberty, and happiness may be realized in getting back to the normal; that good government may obtain in all the conditions of life. In the name of truth and right and justice. Amen.

The Journal of the proceedings of yesterday was read and approved.

CHANGE OF REFERENCE.

Mr. STEENERSON rose.

The SPEAKER. For what purpose does the gentleman from Minnesota rise?

Mr. STEENERSON. To make a privileged motion.

Mr. Speaker, by direction of the Committee on the Post Office and Post Roads, I make a privileged motion to change the reference of a certain bill which I have here for the adjudication of private claims, which was referred to our committee. We considered it, and I have been directed to move a change of reference.

The SPEAKER. The gentleman from Minnesota moves a change of reference of a bill, which he sends to the Clerk's desk and which will be reported.

The Clerk read as follows:

A bill (H. R. 4738) for the adjudication and determination of the claims arising under joint resolution of July 14, 1870 (16 Stat. L., p. 670), authorizing the Postmaster General to continue to use in the Postal Service Marcus P. Norton's combined postmarking and stamp-canceling hand-stamp patents, and directing him to "determine upon a fair, just, and equitable compensation for the use of said inventions"; or arising otherwise.

The SPEAKER. What is the gentleman's motion?

Mr. STEENERSON. To refer it to the Committee on Claims.

The SPEAKER. Where is it now?

Mr. STEENERSON. In the Committee on the Post Office and Post Roads.

The SPEAKER. The gentleman moves that the bill reported be transferred from the Committee on the Post Office and Post Roads to the Committee on Claims. The question is on agreeing to that motion.

The motion was agreed to.

Mr. VOLSTEAD. Mr. Speaker, I ask unanimous consent that the reference of the bill H. R. 1186 to the Committee on Interstate and Foreign Commerce be vacated and that the bill be referred to the Committee on the Judiciary.

The SPEAKER. The gentleman will send up the bill to be reported.

The Clerk read as follows:

A bill (H. R. 1186) to confer certain additional powers upon the Federal Trade Commission, and for other purposes.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to change the reference from the Committee on Interstate and Foreign Commerce to the Committee on the Judiciary. Is there objection?

Mr. ESCH. Mr. Speaker, I have no doubt that the reference in the first instance was correct, inasmuch as the bill relates to the increase of the powers in the Federal Trade Commission in the matter of granting licenses to corporations doing interstate-commerce business. The Federal Trade Commission was created by an act which passed through our Committee on Interstate and Foreign Commerce, and the matter of granting licenses is connected with interstate commerce. However, our committee took action on this matter yesterday, and in view of the rather peculiar circumstances surrounding our committee at the present time and our desire not to delay consideration of the measure by some other committee, we do not object to its reference, with the understanding that it shall not be considered as a precedent hereafter of taking from the Committee on Interstate and Foreign Commerce any matter relating to the Federal Trade Commission or the powers it exercises.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

Mr. MONTAGUE. Mr. Speaker, reserving the right to object, I, as a member of the Committee on Interstate and Foreign Commerce, wish my position to be clearly understood with respect to this reference. This matter is essentially and inherently

within the jurisdiction of the Committee on Interstate and Foreign Commerce. The Federal Trade Commission, as stated by the distinguished chairman, my friend from Wisconsin [Mr. ESCH], was elaborately considered and reported by that committee, and the subject of the reference essentially relates to the jurisdiction of that committee. But in view of the statement of the chairman of the committee I offer no objection, but I do wish to emphasize his contention that this reference is not to be considered as a precedent.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The SPEAKER. The reference is ordered.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, one of its clerks, announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 80. Joint resolution to authorize the President to convene the first meeting of the international labor conference in Washington, and to appoint delegates thereto.

The message also announced that the Senate had passed without amendment the bill (H. R. 3854) for the repeal of the daylight-saving law.

The message also announced that the Senate had passed without amendment the following resolution:

House concurrent resolution 26.

Resolved by the House of Representatives (the Senate concurring), That the action taken under concurrent resolution of July 28, 1919, providing for an adjournment of the House from Saturday, the 2d day of August, until 12 o'clock meridian, Tuesday, the 9th day of September, 1919, be, and the same is hereby, rescinded.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. J. Res. 80. Joint resolution to authorize the President to convene a meeting of an international labor conference in Washington, D. C.; to the Committee on Foreign Affairs.

BRIDGE ACROSS FLINT RIVER, GA.

Mr. PARK. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 7110.

The SPEAKER. The Clerk will report it.

Mr. PARK. It is a bridge bill.

The Clerk read as follows:

A bill (H. R. 7110) extending the time for the construction of a bridge across Flint River, in the State of Georgia.

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by act of Congress approved April 17, 1916, to be built across the Flint River, Ga., by Mitchell County or by Baker County, Ga., jointly or separately, are hereby extended one and three years, respectively, from the date hereof.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. WALSH. Mr. Speaker, I do not think we ought to start in on bridge bills with the measures that are now pending.

Mr. PARK. I hope the gentleman will withdraw his objection.

Mr. WALSH. I will withhold it a moment.

Mr. PARK. It will not take a minute.

Mr. WALSH. Well, I withdraw the objection.

The SPEAKER. The gentleman from Massachusetts withdraws his objection. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. PARK, a motion to reconsider the vote whereby the bill was passed was laid on the table.

PAYMENT FOR MILITARY CONSTRUCTION WORK.

Mr. McKENZIE. Mr. Speaker, I desire to ask unanimous consent to call up House joint resolution 165, a resolution containing about five lines.

The SPEAKER. The gentleman from Illinois asks unanimous consent for the immediate consideration of the resolution, which the Clerk will report.

Mr. CLARK of Missouri. I should like to inquire what this joint resolution is about.

The SPEAKER. Unanimous consent has not been given yet. The gentleman asks unanimous consent for the present consideration of a joint resolution, which the Clerk will report. After it has been reported, objection can be made.

The Clerk read the title of H. J. Res. 165, to allow the payment of bills lawfully incurred for construction work actually performed or construction material actually purchased and delivered prior to the approval of an act approved July 11, 1919 (Public, No. 7, 66th Cong., H. R. 5227).

Mr. CLARK of Missouri. I should like to ask the gentleman from Illinois a question. This joint resolution is simply to cure a mistake that was made when the other bill was passed, is it not?

Mr. McKENZIE. In putting the limitation in the Army appropriation bill we intended to prevent the further expenditure of money in the purchase of real estate or construction in various camps and cantonments, but we did not intend to prevent the payment for work performed or material delivered prior to that time; but the Comptroller of the Treasury has made a ruling that the limitation extends to work performed and material delivered prior to that time.

Mr. CLARK of Missouri. This is to cure that?

Mr. McKENZIE. This cures that.

Mr. WALSH. Reserving the right to object, I should like to ask the gentleman if this is to cure the construction of the so-called limitation upon the purchase of real estate in the Army bill?

Mr. McKENZIE. If the real estate had been purchased and the contract completed prior to the passage of the bill, they would be permitted to pay for it, and in my judgment that should be permitted; but if the contract had not been completed, then they are barred under the limitation.

Mr. WALSH. What does the gentleman mean by a completed contract for real estate? Down here at Camp Benning or somewhere they purchased a large tract while that measure was under consideration.

Mr. McKENZIE. And paid for it.

Mr. WALSH. So this would not apply to that in any event?

Mr. McKENZIE. No.

Mr. ASWELL. Reserving the right to object, what effect would this have upon a contract already signed by the War Department for the construction of a road to a camp, which road is now under process of construction but not yet paid for?

Mr. McKENZIE. If it is inside of a military reservation, it would not be affected by this legislation at all.

Mr. ASWELL. But it is not.

Mr. McKENZIE. The purpose of this bill is to permit the Government to pay a great many business men who have really performed their work and delivered the goods and are now being held up by this ruling of the comptroller.

Mr. ASWELL. This road is at a base hospital that is being used by the Public Health Service. Now, the contract has been signed and the work is in progress. What effect will this have on that?

Mr. McKENZIE. If anything this joint resolution would assist those parties rather than injure them.

Mr. OLIVER. What bill does the comptroller construe as forbidding the payment?

Mr. McKENZIE. The limitation that was placed on the Army appropriation bill.

Mr. OLIVER. When was that passed?

Mr. McKENZIE. The 11th day of July.

Mr. BLANTON. Reserving the right to object, what effect will this resolution have upon that land attempted to be purchased down in Georgia, which contract was made after the adjournment of the last Congress? Will it permit them to go ahead with that contract?

Mr. McKENZIE. It will not, without further authorization from Congress.

The SPEAKER. Is there objection?

Mr. ANTHONY. Mr. Speaker, reserving the right to object, I want to say that it is probably necessary to pass this joint resolution, but in the report appears this statement:

The Comptroller of the Treasury in passing on this limitation has held erroneously, in the judgment of the committee, that work and construction performed or materials delivered prior to the date of the passage of this act could not be paid for out of any of the unexpended balances.

I hardly think that statement is correct, and I do not think it ought to be allowed to go through without notation. I do not think the committee meant to hold that the judgment of the comptroller was erroneous in this regard. Personally I think that the judgment of the comptroller was correct, and that the War Department unlawfully expended that money, and even now have no right to spend a dollar of the money that we appropriated for war by using it for peace-time construction, which they are now doing. I agree with the gentleman from Illinois that men who delivered material and did work have an equitable claim and should get their money, but I do not believe we ought to say that the comptroller erred in making what I consider to be an absolutely sound ruling.

Mr. McKENZIE. I will say to the gentleman from Kansas that if there is any blame connected with the Military Affairs Committee in that connection it rests wholly with me.

Mr. KITCHIN. Reserving the right to object, I should like to ask the gentleman if it would not be more equitable to strike out the word "delivered" and substitute the words "actually produced under the contract of purchase"? That carries out what the gentleman wants, does it not? The joint resolution reads:

That the foregoing provisions of said act shall not be construed to prevent the payment from the unexpended balances of said appropriations of bills lawfully incurred for construction work actually performed or construction material actually purchased and delivered prior to the approval of said act.

Now, that confines it to the goods that were purchased and actually delivered over to the Government, and it leaves out those cases where the Government purchased, and the contractors actually produced under the contract exactly what was contracted for, but had not actually delivered it. Take shoes, for instance. The Government, say, actually purchased so many shoes and the manufacturer actually produced the shoes under the contract, but had not bodily delivered them. Or take lumber, for instance. Here is a bill of lumber which has been purchased, and the lumber has been manufactured and produced under that contract of purchase, but has not been actually delivered. Now, why should not that lumberman have his bill paid as well as the lumberman who had actually delivered the lumber? I would suggest that, in order to cover all the equities where one actually produced articles under a contract of purchase although he has not delivered it, we strike out the words "and delivered" and insert "actually produced under the contract." Would not that be more fair?

Mr. McKENZIE. I want to say to the gentleman from North Carolina that that was discussed in the committee, and we decided that we would take care of such cases when there was absolutely no question as to whether the goods had been delivered and the work performed, but that we would not open the doors to any doubtful contract or permit men to come in under this bill with questionable contracts, realizing that if a man has a just claim it would be taken care of—if a man has such a claim that the gentleman speaks of it will be taken care of. The price of lumber and shoes and everything that can be thought of, instead of going down from the time the man made the contract, unless he had a most unconscionable contract, has been going up, so that he can get more now than he could under his contract.

Mr. KITCHIN. Suppose he had lumber of special dimensions that he could not put on the market. He has actually produced it, every foot of it, under the contract of purchase. Why should not that man have his pay?

Mr. McKENZIE. I appreciate what the gentleman says, but we felt that it would be unwise at this time to go into that.

Mr. MADDEN. Will the gentleman yield?

Mr. McKENZIE. Yes.

Mr. MADDEN. The class of cases mentioned by the gentleman from North Carolina, the shoe men and the lumbermen, although they may have prepared material for delivery to the United States Government, they still have the materials and ought not to be paid for them until the Government gets them. There is no claim against the Government for this material; they can sell it to people who want it and are ready for it.

Mr. OLIVER. Mr. Speaker, the gentleman from Kansas raised the question that the pending resolution in fact seeks to legalize and provide payment for illegal contracts. Did the committee go into that question?

Mr. McKENZIE. It did not.

Mr. OLIVER. You are not seeking, then, to legalize that which the committee was informed was illegal, and the ruling of the comptroller was not based on the illegality of the contracts, but solely because of limitations contained in the July 11 act. Is not that correct?

Mr. McKENZIE. I so understand.

Mr. GARRETT. Further reserving the right to object, I want to say this in justice to those of us who argued this question when it was up before. I agree with the gentleman from Kansas [Mr. ANTHONY] that the construction the comptroller placed on this matter was the correct construction, and several of us justified our position in opposition to the limitation that the Military Affairs Committee sought to place on the bill, and justified our position of opposition to the resolution that the Rules Committee reported to make it in order after it had gone out on a point of order under the general rules of the House, upon the very theory that the comptroller has sustained because we construed the law that way. It was because I felt, for one, that it would affect these very contracts which it is now sought to relieve by this resolution that I opposed the proposition as submitted by the Committee on Military Affairs.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

The SPEAKER. This is on the Union Calendar.

Mr. McKENZIE. Mr. Speaker, I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Illinois asks unanimous consent that it be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the joint resolution, as follows:

House joint resolution 165.

To allow the payment of bills lawfully incurred for construction work actually performed or construction material actually purchased and delivered prior to the approval of an act approved July 11, 1919 (Public No. 7, Sixty-sixth Congress, H. R. 5227).

Whereas by an act approved July 11, 1919 (Public No. 7, Sixty-sixth Congress, H. R. 5227), it is provided as follows:

"That no part of any of the appropriations made herein nor any of the unexpended balances of appropriations heretofore made for the support and maintenance of the Army or the Military Establishment shall be expended for the purchase of real estate for the construction of Army camps or cantonments except in such cases at National Army or National Guard camps or cantonments which were in use prior to November 11, 1918, where it has been or may be found more economical to the Government for the purpose of salvaging such camps or cantonments to buy real estate than to continue to pay rentals or claims for damages thereon, and except where industrial plants have been constructed or taken over by the Government for war purposes and the purchase of land is necessary in order to protect the interest of the Government"; and

Whereas doubt exists as to the proper interpretation of said provision and as to the intention of Congress in enacting the same: Therefore, be it

Resolved, etc., That the foregoing provision of said act shall not be construed to prevent the payment from the unexpended balances of said appropriations of bills lawfully incurred for construction work actually performed or construction material actually purchased and delivered prior to the approval of said act.

Mr. GARRETT. Mr. Speaker, I move to strike out the last word, in order to clarify what I said a moment ago. I did not catch all that was said by the gentleman from Kansas. My attention has been directed to the fact that he stated that he thought there was no legal right to make the contracts originally. In view of that fact, and that I stated that I agreed with the gentleman from Kansas on the construction made by the comptroller, I wish to correct that statement. I do not agree that they had no authority to make the contract. I think they did. I agree that the ruling of the comptroller was correct. I do not understand that the comptroller placed it on the ground mentioned by the gentleman from Kansas.

Mr. MANN. Mr. Speaker, I move to strike out the last word. As I caught the reading of the resolution, it has a long preamble and a short legislative provision. I suppose it was drawn in the department.

Mr. McKENZIE. It was.

Mr. MANN. If they were familiar with legislative proceedings, as they ought to be, they would know that it is not a proper method to refer to the preamble to know what the legislation is. It is customary to strike out the preamble after the consideration. The legislation here depends wholly on the preamble, which is not in the legislative provision.

Mr. McKENZIE. This is simply a construction of the act.

Mr. MANN. It is not a construction; it is legislation. It is repealing a part of an act of Congress and does it by reference to the preamble.

Mr. McKENZIE. I can not exactly agree with my distinguished colleague.

Mr. MANN. If the gentleman has read the resolution—and of course he has very carefully—he must realize that it refers to the preamble. That is the only place where the act is described.

The SPEAKER. The question is on ordering the joint resolution to be engrossed and read a third time.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. McKENZIE, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

INVESTIGATION OF UNITED STATES SHIPPING BOARD—LEGAL ASSISTANCE.

Mr. IRELAND. Mr. Speaker, I present the following resolution from the Committee on Accounts, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 209.

Resolved, That the select committee, appointed under the provisions of House resolution 171, to make inquiry into the operations of the United States Shipping Board, the United States Emergency Fleet Corporation, or any agency, branch, or subsidiary of either, is hereby authorized to employ such stenographic, legal, and clerical assistance,

including accountants, as it may deem necessary, and is further authorized to have such printing and binding done as it may require.

All expenses incurred by the said committee under the provisions of House Resolution 171, including expenses when sitting outside the District of Columbia, shall be paid from the contingent fund of the House of Representatives on vouchers, ordered by said committee, signed by the chairman thereof and approved by the Committee on Accounts, evidenced by the signature of the chairman thereof.

Mr. IRELAND. Mr. Speaker, this resolution follows the one which was offered some days ago by the Committee on Rules. I yield to the gentleman from Massachusetts [Mr. WALSH] to make a short statement in respect to it.

Mr. CLARK of Missouri. Mr. Speaker, I would like to ask some gentleman who feels capable of answering the question, what this committee wants with a lawyer? The whole committee is made up of lawyers.

Mr. IRELAND. If the gentleman will very graciously withhold that question for a moment, I would state that that is what I have in mind in yielding to the gentleman from Massachusetts. That was the point in the committee, and the only point of contention.

Mr. CLARK of Missouri. What do they want with lawyers to help this committee?

Mr. WALSH. Mr. Speaker, I expected that question might be asked, and I stated to the Committee on Accounts in presenting the resolution that it is not the intention of the special committee to retain an attorney to conduct the examination for the committee in questioning and cross-questioning the witnesses before that committee, but in view of the great number of contracts, leases, and other legal documents that have been drawn and signed, in many cases involving questions of maritime law, the committee felt that it might be necessary to employ a lawyer to examine the documents for the committee and to present such as he felt necessary to the committee with his interpretation, to assist the committee in examining the large number of contracts, leases, and other documents.

Mr. CLARK of Missouri. If they are going to hire a lawyer, what is the committee going to do? What are they good for?

Mr. WALSH. The committee will be busy enough in conducting the examination into this very important department of the Government, which has been very active during the last three or four years; in fact, since its creation and establishment. The committee, of course, will have to hold hearings and hear the statements of a great many officials and people who have been connected with transactions in the activities of the Shipping Board and the Emergency Fleet Corporation.

Mr. CLARK of Missouri. These appointments on these committees are highly honorable and gentlemen like to get them. The members of this committee, almost without exception, are good lawyers.

Mr. WALSH. I thank the gentleman, although he does say "almost without exception."

Mr. CLARK of Missouri. And these committees go to work usually and hire some high-class city lawyer, and the country lawyers, although they are the best lawyers in the world, never get a look-in on any of these appointments to act as attorneys. We have been talking a great deal here about economy, and, of course, I suppose this lawyer, whoever he may be, will get $15,000, for that seems to be about the minimum figure.

Mr. WALSH. That was the precedent established by the majority party in the last Congress, I will say.

Mr. CLARK of Missouri. I do not care who established it. The committee does not have to follow precedents.

Mr. WALSH. No; and I do not think that that precedent will be followed, I will say to the gentleman.

Mr. CLARK of Missouri. What I want to know is, if this would not be a good time to save even as small an amount as $15,000?

Mr. WALSH. A very good time, I think.

Mr. CLARK of Missouri. I am in favor of it.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. WALSH. Yes.

Mr. LONGWORTH. If it be true, and I have no doubt that it is, that all of the members of this committee are very eminent lawyers——

Mr. WALSH. "Almost without exception," the gentleman from Missouri says.

Mr. LONGWORTH. "Almost without exception," are there any members of the committee who know anything, or practically anything, about admiralty law?

Mr. WALSH. I think not.

Mr. LONGWORTH. And, therefore, the employment of such an attorney is necessary. I agree with the gentleman.

Mr. CLARK of Missouri. Mr. Speaker, the gentleman is talking about the precedents set by the majority party in the last Congress. I think some of those precedents are very bad. Yesterday we struck the lawyers from the resolution for the Committee on Expenditures in the Treasury Department. Why not do the same thing with this?

Mr. WALSH. I think the gentleman appreciates the fact that the Shipping Board has been operating a vast number of plants under contracts and arrangements and leases, and has been operating ships under arrangements which have necessitated the drafting of legal documents involving many questions of maritime law. It would seem that it might become necessary for an attorney to make an examination of many of those legal documents and to assist the committee in construing them for the purpose of conducting the thorough examination which will be required and which it is, of course, expected the special committee will make into the affairs of the Shipping Board, the Emergency Fleet Corporation, and any other subsidiary organizations connected with it.

Mr. SIMS. Mr. Speaker, will the gentleman yield?

Mr. WALSH. Yes.

Mr. SIMS. Is it the purpose of this investigating committee to have the publicity agent of the Republican national committee present to make notes or take notes?

Mr. WALSH. It is not the purpose to have the publicity agent of the Republican national committee on the pay roll of the committee.

Mr. CANNON. Has Creel got a job? [Laughter.]

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and on a division (demanded by Mr. ASWELL) there were—ayes 105, noes 43.

So the resolution was agreed to.

On motion of Mr. IRELAND, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

CLERKS TO COMMITTEES.

Mr. IRELAND. Mr. Speaker, I offer the following privileged resolution.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 224.

Resolved, That there shall be paid out of the contingent fund of the House of Representatives compensation at the rate of $150 per month during the first session of the Sixty-sixth Congress for the services of one clerk to each of the following-named committees: Committee on Expenditures in the Navy Department, Committee on Expenditures in the Department of the Interior, Committee on Railways and Canals, and Committee on Education.

Compensation for the clerks to the said committees to commence from the time such clerk entered upon the discharge of his duties, such time to be ascertained and evidenced by a certificate signed by the chairman of the said committee.

Mr. ASWELL. Will the gentleman yield?

Mr. IRELAND. Mr. Speaker, I want to state to the House that these clerks that are provided for in this resolution were those omitted in the last resolution brought in, because these chairmen had not appeared before the committee and given reason why they should be granted.

Mr. ASWELL. Will the gentleman yield?

Mr. IRELAND. I will.

Mr. ASWELL. Does the gentleman know whether any of these committees have had a meeting this Congress?

Mr. IRELAND. Yes; several, I think, have. I can not tell just which ones or how many meetings they have had, but they gave us the assurance——

Mr. ASWELL. Has the Committee on Railways and Canals had a meeting this session?

Mr. IRELAND. The chairman is here, and I can not recall what his answer was as to——

Mr. TAYLOR of Colorado. If the gentleman will yield for a brief question, does not the gentleman know that the Committee on Railways and Canals has not had a bill for five years and do not do any investigating?

Mr. IRELAND. We heard otherwise from the chairman of the committee when he appeared before us.

Mr. TAYLOR of Colorado. If the gentleman will look up the record he will find that that committee has had no business and I do not think they have had a clerk or have done any business.

Mr. IRELAND. The same committee had a clerk under the Democratic Congress, however. I do not know whether they have had any business or not.

Mr. ROBSION of Kentucky. If the gentleman will permit, I desire to state that the Committee on Education has no clerk and it has had a great many hearings and a great many meetings. We need a clerk for that committee, I know.

Mr. TAYLOR of Colorado. I think the gentleman is right in that.

Mr. BLANTON. Will the gentleman yield?

Mr. IRELAND. Certainly.

Mr. BLANTON. I think the Committee on Education should have a clerk, but why on earth should $150 a month be paid to a clerk to the Committee on Railways and Canals when we know that the business it did all of last session was to have about three meetings? It has very little business, and the service of a clerk is wholly unnecessary, and I dare say the committee will not have a meeting this whole session, not just the first session but during the whole of the Sixty-sixth Congress, and there will be no necessity whatever for a clerk, so what is the use of spending the money? I was a member of this committee last year. We had three meetings, from which no legislation whatever resulted, and I do not know of any business during the whole of the Sixty-fifth Congress that necessitated a clerk for that committee.

Mr. IRELAND. But the committee had a clerk, however, did it not?

Mr. BLANTON. Oh, it had a clerk, but it should not have had one. Merely because this side of the House provided one is no excuse for having one.

Mr. IRELAND. Certainly not. But the gentleman must recall, though, we should profit by Democratic mistakes——

Mr. BLANTON. That was an instance where we followed a bad precedent set by our Republican friends.

Mr. IRELAND. Very possibly. I am not sure about that. We have the assurance of the chairman that he has sufficient work before the committee to necessitate the employment of a clerk. Now, we can hardly go back of that assurance until proven otherwise.

Mr. LONGWORTH. Will the gentleman yield?

Mr. IRELAND. I will.

Mr. LONGWORTH. My information is that that committee will have a considerable amount of work to do this year. I understand that an investigation is to be undertaken as to the difference in cost of transportation by canal and railway, which would be a very important investigation and could scarcely be conducted unless the committee had a clerk.

Mr. IRELAND. I understand there is quite a comprehensive case coming from the State of Ohio.

Mr. HASTINGS. Mr. Speaker, I just want to call attention to the fact that a clerk was provided by this resolution for the Committee on Expenditures in the Navy Department. I made that statement yesterday, that the committee had theretofore taken such action and the House will remember that it was denied. Now, we provided one in this resolution, and had already taken this action providing for a clerk for the Committee on Expenditures in the Navy Department before the other resolution, which was considered and debated here yesterday, was taken up, and I ask the chairman if he will not confirm that as being the fact?

Mr. IRELAND. It is absolutely the fact, and the only reason it was not handed in before was they brought in several separate bills.

Mr. HASTINGS. Then my statement was correct when I stated that the committee had already provided for it?

Mr. IRELAND. In that particular; yes, sir.

Mr. GARD. Will the gentleman yield?

Mr. IRELAND. Certainly.

Mr. GARD. I would like to be informed who is chairman of what has heretofore been a very unimportant committee. Who is chairman of it now?

Mr. IRELAND. The gentleman from Illinois [Mr. WHEELER].

Mr. GARD. Does the gentleman say there is business before his committee that requires the services of a clerk?

Mr. IRELAND. I have been so informed.

Mr. GARD. My observation of the Committee on Railways and Canals is that they never had but one bill in the last Congress. I do not know what they have now, and I should like to have a word from the gentleman from Illinois as to how many bills they have before that committee.

Mr. OLIVER. Will the gentleman permit a question?

Mr. WHEELER. Will my colleague yield?

Mr. IRELAND. I will yield to the gentleman.

Mr. WHEELER. I will state that in the last Congress we held extensive hearings, and we had a number of meetings of that committee in the minority room in the House Office Building. We had 150 people from Indiana and Ohio on canal projects who represented the business men's associations from those States. In this Congress there has been introduced a resolution or two on which we will have hearings, and there has been one resolution introduced providing for surveying for a canal in Florida, and I am informed by the gentleman that introduced that resolution there will be some business men from that State that will want to come before that committee. And I have been informed that in all probability there will be a bill introduced for a canal project in Ohio and Indiana, and possibly Pennsylvania. If so, it will require hearings, and we will have quite a number of business men before the committee.

Mr. GARD. How many bills are now pending?

Mr. WHEELER. There are two before the committee now and in all probability there will be two more.

Mr. GARD. Two?

Mr. WHEELER. Yes.

Mr. OLIVER. For what length of time does the resolution contemplate the employment of these clerks?

Mr. IRELAND. Only during the first session of this Congress.

Mr. OLIVER. It appears from the questions asked, and from the information before the committee, that the business of these committees will be rather spasmodic. Would it not be better to authorize the appointment of a clerk only for the time a committee actually needs one?

Mr. IRELAND. That might have been a better method.

Mr. OLIVER. Rather than provide for the appointment of a clerk for 12 months?

Mr. IRELAND. That privilege, as we have always found, has been abused, and the compensation is usually about $6 a day, or $180 a month. A compromise was suggested by the gentleman from Georgia at $150 a month.

Mr. OLIVER. The gentleman will recall that when this matter was before the House at the last session clerks were refused to these same committees, and my recollection is that we authorized some other committees to employ clerks only for such time as the committees might certify they were needed.

Mr. IRELAND. Yes, sir.

Mr. OLIVER. Now, would it not be better to amend your resolution so as to provide for certification by the chairmen of these respective committees that a clerk is needed for the time he is to be actually employed.

Mr. IRELAND. Well, that is a debatable question. We acted as we thought best under the circumstances. We found that most any arrangement that might be made would be capable of abuse at any time.

Mr. OLIVER. That certainly would be the business way of handling a matter of this kind, since it clearly appears that many of these committees have had but little, if any, work in the past and even now contemplate but a little work for the future.

Mr. IRELAND. Personally I am in accord with the gentleman's views.

Mr. HOWARD. Will the gentleman yield?

Mr. IRELAND. Yes, sir.

Mr. HOWARD. I am a member of the Committee on Expenditures in the Interior Department. They have had only one meeting. I did not know that the committee was asking for a clerk. I would like to ask the gentleman to have the chairman of the Committee on Expenditures in the Interior Department explain to this House the necessity for a clerk for that committee.

Mr. KREIDER. I will be glad to explain.

Mr. CANNON. Is that matter up before the House now? Is it included in this resolution?

Mr. IRELAND. Yes.

Mr. KREIDER. I asked permission to appoint my secretary as clerk without pay, and that stands; and, as I explained to the committee, I did not intend that the clerk to be appointed to that committee should receive any compensation whatever unless the committee should be compelled to have hearings and get such an amount of business that my clerk could not do the work. As long as my secretary does the work there will be no charges and no bill presented for the appointment of any clerk to the Committee on Expenditures in the Interior Department.

Mr. IRELAND. I will say that that statement was made before the committee.

Mr. KREIDER. It is not my intention now to appoint a clerk with pay. The clerk there now gets no pay, and unless that work is of such a volume that the clerk can not do it, there will be no clerk hire.

Mr. HOWARD. Why create the right to appoint this clerk unless something comes before the committee that makes it necessary?

Mr. IRELAND. Because the gentleman, who is more conversant with the work of the committee than the gentleman making the interrogatory, assures us there is business coming before the committee. The clerk will not be appointed until there is such business to occupy the time of the committee.

Mr. CLARK of Missouri. Mr. Speaker, we are now having the annual round-up about these clerks for the minor committees. I wish to make a remark or two about this Committee on Railways and Canals. The Speakers have held that it fell into what

Mr. Cleveland would have called "innocuous desuetude." I do not know what the experience of the present Speaker has been about referring bills to that committee, but at the first of the last Congress I made up my mind I was going to either have the committee abolished or resurrected. The Committee on Rivers and Harbors had absorbed one half of its jurisdiction and the Committee on Interstate and Foreign Commerce had absorbed the other half, and there were a good many bills introduced that ought to have gone to the Committee on Railways and Canals. And I concluded, as it had nothing to do I would give them something to do, if they would do it. So I went to the chairman of the committee and told him I would refer to his committee all the bills over which they had jurisdiction if he would agree to get his committee together and go to work. He said he would do it. Consequently I referred bills to them, and I have never heard a word about those bills from that day to this. [Laughter.] But there are bills that ought to go to the committee. There is a bill pending here—I do not know what committee it is in now—for digging a canal from Pittsburgh to Cleveland, or to some place up there on the lake, that is a very important and serious proposition. If that canal were dug it would be a great benefit to the commerce of that part of the country.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. CLARK of Missouri. Yes.

Mr. MONDELL. Is not the fact that the committee failed to report any legislation after considering the matters which the Speaker laid before it the best proof of the good judgment of the committee rather than otherwise?

Mr. CLARK of Missouri. My own judgment about it is that all these bills that are referred to committees ought to be reported back here some way or other, either favorably or unfavorably. That is the answer to that question.

Mr. MANN. It would make a lot of reports.

Mr. CLARK of Missouri. I know there would be a lot of reports, but the committee has got nothing to do but make a report.

Mr. IRELAND. Mr. Speaker I yield to the gentleman from Illinois [Mr. MANN].

Mr. MANN. I would like to have two or three minutes.

Mr. Speaker, I think this resolution ought to pass. I know that the Committee on Railways and Canals has some important business that may come before it.

But that is not what I took the floor to say. I am the chairman of one of the most important committees of this House and one of the hardest-working committees of the House. When it did business it did it promptly.

Mr. LONGWORTH. You had the girls to help you. [Laughter.]

Mr. MANN. No. We had no help from the girls. We did not require it with such able assistance as there was in the House. I have not asked the Committee on Accounts for a clerk for the Committee on Woman Suffrage. I have had my own clerk perform those duties. My clerk is the best clerk in the Capitol at Washington. [Applause.] She has been representing my district in Congress for the last two years, and may for some time to come. [Laughter.] Her salary for years was a good deal more than she is now getting, and I do not promise that I shall not ask the Committee on Accounts before the termination of this Congress that they allow enough additional to make her salary what it was and what it has been for years. I do not know whether I shall ask it or not. It would not be very much.

Mr. MONDELL. Mr. Speaker, will the gentleman yield to me for just a few minutes?

Mr. IRELAND. Yes.

Mr. MONDELL. Just a word, Mr. Speaker, in regard to the expenditure committees and their clerks. The expenditure committees ought in every session of Congress to be active. They have duties to perform that are important; not necessarily in the nature of investigations with a view of discovering something questionable, but investigations for the information of the House as to the conduct of the public business. These committees, every one of them, should be active enough to require the services of a good clerk. In this House the Committee on Accounts has insisted, before recommending clerks to these committees, that the committees urge the appointment of such clerks and bring evidence before the Committee on Accounts as to the intention of the committees to proceed to the work that properly falls to them and comes under their jurisdiction. Ordinarily these clerks are provided for as a matter of course at the beginning of the session. The Accounts Committee delayed making provision for these clerks until assured that the committees were going to do business. It is the duty of all of these committees to proceed to inquiries and investigations that will require the services of a good clerk. I am confident they will do so.

Mr. FITZGERALD. Mr. Speaker, I would like to have three minutes.

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from Massachusetts?

Mr. IRELAND. Yes; on this subject.

Mr. FITZGERALD. I agree with the statement of the gentleman from Missouri [Mr. CLARK], that if the Committee on Railways and Canals is not busy, it ought to get busy, because one of the most important problems before the country to-day in connection with the high cost of living problem is the matter of transportation.

I have heard it said repeatedly during the last couple of years that one great phase of the transportation question to give effective relief to the people was the proper coordination of canals and the railways of the United States. One of the most effective methods by which rapid and cheap transportation should be effected would be the more effective utilization of our canals and waterways and railroads.

The other day I listened to a Member of Congress from Texas, who said that he had raised hundreds of bushels of tomatoes on his farm in Texas, and when they were sent to market and he got his account back from the commission merchant, instead of there being a profit, he was charged $2.50 as a handling expense; the people of the United States are wondering why it is that the farmer gets so little while it costs so much at the table, and one important phase of this situation is transportation. Germany tackled this question 50 years ago, and her best minds were directed to the utilization of the natural waterways of the country in conjunction with the railroads.

Mr. WALSH. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. WALSH. I think if we are going to have the cost of living discussed under a resolution to provide a clerk to a committee, you had better have a quorum here. There are important measures pending here. Under a privileged resolution concerning a clerk, the gentleman is discussing the high cost of living, and I do not think we ought to permit absent Members to lose the benefit of this discussion.

Mr. IRELAND. I did not yield to the gentleman from Massachusetts for that purpose.

Mr. WALSH. The gentleman said he was going to discuss the resolution.

Mr. FITZGERALD. I said I was, and I ask the House for leave to address it for three minutes.

Mr. WALSH. Does the gentleman know what the resolution is?

Mr. FITZGERALD. The resolution calls for the appointment of a clerk for the Committee on Railways and Canals, and I think it should pass; and if I were not interrupted I think I would have given cogent reasons why this committee, instead of being moribund, should be one of the most active in the House, to the benefit of the people of the country.

Mr. WALSH. And they would not have to have a clerk under this resolution.

Mr. FITZGERALD. Years ago the railroads throttled the canals, and it looks now as though the railroads still had influence enough to stifle canal development, which would be of inestimable service to the people of the country.

While I am on the floor I want to make a statement about the housing conditions here in Washington. I am told that the Government took over quite a lot of land to build small houses for Government employees, particularly those employed in the navy yard. The war ended before the buildings were started, though some money was expended by the Government in building cellars and clearing off the land in many places. I was told to-day that there are a number of employees in the navy yard here who would like to buy this land at the price paid by the Government and build their own homes. These men are now inadequately housed, living two or three families in a house, with 6, 8, or 10 persons trying to live under insanitary conditions, and they have clubbed together enough money to build a substantial number of houses on this land, provided the Housing Bureau will turn it over to them at the original cost to the Government. This the Housing Bureau hesitates to do because of the fear of criticism by Congress. I think I can say to this commission that if these men, who are now improperly housed, are willing to pay the Government for the original cost of this land and build their own buildings, that this Congress to a man will stand behind that proposition. I am told that the money spent on this land by the Government does not help the land in any respect as far as these men are concerned; in fact, in many cases it would be a hindrance, because the cellars that were dug are altogether too large for the small buildings they intend to build. I thought that I ought to bring this matter to the attention of the House to see if

there was any opposition, so that the members of the Housing Commission would feel that if they permit this sale to go on that they would have the indorsement of this body.

Mr. WALSH. Mr. Speaker, I withdraw my point.

Mr. BLANTON. Mr. Speaker, at what time would it be in order to offer amendments to this resolution?

The SPEAKER. It would be in order now.

Mr. KITCHIN rose.

Mr. IRELAND. Mr. Speaker, I yield to the gentleman from North Carolina.

Mr. BLANTON. I offer the following amendment, Mr. Speaker.

The SPEAKER. Does the gentleman from Illinois [Mr. IRELAND] yield to the gentleman from Texas [Mr. BLANTON] to offer an amendment?

Mr. IRELAND. I have already yielded to the gentleman from North Carolina.

The SPEAKER. How much time?

Mr. IRELAND. Two minutes.

The SPEAKER. The gentleman from North Carolina [Mr. KITCHIN] is recognized for two minutes.

Mr. KITCHIN. Mr. Speaker, I hope no gentleman on this side of the House will object to this resolution. I have conferred with the Democratic members of the Committee on Accounts and they favor the reporting of this resolution in its present shape. I understand that they looked over the Republican personnel of the committees asking for clerical assistance very carefully, and the Democrats came to the conclusion that if such committees were really going to amount to anything they would have to have outside assistance to get along. [Laughter.] I am pretty sure they do, and they ought to do some work; and being absolutely in need of outside assistance to do it, I hope no Member on this side will object to it. [Laughter.]

Mr. BLANTON. Mr. Speaker, I withdraw my amendment.

The SPEAKER. The question is on agreeing to the resolution.

Mr. OLIVER. Mr. Speaker, I wish to offer an amendment.

Mr. IRELAND. I move the previous question.

The SPEAKER. The gentleman from Illinois moves the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

PROPOSED ORDER OF BUSINESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent for the present consideration of a motion which I send to the Clerk's desk.

The SPEAKER. The gentleman from Wyoming asks unanimous consent for the present consideration of an order which the Clerk will report.

The Clerk read as follows:

Ordered, That until further notice the House shall meet at noon on Tuesdays and Fridays. No business shall be in order except the Chaplain's prayer, the reading and approval of the Journal, the signing of bills and resolutions on the Speaker's table, and a motion to adjourn.

The SPEAKER. Is there objection?

Mr. IGOE. Reserving the right to object, I had a resolution pending before the Committee on Interstate and Foreign Commerce, relating to the investigation of the price of shoes and other articles, which has been reported with amendments. Before introducing it I requested the consent of the majority leader for its consideration, and he was not disposed to give that consent. This resolution is now pending on the calendar, and the gentleman in charge of the bill [Mr. DENISON] would like to have *unanimous* consent for its consideration. I have asked the Rules Committee to provide a rule in the event that unanimous consent is refused. I do not know what action will be taken upon that resolution, and until it is passed by the House I shall object to any such order as that suggested by the gentleman from Wyoming. Therefore I object.

The SPEAKER. The gentleman from Missouri objects.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 2847. An act providing additional aid for the American Printing House for the Blind;

H. R. 5228. An act granting the consent of Congress to the city of Minneapolis, a municipal corporation, to construct, maintain, and operate a bridge across the Mississippi River;

H. R. 5648. An act for the construction of a bridge across the Rainy River between Spooner, Minn., and Rainy River, Province of Ontario, Canada;

H. R. 6434. An act authorizing the construction of a bridge and approaches thereto across Red River about 2 miles above its confluence with the Washita River, near Preston, Grayson County, Tex.;

H. R. 6342. An act to authorize the construction of a bridge across the Pend Oreille River at the town of Usk, in the State of Washington;

H. R. 6438. An act authorizing the counties of Aiken, S. C., and Richmond, Ga., to construct a bridge across the Savannah River at or near Augusta, Ga.;

H. R. 6450. An act to amend an act entitled "An act to amend an act entitled 'An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department, approved September 2, 1914,' as amended";

H. R. 6692. An act to extend the time for the construction of a bridge across the White River at or near Forsyth, Mo.;

H. R. 6805. An act to authorize the county of Dougherty, State of Georgia, to construct a bridge across the Flint River, connecting Broad Street, in the city of Albany, said State and county, with the Isabella Road, said county and State; and

H. R. 5418. An act increasing the pay of printers and pressmen employed in the Government Printing Office, and for other purposes.

LABORATORY GLASSWARE, SURGICAL INSTRUMENTS, ETC.

On motion of Mr. FORDNEY the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 7785) to provide revenue for the Government, to establish and maintain in the United States the manufacture of laboratory glassware, laboratory porcelain ware, scientific and surgical instruments, with Mr. TILSON in the chair.

Mr. FORDNEY. I yield such time as the gentleman from North Carolina wishes, not exceeding one hour.

Mr. KITCHIN. I yield to the gentleman from New York [Mr. GRIFFIN] five minutes.

Mr. GRIFFIN. Mr. Chairman and gentlemen, I take it this bill is the opening gun in the battle for a general increase of the tariff. It is doubtless the precursor of many more bills that we may reasonably expect will follow. We have upon the table in front of us a splendid array of surgical instruments. Yesterday we were delightfully entertained by the gentleman from New Jersey [Mr. BACHARACH] with an imposing exhibit of chemical and scientific glassware. I presume later in the session we will have demonstrations of the magnificent work done by the steel industry, by the brick industry, by the paper industry, and by the thousand and one industries of this country which have been clamoring for increased tariffs, to raise the protective wall to the absurd height which it had attained before the barrier was cut down, after repeated failures, I might add, on the part of the Republicans to keep their promise to lower it.

Gentlemen, the issue that confronts us to-day is the increased cost of living. How in the name of heaven are you going to accomplish anything in the way of reducing the high cost of living if you set out on the path to increase the cost of everything to the consumer? [Applause.]

It may be that the surgical instrument, the chemical laboratory, and glassware industries were stimulated by the force of necessity during the war. I do not deny that they have accomplished great things, and it may be that they ought to receive some encouragement to prevent their industries from being put out of business; but I tell you it is not the right way to do it by piecemeal. Get all of these bills together that you have pending now in your committee that relate to the tariff and give them careful consideration, and bring out a bill, not with tariff rates of 45 or 60 per cen ad valorem, as you do in this bill, but giving power to some intelligent commission to take into consideration the conditions and circumstances of the trade, industry, and occupation, the necessities of the moment, and to fix a tariff at a fair rate. I sincerely hope that you will not now start upon this road of bringing in these bills by piecemeal. If American industry needs encouragement, by all means give it intelligently. Do not take the word of the manufacturers that they need 60 per cent ad valorem in order to protect their industries, to prevent their being ruined by competition. One will demand 45 per cent, another 60 per cent, another, perhaps, will demand 80 per cent ad valorem. You should not be guided by their demands. [Applause.]

Their judgment is biased. They are governed by self-interest and not by any deep concern, either for the wage earners or the consumers.

There seems to be a general lack of coordination or system in all the panaceas suggested for the amelioration of the condition in which we now find ourselves. Capital wants high

protection to help it meet the inroads made by the income and war taxes upon its dividends. Labor wants increase of wages to help it meet the high cost of living. But it is neither by protective tariffs nor other artificial devices that you can make industries thrive and prosper; nor is it by a temporary sop to labor in the way of wages that you can make the life of the wage earner more endurable. We have been going along on that road—the road of the charlatan—long enough. The thing to do now is to make a declaration in this Congress that quack doctoring is at an end.

Let us announce to the world that prices are at their highest peak and that henceforth nothing shall be entertained—no proposal considered—which directly or indirectly will tend to enhance the cost of anything.

So long as we listen to the plaints of the manufacturers that they must have higher tariff barriers to protect them, so long will we be obliged to entertain the plaints for higher wages. Both are interdependent and inseparable. To increase tariffs will only enhance the cost of living, and it is the experience of mankind that a material increase of wages is soon absorbed in the general rise in prices which inevitably follows. The increase in wages is like chicken feed thrown to the little chicks in the barnyard, to be instantly gobbled up by the big roosters.

Every increase in either protective tariffs or wages is invariably used as a pretext for further profiteering. Prices of all commodities react immediately, and the cost of living receives another boost; the tariff raise and the wage raise are soon more than neutralized. Then your pet industries will be back here asking for further help to defy the pauper labor of Europe and Asia, protect American labor, and incidentally put a few more dollars in their pockets. Each step in this endless struggle to obtain equilibrium will find the wage earner the sufferer, because each advance is inexorably and inevitably absorbed by the general rise in prices, which is invariably out of all proportion to the advance in tariff or in wages.

Another objection, and a most serious one, is that after the process of raising prices has gone on for some time we begin to deal with larger and still larger units; which makes the business of profiteering easier, simpler, and more profitable. Thus where the market would justify only a raise, say, of 10 per cent, the profiteer adds 15 per cent to his price; the next in the chain of distribution adds 20 per cent, and, finally, when it gets to the wage earner he will be mulcted by an increase of 25 per cent upon the original cost. We come, then, to deal with the dollar as we formerly dealt with the half dollar or the quarter. Our currency is depreciated; our dollar has only half or one-quarter of its former purchasing value. The mechanic who earns $40 a week now is in a poorer state financially than he was a few years ago when he earned $25 a week. This is the difficulty of our present situation, which contains so much of peril and makes it so hard to unravel. Despite all our attempts to mitigate conditions, the ultimate consumer finds himself helplessly enmeshed in the struggle for existence. You are not helping him by piling up tariffs. You are only building new obstacles in the pathway to plague the Nation in the ultimate adjustment.

Mr. FORDNEY. Will the gentleman from North Carolina use all of his time? We have only one more speech on this side.

The CHAIRMAN. The gentleman from North Carolina has 55 minutes remaining.

Mr. KITCHIN. Mr. Chairman, the policies of the two parties represented on the committee are very widely apart with respect to the pending bill and other tariff bills reported out by the committee. We Democrats recognize that in the chemical and dyestuff industries there should be some kind of protection or encouragement for their establishment and maintenance in the United States, because they relate directly to war preparation, and so many other and larger industries are dependent upon them. The Democrats recognized this in 1916, and for the first time in the history of this Government they provided a tariff sufficient under conditions then—under normal conditions—to establish and maintain the dye and chemical industries in this country. The Republicans having been in power for almost a half century, though claiming to the people that they were for the establishment and maintenance by a protective tariff of American industries, refused during all those years absolutely to attempt to build up or encourage in the least the small industries whose products were used by the big industries, such as dyestuffs. The textile manufacturers and paint manufacturers and other manufacturers, whose capital and output amounted to millions and hundreds of millions of dollars, had so much influence with the Republicans in Congress for the last 50 years that the little fellows who made or who wished to produce dyestuffs that went into the products of these big manufacturers could not have a peep in. [Applause on the Democratic side.]

When the war came, although the Republican Party had been in power almost 50 years, we found that it had not encouraged the establishment of the chemical and dyestuff industries, the chemical-glass industry, the magnesite industry, the tungsten industry, the optical glass and instrument industry, or any other industries for which they are now asking a monopolistic tariff and many of which are essential in the manufacture of munitions of war.

The Republican eyes were on the big fellows and not on the little ones, and when the little fellows came to Washington and asked some little protection to start or maintain their little industries they were kicked out of the Capitol and told to go home and let them alone. [Applause on the Democratic side.] They were looking after the interests of the textile, the iron and steel, and many other big industries, who used these smaller products in the manufacture of their larger products.

They, by their system of protection to the big interests, relieved them of the payment of any tariff on many of their intermediate products that went into the manufacture of their finished products. Many were put on the free list, a low tariff was put on the others, in both cases to enable the large beneficiaries of their system to purchase in the markets of the world as cheaply as possible the materials necessary in the manufacture of their products. These beneficiaries were given protection in the purchase of their materials, to the detriment of the American producers of such materials, and protection in the sale of their finished product, to the injury of the American consumer.

The Democrats also recognize that there were a few industries established during and by the necessities of the war producing materials that are essential in the manufacture of direct munitions that should be encouraged and maintained in time of peace.

Mr. DENISON. Will the gentleman yield right there?

Mr. KITCHIN. I am going to yield to all later on, if my time will permit, but let me make my statement first. The Democrats of the Ways and Means Committee contend that this is no time to fool with the tariff and fix rates on any of these propositions. I believe that every intelligent man, be he a Republican or a Democrat, who has not some special interest in his district or State to serve will agree with us.

The Republican theory of protection—and you Republicans listen; I might get it wrong; correct me if I do—is that in levying a protective tariff you should put the rates only high enough to equalize the difference in the cost of production abroad and the cost of production at home, especially the difference in the labor cost. Mr. Taft during his administration added "and the American standard of profit." This theory has been written into every Republican platform since the Civil War. It is the theory proclaimed in every Republican protective-tariff speech made in this House or in the Senate or on the stump since the Civil War.

They know, and you know, and every intelligent man in this country knows, that there is no possible way in these abnormal times to find out in any respect the cost of production abroad of any of the articles embraced in the pending bill or other articles. The Tariff Commission is unable at this time to find such cost. The commission has made reports on chemical glass, optical glass and instruments, magnesite, tungsten ore, and many other products embraced in this and other bills reported out by the Ways and Means Committee, and in none of these reports do they or have they undertaken to tell us the cost of their production abroad. It knew and knows that in these times, when cost of production and price are abnormal the world over, it would have been a useless task to have undertaken to ascertain the cost abroad. It has been unable to find out the cost of production here. Every man who testified before the Ways and Means Committee admitted that he did not know and could not find out the cost of production abroad of the articles enumerated in this bill on account of present conditions throughout the world. Every Republican on the committee will admit that there is no way now in these abnormal times to ascertain the cost of production abroad and that there was no proof before the committee of the cost of production abroad of the articles upon which Congress is asked to impose a high and exorbitant tariff. We could not get, nor could the Tariff Commission get, nor did the manufacturers who testified before us get, the evidence of the cost of production of the articles contained in this bill or know what it was. Is not that so, gentlemen of the committee? Did any man testify as to the cost of production of chemical glassware, of optical glassware, of surgical and dental instruments, or of any other article embraced in this bill? Not one.

Mr. BACHARACH. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. BACHARACH. I had an exhibit here yesterday of beakers, in which it was shown that the Japanese could land them in this country for $1.01, equivalent to 45 per cent ad valorem, and the American goods cost about that to make without the overhead expenses, and they would sell for $1.27½.

Mr. KITCHIN. Yes; one gentleman testified that he bought 13 little glass beakers and a few other little glass articles for such and such a price that were imported from Japan. But he did not say what was the cost of production there or that he knew. He did testify that the American-made beakers were superior to those of the Japanese, which could account for the difference in price. There are hundreds of different kinds of chemical-glass articles. He only testified to the price of two or three, which he said were imported from Japan. What is the price or cost of production of the others?

Mr. BACHARACH. The gentleman will recall the testimony of Mr. O'Brien, who was a worker. He testified in reference to the cost.

Mr. KITCHIN. Yes; he is the gentleman sent down by the manufacturers to ask for them a 60 per cent duty.

Now, there is absolutely no evidence, and every Member knows it, of the cost of production abroad. Every witness that came before us said it, the Tariff Commission knows it. If we should find out such cost to-day, on account of the extraordinary and changing conditions throughout the world to-morrow or next week or month it might be radically different.

How can the Republicans of the committee or House write a tariff rate at this time and carry out the theory of equalizing the cost abroad and the cost at home if they do not know the cost abroad and have no way of finding out in these abnormal times what it is? It is most difficult to ascertain the cost here, much less abroad. The Tariff Commission has had much difficulty in ascertaining costs here, and in many cases could not do so.

There is no way in this world for any Republican or any protective-tariff man here or elsewhere at this time to get information enough to write a Republican protective tariff according to the professed theory and principles of the Republican Party. But the Republicans on the Ways and Means Committee and in this House do have all the information they want to write a protective-tariff bill according to the actual practice of the Republicans in writing tariff bills heretofore. Their theory has been, their profession has been, that the Republican principle is to have the rate so adjusted as to equalize the difference between the cost abroad and at home, and yet in the McKinley Act, the Dingley Act, and the Payne-Aldrich Act, of the dutiable articles at least 50 per cent had not only a tariff rate sufficient to equalize the difference in the cost of production abroad and at home but sufficient to cover the total labor cost of the articles made here.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Take cotton, for instance. They had a rate of an average of about 50 per cent. The labor cost in the cotton industry is less than 28 per cent. They had a tariff twice as high as the total amount of the labor expended in the production of the articles. I yield to the gentleman from Ohio.

Mr. LONGWORTH. The gentleman was speaking, I believe, about the theory under which this 50 per cent tariff was imposed in this bill. Will the gentleman state upon what theory the 45 per cent tariff in the present law, the so-called Underwood bill, was fixed? Upon what theory was the 45 per cent tariff in the present law agreed on as the proper duty on this glass?

Mr. KITCHIN. It was agreed on because we had sufficient evidence on which to fix a Democratic rate. We agreed on 45 per cent because we believed it to be the best revenue-producing rate without being too heavy a burden on the users of such articles. We agreed on it not in order to protect the monopolists that would grow up here but to protect the Treasury and the users of this glassware. [Applause on the Democratic side.]

Mr. LONGWORTH. Do I understand the gentleman to state that his committee had evidence as to the foreign cost and the domestic cost which enabled them to arrive at a duty of 45 per cent?

Mr. KITCHIN. We had evidence enough to enable us to write a tariff act according to Democratic theory—first looking to the interest of the Government, and second, looking to the interest of the consumer, with the manufacturer having the protection incident to such a tariff. But as to the 45 per cent on chemical glassware there was no protection in it to such an American industry, because, though Republicans had control of the Government from 1860 to 1913, excepting eight years, there was no American chemical-glass industry when we took control in 1913 and framed the Underwood Act. In asking his question the gentleman left out something. The Democrats in the Underwood bill saw, and I am going to show the gentleman the difference between that and this bill, that 50 per cent of all of the chemical glassware used in this country was used by students in colleges and universities, the students taking chemical and scientific courses. We kept that on the free list for those students. This bill, as I shall show the House, taxes the struggling students of the colleges and universities $13.33 each annually. They pay it out of their pockets; not into the Treasury of the Government, but into the treasury of a few manufacturers. In this bill you tax the students of the colleges and universities taking a scientific course $900,000 annually in order to help foster a monopoly of a half dozen chemical-glass producers in this country. [Applause on the Democratic side.]

Mr. LONGWORTH. I would like to ask the gentleman if he is opposed to that feature of the bill?

Mr. KITCHIN. What?

Mr. LONGWORTH. The elimination of the free list.

Mr. KITCHIN. Yes; and I am going to show——

Mr. LONGWORTH. That is a new theory on the gentleman's part, is it not?

Mr. KITCHIN. Oh, no.

Mr. LONGWORTH. I did not understand him ever to oppose it the other day.

Mr. KITCHIN. Oh, yes; the gentleman must have understood me to oppose it. He could not have understood or thought that I would ever consent to make these struggling students pay tribute of $900,000 annually to a monopoly.

Mr. LONGWORTH. I understood differently from the gentleman's remarks.

Mr. KITCHIN. I am trying to show the gentleman that he ought to oppose it, and that in his heart he will oppose it—I do not care how the machine makes him vote. [Laughter and applause.]

Mr. ZIHLMAN. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. ZIHLMAN. The gentleman says that his party put the chemical glassware on the free list for use in the universities.

Mr. KITCHIN. And the scientific institutions for the benefit of the students; yes.

Mr. ZIHLMAN. In doing that, did you not absolutely destroy that industry in this country?

Mr. KITCHIN. Oh, no; because though the Republicans had had control of the Government and had been framing protective-tariff acts for nearly 50 years there was no such industry here to destroy. [Applause on the Democratic side.] There was not produced $10,000 worth of chemical glass in this country.

I think I have shown you that upon the Republican theory of a protective tariff you have no data at all upon which to fix a rate, but upon the practice, as I said, of Republicans in putting their real tariff principles into the statutes they have acted by this bill according to the rule by which every Republican Congress in the last 50 years in dealing with the tariff has acted. Their theory is one way, their profession is one way, but their practice is another. This is written in exact accordance with the principle of every protective-tariff bill that has been written by the Republican Party since the Civil War, of the McKinley bill, of the Dingley bill, and of the Payne-Aldrich bill, and what is that principle? To give the beneficiaries, the manufacturers, the rate that they want, that they ask for, based on no fact except their avarice and passion for profits. [Applause on the Democratic side.] Who said 60 per cent was the proper rate or tax for chemical glassware that the students of our educational institutions must pay, which on them alone will amount to $900,000 a year? Why, the manufacturers of this chemical glass. Did the Tariff Commission say 60 per cent? Oh, no. Did any one of these members of the committee say 60 per cent? Oh, no. Did anybody on earth say 60 per cent was the right and just rate except the manufacturers, the beneficiaries of that exorbitant duty? They asked it, it went in the bill, and that is the way all these high rates got in all the other bills the committee has reported out.

Mr. BACHARACH. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Yes. Is that the Vineland matter that the gentleman is going to refer to?

Mr. BACHARACH. I have it right here, but there is another matter. The gentleman stated that only the manufacturers asked for the 60 per cent rate. As a matter of fact, Mr. Clark, president of the Flint Glassworkers' Union, asked for 60 per cent.

Mr. KITCHIN. The manufacturers——

Mr. BACHARACH. But he is a workingman, and Mr. O'Brien——

Mr. KITCHIN. Mr. Clark is the president of the Glassworkers' Union, and Mr. O'Brien is connected with the glass-manufacturing business.

Mr. BACHARACH. And Mr. Parsons.

Mr. KITCHIN. The manufacturers told them to come down here to Washington and ask the Republican committee to put on a 60 per cent rate; that it would help the glassworker. They came and asked; and so it is still the manufacturers who, through Mr. Clark and Mr. O'Brien, as well as themselves directly, are telling you what rate they want and what rate you should put in. Is not that so? [Applause on the Democratic side.]

Mr. BACHARACH. Does the gentleman recall what Dr. Herty said in reference to this 60 per cent rate?

Mr. KITCHIN. Yes; I know what he said. He said the manufacturers said they wanted 60 per cent. He said that he was not an expert on the tariff; that he did not know what the rate should be; but they said they ought to have it. [Applause on the Democratic side.] And he was for it. Of course I know what Dr. Herty said. You see I remember these little things. [Laughter.]

Mr. BACHARACH. Does the gentleman recall what Mr. Parsons, secretary of the American Chemical Society, stated?

Mr. KITCHIN. Yes, sir; I recall very well what he said. He stated positively that he knew nothing about what the rate should be—that he had never studied the question. [Applause on the Democratic side.] The American Chemical Society, through Dr. Parsons, let it be known that they did not object to 60 per cent; that they knew nothing about tariff rates; but that was what the manufacturers wanted, and they were willing to stand by what the manufacturers wanted in order to build up the industry. [Applause on the Democratic side.] How did these chemists know anything about the cost of production here or the cost of production abroad? They wanted the industry here. They did not manufacture. They did not care what the rates were, how high they were made. The only fellows who were interested in the rates were the manufacturers who are going to make money out of this exorbitant 60 per cent. And neither this chemical society nor the members of it are going to have to pay a cent of this tariff tax. The big corporations, in whose employ they are, like the Steel Corporation, the sugar and oil refineries, and so forth, that use much chemical glass in their testing laboratories, and the educational institutions, of whose faculty they may be members, and the students of such institutions, will have to bear the burden of the tax.

I trust I have given some reasons why the committee and the House can not at this time fix the rates in this bill or any other bill that will carry out the Republican professed theory of a protective tariff, because they are absolutely ignorant of all the necessary and essential data and facts. They have done, as I have said, in this bill, if it becomes law, what they have done in all bills—given the tariff favorites an opportunity to exact the amount of money they want from the pockets of the people in order to put it into their own pockets. [Applause on the Democratic side.]

I believe Republican members of the committee will admit that at this time no one on or off the committee knows the cost of production abroad of the articles embraced in this bill, and it is most difficult to find out the cost of production here. They have had no evidence——

Mr. GREEN of Iowa. Why does the gentleman say that when we will not admit it at all?

Mr. KITCHIN. There is no evidence of it.

Mr. GREEN of Iowa. The record is full of evidence, which the gentleman will not read or quote.

Mr. KITCHIN. There is no such evidence. There was evidence of what some gentleman said he paid for a few dollars' worth of a few little glassware articles which he said were imported from Japan. But this bill covers hundreds of different kinds of articles other than chemical glass. But I will test the gentleman. Here is a table containing several dozens of other articles in the bill, put on exhibition here to aid the passage of this bill. Now, I ask the gentleman what did this instrument I hold in my hand cost to produce in Germany or Japan?

Mr. GREEN of Iowa. It cost less than it was sold for. The gentleman has no argument——

Mr. KITCHIN. What did this one cost to produce and what did this one cost to produce in Japan or Germany? Where is the evidence and where is any testimony? You have the copy of the testimony; point me to the page. Well, what did this instrument cost in Germany or Japan? Why, I will vote for your bill if you can tell me that, or if you will cite a scintilla of testimony as to the production cost in Germany or Japan or the United States or elsewhere in the world. [Applause on the Democratic side.]

Mr. FORDNEY. Will the gentleman yield for a question?

Mr. KITCHIN. I will.

Mr. FORDNEY. Knowing, as the gentleman does, that the wages in Japan range from 15 to 50 cents per day and $6 in this country, which one do you think cost the more, the Japanese or the American? [Applause.] The gentleman has that evidence. He knows that is the difference between the wages in this country and Japan and——

Mr. KITCHIN. I know no such thing; neither does the gentleman. Is Japan shipping this chemical glass and optical glass here? Is she shipping surgical and dental instruments here?

Mr. FORDNEY. We have the Japanese goods there, and we have the prices there of what it cost to make in this country.

Mr. KITCHIN. If the gentleman from Michigan [Mr. FORDNEY] is correct as to the difference in labor cost, how absurd and ridiculous is his and his committee's claim that 60 per cent is sufficient tariff to protect these manufacturers against Japanese competition. It was claimed in the hearings that the labor is about 70 or 75 per cent of the cost of all the articles here—they said labor was 90 per cent on these things—but for the argument let us admit that labor is 70 or 75 per cent of the cost. The gentleman from Michigan tells you that the labor here is $6 a day for the same labor in Japan that receives from 15 to 50 cents. That is, the producer here pays at least twelve times—from twelve to forty times—as much as is paid for the same work in Japan. Now, in order to protect the manufacturers here, according to the gentleman's figures and theory, the tariff will have to be from 800 to over 2,000 per cent. Why did you give the pitiful 60 per cent when you would need from 800 to over 2,000 per cent in order to protect our manufacturers against Japan? [Applause on the Democratic side.]

Mr. FORDNEY. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. FORDNEY. I will tell you why and let you know why. You know that no rate of duty can be put upon these goods that will equal the difference in the cost between this country and Europe and——

Mr. KITCHIN. We are talking about Japan now.

Mr. FORDNEY. You know that we can not make a law that will protect us against Japan.

Mr. KITCHIN. Then why bring in this tariff bill as a protection against Japan? Of course their statement of the difference in wages and costs shows that they are using Japan as a ghost with which to scare Republicans, especially Progressive Republicans, and some weak-kneed Democrats who want protection on some industry in their districts into voting for this exorbitant, monopoly-making tariff bill. If Japan is making these articles, and if 90 per cent or 70 per cent of the cost is labor—they testified that Japan was just flooding the country with this kind of wares—and Japan pays from 15 to 50 cents per day to the fellow who works and we pay here $6 per day, why the manufacturer would have to have over 1,000 per cent tariff in order to protect him, and it is an insult to him for Republicans to tell him that they are going to protect him with a little 60 per cent. [Applause on the Democratic side.] If this were true, there is not a manufacturer in the United States who would remain in business 24 hours. If this were true, with a 60 per cent rate provided in this bill, Japan would sell every single one of these articles, and there would not be, there could not be, sold here an American-made article. Japan would wipe out every American manufacturer within 30 days unless the American workman was from twelve to forty times more efficient than the Japanese workman and turned out for his employer from twelve to forty times as much product. The gentleman from Michigan [Mr. FORDNEY] has let somebody impose on him. You see, these Republicans over here are so afraid of the real truth and right and justice of Democratic contention in these matters that they will not let me state it. They continue to interrupt me. Do not look so mad at me. [Laughter.] I am the most harmless Democrat you ever saw in your life. [Laughter.] I like a Republican just as much as I do a Democrat. You Republicans are just bad politically; that is all; and you are not enlightened on the tariff. [Laughter.]

Let us see if our position at this time is not a reasonable position, taking it from a patriotic standpoint. Nobody knows at this time how to write intelligently or scientifically a tariff bill on the Republican theory or on the Democratic theory, because we have got to know, in considering and writing a tariff according to the Republican theory, what the difference is between the cost of production abroad and here, and in considering a tariff according to the Democratic theory we ought to have a reasonable knowledge as to the difference in the cost. It is admitted by everybody that this is not known at this time, and can not be known what it will be a week or a month or a year

hence, because of the rapidly varying conditions. Here is the Democratic position: We realize the wisdom and necessity of maintaining the chemical and dyestuff industries and a few other industries essential in the production of materials for direct munitions of war, which industries were established here during and by the necessities of the war, but which are valuable in the production of necessary articles of everyday use. In the present and ever-changing conditions, having no data or facts upon which to intelligently base a tariff rate, the Democrats propose for a period of two years—a reasonable transition period from abnormal to normal conditions—a license system for importation of chemicals and dyestuffs and the few war essential materials referred to by me a moment ago; that the Tariff Board shall constitute the license board; that no license to import such articles shall be granted within the two years—the transition period from abnormal to normal—unless it be shown that they can not be obtained in the United States at a reasonable price; if such be shown, license to import shall be granted. This will with certainty protect these newly established war essential industries and at the same time prevent the manufacturers here from demanding exorbitant prices. By the expiration of the two years we can hope that conditions of production and values here and elsewhere throughout the world will become normal. By then the Tariff Commission and others can give Congress proper data as to the cost of production at home and abroad. We can then, if it ever could be done, ascertain the difference in the cost of production at home and abroad. Both the Republicans and Democrats will then be in an intelligent position to write a tariff and fix rates according to their respective theories. Why is not this the intelligent, reasonable, and patriotic position for all of us to take? We know and you know that any rate we can fix under existing conditions is a pure guess, unless we do as the Republicans propose to do by this and other bills, and that is give the rate the manufacturers desire and demand. As a permanent proposition we do not favor the import-license system. We propose it as a temporary measure to bridge over the extraordinarily abnormal conditions throughout the world. We would propose this as an amendment to this and other similar bills or in a motion to recommit, but unfortunately, according to the rules of the House, such an amendment or motion to recommit is subject to a point of order.

The Republicans on the committee are now solidly against our proposition. The beneficiaries of this bill are against it. Let me say to the House that the very first bill that I saw before our committee this session was a bill introduced by the chairman of our committee, the gentleman from Michigan [Mr. FORDNEY], leaving out all tariff and putting in it only the license system. This was the potash bill. We propose now, as to this and the other bills reported out, this principle. He ought to indorse our proposition, because we adopted his principle of the temporary license system.

Mr. FORDNEY. Does the gentleman know that he is in error when he makes that statement? If you will look at the bill you will see whether there is any tariff in it or not.

Mr. KITCHIN. There is no Republican tariff in it. I believe it did include a provision that after five years there should be a duty of $10 a ton on this product, but no tariff at all until after five years. But the policy that the Democrats are contending for now was incorporated in that bill, because it did not permit a tariff to be put upon it until five years, and the license board should have five years in which to license, long after the period from the abnormal to the normal had transpired. Our proposition is a license system for two years and then Congress can write a tariff in an intelligent way. But the gentleman and his party are now repudiating their own policy in their first bill in rejecting our proposition.

Now, gentlemen, let me get down to this specific bill. I will tell you why a good Democrat and a patriotic Republican can not vote for this bill. Are there any Progressive Republicans here? I guess they are all reactionaries, and I am sorry for it. [Laughter.] I believe they have got Brother LONGWORTH in the reactionary camp now. [Laughter and applause.]

I saw a great deal in the press before Congress met that the gentleman from Ohio [Mr. LONGWORTH] was talking about "the old machine and the steering committee," and how "it had put the Republican organization of the House back into the hands of the old reactionaries." He got on the Ways and Means Committee, and I find that the reactionaries have now got Mr. LONGWORTH. [Laughter and applause.]

This bill levies a duty of 60 per cent on chemical glassware and 45 per cent on optical instruments. It removes the exemptions from duty to scientific and educational institutions. I want you Republicans to listen to this: Every tariff act from 1790 to the present—every Republican act, the McKinley Act, the Dingley Act, the Payne-Aldrich Act—has had in it this free, or exemption, clause, as to scientific and educational institutions, except the acts of 1846, 1857, 1864, and 1870. It was kept in by the Underwood Act. But these glass manufacturers came down here and told the Republicans of the Ways and Means Committee that they are tired of that clause in tariff acts and it must go out, and out it goes if this bill becomes law. [Applause on the Democratic side.]

Mr. LONGWORTH. Will the gentleman yield?

Mr. KITCHIN. I can not yield.

Mr. LONGWORTH. It will not take half a second.

Mr. KITCHIN. Give me 20 minutes additional time and I will yield to all the gentlemen on that side. We have plenty of time. We limited general debate to two hours yesterday because we thought we were going to adjourn to-day for a five weeks' recess, but we can not go home now, and we have plenty of time to discuss matters in this bill.

Mr. LONGWORTH. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 20 minutes.

Mr. KITCHIN. In addition to the time I already have.

Mr. FORDNEY. I object.

Mr. KITCHIN. The gentleman from Michigan, I know, does not want to know the truth about the tariff. [Laughter.] All he wants to know is what does the beneficiary want, what is the rate the manufacturer demands, and into the bill it goes. [Laughter.]

This bill, according to the evidence and figures in the Tariff Commission report, and every man on the committee who has investigated it knows it, as to chemical glass alone puts upon each student, each poor, struggling student in the chemical departments of our colleges or universities, a tax annually of $13.33, and it will mean, according to the estimated production and use now, a tax of $900,000 annually that the Republicans by this bill are going to take out of the pockets of the struggling students and transfer to the pockets of the glass manufacturers in the district of the gentleman from New Jersey [Mr. BACHARACH] and in one or two other districts. [Applause on the Democratic side.] Not a Republican can deny that.

Gentlemen, if there is a man that is a friend of these institutions and a friend of the poor, hard-working students in this country, how can he vote to strike out the exemption clause which has been in every tariff act, except the four I have mentioned, for the last 130 years—in the McKinley Act, the Dingley Act, the Payne-Aldrich Act, and now in the Underwood Act. [Applause on the Democratic side.] That is what this is going to do.

In its investigation of the chemical-glass industry the Tariff Commission examined the chemical-glass manufacturers. Attention now: The Tariff Commission in its report of June 3, 1919, declares that the manufacturers of the chemical glass only asked for the elimination of the free-list clause and the 45 per cent rate that is now in the Underwood bill. But in this bill the Republicans not only remove the free-list clause, but increase the rate to 60 per cent. We have 45 per cent in the Underwood Act, but exempting the scientific and educational institutions and their students from the payment of duty, just as the Payne-Aldrich Act, the Dingley Act, and the McKinley Act did.

Let me read from the Tariff Commission report of June 3, 1919:

> The manufacturers that have established this new industry—
>
> Of chemical glass—
>
> in the United States since 1914 are satisfied with the existing rate of 45 per cent, but urge that the provision in paragraph 573—
>
> Which is the exemption to scientific and educational institutions—
>
> be eliminated.

The report further states that they said if this were done they could successfully compete with foreign products. But the manufacturers knowing the servility of the Republicans to the special interests came down here before the committee and said they took back their wants before the Tariff Commission and they now wanted a 60 per cent rate, and 60 per cent went into this bill. [Applause on the Democratic side.]

The gentleman from New Jersey [Mr. BACHARACH] said in his speech yesterday that Japan right now was flooding this country with importation of these articles. I have obtained from the Department of Commerce the statistics of all the glassware of every description that Japan has shipped into this country since the 1st of January of this year. From the 1st of January until the 31st of May of this year all the importations of glass and glassware of every description from Japan amounted to only $124,000! We are producing in this country yearly over $150,000,000 worth of glassware of all kinds. In other words, Japan's importation of glassware for a year amounts to only one-

sixth of 1 per cent of the total annual glassware produced in this country. Of every $100 worth made and sold in this country and imported from Japan, Americans manufactured and sold $99.82 worth and Japan sold 18 cents worth. Flooding us, of course! If I had a business in which I could sell $99.82 worth and my competitor could only sell 18 cents worth I would be the biggest fool in the world to stand before an intelligent audience, much less Congress, and say, "If you do not give me some protection that little Japanese is going to run me out of business." [Laughter.]

In the McKinley Act, in the Dingley Act, in the Payne Act, and in the Underwood Act educational and scientific institutions were exempted from the payment on optical instruments. This bill eliminates this exemption and increases the duty from 25 per cent to 45 per cent upon the importations of all optical glass and instruments. This imposes upon the educational and scientific institutions a tax additional to the chemical-glass tax of at least $250,000, according to present production and use. The larger part of optical instruments used in normal times in this country is used by such institutions. The two or three optical instrument manufacturers that produce practically all such instruments in this country demand that this exemption be eliminated, and that this tax of $250,000 be taken out of the treasury of these institutions and put into their treasury. The Republicans in this bill straightway did as they were bidden. On "philosophical, scientific, and laboratory apparatus, utensils, instruments, and appliances" the tariff by this bill is increased over 50 per cent. On surgical and dental instruments the tariff by this bill is increased from 20 per cent to 60 per cent—an increase of 300 per cent—at the demand and for the benefit of less than half a dozen manufacturers who produced 80 per cent or more of such instruments in this country. According to the figures of the manufacturers themselves who appeared before the committee as to the amount now being used in civil life in this country this increase of the tariff imposes a tax of at least $5,000,000 upon the doctors, surgeons, and dentists, including charitable hospitals, in this country. The Republicans by this bill, should it become a law, deliberately take out of the pockets of the doctors, surgeons, and dentists of the United States at least $5,000,000 and put it into the pockets of a half dozen manufacturers, to enable them to make as much profit as they want.

Have the doctors and dentists, have the hospitals, private and charitable, of this country signified in any way to the Republicans of the committee or of the House their willingness to bear this tremendous sacrifice to satify the passion for profits of a few favored manufacturers? Has the Ways and Means Committee had before it a single doctor or surgeon or dentist or a single representative of a hospital or a representative of any medical, surgical, or dental association? Not one. They have not been heard. Neither has any college nor university nor student, nor representative of them, who will bear the burden of over a million dollars a year put upon them by this bill for the benefit of a special few manufacturers, been heard. No one has represented before our committee the doctors and surgeons and dentists and hospitals and the educational institutions and the students of this country except the Democratic members of the Ways and Means Committee, and no one is representing them on this floor except the Democratic Members of this House, who are now protesting and fighting this iniquitous bill, with its high and monopolistic tariff.

Now, another principle in this bill is an old-time principle, not professed, however, but always practiced, though, by Republicans, and that is favoritism to the special few. There never was a tariff bill written by a Republican Congress that was not brimfull of favoritism. You Republicans, listen to me now, if you please; I am going to tell you something of which you have not thought and which may interest you. The Republicans got so in the habit, in the last 50 years, of crowding tariff bills with special favoritism to the big interests at the expense of all the people that they have now, in consideration of tariff bills, invoked and made that policy operate among Republican Members of the House—bestowed favors upon a special few at the expense of the many Republicans of the House. This House is going to be surprised at this: Almost every Republican in the House has little industries here and there in his district, among many others, such as magnesite and pyrites and graphite and manganese, the latter more essential in war and in peace than any one of the materials which the bills reported out propose to protect. But we have not seen any bill reported out protecting these or any other industry in your district, have we? But what kind of bills have been reported out to protect the little industry in the district of the layman Republican Member? Where is it? There were hearings on manganese and graphite and pyrites, and so forth, but there is no bill reported out for them. There has been no consideration of them by the committee. The bills that are reported to-day happen to be bills introduced by Republican members of the Ways and Means Committee who have a little special industry in their districts to protect. [Laughter.] You even legislate for the few as against the many of your own members, gentlemen. [Applause on the Democratic side.]

Let us see. The bill that we have now under consideration protects chemical glass, surgical and dental instruments, optical glass and instruments, and so forth. Where are the producers of these located? In the State of New Jersey. In whose district? In the district of my good, genial, likable, amiable friend, Mr. BACHARACH. [Laughter.] Who introduced this bill to let these New Jersey manufacturers mulct the people of millions in order to put it in their pockets? Mr. BACHARACH, of New Jersey, of course. [Laughter.] Whose bill was reported out? Mr. BACHARACH'S bill. What committee is Mr. BACHARACH on? The Ways and Means Committee, of course. [Applause on the Democratic side.] Well, all of this glass and glassware in Mr. BACHARACH'S district and in one or two other districts which is protected in this bill will not amount to more than $4,000,000, and yet the output of the glass industry in this country producing other kinds of glassware will amount to $150,000,000 a year. No bill reported out to protect any other kind of glass industry. Why? But they are in the districts of Republican Members not on the Ways and Means Committee. Why do not some of the 235 Republicans not on the committee get some consideration? Favoritism! I do not blame the Republicans. It is a natural thing for them. They have acquired the favoritism—the special-few—habit.

Here is another bill for the protection of magnesite, not manganese.

Well, where is the magnesite industry located? Why, up in the State of Washington, way out yonder in Washington, the district of my good friend, Mr. HADLEY, of Washington.

Mr. HADLEY. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Oh, do not take my time.

Mr. HADLEY. I do not want to take the gentleman's time. I will get the gentleman from Michigan [Mr. FORDNEY] to give the gentleman five minutes more time.

Mr. KITCHIN. Is not the gentleman from Washington?

Mr. HADLEY. Yes.

Mr. KITCHIN. The evidence was that the biggest company in the United States producing magnesite was in Washington. Is not that so?

Mr. HADLEY. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Is not that so?

The CHAIRMAN. Does the gentleman from North Carolina yield to the gentleman from Washington?

Mr. KITCHIN. Just for a question; but let the gentleman be quick.

Mr. HADLEY. Does not the gentleman know that the hearings show that there is none of this magnesite that the gentleman refers to in my district?

Mr. KITCHIN. You are from the State of Washington, are you not?

Mr. HADLEY. I said "in my district."

Mr. KITCHIN. Well, all right. The gentleman is big enough to represent the whole State. [Laughter.] The largest company producing magnesite in the whole country is in the State of Washington. Is not that true? Magnesite is a Washington industry. The bill is introduced by Mr. HADLEY, from the State of Washington, not by the other gentlemen from the State of Washington in whose districts the industry is located. Why——

Mr. BLANTON. Mr. Chairman, I suggest——

Mr. KITCHIN. Please do not interrupt me just now.

Mr. BLANTON. I want a lot of other Members to be here to hear this good speech. [Laughter.]

Mr. KITCHIN. Mr. HADLEY introduced this bill, which I hold in my hand, to protect a little industry in his State. Mr. HADLEY'S bill is reported out. We are going to consider it after we finish this bill. On what committee is Mr. HADLEY? On the Ways and Means Committee, of course. [Laughter.] Other Republicans have industries in their districts, but no bill is reported out to protect them. Why? Republican favoritism. [Applause on the Democratic side.] The few against the many.

There is tungsten ore, gentlemen, not nearly as important as a war material as half a dozen others that I might mention, and yet there is no bill for those others here, but there is one here to protect tungsten ore. Tungsten ore is produced in Colorado, and the gentleman who introduced the bill to protect that industry in Colorado is my good friend—as fine a gentleman as ever I met, and as diligent a Member as there is here—Mr. TIM-

BERLAKE, of Colorado. His bill is reported out by the Republican members of the Ways and Means Committee. The House will soon consider it. What committee is my friend Mr. TIMBERLAKE on? On the Committee on Ways and Means, of course. [Laughter.] That bill has been introduced, favorably acted upon, and reported out, and will soon pass a Republican House; but the other bills that Republicans not on the committee introduced to protect the industries in their districts are not yet reported out, and the Lord only knows when. [Laughter.]

We passed a bill here the other day over my protest to protect something that ninety-nine one-hundredths of you never heard of before in your lives—loganberry juice. Made where? Not in North Carolina, not in Pennsylvania, not in Michigan, not in Colorado, but made in the State of Oregon, practically all of it in the State of Oregon. The bill was introduced by Mr. HAWLEY, a Representative from the State of Oregon. That bill was promptly considered, that bill was promptly reported out, and that bill was promptly passed through the House, over my vote, however.

A MEMBER. What committee is Mr. HAWLEY on?

Mr. KITCHIN. What committee is Mr. HAWLEY on? Of course on the Ways and Means Committee. [Laughter.] His bill would not have been reported out by this Republican committee if he had not been a member. Now, there is one gentleman on our committee who I thought could not be persuaded or tempted to harvest the fruits of this or any system of favoritism. I saw a certain bill that was reported out, and I said, "Here, no doubt, is an exception to the rule. This gentleman certainly has no such industry in his district or State which his bill proposes to protect." He is one of the older members of the Committee on Ways and Means, and I will say that he is one of the most diligent and valuable members of that committee and did a great service on that committee during the last four years. No man did greater service on that committee in helping to prepare the big war tax measure of the last Congress than this gentleman "That gentleman surely," said I, "has no spirit of favoritism about him; surely he is not going to help Republican members of the committee to monopolize all protection bills. Surely here is a Member who introduced a bill, on purely patriotic grounds, to protect a legitimate industry in some other State or district than his own." It is a bill to protect what? The pearl-button industry. And its author is my friend Judge GREEN of Iowa. [Laughter.] I said to the clerk, "Go and bring me the hearings," and I read them, and lo and behold, when I read the hearings I found that more than 50 per cent of all the pearl buttons manufactured in the United States were made in one little town in the State of Iowa named Muscatine, and that over 75 per cent of the pearl buttons made in the United States were made in the State of Iowa—the good old State of my good old friend, Judge GREEN, the author of the bill to protect pearl buttons. [Laughter.] Then I said, "Ah, the Republicans are true to their rule, true to their practiced policy of favoritism." [Laughter.]

Mr. GRIFFIN. What committee is he on?

Mr. KITCHIN. What committee is he on? He is on the Committee on Ways and Means, of course. [Laughter.]

Does not it seem that, if not out of respect "for the opinions of mankind," out of decent regard and respect for the opinions of these 230 other Republicans not on the Ways and Means Committee who have industries in their districts the Republican Committee on Ways and Means would report out bills of Members not on the committee to protect some of the industries in their districts? [Laughter.] No. These Republican members of the Committee on Ways and Means are a close corporation, and they propose to get all the benefits in reach, to the exclusion of others. [Applause on the Democratic side.] That is natural All of these bills are to protect monopolies and to make monopolies, every one of them.

Of course another princple they carry out is to let the Republican membership of the Committee on Ways and Means monopolize all the bills that were reported out. [Laughter.]

As the Democratic national platform says, the Republican scheme of protection is a scheme that protects and enriches the few at the expense of the many. So you have just left out about 250 Members, or more, whatever the number is you have got. You other fellows have got to suffer. Under machine rule, orders have gone out from the steering committee and the committee of the gentleman from Michigan [Mr. FORDNEY] to those who are standing out in the cold with no bills to protect the industries in their districts and States, "You come and swallow this bill down, whether your district is protected or not. You have got to do it. If you do not, we are going to have Mr. MOORE of Pennsylvania get up on the floor of this House and denounce you as he did Mr. EMERSON the other day for his disobedience of orders." [Laughter and applause.]

You know, gentlemen, that there were some Republicans put on this committee as new members at the beginning of this Congress. I am going to give Republicans not on the committee a pointer now. One of the new members of the committee is the gentleman from Washington [Mr. HADLEY]. He has a bill reported out. Another new member is the gentleman from Colorado [Mr. TIMBERLAKE], and he has a bill reported out. Another new member is the gentleman from New Jersey [Mr. BACHARACH]. He has a bill reported out, the one we are now considering. You other Republican gentlemen who have industries in your districts to protect did not have sense enough to know what committee to get on. [Laughter.] When you who have little industries in your districts go home, and you are asked why you did not protect this and that industry, you have got to tell them that these other fellows were smart enough to know what committee to get on and you were not. But the next time of the making up of the Republican members of the Ways and Means Committee there is going to be a scramble before the committee on committees, for all the Republicans that have little industries in their districts to protect will be candidates for membership on the Ways and Means Committee, because they now know what it means. [Laughter and applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired.

The gentleman from Michigan [Mr. FORDNEY] is recognized for 22 minutes.

Mr. FORDNEY. Mr. Chairman and gentlemen, I do not believe there is a man in this House who is better acquainted with our good friend [Mr. KITCHIN] than I am. When he makes a sacred agreement he is absolutely straight and dependable, but on his feet on this floor in a speech he is as slippery as a greased eel. [Laughter.] If the truth will not do, something else will be substituted therefor. [Laughter.] When the gentleman speaks of the difference between the cost of an article in this country and in a foreign country he knows that there on that table is an article of glassware which the undisputed evidence shows sold at wholesale in Yokohama only a few weeks ago for 59 cents, while the labor cost is $1.01 in the production of that article in this country. Yet he contends that we need no duty to offset the difference in the cost of production in this country and the cost of production abroad. How can intelligent men take such a position.

The President of the United States last night asked Congress to remain here and raise wages and at the same time lower the cost of living. A suggestion of that kind comes from a man who is not sincere.

The gentleman from North Carolina [Mr. KITCHIN] knows that there was evidence presented to the committee by a man representing practically all the colleges and chemical laboratories in this country, recommending a high import duty on this laboratory glassware and these surgical instruments, samples of which I have here, and he said the colleges and laboratories were almost unanimous in asking that a duty be put upon those articles that are now on the free list. The gentleman from North Carolina knows that. His memory is not so short.

Mr. KITCHIN. I did not catch what the gentleman said.

Mr. FORDNEY. A gentleman came before our committee who said he represented practically all the colleges in the United States and all the chemical laboratories, and that they had a meeting, and there were several hundred institutions represented, and they were almost a unit in asking for a duty on those articles, and he recommended a higher duty. If I have the time, I will read his remarks.

Mr. KITCHIN. I said a gentleman came before us and said the duty ought to be 60 per cent, but nobody came representing the students who have got to pay for these things.

Mr. FORDNEY. Oh, yes; this very man represented the students, and I will put his remarks in the RECORD. He said that those articles when sold to the students by the institutions that imported them free they did not sell them to the students at the price at which they were purchased, but sold them to the students at double the price paid for them by those institutions.

Mr. KITCHIN. He said some small institutions did that, but he did not give the name of a single college that did it.

Mr. FORDNEY. He represented those colleges, and he made that statement, and the gentleman knows it.

Mr. KITCHIN. What is his name?

Mr. FORDNEY. I have but 20 minutes, but I will put his statement in the RECORD,

On page 61 of the hearings here is what Mr. O'Brien said in answer to a question:

Mr. O'BRIEN. No, sir; I have just got the statement "Japanese goods sold in New York, duty and transportation charges paid, $1 each. American manufacturing cost without overhead expenses, $1.01 each; price f. o. b. Yokohama, 59 cents."

Mr. Warren S. Hood, representing the Vineland Scientific Glass Co., of Vineland, N. J., was asked by the chairman of the committee if the Government really encouraged the manufacturers to produce these articles during the war, and I quote from the hearing:

The CHAIRMAN. Would you say that the Government really encouraged the manufacturers to produce these articles during the war?

Mr. HOOD. Absolutely; yes, sir. They called us to Washington immediately after the declaration of war, and the manufacturers of apparatus were then formed into what was known as the apparatus section of the Council of National Defense. I was then secretary of that until I went into the Army. The first problem that we had to tackle was the biological containers for the Surgeon General's Department. Theretofore the Surgeon General had used the German product entirely, and they did not know where they were going to get the product, or who was to make it for them. That statement would be corroborated by the Surgeon General's office.

And now you would destroy that industry. Let me say to the gentlemen of the House that every time a tariff proposition is presented to the Democratic side of the House, they have a conniption fit, although for a hundred years they have written in their platform that they stand for a tariff for revenue only. The Democratic Party manages the affairs of this Government just now, and this Government never needed money as badly in its existence as it has since this war began, and now this year, in addition to $5,000,000,000 estimated to be collected from taxes, the administration is going to dispose of $2,000,000,000 of Government bonds with which to get money enough to run the expenses of the Government this fiscal year. Yet you would not vote to put one dollar of import duty on an article made in this country, while all the time shouting yourselves hoarse that you stand for a lower cost of living and higher wages for the laboring man. Any man who takes the position that by increasing wages he can lower the cost of living is either a fool or a demagogue or both. It is impossible to increase wages in the country and at the same time lower the cost of production, and you know it. You know that when your party came into power six years ago there was little complaint about the high cost of living in this country, and now the cost of living is sky high, and you are shouting yourselves hoarse at the Republicans to lower the cost of living. Oh, nonsense. [Laughter.]

The gentleman from North Carolina [Mr. KITCHIN] speaks about me as the chairman of the Committee on Ways and Means, and says that I brought in a bill here to lower the tax upon loganberry juice made in Oregon. I would call the attention of the House to the fact that when he was the chairman of the Committee on Ways and Means we passed a revenue bill, and Coca-Cola was untaxed. Coca-Cola is not made in Oregon or in Michigan; it is made in Georgia, down near the gentleman's home, where he lives in North Carolina. Put that in your pipe and smoke it. [Laughter.] Talk about favoritism! The gentleman has never known me to use partisanship or to be small enough to want a duty on an article in the district which I have the honor to represent or in the State of Michigan to the detriment of other parts of the country. I have stood for equal protection to all the industries in the States of the Union, and that is where I stand to-day. [Applause on Republican side.] I shall vote for protection to the industries in North Carolina the same as in Michigan or in Oregon. Will the gentleman from North Carolina do likewise? No. He will go crazy at the presentation of a tariff measure. But we are going to make you take it, great or small, whether you are willing or not.

I have here prices from the Japanese on a portion of these goods you see on this table. Some of these samples are Japanese and some of them are American. On the 14th of June this year they offered for sale, delivered in New York, some of these goods for 6.80 yen, and a yen is about half a dollar or a fraction less, which amounts to $3.30 our money, while at the same time it is shown that it does cost to produce that same article in this country $6. Yet these gentlemen think we need no protection. The gentleman from North Carolina argues here that we did not put the duty high enough to offset the difference between our cost and the Japanese cost. The most difficult problem in the framing of a tariff law is the fear of getting that duty so high that it protects our industries against Japan but makes it prohibitory as to those goods made in Europe. The European cost is greater than the oriental cost, and the gentleman knows it, and if we put on a tariff large enough to offset the difference in our cost and the cost of that article when made in Germany or anywhere in Europe, it is not sufficient to offset the difference in the cost between this country and the Orient. And if we do make the duty high enough to offset the difference between our cost and the cost in the Orient, then that duty is prohibitory as to Europe, and the European goods can not come at all. There must be a middle ground somewhere where we must give and take. The gentleman is well informed. He is a brilliant fellow, and there is no better fellow living, but you heard what I said about his speech on the floor of this House. Let him alone, for he will get the best of you, no matter what he has to resort to to do it. He is a buzz saw on his feet. [Laughter.]

Mr. O'Brien, president of a labor organization, and another gentleman from Pittsburgh came before our committee representing the glassworkers, 9,500 men, in the factories that he represented. He told us the great hardships of the men in hot weather in those factories, where they must work in a temperature of from 125° to 175°. In the wintertime it is more comfortable. He pointed out the wages that they were receiving, and he told us of the difference of the living conditions in this country and abroad. He said to the committee, "I want to go back to those 9,500 men and report to them whether or not you, the Congress of the United States, are going to legislate in the interest of the 9,500 glassworkers whom I represent, or will you legislate in the interest of the Japanese?" That is what he said. When you gentlemen get up here and get red in the face and shout at the top of your voices against a protective tariff in the interest of American labor, I want to know what you are going to say to those 9,500 men in those glass factories and millions of men in other American institutions. Charity begins at home. It is the duty of Members of Congress to legislate for the people who sent them here, not the people who shout to us from across the ocean through our Executive, through our President, while he was visiting in Europe. The President has recently issued an order, put into effect by the Railroad Administrator, reducing freight rates on oriental goods coming into this country entering Pacific coast ports. Reducing the freight rates from 20 to 90 per cent below the freight rates charged on domestic-made goods coming over the same route.

If he absorbed those sentiments while in Paris, I hope to goodness he never goes over again to represent the American people. [Applause on the Republican side.] Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has seven minutes remaining.

Mr. FORDNEY. Gentlemen, I ask you in all seriousness to support these bills. This bill is in the interest of American industry. American manufacturers do not give a penny's worth for a protective tariff, except to enable them to pay the American scale of wages when they are in competition with the same article made in a foreign country where the labor of the foreign country receives less pay than the American laboring man receives, because, my friends, the labor cost in the production of any article made in this country is the highest item of cost. In other words, let me say, there is nothing produced in any factory in this country where the labor cost is less than 90 per cent of the total cost of production.

Therefore I repeat that the American manufacturer wants protection only to enable him to pay the difference in the labor cost here and across the sea. My good friend from Illinois [Mr. RAINEY], before the Ways and Means Committee, presented some statistics on labor in Switzerland and compared them with wages paid in this country. He was asked the question whether he was reading weekly wages or monthly wages, and he replied weekly wages. Twice he was asked that question. He showed that the wages in Switzerland were as high as $53 a week. If he had put his glasses on and examined the very Government document that he was reading he would have discovered that it was monthly and not weekly wages that he was giving. When the hearings went to the Printing Office the Printing Office corrected his statement, and wherever the figure "1" was noted there was a notation at the bottom of the Government article that Mr. RAINEY presented to the committee saying wherever the figure "1" appears it is monthly and not weekly wages. But the gentleman reiterated twice that he was giving weekly wages, and from $46 to $53 per week. The gentleman was mistaken, but on a tariff proposition that is as near as the gentleman from Illinois can come to correctness [applause on the Republican side], just about one-fourth of what is right.

Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has three minutes remaining.

Mr. FORDNEY. Gentlemen, we have combined in this bill chemical glassware, optical glassware, and surgical instruments of all kinds. Before the war these articles were not made in this country. We could not compete with Germany. Germany used every unfair method to destroy industries of this kind the minute we started them in this country. No one has ever more clearly explained that than the Attorney General, Mr. Palmer, in his annual report as Alien Property Custodian, made last January, in which he goes on to show that there were five institutions in this country making chemicals. Three of those institutions were finally forced to go out of business for the reason

the chemicals they were making, say oxalic acid, which was then selling for 6 cents, was reduced to 4.6, and finally to 2.2 a pound, and immediately upon closing their doors the Attorney General said the price went up to 7 cents, higher than ever before, and when the war broke out and we took part in that war we discovered that those two institutions that remained in business were German owned and he, as custodian of alien property, took them over.

Mr. BLAND of Indiana. Will the gentleman yield?

Mr. FORDNEY. In just a minute. Let me conclude this. Therefore the two institutions that remained in business were German institutions, and the "yellow-dog" fund in Germany was used against our own industries to drive them out of business. The war has operated as the high protective wall. Our industries have sprung up in aid of the Government in its effort to defeat the enemy. Do we need now any greater lesson than the one we have just received? Do we want another war to drive it into our heads that it is necessary for the American Congress to protect American labor and American capital? I think not. [Applause.]

The CHAIRMAN. The time of the gentleman has expired; all time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That on and after the day following the passage of this act there shall be levied, collected, and paid upon articles named herein, when imported from any foreign country into the United States or any of its possessions (except the Philippine Islands, the Virgin Islands, and the islands of Guam and Tutuila), the rates of duties herein prescribed, namely:

Glasswares and porcelain wares, laboratory apparatus, and other apparatus and appliances wholly or in part of glass or porcelain, for use in the sciences or in analyzing or testing or for use in education, 60 per cent ad valorem.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word. Mr. Chairman, no one should take offense at anything the distinguished gentleman from North Carolina [Mr. KITCHIN] would say about Republicans or Republican doctrines, for we all know that he does not mean one-quarter of what he says and does not believe one-tenth of it. I have often spoken about the ability of the gentleman from North Carolina and his versatility. I have spoken of him so highly in that respect that I can scarcely add anything to it now but in one particular. In one respect the gentleman has shown that he is completely unsurpassed.

The gentlemen of this House have just listened to one of the greatest romances that was ever produced. I do not think it will be one of the "best sellers," but it is certainly unique in the respect I have mentioned. Throughout the speech of the gentleman, which was highly entertaining——

Mr. CONNALLY. Does the gentleman refer to the gentleman who has just finished?

Mr. GREEN of Iowa. Do not interrupt me just at that point, if the gentleman will pardon me.

He drew almost entirely upon his imagination for his facts, and it did not disturb him in the least as to what they might be. He asserted boldly that we did not know anything about what the cost of these Japanese-made articles was, notwithstanding the fact that we had before the committee Japanese-made glassware with the cost of it sworn to. He asserted there was no testimony as to the wages of the Japanese, notwithstanding the hearings were full of it. He asserted that there were no bills reported by the Ways and Means Committee except those which had been introduced by the members of the committee. Why, let me tell the gentleman, for his information, that not only has the committee considered every bill that has been presented by the Republicans but we have even been so fair, in order to relieve the gentlemen upon that side from the unfortunate situation which they are in by reason of their past declarations, that I have introduced on the request of a Democrat a bill for an industry located in another State, in a district represented by a Democrat, who thought it was not best that he should introduce it himself or that he should ask the distinguished gentleman from North Carolina [Mr. KITCHIN] to do so.

Mr. KITCHIN. May I ask just one question? With the exception of zinc, that is proposed now at the seventh hour, after we have resolved to report such bills out, name one that is reported by a member of the committee? Name one that was reported out, except the zinc proposition, that was not introduced by a member of the committee?

Mr. GREEN of Iowa. What of it?

Mr. KITCHIN. You said a while ago that it was a romance and was not true; that other bills had been reported out and introduced.

Mr. GREEN of Iowa. I said so, and I say so yet.

Mr. KITCHIN. Name one.

Mr. GREEN of Iowa. The gentleman has just named one himself.

Mr. KITCHIN. I said with the exception of zinc——

Mr. GREEN of Iowa. There is the potato flour bill.

Mr. KITCHIN. Forced out by the personal influence of my friend over there.

Mr. GREEN of Iowa. I have named them.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREEN of Iowa. Mr. Chairman, I ask unanimous consent for three minutes more.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent for three minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. GREEN of Iowa. Now, the gentleman is not going to disturb me by saying I have looked after the affairs of my own State. I will plead guilty to that indictment as often as he wants to make it, but I will deny on behalf of myself and the committee that there has been any inattention to any measure which was introduced either by a Republican or a Democrat, and I challenge the gentleman to name one that has not received full consideration from the committee. Now, let the gentleman name one, if he can.

Mr. KITCHIN. I have named them all that were before the committee that have not received consideration and been reported out.

Mr. GREEN of Iowa. There were no others, and all have been considered fully. He said there had been hearings on manganese and on pyrites. That is all the product of the gentleman's imagination, which is so fertile that it can blossom out into almost anything. There were no hearings, no requests from anybody that there should be a tariff change on those articles; not a hint of anything of the kind. But that did not prevent the gentleman from claiming the contrary, with all the force and vigor at his command, and it brought thunderous cheers on the Democratic side when he made those assertions that had not the slightest foundation in fact.

I looked for some argument upon the other side. Instead of getting it we have heard merely unfounded assertions, and the wider they were from the fact the more vociferously they were cheered. This bill may cost students who are taking a laboratory course in chemistry a few dollars more, but not what the gentleman claims. In fact, our factories are making an article so much superior that it may save them money in the long run. The cost is largely in the breakage, and the American ware is much more durable. At all events the bill will save a war industry from extinction by the underpaid labor of Japan.

Mr. LONGWORTH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I entirely agree with my colleague who has just addressed the committee as to the entertainment afforded by the speech of the distinguished gentleman of North Carolina [Mr. KITCHIN]. It is possible the gentleman from Iowa and other gentlemen who have not been in the House quite so long as I have received a trifle more entertainment from it than I did, because during the sixteen-odd years that I have been in Congress I have heard that same speech—I can not say how many times. This, at least, I can say, however, that the gentleman never delivered it more attractively, eloquently, and more entertainingly than he did to-day.

As usual, exact accuracy in statement of fact was subordinated to rhetoric, and some of the gentleman's allegations deserve further elucidation. My friend starts out by saying that this is a bill to create a monopoly in the manufacture of chemical glassware. Let me call your attention to this fact, that the present duty, the duty provided by the party of which the gentleman is the most conspicuous authority in tariff matters, is to-day 45 per cent. Is the difference between 45 per cent and 60 per cent the difference between fair competition and monopoly? According to the gentleman from North Carolina [Mr. KITCHIN], 15 per cent must constitute that difference.

In reply to a question that I asked him, the gentleman justified a duty of 45 per cent on these articles on the theory that it was the best possible revenue-producing duty. If that is the case and he is sincere in his further statement that these are articles which deserve protection, which deserve fostering, then on his own theory it is necessary to make the duty higher, because the highest revenue point is that at which the largest quantity of goods are imported, and hence a duty of 45 per cent would permit the absolute flooding of this market with the German and Japanese products.

The gentleman made a most earnest plea in behalf of the unfortunate student, who was to be taxed, I think he said, $13. How he got those figures I have not the remotest idea, but my friend from North Carolina says that he is to be taxed $13 in order to create this glass monopoly.

Now, what is the fact about all this question of the "poor student"? Why, gentlemen, it is simply this: For years a paragraph has been carried in all tariff laws enabling educational institutions to import these articles free of duty, and under that for many years more than half of all our importations of these various kinds of chemical apparatus have been coming into this country. The situation, however, has always been entirely different from what it is at present. In the old days and up to this very moment the educational institutions were asking that their apparatus be brought in free, because they did not believe that it could be made in America, and so we leaned upon Germany entirely for every single piece of apparatus that we have in our chemical laboratories. But to-day the situation is different. Shut off from Germany by the war, American citizens showed that they were capable of making just as good chemical apparatus as the Germans were capable of making, and now we do not want any more chemical apparatus made in Germany. And to-day these very educational institutions themselves, about whom the gentleman from North Carolina betrays such earnest solicitude, are asking that this free-trade paragraph be eliminated from this bill.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. LONGWORTH. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. LONGWORTH. If there is anything in the Democratic theory of free trade, or, if you please so to call it, a tariff for revenue, it is in the interest of the consumer. But when the consumer comes to you and tells you that he no longer wants free trade in these articles, if you regard only the interest of the consumer, is it not fair to take him at his word?

That is precisely the case here. Our educational institutions know now that Americans can make just as good chemical apparatus and surgical instruments as the Germans ever could, and they have learned the folly of relying upon any other nation for their supply of those articles which America herself can produce just as well. They learned a bitter lesson when this war came on, because they were for a time cut off entirely from the supply of those articles absolutely necessary to conduct the laboratory, educational, scientific, and industrial experiments and investigations in this country, and they now realize that the worst thing that could happen to the colleges and the educational institutions here would be again to be dependent upon the mercy of Germany for the supply of all these articles. Hence they are asking this House that this industry be made self-sustaining. So all the argument of the gentleman from North Carolina to the effect that we must look after the interests of the consumer and we must protect him against this great monopoly falls absolutely to the ground when the consumers themselves come and ask us to do just exactly what this bill does.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Iowa?

Mr. LONGWORTH. Yes.

Mr. GREEN of Iowa. Has there been an objection from anybody to this bill—an objection of any kind or sort?

Mr. LONGWORTH. No. The first and only objection to this bill that I have heard comes from the gentleman from North Carolina. I have not heard in the committee any objection urged to it. I never knew before that the gentleman from North Carolina was opposed to the elimination of this free-trade provision until he took the floor to-day, nor did I ever hear that any other member of the committee was opposed to it.

Now, the situation is that the only difference between this bill and the present is a duty of 15 per cent, the difference between 45 per cent and 60 per cent. The gentleman from North Carolina justifies the duty of 45 per cent as having been made with full information by his own committee. He says that 45 per cent is the exact duty that ought to be imposed, because it will bring in the most revenue to the country. The only point at issue between us, then, is the increase from 45 per cent to 60 per cent.

Mr. ASWELL. Mr. Chairman, will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. ASWELL. Does the gentleman think that the increase of duty of 15 per cent would tend to reduce the high cost of living everywhere?

Mr. LONGWORTH. Would it not be better, under the gentleman's theory, to put it on the free list? Would that reduce the high cost of living?

Mr. ASWELL. I think it might.

Mr. LONGWORTH. Why, then, does not the gentleman offer that amendment? The gentleman has the opportunity now to offer the amendment to cut out 60 per cent and put these articles on the free list. If the gentleman is sincere in asking me that question and if he believes this has anything to do with the high cost of living, it is now open to him to offer such an amendment. I certainly would not vote for it, and the gentleman would not dare to offer such an amendment. I would challenge him to offer such an amendment here to-day, but I know that he would not, because he knows that it is pure bunk. [Applause on the Republican side.] His own leader here has absolutely justified this morning a duty of 45 per cent.

Mr. ASWELL. Mr. Chairman, will the gentleman yield further?

Mr. LONGWORTH. No; I will not yield further. Here, then, is the situation: So far as the rate of duty is concerned, the minority of the committee stands for 45 per cent, the majority for 60 per cent. The difference is too insignificant to quibble over. The elimination of the free-trade provision is demanded by the consumers themselves. Honestly, gentlemen, under such circumstances, what conceivable objection can be offered to this bill? [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. BLANTON. Mr. Chairman, I make the point of no quorum. I think we ought to have a quorum here on this bill.

Mr. CANNON. The gentleman has come back. [Laughter.]

The CHAIRMAN. The gentleman from Texas makes the point of no quorum. The Chair will count.

Mr. FORDNEY. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN (after counting). The Chair has ascertained that there are 101 Members present—a quorum.

Mr. FORDNEY. Mr. Chairman, I withdraw my motion.

Mr. TREADWAY. Mr. Chairman, I rise in opposition to the pro forma amendment.

The CHAIRMAN. The gentleman from Massachusetts is recognized.

Mr. BLANTON. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. May I ask the Chairman how many times did the Chair count the gentleman from Alabama [Mr. HEFLIN]? He answered so many times that I do not know whether the Chairman counted him correctly or not. [Laughter.]

Mr. FOSTER. The Chair overlooked the gentleman from Texas.

Mr. HEFLIN. I hope the gentleman from Texas will not obstruct the public business any more.

Mr. TREADWAY. Mr. Chairman, I rise in opposition to the pro forma amendment, and I ask unanimous consent to proceed for five minutes out of order.

The CHAIRMAN. The gentleman from Massachusetts, who has been recognized for five minutes, asks unanimous consent to proceed for five minutes in addition to that time.

Mr. TREADWAY. No. I have an important matter concerning the war-risk insurance business that I want to submit to the House.

The CHAIRMAN. The gentleman from Massachusetts has been recognized for five minutes. He asks unanimous consent to occupy that time out of order. Is there objection?

Mr. BLANTON. Mr. Chairman, reserving the right to object, I ask unanimous consent in that connection to proceed out of order for five minutes following the gentleman from Massachusetts.

Mr. BLAND of Indiana. Mr. Chairman, I make the point of order that it is not in order to make the request in that way.

The CHAIRMAN. The Chair thinks the request is in order. The gentleman from Texas asks unanimous consent for five minutes following the gentleman from Massachusetts [Mr. TREADWAY] to proceed out of order. Is there objection?

There was no objection.

Mr. TREADWAY. Mr. Chairman, my reason for asking five minutes to proceed out of order is to call the attention of members of the committee to a very peculiar situation that has arisen in connection with war-risk insurance matters. As we are probably not to be in session for active business very much in the next week or two, I thought it well to refer to the matter at this time, so that if other similar cases occur among Members of the House in behalf of their constituents those cases can be called to the attention of the Committee on Interstate and Foreign Commerce, who have under consideration a bill (H. R. 8074) which I introduced.

The case which I wish to present is this: A soldier who enlisted in the service nearly two years ago has a wife and four

children. He failed to comply with the law to recognize the compulsory allotment under which the wife was entitled to $15 per month of his pay and Government allowance for herself and her children. The department was notified of this compulsory claim and the proper papers were filed as far back as March, 1918. For some reason or other the department failed to get checkage against the man's pay. As a result the matter ran along for more than a year. The man, of course, was overseas and never acknowledged the checkage against his pay. He was discharged in May of this year, has returned to his home, boasts of the fact that his wife never received a cent from him out of his pay, nor did the children receive their entitled allowance. I will not make comment on that man, but my sympathy is with the mother and those children. I took up the matter with the department. It has been before the department for more than a year and brought up to date since the man's discharge. The department now says that because no allotment was ever charged against his pay they have no way of paying this woman what she was entitled to under the law and which she failed to receive through no fault of hers, but through negligence on the part of some employee of the War Risk Insurance Bureau or some officer in the Army. She should have drawn over $1,000 for the support of herself and her four children, but not one cent of that money has been paid. She is an illiterate woman, and the Red Cross of the city where she lives has paid out in support of that family over $1,000, the amount which the soldier should have assigned, both through allotment and allowance to her during this period. Let me read to you a brief extract from the correspondence I have had with the Treasury Department.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TREADWAY. I ask unanimous consent that I may proceed for three minutes more.

The CHAIRMAN. The gentleman asks unanimous consent to proceed for three minutes. Is there objection?

There was no objection.

Mr. TREADWAY. I called on Secretary Shouse in relation to this matter, and he at once said, "Why, of course that woman has a claim against the Government." He was extremely kind in the matter and gave it his very best attention. Here is what the report to Secretary Shouse says:

The necessary steps as to immediately notifying the enlisted man's commanding officer that checkage should be withheld from his pay for a compulsory class A allotment were not taken, and not until March 24, 1919, was this notice sent.

That was some one's carelessness.

On March 29, 1919, another attempt was made to communicate with Pvt. Beaudry's commanding officer requesting checkage for a compulsory allotment, but no reply has ever been received. In the meantime the enlisted man was discharged from the service.

This is clearly a case of negligence on the part of the bureau to take prompt action in connection with securing checkage in what appears to be a fraud case.

One other sentence:

There appears to be only one course to pursue in this particular, and that is this, that the discharged man be prosecuted in civil courts or else be compelled to pay this allotment. No relief can be had through the bureau since no Government family allowance can be paid unless an allotment of a sufficient amount to warrant has been properly made and paid through this source.

Assistant Secretary Shouse confirms that by saying:

In view of the limitation of the law that prevents the payment of an allowance until the allotment has been paid by the soldier, it would seem that there is no way for the bureau properly to give to the wife of Beaudry the amount which she should have received. Immediate steps should be taken to prosecute the discharged man in the civil courts or else to compel him to pay this allotment.

Of course, prosecution will not bring the money to that poor wife and her four children, and, further, any suit against such a man to compel the payment would be a waste of time and money.

I have therefore introduced an amendment to the war-risk insurance act which provides that in case allotments are not paid, through no fault or negligence of the person to whom the allotment is owed, there shall be a claim against the Government, so that the money can be secured. I trust that if there are other similar cases brought to the attention of the House, Members will notify the Committee on Interstate and Foreign Commerce, and urge the passage of the amendment to which I refer.

Mr. ROGERS. Will the gentleman yield?

Mr. TREADWAY. I am glad to yield to my colleague.

Mr. ROGERS. I have had several instances where married men have enlisted in the Army under assumed names, representing themselves to be unmarried. In such a case, of course, the wife can not trace him. The Army officers have no way of knowing that the man's assertion that he is single is incorrect. In the course of time the man is discharged. I am wondering if the legislation which the gentleman proposes would properly include such cases?

Mr. TREADWAY. I think it certainly should. The wife should not be a loser when she is not at fault.

Mr. BLANTON. Mr. Chairman, there could have been no better or surer or more certain way of solving the high cost of living than for this House to have taken its proposed five weeks' recess, as it agreed to do last Monday. We are asked to continue in session for two purposes—one to increase the wages of railway employees another $1,000,000,000 and the other to pass upon the shoe problem.

We are told that unless we raise the wages of the railroad employees another billion dollars annually that there is to be a strike on September 1 from one side of this Nation to the other. And by reason of such threats, ipso facto, Congress must provide the increase. By such threats the four great brotherhoods forced the Adamson law upon Congress and upon the Nation. By such threats the four great brotherhoods during the war forced Director General McAdoo to give them an annual increase of wages of $754,811,000.

Were they satisfied? No. But when Mr. McAdoo, honest statesman that he was, held up his hands to those highwaymen and turned over $754,000,000 and walked out, as soon as his successor was appointed the four great brotherhoods, by just such threats, forced Director General Hines to pay over to them $67,500,000 more annual increase. Eight hundred and twenty-two million three hundred and eleven thousand dollars increase annually in railroad wages forced from all the people through threats.

Were the conductors illy paid at that time? Why, a passenger conductor at that time during the war, before the increase was granted, received $135 to $165 a month for eight hours' work, six days in the week, with time and a half for all time over eight hours. What do they receive now? A passenger conductor receives now an average salary of $180 a month for eight hours a day for six days in the week, with time and a half for all time over eight hours a day.

Are his duties arduous? He rides in a comfortable coach, he eats his meals in the dining car at half price. He has porters to wait on him, and even has an auditor to go around and take the tickets up for him. One hundred and eighty dollars a month average, and yet he comes in like a highwayman and says, "If you do not give the four great brotherhoods $1,000,000,000 more annual increase, we will tie up the traffic of the Nation so tight that we will destroy the railway activities and business of the country," and Congress is going to sit here and truckle. I say the time has come for the tail to quit wagging the dog. Congress must have a showdown and go to the mat with them.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CROWTHER. Mr. Chairman, I move to strike out the last word.

Mr. BURKE. Mr. Chairman, I ask unanimous consent for five minutes' time.

Mr. CROWTHER. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

Mr. FORDNEY. Mr. Chairman, I must object to any more speeches not confined to the subject matter of the bill. We are trying to get these bills out of the way.

Mr. BURKE. I hope I shall be given time asked for to reply to the false statements just made here and to answer the false reports appearing in the Journal of yesterday.

Mr. FORDNEY. Can not the gentleman get his remarks under the five-minute rule without asking for special time?

Mr. CROWTHER. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The time for debate has expired, unless gentlemen get unanimous consent.

Mr. CROWTHER. I ask unanimous consent to speak for five minutes.

Mr. BLAND of Indiana. I object.

Mr. FORDNEY. We have had 10 minutes' debate foreign to the subject of the bill, and I must object to any further speeches not confined to the subject matter of the bill.

Mr. TILSON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 2, after line 2, insert a new paragraph as follows:
"Watch crystals, 60 per cent ad valorem."

Mr. FORDNEY. I reserve a point of order on that.

Mr. KITCHIN. I reserve a point of order to the amendment.

Mr. TILSON. Mr. Chairman, if gentlemen insist on making a point of order, I shall probably not be able to maintain the contention that my amendment is in order, but under the reservation of the point of order I should like to submit a letter which I have received from Hon. Irving H. Chase, of Waterbury, Conn., president of a large manufacturing concern which has gone into the manufacture of watch crystals since the beginning of the war. The letter is as follows:

WATERBURY CLOCK CO.,
WATERBURY, CONN., *July 17, 1919.*

Hon. JOHN Q. TILSON,
House of Representatives, Washington, D. C.

DEAR MR. TILSON: I want to bring to your notice the fact that this company is manufacturing watch crystals.

Up to the time of our starting in to produce these goods the United States was dependent upon foreign supply for all that were used in this country.

Efforts at various times have been made to establish the manufacture of watch crystals, but without success.

Watch crystals were made in Switzerland, in France, in Austria, and in Germany, Germany being the largest producer, and the trust or association which has dominated all the European production being controlled by Germany.

We ourselves are large consumers of watch crystals, manufacturing the well-known Ingersoll watch.

At the beginning of the war we realized that the possible shutting off of the supply of crystals would entirely shut off the production of watches, approximately amounting to 4,000,000 per year. We then attempted the manufacture of watch crystals ourselves, and to-day have a fully equipped plant, with complete facilities, including furnaces for the making of the glass itself.

The embarrassment that we foresaw was equally appreciated by the large watchcase manufacturers of the country, but we have been able to meet their demands and have supplied them during the past few years.

In the year 1918 we produced over 14,000,000 crystals.

During the last year we have been confronted with a new, embarrassing, and very discouraging competition, namely, that of Japan, who, during the war, also introduced the manufacture of crystals, and appear as an unexpected competitor. The imports of Japanese crystals in the last 10 months amount to $377,000.

We realize the impossibility of selling our goods in open competition with those made with the low labor cost of the Japanese.

In establishing this industry we were practically dependent upon our own resources for the manufacture of the necessary machinery, and the education of our employees. It being a new industry, there are no skilled operatives that are available.

The hope for a reduction in cost of manufacture following the closing of the war has not materialized, and therefore I ask your interest in our behalf.

Watch crystals have been imported into this country always as "parts of watches." The present duty is 30 per cent, under paragraph 161 of the tariff act of 1913.

I feel that the conditions justify an increase of duty, to give us necessary protection, and would ask that paragraph 161 be amended by the insertion after the words "parts of watches," on the second line, "except watch crystals," and that "watch crystals" be given a separate classification, if necessary, at a rate of at least 60 per cent.

I am hoping that you can consistently indorse my request as justified, and from your position on the Ways and Means Committee have opportunity to further it.

Very truly, IRVING H. CHASE, *President.*

Mr. Chairman, this letter, written by a man of large affairs, tells the story more eloquently than I can tell it and gives clearly the reasons why the protection is necessary. Unless protection is given this industry must fail. It is an industry that has grown up as the result of the war, and therefore comes within the class of industries which has aroused the solicitude of even President Wilson. If gentlemen will not withdraw the point of order and my amendment goes out, I shall at a later time introduce a separate bill, if necessary, and try to get on the list spoken of by my friend from North Carolina of those having bills reported out to protect industries within their own States.

Mr. KITCHIN. The gentleman is a member of the Committee on Ways and Means and he ought to have gotten in on the ground floor with the others. [Laughter.]

The CHAIRMAN. Does the gentleman from Michigan or the gentleman from North Carolina insist upon the point of order?

Mr. FORDNEY. Mr. Chairman, I make the point of order for the reason that this bill relates only to chemical and laboratory glassware. Watch crystals are not part of that industry.

The CHAIRMAN. The Chair sustains the point of order.

Mr. KITCHIN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 2, line 2, strike out the figures "60" and insert "45."

Mr. FORDNEY. Mr. Chairman, I hope that that amendment will be voted down. That puts the matter back where it is under existing law.

The CHAIRMAN. The gentleman from North Carolina is entitled to the floor.

Mr. KITCHIN. Mr. Chairman, I will say to the gentleman that I have no idea, no hope, no shadow of expectation that the majority will be considerate enough to put in the very just and moderate rate that I have suggested in my amendment, but I am going to give them the opportunity to vote for it.

Mr. FORDNEY. I certainly sympathize with the gentleman's feelings.

Mr. KITCHIN. Very well; let us take a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina.

The amendment was rejected.

Mr. BLANTON. Mr. Chairman, I demand a division.

The CHAIRMAN. The Chair thinks the demand comes too late.

Mr. BLANTON. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and fifteen Members present; a quorum. The Clerk will read.

The Clerk read as follows:

Surgical and dental instruments, or parts thereof, made wholly or in part of iron, steel, copper, brass, nickel, aluminum, or other metal, finished or unfinished, 60 per cent ad valorem.

Mr. KITCHIN. Mr Chairman, I move to amend by striking out, in line 15, the figures "60" and inserting the figures "45"

The CHAIRMAN The Clerk will report the amendment

The Clerk read as follows:

Page 2, line 15, strike out "60" and insert "45."

Mr. KITCHIN. Mr. Chairman, I do not want to take up the time of the House in any vain attempt to do a very righteous thing. Those figures, of course, ought to be 45. The manufacturers want—not that they say they need—60 per cent, and of course the gentlemen on the Republican side have made up their minds to give them what they want. I ask for a vote.

Mr. FORDNEY. Mr. Chairman, I am ready for a vote. I hope the amendment will not prevail.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from North Carolina.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 40, noes 65.

So the amendment was rejected.

The Clerk read as follows:

That all articles provided for in this act shall not be entitled to free entry under paragraph 573 of the tariff act of October 3, 1913.

Mr. KITCHIN. Mr. Chairman, I move to strike out lines 17, 18, and 19 on page 2, and if that very just amendment passes I shall then, in order to make my amendment complete, move to amend, at the end of section 2, by adding the words "except paragraph 573 of the tariff act of October 3, 1913."

The CHAIRMAN. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, strike out all of lines 17, 18, and 19.

Mr. KITCHIN. Mr. Chairman, this amendment proposes to put back into the law—rather, to keep in the present tariff act—the very provision that has been in every tariff act since 1790, with the exception of three—the tariff acts of 1846, 1857, and 1864–1870. My amendment proposes to preserve as it is in the present act the identical paragraph that was in the McKinley Act, the Dingley Act, and in the Payne-Aldrich Act, and now in the Underwood Act. Paragraph 573 of the existing tariff act, which this bill proposes to strike out, exempts educational and scientific institutions from the payment of import duty on chemical glass and optical instruments. That is, articles of this kind purchased by universities, colleges, and other educational institutions for their and the students' use, are now, and have been always, with the exceptions that I have pointed out, admitted free. This bill strikes that section out. I propose by my amendment to keep it in the law. As I tried to show the Committee of the Whole when I made my opening remarks, this bill will levy a tax upon the students of the chemical and scientific departments of the colleges and universities. It is a tax of $900,000 on the students of such departments, or a tax of $13.33 per annum, on an average, upon each student himself. He must take that out of his pocket to pay the increased cost of the articles he must have in his chemical course, which increase is made by this bill. That does not go to help the Treasury; that goes into the pockets of the glass manufacturers of my friend BACHARACH'S district, in New Jersey. If the Republican membership of the House desires to help Mr. BACHARACH'S manufacturing institutions to the amount of $900,000 yearly, by taking it yearly out of the pockets of each one of these struggling students in the chemical and scientific departments of our various colleges and universities—to the extent of $13.33 per student—and transfer that amount to the pockets of two or three of Mr. BACHARACH'S glass manufacturers, well and good; but you ought to know the fact when you vote it. The gentleman from Ohio [Mr. LONGWORTH] says that he would like to know how I get the fact that it would cost each student $13.33. If Mr. LONGWORTH and Mr. BACHARACH will turn to page 25 of the Tariff Commission's report to the Ways and Means Committee of June 3, 1919, on optical glass and chemical glass, they will find that the Tariff Commission wrote to the heads of the chemical departments of 20 different universities and colleges, asking them if the exemption of educational institutions allowed in paragraph 573 of the existing tariff act was repealed and the existing duty of 45 per cent was applied to them, what would the increased cost, by virtue of such repeal, be to each student in their departments.

Let me read what the report says:

The replies of the university men to this question varied. The estimates of increased cost per year per student were as follows: $3 to $5; $5 to $8; $5 to $10; $10 to $20; less than $25; about 25 per cent.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KITCHIN. I ask for five minutes more in order to get through with this which is the last amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none.

Mr. LONGWORTH. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. LONGWORTH. I was simply going to ask the gentleman if he is aware that a large number of educational institutions make no charge whatever to their students?

Mr. KITCHIN. Why, I do not know, because the evidence that they all charge—that is, sell to the student the glass he uses.

Mr. LONGWORTH. I know the gentleman does not know.

Mr. KITCHIN. What college does the gentleman refer to; just name what college the gentleman has in mind that does not charge for these articles?

Mr. LONGWORTH. I simply asked the gentleman if he is not aware that a large number of educational institutions assume the cost themselves and do not charge the students anything.

Mr. KITCHIN. I do not know any that do.

Mr. LONGWORTH. I know the gentleman does not know.

Mr. KITCHIN. And there is no evidence to that effect and the gentleman from Ohio does not know of any. Here is the evidence——

Mr. MONTAGUE. Will the gentleman permit me?

Mr. KITCHIN. I will.

Mr. MONTAGUE. I suggest to the gentleman that while they may not charge the students themselves it is not given away by the college.

Mr. MOORE of Virginia. Would the agricultural and mechanical colleges, the agricultural experiment stations, and so forth, be affected similarly?

Mr. KITCHIN. All would have to pay. I am calling attention now to the Tariff Commission report about the students' cost alone. Here is what the gentleman from Ohio was thinking about when he asked the question. Here is the evidence: One man only before our committee stated that many colleges did not charge a profit to the students. Not that they did not charge the students for the articles, but that they charged no profits. That is in the evidence.

Now, you will find according to the figures given by the commission in the replies of the universities that the average cost, caused by repeal of the exemption clause, is $10 per student per year. That is at the tariff rate of 45 per cent. Now, if we increase it from 45 per cent to 60 per cent, as this bill proposes, you increase the cost 33⅓ per cent. Thirty-three and one-third per cent of $10 is $3.33, which, added to the $10, makes $13.33 per student per year. The agricultural colleges, the agricultural and mechanical institutions of the various States, must pay this 60 per cent if this bill passes. They are now getting these products free of duty. Gentlemen, you may look at it any way you please, but the evidence shows that this bill levies a tax of $13.33 upon each student in the chemical or scientific department of any educational institution, and it is going to cost the students annually $900,000 extra. How do I get at that? The Tariff Board reports that between $1,200,000 and $1,500,000 of this chemical glassware were used by the United States before the war; that 50 per cent of all used in this country is used by the educational institutions—practically all by their students. That is $750,000 used by the colleges and institutions prior to the war. On that basis under the bill they would pay a duty of 60 per cent, amounting to $450,000. The value and production that is now used in the United States is $3,000,000 or more, 50 per cent of which, or $1,500,000, is used in our educational institutions by the students. Sixty per cent tariff duty, provided in this bill, on this million and a half makes $900,000, practically every cent of which must be paid by the students not to the Government but to the tariff favorites in Mr. BACHARACH's district and a few other districts.

Mr. BACHARACH. Will the gentleman yield for a question?

Mr. KITCHIN. Yes.

Mr. BACHARACH. I think if the gentleman will read the rest of the statement it will probably give the Members of the committee a little better judgment.

Mr. KITCHIN. The gentleman took the statement away from me.

Mr. BACHARACH. I have returned it.

I want to call attention to the fact that most of the colleges charge from 100 to 200 per cent and, of course, the student has to pay that profit.

Mr. KITCHIN. Here is the evidence. And it—the balance of the report—is exactly as I stated.

Mr. BACHARACH. As a matter of fact, I do not think it cost the student over $5 or $6.

Mr. KITCHIN. I stated that a number of educational institutions, according to the evidence, charge only the actual cost, not as stated by Mr. LONGWORTH that they did not charge the student anything, but they charge only the actual cost. The rest of the report which my friend from New Jersey [Mr. BACHARACH] asked me to read is to that effect.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. KITCHIN. I wish I could have time to read more from the Tariff Commission's report. I would like to make a parliamentary inquiry. Do gentlemen on that side desire any more light and information on the subject? [Laughter.]

Mr. LONGWORTH. Not the kind of light that the gentleman is attempting to give us.

Mr. FORDNEY. Mr. Chairman, I wish to give the gentleman from North Carolina a little light direct——

Mr. KITCHIN. All right; that will be a phenomenon, and I am ready to accept it.

Mr. FORDNEY. Here is what a gentleman said who appeared before our committee representing the colleges——

Mr. KITCHIN. Who is that man; I am trying to find out?

Mr. FORDNEY. Mr. Parsons. Mr. Sheridan, of the Tariff Commission, in quoting from the manufacturer, states:

Some schools charge net prices, but the majority add from 100 to 200 per cent to the cost, which was not intended by the Government when the law was passed. In other words, a great many schools compel the students to pay the entire operating expenses of the laboratory supply department by adding a profit to the duty-free prices. One large western university pays interest on the equipment of the storeroom and the running expenses of same, including the salary of the purchasing agent, and shows a profit. We do not know of any that charge the actual cost price. The spirit and literal interpretation of the duty-free law has been broken by a great many schools in checking up the apparatus used by instructors and students in allowing the same to be carried away from the institution. Some of the duty-free goods have been disposed of by the laboratories.

Now, the gentleman was asked a question by Mr. HULL of Tennessee.

Mr. HULL. Does your organization represent chemists of the universities?

Mr. PARSONS. Probably every chemical professor and most all of the chemical instructors in all the universities of America. I say probably; I know it; there is no question but that they are all members of the American Chemical Society. And in this organization large numbers of those were present and there was very little dissent among those present as to the desirability of this action.

Mr. COLLIER. You say those connected with these universities and colleges were there and approved of this proposition?

Mr. PARSONS. They were there and favored it; yes, sir. There were representatives from Cornell, Yale, the University of California, the University of Pennsylvania, Columbia University—I can get a list if it would be of any interest. But it is practically the most representative chemical organization that can be gotten together in America, composed of representatives elected by the local sections. We have 55 local sections in America, which are very largely controlled by the colleges and universities.

Mr. COLLIER. And I understood you to say, in answer to a question from Mr. OLDFIELD, this association is in no way, directly or indirectly, connected with the manufacture?

Mr. PARSONS. It is a scientific association which does not make a cent of money from any person, individual, firm, or corporation. It is only a scientific association, the same as the Association of Mechanical Engineers, the Association of Civil Engineers, etc. It is an association gotten together for the development of the chemical science and industry.

Mr. YOUNG. If I understood you correctly, your main purpose is to secure a dependable supply for all time to come in this country?

Mr. PARSONS. That is it exactly.

Now, does the gentleman want any better information than that? The very institutions he is talking about are up here where Republicans live and are not down in North Carolina. Do not feel so badly about it.

Mr. KITCHIN. I wish to say that the star witness you put on was from North Carolina, and Mr. BACHARACH was so proud of it that he spoke in his speech about it, and said that this fellow was from North Carolina.

Mr. FORDNEY. The star witness and dyed-in-the-wool Democrat came here and asked for protection, did he not? [Applause on the Republican side.] He was an intelligent fellow. You have only a few like him.

Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from North Carolina [Mr. KITCHIN].

The question was taken; and the Chair announced that the noes seemed to have it.

Mr. BLANTON. Division, Mr. Chairman.

The committee divided; and there were—ayes 41, noes 62.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. That all provisions of any act or acts inconsistent with the provisions of this act are hereby repealed.

Mr. KITCHIN. Mr. Chairman, I wish to offer an amendment there.

The CHAIRMAN. The gentleman from North Carolina offers an amendment.

Mr. KITCHIN. Strike out the period in the last line of section 2 and insert the following:

Except paragraph 573 of the tariff act of October 3, 1913.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. KITCHIN. Mr. Chairman, I want to enlighten the gentleman from Michigan [Mr. FORDNEY] a minute.

Mr. FORDNEY. Tell us about some North Carolina protectionists.

Mr. LONGWORTH. Mr. Chairman, I reserve a point of order on the amendment.

Mr. KITCHIN. All right. Of course, gentlemen, I do not know what Dr. Herty's politics is, whether he is a Republican or Democrat. Suppose he was a Democrat. Nobody ever heard me say that we did not have some Democrats at some time that were as bad as Republicans are all the time. [Laughter.] I do not know the politics of every man who labels himself a Democrat, but if Dr. Herty came before our committee and advocated "on his own hook" a 60 per cent tariff, with the exemption clause eliminated, he is not a good Democrat, whether he comes from North Carolina or Michigan or New York.

Mr. LONGWORTH. But he is an intelligent Democrat.

Mr. KITCHIN. But you must remember, whether he used to be a Democrat or not, that when Dr. Herty came here and said he did not know anything about the tariff at all, but that he was in favor of the 60 per cent asked for by the manufacturers, he had left North Carolina five years before, and was then living, I think, in New Jersey, in Mr. BACHARACH's State. [Laughter.]

I have told our good Democrats in North Carolina that they had better stay home, because just as soon as they go up somewhere and mix with none but tariff plunderers they are going to go wrong. [Laughter.] Of course, when Dr. Herty got up here and associated with these glass manufacturers and tariff robbers, like my genial friend BACHARACH, he went wrong. [Laughter.]

But now about the colleges. Why, they said, "Here is this fellow Dr. Parsons, that represents all the colleges and all the educational and scientific institutions, and he said he was perfectly willing, and that they were all perfectly willing, to have the exemption clause eliminated." Who is Dr. Parsons? A college man? Oh, No. A university man? No.

Mr. BLANTON. Will the gentleman yield right there?

Mr. KITCHIN. I have but five minutes.

Mr. BLANTON. Just one question.

Mr. KITCHIN. Do not interrupt me now.

Mr. BLANTON. I want to tell you who Dr. Parsons is.

Mr. KITCHIN. He lives in Washington City. He is the secretary of some chemical society. [Applause on the Democratic side.] You can run a fine-tooth comb through all the universities and colleges of the thousands we have and you will find some fellow just as unjust, just as unwise, just as unpatriotic as my good friends and colleagues FORDNEY and BACHARACH are [laughter], and who wants to tax the students 60 per cent, or $900,000 on the glassware they must use for the benefit of some tariff barons. You will find some at the colleges and universities. But most of them are against it.

The Tariff Commission says that it wrote the heads of the chemical department in 20 of the leading universities of the country and asked them whether the repeal of the duty-free privilege would sufficiently benefit the chemical industry as to justify the repeal, and out of the 20 only 8 of them replied that it would be justified, while 12 were against it and stood with my position. [Applause on the Democratic side.] But, gentlemen, while they tell us that this or that man or witness represents the educational institutions and is in favor of the repeal let it be understood that there is not a word of evidence that one of the students, who must pay the taxes, who must take out of his pocket each year $13.33 and turn it over to the pockets of Mr. BACHARACH's constituent manufacturers, has advocated the repeal. Not one of them has come before our committee and urged repeal. [Applause on the Democratic side.]

Mr. FORDNEY. Mr. Chairman, very briefly let me say that Dr. Herty is the editor of a chemical journal. The gentleman from North Carolina says Dr. Herty went to New Jersey and there became—oh, well, enamored with Republicanism. You say he is a resident of Washington. He is here at the request of the President and is a member of one of the war boards. Did you not know that?

Mr. KITCHIN. I took what was testified to.

Mr. FORDNEY. The President never was known to call a full-fledged, dyed-in-the-wool Republican to his assistance. The North Carolina Democrats had to go to New Jersey for a President.

Mr. Chairman, I ask for a vote.

Mr. LONGWORTH. Further reserving the point of order, Mr. Chairman, I wish to say with regard to Dr. Parsons, who has been mentioned, that whether he be or be not, as I do not know, secretary of some chemical society, he is the chief chemist of the Bureau of Mines, operating directly under the supervision of that very fine Democrat, Mr. Lane.

Mr. KITCHIN. You gentlemen do not object to my saying just what Dr. Parsons said? Mr. FORDNEY asked him a question, and he said, "My home is in Washington." Mr. FORDNEY asked him, "Where do you live? What do you do?" He said, "My home is in Washington. I am secretary of the American Chemical Society." He said that. That is all I said.

Mr. LONGWORTH. Mr. Chairman, I withdraw the reservation of the point of order.

The CHAIRMAN. The reservation of the point of order is withdrawn. The question is on agreeing to the amendment offered by the gentleman from North Carolina [Mr. KITCHIN].

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. KITCHIN. A division, Mr. Chairman.

The CHAIRMAN. The gentleman from North Carolina demands a division.

The committee divided; and there were—ayes 41, noes 63.

So the amendment was rejected.

Mr. KITCHIN. Let me have just one minute.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. KITCHIN. Mr. Chairman, just let me state that on that vote on the amendment exempting students and colleges and educational institutions from the payment of import duty on chemical glass and optical glass and instruments all the Democrats here voted for the amendment and all the Republicans here voted against the amendment and for the tariff tax on the educational institutions and on the students. I just wanted to make that statement to keep the record straight.

Mr. FORDNEY. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the recommendation that it be passed.

The CHAIRMAN. The gentleman from Michigan moves that the committee rise and report the bill to the House with the recommendation that it be passed. The question is on agreeing to that motion.

Mr. BLANTON rose.

The motion was agreed to.

Accordingly the committee rose; and the Speaker resumed the chair.

Mr. BLANTON. Mr. Speaker, a point of order.

The SPEAKER. The regular order is to hear the report of the chairman of the committee.

Mr. BLANTON. I make the point of order that there is no quorum in the House. We have not had a quorum in the House all day.

Mr. ANDERSON. The gentleman can not make the point in that way.

Mr. KITCHIN. I hope the gentleman from Texas will not insist on his point.

Mr. BLANTON. We ought to stay here; the men who stay here ought to be here. I want to see a quorum here of the men who have been objecting to the recess.

Mr. KITCHIN. Will the gentleman withhold his point a moment?

Mr. BLANTON. I will withhold it.

Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 7785) to provide revenue for the Government, to establish and maintain in the United States the manufacture of laboratory glassware, laboratory porcelain ware, optical glass, scientific and surgical instruments, had directed him to report the same back to the House with the recommendation that it do pass.

The SPEAKER. The gentleman from Connecticut, Chairman of the Committee of the Whole House on the state of the Union, reports that that committee, having had under consideration the bill (H. R. 7785) to provide revenue for the Government, to establish and maintain in the United States the manufacture

of laboratory glassware, laboratory porcelain ware, optical glass, scientific and surgical instruments, had directed him to report the same back to the House with the recommendation that it be passed.

Mr. KITCHIN. Mr. Speaker, I hope that the gentleman from Texas [Mr. BLANTON] will not insist upon his point of no quorum. I have much the same feeling that the gentleman has about it, but the gentleman would be taking out his resentment upon all these Members here——

Mr. BLANTON. I did not withdraw my point for that. We have been asked to stay here and transact business, and the men who required us to stay here ought to be here.

Mr. KITCHIN. The President is the one who required us to be here. You are not punishing the President at all.

Mr. BLANTON. I believe we ought to have a quorum here, and I insist on my point, Mr. Speaker.

The SPEAKER. The gentleman from Texas makes the point that there is no quorum present. Evidently there is no quorum present.

Mr. ANDERSON. Mr. Speaker, I move a call of the House.

Mr. FORDNEY. Mr. Speaker, can we not move the previous question?

The SPEAKER. The gentleman from Minnesota moves a call of the House.

A call of the House was ordered.

The SPEAKER. No other business is in order. A call of the House is ordered. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ackerman	Fields	Lee, Ga.	Sanders, La.
Alexander	Flood	Linthicum	Sanders, N. Y.
Andrews, Md.	Focht	Lufkin	Sanford
Anthony	Frear	McClintic	Saunders, Va.
Babka	Freeman	McKiniry	Scully
Bee	Fuller, Ill.	McKinley	Sears
Benson	Fuller, Mass.	McLane	Sells
Bowers	Gallagher	MacCrate	Sherwood
Brand	Gallivan	MacGregor	Sisson
Britten	Gandy	Maher	Slemp
Brooks, Pa.	Ganly	Mann	Small
Browne	Gard	Martin	Smith, Ill.
Browning	Garner	Mason	Smith, Mich.
Brumbaugh	Godwin, N. C.	Mead	Smith, N. Y.
Burdick	Goldfogle	Merritt	Snyder
Butler	Good	Minahan, N. J.	Steele
Byrnes, S. C.	Goodall	Monahan, Wis.	Stephens, Miss.
Caldwell	Gould	Moon	Stevenson
Cantrill	Graham, Pa.	Mooney	Sullivan
Carew	Graham, Ill.	Moore, Pa.	Summers, Wash.
Carter	Hamill	Mudd	Taylor, Ark.
Casey	Hamilton	Murphy	Thompson, Okla.
Christopherson	Hardy, Colo.	Neely	Tinkham
Classon	Haugen	Nelson, Wis.	Upshaw
Cleary	Hersman	Nicholls, S. C.	Vare
Cooper	Hicks	O'Connor	Venable
Copley	Hill	Olney	Vestal
Costello	Houghton	Osborne	Vinson
Cramton	Hulings	Paige	Walsh
Crisp	Humphreys	Parker	Walters
Currie, Mich.	Husted	Pell	Ward
Dempsey	Hutchinson	Peters	Watkins
Dewalt	James	Platt	Watson, Pa.
Dickinson, Mo.	Jefferis	Porter	Watson, Va.
Donovan	Johnson, Miss.	Purnell	Weaver
Dooling	Johnston, N. Y.	Randall, Calif.	Webb
Drane	Jones, Pa.	Randall, Wis.	White, Kans.
Dyer	Juul	Reber	White, Me.
Echols	Kahn	Reed, N. Y.	Wilson, Pa.
Edmonds	Kettner	Riordan	Wingo
Ellsworth	Kiess	Robinson, N. C.	Wise
Emerson	Kleczka	Rouse	Wood, Ind.
Evans, Mont.	LaGuardia	Rowan	Woodyard
Fairfield	Lampert	Rowe	
Ferris	Layton	Rucker	
Fess	Lazaro	Sabath	

The SPEAKER. On this call 250 Members have answered to their names. A quorum is present.

Mr. FORDNEY. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

Mr. FORDNEY. Mr. Speaker, I move the previous question on the bill to the final passage.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. KINCHELOE. On that I ask for the yeas and nays.

The SPEAKER. The gentleman from Kentucky asks for the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Twenty-six Members, not a sufficient number.

Mr. KINCHELOE. I ask for the other side.

The SPEAKER. There is no other side. The question is, Are the yeas and nays demanded by one-fifth of those present?

Mr. KINCHELOE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KINCHELOE. The Speaker announced 26 Members, not a sufficient number.

The SPEAKER. Yes.

Mr. KINCHELOE. Mr. Speaker, I make the point of order of no quorum present.

Mr. FORDNEY. I make the point of order that that is dilatory.

The SPEAKER. The gentleman from Kentucky makes the point of order that there is no quorum present. The Chair will count. [After counting] A quorum is present. The yeas and nays are refused. The bill is passed.

On motion of Mr. FORDNEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted, as follows:

To Mr. BOOHER, for 30 days, on account of sickness in his family.

To Mr. BLAND of Missouri, indefinitely, on account of the illness of his wife.

To Mr. ALEXANDER, indefinitely, on account of illness in his family.

To Mr. STRONG of Pennsylvania, for one week, on account of important business.

To Mr. SISSON, indefinitely, on account of sickness.

To Mr. BANKHEAD, for two weeks, in order to visit his district.

To Mr. ASHBROOK, for two weeks, on account of important business.

To Mr. BRAND, for two weeks, on account of important business.

To Mr. HASTINGS, for two weeks, on account of important business.

To Mr. MCLAUGHLIN of Nebraska, indefinitely, on account of important business.

INTERNATIONAL LABOR CONFERENCE.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate joint resolution 80 and consider the same.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to take from the Speaker's table a joint resolution, which the Clerk will report.

The Clerk read the title of Senate joint resolution 80, to authorize the President to convene a meeting of an international labor conference in Washington, D. C.

The SPEAKER. Is there objection to the immediate consideration of the resolution?

There was no objection.

The SPEAKER. The Clerk will report the joint resolution.

The Clerk read as follows:

Resolved, etc., That the President of the United States be, and he hereby is, authorized to convene and to make arrangements for the organization of a general international labor conference, to be held in Washington, D. C.: *Provided, however,* That nothing herein shall be held to authorize the President to appoint any delegates to represent the United States of America at such conference or to authorize the United States of America to participate therein unless and until the Senate shall have ratified the provisions of the proposed treaty of peace with Germany with reference to a general international labor conference.

Mr. MONDELL. Mr. Speaker, the treaty now pending in the Senate provides among other things for an international labor conference to be held in Washington in October. The President is anxious to make the preliminary arrangements for that conference, and the Senate resolution now before us grants that authority, with provision, however, that no American delegates shall be appointed to the conference unless and until the treaty of peace shall have been ratified by the Senate.

Mr. BLANTON. Will the gentleman yield for a question?

Mr. MONDELL. I do.

Mr. BLANTON. Would this resolution, if passed, and if there should be such a conference, authorize Lenin and Trotski to appear as delegates from Russia? If it would, I will object to it.

Mr. MONDELL. The gentleman will have to ask some one else for information on that point.

The SPEAKER. The question is on the third reading of the joint resolution.

The joint resolution was ordered to a third reading, and was accordingly read the third time, and passed.

THREE-DAY RECESSES.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Speaker, it was the almost unanimous opinion of the Members of the House that the work of the Congress would be expedited by a recess, which was proposed and provided for in a concurrent resolution. That recess would have given the committees an opportunity to proceed with their work unhampered by the necessity of attending daily sessions of the House. Communications received from the President seemed to make it wise and advisable to rescind the action relative to that adjournment or recess. Members, however, prior to rescinding the action which had been taken, had made arrangements to go home for a short time, at least many of them, and they will be very greatly inconvenienced if they can not now proceed upon their journey. I think we practically all agree that for the immediate future the important work before the committees will be expedited and promoted if the House is not held in daily session. I would not suggest that we have any agreement whereby a recess of the House shall be provided for, or agreed upon, beyond the period when the President has suggested that he might present certain matters to Congress, or beyond the time when the committees now acting may be prepared to present matters requiring action to the House. I think it is true, however, that under the circumstances we shall expedite the public business if we can arrange for recesses from day to day or for three days at a time for a short time, allowing the Members to go home for a brief period, at least. I therefore ask unanimous consent for a recess of the House from to-night until next Tuesday, and from Tuesday until Friday, and a continuation of such recesses until such time as the membership may be notified by the floor leaders on either side of the necessity of a quorum; and that in the meantime no business be taken up when the House meets on Tuesdays and Fridays.

Mr. IGOE. Will the gentleman yield long enough for me to make a request and ask the Speaker for unanimous consent for the consideration——

Mr. MONDELL. Mr. Speaker, I am making a request, and it is for any gentleman to object if he wishes to do so.

Mr. IGOE. I simply ask the gentleman to yield to me to submit a request.

Mr. MONDELL. The gentleman will have abundant opportunity to submit a request later. The granting of this request does not take from any gentleman the right to make a request.

Mr. IGOE. Does the gentleman refuse to yield?

Mr. MONDELL. I have the floor only by unanimous consent; I have no right to yield. If I attempted to yield to the gentleman, it would be necessary to yield to other gentlemen who, I have no doubt, would be glad to submit requests of one sort or another. It would not be fair for me to yield to one and not to another.

Mr. SMITH of Idaho. Will the gentleman include in his request a proposition to have the Speaker sign any bills that may be presented, inasmuch as several bills have passed the House?

Mr. MONDELL. I thank the gentleman for calling attention to that, and I desire to add not only authority to sign bills but authority for the Speaker to refer bills and messages that may come in during the recess of the House.

Let me make this suggestion: I do not anticipate that we can expect, if this agreement is made to recess, without a demand for a quorum for more than two weeks. I do not know that conditions would arise in two weeks that would demand a quorum, but I should expect to consult the minority leader and to agree with him to issue a call whenever he believed that it should be done, and I think that we should understand that in view of the suggestions in the President's letters and of the legislation that may arise out of those suggestions that there may be important business before the House in two weeks.

Mr. BLANTON. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. BLANTON. In fairness to Members who live some distance away, I would like to state to the majority leader that in 15 minutes the train leaves Washington upon which those Members who live in the Southwest in the direction of St. Louis have been expecting to depart. The transportation reservations we purchased had to be turned in three hours before the train left in order to have our money refunded. The railroad situation is in such a congested condition that you can not get new transportation reservations under three days. In other words, you can not get accommodations for the Southwest and Texas under three days' advance. Therefore if we only have an agreement for a recess for the next two weeks and can not leave before Tuesday or Wednesday, what good is it going to do Members who live 2,000 miles away?

Mr. MONDELL. Let me suggest to the gentleman from Texas that I am sure he would not want to remain away——

Mr. BLANTON. I do not understand that there is any provision that we should be given three days' notice, and it takes three days to come from my home here.

Mr. MONDELL. The gentleman from Texas and no other gentleman on that side would want to remain at home after the minority floor leader had notified him that his presence was needed.

Mr. BLANTON. Oh, no; certainly not. But the rights and conveniences of Members who live 2,000 miles away, and who seldom get an opportunity to go home and visit their constituents, should be given more consideration when these short recesses are arranged. Until an hour ago I had my ticket and reservation to leave on this 4.50 train, and now can not go. Others are in the same fix. It is quite exasperating.

Mr. MONDELL. I am sure no gentleman on this side would remain at home after he was notified by the majority floor leader that it was deemed advisable to call for a quorum. In that event an effort would be made to give Members reasonable notice. I think they ought to have a notice of three days, if possible.

Mr. BLANTON. Would the gentleman be willing to include that in the request?

Mr. MONDELL. All I can say to the gentleman is that we will give the longest notice possible under the conditions that might arise—three days, if possible.

Mr. KITCHIN. Mr. Speaker, I would like to state my understanding of the matter.

The SPEAKER. The time of the gentleman from Wyoming has expired.

Md. MONDELL. Mr. Speaker, I ask unanimous consent to proceed for five minutes more.

The SPEAKER. Is there objection?

M. KITCHIN. Mr. Speaker, my understanding is that during these three-day recesses the committees or the subcommittees having charge of the matters to which the President's letters related will have those matters under consideration.

Mr. MONDELL. Yes. The committees will be constantly in session, and, as the gentleman from North Carolina [Mr. KITCHIN] knows, the committees will be able to do very much better work and do much more work with the House in recess than they could with the House in session.

Mr. KITCHIN. I am sure that is true; and now it is understood when these committees are ready to report, or when the President is ready to make his specific recommendation, or in any other emergency unforeseen, the gentleman and the minority leader will at once give notice to Members to come here.

Mr. MONDELL. That is what I have in mind, and that is what would be done. I want to say that I would give the notice upon our side at any time that the minority leader believes there should be a call for a quorum.

Mr. SIMS. Mr. Speaker, I want to ask the gentleman a question. If it should turn out to be the fact that the President should veto the daylight-saving bill, and that veto message comes here, will it automatically go to the committee, or will it lie on the table, or can it be taken up and considered?

Mr. MONDELL. It would have to be referred to the committee, I assume, to be taken up as soon as the House reconvenes. Of course, a presidential veto might be one of those things that would require a reconvening of the House, although I do not assume that the veto that the gentleman has in mind, if it should occur, to our regret, would make it necessary to call the House immediately in session, but would be pending, to be acted upon within a reasonable time.

Mr. SIMS. That was my thought, that it would go to the committee and not be called up until the House met again.

Mr. MONDELL. Let me say to the gentleman from Missouri [Mr. IGOE] that nobody has objected to his resolution——

Mr. IGOE. All I want is one minute.

Mr. MONDELL. I do not know that anyone will. I shall not, but I can not yield to couple with my request other requests, because a half dozen gentlemen at least would desire to have that done.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. CANNON. In the event of a veto or vetoes it seems to me the unanimous agreement might be that the message covering the veto should be referred to the committee from which it originated.

Mr. MONDELL. That would be the action taken under the request that I have made, that messages may be appropriately referred.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming?

Mr. IGOE. Mr. Speaker, reserving the right to object, all that I have asked all day is permission to ask the Speaker for unanimous consent, and I want the majority leader to agree that I may have that privilege, to consider a resolution authorizing the Federal Trade Commission to investigate the price of shoes. I do not see why anyone should want to object to that. It will take only two minutes to get it through this House.

Mr. MONDELL. Mr. Speaker, nobody has objected. The gentleman has never made that request. It is not my province to say whether the gentleman shall prefer a request to the Speaker. I have made no objection and no one else has, so far as I know. [Cries of "Regular order!"]

Mr. IGOE. The gentleman from Illinois [Mr. DENISON], who is in charge of the bill——

Mr. MONDELL. Mr. Speaker, I ask for the regular order.

Mr. IGOE. Then I object.

EXTENSION OF REMARKS.

Mr. OVERSTREET. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting resolutions adopted by the Savannah Commercial Club indorsing the league of nations.

The SPEAKER. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD by printing therein resolutions adopted by the Savannah Commercial Club indorsing the league of nations. Is there objection?

Mr. KING. Mr. Speaker, I object.

ADJOURNMENT UNTIL TUESDAY.

Mr. MONDELL. Mr. Speaker, I move that when the House adjourns to-day it adjourn to meet at 12 o'clock meridian Tuesday next.

The SPEAKER. The gentleman from Wyoming moves that when the House adjourns to-day it adjourn to meet at noon on Tuesday next.

The question was taken, and the motion was agreed to.

EXTENSION OF REMARKS.

Mr. McCULLOCH. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman arise?

Mr. McCULLOCH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing the correspondence with Julius Barnes, president of the United States Grain Corporation, in regard to the administration of the grain guaranty act.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD by printing correspondence with Julius Barnes relative to the handling of the wheat situation. Is there objection?

Mr. RAKER. Mr. Speaker, reserving the right to object, we can not hear what the request is.

Mr. BLANTON. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count.

Mr. BLANTON. Mr. Speaker, I withdraw the point of order.

Mr. CLARK of Missouri. Mr. Speaker, I ask unanimous consent for the present consideration of the Igoe resolution——

The SPEAKER. There is one unanimous consent pending.

Mr. CLARK of Missouri. What is it?

The SPEAKER. The request of the gentleman from Ohio to extend his remarks.

Mr. CLARK of Missouri. I am perfectly willing to withhold.

Mr. OVERSTREET. I shall object to it; who is it? I withdraw mine.

Mr. CLARK of Missouri. Mr. Speaker, I ask unanimous consent for the present consideration of the Igoe resolution.

The SPEAKER. The gentleman from Georgia withdraws his objection. There is pending a unanimous consent that the Chair again will state. The gentleman from Ohio asks unanimous consent to extend his remarks by printing in the RECORD correspondence with Julius Barnes relative to the wheat situation. Is there objection? [After a pause.] The Chair hears none.

Mr. CLARK of Missouri. Mr. Speaker——

Mr. OVERSTREET. Mr. Speaker, I renew my request. I ask unanimous consent to extend my remarks in the RECORD by inserting a resolution adopted by the Commercial Club of Savannah indorsing the league of nations.

The SPEAKER. Is there objection to the gentleman extending his remarks in the RECORD by printing a resolution of the Savannah, Ga., club indorsing the league of nations?

Mr. REAVIS. Mr. Speaker, I object.

Mr. CLARK of Missouri. Mr. Speaker, I ask unanimous consent for the consideration of the Igoe resolution about boots and shoes. [Applause on the Democratic side.]

The SPEAKER. The gentleman from Missouri asks unanimous consent for the present consideration of the resolution about boots and shoes? Is there objection?

Mr. ANDERSON. Mr. Speaker, reserving the right to object, if we have to agree to every resolution anybody wants to pass, in order to get this recess, I think we had better not have the recess.

Mr. CLARK of Missouri. Nobody is asking for but one resolution.

The SPEAKER. The Chair declines to recognize the gentleman for the present.

Mr. BLANTON. Mr. Speaker, regular order.

The SPEAKER. The gentleman from Texas demands the regular order.

Mr. CLARK of Missouri. The regular order is putting my request.

The SPEAKER. But the Chair did not recognize the gentleman.

Mr. CLARK of Missouri. Did not recognize me?

The SPEAKER. The Chair did not recognize the gentleman from Missouri.

Mr. CLARK of Missouri. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Missouri. What went with the request I made that the gentleman from Missouri could call up his resolution?

The SPEAKER. The Chair is not obliged to state it unless he desires.

Mr. CLARK of Missouri. I understand that.

The SPEAKER. The Chair did not recognize the gentleman to present a request.

Mr. CLARK of Missouri. Did the Chair recognize me or not?

The SPEAKER. The Chair recognized the gentleman.

Mr. CLARK of Missouri. And I made the request.

The SPEAKER. The Chair is not obliged to recognize the gentleman to prefer a request——

Mr. CLARK of Missouri. Well, my understanding was——

The SPEAKER. The gentleman from Michigan [Mr. FORDNEY] is recognized.

Mr. FORDNEY. Mr. Speaker, by direction of the Committee on Ways and Means, I offer the following report and ask that it be printed.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The Chair will count. [After counting.] One hundred and eighty-two gentlemen are present, not a quorum.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. CLARK of Missouri and Mr. HEFLIN demanded a division.

The House divided; and there were—ayes 87, noes 68.

So the motion was agreed to; accordingly (at 4 o'clock and 53 minutes p. m) the House, under its previous order, adjourned until Tuesday, August 5, 1919, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. TAYLOR of Colorado, from the Committee on the Public Lands, to which was referred the bill (H. R. 2950) to authorize a preference right of entry by certain Carey Act entrymen, and for other purposes, reported the same with amendment, accompanied by a report (No. 219), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 1006) granting a pension to James F. Connell, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SIMS (by request): A bill (H. R. 8157) authorizing the acquisition by the United States of private interests in railroads and transportation properties, and for payment of just compensation; creating a corporation for public service with authority to operate the properties so acquired; and authorizing a lease to such corporation of such properties when so acquired, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS: A bill (H. R. 8158) to amend the war-risk insurance act; to the Committee on Interstate and Foreign Commerce.

By Mr. McLAUGHLIN of Nebraska: A bill (H. R. 8159) to amend the act of Congress approved July 17, 1916, known as the Federal farm loan act; to the Committee on Banking and Currency.

By Mr. TREADWAY: A bill (H. R. 8160) establishing the liability of hotel proprietors and innkeepers in the District of Columbia; to the Committee on the District of Columbia.

By Mr. VESTAL: A bill (H. R. 8161) to amend an act entitled "An act making appropriations to supply deficiencies in appropriations for the fiscal year 1915 and for prior years, and for other purposes"; to the Committee on the Public Lands.

By Mr. NELSON of Wisconsin: A bill (H. R. 8162) authorizing the Secretary of War to donate to the village of Draper, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8163) authorizing the Secretary of War to donate to the village of Couderay, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8164) authorizing the Secretary of War to donate to the village of Mason, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8165) authorizing the Secretary of War to donate to the village of Houghton, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8166) authorizing the Secretary of War to donate to the village of Grand View, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8167) authorizing the Secretary of War to donate to the village of Sweden, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8168) authorizing the Secretary of War to donate to the village of Drummond, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8169) authorizing the Secretary of War to donate to the village of Cable, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8170) authorizing the Secretary of War to donate to the village of Seeley, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8171) authorizing the Secretary of War to donate to the village of Phipps, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8172) authorizing the Secretary of War to donate to the village of Stinnett, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8173) authorizing the Secretary of War to donate to the village of Reserve, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8174) authorizing the Secretary of War to donate to the village of Edgewater, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8175) authorizing the Secretary of War to donate to the village of Birchwood, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8176) authorizing the Secretary of War to donate to the village of Sarona, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8177) authorizing the Secretary of War to donate to the village of Berg Park, Wis., one German cannon or field piece; to the Committee on Military Affairs.

Also, a bill (H. R. 8178) authorizing the Secretary of War to donate to the village of Hawthorne, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8179) authorizing the Secretary of War to donate to the village of Radisson, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8180) authorizing the Secretary of War to donate to the village of High Bridge, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8181) authorizing the Secretary of War to donate to the village of Mellen, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8182) authorizing the Secretary of War to donate to the village of Morse, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8183) authorizing the Secretary of War to donate to the village of Glidden, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8184) authorizing the Secretary of War to donate to the village of Butternut, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8185) authorizing the Secretary of War to donate to the village of Solon Springs, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8186) authorizing the Secretary of War to donate to the village of Gordon, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8187) authorizing the Secretary of War to donate to the village of Wascott, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8188) authorizing the Secretary of War to donate to the village of Minong, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8189) authorizing the Secretary of War to donate to the village of Lampson, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8190) authorizing the Secretary of War to donate to the village of Trego, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8191) authorizing the Secretary of War to donate to the village of Clayton, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8192) authorizing the Secretary of War to donate to the village of Winter, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8193) authorizing the Secretary of War to donate to the village of Van Buskirk, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8194) authorizing the Secretary of War to donate to the village of Carson, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8195) authorizing the Secretary of War to donate to the village of Mercer, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8196) authorizing the Secretary of War to donate to the village of McNaughton, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8197) authorizing the Secretary of War to donate to the village of Conover, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8198) authorizing the Secretary of War to donate to the village of Clearwater Lake, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8199) authorizing the Secretary of War to donate to the village of Three Lakes, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8200) authorizing the Secretary of War to donate to the village of Pelican Lake, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8201) authorizing the Secretary of War to donate to the village of Woodruff, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8202) authorizing the Secretary of War to donate to the village of Minocqua, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8203) authorizing the Secretary of War to donate to the village of Welling, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8204) authorizing the Secretary of War to donate to the village of Pine River, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8205) authorizing the Secretary of War to donate to the village of Osceola, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8206) authorizing the Secretary of War to donate to the village of Clear Lake, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8207) authorizing the Secretary of War to donate to the village of Stone Lake, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8208) authorizing the Secretary of War to donate to the village of Exeland, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8209) authorizing the Secretary of War to donate to the village of Murry, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8210) authorizing the Secretary of War to donate to the village of Crane, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8211) authorizing the Secretary of War to donate to the village of Jerome, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8212) authorizing the Secretary of War to donate to the village of Conrath, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8213) authorizing the Secretary of War to donate to the village of Sheldon, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8214) authorizing the Secretary of War to donate to the village of Kaiser, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8215) authorizing the Secretary of War to donate to the village of Kennedy, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8216) authorizing the Secretary of War to donate to the village of Hobson, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8217) authorizing the Secretary of War to donate to the village of Roosevelt, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8218) authorizing the Secretary of War to donate to the village of Woodboro, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8219) authorizing the Secretary of War to donate to the village of Brantwood, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8220) authorizing the Secretary of War to donate to the village of Prentice, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8221) authorizing the Secretary of War to donate to the village of Pennington, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8222) authorizing the Secretary of War to donate to the village of Catawba, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8223) authorizing the Secretary of War to donate to the village of Kennan, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8224) authorizing the Secretary of War to donate to the village of Hawkins, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8225) authorizing the Secretary of War to donate to the village of Ingram, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8226) authorizing the Secretary of War to donate to the village of Glen Flora, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8227) authorizing the Secretary of War to donate to the village of Bruce, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8228) authorizing the Secretary of War to donate to the village of Weyerhauser, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8229) authorizing the Secretary of War to donate to the village of Turtle Lake, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8230) authorizing the Secretary of War to donate to the village of Joel, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8231) authorizing the Secretary of War to donate to the village of Amery, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8232) authorizing the Secretary of War to donate to the village of Deronda, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8233) authorizing the Secretary of War to donate to the village of Dwight, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8234) authorizing the Secretary of War to donate to the village of Nye, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8235) authorizing the Secretary of War to donate to the village of Foxboro, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8236) authorizing the Secretary of War to donate to the village of Yellow Lake, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8237) authorizing the Secretary of War to donate to the village of Webster, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8238) authorizing the Secretary of War to donate to the village of Siren, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8239) authorizing the Secretary of War to donate to the village of Lewis, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8240) authorizing the Secretary of War to donate to the village of Frederic, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8241) authorizing the Secretary of War to donate to the village of Luck, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8242) authorizing the Secretary of War to donate to the village of Milltown, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8243) authorizing the Secretary of War to donate to the village of Centuria, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8244) authorizing the Secretary of War to donate to the village of St. Croix Falls, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8245) authorizing the Secretary of War to donate to the village of Dresser Junction, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8246) authorizing the Secretary of War to donate to the village of Westboro, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8247) authorizing the Secretary of War to donate to the village of Chelsea, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8248) authorizing the Secretary of War to donate to the village of Whittlesey, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8249) authorizing the Secretary of War to donate to the village of Stetsonville, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8250) authorizing the Secretary of War to donate to the village of Donald, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8251) authorizing the Secretary of War to donate to the village of Gilman, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8252) authorizing the Secretary of War to donate to the village of Stanberry, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8253) authorizing the Secretary of War to donate to the village of Springbrook, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8254) authorizing the Secretary of War to donate to the village of Washburn, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8255) authorizing the Secretary of War to donate to the village of Hayward, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8256) authorizing the Secretary of War to donate to the village of Medford, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8257) authorizing the Secretary of War to donate to the village of Fifield, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8258) authorizing the Secretary of War to donate to the village of Coolidge, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8259) authorizing the Secretary of War to donate to the village of Worcester, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8260) authorizing the Secretary of War to donate to the village of Ogema, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SUMNERS of Texas: A bill (H. R. 8261) authorizing and directing the Secretary of Agriculture to establish a farm-produce exchange, and for other purposes; to the Committee on Agriculture.

By Mr. FULLER of Massachusetts: A bill (H. R. 8262) relative to the pay of regimental sergeant majors, battalion sergeant majors, and first sergeants, and for other purposes; to the Committee on Military Affairs.

By Mr. MORGAN (by request): A bill (H. R. 8263) to amend an act entitled "An act to create the municipal court of the District of Columbia," approved February 17, 1909; to the Committee on the District of Columbia.

By Mr. JACOWAY: A bill (H. R. 8264) for the purchase of a site and the erection thereon of a public building at Clarksville, Ark.; to the Committee on Public Buildings and Grounds.

By Mr. TAYLOR of Tennessee: A bill (H. R. 8265) for the relief of soldiers, sailors, and marines; to the Committee on Claims.

By Mr. VAILE: A bill (H. R. 8266) to amend section 3221 of the Revised Statutes of the United States as amended by section 6 of the act of March 1, 1871; to the Committee on Ways and Means.

By Mr. TIMBERLAKE: Joint resolution (H. J. Res. 172) providing for the distribution to State educational institutions of certain war material; to the Committee on Military Affairs.

By Mr. LAGUARDIA: Joint resolution (H. J. Res. 173) prohibiting the Alien Property Custodian from disposing of any property pending the ratification of the treaty of peace with Germany; to the Committee on the Judiciary.

By Mr. FLOOD: Resolution (H. Res. 229) directing the Federal Trade Commission to inquire into the increase in the price of fertilizers and all classes of farm machinery; to the Committee on Interstate and Foreign Commerce.

By Mr. KIESS: Resolution (H. Res. 230) to print as a House document the prayers offered at the opening of the sessions of the House of Representatives in the Sixty-fifth Congress; to the Committee on Printing.

By Mr. HULL of Iowa: Resolution (H. Res. 231) providing for the consideration of House joint resolution 161; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 8267) granting an increase of pension to John C. Sample; to the Committee on Invalid Pensions.

By Mr. BLAND of Missouri: A bill (H. R. 8268) granting a pension to Paul Galbreath; to the Committee on Invalid Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 8269) granting a pension to Samuel Bowen, alias Samuel Deen; to the Committee on Invalid Pensions.

By Mr. ESCH: A bill (H. R. 8270) granting a pension to Anton Casper; to the Committee on Pensions.

By Mr. McARTHUR: A bill (H. R. 8271) authorizing the President of the United States to restore Lieut. Commander J. A. B. Sinclair to the Medical Corps of the United States Navy; to the Committee on Naval Affairs.

By Mr. McKENZIE: A bill (H. R. 8272) to restore Harry Graham, captain of Infantry, to his former position on the lineal list of captains of Infantry; to the Committee on Military Affairs.

By Mr. McKINLEY: A bill (H. R. 8273) granting an increase of pension to George W. Drummond; to the Committee on Invalid Pensions.

By Mr. O'CONNELL: A bill (H. R. 8274) granting a pension to Mary Watson Smith Maher; to the Committee on Pensions.

By Mr. PHELAN: A bill (H. R. 8275) for the relief of John F. Malley; to the Committee on Claims.

By Mr. RICKETTS: A bill (H. R. 8276) granting a pension to Homer P. Arnold; to the Committee on Pensions.

By Mr. RUBEY: A bill (H. R. 8277) granting a pension to William S. Beachum; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 8278) granting a pension to Nancy Bennett; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 8279) granting an increase of pension to McHenry Smith; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 8280) granting a pension to John McGee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8281) granting a pension to George W. Studabaker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8282) granting a pension to William C. Phillips; to the Committee on Pensions.

By Mr. VESTAL: A bill (H. R. 8283) granting an increase of pension to Jonathan M. Pyle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8284) granting an increase of pension to Samuel W. Hayden; to the Committee on Invalid Pensions.

By Mr. HASKELL: A bill (H. R. 8285) granting an increase of pension to George V. Deacon; to the Committee on Pensions.

By Mr. SCHALL: A bill (H. R. 8286) granting a pension to Mary A. Sims; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of sundry citizens of the State of Massachusetts, for the repeal of the tax on sodas, soft drinks, ice cream, etc.; to the Committee on Ways and Means.

By Mr. BACHARACH: Petition of the Chamber of Commerce of Atlantic City, N. J., advocating the coordination of the Coast Guard Service with the Navy; to the Committee on Naval Affairs.

By Mr. CAREW: Petition of the Savings Banks Association of the State of New York, opposing Government ownership or Government control of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of the National Tuberculosis Association, opposing repeal of daylight-saving law; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Polish National Alliance of the United States of North America, opposing Senate bill 2099; to the Committee on Immigration and Naturalization.

By Mr. KELLEY of Michigan: Resolution of clerks and carriers of the National Federation of Postal Employees, at Flint, Mich., protesting against the inadequacy of existing wage scale of postal employees, and requesting that they be granted an immediate increase of $500 a year, beginning July 1, 1919, and a substantial increase to substitute clerks, carriers, and temporary help; to the Committee on the Post Office and Post Roads.

By Mr. McGLENNON: Petition of Tiffany Council, No. 270, Junior Order United American Mechanics, of Union Hill, N. J., favoring six months' pay to the discharged soldiers; to the Committee on Ways and Means.

By Mr. NELSON of Wisconsin: Petition of the Wisconsin State Federation of Labor, relative to cost of living; to the Committee on Agriculture.

By Mr. O'CONNELL: Petition of John McE. Bowan, opposing Senate bills 2199 and 2202 and House bill 6310; to the Committee on Agriculture.

Also, petition of the American Federation of Labor, of Washington, D. C., by Frank Morrison, favoring an increase in salaries of the postal clerks; to the Committee on the Post Office and Post Roads.

By Mr. RANDALL of Wisconsin: Resolution of the Federation of Labor of the State of Wisconsin, requesting that steps be taken to reduce the cost of living; to the Committee on Agriculture.

Also, memorial of the Common Council of the City of Milwaukee, Wis., to enact legislation to curb the increased cost of living, and to do away with all combinations which tend to enhance the cost of living, especially the cost of fuel, clothing, and foodstuffs; to the Committee on the Judiciary.

By Mr. ROWAN: Petition of John McE. Bowman, of New York City, protesting against Senate bill 2202; to the Committee on Agriculture.

Also, petition of the Institute of American Meat Packers, 22 West Monroe Street, Chicago, Ill., opposing the Kenyon bill relating to the packing industry; to the Committee on Agriculture.

Also, petition of the American Federation of Labor, favoring an increase for the clerks in the Postal Service; to the Committee on Labor.

By Mr. SCHALL: Resolution of Chippewa Indians of Minnesota, indorsing petition and bill introduced by Hon. F. F. ELLSWORTH (H. R. 6461); to the Committee on Indian Affairs.

By Mr. SINCLAIR: Petition of Jamestown Commercial Club, Jamestown, N. Dak., protesting against the repeal of the zone system; to the Committee on the Post Office and Post Roads.

Also, petition of Joseph & Hoenck, Oliver Denis, Max Stern, A. L. Moody, O. J. de Lendrecie Co., the Black Co., Fred W. Kruse Co., E. A. Ricker Co., and Herbst department store, all of Fargo, N. Dak., asking for the repeal of section 900, subdivision 19, of the internal-revenue law; to the Committee on Ways and Means.

By Mr. SMITH of Idaho: Resolutions adopted by the Hitt Mountain Cattle and Horse Growers' Association, of Weiser, Idaho, protesting against the transfer of the Forestry Service from the Department of Agriculture to the Department of the Interior; to the Committee on Agriculture.

Also, resolutions adopted by the Hitt Mountain Cattle and Horse Growers' Association, of Weiser, Idaho, favoring the enactment of legislation as to public domain; to the Committee on the Public Lands.

By Mr. TAYLOR of Tennessee: Petition of Anderson-Dulin-Varnell Co., of Knoxville, Tenn., for the repeal of the luxury tax law; to the Committee on Ways and Means.

By Mr. TINKHAM: Petition of Charlestown Lodge, No. 876, of Charlestown, Mass., favoring the establishing of a 44-hour week as the standard of employment for the employees of the Boston Navy Yard; to the Committee on Labor.

By Mr. WINSLOW: Petition of F. E. Thompson & Co., for the repeal of the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

SENATE.

MONDAY, *August 4, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we pray Thee to help us not only to give thoughtful consideration, but prayerful consideration, to the mighty issues that press upon us. We look out upon the needs of millions. Much of their interest has been committed to our hands. We pray that we may draw from Thee the wisdom and grace which will enable us properly to discern the divine plan and will, and to execute Thy plan and will for this Nation. Guide us this day. For Christ's sake. Amen.

The Vice President being absent, the President pro tempore (Mr. CUMMINS) took the chair.

The Secretary proceeded to read the Journal of the proceedings of Saturday last, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the joint resolution (S. J. Res. 80) to authorize the President to convene a meeting of an international labor conference in Washington, D. C.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 7110. An act extending the time for the construction of a bridge across Flint River, in the State of Georgia;

H. R. 7785. An act to provide revenue for the Government, to establish and maintain in the United States the manufacture of laboratory glassware, laboratory porcelain ware, optical glass, scientific and surgical instruments; and

H. J. Res. 165. Joint resolution to allow the payment of bills lawfully incurred for construction work actually performed or construction material actually purchased and delivered prior to the approval of an act approved July 11, 1919 (Public, No. 7, 66th Cong., H. R. 5527).

HIGH COST OF LIVING.

Mr. GRONNA. Mr. President, I have a letter from Mr. H. N. Owen, editor of the Farm, Stock and Home. It is a personal letter written to me, but it has reference to the production of grain and prices, and I wish to have it printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MINNEAPOLIS, MINN., *July 29, 1919.*

Hon. A. J. GRONNA,
Washington, D. C.

MY DEAR SENATOR: As a representative of the North Dakota wheat growers I feel that you will be vitally interested in the inclosed, being a copy of the front page of our August 1 issue, also editorial comment on same.

The developments of the wheat crop are bringing me around to your position—that the thing to do is to get rid of this guaranty just as quickly as we can and let the law of supply and demand prevail. Thirty days ago I would not have favored this, but at this time, with the crop going back every day and with about an 80,000,000-bushel loss in Kansas in June, it is becoming quite evident to me that 900,000,000 bushels will be about our maximum.

In June Mr. Julius Barnes estimated that on a 1,100,000,000-bushel crop for this country the world would have a carry-over at the end of the 1919 crop year of about 40,000,000 bushels. Now, if I am right in my estimate of our final returns, using Mr. Barnes's own figures, which I also inclose, we won't have enough wheat to go around. This being so, I believe it would be perfectly safe to get wheat back onto the unrestricted market and let the law of supply and demand prevail.

You are of course aware of the fact that ever since the signing of the armistice wheat in Minneapolis has been selling higher than the Government price, and has been continually advancing, until now certain grades are over $3, and there isn't any kind of wheat that isn't selling at 25 cents over the Government guaranteed price. Out of this the farmers are getting nothing. Either the Grain Corporation is making the money or the line elevators. Now, I maintain that this is an intolerable situation—a situation that I feel will prevail to some extent all during the 1919 crop year. I believe that Minneapolis September wheat to-day would be selling better than $2.60 in an open market. You have probably noticed that Winnipeg October wheat was selling for $2.47. This corresponds to Minneapolis September wheat. The normal difference between Minneapolis and Winnipeg is from 12 to 15 cents. Calling it 13 cents a bushel, we have $2.60 as a probable September price in Minneapolis.

Now then, must our producers stand for selling their wheat at $2.21½ Minneapolis, less 8 cents handling charges, which the Grain Corporation has announced they will allow elevators, and freight. This is going to bring the price of Red River Valley wheat down to less than $2. Western North Dakota wheat, where they have all the way from nothing to 8 or 9 bushels, will be 5 or 6 cents less than the most distant Red River Valley point. Then if this wheat is going to sell in Minneapolis 25 or 30 cents more than the Government price, which profit will be made either by the Grain Corporation or the line elevators, there will be a condition produced that will lead to far-reaching political consequences.

I am being batted from all sides, and all sorts of pressure is being brought to bear on me to lay off on this wheat fight. I am losing advertising on account of it. The interests affected are out after my scalp, but I am not going to lay off of it. If I did, I wouldn't be true to the interests of the farmers of the Northwest.

Very truly, yours, H. N. OWEN.

Mr. GRONNA. I also have an editorial appearing on the front page of the paper, Farm, Stock and Home, under the heading, "Whose money?" The editorial calls attention to the fact that the Government of the United States during the year 1918 made nearly $24,000,000 out of the wheat crop. I want to have this editorial printed in the RECORD to show that the Government has lost no money in the handling of the wheat crop of the farmers.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHOSE MONEY?

Mr. Julius Barnes has made an official statement to the effect that in 1918 the United States Grain Corporation made net $23,000,000.

What was done with it?

How was this money made?

Did it not come out of the wheat growers?

How much did this $23,000,000 help the consumer?

Did the law creating the United States Grain Corporation authorize making a profit?

How much has the Grain Corporation made so far in 1919 out of the big advance in wheat over the guaranteed price?

How much will the avowed intention of Mr. Julius Barnes to see that the farmer does not get more than the guaranteed price make the Grain Corporation on the 1919 crop?

These are all questions that the wheat growers are entitled to have answered.

If they are not answered voluntarily and satisfactorily, Farm, Stock and Home will demand a congressional investigation. Its duty to the farmers of the Northwest makes such a demand imperative.

HARRY N. OWEN, *Publisher.*

Mr. GRONNA. Mr. President, if I may add a word, I also want to say that I have been receiving a great many letters with reference to the price of wheat and with reference to the high cost of living. I regret to say that I have not yet discovered any remedy for the high cost of living, but I do not think it can be remedied simply by adding to and increasing wages and adding to and increasing everything that is to be bought and sold and by working shorter hours. I am somewhat old-fashioned, Mr. President, and I hardly believe that that is a panacea for these ills. It is suggested that we should have Government ownership or Government control. Never in the history of this country have the consumers had to pay higher prices for certain articles, which I shall not take the time of the Senate to enumerate, but which I could if I desired, than during the time when the distinguished gentleman from—I do not know where he is from; I believe he is from California—Mr. Hoover, was at the head of the so-called food department. Never in the history of the country, I say, have the corporations of the country dealing in food products made as much money and as great profits as have been made under the licensing system of Mr. Hoover. I refer now especially to the packers.

I wish to state, Mr. President, that I have given notice to the members of the Committee on Agriculture and Forestry to meet to-morrow, and perhaps some Member or the members of the committee will be able to devise some plan to help reduce the high cost of living and to relieve the American people.

Mr. PITTMAN. Mr. President, I should like to call the attention of the Senator from North Dakota to an editorial in the New York Sun, in which the writer seems to lay the whole trouble of the high cost of living to the high price that was fixed upon wheat. He seems to think that wheat is the chief product of food in the world and that when we fixed the high price of wheat, the price of corn and other food products naturally sought the same level. He seems to think that the way to start reducing the high cost is to start by reducing the price of wheat. I should like to know what the Senator thinks about that.

Mr. GRONNA. If the Government is to fix prices it must, in order to relieve the public from unduly high prices, fix the price of all commodities. I certainly have no objection to reducing the price of wheat if the price is reduced on other articles of food or on articles that we wear, but I wish to say to the Senator from Nevada that I believe, and I think I can prove without any question, that wheat is to-day the cheapest article of food that the American public buys.

Mr. PITTMAN. Let me read this article to the Senator, because if he is going to have a committee meeting to-morrow I should like to have him call it to the attention of the committee:

LET THOSE WHO SCREWED UP FOOD COSTS SCREW THEM DOWN.

The Washington administration screwed up the cost of all food when it nailed the price of wheat high above its real value. We mean, of course, when it nailed up that price to the consuming public.

Because the United States Government must buy all the farmers' wheat on the basis of $2.26 the Washington administration is trying

to sell that wheat to the American consumer at grossly inflated figures as if there were a wheat famine, when there will be on its hands at least half a billion bushels of wheat which this country can not consume and the greater part of which the Government will never be able to sell abroad.

Mr. GRONNA. Mr. President, I wish to be fair to the administration. It is hardly fair to criticize the administration and say that there is inflation in the price of wheat. Both Senators from Minnesota, I think, will bear me out in the statement that wheat is selling for $3 a bushel in Minneapolis now, and in nearly all terminal markets it is selling far above the price at which the President fixed it. So the article is not true. The price of wheat was not inflated. The price fixed by the President was not an inflation, I will say to the Senator, and it never has been since it was fixed.

Mr. PITTMAN. I was aware that the Senator knew more about the situation than most Senators and I wanted his opinion on the question.

Mr. KELLOGG. Mr. President, will the Senator excuse me?

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from Minnesota?

Mr. PITTMAN. With pleasure.

Mr. KELLOGG. There never has been a time, from the day Congress considered the subject of the price of wheat, when wheat was not higher in the market than the Government price or any price discussed in Congress. It is selling to-day for more than the Government fixed the price in this country. I do not say that the price of flour has not a good deal to do with it. It has, as far as that is the food of the people, increased the cost of living, but everything else is the same.

Mr. KIRBY. I should like to ask the Senator a question.

Mr. KELLOGG. The price of labor and all that enters into the production of wheat is abnormally high, as is usually the case during and after a war.

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from Arkansas?

Mr. PITTMAN. I do.

Mr. KIRBY. I wish to ask the Senator from Minnesota a question. Is it not a fact that the high price of wheat to which we have gone is due to the fact that the Government guaranteed the price of $2.26 per bushel and is manipulating the market to keep it up to that figure?

Mr. KELLOGG. No; it is not the fact. The Government is not manipulating the market.

Mr. KIRBY. What is this man Barnes doing who is regulating the price of wheat to-day?

Mr. GRONNA rose.

Mr. KELLOGG. I will let the Senator from North Dakota answer.

Mr. GRONNA. If the Senator from Nevada will permit me——

Mr. PITTMAN. I yield. I am only seeking information.

Mr. GRONNA. I can answer the Senator from Arkansas. Mr. Julius Barnes, who is the Grain Director now, has been criticized by people in all the grain States for making every effort possible to bear down the price of wheat. I hold no brief for Mr. Barnes, but I think Mr. Barnes will say to the Senator from Arkansas that he has made every effort possible to reduce the price of wheat. He made an effort to import wheat from Canada, but unfortunately Canada had very little wheat to sell. If the Senator from Arkansas will take the trouble, he can easily discover that instead of having a 1,250,000,000-bushel wheat crop this year this country will not have to exceed 850,000,000 bushels of wheat. There is a shortage of wheat throughout the whole world, and the United States will not be able to furnish all the wheat that will be needed in the European countries.

Mr. FLETCHER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from Florida?

Mr. PITTMAN. I yield.

Mr. FLETCHER. I should like to ask the Senator from North Dakota whether the fixing of the price of wheat at $2.26 a bushel really produces the high price of flour? Is it not a fact that the price of flour does not bear a real relation to the price per bushel of the wheat itself and that the Government does not in any wise control the difference between what the people have to pay for flour and what the farmer gets for his wheat. Is there not the wide increase in price after it leaves the farm and before it reaches the consumer, and has the price of wheat really brought about that increase? That is the real question.

Mr. GRONNA. I feel that I am imposing on the Senator from Nevada.

Mr. PITTMAN. Not at all. I am just seeking for information.

Mr. GRONNA. This is a very important subject and the question raised by the Senator from Florida is a very important one. Let me say to the Senator that on the 16th day of May I took occasion to go to a certain city, which I shall not name, and rye was selling in the terminal in the very market where the flour was ground for $1.44 a bushel. I had a wholesale grocer call up the flour mills and ask the wholesale price of a carload of flour, and the price given was $9.60. I undertake to say that there was a gross profit upon rye flour in that case of more than $4 a barrel. I undertake to say that during Mr. Hoover's administration the price of flour was out of proportion to the price of wheat. I undertake to say that never in the history of the country have the millers profited more than they did under Hoover's administration.

Mr. NELSON. Mr. President——

Mr. PITTMAN. I yield to the Senator from Minnesota.

Mr. NELSON. In reference to the wheat question I beg leave to call the attention of the Senate to two facts. First, the Canadian Government has agreed to take over all the wheat raised in that country, and they have practically wiped out by that system the grain exchange at Winnipeg and other points in the Dominion. In other words, we are not threatened with an influx of Canadian grain into this country, for the reason that the Canadian Government has taken it over.

In the next place, the speculative price that has prevailed lately in the markets of Minneapolis arises, I think, from these facts: It is now apparent that a large amount of the present spring wheat crop will be of an inferior grade, owing partly to blight, partly to what we call the black rust, and to other causes. Even some of the winter wheat is of an inferior grade. The Minneapolis millers are now reaching out in every direction to get all the wheat they can, not of the present crop but of the old crop which is still in store, and they are bidding high prices to get that wheat for milling purposes. That, I think, is one of the causes that have made prices abnormal at Minneapolis at the present time.

I can not entirely approve of the action of the millers in some respects. I recall, for instance, that while the regulations of Mr. Hoover as to the price of flour and of feed stuffs were in force, feed stuffs, mill stuffs, such as bran and shorts and middlings, were sold, I think, in round figures—I can not be exact—for 30 cents a hundred at the mill to farmers; but as soon as the Hoover embargo was removed, while the price of wheat from which these mill stuffs were manufactured was the same, and while the cost of manufacturing was the same, the millers immediately increased their prices to from 40 to 60 cents a hundred, and even higher. I think that was wholly unjustifiable.

What they have done recently in reference to the price of flour I do not know, but I am satisfied that under present conditions control by the Government of the price of wheat is of no value whatsoever. I think that the amount of wheat in this country of the present crop will be not anywhere near what we expected it to be. The wheat will not be for milling purposes so good a crop as we had last year. It will be far less in the number of bushels produced and inferior in grade and quality to the wheat crop of last year.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from South Carolina?

Mr. PITTMAN. I yield.

Mr. SMITH of South Carolina. I wish to ask the Senator from North Dakota [Mr. GRONNA], the chairman of the Committee on Agriculture, if the relative value of flour, the manufactured article, to the raw wheat does not bear about the same proportion now as it did under prewar conditions? Taking the cost of wheat to-day and comparing it to the cost of the finished product, is not the price of the manufactured flour in relation to the price of the wheat about the same that it was under prewar conditions?

Mr. GRONNA. During the war, I will say to the Senator from South Carolina, there was a relatively higher price for flour than there was before the war. I do not know the price of flour to-day.

Mr. SMITH of South Carolina. I was under the impression—merely endeavoring to remember what was the market quotation—that to-day the relative price of flour per barrel in relation to the cost of wheat was about on a parity with the prewar relation. I think it is important to ascertain that fact.

Mr. GRONNA. Mr. President, let me say to the Senator from South Carolina that under the standardization act Government control to a certain extent, I might say—and as to that I believe even the Senators from Minnesota will agree with me—is not satisfactory to the farmers of the Northwest, at least. They complained bitterly, as Senators know, against

many of the commercial bodies, and they all say that conditions are worse to-day than they were before.

What I want to say to the Senator from South Carolina is this: Throughout the grain States a great deal of light wheat has been produced, and the farmers are not getting $2.20 a bushel for that wheat. The Senator from Kansas [Mr. CAPPER] can tell the Senate what the farmers of his State are receiving for such wheat. I understand that the purchasers of that wheat are paying farmers as low as $1.13 per bushel, because the wheat is shrunken and light.

Mr. CAPPER. That is a fact. Farmers are getting as low as $1.13 for wheat in Kansas.

Mr. GRONNA. I want to ask what is becoming of this cheap wheat that is being bought at that price under the standardization act? The Senator from South Carolina [Mr. SMITH] has always been helpful to me and to the wheat farmers; he has always made every effort to help the wheat farmers as much as he has helped the cotton farmers. I undertake to say that, per pound, some of this wheat which is bringing only $1.13 to-day has as high a food value as has wheat which is graded as No. 1. There is more gluten per bushel in a bushel of light-weight wheat and less starch, and that fact makes such wheat more valuable as food. I do not find any statement to the effect that the wheat for which the millers are paying but $1.13 a bushel, when manufactured into flour, is being thrown upon the market at a low price. The consumer pays a price based upon the highest standard of wheat. That has been the complaint which I have tried to bring before the Senate; and yet one of the ablest Senators on this floor thought it was very strange that I desired established in the Agricultural Department a small mill to grind wheat into flour and also to have a small bakery established there in order to be able to ascertain the real milling and baking value of grain. That is one of the most important questions to the consumer, but while Congress has made an effort to solve the question the Agricultural Department has not done so.

Mr. SMITH of South Carolina. Mr. President, if the Senator from Nevada will allow me, so far as the price of wheat, of a certain grade, at the present time is concerned, that is fixed by the Government, and, therefore, the price of the finished article must be governed by that price as a minimum. What I should like to state to the Senate is that, although the exigencies of war may have justified the attempt upon the part of the Government to control prices, I think it is the duty of the Senate and of the Congress, now that the war has passed, to give the people of this country some opportunity to settle their affairs amongst themselves, without coming to Congress for panaceas for all evils and ills that may arise in the commercial and trading world. It seems to me that if we would take a calm view of the situation we would understand that the hysteria now prevalent has come naturally from conditions over which none of us has any control and which an attempt on our part to control now will be as disastrous as during the period of the war.

Then there was seemingly a necessity for it. Now, in this democratic Government, with men untrammeled in the marts of trade, it is a sad commentary upon their ability and common sense to say that they must run to Congress for relief whenever an emergency arises in the trade between man and man. I am sorry to see that the papers throughout the country are seemingly encouraging an idea that is fraught with untold danger to the American people. I would welcome it if they would say to the American people, "These are problems at your very doors. The man who sells you bread is a citizen of the United States and you who purchase it are citizens of the United States. Why can you not exercise common sense and reach an understanding and not come to Congress and seek artificial laws which, operating upon the real conditions of life, will work out in disaster?" Surely, some of us here can understand that trade will ultimately seek its level and adjust itself along the line of common sense and fair dealing.

We who are sitting here in the Congress can not understand the conditions existing throughout the whole country; they are as diverse as is the geography of the United States. I have waited in the hope that perhaps some of the Representatives from different sections would rise and utter their protest against this seeming tendency to run to Congress and ask it to pass laws to regulate everything. Democracy is not socialism, nor is it communism; democracy is the right of each individual, under humane laws, to work out his own salvation according to his own ability.

There is a great cry against the high cost of living, and there is no doubt that it is high; but while I was sitting on the plaza in front of my hotel last evening there was not the space of a minute when there was not an automobile crowded with citizens of this city out pleasure riding, although gasoline is up to 30 cents a gallon and automobiles are unusually high in price. Yet people are crying "hard times" and the "high cost of living," when the cost of high living is really the trouble. Go to the moving-picture theaters and you will find them crowded to the doors.

Mr. McCORMICK. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from Illinois.

Mr. PITTMAN. I yield.

Mr. McCORMICK. I wonder if the Senator will argue that extravagance is present in governmental affairs as well as in the private walks of life and that the Government has been engaged in an orgy of expenditure no less than the people whose automobiles the Senator saw last night.

Mr. SMITH of South Carolina. I suspect that has been true for a time as to which the memory of man runneth not to the contrary. There was some little excuse for what seemed to be extravagance on the part of the Government during the menace of the war but surely the American people are intelligent enough to know that they have the power in their hands to regulate from the shop to the consumer some of these questions. We, however, are teaching the American people to run to Congress for everything, rather than insisting that questions which ought to be settled amongst themselves or at least within the States shall be settled in that manner. I deplore this condition, and we are not helping it any by giving such serious consideration to matters that are wholly local and which should be dealt with locally.

We have now on the statute books the antitrust law, for instance, under which wherever evidence of profiteering can be obtained there is a remedy provided. Why not apply it? Why not bring the evidence into court and convict the one who is guilty rather than run to the Congress of the United States for supplementary laws to meet conditions that are natural?

The price of wheat is fixed by the Government at $2.26 a bushel. That measures quite a difference from the prewar price; but the Government recognizes surely that that was a fair price to pay to encourage production.

Mr. CURTIS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from Kansas?

Mr. SMITH of South Carolina. I am speaking in the time of the Senator from Nevada.

The PRESIDENT pro tempore. The Chair was addressing his remarks to the Senator from Nevada.

Mr. PITTMAN. Mr. President, what I have to say is less important than the present discussion, and I am very glad to yield.

Mr. THOMAS. Mr. President, after the Senator from Nevada concludes the reading of the article I shall, notwithstanding the interesting nature of the discussion, insist upon the regular order.

Mr. CURTIS. Mr. President, I merely desire to ask the Senator if he does not know that at the time the price of wheat was fixed by the Government at $2.20 a bushel it was selling on the open market at from $2.65 to $3 a bushel?

Mr. SMITH of South Carolina. Well, granting that that was true, I take it that the Government was then predicating its price for the present and for the future crop.

Mr. CURTIS. And to-day on the lower grades of wheat they are paying in the markets of the West from 30 to 40 cents a bushel more than the Government price. The higher grades are selling at $3 a bushel in Minneapolis and St. Paul. The producers of wheat in Kansas and Missouri and Oklahoma and that section are complaining at the action of the United States Grain Corporation on cumulative and excessive discounts on lower grades of wheat and against the action of the corporation in refusing licenses to competitive exporters. The price fixed on the lower grades of wheat is below the market price.

Another thing I think the Senator should remember—that is, in handling the wheat last year the Grain Corporation made a profit of $23,000,000. Instead of this profit going to the farmer, it went to the Grain Corporation. The amount of profit is given in the report of the Grain Corporation.

Mr. SMITH of South Carolina. There is just one question I should like to ask of the Senators who represent the wheat-growing States and know the conditions in those States, and then I will yield the floor.

It is alleged in the market reports that wheat is now going above the Government price. Is that, in the Senator's opinion, brought about by manipulation of the market or is it in accord with the law of supply and demand upon the present basis of prices?

Mr. GRONNA. Mr. President, if the Senator is addressing that question to me, I should say that the price is based upon the law of supply and demand. Any man who has taken the time to study the situation knows that there is going to be a shortage of wheat. The Senator knows that when this price was fixed it was fixed for the purpose of stimulating production. That is what Mr. Hoover told the committee. I believe that every member of the Senate Committee on Agriculture and Forestry will agree with me that we fixed the price of $2.26 as a minimum price. During most of the time or during all of the time that Mr. Hoover had control he used it as a maximum price. Now, Mr. Barnes has made an effort to use the minimum price as a maximum price, but he has been unable to do so, because most people believe that the war is over.

Mr. SMITH of South Carolina. Mr. President, at some other time than now I shall have something more to say on this subject. What I do want to state is that the interference here in Congress, or the threat or the probability of our passing these sumptuary laws, is already demoralizing the industrial world to such an extent that people do not know what to engage in for fear that some law may be passed that will either restrict or in some way embarrass the business in which they would like to engage. The sooner we can assure the public that in their business affairs they will be allowed to conduct business along the natural lines of the law of supply and demand, when they can go out and buy and sell justly and honestly without governmental interference, the better for all concerned.

Mr. McCUMBER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from North Dakota?

Mr. PITTMAN. I do.

Mr. McCUMBER. I ask the Senator to yield simply because the Senator from Colorado [Mr. THOMAS] says there will be no chance to follow up this discussion after the Senator from Nevada got through; and therefore I am going to ask the Senator a real pertinent question bearing upon this subject at this time.

Mr. THOMAS. Mr. President, I would not insist upon the regular order against my friend the Senator from North Dakota under any circumstances.

Mr. McCUMBER. I thank the Senator.

I want to call the Senator's attention to the fact that upon looking at the last report of the wholesale price of flour in Boston I find that winter wheat ranges from $11.25 to $12 and above that per barrel, and spring wheat from $12 to $12.50 per barrel. I also ascertain that it is retailing for about $14 per barrel. Now, a barrel of flour is consumed by one individual in one year. Therefore, the awful expense that the American people pay per capita for their flour at present at retail is about $14 annually. That $14, divided by 12, will give you a little over a dollar in a month, or 3½ cents per day. That is what it is costing the American people for their flour—about 3½ cents per day each.

I want to ask the Senator if he knows of anything on earth that the American people are buying to-day, measured by its intrinsic value, that is as cheap as flour. If that is the cheapest thing on earth to-day, then I want to know why all this noise about flour, and nothing said about the cost of your clothing, which has gone up double what the price of flour has; the cost of medicine, which has gone up three times as much as the cost of your flour; the other bills that you pay, which, on the average, range three or four times as much as your flour? Why all this silence about all of these other subjects and all this attack upon the cheapest thing that you buy? Compare your flour bill of 3½ cents per day, if you will, with your cigar bill. If people are getting to a condition where one-third of them, or one-half of them, to-day can remain idle on account of the excessive wages, and they are going really hungry, I think they might even cut out the cigar, if it became absolutely necessary, because they pay five times as much to-day for their cigars as they do for their flour. It seems to me unjust, and I appeal to the Senator that he ought not to attack the farmer, who gets the least out of this, and blame him for the high cost of living upon a product in which there is less raise between the original price and the consumer's price than any other article that you buy in the market.

My colleague [Mr. GRONNA] has already stated something about the condition of the wheat crop; and while we are going to ask in a short time for the passage of a bill to raise the salaries of all the employees on our railways—another Adamson bill, in order to get a certain vote—I have a little telegram that I received last night from a farmer in my State, which gives the condition out there and also suggests a remedy. I ask that it be read, as it is very short.

The PRESIDENT pro tempore. Without objection, the telegram will be read.

The Secretary read as follows:

JAMESTOWN, N. DAK., *August 3, 1919.*

Hon. P. J. McCUMBER,
United States Senate, Washington, D. C.:

Farmers 16 hours per day, Sunday included, fighting black rust, drought, hoppers, and wilt. Labor unions, 6 and 8 hours day, expect farmers to feed them for nothing. What we need is a little backbone and a good club to make these fellows line up where they belong.

PIERCE BLEWITT.

Mr. PITTMAN. Mr. President, the Senator from Nevada did not rise for the purpose of attacking the farmers, and he has not attacked the farmers. The article which I had started to read was an attack upon the administration and indirectly an attack upon the farmers. I read it, however, because of the statement made by the Senator from North Dakota that to-morrow the Committee on Agriculture and Forestry is going to take up the consideration of this very important question.

This article is an editorial from the New York Sun. That is a paper that has considerable dignity and is sometimes correct. If the Senator from North Dakota will listen to this article, he will find that it differs with him in regard to the effect of raising the price of wheat.

When the Washington administration nailed up the price of wheat at such an abnormal level it automatically elevated the prices of corn and other grains. And when the Washington administration did that thing it doubled and trebled general food costs, for virtually all the food that man, woman, or child eats is nothing but grain. The man eating beef at his dinner table eats condensed grain; the baby at its bottle in the crib eats condensed grain; the steer that gives the beef, the cow that gives the milk, the hen that lays the egg are alike fed and fattened on grain.

When the Washington administration nailed up the price of wheat it screwed up the price of labor, for labor had to have more and more wages to pay the grossly excessive food prices which were made by the Washington administration when it made the grain prices. And when the Washington administration screwed up the price of labor it screwed up the cost of every single thing that is made by labor.

The Washington administration need not search the country over, it need not search one foot beyond its own doorstep, for the cause of the fearful cost of living which, from having become a discomfort, now grows to be a menace to the country.

Until the Washington administration knocks from under the wheat market the props which the Washington administration itself has set up and still holds in place, or until somebody knocks them out, the cost of living in this country will not come down and can not come down. Unless the Washington administration or somebody knocks out those props from under the wheat market the cost of food, the cost of all living, will go still higher. Then the job will be done by political dynamite.

Let me say that this question is worthy of consideration by the Committee on Agriculture and Forestry and it will have to be considered by the Senate. Whether or not the Government will have to act on the matter I do not know; but I do know, with every Senator here, that the situation is serious—extremely serious. And let me say that I did not vote with the Senator from North Dakota and the Senator from Minnesota on fixing the price of wheat. I thought it was too high. The administration thought the price of wheat was too high. The administration—if they are referring to a Democratic administration and not simply referring to the whole Congress—did not favor this legislation.

When the amendment of the Senator from Oklahoma [Mr. GORE] came before the Senate on the Agricultural bill to fix the price of wheat at $2.50 there were 29 Republicans in this body who voted for it and 17 Democrats who voted for it. There were 16 Democrats who voted against it and 2 Republicans who voted against it. No matter whether the Sun be right or wrong with regard to the effect of fixing the price of wheat as it was fixed, the fact remains that its partisan charge that this is due to the administration certainly will not be sustained by any Senator on the floor. I do not believe it was a partisan question at the time it was before this body. There was not any partisan color given to it. As a matter of fact, when the House and the Senate in conference agreed on $2.40 a bushel the President of the United States vetoed the whole Agricultural appropriation bill because he said that $2.40 was unconscionably high. Then, of course, when it came back to Congress they put it at $2.26.

I am very glad to have the Senator from Minnesota and the two Senators from North Dakota state that the article is wrong in saying that the price was too high. I am very glad to have the Senator from Minnesota tell us also that while Mr. Hoover had an embargo controlling the mills of the country prices were controlled in the matter. I do not know but what they are higher since Mr. Hoover's hands have been taken off, as the Senator from Minnesota says.

The fact remains that something has to be done. The Senator from South Carolina is opposed to the Government interfering in any way at all. I think we are all opposed to the Government interfering, but we are a great deal more opposed to the conditions that now exist than we are to interference by the Government with the individual, or in any direction. Great bodies of

organized laboring men in the country are demanding a raise in wages—which is not the first raise they have demanded—and they base it upon the ground that every time they have had a raise in wages the cost of living has moved up with it, and then when the cost of living gets up it is the foundation for another raise in wages. It is an endless cycle that has to be stopped either by the Government or by some character of force, which none of us want.

Mr. McCUMBER. I will say to the Senator that I am glad to hear that remark; but I would like to have him tell us when and how we are going to stop it.

Mr. PITTMAN. I was only called to make the remark by the fact that the chairman of the Committee on Agriculture announced to us that they were going to take up the consideration of the high cost of living. I certainly hope they will.

Mr. McCUMBER. Would it not be a good idea that the Members of the Senate should take a stand that we will fix no more legislative wages for anyone or fix any more prices?

Mr. PITTMAN. I do not know about that. If the price of food gets up so high that a man can not live when he is working for a Government institution the Government either has to put down the cost of living or put up the means of paying for it.

Mr. McCUMBER. How about when clothing gets so high that he can not clothe himself?

Mr. PITTMAN. I was not making any particular attack on wheat. I had in mind clothing, food, shoes, rents, and everything else, just the same.

Mr. McCUMBER. The Senator recognizes that every time we raise the price of labor, whether it is done legislatively or otherwise, it necessarily raises the price of everything labor produces, and that necessarily increases the cost of living, and that necessarily demands another raise to meet it.

Mr. PITTMAN. I admit it is an endless cycle, apparently.

Mr. THOMAS. Mr. President——

Mr. PITTMAN. I yield the floor.

Mr. THOMAS. I want to ask the Senator a question. Does not the Senator realize that the high cost of living is not a national but a world condition?

Mr. PITTMAN. I think that is true.

Mr. THOMAS. Can the Senator suggest any way by which one nation—and I care not how large that nation is—can effectually deal with a world-wide situation by legislation?

Mr. PITTMAN. I would a great deal rather trust the Senator's own opinion than my own in regard to a matter of such vast importance.

Mr. THOMAS. My own opinion is that it can not be done.

Mr. PITTMAN. I was simply stating a fact, called forth solely by reason of the fact that the Senator from North Dakota [Mr. GRONNA] stated that he was going to call a meeting of his committee to consider the subject.

Mr. SHERMAN. Mr. President, before the matter is closed I wish to refer to a statement by the Senator from Nevada that this has to stop some place. I infer it is the general regulation of prices by central authority. That has been tried historically. It was tried at Rome, and the Provinces ceased to produce and the country starved to death. I do not want to go into that particularly.

It is stated that one of the principal food products has been very high priced during this period of regulation. I have the earnings of the packers, large and small, in the United States on their property investments since last year. Although they could have earned under the war regulations not exceeding 9 per cent on that investment, last year they earned 5.6 per cent on their property investment. That is the lowest earning of any large industry dealing in any of the essential food products, not only in this country but in the world. They earned on the total volume of business transacted in packing-house products in the United States, on each dollar of volume of business, 1.6 per cent. Those are the figures tabulated and the percentages calculated on the total volume of business and on the property investment.

The high cost of living that is on everyone's tongue and affecting everyone's pocketbook does not begin with the profits made by something more than 200 packers in the United States, including both large and small. These figures I have given, applied to the five large packers, prove true in their volume of business and in their property investment. Therefore, Mr. President, if there is an increase in the price of meat, that spread in the price must come after it leaves the refrigerator car of the packer.

Mr. SMOOT. Mr. President, if the Senate will bear with me for a few minutes, I desire to refer to the question brought before the Senate by the Senator from North Dakota [Mr. GRONNA], the high cost of living, and I will say that I will be brief in what I have to say.

Mr. President, I do not think the American Congress need lose its head upon this question. We all recognize that the high cost of living is with us, and we all want to know the reason why it is here, whether it is particularly applicable to the United States or whether it is a world question.

I now call the attention of the Senate to some facts existing in the world that have a bearing upon this question. When any committee begins to consider the question of the reducing of the high cost of living, it has to take into consideration the conditions that exist in the world to-day; and no one would like to see the conditions changed better than I, for I look forward to trouble in different countries unless the change comes within a reasonable time.

Mr. GRONNA. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from North Dakota?

Mr. SMOOT. I will yield, Mr. President.

Mr. GRONNA. The Senator calls attention to the fact that we are likely to have trouble. I had a letter read here the other day from a very able lawyer suggesting the same thing, and just because he was of a progressive mind it was denominated Bolshevism. Is the Senator from Utah afraid——

Mr. SMOOT. Mr. President, I am not discussing that question at this time. I am discussing the subject of conditions affecting the high cost of living.

Mr. GRONNA. I know that, but——

Mr. SMOOT. I wish to say to the Senator that I do not remember what was in that letter.

Mr. GRONNA. If the Senator will pardon me, I simply wanted to get his views on it. I will state that there was nothing in the letter which contained Bolshevism, but it was so denominated by somebody here. The Senator has been more firmly stating the proposition here to-day than was stated in the letter.

Mr. SMOOT. Mr. President, I desire to proceed now with what I had in my mind to say.

If we seek for the causes that brought about the present exorbitant prices and undertake to legislate to regulate them, we will find that we have more of a job on our hands than we anticipate. Does the Senate realize that the obligations of the Governments of the world since the beginning of the year 1914 have increased from $40,000,000,000 to $220,000,000,000? Does the Senate realize that paper currency issued to-day by the Governments of the world amounts to $36,000,000,000 as against $8,000,000,000 on the 1st day of January, 1914? Have you thought that the bank deposits in our own country have increased from $25,000,000,000 to $75,000,000,000, due in part to inflation of currency and the high prices obtaining?

All these things, Mr. President, have a bearing on the high cost of living, and what we want to do above all else, not only in this country but in the world, is to begin to bring about a deflation of paper money and bring back normal conditions as nearly as possible—and in passing I wish to say that we never will be back to past normal conditions—and when that time comes there will be a decrease in the high cost of living.

I recognize the wisdom in the words of the Senator from South Carolina, in his statement that the question of the high cost of living was not so pressing as the cost of high living. But as long as the present conditions exist in our country, as well as in other countries, we may not look for normal conditions to return.

Mr. DIAL. Mr. President, does not the Senator from Utah think that one of the greatest things we need is for people to go to work, to get back on the farm and raise something to eat, to stop clamoring for shorter hours, but to create something to live on? To employ fewer people and encourage others to till the soil and become producers?

Mr. SMOOT. Mr. President, of course that would mean the greater production of goods, and that in itself would result in reducing the high cost of living, but I am discussing now at this time the inflation of the currency.

Take the thirty-six billion of paper money that has been issued by the Governments of the world to-day. That is more than the value of all the gold and the silver produced in the world for the last 400 years. Our paper currency is supposed to be based upon gold and silver, gold only in this country and gold only in most all the other countries, and yet the production for over 400 years of gold and silver is not equal to the amount of paper money that is circulated by the Governments of the world to-day.

The interest charges on the debts of all the Governments of the world, Mr. President, before the war amounted to about $2,000,000,000. Now they will amount to over $10,000,000,000. The appropriations asked for by England for the coming year are six times the amount that they were before the war, and

the appropriations in France, Italy, and the United States will be over four times the amount. As long as these conditions exist I want to say to the Senate that there will be high prices in all parts of the world.

The high prices have not only prevailed in the United States but in all civilized countries of the world. Take China. Silk advanced from $3 to $6 per pound. Manila hemp from $180 to $437 per ton. Wood pulp from $14 to $35 per ton. Sisal grass from $100 a ton to $400. Egyptian cotton from 14 cents to 35 cents per pound. I could go on and enumerate nearly every known article, Mr. President, produced in every part of the world. The cost has advanced nearly equal to the cost of the goods that are produced in this country.

I believe the Senator from North Dakota [Mr. McCUMBER] was right when he stated that there was a great hullabaloo over the question of the price of flour and never mentioning others that have advanced to far greater extent.

This morning I received my monthly statement from my grocer and I have it before me. If any committee of Congress want to find out where to begin cutting down the high cost of living in the District of Columbia, I feel they had better begin with the retailer first. The whole system of distribution in this country is wrong. It is too cumbersome and costly. Some time or other the people are going to insist that a great change be made.

Mr. SMITH of South Carolina. May I ask the Senator a question right there?

Mr. SMOOT. Certainly.

Mr. SMITH of South Carolina. Does not the Senator think that this should be done by the people in the locality in which the grocers are situated rather than by the Federal Government undertaking to regulate the retail business throughout the entire country?

Mr. SMOOT. As long as the retailers will agree upon the prices at which they sell goods, I doubt very much whether the prices can be regulated entirely by local laws, but that is where regulation should be begun.

For instance, I find apples are sold at $4 a bushel, watermelons $1.25 apiece. I heard the Senator from Georgia [Mr. SMITH] say but last Saturday that he would guarantee to deliver to merchants or purchasers in the District of Columbia watermelons, weighing from 35 to 45 pounds, at 60 cents apiece. Yet I find that when I buy a moderate sized watermelon for my family I pay from $1 to $1.25 for it. Peaches are $1 for a little box. Cucumbers are 15 cents apiece. Do you know what that is a ton? Impossible for me to say. Onions are 12½ cents a pound. A chicken no larger than my hand costs $1.50. Common cheese, or skimmed milk cheese, is 48 cents a pound. Twelve pounds of flour cost $1.05. That is nearly $18 a barrel, I will say to the Senator.

Mr. McCUMBER. Let me add, Mr. President, that when we buy a tomato now we pay 10 cents for it. We used to sell them for 30 cents a bushel. Figuring 200 in a bushel Senators can see about what it would cost—10 times 200.

Mr. SMOOT. Twenty dollars a bushel.

Mr. President, I say now that you can take the monthly bill of individual purchasers from, I will not say every store in Washington, because I do not know them all, but I believe from any store in the District of Columbia, and if the committee will ascertain what the profits are upon the overturn or the difference between what the retailer paid for the goods and what he sells them for to his customers, I have no doubt but what the average in the overturn will be over 40 per cent. I know that is a low estimate; but I will say the average will be over 40 per cent. If this thing can be reached some way, then the high cost of living will be reduced to a certain extent.

It is not only the retailer, Mr. President. The wholesaler makes a profit; I can not say how much, but I am quite sure he is not contented with any less than 20 per cent. It is not the farmer who gets the extra money. He certainly gets no more than it has cost him to produce the articles in comparison with what he could produce for before the war. But I say the greater part is an unwise method of distributing the goods after they are produced in this country. That is where the great increase of cost of living lies. Goods are passed from the manufacturer to the jobber, and from the jobber to the wholesaler, and from the wholesaler to the retailer, and from the retailer to the consumer, and sometimes there are a number of selling agencies or commission men also handling the goods, every one of them charging a certain per cent, and the final consumer paying the accumulated charges, ranging all the way from 10 per cent profit in some cases up to 40 or 50 and sometimes 100 per cent in other cases.

Mr. FLETCHER. Mr. President, may I interrupt the Senator for a moment?

Mr. SMOOT. Certainly.

Mr. FLETCHER. I judge the Senator means to contend that there is a certain amount of profiteering going on?

Mr. SMOOT. There is no doubt about it.

Mr. FLETCHER. It seems to me one thing we ought to do is to locate the profiteers and go for the profiteers.

Mr. SMOOT. We know where they are located. We can locate them in the District of Columbia and in every other city in the United States.

Mr. FLETCHER. Then I wish to inquire whether the Senator has thought of the idea that perhaps there is a disposition to pass on to the consumer all the taxes that the people are obliged to pay; for instance, excess-profits taxes and that sort of thing, and whether that really does not have some effect on the high cost of living.

Mr. SMOOT. There is no question about it.

Mr. FLETCHER. All that passes on to the consumer.

Mr. SMOOT. I will not say all does, but all that can be.

Mr. FLETCHER. I do not mean that it all does, but so far as they can do it. That helps to increase the cost of living. We ought to find some way to prevent that, if possible.

I agree with the Senator in his position with regard to our complex and inadequate and wasteful system of distribution. In 1916 I made a strong effort to see if we could not promote direct dealing between the producers of farm products and the consumers. I was denounced everywhere by the middlemen, the grocery men, the commission people, and so on, as playing into the hands of the mail-order houses, such as the Sears, Roebuck & Co. and others. But there is no doubt about the feasibility of that plan. There, I think, lies a splendid field for investigation, and the Committee on Agriculture and Forestry, I hope, will press it further.

I was able to get a provision in the Post Office appropriation bill in 1916 for $10,000 for the purpose of experimenting by that department on the plan of promoting direct dealing between the producers of farm products and the consumers through an extension of the Parcel Post System. The war came on, and I think nothing was done about it, but something of that sort, I believe, would meet the Senator's criticism of our wasteful system of distribution.

Mr. SMOOT. Let me say to the Senator from Florida in this connection that if we did not have the telephone, which I think costs the American people more than any other modern necessity, the situation would not be so bad. The housewife, and if it is not the housewife, the maid or the cook or somebody else, telephones to the store a dozen times during the day for different articles, requesting that they be delivered immediately, and, of course, all that costs money.

Mr. FLETCHER. There is no doubt about that.

Mr. SMOOT. And the consumer pays for it. The man who packs his goods home or purchases in large quantities, or at least buys all he wants for a day or two at once, is charged up with a portion of that abnormal delivery expense.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Idaho?

Mr. SMOOT. Certainly.

Mr. BORAH. The Senator from Florida [Mr. FLETCHER] suggests that we ought to hunt out the profiteer and go after the profiteer. We know where the profiteer is; we do not have to hunt him; but he is just as safe and will be for the next four years as he has been for the last four years.

Mr. REED. Mr. President, it seems to me that one great duty the Senate has to perform is to refrain from adding fuel to the fire and turning it into a great conflagration. If the Senate of the United States loses its head, it will have a bad effect on the country. If we undertake to follow the methods of the agitator and grow excited, we are liable to make conditions a great deal worse than they now are.

There is one lesson we ought to be able to get out of the present situation. It is that the American people and the American Government have nearly all they can attend to at home without spreading themselves out over the world and trying to take care of all the good Lord's creation. We have problems here that will tax the best energies of our statesmen and the best thought of our economists for a number of years to come. I am of the opinion that it would be better that we should look after great problems that concern the bread and the butter, the fuel and the housing of our own country, than to be undertaking to look after the spiritual and physical and financial welfare of the gentlemen from Timbuctoo and other remote parts of the world.

One thing is unquestionably true. If we can not feed ourselves, we ought not to be undertaking to feed the world. If we can not keep prices here within the limits of our people's purchasing ability, we ought not to be spending our money and giving our goods to people who are 10,000 miles from our shores and who brought their misfortunes upon their own heads.

Mr. BRANDEGEE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Connecticut?

Mr. REED. I yield.

Mr. BRANDEGEE. I wish to ask the Senator if he has any information with reference to the amount of foodstuffs we have sent to Europe since the armistice was declared?

Mr. REED. I have not. I have been trying to get some information together, and I expect to submit it at a later date. But this question is before the Senate, and I want to offer a few general observations this morning.

One thing I do know, and that is that we appropriated $100,000,000 to send over to Europe and did it without batting an eye. We handled it as though it were 100,000,000 leaves from the trees and we owned the forests of the world. We sent it over to feed other people; not exactly that, but we appropriated it for the purpose of taking American foodstuffs out of American markets by the hand of the Government and transporting them to foreign lands to be fed into the mouths of other people. That one item by itself would not have affected in any great degree the question of prices, but it was an item of the cumulative processes that have been going on for many months.

I beg of the Senate to keep its head, to keep its judgment, to look at this situation on broad lines, and if it does I have no hesitancy in saying that the real solution of this question in the end must be an increase of production.

Mr. KING rose.

Mr. REED. Does the Senator from Utah desire to ask me a question?

Mr. KING. I did not desire to ask a question, but I thought perhaps I might in part answer the question of the Senator from Connecticut [Mr. BRANDEGEE]. Our exports during June were $900,000,000, the greatest that they have ever been in the history of the United States, and the greater part of that amount consisted of food products. The preceding month, as I recall, the exports were $700,000,000; the month preceding that something like $600,000,000. During each of those months, and indeed during every month since the armistice, the greater proportion of exports consisted of food products.

Mr. BRANDEGEE. If the Senator from Missouri will allow me an observation, I will say I did not mean the amount of foodstuffs that had been imported by Europe in legitimate commercial operations. I had in mind the amount of foodstuffs that we, as a Government, had sent to relieve distress in Europe and distributed as a gift.

Mr. REED. Mr. President, those detailed figures will all be important.

Now let me present, if I may have the attention of the Senate, in just a few sentences a concrete situation. Everyone knows that if there were an enormous surplus of tomatoes the price which the Senator from Utah states is being charged of 10 cents apiece would be impossible, for somebody being unable to sell his tomatoes for 10 cents apiece, because the market was supplied, would begin to cut the price. What is true of tomatoes is true of everything else; but if instead of raising more tomatoes than this market can absorb we proceed by governmental action to take out of the market a part of the tomatoes that are now here and send them five or six thousand miles away, and use the money of the people of the United States to transact that business, the result inevitably will be that the price will mount. I have chosen a very poor illustration; it would have been better had I taken beef or flour or some of the great staples; but let the tomato stand as an illustration.

What are we doing? What is proposed to be done? It was read into the RECORD the other day—and I reserve the right, Mr. President, to insert it as a part of my remarks—that there is a plan on foot by which great corporations are to be organized which are to undertake to finance Europe, to rehabilitate Europe, and to feed Europe. Those great corporations are to furnish the money to Europe with which to buy American products, in order, as it is said, to make a market for America's goods, wares, and merchandise, including farm products. The money is to be loaned to Europe upon the securities of European Governments; and our Government, through the league of nations, is to underwrite those obligations by guaranteeing the stability of the European Governments.

We are told by Mr. Davidson, in his testimony, that this project has been submitted to the Treasury of the United States, and that the Treasury of the United States proposes to cooperate; that the bankers of our country have been called together in New York and in Chicago for the purpose of creating this great trust that will gather into its enormous sweep the money of the country with which to finance Europe, then the products of our country to supply Europe; and the Treasury of the United States is to be called upon to cooperate and to underwrite.

Mr. Henry P. Davidson, partner in the J. P. Morgan & Co. firm, of New York City, and one of the financial advisers to our President in France, in speaking to the bankers of Chicago in June, 1919, stated:

> You've helped to pay for the war. You've helped to loan $10,000,000,000 to Europe, which she can not pay at present. But you are not through yet. You must help pay for Europe's reconstruction, and the first little bill for your remittance is $3,000,000,000.
>
> Europe is groggy from the effects of the war. She is debt ridden. She is hungry. She needs copper and cotton and machinery and everything else. Her factories are idle. You and all the rest of us Americans have to help her get back to where she was before the war.
>
> We must find out what she needs in reason, and distribute our goods accordingly. My suggestion is to coordinate all our industries and have the whole directed by one central organization, supported and assisted by the Federal Government. Thus the chaos that would result from individual endeavors will be avoided.
>
> My suggestion is that debentures might be issued against the credits established in Europe, secured by everything given against the shipment. Every country would guarantee debentures against it. The debentures would really be against the whole of Europe. The banking interests could place these debentures with the public, distributed as widely as possible. Complete agreement should exist with the administration and with the Treasury Department.

Mr. President, that process is proposed to be carried on. We are to drain this country of its money; we are to drain this country of its goods at the very time when our people are clamoring to Congress and to other legislative bodies and to men everywhere to grant some relief to them at home.

Mr. KING. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from Missouri yield to the Senator from Utah?

Mr. REED. I yield.

Mr. KING. I do not think the Senator from Missouri means by the position which he has assumed to regard it as an evil for this country to dispose of its surplus products to Europe?

Mr. REED. No; not of its surplus.

Mr. KING. Let me illustrate: Last week representatives were here from one of the Dakotas—I am not sure whether from North or South Dakota—for the purpose of trying to get some one to aid in financing them to dispose of four or five hundred thousand head of horses that were required in Poland and Roumania; but because there was no international bank or no means of exchange, or because those Governments could not purchase American exchange, the transaction, as I am advised, fell through. The Senator from Missouri unquestionably would be glad to have some sort of instrumentality perfected by which exchanges of our surplus products might be effectuated and the people of Europe who need them might secure them?

Mr. REED. Ah, Mr. President, that is one way to put it. Of course, everyone wants this country to be in a position to sell its real surplus abroad and obtain good prices for it; but there is a vast difference between our selling our real surplus abroad upon the markets over there and organizing a scheme that will drain the financial veins of this country for the benefit of Europe and to the detriment of this country, then drain from this country through that means not the surplus of our products but the things our own people need and to employ the resources of America to make a competitive market in Europe, constantly mounting higher, to compete with our own people. To do that and at the same moment to stand here and complain about high prices in the United States is the sum total of idiocy.

We might as well understand in this world that we can not eat our cake and have our cake. What I have said I mention merely in passing. We talk about profiteers, and yet here is a plan to organize a gigantic concern that will control the foreign markets of America, and if they control the foreign markets they will control the prices of the produeer. They have already, as an illustration, told in their testimony how they expect to be the sole market for cotton. The sole market for cotton abroad will fix the price of cotton here, and the gentleman who controls that market abroad will reap the profits, instead of the producer of the cotton reaping the profits. It is impossible to take the money of America and constantly send it abroad without producing in this country a demand for money and making money harder to get, and it is impossible to take the goods of America and send them abroad without making a scarcity here.

If there is not organized a corporation, if we do not do these things, and the Government does not interfere, the law of supply

and demand will operate hard enough on our people, because there is an enormous demand over there; but if the Government gets into it and the great financiers of Wall Street—and I dislike to use that term; it is much abused—get into it and the money of our country is taken and loaned to those people, it will create an artificial governmental suction and pull away from our people the things they must have. We can not escape that conclusion; there is not any use trying to escape it.

What is the real problem? I grant you that in the case of every great effect there are always numerous causes; but if we look at the real question as it is, it seems to me there are some fundamental considerations that every student of economics must agree upon. The first proposition is that in normal times consumption and production run an equal race. If production exceeds consumption by but 5 per cent a month, there will be a surplus of 60 per cent at the end of the year; and a surplus of that kind accumulated will destroy any market and break down any kind of productive activity, because the surplus will be a constant menace to prices and will force restrictions. On the other hand, if there be a deficiency in production of but 5 per cent a month, the accumulation of that throughout the year will make such a demand that at the end of 12 months or 24 months the people will be clamoring for this thing which is to them a necessity, and prices will mount, and sometimes they will mount inordinately, so that the speculator, the profiteer, at such a time as that immediately begins his activities and finds a field for a golden harvest.

Now, what has been going on in the world? Over five years ago there were suddenly drawn out of the productive agencies of the world approximately 20,000,000 men. Those 20,000,000 men, instead of being producers, became consumers alone. Back of the 20,000,000 men who were upon the field of battle was a vast army of men, women, and children who turned the major portion of their energies not to the production of the commodities the population required to live upon, but they turned their energies to the production of instrumentalities of destruction which were of no economic value, to begin with, and which, as soon as they were employed, were destroyed in the very act of employment and had to be reproduced. This was the situation in Europe. Our own country, happily out of the war for almost three years, did what? We began to ship abroad, in order to meet the demand there, not only the ordinary surplus we had but everything that could be spared, and mounting prices day after day drew more and more from our country.

But we did another thing: We ceased to make the useful instruments that have the power of reproduction and began to make things to be sent to Europe that would not even reproduce themselves there. To illustrate: When a plow is made and turned over to a farmer, the labor which has been put into that plow is not wasted; the plow reproduces itself many times over as it turns the sod and makes it possible to raise crops.

I shall not take the time of the Senate to multiply that illustration; but every man here in his own mind can multiply it a million times, as rapidly as his thoughts can work.

So that we pulled out of the productive activities of this country a vast arm of men who began to make stuff to be sent abroad which when it was over there did not even benefit Europe in the sense of giving it something to work with, but for the most part it was used upon the field of battle. That was true even of our automobiles and our trucks, which ordinarily would have a productive capacity. They were employed in this business that makes money for nobody.

So, Mr. President, the situation ran, and the exports of this country to Europe of steel and iron and wood and wheat and copper and all the great raw materials went on to an extent never before indulged; and as those things went abroad this country was deprived of the natural surplus that otherwise would have existed here—a surplus sufficient always to maintain us. We were not satisfied with sending our real surplus abroad; we deprived ourselves and our people of much that was needed here, and so prices mounted. They inevitably would mount.

Then we got into the war, and, first and last, we withdrew directly from the industrial activities of this Nation approximately 5,000,000 men for the Army and the Navy; I think in excess of that number. If you were at any normal time to withdraw from productive activity in this country 5,000,000 laborers in a few month's time there would be a gap between production and consumption, and that gap would be bridged by high prices. That is the inevitable result, shown by all history.

Very well. We not only withdrew these men from the activities, but we began to expend upon them and were compelled to do so—and, of course, I am not complaining about it—many millions of dollars, many billions of dollars, and to absorb in their mobilization, in their distribution, and in their training the energies of a vast multitude of people who were not on the field of battle or in the camps.

For instance, the automobile, much sneered at, is nevertheless a great labor saver, and particularly the automobile truck is a great aid to production. Nearly every first-class automobile factory in the United States was closed down for months, or substantially closed down, and was turned into a place for the manufacture of Liberty engines, or parts of airplanes, or for the making of shells, or some of the impedimenta of war.

Of course, a shortage in automobiles was inevitable. Men were put into the steel mills, and instead of making steel which would be sent out to build houses for people and factories that would have machinery in which there would be further production they were put to the business of making steel which went across the ocean. We drew on every energy of our people and we quit producing the things that the people must have just in proportion as we took those energies and put them into other fields of activity.

The result of the matter is that we have come to pay day. We have come to a time when we must face the problem of how we are going to keep our people in a position so that they can live, and at the same time hold the situation steady until production shall catch up with consumption. So the Senator from South Carolina [Mr. SMITH] put much wisdom in the remark that the thing to do was to get the people back to work.

We ought not only to get the people back to work, into the fields of production, but we ought to cut off every interference with the full and free flow of honest trade and of honest business. I do not mean by that to exculpate the gentleman who tries to create a monopoly, or who seeks to forestall the market, or to profiteer. He has always been a criminal under the common law, and he is a criminal now under the common law, and also under the statutes of the United States; and in so far as that can be found and proven, the guilty party ought to be punished. But nothing that we can do will be more disastrous than to take action here which will alarm the great productive world, and will convince the man who is about to build a house and employ a lot of labor that it is unsafe for him to enter upon that enterprise; to take action that will convince the man who is about to undertake the manufacturing of a large amount of the necessaries of life that it is unsafe for him to make his venture, lest he be interfered with. It is time for the employment of sober thought and of common sense, and it is time to recognize the fact that the cost of this war is not settled when we have issued our bonds. It is not settled even when we have gotten our boys home. The cost of this war will rest upon our people as a heavy burden for many years to come. We have gone in debt; we have wasted our resources; and when I say that I do not mean that we have improvidently thrown them away, but I do mean to say that we were compelled to waste them. While that has been going on for a long time, while the money was being borrowed from the people, we did not so much notice it, but meanwhile the prices have mounted and mounted and mounted, and now we have reached a condition where one raise means another raise. If I were going to suggest a broad and general remedy it would be this: For people to quit eternally demanding and to have a little of that spirit of sacrifice at home which we are talking about exercising abroad.

I heard a conversation recently between two railroad men in a Southern State. It was nearly 1 o'clock in the morning, when I was waiting for a train at a junction point, and two very well-dressed gentlemen were standing there discussing the situation. I soon learned that one of them was a shop man and the other was engaged in the operation of the trains. One of them said to the other, "Well, the big men have had their meeting." The second man said, "What did they do?" "Oh," said the first, "we have asked for the railroads this time." The other one said, "Well, I guess we are just about entitled to them." The first man replied, "Well, I doubt the wisdom of it. If this goes into effect my wages will be advanced $80 a month, and I am already getting over $200 a month, and there has got to be some end to this." But the other gentleman immediately began to tell him about the high cost of living, about the enormous costs that everybody had to bear, and in a little while he succeeded in convincing the first man that probably they were entitled to this raise. I hope that spirit is not prevalent everywhere; but there has been too much of this spirit of people demanding, and still demanding.

When you come to governmental regulation, its futility is well illustrated in the city of Washington. I believe there is this spirit of profiteering that the Senator from Utah spoke of, but it is a strange thing that we find it here in Washington among the retailers and wholesalers of groceries and farm

products. The fact that we do find it here is the highest evidence that whenever the Government undertakes to regulate the business of the people it ends in an inglorious failure.

Go down here on Pennsylvania Avenue and you will find some of the most magnificent public markets in the world. Then you will find in other parts of the city of Washington great buildings devoted to the business of public marketing. The Government, as I understand, is in complete control of those markets. They were established for the benefit of the people. One thing I am sure of is that when a market is established as a public market it is subject to governmental control. Now, I have been told—in fact, I know it to be the truth—that the prices down in these public markets are substantially the same prices which you have to pay in the corner grocery, if you allow the corner grocer a differential which represents the extra accommodation he gives to his customer, for he is near his customer and he delivers the goods, and, generally speaking, the market does not. With these markets here, that were supposed to be established for the benefit of the people many years ago, we nevertheless find the same system of high prices prevailing that apparently prevails elsewhere in the city. It is a pretty apt illustration of the fact that when the Government undertakes to run all the business of a country it only muddles the business of a country.

The truth about the matter is that we speak of the Government in the abstract, as though it were some great embodiment of wisdom that acted automatically and with absolute accuracy, producing the best possible results; but translate the Government into actuality, and you find it is a man who is undertaking to manage a particular part of the governmental function, and that man is generally a man who has been utterly incompetent to make his living in the competitive life of the world, and he has found a Government job, and his head is full of theories, and what is not filled up with theories is nine times out of ten filled up with nonsense.

That is pretty harsh talk, and I do not want to speak harshly of any of these people. But when a man undertakes to sit in the city of Washington and tell the planter in Mississippi or Georgia what he ought to do, it is conclusive evidence that he does not know what to do, for if he really knew the problem, he would know that the man who was in contact with it could handle it better than he could. I do not mean that there can not be suggestions made of an expert character, but I am speaking about interfering with business people.

Mr. President, I believe that every time the Government has interfered in the business of this country, from the time the war began down to the present hour, it has had the effect of putting up prices instead of putting them down. And it is not hard to understand the rise in prices if you take concrete cases and follow them out.

There was testimony given before some of the coal investigating committees as to the rise in the price of coal, and I do not know anything outside of that business that better illustrates the two propositions I am discussing, namely, that supply and demand is the one great controlling feature; and, secondly, that governmental interference is likely to produce disastrous consequences.

In the first place, when the war in Europe broke out there were enormous demands made upon our manufacturers, as a result of which they wanted coal, and the evidence shows that they went down to the coal miner or to the great wholesale coal dealer and proposed to put in their orders for coal. They came in such numbers that he became alarmed and began to question whether he could supply them, and they began actually to bid against each other, saying, "Name your price," and he, being an ordinary individual, wanting to make money, named a very high price. Then, for a little while we had the same kind of a panic, in principle, in this country over coal that you have when people start a run on a bank. People start a run on a bank because they believe there is not money enough there to pay out, and they started bidding against each other for coal because they believed there was going to be a coal shortage. The result is that the prices went to a ridiculous figure.

About that time the Government stepped in and tried to make some regulation. I am not going to discuss that phase of it. Let that rest for some other occasion. But this is what took place. About that time the Government began its great agencies for the construction of ships, and it is in the testimony that the Government agents came to the coal mines and bid for the coal miner, offered him higher wages, and so the coal operator bid against the Government and the Government bid against the coal operator. There is plenty of evidence that the Government, engaged in manufacturing big implements of war, either directly or through its contractors, very frequently had one factory chief bidding against another factory chief for labor, and each of them was working for the Government.

Only a few days ago I was talking to an officer of the Navy, who stated to me that he had the literature that was handed to the men of the Navy soliciting them to quit the Navy and go to work for the Shipping Board, stating to them, "You draw a certain amount of wages"—and the amount was stated correctly—"but the Shipping Board will pay you so much more," giving a very large advance. So he said, "You find one department of the Government bidding against another department of the Government. So we are finding it difficult to keep men to do the work that is necessary to be done in the Navy." Those things have been going on, and they have been unwise, and ought not to be continued.

I repeat, in conclusion, that the thing to do is to get every soldier back from Europe as soon as he can be brought here, with due regard for our honorable obligations over there; demobilize our men as rapidly as possible, and let them get into the industries and begin becoming producers instead of consumers. And we should get rid of every surplus employee in Washington. The war has been over eight months, and yet I believe that a census taken in Washington to-day of Government employees will show that, while certain of the departments have been practically closed down, others have so enormously increased that there is still no very great reduction. Cut down these expenses, cut down these taxes, and if there is any way by which we can reach the criminal who has been speculating let us reach him. Outside of that, let business take its course. Let us try to get down to a point where we produce more than we need to consume, and when we have reached that point prices will drop, as they ought to drop.

Of course, the inflation of the currency has much to do with prices; but I do not care to discuss that question. I simply mention it lest it should be thought I had not taken it into consideration.

Above everything else, let the Senate of the United States not be guilty of going into a sort of granger legislation experimentation. Let us not make the mistakes that were made a good many years ago by a lot of misinformed but honest people out West, who thought they could change prices at will overnight. You can not do it.

PETITIONS AND MEMORIALS.

Mr. McKELLAR presented a petition of sundry citizens of Frankewing, Tenn., praying for the repeal of the tax on ice cream, soda, soft drinks, etc., which was referred to the Committee on Finance.

Mr. McKELLAR. I present a communication received from the national headquarters of the Private Soldiers and Sailors Legion of the United States of America, which I ask to have printed in the RECORD.

There being no objection, the communication was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *August 2, 1919.*

At a meeting of the national executive committee of the Private Soldiers and Sailors Legion held at the headquarters of the legion last night, at 810 F Street NW., the following resolutions were adopted:

Resolved, That the national officers of the legion are hereby appointed and directed to act as a committee to confer with President Wilson and Grand Chief Warren E. Stone, of the Brotherhood of Locomotive Engineers, for the purpose of supporting the urgent request of the brotherhood that President Wilson take immediate steps to curb the profiteers and reduce the present excessive prices for the necessaries of life; and

Resolved, That the national executive committee of the Private Soldiers and Sailors Legion, speaking what we know are the sentiments of 4,000,000 private soldiers and sailors and many more millions of their relatives and friends who are suffering most acutely under the heavy burden of the excessively high cost of the necessaries of life caused by the lawless operations of trusts and profiteers, feel that the President and Attorney General of the United States have ample power under the antitrust laws to give the people immediate relief, and to secure action, through the United States courts, by the appointment of Federal receivers (with power to reduce prices) for any of the law-breaking corporations who are cornering the markets and plundering the people; and

Resolved, That the national officers of the Private Soldiers and Sailors Legion are hereby authorized and directed to confer with Attorney General Palmer and other officials of the Government and the States, the railroad brotherhoods, and other labor, farmer, and reform organizations, to the end that the sentiment and opinion of all the masses of the people may be brought solidly behind the President and the Attorney General in the work of relieving the people from these unbearable extortionate high prices in the necessaries of life.

MARVIN GATES SPERRY,
President Private Soldiers and Sailors Legion.

Mr. LENROOT. I present a joint resolution passed by the Legislature of the State of Wisconsin, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection, the joint resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Joint resolution urging the Congress of the United States to enact legislation providing adequate compensation for soldiers, sailors, and marines who served in the war against Germany, Austria, and their allies.

Whereas most of our soldiers, sailors, and marines in the war against Germany, Austria, and their allies sacrificed at a considerable financial loss established business connections and positions in agricultural, industrial, and other enterprises to serve their country; and

Whereas there is in this State and other States a desire and a strong purpose to fulfill the moral obligation, which they recognize, to compensate, in a measure at least, their soldiers, sailors, and marines because of loss so sustained and sacrifices so made; and

Whereas despite this strong desire and purpose this State and other States, because of constitutional inhibitions, have found it difficult, if not wholly impossible, to enact the necessary legislation to carry out their desires and purposes in this important matter: Therefore be it

Resolved by the assembly (the senate concurring), That this legislature respectfully memoralize and urge the Congress of the United States to enact such legislation as may be necessary to adequately compensate soldiers, sailors, and marines for financial losses sustained and financial sacrifices made by them during the period of their valiant and heroic service to their country; be it further

Resolved, That a suitable copy of this resolution, properly attested, be transmitted to the President of the United States, the presiding officer of each House of the Congress, and to each United States Senator and Representative in Congress from this State.

RILEY S. YOUNG,
Speaker of the Assembly.
C. E. SHAFFER,
Chief Clerk of the Assembly.
EDWARD F. DITHMAR,
President of the Senate.
O. G. MUNSON,
Chief Clerk of the Senate.

Mr. LENROOT. I also present a joint resolution passed by the Legislature of the State of Wisconsin, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection, the joint resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Joint resolution urging Congress to pass the bill introduced by Hon. MARVIN JONES relating to recognition of the services of soldiers, sailors, and marines.

Whereas it is fitting and proper that the character and spirit of the patriotic services of the soldiers, sailors, and marines of the United States in the war against Germany and its allies be appropriately recognized and that their financial sacrifices be, in a measure at least, repaid; and

Whereas the men who made up the armed forces of the United States came from each State of the Union, therefore their services and sacrifices should be recognized and provided for by the Federal Government, to assure all a uniform and adequate compensation; and

Whereas there is now pending in the Congress of the United States a bill introduced by the Hon. MARVIN JONES, which provides that each soldier, sailor, and marine shall receive a $50 4 per cent Government bond for each month's service or major fractional part thereof in such war; and

Whereas such provision should be a substantial recognition of such services and sacrifices and would be greater than this State or any other State contemplates as compensation therefor: Now, therefore, be it

Resolved by the assembly (the senate concurring), That the Congress of the United States be respectfully urged to enact such bill into law at the earliest possible time and that each United States Senator and Representative in Congress from this State be earnestly requested to use his best efforts to secure the early passage of such measure; and be it further

Resolved, That a suitable copy of this resolution, properly attested, be transmitted to the presiding officer of each House of the Congress and to each United States Senator and Representative from this State.

RILEY S. YOUNG,
Speaker of the Assembly.
C. E. SHAFFER,
Chief Clerk of the Assembly.
EDWARD F. DITHMAR,
President of the Senate.
O. G. MUNSON,
Chief Clerk of the Senate.

Mr. PAGE presented a memorial of sundry parishioners of the parish of St. Isadore, county of Franklin, State of Vermont, remonstrating against the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. MOSES presented a resolution adopted at a union church meeting at Walpole, N. H., praying for the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. PHELAN presented a petition of Fenaya Tribe, No. 178, Improved Order of Red Men, of Madera, Calif., and a petition of Local Union No. 743, United Brotherhood of Carpenters and Joiners of America, of Bakersfield, Calif., praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. CURTIS presented a petition of Local Union No. 910, Brotherhood of Railway Carmen of America, of Arkansas City, Kans., praying for the ratification of the league of nations treaty, which was referred to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of Hollis, Kans., remonstrating against the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

He also presented a petition of Local Union No. 1055, National Letter Carriers' Association, of Chanute, Kans., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

He also presented resolutions adopted by District No. 14, United Mine Workers of America, of Pittsburg, Kans., praying for the liberation of all political prisoners, which were referred to the Committee on Military Affairs.

He also presented a memorial of the Chamber of Commerce of Kansas City, Kans., remonstrating against the passage of the so-called Kenyon-Kendrick bills providing for Federal control of the meat-packing industry, which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of sundry citizens of Newton, Kans., remonstrating against the adoption of universal military training, which was referred to the Committee on Military Affairs.

Mr. MYERS presented a petition of sundry citizens of Red Lodge, Mont., praying for the repeal of the so-called luxury tax, which was referred to the Committee on Finance.

Mr. NEWBERRY presented a memorial of the ministers' conference, of Grand Rapids, Mich., remonstrating against the repeal of war-time prohibition, which was referred to the Committee on the Judiciary.

He also (for Mr. TOWNSEND) presented a resolution adopted by the congregation of the Presbyterian Church of Edwardsburg, Mich., favoring the intervention of the United States in the atrocities perpetrated in Korea and other countries, which was referred to the Committee on Foreign Relations.

He also (for Mr. TOWNSEND) presented a petition of Waddell Post, 120, Grand Army of the Republic, of Howell, Mich., praying for an increase in the pensions of Civil War veterans, which was referred to the Committee on Pensions.

He also (for Mr. TOWNSEND) presented a resolution adopted by the Republican Club of Detroit, Mich., favoring the withholding of victory buttons, etc., from conscientious objectors, slackers, and others, which was referred to the Committee on Military Affairs.

He also (for Mr. TOWNSEND) presented a memorial of Slovenic National Benefit Society No. 323, of Ironwood, Mich., remonstrating against the enactment of legislation prohibiting the admission to the mails of any matter printed in a foreign language, which was referred to the Committee on Post Offices and Post Roads.

He also (for Mr. TOWNSEND) presented a petition of Local Branch No. 256, National Association of Letter Carriers, of Flint, Mich., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

He also (for Mr. TOWNSEND) presented a memorial of the State Board of Examiners in Optometry of Michigan remonstrating against unjust discrimination by the United States Public Health Service relative to optometry, which was referred to the Committee on Public Health and National Quarantine.

He also (for Mr. TOWNSEND) presented a petition of the board of commerce of Detroit, Mich., praying for the reestablishment of all off-line offices, which were closed by order of the Director General of Railroads, which was referred to the Committee on Interstate Commerce.

He also (for Mr. TOWNSEND) presented petitions of sundry citizens of Battle Creek, Iron Mountain, and Sagola, all in the State of Michigan, praying for the repeal of the tax on ice cream, soda, soft drinks, etc., which were referred to the Committee on Finance.

He also (for Mr. TOWNSEND) presented a petition of Local Union No. 29, International Timberworkers' Union, of Manistique, Mich., praying for the exemption of light wines and beer from war-time and national prohibition, which was referred to the Committee on the Judiciary.

Mr. LODGE presented a petition of the International Order of Good Templars of Worcester, Mass., praying for the enactment of legislation providing for the enforcement of war-time and national prohibition, which was referred to the Committee on the Judiciary.

He also presented petitions of Franklin Branch, Friends of Irish Freedom, of Roslindale; of Lieutenant Lawrence J. Flaherty Post, No. 30, American Legion, of Boston; of Patrick Henry Branch, Friends of Irish Freedom, of Gardner; and of the Friends of Irish Freedom of Haverhill, all in the State of Massachusetts, praying for the self-determination of Ireland, which were referred to the Committee on Foreign Relations.

He also presented a petition of the congregation of the Evangelical Congregational Church of Auburndale, Mass., praying for

the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

He also presented a petition of the St. George Lithuanian Society, of Westfield, Mass., praying for the self-determination of Lithuania, which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES.

Mr. SPENCER, from the Committee on Military Affairs, to which was referred the bill (S. 2095) to authorize the President of the United States to appoint William Shelby Barriger captain of Cavalry, reported it with amendments and submitted a report (No. 137) thereon.

Mr. FERNALD, from the Committee on Claims, to which was referred the bill (S. 696) to carry out the findings of the Court of Claims in the case of Frank S. Bowker, reported it without amendment and submitted a report (No. 138) thereon.

He also, from the same committee, to which was referred the bill (S. 2257) for the relief of George B. Hughes, reported it with an amendment and submitted a report (No. 139) thereon.

CHARLESTON (S. C.) IMMIGRATION STATION.

Mr. HARRIS. From the Committee on Immigration, I report back favorably, without amendment, the joint resolution (H. J. Res. 163) authorizing the Secretary of Labor to lease the Charleston immigration station and dock connected therewith, and I submit a report (No. 140) thereon. I ask unanimous consent for the present consideration of the joint resolution.

There being no objection, the joint resolution was considered as in Committee of the Whole, and it was read as follows:

Resolved, etc., That the Secretary of Labor is authorized, in his discretion, to lease for other than governmental purposes the property known as the Charleston immigration station, with the improvements thereon; and said Secretary shall fix the amount of rental per annum to be paid therefor, which rental shall be a fair and just sum for property of like character, situation, and value, and prescribe such conditions regarding the uses to be made of said property as he shall deem proper: *Provided*, That all expenses of maintenance and repairs on the building and dock at said station shall be borne by the lessee or lessees: *Provided further*, That any lease executed under this resolution may be terminated and the property reoccupied under such conditions as the Secretary of Labor may prescribe.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TRAMMELL:

A bill (S. 2716) to relieve the estate of Thomas H. Hall, deceased, late postmaster at Panacea, Fla., and the bondsmen of said Thomas H. Hall of the payment of money alleged to have been misappropriated by a clerk in said office; to the Committee on Claims.

By Mr. SPENCER:

A bill (2718) authorizing the appointment of Maj. Eniel H. Burgher as a major in the Regular Army; to the Committee on Military Affairs.

By Mr. JOHNSON of South Dakota:

A bill (S. 2719) for the relief of Edward W. Owens and others (with accompanying papers); to the Committee on Claims.

By Mr. McCUMBER:

A bill (S. 2720) for the relief of the legal representative of the estate of Henry H. Sibley, deceased; to the Committee on Claims.

By Mr. NEWBERRY:

A bill (S. 2721) granting a pension to Wesley H. Crockett; to the Committee on Pensions.

By Mr. KING:

A bill (S. 2722) to authorize the erection of an experimental oil-shale refining plant at Ogden, Utah, and making an appropriation for such purpose; to the Committee on Mines and Mining.

By Mr. KELLOGG:

A bill (S. 2723) to amend section 110, chapter 134, first session, Sixty-fourth Congress, United States Statutes at Large, volume 39, Part 1, pages 209–211, act approved June 3, 1916; to the Committee on Military Affairs.

By Mr. FERNALD:

A bill (S. 2724) granting an increase of pension to John W. Small (with accompanying papers); to the Committee on Pensions.

By Mr. KENYON:

A bill (S. 2725) granting an increase of pension to William H. Patton (with accompanying papers); and

A bill (S. 2726) granting an increase of pension to Robert M. Rice (with accompanying papers); to the Committee on Pensions.

By Mr. GERRY:

A bill (S. 2727) to permanently transfer the United States Coast Guard from the Treasury Department to the Navy Department; to the Committee on Naval Affairs.

EFFICIENCY OF THE ARMY.

Mr. WADSWORTH. I introduce a bill which I desire to have referred to the Committee on Military Affairs. After it is read by its title I wish to make a very brief statement.

The bill (S. 2715) to reorganize and increase the efficiency of the United States Army, and for other purposes, was read twice by its title.

Mr. WADSWORTH. This bill was transmitted to me by the Secretary of War together with a letter addressed to me; and I think it due to him and to the Senate to read one paragraph of the letter and then ask that the entire letter be printed together with the bill itself. In transmitting the bill the Secretary of War uses this language in his letter:

This is the latest form assumed by our studies on this subject in the War Department. We are still, however, unadvised by that intimate consultation of the experience and judgment of Gen. Pershing and his associates abroad, which would be necessary before a final draft could be said to represent the full opinion of the Army. I would not myself give official approval to a draft which did not contain the results of such a consultation. It is the purpose of your committee, however, to use this draft only as the basis of hearings at which Army officers will be in attendance, both those who have been familiar with the problems on this side and those who have had experience in the Expeditionary Forces.

May I say, Mr. President, that in introducing this bill I do not desire it to be understood that I am in any way committed to the support of any or all of its provisions. I introduce it in a ministerial capacity, as it were, in order that the present views of the War Department may be set before the Senate Committee on Military Affairs and the Congress and the country with respect to a permanent military policy of the United States.

The PRESIDING OFFICER (Mr. WATSON in the chair). The bill will be referred to the Committee on Military Affairs.

Mr. WADSWORTH. I ask that the bill and accompanying letter from the Secretary of War be printed in the RECORD.

The PRESIDING OFFICER. Without objection, the request of the Senator from New York will be complied with.

The bill and accompanying letter from the Secretary of War are as follows:

Be it enacted, etc., That the United States Army shall consist of general officers of the line, a General Staff Corps, an Adjutant General's Department, a Judge Advocate General's Department, a Quartermaster Corps, a Finance Department, a Transportation Corps, a Motor Transport Corps, a Medical Department (which shall consist of a Medical Corps, a Dental Corps, a Veterinary Corps, and an Army Nurse Corps), a Corps of Engineers, an Ordnance Department, a Signal Corps, an Air Service, a Tank Corps, chaplains, band leaders, a Bureau of Insular Affairs, a Militia Bureau, detached officers, the professors and cadets of the United States Military Academy, detachments for schools and disciplinary barracks, the Infantry, the Cavalry, the Field Artillery, the Coast Artillery Corps, an Officers' Reserve Corps, unassigned recruits, and the officers and enlisted men of the retired list. From and within these several branches the President shall form such military organizations and such territorial, field, or tactical units or organizations as he may deem necessary, all organized as he may prescribe. The Army shall remain as at present constituted by law until the President, under the authority of this act, shall direct otherwise. The President shall merge, as expeditiously as possible after the approval of this act, all now existing departments, bureaus, and offices of the War Department into the organization herein prescribed or authorized; and shall have authority to make such distribution or redistribution of the duties, powers, functions, records, property, and personnel of such previously existing departments, bureaus, and offices as he may deem necessary for the efficiency of the military service, and authority to prescribe the duties, powers, and functions of officers of the services, units, and organizations herein authorized or prescribed.

SEC. 2. General officers of the line: There shall be in the line of the Army 6 lieutenant generals, 32 major generals, and 88 brigadier generals. The general officers of the line who are authorized in this act for the various branches of the service shall be included in these numbers, and the assignment of general officers to any branch, corps, or department shall not create vacancies among general officers of the line.

The Chief of Coast Artillery, officers on the active list who have held the rank of general officer by detail as chief of Staff Corps or bureaus, and the general officers of the staff, except those of the Medical Department, shall, on the passage of this act, be recommissioned as general officers of the line in the grades and with the dates of rank now held by them or heretofore held by them as head of a staff corps or bureau. In time of peace general officers of the line shall be appointed from the next lower grade of the line of the Army.

SEC. 3. The General Staff Corps: The General Staff Corps shall consist of 1 chief of staff, detailed by the President from among the general officers of the line, who, while so detailed, shall have the rank, pay, and allowances of a general, and shall take rank and precedence over all other officers of the Army; 5 assistants, who shall be detailed from among general officers of the line; 5 brigadier generals; 41 colonels; 73 lieutenant colonels; 89 majors; 17 captains, all detailed from corresponding grades in the Army as in this section hereinafter provided; 42 regimental sergeants major; 63 battalion sergeants major; 63 sergeants; 21 corporals; and 189 privates, first class. All officers detailed in the General Staff Corps shall be detailed therein for a period of four years, unless sooner relieved. While serving in the General Staff Corps, officers may be temporarily assigned to duty with any branch of the Army. Upon being relieved from duty in the General Staff Corps officers shall return to the branch of the Army in which they hold permanent commissions, and no officer shall be eligible for a further detail in the General Staff Corps until he shall have served two years with the branch of the Army in which commissioned, except in time of actual or threatened

hostilities. Section 27 of "An act to increase the efficiency of the permanent Military Establishment of the United States," approved February 2, 1901, shall apply to each position vacated by officers below the grade of general officer detailed in the General Staff Corps.

In time of peace no officer shall be detailed as a member of the General Staff Corps, other than the Chief of Staff and the general officers herein provided for as assistants to the Chief of Staff, except upon the recommendation of a board of five officers not below the rank of colonel, who shall be selected by the President or the Secretary of War; not more than two members of the General Staff Corps shall be detailed as members of any such board. No detail of an officer as a member of the General Staff Corps shall be made more than one year after the making of such recommendations or at any time after the convening of another such board, unless again recommended by the new board.

If any officer detailed in the General Staff Corps, or as an officer in any staff corps or department of the Army, shall be promoted to the next higher grade while so serving, he may be permitted to serve out the period of his detail, not exceeding four years, and the number of officers in the organization in which he shall be serving and in the grade to which he shall have been promoted shall be increased by one for such time as he shall be an additional number in said organization and grade; but the whole number of officers detailed to said organization shall at no time exceed the aggregate of the numbers allowed to the several grades thereof by law other than this provision.

The Chief of Staff, under the direction of the President or of the Secretary of War, shall have supervision of all agencies and functions of the Military Establishment, and shall perform such other military duties, not otherwise assigned by law, as may be assigned to him by the President.

The Chief of Staff shall be the immediate adviser of the Secretary of War on all matters relating to the Military Establishment, and shall be charged by the Secretary of War with the planning, development, and execution of the Army program.

The Chief of Staff, by authority of and in the name of the Secretary of War, shall issue orders as will insure that the policies of the War Department are harmoniously executed by the several corps, bureaus, and other agencies of the Military Establishment, and that the Army program is carried out speedily and efficiently.

The duties of the General Staff Corps, under the direction of the Chief of Staff, shall be to prepare plans for the national defense and for the mobilization of the military forces in time of war; to investigate and report upon all questions affecting the efficiency of the Army and its state of preparation for military operations; to render professional aid and assistance to the Secretary of War and to general officers and other superior commanders, and to act as their agents in informing and coordinating the action of all the corps, bureaus, and agencies which are subject under the terms of this act to the supervision of the Chief of Staff; and to perform such other military duties not otherwise assigned by law as may from time to time be prescribed by the President.

Section 5 of "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, is hereby repealed.

SEC. 4. Adjutant General's Department: The Adjutant General's Department shall consist of 1 major general; 20 colonels; 48 lieutenant colonels; 53 majors; 141 captains; 68 first lieutenants; 48 regimental sergeants major; 84 battalion sergeants major; 87 first sergeants; 6 sergeants bugler; 6 assistant band leaders; 24 band sergeants; 36 musicians, first class; 1,269 sergeants; 25 supply sergeants; 25 mess sergeants; 36 band corporals; 60 musicians, second class; 1,137 corporals; 120 musicians, third class; 25 mechanics; 25 buglers, first class; 75 cooks; 1,730 privates, first class; 25 buglers; and 375 privates.

SEC. 5. Judge Advocate General's Department: The Judge Advocate General's Department shall consist of 1 major general, 15 colonels, 29 lieutenant colonels, 38 majors, 37 captains, 51 regimental sergeants major, 116 battalion sergeants major, and 21 sergeants.

SEC. 6. Quartermaster Corps: The Quartermaster Corps shall consist of 1 major general; 1 brigadier general; 30 colonels; 40 lieutenant colonels; 135 majors; 400 captains; 171 first lieutenants; 85 second lieutenants; 105 quartermaster sergeants, senior grade; 442 quartermaster sergeants; 21 first sergeants; 405 sergeants, first class; 1,614 sergeants; 21 stable sergeants; 21 supply sergeants; 21 mess sergeants; 42 horseshoers; 2,785 corporals; 21 chief mechanics; 21 saddlers; 21 mechanics; 21 buglers, first class; 357 wagoners; 225 cooks; 5,480 privates, first class; 21 buglers; and 4,911 privates.

SEC. 7. Finance Department: The Finance Department shall consist of 1 brigadier general; 17 colonels; 25 lieutenant colonels; 75 majors; 200 captains; 25 quartermaster sergeants, senior grade; 200 sergeants, first class; 250 sergeants; 300 corporals; 175 privates, first class; and 100 privates.

SEC. 8. Transportation Corps: The Transportation Corps shall consist of 1 brigadier general; 3 colonels; 10 lieutenant colonels; 15 majors; 75 captains; 16 first lieutenants; 38 quartermaster sergeants, senior grade; 152 quartermaster sergeants; 142 sergeants, first class; 275 sergeants; 546 corporals; 24 cooks; 1,277 privates, first class; and 1,140 privates.

SEC. 9. Motor Transport Corps: The Motor Transport Corps shall consist of 1 brigadier general; 8 colonels; 22 lieutenant colonels; 58 majors; 61 captains; 283 first lieutenants; 649 second lieutenants; 170 quartermaster sergeants, senior grade; 15 quartermaster sergeants; 419 first sergeants; 849 sergeants, first class; 4,422 sergeants; 4,958 corporals; 943 cooks; 4,647 privates, first class; and 4,314 privates.

SEC. 10. Medical Department: The Medical Department shall consist of the Medical Corps, the Dental Corps, the Veterinary Corps, and the Army Nurse Corps. The Medical Corps shall consist of 1 major general; 2 brigadier generals; 123 colonels; 211 lieutenant colonels; 922 majors; 1,755 captains; 878 first lieutenants; 125 master hospital sergeants; 125 hospital sergeants; 1,750 sergeants, first class; 2,750 sergeants; 1,250 corporals; 126 mechanics; 1,769 wagoners; 1,102 cooks; 5,334 privates, first class; and 10,669 privates. The Dental Corps shall consist of 19 colonels; 19 lieutenant colonels; 59 majors; 278 captains; 411 first lieutenants; 314 second lieutenants; 34 sergeants, first class; 140 sergeants; 1 wagoner; 340 privates, first class; and 680 privates. The Veterinary Corps shall consist of 5 colonels; 5 lieutenant colonels; 15 majors; 68 captains; 101 first lieutenants; 76 second lieutenants; 194 sergeants, first class; 480 sergeants; 96 horseshoers; 240 corporals; 48 saddlers; 54 mechanics; 960 stable sergeants; 98 wagoners; 96 cooks; 865 privates, first class; and 1,730 privates. The President is hereby authorized to call into active service, and to retain as long as the conditions of the service require, officers of the Veterinary Reserve Corps, with their consent, in such numbers that, including the number of officers of the Veterinary Corps herein permanently authorized, the total number of veterinary officers on active duty at any time during peace shall not exceed in the respective grades mentioned 11 colonels; 9 lieutenant colonels; 30 majors; 136 captains; 202 first lieutenants; and 152 second lieutenants. The enlisted strength of the Veterinary Corps provided in this section shall be varied in accordance with the number of draft and riding animals in the Army so that the total number of enlisted men shall not exceed 40 for each thousand animals, and the proportions of enlisted men in the various grades shall be approximately as set forth in this act. The Army Nurse Corps shall be constituted as now provided by law. The general officers herein provided for shall be appointed from officers of the next lower grade in the Medical Corps.

SEC. 11. Corps of Engineers: The Corps of Engineers shall consist of 1 major general; 2 brigadier generals; 43 colonels; 52 lieutenant colonels; 134 majors; 322 captains; 431 first lieutenants; 137 second lieutenants; 131 master engineers, senior grade; 260 master engineers, junior grade; 50 regimental sergeants major; 50 regimental supply sergeants; 178 first sergeants; 52 battalion sergeants major; 2 battalion supply sergeants; 715 sergeants, first class; 20 sergeants bugler; 50 color sergeants; 20 assistant band leaders; 80 band sergeants; 120 musicians, first class; 1,700 sergeants; 200 stable sergeants; 178 supply sergeants; 178 mess sergeants; 204 horseshoers; and 120 band corporals; 200 musicians, second class; 4,174 corporals; 41 corporals bugler; 400 musicians, third class; 180 saddlers; 60 mechanics; 178 buglers, first class; 887 wagoners; 601 cooks; 5,276 privates, first class; 178 buglers; and 10,698 privates.

SEC. 12. Ordnance Department: The Ordnance Department shall consist of 1 major general; 22 colonels; 50 lieutenant colonels; 87 majors; 109 captains; 97 first lieutenants; 34 second lieutenants; 832 ordnance sergeants; 792 sergeants; 1,117 corporals; 84 cooks; 1,095 privates, first class; and 2,080 privates.

SEC. 13. Signal Corps: The Signal Corps shall consist of 1 major general; 10 colonels; 24 lieutenant colonels; 39 majors; 127 captains; 202 first lieutenants; 116 second lieutenants; 231 master signal electricians; 783 sergeants, first class; 942 sergeants; 1,684 corporals; 114 mechanics; 478 wagoners; 273 cooks; 4,767 privates, first class; and 1,045 privates.

SEC. 14. Air Service: The Air Service shall consist of 1 major general; 1 brigadier general; 22 colonels; 45 lieutenant colonels; 126 majors; 438 captains; 696 first lieutenants; 594 second lieutenants; 515 master signal electricians; 2,282 sergeants, first class; 1,737 sergeants; 134 mess sergeants; 2,485 corporals; 134 buglers, first class; 2,738 wagoners; 584 cooks; 4,366 privates, first class; 134 buglers; and 6,744 privates.

SEC. 15. Tank Corps: The Tank Corps shall consist of 1 brigadier general; 5 colonels; 17 majors; 69 captains; 150 first lieutenants; 135 second lieutenants; 2 master engineers, senior grade; 3 master engineers, junior grade; 181 sergeants, first class; 1,635 sergeants; 1,415 corporals; 186 cooks; 1,538 privates, first class; and 902 privates.

SEC. 16. Chaplains: There shall be 8 chaplains with the grade of colonel, 8 with the grade of lieutenant colonel, 25 with the grade of major, 114 with the grade of captain, and 114 with the grade of first lieutenant.

SEC. 17. Band leaders: There shall be 234 band leaders, who shall have the rank, pay, and allowances of second lieutenants, and who shall be appointed under such regulations as the President may prescribe.

SEC. 18. Bureau of Insular Affairs: The Bureau of Insular Affairs shall consist of 1 major general, 1 colonel, and 1 major.

SEC. 19. Militia Bureau: The Militia Bureau (including instructors of militia) shall consist of 1 major general, 9 colonels, 22 lieutenant colonels, 225 majors, 100 captains, and 1,000 sergeants.

SEC. 20. Detached officers: For detached service, not otherwise provided for there shall be 48 colonels, 48 lieutenant colonels, 139 majors, 705 captains, and 714 first lieutenants, of whom not more than 1,000 shall be detailed in accordance with the provisions of sections 45 and 56 of "An act for making further and more effectual provision for the national defense," approved June 3, 1916, and section 1225 of the Revised Statutes as amended. Section 25 of "An act making further and more effectual provision for the national defense," approved June 3, 1916, is hereby repealed.

SEC. 21. School detachments: The detachments for the service schools, the disciplinary barracks, and for duty at schools and colleges shall consist of 5 master electricians; 10 master engineers, senior grade; 8 engineers; 5 electrician sergeants, first class; 44 regimental sergeants major; 4 regimental supply sergeants; 5 sergeants major, senior grade; 10 sergeants, first class, Medical Corps; 10 sergeants, first class, Signal Corps; 1 quartermaster sergeant; 165 first sergeants; 154 battalion or squadron sergeants major; 5 sergeants major, junior grade; 5 electrician sergeants, second class; 5 master gunners; 2,225 sergeants; 63 stable sergeants; 135 supply sergeants; 15 mess sergeants; 65 horseshoers; 2 radio sergeants; 132 corporals; 5 firemen; 29 chief mechanics; 55 saddlers; 48 mechanics; 5 farriers; 5 buglers, first class; 5 wagoners; 46 cooks; 488 privates, first class; 15 buglers; and 813 privates, not more than 3,000 of whom shall be detailed in accordance with the provisions of section 46 and 56 of "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, and section 1225 of the Revised Statutes as amended.

SEC. 22. Except as expressly herein provided, the provisions of existing law relating to the United States Military Academy, the officers and enlisted men of the retired list, and the Philippine Scouts shall remain unchanged.

SEC. 23. Infantry: The Infantry shall consist of 100 colonels; 100 lieutenant colonels; 365 majors; 1,600 captains; 2,945 first lieutenants; 1,860 second lieutenants; 220 regimental sergeants major; 240 regimental supply sergeants; 1,440 first sergeants; 350 battalion sergeants major; 300 sergeants, first class; 80 sergeants bugler; 160 color sergeants; 80 assistant band leaders; 320 band sergeants; 480 musicians, first class; 9,070 sergeants; 420 stable sergeants; 1,680 supply sergeants; 1,440 mess sergeants; 600 horseshoers; 480 band corporals; 800 musicians, second class; 22,505 corporals; 265 corporals bugler; 1,600 musicians, third class; 420 saddlers; 3,060 mechanics; 1,260 buglers, first class; 4,810 wagoners; 4,685 cooks; 46,315 privates, first class; 1,260 buglers; and 91,755 privates. The officers and enlisted men of the Porto Rico Regiment shall become a part of the Infantry branch herein provided for, and its officers shall be recommissioned in the Infantry with their present grades and dates of rank.

SEC. 24. Cavalry: The Cavalry shall consist of 30 colonels; 30 lieutenant colonels; 95 majors; 503 captains; 582 first lieutenants; 414 second lieutenants; 123 regimental sergeants major; 87 regimental supply sergeants; 474 first sergeants; 137 squadron sergeants major; 29 sergeants bugler; 58 color sergeants; 29 assistant band leaders; 58 band sergeants; 87 musicians, first class; 2,910 sergeants; 474 stable sergeants; 474 supply sergeants; 495 mess sergeants; 995 horseshoers; 116 band corporals; 116 musicians, second class; 3,302 corporals; 91 corporals bugler; 377 musicians, third class; 471 sad-

dlers; 528 mechanics; 415 buglers, first class; 2,522 wagoners; 1,146 cooks; 7,845 privates, first class; 444 buglers; and 16,164 privates.

SEC. 25. Field Artillery: The Field Artillery shall consist of 61 colonels; 61 lieutenant colonels; 163 majors; 793 captains; 1,078 first lieutenants; 1,078 second lieutenants; 142 regimental sergeants major; 143 regimental supply sergeants; 508 first sergeants; 143 battalion sergeants major; 224 master gunners; 61 sergeants bugler; 81 radio sergeants; 122 color sergeants; 61 assistant band leaders; 244 band sergeants; 366 musicians, first class; 3,579 sergeants; 168 stable sergeants; 508 supply sergeants; 508 mess sergeants; 344 horseshoers; 366 band corporals; 610 musicians, second class; 8,926 corporals; 143 corporals bugler; 686 chief mechanics; 1,220 musicians, third class; 488 saddlers; 1,317 mechanics; 1,443 cooks; 447 buglers, first class; 5,160 wagoners; 14,837 privates, first class; 732 buglers; and 18,595 privates.

SEC. 26. Coast Artillery Corps: The Coast Artillery Corps shall consist of 1 major general; 48 colonels; 47 lieutenant colonels; 149 majors; 715 captains; 748 first lieutenants; 728 second lieutenants; 79 master electricians; 166 engineers; 403 assistant engineers; 190 electrician sergeants, first class; 67 sergeants major, senior grade; 36 regimental supply sergeants; 503 first sergeants; 136 sergeants major, junior grade; 147 master gunners; 38 sergeants bugler; 14 color sergeants; 38 assistant band leaders; 171 electrician sergeants, second class; 152 band sergeants; 228 musicians, first class; 3,933 sergeants; 503 supply sergeants; 503 mess sergeants; 221 radio sergeants; 228 band corporals; 380 musicians, second class; 5,991 corporals; 272 firemen; 18 corporals bugler; 48 chief mechanics; 760 musicians, third class; 999 mechanics; 777 wagoners; 1,005 cooks; 486 buglers, first class; 10,059 privates, first class; 496 buglers; 28,983 privates; and the Army Mine Planter Service, which shall consist of 20 masters, 20 first mates, 20 second mates, 20 chief engineers, 40 assistant engineers, 60 oilers, 120 firemen, 80 deck hands, 20 cooks, 20 stewards, and 20 assistant stewards. The number of rated men in the Coast Artillery Corps shall not exceed 2,746.

SEC. 27. Officers' Reserve Corps: The Officers' Reserve Corps shall consist of general officers and sections corresponding to each corps or branch of the Army. The grades in each of these sections shall be those of the corresponding branch of the Army. The number in the lowest grade in any section shall be unlimited. The number in any grade above the lowest in each section shall not exceed such proportions as the President may prescribe.

Reserve officers shall be appointed and commissioned by the President alone, except general officers, who shall be appointed by and with the advice and consent of the Senate. Appointments in all cases shall be for a term of five years, but the commission of any reserve officer may, in time of actual or threatened hostilities, be continued in force until six months after the termination of the emergency, notwithstanding the expiration of the five-year term. Any reserve officer may be discharged at any time in the discretion of the President. A reserve officer appointed during the existence of a state of war shall be entitled to discharge within six months after the termination of war, provided he makes application therefor.

To be eligible for appointment or reappointment as a reserve officer a person must be a citizen of the United States, qualified physically and professionally, under such regulations as the President may prescribe.

Subject to the limitations contained in the preceding paragraph, any person who has served as an officer of the United States Army may be appointed as a reserve officer in any grade for which qualified. Any other person originally appointed in the Officers' Reserve Corps in time of peace shall not be appointed to a grade above that of a second lieutenant in the Cavalry, Field Artillery, Coast Artillery, or Infantry section, or to a grade above that of captain in any other section, and such appointees shall be within such age limits as the President may prescribe. No person shall be appointed as a reserve officer in the Cavalry, Field Artillery, Coast Artillery, or Infantry section unless he shall have served honorably as an officer or enlisted man in the United States Army, or shall have completed such course of training or instruction in a school, camp, or other institution as the President may prescribe for the training of such reserve officers. After original appointment in the Officers' Reserve Corps no reserve officer shall be appointed in time of peace to a higher grade until he shall have held an appointment in the next lower grade for at least one year.

A reserve officer on active duty, as hereinafter provided, shall be entitled to the same pay and allowances as an officer of the Army on the active list of the same grade and length of actual service. No reserve officer shall be entitled to pay and allowances except when on active duty.

The Secretary of War is authorized to maintain upon military reservations, or elsewhere, schools or camps for the military instruction of such enlisted men and civilians as may be selected upon their own application for training with a view to their appointment as reserve officers; to use for this purpose such property of the United States as he may deem necessary; to employ thereat officers and enlisted men of the Army and officers of the Officers' Reserve Corps in such numbers and upon such duties as he may designate; and to expend from proper Army appropriations such amounts as he may deem necessary for water, fuel, light, and other expenses incidental to the maintenance of such schools or camps. Civilians shall receive at the expense of the United States subsistence, uniforms, medical supplies, and travel allowances at the rate of 3½ cents per mile for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the school or camp and for the return travel thereto, the travel pay for the return journey being paid in advance and an allowance of $5 per month in cash for necessary expenses while undergoing training.

In time of actual or threatened hostilities the President may order reserve officers to active service and retain them on such service until the emergency is past. At other times a reserve officer may be ordered to active service in the discretion of the President, but may not be retained on such service without his own consent for a period exceeding 15 days in any one calendar year. While in active service a reserve officer may be assigned to duty or training of any character to which an officer of the same grade and branch of the service of the Army may appropriately be assigned.

Any reserve officer who shall be duly ordered to active service shall, from the time he shall be required by the terms of his order to obey the same, be subject to the laws and regulations for the government of the United States Army, in so far as they are applicable to officers whose permanent retention in the military service, either on the active list or on the retired list, is not contemplated by existing law.

Reserve officers on active duty shall take rank in each grade according to the dates of the orders placing them on such duty.

SEC. 28. Total enlisted strength: The total enlisted force of the United States Army, excluding the Philippine Scouts and the enlisted men of the Medical Department and the unassigned recruits and those on duty at the United States Military Academy, shall not at any one time, except in the event of actual or threatened war or similar emergency in which the public safety demands it, exceed 482,000.

SEC. 29. Unassigned recruits: The number of unassigned recruits at depots or elsewhere shall not exceed 35,000, except in time of actual or threatened hostilities.

SEC. 30. Original vacancies: Original vacancies caused by this act in commissioned grades above the lowest in any branch shall be filled as nearly as practicable in the ratio in which the additional enlisted men herein authorized are procured and by appointment from among officers now holding commissions in the Regular Army and persons not over 40 years of age who have at any time served honorably in the temporary forces of the United States organized since April 6, 1917. Original vacancies in the lowest grades may be filled by appointment from among the same classes of persons or from among the following classes, in order: Graduates of the United States Military Academy, enlisted men of the Army, members of the Officers' Reserve Corps, honor graduates of such distinguished colleges as are now or may hereafter be entitled to preference by orders of the War Department, and other citizens eligible under existing law. No appointment shall be made until the appointee shall have been pronounced by a board of not less than three officers appointed by the President to be physically, morally, and professionally fit for such appointment.

SEC. 31. Appointment of officers: Hereafter all appointments of officers in grades below that of brigadier general shall be by commission in the Infantry, Cavalry, Field Artillery, Coast Artillery Corps, Corps of Engineers, or one of the corps of the Medical Department, or as chaplain, band leader, or professor at the United States Military Academy. Those now commissioned in said branches will continue under existing commissions; all now otherwise commissioned will be recommissioned with their present grades and date of rank in the Infantry, Cavalry, Field Artillery, Coast Artillery Corps, Corps of Engineers, as may, in each case, be directed by the President.

Officers for duty in the branches herein authorized and in which officers are not commissioned shall be obtained by temporary details from among officers of corresponding grades in other branches; but no officer below the grade of lieutenant colonel shall be detailed to duty detaching him from the branch in which permanently commissioned for more than four years in any period of six years, except in time of actual or threatened hostilities.

SEC. 32. Details: The President may detail any officer to any military duty he may consider necessary and appropriate, and for such period as he may think proper, subject only to the limitations contained in this act. The detail of officers to college duty and the employment of retired officers on active duty shall be as now provided by law, but all other restrictions or limitations now imposed by law upon the assignment of officers for the performance of duties authorized by law are hereby repealed except as otherwise specifically provided in this act.

SEC. 33. Promotions: Hereafter promotions in each branch of the service to the next to the lowest commissioned grade therein shall, subject to the examination required by existing law, be made according to seniority in the lowest grade of that branch. Promotions to higher grades, below that of general officer, shall be made by selection from the next lower grade in that branch of the service in which the vacancy exists. Any officer thus promoted, by either seniority or selection, shall have rank and pay from the date of occurrence of the vacancy to fill which he was promoted.

Selection for promotion shall be made by a board of not less than five officers appointed by the President, and under such regulations as he may prescribe. The board will be limited in its selection to those officers who have been recommended for selection by their superiors throughout the established chain of command. Whenever this procedure shall not result in filling a vacancy, it shall be filled by promotion by seniority. No officer shall be promoted until he shall have been examined by a board of not less than five officers and pronounced by the board to be suitable for such promotion. Existing laws relating to the examination of officers for promotion are hereby repealed except for promotion from the lowest grade.

Whenever in time of peace an officer in any grade has been passed over in promotion by 25 per cent of the number in that grade and branch, he shall be ordered before a board of five officers appointed by the President, and on the approved finding of such a board that his service has been honest and faithful, he shall be placed on the unlimited retired list; on the approved finding that his service has not been honest and faithful, he will be discharged from the service.

SEC. 34. Termination of certain appointments: Hereafter the appointment of any officer of less than two years' actual commissioned service may be terminated upon the approved finding of a board of officers, convened by the President, that the officer has not the aptitude or qualifications justifying his permanent retention in the service. All laws providing that certain appointments shall be provisional for a period of time are hereby repealed.

SEC. 35. Enlistment period: Hereafter the period of enlistment in the Army shall be three years. Enlisted men now serving under enlistment contracts which provide for their furloughs to the Regular Army Reserve shall be entitled to complete discharge on the completion of three years' service, and such period of three years shall be counted as an enlistment period for purposes of pay; but no enlisted man shall be discharged under the provisions of this section prior to the termination of the present emergency unless the Secretary of War so directs.

While in service enlisted men shall be given the opportunity to study and receive instruction upon educational lines of such character as to increase their military efficiency and enable them to return to civil life better equipped for industrial, commercial, and general business occupations. Civilian teachers may be employed to aid in giving such instruction, part of which may consist of vocational training. The Secretary of War shall prescribe rules and regulations for conducting such instruction and training.

SEC. 36. Abolition of Regular Army Reserve and Enlisted Reserve Corps: The Regular Army Reserve and the Enlisted Reserve Corps are hereby abolished, and their present members shall be discharged from the obligations under which they are serving therein, with the exception of those who are now on active duty, who shall be so discharged upon their relief from active duty.

SEC. 37. Pay of certain enlisted men: Enlisted men whose pay is not specifically fixed by law shall receive the pay of their grade in the first of the following-named branches of the service, in which the pay of the grade is specifically fixed by law: Quartermaster Corps, Infantry, Cav-

alry, Field Artillery, Coast Artillery, Signal Corps, Corps of Engineers. The base pay of regimental sergeants major; sergeants major, senior grade; and regimental supply sergeants shall be $75 per month; firemen of the Army Mine Planter Service shall receive increase of pay for length of service as provided for enlisted men whose normal base pay is $36 per month.

SEC. 38. Estimates, appropriations, and apportionments: On or before October 15 of each year the Secretary of War shall transmit to the Secretary of the Treasury for transmission to Congress an estimate of the financial needs of the Army for the ensuing fiscal year, prepared under the supervision of the Chief of Staff, and so arranged with the necessary supporting data as to show the amount required for the support of each service of the Army. Congress shall appropriate in one item for the support of the Army the total amount of money authorized by them therefor for the ensuing fiscal year. Thirty days prior to the first day of each quarter of the fiscal year the Secretary of War shall apportion the amount of money needed during such quarter by the various services for which appropriations have been made. The Chief of Staff shall advise the Secretary of War as to the necessary apportionments and shall cause to be kept such accounts and make such reports as may be necessary to keep the apportionments thus made from being exceeded and to enable the Secretary of War to make additional apportionments or reapportionments during the quarter in the event the regular quarterly apportionments should prove to be deficient or excessive. The same procedure shall be followed as to estimates, appropriations, and apportionmen's in the case of deficiency appropriations should these become necessary.

SEC. 39. Universal training: All male citizens of the United States, all males who have legally declared their intention to become citizens of the United States, and all males whose parents have declared their intention to become citizens of the United States, subject to such exemptions as are hereinafter authorized, shall undergo such military training as may be prescribed by the President for a period of three months, commencing in the calendar year in which they reach the age of 19 years, except as hereinafter prescribed, and during such training shall be subject to the Articles of War: *Provided*, That those males who acquire, after the first day of the calendar year in which they reach the age of 19, through their own act or that of a parent, the citizenship status prescribed shall be subject to the training herein prescribed, under the same rules and regulations as apply to citizens whose training is deferred.

SEC. 40. Exemptions and deferments: There shall be exempted from training, under such regulations as the President may prescribe, members of the regular land and naval forces of the United States; persons who have been honorably discharged from the Army and Navy of the United States; members of the Coast Guard; mariners actually employed in the sea service of any citizen, corporation, association, or partnership of the United States; and persons permanently physically, mentally, or morally unfit for any military service whatever.

The President shall, by regulation, defer the training herein provided for in the case of persons under a temporary physical or mental disability and of those persons whose father's, mother's, brother's, sister's, wife's, or child's physical condition is such as to require the personal care and attention of the person and in which the equivalent compensation hereinafter provided would not prevent hardship or suffering. Such deferment shall cease when the cause therefor no longer exists; and such individuals so deferred may be required to submit themselves to such further examinations and investigations as the regulations may require: *Provided*, That should such deferment continue until the beginning of the calendar year in which the individual attains the age of 25 years, then his liability to training shall terminate.

SEC. 41. Registration and examination: All male persons during their nineteenth year shall be subject to registration and physical examination in accordance with regulations to be prescribed by the President; and upon proclamation by the President or other public notice given by him or by his direction, stating the time, place, and manner of such registration and physical examination, it shall be the duty of all such persons to present themselves for and submit to registration, either in person or through the mails, and to physical examination under the provisions of this act and the regulations thereunder and the terms of the proclamation or other notice; and all persons shall be deemed to have notice of the requirements of this act upon the publication of said proclamation or through other public notice as aforesaid; and any person who shall willfully fail or refuse to present himself for registration or to submit thereto as herein provided shall be guilty of a misdemeanor, and shall upon conviction in the district court of the United States for the district in which the offense occurs be punished by imprisonment for not more than one year, and shall thereupon be duly registered and examined for training and trained under the provisions of this act.

SEC. 42. Training districts: For the purpose of this training the President shall divide all the territory within the continental limits of the United States and the Territory of Hawaii and Porto Rico into such training districts or such other subdivisions as may be convenient and necessary.

SEC. 43. Certificates: Each person exempted from training, or whose training has been deferred, shall be furnished with a certificate showing his status and the reasons therefor, and each person who has completed his training shall receive a certificate of training, and any person who shall make, use, or attempt to make or use or procure to be made or used, a certificate without proper authority shall be liable to the penalties of this act as hereinafter provided.

SEC. 44. Expenses to be paid: A person undergoing training under this act shall not be entitled to pay. He shall be entitled to actual cost of transportation and a per diem allowance to be prescribed by the Secretary of War for subsistence to and from the place of training, and to subsistence, clothing, laundry service, medical attendance, and an allowance of $5 per month in cash for necessary expenses while undergoing training.

In cases where the person liable for training shall present satisfactory evidence under regulations to be prescribed therefor that he is supporting by his own labor, in whole or in part, a father crippled, diseased, or aged; a widowed mother, a brother, sister, wife, or child, an amount equal to the average monthly amount such individual has paid toward such support in the six months preceding the training will be paid monthly to such dependent or dependents during the training: *Provided*, That the amount or amounts so paid shall in no case exceed in the aggregate $50 per month.

SEC. 45. Local boards: The President is hereby authorized, in his discretion, to create and establish throughout the continental limits of the United States and in the Territory of Hawaii and Porto Rico not to exceed 2,000 local boards. Such boards shall be appointed under regulations to be prescribed by the President and shall consist of three or more members, to be chosen from among Federal or State officials or other citizens: *Provided*, That no member of such boards shall be a member of the regular land and naval forces of the United States.

The local boards shall have the power within their respective jurisdictions to register and to have physically examined all persons liable to training, and to hear and determine, subject to review as hereinafter provided, all questions of exemption or deferments from training and equivalent compensation.

SEC. 46. Appeal boards: The President is hereby authorized to establish appeal boards, not more than two in each State, Territory, the District of Columbia, and in Hawaii and Porto Rico, each consisting of such number of citizens as the President may determine, who shall be appointed by the President: *Provided*, That no member of such boards shall be a member of the regular land and naval forces of the United States or of any local board.

Such appeal boards shall review on appeal, and affirm, modify, or reverse any decision of any local board having jurisdiction in the area in which any such appeal board has jurisdiction under the rules and regulations prescribed by the President. The decisions of such appeal boards shall be final.

SEC. 47. Induction service: The President shall establish within the War Department an induction service, organized as he may prescribe, to publish and enforce the regulations issued by the President under authority of this act, to keep records, and to perform such other duties with reference to the induction of men as may be directed by the President.

Any vacancy in any local board or any appeal board shall be filled in accordance with such regulations as may be prescribed by the President, and any member of such local board or appeal board may be removed and another appointed in his place by the President.

The President shall make rules and regulations governing the organization and procedure of such local boards and appeals boards and providing the necessary medical and clerical assistants, and providing for and governing appeals from said local boards to said appeal boards and review of the decisions of any local board by the appeal board having jurisdiction, and determining and prescribing the several areas in which the respective local boards and appeal boards shall have jurisdiction, and all other rules and regulations necessary to carry out the terms and provisions of this act with regard to induction.

SEC. 48. Compensation: All persons appointed on either the local boards or appeal boards other than public officials, Federal or State employees, shall be paid not more than $10 per diem for each day they actually serve on such board, and all persons so appointed shall be reimbursed for actual expenses incurred in carrying out their official duties.

SEC. 49. Persons to be utilized for the carrying out of the provisions of this act relating to induction: The President is hereby authorized to utilize the service of any or all departments and any or all officers or agents of the United States, Territory of the United States, the District of Columbia, and, with their consent, of the several States, in the execution of the induction provisions of this act, and all officers and agents of the United States, Territory of the United States, and District of Columbia, and all persons so designated or appointed under regulations prescribed by the President are hereby required to perform such duty as the President shall order or direct, and all such officers and agents and persons so designated or appointed shall hereby have full authority for all acts done by them in the execution of the induction provisions of this act by the direction of the President. Correspondence in the execution of this act may be carried in penalty envelopes bearing the frank of the War Department. Such officers, agents, or persons as may be designated by the President shall administer such oaths as may be necessary to the execution of the induction provisions of this act: *Provided*, That no charge shall be made for administering such oaths.

SEC. 50. Training forces: The President shall designate the units of the United States Army to which men will be attached for training.

SEC. 51. No further service in peace: In time of peace every person who has completed the training herein provided shall for the two years next succeeding the completion of the training file such reports as the President may by regulations prescribe and shall receive as compensation therefor not more than $1 for each report so filed in accordance with said regulations. Each person immediately upon the completion of his three months' training shall be classified for service in war in accordance with the regulations prescribed by the President, and he shall be reclassified during the two years next following his training according to said regulations whenever his status with respect to physical condition, dependency, or civil industries so changes as to warrant such action. His classification at the termination of his training shall be made by the military authorities. No person on the completion of his training shall be liable for further training or any service in time of peace without his consent.

Upon formal declaration of war by the Congress of the United States, the provisions of the act to increase temporarily the Military Establishment, approved May 18, 1917, as amended by act of Congress approved August 31, 1918, shall immediately become of full force and effect, using as far as possible the organization created by the present act.

SEC. 52. Penalty: Any person charged as herein provided with the duty of carrying into effect any of the provisions of this act relating to training or the regulations made or orders given thereunder, who shall fail and neglect to perform such duty; and any person charged with such duty or having and exercising any authority under said act, regulations, or orders, who shall knowingly make or be a party to the making of any false or incorrect registration, physical examination, exemption, enrollment, or certificate of training, exemption, or temporary deferment; and any person who shall make or be a party to the making of any false statement or certificate or affidavit to any claim for extra compensation, for himself or for any other person, or as to the fitness or liability of himself or any other person for training or service under this act, or regulations prescribed by the President thereunder, or evades or aids another to evade the requirements of this act or of said regulations, or who in any manner shall fail or neglect fully to perform any duty required of him in the execution of this act, shall be guilty of a misdemeanor, and, if not subject to military law, upon conviction in the district court of the United States having jurisdiction thereof, be punished by imprisonment for not more than one year.

SEC. 53. Miscellaneous provisions: Any officer hereafter transferred from the retired to the active list under the provisions of existing law shall be transferred with the rank and date of rank which he holds on the retired list, and shall be an additional number in the branch and grade to which transferred until absorbed.

All officers now carried as additional numbers in any grade and branch of the service shall be included in the numbers provided by this act.

All laws providing that details of officers as aides to general officers or on aviation duty shall carry advanced rank are hereby repealed.

So much of an act of Congress approved April 6, 1918, as provides for the offices of Second Assistant Secretary of War and Third Assistant Secretary of War is hereby repealed.

Officers placed on the retired list for physical disability shall not hereafter form part of the limited retired list.

SEC. 54. Discharge or deprivation of commission: Nothing in this act shall be held or construed so as to discharge any officer from the Regular Army or to deprive him of the commission which he now holds therein.

SEC. 55. Repeal of inconsistent laws: In addition to provisions of law herein specifically repealed, all laws and parts of laws, in so far as they are inconsistent with the provisions of this act, are hereby repealed.

WAR DEPARTMENT,
Washington, August 3, 1919.

Hon. JAMES W. WADSWORTH, Jr.,
Chairman Committee on Military Affairs,
United States Senate.

MY DEAR SENATOR WADSWORTH: I inclose you the draft of a proposed bill prepared in the General Staff for the reorganization of the Army. "This is the latest form assumed by our studies on this subject in the War Department. We are still, however, unadvised by that intimate consultation of the experience and judgment of Gen. Pershing and his associates abroad, which would be necessary before a final draft could be said to represent the full opinion of the Army. I would not myself give official approval to a draft which did not contain the results of such a consultation. It is the purpose of your committee, however, to use this draft only as the basis of hearings at which Army officers will be in attendance, both those who have been familiar with the problems on this side and those who have had experience in the Expeditionary Forces."

The bill as inclosed provides a peace-time establishment of 510,000 men and in effect makes permanent the organization which has developed in the War Department, except that it abolishes the Chemical Warfare Service and the Inspector General's Department. The work appropriate to be done by the Chemical Warfare Service in peace time ought, in my judgment, to be carried on in the Engineer Department, and should consist of such research and preparation as would enable our Army always to defend itself against the aggressive use of chemical weapons and to overmatch any adversary in offensive operations should they begin against us. This work is essentially scientific and forms an integral part of the coordinated engineering activities which ought, in the future, to center around the Engineer Department, and make it supply not merely the technical civil engineering needed upon public works and fortifications familiar to the Army but all of the engineering—chemical, physical, and mechanical—whereby the achievements of pure science are carried into the realm of practical application in an intensive way should war demand their use.

With regard to the Inspector General's Department, it is clear that the inspection of purely military training ought to be centralized and carried out under the direction of the training division of the General Staff. Whether or not, however, certain other functions of the Inspector General's Department should not be left as they now are, independent of all military control, and reporting directly to the Secretary of War, is a question upon which a full expression of opinion ought to be had.

The bill as drawn makes the selective-service act as amended a part of our permanent legislation. The importance of a recognition of this system as a means of getting men in time of war is obvious. Our experience has demonstrated the efficiency of the act under which we operated in the present war, and if it is made a part of our permanent legislation its readiness in time of emergency will increase its effectiveness.

The bill recognizes the principle of promotion by selection as essential to efficiency in the Army. The present situation is that noncommissioned officers are made and promoted by selection, as are also officers above the grade of colonel. The test of war showed that promotion by seniority was inapplicable, and it had to be abandoned. So far as I know, not a single voice was raised during this recent emergency in favor of any other plan than the rigid and unsparing application of the tests of merit and fitness for promotion. There is no reason for going back to the seniority rule. It would be unjust to the officers who in this war have demonstrated superior merit, and unjust to the Army and the country to deprive them of these proved talents in favor of the lower average of efficiency which the seniority rule admittedly produces. It is not, however, proposed to have a system of selection by chance or favor or affection, but a selection based upon efficiency and merit, with every safeguard possible to prevent its abuse.

The bill as drawn provides for a system of universal training for a very brief period applicable to all male citizens of the United States in their twentieth year, with suitable provisions for exemptions and deferments. It does not, however, provide for any reserve obligation, since that is unnecessary with a system of universal service in time of emergency. The period suggested for training is brief, but not too brief, it is believed, to secure a careful stock taking of the health and physical condition of the young manhood of the Nation and the institution of such remedial measures as may be practicable, nor too brief to initiate the habits of orderliness, coordination, and self-care which proved so valuable in the recent training of men preparing for active military service. Nor is this period believed to be too brief to entail great advantage to the country should any future emergency require it to call for service.

The bill provides for the Reserve Officers' Corps and the Reserve Officers' Training Corps, and under it it is proposed to give the Army the best academic education and the most thorough vocational training we can provide. The country has never faced so great an opportunity to attach to its service men trained in the school of experience. We now have many trained officers, not merely those who have been brought in through Regular Army channels but the splendid body of officers from the National Guard and from the officers' training camps and schools who have learned under actual war conditions the business of the soldier. There are available to us great groups of men qualified to exercise command and perform the staff duties which are of permanent importance and most difficult to organize.

It will be observed that the bill suggests no change in existing law with regard to the organization of the National Guard and its relation to the Regular Army. It is assumed that the national-defense act federalizing the guard will be retained in force, and that if any readjustment of its relation to the Regular Army is desired it will be suggested in the hearings.

Cordially, yours,

NEWTON D. BAKER,
Secretary of War.

COL. EDWARD SIGERFOOS.

Mr. POMERENE. I introduce a bill and ask that it be referred to the Committee on Military Affairs.

The bill (S. 2717) authorizing the issuance and delivery of a commission of brigadier general for Edward Sigerfoos was read twice by its title.

Mr. POMERENE. Mr. President, I want to say just one word in regard to the bill. It provides for the issuance and delivery of a commission as brigadier general for Col. Edward Sigerfoos. I will state the facts briefly.

Col. Sigerfoos was one of the ablest of the military men from Ohio. He was in France, and on September 29 he was ordered to take his place in the line. On October 4 the President sent his nomination to the Senate as brigadier general. On October 10 it was confirmed by the Senate. But on October 7 he died as the result of a shell wound received in action. He never knew that he had been advanced to the rank of brigadier general.

The commission was issued by The Adjutant General and sent to Mrs. Sigerfoos. On October 21 The Adjutant General learned of the death of Col. Sigerfoos and wrote to the widow asking the return of the commission, because there was no legal authority to issue it. She desires that the commission be issued now as a heritage for her fatherless children, and I hope that the committee may find some way to grant the proper relief.

The PRESIDING OFFICER. The bill will be referred to the Committee on Military Affairs.

CARS FOR COAL SHIPMENTS.

Mr. POMERENE. I submit the following resolution and ask that it may be read, and after it is read I shall ask unanimous consent for its present consideration.

The resolution (S. Res. 152) was read, as follows:

Resolved by the Senate of the United States, That the Director General of Railroads be, and is hereby, directed to give the Senate the following information:

First. Give the total number of coal cars now in use in the transportation of coal and the number of empty coal cars belonging to the several railroad companies under the control of the Director General of Railroads which are suitable and available for the transportation of coal.

Second. State whether the coal cars belonging to the railroads and under said control are now sufficient or have been during the past six months to meet the demand therefor.

Third. State the number of the coal cars which have been constructed or purchased for the account of the Director General of Railroads which are under his control and which have not been sold or transferred to the several railroad companies, and, if they have not been sold or transferred to the several railroad companies, give the reasons therefor.

Fourth. State fully the methods adopted by the Director General for the purpose of supplying the producers of coal with the necessary cars for transportation of coal to the consumers.

Fifth. State what, if any, further action by Congress is required in order to meet the demands for the transportation of coal.

Mr. POMERENE. Mr. President, if I may say a word in support of the resolution, on Saturday I received a telegram,

which, with the consent of the Senate, I shall read. It comes from a friend who is interested in the coal business and is a practicing lawyer. He says:

It is the conviction of coal men that serious coal shortage probably equal to coal famine of 1918 will result next winter. The mines have experienced the most serious car shortage ever experienced. In July operators' association met in Fairmont, W. Va., district to make united effort to remedy situation. Am informed that the thousands of coal cars bought by the Government have not been turned over to the railroad for use on account of the difference in purchase price by Government and selling price; that these thousands of new cars, unlettered and unnumbered, are standing on the sidetracks throughout the country. If mines are unable to get these cars through the car shortage, this shortage will be very serious later. Believe Congress should take some immediate action to make these cars available for immediate use. Entire output of our mines is sold for year. Our labor supply ample, but short of cars. Informed that this is generally true of all districts. Am advised by fuel purchaser of a large railroad system as follows: "All indications point to quite a serious car shortage to be experienced in the fall and winter." Now is the time to avoid this situation, and the matter should be brought to the attention of the administration, as a coal shortage or coal famine, which will mean high prices on top of other intolerable conditions, will be very bad. As the author of coal-regulation amendment thought you might be interested.

I may say that I have a letter stating that one large company in West Virginia has a contract to deliver coal in the New England States, largely for the use of the railroads in those States, but they are not able to get the cars now to make the shipments to New England.

This morning I had a letter from a coal dealer at Norwood, Ohio, which is near Cincinnati. He says, with regard to present prices:

We have had offered to us Pocahontas lump coal at $5.25 per ton this week. The Government price on this coal was $2.60 per ton. In other coals the mine price has increased about $1 per ton for the domestic grades.

Mr. President, this situation is, no doubt, becoming very serious. In the mines in southeastern Ohio in the spring—I am not advised as to the condition now—the coal miners were out of employment. The other day I received a number of newspaper advertisements inserted by coal operators urging the public to buy coal now, because coal was going to be higher in the future, and now we are told that there are not enough coal cars supplied to the mines. Whether there is a shortage or not, I do not know. I am asking for that information.

I am also informed that a large number of coal cars were manufactured for the account of the Director General of Railroads, and that they have not been distributed to the several companies because of the fact that the price asked by the Director General is in excess of what the companies are willing to pay.

I think the Senate will be interested in having this information to the end that they may give relief if it is possible to give relief, and for that reason I ask the present consideration of the resolution which I presented.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. SMOOT. Let it be read again.

Mr. POMERENE. It simply asks for information from the Director General of Railroads.

The resolution was again read.

Mr. KELLOGG. Mr. President, I do not know exactly what the condition is now, but in January, 1918, when the Government took over the railroads every railroad man, as the Senator will recollect, urged that contracts be let at once for additional cars. As a matter of fact, instead of letting the contracts at once at a price which could have been obtained at that time and which was fairly reasonable, the administration spent over five months trying to standardize all the equipment of the railroads in the United States instead of getting the cars which the country needed and having every manufacturer busy making them. It was announced in May or June that a contract for 100,000 cars had been let. Such a contract may have been let, but, as a matter of fact, there were not 20,000 of those cars delivered in the entire year 1918. It is not at all surprising that there is a shortage of coal cars under those circumstances.

Mr. POMERENE. Mr. President, there is force in what the Senator has said; but I am told there is a large number of those new cars on hand undelivered. I should also say that there is a large number of coal cars—at least, I have been so advised—which are, perhaps, out of repair and could be put in proper repair so that they would be available for use. I think it is true that there was some time wasted in trying to standardize these cars—as if one car suitable for the transportation of coal into New England would not be suitable in the Rocky Mountain region or in the Middle West. Practical railroad men do not do that kind of thing.

Mr. JONES of New Mexico. Mr. President, I might add to what the Senator from Minnesota [Mr. KELLOGG] stated that there were other difficulties existing at that time. According to the evidence taken before a committee of the Senate, it appeared that the coal cars which belonged to the railroads at the time were not being used efficiently; that the average mileage for railroad cars, I believe, was about 8 or 10 miles; and that to take a load of coal from the mines to a point 100 miles away and return the car required a month's time. That was the situation which existed in January, 1918, when the Government took over the railroads. It has been a question in my mind, and I have had no information regarding it since, as to whether there were plenty of coal cars in existence at the time if they had been properly utilized.

Mr. KELLOGG. I will state to the Senator that in 1917 the amount of business done by the railroads with their then equipment exceeded the amount of business done in 1918.

The PRESIDING OFFICER. The question is on agreeing to the resolution submitted by the Senator from Ohio.

The resolution was agreed to.

INDIANS OF DUCHESNE AND UINTA COUNTIES, UTAH.

Mr. KING. Mr. President, during the morning hour the Senate was engaged in a very interesting debate and I had no opportunity to present a resolution which I now ask unanimous consent to present and to have considered. The resolution relates to certain information desired from the Department of the Interior. It is so interlined that I shall ask permission to read it myself. It is as follows:

Resolved by the Senate of the United States, That the Secretary of the Interior is directed to report to the Senate the number of Indians residing in Duchesne and Uinta Counties, Utah, the amount of land held for such Indians, the number of Indians actually residing upon lands which they cultivate, the number of acres actually cultivated and irrigated by them, the quantity of water which is claimed by the Department of the Interior for and upon behalf of such Indians, the number of acres of land which such water is intended to irrigate, and what steps are being taken by or under the direction of the Interior Department to divert and use such water for irrigation purposes upon Indian lands, how much of the water resources of said Uinta and Duchesne Counties are claimed by the Interior Department for such Indians, and how much land the whole of said waters are capable of serving for irrigation purposes; also, what litigation has been initiated by the Interior Department against the white settlers residing within said counties and the purpose of the same and the effect of said litigation upon said settlers if the claims of the plaintiff in said suit should be successful; also, what part of the water resources of said counties the Department of the Interior concedes to be available for the appropriation and use by white settlers residing therein for irrigation purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

The resolution (S. Res. 153) was considered by unanimous consent and agreed to.

LEAGUE OF NATIONS.

Mr. SWANSON. Mr. President, some difference of opinion has arisen as to interpretation of the provision in article 1 of the covenant of the league of nations regarding the withdrawal of members of the league. In my address to the Senate several weeks ago I took a position in regard to that provision of the league. I requested Mr. Miller, who was one of the legal advisers of the peace commissioners at Paris and who, I understand, was present at all the meetings at which the covenant of the league of nations was considered and determined, to make a memorandum for me regarding the interpretation of that provision contained in article 1 of the covenant of the league. I have received from Mr. Miller the memorandum, and as it is very short I should like to have it read for the information of the Senate.

The PRESIDING OFFICER. Without objection, the Secretary will read.

The Secretary read as follows:

[Memorandum.]

"DEPARTMENT OF STATE,
"OFFICE OF THE UNDERSECRETARY,
"*July 31, 1919.*

"The first draft of the covenant contained no clause of withdrawal and this was one ground of criticism in various quarters. To meet this criticism the following was inserted as the last paragraph of article 1:

"Any member of the league may, after two years' notice of its intention so to do, withdraw from the league, provided that all its international obligations and all its obligations under this covenant shall have been fulfilled at the time of its withdrawal.

"The contention is now advanced that in some way this clause would permit the right of withdrawal to be passed on by the council of the league of nations or, at any rate, does not leave the matter entirely under the control of the withdrawing member.

"This contention is wholly unfounded. The language gives an absolute right of withdrawal to every member of the league upon two years' notice, coupled with a promise on the part of

the member so withdrawing to live up to its international obligations until the end of the two-year period.

"In other words, the paragraph makes explicit the thought that during the two-year period membership in the league continues. It is at the end of the two-year period that liability ends.

"The matter may be looked at from two points of view—the general spirit and purpose of the covenant and the precise language of the paragraph itself.

"The provisions of the covenant generally show that there is not the slightest thought of keeping in the league an unwilling member.

"By article 26 no member of the league can be compelled to accept any amendment to the covenant, however slight. Upon its dissent therefrom it ceases to be a member of the league. Still more significant is the last paragraph of article 16. This provides for the expulsion of a member of the league by the *unanimous* vote of all other members represented on the council. The ground for expulsion is the violation of 'any covenant of the league.'

"This provision obviously has intimate connection with the withdrawal clause. Given an absolute right of withdrawal on two years' notice without more it might have been contended that expulsion would not be possible during the two-year period. But coupled with the explicit promise on the part of the withdrawing member to fulfill its engagements during the two-year period, it is quite clear that the thought expressed by the covenant as a whole is that a hostile member shall not be permitted to remain a member, and an unwilling member shall not be required to remain.

"A technical examination of the precise language of the paragraph of article 1 leads to the same conclusion. The first words of the paragraph admittedly give complete right of withdrawal. 'Any member of the league may after two years' notice * * * withdraw from the league.' Any qualification or limitation of this right of withdrawal must be sought in the following words:

"*Provided*, That all its international obligations and all its obligations under this covenant shall have been fulfilled at the time of its withdrawal.

"These words are not to be construed to qualify the right of withdrawal but rather to introduce an obligation continuing until the withdrawal itself. The final words 'at the time of its withdrawal' show that the obligation is limited to the period of membership and has either been fulfilled or breached at the time of withdrawal. Obviously any limitation of the right of withdrawal would have to be in the nature of a condition precedent, which if not fulfilled, would prevent the withdrawal from occurring. An instance of such a condition precedent is the notice, which must be given two years in advance. The language which has been quoted (while in the form of a proviso) assumes withdrawal to have been completed by speaking of the withdrawal as a fact—in other words the very language which is supposed to show a limitation of the right of withdrawal, conclusively shows that no limitation is intended.

"Suppose it were claimed by some power that the withdrawing member had not so lived up to its obligations, what would have to be alleged? First, that the withdrawing power had not fulfilled some one or more of its obligations, and second, that it had not fulfilled such obligations at the time of its withdrawal from the league. Thus, the contention that the fact of withdrawal could depend on the fulfillment of the proviso is conclusively answered, for any allegation of breach of the proviso would have to admit the fact of withdrawal from the league.

"It is impossible to discover any foundation for the argument advanced that in some way the council of the league (or the assembly) would have jurisdiction to pass upon the question of withdrawal. To exist, such jurisdiction would have to be expressly conferred. No such jurisdiction is mentioned or even implied in the covenant. The right of withdrawal is given to each member of the league in its own uncontrolled discretion as not even a reason for withdrawal need be alleged. The jurisdiction of the council in the case of certain disputes between members has by some been mentioned in connection with the subject, but that jurisdiction extends only to inquiry in such cases as are not submitted to arbitration and which (article 15) are likely to lead to a rupture.

"Before a member withdraws from the league, even during the two-year period, doubtless the council may be called on to report as to any dispute between members, but this would be before withdrawal and could, of course, have nothing to do with the subsequent fact of withdrawal.

"After withdrawal the conclusion is equally clear. The member has become a nonmember and bears the same relation to the league as any other nonmember. There is no other possible case.

"Any dispute before withdrawal would be the ordinary case under article 15; but under this paragraph of Article I, no dispute could arise until after 'the time of its withdrawal.'

"To sum up the matter, the covenant provides for withdrawal on two years' notice by any member. During the two-year period the liability of the member under the covenant continues. At the end of the two years the State which gave the notice is not longer a member of the league.

"DAVID HUNTER MILLER."

PEACE TREATY AND LEAGUE OF NATIONS.

Mr. KELLOGG. Mr. President, on Thursday next, if the Senate is in session, and if not on the next day when the Senate meets, I shall address the Senate after the conclusion of the morning business on the subject of the peace treaty, more particularly the league of nations and the question of reservations and amendments.

PAYMENT OF WAR DEPARTMENT OBLIGATIONS.

The joint resolution (H. J. Res. 165) to allow the payment of bills lawfully incurred for construction work actually performed or construction material actually purchased and delivered prior to the approval of an act approved July 11, 1919 (Public, No. 7, 66th Cong., H. R. 5227), was read twice by its title.

Mr. WADSWORTH. Mr. President, this joint resolution is practically identical with one which was unanimously passed by the Senate a week or 10 days ago. It differs from the Senate joint resolution only in that it provides that the Secretary of War may pay contractors for the materials purchased "and delivered" in accordance with the terms of the contract into which they entered with the Government. The Senate joint resolution did not contain the words "and delivered." The House joint resolution in a sense is more restrictive upon the power of the Secretary of War than is the Senate joint resolution, but the two are so closely alike that I ask unanimous consent for the immediate consideration of the joint resolution in order that the legislation may be expedited.

The PRESIDING OFFICER. Is there objection?

Mr. SMOOT. The Senator refers to the House joint resolution just laid before the Senate?

Mr. WADSWORTH. To the resolution just laid before the Senate.

Mr. SMOOT. I will say to the Senator from New York that under the rule it must be referred to the committee.

Mr. WADSWORTH. I appreciate that.

Mr. SMOOT. Then the Senator from New York could report it and ask unanimous consent for its consideration. If the RECORD will show that action, I shall have no objection to the joint resolution being considered at this time. Let the joint resolution be referred to the committee, and the Senator can report it out immediately.

Mr. WADSWORTH. It is merely a matter of mechanics. To consider the joint resolution now will simply save a committee report on a matter upon which it has already reported and upon which the Senate has already acted.

Mr. KING. I suggest to the Senator from New York that he might consult the committee and report the resolution nunc pro tunc a little later.

Mr. WADSWORTH. Of course, I realize that the rule provides that joint resolutions shall be referred to committees, but I have asked unanimous consent for the present consideration of this joint resolution in order to save the time of the committee and the time of the Senate. The Senate has already acted upon this very matter.

The PRESIDING OFFICER. Does the Chair understand the Senator from Utah to object to the present consideration of the joint resolution?

Mr. SMOOT. I shall not object; but I always like to have the rule observed which provides that such measures shall first be referred to a committee. I suppose, of course, that we can do anything by unanimous consent, if we desire. I shall not object at this time, but I really believe that the proper way is to have every bill or joint resolution referred to the appropriate committee.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York that the joint resolution be considered by unanimous consent?

There being no objection, the joint resolution was considered as in Committee of the Whole, and it was read, as follows:

Whereas by an act approved July 11, 1919 (Public, No. 7, 66th Cong., H. R. 5227), it is provided as follows:

"That no part of any of the appropriations made herein nor any of the unexpended balances of appropriations heretofore made for the support and maintenance of the Army or the Military Establishment shall be expended for the purchase of real estate for the construction of Army camps or cantonments except in such cases at National Army or National Guard camps or cantonments which were in use prior to November 11, 1918, where it has been or may be found more eco-

nomical to the Government for the purpose of salvaging such camps or cantonments to buy real estate than to continue to pay rentals or claims for damages thereon, and except where industrial plants have been constructed or taken over by the Government for war purposes and the purchase of land is necessary in order to protect the interest of the Government" and

Whereas doubt exists as to the proper interpretation of said provision and as to the intention of Congress in enacting the same: Therefore be it

Resolved, etc., That the foregoing provision of said act shall not be construed to prevent the payment from the unexpended balances of said appropriations of bills lawfully incurred for construction work actually performed or construction material actually purchased and actually produced under the terms of the contract prior to the approval of said act.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CONGRATULATORY RESOLUTIONS FROM FOREIGN COUNTRIES (S. DOC. NO. 68).

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Senate:

I transmit herewith a report from the Secretary of State communicating resolutions and telegrams of congratulation addressed to the Senate of the United States by the Senate of Spain, the Senate of Chile, the Senate of Paraguay, and by the President of the Brazilian National Congress in the name of that body.

Inclosure: Report of the Secretary of State.

WOODROW WILSON.

THE WHITE HOUSE,
31 July, 1919.

HOUSE BILLS REFERRED.

H. R. 7110. An act extending the time for the construction of a bridge across Flint River, in the State of Georgia, was read twice by its title and referred to the Committee on Commerce.

H. R. 7785. An act to provide revenue for the Government, to establish and maintain in the United States the manufacture of laboratory glassware, laboratory porcelain ware, optical glass, scientific and surgical instruments, was read twice by its title and referred to the Committee on Finance.

THE PEACE TREATY AND THE COVENANT OF THE LEAGUE OF NATIONS.

Mr. STERLING. Mr. President, I shall be glad if I may be permitted to proceed with my remarks without interruption.

Mr. President, I had the honor of being one of the 37 signers of the resolution known as the Lodge resolution, offered near the close of the last session, and which briefly expressed the opposition of the signers of the resolution to that constitution of a league of nations which a short time before had been approved by the plenary conference at Paris.

There had already been considerable discussion of the proposed constitution in the Senate. After the adjournment there was yet more discussion from the platform and in the press of the country.

The President of the United States, while not the author of the original constitution of the league of nations, was easily the most prominent figure in finally securing its approval by the peace conference. This apparently had been his main concern in attending the conference and acting as the chief representative of the United States. He was understood as being opposed to any change in the original draft or to any discussion by the Senate until the constitution was finally laid before the Senate along with the peace treaty proper for ratification. But the discussion of the covenant could not thus be stayed. Indeed, at the time of the approval of the first draft at the peace conference it was the avowed understanding of the representatives of Great Britain, France, and Italy, who sat on the league of nations committee with our distinguished President, that the work of the committee was not to be considered as a finality, but that it was to be the subject of discussion and criticism, with a view, of course, to amendment in those particulars in regard to which the criticisms appeared to be just and reasonable.

It was in this spirit, I think, that the discussion went on in the United States. I take it that there was a general sentiment in favor of some league of nations that would in some way prevent war and promote or insure the peace of the world. The notion of how such a league should be constituted, what its powers should be, how it might affect our national sovereignty, what departure, if any, on the part of the United States from time-honored international policies would be involved, was necessarily vague and indefinite. But the discussion that followed proved to be of great value; it cleared up some of these obscurities; it brought again to the minds of the people the deep solicitude of the founders of the Republic for its future welfare, their warning against entangling alliances, their more immediate concern in the interests of the Western Hemisphere. The discussion not only brought home the fact that from the beginning until now we had consistently adhered to these foundation principles, but that in doing so we had, in our material growth and development and in the evident permanency and security of our free institutions, become the marvel and the admiration of all the world.

And so the people hesitated to indorse the league in its original form; and is it a matter of wonder that they should have hesitated? Whatever might have happened had our policy been otherwise they could say, "We are what we are; our country is what it is. How could it have been greater or prospered more under a policy which would have opened the way for foreign complications or invited foreign controversies? How infinitely less in power and influence we might have been had the admonitions of Washington, Jefferson, Monroe, and Adams, in regard to foreign alliances, gone unheeded."

Thus they have reasoned. Mr. President, I can well imagine some good, reasonably well-informed, but average citizen, farmer, merchant, or workingman, a patriotic American, proud of his country and its achievements, profoundly interested, too, in the welfare of mankind, coming at last in his reasoning to the conclusion that out of this mainspring of devotion to these cardinal principles of the fathers, and from these alone, have come the Nation and the people who have contributed such a magnificent part in the winning of this war for liberty and humanity.

Mr. President, you will not be able to stampede or deceive such a citizen by any claim that the opposition to the covenant of a league of nations in its present form is factious or partisan. He knows the old landmarks. History has for him its lessons, which he believes should serve as some guide for future conduct and policy, and when it comes to the protection and defense of American rights, founded on these time-honored principles, you can not scare him with war, nor is he too proud to fight. Moreover, he may find ample justification for his thoroughgoing Americanism in some very choice, and I may say eloquent, utterances by our distinguished President himself, like this, for example, which describes adherence to American principle as a passion:

> The passion of America is to be permitted to live her own life according to her own principle. The only thing that she profoundly resents or ever will profoundly resent is having her life and freedom interfered with.

Or this, which describes the need of men who think first of America:

> We particularly need now men who will divest themselves of party passion and of personal preference and will try to think in the terms of America. If a man describes himself to me now in any other terms than those terms, I am not sure of him, and I love the fellows who come to my office sometimes and say: "Mr. President, I am an American." Their hearts are right; their instinct true; they are going in the right direction and will take the right leadership if they believe that the leader is also a man who thinks first of America.

And this tells how America should come first:

> America must come first in every purpose we entertain, and every man must count upon being cast out even of our tolerance who does not submit to that great ruling principle.

In 1915 the same high authority declared:

> There have been some among us who have not thought first of America, who have sought to use the might of America in some matter not of America's origination, and have forgotten that the first duty of a nation is to express its own individual principles in the action of the family of nations and not to seek aid and abet any rival or contrary ideal.

But it is always back to "first principles," whether speaking in praise or censure or kindly admonition, whether deprecating preparedness or urging preparedness, the old ideals, traditions, and standards are invoked for present inspiration and guidance, as witness the following in 1916:

> When we prepare for national defense we prepare for national political integrity; we prepare to take care of the great ideals which gave birth to this Government; we are going back in spirit and in energy to those first great generations in America when men banded themselves together, though they were but a handful, upon a single coast of the Atlantic, to set up in the world the standards which have ever since floated everywhere that Americans have asserted the power of this Government.

But this, earlier in 1916:

> There are actually men in America who are preaching war, who are preaching the duty of the United States to do what it never would before—seek entanglements in the controversies which have arisen on the other side of the water—abandon its habitual and traditional policy and deliberately engage in the conflict which is now engulfing the rest of the world. I do not know what the standard of citizenship of these gentlemen may be. I only know that I, for one, can not subscribe to those standards.

And now, Mr. President, with the citizen's deep regard for the old landmarks strengthened, with his apprehension lest the Ship of State venture too far upon a dangerous and unknown sea, quickened by the philosophy and statesmanship revealed in

the words I have quoted, what wonder that he should here, in this momentous time, cry out for safeguards against a policy so new and so opposed to that which he had always believed in and cherished.

And this, Mr. President, is not to say that our average citizen is opposed to any league of nations. The Lodge resolution is not opposed to any league of nations. On the contrary, it expresses "their sincere desire that the nations of the world should unite to promote peace and general disarmament." In doing so, I think, it expressed the general sense; but in expressing opposition to the constitution of the league as first drafted, it also, I am confident, represented the general sense of the people of the United States.

The resolution and the discussion following were not without their effect on the proceedings at Paris. There was further conference and deliberation there, and after several weeks we are handed the new and revised covenant as a part of the treaty of peace. Does it meet the objections raised to the first proposed constitution, or does it, as was feared of the former document, involve an abandonment of the principles of America, the destroying of "the passion of America to live her own life according to her own principle"? If it does destroy or impair that passion, then of course we are ready to put to hazard the principle, and with it the national well-being which was founded upon it.

Let us examine briefly what has been done or what has been omitted in the draft now before us:

First, complaint was made because the original draft contained no provision permitting withdrawal from membership in the league. The objection was a serious one and seriously taken. The omission is alleged to have been cured by the new paragraph in new article 1, which permits any member of the league, after two years' notice of its intention to do so, to withdraw from the league, provided that all its international obligations and all its obligations under this covenant shall have been fulfilled at the time of the withdrawal. And this is the much-vaunted remedy for the omission from the original draft of leave to withdraw from the league.

Mr. President, I do not overlook the memorandum which, at the instance of the Senator from Virginia [Mr. SWANSON], was read into the RECORD a little while ago—the memorandum of Mr. Miller, construing article 1 of the covenant. Without having had the opportunity to examine in detail that long and involved explanation and construction—and there must be something very intricate about the article or else it would not require such an involved and lengthy explanation as has been given it by Mr. Miller—what I shall say here in regard to article 1 is with the view that it does not bear the construction given by Mr. Miller and that the meaning of the paragraph in article 1 which he attempts to construe would prevent the withdrawal from the league of any nation seeking to withdraw until it had fulfilled all its obligations—its international obligations and its obligations under the covenant. I think that is the plain meaning of the paragraph and that such is the construction generally put upon it.

Mr. President, I do not know how it may appeal to others, but to my mind if there ever was a proposition which involves a surrender of complete national sovereignty it is the one in this league covenant relating to withdrawal. Read the whole proposition and then read it again. The right to withdraw is contingent, contingent upon the fulfillment of two classes of obligations by the nation seeking to withdraw: First, all its international obligations; and, secondly, all its obligations under this covenant. Of course, the obligations under the covenant are international; but, in addition to the requirement that these be fulfilled before withdrawal, any covenants which we have entered into in the long years since we became a sovereign Nation, and which are yet continuing covenants or obligations, must be fulfilled before we can withdraw from this supreme covenant—this lord over all.

The very international covenants which we have entered into, or which we believe for our own welfare we should enter into, might become all-sufficient and all-compelling reasons for our withdrawal from the league of nations. Our present peace and safety might be good grounds for seeking to withdraw, but there is that barrier of unfulfilled obligations which we can not pass and, on the face of it, whatever the conditions which confront us and which plead for relief through our withdrawal, you have your country enmeshed in obligations under the covenant and international obligations not under the covenant, and all so bound together by this strong chain of the supercovenant that it will be impossible for your country to ever again be free and sovereign; provided always, that the stipulations of article 1 are to be regarded as of any binding force.

As I study this language and give credit, as I must, to knowledge on the part of the members of the committee framing the covenant, of the continuing nature of many international obligations, I am forced to one or the other of two conclusions: Either, first, that they intended that notice and application to withdraw should prove ineffective and that therefore membership in the league would be perpetual; or, secondly, that these strong words permitting withdrawal only on contingencies not likely to happen in the case of any great nation were so much camouflage, meant to deter whom it might, with the smaller nations or those inclined to be recalcitrant especially in mind. If the first should be the true view we wonder at the audacity of the statesmanship that so gambles with national sovereignty. If the latter, we can not think of it as a performance which comports with the greatness and dignity of the occasion or the cause.

Mr. President, I shall not dwell on this feature of the covenant longer, save to say, that were it not for other objections I might, notwithstanding the provisions in regard to withdrawal, vote to ratify the treaty and covenant.

And why? Because of the very futility of the attempt made in this stipulation to impair or destroy the sovereign rights of the United States. Because it is beyond the power of the President to negotiate and beyond the power of the Senate to ratify a treaty which irrevocably surrenders the power of the Nation to determine for itself whether it had fulfilled or whether it should, under any and all circumstances, fulfill its treaty obligations. Aside from the question of national supremacy under our dual system of government, it is only in relation to international questions, rights, or obligations that we speak of sovereignty at all. A necessary attribute of full sovereignty from the standpoint of international law is the independence of a State of every other State in the matter of its international rights and in the matter of its own domestic policies.

But, if a power outside ourselves may prescribe, supervise, and control our action in regard to our international obligations, how can we be said to be a sovereign Nation? If Congress can not abrogate a burdensome treaty, or one under which conditions have changed, because article 1 of the covenant stands in the way, what difference in principle between such a case and one where the legislation of one State in regard to foreign affairs binds the subjects of another State? Who could contend that the latter was a sovereign State, or what difference in principle between the case made by article 1 and the case of a State bound to submit any treaty it had made to the approval of another State before it can become effective? In either case there is a loss or lack of the highest attribute of sovereignty—the right of a State to determine for itself its international relations.

But despite the stipulations of article 1 of the covenant, there is a power that, under our Constitution, no President or Senate or both can override, and that is the power of Congress to abrogate any treaty made, and of this every incipient member of your league of nations has notice. Again and again has the power been exercised. It is now universally accepted doctrine that a treaty is the supreme law so long only as it remains unrepealed by act of Congress. Mr. Roosevelt, as governor of New York, in 1900, writing Mr. John Hay, our then great Secretary of State, said: "As for existing treaties, I do not admit the 'dead hand' of the treaty-making power in the past. A treaty can always be honorably abrogated, though," he adds, "it must never be abrogated in dishonest fashion."

But, Mr. President, to come to another point, more important even than this. It is more important because it involves the abandonment of one time-honored American policy which the fathers of the Republic advised and our immediate adoption of another against which they most earnestly warned. I can not vote to ratify this treaty and covenant without reservations.

On the 12th day of June I introduced Senate resolution No. 78, which was referred to the Committee on Foreign Relations. I may be pardoned for reading that resolution now. It is as follows:

Resolved, That it is the sense of the Senate that the ratification of the terms of the treaty of peace, including the covenant for a league of nations, lately proposed by the allied powers and associated nations to Germany and to Austria, should be on the following express conditions or reservations, to be attached to and become a part of said treaty and covenant and not otherwise:

"That the United States of America, in view of their remote situation with reference to European States or other States of the Eastern Hemisphere and their more immediate interest in the territorial integrity and free institutions of the sovereign States of the Western Hemisphere, the policies concerning which and the cordial relations with which the United States will endeavor to maintain, expressly reserve to themselves the right to determine through the Congress the justice or expediency of any fulfillment on the part of the United States

of the obligations contained in or imposed by article 10 of the covenant for league of nations so far as such obligations may at any time apply to the situation of any State or States of the Eastern Hemisphere."

This or a similar reservation should, it seems to me, be unhesitatingly accepted.

It has bearing upon the much-discussed article 10 of the covenant and the new article 21 relating to "regional understandings."

And here, Mr. President, I am disposed to invoke a familiar principle of legal procedure. The burden of proof is on him who charges or alleges the fact, the issuable fact. In debate likewise every affirmative has cast upon it the burden of proof or of argument. The burden of proof is on the proponents of this treaty and covenant and of article 10 thereof.

What is the allegation in substance?

It is that America's existing political order and international policies are not what they should be; that a radical change is necessary; that, notwithstanding we have for more than a century religiously adhered to the principle of noninterference in European affairs, we must now of a sudden abandon the policy which Washington and other founders of the Republic most devoutly advised, and be ready on occasion to participate in an economic war or a military war against any nation charged with an assault upon the territorial integrity or the political independence of any other nation who may be a member of the league of nations. We are to pledge ourselves to engage in this war, not upon the decision of the Congress or of the Executive of the United States, or both, as to the merits or the justice of the cause, but upon the decision of a body almost entirely, or with the exception of one lone representative, alien to us, and it may be, for the time at least, hostile to our own development, our own purposes, and ideals.

What Senator two years ago would have supported such a proposal? What Senator would have dared bring it before the Senate? Aye, I go further than that. What American advocate of a league of nations to enforce peace, in or out of the Senate, ever contemplated a program which imposed upon America the obligations of article 10 of this covenant, to guarantee the political independence and the territorial sovereignty of any other nation, great or small, monarchy, autocracy, or republic, ignorant or advanced, near or remote in point of distance from our own shores, and to make such guaranty, too, without regard to the righteousness of the cause of the nation whose political independence or territorial integrity is assailed, to say nothing of the distance, expense, and sacrifice which our intervention would involve for us?

Any man who two years ago would have made such a proposal would have been regarded as an idle dreamer not to be taken seriously or one whose Americanism, if not loyalty, might be a subject of doubt.

Mr. President, men have differed widely and honestly in their opinions of America as a world power. There are those who have deplored any acquisition, under whatever circumstances, to our territorial domain. Especially have they opposed acquisitions that were not continental; they would have confined international activities to necessary and legitimate international trade. Beyond that there should be no thought of an American sphere of influence or of American participation in world affairs. They said we are self-sufficient and there is no need of an aggressive policy or even commercial policies which might make complications or invite a quarrel.

On the other hand, there were the men of vision, as they were called, who declared that Dewey's guns at Manila Bay were heard round the world, and that the United States was thenceforward to be recognized as a world power in a new and mighty sense—men who would have wished for America what that gifted and imperial statesman, Cecil Rhodes, wished for England, which was nothing less than the "governance of the world by the British race."

And yet no American imperialist, with American traditions and policies behind him and any dream of American greatness or "governance" before him, would have had the audacity to propose the guaranty of the political independence and territorial integrity of other nations as a means for the exercise of American power and influence. Nor, power aside, would he have accepted for his country the risks of such an obligation as a means to the fulfillment of America's mission to mankind or on the chance that it would bring lasting peace to the world. The fact is that the scheme—the utterly alien and un-American scheme—involved in article 10 was never heard of until now. The celebrated Fourteen Points gave no warning of it. I doubt if the author of the Fourteen Points, prior to his meeting with the committee of the peace conference, ever visualized for a moment the guaranties of that article. The nation—the one nation of the world—who may profit, and surely will never suffer or be embarrassed, by article 10 is Great Britain, one of whose representatives at the peace table is the reputed author of the original draft of the league of nations—of the draft, at least, which was the basis for the action of the committee framing the covenant.

But it is all new and strange to America; it is a complete reversal of the policies of the past, under which we have grown great and powerful.

The burden of proof is on the advocates of ratification without change to show the wisdom and the justice of the fateful course now proposed. The burden is not an easy one; it is as great as the proposal itself is new and startling.

To come to the question, Why the proposal now, and what the source of some of the sentiment behind it?

The activities of our own American voluntary association, or League to Enforce Peace, will in part answer the question.

Some time ago I received from a constituent a letter written the constituent by Mr. W. R. Boyd, jr., national campaign manager of our so-called League to Enforce Peace. The letter is written on the imposing letterhead of the league, with William Howard Taft as the president. In the margin is a formidable array of the names of persons who constitute the executive committee. The letter is as follows:

[League to Enforce Peace. President, William Howard Taft; Alton B. Parker, vice president; Herbert S. Houston, treasurer; William H. Short, secretary.]

NEW YORK, *May 28, 1919.*

Mr. EDMUND COOK,
Wilmot, S. Dak.

DEAR SIR: There is only one league of nations covenant now. It is the one incorporated in the peace treaty which Germany must sign.

Opponents must now show their true colors. The issue now is "The league or none." There is no other to be had.

The people want peace declared so things and conditions can be readjusted. They want Congress to ratify the peace treaty and get down to the business of settling some of our domestic problems that need attention. Every citizen who feels that way should speak out and say so.

If you agree with me, I wish to ask you to do three things:

1. Cooperate locally in getting county, city, or precinct machinery organized to hold ratification meetings.

2. Write a personal letter to both of your Senators—and get others to do likewise—saying you want the league of nations covenant promptly ratified.

3. Advise me that you are doing "1" and have done "2," and along with that letter of advice please send me the names of about 10 substantial citizens residing in various parts of your county.

Yours, for the cause,

W. R. BOYD, Jr.,
National Campaign Manager.

I think Senators will be interested in knowing what my constituent has to say in regard to this. On the margin of the letter, opposite the names of the executive committee, he writes as follows:

The response to this fervent appeal will not bring forth the usual flood of letters to our Senators, because the American people have become suspicious of beautiful rhetoric and "open covenants" camouflaged. The people should and will trust in good faith the United States Senate to preserve the traditions handed down by our preceptors—George Washington, Monroe, and Jackson.

I think probably in this connection he meant Jefferson, rather than Jackson.

Observe now, Mr. President, the peremptory tone of this letter, the finality, the ipse dixit nature of its statements: "There is only one league of nations covenant now." "The league or none." "There is no other to be had." It is as though the Senate of the United States must accept it as written and were without the power, or perhaps the capacity, to make amendments or reservations, however much desired, in order to safeguard the interests of the United States.

The League to Enforce Peace, or the writer of this letter, is right in saying the people want peace declared. He is far from right in the implication that they want it with the condition that it embrace also this only league of nations covenant.

Mr. President, it is true "the people want peace declared," but it is only a little while ago that the American people, as against a halting administration, demonstrated that they were overwhelmingly against a "peace at any price." The number of pacifists in the country, aside from those interned or in the penitentiary, was almost negligible. What was true then I believe to be true now. America was not beaten in this war. The valor and efficiency of her armies and the strength of her resources have demonstrated that it would have been impossible to defeat her in the contest of arms. She has no reason now on account of inferiority anywhere to demand peace at any price. True, she mourns the sacrifice of thousands of noble young lives and realizes in common with the rest of civilized mankind the horrors of modern warfare, especially when conducted as this was by our chief enemy, in utter disregard of international law and of the principles of humanity; still, neither through want of strength nor loss of men nor expenditure of money nor fear even of a repetition of some of the horrors of the late war, would her people be willing that she accept a peace at any price.

The hopes of the future of America rest in the spirit, the traditions, the great policies of her historic past. When the people of the United States become indifferent to the sovereign rights of the Nation, when they have no pride in our free, unhindered development along the line of American traditions and ideals, when they have lost faith in the precepts of the fathers of the Republic, and faith in our destiny is dead, then we are ready for a peace at any price—for a peace and a membership in a league of nations that may involve the loss of all the fine attributes and sentiments upon which we have relied and on which we have builded.

The letter which I have read from the League to Enforce Peace conveys no information as to the terms either of the peace treaty or the league. It carries the injunction that the person to whom it is written shall write a personal letter to both of his Senators and get others to do likewise, saying that he wants the league of nations covenant promptly ratified—this "only league." It assumes, of course, that the party is a lover of peace; that he and the tens of thousands of others to whom undoubtedly a like letter has been sent abhor war; that the American people are weary of war, weary of our own participation, though it was comparatively brief, weary of the tales of death and devastation resulting from the war, and that the weariness and the dread are so great and overwhelming that the average citizen, without inquiry, without enlightenment as to terms and meaning of this covenant for a league of nations and their effect upon our destiny or our mission, will, without further showing and without the change of a line, obey the mandate of the letter and demand of his Senators that they vote for the treaty as it is, regardless of the price.

Mr. President, if I ever had occasion to rejoice in the fact that the Senate of the United States may on the occasion of great tests like this be the custodian and guardian of the welfare of the people of the United States and the destiny of America, that time is now. All the unfair and uninforming and dictatorial propaganda which the League to Enforce Peace may disseminate will not prevail against it.

Let us not forget that the ambitious aims and vicious system which brought this war about were altogether unusual—abnormal. It is traceable to Prussianism as the great first cause. But Prussianism met its Waterloo in the days from Chateau-Thierry to Argonne Wood. And yet, as in some frenzy and fear of the hour, we lose sight of this and conduct ourselves as though it were a drawn battle, as though the doctrine that might makes right was still formidable and the evil geniuses of Neitsche and Bernhardi still imposed their vicious theories upon the German people through the will of a German Kaiser, or as though some other nation great in territory and formidable in resources might, notwithstanding the lessons of the war, be straightway imbued with the German spirit of conquest and aggrandizement. Nobody believes that any such menace can threaten the world for a generation at least. If it should, who doubts that America, under a like inspiration as that which so lately directed her, will again of her own accord, without the compulsion of a league of nations, come full armed to fight on the side of justice and liberty?

I mention these things not in the spirit of opposition to any league of nations but in answer to this demand for immediate, precipitate action which comes from outside, self-constituted proponents of a league to enforce peace, whose demand is that we vote to-day, ratify to-day, without waiting for a reservation or an amendment which will be accepted to-morrow.

Why debate the question? It is so much lost time. These zealous advocates, as will be seen from the very character of their propaganda, are largely responsible for any unrest that may exist concerning the ratification of this treaty and covenant. Their pronouncements are meant to leave the impression that economic chaos reigns, that war is imminent, and that a league of nations is our only hope and means of escape.

But, Mr. President, as for actual peace, we have it now, in America at least. Men pursue their wonted trades and occupations; the demobilization of our Army is proceeding with tremendous rapidity. The demand for labor, the conditions of business, do not require the returning soldier to wait for a job. The deserving man can find the job, and that, too, without the aid of an expensive Federal Employment Service. The wheels of our domestic commerce move as rapidly as a Government-controlled railroad system will let them move. Embargoes no longer prohibit our overseas trade, and the dangers of the deep are a thing of the past. There is a real freedom of the seas. The energies of every nation engaged in the late war, unless it be Bolshevist Russia or Austria-Hungary, are now, or very soon will be, devoted to the task of recuperation and rehabilitation.

It is to this class of importunate and impatient league propagandists, who imperatively demand immediate ratification, that we need to say, "Let us have peace."

Mr. President, we ought to know something of the complexity and of the possible magnitude of the undertaking of the United States under this covenant.

And, first, I think it safe to assume that the representatives of the three European powers and of the United States, who made and entered into the covenant, would never have considered that mutual guaranties of territory and of independence were necessary as between themselves. No one of these four powers sought such protection as against the aggressions of one or all the others. Neither Great Britain, France, nor Italy would dream of the United States as a source of military danger to themselves or their possessions, and the United States, most of all among the nations of the world, stands secure.

But apart from the confidence we have in the everlasting friendship of these three allies or associates in the Great War, no fear of any other nation or combination of other nations would have led us to propose the assumption of the obligations of article 10 of this covenant. The provisions in the covenant for the arbitration of disputes; the agreement not to resort to war until three months after the award of the arbitrators; the stipulations in regard to the reduction of armaments; the disposition of colonies and the selection and jurisdiction of mandatories might all, with others, have been agreed to and welcomed; but if the American people had been asked in advance if they were ready to guarantee the peace of the world and back their guaranty by making war upon any nation charged as an aggressor, in any part of the world, their answer would have been a universal "No." They would have said, as we must say, no man can tell what activities, what interventions, what armed forces, what expenditures of money, what sacrifice of men will be required in the years to come if we subscribe to article 10 of the covenant as it is written. They may be trifling enough. They may, on the other hand, tax our resources of men and of money to the utmost. Let a short 18 months of war, at a cost of $21,000,000,000, a burden of debt unprecedented in our history, a toll of dead of 112,000 American boys, to say nothing of the anguish, or of the thousands who will go through life maimed and disabled, tell their story of what the cost of war on a foreign soil is to the United States. But that was a cause worth while; our participation in it was in defense of American principles, inspired by American ideals. The glorious thing about it was that our participation was free and voluntary and not at the command of an alien council of a league of nations with power to determine when we shall fly to the aid of the Serb-Croat-Slovene State or Siam or Hejaz, or Persia, if she accepts the invitation extended to become a member of the league. For a like cause such as that we have just been engaged in defending on a magnitude and with a success which astonished the world, we will be ready to make like offering. But the assent of the American people is necessary to successful war, and that assent must be manifested not by one representative in an executive council of a league of nations sitting at Geneva but by all their Representatives here in Congress assembled and sworn to support the Constitution of the United States.

Mr. President, I repeat, the proposal to give the guaranties of article 10 could hardly have come in the first instance from the representatives of the United States. If they did, no expression on the part of the people or the people's representatives ever authorized them, but the proposal having been made, it should not be cause for wonder that since there was to be a league to enforce peace, the willingness of our representatives to assume the burden of so great a guaranty was gladly welcomed by the other nations most concerned.

Mr. President, our forefathers strove and warned against European entangling alliances. Until to-day we have heeded the warning. But the proposed reversal of this great policy does not stop with Europe. To know the full extent of the obligations we assume, the burdens we may have to bear, you must look at the map of the world. Of course, they welcomed our willingness, for had we not just demonstrated our promptness and efficiency in war? And do not our obligations extend to a guaranty of the territorial integrity and political independence against external aggression of the British Empire, which, in addition to the British Isles, means Canada, New Zealand, Australia, South Africa, India, and insular possessions innumerable? Of course, France welcomes our agreement to article 10, for in addition to the protection the agreement will afford against the invasion of her home territory by Germany or Austria, may not the French Congo, or Sierra Leone, or Algiers in Africa, or her empire in Indo-China in Asia be the subject of attack?

And is it cause for wonder that Italy, with her newly gained possessions in Europe, wrested by force of arms from Austria-Hungary, with her African possessions also to defend and protect, welcomes the guaranty of the United States? Mr. President, I think Clemenceau was right in insisting on the principle of the balance of power in Europe. Of course, there can be no "concert of Europe" now, and the next best thing, if not a better thing, for France than even the balance of power or "concert of Europe" was to put the resources of the United States at the command of the council of a league of nations which had determined we should make good the guaranties of article 10.

This is a part—and only a part—of the price we are to pay for our first real departure from the old landmarks, for our first diplomatic entanglement in foreign alliances, our first forgetfulness of America and the "passion of America," which has been "to live her own life according to her own principle," our first ambitious attempt to prescribe regulations for the government of the world.

But, Mr. President, gladly as our European allies or associates have welcomed the assent of the United States to article 10 of this covenant, they know our traditional policies, they know our adherence to the Monroe doctrine. It will be remembered that it was out of the Canning-Rush correspondence of 1823 that the Monroe doctrine was evolved. Great Britain then regarded the principle as in the interests of peace and of free institutions. She has recognized our reliance upon it and our right to invoke it ever since. France and Italy likewise are both familiar, through experience, with the principles of the doctrine, and all three know how, from the date of our independence, the avoidance of entangling alliances with European nations and of noninterference in European affairs have been cardinal principles of the foreign policy of the United States. They, I am sure, will appreciate the reasonableness of a reservation which will leave it to the Congress of the United States to determine when and where we should intervene in the affairs of any of the nations of the Eastern Hemisphere, or whether we shall interfere at all. I can not help but think that they will not only themselves acquiesce in such reservation, but will use their influence in procuring the speedy acquiescence of all other European members of the league.

Mr. President, we may grant that it was all conceived in the spirit of altruism; that the guaranties of article 10 on our part are in obedience to the principle noblesse oblige; still the undertaking is an improvident one, and greater than we dare. In addition to the States directly and incidentally mentioned, our obligation extends from the time ratifications are exchanged to these other countries of the Eastern Hemisphere: Liberia, Portugal, Poland, Roumania, Belgium, Greece, Czechoslovakia, Japan, China.

What a travesty on a "Grand Design" is suggested by these last two names!

In the same breath in which all these States, great and small, pledge themselves to protect and preserve the territorial integrity and political independence of their cosignatories they consent to the continued partition of China, to the economic and territorial control by Japan of China's oldest and most populous Province and, because of its religious and educational history and associations, extending through the centuries, her most revered Province. Wrested from China by Germany in the first place for a cause insignificant and disproportionate to the reparation obtained, Shantung should, under the course of events since and under the moral law, be to-day under the complete dominion and sovereignty of China. China was a neutral in the war when Kiaochow was captured and taken over by Japan. Under any circumstances she could by such seizure have acquired no greater interest than Germany, and Germany's interest was subject to extinguishment by war between China and Germany. China declared war and rendered most valuable aid to the Allies. I know—we all know—that meantime Japan had extorted from China the "21 demands" treaty of 1915. But it was not because of any wrong done to Japan by China, or to secure herself against any such wrong in the future, that Japan secured the concessions of 1915. They were aggrandizements pure and simple, granted by the representatives of a peaceable people, unprepared to resist the military force which would have been used by Japan had not her arrogant ultimatum been at once complied with.

What an anomaly! A great Province with a population of nearly 40,000,000, under threat of force, taken over from an unoffending nation—a Republic, too—to become the territory of the autocracy employing the duress, all in time for the protection afforded by the guaranties of article 10. But, after all, there is nothing in the article that relates specifically to making the "world safe for democracy," nothing which expressly confers the right of "the self-determination of peoples," though it was hoped the animating spirit of a league of nations, interwoven with the peace treaty, would be present to denounce and prevent, instead of perpetuating, this great international wrong. I have but this one question: Shall we, by ratifying this treaty as it is written, put ourselves in a position under which it can be required of us to defend by force of arms the possessor of the fruits of this or any other like wrong?

Mr. President, it is of interest to note how many of the States that have signed the covenant or that have been invited to become members of the league we are already under obligations to protect and defend. Thirty-one States, exclusive of the United States, are down as original members of the league of nations. This includes China, which, because of Shantung, refuses to sign the treaty. Of these 31 States 11, or more than one-third, come under the protection of the Monroe doctrine. They are Bolivia, Brazil, Cuba, Ecuador, Guatemala, Haiti, Honduras, Nicaragua, Panama, Peru, and Uruguay. Thirteen States have been invited to accede to the covenant. Of these 13, 6, or nearly one-half, come under the protection of the Monroe doctrine. They are Argentine Republic, Chile, Columbia, Paraguay, Salvador, Venezuela. Of a total of 44 States, exclusive of the United States, which are either members or have been invited to become members of the league, 17 States, or nearly 40 per cent, are States whose political independence and territorial integrity we have always stood ready to protect and defend against foreign aggression, and I am confident that such will be our attitude through the long years to come.

Heaven grant that we may never be called on to defend them by force of arms; but if we are, no treaty that we here ratify shall require the submission of that controversy to any league of nations under the sun. If there arises a controversy between any two of the Latin-American Republics themselves, I am satisfied that our good offices and the good offices of other friendly American nations will do more to prevent war and bring about a peaceable adjustment than will all the grave deliberations and decisions of an assembly or council constituted in the manner provided in this covenant.

Not now, Mr. President, but on another occasion I hope to be able to tell the story of the Monroe doctrine. I think the doctrine in its announcement and application has been more instrumental in preserving the peace of both hemispheres than any single governmental policy or action of which we have account. Not by word, not by lofty precept alone has our country wrought for peace and for democracy, but by experience and living example. Her very thorough, and yet sympathetic, critic said of her in his introductory chapter to the "American Commonwealth," speaking of the United States:

> They represent an experiment in the rule of the multitude, tried on a scale unprecedently vast, and the results of which everyone is concerned to watch. And yet they are something more than an experiment, for they are believed to disclose and display a type of institutions toward which, as by a law of fate, the rest of civilized mankind are forced to move, some with swifter, others with slower, but all with unresting feet.

Mr. President, my hope for my country is that she shall keep on that solid ground of American principles and ideals which alone could have earned such eloquent recognition of her mission to mankind.

FIUME AND THE ITALIAN FRONTIER.

Mr. SHERMAN. Mr. President, pursuant to the notice given previously I wish to discuss specifically the effect of the treaty on Italy, and particularly the port city of Fiume.

I again wish, however, to congratulate the Senate that in the spring of 1917 the rules were not so modified as to introduce into the practice of the Senate the parliamentary motion known as the previous question, thereby closing all discussion upon any subject pending here. If that had been adopted, at this time a vote could be forced by the administration, without discussion, upon the several vital subjects pending in this body; not only the league of nations but the peace treaty, the Franco-American treaty, the Polish treaty—about which there probably is not so much discussion—as well as one recently reported to the Senate by the Foreign Relations Committee, known as the Colombian treaty. A limited discussion, if any, would be imposed upon the Senate, and nothing but a series of roll calls would stand between those vital subjects and their incorporation, if they be of any validity whatever, in the laws and treaties of this country.

Colombia, since 1914, has had hopes of the ratification of a treaty negotiated between the proper diplomatic authorities of the United States and that country. It has reached a point, probably, where discussion and a vote will be had in this body in due time. Beginning with 1901, 1902, and 1903, when the

matter first became acute relating to the acquisition of the Canal Zone, Colombia, since the establishment of the Panama Republic, has been of the opinion that she had been aggrieved by the action of this country, and that the only way in which there could be solace for her feelings would be the payment of $25,000,000 in gold. That is now pending on a report of the Foreign Relations Committee, and must sooner or later be discussed and disposed of. At the proper time I shall submit my views on that question.

I am irrevocably opposed to the ratification of the treaty, either in its original form, wherein it was a craven apology, or in its amended form, in which the apology is stricken out, and $25,000,000 are to be paid to that country for the conduct of our Government in relation to the establishment of Panama as a separate State. It is revived at this time, I presume, because there seems to be a wave of maudlin international drivel sweeping over the world. In that time it is presumed that we will forget that money is money and taxes are taxes, and that the relations of one nation to another are governed by the principles of ordinary common sense and decency. Our debauch, however, is drawing to an end. We have been fed on dreams and dwelt long in air castles. Phrase mongers have fired multitudes with catchwords and many war cries. A vast unrest disturbs many lands. Mediocrity and ignorance demand sway over skill and intelligence. The world is to be ruled hereafter by chance mitigated by violence. The less one knows the more he must be paid not to know it. The laws and qualities of our being and of nature and of economics are eternal in their operation, and, willing or unwilling, we must yield to their inevitable effect. Their grasp even now, Mr. President, is tightening on us.

On July 23, 1864, coming immediately to the rights and wrongs of Italy, President Lincoln wrote to the Italian envoy extraordinary a letter, which is as follows:

I am free to confess that the United States have in the course of the last three years encountered vicissitudes and been involved in controversies which have tried the friendship and even the forbearance of other nations, but at no stage in this unhappy fraternal war, in which we are only endeavoring to save and strengthen the foundation of our national unity, has the King or the people of Italy faltered in addressing to us the language of respect, confidence, and friendship.

I pray God to have your country in His holy keeping, and to vouchsafe to crown with success her noble aspirations to renew, under the auspices of her present enlightened Government, her ancient career, so wonderfully illustrated in the achievements of art, science, and freedom.

How have we kept faith with the spirit of Lincoln in dealing with our steadfast friend?

We have submitted to us a treaty of 430 sections providing for new boundary lines of the greater part of Europe involved in the war. These boundary lines have been traced by diplomats and by international authorities. It is needless to say that whether or not protestations have been made that this is to be a new era, in which relations are to be established upon entirely new and just principles, there begins to be manifest the same selfishness, the same desire to overreach, the same grasp for territory, to cultivate stronger commercial relations with countries that may be advantageous, and to put at a disadvantage those countries which may possibly be commercial rivals.

Thought is had, by looking at this treaty, to the possible future strength and development of even the nations that were associated with us in the war. There is the same desire for a balance of power to promote some nations and to weaken others; the same desire to build up buffer States, to create new countries that may draw from an enemy, that may give commercial ports of entry to some and to deny it to others.

Pursuant to that, the port city of Fiume has been denied to Italy. It is one of the northeastern ports. It is claimed that it is necessary to the new State of Slovakia or the Jugo-Slovak State created under the treaty and the peace league.

For the last 20 years—

Writes an Italian—

My fellow citizens and I have been fighting for the cause of the redemption of Fiume. During the war I was one of those put on trial for implacable irredentism. How I escaped the gallows only adds another to the list of unexplained miracles. Now, I have come to America to make the true voice of my city heard and to make it clear in my official capacity that Fiume craves to be united to Italy. Fiume is Italian by the blood that flows in her veins, the words of her mouth, and the burning desire of her heart!

Fiume has always fought against foreign oppression. She was a part of Hungary, but as a "separate body." Hungary was composed of three States—Hungary proper, Croatia, and Fiume. The victory of the Italian Army severed this union and Fiume regained her independence. On the 30th of October, 1918, four days before Austria signed the armistice, Fiume unanimously declared her union with Italy, thus repeating her own history.

This is an article from the Journal of American History, on page 72, which I desire to print in full in my remarks without further reading.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

For in 1779 she fought against the proposed annexation of Croatia, and in 1868 obtained recognition of her peculiar position as a free and independent city, united to Hungary in a temporary way, but a State in herself.

In so far as her self-determination is concerned, she counts on the sympathetic encouragement of America. In Fiume all the mayors, all the deputies, the members of the municipal council, of the chamber of commerce, and of the courts have always been Italian. This being the case, they think themselves free to dispose of their own fate, and who can deny them the right of joining their mother country?

We hear people say that if Fiume is united to Italy the populations of the interior will not have an outlet to the sea. This is not true. Jugo-Slavia has excellent natural harbors between Buccari and Carlopago. It is not at all necessary to sacrifice the purely Italian character of Fiume in order to give an outlet to the interior. It is interesting to recall that before the war the commerce of Croatia at Fiume was only 7 per cent of the total commercial output, the rest of the traffic belonging to Hungary. We are not enemies of the Jugo-Slavs, unless they invade our territory. Near Fiume they have the beautiful city of Susak, which they may easily and naturally develop and enlarge. If we can each live within our own boundaries, peace and friendship will naturally follow.

The mayor, the president of the national council, and the deputy of Fiume to the Hungarian Parliament were received in Paris by President Wilson, to whom the situation was clearly explained and the justice of our national aspirations demonstrated. President Wilson and the American delegates expressed themselves as profoundly impressed with their significance; it was even triumphantly reported that the silent Col. House lifted his voice in their favor.

Fiume has a population of 35,000 native Italians. This population rules its own city, and the will of the citizens of Fiume must be seriously considered. We want to be Italians and Italy wants us to be Italians. We are like brothers who are at last reunited after centuries of suffering and struggles.

Mr. SHERMAN. I next read from a book known as Italy's Great War, published in Milan, Italy, in 1914. I read such parts as are material from pages 155, 156, and 157:

Everything we know of the ancient history of Fiume proves the determination of her citizens to remain Italian, a determination which is confirmed by their recent history.

Then, on those pages, after reciting in very brief form the early history and traditions, showing the city to be thoroughly Italian in blood, language, and traditions, it shows the effort made to destroy the Italian tendency.

The rest of these extracts on pages 155, 156, and 157 I desire to have printed, without reading, in order to save time.

The matter referred to is as follows:

When, in August, 1848, the Croatians, who had joined forces with the Austrians against revolutionary Hungary, took military possession of the city of Fiume, their leader, a certain Bunjevac, the representative of the Ban of Croatia, recognizing the nationality of the inhabitants, promised to respect the city's municipal liberties and the use of the Italian language. The people of Fiume, however, knowing that they could not trust the promises of the invader, resisted by every means in their power, nor could their spirit be broken by 19 years of continual oppression. Persecution, imprisonment, bloody measures of repression could not put an end to the repeated protests of the municipality against "any and every annexation to Croatia." Failing to overcome the resistance of the representatives of the people, the Croatian governor tried to influence the people themselves. He drew up a list of electors and invited the citizens to elect deputies to represent them at the Diet of Zagabia. Eight hundred and seventy people voted, and 840 voting papers bore the two words "No one." The attempt was renewed, with a like result, while on a third occasion three-quarters of the electors wrote under the names of the proposed deputies the direction, "Let them protest against any and every annexation to Croatia."

When the Hungarians, who succeeded the Croatians in 1867 and were hailed as liberators, began to make attempts on the national character of Fiume they met with an equally sturdy resistance. It was useless to try to wipe out 20 centuries of Latin civilization in a few years, and the attempt was doomed to failure from the beginning. The Hungarian Government tried to attain its end by colonization. They began by installing a regular army of bureaucrats; the postal and telegraphic services, the customs and tax offices, schools, railways, public works, and banks were all crowded with Hungarian officials. The Government thus created an electorate which could be trusted to obey. This, however, did not suffice. The struggles of daily life only served to strengthen the conscience of the Italians, whose commerce and industries served as so many weapons of defense. The Government then determined to turn its attention to the realm of intellect by making the higher schools thoroughly Hungarian and refusing admission to these schools to all who were not ready to renounce their own nationality and by making the study of the Hungarian language compulsory and appointing Magyars to teach Italian, with the object of corrupting and debasing the language. They also attacked the Italians in the economic field by setting up unfair competition, reducing their profits by means of legal trickery, depriving them of all power of initiative, and opening banks and shops which drained away the economic lifeblood of the "rebels." The Government even went so far as to make its police organize faked dynamite plots, so as to have a pretext for imprisoning those citizens who were the stanchest opponents of its system.

These maneuvers, too, were fruitless. Although the Government so manipulated the list of municipal electors that in 1914 the 6,000 Hungarians who had settled at Fiume during the last years disposed of 1,100 votes, while the other 44,000 inhabitants only had 1,200, the municipality yet contrived to remain Italian.

We see, then, that we have no need of new plebiscites to ascertain the will of the people of Fiume. History, both ancient and modern, shows clearly that Fiume has always desired to be Italian, a desire which is stronger than ever to-day, and she is determined that her sons who left their homes that they might not be forced to serve in the ranks of their oppressors and lost their lives fighting in the ranks of the Italian Army for right and justice and the deliverance of their people shall not have died in vain.

* * * * * * *

The Czech countries are about 7 kilometers from Fiume, and could only be connected with it by means of a passage crossing Austria or Hungary from north to south; a similar passage, though somewhat shorter, would be necessary in order to connect Austria and Hungary with Fiume, the former passage crossing Carniola, the latter Croatia. Such a plan is, however, hardly likely to be taken into serious consideration. The only remaining country which could be placed in direct communication with Fiume is Croatia.

As we have already remarked, we can think of Croatia either as an independent State or as joined to Serbia. In the former case we should have a State numbering at most 3,000,000 inhabitants and possessing very little industry or commerce. Croatia contributed only 4 per cent of the total import and export trade passing through the port of Fiume. How, then, can Croatia lay claim to a great port like Fiume on the ground of necessity or urge that the principle of nationality must be set aside in order to provide her with such a port?

Mr. SHERMAN. I read also from an article by Hazleton on "Fiume, the Italian City," page 13:

The free ports of Fiume and Trieste continued to flourish at the expense of Germany, Bohemia, southern Bavaria, Tyrol, Styria, Carniola, and the other Provinces of Austria diverted their commerce toward the Adriatic, because Trieste and Fiume have about the same relation to the valley of the Danube that Hamburg and Rotterdam have to the valley of the Rhine. Germany, which did not wish or was not able to meet the competition of Trieste and Fiume, compelled Austria-Hungary to abolish the two free ports in the Adriatic. Thus Hungary, bowing to the commercial supremacy of Germany, took away the free port in 1891 and established in its place the so-called free point.

Mr. President, to show the condition in which Fiume is left, what a danger point it is, and what a source of future political and military explosion, I now read from an article in the London Herald, dated May 24, 1919. I wish to say that the copy of the London Herald I now hold in my hand was sent to me by some unknown friend from London. The London Star, of April 14, 1919, containing a purported interview and some account of the activities of W. B. Colver, was wrapped up in the same wrapper and came to my office. I opened them and have both papers. I now read from one of the papers an article of W. N. Ewer, dated Paris, Friday, May 23:

PARIS (Friday).

The news of the resignations of the staff of the American peace delegation has naturally caused a considerable sensation here. Every effort is being made to discount the importance of it. Statements are being made in the press that the whole matter is greatly exaggerated, and that no resignations have taken place because of dissatisfaction with the treaty.

As a matter of fact, my previous message, if anything, understated the position. I have to-day to report still another important resignation. Mr. Williams, the chief expert adviser on Far Eastern affairs, who has been for years chief of the Far Eastern section of the Department of State, has gone because the Shantung settlement was made over his head and against his views.

As regards Messrs. Young and Bowman, the press statements that they have not resigned, but have merely gone home to report, are simply untrue. They have, as I announced, resigned, and their resignations were definitely on the ground that their advice had been ignored on the territorial and economic terms of the treaty, and that they entirely disapprove of its actual terms.

Mr. Williams was appointed Chief of the Division of Far Eastern Affairs on December 31, 1913. He resigned September 1, 1918, and took his place as professor of oriental languages. When the peace commission sailed from our shores, he attended that commission to Paris, where he discharged the duties incident to his position until his resignation, referred to in Mr. Ewer's article. This article in the London Herald continues:

The most foolish stories have been circulated about William Bullitt's resignation, to which the best reply is the actual text of his letter of resignation to President Wilson, which he now authorizes me to publish.

Mr. Bullitt was one of the commissioners named by our President to attend a meeting with the representatives of the Bolshevist government. He was one of three representing this Government. The other two were Lincoln Steffens and George D. Herron. Mr. Bullitt, after considerable had been said in the public press about his resignation, gave to Mr. Ewer at Paris a copy of his letter, which Mr. Ewer cabled to his paper in London. It runs as follows:

MY DEAR MR. PRESIDENT: I have submitted to-day to the Secretary of State my resignation as assistant of the Department of State attached to the American commission to negotiate peace. I was one of the millions who trusted confidently and implicitly your leadership and believed you would take nothing less than a permanent peace based upon "unselfish and unbiased justice."

But our Government has consented now to deliver the suffering peoples of the world to new oppressions, subjections, and dismemberments—a new century of war.

And I can convince myself no longer that effective labor for "a new world order" is possible as a servant of this Government.

Russia—the acid test of good will for me as for you—has not even been understood. The unjust decisions of the conference in regard to Shantung, the Tyrol, Thrace, Hungary, East Prussia, Danzig, and Saar Valley and the abandonment of the principle of the freedom of the seas make new international conflicts certain.

It is my conviction that the present league of nations will be powerless to prevent these wars and that the United State will be involved in them by obligations undertaken in the covenant of the league and the special understanding with France.

Therefore the duty of the Government of the United States to its own people and to mankind is to refuse to sign or ratify this unjust treaty, to refuse to guarantee its settlements by entering the league of nations, to refuse to entangle the United States further by an understanding with France.

That you are personally opposed to most of the unjust settlements and that you accepted them only under great pressure is well known. Nevertheless, it is my conviction that if you had made your fight in the open instead of behind closed doors, you would have carried with you the public opinion of the world, which was yours. You would have been able to resist the pressure and might have established that "new international order based upon broad and universal principles of right and justice" of which you used to speak.

I am sorry you did not fight our fight to a finish, and that you had so little faith in the millions of men like myself, in every nation, who had faith in you.

Very sincerely, yours, WILLIAM C. BULLITT.

This reflects in some degree the danger spots attendant upon the league of nations and the peace treaty, of which Fiume is but one.

The London Globe on April 26 contained the following caustic comment upon these transactions:

What might have been expected from the way in which affairs have been conducted in Paris has at length come to pass. The futile and impossible league of nations and the 14 points have formed the foundation of the discussions and now their instability is being amply demonstrated in several directions. Instead of concluding a drastic and enduring peace, Mr. Wilson and our delegates, who seem to have been as wax in his hands, have busied themselves with dreams of the millenium, and these have proven themselves of such stuff as dreams are made of. Now, they have struck a nasty snag in Fiume, and they are brought up suddenly against realities. The awakening is not pleasant, and Mr. Wilson betrays his realization of the fact by a wildly insolent attempt to go behind the Italian delegates to the Italian people. This is presumptuousness run mad.

Again, from the London Standard of the same date another article of a like tenor is noted. This I will not read, but ask that it be printed in my remarks without such reading.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

[From the London Standard.]

Obviously, if the future is so uncertain, the instinct of self-preservation must come into conflict with Wilsonian idealism. We in England know with what feelings we received the suggestion that the British Navy should abdicate its functions. The French feelings, with regard to the eastern defensive frontier, and Italian feelings, with regard to the Adriatic, are of a precisely similar character. The league of nations can only succeed if it is based on the confidence of the victorious European powers, and, to speak quite frankly, that confidence can only be gained in one way—by the United States giving absolute guaranties of the willingness to support at any time by force of arms the decisions of the league.

Mr. SHERMAN. Mr. President, Fiume is the principal seaport in the northeastern Adriatic. It is of infinite consequence, both as a matter of defense or of conquest by her enemies, in the future. I have condensed much that can be said on this subject from many documents that are accessible.

In 1914 it did not appear Italy was so situated as to be induced to enter the war against Germany. Germany had fortified herself by secret treaties and intrigue until the Central Powers regarded themselves safe on their Italian frontier. The Italian Government in 1914 was averse to entering the war. Public sentiment in 1915 virtually drove a neutral Government from power. It is possible that to call it a neutral Government understates the case. Strong evidence exists that some, at least, of the dominant officials were pro-German. At least sufficient influence could be exerted by that Government to keep Italy neutral and relieve the Austro-Hungarian frontier of the need of an army on that border. In 1915 the neutral officials were ousted and Italy entered the war with the allied and associated powers against Germany and Austria.

When Italy cast her strength into the war against the Central Powers it was a vital decision. Five million Italian soldiers created a battle line from the Alps to the sea; 500,000 dead and 1,000,000 wounded with $13,000,000,000 expenditure testify to the greatness of the Italian sacrifice. The battle line on the Austrian frontier reacted on the German advance in eastern France from Lorraine to the English Channel. Germany was compelled to withdraw soldiers, artillery, and war supplies to strengthen Austria in her struggle against the new enemy on her southern flank. A neutral Italy would have left the dual empire free to send its military forces to strengthen Germany and enable the latter power to concentrate instead of compelled to divide her forces in the drive toward Paris and the channel ports. Italy's casting her lot, therefore, with the allied powers marks a decisive event in the fortunes of war. It ranks with the entry of the United States in the Great War against the Central Powers.

Italy sat at the peace table knowing that she merited recognition commensurate with her sacrifice. Prior to her entering the war in 1915 a treaty was concluded, dated April 26 of that year, with Great Britain, France, and Russia. Under its terms the peace treaty entitled Italy to receive the district of Trentino, the entire southern Tyrol to its natural geographic boundary, the River Brenner, the city and suburbs of Trieste, Goritzia, and Drabisca, all of Istria to Quarnero, including Volosca and the Istrian islands of Cherso and Lussino, and

also the smaller islands of Plavnik, Unia, Canidole, Palazzuolo, San Pietro dei Nembi, Azinello, and Grutzo, together with the neighboring islands.

Mr. President, I wish to insert in the RECORD, without reading, articles 4, 5, 6, 7, 8, and 9 of what is known as the London pact or treaty of 1917.

The PRESIDENT pro tempore. Without objection, leave is granted.

The articles referred to are as follows:

ART. 4. Under the imminent treaty of peace Italy must receive: The district of Trentino; the entire southern Tyrol to its natural geographic boundary, the River Brenner; the city and suburbs of Trieste, Goritzia, and Gradisca, all of Istria to Quarnero, including Volosca, and the Istrian islands of Cherso and Lussino, and also the smaller islands of Plavnik, Unia, Canidole, Palazzuolo, San Pietro dei Nembi, Azinello, Grutzo, together with the neighboring islands.

ART. 5. In the same manner Italy is to receive the Province of Dalmatia in its present form, with the inclusion within its limits on the north of Lissariki and Trebino, and on the south of all lands to a line drawn at Cape Planca to the east along the watershed in such a manner that in the Italian domains shall be included all the valleys along the rivers flowing into Sebiniko, such as Chicollo, Kerka, and Butisnitza, with all their tributaries. In the same way Italy is to receive all the islands located to the north and west of the shores of Dalmatia, beginning with the islands of Premua, Selva, Ulbo, Skerd, Maoñ, Pago, and Puntadura, and farther to the north, and to Meled on the south, with inclusion therein of the islands of St. Andrew, Buzzi, Lissa, Lessino, Tercola, Curzola, Kaisa, and Lagosta, with all the islands and bluffs belonging to them, as well as Palagozza, but without the islands of great and little Zirona, Bua, Satti, Brazza.

ART. 6. Italy shall receive in full right Vallon, the islands of Sasseno, and a territory sufficiently extensive to safeguard them in a military way, approximately between the River Voyuss on the north and the east, and to the boundaries of the Schimar district to the south.

ART. 7. On receiving Trentino and Istria in accordance with article 4, of Dalmatia and the Adriatic Islands in accordance with article 5, and the Bay of Vallon, Italy is obligated in the event of the formation in Albania of a small autonomous neutralized State, not to oppose the possible desire of France, Great Britain, and Russia to redistribute among Montenegro, Serbia, and Greece of the northern and southern districts of Albania. The southern shore of Albania from the boundary of the Italian district of Vallona to the Cape of Stilos is subject to neutralization.

Italy shall have the right to conduct the foreign relations of "Albania." In any event, Italy obligates herself to leave certain territory sufficiently extensive for Albania, in order that the boundaries of the latter are contiguous on the west from Lake Ochrida to the boundaries of Greece and Serbia.

ART. 8. Italy is to receive in full right all the islands now occupied by her at Dodekez.

ART. 9. France, Great Britain, and Russia in principle recognize the interests of Italy in preserving the political balance in the Mediterranean Sea, and her right to receive on the division of Turkey an equal share with them in the basin of the Mediterranean, and more specifically in that part of it contiguous to the Province of Adalia, where Italy had already obtained special rights and has developed certain interests vouchsafed to her by the Italo-British agreement. The zone subject to transfer to the sovereignty of Italy will be more specifically defined in due time, and in correspondence with the vital interests of France and Great Britain. Likewise the interests of Italy must be taken into consideration, even in the event the territorial inviolability of Asiatic Turkey shall be sustained by the powers for a further period of time, and if only redistribution of spheres of influence is to take place. Should France, Great Britain, and Russia in the course of the present war occupy certain districts of Asiatic Turkey, the entire district adjacent to Adalia, and herewith more specifically defined, shall remain with Italy, which reserves for itself the right to occupy the same.

Mr. SHERMAN. Certain other provisions, which I shall not insert in the RECORD, provide for compensating territorial advantages in Libya, Arabia, and Africa. They secured the Italian frontier. Article 16 requires the treaty to be kept secret.

Undoubtedly this treaty was the controlling powerful inducement for Italy to declare war. It is now criticized because all secret treaties are supposed to have fallen under the ban. Russia in her present domestic condition is no longer a factor in the present peace. Great Britain and France, however, sat at the Paris conference with Italy's representative. It is difficult to resist the conclusion that those two powers hailed the advent of President Wilson, breathing lofty international moralities and clad in the glittering armor of his defunct 14 points, as a means of escaping a diplomatic embarrassment.

Our President had denounced and still denounces secret treaties. That denunciation is continued in the league of nations. I share in the dislike of such diplomacy in the future relations of civilized powers; but I can not reach that ultra level of morality that condemns a secret treaty, after having received its benefits and permitting the beneficiary to retain all the advantages and repudiate the promise, unless there is something essentially unjust against the laws of civilized nations or exhibiting moral turpitude. At the time of the London Pact in 1915, on the contrary, I find nothing so to condemn the vital articles of the treaty. At that time and for many years Germany had by intrigue, secret treaties, and clandestine communication with various powers sought to rivet her control not only on Europe but had entertained dreams of world conquest. Germany's foreign intrigues were conducted with profound secrecy. They had instigated racial and class warfare in countries they could not bring under their sway. Sedition and rebellion were familiar instruments in their hands to break down unfriendly nations. Germany's sole purpose is now well known to have been a long, covert, sinister preparation not only by military force but by scandalous treaties and intrigue before the war began in 1914. There is no diplomatic immorality in combating Germany with secret treaties. Great Britain, France, and Russia were justified in making with Italy the secret treaty of 1915. It is hypermorality to insist that Germany's self-created enemies must observe the rules of open diplomacy and tread the narrow and elevated path of the new international code, leaving Germany free to intrigue, rob, and destroy in whatever manner she pleases. I believe in fighting his satanic majesty with such diabolic instruments as will remove the menace presented.

The London Pact must be tested by the character and conduct of the enemy and the circumstances of the struggle. I believe the rules of warfare, the laws of international morality, and a common humanity justify gathering strength against such a public enemy even by using some of Germany's methods. In these circumstances the London treaty of 1915 was made. It gained for the Allies the Italian Nation. It was not merely Italy's military and naval strength she cast into the scale against Germany. I repeat, it was the creation of a battle line on Austria's southern flank, which drew from the eastern front in France strength then vital to German success. The morale of the Allies was strengthened beyond the estimate.

In the foregoing situation President Wilson condemned the London Pact and denied the duty of Great Britain and France under its provisions to give Italy her frontiers guaranteed in that treaty and declaimed generally against the iniquity of secret treaties.

Mr. THOMAS. May I ask the Senator whether Fiume was included in that secret pact?

Mr. SHERMAN. No; it was not.

Mr. THOMAS. That was my understanding.

Mr. SHERMAN. The Senator is right. I will come to that in a moment. It was a part of Hungary at the time the war broke out and up to the present and until the treaty of peace has been concluded and other disposition made of it.

If our President had not injected himself and the United States Government into the conference against the treaty, Italy would have received the guaranteed boundaries and territories for which she has performed a full service. There is no moral turpitude nor essential wrong in giving Italy the entire benefit promised in the treaty.

The ninth of President Wilson's points in his address to Congress on January 8, 1918, declares:

A readjustment of the frontiers of Italy should be effected along clearly recognizable lines of nationality.

It is possible that when the President delivered this message he did not know of the London treaty of 1915, affecting Italy's frontier. Let that be assumed, although I doubt whether he lacked such knowledge. It was generally understood as early as 1916 that such a treaty existed and was the prevailing motive that carried Italy into the war for the Allies. This one of the 14 points is lamentably executed. Another idealism wrecked. I am in accord with the invalidity of secret treaties applied to future transactions, but I can not arouse my indignation over secret treaties which were vital steps in overcoming a treacherous public enemy, whose methods were without restraint either by common humanity or by any known rule of diplomacy or civilized warfare. I find it impossible to attain the sublime moral frenzy into which our President works himself when entranced by his ethereal phrases adapted only to the high altitude of the politically sanctified. I believe Italy is entitled to the full measure promised her in the 1915 treaty.

In the absence of such benefits Italy's claims at the hands of her allies have not been equitably met. Disappointment and ingratitude are the lot of Italy at Paris in return for her great sacrifice. President Wilson is responsible for Italy's exclusion from the fruits of victory. She lies on the tidewater of the Mediterranean, with the Adriatic Sea extending along her eastern and northern border. Within her boundaries and beyond in other countries are the Alps. In that mighty chain of mountains to her east and northeast are the ancient and historic passes through which Asiatic and eastern invaders have for thousands of years poured their warlike hordes on the frontiers of western Europe. The Alps are nature's defenses. The passes are the natural gateways and are supremely vital to the defenses of Italy. Through these passes came the great Slavic invasions in the fourth and fifth centuries. Their silent wails, if their stony lips could speak, would tell when Attila, the scourge of God, marched with his legions to subjugate western Europe and destroy Christendom. They would record the inva-

sion of the Ostrogoths under Theodoric, when the flood of Asiatic barbarism again poured over western Europe. These silent witnesses saw the great Hun invasion in 943 A. D. Italy's defenses can not be safe by merely making the shore line of the Adriatic her northeastern and southeastern boundaries. It would compel her to maintain a navy at tremendous expense far beyond what ought to be imposed upon her.

All the great Alpine basin, whose waters flow into the Adriatic Sea, is Italian territory. Those mountain heights and valleys, reared by the Omnipotent in imperishable majesty and beauty, are Italy's. The hand of God traced her everlasting boundary lines in the snow-crowned peaks and sunlit swiftly-flowing rivers that fall into the great Italian sea.

Along the eastern shore of the Adriatic is a narrow belt of coast land about 210 miles long and from 1 mile to 35 miles wide. This zone of fairly level plain is bounded on the east by the Dinaric Alps, an almost continuous precipitous wall of rugged mountains, rising in places in cliffs 6,000 feet above the sea level. This mountain chain is Italy's eastern defense. The Adriatic, unless fortified and manned by a formidable navy, is the facile highway for attack. The nation that owns or controls the plain between the Alps and the Adriatic commands, when fortified, Italy's Adriatic boundary. It is a perpetual menace. Dalmatia is of consequence in the future of Italy. Passing north along the shore line the Istrian Peninsula suggests the port city of Fiume, the storm center of controversy at the peace conference.

Anciently Fiume was a part of Venice. In the age of that city's commercial glory, when she commanded respect by her wealth and power, Fiume dwelt in the overflow of her plenty and magnificence. She continued Italian until the Corsican, wielding the military strength of France, became the dispenser of thrones and gave territory to his military allies. Napoleon delivered Fiume with certain adjacent country to Austria. It remained a possession of the dual empire until Austria-Hungary toppled with Wilhelm II to defeat. When the London treaty of 1915 was concluded the dissolution of the Austro-Hungarian Empire was not foreseen. The results of such a division of territory were not undertaken to be anticipated. Fiume was a part of Hungary. It therefore, with the change in spirit and effect, has become a part of Italy's guaranteed frontier if she is to be protected on her Adriatic boundary as France is to be guaranteed against German aggression by the provisions of the treaty respecting the Rhine and the limitation on fortified posts. If France is given Alsace-Lorraine, Italy ought to have restored to her her Italia irredenta and be given Fiume, as her people ask.

Anciently Hungary was composed—down to the time of this treaty—of Hungary proper, of Croatia, of Fiume, and the adjacent district appurtenant to and subject to the free city of the earlier days of Fiume. Various smaller countries, including Croatia-Slavonia, are created into the Jugo-Slovakia State. If there is anything in self-determination, the city of Fiume, 75 per cent Italian, belongs to Italy and ought by simple justice alone to have been given her by the treaty agreed upon at the Paris conference.

The various racial and political elements of the Jugo-Slavic government can not be fused into a homogeneous unit by a mere decree of the Paris conference. No covenant of the league of nations will obliterate the ancient feuds that have divided and reddened the Danube Provinces from Belgrade to Salonika. Tranquillity on Italy's Adriatic border, she knows full well, is not secured by the league of nations fiat. Italy takes counsel of human experiences. Her history reaches through many centuries. Her experiences with the nations of Europe abundantly justify her in asking adequate security for her boundary lines now. Since 1915 she can not forget that Croatian soldiers under Austrian colors fought Italian troops savagely. The Croatian forces carried spiked war clubs that would have done honor to a native of equatorial Africa or a Modoc Indian in North America. Italy knows the character of her eastern Danube Province neighbors. She believes in the peace league, as we do, and in adequate guaranties, as France believes, as evidenced by the treaty now pending in this Chamber, that will convince some of the restless population constituting the Jugo-Slav State and the Germans of future days that Italy possesses strength out of which a defense can be made. She has no faith that the Jugo-Slav State is so constituted that Italy will be well able to defend her frontiers unless the security claimed is given.

Fiume is the port city of the northeastern Adriatic. It is the converging point for the trade of the eastern interior. Its prospects for commercial importance are encouraging, and, with the blessings of peace, it will gather to itself commercial strength. The city is Italian in blood, language, and tradition. Italia irredenta from the Trentino to the south shore of Dalmatia is at least 65 per cent Italian by the ordinary tests applied in race analyses. Fiume in December, 1918, had a total population of 46,264, with 35,000 Italians. The vote of its people praying for union with Italy, taken October 30, 1918, less than two weeks before the armistice was signed, declared by an emphatic majority for that amalgamation. Self-determination, which has been a favorite solution of the problem on the lips of others, is invoked by Italy in vain. President Wilson turned a deaf ear to Italy, and Great Britain and France, somewhat relieved to have our Government assume responsibility, silently acquiesced. I should like to have seen Lloyd-George's face when he acquiesced or allowed it to pass unchallenged. I believe if he could have been observed, the honest Welshman would have been seen to blush.

Therefore Italy is told she can not profit by secret treaties for which she has paid the price in blood and a supreme good faith in keeping Italian national honor. She loses a commercial port and a naval base by a single stroke of the Wilson pen. Her northeastern defenses against future enemies are untenable under the settlement made by the Paris conference. A few days ago Croatia rebelled against her status in the new government. She demanded independence. The revolt was quelled, it is true, but its population is restless. There is no guaranty to Italy of stable conditions on her northeastern Adriatic shore, with Fiume in other hands.

The swiftly marching logic of events, Mr. President, is too fast even for our changing President. Haiti is in a state of chronic domestic insurrection; a revolution occurred in Peru on the 4th of July, as I have indicated in remarks previously made in this Chamber; Croatia rebelled and demanded independence from the Jugo-Slovak Government that she claimed was riveted upon her by the peace treaty. Colombia is now demanding $25,000,000 for her good offices if she is to remain friendly. I note that she is one of the 13 invited nations; and now, before the peace treaty is concluded or the league of nations ratified, is demanding that settlement be made. She is prudent as well as thrifty; she believes in collecting in advance; and so far as her good offices are concerned, they are strictly C. O. D.

The new Jugo-Slav Republic is an experiment. More than the ordinary uncertainty attending the launching of a new State inheres in the undertaking. The population included in the limits of this new State are not homogeneous. They are of diverse racial origin, language, religion, and ideals. While generally of the Caucasian race, there is a decided strain of Turkish blood in some of the people of this newly created State. There is another equally perceptible strain of Mongolian origin. Nowhere in all Europe can there be found such mingled strains of blood or such a hybrid population as here is sought to be welded into this new State. Their language is not alike; many dialects of the same language are spoken, and more strains of blood can be found in the population of the proposed new State than in any other population sought to be united under the flag of a single government.

The attempt to fuse such a polyglot people into a self-governing State is characteristic of the indifference exhibited in the league of nations for actual as against idealistic conditions. It is a magazine charged with all the elements of potential explosion. A large portion of its people are accustomed to an unsettled life consequent upon unstable surroundings in the frequent local wars which have prevailed there and devastated their country for many years. That element is not disposed to the tranquillity of private occupation. They are more or less inured to violence, and are of nomadic habits. The foundation for stable government is not there, and the prospects are not reassuring. Italy can not be criticized for wishing a strong frontier against such a restless neighbor, whose presence upon the Adriatic border of Italy practically constitutes another Mexico—and we all know what Mexico on our own border means.

Fiume is not the natural seaport for the larger part of this region. The cities east and southeast, more than a dozen in number, with over 500 miles of coast line, give access to the sea. Among these ports are Spalato and Cattaro. Both these ports are reached by railway connecting with Bosnia, Herzegovina, Slavonia, Serbia, and the hinterland. It is claimed this region of the Jugo-Slav State requires Fiume for the passage of its commerce. The groundlessness of this contention is exposed by showing that only 13 per cent of the imports and exports passed through Fiume before the war, while Croatia, the adjacent Province to Fiume, sent only 7 per cent of her entire imports and exports through this entrance to the Adriatic.

Fiume has been a separate body politic, annexed, however, to the Hungarian Crown. It has not been a part of Croatia. The

Hungarian Parliament in 1868 declared the right of Fiume, the city, the harbor, and the district to be such. Croatia on November 16, 1868, by its Diet, after full debate, accepted the Hungarian law, declaring Fiume a separate municipality or district by an almost unanimous vote. That vote has never been repealed or otherwise reversed.

It seems idle for Croatia and her Jugo-Slav associates now to set up claims to the city. Fiume is not only traditionally Italian, but her blood, customs, and soil have been Italian in act or spirit for centuries. While annexed to Hungary it was an artificial union, brought about by military force, which has never extirpated the Italian character. Therefore Italy is justified, when the Austro-Hungarian artificial jurisdiction founded upon force is destroyed as a result of the war, in asking to resume the natural relations subsisting between Fiume and the mother country.

Shantung is given Japan pursuant to a secret treaty exacted by the latter power in 1917 and notes of 1915 and 1918. It was the price of Japan's permission to China to declare war with the Allies and a part also of the price of Japan's nominal participation in the war. Japan's sacrifices are unworthy of mention with those of Italy. She watched the progress of the great war with an eye somewhat single to her own advantage. Her military forces fought the German in Shantung to seize the proceeds of Germany's robbery of China. Neither international law nor the new code of international morals based on the condemnation of secret treaties can justify the plunder of China. The league of nations and the peace treaty will be condemned by the impartial historian for the sanction of this flagrant crime. President Wilson brands his denunciation of secret treaties with insincerity when he refuses Fiume to Italy, after her heroic sacrifices, and in obedience to secret treaties delivers Shantung to Japan, despite her course of studied selfishness in the Great War.

I fail to understand, Mr. President, why in the case of Japan a secret treaty is sanctified, while in the case of Italy it is condemned. I can explain it in no other way than by saying that Japan has become the Prussian of the Orient, and it was desired to placate her at the peace conference.

Italy is awakening to new life. She begins to show a resurrection of her mighty powers manifested through the centuries. Her Mediterranean and Adriatic ports are adapted to be gateways for an extensive commerce. With the danger of the dual empire and restless provinces on the east removed, she can again develop into a large factor in Europe. With the common peril to the Allies removed, it is difficult to resist the conclusion that Great Britain watches with jealous eye the chance of every European nation to divide her supremacy in foreign trade and merchant shipping. When the piping days of peace return, Great Britain, as of old, will look after her own affairs to the exclusion of all other countries.

Mr. MOSES. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Illinois yield to the Senator from New Hampshire?

Mr. SHERMAN. Yes, sir.

Mr. MOSES. In that connection, I should like to ask the Senator if he intends to touch upon the situation which exists in the port of Fiume, where the great Cunard Steamship Line has already been established for several years, and where it is likely, if the port should pass into the hands of Italy, that those natural sailors, the Italian race, would give British shipping a close contest; whereas if Fiume remained, as is now proposed, in the hands of a new and small and weak and undeveloped nation, the Cunard Line, flying the British flag, would not be interfered with in its operations in Fiume.

Mr. SHERMAN. I thank the Senator for the suggestion. I had not intended to comment upon this phase of the question, although it is a very material one for future discussion.

With Fiume handed over to the league of nations as a mandatory trust to be administered by four or five out of the nine on the council, or in the hands of a weaker nation with no foreign commerce, and especially under the provisions of the treaty, Great Britain's influence in that port will be paramount. That is a part of her far-seeing policy. If I were an Englishman I would not criticize it, but as an American I do. I believe it to be part of her coming struggle to control the merchant shipping and the foreign commerce of Europe, as she has done for many centuries. Her people, she being at home an island empire, are a sea-faring people. The flag of her merchant shipping goes to the ports of every country. Both her regular lines of shipping and her tramp steamers are found wherever there is a commerce to gather. Following her well-known disposition therefore to take care of her commerce, to gather into her treasury and into her markets all that there is in Europe and in the Far East, she looks with an eye single to her own advantage upon the placing of Fiume in the hands of the league of nations to be administered under four-year limitations, with a vague promise that some time in the future it will be returned to Italy. As the Senator from New Hampshire suggests, with Italy in control, with Fiume an Italian port, Italy would have the advantage and not the British Empire; and this is where we, acting under the lead of our President, are expected to pull the British chestnuts out of the commercial fire of the future.

I again thank the Senator for the suggestion, as it is a very pertinent one in this connection, and I wish I had time not only to investigate it but to comment upon it at some length.

Italy is practically ignored in the material benefits apportioned to the Allies in the treaty. The reparation commission is controlled by those who inflict upon her this humiliation. England and France are the large beneficiaries of German indemnities. Italy is excluded. There can be no reply to her modest claims, fortified by the wish of the people of Fiume to be returned to their own people. It is no compensation to reply that Fiume is to be converted into a mandatory city, held by the league or some of the principal member powers. Like Shantung, to delay is to deny. If it can not be given now to Italy, if ingratitude manifests itself at this early stage, it will mature into open hostility at the end of any given period when Italy claims, by the self-determination of the people and her own rights, the annexation of the city.

By this treaty we leave Italy with Jugo-Slavia, another Mexico, on her east-northeastern front. Not by my vote will I so requite our loyal associate in a common peril for her faith and her sacrifice. This great nation must be dealt with in terms of justice. Her men died amid Alpine snows, on the Piave, and in Macedonia. They fought in Siberia, in Lybia, within sight of Jerusalem's holy memories, and where Nineveh's crumbling walls tell of the unspeakable vanity of all human things. With one-thirty-second of the area of continental United States and one-third of our population, she sent 5,000,000 soldiers to bear arms under the colors of Italy and prove, not alone their allegiance to Victor Emanuel III and their country but their supreme faith in us and our associated nations. The epic of Italian heroism is written in blood from eastern France to the Holy Land, from the Baltic to the Sea of Galilee. Her unrequited faith and service cry from the Paris conference to this Senate Chamber for American justice. A league of nations born of repudiation of Italy's claims and the spoliation of China is cursed from birth with an irredeemable outrage on the rights of two ancient and friendly powers.

THE BROTHERHOOD DEMANDS.

Mr. THOMAS. Mr. President, I ask unanimous consent to have inserted in the RECORD an editorial from the New York Times of this date, entitled "The brotherhood demands." I had intended to accompany the offer with two or three reflections upon those demands; but, owing to the Senate's impatience to adjourn, I will postpone that until to-morrow.

The PRESIDENT pro tempore. Without objection the editorial will be printed in the RECORD.

The matter referred to is as follows:

[From the New York Times of Monday, Aug. 4, 1919.]

"THE BROTHERHOOD DEMANDS.

"Capital and labor by cooperating for the full measure of production can maintain the present prosperity of the country's industries, can maintain wages at the prevailing high rate; and increased production is the one sure way to reduce the cost of living. It is in the power of capital alone or of labor alone to destroy prosperity and to compel not merely the reduction of wages by widespread unemployment, but loss of wages through the enforced closing down of industries.

"The chiefs of the railroad brotherhoods have most unwisely taken a step, the nature and certain effect of which we are sure they have not sufficiently considered, for the success of their design would entail consequences from which they and the country may well pray to be delivered. The reading of the proclamation of purpose in which they demand the Government ownership of the railroads convinces us that Samuel Gompers should be here, not in Amsterdam, for his wiser mind and experienced eye would have detected the fallacies and false teachings ingrafted upon the document, evidently by that insidious influence which for many years has been trying to wrest from him the control or guidance of organized labor in this country. The demand of the brotherhoods is based upon the delusion that by operating the railroads 'democratically' by a board of 15 members, in which labor, the operating officials, and the public should have equal representation, increased efficiency would be assured, 'enormous' savings ef-

fected, rates reduced, and 'a share of the surplus at the end of each year' would be available for distribution among the wage-earning force. Human experience disproves this assumption altogether, and our present disastrous venture in Government operation of the railroads trumpets forth a warning that all but the deafest ears have heard against any further experiments of that nature.

"The plan of the brotherhoods commits the railroad into the joint control of politics and labor. The Government-appointed members of the board would inevitably and at all times be most solicitous to placate the labor members, and the two elements together would control railway policies. The chiefs of the brotherhoods may deceive themselves by the attempt at reasoning which they address to this point. They will not convince or deceive the public. Upon the great public of taxpayers would devolve the duty to make good the enormous deficit sure to accrue from the control of the lines in the interests of politics and labor, just as it falls upon them now. Instead of a billion or so a year, the cost assessed upon the taxpayers would rise to two or it may be to three billions a year, and for a service far inferior to that under private operation.

"The brotherhood chiefs seek the enforcement of their purpose through duress upon Congress and the country. They use the language of menace, as they did three years ago. They declare that 'the employees are in no mood to brook the return of the lines to their former control.' We are sure that on reflection they will see that these words are ill advised. It is an occasion for candid counsel and not for threats, and the Government, capital, and the country were never in a mood to be more considerate of the interests and the just demands of labor. Besides, they will not win by truculence. It is untimely. The country has just held a practical referendum on this very question, and the answer is a thundering demand for the return of the lines to private operation. We are told that the brotherhoods control 2,000,000 votes. Well, if the suffrage amendment goes into effect in time there will be 30,000,000 voters in the United States at the next election. Make their 2,000,000 votes 6,000,000, and they will still be overwhelmingly beaten on this issue.

"No party will be cowardly enough or reckless enough to invite disaster by yielding to this demand. Have the brotherhoods forgotten that they very nearly elected a Republican President in 1916 by the course they took to force the eight-hour law to enactment? In August Mr. Wilson's election was sure. The Republican Party had been rent asunder by the Progressive division of 1912. That it would be reunited and elect its candidate was considered impossible. The threat of the brotherhoods to paralyze the industries of the whole country by a strike and the unheard-of audacity of the methods they adopted in their dealings with the President and with Congress changed in a week the whole face and outlook of the campaign. In November the great industrial States, Ohio excepted, cast their votes for Mr. Hughes. After a period of harassing doubt it was known that Mr. Wilson had been elected by the votes of California, where the blame for an unlooked-for result was put in part upon HIRAM JOHNSON and in part upon the blunders of the Republican management. A change of less than 2,000 votes in that State would have defeated the party that yielded to the brotherhoods and made the Adamson bill a law.

"Party prudence and economic safety call now not for yieldings, but for the firmest resistance to the demand for running the railroads in the interest of a class at the cost of the whole people. There must be something more than that. The brotherhoods may sincerely believe in the efficacy of their remedy. It must be demonstrated to them candidly and patiently that they have been badly advised; that the path they have chosen leads to disaster for them and for the country. We trust that the President, profiting by what we have always considered grave errors of judgment in the course he followed three years ago, will now use his powers of persuasion with the railway men to win them from the delusions that possess their minds. The executive and legislative departments are giving earnest consideration to the problems of living cost. That is the surest way to present relief. And the resolve of every American who works either with brain or hand to eschew the dangerous nostrums of socialism and to go about the task of restoring the economic balance by the hard toil of the greatest possible production is the only way to permanent welfare and happiness."

ADJOURNMENT.

Mr. CURTIS. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, August 5, 1919, at 12 o'clock meridian.

SENATE.

TUESDAY, *August 5, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we pause before Thee with reverence and in the spirit of worship seek Thy blessing as we face the ever-increasing demands of life upon us. We pray Thee to save us from the sin of forgetfulness of Thy past favors, from the fatal blunder of the neglect of Thy providence and of Thy care. May we put ourselves more fully in the hands of God, that the conflict of interest and purpose and opinion may come at last into a final adjustment in God's great program of life concerning us as a Nation. Guide us this day and every day by Thy grace. We ask for Christ's sake. Amen.

The VICE PRESIDENT resumed the chair.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

DEMANDS OF RAILWAY TRAINMEN AND RACE RIOTS.

Mr. THOMAS. Mr. President, I desire to give notice that after the conclusion of the remarks of the Senator from Indiana [Mr. WATSON] to-day I shall submit some observations to the Senate upon the recent pronunciamentos of the Brotherhood of Railway Trainmen, with some reference to the race riots in Washington and Chicago.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 2594. An act to extend the time for the construction of the Broadway Street Bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark.;

S. 2595. An act to extend the time for the construction of the Main Street Bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark.; and

H. R. 3854. An act for the repeal of the daylight-saving law.

PETITIONS AND MEMORIALS.

Mr. LA FOLLETTE. I present a joint resolution passed by the Legislature of the State of Wisconsin relating to recognition of the services of soldiers, sailors, and marines. I ask that the joint resolution be printed in the RECORD and referred to the Committee on Military Affairs.

The joint resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Joint resolution urging Congress to pass the bill introduced by Hon. MARVIN JONES relating to recognition of the services of soldiers, sailors, and marines.

Whereas it is fitting and proper that the character and spirit of the patriotic services of the soldiers, sailors, and marines of the United States in the war against Germany and its allies be appropriately recognized and that their financial sacrifices be, in a measure at least, repaid; and

Whereas the men who made up the armed forces of the United States came from each State of the Union, therefore their services and sacrifices should be recognized and provided for by the Federal Government to assure all a uniform and adequate compensation; and

Whereas there is now pending in the Congress of the United States a bill introduced by the Hon. MARVIN JONES which provides that each soldier, sailor, and marine shall receive a $50 4 per cent Government bond for each month's service or major fractional part thereof in such war; and

Whereas such provision should be a substantial recognition of such services and sacrifices and would be greater than this State or any other State contemplates as compensation therefor: Now, therefore, be it

Resolved by the assembly (the senate concurring), That the Congress of the United States be respectfully urged to enact such bill into law at the earliest possible time and that each United States Senator and Representative in Congress from this State be earnestly requested to use his best efforts to secure the early passage of such measure; and be it further

Resolved, That a suitable copy of this resolution, properly attested, be transmitted to the presiding officer of each House of the Congress and to each United States Senator and Representative from this State.

RILEY S. YOUNG,
Speaker of the Assembly.
C. E. SHAFFER,
Chief Clerk of the Assembly.
EDWARD F. DITHMAR,
President of the Senate.
O. G. MUNSON,
Chief Clerk of the Senate.

Mr. LA FOLLETTE. I also present a joint resolution passed by the Legislature of the State of Wisconsin, urging the enactment of legislation providing additional compensation for soldiers, sailors, and marines who served in the war against Ger-

many, Austria, and their allies. I ask that the joint resolution be printed in the RECORD and referred to the Committee on Military Affairs.

The joint resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Joint resolution urging the Congress of the United States to enact legislation providing adequate compensation for soldiers, sailors, and marines who served in the war against Germany, Austria, and their allies.

Whereas most of our soldiers, sailors, and marines in the war against Germany, Austria, and their allies sacrificed at a considerable financial loss established business connections and positions in agricultural, industrial, and other enterprises to serve their country; and

Whereas there is in this State and other States a desire and a strong purpose to fulfill the moral obligation, which they recognize, to compensate, in a measure at least, their soldiers, sailors, and marines because of loss so sustained and sacrifices so made; and

Whereas despite this strong desire and purpose this State and other States, because of constitutional inhibitions, have found it difficult, if not wholly impossible, to enact the necessary legislation to carry out their desires and purposes in this important matter: Therefore be it

Resolved by the assembly (the senate concurring), That this legislature respectfully memoralize and urge the Congress of the United States to enact such legislation as may be necessary to adequately compensate soldiers, sailors, and marines for financial losses sustained and financial sacrifices made by them during the period of their valiant and heroic service to their country; be it further

Resolved, That a suitable copy of this resolution, properly attested, be transmitted to the President of the United States, the presiding officer of each House of the Congress, and to each United States Senator and Representative in Congress from this State.

RILEY S. YOUNG,
Speaker of the Assembly.
C. E. SHAFFER,
Chief Clerk of the Assembly.
EDWARD F. DITHMAR,
President of the Senate.
O. G. MUNSON,
Chief Clerk of the Senate.

Mr. PHELAN presented a petition of Local Lodge No. 102, Knights of Pythias, of Covina, Calif., and a petition of Moving Picture Operators' Local Union No. 297, of San Diego, Calif., praying for the ratification of the league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. MOSES presented a memorial of Local Grange No. 273, Patrons of Husbandry, of London Center, N. H., remonstrating against the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. NEWBERRY (for Mr. TOWNSEND) presented a memorial of the Live Stock Association of Detroit, Mich., remonstrating against the passage of the so-called Kenyon-Kendrick bills providing for Federal control of the meat-packing industry, which was referred to the Committee on Agriculture and Forestry.

Mr. WADSWORTH. I am in receipt of a memorial addressed to the Congress of the United States from the former managing editor of the Stars and Stripes, which was published in France by the American Expeditionary Forces. I think its importance warrants its being printed in the RECORD, and I make that request and ask that it be referred to the Committee on Military Affairs.

There being no objection, the memorial was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

To the Congress of the United States:

In behalf of the six soldiers who made up the editorial council of the Stars and Stripes, and expressing the unanimous and often voiced sentiment of all the men who, from first to last, wrote the text and drew the pictures of that weekly journal of the American Expeditionary Forces, I respectfully urge that the right to use its name as the title of a publication be reserved by law as the property of the United States Army, to be used by that Army if and whenever the need of the Nation calls for another such expedition as gave birth to the Stars and Stripes.

The official publication of the American Expeditionary Forces, which was born in France February 8, 1918, published its final number in Paris on June 13, 1919, a fortnight before the signing of the treaty at Versailles. Its columns announced then what several earlier issues had forecast, that the Stars and Stripes was being hauled down to be folded and put away beyond reach of any trafficker in the publication market. Many proposals to continue it into civilian life—proposals worthy and unworthy, from big men and little—were made to its editors and by them rejected. This rejection had the hearty and explicit support of the Secretary of War and of the commander in chief of the American Expeditionary Forces.

The Stars and Stripes was so true an expression of the spirit of the American Expeditionary Forces and so proudly the property of the troops that no one at all sensitive to their struggle and sacrifice would wish to foster a paper under the same name—under the name of the American flag—in civilian America. It is urged, therefore, that it be bequeathed unimpaired and untarnished to the American Army in time of war; that it be set aside as the rightful inheritance of the writers and artists in the ranks of the next American Expeditionary Forces.

HAROLD W. ROSS,
Formerly Managing Editor of the Stars and Stripes.

—

WAR DEPARTMENT,
Washington, July 18, 1919.

Hon. JAMES W. WADSWORTH, JR.,
Chairman Committee on Military Affairs,
United States Senate.

MY DEAR SENATOR WADSWORTH: When you were in France you undoubtedly saw evidences of the deserved popularity of the Army's newspaper, the Stars and Stripes, among the men of the Expeditionary Forces. The paper was a great financial success as well as a sentimental success in France, and the temptation to utilize the name, with its appeal on a private, commercial, postbellum publication was strong. The young men on the editorial council, however, resolved that the name should die with the paper (unless it were to be revived during an occasion similar to the recent emergency), in order that the fine repute of the publication might not suffer in the future.

It happens, however, that a paper has been started in America with the same name and with an attempt to capitalize the appeal which the Stars and Stripes built up among the American soldiers in France. The original editorial council has prepared a memorial to the Congress, requesting that the right to use the Stars and Stripes as the title of a publication be reserved by law as the property of the United States Army, to be used if and whenever the need of the Nation calls for another expedition as brought forth the paper recently discontinued in France.

They have shown me this memorial, and I have taken the liberty of telling them that in sending it to you they might say that it went with my hearty approval and indorsement.

I attach hereto also a cablegram from Gen. Pershing, indicating a similar feeling on his part.

Cordially, yours,
NEWTON D. BAKER,
Secretary of War.

—

[Copy of cablegram received at the War Department, Washington, D. C., June 8, 1919, 9.05 p. m., from headquarters American Expeditionary Forces to The Adjutant General, Washington, D. C.]

FOR SECRETARY OF WAR BAKER.

Just received following cable:

"American Legion informed that Stars and Stripes about to be commercially published by Butterick Co., New York, who has engaged Waldo and Rossby. We are strongly opposed, as is also the Secretary of War. With approval of the latter, we request cable from you disapproving commercial publication, in order to facilitate immediate action which we are taking.

"(Signed) THEODORE ROOSEVELT,
" BENNET CLARK,
" HENRY LINSLEY,
" LUKE LEE,
" ERIC WOOD,
National Commission."

Stars and Stripes was created for the purpose of keeping the men of the American Expeditionary Forces informed and for the further purpose of assisting in maintaining the high morale of the soldiers. Unselfishly edited by soldiers of remarkable journalistic abilities and written under the inspiration of the achievements of the soldiers of this Army, it has fulfilled in every way the purpose for which it was created. I seriously doubt if a paper of this character can be maintained except under the conditions which gave birth to this publication. I question the advisability of using the name Stars and Stripes on a journal maintained for any other purpose. I am opposed to its being used on a paper published for commercial purposes.

PERSHING.

NAVAL STATION, PENSACOLA, FLA.

Mr. PAGE. From the Committee on Naval Affairs I report back favorably with an amendment the bill (S. 562) for the relief of occupants of certain premises within the naval station at Pensacola, Fla., and I submit a report (No. 141) thereon. While I think this bill ought to receive immediate consideration, I will not make the motion at this time.

Mr. FLETCHER. I ask unanimous consent for the present consideration of the bill. It is a local matter, and I think we might dispose of it at this time.

Mr. THOMAS. Let the bill be read.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill.

Mr. PAGE. There is an amendment to the bill which I should like to have stated.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. SMOOT. I ask to have the bill go over for to-day.

The VICE PRESIDENT. Objection is made, and the bill will be placed on the calendar.

FLINT RIVER BRIDGE, GEORGIA.

Mr. SHEPPARD. I report back favorably from the Committee on Commerce without amendment the bill (H. R. 7110) extending the time for the construction of a bridge across Flint River in the State of Georgia, and I submit a report (No. 142) thereon. I ask for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by act of Congress approved April 17, 1916, to be built across the Flint River, Ga., by Mitchell County, or by Baker County, Ga., jointly or separately, are hereby extended one and three years, respectively, from the date hereof.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMITH of Arizona:

A bill (S. 2728) for the relief of settlers and entrymen on Baca Float No. 3, in the State of Arizona (with accompanying papers); to the Committee on Public Lands.

By Mr. OVERMAN:

A bill (S. 2729) authorizing the Secretary of War to donate to the city of Asheville, N. C., a captured German gun (with accompanying papers); to the Committee on Military Affairs.

By Mr. McNARY:

A bill (S. 2730) for an addition to the reclamation fund established under the act of June 17, 1902; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. LA FOLLETTE:

A bill (S. 2731) granting a pension to Anton Casper; to the Committee on Pensions.

By Mr. BALL:

A bill (S. 2732) for the relief of Edward H. Dennison; to the Committee on Claims.

By Mr. WADSWORTH:

A bill (S. 2733) to provide for the training of officers of the Army in aeronautic engineering and the issue of equipment and materials therefor; and

A bill (S. 2734) to authorize the transportation of civilians across the Atlantic Ocean upon Army transports under such rules and regulations and at such rates as the Secretary of War may prescribe; to the Committee on Military Affairs.

A joint resolution (S. J. Res. 82) to place certain surplus Army medical supplies at the disposal of the American Red Cross; and

A joint resolution (S. J. Res. 83) to permit the payment for certain lands where requisition of the title thereto was duly served and possession taken thereunder or where a binding agreement was entered into followed by the taking possession thereof and erection of improvements thereon, prior to July 11, 1919; to the Committee on Military Affairs.

IMPORTATION OF CONVICT-MADE GOODS.

Mr. SMITH of Georgia. Mr. President, under a Senate resolution there was compiled from consular reports a large amount of information upon the importation of convict-made goods into the United States. I have a letter from the Assistant Secretary of the Treasury on the subject, and I wish to bring this report to the attention of the Committee on Printing and suggest that it be printed as a public document. I think it is a matter which ought to be referred, however, to that committee.

The VICE PRESIDENT. It will be referred to the Committee on Printing.

ADDRESS OF GEORGE CLAPPERTON.

Mr. NEWBERRY. Mr. President, in behalf of my colleague [Mr. TOWNSEND] I ask to have printed in the RECORD an address of the president of the Michigan State Bar Association, delivered at Ann Arbor June 20.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF THE PRESIDENT, GEORGE CLAPPERTON, OF GRAND RAPIDS, MICH., DELIVERED AT THE TWENTY-NINTH ANNUAL MEETING OF THE MICHIGAN STATE BAR ASSOCIATION, ANN ARBOR, MICH., JUNE 20, 1919.

THE CHARTED COURSE.

"In obedience to established precedent the first number upon our annual program is an address by the president. In that address I should like to voice the spirit that animates the membership of this association and which, I pray, may brood over the deliberations of this annual meeting—I mean the spirit of vigilant Americanism.

"The year since last we met is the most momentous in human history. In that year has come the victorious termination of the war, the greatest catastrophe of the world.

"The war marked the end of one great epoch and the beginning of another in the political and social development of the human race. For more than four tragic years the mighty nations of the earth have been engaged to the utmost limit of strength, the last ounce of energy, in wielding the primeval forces with which God Almighty made his universe to destroy men and the handiwork of men.

"That war was a crucial incident in God's eternal purpose in shaping human destiny. This great war for self-preservation of freemen, the final overthrow of autocracy, and the enthronement of democracy in the government of men was bravely fought and nobly won. And now the thought and activity of the victorious peoples are directed to the proposition that such a war shall never come again. Personally, I have no apprehension that such a war ever will or ever can come again. True, autocracy still remains powerful in our world, but in my judgment, so long as history shall be read by men, so long as reason shall exist in human minds, no power can again undertake to dominate the world through war. Even Japan may never forget the lessons of this war. So long as human nature remains in this old earth of ours there will be recurring wars and continuing conflict and strife among nations and peoples, great and small, but for different purposes than those for which this war was waged.

"One mighty form of tyranny has been overthrown forever, but other forms of tyranny, strong and implacable, will appear; indeed, they are here now. The standards and powers of the old order are passing out of our world, but a new order of different standards and different powers is on the way. Human selfishness, greed, arrogance, rapacity, and ignorance, purple robed, will fiercely strive to dominate, and other mighty conflicts for freedom and right, and justice and good government will come—are already imminent.

"President Wilson, in one his impelling phrases, recently proclaimed that 'the peoples of the world are awake, and the peoples of the world are in the saddle. Private counsels of statesmen can not now and can not hereafter determine the destinies of nations.' But peoples in saddles are unsteady and uncertain riders, and their riding may be for the fall of riders and saddles and steeds. Furthermore, statesmen who thus in ominous phrase are to be unhorsed and trampled under foot of peoples, and who can not hereafter determine and shape the destinies of nations, may include the type of Washington and Lincoln as well as the type the President obviously had in mind.

"The supreme triumph of the sword over autocratic tyranny has left the world in political, social, and industrial chaos. All governments are imperiled. The supreme effort and final test of the new order of government is yet to come—has already begun. The great issue is whether mankind shall be subjects or citizens.

"May I not without offense advert to another insinuating phrase of our absentee President, directed perhaps toward the new order in his recent address before the French Academy of Moral and Political Science? 'International law has been handled too exclusively by lawyers. Lawyers like definite lines. They like systematic arrangement. They are uneasy if they depart from what was done yesterday. They dread experiments. They liked charted seas, and if they have no charts they hardly venture to take the voyage.' Of course, such liquid phrase has the superficial effect of pleasing popular fancy, but hardly appeals with convincing force to the legal or thoughtful mind.

"The American legal voyager over seas, known or unknown, is perhaps less tempted than other men to heed the siren voices of the air and more inclined to sail in charted seas and to be guided by fixed stars in God's azure skies in order to reach the objective haven of safety and peace. Indeed, it may be doubted whether the legal navigator would launch 14 points upon a great sea of darkness or suspend the duties of Chief Executive under our Constitution to personally direct a European conference. To the legal mind, when American representation in the great peace conference was required, the charted course of constitutional navigation would have called for the nomination of delegates from among our great statesmen and international lawyers and their confirmation by the Senate of the United States, such delegates to be the accredited representatives of America in such conference. When the Chief Executive appointed himself and four other inexperienced navigators of his own choosing, regardless of the advice and consent of the Senate, part of our treaty-making power, to navigate uncharted seas, it resulted in the representation of himself, and not the Nation or the American people in the settlement of the greatest issue in the annals of mankind.

"The lawyer navigator of political seas would provide himself with a reliable compass and rudder and follow the beckoning polar star of the American Constitution, the supreme law of the land. The lawyer would follow the charted constitutional course in driving our ship of state and leave Lenin and Trotski, Debs and Berger to plunge forth upon uncharted seas of unrestrained democracy. The lawyer would aim to make the charted course of the Republic safer and clearer for the generations of men to navigate.

"The old order of government is indeed changing. The mighty pendulum of government is swinging—swinging at random through changing centuries, from monarchy and autocracy to representative government, from representative government to functionless government of peoples, from constitutional government to Bolshevism or direct democracy gorged with freedom, laying the foundations of despotism. The old order is changing in our experimental government of the people, by the people, for the people. May we in our day and generation restore this Government of ours, the great experiment of human history, to its charted course under the Federal Constitution, to the end that there may be preserved for the American people and all free peoples through the generations of men the liberty and equality of conditions we have enjoyed within the law, for the law, and by the law.

"Our ship of state, the great Republic, was launched upon a perilous voyage over unknown and unsounded seas under the most reliable chart ever devised by the brain and purpose of man—the Federal Constitution. It followed under Divine Providence the stars of human destiny toward the haven of permanent peace and tranquillity of individual liberty, of justice and order, of equality of conditions among men. It has covered but a short distance of its long and uncertain voyage. It has encountered storms and perils and grave crises. Its charted course is the 'last best hope of earth.' Thomas Paine stopped the publication of the Crisis when he heard the news of the treaty of 1783 with the remark, 'The times that tried men's souls are over.' But John Fisk on this observes that the next five years were to be the most critical period of all, and in turn said that 'The most critical period of our country's history was the period between 1783 and the adoption of the Constitution in 1788,' 'the finest specimen of constructive statesmanship that the world has ever seen,' embodying the saving principle of representation in self-government. This principle marked the distinction between 'democracy' and 'republicanism' that is between direct legislative action and representative government. The founders were substantially united upon this principle. History afforded no example of so large an act of constructive statesmanship as the adoption of the American Constitution. That Constitution saved the American people from anarchy.

"Samuel Adams 'wanted the whole world to realize that the rule of a republic is a rule of law and order, and that liberty does not mean license.' And Washington, in his brief but immortal speech at the Federal Convention, said, 'Let us raise the standard to which the wise and honest can repair; the event is in the hand of God.' The government to be established had for its basis the republican principle, the sovereignty of the individual citizen. To make a federal government immediately operative upon 'individual citizens' the Federal courts were organized to pass judgment in all cases in which 'individual citizens' were amenable to the national law. These courts were charged with the interpretation according to the general principles of the common law of the Constitution itself. 'This is the most noble, as it is the most distinctive feature in the Government of the United States.' This feature is the saving power of our great charter of self-government. The practical working of that Constitution during the first 30 years of the nineteenth century was directed by the luminous decisions of John Marshall and other great jurists foremost among the founders of the Union.

"One crisis had passed, but the framers of this great chart of government glided into the deepening shadow of impending civil war. Then another great storm was weathered, another great crisis safely overcome. This was succeeded by a period of half a century of unprecedented growth in population, native and foreign born, of the development of complex political, social, and industrial conditions beyond all conceptions of the founders of the Republic.

"These conditions now involve the application of the principles of constitutional self-government to a new social order without precedent or parallel in all the annals of democracy—a new crisis, which will subject our form of government to the final supreme test of the strength and the efficacy of democracy among men. The most conspicuous and dominant figure emerging from the throes of the great war is not Hindenburg or Kaiser, not Haig or Lloyd-George, not Foch or Clemenceau, not Pershing or Wilson, but the plain American citizen charged with the duties and responsibilities of sovereignty in the great Republic. The most powerful and potential nation coming out of the chaos of world conflict is the United States, with 100,000,000 individual rulers composed of very human beings, just ordinary men and women. Upon this people and upon this Nation the eyes of the world are turned with flickering faith of despair. In all the political firmament that envelopes our world there is no other fixed star of hope. With abiding faith in the God of Nations, I firmly believe that this Republic is the star of political destiny.

"And yet the lawyer can not be oblivious to the fact that for a generation this Republic has been rapidly drifting in a great gulf stream of popular government, away from the charted course of the Constitution, and that during and since the great World War there have been evolved two extremes of government, autocratic power in practice and socialistic democracy in movement against constituted government. The condition that happily did not exist in America when De Tocqueville wrote of American Government has come, and in the United States 'that numerous and turbulent multitude does exist who, regarding the law as their natural enemy, look upon it with fear and distrust.'

"The old ship of state is now in our day and generation entering the most perilous part of its momentous voyage of its charted course. Above it the skies are black with pent-up storms and beneath it the angry waters are lashed with the murmurs or seismic forces. The times that will try the souls of men have come. We are entering the great crisis, the crucial test of self-government. The political and social order is changing, is being revolutionized, and new and mighty destinies for America and mankind are impending. We are approaching universality of democracy as a governing force throughout the world.

"The forces of disorder and unrest now seek to annihilate regularly constituted government. The world is facing the irresponsible tyranny of unrestrained democracy. Democracy undirected, unrestrained, subjugated peoples uncaged and gorged with license, demented and controlled by wild, brutal instincts, is Bolshevism. The free peoples of the world have become elated, satiated with the specious phrase that war has made the world safe for democracy. But the world is not safe for democracy. Democracy is not yet safe for the world.

"The war has left hundreds of millions of people, deprived of the steadying force of regularly constituted government, unprepared and unfit for self-government. The most that can be said of these freed peoples is that they are entitled to opportunity to develop capacity for self-government, perhaps under mandatory power and direction. Self-inflicted democracy under existing conditions would be disastrous to them.

"I feel that there is no substantial ground for apprehension as to Bolshevism in the true sense of the term in the United States. There is a good deal of sense in a recent expression of Alexander F. Kerensky, who knows something about this human malady: 'Bolshevism can not grow in a land where people are well fed and generally content, as they are in the United States. Bolshevism is a disease of tired and exhausted nations and of populations that have been abused for years and decades. You're perfectly safe from such a disease in the United States, I assure you.' Nevertheless, the United States, with its vast mixed population and complex conditions, is not safe for democracy. Direct democracy is government dominated by mere numbers, and partakes of the weakness of the whole community—the rule of individual sovereignty without saving qualifications. The great political world problem to-day is whether self-government may be made safe for America, and ultimately safe for the world, through the success of the great experiment in self-government under our Constitution—the Republic. Shall the governing force of the Republic be so directed by the active patriotic spirit of vigilant Americanism as to preserve individual liberty and develop rather than destroy equality of conditions among men? Shall we, the people of the United States, organized under constitutional government, have political and social evolution or revolution? Shall this Nation permanently attain and retain the liberty and equality or be subject to the tyranny and despotism of democracy? Political and social evolution or revolution—that is the problem: to make the power and stability and efficiency of democracy under our constituted form of government safe for America, and through America ultimately safe for the world.

"Samuel Gompers, the powerful leader of organized labor presenting itself as a claimant for the crown of supremacy over government of law, recently gave expression to the true vision when he said: 'We have used the term democracy glibly and often without understanding.' That admonition might also be well directed to other classes of citizens who assume superiority of intelligence and virtue. Liberty and equality require the supremacy of the law. Our Constitution is a guaranty of the supremacy of the law as distinguished from a government of functionaries. All forms of absolutism and autocracy, including the democratic form, spurn the idea of fundamental law in government.

"These are the truths that the present and future generations of American citizens, men and women, should and will learn and loyally maintain. America must restore or inaugurate and maintain a reign of law under our constitutional form of government to dispel enmity and conflict between individuals and between classes. The absolute sovereignty of the individual citizen must be forever maintained. The intelligent will of the majority must remain the source of authority. But we must continue to guard against the wrongful exercise of sovereignty, the absolutism and tyranny of the majority. Everything depends upon the intelligence and virtue of the majority. It has been said that the voice of the people is often anything rather than the voice of God, and that the people can do no wrong is as misleading as that the King can do no wrong. And again: 'If ever the free institutions of America are destroyed, that event may be attributed to the omnipotence of the majority.' Said Madison: 'It is of great importance in a republic not only to guard society against the oppression of its rulers, but to guard one part of society against the injustice of

the other part, for justice is the end of government.' What is called the republic in the United States is the tranquil rule of the majority. But the power of the majority itself is not unlimited. 'Above it in the moral world are humanity, justice, and reason and in the political world vested rights.'

"In the midst of this changing order it behooves the sovereign citizen, especially the lawyer, to assimilate or review the elementary principles of a government of law and order under our Constitution; to note and understand the distinction between the ancient (and present) idea of democracy and our modern constitutional democracy. The former was the rule of the 'demos' of free and equal citizens, an attempt to secure the liberty and promote the welfare of all by distributing political power and rule equally among all. The latter vests the power and sovereignty in all—in the people—but the exercise thereof is intrusted to selected representatives of the people. The former was always direct; the latter is representative. The one can exist only in a small State. A great nation under complex conditions must resort to the other.

"The populace is inclined to give free reign to passion and prejudices 'to envy and oppress the nobler and better minority, whose existence is a standing reproach and protest against its own rule.' The worst quality of the 'demos' comes to the surface—ignorance, pride, arbitrary caprice, the love of frequent change. Again, the chief characteristic of every democracy is the love of equality—and masses are inclined to want to act for themselves, because representation gives a certain preference and appearance of superiority to chosen representatives. They fail to recognize the superiority of intelligence and virtue. Equality which commends itself to the many is equality in numbers. Its formula is not 'each according to its merits' but 'one as another.'

"This equality on which direct democracy is ostensibly founded becomes a delusion and a sham when advancing civilization and complex conditions have brought inevitable differences and contrasts. The only successful democracy is representative democracy as developed in the United States under our written Constitution, the only great experiment in national democracy under modern complex conditions. Under this form the citizens participate directly in public affairs, such as voting on constitutional and fundamental laws, but generally govern through their representatives. The people are the source of power and authority, but the general affairs of practical government are delegated to representatives.

"Montesqieu declared the principle of democracy to be virtue. But virtue as a political principle presupposes not the equality of all but a respect for the moral worth and intelligence of representatives not found in a pure democracy. Virtue is the political principle of representative democracy, a more moderate and more noble form of democracy, because it partakes of the advantages of aristocracy, its principles being that the best may direct the practical affairs of government in the name and by the authority of the people. Representative democracy ascribes the right of sovereignty to the majority but intrusts its exercise to the minority. The great difficulty, the supreme test, is in establishing and maintaining a system that secures the best men in intellect and in character to exercise authority as representatives. True representation can only be secured by a system by which every element and every interest in the nation shall be represented in proportion to its relation to the whole. Number is important but not sufficient. The Constitution recognizes that the majority has neither the time nor ability actually to exercise the duties of self-government, but credits the majority with sufficient intelligence and interest to participate in elections and select the fittest men for its representatives. It demands less from the citizen than direct democracy but more from its representatives.

"And so all serious and earnest reflection brings us logically back to the Republic and the intelligence and responsibility of the citizen to make democracy safe for men everywhere. May we summarize the views that lead to this conclusion? Under the plan of our great charter was established the best form of government mankind had ever known. It has been modified and has largely ceased to function in accordance with the original plan. We have steadily drifted away from the charted course of the Constitution, of government by law, toward the dangers of direct democracy.

"By direct participation in legislation and other governmental functions we are passing from the Republic toward democracy, from representative statesmanship to demagogism, following a course of progressive retrogression. When we theorize about making the world safe for democracy, we are oblivious to the fact that democracy is the most dangerous form on earth, a form that has never given good government. The Government of the Constitution was that of a Republic, sometimes miscalled representative democracy, not a democracy. The framers of the Constitution sought to avoid the evils of autocracy on the one hand and of democracy on the other by establishing a Republic, the first republic the world had ever known. The tendency of democracy with respect to industry and property is communistic or socialistic toward the destruction of both. The tendency of a republic is toward individual rights, ownership, the supremacy of the law, and equality of conditions. The attitude of democracy toward law is the enactment of the will of the majority without regard to whether it is based on intelligence and deliberation or directed by ignorance, passion, prejudice, and impulse. The attitude of constitutional government toward law is the deliberate enactment of laws through representatives, of the intelligence and virtue of the people and the administration of justice. Aristotle's classification of the forms of government comprised the two extremes represented by monarchy, a government of one, and democracy, a government of the masses. It was reserved for the founders of this Republic, the framers of our Constitution, to found a Government that preserved the advantages and guarded against the evils of the two extremes. Imperfectly applied, it has still preserved the best form of government ever devised—the nearest approach to a government of law rather than a government of men. When the Constitution was adopted the rights of democracy had been safeguarded by an organized government. The citizens did not exist for the advantage of the State. The State existed for the benefit and protection of the citizen. That Constitution may be adapted to the changing needs and conditions of expanding complex life, but its fundamental principles are unchangeable. The Constitution offers a legal and adequate remedy for every evil that afflicts the body politic.

"The Constitution embraces just four essential elements:

"(1) An executive and (2) a legislative body, who, working together in a representative capacity, have all power of appointment, all power of legislation, all power to raise and expend money, and are required to do just two things—(3) to create a judiciary to pass upon the justice and legality of their governmental acts and (4) to recognize certain inherent individual rights. The founders were thinking of 'liberty, of representative government, of protection against tyranny and spoliation, and of ways and means by which public opinion might in orderly fashion express itself in statute laws, in judicial judgments, and in executive acts.' 'It is a noteworthy and singular characteristic of our American Government that the Constitution provides a means for protecting individual liberty from invasion by the powers of government itself, as well as from invasion by others more powerful and less scrupulous than ourselves. The principles underlying our civil and political liberty are indelibly written into the Constitution of the United States and the Nation's courts are instituted for their protection.'

"'This representative Republic under the Constitution of the United States,' says the same writer, 'is a more advanced, a more just, and a wiser form of government than the socialistic and direct democracy which it is now proposed to substitute for it.'

"Said another American author: 'I would fight for every line in the Constitution as I would fight for every star in the flag, for flag and Constitution will live or die together.' 'I know not if the times are ripe or if events are merely gathering to a head; but soon there must come some one—some Washington in the field or some Marshall in the forum—who will sound a trumpet that will once more rally us to the defense of the law.'

"Every departure or variation from the form of government provided by the Constitution has been a dangerous experiment. The Republic is at this hour engaged in the consideration of one of the gravest questions ever presented to a great nation—the determination of the treaty of peace and the proposed league of nations covenant. Under our Great Charter the responsibility rests entirely upon the President and the Senate of the United States as coequals in the treaty-making power of the Government. The correct determination of this question calls for the exercise of the highest degree of deliberate wisdom and judgment. The fate of the Nation hangs upon it. And yet we are confronted with the astounding proposition that this treaty-making power is not to be trusted, but is to be influenced and directed by some indefinable expression of popular will. The suggestion comes that the President will 'swing around the circle' in a speech-making tour in an appeal over his coequal in the treaty-making power to the populace in mass meetings. In my judgment such a course would not be in accord with the philosophy or spirit of our Great Charter or with the wisdom and courage of its founders. An unconstitutional plebiscite might command some degree of wisdom and deliberation in popular expression, but the course proposed would tend to sub-

stitute public clamor, mere voices of the air, for the intelligent consideration and deliberate wisdom and judgment of our highest representative body under the Constitution.

"There never was a time in the life of the Republic when the interests of this great people and of civilization required such deliberate and reverential observance of the spirit of our Great Charter of liberty and self-government as in this crucial hour of our national destiny. Socialism, anarchy, initiative, referendum, judicial recall, Government ownership, are but phases of democracy, dangerous experiments which imperil the very foundations of the Republic. They are each and all un-American.

"When one great President seeks by a process of emasculation to sap the authority, strength, and virility of our constitutional courts by subjecting their decisions to the approval of a majority vote, and subject legislation to popular direction and approval, and another great President and a national Congress are coerced by the threat of a railroad strike to enact a law at the behest of a special interest, arbitrarily fixing hours of labor and rates of wages, the fundamental principles of sound constitutional government are imperiled. When constitutional amendments foreign to our theory of individual freedom and constitutional rights are made not with adequate reflection and consideration, but by hasty popular will, constitutional government is imperiled. When ponderous volumes of law are initiated by general petition and enacted by popular vote, constitutional government is weakened and in danger. When nonpartisan leagues seek to abrogate constitutional protection, eliminate the primary courts of justice, and nominate and elect judges pledged to construe the law and the constitution of a State as political conventions desire, making judges of the courts of law mere political delegates, a pistol is aimed at the very heart of our representative government. When an American lawyer, giving counsel to a great organization of American labor, admonishes his client that 'one of the gravest fundamental questions with which we have to deal is the preservation of a truly democratic government against what has often been called the "aristocracy of the robe,"' a note of alarm has been sounded. When the saving limitations of the Federal Constitution upon the tyranny and excesses of the majority of voters are removed, representative government is destroyed and unrestrained democracy established. When the legislative, executive, and judicial departments of our Government are subject to the unlimited, unrestrained, direct action of temporary majorities of voters, American Bolshevism takes the place of constituted government. When all these things take place, there is established the tyranny of majorities, a tyranny which may be as ruthless as that of military autocracy.

"There is no legitimate place in this Republic for the autocracy of capital or the autocracy of the proletariat. Both must be subject to the restraints of constitutional limitations upon arbitrary power and to the supreme majesty of the law of the land. It was for the protection of civil liberty and equal rights that constitutional limitations were imposed upon the exercise of power.

"This overlegislated, overregulated, overcommissioned, overgoverned people has drifted far from the moorings and the charted course of our constitutional form of self-government. The rapidly growing tendency in this Government to do through direct will and action of changing majorities those things which majorities can not safely and rightly do is subversive of the principles of constitutional self-government and destructive of all government. The average citizen knows little of the problems and duties of the courts of justice and less of the purpose and necessity of a constitution and the means of enforcing it. They have the ballot practically without qualifications, and unrestrained by legal limitations of power can do anything they choose, and the danger arising from popular inexperience, passion, and prejudice is very great. In the past four years men have laid down their lives that government by law and not by might shall prevail. Yet here at home men assert the doctrine that there is no such thing as an established constitution or government of law which any temporary majority need respect, and people are being systematically taught that American principles of government are wrong and are to be opposed and resisted and the vagaries of alien agitators substituted.

"The present age of the Republic may appropriately be designated as the age of the demagogue. The demagogue is the natural product, indigenous to the soil, of democracy. The demagogue is the advance agent of the mob. He is essentially destructive rather than constructive. Posing as the friend of the people, he makes an insidious appeal to popular ignorance, prejudice, and passion, and weakens public faith in the fundamental principles of our Government and in its wisdom and justice. The cynical Carlyle must have had this species in mind when he likened democracy to a box of vipers—each trying to get to the top. But every demagogue has his day. His influence will diminish with the increasing wisdom, virtue, common sense, common honesty, and patriotism of the American people. He has no legitimate place in the philosophy of our constitutional government.

"I have abiding faith in our Republic. I believe it will pass safely through this 'most critical period.' The ship of state will survive the test of storm and wave. Self-government under our Great Charter will endure and become safe for this people and for the world. The spirit of the great founders, that vigilant Americanism, will prevail over all the elements of disintegration and destruction. There will be periods of unrest, recession, and retrogression, but the Nation will not be permanently diverted from its charted course. The philosophy of our Constitution will guide aright. The permanent maintenance of the Republic will be the greatest performance of history—the supreme test of the ability and endurance of a free people. The future of mankind hangs upon the results of our experiment. The greatest service the American people can perform for mankind is to complete their divinely appointed task—to establish a government of law and order that will endure forever. America is shaping human destiny.

"I have long believed that the legitimate period of our splendid isolation is over. When this Republic became a recognized world power it necessarily assumed the responsibility of such a power among the nations. God never made a nation great without great responsibility. This Nation must do its part and exert its influence under Divine Providence in shaping the destiny of mankind. But, first of all, its chief duty is to establish, maintain, and develop its own nationality, its own strength and character, to carry out the great experiment of history, to build a Republic upon the foundation of our Constitution, strong and secure for the maintenance of individual liberty and equality of conditions. That Republic will be the proudest heritage of the future and our greatest contribution to civilization and mankind.

"The war has taught Americans the greatest lessons of citizenship that may save the Republic and the world, viz, the spirit of service and sacrifice; the inalienable duties, as well as the inalienable rights of mankind. The spirit of service in the faithful performance of those duties will solve the problems of democracy, will direct this Government of free people upon its charted course for permanent democracy for the world. The spirit of service and recognition of inalienable rights and duties of men will subordinate to or associate self-interest with the common good, will solve the crucial problems of capital and labor and other conflicting interests that imperil social order.

"During the past year we have endeavored to arouse among the members of this association a sense of the power and necessity of American education and American propaganda and of the benefits of self-government under our constitutional plan. As we have pointed out through our literature, the propaganda we most need is the right and vital teaching of true Americanism. We must Americanize the alien—instruct primitive folk in the first principles of citizenship—bring them to understand that democracy is first the government of self. We must teach the American public the essentials of our republican faith—teach the populace how to rule themselves—that true democracy is based not upon the rights but upon the duties of man—to place the common good above our own good—and finally that democracy means responsibility and service of citizens.

"May the members of this association, the lawyers of a great constituent Commonwealth, appreciate their duty, the responsibility of their citizenship and their great profession, and aid to the utmost, in this critical period of self-government, the permanent establishment of its fundamental principles.

"Listen: 'The authority Americans have intrusted to members of the legal profession and the influence these individuals exercise in their Government is the most powerful existing security against the excesses and dangers of democracy.' This was written by the great Frenchman—De Tocqueville—in his philosophical exposition of the fundamental principles of democracy in America three-quarters of a century ago. And again he said: 'Lawyers are attached to public order beyond every other consideration, and the best security of public order is authority. It must not be forgotten that if they prize the free institutions of their country much they nevertheless value the legality of these institutions more.' 'I question,' said he, 'whether democratic institutions could long be maintained, and I can not believe that a republic could subsist at the present time, if the influence of lawyers in public business did not increase in proportion to the power of the people.'

"Lawyers know the charted course of the supremacy of our Federal Constitution and the majesty of the law of the land, and know the meaning of the greatest experiment in democracy

that the world has ever tried; they know that the Republic has as yet hardly been tried. May they appreciate their responsibility and power as sovereign rulers of the Republic, to the end that America, in the language of Mr. James M. Beck, in addressing the last American Bar Association, 'may point the way to that far-off divine event toward which the whole creation moves, when the rules of justice as formulated by the common conscience of mankind shall have complete sway throughout the world.'"

HIGH COST OF LIVING.

Mr. SMITH of Georgia. Mr. President, I have a letter calling attention to the claim that certain classes of brokers not actually merchants are buying up large quantities of foodstuffs for the purpose of holding them to retail at high prices. I merely wish to present it and refer it to whatever committee is investigating this subject.

The VICE PRESIDENT. It will be referred to the Committee on Education and Labor.

MEAT-PACKING INDUSTRY.

Mr. McKELLAR. Mr. President, I have here a resolution which I desire to read to the Senate. It is short, and is as follows:

[Middle Tennessee Farmers' Institute, Hon. Edw. J. Graham, President, Centerville; Col. Harry S. Berry, Vice President, Hendersonville; C. G. Burkitt, Secretary-Treasurer, Antioch.]

From the proceedings of the Middle Tennessee Farmers' Institute, July 22–24, 1919, a resolution on legislation pending in the Congress of the United States aimed to regulate the live-stock industry.

"Whereas there is now pending in the Congress of the United States certain legislation aimed to regulate the live-stock industry by placing it under an elaborate license system and Government supervision of the packing houses, stockyards, and commission men, particularly do we refer to the Kendrick bill No. 2199 and the Kenyon bill No. 2202: Therefore be it

"*Resolved by the Middle Tennessee Farmers' Institute, now assembled at Columbia, Tenn.*, That we are unalterably opposed to these bills, and we protest their enactment and call upon our Senators and Congressmen to use their influence against these bills.

"This legislation, as proposed in these bills, is drastic, a step toward paternalism and Government control of our commercial industries. We are urged on every hand to increase the production of food animals, but the cost of production has greatly increased, and we feel that we should have free and unhampered markets for our live stock. The proposed legislation will impede progress in the packing-house industry in the South, hamper our business, and tend to reducing prices for food animals without reducing the cost to the consumer.

"Not only de we oppose this legislation, but any legislation that tends toward paternalism; we feel that there is no place in the greatest democracy in the world for paternalism; be it further

"*Resolved*, That the secretary of the institute is hereby instructed to communicate a copy of this resolution to the Senators and Congressmen from this State who are in Washington.

"HERVEY WHITFIELD, *Chairman.*
"SAM N. WARREN.
"HOMER HANCOCK.
"F. H. DUNKLIN."

Respectfully communicated as instructed.

C. G. BURKITT, *Secretary.*

ANTIOCH, TENN., *July 28, 1919.*

It is signed by a number of splendid gentlemen in my State. I ask to have the names of the signers printed in the RECORD.

Mr. President, differing from the authors of this resolution in several respects I want to make this statement. I have here a letter which I will read to the Senate. It is in the nature of a reply to the resolution. I read as follows:

AUGUST 4, 1919.

MY DEAR MR. BURKITT: The resolution of the Middle Tennessee Farmers' Institute in connection with the Kenyon and Kendrick bills has reached me and will have my most careful attention.

I would say that I do not entirely agree with you in reference to the purpose of these bills. The five big packers of the country control the price of meats and they have been constantly increasing their power of control. The difference between what they pay for live stock and what is charged for the meat products is so great as to lead me to believe that some sort of regulation should be had by Congress.

I agree with you entirely that you should have free and unhampered markets for your live stock. This you do not have. I have always stood with the farmers, and I expect to do so because upon them the prosperity of our whole country is based.

I think that regulation should be entirely fair to the packers and, at the same time, should be entirely fair to the public. Instead of reducing the price of live stock to the farmers, proper regulation will undoubtedly increase the price to the farmers. And I am sure this must have been the idea of Senator KENDRICK, because he is one of the largest live-stock raisers in the world. His interests must of necessity be along the same lines of your association.

If the packers are doing a fair and honest business, regulation by the Government can not hurt them. On the other hand, if they are depressing the price paid to the farmers for live stock and increasing the price charged the consumer by means of monopoly, then I am sure you will agree with me they should be regulated.

From a report of the Federal Trade Commission it appears that the packing industry, which is controlled by five packers in Chicago, is controlling not only the meat supply but probably the entire food supply of the country. I know that you will agree that this is a very serious matter when a handful of men control the food supply of a great nation, fixing the price that is paid the producers and at which they must sell, and also fixing the price that is paid by the consumers and at which they must buy.

My mind is entirely open on this subject; I have no prejudice about it, but you can see the trend of my thoughts.

We are going to examine into the matter very carefully, and hope to reach a conclusion that will be satisfactory to the country. I am studying it with a view to coming to a definite conclusion, but this letter will indicate to you the way that my best thought is running. If it is in the right direction I hope to hear from you; if not I also hope to hear from you, giving me your reasons for believing that it is not in the right direction. In other words, I should like to have an answer from you to the suggestions that I have made in this letter.

It is being charged here that many of these resolutions are suggested by those connected with the packing interests. I know the most of you gentlemen so well that I know you would not take a position that you did not believe was right, and I doubt if you would stand for suggestions from the packers or their agents.

I notice among the names of the committee who signed the resolution some of my best friends. I am taking the liberty of sending a copy of this letter to them and asking their advice.

Very sincerely, yours,

KENNETH MCKELLAR.

Mr. C. G. BURKITT,
Secretary, Middle Tennessee Farmers' Institute,
Antioch, Tenn.

Mr. President, the gentlemen whose names are signed to the foregoing resolution are among the leading men of my State. There are no better or more intelligent or more patriotic men anywhere. Their views are entitled to the greatest respect, and I have read them because I want the Senate to hear them. At the same time I can not see the matter as they seem to view it. It is claimed by many that this kind of resolution and the many letters that we constantly get are the result of propaganda set on foot by the packers. I can not say that the packers of the country are inciting a great number of resolutions and letters, but I feel that some public notice of the matter should be taken, and for this reason I have read the resolution and my reply to it.

Mr. HARRIS. Mr. President, I have received a great many telegrams and letters urging me not to support the Kendrick-Kenyon bill. Representatives of the packers have gone over my State misrepresenting the Kendrick-Kenyon bill. They have stated that these measures would discourage the raising of hogs and cattle, when they know they are necessary for their protection. The Senator from Wyoming [Mr. KENDRICK], the author of the bill, is one of the largest cattle raiser in the country. In my State and other Southern States the packers arbitrarily fix a price of 3 cents per pound less for hogs than they pay in other States. Reducing the high cost of living is the most important question before Congress. If the packers would sell their products at a reasonable profit instead of spending millions on this propaganda to fool the people, there would be no necessity for this legislation.

I send to the desk a letter which I should like to have read to show who is responsible for the letters and telegrams that I am receiving.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

FITZGERALD, GA., *August 1, 1919.*

Senator W. J. HARRIS,
United States Senate, Washington, D. C.

DEAR SIR: I have your letter of July 29 and note with interest what you say.

I was very much surprised at the contents of your letter and did not know what telegram you referred to until I ascertained from the Western Union Telegraph Co. here just what you had reference to. After making an investigation of this matter I find that on July 28, 1919, the following telegram was sent you, also to Congressman J. WALTER WISE and Senator HOKE SMITH:

Am not in favor of Federal control meat-packing industry, Kendrick (S. 2199) Kenyon (S. 2202) bills.

(Signed) J. R. WILLCOX.

I understand from the Western Union Telegraph Co. operator here that these telegrams were sent by a representative of Armour & Co., they or he taking the liberty of signing my name to these telegrams without consulting me or receiving any authority from me whatsoever to do so, and, to say the least of it, I do not approve of any such methods as they are using to influence the defeat of any bills that might come before you.

As to what action you take in reference to the above-mentioned bills I rely entirely in your ability and judgment, and assure you that whatever action you take will be entirely satisfactory with me.

In the meantime I am writing Armour & Co., asking them where they obtained their authority to sign my name to telegrams.

Thanking you very much for your letter and assuring you that you have my best wishes, I am,

Very truly, yours,

J. R. WILLCOX.

HIGH COST OF LIVING.

Mr. RANSDELL. Mr. President, I send to the desk an extremely interesting and instructive letter from Mr. Andrew Fitzpatrick, of New Orleans, La., president of the Crescent City Stock Yards & Slaughter House Co. (Ltd.), of the city of Arabi, La., and I ask that it be printed in the RECORD without reading. It is a very illuminating discussion of the matter of the high cost of living.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

The matter referred to is as follows:

ARABI, LA., *August 1, 1919.*

Hon. JOSEPH E. RANSDELL,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Your very kind favor of the 22d instant received and carefully noted. I certainly appreciate your statement that you want my views on this very important question, and as you are on the Committee on Agriculture and Forestry, to which these bills have been referred, I will take the liberty of expressing to you my views a little more in detail.

In the first place, I think that the license law for any industry and especially a complicated and complex business like that of the packing industry is unwise and should be defeated on principle. This is certainly a long step toward Government ownership. It is contrary to our past ideal and history. It is un-American and means centralization of the Government and paternalism. In fact, I think that its ultimate object is socialistic control of business generally. Both of these bills, as drawn, mean practical Government operation, and we have certainly had enough of Government operation with the railroads and line systems. Government operation means inefficiency and inefficiency means added cost to the consumer.

These bills are not only unwise in principle but they are very dangerous by way of precedent, for if the license law is wise for the packing industry then it is necessarily wise for all other business generally. It is in keeping with the communistic spirit that is now gripping Europe, and I do not believe that in this day of unrest and reconstruction that there should be such a radical step taken in the way of business control of this country. This legislation can not be considered merely with reference to its effect upon the packing industry alone. It must be considered, in the first place, on its merits and as a precedent, and I am firmly of the opinion that it would be a monumental mistake for this country to commence placing the business of this country in the hands of men and bureaus in Washington.

In the second place I want to call your attention to the effect which this legislation would have upon the South. It is the South that needs diversified industry and manufacturing development. You know that the big packers have been looking to the South for some time and have made some investments in our section. Morris & Co. has invested in New Orleans, and is now arranging to extend its plant. If this sort of legislation is passed, how could you expect these packers to branch out and develop the South? I think this is a question to which the southern Representatives and Senators have not paid sufficient attention. If the license law is fastened upon business, it will strike down personal initiative and ambition in business. I can not conceive that anyone would want to make extensive investments in new territory under a law which is controlled and directed by the arbitrary whims of one man in Washington. This can not be disregarded by the southern Congressmen and Senators.

But in the third place, I am perfectly willing to rest the fate of this legislation strictly upon the merits of the proposition as to the packing industry itself. As you know, the packers are merely manufacturers between the producer and the consumer. They occupy a very difficult and delicate position, because the producer, from whom they buy their raw material, wants high prices for his live stock, and the consumer, which is everybody and who buys the finished product, wants it very cheaply, and it is self-evident to any fair-minded man that you can not have cheap meat on the table of the consumer when the packer pays a high price for live stock.

But I assert, and invite successful contradiction, that if the packer performs his work (a) efficiently, (b) at a reasonable profit, and (c) without any unfair practices toward his competitors, that the people have absolutely no ground for complaint, and there should be no radical and untried legislation fastened upon the industry.

Now, let us look at these three points for one moment and see what the actual facts are. The efficiency of the packers is conceded. It is probably the most efficient large industry in the world and in that connection great care should be taken not to destroy that efficiency, for if the work of the packer along economic lines is seriously affected, then the consumer must pay more for his meat.

On the question of profits, the fact is that the books of the packers have been carefully checked by the Federal Trade Commission, the Food Commission, disinterested chartered accountants of the bondholders of the various packers, and are subject to tax by the Internal Revenue Department under the income tax. In addition to that, the returns of the packers under the income tax must be made by their officials, under oath, and it is unthinkable that these men would subject themselves to the penitentiary by making false returns. The Food Commission has reported to the President that the packers made scarcely 60 per cent of what they were permitted to make under the food act, which should establish to the satisfaction of any fair-minded man, that they are not a monopoly and are not profiteers. It is conceded, even by the bitterly partisan Federal Trade Commission that the profits of the packers represent but the small fraction of 1 cent per pound. Please think of that for one moment, because even if the entire toll of the packer, as the manufacturer, is eliminated it would not seriously affect the cost of meat to the consumer. Consequently they are not profiteers and are not the cause of the high cost of living. I say to you, unqualifiedly, that anyone who questions the amount of the profits of the packers either does not know the facts or else he is insincere.

Now, as to the question of competition. It may be in the early days of the development of this new country that the packers, like practically every other business in the country, engaged in some practices that were not entirely blameless, although my information is that they have never been convicted in any court of justice for violating any law. But the fact is that when the Federal Trade Commission, with a very large appropriation, examined the packing industry for the sole purpose of "getting" the big packers, they wrote to all of the small packers for instances of unfair competition, and then followed this up with personal interviews, but my information is that at the hearings before the congressional committees at the last session, they could not get a single small packer to testify to any unfair methods on the part of the big packers. On the contrary, many of them appeared and testified against this form of legislation, saying it would ruin their business, as well as that of the big packers, and that the big packers were fair competitors. The indisputable fact is that there are more small packers in the business to-day than ever before.

Consequently I feel free to ask what particular evil, or wrong, is it that they seek to correct by this legislation? What more could be asked of the big packers than that they conduct their business efficiently, at the minimum cost and without any unfair practices toward their competitors?

There has been a well-organized "propaganda" launched in this country and in Congress during the last few years against the big packers, and I say to you, in all seriousness, that if the effect of this is to bring about legislation that will strike down efficiency, that it will necessarily increase the cost to the consumer and the people in the end will pay. This vital industry is performing a great work for the people, and the question should be handled along the lines of statesmanship, and you men in Washington should see that in these days of excitement and unrest that unwise legislation should not be enacted that would rise up to vex us in the future.

A great deal has been said about the size and power of the packers. If you have studied this question at all you will know that volume alone has enabled the big packers to develop all of the by-products to the greatest possible extent, which is in the interest both of the producer and of the consumer. If this industry were split up into infinitesimal units we would go back to the days of the small butcher and the by-products would not

be utilized. The fact is that the packers make their profits practically alone out of the by-products.

Some people would fasten radical legislation upon this industry, because they argue that they have the power to do harm. My answer to that is that they can not point out any evils, or wrongs, in the conduct of the industry at the present time, and as it is being conducted efficiently and at the minimum profit, no dangerous and untried legislation should be enacted at this time. If at any time in the future this power is used to the detriment of the people remedial legislation can quickly be had.

You know it is contended that the big packers have some advantage through their ownership and operation of the refrigerator cars. This is absolutely false. They were required to build these cars in the first instance because the railroads would not. They pay the same freight for the products shipped in these cars as those shipped in railroad-owned cars. They are operating these cars at a loss. They must have refrigerator cars, because they are dealing with a highly perishable product. It is to the interest both of the producer and the consumer that this product be moved quickly from the packing plants to the eastern markets for consumption. If the packing plants are not relieved then they would not buy the live meat animals on the market every day, as they are required to do. This matter has been gone into very exhaustively by the Interstate Commerce Commission, and if you have any doubt of my statements on this subject, I would thank you to look into that hearing. You will find that the packers need all the cars that they now have, and the Interstate Commerce Commission, after this exhaustive research and inquiry, found that it was to the interest of the people generally that the packers should operate these cars. If they are thrown into Government operation, then the packers' cars will be diverted to other uses and the efficiency will be lowered. If they want the smaller packers to have refrigerator cars, then let the big packers retain what they now have and let the Government require the railroads to build additional cars for the smaller packers, and they will then all be on the same footing. I can assure you that the packers want no advantage in this regard.

But in considering this question you must also bear in mind that there are a great many other privately owned cars in this country, such as oil cars, etc. What is to become of them? Can there be one rule for the packer and another rule for other people?

It is also charged that the packers should not be permitted to have any interest in the stockyards. The fact is that the stockyards are absolutely dependent upon the packers, and the packers are in turn dependent upon the stockyards. The packers are interested in these yards, in building up these markets so that they will have plenty of raw material. It is silly to say that the stock ownership in a public market can affect the price obtained for an animal offered therein and on which anyone is privileged to bid. It is also perfectly plain to my mind that the people who own these stockyards should be people who are interested in the industry itself and not outside people, whose only interest will be in their dividends. If you will study the question of the stockyards that have been built by the packers near the source of production—that is, the small stockyards, denominated by the Federal Trade Commission as the "fifty-fifty" yards—you will readily reach the very fixed opinion that it would be a calamity to the producers to require the packers to sell their interest in these yards. It is the packers who stand back of these yards. The small packers only buy exactly what they want every day, but the burden is cast upon the big packers of cleaning up the yards every night and buying everything that is offered. If you have any doubt on the question of the advisability of the packers being interested in stockyards, I would like to go into that matter further with you and give you facts and figures which, I think, will be very convincing.

A great deal has been said about the power of these so-called five big packers. This is largely propaganda, but they must be large if they are required to buy and pay cold cash every day for the live animals offered in these markets, and if they are to get foreign markets for American meat. This is to the interest of the producer and of labor as well, for if this export business is cut down it will cut the price of the live animal in two in a few days, and when that is done production will fall off; and when that comes about then the price to the consumer will go up. You see that the packer simply must pay enough for the live animal to encourage production, and at the same time he must sell the finished product low enough to encourage consumption. But I want to say to you very candidly that the pernicious activity of the Federal Trade Commission here and abroad has had a direct effect upon our exports. England is now threatening to boycott American meats and to get their meat in the future from her colonies and South America. We must look at this matter with vision and with our eye to the future. I sometimes doubt whether these people really know what they are doing. It would be a dreadful calamity to strike down the efficiency of this vital industry.

Of course, you know the game well enough to know that where there is well-organized propaganda, as there is in this case, their first effort is to create in the pubilc mind that there is necessity for some legislation. I say to you that there is no necessity for any legislation against the packers, and I defy the successful contradiction of this statement. But to place this complex and complicated industry under the license system so that the business would be conducted according to such "rules and regulations" as one man in Washington might announce, would be absolutely fatal. Then the "rules and regulations" so determined upon would be carried out by political appointees, inexperienced in this business. This state of affairs is nothing short of its being unthinkable.

I am very much in earnest in this matter, and am so thoroughly convinced of my position that I do not want you to rely merely upon my statements or assertions. I am ready and willing to back up any of these statements in any way that you may determine, so that you will be satisfied in your own mind. This means much to the country generally; it means more to the South, for if this law is passed then the South may never hope for packer development. And not only that, this law would affect other business, and it would in the same way affect general manufacturing development in this section. We are hoping to build up a great live-stock market here in New Orleans, and a great deal will depend upon your position in Washington on this vital question.

I understand that the packers are not popular in certain quarters. How would that be possible in view of the very unfair propaganda that has been launched against them in the last few years, and particularly by a branch of the Government? But this is the time when men must stand firmly on great questions of this kind.

I want to thank you very cordially, indeed, for the opportunity of expressing to you my opinions more at length, and I stand ready and willing to give you any data or information that you will require on this subject.

Hoping that you will go into it very thoroughly, and that you can conscientiously see this subject on its merits, as I do, and with highest regards, I remain,

Yours, very sincerely,

ANDREW FITZPATRICK.

LEAGUE OF NATIONS.

Mr. LODGE. Mr. President, I desire to give notice that, with the permission of the Senate, I shall address the Senate on Tuesday next, August 12, on the league of nations.

THE RAILROAD QUESTION.

Mr. CUMMINS. Mr. President, I ask the indulgence of the Senate while I make a statement with regard to the railroad question.

I think everyone realizes that we are approaching, if we have not already met, an exceedingly serious situation. We ought in this crisis above all things to keep our heads and to consider the various phases of the problem in good temper. We ought not to denounce the railway men for demanding an increase in their wages unless we are very sure of our facts.

Mr. NELSON. May I ask the Senator a question?

Mr. CUMMINS. Yes; I will yield.

Mr. NELSON. Is this demand for an increase of wages made the basis, directly or indirectly, for Government control and operation?

Mr. CUMMINS. I do not know. The Senator will be compelled to answer that question for himself. The railway executives have been demanding an increase in rates for a long time, and no one, I think, has denounced them for believing that rates of transportation should be increased, whatever differences of opinion there may be upon the subject. Just so we ought not to denounce the railway workers for insisting upon increased pay until we have informed ourselves with respect to the justice of their demands. I say this because——

Mr. NELSON. Will the Senator from Iowa permit me to interrupt him?

Mr. CUMMINS. I yield.

Mr. NELSON. Is this demand for increased wages on their part accompanied by a threat to strike?

Mr. CUMMINS. I do not know. The Senator from Minnesota will have to inform himself upon that point from other sources. All that I am suggesting is that we do not inflame the existing situation; that we look upon every part of it coolly and deliberately, and speak temperately with regard to it.

Mr. President, I do not intend to discuss the questions that are suggested by the Senator from Minnesota; they have no

relation whatever to the matter I am about to submit to the Senate. There will be abundant opportunity in the very near future for the people of the country and for the Senate to consider all these very difficult and doubtful propositions. I arose for the purpose of correcting what I believe to be a false impression which has been created, unintentionally I hope, by certain interviews which have been published as emanating from the Director General of Railroads.

On Friday last, as chairman of the Committee on Interstate Commerce, I received a letter from the President of the United States. I now read it and make it public, because I assume, and I am sure that the President recognizes, that it is a public matter. It is dated August 1, 1919, and is as follows:

THE WHITE HOUSE,
Washington, August 1, 1919.

MY DEAR SENATOR: I take the liberty of inclosing a copy of a letter which I have just received from Mr. Walker D. Hines, the Director General of Railroads, and which I am sure you will agree with me in thinking contains matter for very serious thought and for action also.

May I not say that I concur in the suggestions which Mr. Hines makes in the two concluding paragraphs of his letter? I hope that it will be possible for your committee to consider and recommend legislation which will provide a body of the proper constitution authorized to investigate and determine all questions concerning the wages of railway employees, and which will also make the decisions of that body mandatory upon the rate-making body, and provide, when necessary, increased rates to cover any recommended increses in wages, and, therefore, in the cost of operating the railroads. In view also of the indisputable facts with regard to the increased cost of living, I concur in Mr. Hines's suggestion that the legislation undertaken should authorize the body thus set up to make its findings with regard to wage increases retroactive to the 1st of August, 1919, at any rate to the extent that that tribunal may regard reasonable and proper, in order to give real relief to the employees concerned.

I need not, I am sure, urge upon you the importance of this matter, which seems vital from more than one point of view, and I hope that you will think this form of action the proper and necessary one.

Cordially and sincerely, yours,

WOODROW WILSON.

Hon. ALBERT B. CUMMINS,
Chairman Committee on Interstate Commerce,
United States Senate.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Colorado?

Mr. CUMMINS. I yield.

Mr. THOMAS. Mr. President, I am informed—and the Senator from Iowa will correct me if my information is wrong—that an increase of 1 cent per hour in the wages of these employees is the equivalent of $50,000,000 per annum, which, at 16 cents, would be $800,000,000. Is that correct?

Mr. CUMMINS. I think the letter of the Director General of Railroads, which the President has inclosed to me, makes a statement approximately like the statement just made by the Senator from Colorado. The Director General says this:

> We have received the most positive assurances that any general increases to shop employees will result in demands for corresponding increases to every other class of railroad employees. The situation therefore can not be viewed except as a whole for the entire 2,000,000 railroad employees. Viewing it as a whole, every increase of 1 cent per hour means an increase of $50,000,000 per year in operating expenses for straight time, with a substantial addition for necessary overtime. An increase of 12 cents per hour——

That is the demand of the shopmen—an increase from 68 cents an hour to 80 cents an hour—

> as asked for by the shop employees, would, if applied to all employees, mean (including necessary overtime) an increase of probably $800,000,000 per year in operating expenses.

An increase of 16 cents per hour would amount to something like $200,000,000 more, namely, to $1,000,000,000.

Mr. THOMAS. Then the position of the trainmen virtually is that their wages shall be increased at the rate of $800,000,000 a year in order to meet the increased cost of living?

Mr. CUMMINS. If a proportionate increase shall be awarded to all railway workers, the increase annually would be $800,000,000.

Mr. THOMAS. I think the Senator will agree with me that the effect of such a raise would merely be proportionately to increase the cost of the necessities of life, while the public, as usual, pays the bill.

Mr. CUMMINS. Unquestionably, Mr. President, that would be its effect, and its effect in that respect is fully recognized by the railway men, and their demand, as I understand, is in the alternative, either such an increase in their compensation or a reduction in the cost of living, so that their present wages will be relatively the same as though increased.

Mr. THOMAS. That is to say, either control the law of gravitation or abolish it.

Mr. CUMMINS. I am not intending to discuss the subject of the propriety of the increase in wages nor the futile attempts that may be made or that have been made to decrease the cost of living. Personally, while I think that many things might be done that would have some effect upon the cost of living, we will have to depend mainly upon the natural development of commerce and business, and in some way that no human being can now fairly anticipate resume the relations which were established before the war and which will take a long time again to establish. We must bear the consequences of this war. They will not be borne simply by paying the expenses of the war. The whole world is dislocated; all its relations are changed, and just how we will reach the point of safety and again feel the security of the old-established relations between employers and employees and between the various transactions of commerce I do not know, nor do I believe that any human being can foretell.

Mr. McKELLAR. Mr. President——

Mr. CUMMINS. I yield to the Senator.

Mr. McKELLAR. Mr. President, it seems to me that, of course, the best possible thing to do is to have action by Congress as to the railroads as quickly as possible, because only by congressional action can the railroad question be definitely settled, and I am wondering if the Senator, as chairman of the Committee on Interstate Commerce, can tell us with any degree of certainty when we are going to have a report from the committee as to the legislation necessary either to restore the railroads to their owners or to take whatever course the committee may recommend?

Mr. CUMMINS. Mr. President, I do not intend to be drawn into a discussion of the question of the reorganization of our system of railway control at this time.

Mr. McKELLAR. That was not my purpose. I was wondering what action the committee had taken, or when it will take action, so that the matter can be discussed by the Senate.

Mr. CUMMINS. Nor do I believe that any system of railway regulation or control will meet the emergency that now confronts us; but I am glad to answer the question of the Senator from Tennessee. The Committee on Interstate Commerce began the moment it was organized to consider the general subject of railway reorganization. It will be remembered, although possibly it is not generally known, that during the last winter and spring there were submitted to the Committee on Interstate Commerce, with most elaborate arguments, at least 10 distinct, complete, independent plans for the reorganization of the relations between the Government and the railroads, all of them coming from very thoughtful men, and all of them being exceedingly well considered in their development and in their argument. As chairman of the Committee on Interstate Commerce there have been submitted to me, including those submitted to the committee, more than 30 distinct, independent, complete plans for the readjustment of the relations between the Government and the railroads. They are as various as the minds from which they come; they are all worthy of careful consideration. The subject itself is so broad and comprehensive as to tax the best of thought of any mind. Our committee has been considering these plans from the very beginning. It is now operating through a subcommittee. We have been discussing the fundamental principles which ought to control the legislation which we hope to propose. We have made excellent gratifying progress in those discussions; and all that I care to say at this time with regard to the matter—for I would not want to fix a definite time for a report—is that long before the Senate has disposed of the league of nations the Committee on Interstate Commerce will be ready to report a bill; we all fear that the Senate would be in no frame of mind to consider this very vital subject until the league of nations or the treaty with Germany is disposed of. If the Senate could find time to take up some of our domestic problems, for the safety of our own people, and to avert a catastrophe which thoughtful men believe may occur at any moment, instead of spending so much of its time on foreign affairs, I believe the country and I know our committee would be better satisfied.

Mr. THOMAS. In other words, Mr. President, the Senator is of the opinion that if we must choose between the two, peace at home is preferable to peace abroad?

Mr. CUMMINS. I am thoroughly of that opinion, Mr. President.

Mr. THOMAS. So am I.

Mr. CUMMINS. I am shuddering all the time lest, in our concern for the downtrodden people of Europe, we will suffer the same disasters through which they are now passing.

Mr. KIRBY. Mr. President——

Mr. CUMMINS. I yield to the Senator from Arkansas.

Mr. KIRBY. I understand that the Government is operating the railroads already at a loss of about $30,000,000 a month. I have not seen the document that the Senator read this morning, but I should like to know what is the estimated loss in operation under Government control if the demand as made here is granted without any increase in rates?

Mr. CUMMINS. Of course if the wages are increased as demanded, and there are no increases in revenues, the deficit will be just so much more. I am assuming that an advance in rates will mean an advance in revenues. That is not always true.

Mr. THOMAS. But, Mr. President, that means, does it not, in the end that it is a case, so far as the people are concerned, of "heads I win; tails you lose"?

Mr. CUMMINS. I would not care to affirm that suggestion in terms, but it is something very nearly that.

But I have been digressing. I rose for the purpose of indicating to the country and to the Senate that the Railroad Administration has full power to deal with the situation without an appeal to Congress. We have already given to the President and to the Director General all the powers that are necessary to deal as their judgment may suggest with the very condition that has now arisen. I would not consider it necessary to do this if it were not for an interview published, as I said a moment ago, in last night's Evening Star, coming from Mr. Hines; and I must not be understood as disparaging Mr. Hines. I think he is one of the ablest men who have ever attempted the management of railroads. I am bound to say that he is a great improvement over his predecessor, although I do not care to criticize his predecessor, save that he did not know the business in which he was engaged.

Director General Hines to-day explained to a group of representative labor leaders that he had asked President Wilson to have Congress take up the question of increased wages because he believed the Railroad Administration virtually had been shorn of the power to increase rates to meet such advances.

The Director General said passage of a bill by the Senate to restore the Interstate Commerce Commission its power to suspend proposed increases was tantamount to putting the Director General on notice that Congress disapproved of increases except by the rate-making body.

Mr. Hines also explained the financial situation of the Railroad Administration and invited the railroad men to give any suggestions they cared to have incorporated in the bill which he plans to present to Congress.

The Committee on Interstate Commerce intends to give careful consideration to the recommendation of the President, and I do not even predict what the action of the committee will be in response to his suggestion; but I do say that it is unfair to Congress, both the Senate and the House, to issue a statement to the country that the situation can not be dealt with by the Railroad Administration until additional legislation is enacted. The President has the absolute power, through the Director General, to fix the wages of all railway employees. The Government of the United States is the employer. It can hire, it can discharge, any employee. It can determine precisely what each employee shall receive for the service he renders. There can be no question whatsoever with regard to his power in that regard. He can fix the rates which shall be charged for transportation and make them effective at any time he may determine. There can be no doubt whatsoever with regard to that power, because it is expressly given to the President and to the Director General in the act of March 21, 1918, respecting Federal control.

Mr. LENROOT. Mr. President——

Mr. CUMMINS. I yield.

Mr. LENROOT. The Senator speaks of the power of the President. Is it not more than power? Does not the duty devolve upon the President as well as the power?

Mr. CUMMINS. Mr. President, it is impossible for me to conceive of power without duty.

Mr. OVERMAN. But we have taken away from him the right to initiate rates.

Mr. LENROOT. No.

Mr. CUMMINS. No, Mr. President; that is the very misapprehension which has been created. We have not taken from him the power to initiate rates. We have not taken from him any power whatsoever. It is true that a month ago or more the Senate passed the bill, which I introduced, restoring to the Interstate Commerce Commission the authority to suspend rates which might be initiated by the President or the Director General, just as it might have suspended before the war rates that were initiated by railway companies; but, Mr. President, the bill to which I have just referred has not become a law. It has been obstructed in the House of Representatives by the Railroad Administration itself, and it was not until yesterday that the bill was reported to the House by the Committee on Interstate and Foreign Commerce in the House. I am still in favor of that law, and I am not insisting that we should not—indeed, I am insisting that we must—pass a law so that the Interstate Commerce Commission shall have the power, if it believes it should be exercised, to suspend rates made by the Director General. But the authority, as well as the duty, of fixing wages at the present time rests with the Director General. The authority, as well as the duty, of initiating rates which may be necessary to meet the demands for increased wages or the increased cost of transportation rests with the Director General, and it will rest with him after the act to which I have just referred has passed the House and becomes a law.

Mr. FLETCHER. Mr. President——

Mr. CUMMINS. I yield.

Mr. FLETCHER. May I ask the Senator what the increase is now over the rates as they were before the Government took control? My information is that the average increase, as compared with the old rates, is between 25 and 30 per cent. Is that correct?

Mr. CUMMINS. It was said at the time to be an increase of 25 per cent, and there is a sense in which that is true; but when the orders of the Director General were applied to the actual affairs of transportation it resulted in increasing the rates in some instances less than 25 per cent and in many instances a great deal more than 25 per cent; in some cases as high as 100 per cent and in rare instances even more than that.

Mr. POMERENE. Mr. President——

Mr. CUMMINS. I yield to the Senator from Ohio.

Mr. POMERENE. The testimony before our committee—and I think I quote accurately Mr. Clifford Thorne, who is an expert who has given a good deal of attention to these subjects—was that the rates on coarse grades of freight in the Central West were increased from 50 to 60 per cent, and there was testimony as to certain articles from New Orleans northward that were increased 240 per cent; and one of the members of the committee made the statement in open session of the committee that in certain sections of the South the increases in rates were as high as 500 per cent. This was largely due, as I understood it, to some changes which were made in classification by a new rate-fixing committee that was organized by the Director General, which was never in the contemplation of Congress.

Mr. CUMMINS. The Senator from Ohio has stated the matter with accuracy, as it has been developed before our committee. Possibly a better understanding of the effect of the increases in rates may be had if I refer to the result of the increases in rates.

This general increase was put into effect in May and June, 1918. The rates were therefore operative only during substantially a half year, prior to the 1st of January, 1919. The gross revenues of all the railroads in the possession of the Government for the year 1917 were, in round numbers, $4,100,000,000. The gross revenues of the railroads in Government control for the year 1918 were about $4,900,000,000. The volume of traffic was slightly less in 1918 as compared with 1917. So it is fair to deduce the conclusion that the increased rates operating for substantially seven and a half months of the year 1918 resulted in an increase in gross revenue of $800,000,000, and if they had been in effect during the entire year upon a similar volume and kind of traffic the increased rates would have aggregated in increased revenue a little more than $1,400,000,000.

Mr. KELLOGG. Mr. President, I think the Senator ought to state the other side of the ledger. The operating expenses increased something like five or six hundred millions more than the increase in income.

Mr. CUMMINS. Mr. President, I think the Senator from Minnesota has overstated that a trifle, but, nevertheless, the substance of his remark is true, for either through increased wages, increased cost of supplies, inefficiency in operation, or the increase in the number of employees, the operating revenue of the railways under Federal control resulted in a deficit of $250,000,000 for 1918.

Mr. NORRIS. Mr. President, I would like to ask the Senator, in connection with the expenses, whether under the provisions of the law in regard to the guaranteeing of dividends to the various railroads they have been in every case contracted for on the maximum amount provided by law; and if that is true, or if it is true to some extent, what effect has it had upon the expense side of the ledger?

Mr. CUMMINS. I have not examined all the contracts which have been made, but I do not know of any contract made with a railroad company in which the compensation agreed to be paid by the Government for the use of the property was less than the maximum amount provided for.

Mr. NORRIS. If that be true, then there are a great many stockholders of railroad companies who are now being paid dividends running all the way from 10 to 50 per cent. Take the Burlington road, for instance, with which the Senator is familiar.

Mr. CUMMINS. As I pointed out when we had the railroad-control act under consideration, the compensation that was provided to be paid to many of the railroads was excessively high.

Mr. NORRIS. The point I want to get at is whether if we paid a reasonable rate it would not so materially reduce the expense of operation that all these increases would be unnecessary.

Mr. CUMMINS. I can only express my own opinion. The Senator from Nebraska will remember that during the consideration of the act, in March, 1918, I insisted very earnestly and with all my strength that the compensation which we were agreeing to pay to the big railroads was $250,000,000 per year more than we should have agreed to pay.

Mr. NORRIS. I was one of the Senator's humble followers in that fight; but we did not require the President to pay this maximum rate, and it was said, in answer to our argument, that it would not be paid as a matter of practice. I am trying to find out whether it is paid as a matter of practice.

Mr. CUMMINS. It is paid.

Mr. NORRIS. If that be true, then there are a great many instances where the cost of operation could be very materially reduced. For instance, in the case of the Burlington Railroad—which I just happen to remember, because I live on it, and I am familiar with it, as the Senator from Iowa is—the rate of dividends that they would get, if they made the contract on the maximum basis, would be 22½ per cent annually on all their stock.

Mr. CUMMINS. As I remember it, it was a trifle more than that. I think the contract with the Burlington gives it compensation which would enable it to pay somewhat more than 22½ per cent, although I have not personally examined the contract.

Mr. NORRIS. That is the exact figure, as I remember it.

Mr. KELLOGG. Mr. President——

Mr. CUMMINS. I yield to the Senator from Minnesota.

Mr. KELLOGG. The question of the compensation paid the railroads has nothing to do with the operating expenses, and it is not figured in the operating expenses. The operating expenses I was talking about are the ordinary operating expenses of the road.

Mr. NORRIS. I was not talking about the same thing, probably.

Mr. KELLOGG. I think not.

Mr. NORRIS. But the amount we pay the railroads does enter into this problem very materially, because we have to pay it either from the Treasury of the United States or in rates on the railroads.

Mr. CUMMINS. Mr. President, it enters into it to just this extent, that if we had paid the railroads $200,000,000 less as compensation during the year 1918, instead of being compelled to go to the Treasury of the United States for $240,000,000 in order to pay them, we would have been compelled to go to the Treasury for only $25,000,000 or $30,000,000 in order to pay them.

Mr. POMERENE. Mr. President——

Mr. CUMMINS. I yield to the Senator from Ohio.

Mr. POMERENE. I think it, perhaps, ought to be stated, in fairness to all parties concerned, that the rate which it was arranged to pay—that is, the maximum rate of dividends—should not be in excess of the dividends which were paid in peace times. In other words, the committee and the Congress were trying to pay compensation for these properties on the same basis on which they were earning prior to their being taken over. If every other property and every other enterprise had been dealt with as strictly as were the railroads, we would not have had many of these fat corporations and very large incomes.

But that is not what I rose to suggest. The Senator from Iowa a moment ago was discussing the increase in the expense account of the railroads. Am I not right in the statement that the Director General said to us in the committee that with the increased rates provided for in the so-called 25 per cent increase and with the increased wage that was to be paid at the end of a full year there would be a net surplus of more than $100,000,000 for the year, and instead of meeting that situation we are met under the present management with a monthly deficit, notwithstanding these increases?

Mr. CUMMINS. Mr. President, my recollection is that the former Director General made before our committee the statement that all the losses for the year 1918 would be recovered during the year 1919 under the increases in the rates which had been promulgated by him. I do not remember that the present Director General was quite so optimistic in regard to the outcome of the year 1919. He hoped, he said, that the greater business incident to the moving of the crops and the revival of commerce in the fall of the year 1919 might enable him to close this year without loss. Of course, his experience has not verified or fulfilled his predictions. We lost $240,000,000 last year, and we lost in the first four or five months of this year $260,000,000, and we are now losing at the rate of $39,000,000 per month.

Mr. POMERENE. Mr. President——

Mr. CUMMINS. I yield.

Mr. POMERENE. And at the same time cars are not being furnished in sufficient numbers to accommodate the traffic. Just the other day I had a letter from the secretary of agriculture of the State of Ohio stating that there were then needed in that section 8,000 cars for the purpose of hauling fertilizers for the farmers' seeding this fall, and it is next to impossible to get the cars. I am having the subject up now with the Director General's office. On yesterday I called attention to what I believe to be the situation, namely, that there are not cars in sufficient numbers furnished to the coal operators to afford the necessary transportation for coal, and the fall season is now almost upon us.

Mr. McKELLAR. Mr. President——

Mr. CUMMINS. I yield to the Senator from Tennessee.

Mr. McKELLAR. I am not sure that the Senator from Iowa understood the suggestion I desired to make a while ago. Perhaps I did not make myself plain. I realize that the Director General, of course, has a right now to make rates and to fix wages, and primarily it is his duty to do so. I realize also the stupendousness of the task of the committee, as the Senator from Iowa has pointed out. The many plans proposed must have the careful consideration of the committee. We all realize that. I realize also that Senators have been concerned somewhat about the league of nations, but that treaty does not come before the Interstate Commerce Committee primarily. I agree with all the facts that the Senator from Iowa has stated, and especially the fact that the Government is losing large sums of money, and particularly the fact that in this period of transition, of unrest, the whole country is looking to Congress as the only body which has the right to make a permanent policy for the railroads. My suggestion is, therefore, that the sooner we get to that permanent policy, manifestly, to my mind, the better the country will be off. Congress must act and produce a permanent policy for the railroads before we can hope for any relief from the many ills that now confront these railroads. We can not shift that responsibility to other shoulders.

Mr. CUMMINS. I quite concur in the statement just made by the Senator from Tennessee, and I promise him that long before the Senate is in position to take up for consideration the railroad problem the report of the committee will be before the Senate.

Mr. President, we have drifted into a discussion which is not valueless, but I recall myself at least to the point I desire to make. The Interstate Commerce Committee of the Senate is desirous of cooperating with the President and with the Director General in every practical and just way. The chairman of that committee is exceedingly anxious to cooperate with the President in bringing order out of chaos and in preparing to meet what I grant to be a most serious condition. But in justice to the committee and in justice to the Senate and in justice to the House I could not permit the impression to become fixed among the people of the country that the delay in dealing with this subject is the delay of Congress. I do not enter upon the question whether the President should not delay, or whether the Director General should not delay the raising of wages and the increase of rates. I am not passing upon that. I am neither approving nor condemning the policy which he has pursued in that regard; but I do hope that the people of this country will understand that if wages are to be raised and if they ought to be raised now, the Director General has the power to raise them. I hope the country will know that if rates are to be increased or ought to be increased in order to meet the increased cost of maintenance and operation, the Director General has the power to raise them.

Mr. POMERENE. Mr. President——

Mr. CUMMINS. I yield to the Senator from Ohio.

Mr. POMERENE. Has the Director General indicated that, in his judgment, the rate of wages should be raised?

Mr. CUMMINS. Not to me, except in that general way in which all of us consider every demand for increase of wages. It is generally understood, I think, that the rapidly increasing cost of living is demanding or is justifying an increase of wages everywhere if the proper relation between wages and the cost of living is to be preserved.

Mr. POMERENE. I do not know of anyone who is in a better position to know whether they ought or ought not to be raised than the Director General. A formal communication has been

presented to the committee bearing generally upon this subject, but I confess that it looks to me as if it were the desire to pass the responsibility. Of course, I am not qualified to be the Director General of Railroads, but I think if I were Director General of Railroads I would have the courage to say either that there ought or ought not to be an increase of wages, or I would resign.

Mr. CUMMINS. Mr. President, all I am interested in establishing is that the power resides with the Director General both to increase wages and to increase rates, and as the law now is, the rates could be made effective at any time determined by the Director General.

Mr. KING and Mr. WATSON addressed the Chair.

The VICE PRESIDENT. Does the Senator from Iowa yield; and if so, to whom?

Mr. CUMMINS. I yield first to the Senator from Utah.

Mr. KING. Does not the Senator think, notwithstanding the Director General has the power to fix rates and to increase wages, or to lower them, if he desires, in view of the legislation which is now imminent upon the part of Congress and in view of the unsettled and unstable condition of the economic and industrial world, it would be unwise upon his part to take the responsibility to increase wages, at least to increase them to any material extent at this time?

Mr. CUMMINS. Does the Senator from Utah mean the general legislation in view respecting the reorganization of railways or the particular legislation which is asked in the letter of the President to me?

Mr. KING. I have in mind the general legislation pending before the committee for the reorganization of the railroads, turning them over, probably, to their owners, and the bill which the Senator from Iowa introduced and which passed the Senate and which has gone to the House.

Mr. CUMMINS. If we can wait until the general legislation is determined, then there is no emergency. I have assumed that the President was of the opinion, according to his letter to me, and I know that he is of that opinion and I know that the Director General is of that opinion also, that we have an acute and imminent situation which must be dealt with. What he asks us to do is to pass a law which will create a new board for the fixing of railway wages and to adopt a direction to the Interstate Commerce Commission that it shall increase rates in accordance with the increase in the cost of operation. If that is imminent, if it is emergent, and I believe it is, whether it should be done within a week or a month, I do not know, but I am sure it must be dealt with before we can hope to pass a general reorganization bill. I am not saying that I am not willing to take my share of the responsibility. I am willing to assume it, but I do not think it fair or just that the impression should go to the country that the administration is powerless to meet the situation until Congress acts, and that is always accompanied by the statement of the newspapers that Congress is unduly slow and reluctant to act upon any grave and vital matter.

Mr. JONES of New Mexico and Mr. KING addressed the Chair.

The VICE PRESIDENT. Does the Senator from Iowa yield; and if so, to whom?

Mr. CUMMINS. I desire first to yield to the Senator from Indiana, who requested me to yield a moment ago.

Mr. WATSON. The specific thing that the President asked us to do is to create this board, is it not?

Mr. CUMMINS. Yes; to create the board and direct the Interstate Commerce Commmission.

Mr. WATSON. Does not the Senator believe the President himself has authority to appoint a board for the purpose of advising him as to increases in rates and in wages, because if the authority now rests with him, as undoubtedly it does, to raise wages or to increase rates, he has the right to appoint any board or commission or to establish any agency that he might deem appropriate for the purpose of advising him, has he not?

Mr. CUMMINS. Mr. President, the Director General has just the same right to take advice in regard to wages that shall be paid railway employees that I would have if I were hiring a person to render service for me. He is not limited in the scope of his power, and there is nothing that he wants to do that he can not do, with regard to securing all the information that is necessary to enable him to exercise his own judgment.

Mr. KING. Mr. President, will the Senator yield for a question?

Mr. CUMMINS. I yield to the Senator.

Mr. KING. It is rather more than a question, and I apologize to the Senator. Complaint has been made heretofore because the Executive, acting through the Director General, has imposed increased rates for passengers and freight, and it has been charged that that has proved to be a burden upon the owners of the railroads; that it is unfair for the Government to take over the railroads and to saddle upon the owners such a large increase in operating expenses. Does not the Senator think, in view of those charges or criticisms, and perhaps there is some little merit in them, that there would be greater ground for criticism if the President and the Director General should add additional burdens to the owners of the roads and to the public by increasing the wages? In other words, does not the Senator think it is far better, if such an important step is to be taken, particularly in view of the fact that the whole subject is before Congress, that Congress should legislate and direct whether there shall be an increase in wages, and if so to advise the means by which that increase shall be made?

Mr. CUMMINS. That depends entirely upon one question. Have the people of the country more confidence in the President than they have in Congress? What does the Senator from Utah say in regard to that?

Mr. KING. I do not know that that is a very fair question to ask. I leave it to the Senator from Iowa to determine whether this body has the confidence of the people and whether the House has the confidence of the people as much as the President has. I do not think that is a determinative point in the question which I propounded or the suggestion which I made.

Mr. CUMMINS. No matter what law we pass, if the House enacts the bill that passed the Senate a short while ago restoring to the Interstate Commerce Commission the power to suspend rates that are initiated by the Director General, the Director General will be compelled to decide for himself whether the rates for transportation shall be raised or lowered. There is no one who can share that responsibility with him. He is an executive officer and in full control of the railway companies, and he must determine whether the rates shall be advanced or not. Then the Interstate Commerce Commission, reviewing the entire situation, may, if it sees fit, suspend those rates for examination. If the Interstate Commerce Commission should suspend the rates, then the Director General is relieved of responsibility, and it falls upon the Interstate Commerce Commission, where, in my judgment, it ought finally to rest. The final decision with regard to the reasonableness of rates should remain with the Interstate Commerce Commission, but there is no escape from responsibility on the part of the operator—in this instance the Director General—of the railway property in determining whether the rates which he is charging for transportation are adequate or inadequate. So there is no legislation that we can adopt, so far as rates are concerned, that will relieve the Director General.

The only thing we can do that would share the responsibility with the President, so long as Federal control shall continue, is this: We can pass a law authorizing the President to appoint a board for the purpose of determining wages, and in doing so we become, in a measure, a sharer with him in the responsibility for the wages that are established. That is the only thing we could possibly do, and that the President has the right to do now. He may desire to wait until Congress either does that thing or refuses to do that thing, but he can not, and must not, stand before the country as being powerless to meet the situation which now exists, and which I believe, and which every thinking man must believe, is not only imminent but exceedingly serious.

Mr. KING. Mr. President——

Mr. CUMMINS. I yield to the Senator from Utah.

Mr. KING. If the Senator will pardon me, I will state the way this proposition presents itself to me:

The Congress of the United States, under the exercise of the war power, took over the operation of certain of the railroads of the United States. It was understood that was necessary to meet a war emergency, and that upon the termination of the war the railroads should be restored to their owners. The President of the United States, deeming the time propitious, recommended a restoration of the railroads to their owners, and asked Congress to take up the question and pass appropriate legislation that might be necessary to effectuate that object. Congress is dealing with that subject now; important committees are considering plans for the accomplishment of that purpose. The Senator from Iowa has stated that 30 plans have been submitted for consideration.

It seems to me, in the light of the fact that the railroads are soon to go back to their owners—I hope so; I hope we shall have the courage to do the right thing—that the President ought to halt in any course that would increase the burdens upon the owners of the railroads or change the status quo, and that the Congress, at the earliest possible moment, ought to enact such legislation as will accomplish the desired result.

Mr. CUMMINS. Mr. President, the President of the United States does not concur with the Senator from Utah [Mr. KING], for he believes that there ought to be something done immediately, and I concur with him in that regard. We can not wait until the general reorganization of the railways shall be determined upon. If the situation is as perilous as indicated by the Director General and by the President—and I believe it to be—something must be done in the very near future. All that I am trying to do is to inform the American people that there is nothing that Congress can do in the matter that it has not already done, except to authorize the appointment of a board. I am not saying whether we ought to do that or not; I am expressing no opinion upon that whatsoever; but I am endeavoring to dispel an illusion or misapprehension that has gone abroad throughout the length and breadth of the country with respect to the existing power of the President.

Mr. OVERMAN. Mr. President——

Mr. CUMMINS. I yield to the Senator from North Carolina.

Mr. OVERMAN. If I understood the letter of the Director General, he has construed the bill of which the Senator spoke, of which he is the author, and which passed the Senate, as taking from him the power to fix rates.

Mr. CUMMINS. I think not.

Mr. OVERMAN. He construes it differently from the Senator.

Mr. CUMMINS. He has not so construed it, so far as I know.

Mr. OVERMAN. I so understood it from the reading of the letter.

Mr. CUMMINS. It would be impossible for him to so construe it.

Mr. OVERMAN. I should like to have the Senator from Iowa read what the Director General says about that matter.

Mr. CUMMINS. He does not say a word about it, so far as I remember, in his letter to the President, but he does say a great deal about it——

Mr. OVERMAN. It was the interview, probably, that I had in mind.

Mr. CUMMINS. But he does say a great deal about it in the interview. In the interview the Director General of Railroads says:

Passage of a bill by the Senate to restore the Interstate Commerce Commission its power to suspend proposed increases—

How could the Interstate Commerce Commission suspend an increase until it was ordered? It has no power to proceed except upon the act of the Director General—

was tantamount to putting the Director General on notice that Congress disapproved of increases except by the rate-making body.

Congress has not expressed any such disapproval; it has not, I assume, expressed any opinion upon that particular subject, and it ought not to express any opinion upon it, because a judgment with regard to the propriety of rate increases would demand infinitely more information than Congress can possibly secure.

Mr. President, I apologize to the Senate for this long discussion of this matter. I hope it has somewhat cleared the atmosphere and that we shall all feel free to go forward and act upon this immensely important subject in accordance with the necessities of the country and the welfare of the people. If wage increases and rate increases are to be made in the near future, the President and the Director General of Railroads have abundant power to dispose of both those matters.

Mr. President, I ask the consent of the Senate to have printed in the RECORD as a part of my remarks the letter of the Director General inclosed with the letter of the President.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter referred to is as follows:

JULY 31, 1919.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: Several months ago the railroad shop employees asked for an increase in wages. The matter was considered by the Railroad Administration's board of wages and working conditions, which is composed of three representatives of labor and three representatives of the railroad managements. This board was unable to agree and therefore took no action as a board, but on July 16 I received two reports from members of the board, one from the three labor members recommending a general increase in wages (for example, increasing the wages of machinists from 68 cents per hour to 80 cents per hour and proportionately increasing the wages of other classes of shop employees), and another report from the three management members, recommending against any general increase in wages, although recommending certain readjustments of the wages of some classes of the employees.

The position of the labor members of the board is that the wages of railroad shopmen are substantially below the wages paid similar classes of employees in the navy yards, arsenals, and shipyards, and in many industrial enterprises in the principal cities of the country, and that substantial increases in the wages in the shipyards and outside industrial enterprises have taken place since the wages of the shop employees were established in the summer of 1918, and that the cost of living has been and is steadily rising. The position of the management members on the board is that the wages of shop employees are not properly comparable with the wages of nonrailroad employees cited by the employees and their representatives and that these latter industries have differentiating conditions which account for the high wages paid by them, and that a further wage increase at this time would simply begin a new cycle in the increased cost of living which would not benefit the employees. They urge instead the adoption of effective methods of reducing the cost of living, but they add that unless some action can be taken within a reasonable time to accomplish this result they see no alternative but to continue the wage cycle increases with corresponding increased cycles of living costs.

On July 28 a conference was begun, in accordance with an arrangement made on July 8, between the representatives of the Railroad Administration and representatives of the shop employees. At this conference the representatives of the employees made it plain to my associates that their members expected and believed that they were entitled to a substantial increase in wages retroactive to January 1, 1919, and that the state of unrest was so great that it was of the highest importance that a definite answer be given on the wage matter without delay. These representatives expressed the same views to me yesterday.

On July 17 the shop crafts convention, meeting at Atlanta, Ga., and representing employees from 16 railroads in the Southeast, strongly urged the necessity for substantial increases in wages by August 1, retroactive to January 1, 1919.

The earnest insistence that immediate action be taken to equalize wages with the rapid increase in the cost of living is not confined to the shop employees.

The triennial convention of the Brotherhood of Railroad Trainmen, representing about 160,000 railroad employees, meeting at Columbus, Ohio, adopted on May 31 a resolution strongly urging substantial additional increases in wages to meet the cost of living.

The triennial convention of the Brotherhood of Locomotive Firemen, meeting at Denver from June 9 to July 15, and representing about 116,000 employees, likewise adopted resolutions insisting upon the necessity for substantial increases in wages to meet the increased cost of living.

The thirteenth annual convention of Railway Signalmen of America, in session at Kansas City on July 15, strongly urged a further increase in wages, and similar action was taken at Boston on July 27 by 150 delegates to the convention of the United Brotherhood of Maintenance of Way Employees and Railroad Shop Employees of the railroad systems of New England and New York. The international convention of the Brotherhood of Railway Clerks, which was held in Cincinnati from May 12 to 24, indorsed proposals of the Railroad Administration, which also urged an increase and readjustment of the wages of the employees represented by that organization.

The representatives of the Railroad Administration have had assurances from representatives of practically all classes of employees that the continuance in the increase in the cost of living would necessarily involve very substantial increases in wages, and that increases in wages given to any one class of railroad employees would necessitate corresponding increases to all other classes of railroad employees.

The situation thus presented involves the following considerations:

We have received the most positive assurances that any general increases to shop employees will result in demands for corresponding increases to every other class of railroad employees. The situation therefore can not be viewed except as a whole for the entire 2,000,000 railroad employees. Viewing it as a whole, every increase of 1 cent per hour means an increase of $50,000,000 per year in operating expenses for straight time with a substantial addition for necessary overtime. An increase of 12 cents per hour, as asked for by the shop employees, would, if applied to all employees, mean (including necessary overtime) an increase of probably $800,000,000 per year in operating expenses.

The Government is already incurring a deficit at the rate of several hundred million dollars per year in operating the railroads, because the increase in transportation rates has been proportionately less than the increases in wages already granted and the increases in prices which have taken place. Therefore there is no fund whatever out of which additional wages can be paid, so that additional wages can not be paid unless new revenues are produced through an increase in transportation rates, and any immediate payment of additional wages would necessitate for several months an appropriation by Congress out of the Treasury, because substantial increases in rates could not be made immediately effective.

While you may find it expedient to use the temporary rate-making power, which was conferred upon you as a war emergency during Federal control, to prevent the continuance of the deficit now being incurred, which grows out of increases in wages and prices due to the war, you would not, in my opinion, be justified in regarding that rate-making power as a sufficient warrant for making still additional increases in rates for the purpose of paying still additional increases in wages to be established under existing peace conditions, and to be controlling as the wage basis in the future.

The question presented for an additional increase in wages, whether the total amount be $800,000,000 or any proportion of that sum, is a peace-time question between the entire American public, on the one hand, and the 2,000,000 railroad employees and the members of their families on the other hand. It is a question which I do not believe the Executive ought to undertake to decide unless specific authority is conferred upon him for the express purpose of deciding it.

The fact that these demands are made and are so urgently pressed emphasizes the great necessity of having for their decision legislation which will provide adequate machinery representing both the public and the employees. Obviously any such machinery should include a method whereby revenues will be provided to the extent required to pay the increased wages awarded.

While the general powers implied in the Federal control act were sufficient to admit of taking as war measures the necessary steps to deal with the wage problems that arose during the war, they are not sufficient to satisfy the requirements arising in connection with any present proposals for general wage increases. Under the existing machinery the ultimate public interest is exclusively represented by the Railroad Administration in the making of wages, but by the Interstate Commerce Commission in the final decision upon rates. Moreover, the Railroad Administration, while thus charged with the final decision as to what wages are proper as between the American public and railroad labor, is also charged with the responsibilities incident to the day-to-day operation of the roads. On the one hand, a decision by the Railroad Administration against an increase in wages will be regarded by the employees as a decision dictated more by the immediate difficulties of railroad management than by the broad interests of the public as a

whole. On the other hand, a decision by the Railroad Administation in favor of an increase in wages will not necessarily be binding on the Interstate Commerce Commission, which is not the final representative of the public as to transportation rates. To deal with these problems under peace-time conditions there ought to be a final and authoritative representation of the public whose decision when in favor of a wage increase would carry with it the obligation on the part of the final rate-making power to prescribe rates which would furnish the necessary funds with which to pay the increased wages. It is obvious that no wage increases could be put into effect at the moment except on the theory that for several months they would be paid by an appropriation of Congress, because even under the existing machinery rate increases could not actually be put into effect for a substantial period. Undoubtedly any rate increases of a general character ought at the present time to be considered by the Interstate Commerce Commission before they shall be put into effect.

The conclusion to which I have come has been forced upon me by the recent developments above referred to.

When I announced last March the increases in wages for the employees in train and engine service I stated that they completed the war cycle of wage increases.

When it developed in May and June that the continued pressure of the increase in the cost of living was causing railroad employees generally to urge that they be given substantial protection through further important increases in wages if the cost of living was not reduced, I realized that the question was assuming such wide and deep significance to the American public, as well as to railroad employees, that the question ought not to be dealt with in the same way in which the railroad wages had been increased in connection with the war emergency. I therefore advised the Board of Railroad Wages and Working Conditions on July 3 that they could not regard themselves as vested with jurisdiction to formulate and recommend further general wage increases to be made by me, but that in all cases thereafter arising they should report the facts to me that I might decide in the light of the facts upon a fair and just procedure.

The receipt of the observations of the members of the board with reference to the shop employees, the hearings now in progress before the board with reference to the Brotherhood of Railroad Trainmen, the conferences I have had in the last three days with the representatives of the shop employees, and the conferences which my associates and I have been having recently with the representatives of practically all classes of railroad labor with reference to the menace in the continued increase in the cost of living, force me to the definite conclusion that the problem is too great and has too much permanent significance to the American public, as well as to railroad labor, to admit of its being decided through the exercise of the war emergency powers of the Federal control act, and which are subject to the limitations and embarrassments above pointed out. I feel that the developments have now reached the point where the situation has taken a sufficiently concrete form to serve as the basis for a positive recommendation.

I therefore respectfully recommend that Congress be asked promptly to adopt legislation providing a properly constituted body on which the public and labor will be adequately represented and which will be empowered to pass on these and all railroad wage problems, but not on rules and working conditions, because the latter can not be satisfactorily separated from the current handling of railroad operations and therefore should continue to be dealt with by the Railroad Administration. Such legislation should also provide that if wage increases shall be decided upon it shall be mandatory upon the rate-making body to provide, where necessary, increased rates to take care of the resulting increases in the cost of operating the railroads.

I do not think that we can properly deal with this great problem without a full recognition of the fact that the cost of living is rapidly rising and that every month that passes promises to impair still further the purchasing power of the existing wages of railroad employees unless the rise in the cost of living can be successfully restrained, as I earnestly hope in the general public interest it can speedily be. I therefore further recommend that Congress be asked to provide in any such legislation that any increases in railroad wages which may be made by the tribunal constituted for that purpose shall be made effective as of August 1, 1919, to such extent as that tribunal may regard reasonable and proper in order to give railroad employees from that date the benefit which the tribunal may think they were then entitled to. In this way the delay necessarily incident to the creation of such tribunal and its action will not be prejudicial to the fair interests of the railroad employees.

Cordially, yours, WALKER D. HINES.

Mr. KELLOGG. Mr. President, I should like to make one suggestion in reply to the question of the Senator from Utah [Mr. KING].

Let us understand that it is not permanent legislation which the President is asking us to enact. He deems that there is a temporary condition, a demand for increased wages, and that the railroad revenues are not sufficient even to pay the increases which have already been granted. What is the nature of the request the Director General of Railroads—for I do not think the President is concerned about it—is making of the Congress? It is that the Congress temporarily authorize a board to consider and recommend an increase in wages received by railroad employees. This legislation is temporarily intended to meet what is termed a great emergency, and, of course, the President or the Director General will appoint the board. Does it not seem unusual that the Congress should be asked to enact a law to enable the President to appoint a board to consider the wage question when he already has that power? The Congress has given him the most absolute power on that subject, and, moreover, he has exercised it. Pursuant to the power given him under the railroad act of 1918, the Director General appointed a wage board, consisting of Franklin K. Lane, Mr. McChord of the Interstate Commerce Commission, Judge Covington, and William R. Willcox. With their experts and employees, they spent about three months investigating questions relating to wages, including the increase in living expenses, and on April 30, 1918, submitted a very exhaustive and able report covering some hundreds of pages. I have read the report. It is very comprehensive. It recommended an increase approximating $300,000,000 in the wages of the railroad employees. The Director General then, I understand, appointed a wage board in his organization to have jurisdiction of all questions relating to increases in the wage scale, and from that time to this increases have been made, until they now aggregate about a billion dollars.

Of course, it is a matter of the greatest interest to Congress, because, without discussing the merits of their demands, for I have neither the knowledge nor the time to do that, with the present operating expenses and increased income under advanced rates, many of the leading first-class railroads to-day are not earning the interest on their bonds, and the bonds represent but a small percentage of the value of their property.

The Pennsylvania Railroad did not earn last year within $31,000,000 of its moderate dividend requirements. The Milwaukee road is not earning a cent on its bonds, and many other leading railroads that have paid dividends for many years are not earning more than the interest on their bonds. Naturally it is of interest to the Congress. But the director general, as stated by the Senator from Ohio [Mr. POMERENE], is charged with the duty of establishing wage scales and initiating rates to meet them during the time the Government has control and is operating the lines of railroad. He can not shirk that responsibility, although I am perfectly willing to assume my share of it.

The Congress was not called in extra session until the 19th of May, and we know that the time until the 1st of July was mostly taken up with appropriation bills. The members of the Committee on Interstate Commerce will confirm my statement that that committee has worked industriously on the most tremendous economic problem ever submitted to any Congress in the history of this country.

Mr. SMITH of Georgia. Mr. President, will the Senator allow me to ask him a question?

Mr. KELLOGG. I will.

Mr. SMITH of Georgia. As I understand, the President is asking that we provide by legislation for a commission to study this compensation question?

Mr. KELLOGG. Yes.

Mr. SMITH of Georgia. May it not be true that he feels that the length of time he will control the roads will be short now, and that it is better that the board which studies the question be authorized by us in order that it may be a continuing board, rather than one simply temporary, appointed by him now?

Mr. KELLOGG. The fact is that there is no suggestion, as I understand, that this should be a continuing board. Who would make the appointments?

Mr. SMITH of Georgia. The members of the board would be appointed as we might provide. I am in no sense in the President's confidence. I am merely asking the question as a Senator who has felt that we might previously have carried responsibilities that were not yielded to us and who is disposed to help carry any when we have an opportunity so to do.

Mr. KELLOGG. Of course, the most we could do would be to authorize the President to appoint a board. He would select the board. We would not study the wage question. I believe that it would take Congress many months to gather the information and to go into all the details of the wage question, if it should attempt to do that. The Congress would not fix any wages. The board would study the question, and the board would make recommendations to the President and the President would fix the wages.

Mr. SMITH of Georgia. Would not the board be appointed upon the idea that in considering the question of wages we must have detailed information, and is it not a question that necessarily confronts us in the near future in connection with the problem of freight rates?

Mr. KELLOGG. I am very willing that Congress should study that question.

Mr. SMITH of Georgia. If that is so, is it not for the benefit of the country that this board be created by statute rather than by a temporary board appointed by the President during his temporary power?

Mr. KELLOGG. There is not any suggestion that it should be a permanent board, and, furthermore, the board has not been asked for by the Director General to study the wage question for the benefit of Congress but for the benefit of the Director General in assisting him to make the rates. The Director General, acting under the President, now has the power to appoint such a board. The President and the Director General have all the power that we could possibly give them. The President asks that the wages, when fixed by the board, shall be binding and

mandatory upon the Interstate Commerce Commission. That is the only distinction between the power now existing and the power asked for by the President.

I do not contend that Congress should not comply. I wish simply to correct any misapprehension, since the President and Director General are not compelled to ask Congress for power to increase wages and advance rates. The absolute power now exists; it has been exercised; a board has been appointed which has considered the wage question, submitting a report to the Director General, and on it the Director General acted in the first instance, subsequently appointing a board of his own, which has vastly increased wages.

Mr. KING. Mr. President, will the Senator yield?

Mr. KELLOGG. Yes.

Mr. KING. This thought suggests itself to me, and I ask the Senator's opinion about it, not in any controversial way: It is obvious that any increase in wages will constitute a burden upon the railroads, a lien.

Mr. KELLOGG. Oh, certainly.

Mr. KING. Pro tanto it is a confiscation of the property. Now that the war is over, does the Senator think the President and perhaps Congress would have the power to pass a law which in its character is rather confiscatory without making provision for compensation?

Mr. KELLOGG. Of course, Congress can not pass any law that adds to the operating expenses of a railroad, so as to confiscate its property, without at the same time providing for an increase of income to meet it. That, of course, I think must be admitted.

Mr. KING. It is clear, as I understand the figures which have been given this morning, that the burdens which have been imposed upon the roads by the Railroad Administration have been far greater than have been recouped from the public by the increase in rates, and to that extent it has placed a burden upon the railroads which is in part confiscatory.

Mr. KELLOGG. Well, it would be confiscatory if the burden was not temporarily sustained by the Government. Of course if the railroads were to be returned to-day, with their present operating expenses fixed, which undoubtedly constitute a charge ahead of their mortgages, half the railroads in the United States would be in the hands of receivers in 60 days. They could not survive, of course. Everyone admits it; the Director General does not deny it, and he has not the courage to remedy it. That is the trouble, just as the Senator from Ohio said.

I showed the other day in the Senate that there were 140,000 more employees in January, 1919, doing less work, handling less freight, than there were in December, 1917, the last month of private operation; and we are paying those 140,000 employees $210,000,000 a year, which is more than 3 per cent on every dollar of railroad capital stock in the United States. Now, I do not say that the Director General is to blame for that. Undoubtedly a very large part of that is due to shorter hours; but the fact confronts us that in spite of the increase in freight rates the operating expenses have advanced much more rapidly, and the railroads to-day could not live—nobody denies it—on the income the Director General is receiving.

The railroads must be maintained in some way; and there is before this committee, as I said, and before this Congress, the most difficult economic problem that we have ever encountered. I know it is not good taste to say, "I told you so," but I warned the Senate when the Government took over the railroads that this condition would confront the American people. There never was a Government operation that was not wasteful and inefficient. It is inevitable under our organization that it should be so. It is not the province or the prerogative of a democracy like ours, instituted for the best Government on the face of the earth, to manage the business of the country.

We have this problem to settle. I feel the responsibility, as we all do. I am willing, and I shall give the President's recommendation the most serious consideration, and I do not say that I shall not favor that action. I do say that he has the power now, and that the responsibility of handling this $18,000,000,000 of property has been placed upon the Railroad Administration, and it can not shirk that responsibility, for which it is answerable to the American people.

CONSERVATION OF FOOD PRODUCTS.

Mr. POINDEXTER. Mr. President, I notice in the papers of the last few days that the administration, and particularly the Attorney General, are quoted as stating that they are endeavoring to discover means by which to stop profiteering in food or other essentials of life that go toward the cost of living, and that investigation and action with a view of a reduction of the cost of living are being contemplated by them; and in that connection it is stated that they expect to ask Congress to enact such legislation to enable them to act.

In that connection, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD section 26 of the act of Congress approved August 10, 1917. It is a bill which I had the honor of introducing, which was reported out of the Committee on the Judiciary, and was incorporated in the act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel.

It will be seen by any lawyer from reading this clause, I believe, that if the reports which we are constantly reading in the newspapers are true that vast quantities of perishable foodstuffs, meat products, fish, poultry, eggs, fruit, and vegetables are stored for long periods of time, in quantities which seem to be astoundingly large, it would be susceptible of proof that this procedure could be for no other purpose than limiting the supply of these things to the public and of enhancing the market price of them; and those are the things which are prohibited by this penal statute, under a penalty of a fine of not more than $5,000 or imprisonment for not more than two years.

I recommend this to the attention of the Attorney General of the United States and his assistants, with the inquiry as to whether or not this legislation already on the statute books is not sufficient to enable him to accomplish the purpose which he is proclaiming.

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). Without objection, the request of the Senator from Washington will be complied with.

The matter referred to is as follows:

SEC. 26. That any person carrying on or employed in commerce among the several States, or with foreign nations, or with or in the Territories or other possessions of the United States in any article suitable for human food, fuel, or other necessaries of life, who, either in his individual capacity or as an officer, agent, or employee of a corporation or member of a partnership carrying on or employed in such trade, shall store, acquire, or hold, or who shall destroy or make away with any such article for the purpose of limiting the supply thereof to the public or affecting the market price thereof in such commerce, whether temporarily or otherwise, shall be deemed guilty of a felony and, upon conviction thereof, shall be punished by a fine of not more than $5,000 or by imprisonment for not more than two years, or both: *Provided*, That any storing or holding by any farmer, gardner, or other person of the products of any farm, garden, or other land cultivated by him shall not be deemed to be a storing or holding within the meaning of this act: *Provided further*, That farmers and fruit growers, cooperative and other exchanges, or societies of a similar character shall not be included within the provisions of this section: *Provided further*, That this section shall not be construed to prohibit the holding or accumulating of any such article by any such person in a quantity not in excess of the reasonable requirements of his business for a reasonable time or in a quantity reasonably required to furnish said articles produced in surplus quantities seasonally throughout the period of scant or no production. Nothing contained in this section shall be construed to repeal the act entitled "An act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890, commonly known as the Sherman Antitrust Act. (From Public Act No. 41, 65th Congress, approved Aug. 10, 1917.)

TREATY WITH FRANCE.

Mr. WALSH of Montana. I offer a Senate resolution and ask that it be read.

The Secretary read the resolution (S. Res. 154), as follows:

Whereas doubts have been expressed as to the authority of the treaty-making power, under the Constitution, to enter into the treaty with France, submitted to the Senate for ratification on the 29th day of July, 1919: Therefore be it

Resolved, That the Committee on the Judiciary be, and it hereby is, requested to inquire and advise the Senate whether there are any constitutional obstacles to the making of the said treaty.

The PRESIDING OFFICER. The resolution will go over under the rule and be printed.

ACTIVITIES OF OFFICIALS FOR LEGISLATION.

Mr. SMOOT. Mr. President, yesterday morning's Washington Post contains an article headed "Chief Stone, of Engineers, announces labor's plans of campaign for relief."

A part of the article is as follows:

Warren S. Stone, grand chief of the Brotherhood of Locomotive Engineers, announced last night that Edward Keating, former Member of Congress from Colorado, would begin work to-day as business manager of the Plumb plan, which provides perpetual Government ownership and operation of the railroad systems of the country.

And so forth.

Mr. President, Mr. Edward Keating is a member of a commission created by Congress for the purpose of equalizing the salaries of Government employees. An appropriation of $25,000 was first made for that commission. Later an appropriation of $65,000 was made; and I might say in passing the commission was, in my opinion, created for the very purpose of taking care of three ex-Members of Congress.

Be that as it may, a commission was created, the three ex-Members were appointed, and Mr. Edward Keating was appointed a member of the commission. I can not see, Mr. President, why he now, receiving the same salary from the Government that he received as a Congressman, should be appointed by Chief Stone, of the Brotherhood of Locomotive Engi-

neers, to work for that organization or any other organization. I protest against it, Mr. President, and I say that there are men in the United States who can do the work just as well as Mr. Keating could do it, and as long as Mr. Keating is drawing $7,500 per annum from the Government of the United States for specific work that will take him every minute of his time for many and many a month yet before that work is concluded, to accept employment from some other source outside is wrong.

I might add, Mr. President, that I also noticed in the paper the other day that a national market body has been formed, and that Mr. Kent, of the Tariff Commission, has been appointed president of it. The paper announces what that board is formed for. Yet we are paying Mr. Kent as a member of the Tariff Commission $7,500 per annum. It does seem to me that that sort of business ought to stop.

In this connection I want to ask that the two articles be printed, showing just what the new duties of these men are to be, and just how their appointments came about, and for what purpose.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

[From the Washington Star, July 25, 1919.]

NATIONAL MARKET BODY IS FORMED—PRODUCERS AND CONSUMERS ORGANIZE TO OBTAIN REGULATION OF PACKERS—HAS HEADQUARTERS HERE.

Producers and consumers have formed a national marketing committee to aid in the effort to obtain Federal regulation of the packers. Headquarters have been established in the Bliss Building here. Former Representative William Kent, of California, is president of the committee.

The other officers are C. H Gustafson, chairman of the farmers' national committee on packing plants and allied industries; Mrs. Florence Kelley, secretary of the National Consumers' League; Mrs. E. P. Costigan, chairman of the legislative committee of the Consumers' League of the District of Columbia; and Herbert F. Baker, president of the Farmers' National Council, all as vice presidents of the committee. Jackson H. Ralston, of Washington, counsel for the American Federation of Labor, is chief counsel; George P. Hampton, managing director of the Farmers' National Council, is chairman of the executive board.

MR. KENT DISCUSSES PLAN.

"The Farmers' National Council, through the farmers' national committee on packing plants and allied industries, of which I was a charter member, has since the report of the Federal Trade Commission on the meat-packing industry conducted a very effective educational campaign for that report," Mr. Kent said to-day.

"The council, with representatives of leading labor and consumers' organizations, have decided that the best way to bring the public sentiment of the country to bear on Congress for the enactment of the Kenyon-Anderson bill and similar measures to improve marketing conditions is through a national marketing committee. On behalf of the organizations I have been asked to accept the presidency of the national marketing committee, which I am very glad to do, as I realize the food question is the most important one before the American people to-day. The committee has established headquarters in the Bliss Building, Washington, D. C., and is a national organization, in which all forces to improve marketing can unite to secure a better system of distribution of food and food products.

STATES PURPOSE AND PROGRAM

"The committee's immediate purpose is to secure the enactment of the Kenyon-Anderson bill to carry out the recommendations of the Federal Trade Commission regarding the meat packing and allied industries in the most practical way.

"The committee's program includes:

"First. A nation-wide campaign for the Kenyon-Anderson bill.

"Second. To create an enlightened public opinion concerning the waste and unnecessary expense in handling and distributing farm products and to assist in bringing before the country the information secured by the Federal Bureau of Markets and other national and State agencies.

"Third. To promote and foster proper marketing organizations and methods; to encourage and secure the standardization of agricultural products; to secure proper warehouse systems; to promote expert marketing services in the several States; to secure uniformity in methods by States in inaugurating investigation and demonstration work in marketing; and to secure changes in Federal and State laws to these ends.

SAYS SENTIMENT NEEDS ORGANIZATION.

"We start with a splendid background of popular sentiment, which merely needs to be organized. The recommendations of the Federal Trade Commission have been indorsed by the leading farm, labor, consumers, and civic organizations of the country.

"The national marketing committee will unite, organize, and make effective the nation-wide demand for the bill to make the Federal Trade Commission's recommendations regarding the meat-packing industry our permanent national policy."

—

CHIEF STONE, OF ENGINEERS, ANNOUNCES LABOR'S PLANS OF CAMPAIGN FOR RELIEF.

Warren S. Stone, grand chief of the Brotherhood of Locomotive Engineers, announced last night that Edward Keating, former Member of Congress from Colorado, would begin work to-day as business manager of the Plumb plan, which provides perpetual Government ownership and operation of the railroad systems of the country.

"From all parts of the country," said Mr. Stone last night, "we have received reports indorsing the movement. We have heard not only from railroad workers, but from men and women in practically every walk of life."

LABOR TO PUSH PLUMB PLAN.

Mr. Stone also declared that the same interest was manifest in the action of the railroad brotherhoods in bringing the attention of the President to the high cost of living.

Before the week is out it is expected that the indorsement given the Plumb plan by the railroad workers will be followed by similar action on the part of the other great labor organizations of the country.

The railroad brotherhoods will maintain representatives in Washington from now on to watch the progress of the bill embodying the Plumb plan, introduced in the House yesterday by Representative SIMS. A "show-down" is expected shortly, as both House and Senate committees are now formulating legislation in preparation for the return of the roads to their private owners, and the Plumb plan will run afoul of this legislation as soon as it reaches the committees. A measure similar to the Sims bill is expected to be introduced in the Senate either to-day or to-morrow.

DIRECT TO THE PEOPLE.

Mr. Stone said that the brotherhoods intended to carry their fight direct to the people without waiting to see what action Congress would take. "Within 90 days," he declared, "Congress will have heard from 1,000,000 of the people, and as time goes on it will hear from more. I don't like to make statements which might be considered rabid, but if the roads are returned to private owners, the majority of them will be in the hands of receivers within 60 days."

It was announced last night that Mr. Stone, Frank Morrison, secretary of the American Federation of Labor, and Glenn E. Plumb, author of the Plumb plan, would appear before a joint committee of the Senate and House Wednesday to explain the plan in detail.

Mr. THOMAS. Mr. President, I wish to ask a question of the Senator from Utah. I am quite in accord with the Senator's expressions of opinion regarding the substance of the article offered. I wanted to ask whether his strictures are not equally appropriate to employees of the Government who have been selected by the employees' associations to lobby with Congressmen, both in the House and in the Senate, for legislation favorable to them. Does the Senator know whether these employees are drawing their salaries from the Government, ostensibly for service rendered, and at the same time performing the duties assigned to them in connection with their so-called legislative positions?

Mr. SMOOT. There is no question but what many are drawing their salaries right along, and no question but what calls are made nearly every day, either upon Representatives or Senators, in relation to legislation in which the callers are interested, and using every power that they have at their command to force, if I may use that word——

Mr. THOMAS. That is the right word to use.

Mr. SMOOT. Calls are made upon Representatives and Senators to vote for the measures they are interested in. The time has come when it ought to cease. As long as the Government is paying the salaries I have named, the time of those men ought to be given to the service of the Government, and not divided. Not only that, their time is given for the purpose of forcing through Congress legislation, and I think it is a very unwise practice and ought to cease.

CALLING OF THE ROLL.

Mr NEW. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ball	Gronna	Myers	Smith, Ariz.
Brandegee	Harding	Nelson	Smith, Md.
Capper	Harris	New	Smoot
Chamberlain	Henderson	Newberry	Sterling
Cummins	Hitchcock	Norris	Sutherland
Curtis	Johnson, S. Dak.	Nugent	Swanson
Dial	Jones, N. Mex.	Overman	Thomas
Dillingham	Kellogg	Page	Trammell
Elkins	Kenyon	Phelan	Underwood
Fall	King	Phipps	Wadsworth
Fernald	La Follette	Pittman	Watson
Fletcher	Lenroot	Poindexter	Williams
France	McKellar	Sheppard	Wolcott
Gay	McNary	Simmons	

Mr. SHEPPARD. The Senator from Mississippi [Mr. HARRISON], the junior Senator from Kentucky [Mr. STANLEY], the Senator from Massachusetts [Mr. WALSH], the Senator from Wyoming [Mr. KENDRICK], the senior Senator from Kentucky [Mr. BECKHAM], and the Senator from Arizona [Mr. ASHURST] are detained on public business.

Mr. McKELLAR. I wish to announce that the Senator from Ohio [Mr. POMERENE], the Senator from Rhode Island [Mr. GERRY], and the Senator from Louisiana [Mr. RANSDELL] are detained on official business.

The PRESIDING OFFICER. Fifty-five Senators having answered to their names, a quorum of the Senate is present.

PEACE TREATY AND JAPANESE INTERESTS IN CHINA.

Mr. WATSON. Mr. President, some days ago I served notice that at this time I would address the Senate upon the relations existing between China and Japan, particularly those having reference to Shantung arising out of three articles in the treaty of peace. Had it not been for that notice thus given, I should not have intruded myself upon the deliberations of the Senate at this time to make a speech upon the subject, for the Senate to-day has been occupied by the consideration of a

domestic problem that I think in importance transcends even that involved in the league of nations, great as that is, portentous as it promises to be. I believe that the Senate of the United States might well give primary attention to the very great problems which at this time confront and perplex us as a people within our own borders; but inasmuch as I gave notice that I would speak upon that subject I shall proceed.

Mr. President, three questions present themselves for discussion with reference to the Japanese possession of Shantung:

First. What rights has she there?

Second. Does she intend to relinquish whatever rights she has if we ratify the pending treaty?

Third. Ought we to ratify it with the Shantung provision in it, unless, previous to our action, Japan shall either withdraw from that Province or else fix a definite date when she will?

JAPAN'S RIGHTS IN SHANTUNG.

Senators, in the beginning of the year 1897 Shantung was a Province of China and her title to it was undisputed. In the latter part of that year two German missionaries were murdered there, and under the pretense of seeking reparation for this wrong Germany, anxious for a stronger foothold in the Far East, demanded of China certain concessions in the Province of Shantung. Prince Henry, a brother of the Kaiser, appeared in Kiaochow Bay with a fleet of battleships to enforce the demand. China was compelled to yield, and on the 6th day of March, 1898, entered into an agreement with Germany by the terms of which she leased to that ambitious country for 99 years certain rights in Kiaochow Bay and the environs. This was done presumably for government, but in reality for exploitation. This territory was wrenched from China by sheer force, without any pretense of right or basis of justice, and thus affords a most striking example of Germany's iron rule that might makes right, one that we trust will never again be invoked on earth.

Much stress has been laid on the fact that Germany acquired by lease an interest in a very limited territory of Shantung, but the principle involved is the same, whether it be small or great; and Senators who make this assertion overlook two material facts: First, the economic value of the concessions that Germany received, and, second, the three supplemental treaties forced from China by Germany with reference to Shantung and signed in 1899, 1900, and 1905, by virtue of which she enlarged her rights, extended her authority, and took virtual economic control of the entire Province of Shantung; and certainly no one will have the hardihood to deny that the economic control of a Province and population of that character means its political control.

By the treaty of March 6, 1898, Germany acquired full control of the Bay of Kiaochow and a zone of 50 kilometers surrounding it, Chiposan and Potato Island, all islands lying seaward from Kiaochow Bay which may be of importance for its defense, such as Tolosan and Chalienchou.

It is specifically stipulated that—

> The Chinese population dwelling in the ceded territories shall at all times enjoy the protection of the German Government, provided that they behave in conformity with law and order; unless their lands are required for other purposes, they may remain there.

In addition, the Chinese Government sanctions the construction by Germany of two lines of railway running through the Province of Shantung, and likewise agreed to allow German subjects to hold and develop mining property for a distance of 10 miles on each side of both of these railways and along the whole length of the lines.

And in order to convince the most obdurate that Germany took complete economic possession of Shantung I cite this stipulation:

> The Chinese Government binds itself in all cases where assistance, in persons, capital, or material, may be needed for any purpose whatever within the Province of Shantung, to offer the said work or supplying of material in the first instance to German manufacturers and merchants engaged in undertakings of the kind in question.

That, I submit, is a complete answer to the proposition that China conceded nothing to Germany save certain limited rights in Kiaochow Bay and environments.

In a country of the limited means of Shantung, where so much foreign capital is required for any work of an extensive character, this meant the full economic and commercial control by Germany, and all of these rights and privileges were seized by Japan when she dispossessed Germany, and that is why that particular feature of the treaty is of supreme importance in our deliberations.

JAPAN IN KIAOCHOW.

In 1914 China wanted to declare war against Germany and offered to take Kiaochow from their possession. Japan alone interfered to prevent it, and this fact should have a most important bearing in determining Japan's intention with reference to Kiaochow. Replying to the request of Great Britain and France that Japan should permit China to enter the war, Ishii, then minister of foreign affairs, replied that—

> Japan can not view without apprehension the moral awakening of 400,000,000 people in the event of China entering the war.

If my contention is correct, as I think I shall be able to prove, Japan would not permit China to take this step because her rulers had her future course clearly outlined in thought, a course they have since relentlessly pursued, and which they intend to pursue to the end.

Twenty-two days after Germany declared war on Russia, and 19 days after England declared war on Germany, Japan entered the contest against the Kaiser. Her first act after this declaration was to issue a demand on Germany for the surrender of her Chinese possessions. This demand specifically stated that "the occupied territory will be returned to China," and, if Japan be in good faith, this constitutes a part of her contract with the nations now involved in the peace treaty; either that or else it is a further illustration of the deception she has practiced from the beginning of this transaction to the present hour.

The Allies would not permit her to take possession of Kiaochow without the presence of English troops. While the Japanese in this expedition outnumbered the English, yet the English furnished the military skill necessary to the successful execution of their purpose in short order, and Tsing-tao was captured. Thereafter English troops went to another quarter of the globe to fight, while the Japanese remained in China to make fast their prize.

JAPAN IN SHANTUNG.

Senators lay much stress on the narrow strip thus taken by Japan, but they forget that immediately after Japan took possession of Kiaochow, against the protest of China, she sent a large force of soldiers entirely through the Province of Shantung, took possession of railroads and mines, established post offices, stationed and left garrisons in many of the most important towns of that Province, all of which arrangements have not since been disturbed, all of them made without any pretense of right, all of them made while the other nations were engaged in war and could not protest, all of them clearly showing Japan's intention to take the whole of Shantung, of which she now has complete military and economic possession, which purpose she will execute unless retarded by the moral power of the world.

Mr. NORRIS. Mr. President will the Senator yield?

Mr. WATSON. With pleasure.

Mr. NORRIS. May I call attention to the fact that in this combined attack on the Germans by the Japanese and the English, it was not necessary for them to go onto any territory that was neutral and the English Government observed that with her soldiers, but Japan went across the same as Germany went across Belgium, a neutral strip of about 150 miles of territory, in making this combined attack.

Mr. WATSON. Yes; and commandeered her subsistence all the way across.

Mr. NORRIS. She did with China exactly what Germany did with Belgium.

Mr. WATSON. Precisely. I thank the Senator for his contribution.

It is not possible that there is a person in all the world that will hold that Germany's possessions in Shantung were other than wrong, because obtained at the mouth of the cannon and secured under military duress. What, then, did Japan acquire when she ousted Germany and succeeded to that country's rights in Shantung? Evidently Germany's wrongful possession, which was the result of a lease obtained by duress. Is there any denying this plain fact?

If that be true, what validity can this title thus obtained have in any court in civilization? Every lawyer understands that a contract obtained by duress is voidable at the option of the wronged party, and there is no doubt that this rule applied to Germany, as it would now apply to Japan's rights in Shantung if she had any. Germany took and held it by military power. Japan took and now holds it by military power, and China has at no time been able to void the contract, though she would have been perfectly justified in so doing. If Japan received from the peace conference the rights of Germany in Shantung, she merely received Germany's wrongful possession based on Germany's voidable lease. She could not have possibly received more, for Germany had no more to give.

Now, Japan herself was not satisfied with her title in Shantung and therefore sought to strengthen it by a treaty made with England, France, Russia, and Italy in 1917. In the letter of the British Embassy to the Japanese minister of foreign

affairs, under date of February 16, 1916, the following statement is made, and I call attention to the specific statement, because it has to do with the right Japan acquired by the treaty of Japan if it be she acquired any:

His Britannic Majesty's Government accedes with pleasure to the request of the Japanese Government for an assurance—

Of what?—

that they will support Japan's claims in regard to the disposal of German rights in Shantung.

It will thus be seen that all that England agreed to was to "support Japan's claims" to "Germany's rights in Shantung." This was later accepted by the Japanese and therefore constituted a contract between the two countries.

This simply meant that Germany's rights in Shantung should go to Japan and not to China, their rightful owner. England knew and Japan knew that if China declared war against Germany all of Japan's holdings in Shantung would revert at once to China, for so far as those rights were concerned Japan simply stood in Germany's place; and knowing this and seeking to escape from it, they made a new treaty based wholly upon power and depending for its execution upon their ability to enforce it. This was in direct violation of Japan's agreement under the terms of Japan's demands on Germany when she declared war and in direct violation of Premier Okuma's declaration of intention issued to the United States in 1914.

JAPAN AND FRANCE.

Later on the Japanese minister addressed the French ambassador at Tokyo and stated: "The Imperial Japanese Government proposes to get from Germany at the time of the peace negotiations the surrender of the territorial rights and special interests Germany possessed before the war in Shantung." Once more Japan demanded nothing more than the "rights that Germany possessed before the war in Shantung." To this the French acceded, but stated as one of the conditions of the acceptance: "Fourth, forfeiting the rights of Germany in the concessions she possesses in certain parts of China."

The fourth concession demanded by France of Japan in consideration of granting to Japan what she wanted. By these agreements France, as did England, promised to support nothing more than Japan's claims to Germany's interests in Shantung. Did these countries agree to give Japan greater rights in China than Germany had before the war? Did they agree to anything more than that Japan should succeed Germany in whatever rights Germany might have had in Shantung? Did they anywhere agree to give to Japan a fee-simple title instead of a leasehold? Was there any agreement asked or made that these nations would compel China to give Japan something more than Germany had? The language in each case is clear and unmistakable and amounts to nothing more than an agreement on the part of each nation to support the claims of Japan to the rights that Germany had in Shantung before the war.

And it is of especial significance that France, evidently understanding the inevitable effect of a declaration of war by China, which she demanded in her agreement with Japan, insisted that such declaration of war should mean "forfeiting the rights of Germany in the concessions she possesses in certain parts of China." By this she did not mean forfeiting the rights of all the concessions in Germany, for the very object of that agreement was to transfer certain concessions of Germany in China to Japan, but it did mean that the general effect of the declaration of war by China against Germany would be the cancellation, ipso facto, of all the other German concessions in China.

My contention is that when Japan entered China in 1914 she did not believe that that country would ever engage in the war; that she intended to demand of Germany at the close of the war her rights to Shantung; that, understanding that she herself would have no title to anything of value if China declared war against Germany, she declined to give her consent to such a declaration, and even threatened to invade China with her troops if she made it; that, believing that her claim to the permanent possession of Shantung would not be supported at the peace conference unless based upon something stronger than the mere fact that she had dislodged Germany from Shantung, she determined to seek another basis of agreement and lay deeper foundations for a claim to rights in that Province, based not on her dispossession of Germany but on a hard-and-fast agreement with the Allies, who would have the power to insert it in the articles of peace and the subsequent power to help Japan enforce it. Therefore it can not be denied that, had nothing occurred between Japan and China after Japan took possession of Shantung, had the treaty of 1915 not been made between them, and had she not made her secret treaty with the Allies in 1917, and had not China entered the war, all that Japan could have demanded at the peace conference were the rights that Germany held in Shantung before the war, rights to which Japan succeeded by conquest.

CHINA'S DECLARATION OF WAR.

But, Senators, the whole situation changed when China declared war on Germany. What effect did that have on Germany's title to all she claimed in Shantung? Can there be any doubt that the title to everything that Germany claimed in China reverted at once to that country by the very act of the declaration of war? Let us suppose that German war vessels had been riding at anchor in Kiaochow Bay at the time of the declaration. Is there anyone so bold as to say that China could not have seized and converted these to her own use and that they would not have become her own property? And if that be true of a battleship, owned by the German Government, why is it not true of a fort owned by the same Government? Why was it not true as to all of the rights of the German Government in China? Those rights, by the very declaration of war between the two countries, reverted immediately to China. In legal contemplation, in my judgment, it was China's option to void a voidable contract by which all the rights taken from her by Germany under the contract immediately reverted to her, having been obtained under duress.

It is a fact of tremendous significance that China, in her declaration of war against Germany, expressly stated that all existing treaties between China and Germany were abrogated. allied and associated powers, including the United States and This declaration was taken cognizance of and confirmed by the Japan, both of which nations replied in identic notes and assured China of their "solidarity of friendship and support."

THE AGREEMENT OF 1915.

But it has been argued that Japan's rights in Shantung were ripened by a treaty made between Japan and China in 1915, and that China is now estopped to deny the validity of the Japanese claim not only to Germany's rights in Shantung but also to other rights acquired by the treaty of 1915 itself.

Let us examine the provisions of this treaty with some care in order to ascertain precisely what rights Japan acquired under it. The one most generally relied upon by the defenders of Japan reads as follows:

The Chinese Government agrees that when the Japanese Government hereafter approaches the German Government for the transfer of all rights and whatever privileges of whatsoever nature enjoyed by Germany in the Province of Shantung, whether secured by treaty or in any other manner, China will give her full assent thereto.

I ask you to remember in the discussion of this phase of the problem that that was before China entered the war and before the rights of Germany in Shantung had reverted to China by reason of China's declaration of war against Germany.

Furthermore, that declaration was obtained by force from China, for the Japanese Government issued an ultimatum to China in which she stated that if her demands were not immediately acceded to she should take whatever steps were necessary to enforce them. This was at a time when all the other nations were at war, when China was helpless and Japan powerful, and the Japanese took advantage of this situation to wring from helpless China a treaty of this character.

But what does Japan acquire under its terms? Passing over for the moment the fact that it was obtained by duress and was therefore invalid, it certainly conferred no present rights upon Japan, for it expressly recites that when "hereafter" the Japanese Government approaches the German Government and demands further privileges, China will agree, thus forcing from China a promise to agree to whatever arrangement Japan may make with Germany "hereafter" with reference to Germany's possessions in Shantung. The character of this agreement, Senators, and its very wording show how manifestly unfair it was and how it compelled China by sheer force to agree to any future arrangement Germany and Japan might make respecting Chinese territory, but it conferred no "present" right upon China, no right immediately enforceable, but one having reference only to future action.

This was in 1915, many months after Japan had taken Kiaochow. If she thought her title sufficient, if she deemed that, having dispossessed Germany of her rights in Shantung, she had the right to hold indefinitely what she then had, why did she think it was necessary to enter into an agreement with China by which she forced her consent subsequently to perfect her title?

At that time China had not declared war, and Japan did not believe that she ever would declare war. Japan believed that when the war was over she would be able to approach Germany and make the demand herein set forth; but the declaration of war by China changed the entire status, for it left Germany without any rights in China of which Japan could demand possession. Japan never "approached Germany"

under the terms of that provision. So far as that contract was concerned, there was no "hereafter," and so far as Germany's title to possessions in Shantung was concerned, it vanished with China's declaration of war, and therefore there was nothing that Japan could demand of Germany in accordance with the article above mentioned at the conclusion of the war. Japan herself understood this, for, when it became evident that China was going to get into the war, she did not rely upon either her dispossession of Germany in 1914 or her treaty of 1915 for her future rights in China, but hastened to make a specific agreement with reference to them with the nations that she knew would be at the peace table and that by their military power would be able to enforce her demands, and that is what she relies on at this hour.

JAPAN'S INTENTIONS.

In the light of her past record, does anyone believe that Japan intends to relinquish whatever rights she has in China? When she went into Formosa she promised to retire, but she is still there. When she went into Korea she promised to retire, but she is still there. When she made her demand on Germany for the surrender of her possessions in Shantung she promised to hand them over to China, but she still has them. Count Okuma, the Japanese premier, on October 27, 1914, stated to the people of the United States, "As premier of Japan, I have stated and now again state to the people of America and of all the world that Japan has no ulterior motive, no desire to secure more territory, no thought of depriving China or other peoples of anything they now possess," but Japan is still there.

THE TREATY OF 1915.

On the 18th of January, 1915, without any previous warning, growing out of no unusual conditions between the two countries, and to the utter surprise of the Chinese, Japan issued to her a demand couched in 5 groups and 21 clauses. Group 1 has reference to Shantung. In addition to the rights Japan had taken from Germany in Shantung, she demanded that the Chinese Government "should not within the Province of Shantung and along its coast cede or lease to a third power under any pretext any of its territory or any of its islands," thus laying the foundation for the future control of that Province. She further exacted the right to "build a railway from Chefoo, or Lungkow, to join the Kiaochow-Tsinanfu Railway," thus conferring on her the right to construct three railways in Shantung, she having succeeded to the German right to build two.

The second group had reference to Japanese control of South Manchuria and Eastern Inner Mongolia.

The third group referred to the Hanyehping Co.

Group IV provided:

The Chinese Government engages not to cede or lease to a third power any harbor or bay or island along the coast of China.

Group V of the original 21 articles was so drastic and far-reaching that not only China but other countries became alarmed at the extent of the power demanded by Japan, and many protests were lodged against its acceptance, while China herself declined to yield. This group was afterwards made a subject of the exchange of notes and so stands to this day without ever having been finally concluded, and is evidently one of the demands that Japan intends to insist on consummating if this treaty is ratified and she has the power.

JAPAN'S REVISED DEMANDS.

On the 26th of April, 1915, Japan withdrew her 21 demands and in their place substituted 24 in four groups. Group I has reference to Shantung and gives Japan practically control of that Province.

Group II has reference to South Manchuria and Eastern Inner Mongolia. As an evidence of the arbitrary manner in which Japan exacted these concessions from China, permit me to call the attention of the Senate to Group II of the revised demands, in a supplementary exchange of notes. It is as follows:

The term of lease of Port Arthur and Dalny shall expire in the eighty-sixth year of the Republic, or 1997. The date for restoring the South Manchurian Railway to China shall fall due in the ninety-first year of the Republic, or 2002. Article 12 in the original South Manchurian Railway agreement, that it may be redeemed by China after 36 years after the traffic is opened, is hereby canceled. The terms of the Antung-Mukden Railway shall expire in the ninety-sixth year of the Republic, or 2007.

Can anyone see in this any indication on the part of Japan of retiring from the control of the Chinese Empire? Does it not rather enforce the idea that she is there to remain?

In this connection it is worthy of note that Japan now controls the railroad from Tsingtau to Tsinanfu, the capital of Shantung, 250 miles in length; that she controls the railway from Tsinanfu to Peking, the capital of the Chinese Empire; that she has the right to construct another to Cheefoo, a principal seaport of Shantung; that she controls all the railway systems of South Manchuria; that she has established a scheme of preferred traffic on these lines by which Japanese commerce is carried at a less rate than either Chinese goods or the wares of any other nation, and that, by all these means she intends to obtain complete control of the commerce of the Chinese Republic.

Another article reads as follows:

The Chinese Government agrees that Japanese subjects shall be permitted forthwith to investigate, select, and then prospect for and open mines in the following places in South Manchuria, apart from those mining areas in which mines are now being prospected for or worked.

And then follows a list of places that those familiar with the mineral wealth of the country inform me embrace the principal mining regions of that Province.

Another article provides:

The Chinese Government declares that China will hereafter provide funds for building railways in South Manchuria; if foreign capital is required, the Chinese Government agrees to negotiate for the loan with Japanese capitalists first.

Another article:

The Chinese Government agrees that hereafter when a foreign loan is to be made on the security of the taxes of South Manchuria it will negotiate for the loan with the Japanese capitalists first.

And the following significant article clearly shows the intention of Japan to clinch her authority in the Chinese Empire:

The Chinese Government declares that hereafter if foreign advisers or instructors on political, financial, military, or police matters are to be employed in South Manchuria, Japanese will be employed first.

Another article makes the same provision with reference to eastern inner Mongolia as those just stipulated for South Manchuria.

CHINA'S REPLY TO JAPAN.

On the 1st of May, 1915, China replied to the various demands of Japan. Group I of the reply had reference to Shantung. Article 1 of that group acquiesced in the demand that the Chinese Government would give full assent to all matters in which the Japanese and German Governments might agree touching German rights in Shantung. But as thus agreed China made this reservation. China was not afraid of reservations in the treaty. She agreed with this reservation in the treaty, which is of extreme importance, because by its denial Japan shows as clearly as the sun in the noonday sky her intention not to return Shantung, but to retain her hold on it. Here is what the Chinese said to the Japanese by way of reservation:

The Japanese Government declare that when the Chinese Government give their assent to the disposition of interests above referred to, Japan will restore the leased territory of Kiaochow to China and further recognize the right of the Chinese Government to participate in the negotiations above referred to between Japan and Germany.

The question of the retention of Shantung was afterwards referred to in an exchange of notes.

JAPAN'S ULTIMATUM TO CHINA.

On the 7th of May, 1915, Japan issued a reply in the form of an ultimatum to China's answer to her previous demands.

With reference to Shantung, the Japanese Government say, and I call especial attention to the very careful and guarded manner in which the statement is made:

And at the same time it was offered that, on the acceptance of the revised proposal, the Imperial Government would, at a suitable opportunity, restore, with fair and proper conditions, to the Chinese Government, the Kiaochow territory, in the acquisition of which the Imperial Government had made a great sacrifice.

In other words, Japan agreed, in this conditional language, to restore Kiaochow to China, provided China agreed to all the other demands put upon her in the 21 demands, by virtue of which, if enforced, she would take complete control economically, commercially, and politically of the Chinese Republic.

Mr. THOMAS. Mr. President, the Senator refers to these demands as 21 in number. Were they not 24?

Mr. WATSON. They were 21 in the first demand. Afterwards objections were made to group 5, and Japan then revised them, and in the revision they were 24.

Mr. THOMAS. I thank the Senator for his explanation.

Mr. WATSON. These demands close with this threat, Senators, not veiled, not obscured, but bold, open, and defiant, made at a time when all the world was engaged in the greatest war of history, and at a time when Japan knew that she could easily coerce helpless China into agreeing to her imperative demand. This is the demand. Listen to it, for it speaks trumpet-tongued of the intention of Japan with reference to China:

The Imperial Government again offer their advice, and hope that the Chinese Government, upon this advice, will give a satisfactory reply by 6 o'clock p. m. on the 9th day of May. It is hereby declared that if no satisfactory reply is received before or at the specific time, the Imperial Government will take steps they may deem necessary.

My friends, this discloses the entire intention of Japan with reference not only to the Province of Shantung but the whole of the Chinese Empire. These demands were not in settlement

of previously pending controversies between China and Japan, and they were not advanced on the grounds that Japan had suffered wrong from China for which she was asking reparation; nor were there any national promises obligating China to surrender the very important rights that Japan demanded. The only ground for Japan's action was that it would "promote peace and good will between the two countries." Japan's ulterior motive is easily seen in the time and the manner these demands were made, and clearly shows a determination on the part of Japan to take full possession of the Chinese Empire.

And it is worthy of note that these demands were presented directly to Yuan Shih Hai, the President of the Republic, and not through the minister of foreign affairs, as is the case in the manner of ordinary diplomatic usage.

Secrecy was enjoined upon the President, and he was told that if he acceded to them he might be assured of the aid of Japan in his own ambitions, but if he did not the Japanese Government would not hold itself responsible for the future acts of either the Japanese or Chinese people in China.

And the mendacious character of these demands and the untoward conduct of Japan throughout the transaction is further evidenced by the fact that when, notwithstanding the injunction of secrecy, it became rumored that Japan had made certain demands upon China, Japanese officials denied it. Then, when it became no longer possible to conceal the truth, the Japanese Government officials supplied the other treaty-making powers with what purported to be a list of the demands—a list which it was afterwards ascertained omitted some of the most important and some of the most drastic features.

WHAT WILL SHE RETURN?

In an accompanying exchange of notes the Japanese ambassador to China promised in the name of their Government that the territory of Kiaochow would be restored to China, but only upon the condition that the whole of Kiaochow Bay should be opened as a commercial port, and that there should be "a concession under the exclusive jurisdiction of Japan to be established at a place designated by the Japanese Government, and that there is to be an international concession if the other powers should so desire." It now appears that Japan, not knowing how tremendous the moral power and the aroused conscience of the world might be, is prepared, if she must, to hand back these concessions to China. But what would she retain? She has already marked out for herself an area in the district of Tsingtau, which includes the entire water front suitable for commercial purposes, and the railway approaches, and site of the railway station. Thus, if the time comes when she will be compelled to restore these rights, it will be only the empty shell, so far as Tsingtau is concerned, that will be handed back.

I challenge any man to read the 24 revised demands made by Japan of China in 1915 without coming to the conclusion that Japan intended by that treaty to acquire such rights in China that she never could be dislodged and that would almost immediately give her a complete economic control and, at a very early date, the complete political control of the Chinese Empire. And all this is exceedingly important in determining Japan's veiled announcements of an intention to retire from Shantung at some time in the future.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Indiana yield to the Senator from Utah?

Mr. WATSON. Certainly.

Mr. KING. The Senator referred a moment ago to the proposition which Japan made by which she would make a cession of her interests in Kiaochow, reserving an exclusive jurisdiction over a small portion to be thereafter selected. It has been contended by the friends of Japan that that is merely a reservation for residential purposes, such as is usually granted in foreign lands, and such as Japan contemplated in this case should be granted to the other powers. Does the Senator think that that contention by the friends of Japan is not warranted by the facts as they have been shown at the peace conference and elsewhere? In other words, does the Senator think that she sought something in addition to the mere residential concession?

Mr. WATSON. Mr. President, I am trying to argue, by showing the full relations existing between Japan and China for a series of years, the clear purpose and intention of Japan with reference to China. I do not believe that this concession is of consequence or that it will ever be relied on, unless, forced by the moral power of the conscience of the world, Japan is compelled to give back to China what legitimately belongs to her. Then she will fall back upon this final concession; but it is a last-ditch proposition, and, to use an ordinary expression, if the Senator will permit it, I believe that now it is mere national camouflage.

Mr. NORRIS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Indiana yield to the Senator from Nebraska?

Mr. WATSON. I yield; yes.

Mr. NORRIS. If the Senator will permit me, in connection with the question asked by the Senator from Utah [Mr. KING], as to what Japan would retain if she gave up Tsingtau, this city in the Kiaochow country, of course until she makes some proposition and tells what she is going to return and what she is going to retain, no one can say definitely. But it is a fact now well known that she is preparing to retain not only the residential section, as contended by the Senator from Utah, but the most valuable portion of that city, controlling the railroads, controlling the inlet and the outlet, and that the part she will probably give up is of practically no consequence—as the Senator from Indiana has said, simply an empty shell—but she is already preparing, in the buildings that she is constructing and the things she is doing, to retain everything that is of any particular value.

Mr. WATSON. I am obliged to the Senator from Nebraska for his remarks, because he is thoroughly competent to discuss the question.

Mr. BORAH. Mr. President, the Japanese have already transplanted about 16,000 Japanese citizens into that particular territory.

Mr. WATSON. Yes; which possibly has some bearing on the question at issue.

Mr. BORAH. Especially if reduced to a residential proposition.

Mr. WATSON. Therefore my contention is that she acquired nothing by her treaty with China in 1915, for it, too, was obtained by duress; it, too, was founded on fraud; and Japan's rights under it are no greater or better or more valid than those Germany had in the same Province in 1914.

The Allies were afraid to trust Japanese troops in Siberia without the troops of other nations being sent with her, and, though they limited the number of troops she should send to that country, she actually put in there many times that number, her evident intention being to stay there just as she has stayed in all these other countries.

When Japan dislodged Germany she landed troops on the coast of neutral China a hundred miles from Tsingtau, and military occupation of the railway was immediately pushed to Tsinan, more than 250 miles distant from Tsingtau.

Not content with military occupation extended to the very heart of this great Province, which in size and population practically equals Great Britain, the Japanese disregarded the territorial sovereignty of China and instituted civil government at various points along the railway lines, and even at Tsinanfu itself.

When thus considered from every angle, I do not believe that anyone will contend that Japan ever intends to withdraw from Shantung or from the other parts of China that she has so basely penetrated. Nor does she intend to surrender her hold on Manchuria. Nor does she intend to withdraw from Mongolia. Nor does she intend to discontinue her efforts to dominate the whole of the Chinese Republic.

If she desires to withdraw from China, she can do so. Certainly no one is preventing her. Assuredly all nations are anxious that she shall, and, if she is not now in a position to immediately withdraw, she can certainly fix a time for her withdrawal and thus satisfy the demands of civilization. The mere fact that she neither withdraws nor states that she will withdraw nor fixes a definite time of withdrawal is in itself a sufficient evidence that she never intends to withdraw.

SHOULD WE RATIFY THE TREATY?

Senators, I do not believe that the treaty should be ratified unless and until Japan either withdraws from China or states in unequivocal terms that she will withdraw, or, better still, fixes a definite date of withdrawal. If we ratify the treaty with the Shantung provision in it we give this robbery the seal of our approval; we condone all of Japan's past wrongdoing in all parts of the Chinese Republic; we ratify a secret agreement made between Japan and the allied nations in derogation of the rights of China and in base betrayal of an ally, and we place in Japan's hands a blanket indorsement of whatever future action she may see fit to take in the Chinese Empire. Personally I shall not vote for the peace treaty itself unless some modification is made of the article with reference to Shantung, or until we at least have expressed our intense disapproval of her conduct, coupled with an explicit statement of our determination to take this matter up at once after

the league is formed and press for a righteous solution of the problem, for I believe it to be as monstrous a proposition as has even been proposed to civilization.

To summarize: My contention is that Japan succeeded to nothing but the rights of Germany in Shantung by reason of having dislodged her in 1914; that she acquired nothing additional by the treaty of 1915, because it was wrung from China by force; that she acquired nothing additional by her secret treaty with the Allies in 1917, because all that they promised to give her were the rights that Germany possessed in Shantung before the war; and that her temporary possession of Shantung was terminated when China made the declaration of war against Germany and became her ally and our ally and the ally of all the other countries in the conflict against imperial Germany. This is not only true from the legal standpoint but, if I may use such an expression, it is more conspicuously true when viewed from the moral standpoint, for assuredly never has a greater wrong been perpetrated than the crimes of these countries against China, and never did a nation have a more righteous basis on which to appeal to the judgment and conscience of civilization.

THE CONFLICT IN THE FAR EAST.

Having gained a foothold on Chinese soil by the treaty of 1898, Germany was not slow to improve her opportunity. By three supplemental treaties, which she wrung from China by superior power, she further fastened herself upon the Province of Shantung until in her relentless grasp that unfortunate people was utterly helpless.

Japan looked upon this formidable entrance of Germany into the Far East with grave solicitude. She understood full well the ambition of the Kaiser to dominate the world, and therefore she could not fail to recognize the menace to her own dreams of territorial conquest of an intrenched Germany in China; for in order to fully appreciate the monstrous wrong perpetrated upon China by this proposed treaty, it must always be remembered that Japan is the Germany of the Orient.

The German war party well understood the purpose of Japan with reference to China and the danger of permitting that country to control the commerce and the territory of the Chinese Empire, and therefore they eagerly seized the first opportunity presented to intrench themselves in China in order to prevent the seizure of either territory or power by their Japanese rivals.

Having forced China to surrender the port of Kiaochow, they immediately fortified it and at once began to lay systematic plans to take control of the entire interior of that country, which they could have readily accomplished under the terms of supplemental treaties made in 1899, 1900, and 1905.

JAPAN IN THE WAR.

No sooner had the war broken out in Europe than Japan seized the opportunity presented to rob Germany of her Chinese possessions; she then extorted concessions from China by the treaty of 1915; but, not content with that, she entered into a secret arrangement with the Allies for a distribution of the spoils of war at its conclusion.

Her deal with England consisted of an agreement that Japan was to have Shantung and all the German islands in the Pacific north of the Equator, and in consideration of this concession England was to have all of the German islands south of the Equator.

In order to understand the morals of this deal which we are asked to ratify, we should remember that Japan next consulted France and there also succeeded in making a satisfactory trade—secret, to be sure. There was then much German shipping in all the ports of China, and particularly Kiaochow, and the question of obtaining ships was one of great consequence. Up to that time Japan had been using all of her power to keep China out of the war, because she was opposed to China being represented at the peace conference, and because her statesmen were fearful of the legal results of a declaration of war by China on her title to Kiaochow Bay and Shantung; and she was so determined on this course that, I want Senators to bear in mind, she even threatened China with invasion if that country should declare war. France entered into an arrangement with Japan by which France agreed to stand by the demands of Japan and to aid in securing her the control of Germany's possessions in China at the conclusion of the war, and by which Japan consented that China should make a declaration of war against Germany; and all this was done because Japan took advantage of the dire necessity of the Allies for ships and shipping, and in their extremity Japan literally blackmailed them into making this monstrous concession.

Japan afterwards won over Italy and Russia to her scheme, making secret treaties with them all. Thus assured, she entered the war, but entered it just far enough to seize Germany's possessions, and no further. She lost but 800 men during the entire struggle, she furnished few ships and no men anywhere except in Russia, and the sole part she played in the war was to seize the possessions of Germany in China, which she did under agreement to give them back, and which agreement she now utterly repudiates.

JAPAN'S DEMANDS ON CHINA.

And viewed from the moral standpoint, her demands on China in 1915 stand on no firmer a basis, for she very cunningly took advantage of the fact that the nations of the earth were at war and that the United States was at that time neutral to make her unreasonable and immoral demand on China couched in 21 articles. Among others—and I want the preachers of the country to know this—she stipulated that China should give Japan the right to propagate Buddhism throughout China.

On May 1 China partially acceded to and partially declined to grant these demands, whereupon, on the 7th of May, Japan issued an ultimatum to China in which she practically gave that helpless country the alternative of submitting or suffering the consequences. Thus forced, China consented, and by that consent practically surrendered her dominion to the mercy of Japan. No impartial student, familiar with the history of Japan, can read these demands without coming to the conclusion that she intended to fasten herself irrevocably upon China and finally dominate the Government and the people of that unfortunate country, and that she has no intention of surrendering Shantung to the Government of China. The main demand that—

> The Chinese Government engages to give full assent to all matters to which the Japanese may hereafter agree with the German Government relating to the disposition of all rights, interests, and concessions, which Germany, by virtue of treaty or otherwise possesses in relation to the Province of Shantung—

most clearly shows the intention of Japan to make a deal with the Entente Allies by which she should obtain possession of Shantung and proves conclusively that she was forcing China to agree in advance to whatever terms she might in the future make. And there is much reason to believe that, fearing the ultimate success of the Allies, to whom she was contributing so little, and desiring to remain on sufficiently friendly terms with Germany to induce their Government in case they won to permit the retention of Shantung by Japan, the Japanese Government exchanged diplomatic notes with the German Government up to the time of the sure defeat of the German arms.

I do not charge that dogmatically, but it has been repeated on this floor by competent authority and up to this hour has not been authoritatively disputed.

JAPAN IN THE FAR EAST.

The President recently stated that Japan intends to return Shantung to China. If that be true, why is it not so written in the contract? Why is it not so nominated in the bond? Japan in the beginning stated that she was willing to return Shantung but the treaty does not so recite, and her past history flatly contradicts any such intention.

There was a time when Korea was under the control of China. Japan waged two wars with the announced purpose of insuring the independence of Korea. One of these was with China, waged ostensibly for that sole purpose, and the other with Russia, and in that one she proclaimed to the world that she was fighting partly for the independence of Korea and of Manchuria. And yet, having won in both wars, she very speedily annexed Korea and in 1910 made her a part of the Japanese Empire. When questioned as to her good faith, the excuse she gave to the world was that Korea was close to Formosa, and that she needed Korea in order to prevent her enemies from using Korea as a base of attack upon Formosa. And it is well to remember also that she had previously taken Formosa from China; and, according to that logic, she would soon have the whole of Asia under her domination.

One of Japan's alleged reasons for waging war with Russia was that she wanted to save Manchuria for China, but since that time she has peopled Manchuria with her nationals until it is to all intents and purposes a Japanese colony and one governed by methods almost Prussian in character.

It is well known that southern Manchuria is occupied by a Japanese army. At times during the late war the soldiers of other nations were subject to great indignities in that country, and a Japanese consul in explaining this treatment said: "In the view and contention of the Japanese Government you are in Japanese territory and must submit to the Japanese who are the ruling authority in the East and must be obeyed," and yet Manchuria belongs to China. That is the slogan of Japan and is the clearest announcement of her purpose that has been made.

The whole story of the treatment of China by Japan furnishes ample illustration of the fact that Japan intends to cling

to Shantung and that her protestations of good faith are not to be believed. She regards Shantung as a spoil of war and one to which she is entitled by way of recognition of her services to the Allies. She has forced on China many secret treaties which would give her indefinite right there and enable her to dominate the Government and the people of that great empire, and now their Government seeks to make permanent the robbery of China and to secure for it the sanction of the world.

When Japan went to war she called on Germany to surrender Shantung to her and agreed to return it to China if compensation were made. At the peace conference the delegates from China offered to pay all the expense of Japan in taking possession of Shantung and to otherwise compensate her if she would redeem her promise and restore the Province, but China's claim was denied by the peace conference and her plea rejected. In the name of peace and harmony and world-wide brotherhood this outrage upon China was ratified and in the treaty is given the sanction of civilization!

Why was so monstrous a wrong thus recognized? What induced statesmen who were assembled to do justice to all nations to sanction so great a crime? Simply because it had to be done to save the league. President Wilson wanted the league. It was the sole object of his going to France, and for it he was and is willing to make great sacrifices of either foreign rights or American independence.

Japan, seeing his attitude, took advantage of him and forced him to indorse this wrong to China by the threat that if it were not done she would withdraw from the conference and would decline to ratify the league. And he yielded and is now endeavoring to have our Nation ratify this treaty and condone this wrong.

For while he may have in his pocket a statement by the Japanese representatives to that conference, it is no part of the contract, and if there be a withdrawal by Japan it will not be because of anything in the terms of the treaty of peace. It will be voluntary on the part of Japan.

JAPAN'S DEMANDS.

Therefore, as the result of our President's acts, Japan stands to-day between the Chinese Republic and one of its greatest Provinces. She would not consent to become a member of the league until the other powers had promised her Germany's possessions in China, possessions to which, in accordance with the high-sounding tenets of the "new order," Japan had no conceivable right.

When we went to war our President proclaimed that diplomacy was to be lifted from the mire and placed upon a high plane of honesty and fair dealing; that national selfishness was to be supplanted by international altruism; that the right of self-determination was to be established as the permanent policy of the future; and that the world should never know another Silesia, another Alsace-Lorraine.

And yet, at the peace conference in the representatives of Japan there reappeared the "old order," the old intrigue, the old savagery that "might makes right." And they forced our President to abandon his high ideals, to turn his back upon his lofty principles, and to accept their savage code.

Japan coerced him into that concession. Clemenceau and Lloyd-George felt bound by the terms of the old intrigue that divided the loot before the victory was won, and Wilson yielded that Japan might sign. That country sold her signature for the liberties of 36,000,000 human beings, and Wilson, Lloyd-George, and Clemenceau approved the bargain and ratified the sale.

This agreement was made at a time when Italy was absent from the conference and her representatives were in Rome. Knowing that their refusal to sign at such a time would prevent the formation of the league, and taking advantage of Italy's absence and of our President's determination to form a league at any cost, the representatives of Japan pressed their demands with redoubled energy. They literally threw their contract before him and defiantly exclaimed: "Sign here or your league fails." Thus challenged, he yielded that he might execute his purpose, he signed that he might save his league, and the great wrong to China's millions was consummated. China, our ally, Japan's ally, was there demanding her rights. These were denied. She asked that this question might be referred to the league of nations when formed. But Japan blocked even this concession. By her attitude of defiance she gave them to understand that Shantung was hers and that she intended to keep it, regardless of the conference or the decree of any league of nations.

And so the last pillar of this league is based upon wrong, and thus founded it can not long endure. "For," as Wendell Phillips cried out to the slave oligarchy, "though you build your structure of granite, and though you pile it as high as the mountains, yet, if it be in the least mixed with evil, the pulse stroke of a child shall in time beat it into dust."

And in the name of democracy the head of the greatest Republic on earth smothered the only democratic stirrings in the Far East, condoned all the wrongs of Japan in the past, and literally turned over the whole of China to the brutal exploitation of the only militaristic power left in the world since the overthrow of the Kaiser.

China presented to the peace conference a claim based only on justice, but with no power behind it. Japan presented a case based only on power, but with no justice behind it. Japan and power won. China and justice lost. And the cause of democracy and the rule of the people in Asia were set back 100 years.

THE GREAT INCONSISTENCY.

And the most remarkable, the most indefensible, feature of this entire transaction is that, as a result of a war said to have been waged to make the world safe for democracy, we enforce the spoliation of the only Republic in the Orient, we ratify the previous robbery of a friendly people by the nation we went to war to overthrow for just such acts, and we turn the result of the larceny over to the most autocratic Government that now exists on earth, the counterpart of Germany in the East.

And, as if to emphasize the fact that nations, as well as men, when they start upon a scheme of pillage, will throw all discretion to the winds and rush to the extreme limit of wrong, as if by their very boldness they could make a virtue of their vice, it can never be forgotten that every nation whose representatives sat around the table at the peace conference and sanctioned this oriental crime—every one of them—had a treaty with China to protect the territorial integrity of her empire. They each committed there, in what ought to have been deemed a sanctuary, the same atrocious crime for the commission of which they went to war with Germany; each nation held its treaty to be but a scrap of paper; they all cast their agreements upon the dust heap; they trampled their honor under foot and outraged every Christian precept.

And they did all this, too, partly to carry out a secret agreement to divide the spoils of war, and at the table where they pretended to hold secret treaties in contempt and to glorify "open covenants openly arrived at."

JAPAN'S REAL POSITION.

Now, Senators, my contention is that the day China declared war against Germany and became our ally every vestige of title Germany held in China reverted to that country. And this is especially true in the light of the new interpretation of the rule of justice in the world. We correctly interpreted that rule in giving back Alsace-Lorraine to France, and it can not be regarded as other than a perversion of right to hold differently as to Shantung. I contend, therefore, that Japan has no title to Shantung simply because she dislodged Germany in that Province.

The shrewd rulers of Japan evidently believed that this would be the finding of the peace conference, if she could show no greater right to Shantung than that she had simply displaced Germany, and that is why she afterwards made her secret agreement with the Allies by which her title to this Province was to be secured by the use of power.

My further contention is that when she took possession of Shantung from the Germans she promised that it should be returned to China. And, further, Count Okuma, in 1914, made an express promise to this country that these possessions should be turned back to China, to whom they legitimately belong. That significant message should speak trumpet-tongued to Japan and call her to her sense of duty and responsibility to us and to the other nations of the world. Said he:

I gladly seize the opportunity to send through the medium of the Independent a message to the people of the United States, who have always been helpful and loyal friends of Japan.

It is my desire to convince your people of the sincerity of my Government and of my people in all their utterances and assurances connected with the present regrettable situation in Europe and the Far East.

Every sense of loyalty and honor obliges Japan to cooperate with Great Britain to clear from these waters the enemies who in the past, the present, and the future menace her interests, her trade, her shipping, and her people's lives.

This Far Eastern situation is not of our seeking.

It was ever my desire to maintain peace, as will be amply proven; as president of the Peace Society of Japan I have consistently so endeavored.

I have read with admiration the lofty message of President Wilson to his people on the subject of neutrality.

We of Japan are appreciative of the spirit and motives that prompted the head of your great Nation, and we feel confident that his message will meet with a national response.

As premier of Japan I have stated, and I now again state to the people of America and of the world, that Japan has no ulterior motive, no

desire to secure more territory, no thought of depriving China or other peoples of anything which they now possess.

My Government and my people have given their word and their pledge, which will be as honorably kept as Japan always keeps promises.

OKUMA.

That is what alarms me.

This constitutes an express promise to the people of the United States, and we now have the right to demand that Japan keep that promise and withdraw from Shantung.

As a proof of the fact that Japan went to war only to seize German possessions in the Orient, I cite a clause of the letter written by the Japanese foreign minister to the French ambassador at Tokyo with reference to the secret treaty consummated in 1917:

The French Government is thoroughly informed of all the efforts the Japanese Government has made in a firm manner to accomplish its task in the present war, and particularly to guarantee for the future the peace of oriental Asia and the security of the Japanese Empire, for which it is absolutely necessary to take from Germany its bases of political, military, and economical activities in the Far East.

This conclusively shows the reason that impelled Japan to enter the war. She was actuated by no altruistic motive; she was not disturbed about universal brotherhood; she held up no high ideals as a reason for her action; she undoubtedly stated the truth when she said "that the security of the Japanese Empire, for which it is absolutely necessary to take from Germany its bases," was the one thought her rulers had in mind when they declared war against Germany.

By the treaty of 1915 Japan evidently intended to retain the Province of Shantung, and just as evidently intended to make it a base of action from which she might afterwards take complete control of the Chinese Government. Japan, apparently without any particular reason known to the outside world at the time, but which now clearly enough appears to have been but another link in the chain forged by her to bind poor China, in January, 1915, or after taking possession of Shantung, made her imperious demands upon China for the express purpose of obtaining control of the Empire. Can any impartial man study the record of Japan with reference to these other countries or study her actions with reference to Shantung and say that she intends to retire from there and give her possessions back to China? If so, why does she not do it? Nobody impedes her. Nobody hinders her. Nobody is standing in the way of her taking this action. If she is not ready to act, why does she not at least say that she intends to take this step? If she is not ready to fix a specified time of withdrawal, why does she not announce to the world her purpose to withdraw and state that she soon will fix a time when that action will be taken? The whole history of the transaction fully convinces me that she entered the war for the purpose of preventing the further spread of Germany in the Orient and as well to take permanent possession of Shantung, which she never intends to give up if we ratify this treaty, and thus condone all the wrongs she has committed up to the present time, and thus permanently entrench her in that unfortunate country.

I shall not take the time of the Senate in a discussion of these articles of the treaty, because I am taking longer than I anticipated, and the Senator from Colorado [Mr. THOMAS] has served notice that he wishes to speak. He always illuminates every subject to which he addresses his intellect, and I am very anxious to hear him.

Mr. THOMAS. I hope the Senator from Indiana will not abbreviate his discussion on my account, because I am greatly interested in his address.

Mr. WATSON. I thank the Senator very much.

Mr. HITCHCOCK. Will the Senator from Indiana submit to a question or two?

Mr. WATSON. Certainly.

Mr. HITCHCOCK. I understood him to say that as long as the Shantung provisions were in this treaty it would not have his support. I wish to ask him what would be the gain to China, in a practical way, if the Senate of the United States should eliminate the Shantung provision from the treaty? Japan would be in possession of the Shantung interests, and that possession would have been ratified by Great Britain, France, and the other parties to the treaty. In what way would we proceed, then, to oust Japan from the holding of those interests in the Shantung Peninsula?

Mr. WATSON. My answer to that is very simple. Whatever the result might be to China, the result in which I am interested is to the United States, for we would not give our approval to such an act as that; we would not condone that wrong, and that is precisely what we do if we ratify the treaty and permit Japan to hold Shantung. Then it becomes our act, and whatever the future might hold for us that is our act. I say to the Senator that is why I object to it, and that is especially pertinent in view of the new construction of internationalism with which we are now being regaled from day to day.

Mr. HITCHCOCK. Then suppose, as the result of a failure or refusal on our part to ratify this treaty, the league of nations should fail and should not go into effect. To what court could China appeal for the vindication of her rights in the Shantung Peninsula?

Mr. WATSON. She could appeal only to that moral power in the world, I will say, that has always been in existence. I wish to remind the Senator that back in the time when John Hay was Secretary of State, back in the time—and I speak with all due respect to our Chief Executive as an individual and as President—when we had as President of the United States an American who believed in America before he believed in any other nation of the world, and the same nations that are now seeking to dismember China sought then to dismember her, we simply reached out our hand across the ocean and warned them to stand back; and all the hungry hordes stood back, and they have been standing back, too, until this day when, through the league of nations, they are about to consummate the very wrong which they could not then consummate.

Mr. HITCHCOCK. Does the Senator from Indiana lose sight of the fact that it was while John Hay was Secretary of State that Germany got from China her concession in the Shantung——

Mr. WATSON. I do not.

Mr. HITCHCOCK. Let me finish, please—her concession in the Shantung Peninsula?

Mr. WATSON. On the 6th of March, 1898.

Mr. HITCHCOCK. And that it was John Hay who on behalf of the United States signed the diplomatic communication to Germany complimenting Germany upon the manner in which she was proceeding to administer her concession of the Shantung Peninsula and acquiescing in her possession of that concession? Has the Senator from Indiana forgotten that fact?

Mr. WATSON. Precisely; I am aware of that fact. The Senator from Nebraska must also remember that we were then in the Spanish-American War; the Senator must also remember that on the 1st day of May, 1898, Dewey sailed into Manila Bay; the Senator must remember that just previous to that time we were preparing to enter that war, and for months we had, in a quiet way, been making preparation to that end, as the Senator knows. The Senator further knows that before Prince Henry went to Kiaochow to enforce his demand upon China he was in Manila Bay. The Senator further knows that he sailed there farther than Dewey wanted him to sail. The Senator further knows that Dewey served notice on him that if he sailed across a certain line he would send a shot across the bow of his ship. The Senator knows that, and that we were in the midst of a very delicate situation and very strained relations as between the United States and Germany. Just at that time the German fleet sailed into Kiaochow Bay, and Germany forced the Shantung concession from China while we were at war with Spain and did not want to take on another war. That was the situation.

Mr. HITCHCOCK. So that the Senator excuses John Hay, then Secretary of State, for acquiescing in what was forced from China by Germany at that time?

Mr. WATSON. I do, at that time. I remember very well that Abraham Lincoln said "one war at a time"; and I think that was a very wise policy to pursue. We did not want to get into war with Germany, and our relations with Germany were very much strained at that time.

Mr. HITCHCOCK. Can the Senator from Indiana also tell who was President of the United States and who was Secretary of State at the time that Japan grabbed Korea? Does the Senator recall a treaty which the United States had with Korea, which was made in 1882, in which we pledged ourselves as a Nation in case the integrity of Korea was threatened to make friendly representations on her behalf?

Mr. WATSON. I remember that.

Mr. HITCHCOCK. Can the Senator recall any representations or any effort that was made by the United States, and does he remember the appeal the Koreans made to the United States?

Mr. WATSON. I do.

Mr. HITCHCOCK. And the manner in which it was ignored by the then President of the United States and the then Secretary of State, whom he now lauds?

Mr. WATSON. I do; and I remember this, furthermore, Mr. President and Senators, that two wrongs do not make a right and a multiplication of wrongs does not build up a right. I remember this, further, that we are not called on to deal with that transaction now; we are not called on to deal with any

of those intrigues now, but only with this one. This one is in the treaty and now on the table before us. The others have passed into history; but this one we will have to deal with; we are face to face with it. The others are behind us. This is all I am dealing with. If we acted wrongly in that instance, it is no reason why we should continue to act wrongly in the instance which now confronts us, the problem which demands our immediate attention.

Mr. NORRIS. Mr. President, may I interrupt the Senator from Indiana at that point?

Mr. WATSON. Certainly.

Mr. NORRIS. I wish to ask the Senator from Indiana if he does not also think that there is a difference between remaining silent and seeing a wrong perpetrated and doing nothing and actively participating in doing the wrong?

Mr. WATSON. Precisely; that is what I aimed to state a while ago.

Mr. KING. Will the Senator from Indiana permit me an interruption?

Mr. WATSON. Certainly.

Mr. KING. It was more than a silent acquiescence with respect to the first matter to which the Senator from Nebraska [Mr. NORRIS] referred, for John Hay affirmatively approved of it.

Mr. NORRIS. Yes; but does the Senator from Utah now urge that as a reason for the approval of the Shantung provisions of the treaty? If he does, then why not say that Alsace-Lorraine belongs to Germany? Germany wrenched those beautiful Provinces from France and all the world stood by and saw it done and knew it was wrong. When we got into this war the first cry raised was that that wrong should be righted and that those provinces should be given back to France; and also in the case of Belgium that Belgium should be restored, although it was recaptured in the main by English troops, as Alsace and Lorraine were, in part at least, captured by American troops; but no one claims that we ought to keep Alsace and Lorraine or that England ought to keep Belgium.

Mr. KING. Mr. President, will the Senator from Indiana pardon a further interruption?

Mr. WATSON. I yield.

Mr. KING. I am making no argument one way or the other; I am not condoning the wrong.

Mr. NORRIS. Neither am I condoning the wrong.

Mr. KING. I am not condoning the ravishment of Alsace and Lorraine; I am not condoning the wrong that was committed by Germany in seizing Chinese possessions; but I was merely adverting to the fact that the Senator from Indiana is expending all of his condemnation upon a Democratic administration for attempting to write a treaty that will in the future protect China against aggression while he apparently forgets the wrongs which a Republican administration condoned and approved a number of years ago.

Mr. BORAH and Mr. McCORMICK addressed the Chair.

Mr. WATSON. I yield to the Senator from Idaho first.

Mr. BORAH. Mr. President, I do not think there can be a successful defense made for this Government in regard to the Korean matter. I feel that its action in that behalf was without foundation in morals or in justice. We connived at the wrong, if we did not absolutely approve of it. We are now conniving at the Shantung seizure, and we may absolutely approve it. The real point to be made now is whether or not this particular Senate, which is condemning both transactions, will have courage sufficient to take action at this time. Will we in the end, by mere protest or ineffective action, continue to sustain this immoral conduct toward China?

Mr. WATSON. Precisely. I now yield to the Senator from Illinois.

Mr. McCORMICK. Mr. President, I merely wish to interrupt the Senator to ask if it be not true that in the instance of the abdication of the Korean Emperor the only official communication which our Government received represented that the Korean Government voluntarily surrendered its sovereignty, whereas in this instance the Chinese Government has resisted, in so far as is possible, the cession of Shantung?

Mr. NORRIS and Mr. THOMAS addressed the Chair.

Mr. McCORMICK. I have not quite concluded.

Mr. THOMAS. I thought the Senator was through.

Mr. McCORMICK. The argument has been made, and justly made, that our acquiescence in that past wrong is not to be justified. There is this distinction, however, that China formally and publicly, through its recognized representatives, has objected to this unrighteous proposal. We are aware of that fact here on this floor, and if we are a party to this wrong it will not be by acquiescence but by our deliberate act.

Mr. THOMAS and Mr. NORRIS addressed the Chair.

Mr. WATSON. May I yield first to the Senator from Colorado?

Mr. NORRIS. Certainly.

Mr. THOMAS. Mr. President, the statement made by the Senator from Illinois is historically correct, but it is not quite complete. The only official communication which this Government received was the one mentioned by the Senator. An attempt was made by the Koreans to submit a communication, but the attempt was blocked by Japan and failed.

Mr. NORRIS. Mr. President——

Mr. WATSON. I yield to the Senator from Nebraska.

Mr. NORRIS. I do not want the occasion to pass without saying that I do not believe that the United States Government can justify its course in the Korean matter. While it is true that there was no official communication except the one of which the Senator from Illinois speaks, there were communications, both telegraphic and written, sent by officials of the Korean Government, and I shall take occasion before this debate is over—and would do it now if I had the papers at hand—to read their contents. They do not throw any credit upon our Government, in my judgment, but far be it from my purpose to offer that as an excuse for the commission of another crime like it, especially now, when we must take positive action in this case, while in the other we were merely silent.

Mr. BRANDEGEE. Mr. President, may I ask the Senator from Colorado a question?

Mr. WATSON. Certainly.

Mr. BRANDEGEE. The Senator from Colorado did not mean to say that China had not protested to this Government against the Shantung cession, did he?

Mr. THOMAS. Oh, certainly not.

Mr. BRANDEGEE. Then I misunderstood the Senator.

Mr. THOMAS. My remark had reference to Korea entirely. China has protested, I think in every way that a nation could possibly protest, against the ratification or the adoption of the Shantung articles of the treaty.

Mr. LODGE. Mr. President——

Mr. WATSON. I yield.

Mr. LODGE. Probably the Senator from Indiana has already made the point, but I only came into the Chamber a few moments ago. No doubt, however, he is aware that at Paris China, within, I think, a few hours of the signing of the treaty, offered to sign if she could be permitted to reserve the right subsequently to open the question of Shantung before the league of nations, but even that was refused.

Mr. WATSON. I have already made that statement.

Mr. LODGE. I dare say the Senator has, but I was not present at the time.

Mr. WATSON. She also wanted to make it a part of the annex, as it was called, and that likewise was denied.

Mr. BORAH. I call the Senator's attention to that attempt at reservation, and to the successful manner in which it worked.

Mr. WATSON. Yes; but the question is now before a different tribunal, I will say to the Senator from Idaho.

THE TERMS OF THE SURRENDER.

Section 8 of the treaty of peace provides for the transfer of German rights and privileges in Shantung to Japan.

One of the three articles having reference to this transfer—section 156—reads as follows:

SECTION 8.—SHANTUNG.

ARTICLE 156.

Germany renounces, in favor of Japan, all her rights, title, and privileges, particularly those concerning the territory of Kiaochow, railways, mines, and submarine cables which she acquired in virtue of the treaty concluded by her with China on March 6, 1898, and of all other arrangements relative to the Province of Shantung.

I pass over all comment on the most peculiar language of this article save to remark that I can see no difference between rights "particularly" and rights "generally" conveyed, no difference to China who loses them, no difference to Japan who receives them. And I might say in passing that no lawyer would ever write a contract between two parties and convey from one to the other "all other arrangements" between them relative to the subject of the contract. Such language thus employed refers evidently to the other treaties between Germany and China; and if so, those words are intended to conceal rather than to convey their real meaning.

TREATY OF 1917.

Mr. President and Senators, I believe that the secret treaty made by Japan with the Allies in 1917 should not be countenanced by them or by us at this time, because it rests on wrong and is established on fraud.

It was a fraud on China, because by the terms of that understanding Japan got China into the war, that country never dreaming that as a part of the agreement by which she was induced to declare war her territory was to be divided and her people despoiled; and Japan and England and France used Chinese men and Chinese resources to the limit of their capacity to do so in a fight to overthrow autocracy and establish freedom, and all the time poor China was aiding the cause of her allies and her sons were bleeding in their defense they had a secret agreement among themselves that just as soon as the war was over they intended to divide the empire of their helpless ally and permanently dismember her land. There never was a baser betrayal of a friend, a more brutal robbery of an ally, than in this plunder of weak but willing, feeble but faithful China; and, like Banquo's ghost, it will not down, but will ever return to trouble those who consummated this mighty wrong.

And then, when it came to the peace table, England and France, having joined this plunderbund and having raked in their share of the booty, felt bound to see that Japan got hers as well.

They all knew that if it came to a square decision between the formation of the league on one hand and the rights of China on the other, that Wilson would forsake China and cling to the league; and, impelled by this territorial lust, these original conspirators in this intrigue combined to force the President's hand, and succeeded, contrary to every principle of right and every precept of justice.

A FRAUD ON THE UNITED STATES.

And this secret treaty of Japan with the Allies was as well a fraud on our Government. Japan entered the war in 1914, and at once took possession of Germany's rights in China. Early in 1917, as soon as it became evident that the United States would be drawn into the war, and that therefore the allied cause would probably triumph, Japan opened negotiations, first with England, then with France, and afterwards with Italy and Russia, by which she very cunningly proposed a division of the spoils after the war, and in each agreement she stipulated that a portion of her share should be the former German possessions in China.

She then got the consent of the Allies to hold Shantung. She did not deem it wise to disclose her purpose to the United States, evidently fearing that our friendship for China was too strong and our love of justice too great to permit this wrong, and so took a circuitous route to win the approval of this Government.

She obtained consent of the Allies to continue her possession of Shantung in February and March of 1917. Later on in the year, after the United States had entered the war, there were disquieting rumors as to difficulties arising between Japan and the United States in the Orient, and especially in regard to China. Let us remember that Japan had been in Shantung almost three years, that she had already entered into a secret arrangement with the Allies to remain there, and that she was exceedingly anxious to obtain some kind of an agreement from the United States that would prevent this country from interfering with the consummation of her purpose in China. To this end she entered into several conversations with Secretary Lansing, the ostensible object being to once more state the friendly relation that existed between the two countries in order to subdue any threats of trouble, but the real purpose of which was to literally trap the United States into an agreement establishing an oriental Monroe doctrine and placing Japan within that sphere of influence in the same situation as that occupied by this country in the Western Hemisphere. And she did this to retain her hold on Shantung and to enable her to make whatever further inroads she pleased in China.

The text of the Lansing-Ishii agreement is as follows:

DEPARTMENT OF STATE,
Washington, November 2, 1917.

EXCELLENCY: I have the honor to communicate herein my understanding of the agreement reached by us in our recent conversations touching the questions of mutual interest to our Governments relating to the Republic of China.

In order to silence mischievous reports that have from time to time been circulated, it is believed by us that a public announcement once more of the desires and intentions shared by our two Governments with regard to China is advisable.

The Governments of the United States and Japan recognize that territorial propinquity creates special relations between countries, and, consequently, the Government of the United States recognizes that Japan has special interests in China, particularly in the part to which her possessions are contiguous.

The territorial sovereignty of China, nevertheless, remains unimpaired, and the Government of the United States has every confidence in the repeated assurances of the Imperial Japanese Government that while geographical position gives Japan such special interests, they have no desire to discriminate against the trade of other nations or to disregard the commercial rights granted by China in treaties with other powers.

The Governments of the United States and Japan deny that they have any purpose to infringe in any way the independence or territorial integrity of China, and they declare, furthermore, that they always adhere to the principle of the so-called "open door," or equal opportunity for commerce and industry in China.

Moreover, they mutually declare that they are opposed to the acquisition by any government of any special rights or privileges that would affect the independence or territorial integrity of China or that would deny to the subjects or citizens of any country the full enjoyment of equal opportunity in the commerce and industry of China.

I shall be glad to have Your Excellency confirm this understanding of the agreement reached by us.

Accept, Excellency, the renewed assurance of my highest consideration.

ROBERT LANSING.

His Excellency Viscount KIKUJIRO ISHII,
Ambassador Extraordinary and Plenipotentiary of Japan on Special Mission.

(The ambassador extraordinary and plenipotentiary of Japan, on special mission to the Secretary of State.)

THE SPECIAL MISSION OF JAPAN,
Washington, November 2, 1917.

SIR: I have the honor to acknowledge the receipt of your note to-day, communicating to me your understanding of the agreement reached by us in our recent conversations touching the questions of mutual interest to our Governments relating to the Republic of China.

I am happy to be able to confirm to you, under authorization of my Government, the understanding in question set forth in the following terms:

In order to silence mischievous reports that have from time to time been circulated, it is believed by us that a public announcement once more of the desires and intentions shared by our two Governments with regard to China is advisable.

The Governments of Japan and the United States recognize that territorial propinquity creates special relations between countries, and consequently the Government of the United States recognizes that Japan has special interests in China, particularly in the part to which her possessions are contiguous.

The territorial sovereignty of China, nevertheless, remains unimpaired, and the Government of the United States has every confidence in the repeated assurances of the Imperial Japanese Government that, while geographical position gives Japan such special interests, they have no desire to discriminate against the trade of other nations or to disregard the commercial rights heretofore granted by China in treaties with other powers.

The Governments of Japan and the United States deny that they have any purpose to infringe in any way the independence or territorial integrity of China, and they declare, furthermore, that they always adhere to the principle of the so-called "open door" or equal opportunity for commerce and industry in China.

Moreover, they mutually declare that they are opposed to the acquisition by any Government of any special rights or privileges that would affect the independence or territorial integrity of China or that would deny to the subjects or citizens of any country the full enjoyment of equal opportunity in the commerce and industry of China.

I take this opportunity to convey to you, sir, the assurances of my highest consideration.

K. ISHII,
Ambassador Extraordinary and Plenipotentiary of Japan on Special Mission.

Hon. ROBERT LANSING,
Secretary of State.

Neither President Wilson nor Secretary Lansing knew at that time that Japan had secret treaties with the Allies by the terms of which she was to hold Shantung after the war; and thus when her representative agreed with Lansing that—

The territorial sovereignty of China, nevertheless, remains unimpaired.

And, further, when she joined in a declaration with our country that—

The Governments of Japan and the United States deny that they have any purpose to infringe in any way the independence or territorial integrity of China.

And further, when she agreed with our Government that—

Moreover, they mutually declare that they are opposed to the acquisition by any Government of any special rights or privileges that would affect the independence or territorial integrity of China or that would deny to the subjects or citizens of any country the full enjoyment of equal opportunity in the commerce and industry of China—

She practiced the foulest kind of deceit upon our Government.

For during all these negotiations Japan had a treaty with the Allies which she religiously kept from the knowledge of this country, by which she was to be protected in doing the very things she agreed in the Lansing-Ishii negotiations not to do. She had a treaty by which the Allies were to enable her to do the very thing she was agreeing with Lansing that neither she nor any other nation would do or would be permitted to do, and this, I submit, is as perfidious an instance of international treachery and betrayal as the diplomatic history of the world, crooked and indefensible as much of it has been and full of startling disclosures, has ever witnessed.

THE RESULT.

Japan, thus entrenched, is seated firmly on the throne of power in the Orient. She dislodged Germany from China; she forced that country into granting her rights that will mean the perpetual rule of Japan in the Chinese Empire; she obtained secret treaties with the allied countries by mutual agreement to divide the spoils, by which they covenanted not to interfere with her in her oriental designs; she obtained from the United States full authority to act in the Orient; she forced our President to recognize all these acts and covenants in the peace treaty, and

now all she lacks is the consent of the United States Senate to this treaty in order to consummate the robbery and perpetuate the crime. I can not believe that this body will ever countenance such action. I can not believe that we are willing to base a policy of government upon so corrupt a foundation. I can not bring myself to think that this Senate will ever ratify this treaty unless some assurance is given by Japan that she will abandon Shantung within a specified time, or, failing in that, that limitations will be placed upon the Shantung provision in the treaty that will guarantee the rights of the Chinese people to their own territory and their own liberty.

And it is especially true that we can not condone this conduct on the part of Japan in the light of the President's interpretation of just such acts, for in his address to this body on the 10th he expressly referred to and denounced—

entanglements which contemplated any dispositions of territory, any extensions of sovereignty, that might seem to be in the interest of those who had the power to insist on them, without thought of what the peoples concerned might wish or profit by.

Assuredly we can not hold that this is a pure idealism, incapable of enforcement, or that it is right in Europe and America but wrong in Asia, for principles can never be said to have so narrow an application. And we have now come to a place where we must either enforce this doctrine or abandon it, where we must quit talking or else make our deeds square with our words.

Mr. BORAH. Mr. President, may I ask the Senator what kind of an assurance from Japan will be satisfactory?

Mr. WATSON. The only kind of assurance that will be satisfactory to me will be an unequivocal statement by Japan of a withdrawal within the next 30 days—in other words, before this league treaty can be acted on by the Senate of the United States, that she will withdraw not only from Kiaochow, Kiaochow Bay and environs, but from Shantung.

Mr. BORAH. Then, if I understand the Senator correctly, his policy is—and if I understand him correctly, I agree with it—that the withdrawal of Japan shall be consummated before we ratify this treaty, and the treaty made to conform?

Mr. WATSON. Precisely; precisely.

Mr. NORRIS. Mr. President, may I ask the Senator, assuming that to be done, what becomes of this part of the treaty then, in which the German concessions are turned over to Japan, if she has already surrendered them? Would it not be necessary, if that were done, just to strike that out of the treaty?

Mr. BORAH. Mr. President, I had in my mind the fact that these properties without this treaty now belong to China; that they reverted to China when China declared war on Germany.

Mr. WATSON. Without any doubt.

Mr. BORAH. That was my idea.

Mr. NORRIS. The point that I desire to make, if the Senator will permit me, is that if the property was absolutely turned back to China, let us say, as the Senator from Indiana says, before we passed on the treaty, and we approved the treaty with those three sections in it, it would be absolutely contradictory to the facts——

Mr. WATSON. I have no doubt of that.

Mr. NORRIS. Because the treaty says that these concessions shall be turned over to Japan. Why is not the solution of it to amend the treaty by striking out the word "Japan" and inserting the word "China," turning them directly back to China?

Mr. WATSON. I will say to the Senator that any of those solutions is satisfactory to me.

ANOTHER SIDE.

My next contention is that the people of Shantung should have the right to say what disposition is to be made of their territory, and that three men in a secret chamber in Paris had no scintilla of right to hand 36,000,000 of people around as if they were property, or to drive them about as if they were cattle, or to bargain away their rights to placate a stronger power. Either this or the doctrine of self-determination is a snare and a delusion.

The able Senator from Arkansas [Mr. ROBINSON], in his speech in the Senate on the 24th ultimo, with reference to Shantung, thus excuses this wrong:

In view of the fact that the commercial relations of nearly all nations with China are based on duress in some form, and in contemplation of the further fact that the most important treaties now in force between the various nations are the outcome of wars—which, of course, are the supreme manifestations of duress—why should the claim that China was induced to make the treaty with Japan through fear of war invalidate that treaty, and all other treaties with China, many of which she was compelled by war to execute, be left in force? If we go back into history and invalidate every treaty into which duress entered, chaos in international relations will result.

Which is, in substance, the same assertion as that made by the Senator from Nebraska [Mr. HITCHCOCK] in the question he asked me but a few moments ago. The answer to it is, just as I answered him, that we are not now concerned with old treaties except as they are presented to us by this instrument. The only treaties with which we are here concerned are the ones between Germany and China, and between Japan and China, and between Japan and the Allies. They lead up to and elucidate the Shantung articles in the treaty the Senate is now considering. All the other treaties to which the Senator refers are in the past. We are dealing with this one now. They are not called in question here. This one is. We are not asked to condone past wrongs except as they relate to China, and we are striking at the only one of these indefensible treaties that is presented to us for consideration.

Was it not of just such treaties that the President spoke when he said:

Old entanglements of every kind stood in the way—promises which Governments had made to one another in the days when might and right were confused and the power of the victor was without restraint.

That is precisely the case presented to us in this one instance—the only one with which we are required to deal in this instrument. And shall we turn our backs on the lofty announcement of the President and ratify these "old entanglements"? Shall we condone the acts of Germans and Japanese made with reference to China in the days when "might and right were confused and the power of the victor was without restraint"?

And again the Senator says:

Shall we assert that treaties tainted with duress in which Japan is interested must be invalidated and at the same time recognize English, French, and Russian compacts with the Chinese Government—compacts, for the most part, extorted through wars engaged in for the express purpose of compelling China to yield?

Mr. President, those English, French, and Russian compacts with the Chinese Government are not presented to us for our consideration here and now. The one between Japan and China is, and we are asked to ratify it. The one between Japan and the Allies is, and we are asked to sanction it. Again I answer the assertion of the Senator by a statement of the President in which he declares that "the Central Powers had lived in open violence of many of the very rights for which the war had been fought, dominating alien peoples over whom they had no natural right to rule, enforcing not obedience but veritable bondage, exploiting those who were weak for the benefit of those who were masters and overlords only by the force of arms."

Mr. President, in the old days the attitude of the Senator from Arkansas might have been established upon some substantial basis, but in the light of the "new order" there is no place for him to stand when he advocates the condonation of such acts. The President very forcefully said in his last address to the Senate, speaking of just such agreements as the ones now advocated by the Senator from Arkansas:

These were all arrangements of power, not arrangements of natural union or associations. It was the imperative task of those who would make peace and make it intelligently to establish a new order which would rest upon the free choice of peoples rather than upon the arbitrary authority of Hapsburgs or Hohenzollerns.

And he might with propriety have added Mikados.

THE NEW ORDER.

Can it be said that taint no longer vitiates title? Does wrong ever become right? Can duress piled upon duress, can force added to force, make unrighteousness holy? Can the German wrong in China plus the Japanese wrong in China plus the Japanese wrong with the Allies ever come to the full fruition of a perfect right? Can these three wrongs constitute a lasting foundation upon which an enduring superstructure of justice can be reared?

The President said:

The German colonies were to be disposed of. They had not been governed; they had been exploited merely, without thought of the interest or even the ordinary human rights of the inhabitants.

Based upon such wrong, can Japan's title be right when she herself sought to enforce her title by precisely the same methods?

The President helped to formulate this treaty. He brings it back to us and asks us to ratify it without amendment. He states the ideals upon which it is based and the principles which by its means he hopes to work out in the world. Can it be that he believes in Japanese rights in Shantung? In his celebrated address to the Senate on the 22d of January, 1917, in describing the character of peace which must be made if it is to be lasting, he said that it must be—

a peace that will win the approval of mankind, not merely a peace that will serve the several interests and immediate aims of the nations engaged.

Words could not be more fittingly used to describe the character of the treaty he asks us to accept. Surely the secret treaty of the Allies to divide the spoils of war before the victory without consulting with our country, surely the deliberate policy of Japan, the undeviating course she pursued during all the vicissitudes of war, surely these do not constitute the basis for the kind of peace of which the President spoke.

PEACE WITHOUT VICTORY.

And, Senators, in that portion of the address last referred to, in which the President clearly set forth from his viewpoint the basis of a just and lasting peace, he took occasion to inveigh against the very kind of treaty he now asks us to ratify.

Victory—

Said he—

would mean peace forced upon the loser, a victor's terms imposed upon the vanquished. It would be accepted in humiliation, under duress, at an intolerable sacrifice, and would leave a sting, a resentment, a bitter memory upon which terms of peace would rest, not permanently, but only as upon quicksand. Only a peace between equals can last. Only a peace the very principle of which is equality and a common participation in a common benefit. The right state of mind, the right feeling between nations, is as necessary for a lasting peace as is the just settlement of vexed questions of territory or of racial and national allegiance.

Senators, if the President were to apply the principle set forth in his own language to the treaty that he has brought back to us with reference to China, he could not look upon it without shuddering, he could not think of it without horror for it violates every principle he announced; it runs counter to every right theory he propounded. It crushes every ideal he held up.

And, Mr. President, as if he were striking at a monstrous theory, as if he in fancy beheld a wicked conception of government, he set forth in two statements at once the climax of crime and the climax of fair dealing from the national standpoint. Said he:

And there is a deeper thing involved than even equality of right among organized nations. No peace can last, or ought to last, which does not recognize and accept the principle that governments derive all their just powers from the consent of the governed, and that no right anywhere exists to hand peoples about from sovereignty to sovereignty as if they were property.

And yet the President brings back to us this treaty based upon the very language he here sets forth and asks us to ratify an arrangement by which he and two other men have handed 36,000,000 people "from sovereignty to sovereignty as if they were property," without consulting with a single one of them, without ever dreaming of applying the rule that governments derive their just power from the consent of the governed.

And, finally, in answer to the Senator from Arkansas and in contravention of the principle he announced as a justification for this treaty, I desire to once more quote the President and ask the Senator how he can reconcile his statement of right with the announcement of the ideal so beautifully set forth by the Chief Executive?

Any peace—

Said he—

which does not recognize and accept this principle will inevitably be upset. It will not rest upon the affections or the convictions of mankind. The ferment of spirit of whole populations will fight subtly and constantly against it, and all the world will sympathize. The world can be at peace only if its life is stable, and there can be no stability where the will is in rebellion, where there is not tranquillity of spirit, and a sense of justice, of freedom, and of right.

My next contention is that if all of these foregoing provisions are rejected and Japan's right to Shantung is recognized, then we must validate all her claims; we must turn over to her all the rights that Germany stole by the treaty of 1898 and the three supplemental treaties of 1899, 1900, and 1905; we must recognize the validity of all her secret treaties with China in the past by virtue of which she practically controls that empire; we must recognize her claim to all the rights she acquired by her secret treaty with the Allies in 1917; we must set aside the doctrine of self-determination of peoples as applied to Shantung while applying it to many nations in Europe; we must quench the ardor and blast the hope of the only democracy in the Orient; we must recognize the binding force of the savage code of Germany in accordance with which she robbed China and Shantung and which we perpetuate in Japan; we must validate in the Orient the black doctrine that might makes right; and we must give enormous impetus to the one autocratic power left on earth, the one that will some day dominate the whole of Asia, as Prussia dominated the central empires, and if we do we shall place ourselves in a position where the spirit of retributive justice will some day call us to account for having violated such sacred principles when we had the power to enforce them.

ARTICLE 156.

The remainder of article 156 of the treaty of peace we are now considering reads as follows. I shall also insert articles 157 and 158.

All German rights in the Tsingtao-Tsinanfu Railway, including its branch lines, together with its subsidiary property of all kinds, stations, shops, fixed and rolling stock, mines, plant, and material for the exploitation of the mines, are and remain acquired by Japan, together with all rights and privileges attaching thereto.

The German State submarine cables from Tsingtao to Shanghai and from Tsingtao to Chefoo, with all the rights, privileges, and properties attaching thereto, are similarly acquired by Japan, free and clear of all charges and encumbrances.

ARTICLE 157.

The movable and immovable property owned by the German State in the territory of Kiaochow, as well as all the rights which Germany might claim in consequence of the works or improvements made or of the expenses incurred by her, directly or indirectly, in connection with this territory, are and remain acquired by Japan, free and clear of all charges and encumbrances.

ARTICLE 158.

Germany shall hand over to Japan within three months from the coming into force of the present treaty, the archives, registers, plans, title deeds, and documents of every kind, wherever they may be, relating to the administration, whether civil, military, financial, judicial, or other, of the territory of Kiaochow.

Mr. President, if we shall demand that the article of the treaty relating to Shantung be stricken out or that reservations shall be made concerning it, it can not be truthfully said that in taking this course we are actuated by malice toward Japan, for the United States pointed the way of progress to that nation. Seated in semidarkness, the first rays that shone about her came from the searchlight of American civilization. From the day that Commodore Perry entered the harbor of Nagasaki, as the harbinger of a new day for that empire, three score and seven years ago, down to this hour the two nations have been fast friends, and there is no lover of peace in all the earth, certainly not here, who does not hope that those amicable relations will be preserved.

Throughout these years, notwithstanding wide differences in forms of government, our motives in dealing with her have been altogether altruistic. We have sought not to harm her but to help her, not to pull her down but to build her up. Certainly we have no dread of her influence, assuredly we are not jealous of her power, and Japan should be made to understand that in whatever action we may take here we are guided by none other than the kindliest of feelings for her government and her people.

If we are seeking to modify those articles in the treaty that have reference to Shantung, let it be known to the world that by so doing we are not striking at Japan, but that we are only seeking to deal justly with China, that we are but endeavoring to preserve her territory from spoliation, and that we criticize Japan only as she interferes with these objects. In this discussion, then, we are not impelled by any desire to do an injustice to Japan, to limit her authority or curb her power, but solely by a determination to see to it that China, our other friend and ally, is not plundered by those who should champion her sovereignty. If we are the friends of both, and that our history attests, we must deal justly with both. But that does not confer a right on Japan to despoil China and then hide behind our mutual friendship for protection. She must not seek to conceal her plunder behind the rampart of our good will. We shall deal with them both at arms length, and in the open, and with exact justice. We want our friendship for both to be so strong that it will compel them to be friendly to each other and thus refrain from taking any advantage of the other's weakness. Our conduct toward them both has been wholly benevolent, and this should teach them to practice this same spirit toward each other. And if either does not, she need not expect full friendship from us until the evil is undone. Therefore, if Senators speak harshly concerning Japan and her course in this Shantung affair, it is with the purpose of arousing her from her moral lethargy, of startling her from her selfishness, of awakening her to a sense of her responsibility to the other nations of the earth, and of attempting to teach her that her highest duty toward China is not to plunder her but to aid her; not to prey upon her but to assist her in working out her own destiny in accordance with the will of her own people.

JAPAN'S INTENTIONS.

The President has said that Japan soon intends to relinquish her hold upon Shantung. But Japan has not so declared, and he has no authority to bind the Mikado's people. And, sir, all the evidence is to the contrary. China was at the peace conference pleading that her right to Shantung be inserted in the treaty. When this was denied and her representatives were coldly informed that all of Germany's rights were to be transferred to Japan "for a brief period" they asked that the time be specifically stated in the terms. But Japan was there to block this proceeding, and at her behest they shut the door of hope in the face of pleading China, and all the assurance she has of the restoration of her territory is a nebulous promise made by a mythical "some one" with no authority to speak and no power to bind.

Can Japan complain if we demand the reason for this action? We went to war, in part, to undo the wrong wrought by Germany, and surely here is one that enlists the sympathy and challenges the attention of our country, aye and of civilization, for it seeks to perpetuate one of the most flagrant wrongs ever committed by the agents of the Kaiser upon a helpless and unoffending people.

By the terms of the peace treaty Belgium is to be restored, and likewise Alsace-Lorraine, Poland, Schleswig-Holstein, and Roumania. The proponents of this instrument proclaim their intention of righting the infinite wrongs committed by Germany and Austria, and yet they ask us, by the terms of the same treaty that undoes all these evils, to ratify and perpetuate one that, which while not so bloody as the others, is yet as vicious in principle, as unwarranted in justice, and as infamous in purpose as any of those we are overturning.

Surely Japan can not be heard to protest if we investigate her conduct in this affair. Senators, she can prevent further discussion of this question, here or elsewhere, she can set herself right in the eyes of all Americans, she can justify the esteem in which she is held by her European friends, and she can vindicate her claim to high purpose and noble impulse by a single declaration of intention to yield back Shantung to China at an early day. And if she does not so declare, when there is every inducement for her to do so, then she must abide by the results of an investigation of her conduct, to whatever length such investigation may lead.

AMERICA AND CHINA.

For we must remember that China, too, is our friend, and that in the war just closed, she, too, was our ally. During these decades while we have stretched forth one hand to aid Japan, we have likewise stretched forth the other to aid China. We have helped them both, we have befriended them both, China, perhaps, more than Japan because she was the weaker and needed the greater aid.

Time and again we have seen the Chinese Empire made the victim of the intrigue, the cunning, the force of other nations, and we have always gone to the extreme limit in the use of our good offices to save her from their power.

This culminated in the decade beginning with 1890 in a well-established effort on the part of a number of them to dismember her and divide her territory among them as spoils and to close her ports to all but their own commerce. But the American Government stretched forth its arm and commanded them to desist and all the hungry horde stood back. And we did it voluntarily. We were not coerced by any league of nations. We were not ordered by any foreign council. For the nations that will compose that body, when organized, will be the same as those who were largely responsible for the scheme to divide the territory of China, those who expected to be enriched by the booty of their enterprise.

And now these same nations, through the instrumentality of a league of nations, are permitting this same dismemberment, are sanctioning this same robbery, and our hands are bound by the terms of this same agreement and we can no longer reach them out to prevent it; in fact, by the very terms of the treaty we sanction it in advance. And if we enter the league we shall not be permitted to stop what we before prevented; in fact, we are forced to become a party to the very crime the commission of which we hindered, and are foiled by the very nations that arranged to commit it before—and all in the name of Christian peace! It is time that the mask of Christianity should be torn from the face of hypocrisy and that this thing should be made to stand forth in its true character.

CHINA OUR ALLY.

And the wrong thus perpetrated becomes all the more apparent when it is remembered that China was our ally in the war; that she sent battalions of laborers to France and to other countries upon demand; that she supplied all the ships she had to further the allied purpose; and that she furnished all the food she could spare in order to aid the allied cause. She has received no benefit whatever from having entered the service and cast her lot with the Allies, and yet she did more for the allied cause than Japan. She secures no beneficial results by the treaty, her services were all rendered in vain, while Japan, by reason of a secret treaty, made before the beginning of the war, perpetuates a crime committed by Germany and fastens herself upon a Province of great strategic importance and of vast mineral wealth for her exploitation. Thirty-six millions of people are robbed of their rights and plundered of their possessions without the least pretext of justification and against every appeal of the voice of conscience.

UNITED STATES AND CHINA.

The people of China believe in the United States. We have been her one great and only friend. The nations of the earth within the recent past sought to dismember her and to divide her territory as spoils among them, but John Hay, backed by the united American people, prevented the consummation of that great wrong; and now, through the league of nations, supposedly formed in the name of fraternity and Christianity, these same nations consent to this very dismemberment. The President willingly throws aside the work of Burlingame, casts the efforts of Hay upon the scrap heap, and not only consents to the robbing of China by Japan but seeks to force us to fight to sustain the robbery and protect the robbers.

ARTICLE 10.

It can not be denied that if the people of Shantung revolt against the galling yoke of Japan, if they weary of her tyrannical and despotic régime and attempt to cast it off, and if China shall rise to defend her own people, then by the provisions of article 10 we shall be compelled to send American soldiers at the expense of our own people to subdue China, struggling for the possession of her rightful territory and fighting for the recovering of her own.

We send missionaries to China to teach the principles of the Christian religion. We pour out our money with lavish hand to inculcate the doctrines of Jesus of Nazareth in the land of Confucius. And we do right. But it ill becomes us after all this effort and all the sacrifices of our missionaries to carry the truths of Christianity to these people, to sanction an arrangement that will fasten upon them the rule of a nation that is opposed to Christianity, whose inhabitants are largely Shintoists and Buddhists, that recently forced upon China an agreement by which she consented to permit Japanese to teach Buddhism in China, that has systematically persecuted Christian missionaries, and that in all things has shown herself bitterly hostile to Christianity, the Christian religion, and the Christian Church.

Japan's hostilities toward Christian missions and Christian preachers in Korea have been so extensive and long continued and severe as to amount almost to barbarism, and it is not to be presumed that her treatment of the representatives of the Christian religion in China will be of a milder or a more friendly character.

If the league of nations is to be formed and Japan is to become a member, let her come into it with clean hands. If she is to sit in the chamber of the council where she, with eight other nations, will direct the destiny of the world, let her prove herself worthy of such high trust. She should not be permitted to sit as one of the judges to determine either the legality or the morals of her larceny. Before she sits in that august tribunal, unless it is to become the gigantic mockery of history, she should be made to leave her stolen fruits outside of the temple gates, and, once in, she should release her associates from all obligation to execute the treaty they made in the dark in 1917.

None of these nations should be permitted to conceal beneath the cloak of righteousness the results of their own wrongdoing. When they come into it, if it is to be formed, let it be at least with the spirit of this Nation, which seeks no indemnities, which asks no territory, and which wants no reward save that which springs alone from the consciousness of a mighty task most worthily performed.

Let them not, while proclaiming peace, hold fast to the results of a militaristic policy practiced upon a helpless race. Let them not come in the name of freedom and fasten the chains of servitude upon a weak and innocent race.

Better Germany in China than Japan, for there Germany was isolated; there she had no neighboring garrisons, while Japan is everywhere. Japan is in Formosa, in Korea, in Manchuria, in Mongolia; Japan is everywhere in the neighborhood of China, and wherever she is she is slowly but surely reaching out her tentacles of power to clutch and hold as spoils the territory of that new Republic.

When they talk of a peace that shall be lasting because founded on justice, our answer shall be "Shantung." When they speak of the equality of races and the right of self-determination of peoples, our response shall be "Shantung." When they proclaim that the central thought of their treaty is that all Governments derive their just powers from the consent of the governed, our reply shall be "Shantung."

Shantung is the fraud that vitiates the entire contract, and Shantung is the cancer that carries the death-dealing poison to the whole body of the treaty. And even though proclaimed in the name of peace, yet the everlasting law of righteousness will

prevent the tranquillity of the earth while so great a wrong remains unavenged. Senators, there is but one method of peace and that is that all the nations of the world shall be inspired by the sense of justice that ever impels the American people and which is at once the pride and the power of the American Republic.

DEMANDS OF RAILWAY TRAINMEN AND RACE RIOTS.

Mr. THOMAS. Mr. President, before the adjournment yesterday afternoon I asked and was given permission to insert in the RECORD an editorial from the New York Times entitled "The brotherhood demands." At the same time I stated that I would to-day offer to the Senate some observations upon the subject to which that article relates, if the opportunity presented itself.

The editorial to which I refer, Mr. President, is a very temperate, independent, thoughtful, and just criticism, in my opinion, of what are known as the brotherhood demands, the formulation of which appeared day before yesterday in the newspapers of the country, and which were to some extent elaborated this morning.

I was struck also by the fact that in some respects this editorial was unique in that it assumed to consider the situation from the standpoint of the public interest and upon its merits. There was a time when America had an independent press, one which carefully and constantly and fearlessly discussed public and sometimes private questions, thereby informing and educating the public, and controlling, in large degree, the general direction of governmental affairs.

It is only now and then, however, that we are favored with that class of editorial discussion, and largely because the commercial spirit has spread its pernicious influence as well over the editorial columns of the American press as over other activities, and it is the advertiser who now directs the impulses of journalism, and checks before they are published their too searching editorial policies and expressions of opinion. I say this in sorrow, Mr. President, much more than in anger, because a very salutary and essential influence in public affairs has thus been greatly minimized, and I fear it may be ultimately extinguished.

We have had, during the past three or four weeks, two very serious outbreaks in America, one in the Capital City of the Union, the other in the great city of Chicago. To my mind both these occurrences are of the most sinister import, coming as they did and when they did. We are generally prone in this body and in that at the other end of the Capitol to take up promptly and discuss public events, and express our views upon them, thus communicating to each other, at least, considerable information of general importance, and giving to the country in some degree the legislative view upon them. But it is a significant fact, Mr. President, that up to this time, as far as my knowledge goes, there has been no reference, in this body at least, and I think in the House, except in a general way, to these occurrences, notwithstanding the fact that they presage one feature of the general conditions of unrest that indicate a possible serious insurrection or war between the races.

Ordinarily such conditions would be very important. Combined as they are with strikes, I. W. W. propaganda, the spread or attempted spread of Bolshevist literature and program, to say nothing of the unsettled condition of the world, they demand very serious consideration, much more consideration than I have the time at present to devote to them.

Mr. President, as one result of this war, conducted by the people of the United States with a unanimity in which all differences of sentiment, of race, and of color were for the time eliminated, I had hoped that the service rendered in common by the American soldier to the American Union, whatever his race or nativity, would result in a settlement of those unfortunate conflicts and contests which have so long disfigured American civilization and enabled the people of other nations, when subjected to our criticism, to retort by calling attention to many acts of cruelty and of oppressive discrimination in the United States. But I see no symptoms of such a regeneration, and I fear, Mr. President, that unless the moral sentiment of the Nation speedily asserts itself, unless the people take to heart the lesson which these two outbreaks so plainly teaches, we shall, among other things, have to determine in this country some of the problems which have so long vexed the Balkans, and which to-day constitute the chief obstacle to the settlement of that unhappy section of Europe. For the races are commingled here as there, and they will lead to the same consequences unless the principles of equal justice to all shall govern our conduct and guide our policies.

Is it because we shrink from a contemplation of issues directly before us, hoping thus to escape their consequences, that we make no mention of these things? Are we like the guest in Vathek, suffering from some incurable wound, afraid to speak of it, and do we conceal it with our hands that no other may see or suspect its existence? If so, then, like him, Mr. President, all our efforts in that direction will be unavailing. So far as I am concerned I shall, if no one else assumes to do so, on an appropriate occasion, ask for some inquiry into the primal causes of these two disturbances, so that if possible we may take proper steps to prevent their recurrence.

I do know this, that the white man is the superior—in his own estimation, in any event—of the black man, and is his superior in opportunity, experience, and education; and it is his duty, therefore, to set the example to his colored fellow citizen in all that appertains to the performance of civic duty and the enjoyment of civic privilege. The negro has demonstrated his loyalty to America by sealing his devotion with his blood, and he has earned his right to the equal protection of the laws by the supreme test of civilization. Let him not reproach us with denying him justice. But, Mr. President, my purpose now is to focus the attention of the Senate for a few moments upon what may be properly termed the industrial condition precipitated by the demands of the five great brotherhoods of railway employees and to which the editorial of the Times relates, because I believe that their immediate consequences are quite as important to the American people as the pending treaty of peace, for they may lead to a disintegration of American institutions and certainly to a revolution of some kind, although it may prove to be an exclusively economic one.

There is no question, Mr. President, about the existence of causes for industrial unrest. There is no question about the justice of complaints offered from many sources regarding the difficulties of obtaining a livelihood within the limits of compensation and of a consequent discontent which, in times past, has frequently led to outbreaks of a bloody and violent character. I was about to say that these conditions were perhaps more acute in America than in other sections of the world, but perhaps that would be too extravagant a statement. They are certainly more acute and affect every man, woman, and child in America more closely than any similar condition in our past history. And yet they differ from previous conditions, not in kind but in degree only. We have had them as the consequence of every war that has been waged since government was established. They accompanied and followed the War of the Revolution, the Civil War, the Napoleonic wars, as they have attended and followed the Kaiser's war. They are the inevitable result of great industrial and economic upheavals which attend every great war, and we can no more avoid them than we can avoid the operation of any other natural law. We may minimize their operations in some respect, perhaps, but we can not abolish them by legislation nor by the constant interplay of an increase in wages, followed as it inevitably is by an increase in the price of the necessities which the wage earners are obliged to secure with their compensation.

Our credit, Mr. President, has been inflated almost to the bursting point, necessitated by our participation in a conflict more than 3,000 miles from home. In the prosecution of the Civil War the Federal Government inflated its credit by the issue of greenbacks. In this war we have inflated our credit by the issuance of bonds, the only real difference being that in the one instance the greenback was endowed with power of legal tender and in the other the bond possesses no such attribute. We have also doubled, perhaps trebled, the amount of currency circulation. It is no more possible under such circumstances to prevent the decrease of the purchasing power of the dollar, which is but another way of saying that we can no more prevent the rise in the price of all articles of commerce, than we can prevent the rising tides of the ocean; and such legislation as has been up to this time proposed to that end I greatly fear will be about as effective as the command of King Canute in the years gone by to the waves that they recede and the tides that they rise no more.

So, Mr. President, we have thus far, and particularly with regard to the employees of the Government, been engaged in a game of battledore and shuttlecock. We have tossed the ball over on one side by an increase of salaries, and it has been at once tossed back by the other side in a corresponding increase in the necessities of life. Now, the brotherhoods recognize that fact. They say so. They virtually admit in their present demands, by the mouths of their leaders, that this vicious circle will continue. But what they demand is that there shall be an increase aggregating something like $800,000,000 per annum, and at the same time they demand legislation which will seize some twenty thousand millions of property and turn it over to them, in connection with others whom they name, for private exploitation. I use that word in no invidious sense. I have no doubt

that many men believe that it is entirely within their power by expropriating the transportation systems of the country to make them in all respects efficient and profitable under public management. I have sometimes thought so myself in the ante bellum days. It may be that such will be the result if this experiment in government shall be made, but surely so momentous a step should not be taken by the legislators of the country, sworn to support the Constitution of the United States, without the most serious investigation, without a study of the situation both economically and historically, and without, to use an old expression, being sure we are right before we go ahead.

Now, what is the proposition? On the 2d of August, in a statement which I shall ask permission to have printed in the RECORD and from which I make only one or two quotations, in a pronunciamento or a proclamation or a message to the American people, or whatever you may choose to call it, signed by Mr. Warren S. Stone, grand chief Brotherhood of Locomotive Engineers; by Mr. W. G. Lee, president of the Brotherhood of Railway Trainmen; by Timothy Shea, acting chief Brotherhood of Locomotive Firemen and Enginemen; L. E. Sheppard, president Order of Railway Conductors; and B. M. Jewell, acting president Railway Employees Department, American Federation of Labor—

Labor faces a persistently serious situation, due to the cost of living and the impossibility of wages keeping pace with the depreciation of money. No fundamental changes are being advanced to save workers from continual defeat in the economic struggle of life. The railroad employees are in no mood to brook the return of the lines to their former control, since all the plans suggested for this settlement of the problems leave labor essentially where it has stood and where it is determined to stand.

We realize that in the strife for wage increases we can not win any permanent victory. It is not money but value which counts. The vicious circle is infinite; increased wages are overcapitalized for inflated profits, and the cost of goods mounts faster than the wage level. A few grow wealthy and the multitude is impoverished.

Any basic change must begin with the railroads—

And so forth.

The matter referred to is as follows:

BROTHERHOODS DEFEND FEDERAL CONTROL AS STEP TOWARD REDUCING COST OF LIVING.

WASHINGTON, *August 2, 1919.*

The statement issued to-day by the four brotherhoods of railroad employees, in which they demand Government ownership of the railroads on a profit-sharing basis with employees, follows:

Labor faces a persistently serious situation, due to the cost of living and the impossibility of wages keeping pace with the depreciation of money. No fundamental changes are being advanced to save workers from continual defeat in the economic struggle of life. The railroad employees are in no mood to brook the return of the lines to their former control, since all the plans suggested for this settlement of the problems leave labor essentially where it has stood and where it is determined to stand.

We realize that in the strife for wage increases we can not win any permanent victory. It is not money but value which counts. The vicious circle is infinite; increased wages are overcapitalized, for inflated profits, and the cost of goods mounts faster than the wage level. A few grow wealthy and the multitude is impoverished.

Any basic change must begin with the railroads. We believe the interests of labor and the public to be identical in the railroad question. The properties have been operated for the profit of the few, not for the service of the many. Not only have we suffered from inadequate wages, but the public has paid an extortionate tax for transportation, a tax based on inflated values and collected from every person buying the necessaries of life.

Our proposal is to operate the railroads democratically, applying the principles to industry for which in international affairs the Nation has participated in a World War. President Wilson declared in his message of May 20, 1919, for the "genuine democratization of industry, based upon a full recognition of the right of those who work, in whatever rank, to participate in some organic way in every decision which directly affects their welfare in the part they are to play in industry." He spoke plainly in behalf of a "genuine cooperation and partnership based upon real community of interest and participation in control."

It has been argued that labor is merely asking the public to let the workers become the railroad profiteers in place of Wall Street. This argument can not survive a scrutiny of our proposal.

We do ask for a share of the surplus at the end of each year, after operating costs are met and fixed charges are paid; but we also provide an automatic reduction in rates when this surplus comes to a given level. To restore the surplus the employees of the railroads must increase the efficiency of their management and they must invite new business. What we ask is to share the saving from economies we ourselves introduce and to share the surplus from new business our efficiency makes possible. We should not profit from the railroads as financiers have done; we should participate in the increased earnings from our increased production. We could not earn dividends unless industry as a whole were stimulated by improved transportation service.

In our bill the rights of the public are protected. The rate-fixing power, which is the final check upon railroad management, remains with the Interstate Commerce Commission. If the new corporation should attempt to pay itself excessive returns and produce a deficit, the lease is forfeitable.

As to the danger of collusion between the directors of labor and the directors of management to vote to absorb the surplus by raising wages and thus destroy the incentive of dividends, the bill makes a sound provision. We believe that the dividend system is essential if service is to be the motive and not profits. We arranged to give to management twice the rate of dividend the classified employees receive. So management's dividend is always double what its increase of wages would be, and management would never vote to use the surplus for a wage increase at the sacrifice of half of its own gains. To obtain a wage increase the classified employees would have to win the vote of the public directors.

We assure the public immediate savings. The cost of capital would be reduced from the present 6 to 7 per cent paid to Wall Street to 4 per cent paid upon Government securities. The savings assured under a unified system are enormous. The savings through efficiency rendered possible only by democratic operation are even greater, for the increased production resulting from harmonious relations between employees and their managers are incalculable. We believe our plan will reduce transportation charges in surprising measure and that it is the first and the most important step in any constructive effort to lower the cost of living.

WARREN S. STONE,
Grand Chief Brotherhood of Locomotive Engineers.
W. G. LEE,
President Brotherhood of Railway Trainmen.
TIMOTHY SHEA,
Acting Chief Brotherhood of Locomotive Firemen and Enginemen.
L. E. SHEPPARD,
President Order of Railway Conductors.
B. M. JEWELL,
Acting President Railway Employees' Department, American Federation of Labor.

Mr. THOMAS. Prior to the issuance of this announcement the Associated Press dispatches informed us that something like 270,000 railroad employees, Government employees, highly paid and paid out of the Public Treasury, had struck and proposed to continue striking until the demands for an increase in wages commensurate with the high cost of living had been arranged for. The same dispatches also announced that these employees struck in defiance of the orders of their leaders. Yesterday it was announced that a considerable addition had been made to this enormous army of strikers, and this morning we are told that a referendum is being taken for the purpose of determining upon a universal strike of all the Government employees engaged in the operation of the railroads not later than the 2d day of September unless their demands are complied with, the principal of which is the enactment into law of the so-called Plumb bill for the operation of the railroads by Government ownership. This morning representatives of these brotherhoods published what is called a text of labor's demand to operate the railroads of the United States, appearing in the columns of all the papers, and I ask permission to insert in the RECORD this added statement to the announcement of August 2. I will read but one or two extracts from it:

It marks the step by which organized labor passes from demands for wage increases to demands that the system of profits in industry be overhauled. Hitherto, during successive wage negotiations and arbitration awards, we have called for provisional settlements only of questions arising out of differences as to wages, hours, and conditions of labor. That principle of "genuine cooperation and partnership based upon a real community of interest and participation in control," of which President Wilson has spoken to Congress, has been ignored both by labor and by the private owners of the railroads.

I will read the closing sentences:

The railroads are the key industry of the Nation. They affect at once the prices of every necessity. As increased transportation costs are reflected in the increased prices of all commodities, so a reduction in those costs must be reflected by reduced prices.

We say this because of labor's interest as consumer, as part of an overburdened public. This fundamental statement of principle we respectfully submit to the American people.

It is signed by all the chiefs except Mr. Lee, and a note at the bottom of the announcement informs us that he is absent from the city.

The matter referred to is as follows:

TEXT OF LABOR'S DEMAND TO OPERATE THE RAILROADS OF THE UNITED STATES.

Representatives of the Brotherhoods of Railroad Engineers, Firemen, Conductors, and representatives of the American Federation of Labor issued the following statement to the public yesterday:

"The innuendoes in telegraphed dispatches from Washington, appearing also in the speech of Representative BLANTON, of Texas, that the railroad unions are 'holding up Congress and the Government' may as well cease. This appeal is made to the American people direct. It invokes the judgment and common sense of public sentiment, of all the public which earns a wage or a stipend. We recognize that the only way in which we can exist under the present system is to demand further increase in wages. But we agree with Representative BLANTON that this affords but temporary relief. It does not offer a remedy.

"Labor's bill, on the other hand, provides a remedy, and we ask merely that its terms be scrutinized. Our full argument in support of these terms will be presented on Wednesday before the House Committee on Interstate Commerce. In this statement we are sounding the note of our basic principle.

SEEK TO BENEFIT PEOPLE.

"That this rôle originates with labor is merely because labor happens to have firm organizations through which it may become articulate. It is not to benefit labor as labor alone; it is to benefit the consuming public of which labor at present is the audible part. In labor's bill providing that the public take over the railroads and establish a tripartite control between the public, the railway operating management, and the employees, the labor organizations of America have established this new policy, which envisages their condition not only as producers, but also as consumers.

"It marks the step by which organized labor passes from demands for wage increases to demands that the system of profits in industry be overhauled. Hitherto, during successive wage negotiations and arbitration awards, we have called for provisional settlements only of questions arising out of differences as to wages, hours, and conditions of labor. That principle of 'genuine cooperation and partnership based upon a real community of interest and participation in control,' of which President Wilson has spoken to Congress, has been ignored both by labor and by the private owners of the railroads.

COSTS SPIRAL UPWARD.

"What wage increases have been received during the past few years resulted only in immediately being followed by more than proportionate increases in the cost of living. Each rise in wages has turned out to mean only temporary relief for the affected workers. When the increases have gone around the circle, labor as producer loses the advantage of the wages through the additional cost it pays as consumer. Moreover, through compounded profits taken on these wage increases each cycle becomes an upward spiral of costs, which the consuming public vainly reaches to control.

"As the major part of the consuming public, labor is entitled to representation on the directorate of the railroads. As a producer of capital, it is entitled to representation on the directorate of the railroads. To capital, which is the fruit of yesterday's labor, we now propose to discharge every just obligation. We demand that the owners of capital, who represent only financial interests as distinguished from operating brains and energy, be retired from management, receiving Government bonds, with a fixed interest return, for every honest dollar that they have invested in the railway industry.

VEST ROADS IN PUBLIC.

"We ask that the railroads of the United States be vested in the public; that those actually engaged in conducting that industry, not from Wall Street, but from the railroad offices and yards and out on the railroad lines, shall take charge of this service for the public.

"These represent all the brains, skill, and energy that is in the business. They are entitled to that measure of control which is equal to their ability and their responsibility for operating the transportation properties. Then, and then only, will the service primarily be for the public, not primarily for profits to speculators and inflaters of capital. As a means for accomplishing this end, we ask that a lease be granted to a corporation created not for profit, but for public service. We ask that this corporation be controlled in its management by an equal representation of the three fundamental interests upon which industry is based. The public, operating managers, and wage earners will then guarantee both the integrity of the investment required for the conduct of the industry and that return which induces it by investing to enter the public service.

SHARE ALL EARNINGS.

"The public as consumers and the operating managers and wage earners as producers having joined in that guaranty will then share equally all earnings in excess of the amounts required to meet the guaranty.

"This is provided by granting to the wage earners and management one-half of the savings which they, through their perfected organizations, can make, and by securing to the public the other half, to be enjoyed by the consumers, either by increasing the means of service without increasing fixed charges or by reducing the cost of the service which the machinery then in existence can render. Thus the cost of transportation is automatically reduced exactly in proportion as benefits accrue to the producers of transportation. Increase in earning power of producers under this system can not be perfected in increased costs; it must be balanced by decreased costs.

RAILROADS KEY INDUSTRY.

"The railroads are the key industry of the Nation. They affect at once the prices of every necessity. As increased transportation costs are reflected in the increased price of all commodities, so a reduction in those costs must be reflected by reduced prices.

"We say this because of labor's interest as consumer as part of an overburdened public. This fundamental statement of principle we respectfully submit to the American people.

"WARREN S. STONE,
"Grand Chief Brotherhood of Locomotive Engineers.
"TIMOTHY SHEA,
"Acting Chief Brotherhood of Locomotive Firemen and Engineers.
"L. E. SHEPPARD,
"President Order of Railway Conductors.
"B. M. JEWELL,
"Acting President Railway Employees' Department, American Federation of Labor.

"NOTE.—W. G. Lee, president Brotherhood of Railway Trainmen, who was a signer of the first statement issued by the railway brotherhood officials, was absent from Washington at the time of the issuance of this statement."

Mr. THOMAS. Mr. Jewell, the acting president of the railway employees' department and one of the signers of this statement, is reported to have made this statement in an interview:

Jewell made it plain that the railroad workers mean business. He said that the wage-board program proposed in Congress could not be accepted.

Now, mark:

"The railroads will be tied up so tight they will never run again if that legislation is passed," he declared, after the letter had been presented and the conference had ended.

I hope he has not been correctly reported, but as it consists with the statement which he signed I shall assume its accuracy.

In addition to this, some of the chiefs, if not all of them, visited the President of the United States and demanded that the requirement of an increase of wages be put into operation at once, refusing to wait for the slower processes of legislative consideration, and virtually carrying the implication that failing the demand the distributive system of the country would be paralyzed by a general strike, notwithstanding the universal suffering and misery, chaos, and possible insurrection and bloodshed that must follow from such an unhappy situation. And these gentlemen are all Government employees, drawing money from the Treasury of the United States, and, by implication at least, engaged directly in the service of the Government. I think that is a fair statement of their status.

Before commenting upon it, let me go back a little and call attention in a general way to the processes and the policies of congressional legislation and legislators since the close of the Civil War. We boast to ourselves that we are a Government of the people and against the classes; to use the good old Democratic slogan, we are for the masses and against the classes; but from the close of the Rebellion until the rise to political power of the wage-earners' organizations the legislation of the United States was dictated and controlled by the moneyed interests of the country. We all know that; nobody at present attempts to deny it. We gave the corporations all they demanded, and were under their influence politically as we were commercially. During that period of time a few voices, my own among the number, were heard crying in the wilderness, seeking in vain to direct public attention to the inevitable consequences of a policy of class legislation by which privileges were distributed at the public expense.

We had then an enormous public domain inviting settlement and occupation and operating as a vent, so to speak, for what would otherwise have been the explosive passions and discontents of a great Nation. We went so far, Mr. President, in our largesses of money, of privilege, and of domain that many of the wiser, more cautious and conservative beneficiaries saw the inevitable result of applications of the practice if successfully demanded in the interest of combinations of voters and in the other direction. That interest began to manifest itself about the time the country, as a result of the great panic of 1893, was thrown into economic and social disorder. From that time on, speaking by and large and for the same reason—that is to say, the political influence of the interests pressing upon Congress for attention—we began another system of class legislation quite as vicious as the former, but more popular because beneficial to larger numbers, always having, from the political standpoint of both parties, the main end in view.

If there is anything up to this time which has ever been demanded by the associations of labor and wage earners or by the associations of farmers throughout the country which we have not granted I can not at present recall what it is. The outcry against the trusts was followed by legislation which carefully excluded from its operation combinations of men, whether wage earners or farmers. These were sacrosanct because of their political power. Some of us incurred the displeasure of a portion of our constituencies for voting against these measures because of the exemptions and for calling attention to the danger of exempting from the operation of a general law any citizen of the United States. But we did it. We have not been able for years to pass an appropriation bill for the maintenance of our military and naval departments without voting an exemption or an exception which virtually excludes efficiency from the industrial operations of the constructive branches of these two great departments; and those of us who have attempted to equalize conditions have been, and will continue to be, equally unsuccessful.

In 1916 the economic situation so far as it affected the railroads presented itself to Congress in acute form and resulted in the enactment of what is called the Adamson law. Right there, Mr. President, let me make a statement upon the principle that honest confession is good for the soul. Before the Adamson bill was enacted the President sought an audience with the Democratic steering committee of the Senate, and, of course, it was granted. He there laid before it for consideration a plan of legislation to meet that crisis. It was afterwards embodied in his message, and I ask to insert in the RECORD a statement of the six proposed heads of legislation of which the principle of the Adamson law was only one.

The VICE PRESIDENT. Without objection, permission to do so will be granted.

The matter referred to is as follows:

First, immediate provision for the enlargement and administrative reorganization of the Interstate Commerce Commission along the lines embodied in the bill recently passed by the House of Representatives and now awaiting action by the Senate; in order that the commission may be enabled to deal with the many great and various duties now devolving upon it with a promptness and thoroughness which are with its present constitution and means of action practically impossible.

Second, the establishment of an eight-hour day as the legal basis alike of work and of wages in the employment of all railway employees who are actually engaged in the work of operating trains in interstate transportation.

Third, the authorization of the appointment by the President of a small body of men to observe the actual results in experience of the adoption of the eight-hour day in railway transportation alike for the men and for the railroads; its effects in the matter of operating costs, in the application of the existing practices and agreements to the new conditions, and in all other practical aspects, with the provision that the investigators shall report their conclusions to the Congress at the earliest possible date, but without recommendations as to legislative action, in order that the public may learn from an unprejudiced source just what actual developments have ensued.

Fourth, explicit approval by the Congress of the consideration by the Interstate Commerce Commission of an increase of freight rates to meet such additional expenditures by the railroads as may have been rendered necessary by the adoption of the eight-hour day and which have not been offset by administrative readjustments and economies, should the facts disclosed justify the increase.

Fifth, an amendment of the existing Federal statute which provides for the mediation, conciliation, and arbitration of such controversies as the present by adding to it a provision that in case the methods of accommodation now provided for should fail, a full public investigation of the merits of every such dispute shall be instituted and completed before a strike or lockout may lawfully be attempted.

And, sixth, the lodgment in the hands of the Executive of the power, in case of military necessity, to take control of such portions and such rolling stock of the railways of the country as may be required for military use and to operate them for military purposes, with authority to draft into the military service of the United States such train crews and administrative officials as the circumstances require for their safe and efficent use.

Mr. THOMAS. The President did not ask the members of his own party, then controlling the Senate, to enact the principle of the Adamson bill alone; he asked for the enactment of the entire six provisions, and the Senate Democratic steering committee by unanimous vote, upon my motion, agreed to his request and to consider them practically as one piece of legislation. But we did not do so.

The Adamson bill was enacted. We adjourned as soon thereafter as possible and took chances with the next Congress upon the others. Why? Because a presidential election was pending, and being human politicians, just like our friends on the other side, we concluded to follow the good old New Testament doctrine, and we said to ourselves, "We will go our way, and at a more convenient season will call up these bills." But we never did, with the result that the Adamson bill became law, and nobody from that date to this has heard of, much less had the audacity to attempt to secure the enactment of, the other five proposals, thus justifying in some degree the reproach that the Congress surrendered its judgment to a severe situation.

Mr. SMOOT. We will enact them before the next election, perhaps.

Mr. THOMAS. No, I think not; because, unfortunately, we of both parties are now legislating very largely with a view to capturing the next President at the approaching election. That is human nature, and there is nothing new about it. We are doing it; all parties do it; and under our form of government they all will continue to do it. I was opposed to class legislation in the days when the corporations had their innings. I am opposed to it now. Hence, whatever else may be said of my attitude, I can not be charged with inconsistency.

Mr. President, I am afraid Congress sowed the wind in the class legislation of the past; I earnestly hope that we may not reap the whirlwind, but I am not at all sanguine of the immediate outlook before the American Nation.

Some of us in the good old times were rash enough to predict some of the consequences of class legislation. They were reflected in the attitude of the union man to the nonunion man. The day that the individual citizen was denied the right to work when he pleased and how he pleased and as he pleased, that day we struck a fundamental blow at American institutions, for that is the primal basis of freedom. Its denial has necessarily led to the expansion of unions, loyalty to which is stronger than loyalty to the Government of the United States. So far has this principle gone that Government employees—National, State, and municipal—are not only permitted but are encouraged to organize and affiliate with the general federations. They are doing it in Great Britain. The police forces of the country, whose duty it is to preserve the law and protect the individual, to make arrests, to preserve and enforce peace, are organizing and affiliating with federations which in times of stress will demand and receive their adhesion, although it may directly transgress their obligations to the public.

I hold in my hand a telegram, dated August 2, giving an account of the looting, rioting, destruction, incendiarism, and bloodshed in the great city of Liverpool, the second municipality in the British Isles, all because the policemen have gone on a strike and left that great city and its inhabitants to the tender mercies of the thieves, harlots, cutthroats, and murderers, who are prompt and swift to take advantage of such conditions when permitted so to do. We are not exempt from such conditions. I saw an account a few days ago of a strike of policemen in the city of Chicago; and it is history that at Winnipeg the police force struck with other proponents of a big union and left the city practically at the mercy of the rabble, requiring the Canadian authorities to throw their troops into the community as rapidly as possible. This morning's dispatches announce that the military forces in Liverpool have been compelled to shoot the mob down, and units of the British Navy have been ordered into the harbor to protect the merchant shipping anchored in that harbor and unable to leave for lack of service.

Mr. President, we are face to face with a demand—not a request, but a demand—on the part of something like 600,000 employees, first, that we give them $800,000,000 at once, which confessedly will not help them at all—and they propose to suspend the operation of our great transportation systems until we do—second, to reduce the cost of living; and, third, to pass the Plumb bill, and by that means take over $20,000,000,000 worth of property and operate it under Government ownership according to a system provided by that bill.

Now, Mr. President, just what does this mean? This is the Senate of the United States. The House is at the other end of the Capitol. Combined we represent one of the great departments of the Government. Every Member has taken an oath to support the Constitution of the United States, which requires him to legislate in accordance with the provisions of that instrument as he understands them. We are the delegates of the people, sent here for a specific purpose; and legislation necessarily carries with it a power of judgment. This, I think, is the first time in the history of the Nation—I hope it is, and God grant it may be the last, although I fear it may not be—in which a fragment of the American people, fully organized and in control of industries vital to the public welfare, has pointed its finger to the Congress of the United States and said, "Legislate thus and so," failing to do which, in the language of one of them, "We will tie up the system so that it can never operate again"; and ours is the responsibility right now of giving answer to that demand, whatever the consequence may be to us, for there can be no consequence quite as serious as that which will inevitably result from yielding to such a demand, since it will be followed by others until we shall simply be here, like the French assembly during the Revolution, finally to do the bidding of the throngs in the gallery or be mobbed and butchered if we refuse. It means an end, Mr. President, of representative government. Let us not flinch the issue. If I am not right in my conclusion, I want to be corrected. There are Senators upon the floor of vastly more legislative experience than I, many better acquainted with republican institutions, their history, and the history of nations which have risen, matured, and fallen. If that is not the result of this demand, Mr. President, I want to be corrected. If it is, what does our duty require of us?

I think this question, Mr. President, is quite as pregnant with importance as any treaty between this country and other nations possibly can be.

Now, Mr. President, I do not want to be extreme in my statements, and particularly since the honorable chairman of the Committee on Interstate Commerce has requested us to be temperate in our discussion of this serious problem, and yet I can not in my mind characterize a threat like this from Government employees to tie up and paralyze the great distributing system of the country, and by that means bring ruin and wreck and misery to all classes and conditions of men unless we accept their mandate and do their bidding, as short of treason. It would be bad enough if it came from those who are not employees of the Government; it is inexcusable in them.

Mr. President, some years ago, when public excitement ran high in the State of New York because of the arrogant aggressions of the New York Central Railroad, then defying both National and State laws and regulations, Mr. Vanderbilt was interviewed regarding his attitude. His reply was, "The public be damned!" and with that statement he sealed the fate of the agitation then progressing. The other day, in the city of Chicago, at a meeting of the organized employees of the city railroads, one of the leaders who had been appointed to negotiate a settlement, and who had succeeded, made an effort to explain the details of the agreement to the assembly, but was howled down. He then managed to say, "Gentlemen, you are not fighting the owners of the roads; you are fighting the public"; and the reply instantly came back, "The public be damned!"

Please tell me, Senators, the difference between the two situations if you can, each with the same watchword, and that watchword truly expressive of the attitude of those announcing it.

Mr. McCUMBER. The answer is, Mr. President, the difference in the number of votes.

Mr. THOMAS. The difference is not only in the number of votes, but it is in the terrible effectiveness with which that sentiment may be carried out through the collective strength of the individuals as opposed in the other case to the collective strength of capital. In other words, it is the more dangerous of the two, if there is any difference whatever.

There are 110,000,000 people in the United States, according to the last estimates. Six hundred thousand men are identified with this movement. That is to say, less than 1 per cent of our population proposes to take this mighty Nation by the throat and starve and beat it into submission to its demands.

Now, these demands may be perfectly fair, perfectly just, and I may vote for them after final consideration, but never under such circumstances; and I am wondering if the old spirit of Americanism, which was the mainstay of the United States during the American Revolution, that spirit which has repre-

sented Anglo-Saxonism for centuries, has become so dormant, so sluggish, so stagnant, that it will submit to this situation, and leave the Congress of the United States to meet this demand bereft of its mighty influence. If so, the United States is not worth saving. Its salt hath lost its savor, and nothing remains except that slow process of decay which has characterized the fate of many great nations of the past.

For my part, if this country's mission is to be closed, I prefer a swift to a lingering process. If this Nation, freighted with the destiny of all humankind and based upon the eternal principle of liberty regulated by law, has run its course, then let the end come as quickly as possible.

Mr. HITCHCOCK. Mr. President——

Mr. THOMAS. I yield.

Mr. HITCHCOCK. Does the Senator interpret these two demands of labor as being concurrent; and does he take the position that it is proposed to strike and maintain a strike until Congress enacts this legislation for the transfer of the railroad properties to the Government?

Mr. THOMAS. Not if we comply with the first demand, which is for this increase of about 35 per cent in wages.

Mr. HITCHCOCK. I was unable to get the Senator's idea. It seems to me that the opening paragraph of this article published this morning indicates that the labor organizations intend to appeal to the American people, and to make that the issue of the next campaign; that they do not propose to strike for the purpose of securing legislation, but that the strike is limited to a demand for more wages. I just wanted to clarify that.

Mr. THOMAS. Well, it is possible that my conception of this situation is overdrawn. But we must take the conditions with the announcement. There are nearly 300,000 men on strike now; the affiliated unions of clerks, and so forth, have announced their adhesion to the principle, and their determination to do likewise if necessary, and the calling of a referendum for the purpose of arming the authorities with the power to declare a strike, I think for the 2d of September, must have reference to the demanded legislation, because the other demand is for instant action with regard to the increase of wages; and yesterday the President of the United States was hurrying to and fro over the city in consultation with the heads of bureaus because of the emergency presented by these conditions, which he felt it his duty to avoid if possible.

Mr. BRANDEGEE. Mr. President——

Mr. THOMAS. I yield.

Mr. BRANDEGEE. Are the 300,000 men whom the Senator says are on strike now in the employ of the Government?

Mr. THOMAS. Why, they certainly were. I made that statement a few minutes ago.

Mr. BRANDEGEE. I did not hear the Senator.

Mr. THOMAS. They are railway employees, necessarily in the employ of the Government.

Mr. HITCHCOCK. Of course, the Senator does not take the position that if this issue is made one for the next campaign, and the people of the United States decide in favor of making this change, that would subvert the liberties of the United States?

Mr. THOMAS. That is another proposition. I have several times commended the manner in which the people of North Dakota have changed their form of government. They have done it through constitutional, regular methods. We are a Nation of majorities; and if a majority of the people of the United States at the polls say that we must seize the railroads and operate them as Government property, so be it. That is a different proposition.

I need not picture to the Senate what the tying up of the railroad system means. Senators talk about the high cost of living. Mr. President, this threatened strike will not only double it, it will quadruple it. It will work, to use a common expression, "both ends against the middle." In the first place, the productive energies of the country will be paralyzed, and in the next place the difficulty of transportation, the impossibility, perhaps, of transportation, necessarily leads to a rise in prices of the necessities of life mountain high. Then, too, the unemployed will increase by hundreds of thousands. They will be consumers only. Not only so, the strike leads to revolution, it leads to insurrection, it means turning loose upon the devoted people of this country—the great middle classes—all of those discontented forces now seething and boiling under the surface; and I very much question whether there is any power in the United States that can stem the tide, unless the Americans of the country—and I do not confine that expression to the native born, but include all men with the American spirit—shall gird on their armor and with one voice say to this movement, "Thus far shalt thou go, and no farther."

Only the other day the papers announced the organization of a fifth great packing industry—the allied packers. I forget what the capitalization is, but it is very large. I could not but think, Mr. President, that that was flaunting a red flag in the face of public opinion. But there are some people in the world who never learn even from experience, who are unconscious of the dangers which confront them until it is too late to avoid them.

It is a coincidence that this morning's paper publishes the first authorized interview with Nikolai Lenin, who outlines the Bolshevik policy. He states that the first aim is to drive Americans and Japanese from Siberia.

Revolution, not reform, is the Bolshevik program.
The Bolsheviks seek to overthrow all landowners and capitalists.
They propose to organize the workers of the world, Americans included, into a single fraternal union.
The Bolsheviks will crush all resistance, using terror if necessary.

Mr. President, is there not a parallel in that announcement with the present situation? If not a complete one, does it not at least suggest the parallel operation of the two? The first step is an assault upon property. I care not whether that property was improperly obtained or dishonestly obtained or what not, it is an assault upon property. If granted, the next step will be the nationalization of coal mines and other mines, then taking over all the land of the country, including the farms, and the property held by the members of these organizations, which up to this time I have always regarded as the very élite of organized labor, men of property, men of standing, men of character, men of education, men composing unions equipped with means, with buildings and all the accessories of modern equipment.

They are digging away the foundations of their own prosperity, if this movement succeeds. I do not believe they are Bolshevists. God knows, I do not want to so charge any man. But does not this mistaken policy unconsciously lead to the very things for which Bolshevism is said to stand? Is it not receiving the encouragement of every person bolshevistically inclined in the United States? Is it not just what the I. W. W. has been preaching and desiring—direct action? It is easy to start revolution, Mr. President, but oh, how difficult to impose limitations upon its progress. Once we begin on this course the time is not far distant when there will be such a revolution as may shake the very foundations of the civil structure, return the world to that medievalism from which the human race so slowly and painfully emerged.

I sometimes wonder whether in the not distant future you gentlemen on the other side of the Chamber, and you gentlemen on this side of the Chamber, may not find your combined strength of patriotism and of courage essential to the salvation of the country both sides love so dearly. I hope not, for there is nothing so healthy in free government, nor so necessary, as vigorous and opposing political parties watching, criticizing, and exposing each the errors of the other. But unfortunately for years instead of doing this we have been engaging in a mad race to see which could get the most votes, by dispensation of patronage, of money, and of privilege, and this crisis is one of the consequences which, I greatly fear, many of us have doubtless foreseen.

Mr. President, I had not intended to occupy the attention of the Senate as long as I have done, but this is a tremendous situation, a situation which we could not avoid if we would, which in the exercise and discharge of our duties we must face, however unpleasant or inevitable the consequences. And we can do but one thing—stand fast for the right and the prerogatives of the Congress. We have waged a war costing more in money and men than all the wars of the previous century combined, and for what purpose, among others? To make the world safe for democracy. Mr. President, the task of this generation is to make democracy safe for the world, to make democracy intelligent and fit to govern, to make democracy conscious of the eternal fact that there can be no liberty which does not respect the rights of all men. It is as true to-day as it ever was that "the thing that hath been, it is that which shall be, and that which is done is that which shall be done; and there is no new thing under the sun."

ADJOURNMENT TO THURSDAY.

Mr. LODGE. I move that when the Senate adjourns to-day it be to meet on Thursday.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. LODGE. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 58 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 50 minutes p. m.) the Senate adjourned until Thursday, August 7, 1919, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate August 5, 1919.

REGISTER OF THE LAND OFFICE.

Alexander Sweek, of Portland, Oreg., to be register of the land office at Portland, Oreg., vice Nathaniel Campbell, deceased.

UNITED STATES COAST AND GEODETIC SURVEY.

The following-named officers of the United States Coast and Geodetic Survey, in the Department of Commerce, to be hydrographic and geodetic engineers (by promotion from junior hydrographic and geodetic engineers):

Otis William Swainson, of Colorado, vice J. H. Peters, promoted.

Arthur John Ela, of Washington, vice J. H. Hawley, promoted.

Alfred Lewis Giacomini, of California, vice E. R. Hand, promoted.

George Durno Cowie, of New York, vice P. M. Trueblood, promoted.

Harold Alonzo Cotton, of New Jersey, vice F. B. T. Siems, promoted.

Frank Spaulding Borden, of Pennsylvania, vice A. M. Sobieralski, promoted.

Leon Archie Potter, of New York, vice R. R. Lukens, promoted.

John Albert Daniels, of New York. (New office.)

George Carl Mattison, of Minnesota. (New office.)

To be junior hydrographic and geodetic engineers (by promotion from aids):

Max Orville Witherbee, of Colorado, vice C. T. Bussell, promoted.

Aaron Louis Shalowitz, of Maryland, vice Charles Shaw, promoted.

George Russell Hartley, of New Jersey. (New office.)

John William Cox, of North Carolina. (New office.)

George Lawrence Bean, of New Hampshire. (New office.)

George R. A. Kantzler, of Washington. (New office.)

William Daryl Patterson, of Wisconsin. (New office.)

Edgar Herbert Bernstein, of Virginia. (New office.)

Elwood Morton Wilbur, of Maine. (New office.)

Benjamin Friedenberg, of New York. (New office.)

William Humphreys Overshiner, of California. (New office.)

Lowell O. Stewart, of Michigan. (New Office.)

James Donald Crichton, of New York. (New office.)

Aaron George Katz, of New York. (New office.)

Herman Odesky, of New York. (New office.)

Henry William Hemple, of Illinois. (New office.)

To be junior hydrographic and geodetic engineers (by promotion from deck officers):

Leland Monroe Mower, of Maine. (New office.)

Ronald Roberts Moore, of Massachusetts. (New office.)

To be aids (by promotion from deck officers):

Casper Marshall Durgin, of New Hampshire. (New office.)

Francis Lawrence Gallen, of Massachusetts. (New office.)

Joseph Smook, of New York. (New office.)

John Aloysius Bond, of the District of Columbia. (New office.)

William Thomas Combs, of North Carolina. (New office.)

Cornelius Daniel Meaney, of Massachusetts. (New office.)

Edward Clinton Bennett, of West Virginia. (New office.)

Elbert Francis Lewis, of North Carolina. (New office.)

Augustus Peter Ratti, of Massachusetts. (New office.)

Earl Oscar Heaton, of New York. (New office.)

PROMOTION IN THE REGULAR ARMY.

FIELD ARTILLERY ARM.

Maj. Harry C. Williams to be lieutenant colonel, Field Artillery, from July 24, 1919.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Ensign Raymond S. Thompson to be a lieutenant (junior grade) in the Navy, for temporary service, from the 15th day of August, 1918.

Ensign Thomas O. Brandon to be an ensign in the Navy, for temporary service, from the 1st day of January, 1919, to correct the date as previously confirmed.

Ensign Edgar L. Adams, of the United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 22d day of April, 1919.

The following-named warrant officers to be ensigns in the Navy, for temporary service, from the 1st day of July, 1919:

John E. Fredericks,
Samuel Gregory, and
Joseph E. Halliman.

Gunner Andrew Radowicz to be an ensign in the Navy, for temporary service, from the 15th day of July, 1919.

Gunner William J. Medusky, of the United States Coast Guard, to be an ensign in the Navy, for temporary service, from the 15th day of July, 1919.

The following-named ensigns of the United States Naval Reserve Force to be ensigns in the Navy, for temporary service, from the 15th day of July, 1919:

Charles Y. Dyer and
Ralph P. Noisat.

The following-named officers of the United States Naval Reserve Force to be assistant surgeons in the Navy with rank of lieutenant (junior grade), for temporary service, from the 15th day of June, 1919:

George M. Murray,
Henry T. Stull,
George E. Mott, and
Henry L. Klein.

The following-named officers of the United States Naval Reserve Force to be assistant surgeons in the Navy with the rank of lieutenant (junior grade), for temporary service, from the 15th day of July, 1919:

Harris M. Carey,
Frank A. Hughes,
William A. O'Brien,
Waldron A. Cassidy,
Robert F. Sledge,
John W. Daugherty,
Walter E. Divine,
Anthony M. Menendez,
Gordon H. Lightner,
Roger H. DuBose,
William F. Leigh,
Charles F. McCuskey,
Ausley L. Denton,
Charles M. Atchison,
Harry L. Farmer,
Ralph M. Christie, and
Robert M. Goldberg.

The following-named officers of the United States Naval Reserve Force to be assistant dental surgeons in the Navy with the rank of lieutenant (junior grade), for temporary service, from the 15th day of June, 1919:

Roland W. Quesinberry,
Edward J. Noonan,
Charles W. Rodgers, and
Pyrle A. Fowler.

The following-named officers of the United States Naval Reserve Force to be assistant dental surgeons in the Navy with the rank of lieutenant (junior grade), for temporary service, from the 15th day of July, 1919:

Frank V. Davis,
Benjamin F. Loveall, and
Walton C. Carroll.

The following-named acting pay clerks to be assistant paymasters in the Navy with the rank of ensign, for temporary service, from the 15th day of July, 1919:

Albert H. Richter,
Charles J. Wacker,
John E. Wood,
Matthias A. Roggenkamp,
Harold C. Nourse,
Eugene L. Horan,
Stephen R. Edson,
William D. Wilkinson,
Francis M. Waldron, and
Harold D. Burroughs.

The following-named officers of the United States Naval Reserve Force to be assistant paymasters in the Navy with the rank of ensign, for temporary service, from the 15th day of July, 1919:

Victor B. Gilman,
Edwin A. Eddiegorde,
Harold A. Rigby, and
Henry C. Davidson.

Boatswain Lloyd R. Moore to be a chief boatswain in the Navy, for temporary service, from the 15th day of June, 1919:

The following-named boatswains to be chief boatswains in the Navy, for temporary service, from the 15th day of July, 1919:

Walter E. Carlton,
William Johnston,
Clarence H. Crawford, and
Fred C. Waterston.

The following-named gunners to be chief gunners in the Navy, for temporary service, from the 1st day of July, 1919:

Arthur W. Lindstrom and
Harold McCutheon.

The following-named gunners to be chief gunners in the Navy, for temporary service, from the 15th day of July, 1919:
James Clancy,
Raymond Cole, and
Edward W. Wintermute.
The following-named machinists to be chief machinists in the Navy, for temporary service, from the 15th day of July, 1919:
Eugene J. Byrnes and
Robert T. Cupples.
The following-named carpenters to be chief carpenters in the Navy, for temporary service, from the 15th day of July, 1919:
John Conboy and
Benjamin B. Britt.
Chief Carpenter Harold Dillon, United States Naval Reserve Force, to be a chief carpenter in the Navy, for temporary service, from the 15th day of July, 1919.
The following-named pharmacists to be chief pharmacists in the Navy, for temporary service, from the 1st day of July, 1919:
Thomas C. Hart,
Walter W. McKee, and
Artie R. Leh.
The following-named pharmacists to be chief pharmacists in the Navy, for temporary service, from the 15th day of July, 1919:
LeRoy M. McCallum,
Wilfred G. Gilliam,
Max E. Zimmerman,
Clarence J. Owen,
Ernest H. Pennington,
Clive C. Alexander, and
Raymond Watson.
The following-named acting pay clerks to be chief pay clerks in the Navy, for temporary service, from the 1st day of July, 1919:
Lewis R. Benson and
John J. S. Fahey.
The following-named acting pay clerks to be chief pay clerks in the Navy, for temporary service, from the 15th day of July, 1919:
John T. Alexander,
Carl S. Baker, and
Theodore P. Witsil.
Machinist Frederick C. Lutz, retired, to be a lieutenant on the retired list of the Navy, for temporary service, from the 2d day of August, 1918.
Commander Percy N. Olmsted to be a captain in the Navy from the 28th day of November, 1918.
The following-named commanders to be captains in the Navy from the 1st day of July, 1919:
Edward S. Kellog and
David F. Sellers.
Lieut. Commander Richard D. White to be a commander in the Navy from the 1st day of July, 1918.
The following-named lieutenant commanders to be commanders in the Navy from the 1st day of July, 1919:
Henry N. Jenson and
Percy W. Foote.
Lieut. Rufus W. Mathewson to be a lieutenant commander in the Navy from the 28th day of November, 1918.
The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of July, 1919:
Russell S. Crenshaw,
Herbert S. Babbitt, and
William O. Wallace.
Lieut. (Junior Grade) Marc A. Mitscher to be a lieutenant in the Navy from the 7th day of March, 1918.
The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 8th day of June, 1918:
Benjamin Perlman and
Thomas L. Gatch.
Lieut. (Junior Grade) Charles F. Greene to be a lieutenant in the Navy from the 1st day of July, 1918.
The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 7th day of June, 1919:
Laurence Wild and
Stewart F. Bryant.
Lieut. (Junior Grade) Horace W. Pillsbury to be a lieutenant in the Navy from the 1st day of July, 1919.
Ensign Roswell H. Blair to be a lieutenant (junior grade) in the Navy from the 5th day of June, 1918.
The following-named warrant officers to be ensigns in the Navy from the 16th day of August, 1918:
Ola D. Butler,
Quintus R. Thomson, jr., and
Charles King.

Acting Chaplain Eugene S. Burke to be a chaplain in the Navy with the rank of lieutenant (junior grade) from the 3d day of September, 1918.
Acting Chaplain Milton O. Alexander to be a chaplain in the Navy with the rank of lieutenant (junior grade) from the 3d day of April, 1919.
The following-named assistant civil engineers to be assistant civil engineers with the rank of lieutenant (junior grade) from the 1st day of July, 1919:
Fritz C. Nyland,
Ira P. Griffen,
Carl F. Fritch,
Carl H. Cotter,
Louis B. Hyde,
Lewis Thornburg,
Charles R. Johnson,
Frank F. Addicks,
Henry Brinkmeyer, jr.,
John B. McTigue, and
Theron A. Hartung.
The following-named machinists to be chief machinists in the Navy, from the 28th day of December, 1918:
Fred San Soucie and
Percy R. Abrams.
Pay Clerk Mason E. Mitchell to be a chief pay clerk in the Navy from the 10th day of June, 1919.
Lieut. George Joerns, retired, to be a lieutenant commander on the retired list of the Navy from the 1st day of July, 1919.
Lieut. (Junior Grade) Ignatus T. Cooper, retired, to be a lieutenant on the retired list of the Navy from the 17th day of July, 1919.
Ensign Shirley A. Wilson, retired, to be a lieutenant on the retired list of the Navy from the 1st day of January, 1919, to correct his rank as previously confirmed.
Machinist Frederick C. Lutz, retired, to be a chief machinist on the retired list of the Navy from the 2d day of August, 1918.
Pay Clerk Beverly W. Jennings to be a chief pay clerk in the Navy from the 20th day of February, 1918.

POSTMASTERS.

ALABAMA.

Roxie King to be postmaster at Townly, Ala., in place of Mrs. Marion D. King. Office became presidential April 1, 1919.
Oscar L. Pruet to be postmaster at Ashland, Ala., in place of Dora A. Speer, resigned.
Samuel F. Clabaugh to be postmaster at Tuscaloosa, Ala., in place of S. F. Clabaugh. Incumbent's commission expired September 23, 1918.
Adrienne G. Wilson to be postmaster at Russellville, Ala., in place of A. G. Wilson. Incumbent's commission expired January 12, 1919.
Henry R. Cohen to be postmaster at Muscle Shoals, Ala., in place of H. R. Cohen. Office became presidential April 1, 1919.
Rufus C. Abernethy to be postmaster at Flomaton, Ala., in place of R. C. Abernethy. Office became presidential April 1, 1919.
Elizabeth Simpson to be postmaster at Hartsells, Ala., in place of E. Simpson. Incumbent's commission expired May 20, 1917.

ARIZONA.

Zach G. Page to be postmaster at Hayden, Ariz., in place of E. W. Phillips. Incumbent's commission expired July 26, 1918.

ARKANSAS.

Eugene R. Browning to be postmaster at Piggott, Ark., in place of Jesse C. Latta, resigned.
Edward A. Brennan to be postmaster at Conway, Ark., in place of H. B. Ingram, resigned.
Rosa Wallace to be postmaster at Washington, Ark., in place of R. Wallace. Office became presidential April 1, 1919.
Levi N. Douglas to be postmaster at Trumann, Ark., in place of L. N. Douglas. Incumbent's commission expired January 31, 1918.
Thomas W. Sparks to be postmaster at Harrisburg, Ark., in place of T. W. Sparks. Incumbent's commission expired April 29, 1918.

CALIFORNIA.

James J. Mitchell to be postmaster at Tulare, Calif., in place of Clarence M. Burnett, resigned.
Arthur C. Parsons to be postmaster at Taft, Calif., in place of Henry E. Smith, resigned.
Paul T. Mizony to be postmaster at National City, Calif., in place of James D. O'Connell, removed.
Charles F. Riedle to be postmaster at Los Banos, Calif., in place of B. A. Wilson, resigned.

Gertrude Brandon to be postmaster at Crockett, Calif., in place of John W. Stemmle, resigned.

Isabelle F. Sylvia to be postmaster at Pleasanton, Calif., in place of D. H. Fallon, resigned.

Edgar A. Raynor to be postmaster at Hughson, Calif., in place of B. F. Donaldson, removed.

Charles R. Farrar to be postmaster at Placentia, Calif., in place of C. R. Farrar. Office became presidential April 1, 1919.

COLORADO.

Thomas H. Stratton to be postmaster at Rocky Ford, Colo., in the place of William J. Brown, removed.

CONNECTICUT.

Adele P. Brush to be postmaster at West Cornwall, Conn., in place of Leonard J. Nickerson, resigned.

Ella B. Binney to be postmaster at Sound Beach, Conn., in place of Clarence H. Crandall, resigned.

John P. Murphy to be postmaster at Norwich, Conn., in place of J. P. Murphy. Incumbent's commission expired February 25, 1919.

Hugh Hearns to be postmaster at Naugatuck, Conn., in place of H. Hearns. Incumbent's commission expired February 15, 1919.

Charles F. Greene to be postmaster at Bridgeport, Conn., in place of C. F. Greene. Incumbent's commission expired February 4, 1919.

FLORIDA.

Francis B. Swearingen to be postmaster at Fort Meade, Fla., in place of F. B. Swearingen. Incumbent's commission expired February 4, 1919.

GEORGIA.

Arthur H. Overton to be postmaster at Sylvester, Ga., in place of P. Brooks Ford, resigned.

William G. Ingram to be postmaster at McDonough, Ga., in place of Adiel R. Scott, resigned.

Abe Hargraves to be postmaster at Hamerville, Ga., in place of Flem C. Dane, resigned.

Ruby E. Millrons to be postmaster at Crumps Park, Ga., in place of E. T. Burghard, resigned.

James O. Varnedoe to be postmaster at Valdosta, Ga., in place of J. O. Varnedoe. Incumbent's commission expired October 9, 1918.

Warner A. Enterkin to be postmaster at Temple, Ga., in place of W. A. Enterkin. Incumbent's commission expired January 22, 1919.

Thomas W. Vickery to be postmaster at Folkston, Ga., in place of T. W. Vickery. Office became presidential January 1, 1919.

William J. Webb to be postmaster at Canton, Ga., in place of W. J. Webb. Incumbent's commission expired July 25, 1917.

James R. Stafford to be postmaster at Bel Air, Ga., in place of J. R. Stafford. Office became presidential April 1, 1919.

Jeptha H. Rucker to be postmaster at Athens, Ga., in place of J. H. Rucker. Incumbent's commission expired October 4, 1917.

IDAHO.

Everett Noble to be postmaster at Shoshone, Idaho, in place of E. Noble. Incumbent's commission expired February 15, 1919.

Sarah A. Jones to be postmaster at Cascade, Idaho, in place of S. A. Jones. Office became presidential October 1, 1918.

ILLINOIS.

George W. Menzimer, to be postmaster at Stockton, Ill., in place of Edward S. Patterson. Incumbent's commission expired August 25, 1918.

Charles C. Fonken to be postmaster at Forreston, Ill., in place of Charles E. Nicodemus, resigned.

Edith M. Wescott to be postmaster at Chillicothe, Ill., in place of Charles C. Wescott, deceased.

Daisy M. Uphans to be postmaster at Macon, Ill., in place of Henry Uphans, deceased.

Fred Beehn, sr., to be postmaster at West Salem, Ill., in place of F. Beehn, sr. Incumbent's commission expired March 1, 1919.

Joseph P. McMahon to be postmaster at Silvis, Ill., in place of J. P. McMahon. Incumbent's commission expired March 1, 1919.

Charles C. Grady to be postmaster at Rock Falls, Ill., in place of C. C. Grady. Incumbent's commission expired July 25, 1918.

John C. Rolander to be postmaster at New Boston, Ill., in place of J. C. Rolander. Incumbent's commission expired March 3, 1919.

Thomas N. Sutton to be postmaster at Mason City, Ill., in place of T. N. Sutton. Incumbent's commission expired June 5, 1917.

Peter M. Biwer to be postmaster at Lincoln, Ill., in place of P. M. Biwer. Incumbent's commission expired January 22, 1919.

Albert E. Gent to be postmaster at Brighton, Ill., in place of A. E. Gent. Incumbent's commission expired March 1, 1919.

INDIANA.

Charles O. Alton to be postmaster at Milan, Ind., in place of Frank M. Hillman, deceased.

Stella M. Brown to be postmaster at Boswell, Ind., in place of Emmett Scanlon, resigned.

Ellis S. Rees to be postmaster at Winamac, Ind., in place of E. S. Rees. Incumbent's commission expired January 12, 1919.

John W. Wright to be postmaster at Brookston, Ind., in place of J. W. Wright. Incumbent's commission expired February 15, 1919.

Lewis Phillippe to be postmaster at Bicknell, Ind., in place of L. Phillippe. Incumbent's commission expired January 30, 1919.

IOWA.

Layton E. Brown to be postmaster at Victor, Iowa, in place of S. M. Hutzell, resigned.

Tabitha Yelsma to be postmaster at Ute, Iowa, in place of A. K. Wilkins, removed.

John A. Hale to be postmaster at Tripoli, Iowa, in place of F. W. Buls, resigned.

Frank H. Hoeppner to be postmaster at Traer, Iowa, in place of J. S. Guynn, resigned.

Guy F. Scofield to be postmaster at Strawberry Point, Iowa, in place of Rudolph W. Schug, resigned.

Irving J. Foy to be postmaster at Ruthven, Iowa, in place of Ella C. Nolan, resigned.

Clarence C. Stoner to be postmaster at Nora Springs, Iowa, in place of Joseph H. Baughey, resigned.

Dora M. Schenken to be postmaster at Keystone, Iowa, in place of Mangus A. Merkel, deceased.

John N. Muncey to be postmaster at Jesup, Iowa, in place of Paul Krueger, resigned.

William L. McLaughlin to be postmaster at Glidden, Iowa, in place of Clyde E. Rich, resigned.

Harry P. Gordon to be postmaster at Everly, Iowa, in place of Peter Wohlenberg, resigned.

Sue G. Cross to be postmaster at Chelsea, Iowa, in place of Edward L. Hall. Incumbent's commission expired July 15, 1917.

Merrill D. Mitchell to be postmaster at Carson, Iowa, in place of L. H. Flood, resigned.

Eugene F. Kieffer to be postmaster at Remsen, Iowa, in place of E. F. Kieffer. Incumbent's commission expired October 16, 1918.

James J. Glenn to be postmaster at Marengo, Iowa, in place of J. J. Glenn. Incumbent's commission expired January 5, 1919.

Charles A. Britch to be postmaster at Ida Grove, Iowa, in place of C. A. Britch. Incumbent's commission expired January 30, 1919.

Henry C. Hastings to be postmaster at Eldon, Iowa, in place of H. C. Hastings. Incumbent's commission expired January 5, 1919.

Joseph M. Drees to be postmaster at Carroll, Iowa, in place of J. M. Drees. Incumbent's commission expired March 2, 1919.

KANSAS.

Edia C. Warner to be postmaster at Wamego, Kans., in place of E. G. Forrester, resigned.

Cyrus W. Ricketts to be postmaster at Paola, Kans., in place of J. W. Sheridan, resigned.

Imogene Ream to be postmaster at Axtell, Kans., in place of E. E. Hanna, resigned.

William Reedy to be postmaster at Yates Center, Kans., in place of W. Reedy. Incumbent's commission expired March 19, 1918.

Arthur Poole to be postmaster at Corning, Kans., in place of A. Poole. Office became presidential April 1, 1919.

George Harman to be postmaster at Valley Falls, Kans., in place of G. Harman. Incumbent's commission expired February 25, 1919.

Louis W. Johnson to be postmaster at Pittsburg, Kans., in place of L. W. Johnson. Incumbent's commission expired March 2, 1919.

KENTUCKY.

Robert Dixon to be postmaster at Louisa, Ky., in place of R. Dixon. Incumbent's commission expired July 17, 1918.

George R. Hughes to be postmaster at Frankfort, Ky., in place of G. R. Hughes. Incumbent's commission expired March 20, 1918.

LOUISIANA.

George S. Eisely to be postmaster at Tallulah, La., in place of G. S. Eisely. Incumbent's commission expired March 2, 1919.

MAINE.

Lila H. Perham to be postmaster at Rockwood, Me., in place of E. S. Chase, resigned.

Josephine C. Scribner to be postmaster at Newport, Me., in place of G. H. Hunt, resigned.

LeRoy B. Smith to be postmaster at Greenville Junction, Me., in place of E. D. Senter, resigned.

Amaziah P. Stinchfield to be postmaster at Danforth, Me., in place of A. P. Stinchfield. Incumbent's commission expired March 2, 1919.

William F. Curran to be postmaster at Bangor, Me., in place of W. F. Curran. Incumbent's commission expired March 2, 1919.

MARYLAND.

Mary W. McKnett to be postmaster at Trappe, Md., in place of M. W. McKnett. Incumbent's commission expired January 8, 1919.

David N. Webb to be postmaster at Magnolia, Md., in place of D. N. Webb. Office became presidential January 1, 1919.

Jessie P. Smith to be postmaster at Luke, Md., in place of J. Smith. Office became presidential April 1, 1919.

Joseph H. Numbers to be postmaster at Edgewood, Md. in place of J. H. Numbers. Office became presidential January 1, 1919.

MASSACHUSETTS.

Anthony J. Crean to be postmaster at Turners Falls, Mass., in place of A. J. Crean. Incumbent's commission expired March 1, 1919.

John M. Hayes to be postmaster at North Abington, Mass., in place of J. M. Hayes. Incumbent's commission expired May 27, 1918.

John F. Meehan to be postmaster at Lowell, Mass., in place of J. F. Meehan. Incumbent's commission expired March 3, 1919.

Edmond H. Bowler to be postmaster at Dedham, Mass., in place of E. H. Bowler. Incumbent's commission expired January 13, 1918.

MICHIGAN.

Henry W. McClure to be postmaster at Tecumseh, Mich., in place of E. C. Brown, deceased.

Florence L. Washer to be postmaster at Imlay City, Mich., in place of J. H. Brewer, resigned.

Ronald H. Macdonald to be postmaster at Dollar Bay, Mich., in place of T. J. Donlan, deceased.

Frank H. Fisher to be postmaster at Caspian (late Palatka), Mich., in place of M. M. Bies, change name office.

William F. Hemmeter to be postmaster at Saginaw West Side, Mich., in place of W. F. Hemmeter. Incumbent's commission expired February 4, 1919.

MINNESOTA.

Alphonse J. Philippy to be postmaster at Waconia, Minn., in place of Emil Lipp, deceased.

Albert J. Anderson to be postmaster at Spicer, Minn., in place of A. K. Anderson, resigned.

Frank L. Henderson to be postmaster at South St. Paul, Minn., in place of E. J. Cleary, resigned.

William Lynch to be postmaster at Shakopee, Minn., in place of Alois Hirscher, resigned.

Walter B. Clark to be postmaster at Lamberton, Minn., in place of John Haas, resigned.

Earnest H. Reff to be postmaster at Bagley, Minn., in place of Axel Ringborg, resigned.

Jeremiah M. Collins to be postmaster at Pine City, Minn., in place of J. M. Collins. Incumbent's commission expired February 26, 1919.

Adolph C. Gilbertson to be postmaster at Ironton, Minn., in place of A. C. Gilbertson. Incumbent's commission expired February 13, 1919.

John B. Connors to be postmaster at Hibbing, Minn., in place of J. B. Connors. Incumbent's commission expired January 8, 1919.

Charles Jesmore to be postmaster at Eveleth, Minn., in place of C. Jesmore. Incumbent's commission expired July 26, 1918.

MISSISSIPPI.

Elon M. Gardner to be postmaster at Moorehead, Miss., in place of J. H. Jones, resigned.

William L. Atkins to be postmaster at Mathiston, Miss., in place of William L. Atkins. Office became presidential April 1, 1919.

Robert Burns to be postmaster at Brandon, Miss., in place of Robert Burns. Incumbent's commission expired February 25, 1919.

MISSOURI.

Clyde E. Holt to be postmaster at Cardwell, Mo., in place of J. F. Miller, resigned.

James R. Williams to be postmaster at Browning, Mo., in place of John Gable, deceased.

John T. Haley to be postmaster at Steelville, Mo., in place of J. T. Haley. Incumbent's commission expired February 13, 1919.

Alma O. Chrisman to be postmaster a Laredo, Mo., in place of A. O. Chrisman. Office became presidential April 1, 1919.

Daniel E. Gudgell to be postmaster at Kingston, Mo., in place of D. E. Gudgell. Office became presidential April 1, 1919.

Stephen A. D. Elmore to be postmaster at Galt, Mo., in place of S. A. D. Elmore. Office became presidential April 1, 1919.

Sallie F. Duncan to be postmaster at Dearborn, Mo., in place of S. F. Duncan. Office became presidential April 1, 1919.

MONTANA.

Thomas G. Hayden to be postmaster at Winifred, Mont., in place of L. C. Porter, resigned.

Queenie B. Lyndes to be postmaster at Hysham, Mont., in place of John R. Middleton, declined.

William Cluston to be postmaster at Great Falls, Mont., in place of Wm. Cluston. Incumbent's commission expired February 20, 1919.

James Bartley to be postmaster at Fort Benton, Mont., in place of J. Bartley. Incumbent's commission expired September 16, 1918.

NEBRASKA.

Joseph A. McGowan to be postmaster at Wilcox, Nebr., in place of Hertha L. Mershon, resigned.

Oscar E. Spethmann to be postmaster at Valentine, Nebr., in place of I. M. Rice, resigned.

Lew D. Holston to be postmaster at Trenton, Nebr., in place of Claude B. Grace, resigned.

Eutis Quinn to be postmaster at Sutherland, Nebr., in place of Frank Cox, resigned.

Ralph E. Oliver to be postmaster at Superior, Nebr., in place of C. E. Dedrick, resigned.

Peter H. Petersen to be postmaster at Plainview, Nebr., in place of Charles H. Mohr, resigned.

Adda G. Newsom to be postmaster at North Bend, Nebr., in place of Joseph E. Newson. Incumbent's commission expired April 6, 1918.

John F. Buehner to be postmaster at Morrill, Nebr., in place of W. N. Corder, resigned.

Charles A. Currie to be postmaster at Havelock, Nebr., in place of Samuel Hinkle, resigned.

Arnold J. Fiala to be postmaster at Brainard, Nebr., in place of C. J. Smersh, resigned. Office became presidential April 1, 1917.

Mary L. Hoyt to be postmaster at Bloomfield, Nebr., in place of H. F. Friedrichs, resigned.

Lory D. Russell to be postmaster at Ansley, Nebr., in place of A. H. Shepard, resigned.

Elbert M. Vaught to be postmaster at Genoa, Nebr., in place of E. M. Vaught. Incumbent's commission expired May 18, 1918.

John L. Delong to be postmaster at Bushnell, Nebr., in place of J. L. Delong. Office became presidential April 1, 1919.

Olive C. Messler to be postmaster at Antioch, Nebr., in place of O. C. Messler. Office became presidential October 1, 1918.

NEW HAMPSHIRE.

Charles E. Shepard to be postmaster at New London, N. H., in place of C. E. Shepard. Incumbent's commission expired January 12, 1919.

NEW JERSEY.

Enoch F. Hooper to be postmaster at Trenton, N. J., in place of E. F. Hooper. Incumbent's commission expired March 10, 1918.

James J. Davidson to be postmaster at Swedesboro, N. J., in place of J. J. Davidson. Incumbent's commission expired June 5, 1917.

NEW MEXICO.

Deloss W. Smith to be postmaster at Tyrone, N. Mex., in place of Van A. Pollock, removed.

Leo L. Heisel to be postmaster at Alamogordo, N. Mex., in place of L. R. Hughes, removed.

John H. Vaughan to be postmaster at State College, N. Mex., in place of J. H. Vaughan. Office became presidential January 1, 1919.

NEW YORK.

William B. Hollister to be postmaster at St. Regis Falls, N. Y., in place of W. B. Hollister. Incumbent's commission expired March 3, 1919.

Edward J. Sweeney to be postmaster at East Islip, N. Y., in place of E. J. Sweeney. Incumbent's commission expired November 22, 1917.

NORTH CAROLINA.

James M. Peterson to be postmaster at Spruce Pine, N. C., in place of J. M. Peterson. Office became presidential April 1, 1919.

Samuel S. Gay to be postmaster at Nashville, N. C., in place of S. S. Gay. Incumbent's commission expired February 25, 1919.

Owen Gudger to be postmaster at Asheville, N. C., in place of O. Gudger. Incumbent's commission expired March 16, 1918.

NORTH DAKOTA.

Chase E. Mulinex to be postmaster at Tolley, N. Dak., in place of William E. Hynes, resigned.

Seth E. Garland to be postmaster at Tioga, N. Dak., in place of James F. Cannon, resigned.

Elick O. Kleve to be postmaster at McClusky, N. Dak., in place of Frank J. Callahan, resigned.

Joseph H. Huseby to be postmaster at Leeds, N. Dak., in place of Pauline M. Schultz. Incumbent's commission expired January 31, 1918.

William D. Sinclair to be postmaster at Hannaford, N. Dak., in place of Christian Reite, resigned.

John H. McLain to be postmaster at Inkster, N. Dak., in place of J. N. Nelson, resigned.

OHIO.

Orville C. Ryan to be postmaster at Peebles, Ohio, in place of O. C. Reynolds, removed.

Michael M. Mowls to be postmaster at Waynesburg, Ohio, in place of M. M. Mowls. Incumbent's commission expired October 21, 1918.

Mary E. Gillespie to be postmaster at Rayland, Ohio, in place of M. E. Gillespie. Office became presidential April 1, 1919.

Charles B. Chilcote to be postmaster at Mount Gilead, Ohio, in place of C. B. Chilcote. Incumbent's commission expired March 2, 1919.

Wilson S. Potts to be postmaster at Lisbon, Ohio, in place of W. S. Potts. Incumbent's commission expired February 26, 1919.

OKLAHOMA.

Joseph C. Baker to be postmaster at Fairland, Okla., in place of L. D. Flint, resigned.

Earl H. Barrett to be postmaster at Picher, Okla., in place of J. J. Holt. Office became presidential October 1, 1917.

Laura Houston to be postmaster at Woodward, Okla., in place of Laura Houston. Incumbent's commission expired March 10, 1918.

William M. Cummings to be postmaster at Sasakwa, Okla., in place of W. M. Cummings. Office became presidential January 1, 1919.

Walter B. Willis to be postmaster at Locust Grove, Okla., in place of W. B. Willis. Office became presidential April 1, 1919.

Hattie L. Story to be postmaster at Bochito, Okla., in place of H. L. Story. Office became presidential April 1, 1918.

Odalee Allen to be postmaster at Boise City, Okla., in place of O. Allen. Office became presidential April 1, 1919.

OREGON.

Percy P. Locey to be postmaster at Huntington, Oreg., in place of Esther Evers, resigned.

Henry J. Atlee to be postmaster at Banks, Oreg., in place of J. W. Vandervelden, resigned.

Jacob R. Gregg to be postmaster at Ontario, Oreg., in place of J. R. Gregg. Incumbent's commission expired March 3, 1919.

John T. McGuire to be postmaster at North Bend, Oreg., in ploce of J. T. McGuire. Incumbent's commission expired February 13, 1919.

S. Bruce Shangle to be postmaster at Milton, Oreg., in place of S. B. Shangle. Incumbent's commission expired March 2, 1919.

PENNSYLVANIA.

Roy E. Wheatley to be postmaster at Shickshinny, Pa., in place of Albert Smith. Incumbent's commission expired April 28, 1918.

Everett C. Davis to be postmaster at Nanty Glo, Pa., in place of Patrick J. Mash, resigned.

Samuel B. Miller to be postmaster at Mifflinburg, Pa., in place of Martha E. Doebler, deceased.

Thomas J. Barry to be postmaster at Jenkintown, Pa., in place of T. J. Donnell, resigned.

Sadie R. Keffer to be postmaster at Clairton, Pa., in place of Roscoe H. Brunstetter, resigned.

James N. Palmer to be postmaster at Woodland, Pa., in place of J. N. Palmer. Office became presidential April 1, 1919.

James P. Andreas to be postmaster at Walnutport, Pa., in place of J. P. Andreas. Office became presidential April 1, 1919.

Harry L. Moon to be postmaster at Tullytown, Pa., in place of H. L. Moon. Office became presidential April 1, 1919.

Stephen B. Ryder to be postmaster at Renova, Pa., in place of S. B. Ryder. Incumbent's commission expired September 23, 1918.

Jerome A. Hartman to be postmaster at Phoenixville, Pa., in place of J. A. Hartman. Incumbent's commission expired February 13, 1919.

Andrew J. Young to be postmaster at Pen Argyl, Pa., in place of A. J. Young. Incumbent's commission expired February 26, 1919.

J. Edwin McCanna to be postmaster at Paoli, Pa., in place of J. E. McCanna. Incumbent's commission expired January 25, 1919.

Charles A. Hoff to be postmaster at Lykens, Pa., in place of C. A. Hoff. Incumbent's commission expired June 18, 1919.

Albert J. Vernon to be postmaster at Donora, Pa., in place of A. J. Vernon. Incumbent's commission expired March 3, 1919.

PORTO RICO.

L. Castoro Gelpi to be postmaster at Vieques, P. R., in place of Joaquin Rodriguez. Office became presidential October 1, 1918.

Teodoro M. Lopez to be postmaster at Vega Baja, P. R., in place of Francisco J. Otero, resigned. Office became presidential July 1, 1917.

Jose E. Gurnard to be postmaster at Mayaguez, P. R., in place of George P. De Pass, resigned.

SOUTH CAROLINA.

Francis M. Cross to be postmaster at Westminster, S. C., in place of F. M. Cross. Incumbent's commission expired March 19, 1918.

Joshua L. Young to be postmaster at Ware Shoals, S. C., in place of J. L. Young. Incumbent's commission expired February 7, 1918.

Dana T. Crosland to be postmaster at Bennettsville, S. C., in place of D. T. Crosland. Incumbent's commission expired January 30, 1919.

SOUTH DAKOTA.

Charles S. Kingsbury to be postmaster at Dallas, S. Dak., in place of Mart Coffman, resigned.

James M. Holm to be postmaster at Pierre, S. Dak., in place of J. M. Holm. Incumbent's commission expired February 13, 1919.

William Spencer to be postmaster at Onida, S. Dak., in place of William Spencer. Incumbent's commission expired January 12, 1919.

George M. Barnett to be postmaster at Carthage, S. Dak., in place of G. M. Barnett. Incumbent's commission expired May 7, 1918.

TENNESSEE.

Victor C. Stafford to be postmaster at Sevierville, Tenn., in place of V. C. Stafford. Incumbent's commission expired October 30, 1917.

Alexander B. Miller to be postmaster at Limestone, Tenn., in place of A. B. Miller. Office became presidential July 1, 1917.

Ethelbert C. Cross to be postmaster at Clinton, Tenn., in place of W. T. Strother, resigned.

Daniel D. Scott to be postmaster at Jellico, Tenn., in place of C. A. Templeton, resigned.

Benjamin F. Chambers to be postmaster at Friendship, Tenn., in place of B. F. Chambers. Office became presidential January 1, 1917.

John C. Messamore to be postmaster at Fountain City, Tenn., in place of J. C. Messamore. Office became presidential April 1, 1919.

Felix P. McGinness to be postmaster at Carthage, Tenn., in place of F. P. McGinness. Incumbent's commission expired January 18, 1919.

TEXAS.

John H. Young to be postmaster at Itasca, Tex., in place of J. H. Young. Incumbent's commission expired March 3, 1919.

Cora L. Baker to be postmaster at Buffalo, Tex., in place of C. L. Baker. Reappointment.

Ambrose B. Culbertson to be postmaster at Athens, Tex., in place of B. M. Richardson, deceased.

Ada Rodgers to be postmaster at Miami, Tex., in place of J. W. Whatley, resigned.

Lillie E. Sanders to be postmaster at Jewett, Tex., in place of G. B. Sanders. Incumbent's commission expired May 18, 1918.

Eulala Smith to be postmaster at Burkburnett, Tex., in place of C. A. Purcell, resigned.

Ben I. Conner to be postmaster at Brenham, Tex., in place of H. A. B. Muller, resigned.

Alta Perkins to be postmaster at Aspermont, Tex., in place of S. W. Thomas, deceased.

UTAH.

A. Horace Gleason to be postmaster at Garland, Utah, in place of A. H. Gleason. Incumbent's commission expired May 19, 1918.

VERMONT.

Prentiss C. Dodge to be postmaster at Randolph, Vt., in place of P. C. Dodge. Incumbent's commission expired June 27, 1918.

George E. Wilber to be postmaster at Williamstown, Vt., in place of E. J. Clogston, deceased.

Gary S. Heath to be postmaster at Derby Line, Vt., in place of J. U. Baxter, deceased.

VIRGINIA.

William R. Rogers to be postmaster at Hilton Village, Va., in place of W. R. Rogers. Office became presidential April 1, 1919.

Clara Matheny to be postmaster at Fincastle, Va., in place of Clara Matheny. Incumbent's commission expired February 13, 1919.

Samuel S. Brooks to be postmaster at Appalachia, Va., in place of S. S. Brooks. Incumbent's commission expired September 16, 1918.

WASHINGTON.

George W. Reed to be postmaster at Pullman, Wash., in place of G. W. Reed. Incumbent's commission expired July 17, 1918.

Patrick M. Kane to be postmaster at La Center, Wash., in place of P. M. Kane. Office became presidential April 1, 1919.

James Lane to be postmaster at Roslyn, Wash., in place of William Sample, resigned.

WEST VIRGINIA.

Joseph P. Ashby to be postmaster at Nitro, W. Va., in place of J. P. Ashby. Office became presidential April 1, 1919.

Sam Hissam to be postmaster at Sistersville, W. Va., in place of A. A. Meredith, removed.

Charles T. Dyer to be postmaster at Montgomery, W. Va., in place of M. E. Davin, resigned.

WISCONSIN.

Marcus T. Syverson to be postmaster at Tomah, Wis., in place of M. T. Syverson. Incumbent's commission expired August 11, 1918.

Thomas L. Cleary to be postmaster at Platteville, Wis., in place of T. L. Cleary. Incumbent's commission expired October 22, 1918.

Anna D. Hagan to be postmaster at New Richmond, Wis., in place of A. D. Hagan. Incumbent's commission expired March 3, 1919.

William A. Devine to be postmaster at Madison, Wis., in place of W. A. Devine. Incumbent's commission expired March 3, 1919.

George A. Murray to be postmaster at Wisconsin Veterans Home, Wis., in place of Edward Lowth, resigned.

Frank E. Riley to be postmaster at Two Rivers, Wis., in place of Noel Nash. Incumbent's commission expired May 26, 1918.

Edward V. Aberg to be postmaster at Shell Lake, Wis., in place of M. J. Carey, deceased.

Fred A. Knauf to be postmaster at Sheboygan, Wis., in place of Frank Gottsacker, deceased.

Herbert Hopkins to be postmaster at Randolph, Wis., in place of J. D. O'Brien. Incumbent's commission expired March 10, 1918.

Nellie I. McGill to be postmaster at Oregon, Wis., in place of Thomas Walsh, resigned.

Harriet N. Apper to be postmaster at North Freedom, Wis., in place of Paul C. Dierschke, declined.

Leon G. Schaar to be postmaster at Nekoosa, Wis., in place of Caroline Fitch, resigned.

WYOMING.

Justus J. Champlin to be postmaster at Powell, Wyo., in place of C. G. Mudd, deceased.

CONFIRMATIONS.

Executive nominations confirmed by the Senate August 5, 1919.

UNITED STATES DISTRICT JUDGE.

Samuel H. Sibley to be United States district judge northern district of Georgia.

UNITED STATES ATTORNEYS.

E. W. Fiske to be United States attorney district of South Dakota.

Mrs. A. A. Adams to be United States attorney northern district of California.

UNITED STATES MARSHAL.

Thomas D. McCarthy to be United States marshal southern district of New York.

MEMBERS OF THE UNITED STATES SHIPPING BOARD.

John Barton Payne to be a member of the United States Shipping Board.

Thomas A. Scott to be a member of the United States Shipping Board.

Henry M. Robinson to be a member of the United States Shipping Board.

MEMBER OF THE FEDERAL BOARD FOR VOCATIONAL EDUCATION.

C. F. McIntosh to be a member of the Federal Board for Vocational Education.

RECEIVER OF PUBLIC MONEYS.

Frank F. Steele to be a receiver of public moneys at Helena, Mont.

COLLECTOR OF INTERNAL REVENUE.

Henry T. Graham to be collector of internal revenue for the district of Delaware.

UNITED STATES COAST AND GEODETIC SURVEY.

Arthur Joachims to be hydrographic and geodetic engineer.

Payson A. Perrin to be junior hydrographic and geodetic engineer.

Paul V. Lane to be junior hydrographic and geodetic engineer.

Charles K. Green to be junior hydrographic and geodetic engineer.

APPOINTMENT IN THE REGULAR ARMY.

MEDICAL DEPARTMENT.

Lieut. Col. Robert E. Noble to be Assistant Surgeon General with the rank of brigadier general, Medical Corps.

PROMOTION IN THE NAVY.

Rear Admiral Thomas Washington to be Chief of the Bureau of Navigation with the rank of rear admiral.

POSTMASTERS.

ARKANSAS.

Louis Reitzammer, Arkansas City.
David D. Draper, Ashdown.
Seaborn J. Smith, Beebe.
William E. Jones, Bigelow.
William K. Estes, Calico Rock.
Claude E. Skinner, Corning.
Kay S. Rolley, Crawfordville.
Lawrence D. Ballew, Des Arc.
Fannie M. Zearing, De Valls Bluff.
William J. Lenehan, De Witt.
Aubrey Gore, Dierks.
Philip J. Smith, Dumas.
William H. Morton, Fayetteville.
Lucy C. Pullen, Foreman.
Linn Turley, Forrest City.
Alfred L. Peacher, Fort Smith.
John E. Bittinger, Grady.
Henry Maples, Green Forest.
James B. Holder, Harrison.
Benjamin C. Milhoan, Hartford.
Robert H. Smiley, Hot Springs.
Stella W. Harris, Junction City.
Bessie Bevill, Kensett.
Laura B. Bonds, Luxora.
Claude J. Cotter, Marianna.
Mark E. Sherland, McGehee.
Allen G. Blankenship, Monette.
Noble J. Nixon, Mulberry.
Sylvester K. Hohes, Murfreesboro.
Thomas C. Fleeman, Ozark.
Leila H. Smith, Pangburn.
Ned P. Atkin, Parkdale.
John A. Marr, Prescott.
Charles McB. Cox, Rector.
Benjamin W. Thomasson, Rison.
J. Lewis Ragsdale, Russellville.
Lucius Pilkington, Searcy.
Fred Smith, Stephens.
Storm O. Whaley, Sulphur Springs.
Joe J. Shaddock, Thornton.
Robert H. Harrison, Tuckerman.
Albert S. Matlock, Van Buren.
James M. Crider, Winslow.
Ella H. Smith, Wynne.

COLORADO.

Clarence H. Reagan, Aguilar.
James J. Roper, Alamosa.
Joseph A. Theobold, Breckenridge.
Frank W. Childs, Cedaredge.
Benjamin F. Stapleton, Denver.
Vina Work, Fleming.
Joseph W. Burkhard, Florence.
Andrew V. Sharpe, Fruita.
Jerry A. Ferris, Golden.
Ray H. Cowdin, Hugo.
James M. Brown, Mancos.
Frances L. Browning, Oak Creek.
Thomas Mowatt, Ouray.
Anna B. Casady, Springfield.
Joynt G. Lett, Yuma.

FLORIDA.

Thomas E. Blackburn, Bowling Green.
Capers S. Weathersbee, jr., Branford.
Benjamin F. Bucanan, Bunnell.
Lenora K. Gilbride, Fort Dade.
Elisha D. Wightman, Fruitland Park.
Laura Knight, Millville.
Rinda Daniel, Moore Haven.
Caroline D. Simrall, Ormond.
John W. Doe, Palm Beach.

IOWA.

Nels A. Christensen, Alta.
Edward J. Kooreman, Alton.
Carl L. Little, Ames.
Maurice Fay, Anamosa.
Harry H. Cate, Anita.
Paul W. Farrell, Barnes City.
Henry Durst, Battle Creek.
Peter J. Cool, Baxter.
Joseph E. McKillip, Bellevue.
Frank C. Siebengartner, Bettendorf.
Alva S. Lind, Blairsburg.
Hans E. Eiel, Buffalo Center.
John H. Pettibone, Burlington.
James F. Conover, Calmar.
John E. McNamara, Castana.
Walter H. Dewey, Chariton.
George W. McKeehan, Cincinnati.
Bernhard M. Jacobsen, Clinton.
John J. McAreavy, Coggon.
Watson B. Chapman, Correctionville.
George F. Hughes, Council Bluffs.
Francis D. Mead, Cresco.
Earl P. Patten, Danbury.
Charles H. Bloom, Delmar.
Martin F. Kelly, Dewitt.
Chris Haffner, Donnellson.
Clem A. Bohnenkamp, Duncombe.
William Walter, Dyersville.
Maurice Moroney, Earlville.
Thomas J. Capper, Elgin.
Inez L. Hanson, Ellsworth.
Patrick H. Donlon, Emmetsburg.
Samuel Manuel, Fayette.
Samuel B. Wesp, Fredericksburg.
Madge Fell, Fremont.
William Molloy, Galva.
George E. Jennings, Garden Grove.
Frank B. Wilson, Greenfield.
Daisy A. Bestor, Grimes.
William J. Nelson, Grinnell.
John Vanderwicken, Grundy Center.
William C. McWilliams, Hedrick.
Alphonso T. Joder, Hudson.
Max Mayer, Iowa City.
William P. Coutts, Kellogg.
Leo A. Dugan, Kingsley.
John W. Waterman, Klemme.
Ira L. Breffle, Lake Park.
Henry D. Mussman, Lakota (late Germania).
William F. Oehmke, Larchwood.
John E. McHugh, Lisbon.
James Nowak, Malcom.
Greenup C. Boston, Malvern.
H. Peter N. Rix, Manning.
John F. Dalton, jr., Manson.
Esther Y. Walster, Marble Rock.
Hope C Niemann, Marcus.
Arthur E. Granger, Marion.
Elbert H. Vary, Mechanicsville.
Jacob A. Cowger, Mediapolis.
William B. Durham, Milo.
John T. Lanigan, Monticello.
James D. Minnes, Moravia.
Cary C. Beggs, Moulton.
Stanley Miller, Mount Pleasant.
Frank W. Eichoff, Muscatine.
George E. Scoles, Nashua.
Richard J. O'Connor, Neola.
William L. Holtz, Newell.
Harry E. Chichester, New London.
Jesse A. Winger, Newton.
Eliza A. Butler, North English.
Charles A. Sample, Oakland.
Herman Toering, Orange City.
Frank E. Moravec, Oxford Junction.
Harry A. Nash, Perry.
Maude E. Barkley, Pierson.
Emma Nicolay, Postville.
Joseph Peters, Preston.
Jo G. Milligan, Pulaski.
John O'Rourke, Red Oak.
Albert F. Jenkins, Russell.
Lacey A. Wine, Sac City.
Albert H. Stoltenberg, Schleswig.
Philip W. Tembke, Sibley.
Walter E. Witten, Sloan.
Earl Bronson, Spencer.
John Grant, Stanwood.
Albert A. Montgomery, Stuart.
James H. Noon, Sumner.
J. Brady Piatt, Tipton.
John Hickey, Vail.
Alma Camblin, Walcott.
Francis A. Gallagher, Walnut.
Samuel W. Koster, West Liberty.
Edwin P. Anderson, Winfield.
Richard B. McSwiggin, Williamsburg.

MISSISSIPPI.

Joseph T. Farrar, Anguilla.
George C. Jackson, Belzoni.
Susette E. McAlpin, Bolton.
William R. Flanagan, Collins.
John V. Therrell, Florence.
James T. Skelton, Goodman.
Walter E. Dreaden, Lambert.
David H. Landrum, Leland.
Louise M. Quarles, Minter City.
Frank L. Ratliff, Shaw.

MONTANA.

Joseph D. Filcher, Boulder.
Rose Mae Obershaw, Cascade.
Earl M. Davis, Cut Bank.
Thomas H. Morse, jr., Drummond.
David J. Kane, East Helena.
Emma McPherson, Ekalaka.
Patrick J. Conway, Fromberg.
Harry S. Tressel, Geraldine.
Frank A. Gummer, Gildford.
Presley L. Herring, Glasgow.
William C. Bernard, Harlem.
William L. Bruce, Musselshell.
L. Blanche Dawson, Polson.
Harry Kennedy, Rosebud.
William L. Marsh, Roy.
Jennie Bywaters, Sandcoulee.
Homer F. Cox, Shelby.
James H. Hadzor, Sheridan.
Reginald W. Spangler, Superior.
Lucile D. Knight, Twin Bridges.
James H. Hines, Valier.
Ephraim E. Hackett, Victor.
Agnes M. Lloyd, Walkerville.
Charles M. Hanson, Wolfe Point.

NEBRASKA.

Stephen D. Phillips, Albion.
Robert Graham, Alliance.
Ethel K. Thompson, Alma.
John Menary, Arnold.
John R. McCann, Beatrice.
Isham R. Darnell, Benkelman.

Nellie M. Thayer, Bertrand.
Eva R. Gilbert, Broadwater.
Charles M. Beggs, Carleton.
Alfred O. Hastings, Chester.
Sebastian E. Marty, Columbus.
Charles E. Lewin, Comstock.
Ethel Talcott, Crofton.
William H. Latham, Curtis.
Edward C. Lane, Dalton.
Marguerite A. Riley, Dawson.
Russell Mooberry, Dorchester.
Edward P. Fitzgerald, Elm Creek.
William Sweeney, Emerson.
Alfred G. Corey, Fairfield.
Lewis A. Wight, Gibbon.
Charles M. Rebbeck, Gordon.
Dellmond A. Geil, Grand Island.
John S. Myers, Grant.
Daniel A. Page, Hardy.
Tilford A. Willmore, Hebron.
John Kinsella, Hemingford.
Fanny Dworak, Howell.
Ralph L. Duckworth, Indianola.
William L. Zalman, Lawrence.
Cora D. Barlow, Lodgepole.
Jacob W. White, Meadow Grove.
John A. Cocklin, Milford.
Robert F. Pate, Minden.
Charles McCray, Merriman.
George W. Ewing, Nelson.
Frederick A. Mellberg, Newman Grove.
William R. Pease, Niobrara.
William A. Bartlett, Ord.
Linneus A. Olinger, Overton.
George P. Miller, Papillion.
Archer E. Ovenden, Pawnee City.
Mark W. Murray, Pender.
Nils Lindskog, Pilger.
Anna J. Strahl, Ralston.
Frank Howard, Ravenna.
Holton C. Letson, Red Cloud.
Fred W. Mathews, Rising City.
Seth W. Oleson, St. Paul.
George D. Thomas, Seward.
John Conroy, Shelton.
Edward P. Griess, Sutton.
Dollie W. Hyndshaw, Thedford.
Jarrett W. Ragan, Utica.
William H. Harstick, Westpoint.

NEW YORK.

Percy J. Heimburg, Angola.
Roy J. Paxon, Akron.
Archie S. Gould, Alfred.
Edward J. Cunningham, Amenia.
Willard H. Tappan, Baldwinsville.
Frank P. Bagg, Barneveld.
John H. Mara, Beacon.
Henry J. Vollmar, Boonville.
William H. Fox, Brocton.
James R. Mapes, Canaseraga.
William M. Heaney, Cold Spring Harbor.
Edgar H. Jolliffe, Congers.
James H. Reagan, Chadwicks.
Almond Cramer, Cherry Valley.
Edgar E. Costello, Corinth.
John J. Heneher, Cornwall.
Harry E. Savage, Dexter.
Byron E. Ogden, Dolgeville.
Thomas P. Whalen, Dover Plains.
Theadore M. Larsen, Dundee.
Michael J. Spillane, East Syracuse.
Allen K. Johnson, Eden.
Albert E. Helmer, Evans Mills.
Francis M. Dowd, Faust.
John P. Dugan, Fishkill.
James J. Smith, Fleischmanns.
James H. Joy, Fort Ann.
Walter W. O'Connor, Fort Plain.
Edward T. Cole, Garrison.
Charles Fitzpatrick, Goshen.
Asher C. Stafford, Gowanda.
David J. McHenry, Granville.
William Johnson, Groveland Station.
John W. Salisbury, Hamburg.
William H. Chillson, Hannibal.
Charles Hogan, Harrisville.
James R. Mayne, Heuvelton.
Cort Kramer, Holland.
Frank K. Roberts, Holland Patent.
Daniel F. Shea, Jamaica.
Eugene E. Mann, Jordan.
Jean L. Reed, Little Valley.
James W. Kelly, Long Island City.
Edward W. Harrica, Lyon Mountain.
John W. Telford, Margaretville.
Kent Barney, Milford.
Elmer W. Simmons, Millerton.
William McNeal, Montgomery.
Charles E. Miller, Moravia.
John A. Ganey, New Hartford.
Robert J. Healey, New York Mills.
James O. Murphy, Orchard Park.
Glenn F. Pollard, Oriskany Falls.
Jerome Ceperley, Otego.
Jesse Jacobs, Oxford.
John S. Moran, Painted Post.
John H. Quinlan, Pavilion.
Henry F. Blessing, Pawling.
Willard Vosburgh, Port Byron.
Leverne Thomas, Prattsburg.
Fred L. Seager, Randolph.
William T. Welden, Richfield Springs.
Len R. Francis, Ripley.
Charles M. Marnes, Rouses Point.
Maurice H. Fanning, Roxbury.
John H. Hurley, Rushville.
Charles C. Michener, Silver Bay.
Frank A. Bartley, Sidney.
William H. Hennessey, Skaneateles.
Wellman L. Bates, Sherman.
Andrew J. Fitzpatrick, Springville.
John W. Hamilton, Stillwater.
Elbridge J. Stratton, Theresa.
Almon T. Clarke, jr., Tupper Lake.
John G. Gibson, Utica.
Maynard A. Thompson, Waverly.
Charles E. Whitman, Weedsport.
Thomas Smith, West Winfield.
Effie L. Patten, Whitesboro.
Louis P. Snyder, Williamsville.
George A. Manwarren, Windsor.
Ada J. Folsom, Winthrop.
John T. Gallagher, Witherbee.
Charles L. Goodell, Worcester.
James J. Fleming, Yonkers.

OHIO.

Clarence A. Corbin, Ashtabula.
Wilber Winfield, Beach City.
James A. Smith, Belle Center.
Charles A. Bower, Bowerston.
David C. Van Voorhis, Bowling Green.
Eli C. Wisman, Bryan.
Charles F. Vollmer, Bucyrus.
Samuel A. Kinnear, Columbus.
Charles A. Lamberson, Coshocton.
John F. Bauer, Crestline.
Arthur M. Eidson, Cygnet.
Herman A. Spangler, Defiance.
Alexander J. Shenk, Delphos.
John S. Gossett, Dennison.
Lillie M. Neel, Dillonvale.
William J. Deibel, Doylestown.
Dennis W. Seward, Elyria.
James G. Bell, Frankfort.
James S. Handshy, Frazeysburg.
Lonzo S. Green, Freeport.
Carroll R. Jackson, Gambier.
Benjamin F. Reineck, Gibsonburg.
Edward L. Hauser, Girard.
James Finlayson, Grafton.
John H. Geach, Granville.
Fred M. Black, Greenwich.
Lucius W. Carruthers, Groveport.
Grover C. H. Hipp, Grover Hill.
Mary June Zimmerman, Harrison.
Jacob E. Mercer, Hicksville.
John E. Robbins, Jeffersonville.
Thurman T. Courtright, Lancaster.

William E. Warren, Leetonia.
Russell G. Hardy, Liberty Center.
James E. Sullivan, Lima.
Peter J. Bencler, Louisville.
Levi E. Bierer, McComb.
Robert T. Spratt, Malvern.
Harry C. Brown, Manchester.
Fred M. Bushnell, Mansfield.
Joseph E. Blackford, Martins Ferry.
Charles E. Penquite, Mason.
Mary K. Long, Medina.
William Alexander, Miamisburg.
Roscoe V. White, Middlefield.
Louis N. Gerber, Middleport.
Robert E. Sickinger, Milan.
Horace E. McConnell, Milford Center.
Albert Sayers, Monroeville.
Jesse O. Shaw, Newcomerstown.
Damus D. Granger, New London.
Francis N. Cary, New Richmond.
Henry Becker, jr., New Washington.
Harry A. Flinn, Orrville.
Roy Goddard, Orwell.
Frank Miller, Paulding.
Clark R. Wilson, Perrysville.
Eugene C. Chapman, Plain City.
Ira A. Deeter, Pleasant Hill.
Hiram J. Blackmore, Pomeroy.
Frank J. Mitchell, Port Clinton.
Andrew H. Austin, Ravenna.
Roy E. Faber, Rittman.
James A. Ryan, Sandusky.
George O. Canaga, Scio.
Fred F. Taylor, Seville.
Frank C. Schiffer, Shelby.
Bronson O. Brott, South Euclid.
Rufus R. Hannahs, Summerfield.
Val Lee, Sidney.
Elwyn W. Fisher, Sugarcreek.
Merril J. Humphrey, Tiro.
Lewis K. Thompson, Uhrichsville.
William A. Ault, Wadsworth.
Adam E. Schaffer, Wapakoneta.
Emil Weber, Wauseon.
Welker Besst, West Lafayette.
Henry B. Popps, West Liberty.
James C. Gray, West Park.
Anna M. Tesi, Yorkville.
James R. Alexander, Zanesville.

OKLAHOMA.

Orville Knight, Drumright.

PENNSYLVANIA.

Thomas W. Loftus, Archbald.
Arthur McKean, Beaver Falls.
Clinton W. Sausser, Bellwood.
William H. Hartman, Bentleyville.
Ulysses G. Bowers, Big Run.
Jacob H. Maust, Bloomsburg.
George D. Schoenly, Boyertown.
Walter J. McBeth, Braddock.
James G. Paul, Bradford.
John A. Robinson, Brownsville.
David V. Hays, Burgettstown.
Jacob E. Coatsworth, California.
Blythe J. Davison, Canton.
Patrick F. Connor, Carbondale.
Nicholas F. Barrett, Carnegie.
George E. Hipps, Carrolltown.
Thomas P. Delaney, Castle Shannon.
William H. Nelson, Chester.
Leslie C. Lockerman, Cheswick.
James W. Aikin, Christiana.
Adam F. Hess, Clarion.
Edward D. Noble, Claysville.
Lewis J. Lieb, Colver.
Edmund J. Rafferty, Conshohocken.
John T. Butler, Coraopolis.
Josephine R. Callan, Cresson.
Charles L. Fox, Daisytown.
William A. Irwin, Downingtown.
B. Stiles Duncan, Duncannon.
Edward M. Dailey, Dushore.
Horace Lehr, Easton.
Albert E. Eckert, East Stroudsburg.
John B. Shea, Eldred.
Harry R. Schneitman, Elizabethtown.
Walter K. Ashton, Fairchance.
Henry G. Schleiter, Freedom.
Harry K. McCulloch, Freeport.
Charles B. Duff, Ford City.
Thomas P. McCormick, Forest City.
Adam Wise, Gap.
Edward E. Fricker, Glenside.
Lawrence B. Rowley, Greenville.
William W. Van Eman, Grove City.
Daniel E. Hanrahan, Hallstead.
Daniel R. Dunkel, Hamburg.
Peter V. Abel, Hastings.
James F. Drake, Hawley.
William A. Kessler, Homestead.
John N. Sharpsteen, Honesdale.
John W. Bisbee, Hop Bottom.
Richard T. Hugus, Jeannette.
Forrest B. Dunkle, Jersey Shore.
Michael F. Lawler, Jessup.
William A. McAdoo, Kittanning.
Charles N. Stevens, Knoxville.
Joseph Rodgers, jr., Lansdale.
Frank M. Longstreth, Lansdowne.
Victor E. Gill, Latrobe.
Granville F. Rehrig, Lehighton.
John A. Hughes, Lyndora.
Brinslie C. Lamberson, McConnellsburg.
Clarence H. Young, Manheim.
Milton M. Dougherty, Mechanicsburg.
John W. Runkle, Middleburg.
Helen G. Flanigan, Mill Hall.
Thomas E. Grady, Montgomery.
Warren F. Harrer, Montoursville.
Orville W. Chase, Montrose.
Edward H. Sutterley, Morrisville.
John W. Clouse, Moscow.
Edward R. Benson, Mount Jewett.
Thomas Wood, Muncy.
Peter F. Leininger, Myerstown.
Charles E. Knecht, Nazareth.
James J. McArdle, Nesquehoning.
George W. Heffelman, New Cumberland.
Theodore E. Warner, New Oxford.
Thomas A. Derick, Newville.
David M. Means, New Wilmington.
Thomas Rorer, North Wales.
Clyde G. McMurray, Oakdale.
William Leslie, Parkers Landing.
Nora L. Pickering, Peckville.
Nathaniel S. Byers, Perryopolis.
John Kehoe, Pittston.
Lewis Dilliner, Point Marion.
Bartly P. McNulty, Ridgway.
William A. Ketterer, Rochester.
William A. Furlong, Roscoe.
John Cashman, St. Marys.
Ralph W. Simcox, Sandy Lake.
William T. Benner, Saxton.
John J. Durkin, Scranton.
Origen K. Bingham, Slippery Rock.
Alexander B. Grof, Somerset.
John J. Kinney, South Fork.
James W. Hutchinson, Springdale.
Jesse S. Stambaugh, Spring Grove.
George F. Trout, Stewartstown.
John P. Hines, Stoneboro.
Lewis W. Bechtel, Stowe.
John F. Johnston, Strasburg.
John M. Decker, Stroudsburg.
John E. Guthrie, Summerville.
Joseph P. McMahon, Susquehanna.
Frank W. Engle, Tidioute.
James W. Keating, Towanda.
Michael J. O'Connor, Trevorton.
Allen S. Garman, Tyrone.
Lester N. Strickler, Vanderbilt.
Presley G. Katz, Verona.
Henry R. Hummel, Watsontown.
Milton J. Porter, Wayne.
John W. Warehime, Waynesboro.

Corbly K. Spragg, Waynesburg.
Otis H. Davis, Wellsboro.
Granville L. Rettew, West Chester.
Frank M. Davis, Westfield.

RHODE ISLAND.

Almira G. Blake, Ashaway.
Ruth A. Vars, Bradford.
James Mangan, Greystone.
Hartzell R. Birch, Kingston.
E. W. Perry Greenman, Narragansett Pier.
John B. Sullivan, Newport.
Francis Fagan, Pascoag.
Thomas F. Lenihan, Westerly.
Thomas F. Cavanaugh, Woonsocket.

SOUTH CAROLINA.

Alva K. Lorenz, Aiken.
Benjamin J. Hammet, Blackville.
David H. Taylor, Cameron.
Tolbert D. McLaurin, Clio.
James A. Parler, Elloree.
John W. Peeples, jr., Estill.
John A. Chase, Florence.
T. P. McLeod, Hartsville.
James H. Bodie, Leesville.
Frank George, Lexington.
Clarence D. Cooper, Mayesville.
Bernard B. James, Union.
David Duncan, Whitmire.

UTAH.

Charles L. Countryman, Bingham Canyon.
Walter K. Granger, Cedar City.
George F. Olson, Fairview.
Linda Bardsley, Gunnison.
Lauritz P. Nelson, Mount Pleasant.
Francis J. McLaughlin, Park City.
Henry W. Wadley, Pleasant Grove.
George A. Zabriskie, Springville.

VERMONT.

George W. Gorman, Barre.
Daniel H. Cray, Bellows Falls.
Frederick L. Smith, Brandon.
Clement A. Burnham, Bristol.
James E. Burke, Burlington.
Edward Dunn, Castleton.
James A. Donahue, Essex Junction.
David P. Mackenzie, Island Pond.
George W. Pierce, Lyndonville.
Henry B. Parkhurst, jr., North Troy.
James A. Cannon, Rochester.
Hugh A. Sherlock, South Royalton.
John H. Wood, Wallingford.
Rodger Dwyer, West Rutland.

WEST VIRGINIA.

Andrew J. Taylor, Ansted.
Robert G. Oxley, Athens.
Francis M. Peters, Bluefield.
Harry Brooke, Bridgeport.
George H. Merchant, Cairo.
James B. Ballard, Dunbar.
C. Forrest Hull, Durbin.
Owen J. King, Elkins.
Arthur J. Duncan, Fayetteville.
Robert E. Hedrick, Franklin.
Fred S. Hathaway, Grantsville.
Henry S. Percival, Holden.
Edward P. Boggess, Lumberport.
William G. Bayliss, Macdonald.
Ethel M. Zimmerman, McMechen.
James F. Beatty, Mannington.
Gaylord E. Berry, Madison.
Hardin D. Carroll, Mason Town.
Alex L. Hatfield, Matewan.
Hayes Sapp, Newburg.
James A. Pyles, New Martinsville.
Turner A. Wamsley, Parsons.
Phillip E. Nixon, Paw Paw.
William A. Stackpole, Pine Grove.
Frederick H. Mahey, Rainelle.
Margaret McGugin, Ravenswood.
Worth D. McClung, Richwood.
Morgan T. Morrison, Sutton.
Daniel J. Moran, Thomas.
Abner Nut Harris, Thorpe.
Charles Lively, Weston.
William W. Irwin, Wheeling.
William N. Cole, Williamson.

WITHDRAWALS.

Executive nominations withdrawn August 5, 1919.

Herbert L. Wynn to be postmaster at Ashland, Ala.
Marion D. King to be postmaster at Townly, Ala.
Mary G. Clark to be postmaster at Bald Knob, Ark.
John Davis to be postmaster at Arriba, Colo.
John M. Kelly to be postmaster at Bocagrande, Fla.
P. Brooks Ford to be postmaster at Sylvester, Ga.
Ella C. Currie to be postmaster at Gardnerville, Nev.

HOUSE OF REPRESENTATIVES.

TUESDAY, *August 5, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father in heaven, with pitying love look upon Thy weak, erring, sinful children and by the wisdom, power, and goodness Thou has bestowed upon us lead us back to the simple life, when home was home and communities governed themselves in accordance with the laws of the land.

Let the self-appointed, who are passing up and down the land with their fine theories, stop talking and do things worth while, and thus teach by example, fair play, even-handed justice, and righteousness to their neighbors, and thus lead us out of the terrible tangle in which we find ourselves to harmony and peace.

It is easy to put our shortcomings and sins on a personal devil; but selfishness is the devil which has wrought havoc and brought sin into the world. Help us to cast it out and live like men under the laws Thou hast ordained. In His name. Amen.

Mr. BLANTON. Mr. Speaker, a point of order. I think we ought to have a quorum here to-day, and I make the point of no quorum.

The SPEAKER. The gentleman from Texas makes the point that there is no quorum present.

THE JOURNAL.

Mr. KNUTSON. Mr. Speaker, should not the Journal be read first? Is the point of no quorum in order before the Journal is read?

The SPEAKER. The point of no quorum is in order at any time.

Mr. BLANTON. Mr. Speaker, I withdraw temporarily.

The SPEAKER. The gentleman withdraws it temporarily. The Clerk will read the Journal of Saturday.

The Journal of the proceedings of Saturday, August 2, 1919, was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House of Representatives was requested:

S. 728. An act for the relief of the Buffalo River Zinc Mining Co.;

S. 2128. An act for the relief of Albert Collins;

S. 2129. An act to amend an act approved March 26, 1908, entitled "An act to provide for the repayment of certain commissions, excess payments, and purchase moneys paid under the public-land laws";

S. 276. An act to amend sections 4 and 5 of an act entitled "An act to provide for stock-raising homesteads and for other purposes," approved December 29, 1916;

S. 277. An act to authorize absence by homestead settlers and entrymen, and for other purposes;

S. 390. An act for the relief of Peter McKay;

S. 822. An act for the relief of James W. Cross;

S. 1195. An act for the relief of Alfred Sjostrom;

S. 429. An act to authorize an exchange of lands with Henry Blackburn;

S. 1729. An act permitting minors of the age of 18 years or over to make homestead entry or other entry of the public lands of the United States;

S. 2220. An act granting to the Lincoln Highway Association, incorporated under the laws of the State of Michigan, a right of way through certain public lands of the United States;

S. J. Res. 70. Joint resolution relating to the induction of registrants who applied and were accepted for induction and

assigned to educational institutions for special and technical training under the provisions of the act approved August 31, 1918, but whose induction without fault of their own was not completed;

S. 793. An act authorizing the issuance of patent to the Milk River Valley Gun Club;

S. 794. An act granting lands for school purposes in Government town sites on reclamation projects;

S. 2494. An act to transfer the tract of land known as the lighthouse reservation at North Point, Md., from the jurisdiction of the Department of Commerce to the jurisdiction of the War Department;

S. 2495. An act transferring the tract of land known as Craney Island from the jurisdiction of the War Department to the jurisdiction of the Treasury Department and transferring the tract of land known as Fishermans Island from the jurisdiction of the Treasury Department to the jurisdiction of the War Department;

S. 2476. An act to amend the act establishing the eastern district of Kentucky;

S. 2447. An act for the relief of the Philippine Scouts;

S. 2448. An act for the relief of certain officers of the United States Army, and for other purposes;

S. 170. An act to amend section 25 of the act of December 23, 1913, known as the Federal reserve act, as amended by the act of September 7, 1916;

S. 428. An act for the relief of Thomas Sevy;

S. 577. An act for the relief of the Southern States Lumber Co.;

S. 420. An act providing for the extension of time for the reclamation of certain lands in the State of Wyoming under the Carey Act;

S. 2378. An act to authorize issuance of patent to John Alfred Thompson, and for other purposes;

S. 578. An act providing for the survey of public lands remaining unsurveyed in the State of Florida, with a view of satisfying the grant in aid of schools made to said State under the act of March 3, 1845, and other acts amendatory thereof;

S. 2445. An act to permit the reenlistment of Omer G. Paquet in the United States Army;

S. 1637. An act for the relief of Albert H. Campbell;

S. 358. An act carrying into effect the findings of the Court of Claims in the matter of the claim of T. L. Love, surviving partner of Robert Love & Son;

S. 2343. An act for the relief of Capt. Frederick B. Shaw;

S. 2440. An act for the relief of the estate of John M. Lea, deceased;

S. 1330. An act for the relief of V. E. Schermerhorn, E. C. Caley, G. W. Campbell, and Philip Hudspeth;

S. 2453. An act to carry into effect the findings of the Court of Claims in the claim of Elizabeth B. Eddy;

S. 1456. An act for the relief of Rinald Bros., of Philadelphia, Pa.;

S. J. Res. 77. Joint resolution to amend section 18 of the Indian appropriation act approved June 30, 1919;

S. 667. An act limiting the creation or extension of forest reserves in New Mexico;

S. 2446. An act to amend section 1318, Revised Statutes;

S. 2623. An act to extend the provisions of an act entitled "An act to provide quarters or commutation thereof to commissioned officers in certain cases," approved April 16, 1918; and

S. 2624. An act to provide travel allowances for certain retired enlisted men and Regular Army reservists.

The message also announced that the Senate had passed without amendment bill and joint resolution of the following titles:

H. R. 5032. An act to extend the franchise in the parishes and separate congregations of the Protestant Episcopal Church in the District of Columbia; and

H. J. Res. 163. Joint resolution authorizing the Secretary of Labor to lease the Charleston immigration station and dock connected therewith.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 728. An act for the relief of the Buffalo River Zinc Mining Co.; to the Committee on Claims.

S. 2128. An act for the relief of Albert Collins; to the Committee on the Public Lands.

S. 2129. An act to amend an act to provide for the repayment of certain commissions, excess payments, and purchase moneys paid under the public-land laws; to the Committee on the Public Lands.

S. 276. An act to amend sections 4 and 5 of an act entitled "An act to provide for stock-raising homesteads, and for other purposes," approved December 29, 1916; to the Committee on the Public Lands.

S. 277. An act to authorize absence by homestead settlers and entrymen, and for other purposes; to the Committee on the Public Lands.

S. 390. An act for the relief of Peter McKay; to the Committee on Claims.

S. 822. An act for the relief of James W. Cross; to the Committee on Claims.

S. 1195. An act for the relief of Alfred Sjostrom; to the Committee on Claims.

S. 1729. An act permitting minors of the age of 18 years or over to make homestead or other entry of the public lands of the United States; to the Committee on the Public Lands.

S. 429. An act to authorize an exchange of lands with Henry Blackburn; to the Committee on the Public Lands.

S. 2220. An act granting to the Lincoln Highway Association, incorporated under the laws of the State of Michigan, a right of way through certain public lands of the United States; to the Committee on the Public Lands.

S. J. Res. 70. Joint resolution relating to the induction of registrants who applied and were accepted for induction and assigned to educational institutions for special and technical training under the provisions of the act approved August 31, 1918, but whose induction without fault of their own was not completed; to the Committee on Military Affairs.

S. 793. An act authorizing the issuance of patent to the Milk River Valley Gun Club; to the Committee on the Public Lands.

S. 794. An act granting lands for school purposes in Government town sites on reclamation projects; to the Committee on the Public Lands.

S. 2494. An act to transfer the tract of land known as the lighthouse reservation at North Point, Md., from the jurisdiction of the Department of Commerce to the jurisdiction of the War Deparment; to the Committee on Military Affairs.

S. 2495. An act transferring the tract of land known as Craney Island from the jurisdiction of the War Department to the jurisdiction of the Treasury Department and transferring the tract of land known as Fishermans Island from the jurisdiction of the Treasury Department to the jurisdiction of the War Department; to the Committee on Military Affairs.

S. 2476. An act to amend the act establishing the eastern district of Kentucky; to the Committee on the Judiciary.

S. 2447. An act for the relief of the Philippine Scouts; to the Committee on Military Affairs.

S. 170. An act to amend section 25 of the act of December 23, 1913, known as the Federal reserve act, as amended by the act of September 7, 1916; to the Committee on Banking and Currency.

S. 428. An act for the relief of Thomas Sevy; to the Committee on Public Lands.

S. 577. An act for the relief of the Southern States Lumber Co.; to the Committee on Claims.

S. 420. An act providing for the extension of time for the reclamation of certain lands in the State of Wyoming under the Carey Act; to the Committee on the Public Lands.

S. 2378. An act to authorize the issuance of patent to John Alfred Thompson, and for other purposes; to the Committee on the Public Lands.

S. 578. An act providing for the survey of public lands remaining unsurveyed in the State of Florida, with a view of satisfying the grant in aid of schools made to said State under the act of March 3, 1845, and other acts amendatory thereof; to the Committee on the Public Lands.

S. 2445. An act to permit the reenlistment of Omer G. Paquet in the United States Army; to the Committee on Military Affairs.

S. 1637. An act for the relief of Albert H. Campbell; to the Committee on Military Affairs.

S. 358. An act carrying into effect the findings of the Court of Claims in the matter of the claim of T. L. Love, surviving partner of Robert Love & Son; to the Committee on Claims.

S. 2343. An act for the relief of Capt. Frederick B. Shaw; to the Committee on Claims.

S. 2440. An act for the relief of the estate of John M. Lea, deceased; to the Committee on Claims.

S. 1330. An act for the relief of V. E. Schermerhorn, E. C. Caley, G. W. Campbell, and Philip Hudspeth; to the Committee on Claims.

S. 2453. An act to carry into effect the finding of the Court of Claims in the claim of Elizabeth B. Eddy; to the Committee on Claims.

S. 1456. An act for the relief of Rinald Bros., of Philadelphia, Pa.; to the Committee on Claims.

S. J. Res. 77. Joint resolution to amend section 18 of the Indian appropriation act approved June 30, 1919; to the Committee on Indian Affairs.

S. 667. An act limiting the creation or extension of forest reserves in New Mexico; to the Committee on the Public Lands.

S. 2446. An act to amend section 1318, Revised Statutes; to the Committee on Military Affairs.

S. 2623. An act to extend the provisions of an act entitled "An act to provide quarters or commutation thereof to commissioned officers in certain cases," approved April 16, 1918; to the Committee on Military Affairs.

S. 2624. An act to provide travel allowances for certain retired enlisted men and Regular Army reservists; to the Committee on Military Affairs.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 2594. An act to extend the time for the construction of the Broadway Street Bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark.; and

S. 2595. An act to extend the time for the construction of the Main Street Bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 3854. An act for the repeal of the daylight-saving law.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. OSBORNE, to participate in the welcoming ceremonies to the Pacific Fleet at Los Angeles, Calif.;

To Mr. FOSTER, at the request of Mr. WALSH, for four days, on account of illness in his family;

To Mr. LUHRING, for 10 days, on account of business;

To Mr. SINNOTT, indefinitely, on account of illness in his family; and

To Mr. YATES, for five days, on account of important business.

QUESTION OF PERSONAL PRIVILEGE.

Mr. IGOE rose.

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. IGOE. I rise to ask unanimous consent for the present consideration of——

Mr. FORDNEY rose.

The SPEAKER. The Chair recognizes the gentleman from Michigan [Mr. FORDNEY] to make a report.

Mr. FORDNEY. Mr. Speaker, I present a report from the Committee on Ways and Means.

Mr. IGOE. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. IGOE. On Saturday I made two objections to the request made by the gentleman from Wyoming [Mr. MONDELL]. I stated my reasons for the objections. Later on in the day the gentleman from Missouri [Mr. CLARK], the minority leader, preferred a request for the present consideration of the resolution which I tried to secure the consideration of, and after having submitted the request to the House the Speaker subsequently refused to put the request. After the House adjourned there was considerable confusion here, and the newspapers throughout the country, including several in my own State and one in New York that my attention was called to, said that the Speaker, in explaining his action, said that he "did not intend that one man, meaning IGOE, should bulldoze the House." I think that is an unwarranted and an unjustifiable characterization of my attitude on Saturday, and I think it presents a question of personal privilege.

Mr. Speaker, I introduced two resolutions last week——

Mr. BLANTON. Mr. Speaker, a point of order. I think we ought to have a quorum present.

The SPEAKER. Does the gentleman make the point?

Mr. MONDELL. I trust the gentleman will withhold that point.

Mr. BLANTON. I understood that the gentleman from Wyoming had a request that he desired to present.

Mr. MONDELL. I propose to present a unanimous-consent request as soon as I have an opportunity.

Mr. BLANTON. I withdraw it for the present, Mr. Speaker.

Mr. IGOE. Mr. Speaker, these resolutions that I submitted, one of them directing an investigation by the Committee on Ways and Means and the other requesting the Trade Commission to make an investigation into the price of shoes——

Mr. MONDELL. Mr. Speaker, the gentleman from Missouri is not discussing a matter of personal privilege by referring to what he might have done in the way of introducing resolutions.

Mr. GARNER. The gentleman just stated his question of personal privilege, and that is that the Speaker of the House is reported to have said he would not permit one man, meaning the gentleman from Missouri, to bulldoze the House of Representatives. The gentleman from Missouri is explaining the situation, to show that he was not undertaking to bulldoze the House.

The SPEAKER. The Chair will hear the gentleman from Missouri.

Mr. IGOE. I ask the Speaker to rule whether or not I have presented a question of personal privilege.

The SPEAKER. Inasmuch as the matter affects what the Speaker is reported to have said, the Speaker, of course, is going to be very liberal and will hold that it is a matter of personal privilege.

Mr. IGOE. I just wanted to explain to the House why these resolutions were offered. Prior to the offering of them I suggested that they might be considered in the House without being referred to committees, and that request was not agreed to.

The SPEAKER. Had the gentleman ever suggested that to the Chair?

Mr. IGOE. "The gentleman" spoke to the Speaker and the majority leader of the House before the resolutions were introduced.

The SPEAKER. The Chair is not aware that the gentleman spoke to him about it, although the Chair may be mistaken.

Mr. IGOE. And the resolutions were introduced and referred to two committees. The Interstate and Foreign Commerce Committee reported the resolution, requesting the Federal Trade Commission to make an investigation of the prices of shoes. It was placed on the calendar and reported by the gentleman from Illinois [Mr. DENISON]. When the resolution was introduced the House had already agreed to take a five weeks' recess, and I was very anxious that the resolution should be reported and consideration had before we adjourned Saturday night. It was not my intention in any way to deprive the Members of the House of their recess.

Subsequently, the President sent a message to the Speaker and the House rescinded its recess agreement. I then endeavored to get this resolution called up and get the attention of the gentleman in charge of the bill before consulting with the majority leader. The resolution was not called up. It was said that we could wait until later on. Then the gentleman from Wyoming presented this adjournment resolution, to which I objected. I stated on each occasion why I objected. All I asked from the House at any time was the privilege of asking unanimous consent, or that the gentleman from Illinois [Mr. DENISON] might ask unanimous consent, for the consideration of the resolution. If any Member had objected, I stated privately that would end my effort with the House, and I would again appeal to the Rules Committee for a rule for the consideration at some other time.

I never intended or attempted to bulldoze the House into doing anything, except I did use my right and privilege as a Member of the House to secure consideration of the resolution which I thought of some interest to my constituents.

I was told after I made the first objection that I could not get it considered. I was told after the second objection by Members on the other side that I never would get anything in this House.

Now, I think in view of my action and my conduct in trying to get consideration of this resolution I was doing no more than my duty as a Member of the House. It was a simple resolution. I did not want to take up the time of the House in discussing it, but simply wanted to present it to the House, and if any Member objected, that would end the matter. It seems to me it is unfair and an unjust characterization of my conduct to say that I was trying to bulldoze the House. [Applause.]

Mr. CAMPBELL of Kansas took the chair as Speaker pro tempore.

Mr. GILLETT. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

The SPEAKER pro tempore. The gentleman from Massachusetts asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. GILLETT. Mr. Speaker, I do not think that the statement of the gentleman from Missouri [Mr. IGOE] is a very serious one, but I do not wish to be discourteous, as the gentleman

from Missouri knows that our relations have always been entirely pleasant and I will reply to him. The reason I did not wish to recognize the gentleman was this: A proposition was made to the House to adjourn for three days which, I believed, represented the wishes of an overwhelming majority of the House. I do not remember that the gentleman from Missouri ever spoke to me about his resolution, but there were other gentlemen who had spoken to me about legislation that they were very anxious to bring up. They were matters that I thoroughly approved of, as I do the resolution of the gentleman from Missouri. The other gentlemen were willing that the great majority of the House should have its will and that an agreement should be made, and then take their chance on unanimous consent being given. The gentleman from Missouri was the only one who was not willing to allow the majority of the House to have its will and then take his chance, but he insisted that the majority of the House should not have its will unless he first had his will.

I did not think that that was the proper attitude for any Member to take, because if one man should there is no reason why other men should not. One Member has just as much right as another, and it seemed to me that he was not entitled to be recognized in that attitude in preference to other Members. It seemed to me that the majority of the House should have their will, and no Member should say that he will obstruct the wish of the majority unless he is first allowed his way.

I do not remember exactly what I said. I did not use the expression he objects to in the chair. It may be that I did after the House adjourned—that I did not think the gentleman ought to be allowed to bulldoze the House. That expresses, in not very elegant language, the general feeling I had and which I have now stated. [Applause on the Republican side.] It was not anything against the resolution; it was simply the tactics by which the gentleman sought to enforce, regardless of the equal rights of others and the will of the House, his personal wishes.

Mr. CLARK of Missouri. Will the gentleman allow me to ask him a question?

Mr. GILLETT. Certainly.

Mr. CLARK of Missouri. By what authority or right did the Speaker refuse Saturday to put my request for unanimous consent after he had recognized me and after he had started to put it and as a matter of fact did put it? [Applause on the Democratic side.]

Mr. GILLETT. As I recollect, the gentleman asked that the gentleman from Missouri, his colleague [Mr. IGOE], be allowed to ask unanimous consent to have his resolution considered, and it was that the Chair objected to. But then the gentleman from Missouri [Mr. CLARK] knows perfectly well—I have heard him many times, after he had recognized a gentleman, say that he did not recognize him for a particular purpose.

Mr. CLARK of Missouri. But the Speaker recognized me and put the question.

Mr. GILLETT. I do not remember, but perhaps I did.

Mr. CLARK of Missouri. I will read him what happened.

Mr. GILLETT. But the gentleman that I did not intend to recognize was not the gentleman from Missouri, Mr. CLARK, but the other gentleman from Missouri, Mr. IGOE, to present his unanimous request, and, as I recollect, the gentleman from Missouri, Mr. CLARK, asked consent that the gentleman from Missouri, Mr. IGOE, might present his request.

Mr. CLARK of Missouri. I will refresh the gentleman's memory, reading from the CONGRESSIONAL RECORD, page 3586:

Mr. CLARK of Missouri. Mr. Speaker, I ask unanimous consent for the consideration of the Igoe resolution about boots and shoes.
The SPEAKER. The gentleman from Missouri asks unanimous consent for the present consideration of the resolution about boots and shoes. Is there objection?

There the gentleman from Minnesota [Mr. ANDERSON] intervened with a reservation of the right to object, and after he and I had had a short confab, he seemed to be satisfied and sat down. At any rate, he did not object.

Mr. GILLETT. But it strikes me that Mr. ANDERSON did object. I am just reading what he says here.

Mr. CLARK of Missouri. He reserved the right to object. I will read the whole thing.

Mr. GILLETT. Yes; I am just reading it.

Mr. CLARK of Missouri (reading)—

Mr. ANDERSON. Mr. Speaker, reserving the right to object, if we have to agree to every resolution anybody wants to pass in order to get this recess I think we had better not have the recess.
Mr. CLARK of Missouri. Nobody is asking for but one resolution.

Mr. GILLETT. Does not the gentleman from Missouri think that is an objection?

Mr. CLARK of Missouri. I do not.

Mr. GILLETT. I should say it was.

Mr. CLARK of Missouri. The Chair never announced any objection. I continue:

Mr. CLARK of Missouri. Nobody is asking for but one resolution.
The SPEAKER. The Chair declines to recognize the gentleman for the present.

Mr. GILLETT. The Chair certainly has a right to do that.

Mr. CLARK of Missouri. Not after the Chair had recognized me. [Applause on the Democratic side.]

Mr. GILLETT. I think the gentleman will admit that he is mistaken in a moment. The gentleman from Minnesota [Mr. ANDERSON] reserved the right to object.

Mr. CLARK of Missouri. Yes.

Mr. GILLETT. Then the Chair certainly had the right to object, and he declined to recognize the gentleman.

Mr. CLARK of Missouri. If the Chair had stated that he himself had objection, there would have been no mystery about it.

Mr. GILLETT. The only issue is that the Chair refused to recognize the gentleman instead of objecting. But refusing to recognize the gentleman is exactly the same thing, as the gentleman from Missouri well knows.

Mr. CLARK of Missouri. Does the gentleman say that he, as the occupant of the chair, objected himself?

Mr. GILLETT. Certainly. I think it was well understood on Saturday night that I objected and refused to recognize the gentleman.

Mr. CLARK of Missouri. I know it was well understood that you had refused to put the motion after you had started to put it once.

Mr. GILLETT. Exactly; and that is equivalent to objection.

Mr. CLARK of Missouri. Let me continue to read from the RECORD:

Mr. CLARK of Missouri. Nobody is asking for but one resolution.
The SPEAKER. The Chair declines to recognize the gentleman for the present.

You had no right to decline.

Mr. GILLETT. Did not the Chair have the right to object—to decline to recognize the gentleman?

Mr. CLARK of Missouri. The Chair had the right to object if the Chair had done what any other Member of the House does on such an occasion and said, "I object."

Mr. GILLETT. I submit that it is simply a matter of form, and there is where I differ with the gentleman. The Chair always has the right to refuse to recognize gentlemen for unanimous consent, which is equivalent to an objection.

Mr. CLARK of Missouri. But the trouble is you had already recognized me.

The SPEAKER pro tempore. The gentlemen will not address each other in the second person. [Laughter.]

Mr. CLARK of Missouri. Surely the temporary occupant of the chair is entirely correct in that.

Mr. GILLETT. Then in order that there be no misunderstanding I will now state that I did then, in refusing to recognize the gentleman, mean to object.

Mr. CLARK of Missouri. The trouble about that is that you had already recognized me.

Mr. GILLETT. But objection had been made, and then I had the right to refuse to recognize the gentleman further.

Mr. CLARK of Missouri. I will ask the gentleman from Massachusetts who made the objection?

Mr. GILLETT. The gentleman from Missouri had read the reservation of objection by the gentleman from Minnesota [Mr. ANDERSON].

Mr. CLARK of Missouri. But the RECORD does not show that.

Mr. GILLETT. It shows that he reserved the right to object.

Mr. CLARK of Missouri. That is one thing, and an objection is another.

Mr. GILLETT. But when one Member reserves the right to object, another Member has the right to continue the objection.

Mr. CLARK of Missouri. I know; but the gentleman from Minnesota [Mr. ANDERSON] had taken his seat and was quiescent.

Mr. GILLETT. But the reservation still held, and the Chair had the right——

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. CLARK of Missouri. Mr. Speaker, I ask unanimous consent that the time be extended for five minutes.

The SPEAKER pro tempore. The gentleman from Missouri asks unanimous consent that the time of the gentleman from Massachusetts be extended for five minutes. Is there objection?

There was no objection.

Mr. CLARK of Missouri. To continue the reading:

The SPEAKER. The Chair declines to recognize the gentleman for the present.
Mr. BLANTON. Mr. Speaker, regular order.
The SPEAKER. The gentleman from Texas demands the regular order.
Mr. CLARK of Missouri. The regular order is putting my request.

The SPEAKER. But the Chair did not recognize the gentleman.
Mr. CLARK of Missouri. Did not recognize me?
The SPEAKER. The Chair did not recognize the gentleman from Missouri.

But the RECORD shows he did.

Mr. CLARK of Missouri. Mr. Speaker, a parliamentary inquiry.

Mr. GILLETT. Will the gentleman allow me to interrupt him there?

Mr. CLARK of Missouri. Yes.

Mr. GILLETT. Let us straighten things out as we go along. The Chair did recognize the gentleman from Missouri, and the gentleman from Minnesota [Mr. ANDERSON] reserved the right to object; and after that the Chair, having the same right as any other Member, refused to recognize the gentleman further, which was objecting.

Mr. CLARK of Missouri. I read further from the RECORD:

Mr. CLARK of Missouri. Mr. Speaker, a parliamentary inquiry.
The SPEAKER. The gentleman will state it.
Mr. CLARK of Missouri. What went with the request I made that the gentleman from Missouri could call up his resolution?
The SPEAKER. The Chair is not obliged to state it unless he desires.
Mr. CLARK of Missouri. I understand that.
The SPEAKER. The Chair did not recognize the gentleman to present a request.

The trouble about it was he had recognized me.

Mr. CLARK of Missouri. Did the Chair recognize me or not?
The SPEAKER. The Chair recognized the gentleman.

That is I.

Mr. CLARK of Missouri. And I made the request.
The SPEAKER. The Chair is not obliged to recognize the gentleman to prefer a request——

But the trouble was he had already done it.

Mr. CLARK of Missouri. Well, my understanding was——
The SPEAKER. The gentleman from Michigan [Mr. FORDNEY] is recognized.

Mr. ANDERSON. Mr. Speaker, will the gentleman yield?

Mr. CLARK of Missouri. Yes.

Mr. ANDERSON. Of course, the Speaker could not object to the request until the request was made. The Speaker is not a mind reader. He could not know what the gentleman from Missouri [Mr. CLARK] was going to ask.

Mr. CLARK of Missouri. Why, the very first thing I did was to make the request for unanimous consent for the consideration of the Igoe resolution.

Mr. ANDERSON. "The gentleman from Minnesota" reserved the right to object.

Mr. CLARK of Missouri. That is true.

Mr. ANDERSON. After I had reserved the right to object, the Speaker used his right to object by refusing to recognize the gentleman further.

Mr. CLARK of Missouri. It was too late. He had no earthly right to object to my request after he had put it once, and the gentleman from Minnesota [Mr. ANDERSON] intervened and got up the whole racket; and then after he and I had some kind of a confab he sat down and was quiescent and did not object, and I say that the ruling was an outrage. [Applause.]

Mr. GILLETT. Mr. Speaker, I suppose I would have just as much right to rise to a question of privilege as the gentleman from Missouri, Mr. IGOE, to that last remark of my friend from Missouri, Mr. CLARK, but I do not resent it at all. The question now simmers itself down simply to this one question, that the gentleman from Missouri, Mr. CLARK, says I did not have the right not to recognize him after having once recognized him. I submit to the House these facts: I recognized him, the gentleman preferred his request for unanimous consent, the gentleman from Minnesota [Mr. ANDERSON] reserved the right to object.

Mr. CLARK of Missouri. The gentleman leaves out one link, and that is that the Speaker put my question.

Mr. GILLETT. Yes, I put the question; and the gentleman from Minnesota [Mr. ANDERSON] reserved the right to object, which gave any Member of this House, including the Speaker, the right to object, and immediately after that the ex-Speaker [Mr. CLARK of Missouri] again asked permission, and then the Chair said:

The Chair declines to recognize the gentleman for the present—

which is equivalent to objecting, and, as far as I know, the Speaker never says "I object." The Speaker always expresses his objection by refusing to recognize a gentleman. It is a very small matter, a mere matter of phraseology, but I am willing to accept the burden and to say that by saying "the Chair refuses to recognize the gentleman" I intended to object; and for the reason that I have stated before, not from any personal feeling toward the gentleman from Missouri [Mr. IGOE], not from any objection to his resolution, but because I did not like the attempt of one gentleman to obtain rights that other gentlemen were foregoing.

Mr. CLARK of Missouri. If the Speaker entertains the intention to object himself, he ought to state it and say, "I object."

Mr. GILLETT. I never heard of a Speaker doing that.

Mr. GARNER. Will the gentleman yield for a suggestion which occurs to me, that this colloquy illustrates the advisability of one custom that Mr. Speaker CANNON always insisted upon, for which we criticized him a good deal, but that finally the ex-Speaker [Mr. CLARK of Missouri] was compelled to adopt, and that was to ask each Member when he rises, "For what purpose does the gentleman rise?"

Mr. CLARK of Missouri. Of course, that is true.

Mr. GARNER. They tried to avoid it, but it is absolutely essential.

Mr. CLARK of Missouri. If the House will bear with me, I tried to get rid of that for two or three weeks after I was elected Speaker.

Mr. GARNER. I know the gentleman did.

Mr. CLARK of Missouri. But it got the House into such a tremendous muddle that out of self-defense and for the good of the House I had to go back to the habit of asking, "For what purpose does the gentleman rise?" Will you allow me one more remark? The gentleman from Massachusetts, the late Mr. Gardner, always insisted there were two recognitions. Mr. Gardner was a high-class parliamentarian, and he insisted that when a Member addressed the Chair and the Chair says "The gentleman from Missouri," that is one recognition; and then, according to Mr. Gardner's theory, the second recognition was that when the gentleman stated his purpose in rising the Chair recognized him or refused to recognize him for that purpose, and that, he said, was the second recognition.

Mr. GARNER. I think that is a good plan.

Mr. GILLETT. Mr. Speaker, that strikes me as logical, and I think it is probably wise, as the gentleman from Texas [Mr. GARNER] suggests, to ask for what purpose a gentleman rises, and the Chair does that very often; but when the leader of the minority rises, the Chair generally recognizes him without putting that question, because he knows that the leader of the minority has a sense of responsibility and is familiar with the rules, and the Chair knows that he would not intend to take advantage of his recognition. So the Chair many times recognizes him when he would not recognize other gentlemen without making the inquiry; but I agree that perhaps it is wise that the Chair should always ask that question. Most Members on both sides of the House who wish to make a motion out of the regular order consult the Speaker in advance and then it is arranged whether and when they can be recognized so as least to interfere with the regular business of the House.

The SPEAKER resumed the chair.

PROPOSED MEETINGS ON TUESDAYS AND FRIDAYS.

Mr. MONDELL. Mr. Speaker, I desire to present a unanimous-consent request.

The SPEAKER. The gentleman from Wyoming will present it.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn until Friday, and from Friday until the following Tuesday, and so on, meeting two days in the week, Tuesday and Friday, until Members are notified by the majority and minority leaders of the necessity of a quorum; that during the period prior to such notice no business be transacted except the prayer, the reading of the Journal, the signing of bills on the Speaker's table, the reference of matters on the Speaker's table, and the motion to adjourn.

The SPEAKER. Is there objection to the request made?

Mr. MONDELL. I want to say in that connection, Mr. Speaker, that if my request is granted there can be no assurance that the request for a quorum will not come in about two weeks from to-day. Of course, I have no definite information on which to base that opinion or belief, but I think that Members, if this agreement is entered into, leaving for their homes should have the understanding that they may be called back in two weeks. I should confer from time to time with the minority leader, and should issue the call whenever agreed on between us, or whenever in the opinion of the minority leader, there should be a quorum present. Further, Mr. Speaker, if this consent is granted, I shall hope that the House continue in session for a short time to-day for the presentation of matters by uanimous consent only.

Mr. STEENERSON. Will this interfere with the introduction of bills?

Mr. MONDELL. It would not.

Mr. GRIFFIN. Mr. Speaker, reserving the right to object, I desire to know whether if that arrangement goes through it will exclude the presentation of bills, resolutions, and petitions?

Mr. MONDELL. No; not at all.

Mr. KITCHIN. Mr. Speaker, reserving the right to object——

Mr. MONDELL. I should expect the House to remain in session a short time to-day, as there are several matters that gentleman wish to present by unanimous consent, or ask unanimous consent to present, and one or two gentlemen who would like to address the House for a short time.

Mr. KITCHIN. Mr. Speaker, reserving the right to object, are we to understand during these three-day recesses that the committees having jurisdiction of the matters to which the attention of Congress was called in the President's letter to the gentleman and Mr. ESCH will be considering such matters?

Mr. MONDELL. The unanimous-consent request is largely predicated upon the fact—and I think the gentleman from North Carolina will agree with me that it is a fact—that the committees having the more important questions before them for consideration, questions that are now most interesting the country, will make much better progress with their work and be able to present their findings and conclusions to the House more promptly and in better form if they are not delayed in their work by the requirement of constant attendance upon the sessions of the House.

Mr. KITCHIN. I agree with the gentleman, but I desired it to go in the RECORD that these committees will be considering these questions in the meantime.

Mr. MONDELL. These temporary adjournments are with a view and for the purpose of enabling the committees of the House, a number of which have very important matters before them, to give their constant and undivided attention to those matters in the hope and the expectation that they will be sooner prepared to present them to the House for its consideration.

The SPEAKER. Is there objection?

Mr. IGOE. Mr. Speaker, I object.

The SPEAKER. Objection is made.

Mr. BLANTON. Mr. Speaker, I make the point of order there is no quorum present.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 40 minutes p. m.) the House adjourned until Wednesday, August 6, 1919, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. WEBSTER, from the Committee on Interstate and Foreign Commerce, to which was referred the resolution (H. Res. 150) directing the Federal Trade Commission to investigate and report to the House certain information regarding sugar, reported the same without amendment, accompanied by a report (No. 222), which said resolution and report were referred to the House Calendar.

Mr. SMITH of Idaho, from the Committee on the Public Lands, to which was referred the bill (H. R. 2946) to amend acts to permit the use of right of way through the public lands for tramroads, canals, and reservoirs, and for other purposes, reported the same without amendment, accompanied by a report (No. 223), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 6972) granting a pension to Hattie G. Parnell; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 7732) granting a pension to Joseph R. Owens; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 7811) granting a pension to Verna Hanmore; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. KAHN: A bill (H. R. 8287) to reorganize and increase the efficiency of the United States Army, and for other purposes; to the Committee on Military Affairs.

By Mr. SWEET: A bill (H. R. 8288) to amend and modify the war-risk insurance act; to the Committee on Interstate and Foreign Commerce.

By Mr. PARKER: A bill (H. R. 8289) authorizing the Secretary of War to donate a captured German cannon or fieldpiece to the village of Round Lake, N. Y.; to the Committee on Military Affairs.

By Mr. KAHN: A bill (H. R. 8290) to provide for awarding decorations, devices, or insignia to the next of kin of deceased persons who would have been entitled to receive the same and making it unlawful for anyone other than the person authorized to do so to wear such decoration, device, or insignia; to the Committee on Military Affairs.

By Mr. TEMPLE: A bill (H. R. 8291) authorizing the Secretary of War to donate to the borough of Monongahela, county of Washington, State of Pennsylvania, one cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. RIDDICK: Joint resolution (H. J. Res. 174) requesting the President to employ the means directly within his power to relieve the people of the United States from the high cost of living imposed by administrative methods; to the Committee on Agriculture.

By Mr. KAHN: Joint resolution (H. J. Res. 175) to provide for the travel pay upon discharge to men of the Regular Army enlisted prior to April 2, 1917; to the Committee on Military Affairs.

By Mr. MICHENER: Resolution (H. Res. 232) providing additional compensation for J. M. McKee, foreman of the folding room, House of Representatives; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND of Missouri: A bill (H. R. 8292) to authorize the commissioning of Maj. Robert W. Barr; to the Committee on Military Affairs.

Also, a bill (H. R. 8293) granting an increase of pension to George D. Durnell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8294) granting a pension to Nannie Martin; to the Committee on Invalid Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 8295) granting an increase of pension to Noel M. Pursley; to the Committee on Pensions.

By Mr. CANNON: A bill (H. R. 8296) granting an increase of pension to George W. Givens; to the Committee on Invalid Pensions.

By Mr. FAIRFIELD: A bill (H. R. 8297) granting an increase of pension to Alonzo A. Kester; to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 8298) to correct the military record of Alonzo W. Livingston; to the Committee on Military Affairs.

Also, a bill (H. R. 8299) granting a pension to Isabella Martin; to the Committee on Invalid Pensions.

By Mr. IGOE: A bill (H. R. 8300) granting an increase of pension to Samuel R. Dick; to the Committee on Invalid Pensions.

By Mr. JAMES: A bill (H. R. 8301) granting a pension to Christina R. Urquhart; to the Committee on Pensions.

Also, a bill (H. R. 8302) granting an increase of pension to Christine Markert; to the Committee on Pensions.

By Mr. KAHN: A bill (H. R. 8303) granting a pension to E. Dora Cutler; to the Committee on Pensions.

By Mr. KEARNS: A bill (H. R. 8304) granting a pension to Lillie B. Dieterich; to the Committee on Pensions.

By Mr. MACGREGOR: A bill (H. R. 8305) granting a pension to Otis Henry Cook; to the Committee on Invalid Pensions.

By Mr. MCKEOWN: A bill (H. R. 8306) granting a pension to Benjamin L. Greer; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 8307) granting an increase of pension to William Edwards; to the Committee on Pensions.

By Mr. SINNOTT: A bill (H. R. 8308) providing for an exchange of lands between the Swan Land & Cattle Co. and the United States; to the Committee on the Public Lands.

Also, a bill (H. R. 8309) granting an increase of pension to Elizabeth A. Shull; to the Committee on Pensions.

By Mr. SMALL: A bill (H. R. 8310) granting a pension to Joseph R. Owens; to the Committee on Pensions.

By Mr. SNELL: A bill (H. R. 8311) for the relief of Joseph Nowland; to the Committee on Military Affairs.

By Mr. VOIGT: A bill (H. R. 8312) granting a pension to Albert Ullman; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CAREW: Petition of Louisville & Nashville Railroad Co. regarding Senate bill 5679; to the Committee on Interstate and Foreign Commerce.

Also, petition of Military Order of the Loyal Legion of the United States, favoring association of the flagship *Hartford* with the achievements of Admiral Farragut; to the Committee on Naval Affairs.

By Mr. GREENE of Vermont: Petition of Marble City Lodge, No. 1010, favoring national ownership and operation of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. KEARNS: Petition of the Gilbert Grocery Co., regarding wording of war-time prohibition measure as affecting manufacture of flavoring extracts; to the Committee on the Judiciary.

By Mr. LINTHICUM: Petition of sundry citizens of Maryland, favoring Mason resolution providing for diplomatic representative to Ireland; to the Committee on Foreign Affairs.

Also, petition of American Mining Congress, urging support of bills H. R. 2929 and 5218; to the Committee on Ways and Means.

Also, petition of James J. Hagerty, favoring one year's pay for discharged service men; to the Committee on Military Affairs.

Also, petition of Farmers' National Congress, United States of America, favoring support of House bill 7348; to the Committee on Interstate and Foreign Commerce.

Also, petition of Williams & Wilkins Co., Baltimore, Md., favoring appropriation to be used to investigate causes and prevention of influenza, pneumonia, etc.; to the Committee on Appropriations.

Also, petition of the Gosman Ginger Ale Co., Baltimore, Md., for repeal of tax on ginger ale and other carbonated beverages; to the Committee on Ways and Means.

Also, petition of Alex. P. Rusk, a citizen of Maryland, regarding bills granting funds to the various States for subsidizing school systems; to the Committee on Education.

Also, petition of W. T. Sutton, a citizen of Baltimore, Md., for support of the coal-investigation measure; to the Committee on Mines and Mining.

Also, petition of sundry citizens of Baltimore, Md., favoring Government ownership, and of Glen E. Plumb, operation of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORE of Ohio: Petition of about 250 citizens of Guernsey County, Ohio, protesting against the luxury tax and asking for the repeal of section 904 of the law of 1918, as well as the other sales taxes in title 9; to the Committee on Ways and Means.

Also, petition of about 50 American citizens of Lithuanian descent, asking recognition of Lithuania; to the Committee on Foreign Affairs.

Also, petition of about 250 citizens of the fifteenth Ohio district, urging the Government ownership of the railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. ROWAN: Petition of G. O. Newman, a member of the Federal Employees' Union No. 4, of the United States customs inspectors' branch K, New York, favoring House bills 6577 and 6659; to the Committee on Ways and Means.

Also, petition of James F. MacDonald, a member of the Federal Employees' Union No. 4, of the United States customs inspectors' branch K, New York, favoring House bills 6577 and 6659; to the Committee on Expenditures in the Treasury Department.

Also, petition of Willard Harris, a member of the Federal Employees' Union No. 4, of the United States customs inspectors' branch K, favoring House bills 6577 and 6659; to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *August 6, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father which are in heaven, hallowed be Thy name.

Thy kingdom come. Thy will be done in earth, as it is in heaven.

Give us this day our daily bread.

And forgive us our debts, as we forgive our debtors.

And lead us not into temptation, but deliver us from evil: For thine is the kingdom, and the power, and the glory, for ever. Amen.

Mr. BLANTON. Mr. Speaker, I think we ought to have a quorum here. We ought to go to work or ought to quit. I make the point of no quorum.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. BLANTON. Division, Mr. Speaker.

The House divided; and there were—ayes 33, noes 6.

So the motion was agreed to; accordingly (at 12 o'clock and 3 minutes p. m.) the House adjourned until Thursday, August 7, 1919, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. STEENERSON, from the Committee on the Post Office and Post Roads, to which was referred the bill (H. R. 7972) to improve the administration of the postal service in the Territory of Hawaii, reported the same without amendment, accompanied by a report (No. 224), which said bill and report were referred to the Committee of the Whole House on the State of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 2016) granting an increase of pension to Brother Buis; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7179) granting an increase of pension to Isabel Bertrand; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MASON: A bill (H. R. 8313) to authorize the issuing to doctors of medicine, licensed to practice in any one State, United States license permitting practice in any State of the United States, and for other purposes; to the Commitee on Interstate and Foreign Commerce.

By Mr. KAHN: A bill (H. R. 8314) to provide for the training of officers of the Army in aeronautic engineering and the issue of equipment and materials therefor; to the Committee on Military Affairs.

By Mr. SIEGEL: A bill (H. R. 8315) requiring all persons transacting business to obtain a license and to prevent profiteering; to the Committee on Interstate and Foreign Commerce.

By Mr. KAHN: A bill (H. R. 8316) to authorize the transportation of civilians across the Atlantic Ocean upon Army transports under such rules and regulations and at such rates as the Secretary of War may prescribe; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 176) to provide for placing certain surplus Army medical supplies at the disposal of the American Red Cross; to the Committee on Military Affairs.

By the SPEAKER: Memorial from the Legislature of Wisconsin, urging Congress to pass the bill introduced by Hon. MARVIN JONES relating to recognition of the services of soldiers, sailors, and marines; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES: A bill (H. R. 8317) granting an increase of pension to Henry Piele; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8318) granting an increase of pension to Samuel Bainter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8319) granting a pension to Gideon C. Lewis; to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 8320) for the relief of James L. Cardwell; to the Committee on Claims.

By Mr. MILLER: A bill (H. R. 8321) granting a pension to John F. Mulhall; to the Committee on Pensions.

By Mr. VESTAL: A bill (H. R. 8322) granting an increase of pension to Arthur Hall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8323) granting an increase of pension to Henry W. Edens; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of thirty-ninth annual session of the District Grand Lodge of New England Knights of Pythias of the Eastern and Western Hemispheres, colored, demanding that the colored race be given fair play; to the Committee on the Judiciary.

Also (by request), petition of Trinitarian Congregational Church; Warwick Grange, No. 85, Patrons of Husbandry; and First Parish and Religious Society, all of Warwick, Mass., for ratification of peace treaty; to the Committee on Foreign Affairs.

Also, petition of Wisconsin Legislature, favoring passage of bill introduced by Hon. MARVIN JONES, relating to recognition of the services of soldiers, sailors, and marines; to the Committee on Military Affairs.

By Mr. BYRNS of Tennessee: Papers to accompany House bill 8295; to the Committee on Pensions.

By Mr. CURRY of California: Petition of Pacific Rice Growers' Association, of Sacramento, Calif., opposing the Huddleston food price-fixing bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Church Federation of Sacramento, Calif., and vicinity, favoring the restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of Maj. McBride Branch of the Friends of Irish Freedom, of Stockton, Calif., opposing the league of nations; to the Committee on Foreign Affairs.

By Mr. ELSTON: Petition of California Manufacturers' Association opposing Plumb plan for Federal control of railways and expressing preference for Gardner plan; to the Committee on Interstate and Foreign Commerce.

By Mr. FITZGERALD: Petition of sundry citizens of Massachusetts for enforcement of the eighteenth amendment; to the Committee on the Judiciary.

Also, petition of Democratic State committee of Massachusetts opposing covenant of a league of nations which would give England title to own and rule Ireland; to the Committee on Foreign Affairs.

By Mr. FULLER of Illinois: Memorial of Winfield Scott Post, No. 114, Grand Army of the Republic, Department of Pennsylvania, urging the passage of Mr. FULLER'S bill to increase pensions of Civil War soldiers to $50 per month; to the Committee on Invalid Pensions.

By Mr. MAHER: Petition of sundry citizens of New York urging repeal of tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. RAMSEYER: Petition of employees of the post office at Oskaloosa, Iowa, urging increase in salaries; to the Committee on the Post Office and Post Roads.

SENATE.

THURSDAY, *August 7, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we recognize Thy hand in the life of our Nation and Thy guidance through the years. In the great crisis through which we have passed Thou hast been our guide. Thou hast defended and protected us. Thou art with us to-day. In the midst of the turmoil and strife of the world Thou art with us. We can trust in Thy grace. To-day we come asking that Thou wilt enter not only into the great currents of our Nation's life but into our own individual lives, bringing us the thought and purpose of subjection to Thy will guiding us in the performance of every duty. We ask it for Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of Tuesday last, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

JOINT MEETING OF THE TWO HOUSES.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the President of the United States, which will be read.

The Secretary read the communication, as follows:

THE WHITE HOUSE,
Washington, 6 August, 1919.

MY DEAR MR. VICE PRESIDENT: I have had under very serious consideration the proper action of the Government with reference to the high cost of living, and feel it my duty to address a joint session of Congress at the earliest possible moment to present certain recommendations now ready for submission to Congress.

I sincerely hope, therefore, that you can arrange for a joint session for Friday afternoon next at 4 o'clock, if that hour is agreeable to the two Houses.

Cordially and sincerely, yours,

WOODROW WILSON.

Hon. THOMAS R. MARSHALL,
Vice President.

Mr. FLETCHER. I presume the practice is for a resolution to be agreed to in the House and sent to the Senate, or should the Senate take action now?

Mr. SMOOT. There is not any question but that a resolution will be acted upon in the House to-day, and it will be sent to the Senate to be acted upon here.

PURCHASE OF MILITARY SUPPLIES (S. DOC. NO. 65).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of February 29, 1919, a list of all commissioned officers in the Army and of all other persons who, since the declaration of war, have been authorized to purchase supplies for the use of the Military Establishment, which, with the accompanying paper, was referred to the Committee on Military Affairs and ordered to be printed.

WAR DEPARTMENT FILMS AND MOTION PICTURE CAMERAS (S. DOC. NO. 54, PT. 2).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 26th ultimo, a report of photographic equipment under the control of the Chief Signal Officer, which, with the accompanying paper, was referred to the Committee on Military Affairs and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the following enrolled bill and joint resolutions:

H. R. 5032. An act to extend the franchise in the parishes and separate congregations of the Protestant Episcopal Church in the District of Columbia;

H. J. Res. 163. Joint resolution authorizing the Secretary of Labor to lease the Charleston immigration station and dock connected therewith; and

H. J. Res. 165. Joint resolution to allow the payment of bills lawfully incurred for construction work actually performed or construction material actually purchased and delivered prior to the approval of an act approved July 11, 1919 (Public, No. 7, 66th Cong., H. R. 5227).

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a petition of the Ohio State Good Government Club, praying that an appropriation be made to make the Postal Service financially attractive and that the man power of the Post Office Department shall equal the demands of the Postal Service, which was referred to the Committee on Post Offices and Post Roads.

Mr. GRONNA. I ask to have a telegram from James A. Pearce, of Fort Worth, Tex., read for the information of the Senate.

There being no objection, the telegram was read, as follows:

CHICAGO, *August 5, 1919.*

United States Senator GRONNA,
Washington, D. C.:

How can you reduce the cost of living without reducing wages? I pay $90 per month and board on the farm for men who will only work nine hours. The retail dealers are robbing the public and labor is making the cost of production very high. The sender of this message is a farmer. I lost $5,000 last year on account of drought and high labor. I will lose almost double the amount this year.

JAMES A. PEARCE,
Fort Worth, Tex.

Mr. STERLING. I present resolutions adopted at a recent State convention of the American Legion of the Department of South Dakota, held at Sioux Falls, S. Dak., requesting the passage of the bill providing for the building of homes, reclamation of lands, and other substantial aid to soldiers, sailors, and marines seeking to establish themselves in the world after discharge. I move that the resolutions be referred to the Committee on Military Affairs.

The motion was agreed to.

Mr. KNOX presented a petition of sundry citizens of London Grove, Pa., and a petition of sundry citizens of Troop, Pa., praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

He also presented a petition of Pomona Grange No. 68, Patrons of Husbandry, of Lehigh and Northampton Counties, Pa., praying for the repeal of the present conscription act after the signing of peace, and also for the enrollment of troops for overseas service by voluntary enlistment only, which was referred to the Committee on Military Affairs.

He also presented petitions of Local Division No. 85, Amalgamated Association Street and Electric Railway Employees of America, of Pittsburgh; of the Society of Friends of Irish Freedom, of Wayne; and of Patrick Ford Branch, Friends of Irish Freedom, of Philadelphia, all in the State of Pennsylvania, praying for the independence of Ireland, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Coatesville, Pa., praying for the enactment of legislation providing for the enforcement of war-time and national prohibition, which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Washington township, Clarion County, Pa., remonstrating against the imposition of a tariff on potash imported into the United States, which was referred to the Committee on Finance.

Mr. PAGE presented a petition of the Grafton-Orange Association of Congregational Churches and Ministers, praying for the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. FERNALD presented a petition of sundry citizens of Bangor, Me., and a petition of sundry citizens of Orono, Me., praying for the repeal of the tax on ice cream, soda, soft drinks, etc., which were referred to the Committee on Finance.

Mr. CAPPER presented a telegram in the nature of a memorial from the Farm Bureau of McPherson County, Kans., remonstrating against the enactment of legislation which may interfere with the free working of the law of supply and demand and tend to place the price of wheat and foodstuffs below the cost of production, which was referred to the Committee on Agriculture and Forestry.

He also presented a telegram in the nature of a memorial from Local Branch, Post Office Clerks and Letter Carriers' Association, of Kansas City, Kans., remonstrating against the enactment of legislation that will bring relief in salary schedules to but certain classes of postal employees and praying for equitable relief to all employees of the Postal Service, which was referred to the Committee on Post Offices and Post Roads.

Mr. TOWNSEND presented a petition of the Credit Men's Association, of Detroit, Mich., praying for the establishment of a budget system, which was referred to the Committee on Appropriations.

He also presented a petition of Maple Hill Grange No. 691, Patrons of Husbandry, of Central Lake, Mich., praying for the ratification of the proposed league of nations, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Mount Clemens, Mich., and a petition of sundry citizens of Los Angeles, Calif., praying for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of Vandalia, Jones, and White Pigeon, all in the State of Michigan, remonstrating against universal military training, which was referred to the Committee on Military Affairs.

He also presented a petition of Lombard Post No. 170, Grand Army of the Republic, of Petoskey, Mich., praying for an increase in the pensions of Civil War veterans and widows of deceased Civil War veterans, which was referred to the Committee on Pensions.

Mr. HALE presented a petition of Local Grange No. 16, Patrons of Husbandry, of Houlton, Me., and a petition of Local Grange No. 12, Patrons of Husbandry, of Farmington, Me., praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. PHELAN presented a petition of Roofers' Local Union No. 21, of Los Angeles, Calif., praying for the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. MOSES presented a petition of sundry citizens of Meredith, N. H., and a petition of sundry citizens of Exeter, N. H., praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. FLETCHER presented a petition of Local Union No. 1010, Brotherhood of Painters, Decorators, and Paperhangers of America, of Orlando, Fla., praying for the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEE ON NAVAL AFFAIRS.

Mr. PAGE, from the Committee on Naval Affairs, to which was referred the bill (S. 1447) to correct the naval record of Fred C. Konrad, reported it without amendment and submitted a report (No. 143) thereon.

He also, from the same committee, to which was referred the bill (S. 2088) for the relief of Lieut. Commander Jerome E. Morse, United States Navy, retired, submitted an adverse report (No. 144) thereon, which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to which were referred the following bills, reported adversely thereon, and the bills were postponed indefinitely:

A bill (S. 169) for the retirement of certain naval officers; and

A bill (S. 1672) to amend the act of August 29, 1916.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WADSWORTH:

A bill (S. 2735) to dissolve and distribute the assets of the Colored Union Benevolent Association and settle its affairs (with accompanying papers); to the Committee on the Judiciary.

By Mr. STERLING:

A bill (S. 2736) granting a pension to Mary J. Robb (with accompanying papers); to the Committee on Pensions.

By Mr. PITTMAN:

A bill (S. 2737) granting a pension to Joseph Danielson; to the Committee on Pensions.

By Mr. WILLIAMS:

A bill (S. 2738) granting a pension to Charles C. Chadwick (with accompanying papers); to the Committee on Pensions.

REDUCTION OF EXPENDITURES AND TAXES.

Mr. McCORMICK. I submit a resolution to the end that the cost of government and the sum of taxation may be reduced. I ask that it may be read and referred to the Committee on Appropriations.

The resolution (S. Res. 155) was read and referred to the Committee on Appropriations, as follows:

Resolved, That in submitting estimates for the next fiscal year for the expenses of the Government the President is hereby requested to submit to Congress, not later than December 1, 1919, a statement showing:

First. Such reduction of the estimates for expenditures for the fiscal year ending June 30, 1921 (exclusive of estimates for the national defense, pensions, and war insurance), as will permit a reduction of taxes by the sum of at least $1,000,000,000 annually.

Second. The annual receipts of the Government from all sources for the fiscal years ending June 30, 1910, to June 30, 1919, inclusive, together with an estimate of the revenues and income from all sources for the fiscal years ending June 30, 1920, and 1921, respectively.

Third. The annual expenditures of the Government for all purposes for the fiscal years ending June 30, 1910, to June 30, 1919, inclusive, and the estimated expenditures for the fiscal year ending June 30, 1920.

OIL LANDS IN COLOMBIA.

Mr. PHELAN. I submit a resolution and ask that it may lie over under the rule.

The resolution (S. Res. 156) was read, as follows:

Resolved, That the Secretary of State be, and is hereby, requested to inform the Senate concerning the recent action of the United States of Colombia affecting American rights in the leasing and ownership of oil lands.

The VICE PRESIDENT. The resolution will go over under the rule.

TREATY WITH COLOMBIA.

Mr. LODGE subsequently said: Mr. President, I ask that the treaty with Colombia, which was reported to the Senate as in open executive session a few days ago, be recommitted to the Committee on Foreign Relations. Information has reached the committee from the State Department in regard to a recent decree by Colombia very similar to the Mexican decree, which would amount, probably, if enforced, to a confiscation of private property in oil, and the committee feel that the matter should be examined with care before taking up the treaty.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. PHELAN. I have no objection to that action, but I submitted a resolution this morning calling for information relative to the matter to which the Senator from Massachusetts has re-

ferred, and I therefore ask that the resolution I submitted be referred to the Committee on Foreign Relations.

Mr. LODGE. I think the information which the Senator from California desires is already before the committee.

The VICE PRESIDENT. In the absence of objection, the resolution submitted by the Senator from California will be referred to the Committee on Foreign Relations.

RESTRICTION OF EXPORTS.

Mr. MYERS. I offer a resolution which I ask may be read and lie on the table for the day.

The resolution (S. Res. 157) was read, as follows:

Whereas the high cost of living, constantly increasing, with no prospect of a cessation or reduction, is a serious and constantly growing menace to the peace and welfare of the people of the United States and to the stability of the Government of the United States; and

Whereas it is expedient and necessary for the Congress to find and provide a remedy for this serious state of affairs: Therefore be it

Resolved, That the Committee on the Judiciary be, and it is, instructed and directed to consider forthwith and to report upon the advisability of legislation to restrict or prohibit for a time exports from the United States of food, clothing, hats, caps, leather goods, and other necessities of life; and if it may deem any such legislation advisable, to report to the Senate a proposed form of a bill therefor and to make such suggestions in the premises as it may deem fit and to advise the Senate generally in the premises.

The VICE PRESIDENT. The resolution will lie over under the rule.

ST. MARYS, GA., AND GULF OF MEXICO.

Mr. HARRIS. I send to the desk a resolution and ask that it be referred to the Committee on Commerce.

The resolution (S. Res. 158) was referred to the Committee on Commerce, as follows:

Resolved, That the Secretary of Commerce, together with the chief of the Division of Inland Waterways of the Railroad Administration, is hereby directed to furnish for the use of the Senate such information as is available from public and private sources, without expense, concerning the advantage and value to the commerce of the country of the acquisition, construction, and maintenance of canals connecting the Atlantic Ocean, at the port of St. Marys, Ga., with the Gulf of Mexico, through the States of Georgia and Florida; such report to include so far as available estimated costs of development of same, respectively, as 30-foot deep canals, what relief will be thereby afforded to lines of existing rail transportation, the extent to which such canals would probably be utilized by the commerce of the country, the incidental value thereof as assisting the national defense, and any other economic advantages and uses such canals would serve.

HIGH COST OF LIVING.

Mr. OWEN submitted the following resolution (S. Res. 159), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the President of the Senate be, and he is hereby, directed to appoint from the membership of this Senate a select committee of five Members, for the Sixty-sixth Congress, and which said committee is hereby authorized to fully investigate the high cost of living; and, in addition to the powers herein conferred, shall have the same powers and authority as are now conferred by the rules of the Senate upon the standing committees of the Senate. Said committee is hereby authorized to employ counsel, to send for persons and papers, to administer oaths and affirmations, to take testimony, to employ stenographers at a cost not exceeding $1 per printed page to report such hearings as may be had in connection with any subject which may be pending before said committee or its subcommittees, to sit during the sessions of the Senate and during any recess which may occur during its sessions, and may meet at such places as said committee deems advisable. Said committee is also hereby authorized and empowered to appoint such subcommittees as it may deem advisable, and such subcommittees, when so appointed, are hereby authorized to send for persons and papers, to administer oaths and take testimony, and to meet at such times and places as said committee shall from time to time direct; further

Resolved, That said select committee shall report to the Senate in one or more reports, as it may deem advisable, the result of its investigations, with such recommendations as it may care to make; further,

Resolved, That the President of the Senate is hereby authorized to issue subpœnas to witnesses, upon the request of said committee or any subcommittee thereof, during any recess of Congress during the sessions; further,

Resolved, That the Sergeant at Arms of the Senate be directed to serve all subpœnas and other process, put into his hands by said committee, or any subcommittee thereof.

INVASION OF UKRAINIAN EAST GALICIA.

Mr. FRELINGHUYSEN. Mr. President, I present a memorial, addressed to His Excellency the President of the United States and to the Senators of the United States and Representatives in Congress, from the Ukrainian National Committee of the United States, which I ask to have printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the memorial was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Memorial.

To His Excellency the President of the United States and to the Senators of the United States and Representatives in Congress:

The Ukrainian National Committee of the United States hereby enters its solemn protest against the invasion of Ukrainian East Galicia by Polish troops, and at the same time directs your attention to the outrages which, according to well-authenticated reports from the Ukrainian Press Bureau in Paris, France, have been recently committed in East Galicia by the Polish Army under the command of Gen. Haller, which army is composed in part of American citizens of Polish descent, and which, under the pretext of restoring order in East Galicia, has perpetrated many crimes and atrocities against the Ukrainian civil inhabitants and noncombatant population, as witness a few specific instances herein enumerated:

1. In the Ukrainian city of Stryj, occupied by the Polish forces, all the Ukrainian priests and many prominent Ukrainian patriots were arrested and thrown into prison; among others, Rev. Ostap Nizhankovsky, a former deputy to the Galician Diet, Rev. Andrew Pelensky, Rev. Father Lopatinsky, Rev. Father Pelleh, all of whom were shot down by Polish troops without trial of any kind in the early part of June, 1919.

In the Ukrainian village of Bortne, in East Galicia, a priest named Kaluzhniatsky was shot while at the altar engaged in the celebration of the mass and the sacred vestments were torn from his body, the church was desecrated, and many people were driven out through terror. The Polish officer had ordered them to disperse. Those who disobeyed the military order by remaining were shot while in the church by the Polish soldiers. Five hundred Ukrainian churches were closed by the Polish military authorities and about 100 burned. Two hundred priests have been expelled from East Galicia and sent as prisoners to Poland.

2. An aged and venerable resident of the city of Sokal, in East Galicia, named Demchuk, 72 years old, was executed without trial.

3. The Basilian Monastery in Zhovkva (Zolkiev) was sacked and its valuable library and collection of rare and precious treasures were stolen and carried away. All the Basilian monks were arrested and interned.

4. In Domazhir the Ukrainian Catholic Church was desecrated by the Polish soldiers.

5. In Lemberg the Ukrainians were forbidden to hold religious services according to the Ruthenian Catholic ritual. Even funeral services according to the Ruthenian (Ukrainian) ritual were prohibited and all Ukrainians were ordered not to participate in any such funeral ceremonies.

6. In Stanislav, after the occupation by the Polish troops on June 1, 1919, the wounded and sick Ukrainian soldiers were removed from the civil hospital to the military hospital and many of them were there killed in cold blood. The use of the Ukrainian language was proscribed in the hospital.

7. Defenseless peasants of both sexes in the district of Stanislav were shot and wounded for no other reason than because they appeared in public without wearing Polish badges, as required by the Polish military rule for the district. At the railroad station in Stanislav two railroad engineers were executed for no other reason than that they had been in the employ of the Ukrainian Government. Many of the Ukrainian inteligenzia who remained in Stanislav after the Polish occupation were arrested and interned and the more prominent of them were shot to death on the spot. The Jews in Stanislav shared the same fate as the Ukrainians. On the first day of the Feast of Pentecost 300 Ukrainian Jews were dragged out of their beds and flogged; some of them died from their injuries. On the second day of Pentecost the sidelocks of the Jews of the Orthodox rite, which are worn out of religious motives, were forcibly shorn from the Ukrainian Jews in the Stanislav district, so that they might be enumerated as Poles. The leader of the band which committed these outrages against the Ukrainians, both Christians and Jews, was one Polish colonel, Wolgner.

8. The Polish officials in East Galicia, while taking the census of the population, are making a futile effort to divide the Ukrainian people into 10 different and distinct nationalities by applying to them local names; for instance, the Ukrainians who live at the foot of the Carpathian Mountains are called locally Boyki; those who live on the mountains, not far from Bukovina, are called Hutzuli; those on the plains, adjoining the Ukrainian Province of Podolia, are called Podolaki, and so on. Thus the Poles propose to show a preponderance of Polish population over the Ukrainians in the census enumeration. The Ukrainian Jews are compelled by the military authorities to declare themselves Poles, and those who persist in claiming Jewish nationality or Ukrainian nationality are severely punished by the Polish soldiery.

It is respectfully submitted that in order to verify the truth of these reports of outrages and crimes committed against the Ukrainian population by the Polish military authorities an investigation should be ordered either by the President of the United States of America or by Congress or by the peace commis-

sion now sitting at Versailles, and that the Senate of the United States withhold the ratification of any treaty with the new Polish State so long as East Galicia is under Polish occupation, and that no treaty whatever be made or ratified with Poland which shall include East Galicia.

UKRAINIAN NATIONAL COMMITTEE
OF THE UNITED STATES,
(Very Rev.) PETER PONIATISHIN, *Chairman;*
SIMON YADLOVSKY, *Vice Chairman;*
VLADIMIR B. LOTOTSKY, *Secretary;*
(Rev.) NICHOLAS PIDHORECKY, *Treasurer;*
KONSTANTINE KIRCZOW, *Executive Member.*

70 FIFTH AVENUE, NEW YORK, N. Y., *July 9, 1919.*

LEAGUE OF NATIONS.

Mr. BRANDEGEE. Mr. President, I ask to have printed in the RECORD an article I hold in my hand, entitled "What every American should know about the league of nations." It is an analysis of the league by William George Jordan.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

WHAT EVERY AMERICAN SHOULD KNOW ABOUT THE LEAGUE OF NATIONS—FORTY-ONE POINTS OF VAGUENESS, DANGER, AMBIGUITY, IMPRACTICABILITY, AND WEAKNESS OF THE COVENANT OF THE LEAGUE.

[By William George Jordan.]

"There are four things that every American should realize about the covenant of the league of nations:

"1. That all America and all the world, those favoring this covenant and those opposed to it, long for world peace—permanent, safe peace—with equal intensity and sincerity. They differ only as to the means, the method, the way, but are united as to the goal to be reached.

"2. That it is the present plan of a league of nations that is before the American people, not the abstract idea of some kind of a league of nations. Confusion as to this dulls judgment and obscures the issue now before us.

"3. That the motives for good that inspired the writing of this covenant do not in themselves guarantee that the resultant covenant is good, safe, or practical. It must be judged in itself by itself; not by what it sought to do, but by the wisdom of its methods.

"4. The following study and detailed analysis of the covenant reveals some of its evils and dangers and shows that the proposed league would not prevent war but would stimulate it; that in the name of world peace it sets up an insidious oligarchy not representing the peoples of the world and antagonistic to lasting peace and world democracy.

"1. THE TERMS OF ADMITTING NEW MEMBERS ARE NOT DEMOCRATIC.

"In the preamble of this covenant are set forth high ideals and worthy aims and purposes for the peace and harmony of the world. One should expect it would be the first effort to make this a league of all nations; that every fully self-governed State, dominion, or colony applying for admission, subscribing to its requirements, and proving its good faith would be welcomed with open arms. If a nation were weak and struggling, it needs the inspiration and protection of the league; if a nation that is large and dangerous to the peace of the world be willing to enter the league on the league's own terms, the world would surely be safer with that nation within the fold, where it could be watched and controlled, than on the outside.

"But the league does not proceed in admitting new members in a broad spirit of democracy. The league is to be a select, elite society of nations; candidates may not apply for admission; they must be invited to join, as the annex to the covenant shows. Why should it require a two-thirds vote of the assembly to admit a fully-governed State, giving 'effective guaranties of its sincere intention—whatever these words may mean—to observe its international obligations' and 'accepting such regulations as may be prescribed by the league in regard to its military and naval forces and armaments,' provided that it fulfills these prerequisites for admission a two-thirds vote is required to pass the candidate; one-third could blackball. Is this wise? Is it in the spirit of the preamble? Does it make for peace? Is it democratic?

"2. THE MENACE OF THE LEAGUE AS A SUPERGOVERNMENT.

"The serious menace of this league of nations is self-evident when we vividly comprehend the appalling power created behind an alluring name that has dulled public realization of what it really means. This is told with clearness, keen insight, and forceful directness by Hon. David Jayne Hill in these words: 'The league, even in its revised form, as a distinct corporate entity, exercising a will not identical with that of all the separate members, is organized with power to coerce other States not belonging to it, to act under its own rules and by its own judgment, and even to dictate the form of government and degree of authority to be exercised over wide areas and great populations subject to its control.

"'The league of nations as here planned is not a federation in which the component States are combined into a new political organization. It is an autonomous corporation, endowed with its own organs of action. Its being and its powers, when once constituted, would persist if a great part of the constituents should perish. The league is not merely a corporate entity, but, in effect, a supergovernment.'

"3. THE UNITED STATES, ONCE ENTERING THE LEAGUE, COULD NEVER WITHDRAW.

"People in America believe, in general, that the United States could withdraw at any time after two years' notice. Their hurried reading has given them a confidence that is unwarranted and lulled them into a false sense of security and safety. We must face the fact that the United States could not withdraw in two years, and further that it could never voluntarily withdraw under the covenant. There was never any intent to permit withdrawal, of the five powers at least, and article 1 is cunningly written to render withdrawal impossible.

"Article 1 says: 'Any member of the league may after a two years' notice of its intention so to do withdraw from the league, provided that all its international obligations and all its obligations under the covenant shall have been fulfilled at the time of its withdrawal.' The phrases following 'provided' can have but one of two meanings or constructions, either one of which makes withdrawal impossible.

"1. As all 'the obligations under this covenant' are international, the phrase means all international obligations not under this covenant and those that are under the covenant. These two classes of obligations must both 'have been fulfilled at the time of withdrawal.' As never for a moment has the United States since it really started as a Nation fulfilled all its national obligations, and as there never would be a moment when as a 'going concern' it could have all fulfilled, there would never be a time when it could meet the conditions permitting it to withdraw from the league.

"2. The only other possible interpretation of the phrase is that it means 'all its international and other obligations under the covenant.' If the Senate ratified the peace treaty containing the covenant, the United States would be obligated at the start in a dozen or more ways—in every place where the league was interwoven with the treaty. To fulfill these initial obligations alone would take perhaps 25 years; in the meantime new obligations (perhaps among them a mandatory) would be assumed; while these remained unfulfilled still further new ones would be entered into. As there never would be a time of simultaneous maturity or fulfillment, we could never get out.

"Who is to be the judge of when the United States shall have fulfilled its obligations—the United States or the council? The answer is self-evident. It was intended that membership in the league should be perpetual, and the seeming possibility of withdrawal is a subterfuge and a snare.

"4. WOULD THE UNITED STATES BE REPRESENTED BOTH IN THE ASSEMBLY AND THE COUNCIL?

"Read this covenant through from beginning to end, and yet you can not answer with certainty this question. It is puzzling as to whether representation on the council may include or excludes membership in the assembly. Article 3, paragraph 1, says: 'The assembly shall consist of representatives of the members of the league.' This certainly would give members of the council representatives on both bodies. Article 4 specifies five perpetual members and four changing members represented on the council, yet nothing is stated as to their being also represented on the assembly.

"If the nine members of the council are also represented on the assembly, they have dual representation. If this be true, in the few instances where the assembly is permitted to approve an action of the council, nine representatives in the assembly—more than one-third of the present number—would practically be 'stacked' to approve loyally what their fellow representatives on the council had unanimously decided. Is this fair or just? It may be said that this occurs in our own Congress. This is not true, for in our Congress is a difference in the character of the representation—the Senators representing the States and House representing the people. No such difference exists, or is so stated, in the representatives of the membership of the league.

"But while article 3, taken in connection with article 4, would give the members of the council representation on both bodies, and we have prepared ourselves to accept this meaning, we strike a new snag in article 26. This article says: 'Amendments to this covenant shall take effect when ratified by the members of the league whose representatives compose

the council and a majority of the members whose representatives compose the assembly.' This seems to imply that the representation on the two bodies is entirely distinct and that representation on either is exclusive of representation on the other. Then article 1 is wrong or article 26 has made a mistake. Which is it?

"5. DO REPRESENTATIVES REPRESENT THEIR GOVERNMENTS OR THEIR PEOPLES?

"This covenant says nothing as to whether representatives of the members of the council and of the assembly represent their respective Governments or their peoples. This should not be left to individual interpretation which would make it a mixed representation, a confusion of interests, where membership might represent people or governments, without any way to determine which was which. Is this a diplomatic or a popular representation?

"The American people have a right to know, so that they may size up the covenant advisedly. Upon the determination of this point rests the determination of the method of choosing the representative and of the power that could recall him should he prove obnoxious or inefficient. Shall he be appointed by the Executive, the Senate, or the Congress? The American people, should this covenant be ratified by the Senate, might deem this office so important that they would demand that he be elected by the people, although this might require an amendment of Article II, section 2, paragraph 2, of the Constitution of the United States.

"6. THE NINE MEN IN GENEVA MOST DANGEROUS BODY WORLD HAS EVER KNOWN.

"The council of the league of nations is the most dangerous, autocratic, oligarchic body of men the world has ever known. It is a supergovernment of nine men, constituting a holding corporation of the international relations of nearly the whole world. Their jurisdiction is unlimited; they are unrestrained and uncurbed by a lower power, for the assembly is but a cipher; they are subject to no higher power, for there is no supreme court of the world that can limit them by interpretation of the covenant nor determine the rightness or wrongness of their acts.

"Behind closed doors, these nine men in Geneva can hold their secret sessions, and with the finality of omniscience issue their edicts, in the form of international obligations, that must be obeyed. Nonfulfillment of these obligations is punishable by expulsion. They can do things that no Government in the world would dare to do without causing war. They propose to bully and coerce small nations, nonmembers of the league, should they go to war, with arrogant contempt for the sovereignty that inheres in every nation and which every other nation is bound to respect.

"These nine men in Geneva, as a supergovernment, can issue their commands to 30 or more nations with the same finality that a free government controls its people on lines like these: 'On and after blank date you will cut off all diplomatic relations with A.' 'Until so notified you shall have no further trade with B.' 'All food supplies to J are hereby stopped until further notice.' 'Q is now declared quarantined.' 'Add Y to your blacklist.' 'On blank date a new general world war is to be started in Africa because the territorial integrity of G has been attacked by H; inclosed please find list of the number of men, tonnage, and character of war vessels and amount of cannon and ammunition you are to furnish.'

"There is nothing exaggerated or unfair to the council in this statement; it is merely putting in direct, plain English what the covenant puts more guardedly. The world is now crushed and bleeding from its struggle with one autocracy in the name of militarism. Are we now anxious to start a new autocracy in the sacred name of peace?

"7. THE COVENANT NOWHERE STATES RELATION OF COUNCIL AND ASSEMBLY TO EACH OTHER.

"The covenant does not define the relation of the council and the assembly to each other. Is the assembly to discuss, to initiate, and to refer matters to the council? Is it to decide any question or line of question for itself? Are the two bodies independent, or do they work in cooperation wherein each is a check on the other? Is the 'decision of the league' what the council decides or what the assembly decides or what they decide together? These questions the covenant does not answer. The framers of the covenant were prudent in not answering them. Had they done so they would have revealed—what is now concealed—that, aside from a few trivial matters, the assembly is an anemic, harmless organization which may hold its meetings and talk as much as it likes, but no way is provided for it to convert its talk into action.

"8. THE ASSEMBLY A HARMLESS BODY THAT CAN TALK BUT CAN NOT ACT.

"It is only by going carefully over the entire 26 articles and checking off every reference to the assembly that we begin to realize how little the assembly amounts to in the affairs of the league. The scope of activity of the council and of the assembly is expressed in identical words. Each 'may deal at all its meetings with any matter within the sphere of action of the league or affecting the peace of the world,' but nothing is said as to any difference in the method of dealing with the questions. The council can act; no way is provided for the assembly to act.

"Here is the complete list of what the assembly can do under the covenant so far as stated. The assembly acts as a membership committee, admitting new members. It arranges the details of procedure of its own meetings. It elects four members of the council (but it is not stated that these four in any way represent the assembly on the council). It approves or disapproves of the council's action on these three questions: (1) An increase of the members of the council, (2) an addition to the perpetual members of the council, (3) the appointment of a secretary-general. The assembly has also a part, with the council, in somehow making amendments to the covenant.

"Aside from those referring to these minor duties there are only three other references (articles 11, 15, and 19) to the activities of the assembly. Under article 15 it may, under certain conditions, attempt to arbitrate a dispute likely to lead to a rupture between members. Its report or award must be by majority vote of the assembly, ratified by the unanimous vote of the council, exclusive, with both bodies, of any representatives of any of the members party to the dispute. When the council handles such a case its action is final, the assembly has no voice. When the assembly acts, its decision requires unanimous approval of the council.

"Under article 11, the assembly, as well as the council, may have brought to its attention any circumstance whatever affecting international relations which threatens peace or good understanding. Whether the assembly may act, what it may do, or how is not stated. Perhaps it may be permitted to report them to the council.

"Under article 14, it may advise the reconsideration of treaties which have become inapplicable and the consideration of international conditions endangering peace.

"No one of these represents any real power. In the appalling power of the council and its momentous decisions, the assembly has no more voice than if it did not exist. It has semblance without reality. The assembly seems to have been organized as an empty, barren honor created to recognize the smaller nations, to let them talk, and to keep them occupied harmlessly while the nine men do the real work.

"9. THREE FUNCTIONS ALL EXERCISED BY THE SAME NINE MEN IN GENEVA.

"In this supergovernment vested in the hands of nine men in Geneva, under the covenant, they exercise three functions of government: The executive, the legislative, and the judicial. The three powers, kept specifically separate by our own Government under the Constitution, are here all exercised by the same nine men in Geneva as a finality from which there is no appeal.

"10. FUTILITY OF EXPECTING NINE REPRESENTATIVES IN THE COUNCIL TO VOTE UNANIMOUSLY.

"The vote of the council or of the assembly, except where otherwise expressly provided in the covenant, and these are only matters of procedure or of trivial import, 'shall require the agreement of all the members of the league represented at the meeting.' The action is to be unanimous. Can you get a board of directors, composed of nine members, to vote unanimously on any big vital question even where their interests are common and perhaps identical? Can you imagine the nine men in Geneva, representing five great powers and four smaller ones, with diverse policies, clashing interests, and different ideals, agreeing unanimously on any big vital question? Such a thing might be possible in heaven, but not on earth. Yet the whole structure of this league of nations rests on the unanimous action of nine men—the assembly is but a collection of figureheads that can do nothing.

"This unanimous voting of the nine men in Geneva would deadlock action, because only one man becomes a majority in his power to oppose and to kill action. But the council must act, and therefore it would act. The unanimity that could not be secured naturally would be secured artificially. Behind closed doors the council would barter, juggle, compromise, trade votes, play one interest against the other, and use every means known to 'practical politics' to secure a unanimity that would be well paid for.

"There are those in America who regard this unanimity as making the league of nations safe for the United States. There is no safe place for the United States within the league; the

only safe place is outside. It is claimed that our representative could kill any action adverse to our interests. This is absurd from a dozen points of view; but the statement of one may suffice. If there were a dispute before the council between the United States and another member, both represented on the council, neither would vote, and the case would be tried by seven men not nine. Article 15 says the members can not go to war if all the members of the council 'other than the representatives of one or more of the parties to the dispute' vote against it.

"There is one thing that the assembly is permitted to do: It is to advise the reconsideration, by members of the league, of old back-number treaties. To take even this harmless action would require the unanimous vote of the assembly, as nothing to the contrary is 'expressly provided.' Have you a picture in your mind's eye of the 33 members (more or less, as you may interpret the covenant) agreeing unanimously even on this in the case of a specific treaty? Just at the critical moment might not the representative from Hejaz or from Czechoslovakia arise and say 'I object,' and the whole action would be quashed?

"11. NO MENTION OF A QUORUM FOR EITHER COUNCIL OR ASSEMBLY.

"This covenant constitution strangely omits an important item in not stating what shall be a quorum in the council and in the assembly, and providing the method by which this quorum might be changed should an increase in the representation in either body make such change desirable. Without a quorum restriction three or four of the nine men in Geneva might decide, on some important question, the fate of the world for all time.

"12. THE APPALLING POWER OF ONE MAN ACTING FOR A HUNDRED MILLION.

"Our representative in the council of the league of nations would have an appalling power, unapproached by any representative or ambassador the United States has ever had or by any officer of the Government. The powers of all these are limited, held in check by constitutional or congressional safeguards. This office is in a class by itself. An ambassador may negotiate treaties and agreements, but he is ever in touch with the State Department, advising him, directing him, authorizing him. No such wise restriction could hedge in and limit the power of this representatve. We are not even informed whether he would represent the people or the Government. Would he be responsible to the Congress or would it be to the executive branch of our Government?

"In theory clear explicit limitations could be placed on what he could do and what he could not do; in practice this would be impossible. Whatever of our sovereignty we have to part with to enter this league is abrogated not to the league but to the council made up of nine men in Geneva, and our representative, as one of the nine, shares in that power. If our representative had specific limitations, he would not be on equality with the other members of the council who might have no such limitations or have different limitations. If on any subject these restrictions debarred him from voting at all, the unanimous vote of the other eight or a lesser number that might be present would bind us just as securely as though our representative had voted with the others.

"If the council were about to decide some important world question on which our representative were in doubt, he could not delay the decision and hold up the council for a week or a month to get 'advice' or 'instructions' from 'home.' All the questions, or most of them, would belong to this class of big international problems which we have sent our representative to decide, and if we enter this league we would have to give our representative power to act.

"A supergovernment demands supermen to run it and they must have superpowers. This council of the league is a supergovernment, disguise it as they may. The menace of it all is seen throughout the covenant whenever, escaping for a moment from the glamor and spell of its impractical visionary plans for a new world to be ever at peace, we get down to 'brass tacks' in a practical way and interpret its smooth-sounding phrases in terms of the practical.

"The representative of the United States would represent a population of over a hundred millions. He would have to speak for us and to decide for us on supremely important questions never before put into the power of any one man to decide, questions involving not only our international relations as they exist normally to-day, but as they will be artificially and dangerously interwoven with the affairs of other nations and complicated and interrelated beyond extrication.

"Suppose that the American people realized with vividness and crystal clearness the colossal importance of the questions the nine men of Geneva are to decide with a finality, absolute and unimpeachable. What American would they choose for their representative? What one American, what superman to be one of nine in a supergovernment, measures up to the infinite requirements of the position of final, absolute representative of a hundred million people, to be intrusted with supreme power hitherto held sacred by the American people and intrusted, under the Constitution, only to its executive, its legislative, and its judicial departments?

"13. FUTILITY OF THE LEAGUE'S PROPOSED METHOD OF REDUCING ARMAMENTS.

"All of article 8, on the reduction of national armaments, is weak, shifty, evasive. There is no vital gripping of a big subject in a big determined way. It is treated with the hesitance and trembling of a timid woman lifting up a loaded revolver. The council 'shall formulate plans for such reduction for the consideration and action of the several Governments.' The assembly, with its 24 members represented by 72 representatives, is not consulted at all in this momentous work; the nine men in Geneva are all sufficient.

"It might be inferred that the 'plans' were general statements of method to be discussed, but they are not; they 'fix the limits of armament.' This means that they specify what number of soldiers, what tonnage of navy and details of implements of war, each member of the league is to have. These nine men in Geneva, behind closed doors, all by themselves, are to make their assignments individually for each of 35 nations. The figures set seem final and not subject to modification by the Governments, for what follows is unmistakably clear: 'After these plans shall have been adopted by the several Governments limits of armaments therein fixed shall not be exceeded without the concurrence of the council.' Each Government is supposed to be very good, and to do precisely what the nine men in Geneva tell them to do, and to rubber stamp its acceptance.

"It is not stated anywhere in the article whether the Governments agree to abide by 'the formulated plans' of the council. At first flush it seems that the 'plans' are merely suggestive and tentative and that the action of the council is only advisory, but this can not be so or the whole thing would be but a poor pretentious farce. While the council here extends the soft glove of diplomatic gentleness it shows the powerful hand of steel in article 1, paragraph 2, where it enumerates what an invited State must agree to in securing entrance into the league, and says, 'and shall accept such regulations as may be prescribed by the league in regard to its military and naval force and armaments.' There is no mistake here. The reduction of armaments is not optional. It is a regulation, an order, a command.

"Of course, no nation will reduce its armaments until all agree to do so, and yet this covenant says nothing as to the time for so doing or as to what shall determine the time. The nine men in Geneva say: 'It shall be done; and it is done.' 'Let there be light; and there was light.' The nations of the world may reduce armaments; it may come from better understandings between them, the force of public sentiment in some nations starting a general movement, or from a joint action of representatives of all or many nations conferring with dignity and agreeing on a basis of reduction. But it can not come from the ipse dixit of this supergovernment of nine men, around a table in Geneva.

"Can you imagine the United States Government accepting the order of these nine men in Geneva cutting down the Army, Navy, and cannon, as 'per schedule inclosed herewith,' and agreeing, as she must under the covenant, not to add one soldier, one vessel, or one cannon unless she gets her requisition signed and countersigned by the nine men in Geneva? Can you imagine the nine representatives 'formulating their plan' ever agreeing unanimously, for themselves and with each other, on the 'limit of armaments therein fixed' for each of them? Can you imagine the nine Governments agreeing? If you can imagine this you can easily imagine that all the absurdities in this covenant are good.

"Nothing is specified as to whether the 'fixed limit' is what a nation may have or must have. A small nation living at peace with her neighbors and having a small army would naturally have to increase this if she is to be ready to go to war at any time at the call of the nine men in Geneva. This proposed reduction must in reality be no reduction, but an increase. Our administration at Washington is planning for a larger standing Army than we have ever had on a peace footing, and a larger Navy—all this in the face of the demand that the Senate ratify this covenant.

"14. PRESERVING TERRITORIAL INTEGRITY AND POLITICAL INDEPENDENCE OF 40 NATIONS.

"The article in this covenant that has roused most violent opposition is article 10, which reads as follows: 'The members of the league undertake to respect and preserve, as against external aggression, the territorial integrity and existing political

independence of all members of the league. In case of any such aggression or in case of any threat or danger of such aggression the council shall advise upon the means by which this obligation shall be fulfilled.'

"The hypocrisy manifest in this article is shown at once in the fact that the powers that framed and accepted this agreement to respect and preserve the territorial integrity and political independence of the members of the league in the peace treaty shamelessly turned over to Japan part of Shantung, a rich Province of China. Suppose that within a year or so China, a sleeping giant of pacifism, were to awake and, tossing off her obligations to the league as though they were light coverlets, were to declare war against Japan to recover the Province unjustly taken from her. The United States would have to go to war against China and to aid Japan.

"Suppose that Russia under her mad spell of Bolshevikism were to attack some minor State, a member of the league. What a mad war with its appalling cost in money and lives might the United States have to fight. When the peace treaty shall have been consummated, middle Europe will be divided into 15 sovereignties. We are to be responsible for all these and be ready to face the future war that must come from the seeds of hate and injustice implanted in the peace treaty.

"We are to bind ourselves to respect and preserve the territorial integrity and political independence of 40 or 50 States for all time, not only when they are invaded, but to do whatever the nine men in Geneva declare we shall do in case of even any threat or danger of aggression. We are to send our brave sons to be maimed or to lie wounded and dead in desert wastes, lone mountain passes, or tropical jungles, because the boundary lines of some country, for whose area we do not, honestly, in our hearts, care a fig, has been threatened. It is impossible to conceive that this is presented to us seriously. Do they imagine that America is a nation made up of either fools or fanatics? This is altruism gone crazy, internationalism running amuck.

"Under this article, State boundaries become petrified and unchangeable. Had this league been in operation in 1898 we could never have taken Cuba from the inhuman rule of Spain and given her a new start in life and might even have had to fight with Spain against Cuba. The United States should be free to elect which side it should fight on were war necessary, not to be compelled to battle on the side that may mean cruel wrong and injustice.

"So dangerous is all that is covered in this article that even if the whole article were stricken out the menace would be merely lessened not altogether removed, for what would be banished as a direct specific agreement would largely remain by inference and in essence. We would be called into war by the general terms of the covenant to do all that we attempt to repudiate doing in our cutting out of this article.

"15. CONFLICTING STATEMENTS AS TO RESORTING TO WAR BETWEEN THE NATIONS.

"Article 12 says the parties to a dispute 'agree in no case to resort to war until three months after the award by the arbitrators or the report of the council.' Articles 13 and 15 pledge the disputant not to go to war with any party to the dispute complying with the award or the report. If the parties are not to go to war, why the three months' limitation? Or does it mean that if the parties do not comply with the award or the report that then they are perfectly free to go to war?

"16. WHERE NATIONS ABROGATE ALL RIGHT TO SETTLE THEIR OWN DISPUTES.

"Article 12 says: 'The members of the league agree that if there should arise between them any dispute likely to lead to a rupture they will submit the matter to arbitration or to inquiry by the council.' This means that every dispute likely to lead to a rupture must be submitted to one of two bodies—an arbitration court or the council. The words are explicit, all-inclusive, final; there are no exceptions. No words or phrases are inserted such as 'should the parties to the dispute be unable to reach a settlement between themselves' or 'should diplomatic negotiations fail to bring about a settlement.' The league assumes a monopoly in the settling of 'any dispute likely to lead to a rupture'; it prescribes a dilemma of recourse—either arbitration or the council. There is no other alternative, and the members agree to this.

"Under this article 12 should a 'dispute likely to lead to a rupture' occur between the United States and Great Britain, the two nations could not get together to attempt to reach a settlement, or appeal to the kindly offices of a friendly power. The nine men in Geneva, jealous of their prerogatives, could say to the two disputants: 'You have no longer a right to attempt to settle this matter between yourselves, you have abrogated your right under article 12 of the covenant.' This may possibly have not been the intent of the article; this we can not say with finality. But in ratifying the covenant the United States binds itself to what every interpretation this council can put on the words of the covenant, not what we think was intended.

"17. MENACE OF INTERNATIONAL MEDDLING STIMULATED BY THE COVENANT.

"If any individual meddles in the personal, business, or family affairs of another, assuming superior wisdom, offering unasked-for, unwelcome, and obnoxious advice and suggestion, it is resented as unwarranted and impertinent intrusion. Such a course of interference in what is not one's concern is likely to lead to strained relations and broken friendships; it does not make for peace.

"What is true as a principle with individuals is equally true as a principle with nations, for they are but individuals en masse, writ large as a collection of people united under a common government. The meddling which we all deplore in our personal lives this league by its covenant actually stimulates, inspires, and incites in the second paragraph of article 11 as follows: 'It is also declared to be the friendly right of each member of the league to bring to the attention of the assembly or of the council any circumstance whatever affecting international relations which threatens to disturb either the peace or the good understanding between nations upon which peace depends.'

"If the words 'friendly right' mean anything in their relation to the context they mean that it is the 'duty' of each member. The words 'any circumstance whatever' could not be more general and all-conclusive. It is not even the representatives of the members but the members, the States, colonies, and dominions themselves, that are thus urged to benevolent but impertinent interference. Suppose that Great Britain, constrained by a high sense of duty, were to call the attention of the council to the fact that it was with a sense of deep regret that Great Britain had observed the now roused and growing opposition permeating Japan regarding the exclusion act of the United States, and that unless something were done to alleviate the situation that the peace of the world might be disturbed, and further might it not be, after all, that the matter was not one solely of domestic jurisdiction as America claimed?

"Would this exercise by Great Britain of her 'friendly right,' as stated in the covenant, materially strengthen the cordial relations between the two great powers? Would the American press accept in a gracious, subdued spirit the suggestion from Great Britain? Would our Government send a letter of thanks to its friend across the sea?

"Suppose that the United States, with motives as pure and exalted as those of Great Britain, were to express her fear, in a talk with the council or the assembly, that the growing influence and control of China by Japan might threaten the 'political independence or the territorial integrity' of the great Mongol Empire and thus precipitate a world war.

"Would not China, if she has any spunk, inform the United States that China considers herself amply able to manage her own affairs and diplomatically request the United States to concentrate her energies on her own activities? Might not Japan gently and regretfully rebuke America and inform her whither she might go?

"18. WEAKNESS OF THE LEAGUE'S FIRST METHOD OF PREVENTING WAR.

"Arbitration, as a general method, can prevent war only when submission to it is compulsory and when fulfillment of its awards is compulsory. The arbitration in the covenant fails in these two essentials. If nations would voluntarily submit disputes to arbitration, fulfill the award, and then would not go to war, there would be practically little need for this league of nations. This could all be accomplished to-day without any league. They could appeal to The Hague court, which is really a panel from which judges may be selected, or the disputants could agree to any other court that might be formed. If nations were very good, they would, of course, arbitrate voluntarily; but the league has been formed because nations are not good and the league is to make them good; and yet the covenant on this particular point has no power to make them good. Let us study both of the two points.

"(1) Submission to arbitration is purely voluntary. Article 13 says: 'The members of the league agree that whenever any dispute shall arise between them which they recognize to be suitable to arbitration and which can not satisfactorily be settled by diplomacy, they will submit the whole matter to arbitration.' If either or both of two parties to a dispute do not want to submit to arbitration, all that is necessary to evade it is to plead an inability to 'recognize that the dispute is suitable

for arbitration.' If either party fails to 'recognize,' they need not arbitrate.

"(2) Suppose they do arbitrate, and the loser, despite his agreement 'to carry out in full good faith any award that may be rendered and that he will not resort to war against a member of the league which complies therewith,' does not fulfill the award and does go to war, what can the league do to prevent it? The loser may find good excuses satisfactory to itself for dodging the agreement, just as human beings sometimes do—'the decision was manifestly unfair and unjust,' etc. If one or both of the nations decide to go to war, neither arbitration nor the league can prevent.

"19. WEAKNESS OF THE LEAGUE'S SECOND METHOD OF PREVENTING WAR.

"Disputes not subject to settlement by arbitration are to be submitted to the council, the nine men in Geneva. The inquiry by the council amounts to less even than the resort to arbitration. Even when its settlement is unanimous, it merely advises or recommends. The parties to the dispute are not bound to accept the recommendations, but the parties bind themselves not to go to war with the one that complies. This is simply puerile. If nations were angels, this would work. Of course, the one favored would comply; but, as the other does not accept the advice or recommendations of the council, the dispute remains unsettled; the opposition, the bitterness, sense of injustice, etc., are burning as furiously as ever; the condition 'likely to lead to a rupture' is just what it was before. Nothing is settled, yet one is ordered not to go to war. The nation not complying has no higher appeal. Suppose it were to go to war to end an unbearable condition, the whole world, so far as represented by the league, would be against it. Can we believe such nonsense as this would end war?

"Suppose neither party found the recommendations satisfactory and neither complies; could they then go to war? If so, on which side would the world fight? Would it fight against both, or would the choice of sides be left to the individual option of the nations?

"Suppose the council decided that the question was purely within the domestic jurisdiction of one of the parties it would 'make no recommendation for its settlement.' After the council has thus left the dispute unsettled and has washed its hands of the whole affair, would the parties then be permitted to start a war which could not be a private performance between the two, but one into which the whole world must be dragged?

"If the parties to the dispute really want advice or recommendations as to adjusting it, they can get just as good a brand from the leaders in their own countries and from advice of friendly powers as they can get from the nine men in Geneva, who hold no corner on human wisdom. Surely the methods of the council do not show it can prevent war.

"20. WEAKNESS OF THE LEAGUE'S THIRD METHOD OF PREVENTING WAR.

"Article 12 says that any dispute likely to lead to rupture shall be 'submitted to arbitration or to inquiry by the council.' If there be anything unequivocal in the covenant, it is the finality of these two as the only source of action on disputes. Yet in the drafting of article 15 some one suddenly remembered the existence of the assembly, and it was decided to let it try its hand at 'inquiring,' but it was not deemed necessary to incorporate the afterthought in article 12.

"Under certain conditions the assembly may inquire into a dispute, on lines similar to those of the council. Its findings must be approved by a majority of the members present in the assembly and ratified by the unanimous vote of the council, exclusive, in both bodies, of representatives of the members party to the dispute. The report of the council does not have to be ratified by the assembly, but that of the assembly must be ratified by the council unanimously.

"The report of the assembly is not mandatory, but advisory, like that of the council, and is subject to all the same inherent weakness and ineffectiveness to prevent war just cited in regard to the report of the council.

"21. WEAKNESS OF THE LEAGUE'S FOURTH METHOD OF PREVENTING WAR.

"If it were possible to get nations that were so infuriated and roused as to be ready to spring at each other's throats to wait a whole year, many wars would be prevented. This is not open to question, but the 'if' is a very large one. Would a mere agreement to do so hold a nation that might already have borne past the melting point of patience and control? It may be asked, Why would a nation have to wait a year? It would take some time—perhaps a month—to arrange for the meeting of the court of arbitration or of the council; perhaps a month or so to present and argue the dispute, 6 months for an award, and then 3 months more before starting war—10 months or a year altogether.

"Suppose one nation were suffering cruel wrong at the hands of another; could you possibly imagine the opposing armies, massed on either side of the border line, eagerly regarding their wrist watches to determine the moment when the time limit had expired, so they might conscientiously fulfill their promise to the league? It is like telling an angry man to count 300 before speaking, so that his words may be calm and courteous. If he can be made to do it, it is good—very good. If nations can be made to do it, it is good—very good. But human nature will have to be revised first.

"22. WEAKNESS OF THE LEAGUE'S FIFTH METHOD OF PREVENTING WAR.

"Under article 16 the covenant details the steps the league would take against any nation resorting to war. It is the fear of these that the league counts on as a deterrent to prevent war. Summed up in a sentence, it means that in the future every smallest war is guaranteed to be made a world war. This would be as if a city sought to stop street fighting by declaring that 'hereafter should anyone start a fight in any alley, lane, byway, street, avenue, highway, square, or boulevard, it shall be the duty of all other inhabitants of the city to leave their peaceful occupation or business and join in said fight, in order that street fights shall be made so awful that individuals will be deterred from starting one.' This might eventually stop street fighting, but, oh, what a cost!

"Under article 8 we have an impractical attempt at reduction of armies and navies; yet to fulfill the conditions under article 16 would require that the country of every nation in the league be transformed into an armed camp, with soldiers trained, equipped, and ready to go into war at the drop of a hat by the nine men in Geneva.

"The league unreservedly guarantees that hereafter every war shall be a world war. Listen to the opening words of article 16: 'Should any member of the league resort to war in disregard of its covenants under articles 12, 13, or 15, it shall ipso facto be deemed to commit an act of war against all other members of the league.' The covenant determines and declares that a condition not necessarily affecting or involving the rest of the world shall be made to affect it and involve it.

"The member who resorts to war is to be fought with war of every kind—war diplomatic, war economic, war industrial, war commercial, war financial, war of boycott, war of prohibition, of personal intercourse, war of every kind, culminating in war with armies, navies, and cannon. Lest we forget, it may be noted that 25 or so nations united to use all these wars against Germany for a long part of four years before she was vanquished. Then, too, all these nations were roused to fever heat of hatred and revulsion because of her inhuman tactics, her barbarism, and her unspeakable atrocities; they were united, too, by the fear of what might come to them individually were Germany to triumph. Then, too, there were great armies and great navies, and yet Germany withstood this united opposition for years.

"But in a future war, called by the nine men in Geneva, there may be no such rousing, no such thrill of a common inspiration to kill, no intense glow of a great common sentiment and a common emotion, fusing the nations into one body with but one mind and one purpose. In the future our interest in the dispute may be but casual, impersonal, incidental; and yet, at the general alarm sounded by the nine men in Geneva, we are to jump into our uniforms and battle as valiantly for a theory of ending war as we then fought to kill an enemy common to us all and a menace that cast its dark shadow across every doorway.

"23. MAKING NO DISTINCTION BETWEEN OFFENSIVE AND DEFENSIVE WARFARE.

"There is an eloquent silence in the covenant as to the status of a member whose territory has been invaded by an enemy, either a member of the league or a nonmember. If the member whose territory has been invaded resists and repels the attack, it is technically resorting to war. It is a defensive war, of course, but none the less war. The covenant makes no distinction between defensive and offensive war.

"Suppose the Mexican Army should invade our southern border, burn, pillage, and destroy our cities, and outrage, torture, maim, and kill our people; what should the United States do? Should our Government, through its proper department, write a letter to the secretary general at Geneva and tell him all about it and ask him to try to get the council together? Should we then wait a month or so at a hearing, wait six months for the report, and then three months more before beginning war on the Mexicans? What, think you, would the Mexicans be doing

in the meantime—that golden year of immunity in their one-sided war?

"As the covenant chances not to say anything of this subject, could we perhaps risk offending the council by deciding this little matter for ourselves, just in our own way?

"24. THE ENTANGLING OF NATIONAL AND INTERNATIONAL QUESTIONS.

"Under article 15 the nine men in Geneva may declare, in a dispute with two parties, that the subject is, under international law, solely within the domestic jurisdiction of one of the parties. But international law makes no clear, distinct line of demarcation between domestic and international questions. International law is not codified so that you may turn to a given page as one would turn to the Code of Civil Procedure and find the answer. It is vague, made up from treaties and decisions from many sources, precedents but not finalities, and absolutely without enactment or power to give them enactment. If the council can decide that a certain question is a domestic question, it might, on different authorities, decide it an international question; and in that case the dispute would go to arbitration, should both of the parties agree.

"Japan pleads international law against our discriminatory exclusion of her emigrants from our shores. Japan makes it racial; we might consider it merely economic. We claim it is purely a domestic question. Our tariff policy we also declare as subject to no foreign interference. Dozens of other similar questions would be thrown by us into the chaos of league adjustment, where we might be forced to submit or to go to war if we entered this league. The final tribunal of international disputes is either arbitration or war. The league, with its whole incomplete, inefficient, and ineffective plans, interposes itself and by its very interference would foment discords which it could not allay, and in this as in other phases it would breed war instead of preventing it.

"25. HOW IT IS PROPOSED TO TREAT NONMEMBERS OF THE LEAGUE.

"By what right, under international law, can this league, this supergovernment, override, coerce, and bully States, nonmembers of its body, that have not surrendered any of their sovereignty to it and do not recognize its self-constituted authority? Starting out brazenly with such an appalling assumption of power, what will this league become when it has fattened through the years?

"A State free and self-governed has, under international law, these three attributes: (1) Possession of sovereign power to pledge the community in its relation with similar sovereign communities; (2) independence of all external control; (3) dominion over a determinate territory. Each and all of these three essentials of sovereignty, which inhere as truly and as absolutely in the smallest as in the most powerful State, this league rides over and reduces to nothingness.

"Contrast the statements given below of what this league proposes to do to these nonmembers with the high-sounding, virtuous claims of the preamble of the covenant. There its attempt to achieve international peace and security is to come, among other ways, 'by the prescription of open, just, and honorable relations between nations, by the firm establishment of the understandings of international law as to the actual rule of conduct among governments.' Let us see how these fine professions of theoretic virtue fade away when brought in contact with realities.

"Under article 17 should there be a dispute between a league member and a nonmember, the nonmember is invited to temporary membership to give the league opportunity to fix up matters. The nonmember State may never have been invited to join this elite society of Governments, or it may have been invited and then blackballed as unworthy. Even now, if the temporary membership be accepted, it has a guest card, but it is not considered of the same class as the regular members, and it gets some special treatment—'the provisions of articles 12 to 16, inclusive, shall be applied with such modification as may be deemed necessary by the council.' Should the nonmember State refuse these kindly offices of the nine men in Geneva and go to war, all the varieties of wars catalogued in article 16 are to be let loose on her.

"Should two nonmembers be 'invited,' refuse, and then go to war, the council 'may take such measure, etc.' This means only degrees of article 16. By what right does this league, which excludes from its membership a group of States in Europe comprising more than half the population of Europe, attempt to deprive them, or any of them, of 'independence of all external control'?

"Under article 11 'any war or threat of war, whether immediately affecting any of the members of the league or not, is hereby declared a matter of concern of the whole league.' The league has no more right to declare that these nonmembers shall not go to war than the nonmembers of the league should have to unite and form a counter association and declare that the members of the league shall go to war. Even granting the honest intent and exalted aim of the league does not excuse or condone its methods with those not in accord with it. The schoolboy's definition of the Puritans applies well to the league, when he said, 'They were men that came to this country to worship in their own way and to make other people do the same.'

"Under paragraph 1 of article 16, should any member of the league resort to war, the league immediately subjects it to the severance of all commercial and financial relations and all personal intercourse, and all this applies to the nationals of a nonmember just as to a State member of the league. What becomes of the sovereign power of these neutrals in the face of the militarism of the league? It dares to do this because it has the might, but that does not make right. Members must give passage to troops through their country. How long would it be, with the rights of neutrals already outraged, before the league would force passage for its armies through the State of a neutral as Germany sought to sweep its armies through Belgium?

"26. THE LIMITATIONS OF THE PROPOSED PERMANENT COURT OF INTERNATIONAL JUSTICE.

"Article 14 says: 'The council shall formulate and submit to the members of the league for adoption plans for the establishment of a permanent court of international justice.' The council is to do this; the assembly, as in all cases of real important work, is not considered. The plan is to be submitted to the members of the league; that is, to the nations direct. What body in the United States is to approve or disapprove the adoption? This brings again vividly the point as to whether it is our people or the Government that is represented in the league. This determination would be decisive in placing the power that should properly approve or disapprove of the plans for the court. What is to determine the adoption of the 'plans'—the unanimous vote of the nations, the vote of two-thirds, or the vote of the majority? The covenant does not say.

"This proposed court is to be 'permanent.' Is it to be permanent in the sense of having continuous existence as an institution, or is it to be always in session? It will have two fundamental weaknesses: (1) Recourse to it is not obligatory, for article 13 gives disputants the choice of courts in the words, 'The court shall be the court agreed upon by the parties to the dispute or stipulated in any convention existing between them'; (2) it can not enforce its decisions. It would have the value only of any other international court when voluntary submission of a dispute is followed by voluntary acceptance of its decisions or voluntary rejection.

"27. WHEN THE COUNCIL FAILS TO SETTLE A DISPUTE BETWEEN MEMBERS.

"By the terms of article 15, should the council fail to come to a unanimous agreement in its attempt to settle an international dispute, we have a curious situation. The nine men in Geneva, in whom the world is asked to believe as able to prevent war, having met another failure, have a bright idea. The article states that when the council has found it can do nothing, 'the members of the league reserve to themselves the right to take such action as they shall consider necessary for the maintenance of right and justice.' The members of the league, remember, are the States, colonies, and dominions themselves. The disputants are ruthlessly cast out of the sanctuary of the council room and thrown into the arena, where 33 nations may do with them as they wish.

"The members take 'such action as they shall consider necessary,' individually, for the league is the only method provided for the members to act collectively or in concert. Suppose the disputants felt that the treatment later received at the hands of any or all of the 33 nations is so unjust that it is 'likely to lead to a rupture,' should the aggrieved parties, in loyalty to their agreement with the league, be again required to appear before the nine men in Geneva to have the new disputes settled as was the old one?

"28. VAGUE, HIGH-SOUNDING GENERALITIES TO DISTRACT ATTENTION FROM FAILURE.

"Article 15 says that if the council fails to reach a unanimous report, 'the members of the league reserve to themselves the right to take such action as they shall consider necessary for the maintenance of right and justice.' Who is to determine then, and how can it then, if undetermined, be maintained?

"There are a number of similar clauses, vague, high-sounding generalities in this covenant. Wherever the council fails or is in a tight place there is introduced some such clause to cover its failure. There is in each a suggestion that the council has in reserve a trump card up its sleeve; but we feel the sleeve, and it is empty of cards.

"29. THE LEAGUE'S POWERLESSNESS IN THE MATTER OF INTERNATIONAL TREATIES.

"Article 17 says: 'Every convention or international engagement entered into henceforward by any member of the league shall be registered with the secretariat and shall, as soon as possible, be published by it. No such treaty or international engagement shall be binding until so registered.'

"Assuming for the moment, though not conceding, that this is an unmixed good and would make for peace, why should not all existing treaties be included? With all Europe interwoven by secret treaties, which are still in force and which will so remain, little good will be accomplished. Under article 20 the members agree to get out of all these treaties not consistent with the league. Can you imagine them doing it? Are they to be so good that they will never make another secret treaty? If they did, what could the council do with its foolish and impotent last clause as to the 'binding' quality? If France and England made such a treaty and wanted to keep it, what power could the league, or the nine men in Geneva, have to compel them to break it? If two nations made a treaty and registered it, and one abrogated it, what power would there be to enforce it?

"Under the acid test of direct application the whole power of the league is shown to be a pseudo power dependent on voluntary acceptance and submission; it has no power to compel. The power of the league is like a lead nickel; it is just as good as a real nickel so long as it is accepted, but when it is challenged it is worthless.

"30. THE HOPELESS MUDDLE IN THE MATTER OF AMENDING THE COVENANT.

"The Constitution of the United States gives in explicit words the method of procedure in amending it; there is nothing similar in the covenant constitution of the league. Shall the proposed amendment be initiated by the council or by the assembly, or by either? Shall it be discussed by two bodies separately or in joint session? Shall any member of either body have the right to propose it, and what is the next procedure? Shall the proposed amendment be discussed simultaneously or shall it be referred only to the other body when the initiating body shall have acted? What is the vote necessary to pass it, ready for ratification? No single one of these questions, which are so vital, is answered in the covenant. Could not the representative of any member in either body declare that 'as the covenant does not provide a way to amend it, the covenant should be amended so as to provide a way to amend it'?

"To realize not merely the doubt and confusion but the absolute chaos of article 26 it must be read in full and studied carefully: 'Amendments to this covenant will take effect when ratified by the members of the league whose representatives compose the council and by a majority of the members of the league whose representatives compose the assembly. Such amendment shall not bind any member of the league which signifies its dissent therefrom, but in that case it shall cease to be a member of the league.'

"When read hurriedly, one gets the idea that the amendment must be ratified by a unanimous vote of the council and by a majority vote of the assembly, but this is incorrect. The amendment must be ratified by the members themselves, not their representatives; the members are the States, dominions, or colonies making up the league. As nothing is said as to the manner of initiating the amendment to give it the preliminary passage that must precede submission for ratification, we are at sea in attempting to understand.

"Suppose that somehow the amendment has passed some body or bodies in Geneva (at present unknown) and were submitted to the United States for ratification. As an amendment, it would doubtless follow the same process as required for the original covenant, the joint action of the President and the Senate. Were this ratification not forthcoming the amendment would be killed, for as one essential to its effectiveness it must be ratified unanimously by the members represented on the council. If these nations were unanimous in ratifying and a majority of the other States, colonies, or dominions represented in the assembly also approved, the new amendment would be carried.

"But would the minority of the members represented in the assembly, by their refusal to approve, be construed to have 'signified' dissent therefrom? Or would it have to be 'signified' after the amendment had been finally adopted? In either event why is the point left open for honest doubt as to the meaning? Why is the member 'signifying dissent' not given the privilege of withdrawing, instead of being expelled? Why, too, is no time limit set for ratification?

"31. DANGERS OF THE SYSTEM OF MANDATORIES AS OUTLINED IN THE COVENANT.

"The longest article in this covenant is article 22, relating to mandatories, and is concerned with the orphaned colonies or dependencies whose nation fathers have died politically in our present war. They are in various stages of helplessness, as the covenant shows, and require different kinds of guardianship.

"These communities are of three classes: (1) Parts of Turkey, with recognition of their existence as independent nations, yet 'requiring administrative advice and assistance by a mandatory until such time as they are able to stand alone'; (2) other peoples so undeveloped that the mandatory shall be responsible for the administration of the territory; (3) small-sized territories which are to be administered by the mandatory as integral parts of its own State.

"With the communities of the first class, it is stated that 'the wishes of these communities must be the principal consideration in the selection of the mandatory.' As nothing is said as to the wishes of the other two classes it must be assumed that their wishes for a specified mandatory or for any mandatory at all are to be treated with high-handed disregard. This league—which does not own one acre of the territories it is thus parceling out to guardians nor of which not one acre is owned by any one of its members—assumes through its council the right to force a government on these people which they may not want nor which they may not approve.

"The council issues its charters much as the English kings granted them for the colonial exploitation of America. The council, the nine men in Geneva, in the last analysis, handle the whole affair. They issue the mandate, they prescribe its 'explicit' terms, they appoint a permanent commission to receive and examine the annual reports of the mandatories and to advise the council as to the observance of the mandates. The nine men in Geneva are the 'whole show,' in this as in every other article; the assembly is no more considered than if it had been dead several years.

"The mandatories are to force an unwilling civilization and an alien code of morals and ethics on peoples to whom the whole thing may be repulsive. Their wishes are not consulted in the least; the nine men in Geneva assume dictatorship over them in every detail—a benevolent dictatorship, it may be claimed, but containing the seeds of a monopoly and tyranny that may prove dangerous. You may say this is foolish fancy, an alarmist seeing red. Then read this, just as a simple instance, from article 22, paragraph 5, 'and will also secure equal trade opportunities for the trade and commerce of *other members of the league*.' [The italics are ours.] By what right does the council limit the equality of opportunities to its members and thus bar out the rest of the world? And this in the interests of world peace!

"The whole scheme of mandatories as here planned is wrong. Even in Paris, before the league had been approved and accepted, the rush for the spoils began. Such a question was too big to be settled offhand by a few men. Jealousies have already begun, just a foretaste of what is to come. Belgium is feeling sore that German East Africa, for which she felt she had special rights, was given to Great Britain. Italy wanted a mandatory, but when she left the conference and later returned in the person of Premier Orlando, he found the last of the mandatories Italy might take had been disposed of. The watermelon had been cut and distributed.

"It may be obtruding a shameless commercialism into a meeting of idealism and altruism, but one might perhaps be permitted to ask, 'Does the mandatory pay all its own expenses?' The covenant does not refer to this pecuniary problem at all. We turn to the dictionary for help and find that a mandatory is 'one who undertakes, without compensation, to do service for another, with regard to property placed in his hands by the other.' Of course the last three words do not apply here, but that is a detail. But what is not yet clear is that while the mandatory does not charge for his services are his actual disbursements and expenses to be paid; and if so, by whom?

"The two lemons that the league desires to hand to the United States are the Constantinople and Armenian mandates. We are asked to cast ourselves headlong into this tainted mess of lying, corruption, diplomacy, of sedition, intrigue, jealousies, Turkish secret working and tricking to regain control, Russian Bolshevism, and religious warfare. We are asked to accept the guardianship of these peoples whose territory is the cesspool of Europe, with internal and external discords that have been a stench in the nostrils of Europe for a century.

"The United States is to be the Don Quixote, setting forth on a glorious mission to redeem the world. This work in Turkey might cost us many millions, even billions, before we are through. What would be our relation to the national debt? How many lives of our sons would we have to pay to battle with the countless opposing forces in this troubled and benighted country? Is Russia, that wanted Turkey for herself, to accept calmly our government of it? Would any one nation in the world be satisfied with our method? No; they would all be condemnatory and critical where we failed, bitterly envious were we to succeed.

"32. WHEN FRANCE EXPRESSES HER CONTEMPT FOR THE LEAGUE.

"Truly, the big nations of Europe do not take much stock in the league of nations. Italy wants Fiume for her protection on the Adriatic. Why would she want it for this reason or would she put her demand on this ground if she really believed in the league? England shows no enthusiasm; her deep interest is in the peace treaty. France, not satisfied with her new territorial defense against the possible invasion from a prostrate, crushed, and impotent Germany, guaranteed helpless as a babe for decades, wants a pact with Great Britain and the United States to come at once to her aid if attacked by her old enemy. Under the covenant France would have over 30 nations, and these include the two with which she asks the pact, pledged to fight for her if her territory were invaded.

"Could there be a more contemptuous fling in the face of the league of nations? France, who knows the league from the inside, has heard all the discussions and is acquainted with every detail of the covenant from A to Z—all of which we, the people of America, know nothing—treats the league as a weak joke or an elaborate visionary scheme on paper, at which she laughs quietly in her sleeve. France, devastated, impoverished, stricken, and suffering, lying open to any enemy after her heroic struggle, the one nation that has most to gain from the league, sniffs at it. If France believed in this league, she could rest in perfect calm and peace at night, sure that her 'territorial integrity' and her 'political independence' were safe and guaranteed forever.

"What France says in effect when she demands the pact with the two greatest powers in the world is this: 'Just give me one good old-fashioned, reliable treaty with the United States and Great Britain that they will stand by me against one enemy and it will count more than all the covenant promises of over 30 nations to defend me from all enemies.' The demand of France is not courteous nor complimentary, but it does show good, sound common sense.

"33. WHEN ONE FOREIGNER COULD PREVENT THE UNITED STATES FROM SIGNING A TREATY.

"Under the terms of the proposed treaty with France, by which the United States and Great Britain pledge themselves to go to the defense of France if she should ever be attacked by Germany, the treaty must be ratified by the nine men in Geneva. Suppose that the United States were not merely willing to sign this treaty but were intensely anxious to sign it, their will might be set aside by the opposing vote of one man in the voting of the council, which, under the covenant, must be unanimous.

"34. COVENANT OF THE LEAGUE IRRECONCILABLY ANTAGONISTIC TO MONROE DOCTRINE.

"Our Monroe doctrine and the covenant of the league of nations are in direct irreconcilable antagonism. If we sign the covenant as now phrased, we kill the Monroe doctrine. The pen that signs the covenant automatically kills the doctrine. Here is the proof:

"The opponents of the first constitution of the league of nations demanded recognition of the Monroe doctrine. Will this grudging, misleading, and meaningless paragraph satisfy the Senators and other leading men of the Nation who are attempting to stand bravely by the Monroe doctrine? Note the wording: 'Nothing in this covenant shall be deemed to affect the validity of international agreements, such as treaties of arbitration or regional understandings like the Monroe doctrine, for securing the maintenance of peace.' Those that prepared this article 21, by misclassifying the Monroe doctrine as among 'regional understandings' either through ignorance that is unbelievable or through willful perversion that is cunning, nullify their recognition of 'validity.' It becomes absolutely worthless.

"The Monroe doctrine can be roughly epitomized in the statement, 'The United States will not interfere in the affairs of Europe, nor will it tolerate European interference in the affairs of the two American Continents.' This is not a 'regional understanding.' The Monroe doctrine is unilateral, a mere statement of the attitude of mind of the Nation. It is not a law, a treaty, nor an agreement. It is but a declaration of the point of view of the United States of its determination to safeguard its national peace and security. This is one sided; an understanding is two sided, implying the acceptance of a declaration of one by another.

"What is the specific Monroe doctrine, whose 'validity' is evasively recognized in the covenant? Is it the declaration made by President Monroe in his message to Congress in December, 1823—just this and nothing more? But the Monroe doctrine is more than this. It means all that nearly a century of tradition and interpretation has put into it. For 'Europe' it now substitutes the Eastern Hemisphere, for we would apply it to Asia and Africa, as well as to Europe. The Monroe doctrine means whatever the United States at any time declares it to be, by its own interpretation alone, in accord with the big spirit of its purpose.

"In the future the league of nations may, in spite of its acknowledgment of mere 'validity,' be called upon by some foreign power to interpret the doctrine. Were the league to do this, the doctrine, as thus interpreted, would no longer represent our thinking, no longer be our Monroe doctrine.

"Suppose that Japan were to purchase part or all of Lower California from Mexico. We should naturally construe this, under the Monroe doctrine, as an 'unfriendly act.' The dispute might bring us to the point of war. Should we refer this dispute to the nine men in Geneva? If so, what is the use of the Monroe doctrine? Should we take it into our own hands and go to war, what would be the status of the league toward two of the members of the council at war with each other in direct antagonism to the spirit and purpose of the league? If we claim the exclusive right to decide certain questions for the two American Continents under the Monroe doctrine, then this exclusive right can not be shared with others nor exercised by them.

"Another and more serious phase of the question is this: What matters the approval and support of the Monroe doctrine by the league if we ourselves abrogate it? How can we become members of the league under its covenant and yet preserve the Monroe doctrine, when mere membership is in direct opposition to the doctrine? The opening lines of President Monroe's pronouncement read: 'In the wars of the European powers in matters relating to themselves we have never taken any part, nor does it comport with our policy so to do. It is only when our rights are invaded or seriously menaced that we resent injuries or make preparation for our defense.' How, in the face of this declaration and in loyalty to it, can the United States sign an agreement that binds us in honor to take part in every dispute between nations not only in Europe but all over the world and to enter into war at any call of the nine men in Geneva, even where neither 'our rights are invaded nor seriously menaced'?

"If we sign the league of nations covenant we ipso facto tear up the Monroe doctrine. Our action would be as foolish and as contradictory as that of a man declaring that he would never take another drink and some time later signing an agreement solemnly binding himself 'to take a drink whenever and wherever called upon so to do.' Then suppose that, merely to make himself feel he is not forsaking his principles, he secures a clause in his agreement to the effect that 'nothing in this agreement to drink whenever and wherever so called upon shall be deemed to affect the validity of the earlier declaration never to take another drink.'

"Are the American people or their representatives so blinded by optimism, idealism, altruism, and belief in this particular league of nations as the only means of safeguarding world peace that they will be fooled into believing that there is no irreconcilable antagonism between the covenant and the Monroe doctrine? If the present covenant be so perfect, so wondrous, so effective a guaranty of world peace that we must sign it, and that it as an untried plan is superior to our tested Monroe doctrine, let us by all means sign. But let us do it with our eyes open and let us then consign the weak, worn, and outlived Monroe doctrine to oblivion and prepare ourselves as a Nation and as a people to ignore our national conscience and to live only in accord with the leading and decision of the nine men in Geneva.

"35. THE COVENANT IS IRRECONCILABLY ANTAGONISTIC TO THE CONSTITUTION.

"The covenant of the league of nations contravenes, so far as we are concerned, the Constitution of the United States. It is unconstitutional. If we sign it, the action being unconstitutional, the signing is of no avail. The people can not surrender any inherent power committed to them by the Constitution except by constitutional amendment. To sign this covenant is to make such a surrender. If for no other single reason than this, the United States Senate should repudiate this covenant and refuse to sign it because of its unconstitutionality. Here is the proof that the covenant is unconstitutional:

"Congress has under the Constitution the power to regulate 'commerce with foreign nations.' If this means anything, it means that what Congress decides shall be the final judgment in our relation in trade. But if the nine men in Geneva declare that (under article 16) we can have no trade with Russia, Japan, or some other country, that we can neither receive imports from her nor send exports to her; when we accept this command to sever trade relations with a country that has done us no wrong or against whom we have no grievance, when we submit to this dictation from an extraconstitutional body, when we are thus forced into a sympathetic international strike and

trade boycott against any country, then the Congress has no longer full power to regulate our 'commerce with foreign nations,' and any carte blanche agreement to submit to this is unconstitutional.

"Congress has under the Constitution the power to provide and maintain a navy. This means as an essential that it is Congress that is to decide the character, number, and size of that navy. If the nine men in Geneva are to decide this for us, then the agreement that compels submission is unconstitutional.

"Congress has 'the power to raise and support armies, but no appropriation to that shall be for a longer term than for two years.' This implies as an essential that Congress, not nine men in Geneva, shall determine the size of that army. According to article 16 of the covenant, in the event of a world war, we pledge ourselves to support one another in financial and economic measures, etc., practically signing a blank check for our own expenses and whatever nations we might have to help, knowing nothing of the amount, where we have no option in the spending, and under the conditions that we have bound ourselves to do this to 'preserve the territorial integrity and political independence' of any or all of 40 or 50 nations. Is this in accord with the wisdom of the fathers in writing our Constitution to limit Congress to a two years' appropriation? This, too, is unconstitutional.

"Congress has the power 'to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.' Under the Constitution Congress has the final power to determine whether the United States shall or shall not go into war. It has no right to delegate this power to nine men in Geneva. Any delegation of this power is not merely voidable; it is void.

"Suppose a treaty were made between the United States and England wherein occurred these words: 'The United States agrees to go into war only when so directed by Great Britain.' Would the Senate accept this as constitutional? It would be said, of course, that the decision to go into war or to remain out of war rests with Congress alone. If such a treaty would be unconstitutional when negotiated with a single nation, would it suddenly become constitutional if made with a number of nations combined into a single body?

"The Constitution of the United States, in Article VI, section 2, says: 'The Constitution and the laws of the United States which shall be made in pursuance thereof and all treaties which shall be made under the authority of the United States shall be the supreme law of the land.' Should the Senate accept any treaty of peace incorporating the covenant of the league of nations as given, then the signing is not in accord with the Constitution of the United States.

"Either the Constitution of the United States is superior to the covenant of the league of nations or the covenant is paramount over the Constitution. In the first instance the covenant being in antagonism to the Constitution, the covenant must be set aside and remain unsigned. If the covenant be accepted and signed and sustained, then the Constitution of the United States goes into the discard.

"The powers of Congress as given in section 8 of the Constitution are intrusted to it alone; it has no power to surrender them or to abrogate them; it has merely power to execute them as need demands. If the American people desire to take these powers from the American Congress in order that we may in the future be guided in our international relations by the nine men in Geneva, then the only proper and effective step is to amend our Constitution so that we may at least retain part of a noble document that has sustained us in over 130 years of our national history.

"36. WHEREIN THE LEAGUE OF NATIONS IS BASICALLY WRONG AND UNSOUND.

"Some of the weaknesses in the covenant of the league of nations are due to its ambiguities, its obscurities, its omissions, its inadequacies, its contradictions, its unwarranted assumptions. But the serious part is that the league is wrong basically, fundamentally, organically. These wrongs can not be righted by any minor corrections; they would demand radically changing the character of the league itself and writing an entirely new covenant.

"The league of nations is not a league of nations, for this means 'a league of peoples united under governments.' It is a league of governments. It is not truly even this, for a league of governments suggests a league of sovereign States, equal by virtue of their sovereignty, with equal voices and equal rights. This is a league of the war allies, a league of the great powers, a league of the governments of the supreme military powers of the world. Whatever it may be, it is not a league of nations.

"This league of nations is not based on democracy; it is based on autocracy, and a military autocracy at that. The word 'democracy' or 'democratic' never once occurs in the 26 articles of the covenant; there is no breath of it, no spirit of it, no suggestion of it, from beginning to end. The word 'people' or 'peoples' never once is mentioned except in article 22, referring to the peoples of territory that neither belong to the league nor to any member of the league, but which the league, through its mandatories, is to govern. The league does not represent democracy; it is a plutocratic oligarchy.

"This league of nations does not treat even its own members fairly. It gives practically no true representation to nearly three-quarters of its members, for the assembly has been shown as an impotent body with permission to amuse itself by talking while the nine men in Geneva 'run the show.' Five great powers are perpetual members of the council; four other powers are to be added to their number. These four are temporary, subject to change. After the league gets really started, for how long will the 'members represented on the assembly' be satisfied to do just as they are told, with no voice in the telling?

"This league of nations is a supergovernment, yet the frailty and insecurity of its delegated powers forces it to wabble in its statements in every instance in the covenant where it attempts to take a bold stand. The fallacy of it all is that it has no absolute power except as this rests on the loyalty of 30 or 40 nations to mere promises. Whenever the pressure or inconvenience is too great the promises will snap. The league attempts to do many things which no nation would dare to do, which it would recognize as in opposition to international law, which would lead to war if it dared to do it, yet the nation has inherent power which this new supergovernment has not. Much of the power this league has under its covenant is because the people of the world have been hypnotized by the name of the league, by their belief that it can end war, and they fail to realize the full extent of their sovereignty that they are delegating.

"This league of nations has for its one real reason for being its claim to prevent war. It is this claim that has so caught the popular imagination that it has in countless instances assumed that the plan itself is therefore good. If you were asked to buy stock in a company just organized to put a new fire extinguisher on the market, your first question might well be, 'Will it put out fires?' Should you find that it does not put out fires, but is likely to kindle them, you do not invest. The covenant of the league of nations does not prove that it can put out the fires of war, but it does show in many places that it is likely to kindle them.

"That this league of nations has these basic weaknesses does not prove that the world would not be the better for a real league, a league on different lines, based on bringing the nations together in a safe, sound, practical way of conference and united wisdom rather than of a futile attempt at world government by nine men in Geneva. This is neither the time nor place to present even an outline of the better way; that must wait till America has realized that the league of nations is not the right way and that it has not even the foundation upon which that right way can be built.

"37. RATIFYING THIS COVENANT GRANTS A MONOPOLY TO ONE PLAN FOR ENDING WAR.

"The league of nations is an untried experiment; it has weaknesses, obscurities, self-evident evils, and it can not guarantee to end war. Should one or more of the great powers break away from it or a number of the smaller ones withdraw or be expelled, the organization would still persist. It did not originate in a meeting of representatives of all nations getting together at a time when, free from the consideration of other questions, all possible plans could be suggested and discussed calmly, leisurely, and in perfect freedom. It was created in an atmosphere of jealousies, intrigue, suspicion, and selfish aims and interests by a few men who were seeking to accomplish the solution of two appalling problems simultaneously.

"Once committed to this scheme the world grants a perpetual charter to this one plan, a monopoly of the preservation of world peace to this one league. In a few months the league, with its rigid covenant, would have so involved and obligated the nations that a new better way could not be tried. There is a better way to prevent war and to secure permanent world peace. Is the United States willing to sign away in perpetuity its right to the better way? Article 4 states that the United States shall be represented in the council. Were we to repudiate this covenant by failure to ratify it is extremely doubtful if the league could proceed without amending the covenant; this might take many months.

"There is no immediate impelling need to pledge ourselves to this league, as the one only final method of preserving peace,

especially as this covenant opens up more avenues for breeding war than for killing it. Never was the world so safe for any serious war, for a year at least, as at the present time. One single year would be long enough to have the world practically guaranteed against war by the better way, without the entanglements incidental to this complicated machine with its self-evident dangers and its subtle menace.

"38. FAILURE TO UNDERSTAND COVENANT MAKES RATIFICATION A NATION'S PLUNGE INTO THE DARK.

"This document, perhaps the most important and most potential for good or evil that the world has ever known, has been drawn with a carelessness and slovenliness that would be unpardonable in the simplest commercial contract. The covenant is filled with inaccuracies, ambiguities, vague phrases possible of different interpretations, contradictions, and occasional generalities that may mean much or nothing; there are vital omissions where we can but guess at what was intended, places where two equally keen minds would find antagonistic meanings.

"Were the Senate to ratify this covenant it would in reality be ratified in the dark. Once committed to it by the ratification of the Senate, the United States would have to stand by any interpretation that might be given of any word, phrase, or paragraph. There is no court in the world having power to construe it nor to determine its meaning. It will be interpreted by the members of the league that are to exercise power under it—the nine men in Geneva, the council. From what they say or decide there is no appeal; their rendering is final and absolute. The Senate of the United States could not amend it in any way to untangle its entanglements and to make every point clear without practically rewriting the whole document.

"39. INIQUITOUS PRESSURE BROUGHT TO BEAR ON THOSE OPPOSING THE LEAGUE.

"There is an unfair and unjustified pressure being brought to bear by many favoring the peace treaty with its covenant of the league of nations upon the Senate of the United States and upon public opinion. There is an attempt to stampede ratification by threats of what will happen should we not ratify. They flaunt a bugaboo of the long deferred peace that would follow our refusal to accept the treaty part and the chaos that would come to Europe were the league not approved.

"The emptiness of all this threatening and terrorizing is that even if the Senate were to reject the treaty altogether the signing by the Allies would give to them all they are asking. Congress can, without an hour's delay, declare that the 'state of war thrust upon' this country, as it declared on April 2, 1917, no longer exists. We were not party to the agreement between the Allies not to make a separate peace, for we entered the war independently. The treaties of peace that the United States need to make would be so simple that Germany and Austria would not hesitate a moment after accepting the treaty with the Allies. The Senate of the United States will not consent to be dragooned into taking action that it may decide is not what it deems right to take. Such tactics on the part of those who are using them are unfair, coercive, iniquitous, and an unwise attempt to mislead and fool the American people.

"40. FIRST DUTY OF THE SENATE REGARDING THE TWO DOCUMENTS IN ONE.

"The Senate of the United States is asked to ratify the treaty of peace, incorporated in which is the covenant of the league of nations. It is in reality the two most important documents the world has ever known united in one. They have required months of consideration in preparation and drafting. One is to settle our present war; the other aims, so far as is humanly possible, to prevent future war. They are essentially different in purpose. To consider the two together means injustice to one or to both. Either one may be sacrificed for the other.

"The first duty of the Senate, it would seem, is to cut the Gordian knot of difficulty by separating the two, and giving its earliest attention to the treaty as the more immediate of the two documents. This would necessitate amendments to connect the loose ends incident to separating the treaty from the interrelated covenant. Then with whatever other amendments, reservations, or other action the Senate might make the treaty might be ratified and our present war conditions would be ended, and the world would be put in a condition to start afresh and to face the future.

"With the treaty thus settled the Senate would have time, carefully, calmly, unhurriedly, and uncoerced by pressure, to consider the covenant in every detail.

"41. APPALLING PRICE AMERICA WOULD PAY WERE SHE TO RATIFY THIS COVENANT.

"For more than 130 years the United States has been independent as a Nation. She has grown powerful, prosperous, and influential as a union of free people. With the courage and pride of her individuality she has been working out her own destiny in her own way, neither interfering with the rights of other nations nor tolerating interference with rights exclusively her own. She has not lived a life of selfish isolation, but has offered an asylum for the poor and oppressed of all peoples, and her hand and her wealth have ever been ready at the call of every great human need abroad as truly as at home. She has become a world power because she has not sought world power. Whatever she has done has been her voluntary act performed in accord with her national conscience, which has been kept at home, not put into pawn to any foreign power nor any syndicate of powers.

"But now we are asked to change all this. We are asked to trade the Aladdin's lamp of our nationalism which has proved to be such a treasure for a newfangled contraption of a cheap, hastily-constructed, foreign-made lamp of internationalism. For a tried, tested, and true reality we are urged to substitute a dream. For a rich and certain estate now in our hands we are asked to accept the blue prints of some imaginary city of wondrous glory. For our birthright of freedom and independent government they want us to take the mess of pottage of this paper scheme of slavery to nine men in Geneva. Let America's answer be brief and final: 'Gentlemen, we have studied your elaborate prospectus, but we do not like it, and we decline to invest.'

"We are to sit with eight other men as a super-Government, meddling in the affairs of all nations, passing judgment with the finality of suddenly acquired omniscience on the disputes of all, acting as arbiter of the morals of all, constituting ourselves trustees of the destinies of the world. Has America made such an astounding success of her own problems in the past? Has she mastered the appalling problems that confront us at home at this very hour? Has she, with such infinite wisdom, guided chaotic Mexico into ways of good government that we are now sublimely equipped to join in the 'benevolent' autocracy of the whole world?

"Let us look the facts coldly, clearly, and calmly squarely in the face. Europe does not want the United States just for ourselves, through her deep affection for us, she wants us for our money, our men, our ships, our initiative, our infinite resources. There are those that try to seduce us with the alluring and deceptive cry that 'America must take her part in the affairs of the world.' Yes; but America must be her own judge of what she will do, where she will do it, when she will do it, and how she will do it. It must be by her voluntary act; she must be moved and inspired from within, not dictated to, directed, and controlled from without; she must play the game herself, not become a mere pawn in the hands of other players.

"Article 16 says: 'The members of the league agree further that they will mutually support one another in the financial and economic measures, etc.' With Europe on the verge of bankruptcy and starvation, what would this mean? It would mean that the United States would pay not only her own share but that of many other States, who either could not nor would not put up their quota. It reads smoothly enough on paper, but we had one domestic experience which should prove illuminating. At the time of the American Revolution every State was pledged to do its part and to furnish its quota of force and money, but many States failed to make good, and the burden fell on the others. A similar situation occurred in our War of 1812, when the States of New England refused to put their State troops at the disposal of the Federal Government. Yet we are asked to depend absolutely on the myriad promises, stated and implied, in this covenant.

"America has, in all the multiform activities of the league, the least to gain and the most to lose in every single respect and from every point of view that can be considered. If the United States ratified this covenant she would fulfill her pledges. Her very earnestness and enthusiasm would inspire other nations to hold back; America would be willing to do her part, and other nations would permit her to do her part—and theirs, too. 'Let George do it' has its international as well as its social application. Are we so anxious to assume the rôle of pulling the European chestnuts out of the fire that we will accept the singeing that is guaranteed and inevitable?

"Were the United States to enter this league it would soon become the most cordially hated nation in the world. Our very power would generate jealousies and envies; we would be severely criticized and condemned alike for what we would do or leave undone. For every failure we would be blamed, yet in every emergency we would be called on for money, men, or other resources. This tendency has already manifested itself with many of the powers; from suspicion, doubt, and fear it is but a short step to hate. If we throw ourselves headlong into this maze of intrigue, diplomacy, and international problems we shall deserve all we get. As the separate points of this dis-

section and analysis of this covenant are studied, and when all the strong points made by others are considered, the question no longer is: 'What satisfactory reasons can be given why America should not go into this league?' but 'What one real satisfying reason can be given why she should go in?'"

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had on the 6th instant approved and signed the act (S. 180) to incorporate Near East Relief.

TREATY WITH FRANCE.

Mr. WALSH of Montana. Is it in order to call up the resolution I submitted some days ago?

The VICE PRESIDENT. Unless there is further morning business it is in order. The Chair hears none.

Mr. WALSH of Montana. I ask that Senate resolution 154 may be read and considered.

The VICE PRESIDENT. The resolution will be read.

The Secretary read Senate resolution 154, submitted by Mr. WALSH of Montana on the 5th instant, as follows:

Whereas doubts have been expressed as to the authority of the treaty-making power under the Constitution to enter into the treaty with France, submitted to the Senate for ratification on the 29th day of July, 1919: Therefore be it

Resolved, That the Committee on the Judiciary be, and it hereby is, requested to inquire and advise the Senate as to whether there are any constitutional obstacles to the making of the said treaty.

Mr. KELLOGG. With the permission of the Senator from Montana, I should like to address some remarks to the question of the resolution and the league of nations and the peace treaty generally.

Mr. WALSH of Montana. I shall be very glad to yield to the Senator from Minnesota for that purpose.

CALLING OF THE ROLL.

Mr. MCNARY. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gay	McCormick	Robinson
Ball	Gerry	McCumber	Sheppard
Bankhead	Gronna	McKellar	Shields
Brandegee	Hale	McNary	Smith, Ariz.
Calder	Harding	Moses	Smoot
Capper	Harris	Myers	Sterling
Chamberlain	Henderson	Nelson	Sutherland
Culberson	Hitchcock	New	Swanson
Curtis	Johnson, S. Dak.	Newberry	Thomas
Dial	Jones, N. Mex.	Nugent	Townsend
Dillingham	Kellogg	Overman	Trammell
Elkins	King	Page	Wadsworth
Fall	Kirby	Phelan	Walsh, Mass.
Fernald	Knox	Phipps	Walsh, Mont.
Fletcher	La Follette	Pittman	Watson
France	Lenroot	Poindexter	Williams
Frelinghuysen	Lodge	Ransdell	

Mr. GERRY. I desire to announce the unavoidable absence on account of official business of the Senator from Maryland [Mr. SMITH], the Senator from Ohio [Mr. POMERENE], the Senator from Georgia [Mr. SMITH], and the Senator from North Carolina [Mr. SIMMONS].

I also wish to announce that the Senator from Wyoming [Mr. KENDRICK], the Senator from Mississippi [Mr. HARRISON], the senior Senator from Kentucky [Mr. BECKHAM], and the junior Senator from Kentucky [Mr. STANLEY] are detained on public business.

The VICE PRESIDENT. Sixty-seven Senators have answered to the roll call. There is a quorum present.

Mr. KELLOGG. Mr. President, it is my intention at this time to address myself, at least partially, to the resolution heretofore submitted by the Senator from Montana [Mr. WALSH], calling upon the Judiciary Committee of the Senate for an expression of opinion as to the constitutionality of the proposed treaty of alliance with France; and as that treaty embraces in principle the same questions as are involved in the league of nations, I beg leave of the Senate to submit some observations upon that question.

I shall at this time discuss two propositions: First, whether the league of nations is within the treaty-making power of the President and the Senate under the Constitution of the United States; and, second, whether reservations in and amendments of the covenant are necessary to protect the United States.

As an appendix to my remarks I ask to have printed in the RECORD some reservations which have been prepared by certain Senators as suggestions in relation to the pending treaty.

The VICE PRESIDENT. In the absence of objection, it is so ordered.

Mr. KELLOGG. Mr. President, the covenant of the league of nations has been before the people of the United States for practically six months. It has probably been discussed in the Senate, in the forum of the people, and in the press of the country more than any instrument ever submitted since the Jay treaty. I believe every Senator has made up his mind how he intends to vote.

The peace treaty, the most momentous document ever submitted to any body, has been before the Committee on Foreign Relations nearly a month; and, while I am making no criticism of that committee, I am stating what I believe to be the public sentiment of this country when I say that there is a strong desire that this treaty and the league of nations covenant, bringing an end of this war, shall be disposed of at the earliest possible moment. The Nation has made great sacrifices; its sons have given their lives upon the fields of France; industry and commerce have been disarranged; the people wish this issue settled and that our attention be turned to the economic problems which always follow a great world convulsion such as we have passed through.

I should not take the time of the Senate to discuss even these questions were it not for the fact that the peace treaty is still before the Foreign Relations Committee, and there is no legislation immediately pending before the Senate, since it is now being considered in the committees of Congress.

I am aware that the discussion of a constitutional question is a very dry subject and interests very few people, but I take it that no Senator desires or would for one moment think of voting for a treaty that he believes to be beyond the constitutional power of the Government simply because it would do no harm.

From an examination of the speeches made by certain Senators and from declarations in the press I assume that the provisions of the covenant which are declared to be in violation of the Constitution are:

Article 8, providing for the reduction of national armaments, and stipulating that the manufacture by private enterprise of munitions and implements of war is open to grave objection;

Article 10, providing that members of the league agree to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league;

Article 11, providing that any war or threat of war shall be a matter of concern to the whole league, and that the league shall take any action that may be deemed wise and effectual to safeguard the peace of nations;

Article 16, providing that any member of the league resorting to war in disregard of its covenants under certain articles shall suffer the severance of all trade or financial relations and the prohibition of all intercourse by its nationals; and

Other provisions of the covenant providing for mandates in relation to the freedom in transit and equitable treatment of commerce.

I shall not now discuss the wisdom of these provisions—whether they should be amended or whether, if the treaty is ratified, certain reservations should be made which we believe will protect this country, although, perhaps, I ought to say that one of those questions I shall later consider in the course of my remarks. The immediate question, however, to which I now invite attention is the constitutional power of this Government to agree to respect or to guarantee the independence of any country or agree to the limitation of armament or make a treaty containing provisions which may affect our trade and commerce.

SOURCE AND SCOPE OF TREATY-MAKING POWER.

When the Constitution of the United States was adopted the treaty-making power was conferred upon the President and the Senate. The provisions of the Constitution are as follows:

No State shall enter into any treaty, alliance, or confederation. * * * (Art. I, sec. 10, cl. 1.)

No State shall, without the consent of Congress, * * * enter into any agreement or compact with another State or with a foreign power. * * * (Art. I, sec. 10, cl. 2.)

He (the President) shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur. * * * (Art. II, sec. 2, cl. 2.)

The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority. * * * (Art. III, sec. 2, cl. 1.)

This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding. (Art. VI, cl. 2.)

In this broad grant of power there is embodied no definition of the subjects embraced within the treaty-making power. It may, therefore, be accepted that the people of the United States intended to confer upon the Federal Government no less power

than was at the time exercised and enjoyed by other nations. In fact, not only by practice but by authority the treaty-making power has been held to embrace all those subjects which it has been the practice and custom of nations to exercise. These include treaties of alliance, both offensive and defensive; guaranties of political independence and territorial integrity; agreements as to colonies; agreements to neutralize territories and nations; treaties affecting the status of foreign citizens in this country, their right to engage in business, to own, transfer, and inherit property; questions of customs and duties, navigation of rivers, lakes, and internal waterways; the limitation of armament; the acquisition of territory; the settlement and payment of damages; and other subjects too numerous here to mention.

The men who framed the Constitution were versed in the history and practice of nations and in international law. They were students of government. Had it been intended to limit the sovereign power of the United States in the exercise of the usual treaty-making rights such restrictions would have been stated in the Constitution. In fact, in limiting the States it was provided that they should not enter into any treaty, alliance, or confederation, but no limitation was placed in the Federal Constitution. It is impossible for me to recite to the Senate the declarations of the statesmen of that time in the formation of the Constitution and its adoption by the several States or the discussions which early in the history of this Government dwelt upon the treaty-making power. But those discussions make it perfectly clear that the Constitution was intended to confer upon the Federal Government the same general treaty-making power exercised by other nations, limited only by the express provisions of our Constitution. Furthermore, from the very inception of our Government to the present time we have placed a practical construction upon this power, and the Supreme Court of the United States has held that where there exists ambiguity or doubt, or where two views may well be entertained, contemporaneous and practical construction of constitutional powers are entitled to the greatest weight. (McPherson *v.* Blacker 146 U. S., 1; Knowlton *v.* Moore, 178 U. S., 41.)

"TREATY OF ALLIANCE WITH FRANCE, 1778."

At the time the Constitution was adopted it was the practice of nations to enter into treaties of alliance, offensive and defensive; guarantee countries against internal aggression; enter into treaties of commerce affecting duties on exports as well as imports and regulating other phases of commerce; fixing the status of foreign citizens and defining their property rights; acquire territory or colonies; and exercise various other treaty-making powers. In fact, before our Constitution was adopted and during the struggle for independence the Confederation of States entered into a treaty with France for an offensive and defensive alliance. Article 1 of this treaty provided as follows:

If war should break out between France and Great Britain during the continuance of the present war between the United States and England, His Majesty and the said United States shall make it a common cause and aid each other mutually with their good offices, their counsels, and their forces, according to the exigence of conjunctures, as becomes good and faithful allies.

Article 8 provides as follows:

Neither of the two parties shall conclude either truce or peace with Great Britain without the formal consent of the other first obtained; and they mutually engage not to lay down their arms until the independence of the United States shall have been formally or tacitly assured by the treaty or treaties that shall terminate the war.

Article 11, in part, provides as follows:

The two parties guarantee mutually from the present time and forever against all powers, to wit, the United States to His Most Christian Majesty the present possessions of the Crown of France in America as well as those which it may acquire in the future treaty of peace. And His Most Christian Majesty guarantees on his part to the United States their liberty, sovereignty, and independence.

This treaty was in existence until 1798 and subsisted after the adoption of the Constitution. Hamilton, in his letters discussing the treaty-making power under the Federation and under the Constitution, referred to this treaty as an evidence of the power granted by the Constitution of the United States to enter into a treaty of alliance. Among other things, he said:

The manner of exercising a similar power under the confederation shall now be examined.

To judge of the similarity of the power it will be useful to quote the terms in which it was granted. They are these: "The United States in Congress assembled shall have the sole and exclusive right and power of entering into treaties and alliances: *Provided*, That no treaty of commerce shall be made whereby the legislative power of the respective States shall be restrained from imposing such imposts and duties on foreigners as their own people are subject to or from prohibiting the importation or exportation of any species of commodities whatsoever."

It will not be disputed that the words "treaties and alliances" are of equivalent import and of no greater force than the single word "treaties." An alliance is only a species of treaty, a particular of a general; and the power of "entering into treaties," which terms confer the authority under which the former Government acted, will not be pretended to be stronger than the power "to make treaties," which are the terms constituting the authority under which the present Government acts; it follows that the power respecting treaties under the former and that under the present Government are similar.

* * * * * * *

Under this power thus granted and defined the alliance with France was contracted, guaranteeing, in the case of a defensive war, her West India possessions, and when the casus fœderis occurs obliging the United States to make war for the defense of those possessions, and consequently to incur the expenses of war.

Under the same power treaties of commerce were made with France, The Netherlands, Sweden, and Prussia. Besides that, every treaty of commerce is necessarily a regulation of commerce between the parties, it has been shown, in the antecedent comparison of those treaties with that lately negotiated, that produce the specific effects of restraining the legislative power from imposing higher or other duties on the articles of those nations than on the like articles of other nations, and from extending prohibition to them which shall not equally extend to other nations the most favored; and thus abridge the exercise of the legislative power to tax and the exercise of the legislative power to regulate trade.

JAY TREATY, 1794.

During the time the Constitution was pending before the conventions of the various States for adoption much of the objection to the Constitution emanated from the extensive treaty-making power conferred upon the President and the Senate. All students of history will recall the storm of opposition and public indignation which swept over the country when the terms of the Jay treaty, proclaimed February 29, 1796, between Great Britain and the United States were made public. All of the latent opposition to the Constitution was fanned into a flame and public meetings were held all over the country, at which the treaty was denounced. It was assailed in almost every aspect as being beyond the constitutional power of the President and the Senate.

It brought forth from Washington, Hamilton, Ellsworth, and many others who were familiar with the history of the formation of the Constitution and the grant of the treaty-making power the most illuminating and the ablest discussion upon this subject anywhere recorded in history.

Hamilton defended the treaty-making power in a series of letters over the signature of "Camillus," which for historical knowledge and power of logic have never been transcended. They stand as the last great monument to his fame. A brief summary of these objections may be useful:

It was alleged that the Jay treaty restricted the power of Congress to lay taxes or exact higher duties upon commodities; the power to regulate trade; the power to establish uniform naturalization; to define and punish piracies and felonies; that it violated the provision of the Constitution which declares that "no money shall be drawn from the Treasury but in consequence of appropriations made by law"; that it violated the constitutional power of Congress to dispose of and make uniform rules and regulations respecting territory and other property of the United States; that it violated that provision of the Constitution relating to the judicial department, and in many other respects.

In discussing these objections, Hamilton said:

The power of treaty could not but be supposed commensurate with all these objects to which the legislative power of the Union extended, which are the proper subjects of compacts with foreign nations.

In discussing the understanding of the treaty-making power by the convention, Hamilton said:

The manner in which the power of treaty, as it exists in the Constitution, was understood by the convention in framing it and by the people in adopting it is the point next to be considered.

As to the sense of the convention, the secrecy with which their deliberations were conducted does not permit any formal proof of the opinions and views which prevailed in digesting the power of the treaty. But from the best opportunity of knowing the fact, I aver that it was understood by all to be the intent of the provision to give to that power the most ample latitude—to render it competent to all the stipulations which the exigencies of national affairs might require; competent to the making of treaties of alliance, treaties of commerce, treaties of peace, and every other species of convention usual among nations; and competent in the course of its exercise for these purposes to control and bind the legislative power of Congress. And it was emphatically for this reason that it was so carefully guarded, the cooperation of two-thirds of the Senate with the President being required to make any treaty whatever. I appeal for this with confidence to every member of the convention, particularly to those in the two Houses of Congress.

In summarizing the arguments of those who objected to the Jay treaty on constitutional grounds, he enumerated the various treaties which the United States could not enter into if the position of these objectors was correct:

The absurdity of the alleged interferences will fully appear by showing how they would operate upon the several kinds of treaties usual among nations. These may be classed under three principal heads: (1) Treaties of commerce, (2) treaties of alliance, (3) treaties of peace.

Treaties of commerce are, of course, excluded, for every treaty of commerce is a system of rules devised to regulate and govern the trade between contracting nations, invading directly the exclusive power of regulating trade which is attributed to Congress.

Treaties of alliance, whether defensive or offensive, are equally excluded, and this on two grounds:

1. Because it is their immediate object to define a case or cases in which one nation shall take part with another in war, contrary, in the sense of the objection, to that clause of the Constitution which gives to Congress the power of declaring war; and (2) because the succors stipulated, in whatever shape they may be, must involve an expenditure of money—not to say that it is common to stipulate succors in money, either in the first instance or by way of alternative. It will be pertinent to observe, incidentally, in this place that even the humane and laudable provision in the seventeenth article, which all have approved, is within the spirit of the objection, for the effect of this is to restrain the power and discretion of Congress to grant reprisals till there has been an unsuccessful demand of justice. Nothing can better illustrate the unreasonable tendency of the principle.

Treaties of peace are also excluded, or, at the least, are so narrowed as to be in the greatest number of cases impracticable. The most common conditions of these treaties are restitutions or cessions of territory, on one side or on the other, frequently on both sides—regulations of boundary, restitutions and confirmations of property, pecuniary indemnifications for injuries or expenses. It will probably not be easy to find a precedent of a treaty of peace which does not contain one or more of these provisions as the basis of the cessation of hostilities, and they are all of them naturally to be looked for in an agreement which is to put an end to the state of war between conflicting nations.

Yet they are all precluded by the objections which have been enumerated: Pecuniary indemnifications, by that which respects the appropriations of money; restitutions or cessions of territory or property, regulations of boundary, by that which respects the right of Congress to dispose of and make all needful rules and regulations concerning the territory and property of the United States. It is to be observed likewise that cessions of territory are almost always accompanied with stipulations in favor of those who inhabit the ceded territory, securing personal privileges and private rights of property, neither of which could be acceded to on the principles of that objection, which relates to the power of naturalization, for this power has reference to two species of rights, those of privilege and those of property. An act allowing a foreigner to hold real estate is so far an act of naturalization, since it is one of the consequences of alienism not to be able to hold real estate.

It follows that if the objections which are taken to the treaty on the point of constitutionality are valid, the President, with the advice and consent of the Senate, can make neither a treaty of commerce nor alliance, and rarely, if at all, a treaty of peace. It is probable that on a minute analysis there is scarcely any species of treaty which would not clash in some particular with the principle of those objections, and thus, as was before observed, the power to make treaties granted in such comprehensive and indefinite terms and guarded with so much precaution would become essentially nugatory.

* * * * * * *

But the construction which is combated would cause the legislative power to destroy the power of making treaties. Moreover, if the power of the executive department be inadequate to the making of the several kinds of treaties which have been mentioned, there is then no power in the Government to make them, for there is not a syllable in the Constitution which authorizes either the legislative or judiciary departments to make a treaty with a foreign nation. And our Constitution would then exhibit the ridiculous spectacle of a Government without a power to make treaties with foreign nations, a result as inadmissible as it is absurd, since, in fact, our Constitution grants the power of making treaties in the most explicit and ample terms to the President, with the advice and consent of the Senate. On the contrary, all difficulty is avoided by distinguishing the province of the two powers according to ideas which have been always familiar to us and which were never exposed to any question till the treaty with Great Britain gave exercise to subtleties of party spirit.

Chief Justice Ellsworth, who had been a member of the Federal convention and whose appointment to the Supreme Bench bears date of March 4, 1796, in a carefully prepared letter on the subject, under date of March 13, 1796, expressed similar views. He said:

The grant of the treaty-making power is in these words: "The President, with the advice and consent of the Senate, shall make treaties." The power goes to all kinds of treaties, because no exception is expressed, and also because no treaty-making power is elsewhere granted to others, and it is not to be supposed that the Constitution has omitted to vest sufficient power to make all kinds of treaties which have been usually made or which the existence or interests of the Nation may require.

PRECEDENTS AND AUTHORITIES RESPECTING TREATY-MAKING POWER AND SUBJECTS.

We will thus see that the understanding of those who framed and were instrumental in adopting the Constitution was that this country had power to enter into the usual treaties negotiated by sovereign powers, including treaties of alliance, treaties guaranteeing the political independence and integrity of foreign nations; in fact, this country had entered into such a treaty, which was in force before the Constitution was adopted and for years thereafter; that from that day to the present time no question has been raised respecting the power of this country to negotiate such a treaty. Not only is this supported by the best writers on constitutional law, but by the decisions of the Supreme Court and the practice of this country during the entire life of the Republic.

Willoughby, recognized as one of the best of the modern authorities on constitutional law, makes the following statement concerning the treaty-making power of the Federal Government:

The control of international relations vested in the General Government is not only exclusive but all-comprehensive. That is to say, the authority of the United States in its dealings with the foreign powers includes not only those powers which the Constitution specifically grants it but all those powers which sovereign States in general possess with regard to matters of international concern. This general authority in the United States is fairly deducible from the fact that in its dealings with other States the United States appear as the sole representative of the American people; that upon it rests, therefore, the obligation to perform all the duties which international law imposed upon a sovereign State; and that, therefore, having these duties to perform it is to be presumed to have commensurate powers. (Sec. 190.)

The power being expressly conferred by the Constitution on the President and Senate to make treaties, and there being no bounds set to their power, they are without limitation, except that they can not violate other provisions of the Constitution or invade the other departments of the Government.

In the case of Ferrioa dos Santos (2 Brock., 493), cited in Second Watson, on the Constitution, page 955, it is said:

The treaty power, as expressed in the Constitution, is in terms unlimited, except by those restraints which are found in that instrument against the action of the Government or of its departments and those arising from the nature of the Government itself and of that of the States. It would not be contended that it extends so far as to authorize what the Constitution forbids, or a change in the character of the Government or in that of one of the States, or a cession of any portion of the territory of the latter without its consent. (Fort Leavenworth Railroad Co. *v.* Lowe, 114 U. S., 525, 541.) But with these exceptions it is not perceived that there is any limit to the questions which can be adjusted touching any matter which is properly the subject of negotiation with a foreign country. (Per Field, J., in Geofroy *v.* Riggs, 133 U. S., 258, 266.)

In the same opinion it is said:

That the treaty power of the United States extends to all proper subjects of negotiation between our Government and the Governments of other nations is clear.

In Holmes *v.* Jennison (14 Pet. U. S., 540) Chief Justice Taney, writing the opinion of the court, said:

The power to make treaties is given by the Constitution in general terms, without any description of the objects intended to be embraced by it, and, consequently, it was designed to include all those subjects which in the ordinary intercourse of nations had usually been made subjects of negotiation and treaty and which are consistent with the nature of our institutions and the distribution of powers between the General and State Governments. And without attempting to define the exact limits of this treaty-making power or to enumerate the subjects intended to be included in it, it may safely be assumed that the recognition and enforcement of the principles of public law being one of the ordinary subjects of treaties were necessarily included in the power conferred on the General Government. * * * Indeed, the whole frame of the Constitution supports this construction (pp. 569–570).

In the case of The Cherokee Tobacco (11 Wall., 616) Judge Swayne said, at page 620:

It need hardly be said that a treaty can not change the Constitution or be held valid if it be in violation of that instrument. This results from the nature and fundamental principles of our Government. The effect of treaties and acts of Congress, when in conflict, is not settled by the Constitution. But the question is not involved in any doubt as to its proper solution. A treaty may supersede a prior act of Congress (Foster *v.* Neilson, 2 Pet., 314) and an act of Congress may supersede a prior treaty (Taylor *v.* Morton, 2 Curtis, 454; The Clinton Bridge, 1 Walworth, 155).

In Holden *v.* Joy (17 Wall., 243) Clifford, J., said:

Under the powers given to the President and Senate to make treaties, it must be assumed that the framers of the Constitution intended that the power should extend to all those objects which in the intercourse of nations had usually been regarded as the proper subjects of negotiation and treaty, if not inconsistent with the nature of our Government and the relations between the States and the United States.

In Holmes *v.* Jennison (14 Pet., 569) it was said:

The Constitution does not descend to details on the subject of treaties. It confers the power upon the President and Senate to make treaties, and this power is conferred in general and not specific terms. The power therefore includes all those matters which were the subjects of treaty at the time the Constitution was formed, providing they are consistent with the nature and provisions of the Constitution. The recognition and enforcement of the principles of public law being among the ordinary subjects of treaties were of necessity included in the power conferred upon the President and Senate to make treaties. (Cited in 2 Watson on the Constitution, p. 956.)

It is hardly necessary to enumerate the treaties involving such general provisions which have been entered into by the United States during its existence under the Constitution. Familiar examples are the Rush-Bagot agreement of 1817—made by the exchange of notes—whereby the United States and Great Britain agreed to limit their naval armament upon the lakes forming the boundaries between the United States and Canada.

The Webster-Ashburton treaty of 1842, whereby Great Britain and the United States agreed to maintain a naval force on the coast of Africa for the suppression of the slave trade, the forces of the two nations to act in concert and cooperation.

The Clayton-Bulwer treaty of 1850 between Great Britain and the United States, relating to the subject of a ship canal between the Atlantic and Pacific Oceans, the two nations guaranteeing the neutrality of the canal and undertaking to protect it against unjust confiscation, seizure, or violence, and so forth.

The treaty of 1846 with Colombia, whereby the United States guaranteed "positively and efficaciously * * * to perfect neutrality" of the Isthmus of Panama, the treaty with Cuba, and the treaty by which we guaranteed the independence of Panama.

The treaty of 1889 with Germany and Great Britain respecting the Samoan Islands, and many others.

The treaties of arbitration are so well known that no reference is necessary. The two Hague conventions, the Hay treaties

made following the first convention, and the Root treaties following the second, and, finally, the Bryan treaties of 1913 dealt so comprehensively with the whole subject of arbitration as to leave no doubt whatever concerning the uniform recognition of the ability of the treaty-making power to bind the United States to any form of agreement for the peaceful settlement of international disputes, with a corresponding covenant not to go to war over the subject of dispute until after the processes of arbitration or inquiry have been exhausted, so that, upon precedent, upon the testimony of the statesmen who framed the Constitution, and in practice there can be no doubt as to the power of this Nation to execute such guaranties, whatever may be its wisdom. In principle there is no difference between guaranteeing the independence of Panama and guaranteeing the independence of Great Britain or France. It is said that we have a proprietary interest in Panama on account of the construction of the canal. We have a proprietary interest in the canal, and it is to our benefit to have stable government on either side of the canal, and so it is to our interest to have stable governments in any country contiguous to the United States or in any part of the world which might otherwise threaten our peace. For that reason we practically guaranteed the independence of Cuba.

If this country had the power to negotiate a treaty of alliance with France—and that power has not been questioned for more than a hundred years—the power still subsists.

If we had power to enter into a treaty with Great Britain to limit armament upon the Great Lakes—the treaty with Great Britain, 1817, which power has not been questioned for more than a hundred years—we have the same power to agree with all nations at this time to limit our armament.

Another objection to the treaty is that Congress alone can declare war and establish an army and navy; that therefore it is within the sole province of Congress to decide whether we will declare war to protect a foreign country or whether we will enlist a certain number of men and provide a certain army; that, as the legislative power is alone vested in Congress, only Congress can enter into such an agreement; and that any agreement the violation of which might cause war, or any agreement to limit armament which Congress might violate, is unconstitutional. This, as Hamilton says, would practically destroy the treaty-making power of the United States.

The argument is as old as the history of treaties in this country. It was presented with great ability by the opponents of the Jay treaty and overcome by the able statesmen of that time, foremost among whom was Alexander Hamilton. From that day to the present time the question has been frequently raised in connection with treaties for the payment of money, regulating commerce, fixing import duties, regulating rights of trade with foreign countries, fixing boundaries, and various other subjects, the objection being that as the power to legislate in relation to these matters was in the entire Congress, any treaty made by the President and the Senate was therefore void. But these objections have proved unavailing and a large number of treaties have been made and ratified by the Senate where legislation was necessary to carry them into operation. For those who desire a more detailed examination of these treaties they will be found stated and analyzed in Crandall on Treaties, their making and enforcement, chapters 12 to 17, inclusive.

I can not review them all, but let me discuss a few of them:

The Jay treaty provided for the payment of money, regulated commerce, and fixed the status of foreign citizens, their right to hold and inherit property in the States, and other like provisions. President Washington took the advice of the heads of his administration—of Hamilton and others—and declined to submit the treaty to the House of Representatives.

On March 30, 1796, in his reply to a resolution from the House, President Washington said:

> As, therefore, it is perfectly clear to my understanding that the assent of the House of Representatives is not necessary to the validity of a treaty, as the treaty with Great Britain exhibits in itself all the objects requiring legislative provisions, and on these the papers called for can throw no light, and as it is essential to the due administration of the Government that the boundaries fixed by the Constitution between different departments should be preserved, a just regard to the Constitution and to the duty of my office, under all the circumstances of this case forbids a compliance with your request.

The treaty with France for the purchase of land at the mouth of the Mississippi, approved May 3, 1802, required an appropriation of $2,000,000. President Jefferson submitted the treaty to the Senate alone, and after its ratification, asked Congress to make the appropriation. A resolution requesting the President to submit the papers to the House of Representatives was defeated.

In the French treaty of July 4, 1831, it was agreed to pay to the United States 25,000,000 francs in settlement of certain claims. The treaty was signed by the French Government and the representatives of the United States and ratified by the Senate. The Chamber of Deputies of France refused to make the appropriation. The House of Representatives unanimously adopted a resolution declaring that in the opinion of the House the convention should be maintained and its execution insisted upon.

So that we ourselves have not only insisted that we have the right to make a treaty which is said to circumscribe the legislative or sovereign power of the Government, but we have invoked the same rule against others.

There are a number of these treaties entered into with the United States requiring the payment of money which have never been submitted to the Congress and which have been negotiated by the President and confirmed by the Senate. A list of these may be found on page 179, Crandall on Treaties, extending from 1796 to 1903.

In treaties involving the modification of revenue laws it has been the universal custom for the President and the Senate to negotiate such treaties, although the power to raise revenue is alone vested in the Congress, and such bills must originate in the House. This question was also determined as an incident to the Jay treaty. The discussion is very illuminating. John Forsyth, who was afterwards Secretary of State, instituted the contention in the House that legislation to administer the treaty was necessary, but he made no claim that the treaty itself was invalid. His statement is so clear on this question that I beg leave to quote therefrom:

> The basis of the bill is not the principle stated, that legislative aid is necessary to the validity of treaties. Gentlemen have exhausted their ingenuity, their time, and their eloquence in the discussion of a doctrine utterly denied by the bill and those who advocate it. The doctrine contended for is that in certain cases specified by the Constitution legislative aid is necessary to the execution of treaties. Is there no difference between the two propositions? * * * The distinction between the validity of an instrument and the execution of its provisions, between the obligation of contract and the performance of that obligation? * * * We insist not that it is the figment or shadow of a treaty but that it shall be neither more nor less than a treaty valid and obligatory as such as a contract, but not having the force of law in its operation upon the municipal concerns of this people without legislative enactment.

He makes a distinction between the carrying out of a treaty and the making of a treaty which is morally binding upon the Congress.

Heretofore there has been no tribunal in which such treaties could be judged, except the tribunal of public opinion.

The treaties with France in 1822 and 1831 providing for duties on French goods admitted into the United States were ratified and then submitted to Congress for legislation. But the Senate refused to ratify the treaty with the States of the German Zollverein, which changed the duties laid by law. Since 1854 many of the treaties affecting import duties contained a proviso that the treaty should take effect as soon as laws required to carry them into operation should be passed. For instance, in convention with Hawaiian Islands of 1875, the Senate advised ratification, "but not until a law to carry it into operation shall be passed by the Congress of the United States." A similar reservation was made in the reciprocity convention with Mexico of 1883 and various other reciprocity conventions subsequently negotiated.

In the tariff act of October 3, 1913, the President was "authorized and empowered to negotiate trade agreements with foreign nations wherein mutual concessions are made looking toward freer trade relations and further reciprocal expansion of trade and commerce: *Provided, however*, That said trade agreements before becoming operative shall be submitted to the Congress of the United States for ratification or rejection."

Whatever may be said respecting the propriety of the negotiation of a treaty by the President and the Senate which interferes with the tariff acts enacted by Congress, the power to negotiate such treaties is settled beyond question. My own opinion is that the wisdom of it is doubtful, and as the duty is placed upon Congress to raise revenue to support the Government, the treaty-making power should not be exercised in such a way as to infringe upon this authority. But it has been the practice of this Nation from the inauguration of its Government under the Constitution to negotiate such treaties and to simply ask Congress to pass the necessary legislation to carry them into operation.

The Supreme Court, in the so-called Insular cases, settled this question. In the case of De Lima *v.* Bidwell (182 U. S., 1) recovery was sought for duties paid under protest on goods brought into New York from the island of Porto Rico in 1899, after the exchange of ratification of the treaty but prior to any legislation by Congress. The court held that upon the exchange of ratification of the treaty of April 11, 1899, Porto Rico ceased to be a foreign country within the meaning of the tariff laws then existing, and that the duties were not legally exacted.

That, in effect, was a repeal of the tariff laws by this treaty.

In the Fourteen Diamond Ring case (183 U. S., 176) the same decision was reached as to the Philippine Islands. It is true, however, that in the De Lima case there was the dissenting opinion of four judges, written by Mr. Justice White, to the contrary. But the De Lima case has been reaffirmed and must now be considered as the settled law of this country. This case was cited and approved in Dorr *v.* United States (195 U. S., 138), and has been cited with approval by the Supreme Court since that time.

Chief Justice White based his dissent upon the ground that it was not good policy for the Government to execute a treaty affecting duties, because the responsibility for raising revenue to support the Government was placed upon the Congress. But the court held the question of propriety was for the Senate and the President to determine when they made the treaty, Congress clearly reserving the right to refuse to carry it out or to repeal the treaty if it saw fit.

In the latter case Mr. Justice Day, who delivered the opinion of the court, said:

> It may be regarded as settled that the Constitution of the United States is the only source of power authorizing action by any branch of the Federal Government. "The Government of the United States was born of the Constitution, and all powers which it enjoys or may exercise must be either derived expressly or by implication from that instrument." (Downes *v.* Bidwell (182 U. S., 244, 288) and cases cited.) It is equally well settled that the United States may acquire territory in the exercise of the treaty-making power by direct cession as the result of war and in making effectual the terms of peace, and for that purpose has the powers of other sovereign nations. This principle has been recognized by this court from its earliest decisions. The convention which framed the Constitution of the United States, in view of the territory already possessed and the possibility of acquiring more, inserted in that instrument, in Article IV, section 3, a grant of express power to Congress "to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States."

There is no question that the power to acquire territory, to fix boundaries and the status of the inhabitants, and to cede territory has not only been exercised many times by this Government but has been sustained as a part of the treaty-making power by the Supreme Court of the United States.

The Senator from Pennsylvania, in his speech of March 1, objects to certain articles of the treaty relating to finance and economy because the power to legislate upon interstate commerce is vested in Congress. This same objection was made to the Jay treaty and was met by the President and by many of the proponents of the treaty, conspicuous among whom was Alexander Hamilton. Hamilton said:

> This will the better appear from the entire clause. "The Congress shall have power to regulate commerce with foreign nations and among the several States and with the Indian tribes," which is the same as if it had been said: The whole powers of regulating trade by law shall reside in Congress, except as to the trade within a State, the power to regulate which shall remain with such State. But it is clearly foreign to that mutual regulation of trade between the United States and other nations, which, from the necessity of mutual consent, can only be performed by treaty. It is, indeed, an absurdity to say that the power of regulating trade by law is incompatible with the power of regulating it by treaty, since the former can by no means do what the latter alone can accomplish; consequently, it is an absurdity to say that the legislative power of regulating trade is an exception to the power of making treaties.
>
> Laws are the acts of legislation of a particular nation for itself. Treaties are the acts of the legislation of several nations for themselves jointly and reciprocally. The legislative powers of one State can not reach the cases which depend on the joint legislation of two or more States. For this resort must be had to the pactitious power, or the power of treaty. This is another attitude of the subject, displaying the fallacy of the proposition that the legislative powers of Congress are exceptions to or limitations of the power of the President, with the aid of the Senate, to make treaties.

SUPERIORITY OF TREATIES OVER STATE LAWS.

There is no doubt that in the absence of a treaty or legislation by Congress the States have power to establish the status of foreign citizens as to their rights to hold and inherit property and to engage in business within their several borders. And Congress undoubtedly has the power to provide for the naturalization of foreign subjects and prescribe conditions under which they shall become citizens of the United States. Notwithstanding this, it is settled beyond dispute that the Federal Government may, by treaty, define the status of a foreign subject residing within the States, and indicate the places where he may travel, the business in which he may engage, the property he may own, both real and personal, and the disposition of such property upon his death; that such a treaty constitutes the supreme law of the land; that a State law contravening such a treaty is invalid and will be so declared by the courts in a suitable action. Certain it is that Congress may pass a law setting aside such a treaty, and that a treaty may be negotiated which shall supersede a law of Congress.

These propositions have been established by the laws of all civilized nations, by the history of all eras, by the opinion of statesmen who framed our Constitution, by the provisions of the Constitution, by the universal practice of negotiating such treaties, and finally by repeated decisions of the Supreme Court of the United States and many of the State courts during a period exceeding 100 years.

If the President and the Senate can make a treaty providing for the disposition of land in a State, they may make a treaty affecting foreign commerce, continually conceding the power of Congress to denounce the treaty.

Under the Articles of Confederation the Congress entered into treaties with foreign Governments defining the status of foreign citizens within the several States, and their right to engage in business, and to own, dispose of, and inherit property, both real and personal. Such treaties were made with France, the Netherlands, Sweden, Great Britain, Morocco, and Prussia. (Treaty with France, Feb. 6, 1778, 8 U. S. Stat. L., 12; treaty with the State's General of United Netherlands, Oct. 8, 1782, 8 U. S. Stat. L., 32; treaty of peace with Great Britain, Nov. 30, 1782, 8 U. S. Stat. L., 54; treaty with Sweden, Apr. 3, 1783, 8 U. S. Stat. L., 60; treaty with Prussia, September, 1785, 8 U. S. Stat. L., 84; treaty with Morocco, Jan. 7, 1787, 8 U. S. Stat. L., 100.)

Since the adoption of the Constitution many treaties of this character have been made, such as the treaty with the Republic of Salvador in 1870 (Treaties and Conventions, p. 1537); the treaty with Peru, 1871 (Treaties and Conventions, p. 1431). In fact, nearly every one of our treaties contain provisions, varying in form, regulating some matter which is ordinarily within the jurisdiction of the State, and which, by the Constitution, is not committed to Congress other than by the treaty-making power.

That such treaties are valid and superior to the laws of the States is demonstrated by the discussions which occurred at the time the Constitution was adopted.

Time does not permit me to cite the expressions of the public men of that time, of Washington, Jefferson, Hamilton, Madison, Randolph, Pinckney, Adams, Wilson, together with the remarkable discussion of the Constitution by Hamilton, Madison, and Jay in the Federalist—a discussion which excited the admiration of statesmen the world over and compares favorably with the writings of such great students of government as Vattel, Montesquieu, Burke, Machiavelli, and Rousseau.

It is only necessary for me to cite to the Senate the various decisions of the Supreme Court of the United States, holding that these treaties were not only within the treaty-making power of the Senate and the President but were superior to the laws of the various States.

Many of these decisions were rendered in the early days of the Republic, were participated in by men who were members of the Constitutional Convention and familiar with the history of the times and the objects to be attained by its adoption. I shall simply give the Senate a list of the leading cases, as follows: Elizabeth Rutgers *v.* Joshua Waddington, in the Mayor's Court of New York, 1784; Ware *v.* Hylton (3 Dall., 199); Chirac *v.* Chirac (2 Wheat., 259); Orr *v.* Hodgson (4 Wheat., 453); Fairfax's Devisee *v.* Hunter's Lessee (7 Cr., 603); Hughes *v.* Edwards (9 Wheat., 489); Hauenstein *v.* Lynham (100 U. S., 483); Geofroy *v.* Riggs (133 U. S., 263).

There have also been adjudicated cases to the same effect in the United States circuit and district courts and a large number of cases in the State courts. In fact, every State which has passed on the question has followed the decision of the Supreme Court of the United States.

This is also the opinion of substantially all of the writers upon the treaty-making power, with one exception—Henry St. George Tucker, of Virginia—and he bases his opinion very largely upon certain expressions contained in certain decisions of the Supreme Court of the United States, notably in opinions rendered by Chief Justice Taney, in 1840, in Holmes *v.* Jennison (14 Pet., 540); of Justice Daniel, shortly after, in the License cases (5 How., 504); and Chief Justice Taney and Justice Grier in the Passenger cases (7 How., 283), tending to support the theory that the treaty-making power does not extend to the subjects which by the Constitution are ordinarily committed to the regulative jurisdiction of the States. In all of these cases there were opinions by several of the justices of the court, and it does not appear that the language used was approved by the majority. In fact, in the Passenger cases, the language of Chief Justice Taney was used in a dissenting opinion. These decisions, however, do not purport to overrule the earlier decisions of the court to the contrary, and have never been followed by the court since that time. They were rendered at a time, now happily past, when the country was divided by an overwhelming issue which darkened the political sky and clouded the judgment of men. This undoubtedly had its effect upon the decisions of that great court, but the later decisions have dispelled whatever doubt may have existed.

CONSTITUTIONAL EXCEPTIONS TO TREATY-MAKING POWER.

It may be said, however, that if there are no implied limitations to the treaty-making power, the President, by and with the consent of the Senate, might dismember the Union, abolish the structure of government guaranteed by the Constitution, or convey away the territory of the States. In fact, the Senator from Pennsylvania, in his speech on June 17, said that under the treaty-making power King George of England could not be made President of the United States, nor could the House of Lords be substituted for and perform the functions of the Senate of the United States, nor could the House of Commons be made to take the place of the House of Representatives.

But these arguments are not new. They were advanced time and time again in the constitutional convention and in the convention of the various States called to consider the adoption of the Constitution.

The same argument was advanced against the Jay treaty. In reply, Hamilton said:

> The only constitutional exception to the power of making treaties is that it shall not change the Constitution; which results from this fundamental maxim, that a delegated authority can not alter the constituting act, unless so expressly authorized by the constituting power. An agent can not new-model his own commission. A treaty, for example, can not transfer the legislative power to the executive department, nor the power of this last department to the judiciary; in other words, it can not stipulate that the President, and not Congress, shall make laws for the United States—that the judges, and not the President, shall command the national forces.

Undoubtedly the treaty-making power does not comprehend that the President and the Senate shall change the form of Government or stipulate to destroy any of the fundamental powers of the Federal Government which are guaranteed by provisions of the Federal Constitution coordinately with the treaty clause.

A treaty abrogating the functions of the Supreme Court of the United States or of the legislative or executive bodies would undoubtedly be declared unconstitutional, because the provisions of the Constitution creating the departments of Government are of equal force and effect with those conferring the treaty-making power.

These questions, if not settled by ballot, can only be settled by the arbitrament of war.

This question has been settled and these limitations carefully defined by the Supreme Court of the United States in the case of Geofroy *v.* Riggs (133 U. S., 258).

But because a treaty limits sovereign power—I speak of sovereign power as the power to make laws—it is not thereby invalid. The treaty-making power as between nations embraces many of the subjects which are within the legislative power of the Nation. Every treaty we negotiate to a certain extent destroys certain freedom of sovereign action. A treaty, of which we have many, conferring certain privileges of trade, is binding and, if we perform our agreement, it limits legislative action. Treaties fixing duties and providing for imports; navigation treaties; treaties defining the status of foreign subjects, their right to own and hold property; in fact, there is not a treaty which does not to some extent limit the power of the Federal Government. Of course, it is conceded that the Congress has the power to violate a treaty, and we have denounced some of our treaties. And the Supreme Court has decided that a treaty can not alter the Constitution and is void if it is in violation of that instrument. (Thomas *v.* Gay, 169 U. S., 264.)

But a treaty does not violate the Constitution, because a violation of a treaty may cause war. The violation of many of our treaties might cause war if the other party to the treaty so desired. Congress has no power, of course, to create a supergovernment and confer upon that government the right, without an act of Congress, to declare war.

But it is an entirely different proposition when Congress agrees to a treaty the violation of which may lead to war. By the guaranty of the political integrity of Panama, if we perform that guaranty, it may become necessary to render military service. The treaty itself, however, is valid. We can not, of course, confer upon Panama the power to declare war for the United States, but we can agree with Panama to perform acts which may involve us in war.

It is claimed that we can not enter into a treaty limiting armament, because Congress alone can raise and support armies and provide for a navy. By a treaty with Great Britain, negotiated in 1817, we agreed to limit armament on the Great Lakes. This treaty has been in existence more than 100 years, and no question has ever arisen as to its validity. If we may limit armament in a certain section we may limit it entirely. Whether it is advisable to do so is another question. It must also be remembered that we have negotiated a large number of treaties within the last 10 years, by which we agree to arbitration and to forego hostilities for periods of from three to six months. These are agreements not to make war. If the contention of certain Senators is correct that a treaty in which it is agreed to forego hostilities is void because the Congress has absolute power to declare war at any time, we have for many years been performing unconstitutional acts. In fact, any treaty would be void which Congress may violate by legislative act or which requires a legislative act before it becomes operative.

RESERVATIONS IN AND AMENDMENT OF TREATIES.

It is not my intention at this time to discuss the league of nations at length. Nor do I mean to convey the idea that all of the provisions of this league are wise and should be ratified. I have so far simply discussed the power to enter into such a treaty. The wisdom of the provisions is quite another thing. I think that some reservations might well be made not in any way detracting from the efficacy of the instrument.

The first question, therefore, which I wish to suggest is how far the Senate can go in making reservations which will not require the instrument to be resubmitted to all other signatory powers. No one doubts, of course, that the Senate has the power to make any reservations or amendments it sees fit and to make the ratification of the treaty conditional upon those reservations and amendments. There is also no question, in my opinion, that where the meaning of the instrument is at all in doubt the Senate may, by reservation, make a binding declaration construing the treaty.

However, I wish to make perfectly clear that, in my opinion, where either an amendment or a reservation clearly changes the meaning of the treaty it will require the instrument to be resubmitted to all other signatory powers. That such acceptance may be evidenced either by a formal ratification by the other signatory powers, by exchange of notes, or if not objected to by such powers, and the treaty is put into operation, such an amendment would undoubtedly be considered as having been accepted. There are cases in which such reservations do not appear to have been formally accepted by affirmative action of the other powers, but were undoubtedly tacitly accepted by putting the treaty into operation.

The effect of reservations and amendments to treaties has been considered by the Supreme Court in a number of cases: Doe *v.* Braden (16 How., 622); New York Indians *v.* United States (170 U. S. 1); Arkansas *v.* Kansas & Texas Coal Co. (183 U. S., 185); the Diamond Ring case (183 U. S., 176).

In Doe *v.* Braden (16 How., 635), the effect of a reservation as to the validity of certain grants made by the King of Spain in Florida pending the negotiation of the treaty was considered, and Chief Justice Taney, writing the opinion of the court, said:

> We have made this statement in relation to the negotiations and correspondence between the two Governments for the purpose of showing the circumstances which occasioned the introduction of the eighth article, confirming Spanish grants made before the 24th of January, 1818, and annulling those made afterwards; and also for the purpose of showing how it happened that the three large grants by name were declared to be annulled in the ratification and not by a stipulation in the body of the treaty. But the statement is in no other respect material. For it is too plain for argument that where one of the parties to a treaty at the time of its ratification annexes a written declaration explaining ambiguous language in the instrument or adding a new and distinct stipulation and the treaty is afterwards ratified by the other party with the declaration attached to it and the ratifications duly exchanged, the declaration thus annexed is a part of the treaty and as binding and obligatory as if it were inserted in the body of the instrument. The intention of the parties is to be gathered from the whole instrument as it stood when the ratifications were exchanged.

In the case of New York Indians *v.* United States (170 U. S., 1), a reservation adopted by the Senate, which was not submitted to the Indian tribes or published by the President as a part of the treaty, was held not binding.

Mr. Justice Brown, writing the opinion of the court, said:

> The power to make treaties is vested by the Constitution in the President and Senate, and, while this proviso was adopted by the Senate, there is no evidence that it ever received the sanction or approval of the President. It can not be considered as a legislative act, since the power to legislate is vested in the President, Senate, and House of Representatives. There is something, too, which shocks the conscience in the idea that a treaty can be put forth as embodying the terms of an arrangement with a foreign power or an Indian tribe, a material provision of which is unknown to one of the contracting parties, and is kept in the background to be used by the other only when the exigencies of a particular case may demand it. The proviso never appears to have been called to the attention of the tribes, who would naturally assume that the treaty, embodied in the presidential proclamation, contained all the terms of the arrangement. It is true that the proclamation recites that the Senate did, on March 25, 1840, resolve that the treaty, "together with the amendments proposed by the Senate of the 11th of June, 1838, have been satisfactorily acceded to and approved of by said tribes," but, as the proclamation purported to set forth the treaty "word for word" as so amended, of course the amendments referred to were those embodied in the treaty as published in the proclamation.

In the case of Fourteen Diamond Rings (183 U. S., 176), a question similar to the one in De Lima against Bidwell arose.

It appears that after the ratification of the treaty the Senate passed a resolution, by vote of 26 to 22, as follows:

Resolved, etc., That by the ratification of the treaty of peace with Spain it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship of the United States, nor is it intended to permanently annex said islands as an integral part of the territory of the United States; but it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands to prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the United States and the inhabitants of said islands.

The court said:

We need not consider the force and effect of a resolution of this sort, if adopted by Congress, LOT like that of April 20, 1898, in respect of Cuba, preliminary to the declaration of war, but after title had passed by ratified cession. It is enough that this was a joint resolution; that it was adopted by the Senate by a vote of 26 to 22, not two-thirds of a quorum; and that it is absolutely without legal significance on the question before us. The meaning of the treaty can not be controlled by subsequent explanations of some of those who may have voted to ratify it. What view the House might have taken as to the intention of the Senate in ratifying the treaty we are not informed, nor is it material; and if any implication from the action referred to could properly be indulged, it would seem to be that two-thirds of a quorum of the Senate did not consent to the ratification on the grounds indicated.

Mr. Justice Brown, in a concurring opinion, stated more in detail his reasons for not giving effect to the resolution:

It can not be regarded as part of the treaty, since it received neither the approval of the President nor the consent of the other contracting power. A treaty in its legal sense is defined by Bouvier as "a compact made between two or more independent nations with a view to the public welfare" (2 Law Dic., 1136), and by Webster as "an agreement, league, or contract between two or more nations or sovereigns, formally signed by commissioners, properly authorized, and solemnly ratified by the sovereigns or the supreme power of each State."

In its essence it is a contract. It differs from an ordinary contract only in being an agreement between independent States instead of private parties. (Foster *v.* Neilson, 2 Pet., 253, 314; Head Money Cases, 112 U. S., 580.) By the Constitution (Art. II, sec. 2), the President "shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur." Obviously the treaty must contain the whole contract between the parties, and the power of the Senate is limited to a ratification of such terms as have already been agreed upon between the President, acting for the United States, and the commissioners of the other contracting power. The Senate has no right to ratify the treaty and introduce new terms into it, which shall be obligatory upon the other power, although it may refuse its ratification, or make such ratification conditional upon the adoption of amendments to the treaty. If, for instance, the treaty with Spain had contained a provision instating the inhabitants of the Philippines as citizens of the United States, the Senate might have refused to ratify it until this provision was stricken out. But it could not, in my opinion, ratify the treaty and then adopt a resolution declaring it not to be its intention to admit the inhabitants of the Philippine Islands to the privileges of citizenship of the United States. Such a resolution would be inoperative as an amendment to the treaty, since it had not received the assent of the President or the Spanish commissioners.

While this is the well-settled rule respecting amendments to treaties, it is also equally well settled that in case of ambiguity or doubt in the application of the terms of a treaty reference is frequently made to the contemporary declarations of the negotiators who framed the treaty and to prior negotiations, not to make a treaty where the parties have failed to do so, nor to change the terms of the treaty actually made, but to determine the general object of the negotiations, the particular sense in which the terms, otherwise uncertain of application, were used at the time, or the conditions as they existed at the time of the conclusion of the treaty. (Crandall on Treaties, Their Making, etc., sec. 166.)

The author there reviews a number of instances of the application of this rule, among others the case of United States *v.* Texas (163 U. S., 1, 23, 37), where the Supreme Court of the United States referred to the diplomatic correspondence that led to the treaty with Spain of February 22, 1819, "to show the circumstances under which the treaty of 1819 was made and to bring out distinctly two facts"—(1) that the negotiators had access to the map of Melish, improved to 1818, and published at Philadelphia (expressly referred to in the treaty), and (2) that the river referred to in the correspondence as Red River was believed by the negotiators to have had its source near Santa Fe and the Snow Mountains.

Again, in the Alaskan boundary tribunal Lord Chief Justice Alverstone, writing an opinion in support of the decision of a majority of the members of the tribunal for the purpose of giving construction to the meaning of the words employed in the treaty, referred to the meanings given to those words by the negotiators in their written communications during the course of the negotiations.

In the case of the proceedings before the mixed commission constituted under the Jay treaty with Great Britain to determine the St. Croix River and its sources as described in the treaty a letter written by Franklin was considered for the purpose of establishing a map used by the negotiators, as there appeared to be no river in the region under consideration known by the name used in the treaty.

So an explanatory note filed by the Russian minister as to the interpretation placed by his Government on the treaty of 1824 between the United States and Russia was at a later period used by the United States, who had succeeded Russia in all her rights to Alaska, in support of her contention in the Bering Sea controversy with Great Britain. (Crandall, p. 382.)

One of the most striking instances of the use of these contemporary memoranda is given by Crandall in the case of the treaty between the United States and Great Britain of April 19, 1850, where, after the adoption by the United States Senate of the resolution advising ratification, memoranda were filed by the negotiators in which it was stated that the language of article 1—that neither party would ever "occupy, or fortify, or colonize, or assume or exercise any dominion over Nicaragua, Costa Rica, the Mosquito Coast, or any part of Central America"—was not understood by the contracting States, nor by themselves, to include the British settlement at Honduras and adjacent islands.

Although the declaration of the American negotiator was given with the approval of the chairman of the Senate Committee on Foreign Relations, who professed to speak as to the understanding of the Senate—an assumption denied and much criticized later by different Members—it formed no part of the treaty, not having been mutually agreed to by the treaty-making authorities of the two States. A main purpose of the treaty had been to do away with British pretensions in Central America, not to confirm them, and any exception to this general purpose and to the wording of the treaty should have been expressly stated. Whether Belize was or was not excepted from the operation of the treaty depended solely upon the geographical fact of its location without or within the boundaries of Central America as then known. But if this fact was not clearly ascertainable the memoranda, as expressions of those intimately connected with the formation of the article, could not be overlooked. (Crandall, p. 381.)

At the conclusion of the convention at the first international peace conference, held at The Hague on July 29, 1899 (2 Malloy, 2016–2032), the plenipotentiaries of the United States signed the convention for the pacific settlement of international disputes under reservation of the following declaration:

Nothing contained in this convention shall be so construed as to require the United States of America to depart from its traditional policy of not intruding upon, interfering with, or entangling itself in the political questions of policy or internal administration of any foreign State; nor shall anything contained in the said convention be construed to imply a relinquishment by the United States of America of its traditional attitude toward purely American questions.

It appears that the American delegates first declared this reservation on July 25, 1899, which was repeated when their signatures were placed on the convention as stated above. This action was reported to the President by the Secretary of State on December 19, 1899, when the conventions were forwarded without comment or recommendation to the President for submission to the Senate. This convention was duly ratified by the Government of the United States, by and with the advice and consent of the Senate, on February 5, 1900, the resolution being incorporated in the act of ratification deposited at The Hague, but there is no record of any comment from other powers, although, of course, the other powers ratified the treaty or accepted it with the reservations placed upon it. The Senate resolution of ratification, however, did not include a declaration of the reservation above referred to, which was enunciated by the plenipotentiaries at the time of signing the convention and by the President in his proclamation dated November 1, 1901.

The reservation incorporated in the resolution of ratification by the Senate of the convention for the pacific settlement of international disputes concluded in the second international peace conference held at The Hague in 1907 is identical with the reservation to the convention declared by the United States delegates at the first international peace conference signed on July 29, 1899.

Again, in ratifying the convention and protocol signed April 2, 1906, after the Algeciras conference, which regulated in the interest of the powers commercial intercourse with northern Africa, the Senate resolved:

That the Senate, as a part of this act of ratification, understands that the participation of the United States in the Algeciras conference and in the formation and adoption of the general act and protocol which resulted therefrom was with the sole purpose of preserving and increasing its commerce in Morocco, the preservation of the life, liberty, or property of its citizens residing or traveling therein, and of aiding by its friendly offices and efforts in removing friction and controversy which seem to menace the peace between the powers signatory with the United States to the treaty of 1880 and without purpose to depart from the traditional American foreign policy which forbids participation by the United States in the settlement of political questions which are entirely European in their scope.

In February, 1913, the Senate ratified the international sanitary convention signed at Paris January 17, 1913, modifying the international sanitary convention of December 3, 1903, with the proviso:

That the Senate advise and consent to the ratification of said convention with the understanding, to be expressed as a part of the instrument of ratification, that nothing contained in article 9 thereof shall be deemed to prevent the United States from carrying out any special quarantine measures against the infection of its ports which might be demanded by unusual sanitary conditions.

It does not appear that the treaty was referred back to the other powers for approval of this proviso, nor that such action was required, as there appears to be nothing in the ninth article which would prevent the United States from carrying out such special quarantine measures in the case referred to.

On the other hand, the Senate, in ratifying the proposed arbitration convention negotiated by Secretary KNOX under date of August 3, 1911, adopted as a part of the resolution of ratification a proviso—

That the Senate advise and consent to the ratification of said treaty, with the understanding, to be made part of such ratification, that the treaty does not authorize the submission to arbitration of any question which affects the admission of aliens into the United States or the admission of aliens to the educational institutions of the several States, or the territorial integrity of the several States or of the United States, or concerning the question of the alleged indebtedness or moneyed obligations of any State of the United States, or any question which depends upon or involves the maintenance of the traditional attitude of the United States concerning American questions commonly described as the Monroe doctrine, or other purely governmental policy.

President Taft, considering this proviso to be at variance with the provisions of the treaty and as constituting in effect an amendment to it, withdrew the treaty from further consideration, and no further action was taken upon it.

It would seem, therefore, perfectly clear that a resolution of the Senate interpreting the treaty and clearly reserving American rights can be made without destroying the binding effect of the ratification.

Thus (1), respecting the Monroe doctrine, the covenant declares, in article 21:

Nothing in this covenant shall be deemed to affect the validity of international engagements, such as treaties of arbitration or regional understandings, like the Monroe doctrine, for securing the maintenance of peace.

The proponents of the league claim that by this language the Monroe doctrine is excepted from the jurisdiction of the council and the assembly of the league.

If this is true, there can be no harm and it would seem to be entirely proper for the Senate, in ratifying the treaty, to declare its interpretation of this clause in line with the precedents embodied in resolutions frequently adopted in the past, to the effect that the Senate should ratify the treaty with the understanding that it does not authorize—

The submission to arbitration or inquiry by the council of any question which depends upon or involves the maintenance of the traditional attitude of the United States concerning American questions commonly described as the Monroe doctrine.

That language has been used several times in similar reservations.

My own personal opinion is that the Monroe doctrine is not accurately described in the reservation in article 21, whether it be considered as an "international engagement" or a "regional understanding." I believe, however, it is sufficiently designated to be excepted from the jurisdiction of the league, but there are other Senators who disagree with me and who claim that it is neither an "international engagement" nor a "regional understanding," because no other country than this has by any treaty or specific declaration acknowledged the existence of our right to enforce such a doctrine. It is undoubtedly a purely American doctrine, created to protect this country. It was proclaimed by President Monroe and has been reaffirmed by other Presidents for the purpose of preventing foreign countries from obtaining a foothold upon the Western Hemisphere.

I believe the American people wish to make it perfectly clear that no foreign country shall be permitted to obtain colonies or to obtain naval or military bases beyond those now existing within the jurisdiction of these self-governing countries, especially those lying near our border. We do not intend that Japan shall obtain a military base in Mexico or anywhere near the Panama Canal, and it seems perfectly reasonable in the interest of a proper and amicable understanding with other countries that this should be declared.

(2) As to the provision in article 15, which reads:

If the dispute between the parties is claimed by one of them and is found by the council to arise out of a matter which by international law is solely within the domestic jurisdiction of that party, the council shall so report and shall make no recommendation as to its settlement.

This would seem to confer upon the council jurisdiction to determine whether a particular question which may arise is or is not by international law solely within the jurisdiction of a party to a dispute, and that the jurisdiction to decide that question, in effect, submits to the determination of the council all matters of domestic concern, and the council might hold as subject to its jurisdiction something which the United States always has maintained to be exclusively within its own competence; as, for example, questions relating to immigration, coastwise traffic, tariff, and other matters.

It would seem, therefore, not only proper, but the duty of the Senate, in ratifying a treaty, to declare its understanding that these questions are solely within the jurisdiction of the United States.

It is not possible that this, or any other country, will permit a league of nations to interfere with its internal governmental questions. We have our political, economic, and social policies and our national interests, different from many of the foreign countries. We must solve our problems in the interest of the American people, with justice to the rights of other nations. But they are essentially the problems of this people and can only be solved as American questions. The principal advocates of this league claim that the league has no jurisdiction over such questions. I do not think this claim is well founded, and I believe the provision should be made perfectly clear instead of leaving it in this ambiguous language, for, if that is the true meaning, there can not be the slightest objection to a declaration to that effect by the Senate.

(3) Respecting article 10, by which the "members of the league undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league," the question is somewhat different. I am not in favor of striking this article out of the league entirely. If this course should be pursued it would not be a part of the treaty as between other nations.

If, on the other hand, it is permitted to remain, and the Senate makes certain reservations in the resolution of ratification, the obligation of the other powers as to article 10 remains the same if they so elect.

There are some grave objections to this guaranty as it stands. Until this war it has been the traditional policy for the United States to avoid the conflicts among the nations of Europe. We are undoubtedly interested in preventing Germany from again becoming a world menace and in maintaining the stability of certain nations which have been formed through the results of this war. But to perpetually guarantee the territorial integrity and existing political independence of every nation in the world in distant continents is quite another proposition. I do not believe the people of this country desire that we should be required to send an army to Europe whenever the council of the league of nations so decrees.

What would be the attitude of the people of the United States if after this treaty becomes operative the council of the league should call upon us to send an army to protect Japan's Province of Shantung, or if Japan should do the same? I do not say that it was not necessary, in the interests of the larger objects to be attained by the President, to enter into that clause of the treaty, but I do say that it has shocked the moral sense of the American people. I do not contend that the treaty should be rejected on that account, but I do believe that it is not according to the declaration of the principles made by the President as the basis of the negotiations of a treaty of peace. I do not believe it possible that the American people, acting through its Congress, would ever marshal its forces to protect Japan's sovereignty over Shantung. It seems to me that if the time comes when this Nation, in the interest of world peace and the preservation of its Government and its own institutions, must call its sons to foreign soil, it never can and never will be done unless it receives the moral sanction of the American people, whatever the treaty obligations may be. In my opinion there ought not to be a promise which would require us to send an army to foreign shores which would be violated if the Congress, in the exercise of a constitutional right, should refuse to act.

Furthermore, it is well settled that while the treaty-making power can obligate the United States to the payment of sums of money, it can not itself appropriate from the United States Treasury the amounts specified or compel the Congress to provide for their payment. And Congress alone can declare war and eventually carry out this guaranty, if such action should become necessary to protect any foreign country. Undoubtedly, nations dealing with the treaty-making power are presumed to have knowledge of this limitation. (See 1 Willoughby on the Constitution, sec. 206; 2 Butler, Treaty-making Power, sec. 372, and cases cited.)

In the case of Turner *v.* American Baptist Missionary Union, Federal cases, No. 14251, Mr. Justice McLean, on the circuit, said:

A treaty under the Federal Constitution is declared to be the supreme law of the land. This, unquestionably, applies to all treaties where the treaty-making power, without the aid of Congress, can carry it into effect. It is not, however, and can not be the supreme law of the land where the concurrence of Congress is necessary to give it effect. Until

this power is exercised, as where the appropriation of money is required, the treaty is not perfect. It is not operative in the sense of the Constitution, as money can not be appropriated by the treaty-making power. This results from the limitations of our Government. The action of no department of the Government can be regarded as a law until it shall have all the sanctions required by the Constitution to make it such.

Here, again, there is great divergence of opinion among Senators and the public generally as to the real meaning of article 10. Nearly every Senator who has spoken in favor of the league, and many public men of the highest ability claim that the suggestions of the council of the league in carrying out the undertaking in article 10, are merely advisory and that each country is at liberty to determine for itself the extent of its obligation, and whether it will invoke its military power to enforce this article in case of aggression.

The President, in his last message to the Senate, referring to article 10, said:

> The covenant of the league of nations provides for military action for the protection of its members only upon advice of the council of the league—advice given, it is to be presumed, only upon deliberation and acted upon by each of the governments of the member States only if its own judgment justifies such action.

Now, is it entirely clear under article 10 that the United States may not be called on to use its military and naval forces except upon the advice of the council of the league? The first part of article 10 seems to be a promise to resort to any action necessary to protect the territorial integrity of any member of the league. But if the construction placed upon it by the proponents of the league is correct, to-wit, that we can only be called on to protect the territorial integrity and political independence of any member of the league against external aggression upon advice of the council, certainly it is the duty of the Senate at least to place that same construction upon it in its resolution of ratification.

The Senator from Virginia [Mr. SWANSON], who led in the debate for the treaty after it was laid before the Senate, expressed the same opinion, as follows:

> The unanimous recommendation of the council is only advisory, and must be approved by the Governments of the several members of the league. This insures that the burden under this article will be fairly and properly distributed. While each member of the league makes a solemn pledge of mutual protection, yet each reserves its right of judgment as to duty and obligation in each case as it arises, and the means by which it shall be discharged. Thus, under article 10, no troops of the United States could be sent to engage in war without the advice of her representatives in the council and the approval of her Congress. This insures us against undue burdens and impositions. It leaves the extent of our moral and political obligations to our own sense of honor, and we ourselves measure the just demands upon our plighted promise.

The Senator from Montana [Mr. WALSH] on June 25, in a colloquy between the Senator from Idaho [Mr. BORAH] and himself, referring to this clause of the covenant, stated as follows:

> The purpose of this clause is obviously to secure concert of action, but it is left to each nation to determine for itself, the recommendation of the council notwithstanding, whether the occasion calls for action in fulfillment of its obligation and how that obligation ought to be discharged.

Again, speaking upon this same subject on July 28, the Senator from Montana [Mr. WALSH], as I understand him, reiterated that position, indorsed the position taken by the Senator from Virginia [Mr. SWANSON], and stated as his final conclusion as follows:

> Mr. KELLOGG. But I understand the Senator from Virginia [Mr. SWANSON] claims that not only are the recommendations of the council merely advisory, but as to the extent of our obligation it is for the Congress of the United States to determine the justness of the demand.
> Mr. WALSH. I agree with that.

This is the position taken by Mr. Oscar S. Straus, one of the leading advocates of the plan for a league of nations, who was in Paris during the negotiations for the covenant. Considering article 16 in connection with article 10, in a statement published in the Evening Star on June 30, he made the following observations:

> Article 10 does not compel us to go any further than this, provided Congress determines, as it has a full right to do, that such a boycott, if imposed and continued, will prevent threatened or put an end to external aggression, for the article provides that in case of such aggression or in case of any threat or danger of such aggression the council shall advise upon the means by which this obligation shall be fulfilled.
>
> EACH LEAGUE MEMBER FREE.
>
> In other words, the council is not permitted to prescribe, to determine, to order, or direct what means shall be employed in order to fulfill the obligation, but only "shall advise." That is to say, in the final analysis each nation member of the league is free to follow that advice or adopt such other means, as provided for in article 16, which in its judgment will be adequate to accomplish this result.
>
> The word "advise" in this article is used in the same sense as the word "recommend" is used in the second clause of article 16, which provides: "It shall be the duty of the council in such case to recommend to the several governments concerned what effective military or naval forces the members of the league shall severally contribute to the armaments of forces to be used to protect the covenants of the league." In other words, the council does not prescribe, order, or direct, but its duty is to "recommend."

In fact, I do not recall among the advocates of the league anyone who claims to the contrary. But there are men of equal ability in the Senate and elsewhere who claim that this constitutes an absolute guaranty not only to respect but to preserve as against external aggression the territorial integrity and existing political independence of every member of the league wherever situated, and if deemed necessary by the council the United States will be compelled to contribute military and naval forces and provide any other reasonable means that will be effective in fulfilling the obligation of the United States under such a guaranty.

In my opinion the first part of article 10 constitutes such an unqualified undertaking, and while, of course, the Congress alone can declare war, there is the promise of the United States, made pursuant to the lawful treaty-making power, to undertake such protection by military force, or otherwise, for all members of the league.

I believe, therefore, that there should be some reservations construing this clause in such a way that it shall be absolutely clear and certain that the function of the council is simply to serve in an advisory capacity, so that the other signatory powers will thoroughly understand that the Congress of the United States has the sole and exclusive power to declare war and provide for the operation of the military and naval forces of the United States, and that the failure of the Congress to contribute to the relief of any member of the league shall not be deemed a violation of the covenant; or, as the President says, that it shall be left to the judgment of each member whether the circumstances justify such action. Otherwise it will be impossible to determine the construction that the council may place upon this clause.

I can not understand why, if this is the proper interpretation, as claimed by proponents of the league, the Senate, in the exercise of its prerogative, should not so declare. The individual expressions of opinion by Senators, or even the President, do not control it. The expression of the collective judgment of the Senate by its vote does control it. Shall we leave to the uncertain arbitrament of contending nations in future years the question whether the United States shall marshal its armies upon foreign soil or be branded as a violator of treaties, or shall the world rely, as it must, upon the good faith of the American people which has been abiding for the protection of this country as well as that of our allies in this war? If we subscribe to this covenant for a league of nations, it is incumbent upon us to be scrupulous in the observance of all its provisions.

There is another reason why this should be done by a reservation rather than an amendment. There are many parties to this treaty. If the Senate strikes out article 10 entirely, its elimination must be accepted by all the signatory powers, and article 10 will no longer constitute a part of the treaty between them. The United States can have no objection to the European nations guaranteeing the territorial integrity and existing political independence of any of the members of the league. We, on the other hand, are situated differently. We are not in the immediate vicinity of those governments lately set up as independent. We are not so intimately interested in their stability as is France, England, Italy, and other European nations. We have a more direct interest in the stability of the nations of the Western Continent. We might, therefore, by a reservation limit the obligation of the United States without affecting the treaty between the other nations who are willing to accept article 10 without reservation.

Mr. HITCHCOCK. Mr. President, before the Senator leaves that subject, will he discuss the power of the council, taking into account the fact that the council can render no decision and give no advice without the consent of the American representative on the council?

Mr. KELLOGG. That is true, if the United States will be required to act only upon the advice of the council of the league. But if there is a definite obligation under the first part of article 10 it is not dependent upon the advice of the council. It is the call of a foreign country upon the United States to employ military and naval forces without the free exercise of the judgment of the Congress, which I wish to prevent.

Mr. HITCHCOCK. Is not the language of article 10 very specific—not that the foreign country can call, but only that the council can call by way of advice? There is no provision at all that any country can call upon us. It is only the council, and we constitute one-ninth of the council; and the council can not act without the consent of the American representative.

Mr. KELLOGG. Of course I have very great respect for the Senator's opinion and for the opinion of other Senators who believe that; but the language of the article is:

> The members of the league undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league.

There it concludes with a period. A direct obligation and undertaking are imposed upon this country. It is followed, to be sure, with this clause:

In case of any such aggression or in case of any threat or danger of such aggression the council shall advise upon the means by which this obligation shall be fulfilled.

The obligation of the United States to protect the territorial integrity of any country does not seem to be dependent upon a call from the council of the league; and if that is true it would make no difference what the position of our representatives upon the council was. If Japan called upon us to protect her Shantung Province, or if some other member in the Far East called upon us to protect her territorial integrity or to expel some neighbor who had trespassed upon it, I wish the judgment of the American people, to be expressed by the Congress of the United States, as to whether the cause is just and whether the obligation of this nation compels us to respond.

Mr. HITCHCOCK. Mr. President——

Mr. KELLOGG. I yield to the Senator from Nebraska.

Mr. HITCHCOCK. I am very much surprised that the Senator should insert something into the league which is not there at all. I think there is not a word in the constitution of the league anywhere which justifies any nation in calling upon any other for protection. On the other hand, specific provision is made that the advice must come from the council of nine nations, which must be unanimous, and we constitute one of the nine.

Mr. BRANDEGEE. Mr. President——

Mr. KELLOGG. I know that is the opinion of many Senators, men of great ability, but it is also the opinion of many others that there is an absolute promise. If the construction of the Senator is correct, then why not so state in our resolution of ratification? I am not contending that the construction I have suggested is correct. I am announcing it for the judgment of the Senate.

I yield to the Senator from Connecticut.

Mr. BRANDEGEE. Mr. President, in his answer to the inquiry of the Senator from Nebraska, the Senator from Minnesota has pretty nearly covered what I wanted to suggest to him. There can be no question under the language of article 10, which the Senator has just read, that the United States, if it shall enter this league, undertakes to preserve and protect the territorial integrity of members of the league. "Undertake" means that we contract to do it. It is a sacred contract, the highest and most solemn promise that a nation can make, and it is a promise in behalf of the Nation. The fact that article 10 in another place proceeds to state that the council may advise as to the manner in which that contract shall be performed does not derogate from our obligation to fulfill the contract, and whether we are called upon by any nation or by the league to fulfill our contract is immaterial. We contract to preserve the territorial integrity of the members of the league, and all the council has to do about it is to suggest the manner in which that contract shall be performed. But our obligation to preserve the territorial integrity of all the members of the league remains unimpaired and unimpeachable.

Mr. KELLOGG. Mr. President, I make my statement as to the meaning of this section in no dogmatic spirit. I may be wrong, but there are many men who indulge the same views.

It is my opinion, therefore, that if we ratify the treaty, defining the obligation of the United States under article 10, it will not interfere in any way with the other nations ratifying the treaty and obligating their respective governments to any extent they see fit. Such a reservation would simply modify our obligation under article 10.

This course was pursued when the Senate ratified The Hague convention, the Algeciras conference, and the international sanitary convention of 1913. As the instrument now stands, I am inclined to the opinion that there is an absolute promise to preserve as against external aggression the territorial integrity and existing political independence of the members of the league, and that it would constitute a breach of the treaty if the council should call upon this country and the Congress refuse to employ all usual means to enforce such provision, although foreign countries must be presumed to know the limitations of our Constitution.

Article 1 provides that any member of the league may, after two years' notice of intention so to do, withdraw from the league, provided that all its international obligations and all its obligations under this covenant shall have been fulfilled at the time of withdrawal.

Senator Root suggested an amendment, which, in substance, provides that no claim, charge, or finding that international obligation or obligations under the covenant have not been fulfilled will be deemed to render the two years' notice ineffectual, or to keep the power giving the notice in the league after the expiration of the time specified in the notice.

The Senator from Virginia [Mr. SWANSON] claims that is the proper construction of this section as it now stands. He says:

Disputes arising prior to the withdrawal must be settled as provided in the covenant. This the United States, if she becomes a member, agrees to. But under no provision in this covenant would the United States undertake to let the council, assembly, or any body or person determine whether she had discharged her obligations and to permit her to withdraw from the league. Hence she reserves this decision for herself. The decision of this question, as it affects her, would be left to the judgment and conscience of her own Government, free from any agreement to submit its decision elsewhere.

Of course, if the Senator from Virginia is correct, the reservation which was proposed by Senator Root would be necessary. But is this the proper construction to be placed upon this article? It seems to make the right of any country to withdraw, after two years' notice, provisional upon all its international and other obligations, under the covenant, having been fulfilled at the time of withdrawal. It does not empower the league to prevent a country from withdrawing, but it makes its very right to withdraw depend upon such compliance. Whether there exists any power to prevent a member from withdrawing is not the only question which should interest us. We ought to be scrupulous in carrying out our obligations, and it is entirely within the range of probabilities that nations might disagree as to whether we had fulfilled our obligations.

I have made these suggestions as others have made them, in varying forms, for the purpose of accomplishing something practicable toward ratifying the treaty. If the construction placed upon these various provisions by the principal proponents of the league are correct, the reservations I have proposed will constitute nothing more than declarations of construction, which would be binding upon all the other powers. If they are wrong in their constructions, such declarations would constitute reservations and would change the substance of the provisions. But since no one can tell what construction the council or the assembly may place upon these articles, we should make a binding declaration to form a part of the ratification of the covenant. I can not believe it possible that any other power will object to these reservations. Certainly no nation would for a moment permit the council of the league of nations to pass upon its domestic and political questions.

I am anxious that this treaty should be ratified at the earliest possible date, the war ended, our soldiers returned home, and the country permitted to return to normal peace conditions. I do not expect that the league of nations will permanently prevent war or that it will be a complete panacea for all the evils which threaten the peace of the world. I realize that it is to some extent an experiment, but it is an experiment I am willing to try. This country has for a quarter of a century been the leader in establishing the principles of arbitration, international understanding, and pacific settlement of disputes. All of the Secretaries of State since the administration of William McKinley have been leaders in this great world movement. We should not now take a backward step. I know there is much to be criticized in this covenant for a league as well as in the treaty. It is obscure in many of its provisions and difficult of interpretation. The obligations imposed and the jurisdiction conferred are in many respects vague and ill defined.

Men of the highest talent and experience in international law disagree radically as to the meaning of some of its provisions, as we see by the discussion of the principal points which I have mentioned. By some it seems to be claimed that our representatives in Paris were wiser than the Senate, and that it is a reflection upon them if any change whatever is made, even to clarifying the language.

If this is correct, then the Senate has no function to perform in this the most important treaty ever submitted to a deliberative body. Is it to be supposed that the Senate knows less of the proper obligations to impose upon this country than our commissioners, or is less qualified to define with accuracy these obligations and to determine the duties to be performed under the treaty? I have no patience with the sentiment so often here expressed that the Senate should entirely abrogate its functions.

The statements I have made are uttered in a nonpartisan and impersonal spirit. From the beginning of the discussion relating to this subject I have expressed myself to the effect that I earnestly and heartily hoped and desired that a coalition might be formed among the nations of the world which would serve to forestall war and promote peace.

The exceptions to the covenant which I have stated are not in any manner designed to defeat the present plan for a league of nations, nor to induce the opinion that I am opposed to this covenant. I am only zealous that the traditions, rights, and privileges which the United States has maintained, exercised, and enjoyed shall not be destroyed or restricted. I firmly believe that if the exceptions that have been stated are concurred in and adopted, it will in no way detract from the influence

which the United States will exercise in connection with the functions of the league, and will render this Nation an even greater factor in world affairs.

I also appreciate the aversion which exists for European entanglements and alliances, which should, however, be overcome by the realization that no more disastrous results can ensue from a league of nations than have been wrought by the great conflict which has just closed during which we have been compelled to ally ourselves with the nations of Europe.

The future, as it develops, will coordinate more and more the activities and interests of nations, and there is every reason to believe that, in the nature of things, an international court or league must sooner or later be established to advise upon and regulate the sum of human affairs and interests.

APPENDIX.

DRAFT OF THE RESERVATIONS.

That the Senate of the United States advise and consent to the ratification of said treaty with the following reservations and understandings, to be made a part of the treaty by the instrument of ratification:

1. That whenever the two years' notice of withdrawal from the league of nations shall have been given by the United States, as provided in article 1, the United States shall be the sole judge whether all its international obligations and all its obligations under this covenant shall have been fulfilled at the time of withdrawal.

2. That the suggestions of the council of the league of nations as to the means of carrying the obligations of article 10 into effect are only advisory, and that any undertaking under the provisions of article 10 the execution of which may require the use of American military or naval forces or economic measures can under the Constitution be carried out only by the action of the Congress, and that the failure of the Congress to adopt the suggestions of the council of the league, or to provide such military or naval forces or economic measures, shall not constitute a violation of the treaty.

RESERVES DOMESTIC QUESTIONS.

3. The United States reserves to itself the right to decide what questions are within its domestic jurisdiction and declares that all domestic and political questions relating to its internal affairs, including immigration, coastwise traffic, the tariff, commerce, and all other purely domestic questions are solely within the jurisdiction of the United States and are not by this covenant submitted in any way either to arbitration or to the consideration of the council or the assembly of the league of nations or to the decision or recommendation of any other power.

4. The United States does not bind itself to submit for arbitration or inquiry by the assembly or the council any question which in the judgment of the United States depends upon or involves its long-established policy commonly known as the Monroe doctrine, and it is preserved unaffected by any provision in the said treaty contained.

Mr. PITTMAN. The Senator, as I understand, has finished his remarks.

Mr. KELLOGG. Yes; I have concluded.

Mr. PITTMAN. Then I would like to ask the Senator a question. The Senator has called attention to the resolution by the Russian Government made subsequent to our treaty with Russia in 1824, and has stated that that resolution was subsequently used in construing the treaty. I agree with the Senator as to that. I ask the Senator if he would be satisfied with a similar resolution embracing the interpretations that he has filed?

Mr. KELLOGG. No, Mr. President. My recollection is that that was merely referred to in order to determine what the language meant. I would not be satisfied with a resolution adopted after the treaty was ratified, because, unless it was a part of the ratification, it would not be binding upon us and the other countries if the construction of the Senator from Nevada is wrong.

Mr. PITTMAN. Let us see if we understand each other. If it was not a part of the resolution of ratification it would not be a part of the contract. Is not that true?

Mr. KELLOGG. Certainly. It would undoubtedly be considered by any court of arbitration which might in future years be passing upon the question as having some effect as to the meaning of doubtful language. Undoubtedly it would express the sentiment of the Senate. But if it is incorporated in the resolution of ratification, if the language of the article is not what the Senator from Nevada claims it is, it does change the instrument as to us.

Mr. PITTMAN. Undoubtedly.

Mr. KELLOGG. If it is as the Senator claims it is, it does not.

Mr. PITTMAN. Undoubtedly; but what I am getting at is that it becomes a part of the contract.

Mr. KELLOGG. Certainly.

Mr. PITTMAN. And in construing the contract as affecting us it takes the place of any other language bearing on the same subject that may be in conflict with it.

Mr. KELLOGG. Yes; it does in substance, and it should.

Mr. PITTMAN. Take, for instance, the clause which the Senator submitted with regard to domestic matters, exempting domestic questions from the effect of the treaty. The treaty provides that the question as to whether or not it is a domestic question shall be determined by the council. The Senator's reservation, which would become a part of the contract if it should be adopted by us so far as affecting us, provides that it is to be determined not by the council but by us. Is not that a change in the contract?

Mr. KELLOGG. If the treaty is as the Senator says, that the council is to decide what are domestic and what are not domestic questions, the council may decide that all our questions are international questions and we are deprived of all jurisdiction. This reservation would change it, and ought to change it, because I believe the American people will never consent—and, indeed, no self-respecting nation will ever consent—to have those questions submitted to the arbitration or determination of any foreign country.

Mr. PITTMAN. I am not arguing with regard to the merits of the reservation, because the merits are apparent to everyone. I am dealing with the effect of the Senator's statement. The Senator stated that certain reservations added to the treaty would not necessitate a further consent by the other parties to the treaty.

What I am getting at is this: If the language added to the treaty by the Senator is language that does become binding and that language may change the situation as it now exists, it may change the contract. I do not think the Senator feels that he could get the benefit of his reservations with regard to the exemption of our domestic relations unless the other countries agreed that that language should be the language that would bind it as between us and that country.

Mr. KELLOGG. Certainly; if the reservation I propose as to domestic questions changes the substance of the contract, it must be accepted by the other parties either by ratification, exchange of notes, or in some other manner. I wish to say further that if the construction placed upon that section is as the Senator indicates I shall insist upon this reservation.

Mr. PITTMAN. There is just one other question I should like to ask the Senator. The other day I thought the Senator was in perfect harmony with me—and I believe he is now—and the only reason why I am interrupting him now is because I have such high regard for his opinion. I called attention to the fact that there was a distinction between resolutions which were concurrent, you might say, or practically simultaneous with the ratification of the treaty, and reservations contained in the resolution of ratification. I wanted that distinction clearly made, because at the present time I am absolutely in favor of the substance of every reservation that the Senator has put forward, as I remember them. However, I think it is important to determine what the effect would be if included in a separate resolution and the effect if included in the resolution of ratification. I am satisfied in my own mind that if included in a separate resolution they serve to give notice to those with whom we are dealing of the position we will take if the construction of the treaty comes in question. I think the Senator agrees with me on that.

Mr. KELLOGG. I think it would, of course.

Mr. PITTMAN. I am satisfied also that the powers who might be construing the treaty, at the time the question arose, would take into consideration that resolution, but they would only take it into consideration as interpreting the language already in the treaty. The only way that you can prevent courts or boards of arbitration from taking into consideration the language of the treaty is by substituting other language in the treaty, and that is done by reservations in the resolution of ratification. If you substitute other language in the body of a contract it is not binding on the other side, and I do not think the Senator will deny this, until the change is consented to, whether it be deemed material or immaterial. Of course, the consent may be evidenced in many different ways. I do not mean necessarily by an affirmative consent; I mean consent in law—an agreement to the change.

A concurrent or simultaneous resolution, such as Russia adopted in 1824, is not submitted as a part of the treaty and does not call for consent of either party to treaty.

Mr. LODGE. Mr. President——

Mr. KELLOGG. I will say to the Senator, and then I will yield to the Senator from Massachusetts, that a resolution passed after the treaty has been ratified would, of course, serve notice upon them of our position. It might be considered, and probably would, by any tribunal having jurisdiction, as indicating our objection to, or rather our interpretation of, the language which should be contained in a resolution of ratification, because if the language is as some Senators claim, it should be properly and effectively construed. On the other hand, if it is as the Senator from Nevada and other Senators claim, it would be a binding declaration of its meaning, and other countries could not ignore it whenever they came to consider the question.

I yield to the Senator from Massachusetts.

Mr. PITTMAN. I beg the Senator's pardon, I have the floor.

Mr. LODGE. I believe the Senator from Minnesota merely yielded for the purpose of permitting the Senator from Nevada to ask a question.

Mr. PITTMAN. I rose for the purpose of asking questions, and if the Senator from Minnesota does not desire to answer them——

Mr. KELLOGG. Let the Senator proceed and ask his question, then. I am perfectly willing to answer, if I can.

Mr. PITTMAN. I would not have asked any questions of the Senator if I had thought they annoyed him or that he desired not to hear them. I simply want to state that, while I am heartily in favor of the substance of the resolution of the Senator, as I remember it, the question I have in my mind, and the question that the Senator from Minnesota must have in his mind, as he is desirous of an early ratification of the treaty, is the effect it is going to have on the passage of the treaty, and that depends on the effect of making it a part of the resolution of ratification. The Senator agrees now—at least I so interpret his remarks—that his reservations become a part of the treaty if they are included in the ratification. I do not think, as a lawyer, he will deny that you can add nothing to the language of the treaty that will subsequently be construed as a part of the treaty unless the addition is agreed to by the other party to be bound by it. That is the view I take of it, and the only question I have in my mind is simply whether or not the danger of defeating this whole treaty by adding reservations and reopening negotiations is greater than the danger of accepting the treaty, with its ambiguities, as it is. When I have determined that question finally in my mind, I will know whether I am going to vote for the Senator's reservations as part of the ratification. I have said before that, with the view I hold, I think the reservations of the Senator, if made a part of this treaty, would not only have to go back to 22 countries, but they would have to go back to Germany with the treaty for further consideration and action. I do not only think they would have to go back, but I can not conceive that such an explicit reservation on behalf of the United States as its right to determine any question as to whether it affected its domestic or internal life would not be instantly demanded by every other country. I think they would demand it.

Mr. KELLOGG. I am willing to answer any question. I take it the Senator has completed his question. I did not yield for the purpose of an argument.

Mr. PITTMAN. No; I was not asking the Senator any more questions, because I assumed that he objected.

Mr. KELLOGG. I think I have explained the meaning of the reservations. I can not imagine that any foreign country for a moment will consent that their domestic questions shall be submitted to the council of the league of nations. The questions that we are reserving are of such importance to the American people that I believe it is the bounden duty of the Senate to incorporate these reservations in the resolution of ratification.

Mr. PITTMAN. I thoroughly agree with the Senator from Minnesota that no country will ever surrender its domestic jurisdiction. Every country is just as interested as our country in the matter, and I further state to the Senator from Minnesota——

Mr. KELLOGG. I have answered the Senator's question, and I still have the floor. If the Senator wishes to ask any further question without making a speech I shall be glad to answer him.

Mr. PITTMAN. I should like to have the ruling of the Chair as to who has the floor.

The PRESIDING OFFICER (Mr. McNARY in the chair). The Senator from Minnesota [Mr. KELLOGG] has the floor. He yielded to the Senator from Nevada [Mr. PITTMAN] for a question.

Mr. PITTMAN. I asked the Senator if he had concluded his speech, and then desired to know whether he would answer a question.

Mr. KELLOGG. I had not yielded the floor.

The PRESIDING OFFICER. The Chair recognized the Senator from Minnesota as having the floor, and the Senator from Nevada requested permission to propound a question.

Mr. PITTMAN. I do not desire to annoy the Senator from Minnesota with any more questions. He is evidently very desirous of yielding the floor to some one else.

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Massachusetts?

Mr. KELLOGG. Certainly.

Mr. LODGE. I only want to ask the Senator from Minnesota if it is not true that under the general practice as distinguishing a reservation from an amendment, the amendment being a change of the text has of course to receive the assent of every signatory, but a reservation under the usual practice does not? If the other parties to the treaty make no objection, the reservation stands as accepted. Does not the Senator understand that to be the practice?

Mr. KELLOGG. That has been the practice. We have some treaties in which we have made reservations. There is no record anywhere of any affirmative action of any foreign country except by putting the treaty into operation.

Mr. LODGE. That is the general practice.

Mr. WILLIAMS. Mr. President——

Mr. LODGE. I think I have the floor.

Mr. WILLIAMS. Oh, undoubtedly; but I thought the Senator was through.

Mr. LODGE. I have not occupied the floor a great deal in this debate.

Mr. WILLIAMS. Neither have I.

Mr. LODGE. I should like to say a few words more.

I hope when we put these reservations on we shall provide that they shall be accepted by at least the other four of the five principal allied and associated powers before we become members of the league, and that we shall have their acceptance of our reservations. There will be no question about it. They will accept them.

Mr. WILLIAMS and Mr. BRANDEGEE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Minnesota yield; and if so, to whom?

Mr. KELLOGG. I yield to the Senator from Mississippi for a question.

Mr. WILLIAMS. The Senator from Massachusetts [Mr. LODGE] has just stated that if a reservation is made to the treaty it is binding upon every party to the treaty that does not protest against the reservation, and the Senator from Minnesota has just said that is his understanding of the uniform practice. Now, the Senator from Massachusetts says that if we make any reservations he shall insist upon the four or five principal nations agreeing to them. Why is it necessary to have them agree if it goes without saying unless they protest?

Mr. KELLOGG. I think the Senator should address his question to the Senator from Massachusetts. Undoubtedly if a foreign country should put the treaty into operation with a reservation, it would be accepted in the same manner as a contract put into force with a reservation upon it. Whether the Senator from Massachusetts thinks it is necessary, in addition to that, to have the four principal allied powers accept it I can not say. I judge he does not think it necessary, but that is for him to answer.

Mr. WILLIAMS. I will ask the Senator from Minnesota one more question and then cease to bother him.

Mr. KELLOGG. You are not bothering me in the least.

Mr. WILLIAMS. The Senator says it is like a contract which contains a reservation. If I sign a contract with the Senator and then make a reservation which I sign and which he does not sign, does that affect the written contract?

Mr. KELLOGG. If you sign a contract the language of a section of which is doubtful, and when you sign it you place an interpretation on it, and the other party takes the contract and puts it in force, he tacitly, of course, accepts your reservation.

Mr. WILLIAMS. In a case where he does not sign it?

Mr. KELLOGG. Suppose he has already signed it.

Mr. WILLIAMS. He has already signed that part of it which preceded the reservation, but has not signed the reservation.

Mr. KELLOGG. If he puts the contract in force with a reservation as to the interpretation to be placed upon it, it is a valid contract.

Mr. WILLIAMS. Of course, if a man executes a contract with a reservation, even though made by an outsider, it is executed.

Mr. BRANDEGEE. Mr. President, I shall be very brief in what I have to say. As I understand the Senator from Minnesota [Mr. KELLOGG], he would have a reservation which would prevent anybody claiming that under article 10 we were bound to send troops abroad. Of course, that would be wise, in my opinion, so far as it goes, but it would still leave us bound by a contract to preserve the territorial integrity of members of the league.

Mr. KELLOGG. Will the Senator yield to me for a question?

Mr. BRANDEGEE. Certainly.

Mr. KELLOGG. If Congress alone can make war, send the Army and Navy abroad, and control the economic policies of the country, will the Senator tell me how we could protect the territorial integrity of any nation without the consent of Congress?

Mr. BRANDEGEE. I think it would leave us—and that is exactly the point I make—in the position where we had covenanted in a treaty to preserve the territorial integrity of all

members of the league, with a condition annexed that we should not be compelled to carry out that contract by the only effective means by which it could be carried out; and it would result in an absurdity, in my opinion.

Mr. KELLOGG. I wish to say to the Senator if he will permit me——

Mr. BRANDEGEE. Certainly.

Mr. KELLOGG. There is also an agreement that we shall respect the territorial integrity of foreign countries.

Mr. BRANDEGEE. Yes, of course. I did not suppose we were going to attack them.

Mr. President, in my opinion, the only effective reservation to be made in reference to article 10 is a reservation by which we would decline to be bound by that article even if we entered the league of nations.

In reference to the remark of the Senator from Nevada [Mr. PITTMAN], if I understood him, that after the treaty had been ratified the Senate could pass some sort of a declaratory or interpretative resolution as to our understanding of it, of course that, in my opinion, would be absolutely futile. Once the Senate has approved and ratified the treaty, and it has been ratified by the other signatories and ratifications have been exchanged, nothing that the Senate could say or do would have the slightest effect on it. The contract would then speak for itself.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Washington?

Mr. BRANDEGEE. I shall do so in just a moment.

If, however, at the time of the resolution of ratification the Senate says affirmatively "we will ratify this treaty with the reservation that we understand thus and so," then that does not become a part of the treaty; it does not alter the treaty; the treaty stands as it is between the nations which have accepted it; but it leaves us unbound by those things which we have reserved.

Now I yield to the Senator from Washington.

Mr. POINDEXTER. Mr. President, what the Senator has just said raises the very point to which I desire to call his attention, for the reason that he is a member of the Committee on Foreign Relations, and I also notice that several other members of that committee are present. The Senator says if in ratifying the treaty we adopt certain reservations, that then we are not bound except subject to those reservations. I sincerely hope that the Senator from Connecticut and the other members of the Committee on Foreign Relations will give the most earnest consideration and investigation to that proposition before it is acted upon.

I am very strongly inclined to agree with the suggestion made a few moments ago by the Senator from Mississippi [Mr. WILLIAMS], that if we sign a written agreement, a contract between nations—which in its interpretation and effect is subject to the same laws as is a contract between individuals—any extraneous statement that we may make after we have signed it or while we are signing it that we put such and such construction on it or that we are not bound except to such and such an extent will be perfectly futile and without any effect whatever. The only effect that it could possibly have would be the effect that the other parties to the contract would choose to give it.

Of course, as the Senator from Minnesota [Mr. KELLOGG] has said, if a man attaches certain reservations or conditions to his contract, and the other party to the contract, although not *signing* them, gives effect to them, then they become a part of the agreement. Then the contract becomes, as the Senator from Mississippi very truly stated, an executed contract, and being put into effect would be valid if there were no writing at all. That is the situation into which we are very apt to fall in this matter if mere reservations are relied upon to preserve our national rights.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Idaho?

Mr. BRANDEGEE. Yes.

Mr. BORAH. I think I agree with the position just taken by the Senator from Washington, that if a contract is sent to me to sign which has been signed by another party, and I sign it, but I accompany it with what I consider to be an interpretation or construction of the contract, it does not bind the other party at all. The courts are full of decisions which utterly disregard any such proposition.

I can say further to the Senator that no such interpretation will be put through in the Senate unless the Democrats put it through.

Mr. WILLIAMS. Then it will not be put through.

Mr. BRANDEGEE. Mr. President, I do not think that there is a close analogy between an ordinary contract at law and a treaty of peace between nations, at least in this respect. As I am informed—for I have had no large experience in such matters—in the ratification of treaties and in the understanding of nations in that respect, where the Senate in the resolution of ratification, which is to all intents and purposes the signing of the contract—for the affixing of the signatures of the plenipotentiaries is merely an administrative act—as a part of its approval inserts a condition which is a reservation, such reservation by universal custom has been considered by the other parties to the treaty as binding upon them; and it has not always been considered, and I doubt if it has ever been considered, absolutely necessary that such other parties should affirmatively assent to such reservation by a positive act; silence has been considered as giving consent. The exchange of ratifications, the deposit of the resolutions of ratification adopted by the Senate in the depository, the place designated in the treaty for the deposit of the resolutions of ratification, and the acceptance of them have been considered an assent by the other signatories to the treaty.

However that may be, I thoroughly agree with the statement of the Senator from Massachusetts [Mr. LODGE], what I consider to be the view of the Senator from Washington [Mr. POINDEXTER], and the statement of the Senator from Idaho [Mr. BORAH] that this matter is of such overwhelming and far-reaching importance that if the Senate adds any reservations to this treaty I think the resolution of ratification itself should provide that we shall not be considered as ratifying the treaty unless and until the other signatories, or at least the four or five principal signatories, shall have affirmatively assented to our reservations, because I want to put the nails in and clinch them on the other side.

Mr. McCUMBER. Mr. President, may I ask the Senator a question?

Mr. BRANDEGEE. Certainly.

Mr. McCUMBER. Suppose we assert in the form of a reservation at the time we ratify the treaty that "we ratify it with certain reservations reading so-and-so," which may in effect modify the treaty as it now stands, and the other parties to the treaty, saying nothing in regard to such reservations, go ahead and appoint the 30 or 40 commissions which are provided for in the treaty itself, have they not by acquiescence practically ratified the treaty with our amendments, and would they not be bound by them without any further affirmative action upon their part? The very fact that they make no objection and the fact that they show their acquiescence by appointing their committees and acting upon it in accordance with its terms as it stands after our modifications would show their attitude in the matter.

Mr. BRANDEGEE. Mr. President, if I understand the Senator, he raises the same question over again that we have been discussing. I repeat that my understanding of the matter is that it has always been considered where the Senate puts reservations in the resolution of ratification and the other signatories are silent then the reservations are binding upon them; unless they protest, they agree. If ratifications are exchanged and ours containing reservations are deposited and the other signatories read them and make no objection, they are assumed to have consented to them.

Mr. NELSON. Mr. President——

Mr. BRANDEGEE. Just a moment. I do not think that the mere fact that they go ahead and appoint 30 or 40 commissions under the treaty which they have already signed and which is certainly good between them and whether or not we ratify the treaty at all would have any effect on the subject. I now yield to the Senator from Minnesota.

Mr. NELSON. Mr. President, when we agree to this treaty with certain reservations it amounts to a statement that we agree to the treaty except in the particulars reserved. If, then, the other parties to the treaty remain silent, especially if they go ahead and act under the treaty, the principle of equitable estoppal that applies between man and man in the case of contracts would apply in this case. Of that there is no doubt; and in that case there will be absolutely no necessity for providing that they shall indicate a formal acceptance. If they remain silent and go ahead and operate under it, that amounts to an acceptance.

Mr. BRANDEGEE. I agree with the Senator, and I have twice so stated; but there seems to be some doubt or some confusion in the minds of some Senators as to whether our reservations could be effective. The Senator from Mississippi [Mr. WILLIAMS] has suggested that one can not sign a contract and then affix to it a condition modifying the contract after the other party has signed it. I do not think that is a correct analogy; but, in order to avoid any doubt or chance for future dispute, if, in the wisdom of the Senate, they shall put reservations into the

resolution of ratification, and if by keeping still the other parties agree to them, if they are going to agree to them, it is no privation upon them to say that they will agree to them; that is all, I say. It makes assurance doubly sure; that is all.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield further to the Senator from Minnesota?

Mr. BRANDEGEE. I yield.

Mr. NELSON. I wish to call attention to another distinction. This is not the case of the altering of a written contract after it is fully executed. So far as we are concerned, the contract is not executed until we ratify it; and in the act of ratification we have a right to make what exceptions we see fit. It is not like the case of an exception to a contract which has already been entered into fully on both sides.

Mr. BRANDEGEE. I agree with the Senator as forcefully and emphatically as he has agreed with himself.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Idaho?

Mr. BRANDEGEE. Certainly.

Mr. BORAH. In order that there may not be any unnecessary waste of time in the discussion of interpretations or amendments which are going to be based upon the silence of some other nation, I desire to say that if any such thing passes through the Senate the votes will have to be furnished by those who are in favor of this league. We, to a certain number, are not going to consent to any amendment or reservation which rests for its vitality upon the mere silence of another power.

Mr. BRANDEGEE. I thoroughly agree with the Senator, as far as my intention and effort are concerned. I will join with him for that purpose and effect.

Mr. President, I do not want to weary the Senate or engage in any work of supererogation; but I do want to make a statement, because I think there is some confusion in the minds of some Senators, at least, if I correctly interpret their remarks.

It is continually suggested on this floor by the friends of the league of nations that there is undue delay on the part of the Senate in this connection, and they generally talk about the treaty. There is very little opposition to the treaty except in one or two parts, barring the league of nations covenant. Everybody is going to ratify a peace treaty with Germany, of course. The only thing that is preventing the immediate ratification of the peace treaty with Germany is that they insist on putting in an entirely irrelevant thing—this barnacle, this league of hallucinations, which is retarding peace. It is the continued insistence by these obsessed rainbow chasers upon their sacred ark of the covenant, which is a Pandora's box of troubles and a witch's cauldron of complications which nobody understands, which alone is delaying peace between us and Germany.

I want to suggest this: The League to Enforce Peace and the idolaters of the administration seem to insist that if we put on any reservations it is going to send the treaty back to all of the 42 nations and necessitate the resummoning of the peace conference. There is not a word of truth in that. No reservation that the Senate puts on will necessitate the resubmission of the treaty or the resummoning of the peace conference. The reservations are simply our declarations in the resolution of ratification. The treaty, if it is signed by Great Britain and France and Italy and Germany and Belgium, is a treaty between them, and we can not affect that. That is in existence as soon as they sign it. Whether we enter into it or not is a different proposition.

That treaty has been sent here. The treaty, if we sign it and if it is to be binding upon all these different nations, must be the same instrument. If we amend the treaty by striking out one of its articles or making any change in it, then it will have to be resubmitted to all these nations, and they will have to agree with us in that amendment, or else we will have to withdraw from it; and all of us must sign the same treaty. Not so with reservations. The Senate can make any reservations it has a mind to make in the resolution of ratification, and if the other powers do not object to them, in my opinion they will be binding, or if they agree to them they will be binding. That does not change the treaty. Our reservations do not change the treaty. They simply take us out from those provisions of the treaty which we have reserved, but leave the treaty binding upon all those who have signed it as it is.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Nebraska?

Mr. BRANDEGEE. Certainly.

Mr. HITCHCOCK. I desire to ask, then, whether the Senator from Connecticut agrees with his colleague, the Senator from Idaho [Mr. BORAH], who declares that he will never be satisfied with mere silence.

Mr. BRANDEGEE. I do agree with him, because, as I say, I want to make assurance doubly sure, because some people appear to doubt whether silence gives consent.

Mr. HITCHCOCK. The Senator draws a distinction between reservations and amendments, and states that reservations will not have to be submitted to the other nations.

Mr. BRANDEGEE. I say that the resolution of ratification containing reservations will be deposited in Paris, where the other nations deposit their ratifications.

Mr. HITCHCOCK. And if the other nations are silent, they are accepted; but the Senator from Idaho has said he will not be satisfied with silence.

Mr. BRANDEGEE. Well, that may be.

Mr. HITCHCOCK. Now, I ask the Senator from Connecticut whether he will be satisfied with silence?

Mr. BRANDEGEE. No; I will not. Although I say, as I understand it—not from any erudite learning upon the subject, because I am a new and tenderfoot person in this treaty-making business, and I have not been a member of the Foreign Relations Committee very long—but I am told by those who profess to know, men like the Senator from Massachusetts [Mr. LODGE] and the Senator from Pennsylvania [Mr. KNOX], who have had some experience in making treaties, that this question is so momentous and the results depending upon it are so tremendous, that it would not do any harm to provide in our resolution of ratification, if we make reservations, that we ratify upon condition that the four or five great powers—for we do not care much about the rest of them in this matter—agree to them. Now, if the doctrine is true that they agree to them, if they do not affirmatively disagree, then they can have no objection to saying that they agree to them, as far as I can see; but, in any event, it would not necessitate the reopening of the peace conference or the resubmission of the treaty.

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Montana?

Mr. BRANDEGEE. Certainly.

Mr. WALSH of Montana. As I understand the Senator from Connecticut, he takes the position that if we propose amendments to the treaty, it must be resubmitted for the ratification of the others.

Mr. BRANDEGEE. Oh, I think so, beyond question.

Mr. WALSH of Montana. But that if we simply attach reservations to the resolution of ratification, there would be no necessity for a resubmission.

Mr. BRANDEGEE. The Senator understands me correctly.

Mr. WALSH of Montana. Then, if we express one idea in the form of an amendment to the treaty and accomplish a modification of the treaty by a reservation—for instance, if we reserve article 10 and do not consent to be bound by it—it would not have to be resubmitted; but if we propose an amendment to strike out article 10, it would have to be resubmitted.

Mr. BRANDEGEE. If we carry an amendment to strike out article 10 or any other article, it changes the treaty itself.

Mr. WALSH of Montana. That is to say, if it is proposed in the form of an amendment it must be resubmitted, but if exactly the same end is accomplished by a reservation it does not have to be resubmitted?

Mr. BRANDEGEE. Exactly, so far as this country is concerned. If you strike out anything from the treaty you have altered the body of the treaty to which the other nations have agreed. You have made a change in the text of the treaty. You are not considering the same instrument, and there would be no meeting of the minds, and the treaty would have to be submitted to the other nations to see whether they would agree to amending the treaty. Now, if we put in the resolution of ratification certain reservations their treaty stands just as it is and we sign the treaty just as it is, but say in the resolution of ratification that it is distinctly understood that when we exchange ratifications we ratify this treaty upon the understanding that we are not bound by article 10, or that we insist upon the Monroe doctrine being interpreted by us as we have heretofore interpreted it, and so forth. That leaves the treaty just as it was submitted to us and agreed upon by Great Britain, but it simply takes us out of those provisions, leaving the treaty as between the other nations just as it is. Do I make myself plain to the Senator from Montana?

Mr. WALSH of Montana. I think so. I think the Senator's position is perfectly clear, that, so far as we are concerned, you can accomplish the same end by putting it in the shape of a reservation without resubmission that you can by putting it in the form of an amendment.

Mr. McCUMBER. Mr. President, may I ask the Senator for a little further elucidation along that same line?

Mr. BRANDEGEE. Certainly.

Mr. McCUMBER. Suppose the treaty were made between two nations and it contained this article 10. Suppose it were made between this Nation and Great Britain, whereby each of them agreed to protect the territorial integrity of the other, and we, by a ratification agreement or by a ratification reservation, declared that we would not abide by article 10. Is not that, in all effects and to all intents and purposes, an amendment of that treaty by us?

Mr. BRANDEGEE. I could not say that it was, Mr. President. I take the position that the Senator from Montana appears to take, that we would have accomplished the same purpose by the reservation, but it would not be an amendment of the treaty.

Mr. WALSH of Montana. Mr. President, the Senator must not attribute that to me.

Mr. BRANDEGEE. I did.

Mr. WALSH of Montana. I was simply endeavoring to elucidate the ideas of the Senator from Connecticut. I differ radically.

Mr. BRANDEGEE. Oh, well, I beg the Senator's pardon, then. I withdraw it.

Mr. McCUMBER. My own view is that it is an amendment of the treaty; that the minds of the nations, therefore, have not met upon that treaty at that time, and therefore we would be exactly in the same position as though we had stricken out article 10. Of course, I will admit that in either instance by acquiescence the other nation may put itself in a position where it is estopped from denying that it has agreed to release us from that contract.

Mr. BRANDEGEE. Mr. President, I do not think the Senator means exactly what he says. I do not think he can mean to say that a mere reservation in the ratification resolution is an amendment of the treaty. The treaty can not be amended except by changing its text, and a reservation in a resolution of ratification does not touch the treaty at all. It leaves the text just as it came to us.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. BRANDEGEE. Certainly.

Mr. LENROOT. I should like to ask the Senator from North Dakota a question, in view of what he has said. If this Government rejects the treaty in toto, does he think the treaty is rejected by all of the nations who have entered into it?

Mr. McCUMBER. Why, certainly not; but we have changed the treaty so far as we are concerned, and we may have so changed the purposes of the treaty that each of the other nations have the right to say they repudiate it because it does not take within its confines the United States. Therefore, they may repudiate it because it is not the treaty which they signed, because the treaty which they signed bound the United States to do certain things, and they signed it upon the assumption that the United States would agree to the same things that they have agreed to do. Therefore they may acquiesce in it as between themselves, or they may say, and rightfully say, that "Inasmuch as one of the greatest powers has refused to be bound by certain conditions, therefore the very consideration which governed us in entering into this treaty has been violated, and we will repudiate it."

Mr. LENROOT. They might say that; but does the Senator contend that the rejection of the treaty by the United States nullifies the signatures of all of the other nations parties to the treaty?

Mr. McCUMBER. No; I say simply that it does this—that it destroys the consideration upon which the signatures were given, and therefore entitles each one of the other nations to repudiate it.

Mr. BRANDEGEE. Mr. President, that can not possibly be so. If France and Great Britain and Italy ratify this treaty, and Germany ratifies it, it is provided right in the body of the treaty that it shall be in existence, whether we sign it or not. I read from an editorial in the New York Sun to-day——

Mr. McCUMBER. Let me say to the Senator before he proceeds, that the treaty says it shall be obligatory upon those nations which sign it; but what treaty? The treaty which is written, and the treaty which is written requires things to be done by the United States, and when the United States says that it will not do those things therefore it is not the same treaty.

Mr. BRANDEGEE. Does the Senator take the ground that if any nation of the 42 refuses to sign the treaty, the treaty can not be operative among the other 41?

Mr. McCUMBER. No. Mr. President, I take the ground that if any one of them has signed the treaty as it now is, and it obligates the United States to do certain things, and the United States says she will not do those things, that will authorize any other signatory nation to say that it would repudiate it also and would not consent to be bound by it.

Mr. BRANDEGEE. I do not agree with the Senator, but there is no use in discussing it.

I desire to read an editorial appearing in the New York Sun of to-day:

A GREAT METHODIST CHURCHMAN EXPOSES MR. WILSON'S LEAGUE.

The Rev. Thomas Benjamin Neely, a bishop of the Methodist Episcopal Church, whose labors in behalf of sound citizenship and good Americanism have brought him reputation not second to that his services to his church have earned for him, has written and published an analysis of the league of nations into which President Wilson is endeavoring to force the United States which for clarity of thought, moderateness of phraseology, and soundness of political doctrine must command the respectful attention of all thoughtful students of our affairs.

Bishop Neely approaches the problems involved in the project for a league of nations in no spirit of antagonism. His professional training, his ministry of many years duration here and abroad, his observations of the horrors of war, all unite to predispose him to champion any practicable plan that may be put forward for the preservation of honorable peace. Yet with the most charitable disposition he is unable to support the scheme for which President Wilson, arrogating to himself a representative capacity he was not entitled to, bartered and compromised in the dark in Paris. Bishop Neely reaches the conclusion to which other straight-seeing Americans have been forced after a study of the covenant, that it sets up a supersovereignty incalculably menacing to the independence of the United States, to which the American people should never give their assent, much less pledge their active material and moral support.

We can not in this place adequately review the careful and painstaking analysis of the history of the Wilson league as Bishop Neely has written it from available official data, the addresses of men in public life, and the columns of the newspaper and periodical press. He has gone deeply—as deeply as the secrecy maintained by President Wilson will permit any American to go—into the record of this singular enterprise. With scrupulous care he has given due weight to the aspirations of idealism, and he has not allowed himself to be prejudiced by the fact that occasionally even idealism must compromise with existing and potent conditions. But he has refused to be blinded to the facts or to discard his knowledge of men and nations in his consideration of a constitution designed to regulate the relations of men with their fellows. Good sense marks his inquest, and good sense marks his rejection of the Wilson league and his plea to his fellow Americans to save themselves from it.

Having recalled the splendid history of the United States as a power for the good of mankind, Bishop Neely declares that "any power or combination that seeks in any way to control the United States of America so as to destroy its political independence in any sense or in any degree should be instantly and eternally rejected, and any proposition that involves this should be spurned, and that with contempt." Then:

"The so-called league of nations implies such a proposition and involves the destruction of independence and the loss of national sovereignty, and therefore should by every true American be immediately and emphatically refused."

Considering the possibility of amending the covenant, Bishop Neely wisely says:

"It may be said that the league may be changed, but no matter what changes may be made in it, as long as it retains the governing feature its real character is not affected.

"Article 10 may be removed and the Monroe doctrine may be better guarded, and yet there will remain many things that make the nation in the league a subject nation under the government of the league, and as long as these things exist, and the governing element persists, the member nation has lost its sovereignty.

"That is the essential feature of the league of nations.

"It is an overgovernment with the nations subject to it, and the United States must keep out or lose its political independence, no matter what reservations are made."

The suggestion advanced by some advocates of the league that the United States might join it and quit the association if it proves unsatisfactory, Bishop Neely likens to telling a man to take poison as an experiment; it is "not only dangerous but absurdly foolish." His general conclusions are summed up in these sentences:

"The league of nations is destructive of nationality, and especially of American nationality, and if the American people get to understand what the league is in all its bearings they will make short work with the league of nations, that seeks to govern the world and destroy the sovereignty of the United States of America.

"The so-called league of nations is a political government to govern the world.

"The nation that enters will be ruled by it.

"Then the nations would cease to be 'powers,' the power of the world would be in the league, and the power of the league would be in the hands of four or five men, the making of the world's greatest despotism.

"The United States of America would lose its independence by going into it.

"The present duty is to reject the league and save the Nation."

We commend Bishop Neely's words to those who have felt that good morals and Christian generosity urged the acceptance of President Wilson's scheme of world government, and who consequently, though their minds counseled another course, have stifled their objections as a sacrifice to a higher duty. It will set them straight in their thinking and put a curb on their untutored impulses. Bishop Neely has performed a splendid service to his country in exposing the whole design in its enormity, for he has brought to the discussion of this subject a disinterested and enlightened patriotism which recognizes clearly the solemn obligation of Americans to preserve for the benefit of the world the institutions of our Government.

Mr. WALSH of Montana. Mr. President, I regret very much that the Senator from Minnesota [Mr. KELLOGG] has left the Chamber. I desired to ask him a question in connection with his discussion of the subject of reservations, namely, if we should ratify the treaty with reservations in the resolution of ratification, such as he suggested, whether that would leave Germany free to modify her resolution of ratification of the treaty by reservations. She has ratified the treaty, as we understand,

exactly as it stands, with all obligations on all nations as therein written. We put our interpretation upon certain provisions of it. We limit by reservation the necessary effect of certain provisions of the treaty, so far as we are concerned. Germany has signified her willingness to take it exactly as it stands. But we are not willing to take it as it stands. We want certain reservations. I would like to inquire of the Senator from Minnesota whether Germany might then recall her ratification of the treaty as it stands, whether she would be at liberty to reconsider her ratification at all, and whether she would be at liberty to propose other reservations, and if she declined to accept the reservations we propose or if she accepted them on condition that other reservations which she proposed were accepted by the other nations and we refused to accept her reservations, what would be the relation then between this country and Germany? Would we have peace and would we have any treaty with Germany, and if the treaty actually went into effect between Germany and the other nations what course would be open to us with respect to Germany?

Mr. BRANDEGEE. Mr. President, I do not see the Senator from Minnesota on the floor. I understand he was called out on business.

Mr. KELLOGG entered the Chamber.

Mr. WALSH of Montana. I see the Senator has entered the Chamber. I am very desirous of ascertaining from the Senator from Minnesota what his view would be, if we adopt a resolution of ratification with reservations such as those suggested by him, with respect to the action of Germany. Germany has ratified the treaty exactly as it stands. If we adopted a resolution of ratification with reservations such as those suggested by the Senator from Minnesota, would Germany then be at liberty to rescind her resolution of ratification? Would she be at liberty to accept the reservations proposed by us, provided we should accept reservations proposed by her, and if she proposed reservations, as we do, and they were not acceptable to us, then what would be the relations between us and Germany?

Mr. KELLOGG. Mr. President, I take it that if the position of the Senator from Montana is correct as to the construction of the treaty our reservations do not change the terms of the treaty, and Germany's ratification ends it. If Germany insists that it does change the treaty she could refuse to accept it or she could exchange notes and say it was not satisfactory. But does the Senator imagine that Germany is now in any position to claim that it changes the treaty and that she will not accept it? I do not think Germany is in any such position, and I think it is raising a very doubtful objection to defeat a perfectly plain, simple, and justifiable statement of our position as to the meaning of the treaty.

Mr. WALSH of Montana. Mr. President, with all due respect to the Senator from Minnesota, I was not asking for an answer upon the assumption that I had interpreted the treaty correctly. I am asking the Senator from Minnesota whether I am right or wrong in my interpretation of it. If we do put such reservations in the resolution of ratification, then what right has Germany? Does her ratification stand, or is she at liberty to withdraw her ratification and propose reservations?

Mr. KELLOGG. She would be at liberty to object and claim that she had not ratified the reservations, if she wished to do so, if she claims that the reservations change the language and effect of the instrument.

Mr. WALSH of Montana. Then I desire to ask the Senator from Minnesota, Germany having made her treaty with the other nations, whether we would be then in a situation to compel Germany to sign the treaty with these reservations in it?

Mr. KELLOGG. I do not think there is any possibility of Germany objecting, or being in any position to object, to those reservations.

Mr. WALSH of Montana. Is it the position of the Senator that Germany will be obliged to accept any reservations we may propose?

Mr. KELLOGG. She was obliged to accept the treaty and she will be obliged to accept the reservations.

Mr. WALSH of Montana. Exactly. She was obliged to accept the treaty because she was forced to do so by the combined nations of the earth when they were occupying her territory with their military forces. What I desire to know from the Senator is if the situation would not be materially changed when she has negotiated a treaty with all the other great powers and our forces are withdrawn from her territory?

Mr. KELLOGG. I do not think she would be in any different position.

Mr. WALSH of Montana. I desire to ask the Senator from Minnesota another question. I understood the Senator to say that if we made a reservation by which we declared we should not be bound by article 10 at all the league would otherwise be in force among all the other nations.

Mr. KELLOGG. No. I said if we struck article 10 entirely from the treaty we would be in the position of insisting that that article should not be in the treaty, not only as to this country but as between other countries, while if we put in a reservation that we were not bound to employ our military and naval forces except when Congress should vote it, the nations would have to accept it with that reservation. They could ratify it as between themselves with any understanding they saw fit and it would still be a treaty with whatever interpretation they wished to put upon it between themselves.

Mr. WALSH of Montana. But if we put in a reservation which practically amounted to an abrogation of article 10, so far as we are concerned, does the Senator think that article 10 would still be in force and effect among the other signatory nations?

Mr. KELLOGG. Yes; I think so as between the other nations.

Mr. WALSH of Montana. Does not the Senator think that our participation in the matter is so much a consideration as that all the other nations would feel obligated to withdraw?

Mr. KELLOGG. I have no knowledge as to whether England, France, and Italy place the same interpretation upon article 10 as the President does or not. The President's construction of article 10 is that we reserve for ourselves the decision of what we will do to carry out the treaty obligations and that there is no binding obligation upon us to employ our military or naval forces, or any other forces, which the Congress can alone invoke. But England and France may have some other interpretation to be placed upon that article. I feel that England, France, and Italy are much more interested in the stability of the new nations reared as a result of the war than we are. They are in their neighborhood, they adjoin them. Their stability much more affects those countries than it affects us. I take it that nothing but a world conflict like this would ever induce the American Congress to send an army to Europe. I take it England and France might employ their military forces when we would not. The President says that the obligation is for Congress to interpret. I do not know what position England, France, and Italy may take as to the proper interpretation of article 10.

Mr. WALSH of Montana. That really was not the question I asked. The question I asked does not depend upon the question of interpretation at all. Suppose a reservation were attached which practically exonerates us from any obligation under article 10 and we decline to be bound by article 10 by any construction that might be given to it, I ask the Senator whether article 10 is not so much a consideration operating between the other nations as would induce them all to withdraw their undertaking to be bound by article 10?

Mr. KELLOGG. I could not say what their position would be in that regard.

Mr. SMOOT. Mr. President, I wish to say to the Senator from Minnesota [Mr. KELLOGG] that I am rather inclined to think that the President's position is not as he says it is. I base that statement upon the President's cablegram sent to his secretary May 10, 1919, in relation to the now pending treaty between France, England, and the United States. In that cablegram the President said:

> Happily there is no mystery or privacy about what I have promised the Government here. I have promised to propose to the Senate a supplement in which we shall agree, subject to the approval of the council of the league of nations, to come immediately to the assistance of France in case of unprovoked attack by Germany, thus merely hastening the action to which we should be bound by the covenant of the league of nations.

In other words, Mr. President, the President of the United States says we are bound to go to the relief of not only France and England, but every other country which signs the covenant of the league of nations or the peace treaty, and therefore I think the construction put upon the President's position by the Senator from Minnesota is not as announced in this cablegram.

Mr. WALSH of Montana. Mr. President, the matter before the Senate is the resolution offered by me some days ago. I desire to say a few words with respect to that, if it is to be taken up for disposition this afternoon, but I have no desire to press it if Senators desire to talk on any other matter that is before the Senate. If they do not, Mr. President, I desire to say just a few words with respect to it.

Mr. POINDEXTER rose.

Mr. McCUMBER. Will the Senator allow me to ask a question to get his own opinion in elucidation of what has just been said?

Mr. WALSH of Montana. I shall be glad to answer the Senator's question.

Mr. McCUMBER. Suppose the Senate of the United States, in its resolution of ratification, provides that "the Senate ratifies and confirms the treaty with the following amendment:

Add at the end of article 10 the words 'The provisions of this article shall not apply to the United States.'" Now, suppose, on the other hand, that the Senate, in its resolution of ratification, merely recites that the Senate confirms and ratifies the treaty with the understanding that article 10 does not apply to the United States. Is there any essential difference whatever in the effect of the two resolutions?

Mr. WALSH of Montana. In my opinion there is not.

Mr. McCUMBER. Both of them, in effect, amend the treaty in so far as the United States is bound.

Mr. WALSH of Montana. I fully agree with the Senator from North Dakota.

Mr. McCUMBER. Therefore it would be up to the other nations to determine whether they saw fit to accept it or not in its modified form.

Mr. WALSH of Montana. I quite agree with the Senator.

Mr. McCUMBER. They could do so, or they might leave it.

Mr. WALSH of Montana. I might say as to my own view about the matter, if it is of consequence to anyone, we can not accomplish any different result by denominating a thing an amendment or a reservation or an interpretation. If the action of the Senate, whatever it may be, is concurrent with the ratification resolution and is to be interpreted as a part of it, the effect is the same whether you denominate it a reservation or an amendment. If, after ratification, a resolution is adopted to the effect that article so-and-so is interpreted thus by the Senate, that is an interpretative resolution. I can not bring myself to believe that there can be any difference whatever in the effect, whatever the thing is denominated.

Under the ordinary proceeding, if the amendment line is followed, some one will tender an amendment to the treaty, and then the resolution of ratification will come and the treaty as amended will be ratified. Under the other plan the proposed change is to state in the resolution of ratification "that the treaty be ratified with the following reservation." I am sure that the method pursued can not possibly have any effect upon the operation of the treaty.

Mr. BRANDEGEE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Connecticut?

Mr. WALSH of Montana. I yield to the Senator.

Mr. BRANDEGEE. I agree with the Senator that the effect upon the duty of this country would be the same whether it is an amendment or a reservation in the resolution of ratification; but I am sure the Senator does not claim that the effect would be the same as to subsequent proceedings under the treaty. The Senator must know that if we amend the treaty, the other nations have got to act upon that amendment, and if they agree to it it is a different treaty. The Senator knows that if we simply make a reservation in the resolution of ratification, it is the same treaty holding good as between those who have not made reservations, but have signed it as it is, only we are left out on those points upon which we have made reservations.

Mr. WALSH of Montana. No; I do not agree with the Senator. I agree that a treaty amended by the Senate, if that is the proper expression, can become effective by the acquiescence of the other countries, just the same as a treaty ratified with a reservation may become effective by their acquiescence or by their express acceptance.

Mr. BRANDEGEE. I have not said anything about that. I said if the Senate makes an amendment to the treaty and the other nations agree to it we have a different treaty, whereas if the Senate makes a reservation we simply have changed the obligation of this country under the treaty and let the treaty stand as it is as to the other nations. Can not the Senator perceive that distinction?

Mr. WALSH of Montana. I do not agree with the Senator.

Mr. BRANDEGEE. The Senator sees what I mean?

Mr. WALSH of Montana. I think I do.

Mr. BRANDEGEE. If the Senator will permit me, I wish to make this observation about his supposition, or at least about his query as to what Germany could do with this treaty.

The Senator made some inquiry as to whether, if we should make a reservation by amendment, Germany might not reconsider the ratification of the treaty which she has already given. Mr. President, it seems to me that that is perfectly impossible. Germany has made the treaty and signed it. No matter what we do, she can not get out of the obligation she has incurred by signing the treaty. Great Britain has signed the same treaty. What we do has no effect on them. A nation can not sign a treaty and then reconsider its action.

Mr. WALSH of Montana. It seems rather odd to me that we can propose a treaty to Germany so far as we are concerned and Germany can ratify it, and then we propose some substantial amendment to the treaty and Germany is bound by her ratification already made.

Mr. BRANDEGEE. That is not the case. This is not a treaty between two nations. It is a treaty among a great many nations. The nations which ratify it are bound by it among themselves whether we ratify it or not. I trust nobody will assume that if all the 41 nations who are to constitute the league ratify the treaty as it was drawn and submitted by the peace conference and we stay out the whole thing falls to the ground. They are all mutually bound to each other whether we go in or not.

Mr. WALSH of Montana. There is not the slightest doubt about that. The treaty itself provides that it shall be effective when signed by Germany and any three of the leading powers. Undoubtedly it is in force and effect as against them. But I am inquiring what is the status with respect to this country? Have we any treaty with Germany?

Mr. BRANDEGEE. Certainly not, if we do not ratify it.

Mr. WALSH of Montana. Exactly; and if we ratify with reservations, then what right has Germany in the premises? Is she bound by her prior ratification, or may she say that ratification does not go as to the United States, except with the following reservations? That is what I am inquiring about.

Mr. BRANDEGEE. As I understand it, and I think I do, if we make reservations and all the other nations refuse to agree to our reservations and notify us to that effect, they are all bound to each other and we have no treaty.

Mr. WALSH of Montana. But I am inquiring about the relation of this country and not of other countries.

Mr. BRANDEGEE. That is what I am saying.

Mr. WALSH of Montana. We would have no treaty with Germany?

Mr. BRANDEGEE. Absolutely none.

Mr. WALSH of Montana. What, then, would be our status?

Mr. BRANDEGEE. We can make a separate treaty with Germany, if we want to.

Mr. WALSH of Montana. In the meantime our military forces are withdrawn from her territory.

Mr. BRANDEGEE. They are withdrawn whenever the Commander in Chief orders them withdrawn. He states that the war is over. There are many good authorities who hold that we are at peace with Germany whenever three powers sign the treaty with Germany, whether we do it or not; that war is estopped as a question of fact; and when the President of the United States informed Congress that the war was over and then affixed his signature to this peace treaty, together with the foreign nations making peace, peace exists between us and Germany whether we ratify the treaty or not. On that I express no opinion. I think it is a close question.

Mr. WALSH of Montana. I am very glad the Senator does so, because I should dislike to believe that the Senate of the United States was so insignificant a part of the treaty-making power.

Mr. BRANDEGEE. The Senator from Pennsylvania [Mr. KNOX], who has been Secretary of State and Attorney General of the United States, takes that view. I confess I am not able to follow him in it, whether it makes the Senate insignificant or not. I say, many good authorities do take that view.

Mr. POINDEXTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Washington?

Mr. WALSH of Montana. Certainly.

Mr. POINDEXTER. I wish to ask the Senator from Montana what we would lose if Germany should fail to ratify the treaty, or, to state it in another form, what are we going to get out of this treaty? What is the United States going to gain for itself by this treaty with Germany?

Mr. WALSH of Montana. I should like to answer the Senator by asking another question. What does the Senator think we ought to get out of the treaty or out of the war?

Mr. POINDEXTER. I would rather the Senator would answer my question first.

Mr. WALSH of Montana. We will let it stand at that, then.

Mr. POINDEXTER. Well, I shall be glad to answer the Senator.

Mr. WALSH of Montana. I will say, however, to the Senator that I am sure the treaty guarantees to the people of the United States all at least that they ever expected out of the war.

Mr. POINDEXTER. Well, we must have expected very little.

Mr. WALSH of Montana. They were not expecting very much, except to protect and defend their own rights and guarantee the people of the United States against a repetition of the aggression from which they suffered and which drove them into the war.

Mr. POINDEXTER. We went into the war in self-defense.

Mr. WALSH of Montana. I agree with the Senator that we did not gain many selfish advantages out of the war.

Mr. POINDEXTER. Well, I think we gained a great many selfish advantages, but we do not gain them by the treaty. We gained them by the destruction of the German military power by our Army on the battle field. That is what we gained. We gained the safety of the United States and the liberty of its people. We did not go into the war merely for the altruistic purpose of doing a benefit to foreign nations. We went into it for our own benefit, and that benefit was the destruction or the subjection of the German military power, and that has already been accomplished.

Mr. WALSH of Montana. I shall be interested at some time to hear from the Senator as to what provisions of the treaty we ought to have had for the further protection and for the further advantage of the United States.

Mr. POINDEXTER. That is quite a long story.

Mr. WALSH of Montana. Yes; I did not expect the Senator to answer to-day.

Mr. POINDEXTER. I thought the Senator would want me to answer right away.

Mr. WALSH of Montana. No; the Senator may take his time about it.

Mr. POINDEXTER. Very well.

TREATY WITH FRANCE.

Mr. WALSH of Montana. Mr. President, touching the Senate resolution, No. 154, now before the Senate, I introduced the resolution because the matter in regard to which it asks the Judiciary Committee to inquire transcends in importance even the very great and important treaty to which it refers. My own view about the matter is, as expressed by the Senator from Minnesota [Mr. KELLOGG] so eloquently this morning, quoting, indeed, the language of Alexander Hamilton, that if views expressed upon this floor concerning the power of the United States in entering into treaties shall be sustained the treaty-making power has vanished; it has no importance whatever. So, Mr. President, it occurred to me that it would be exceedingly helpful, not only in the discussion of the important matters now before us but for the guidance of the Senate in the future, to have something like an authoritative declaration upon the part of the Judiciary Committee of the Senate, at least concerning this most important matter.

The question of whether the treaty under consideration referred to in the resolution does, as a matter of fact, transcend the constitutional power of the Government has not been elaborately presented. The contrary view we heard presented with great fullness and learning by the Senator from Minnesota this morning. The Senator from Missouri [Mr. REED] some time ago, I recall very distinctly, advised the Senate that at some time he would address the Senate in support of the contention that the covenant of the league of nations is violative of the Constitution of the United States; I believe the Senator from Washington [Mr. POINDEXTER] expressed a similar conviction; but I say that none of the Senators has entered upon an elaborate discussion or presentation on that side of the question. The Senator from Pennsylvania [Mr. KNOX] proposed rather than argued the question in his speech of December 18, 1918, wherein he said:

> Suppose that it were proposed that the United States should bind itself in advance by treaty to go to war in given circumstances. Under the Constitution war can be declared only by the Congress. How could the President, by negotiating a treaty, and the Senate by consenting to its ratification, bind this country to declare war? A declaration of war is, under the Constitution, a prerogative of the Congress. The appropriations to initiate or to conduct war are in the discretion of the Congress.

Again, Mr. President, in his speech of March 1, 1919, the Senator from Pennsylvania spoke as follows:

> We come now to the second question I propose, Do the provisions of the supposed covenant strike down the precepts of the Constitution? A mere listing of some of the more conspicuous provisions of each shows that it does.
>
> Under the Constitution the Congress of the United States has the exclusive power to declare war. The proposed covenant puts the power of declaring war in the hands of the executive council, in which, it is true, we have a voice, but not the constitutional voice. Thus, whether Congress wishes or not, whether the people wish or not, we may be forced into war, with all its sacrifices of life, in a cause in which we have no real concern and with which we may be out of sympathy, under the penalty that if we do not go to war we shall, by breaking a covenant of the league, bring war upon ourselves by the balance of the world.

When the treaty with France was submitted to the Senate, Mr. President, and reference to the fact was made in the public press, one of the newspapers printed in this city contained a statement which I wish to read. It will be remembered that the remarks which I have quoted from the speeches of the Senator from Pennsylvania were made not with reference to the treaty with France but with reference to the general treaty and that they had reference to the provisions of the covenant of the league of nations. In this press account of the presentation of the treaty with France the following appears:

> Informal discussion among Senators to-day developed that opposition to the special defensive treaty with France, which was sent to the Senate yesterday by President Wilson, is likely to be centered along two general lines: that it is directly antagonistic to the tradition of no entangling alliances, and that it subverts the constitutional right of Congress to determine questions of war or peace.
>
> Although the President has taken the position that the treaty is not properly an alliance, Senator BORAH, Republican, Idaho, and others maintain that it has all the force of the alliances which have been common among European nations. In the view of this group the treaty will be even more in contradiction of American traditions than article 10 of the league of nations covenant, under which the members of the league would "undertake to respect and preserve as against external aggression the territorial integrity" of all members of the league.

As I have stated, I believe it would be exceedingly helpful if we had something like an authoritative expression from the Judiciary Committee upon this subject.

The practice of asking the Judiciary Committee for an opinion upon subjects of this kind is well established in the proceedings of the Senate. That committee is particularly charged with the consideration of questions of the powers of Congress under the Constitution. All joint resolutions proposing amendments to the Constitution are referred to that committee.

On February 20, 1896, the Senate submitted to that committee the following resolution:

> *Resolved*, That the Committee on the Judiciary be, and is hereby, directed to inquire and report to the Senate whether, under the provisions of the river and harbor act approved July 13, 1892, the resolution mentioned in the last paragraph of that law is required to be a joint resolution, and whether concurrent resolutions generally are required to be submitted to the President of the United States.

That presented a very interesting constitutional question, upon which the Judiciary Committee submitted a very elaborate report.

Indeed, Mr. President, the same practice obtains in the other House as well, as witness the report submitted by Mr. Tucker, from the Committee on the Judiciary, to the House of Representatives on the 3d of March, 1885, in response to a resolution reading as follows:

> *Resolved*, That the Judiciary Committee be directed to report to the House whether the President, by and with the advice and consent of the Senate, can negotiate treaties with foreign Governments by which the duties levied by Congress on importations can be changed or abrogated.

That question was canvassed at length this morning by the Senator from Minnesota, and is likewise involved in the general treaty.

Mr. President, with these observations I submit the resolution for the action of the Senate.

The PRESIDENT pro tempore. The question is on agreeing to the resolution submitted by the Senator from Montana.

The resolution (S. Res. 154) was agreed to, as follows:

> Whereas doubts have been expressed as to the authority of the treaty-making power under the Constitution to enter into the treaty with France, submitted to the Senate for ratification on the 29th day of July, 1919: Therefore be it
>
> *Resolved*, That the Committee on the Judiciary be, and it hereby is, requested to inquire and advise the Senate as to whether there are any constitutional obstacles to the making of the said treaty.

ASSESSMENT WORK ON MINING CLAIMS.

Mr. POINDEXTER. Out of order, from the Committee on Mines and Mining, I report back favorably without amendment the joint resolution (H. J. Res. 150) to suspend the requirements of annual assessment work on certain mining claims during the year 1919, and I ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. The Senator from Washington asks unanimous consent for the immediate consideration of the joint resolution just reported by him. Is there objection?

Mr. KING. Mr. President, not knowing the full text of the joint resolution and whether it applies to all mining claims or only to certain mining claims, unless the Senator will make an explanation, I should like to have the joint resolution read. Does it extend to placer as well as to lode mining claims?

Mr. POINDEXTER. It extends to all mining claims, with the limitation that it shall not apply to more than five claims in the possession of one claimant.

There being no objection, the joint resolution was considered as in Committee of the Whole, and it was read, as follows:

> *Resolved, etc.*, That the provision of section 2324 of the Revised Statutes of the United States which requires on each mining claim located, and until a patent has been issued therefor, not less than $100 worth of labor to be performed or improvements aggregating such amount to be made during each year, be, and the same is hereby, suspended during the calendar year 1919: *Provided*, That no such suspension shall be granted to any one claimant for more than five claims: *Provided*, That every claimant of any such mining claim in order to obtain the benefits of this resolution shall file or cause to be filed in the office where the location notice or certificate is recorded, on or before December 31, 1919, a notice of his desire to hold said mining claim under this resolution.

SEC. 2. That this resolution shall not be construed to alter, modify, amend, or repeal the public resolution entitled "Joint resolution to relieve the owners of mining claims who have been mustered into the military or naval service of the United States as officers or enlisted men from performing assessment work during the term of such service," approved July 17, 1917.

Mr. HENDERSON. Mr. President, with the permission of the Senator from Washington, I will state to the Senator from Utah that the joint resolution now before the Senate and just reported by the chairman of the Committee on Mines and Mining, is in the exact form as it was passed by the House and came to the Senate.

On October 5, 1917, a joint resolution was approved by the President suspending the operation of the mining laws relative to assessment work. That joint resolution covered all mining claims. This joint resolution limits to five the number of claims on which assessment work may be suspended in the case of any one claimant.

Mr. KING. Will the Senator permit an inquiry?

Mr. HENDERSON. Certainly.

Mr. KING. If a similar joint resolution has passed the House, would it not be a good idea to take up the House joint resolution?

Mr. HENDERSON. This is the House joint resolution. It was considered by the Committee on Mines and Mining yesterday and reported favorably to-day; so that it is the same joint resolution that came over from the House on August 1.

Mr. KING. Will the Senator explain, if the Senator from Washington will permit the Senator from Nevada to do so——

Mr. HENDERSON. The Senator from Washington, I am sure, can give the Senator from Utah any information he desires.

Mr. KING. Why there was a limitation to five mining claims owned by any one corporation or individual?

Mr. POINDEXTER. That was the result of a compromise between a conflict of views. That was adopted by the House and the Senate committee agreed unanimously to it, both on the merits and also because, owing to the lateness of the season in the mountains, it was very desirable to get this legislation enacted. Rather than return it to the House, with the prospect of a protracted controversy about this particular matter, the Senate committee agreed to it.

Mr. KING. I will say to the Senator that, if I understand this measure correctly—I have not had a chance to examine it—I see no reason why there should be any limitation of the benefits of the act to five claims only, or less than five claims, by one individual or one corporation. It would seem to me that the reasons which call for legislation at all exempting the owners of mining claims from the annual assessments would provide that the exemption should extend to the owner of 10 claims as well as to the owner of 1 claim. The reason for the joint resolution, I apprehend, rests in the fact that labor is scarce and that it will be difficult to secure sufficient labor to perform the annual assessments upon the mining claims in the mountains and throughout the mineral districts of the United States.

If I thought it would not jeopardize the passage of the measure, I should move to amend it so as to strike out the limitation. It seems to me it ought to extend to all mining claims, regardless of the number which may be held by one individual.

Mr. POINDEXTER. I am very much afraid that if the Senator did that, it would jeopardize the passage of the joint resolution and make it extremely doubtful whether it would pass, especially whether it would pass in time to be of benefit this season.

Mr. PHIPPS. Mr. President, I may suggest, in reply to the Senator from Utah, that I think one of the leading reasons for the action of the House in placing that limitation in the joint resolution was to prevent speculation in the holding of mining claims whereby, knowing that no assessments would be required this year, a man might go out into the hills and file on an unlimited number of claims, with no intention whatever of doing the assessment work provided by law. It also had the effect of carrying on a certain amount of work. In the case of 10 claims, which the Senator may admit is perhaps not an unreasonable number, the owner could possibly arrange for the assessment work on five claims without either unduly burdening his pocket or being put to inconvenience to secure the necessary labor, whereas the smaller number would not be objectionable.

Mr. KING. Mr. President, if the Senator will permit me, the first objection which the Senator has suggested would be easily met by a provision in the joint resolution that its provisions should not be taken advantage of by any person who filed upon mining claims or located them after a given date, and that date might be fixed as of the passage of the joint resolution, or June 1, or some preceding date; but it does seem to me that there will be very serious inconvenience with the limitation which the measure contains. The Senator has in mind the law and the regulations passed pursuant to the law under which work may be done upon one claim for the benefit of a large number where they constitute one group. I can foresee very grave difficulties arising from an attempt to secure the benefit of this act limited to only five claims where there may be a group of claims.

Mr. PHIPPS. I do not think that objection is very practical or important. It seems to me that unless action is taken now on this joint resolution the benefit proposed to be conferred upon the owners of mines will come too late to enable them to avail themselves of it. In other words, if this measure must go back to the House it may be a month or two before action can be had, and that will throw it too late in the season for the miners to get into the hills. They are asking to-day for a decision on this question. I might take the time to read a telegram or two that I have received on this subject, if the Senator will pardon me one moment.

Mr. KING. Let me say to the Senator, while he is finding his telegram, that I shall not object to the consideration of the joint resolution. Indeed, I shall vote for it; but I believe a mistake is being made in the limitation to which I have referred, and if I thought, as I suggested a moment ago, that it would not jeopardize the passage of the joint resolution, I should move to amend it.

Mr. PHIPPS. The telegrams are merely asking for immediate action.

Mr. HENDERSON. Mr. President, I think there are quite a number of us who agree with the Senator from Utah; but under the circumstances the committee felt—I think I may say so, as the chairman is here—that it was better to pass the joint resolution as it came from the House.

The PRESIDENT pro tempore. If there be no amendment to be proposed the joint resolution will be reported to the Senate.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, and was read the third time.

The PRESIDENT pro tempore. The question is on the passage of the joint resolution.

Mr. KING. Mr. President, I should like to ask the Senator from Washington if there can be any controversy over the interpretation which should be placed and will be placed on these words:

> That no suspension shall be granted to any one claimant for more than five claims.

Take the case, for instance, of two or three persons who are jointly interested in claims—joint locators, for instance. Suppose there are three individuals who have located 10 claims. When the joint resolution uses the words "one claimant" would that be construed as including the three individuals who were jointly interested in five claims?

Mr. POINDEXTER. Mr. President, the Senator is fully competent to interpret it. I would interpret it to mean that if a corporation owned five claims, or more than five claims, that particular corporation could not have the benefit of this act for more than five claims. If a partnership owned five or more, that particular partnership could not have the benefit of the act for more than five. If an individual owned more than five, he could not have the benefit of it for more than five.

Mr. THOMAS. Mr. President, if this joint resolution passes at all it should retain this limitation, in my judgment.

The act of 1872, under which practically all mining locations have been made, as an evidence of good faith required the bona fide expenditure upon every mining claim prior to patent of not less than $100. The operation of that requirement has been, I think, beneficial. No limitation is placed by the law upon the number of claims which a citizen may locate, and in many sections of my State, and I have no doubt in others, that privilege has been taken advantage of by the location of a large number of claims held either for speculative purposes or upon the contingency of some development in the neighborhood proving valuable, and thereby making the groups valuable. That practice has interfered, I will not say frequently but occasionally, with the bona fide development of mining property by holding out of the public domain premises which many citizens would like to exploit; but they were unable to do so because of these preexisting locations.

I do not believe in suspending such a requirement in the absence of extraordinary conditions, and not then unless the necessity for it is overwhelming. This provision of the law was very severely criticized in the West in the elections of 1872. It was inserted in the bill at the instance of the then Delegate to Congress from Colorado, afterwards United States Senator, Jerome B. Chaffee. He was a candidate that year for reelection upon the Republican ticket, and a very vigorous fight was waged against him because of what was dubbed in the campaign the

Chaffee requirement of the expenditure of $100 upon these claims prior to patent. Mr. Chaffee's answer seemed to me to be conclusive, as it certainly was to the people of the Territory, who returned him by an increased majority to Congress. It was that the privilege of unlimited location ought to carry with it a sense of obligation to the Government; that the man who would locate a claim and then be unwilling to spend $100 upon it did not appeal very strongly to him as a bona fide locator. He also called attention to the fact that this annual expenditure can be terminated at any time by securing patent for the claim, and patent can be secured, the law having been complied with otherwise, upon the expenditure of at least $500 in the improvement of the claim. So that those who do not like to pay this assessment can easily terminate it by applying for and securing patents; and, of course, the receiver's receipt, being the entry or the equivalent of a patent, suspends the work as soon as the money is paid to the Government for the claim.

The panic of 1893 struck the western mining interests very hard. During the summer of that year the Indian mints suspended the coinage of the rupee, and the subsequent business disaster to the world is of too recent occurrence for me to do more than refer to it.

Congress during that year by special act suspended the operation of this law, relieving the holders of mining claims in the West from the necessity of making this expenditure. With that exception, I think no suspension was made, although it may have been asked for, until last year and the year before, when, owing to the pendency of the European war, the operation of this requirement was again suspended.

One great drawback to the suspension of these requirements is that once it is done it operates as a precedent, and those having the benefit of the suspension want its continuance, somewhat analogous to a man who, once having ridden upon an annual pass, never pays his fare without a sense of injustice. We are about to get into the habit, in other words, of suspending this requirement, and it is not good for the mining industry. If a man has a claim worth anything, he ought to be willing to pay $100 every year or patent it; and until he patents it there should be some overweening reason why the law itself should be suspended. I predict that if the joint resolution becomes a law, as it probably will, it having passed the House, we will repeat it next year. The high cost of living, the general turbulent conditions, and the scarcity of labor will all appeal to those who desire its suspension, and they will appeal to Congress.

Mr. PHIPPS. I would like to ask my colleague if it is not his understanding that, in addition to making the payment of $500 or doing the necessary work it is not obligatory for the locator to make a showing of metal ore in a paying quantity?

Mr. THOMAS. No; it is not necessary to make a showing of ore in paying quantities in order to receive a patent. The discovery of a vein or a deposit of metalliferous ore is necessary, but the courts have held that any appreciable quantity is sufficient for purposes of discovery and patent. Judge Hallett once held, arbitrarily, that an ounce of silver was the minimum. But that was questioned quite severely, and the departments have frequently held that a substantial trace of metallic content is all that is necessary.

Mr. PHIPPS. What has been the practice of the representatives of the Government in our forest reserves and in the Territories?

Mr. THOMAS. Mr. President, my colleague is opening up another subject. The law is one thing and the regulation of the forest reserves is another. I have no doubt that what the Senator refers to is the regulations of the Forestry Service, which have improved upon and defined and sometimes overridden the law and many of the decisions of the Supreme Court by requirements within the boundaries of the reserves that are not recognized elsewhere.

Mr. PHIPPS. Mr. President, I ask my colleague to yield while I submit certain telegrams which have been received from Colorado which have a bearing on the measure now under discussion.

Mr. THOMAS. If the Senator desires to have the telegrams read now, I will be very glad to yield for that purpose.

Mr. PHIPPS. I ask that the telegrams may be read.

The PRESIDENT pro tempore. Without objection, they will be read.

The Secretary read as follows:

DENVER, COLO., *August 1, 1919.*

Hon. L. C. PHIPPS,
Senate, Washington, D. C.:

What is prospect of prompt passage of resolution by Senate suspending assessment work, mining claims, 1919? Emergency demanding suspension during war still exists. Labor shortage, high cost of supplies, and need that labor should be engaged in productive employment urgent as ever. Necessary that we know probable action on resolution by Senate in order to hold men in mines, who must soon quit to do assessment work if law is not enacted. Labor shortage in mines acute.

COLORADO METAL MINING ASSOCIATION.

—

BOULDER, COLO., *July 25, 1919.*

Hon. CHARLES B. TIMBERLAKE,
House of Representatives, Washington, D. C.:

Have consulted a large number of business men. Unanimous opinion that law in operation during war suspending assessment work on mining claims be continued for 1919. A large number of men are not home yet, and some who are, financially unable to work their claims. All will probably be home by December 31, 1919.

FRANK E. ECKEL,
Secretary Boulder Commercial Association.

—

COLORADO SPRINGS, COLO., *July 25, 1919.*

CHARLES B. TIMBERLAKE,
House of Representatives, Washington, D. C.:

We believe assessment work on mining claims should be suspended additional year. This is opinion of several prominent members of the chamber of commerce, only one of which is connected with mining business.

WILLIAM HITE, *Secretary.*

Mr. THOMAS. Mr. President, I have received similar telegrams, and I think many more than the three which have been read. There is no question but that those to be benefited by the suspension are very anxious to see the joint resolution passed, and there is no question that there is a shortage of labor. But the reference to the high cost of labor is beside the question, because the law requires the expenditure of $100, and if the rate of wages is $10 per day, then the work of 10 men 1 day, or the work of 1 man 10 days, is all that is necessary.

Mr. KING. Mr. President, the Senator will remember, however—although, of course, I concede that the law of Congress is paramount—that in some of the mining districts there are prescribed the number of feet of excavation which must be made to be worth $100.

Mr. THOMAS. I will take the Senator's word for it, although I am not aware of the existence of such a requirement. In the State which I now in part represent here the discoverer of a claim who locates it is required to sink a shaft not less than 10 feet in depth, or deeper if necessary to expose a well-defined crevice, and the custom has been to consider the sinking of a 10-foot shaft thus required by the local law as the equivalent of $100. I take it that if it required 10 men 1 day to make an excavation of 1 foot in hard rock, that is just as much a compliance with the law as though it took 1 man 10 days to sink a shaft 15 feet deep in looser material. It is the bona fide cost of the work which is done by the owner of the claim. The shortage of labor is, of course, somewhat acute.

My principal objection to the joint resolution, which is somewhat minimized by this limitation, is that it enables a great number of people holding a large number of claims to escape the required development, which the law for the last 47 years has insisted upon as an evidence of good faith.

Of course, it would please those mine owners who have unpatented locations if we should repeal the law altogether. There is not any question about that, because naturally what is to the self-interest of the individual is a motive, and a very proper one, which I am not criticizing, a human motive, for requiring relief.

I do not care to say one thing more upon the subject, Mr. President.

I am rather glad that my colleague referred to conditions in the forest reserves. I sometimes wonder whether a man locating a claim in a forest reserve should be permitted to patent it at all. He certainly would not if those who are in charge of the system could find any legitimate or other means for preventing it. But, fortunately or unfortunately, as the case may be, in a large portion of the mining area claims located prior to the time of the inauguration of the forest-reserve system are still unpatented, and do not fall within the jurisdiction of the Forest Service.

The limitation to five claims made here, very thoughtfully inserted, will largely minimize the consequence which would follow if the suspension were general, and I do not feel disposed to offer any very strong objection to the passage of the joint resolution in its present shape, although I am opposed to the principle, and do not believe that the law should be suspended except in times of the very greatest emergency, of which this is not one.

Mr. SMITH of Arizona. Mr. President, I have received quite a number of letters from mining districts in different parts of my State, stating the obvious condition we are all acquainted with, that great mining corporations, at times holding vast areas of country, escape under the provision that is intended for the relief of men who are unable, in the stress of times like these, to do the work.

I would like the measure better if it were confined to two claims owned by any one individual, and I think there should be some provision in it that the man should show, by affidavit or otherwise, before the recorder to whom his claim for failure to do the work would be filed, that the real stress was on him individually; that he was unable to pay it; that he had to work every day for his own living and to protect his mining claim. I have no objection to such men being protected in these times, but I very seriously object to those who are perfectly able to do the work escaping it from year to year, holding the title against poor fellows who would probably like to take the claims and try to make something out of them.

I have a feeling somewhat like that of the Senator from Colorado [Mr. THOMAS], that inasmuch as this law will relieve a great number of men probably who ought to be relieved, I shall offer no strenuous objection to it, but if it does not hurt the joint resolution, in the opinion of the Senator having it in charge, I would like to reduce the limitation to two claims instead of five.

The PRESIDENT pro tempore. The Chair desires to suggest that the joint resolution has passed the stage of amendment, and a reconsideration would be necessary in order to make the introduction of amendments proper.

Mr. SMITH of Arizona. I was not acquainted with the parliamentary situation, just having come into the Chamber. That being true, I would not like, for reasons obvious to all Senators present, to make a strenuous objection to it. However, I can not help protesting against this relief, which comes under the guise of helping the poor, but which gives a great deal of comfort to those who could easily afford to do their assessment work. The whole assessment-work proposition is wrong anyhow. There are some who hold title who are digging 10 feet of soft ground anywhere on the surface of the claim in order to keep the title perfect. But, Mr. President, if the joint resolution has gone beyond the point of amendment, I shall raise no objection.

The PRESIDENT pro tempore. The question is on the passage of the joint resolution.

The joint resolution was passed.

COLD STORAGE AND OTHER REGULATIONS OF FOOD PRODUCTS.

Mr. McKELLAR. Mr. President, I desire at this time, out of order, to introduce a bill which I ask to have read by its title, and then I wish to say just a word or two about it.

The bill (S. 2739) to prohibit interstate shipments or transportation of certain food products; to define and to prohibit transportation and sale of adulterated or misbranded food products; to regulate traffic therein; to define and regulate cold storage; to regulate dealing in cold-storage food products; and to fix penalties for violation, and for other purposes, was read twice by its title.

Mr. McKELLAR. Mr. President, I desire only to say at this time that I regard cold storage as one of the greatest discoveries of the modern age. Used properly, nothing is perhaps of greater advantage and use to the human race. On the other hand, one of the greatest causes of the present high prices of food products is the improper use of cold storage. From such investigation as I have made, I believe the packers and others who use it employ it in such manner as to be able to withhold from the market at will products that are kept in cold storage, and practically all meats are now so kept.

At some time in the near future I desire to address the Senate on this subject. I content myself now merely with introducing the bill and making this brief statement about it.

The PRESIDENT pro tempore. The bill will be referred to the Committee on Interstate Commerce.

JOINT MEETING OF THE TWO HOUSES.

Mr. CURTIS. Mr. President, I offer the following concurrent resolution and ask its immediate consideration.

The concurrent resolution (S. Con. Res. 7) was read, considered by unanimous consent, and agreed to as follows:

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Friday, the 8th day of August, 1919, at 4 o'clock in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

BOLSHEVIST GOVERNMENT OF RUSSIA.

Mr. POINDEXTER. Mr. President, I ask unanimous consent to have read from the desk a brief editorial, and I give notice that on Monday next, at the close of morning business or as soon thereafter as I can obtain the floor, I shall submit some remarks upon the subject of the editorial.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Washington? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

[From the New York Times, May 30, 1919.]

AN APOLOGY DUE.

"Senator POINDEXTER in his place in the Senate charged the President with having delivered to the Congress on December 4, 1917, an address in which he spoke of the Bolshevist government in Russia as 'worthy of the admiration of every lover of mankind.' On December 4, 1917, the Kerensky government had been overthrown, but the Bolshevist government was not effectively set up, the social democrats still having a considerable voice in it. It was not until over a month later that they dispersed the constituent assembly by force and embarked on the wild career of absolutism.

"On December 4, 1917, the President did deliver an address to Congress. Its purpose was to ask for a declaration of war against Austria-Hungary. We find in it very little about Russia. He did say that if the real issues had been made plain from the beginning 'the sympathy and enthusiasm of the Russian people might have been once for all enlisted on the side of the Allies, suspicion and distrust swept away, and a real and lasting union of purpose effected.'

"Is that what Senator POINDEXTER means? It does not sound much like his quotation. The President also said:

"The Russian people have been poisoned by the very same falsehoods that have kept the German people in the dark, and the poison has been administered by the very same hands.

"That does not sound much like Senator POINDEXTER's quotation. Yet these two sentences are the only ones in which President Wilson on December 4, 1917, made any reference whatever to Russia. He made no reference whatever to the month-old Bolshevist government. Mr. POINDEXTER owes the President a retraction. He says he got the quotation out of a Bolshevist pamphlet. He ought to verify his quotations when he gets them from such a source."

ADJOURNMENT.

Mr. CURTIS. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 8 minutes p. m.) the Senate adjourned until to-morrow, Friday, August 8, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *August 7, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord God, our Heavenly Father, we thank Thee for the rich and varied experiences which have come down to us out of the past; for the heritage of our fathers in a Government of the people; and we pray that, putting aside selfish ambitions and desires, we may in the present crisis live to the golden rule, and thus learn the lessons of the past and enjoy the heritage of our fathers, to the glory and honor of Thy holy name and happiness for ourselves. For Thine is the kingdom, and the power, and the glory, forever. Amen.

The Journal of the proceedings of Tuesday, August 5, 1919, was read and approved.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment bill and joint resolution of the following titles:

H. R. 7110. An act extending the time for the construction of a bridge across Flint River in the State of Georgia; and

H. J. Res. 165. Joint resolution to allow the payment of bills lawfully incurred for construction work actually performed or construction material actually purchased and delivered prior to the approval of an act approved July 11, 1919 (Public, No. 7, 66th Cong., H. R. 5227).

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill and joint resolution of the following titles, when the Speaker signed the same:

H. R. 5032. An act to extend the franchise in parishes and separate congregations of the Protestant Episcopal Church in the District of Columbia; and

H. J. Res. 163. Joint resolution authorizing the Secretary of Labor to lease the Charleston immigration station and dock connected therewith.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that August 5 they had presented to the President of the United States, for his approval, the following bill:

H. R. 3854. An act for the repeal of the daylight-saving law.

ENROLLED BILL SIGNED.

The SPEAKER. The Chair lays before the House the following——

Mr. BLANTON. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will suspend for a moment. The Chair lays before the House a report from the Committee on Enrolled Bills.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. J. Res. 165. Joint resolution to allow the payment of bills lawfully incurred for construction work actually performed or construction material actually purchased and delivered prior to the approval of an act approved July 11, 1919 (Public No. 7, 66th Cong., H. R. 5227).

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BROWNING, for one week, on account of important business.

To Mr. RUBEY, indefinitely, on account of business.

To Mr. RUCKER, indefinitely, on account of death in the family.

QUESTION OF PERSONAL PRIVILEGE.

Mr. MONDELL. Mr. Speaker——

Mr. BLANTON. Mr. Speaker, I rise to a question of personal privilege.

Mr. MONDELL. Mr. Speaker, was I recognized?

The SPEAKER. The gentleman from Texas rises to a question of personal privilege. The Chair thinks that takes precedence.

Mr. BLANTON. Mr. Speaker, in last Saturday's RECORD, August 2, page 3580, after certain remarks had been made by me concerning recent demands backed by threats made by the railroad brotherhoods, the following appears:

The CHAIRMAN. The time of the gentleman from Texas has expired.

The SPEAKER. On what page?

Mr. BLANTON. Page 3580, at the top of the column:

The CHAIRMAN. The time of the gentleman from Texas has expired.
Mr. CROWTHER. Mr. Chairman, I move to strike out the last word.
Mr. BURKE. Mr. Chairman, I ask unanimous consent for five minutes' time.
Mr. CROWTHER. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.
Mr. FORDNEY. Mr. Chairman, I must object to any more speeches not confined to the subject matter of the bill. We are trying to get these bills out of the way.
Mr. BURKE. I hope I shall be given time asked for to reply to the false statements just made here.

Now, I invite the Chair's attention particularly to this statement:

Mr. BURKE. I hope I shall be given time asked for to reply to the false statements just made here.

In the Fort Worth Star-Telegram, reporting the proceedings of Congress, made by the reporter of that paper, Mr. Leo R. Sack, staff correspondent, appears the following:

WASHINGTON, *August 2.*

Representative BLANTON, in a five-minute speech on the floor of the House * * * charged the railroad workers with "coming to Congress like highwaymen"—

And so on. Then he says:

Representative BURKE, of Pennsylvania, himself a member of the brotherhood, accused BLANTON of making false statements.

Based upon these excerpts that I have read, I submit to the Speaker that I have presented a question of personal privilege.

Mr. NOLAN. Mr. Speaker, I make the point of no quorum.

Mr. BLANTON. Mr. Speaker, I am on the floor, presenting a question of personal privilege.

Mr. NOLAN. I make the point of no quorum.

Mr. BLANTON. I submit to the Speaker that that is a high privilege.

The SPEAKER. That certainly is a high privilege, and the Chair will recognize the gentleman. On the other hand, the point of no quorum can always be made before any business can be transacted. If the gentleman insists on his point of no quorum, the Chair must recognize him.

Mr. NOLAN. I make the point of no quorum.

Mr. BLANTON. The gentleman from California had better get a quorum of Republicans here by to-morrow at 4 o'clock or he and his party are going to be embarrassed, because the President is going to address Congress to-morrow.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Wyoming moves that the House do now adjourn. The question is on agreeing to that motion.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. BLANTON. A division, Mr. Speaker.

The SPEAKER. The gentleman from Texas demands a division.

Mr. BLANTON. Mr. Speaker, on this I demand the yeas and nays. I want to find out how many men are here in Washington.

The SPEAKER. The gentleman from Texas demands the yeas and nays. Those in favor of taking the vote by yeas and nays will rise and stand until they are counted. [After counting.] Eight in the affirmative—not a sufficient number. The rule is that a fifth of the Members present can demand a quorum.

Mr. BLANTON. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. If there should be less than 40 men here, 8 would be a sufficient number?

The SPEAKER. Exactly.

Mr. BLANTON. And yesterday morning there were only 39, and last Saturday morning when the prayer was uttered there were only 7 besides the Speaker on the floor.

The SPEAKER. The gentleman is out of order.

Mr. BLANTON. The other side, Mr. Speaker.

The SPEAKER. The Chair will count the other side to ascertain if there are more than 40 present. The gentleman must know there are, but the Chair will count. [After counting.] Eighty-nine gentleman are present. Eight Members are not a fifth, and the yeas and nays are refused. The ayes have it, and the House stands adjourned until 12 o'clock to-morrow.

Thereupon (at 12 o'clock and 10 minutes p. m.) the House adjourned until to-morrow, Friday, August 8, 1919, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BELL: A bill (H. R. 8324) granting additional pay to the enlisted personnel of the Army, Navy, and Marine Corps; to the Committee on Ways and Means.

By Mr. HAYDEN: A bill (H. R. 8325) to authorize a report upon the necessity for the construction of a road across the Fort Apache and San Carlos Indian Reservations, Ariz.; to the Committee on Indian Affairs.

Also, a bill (H. R. 8326) to authorize a report upon the necessity for the construction of a road across the Papago Indian Reservation, Ariz.; to the Committee on Indian Affairs.

By Mr. BAER: Resolution (H. Res. 233) authorizing the Judiciary Committee of the House to investigate the Edward T. Leech case; to the Committee on the Judiciary.

By Mr. MACGREGOR (by request): Resolution (H. Res. 234) to bring to the attention of the Senate and the people of the United States a proposed substitute for the league of nations covenant, and to express the opinion of the House thereon; to the Committee on Foreign Affairs.

By Mr. CAMPBELL of Kansas: Joint resolution (H. J. Res. 177) requesting the President to submit to Congress reductions in estimates for expenditures that will permit a reduction in taxes; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BELL: A bill (H. R. 8327) granting an increase of pension to Capt. John T. Morgan; to the Committee on Invalid Pensions.

By Mr. DOWELL: A bill (H. R. 8328) granting an increase of pension to Brittin Vanness; to the Committee on Invalid Pensions.

By Mr. DUNBAR: A bill (H. R. 8329) for the relief of Lillian Munz; to the Committee on Claims.

By Mr. FERRIS: A bill (H. R. 8330) granting an increase of pension to Charles A. Detrick; to the Committee on Invalid Pensions.

By Mr. OLDFIELD: A bill (H. R. 8331) granting an increase of pension to George W. Robinson; to the Committee on Pensions.

Also, a bill (H. R. 8332) granting a pension to Lester D. Parkton; to the Committee on Pensions.

By Mr. RANDALL of California: A bill (H. R. 8333) granting a pension to Rufus B. Tucker; to the Committee on Invalid Pensions.

By Mr. VAILE: A bill (H. R. 8334) granting a pension to Clarisa Bell; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CAREW: Petition of American Federation of Labor, urging increase in salaries for postal clerks; to the Committee on the Post Office and Post Roads.

By Mr. HAMILTON: Petition of the congregation of the Presbyterian Church of Edwardsburg, Mich., protesting against atrocities in Korea and China; to the Committee on Foreign Affairs.

By Mr. HUDDLESTON: Petition of C. D. Hamilton and other ex-service men, in behalf of passage of H. R. 7875, providing for payment of one year's extra pay to such ex-service men; to the Committee on Military Affairs.

Also, petition of William H. Baker and other ex-service men, in behalf of passage of H. R. 7875, providing for payment of one year's extra pay to such ex-service men; to the Committee on Military Affairs.

Also, petition of J. H Grange and other ex-service men in behalf of passage of House bill 7875, providing for one year's extra pay to such ex-service men; to the Committee on Military Affairs.

Also, petition of Frank L. Lane and other ex-service men in behalf of passage of House bill 7875, providing for one year's extra pay to such ex-service men; to the Committee on Military Affairs.

By Mr. TINKHAM: Petition of sundry citizens of Massachusetts, urging repeal of the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. WOODYARD: Petition of post-office clerks and letter carriers of Huntington, Sistersville, Princeton, Wellsburg, Richwood, Fairmont, Wheeling, Weston, Mannington, Hinton, Bluefield, Morgantown, and Martinsburg, all of West Virginia, relative to increase in pay; to the Committee on the Post Office and Post Roads.

SENATE.

FRIDAY, *August 8, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we seek the guidance of Thy Holy Spirit through all the hours and amid all the duties of this day. May the day be clear and be spent in Thy light. May Thy Holy Spirit guide the way, and at its close may we have the comfortable satisfaction of having wrought the will of God and having been willing to obey the Lord's call to accomplish His work in the world. Hear us, we pray Thee, and fit us for the tasks of the day. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

PHOTOGRAPHIC EQUIPMENT (S. DOC. NO. 54, PT. 3).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 26th ultimo, certain information relative to photographic equipment under the control of the Air Service, which, with the accompanying papers, was referred to the Committee on Military Affairs and ordered to be printed.

WOMAN SUFFRAGE.

The VICE PRESIDENT laid before the Senate a joint resolution passed by the Legislature of the State of Nebraska ratifying the proposed amendment to the Constitution of the United States extending the right of suffrage to women, which was ordered to be filed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had agreed to the concurrent resolution of the Senate providing that the two Houses of Congress assemble in the Hall of the House of Representatives on Friday, the 8th day of August, 1919, at 4 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bill and joint resolution, and they were thereupon signed by the Vice President:

H. R. 7110. An act extending the time for the construction of a bridge across Flint River, in the State of Georgia; and

S. J. Res. 80. Joint resolution to authorize the President to convene a meeting of an international labor conference in Washington, D. C.

PETITIONS AND MEMORIALS.

Mr. FLETCHER presented a resolution adopted by the National Wholesale Grocers' Association of the United States at their annual convention held in Cincinnati, Ohio, favoring the continuance of the present zone system of postage rates, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Local Branch No. 509, National Association of Letter Carriers, of Tampa, Fla., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

Mr. NUGENT presented a petition of A. T. McReynolds Post, No. 19, Grand Army of the Republic, Department of Idaho, of Coeur d'Alene, Idaho, praying for an increase in the pensions of Civil War Veterans, which was referred to the Committee on Pensions.

Mr. SUTHERLAND presented memorials of sundry citizens of Calhoun and Ritchie Counties, in the State of West Virginia, remonstrating against the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. FERNALD presented a resolution adopted at the annual convention of the National Wholesale Grocers' Association, at Cincinnati, Ohio, favoring the continuance of the present zone system of postage rates, which was referred to the Committee on Post Offices and Post Roads.

Mr. MYERS presented a petition of Local Union No. 1705, International Brotherhood of Maintenance of Way and Railway Shop Laborers, of Great Falls, Mont., praying for Government ownership and control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. ROBINSON presented a petition of sundry citizens of Midland, Ark., and a petition of sundry citizens of Fort Smith, Ark., praying for Federal control of the meat-packing industry, which were referred to the Committee on Agriculture and Forestry.

Mr. MOSES (for Mr. KEYES) presented petitions of sundry citizens of Exeter, Meredith, Lyme, and Atkinson Counties, all in the State of New Hampshire, praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. PAGE presented a memorial of the congregation of St. Mary's Parish, of Middlebury, Vt., remonstrating against the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. ELKINS presented the petition of Quincy A. Jones and eight other veterans of the War with Spain, residents of Cameron, W. Va., praying that pensions be granted to veterans of the War with Spain, the Philippine Insurrection, and the China Relief Expedition, which was referred to the Committee on Pensions.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. MYERS:

A bill (S. 2740) granting an increase of pension to John Fitzgerald; to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 2741) granting a pension to Elizabeth Ross (with accompanying papers); to the Committee on Pensions.

By Mr. ROBINSON:

A bill (S. 2742) authorizing the Secretary of War to donate to the town of Pine Bluff, Ark., two German cannons or field-pieces; to the Committee on Military Affairs.

A bill (S. 2743) granting an increase of pension to George W. Robinson; to the Committee on Pensions.

By Mr. SUTHERLAND:

(By request.) A bill (S. 2744) amending the act of June 3, 1916, entitled "The national defense act," adding section 16½ thereto, and for other purposes; to the Committee on Military Affairs.

(By request.) A bill (S. 2745) prescribing prohibition of burials of the human dead at sea, and providing for proper care and disposal of same; to the Committee on Commerce.

(By request.) A bill (S. 2746) amending the act of June 3, 1916, entitled "The national defense act," adding section 15½

thereto, and for other purposes; to the Committee on Naval Affairs.

(By request.) A bill (S. 2747) establishing rules for the interstate transportation of dead human bodies within the United States and Territories and possessions thereof; to the Committee on Interstate Commerce.

A bill (S. 2748) for the relief of Earl Waggoner; to the Committee on Claims.

A bill (S. 2749) granting an increase of pension to Elijah Coffman; to the Committee on Pensions.

By Mr. ELKINS:

A bill (S. 2750) granting an increase of pension to John S. Kenney; and

A bill (S. 2751) granting an increase of pension to David D. Arnold; to the Committee on Pensions.

By Mr. SIMMONS:

A bill (S. 2752) to amend the war risk insurance act; to the Committee on Finance.

By Mr. McCORMICK:

A bill (S. 2753) for the relief of Frank Pulaski; to the Committee on Naval Affairs.

By Mr. MOSES:

A joint resolution (S. J. Res. 84) to provide additional compensation for employees in the Postal Service; to the Committee on Post Offices and Post Roads.

AMENDMENT OF THE RULES.

Mr. McCORMICK. I desire to give notice of an amendment to the Standing Rules of the Senate, as follows:

Change section 3 of Rule XVI to read as follows:

"SEC. 3. No amendment which proposes general legislation shall be received to any appropriation bill, nor shall any amendment not germane or relevant to the subject matter contained in the bill be received; nor shall any amendment to any item or clause of such bill be received which does not directly relate thereto; and all questions of relevancy of amendments under this rule, when raised, shall be submitted to the Senate and be decided without debate, except by a two-thirds vote of the Senators present and voting thereon; and any amendment to a general appropriation bill may be laid on the table without prejudice to the bill."

FEDERAL BOARD FOR VOCATIONAL EDUCATION.

Mr. SMOOT. Mr. President, I wish to call the attention of the Senate and also of the Federal Board for Vocational Education to a part of a letter which I have received from one of the employees of the board. I do it with the hope that the officials of the Federal Board for Vocational Education will take notice of the letter if the conditions there existing are as outlined in the letter. I would gladly give the name of the employee, but he thinks it would be unwise, although he states that if a hearing is held he is perfectly willing to testify:

DEAR SENATOR: I feel impelled to call your attention to certain conditions that prevail in certain departments here.

I refer particularly to the Federal Board for Vocational Education, where a large number of colored men are drawing salaries for apparently doing nothing. Most of their time is spent in an adjacent alleyway, where they indulge in all sorts of pastime, such as shooting craps, matching pennies, and other forms of gambling and amusements. I venture to say that there are about 25 of these men of all ages in this building employed as messengers, I presume. It appears like every clerk is supplied with a messenger or a servant of some sort.

On a certain occasion not long ago I noticed a string of eight colored men unloading a small van of printed matter, bundles weighing about 3 or 4 pounds. They stood in line from the curb to the basement door passing the bundles from one to the other. It was amusing as well as disgusting to bear witness to such a sight. These men ought to be out in the fields, at the plow instead of loafing about Federal buildings here in Washington.

Whoever is responsible for these conditions should be called to task for the vicious waste of public funds.

I presume you have learned from observation and otherwise that these conditions are general in the Federal buildings.

It appears that some person in authority in the different divisions has a license to employ a superfluous lot of men and boys at extravagant wages for the simplest kind of work.

Mr. President, I simply call attention at this time to this letter, because the Federal Board for Vocational Education is just beginning organization, and I wish them to understand that there are some Members of the Senate at least who are going to watch carefully if such practices are to be followed.

Mr. THOMAS. Does not the Senator think that his correspondent is guilty of race discrimination?

Mr. SMOOT. It may be that I had better read the whole letter. It continues:

Referring to the first part of this letter I also wish to say that there are white men of all ages who spend a good deal of time loafing about the hallways and alley, smoking, etc., and I conscientiously think it is time to call a halt.

Trusting that you as a member of the Appropriations Committee will give the matter due consideration, I beg to remain,

Very respectfully, yours.

I do not want to encumber the RECORD with the whole of the letter. Of course, the Board for Vocational Education has a lump-sum appropriation and they can do as they please with it and employ as many employees as the lump-sum appropriation will allow.

Mr. THOMAS. That is the trouble.

Mr. SMOOT. That is where the great trouble comes.

I have another letter in relation to the salaries that are being paid, but I do not want to put it in the RECORD, because it mentions particular individuals as receiving certain salaries, until after I find out positively whether the statement is correct or not.

ARTICLE BY BASIL M. MANLY.

Mr. FLETCHER. Mr. President, I ask to have printed in the RECORD an article entitled "What the Great War has meant to the incomes of some leading American corporations," by Basil M. Manly, joint chairman of the National War Labor Board. I think it is important to have it printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"WHAT THE GREAT WAR HAS MEANT TO THE INCOMES OF SOME LEADING AMERICAN CORPORATIONS.

[By Basil M. Manly, joint chairman National War Labor Board.]

"Every American—man, woman, and child—knows that since our entry into the World War there has been outrageous profiteering in almost every line of commercial activity. But this knowledge is based upon general impressions and upon particular instances rather than upon exact facts representative of the entire field of American industry.

"The American people are in much the same position as the man who knows he has been robbed of a lot of money, but does not know exactly how much he lost or who got away with the swag. It has seemed to me worth while to start a little investigation of my own to find out, in a general way, how much has been taken by profiteering during the war and to secure evidence which will show, at least, who the big profiteers are.

"This has been a somewhat slow and difficult process, because, for some reason, the financial reports of nearly all American corporations have been greatly delayed this year, while some of them have deliberately suppressed their annual reports for the purpose of concealing their unconscionable profits from the public.

"However, as rapidly as these annual reports have been published I have analyzed them and set down their net profits for the war years alongside their net profits for the prewar years. My list now includes complete returns from 82 American corporations, representative of every branch of American industry, with a total capitalization of some ten billion dollars.

"I want to emphasize the fact that the corporations included in this list are not in any sense selected either because their profits were large or because their profits were small. It includes every corporation whose profits were available to me for both the war period and the prewar period. The result may, therefore, be accepted without reserve as representing accurately and fully the facts regarding profiteering by all American industrial corporations.

"TREMENDOUS PROFITS.

"I also want to emphasize that the net incomes shown for 1917 and 1918 are after the deduction of all interest charges and all taxes—income taxes, corporation taxes, excess-profits taxes, and all the other taxes shown in the accounts of the companies—as well as all the extraordinary charges for depreciation, amortization of war facilities, real and fictitious reserves, and every other similar device which these corporations have set up on their books as a means of concealing their profits from the tax collector and the public.

"In other words, the amount of income shown for 1917 and 1918 is less by several hundred million dollars than the actual amount of profits available for the stockholders, either in the form of dividends or in the form of reserves.

"A compilation of these figures shows that the same 82 corporations which in the prewar years had net incomes of $325,000,000 had net incomes in 1916 amounting to more than a billion dollars, in 1917 of $975,000,000, and in 1918 of $736,000,000. The war profits, over and above all taxes, of these corporations in 1917 amounted to $650,000,000.

Average net income for prewar years	$325,797,661
Net income for 1916	1,070,342,983
Net income for 1917	975,573,296
Net income for 1918	736,008,796

"I am convinced as a result of my study, as I will show in detail a little later, that the actual profits, even after the payment of taxes, in 1917 and 1918 were just as great as in 1916, the difference being accounted for by the fact that in 1917 and 1918 a large number of these corporations set up all kinds of excessive reserves for depreciation, amortization, and other unspecified and fanciful items for the obvious purpose of evading taxation and shoving the burden of the war cost to the bent backs of private citizens.

INCREASE OF 200 PER CENT.

"But even taking the figures as they stand, we find that these 82 corporations earned, net, $3 in 1916 and 1917 for every dollar which they earned in prewar years and over $2 in 1918 for every dollar earned in the prewar period. In other words, their net incomes in 1916 and 1917 were 200 per cent greater than in the prewar period, and in 1918 they were 100 per cent greater.

"'But,' the profiteers say, 'this method of comparison is unfair. Patriotically responding to the needs of our country, we did an enormously greater business in 1916, 1917, and 1918 than in the prewar period. Our profits were greater because of the volume of business and not because we exacted extraordinary profits from the public and the Government.'

"This is a direct challenge which must be met. Let's run down the list of companies which show the gross volume of their business and see what the facts are. Here is the Allis-Chalmers Co., for example, which was bankrupt before the war. In 1914, after reorganization, Allis-Chalmers had a deficit of $25,068 on total sales amounting to $10,323,150. In 1915, after the war orders started, the company earned $1,078,352 on total sales of $11,666,413, but in 1918, when its plants were full of American war orders, the Allis-Chalmers Co. earned $9,754,749 on total sales of $35,031,234. In making this compilation I have not, as in the tables, deducted an item for 1918 of $5,128,822, which is thrown in under the blanket heading of 'Fed. etc. tax and conting.'

"In other words, with sales only three times as great as in 1915, the corporation earned in 1918 just nine times as much. In 1915 its profits were a little less than 10 cents on every dollar of sales. In 1918 they were nearly 30 cents on every dollar.

"A word, also, ought to be said about the fact that this apparent increase in business does not represent any proportionate increase in the amount of product which the Nation so grievously needed during the war. The price of metal products at the end of the war was nearly three times as great as at the beginning of the war, which would indicate that the Allis-Chalmers Co. had no great increase in the amount of production, but simply marked up its prices.

"Moving on down the alphabet we find our old friend, the American Ice Co., which in 1915 earned $1,853,415 on total sales of $8,650,428, and in 1918 earned $3,661,627 on total sales of $12,742,433. In this case I have not deducted in either 1915 or 1918 a blanket item of 'Int., taxes, impts., etc.' Charges for improvements obviously have no place as deductions in arriving at net earnings.

"On every dollar's worth of ice which the American Ice Co. sold in 1915 it earned 20 cents, while in 1918 prices were shoved up until 30 cents was earned.

SOME EARNINGS CONCEALED.

"Space will not permit a complete analysis of the many devices adopted by American corporations for the concealment of their war earnings, but a few examples will show the method. Armour & Co., in order to conceal the excessive profits which they made while nominally under Food Administration control, included under the head of 'operating expenses,' taxes, depreciation, and other similar unspecified items. It would be just as legitimate, from an accounting standpoint, to include dividends and surplus under operating expenses. The only purpose which Armour & Co. had in adopting this method of juggling their accounts was to conceal their actual profits from the public.

"The United States Rubber Co. report contains this remarkable statement: 'Net income is here shown * * * after deducting income charges (net) including inventory adjustments and United States, British, and Canadian taxes, $19,289,535 against $7,760,148 in 1917.' The United States Steed Corporation in 1918 has this interesting item: 'Amortization of war facilities, $12,215,000.' Such examples might be multiplied indefinitely.

"It should be noted for the benefit of those who are not familiar with the finances of American industrial corporations that the amounts of income shown in the tables represent the sums available for dividends upon stocks, the majority of which do not represent the investment of a single dollar or which were bought by the interests now in control for nominal sums.

"Housewives, for example, who are paying exorbitant prices for meat may be interested in the facts concerning Wilson & Co., packers (advertising slogan, 'The Wilson label protects your table'), which in 1918 had available for dividends $7,631,535, after the payment of interest and setting aside ample reserves for excess-profits taxes, etc. The bankers (Kuhn, Loeb & Co., Guaranty Trust, Chase National, William Salomon, Hallgarten, Illinois Trust & Savings, and Continental & Commercial Trust & Savings) who, with Thomas E. Wilson, control the common stock of this company, in 1915 bought a controlling interest amounting to a par value of $12,000,000 for $649,000.

"In other words, it cost the bankers and Tom Wilson a little more than 5 cents on the dollar to secure control of this company less than four years ago. The total cost to them for complete control of this company was less than one-eleventh of the net earnings in 1918. In the four years since these interests acquired control of Wilson & Co. it has earned, net, more than thirty times as much as they paid to secure control. This was the deal of which Louis F. Swift, in a letter to his brothers, Edward F. and George H. Swift, wrote: 'Forgot to mention Kuhn-Loeb is in on quiet on bank deal (think it's too much to steal to admit in open!).'

"This is profiteering with a vengeance, and the profiteers may well tremble lest the people avenge themselves for this shameless exploitation during the period of the Nation's greatest necessity."

Net incomes of representative industrial corporations for prewar period, 1916–1918.

Company or corporation.	Average for prewar period.	1916	1917	1918
Ajax Rubber Co.	$348,196	$1,268,311	$1,460,293	$1,215,030
Allis-Chalmers Manufacturing Co.	755,125	3,165,020	4,010,490	4,625,837
American Agricultural Chemical Co.	2,475,609	5,445,527	5,546,356	8,044,979
American Beet Sugar Co.	1,246,650	2,445,190	4,882,980	1,887,638
American Can Co.	5,195,003	7,962,981	11,892,859	6,000,827
American Car & Foundry Co.	3,467,538	2,816,018	10,310,872	11,281,742
American Cotton Oil Co.	1,194,139	2,028,459	1,534,042	1,661,328
American Hide & Leather Co.	334,198	1,643,266	1,796,641	2,408,199
American Ice Co.	874,999	704,561	983,311	1,208,038
American Linseed Co.	151,497	1,476,817	1,764,430	2,138,970
American Locomotive Co.	3,872,837	10,769,429	7,210,680	5,911,134
American Smelting & Refining Co.	9,060,396	22,152,250	18,495,625	7,707,499
American Steel Founders.	517,439	3,418,057	5,025,677	2,386,097
American Sugar Refining Co.	5,751,683	8,319,882	8,212,787	8,434,375
American Sumatra Tobacco Co.	223,899	267,653	1,019,607	2,164,655
American Tobacco Co.	20,188,936	12,298,057	13,310,685	16,613,040
American T. & T. Co.	30,905,434	38,013,277	38,471,106	43,906,322
American Zinc, Lead & Smelting Co.	197,384	9,307,968	1,780,764	911,416
Armour & Co.	4,746,632	20,100,000	21,295,563	15,247,838
Associated Oil Co.	1,696,367	3,198,389	3,841,789	4,541,307
Atlas Powder Co.	322,837	2,939,789	3,050,482	2,262,294
Baldwin Locomotive Works.	3,653,287	2,619,466	8,305,722	5,752,295
Barrett Co. (American Coal Prod.)	1,221,915	4,247,857	3,461,388	3,614,253
Bethlehem Steel Corporation	3,075,108	43,593,968	27,320,737	[1]16,000,000
Brown Shoe Co.	710,463	1,467,756	1,668,560	1,338,385
Butte & Superior Mining Co.	942,988	6,365,399	272,911	628,349
Calumet & Arizona Mining Co.	2,966,934	11,155,004	6,628,501	4,088,238
Central Leather Co.	3,472,804	15,489,202	14,404,855	6,476,434
Colorado Fuel & Iron Co.	1,596,031	2,201,170	3,979,469	2,732,046
Continental Can Co.	788,016	2,143,554	3,280,977	2,199,043
Corn Products Refining Co.	2,016,781	6,083,746	11,348,460	8,652,401
Cramp, Wm. & Sons, Ship & Engine Building Co.	173,651	1,087,704	1,288,927	2,398,413
Crucible Steel Co.	3,629,467	13,223,656	12,282,358	13,812,128
Cuban-American Sugar Co.	409,988	8,235,112	6,256,080	4,227,202
Distillers Securities Corporation	614,791	4,651,686	4,790,433	2,269,615
Du Pont (E. I.) de Nemours Powder Co.	5,525,964	82,107,693	49,258,662	43,098,075

[1] Approximate.

Net incomes of representative industrial corporations for prewar period, 1916–1918—Continued.

Company or corporation.	Average for prewar period.	1916	1917	1918
General Chemical Co	$2,067,548	$9,695,188	$,671,181	$3,632,669
General Motors Co	4,557,358	28,789,560	25,079,226	15,391,628
Goodrich (B. F.)	3,040,745	9,447,299	10,505,490	15,587,122
Hercules Powder Co	1,017,212	16,658,873	5,822,462	2,315,603
International Agricultural Corporation	966,750	1,186,231	1,418,544	1,168,242
International Nickel Co	4,125,955	11,748,279	13,557,970	10,129,988
International Paper Co	1,105,913	4,620,727	8,180,787	5,152,278
Lacka vanna Steel Co	1,282,500	12,218,234	16,106,976	8,348,354
Mexican Petroleum Co. (Ltd.) of Delaware	3,139,560	7,153,066	4,986,020	4,752,222
Miami Copper Co	1,296,602	5,852,560	3,204,261	2,989,582
National Enamelin : & Stamping Co	728,952	1,917,803	4,245,555	2,773,265
Nevada Consolidated Copper Co	3,419,266	15,002,051	9,937,599	3,459,880
New York Airbrake Co	424,897	8,214,962	1,893,826	2,052,553
Morris & Co. (Packers)	1,588,799	3,632,213	5,301,071	4,217,859
Phelps-Dodge Corporation	7,442,399	21,974,263	22,456,906	15,946,681
Pittsburgh Coal Co	2,047,893	3,143,927	14,076,852	7,167,374
Pittsburgh Steel Co	1,191,855	4,564,067	7,811,444	4,556,443
Pressed Steel Car Co	1,412,665	2,751,152	2,130,308	3,950,786
Railway Steel Spring Co	1,276,808	3,710,805	4,307,859	3,426,099
Ray. Cons. Copper Co	1,634,365	11,716,428	9,701,170	4,652,541
Republic Iron & Steel Co	2,265,694	14,789,162	15,857,197	7,781,985
Sears, Roebuck & Co	8,111,749	16,488,622	14,119,928	12,704,064
Shattuck Arizona Copper Co	1,115,504	3,039,077	713,641	243,468
Sloss-Sheffield Steel & Iron	545,457	1,990,674	2,087,373	1,972,071
Standard Oil Co. of Indiana	14,687,696	30,043,614	25,408,931	23,263,879
Standard Oil Co. of Kansas	1,509,408	1,270,314	1,422,981	1,413,890
Standard Oil Co. of California	9,877,964	17,605,304	18,649,630	14,953,074
Standard Oil Co. of Kentucky	1,002,458	2,068,598	1,701,156	1,463,948
Studebaker Corporation	2,184,383	8,611,245	3,500,741	3,884,195
Swift & Co	7,879,167	20,465,000	34,650,000	21,156,277
Texas Co. (Oil)	3,856,667	13,898,882	19,724,526	20,649,991
United Cigar Stores	1,561,583	2,819,072	2,873,500	4,010,105
United Fruit Co	4,978,043	11,943,151	13,037,955	14,094,047
U. S. Cast Iron Pipe & Foundry Co	525,591	1,308,641	1,342,140	1,514,944
U. S. Industrial Alcohol Co	858,951	4,884,586	7,108,983	6,759,872
U. S. Rubber Co	6,661,777	11,226,208	15,340,577	16,072,042
U. S. Smelting, Refining & Mining Co	3,552,988	8,898,464	3,505,315	4,775,090
U. S. Steel Corporation	63,585,777	271,531,730	224,219,565	125,318,368
Utah Copper Co	7,733,435	39,738,675	28,695,495	18,945,781
Virginia-Carolina Chemical Co	2,177,807	4,507,549	4,656,387	8,384,669
Virginia Iron, Coal & Coke Co	224,638	248,094	1,024,365	1,020,191
Westinghouse Airbrake Co	3,934,661	9,585,928	6,388,463	7,461,900
Westinghouse Electric & Manufacturing Co	3,581,968	9,666,789	18,079,889	15,495,681
Willys-Overland Co	5,653,899	10,884,383	6,121,544	5,536,255
Wilson & Co. (Packers)	1,344,925	4,913,873	6,504,422	7,631,535
Grand total	325,797,661	1,070,342,983	975,573,296	736,008,796

HIGH COST OF LIVING.

Mr. FLETCHER. I also ask to have printed in the RECORD an article appearing in the Florida Times Union by Dr. W. F. Blackman, president of the State Live Stock Association of Florida, on the jurisdiction of Congress and the high cost of living.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"CONGRESS AND THE HIGH COST OF LIVING.

[By Dr. W. F. Blackman, president of the State Live Stock Association.]

"We are all of us caught in the pinch of high prices and filling the air and the newspapers with our lamentations and objurgations. The cost of living has somewhat more than doubled since the World War began, and the resulting distress is unquestionable and enormous.

"The President and Congress are being urged to intervene, but what precisely can they do to lower the cost of living? I hear no clear answer to this question.

"Before this question can be answered we must know what are the causes of the high cost of living at which we so bitterly complain.

"Doubtless there is profiteering now, as there always has been, and it should be restrained as far as may be; but profiteering is not the chief cause of high prices; on the contrary, it is relatively insignificant.

"There are, I think, two main causes for high prices, namely, (1) an excess of gold and of the various instruments of credit, and (2) a scarcity of goods. The first of these causes can be removed, perhaps, by legislation; the second certainly can not.

"All prices are measured by and expressed in the gold dollar or its equivalents. But the gold dollar has no stable value. To be sure, it always contains 25.8 grains of gold, nine-tenths fine, but its value, its real value, its 'exchange value'—that is to say, its purchasing power—depends, as does that of any other commodity, on its abundance or scarcity.

"What we need is a stable, a standardized, a 'compensated' dollar, just as we already have unchanging standards for the measuring of weights and areas and volumes. And it is possible to provide such a standard of value by the use of the 'index number,' which is an expression of the average and relative prices of all commodities which we buy and sell.

"When gold is abundant and cheap—that is to say, when commodities are dear—let more gold bullion be deposited at the mint in exchange for gold certificates; when gold is scarce and dear—that is to say, when commodities are cheap—let less gold be required in exchange for certificates. Let the balance be constantly redressed in this manner at stated intervals; let the two members of the equation be kept equal. When the single gold standard is replaced by the 'multiple standard,' the commodity standard, prices will tend to be stable, at least in a far greater measure than now.

"The world's supply of gold has enormously increased in recent years, and the price level of commodities has risen correspondingly.

"But the second reason for high prices is the scarcity of goods. The law of supply and demand can no more be evaded, however much we may hate or malign it, than the law of gravitation can be evaded; abundant commodities mean reasonable prices, superabundant commodities mean cheap prices, scarce commodities mean high prices, let Congress do what it may.

"Are commodities scarce? There is no need of ransacking reports and citing statistics for the answer; when 4,000,000 of our most efficient producers have been withdrawn from their work for a considerable period as soldiers; when other millions have been making powder, shells, guns, and other materials and munitions of war which nobody can eat or wear or live in or wants; when vast multitudes of men have been taken from the farm and the factory and set to building camps, cantonments, and superfluous ships; when enormous amounts of goods have been withdrawn from trade and use here and have been sent overseas for the support of our soldiers, our allies, and the neutral countries; when precious material of incalculable cost and value have been burned up and otherwise wasted for years on the battle field there is no need of the statistician to show the plain man that as compared with the piping times of peace the store of commodities for human use in America and in the world has been depleted.

"Well, the demand for these supplies is now inevitably great, above the normal, as compared with the supply, and their price is therefore correspondingly high. This is a fact which the President and Congress are helpless to alter.

"We can perhaps help the matter in some small degree here and there by legislation, but, after all, what we must make up

our minds to, as I view the situation, is to 'grin and bear' it as well as we can until conditions adjust themselves once more, production overtakes consumption, and the supply meets the demand.

"The railway employees say that though their wages have been increased the cost of living has increased still more rapidly and they are worse off than before the war. Of course they are. And so are, or ought to be, all of us, every one. If any man, capitalist or laborer, is getting as much to eat and wear or spend on pleasure—if he is getting as large a net income—as he got in 1914, then he is getting more than his fair share, unless he is also producing more and serving the country better than he did in 1914; either he is in luck above his fellows or else he is profiteering unjustly; the average man isn't getting as much as he did, the reason being that there is not as much to be got. While the demand is unabated or increased, the supply is shrunken, the prices are sky-high, the 'net' is diminished, and the lamentations are loud.

"But will the President and Congress have the courage to say this to the trade-unionist, the capitalist who complains at his taxes, and all of us, their clamorous constituents and partisans? Will they dare to advise us to hush our clamor and to sweat more, produce more, save more, sacrifice more, until the gashes cut by murderous and insane war in the body politic and industrial are healed?

"We shall see.

"If we 'keep our head' and are wisely guided, so marvelous are the vitality and recuperative power of America that normal conditions should be restored without much delay and an era of great prosperity open before us."

PRICE OF WHEAT AND FLOUR.

Mr. PITTMAN. I have here a telegram from the Riverside Mill Co., of Reno, Nev., which makes a definite proposition in regard to fixing the price of wheat and also of flour. As it is very short, I ask to have it printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

RENO, NEV., *August 5, 1919.*

Hon. KEY PITTMAN,
United States Senate, Washington, D. C.:

If Congress will prohibit the sale of wheat for more than the Government fixed price and will permit flour mills to add to such wheat cost not more than two and one-half dollars per barrel of flour as a total charge for manufacturing selling containers and everything necessary to put the flour on the market except freight, competition will do the rest, and a good part of the high-cost-of-living question will be solved so far as bread is concerned, and the billion dollars appropriated to take care of any reduced price will not need to be used, as flour at its present price is the cheapest product food there is.

RIVERSIDE MILL CO.

LEAGUE OF NATIONS.

Mr. TOWNSEND. Mr. President, I desire to offer to the Senate for the purpose of having printed in the RECORD two editorials from the Grand Rapids Herald. The editor of that paper is a man noted in Michigan for his intelligence and patriotism. I think these articles are worthy of reading by all Senators, and for that purpose I ask unanimous consent that they be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

"THREE FRIENDS DISAGREE.

"Three Senators of the United States mixed in a congressional debate the other day. They were discussing the league of nations. All three of these Senators are Democrats. All three of them are zealous followers of the White House and faithful believers in the doctrine of infallibility. All three, naturally, therefore, are sled-length advocates of unlimited American signature to the league of nations covenant, without reservations, preservations, interpretations, or clarifications. They are riding in the same boat, pulling the same oar, seeking the same port. And yet these three close-harmony crusaders could not agree even among themselves as to what the covenant means or what it intends in relation to an important American right.

"The particular point in issue was the right of withdrawal from the league—and this is a highly serious point, because 'the right of withdrawal' from a governmental union is not a matter safely to be left in any doubt, as we ourselves learned at terrible cost in 1861.

"The covenant pretends to permit withdrawal on two years' notice, providing that all of a nation's 'international obligations and all its obligations under this covenant shall have been fulfilled at the time of its withdrawal' (art. 1, sec. 3). But what does this mean? Does it mean that the United States would be its own judge as to its 'fulfillment of obligations,' and therefore a free agent in this process of withdrawal? Or does it mean that the league could tell us we had not 'fulfilled our obligations,' and thereupon refuse us the right to withdraw? And in this latter circumstance, if we still did withdraw, would we be at war with the world?

"What happened when these three aforesaid senatorial friends of the covenant set out to explain?

"Senator SWANSON, of Virginia, announced that the American right of withdrawal will be absolute and without strings.

"Senator MCKELLAR, of Tennessee, announced that the American right of withdrawal will be subject to a decision of the league council on the state of the 'fulfillment of obligations'—we being excluded from voting on our own case.

"Senator SIMMONS, of North Carolina, announced that the American right of withdrawal will be subject to a decision of the league council—we being permitted a vote on our own case.

"SIMMONS said he was quite sure MCKELLAR was mistaken. MCKELLAR said he was equally sure that SWANSON was mistaken. SWANSON undoubtedly thought both of his fellow sled-lengthers were off the track.

"At any rate, all this happened—between friends—on one page of the CONGRESSIONAL RECORD. All this happened—between friends—in an endeavor to construe and interpret so vital a proposition as the right of withdrawal (a right so terrible in its challenge that it once cost us four years of civil war). What, pray, would happen if the argument were between the United States and a group of foreign powers which would have no primary interest in our concerns?

"Is it possible that any serious-minded American will persist in saying that we should leave an essentiality like this in such menacing doubt?

"This right of withdrawal is one of the four fundamentals which the Herald insists should be covered by American reservation. And we submit to our readers the proposition that these three senatorial league advocates have conclusively demonstrated the need for this reservation.

"If the covenant means what Senator SWANSON (who is supposed to speak for the President) says it means, well and good. In that event, it is safe for the United States, because we are not irrevocably tied to a superstate which can deny us self-determination. But if it means what MCKELLAR and SIMMONS, in varying degree, say it means, it is a perpetual world yoke around Columbia's neck—locked and the key thrown to Europe's keeping.

"The original draft of the covenant was amended at Paris for the pretended purpose of meeting this situation (in response to American protest) and permitting withdrawal. The fact that an amendment was thus made confessed to the necessity for remedy. But the remedy is a fake if its effect is the result described by either MCKELLAR or SIMMONS (two of its friends).

"An American reservation such as the Herald urges will tell the world officially what SWANSON (and the President) tell the world unofficially. We dare not risk an ultimate international debate in which alien nations, bent upon controlling us against our national will, might McKellarize us or Simmonsize us into perpetual dependence. And surely we but contribute to the structure of true peace when we propose, by American reservation, to remove from this charter for the world's salvation such an invitation to misunderstandings and friction and quarrel—such an invitation to another secession rebellion on an international scale."

—

"THE BEGINNING OF THE END.

"For several weeks Republican Senators who desire to see the league accepted have been shaping a reservation program designed to further protect national interests without weakening vitally the league covenant. The result of their work is a group of four reservations relating to the powers of Congress to declare war, the Monroe doctrine, national control of domestic problems, and the right of withdrawal. This program is backed by agreement between the following seven Senators: MCCUMBER, North Dakota; MCNARY, Oregon; CUMMINS, Iowa; COLT, Rhode Island; LENROOT, Wisconsin; KELLOGG, Minnesota; and SPENCER, Missouri." (Washington Associated Press dispatch yesterday.)

"In the Herald's judgment, this dispatch marks the beginning of the end of the league of nations fight. These seven Senators have their feet upon the solid ground and their eyes upon realities. In this group, notably, is Senator MCCUMBER. MCCUMBER is the only Republican member of the Foreign Relations Committee who has been openly and consistently standing with the President thus far throughout the league fight. In this group, again, is Senator MCNARY. MCNARY is one of the few other Republicans whom the administration has had hopes of attracting to sled-length acceptance of the league covenant. If MCCUMBER and MCNARY are committed to American reservation (with Mr. Taft likewise acquiescent), we are entering the final stages of this controversy. American reservations will win; and when reservations win, the league wins, too.

"With the profoundest conviction of which men are capable, we believe in these four reservations: First, for the sake of America and her perpetuated constitutional independence; sec-

ond, for the sake of the league itself and its immunity to ultimate American frictions which would invite American secession and resultant league bankruptcy.

"The average American wants three things in this affair: (1) Peace, made as permanent as artificially possible; (2) a legitimate trial of the league idea; (3) corollary assurance and insurance of unimpaired American independence. Neither the sled-lengther who would defeat the whole treaty nor the sled-lengther who would swallow it all in one trustful gulp can answer this desire of the average American. The reservationist can: (1) Because American reservations will kill for keeps prospective misunderstandings (universally acknowledged to exist) which will inevitably lead to frictions and which are breeders of inevitable trouble subvertive of peace; (2) because American reservations will permit America to whole-heartedly enter the league, without suspicions or misgivings or equivocal intentions, and will thus assure the league greater permanence of American support and correspondingly greater permanence of effective service to the world; (3) because American reservations will remove every doubt as to whether the league is safe for the United States and veto ultimate hostile interpretations (permitted by the text) which would toss away many of the most sacred American rights which 140 years of independence have achieved.

"These are the things for which the Herald has contended for months. They are the things which first seemed to find official expression in a resolution offered by Senator SPENCER, of Missouri, several weeks ago. They are the things which we read into the proclamation of the "group of seven." They are the things which last week's Herald poll showed to be close to the hearts of 75 per cent of a representative Grand Rapids group from whom we sought an unprejudiced expression of opinion. We believe they are the things a dominant majority of all the American people will demand as they move into a broadening understanding of this whole mighty problem.

"The contest is not between sled-lengthers who would defeat the whole league idea and sled-lengthers who would take it completely on faith as a thing infallible. The former class is negligible. The contest is between sled-lengthers who would sign the dotted line without limitation and reservationists who believe in the league after the league has been made safe for the United States.

"Unless appearances deceive, the White House itself will ultimately consent to reservations. The way is being paved. A United Press dispatch yesterday said presidential advisers are already at work upon 'innocuous' reservations. If this adjective is used in its literal sense—meaning 'free from harm'—the reservations in which the Herald believes are 'innocuous.' But if it is used in its colloquial sense—meaning practically meaningless—essential American reservations are not 'innocuous.' The demand for reservations is no hypocritical camouflage; and any effort to treat it as such will be futile. American independence is not 'innocuous,' in this latter sense; neither is a crusade to preserve it."

DEMANDS OF RAILWAY TRAINMEN AND RACE RIOTS.

Mr. THOMAS. Mr. President, since the 5th of August I have been in receipt of a large number of letters and telegrams referring to some remarks which I submitted to the Senate on that date. A typical letter of the number thus received is one from Rev. John S. Plumer, some parts of which I have stricken out, and I ask that it be published in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

192 BELL AVENUE, PITTSBURGH, PA.,
August 6, 1919.

The Hon. Mr. THOMAS,
United States Senator from Colorado,
Washington, D. C.

DEAR SENATOR THOMAS: I lament my ignorance of your full name that I might have headed my note to you with a more suitable address.

This defect, however, does not detract in the least from the sincerity and earnestness of what I now endeavor to write.

The morning papers of this city give a brief outline or report of some remarks you made August 5 in the Senate concerning the railroad situation created by the recent proposals and demands of the railway operators. I desire to express my profound gratitude that at least one strong, clear protest and rebuke has been uttered in a place of authority against the demands of the railway unions and, indeed, against the spirit of labor generally now prevailing in this country. I am myself the son of a working man, and I am not in the capitalist class, but for many years my life work has kept me in close touch with the people, and I know almost as well as one man can know, the spirit that is now moving among the people. The people are shot through with unsound economic theories. They are fast being Bolshevized and Socialized. I come in contact with ignorant workingmen who profess themselves Bolshevists, and in almost any group of workingmen of the city one can hear prophecies of something "about to drop" and much clatter of a like kind. Besides the idea of economizing seems not to enter the heads especially of those who are receiving high wages, as almost every kind of labor in the Pittsburgh district is. They want their "flivvers," the table must be supplied with the choicest cuts of meat, with roasts, with chicken, and everywhere I go among employers of labor I hear complaints of inefficiency, of slacking, and of a degree of sullenness that makes it difficult for the employers to be on decent terms with their men. Multitudes of the rest of us economize, we cut expenditures in every possible direction; we recognize the hard conditions imposed by the war, but the laboring man, the manual worker, seems to have imbibed the notion that he is a privileged character whose demands must be honored at sight. I need not particularize conditions here in Pittsburgh, but they are not reassuring. Our newspapers play safe and seem incapable of uttering counsels of moderation. And our public men seem many of them willing to capitalize the unreasoning discontent of the masses to partisan advantage. With you, I believe the industrial situation is the paramount issue for the American people. * * * With the domineering attitude of the unions, this is fast ceasing to be a free country or a tolerable land to live in. We who are homeless find it impossible to put even a modest roof over our heads when we come to deal with the stone mason, the bricklayer, the carpenter, the painter, and last but not least lordly, the plumber. "If you don't want to pay our price you can do without." For 40 years I have worked hard and lived frugally in the hope of being able in my old age to shove into some port, but now I find I have to deal with men who seem absolutely to have but one aim in view and that is to get as much with as little return as possible. If these fellows would only do an honest day's work we could stand their wages, but the country over labor is abstracting at this hour more from the fund of public wealth than labor is replacing, and in fact, overdrawing what we may call the bank account, and with the inevitable result already in sight.

I pray the man may arise or the party that, while not antagonizing labor, a thing nobody intends, will at the same time accept the issue as presented by the railway men, and, if necessary, will have a showdown at the polls as to whether this country is to be run in the interests of this class or that, and whether our lawmakers must bow to every mandate that may come up from those who imagine they are the only people in the land, and that they must be obeyed or they will proceed to upset things generally. * * *

I hope I have not trespassed on your time and patience by this long, and I fear not very coherent, letter. I have striven without forethought to express feelings that I believe are in the heart of multitudes of our people who merely await a leader to rally for the defense of our institutions and an ordered liberty. * * *

Respectfully, yours,

REV. JOHN S. PLUMER.

LETTER FROM MASSACHUSETTS DEMOCRATIC CLUB HEAD.

Mr. MOSES. I ask unanimous consent to have printed in the RECORD a letter written by the president of the Democratic Club of the State of Massachusetts to the chairman of the Democratic national committee.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

"WANT WILSON REPUDIATED—DEMOCRATIC CLUB HEAD CALLS FOR PARTY CENSURE—STATE SENATORS AND REPRESENTATIVES INDORSE—HIT THE PRESIDENT ON 14 POINTS OF FAULT—SAY HE WRECKED PARTY AFTER IT MADE HIM.

"Francis J. Finneran, president of the Democratic Club of Massachusetts, has forwarded to Homer Cummings, chairman of the Democratic national committee, a letter signed by himself and 2 State senators and 15 representatives, demanding that the national committee repudiate the actions of President Wilson. In their letter the Democrats say:

"'We, the undersigned Democrats of Massachusetts, request to call a meeting of the northern and western members of the national committee and repudiate the actions of Woodrow Wilson, who wrecked the party after we had lifted him from obscurity, making him a governor and then President.

"'He has held the party up to ridicule by the following acts:

"'First. By appointing incompetent men to positions of responsibility, the most glaring examples of which are Postmaster General Burleson, Secretary of War Baker, and Fuel Administrator Garfield.

"'Second. By leaving the country at a time when the great problems of reconstruction and the high cost of living confronted Congress, camouflaging through Europe and causing us to lose the friendship of Italy and other countries by his actions.

"'Third. By attempting to force an English covenant, called the league of nations, upon the American people at the cost of the destruction of the Declaration of Independence, of tolerating the larceny of Shantung from China by Japan, and the robbery of India and Egypt by Great Britain.

"'Fourth. By his idle promises at Washington's tomb, when he declared he would demand the independence of small nations, and by refusing to take up the question at the peace table of the liberty of Egypt, India, Ireland, and South Africa, and recognizing England's right to govern Egypt.

"'Fifth. By his advocating internationalism, which means the loss of the national spirit of patriotism and the birth of socialism.

"'Sixth. By placing American troops in Russia, a country against which Congress has not declared war, and his attempt to kill the spirit of America for only Americans.

"'Seventh. By his policy in Mexico, his recognition of Carranza, an anarchist and anti-American, and the toleration of the murder of over 300 Americans in Mexico without a declaration of war.

"'Eighth. By his refusing the request of both branches of Congress that he take up the Irish question at the peace table.

"'Ninth. By his partisanship toward the South at the cost of the rest of the country.

"'Tenth. By his signing of the war-time prohibition act after the armistice was signed.

"'Eleventh. By his policy of rehabilitation of bankrupt European nations at the expense of the impoverishment of the American Government.

"'Twelfth. By his disregard of the Baltimore platform, which pledged him to aid the passage of the Panama Canal free tolls.

"'Thirteenth. By his disregard of the right of suffrage, which belongs to hundreds of thousands of negroes of the South.

"'Fourteenth. By his policy of shipping vast amounts of foods to Europe and spending $100,000,000 for food at the expense of America, thus causing the present high cost of living which confronts the American people.

"'Hoping immediate action will be taken so that we can build up our party anew and let the people forget that he ever was a member of our party and make it possible for us to elect a northern or western Democratic President in 1920, we are:

"'Francis J. Finneran, president Democratic Club of Massachusetts; Senators George E. Curran and William J. Foley, and Representatives Thomas F. Donovan, Thomas H. Green, Dennis F. Reardon, James J. Hayes, John P. Esgiert, John B. Cashman, John J. Carey, Patrick J. Mellody, James J. Kelley, Joseph B. Aigen, William J. Francis, Daniel C. Murphy, James H. Brennan, Thomas A. Niland, and William J. Manning.'"

HIGH COST OF LIVING.

Mr. CAPPER. I ask unanimous consent to have printed in the RECORD a letter to the editor of the Washington Post from T. C. Atkeson, Washington representative of the National Grange, headed "Less work, less food." It bears upon the subject of the high cost of living, which is now engrossing the attention of the country, and as it is important I ask that it be printed in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

LESS WORK, LESS FOOD—TOO MANY PEOPLE IDLING, CAUSE OF HIGH PRICES, WRITER SAYS—FARMER CAN NOT PROFITEER—IN SELLING PRODUCE, HE COMPETES WITH EVERY OTHER FARMER—PUTS $5 OF LABOR INTO $2 WHEAT, BECAUSE LABORERS PREFER NOT TO HARVEST—LIFTING OF RESTRICTIONS URGED.

"To the EDITOR OF THE POST:

"In view of the remarkably significant developments of the last few days indicating the nearness to the breaking point in this country in the conflict between the cost of living and the upward trend of wage demands, it has seemed to us that at least a brief attention should be centered in the producers of the foods, the American farmers.

"I have read with interest your editorial on 'The food problem' in the Washington Post, Saturday, and also noted the significance of the other two editorials in the same issue, 'The ungrateful Mr. Mackey,' in which you show how the relinquishment of Government control is immediately followed by a reduction by 20 per cent in telegraph rates; and the 'Too many loafers,' in which you say 'There is plenty of work for every man who can work,' a statement which goes more deeply to the root of the entire question of the high cost of living than any other single sentence in your remarkably able editorial page. This, at least, is the view of the farmers as interpreted by the National Grange.

NOT TO BLAME FOR HIGH PRICES.

"We take it, from the conclusion of your editorial, that you do not, when thinking seriously and earnestly, place the burden of the cause of high food prices on the farmer. In no item of price quoted in your editorial did you name a price or express an opinion that indicated the price to the producer was exorbitant.

"In this you are right. It is a practical impossibility for the farmer to profiteer. He grows his produce in competition with every other farmer, puts it on the market at whatever price anyone else will pay for it, and buys his labor and materials in the open market at the seller's figure. He raises his crop under these terms, after gambling with the weather, with drought and flood and frost, and with every insect pest and plant disease known to the mind of man. It is impossible that the farmer can profiteer.

1,100 PER CENT PROFIT.

"Your editorial mentioned as the outstanding examples of what you term profiteering, meat, the onion, potatoes, and flour. Why did you omit the still more outstanding items of cotton cloth, woolen cloth, and shoes? I have seen it stated that the gingham which to-day costs 60 cents a yard contains but 5 cents' worth of cotton. Now, why should I be compelled to pay 60 cents, or 1,100 per cent profit, for 5 cents' worth of cotton?

"Why not mention watch springs, in which the spring which costs you a dollar and a half installed in your watch contains but a fraction of a cent's worth of iron. Of course, the answer to each item is that after the raw product, whether iron in the ground or the potatoes in the farmer's field, is in the possession of its first owner before it reaches the ultimate consumer it has had labor performed on it.

MUST DO PRODUCTIVE WORK.

"If the Government can discover a way to take labor out of growing crops or out of marketing crops, then the price may be lowered. If the Government can discover a way to make 8 hours' labor produce as much work as 10 or 12 hours' labor formerly did, then you can reduce the cost of living.

"If the Government can discover what proportion of the labor in the country is employed at work which is nonproductive, and then set that labor at productive work, it might cause sufficient competition in labor as to reduce the cost of essential products, and hence affect the cost of living. If, as very ably pointed out in the Post, there were not so many loafers, it might help some.

"I wish to commend this quotation from the tiger of France, Clemenceau, whose iron will and clear brain kept France and her Allies to the task until they won: 'You must not think that peace is a contract which ends all difficulties. No country escapes the law of work.'

WANT DAYLIGHT LAW REMOVED.

"Now, let me make plain the position the farmer takes in all of this. We want daylight saving removed so that the last hour in the afternoon can be spent in farm work. We want no price fixing, and have never wanted price fixing. Wheat prices were fixed to keep prices down, and we acquiesced through patriotic motives. Then there was a proclamation fixing the wheat price again, and this contract with but one party to it has been ratified and is being carried out. But we are putting $5 labor on $2 wheat.

"If any seriously minded part of the public thinks this Government price is keeping the price of wheat up, we will here and now enter into a contract to enter no opposition to removing this guaranty, provided all other restrictions are removed to permit the American farmer to sell his wheat in the markets of the world.

CROP OUTLOOK REDUCED.

"It will soon be evident in whose interest this guaranty works. The revised figures of the crop-reporting board show material decline in the crop outlook. Wheat in Virginia and Maryland has been seriously damaged by recent rains. Illinois reports indicate hardly a bushel of No. 1 wheat in the State. It is my judgment that when the thrashing machine tells the real story and the estimates are replaced by actualities, there

will be a shrinkage of from 20 to 25 per cent in the figures—an 800,000,000 or 900,000,000 bushel instead of a billion and a quarter.

"The proposition for the Government to buy the wheat at the $2.26 price, to satisfy the farmer, and then sell it to the consumer, say, at $1.50 a bushel, is socialism gone to seed. If the Government wishes to do this, and charge the cost to the taxpayer, why not go the rest of the way and supply the biscuits free and charge the whole cost to the taxpayer?

GROWS WHEAT FOR REVENUE.

"One policy is as sound as the other. Only let us remind you that if this is done, and $2.26 remains a fixed price for wheat, the American farmer will grow it or not, just as the revenue which it brings him causes him to think it is best for him, and if he happens to stop growing wheat some one will be hungry. There will be no biscuit. If the world market is permitted to fix the price of wheat, the American farmer will continue to grow it to feed himself and the world.

"There was a fixed price on pork, at 17 cents. It was removed by the Food Administration in response to a clamor for cheaper pork. Now we have the result of a double reaction. Hogs are scarce, because the fixed price was so low that farmers would not produce heavily, and because hogs are scarce and the market eager pork has gone from 17 to 23½ cents, a world record high price, and bids fair, for a time at least, to stay around that high mark.

HIGHER PRICES, MORE PRODUCTION.

"This high price means increased production, and there will be both pork and probably lower prices soon. Pork is quickly produced. If the 17-cent price had been maintained, it is fair to assume that soon there would have been no pork at any price. That is not the way to save a starving world.

"The utter futility and foolishness of trying through governmental agencies to prevent high prices is ludicrous if it were not tragic. The Government may be able to find and pinch profiteers. Good, go to it; especially to the rent profiteers in every large city.

"But there is only one way to reduce the cost of living, and that can not be done by a government. That is to follow Clemenceau's suggestion—'go to work.'

"The Springfield Republican hits the nail on the head: 'When the 44-hour week goes into effect on the farm some one will have to discover a substitute for eats.'

WORK CURE FOR BOLSHEVISM.

"The farmer's work is no more involved in the price of the bread and the potatoes and the meat and the sugar on your table than the work of the road builder, the track walker, the engineer, the trainman, and the teamster or the grocery clerk. When the 44-hour week goes into effect in any trade which deals with getting food from the farm to the dinner table, 'then some one must hunt a substitute for eats.' The solution of the high cost of living and the curse of Bolshevism is found in just one sentence: 'Quit howling and go to work.'

"If a few of the 'investigators' were set at harvesting wheat or digging potatoes, the price of potatoes and flour might might come down.

"THE NATIONAL GRANGE,
"T. C. ATKESON,
"*Washington Representative.*"

ITALY'S LOSSES IN THE WAR.

Mr. RANSDELL. Mr. President, I have just received the following letter addressed to me here:

NEW YORK, *August 6, 1919.*

Hon. Senator RANSDELL,
United States Senate, Washington, D. C.

HONORABLE SIR: Permit me to address you this letter in reference to your speech of July 31 before the Senate.

You quoted a statistical summary of the battle deaths in armies engaged in the Great War by Col. Leonard P. Ayres, General Staff, Chief Statistics Branch, in which Italy's figures are calculated at 330,000.

For quite some time there has been a tendency here in America to minimize by far the wonderful contribution of Italy toward the successful termination of the past great conflict. Even the American official statistics continue to be inexact.

You would indeed perform an act of loyalty by causing to be inserted in the CONGRESSIONAL RECORD the information and figures inclosed in this letter, the figures being absolutely official in regards to Italy's losses during the war.

With the utmost respect and esteem, I remain.

Respectfully, yours, AGOSTINO DE BIASI,
Editor.

He is the editor of the Italian Review, published in New York. The accompanying table is very brief, and I ask that it be printed along with the letter.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Italy's losses in the war.

[Communication by Agostino de Biasi, editor of the Italian Review Il Carroccio, New York. Figures given by the Italian general staff.]

Dead (of which 16,382 were officers)	460,000
Wounded (of which 33,382 were officers)	947,000
Prisoners (dead)	34,000
Navy's losses (dead)	3,169
Total dead	497,169
On other fronts:	
Dead	7,384
Wounded	15,196
In France of which there were:	
Dead	4,375
Wounded	6,359
Invalided because of wound and diseases	570,000
Total wounded	947,000

ADJOURNMENT TO MONDAY.

Mr. LODGE. I move that when the Senate adjourns to-day it adjourn to meet on Monday next.

The motion was agreed to.

VENIZELOS'S VIEW OF LEAGUE OF NATIONS.

Mr. BRANDEGEE. I have here a short article as to the attitude of the commissioner from Greece, ex-President Venizelos, which I ask the Secretary to read.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

VENIZELOS'S CHANGED VIEWS ON LEAGUE VALUE DISCUSSED—AMERICANS AT CONFERENCE FAVORED BULGARS AT EXPENSE OF GREECE, SIMONDS ASSERTS—THRACIAN QUESTION SEEN AS CRUX.

[By Frank H. Simonds.]

"The announcement in Paris dispatches that, as a consequence of the failure of the peace conference to decide Balkan matters, and particularly in view of the American position with reference to the disposition of Thrace, Venizelos has publicly stated his loss of confidence in the league of nations is of more than passing importance at this time. I remember sitting beside the Greek premier at a dinner early in the peace conference when, both at table and in a speech which he made afterwards, he forcefully and eloquently defended the league of nations from the point of view of the representative of a small nation. Venizelos himself was not only a most conspicuous representative of a small nation but he was one of the great figures at Paris, a man whose force and whose intelligence marked him from the outset.

"Had Venizelos sided with the Germans in the war, Greece would have been totally lost to the Allies, would have become an invaluable base for German submarines, and the victorious Macedonian campaign in September of last year could not have occurred. In the face of the open sympathy of King Constantine, the court, and Greek Army with the Kaiser, Venizelos saved Greece to the Allies and rendered service of almost incalculable value at critical hours.

CHAMPIONED LEAGUE AT FIRST.

"In Paris, as in the various peace conferences after the several Balkan wars, Venizelos displayed a moderation and a reasonableness in striking contrast to the attitude of representatives of other small but ambitious nations. From the very outset he was a champion, and a powerful champion, of the league of nations, not only as an ideal but also as a practical machine calculated to protect small powers in the presence of the great; not only as an instrument for peace between large nations but as a guarantee of the independence and rights of little States like his own.

"In the peace conference Venizelos asked for his country only lands in which the population was Greek—lands which had a Hellenic tradition—but in advocating these demands he encountered the hostility of the Italians, and he found himself not alone opposed by the Italians in the Aegean and in northern Epirus, but, to his surprise, he found the United States advocating the bestowal of territories upon the Bulgarians as well as the Albanians, in which the population was Greek, and in which during a brief occupation the Bulgars and the Albanians had persecuted the Greek population as the Bulgars had also persecuted the Serbs during the time they held Serbia.

"The crux of the situation was the disposition of Thrace, and particularly that portion of Thrace which lies between the Maritza River and the present Greek frontier. The occupation of this country had permitted the Bulgars to assail Greece in the second Balkan war without provocation and have a valuable base for Bulgar operations during the World War. In Bulgarian hands it was a constant menace to Saloniki.

"The arguments that this territory should go to Bulgaria rest solely on the fact that without it Bulgaria will have no outlet upon the Aegean; but the country is destitute of harbors, and unless the Bulgars are again to be presented with the Greek city of Kavala it is difficult to see how much importance attaches to this strip of sea front.

"Great Britain and France have agreed in recognizing Venizelos's demand, based alike upon the fact that the population of the territory involved is Greek, not Bulgar, and upon the further fact that in Bulgarian hands it is a constant threat to Greek security.

"Twice in two years Bulgaria attacked her neighbors in undisguised efforts to seize their territory. She is the disturbing element in the Balkans, and her ambition was and remains to acquire an actual hegemony south of the Danube.

AMERICANS AND GREEKS.

"American championship of the Bulgars has been as severe a blow to the Greeks as American championship of the Jugo-Slavs was to the Italians. Moreover, the Italians, themselves rivals of the Greeks and seeking to deprive Greece of lands unquestionably hers under Mr. Wilson's principles, have very promptly and cleverly come to the support of the Bulgarian claims, precisely as they are championing Roumanian demands at the expense of the Serbians.

"Venizelos asks, not without reason, why America, which did not declare war upon Bulgaria and which has no interest at stake, now insists upon the bestowal upon Bulgaria, the hereditary enemy of the Greeks, of lands alike Hellenic and essential to Greek security.

"The idea that the league of nations should advocate the destruction of Greek safety and the annulling of Greek rights has evidently converted Venizelos from the views which he held when I talked with him five months ago. His renunciation of support of the league of nations deprives it of a champion of incalculable value, since in the Paris conference and in the world Venizelos is one of the outstanding figures—a great man in every sense of the word.

"The championship of the Bulgars by America seems to me one of the greatest mistakes conceivable. The Bulgar has represented the Prussian idea and the Prussian spirit in the Balkans. He has been guilty of every crime which we charge against the Germans. A greater Bulgaria would be only a step toward that Bulgaria which the people of this Tartar State have sought to create for more than a generation. The Serbians and the Greeks certainly far more deserve American support, if we are to mix into this complicated question. Moreover, precisely as the effect of our intervention at Fiume has been to break the relations between Italy and her European allies and start her on the road back to her German alliance, the consequences of a successful championship of the Bulgars in Thrace will be to ruin Venizelos in Greece and bring back the supporters of King Constantine and the sympathizers with Germany.

DIFFICULTIES OF LEAGUE.

"This Thracian episode is only one more example of the difficulties which are confronting the still unorganized league of nations in every part of Europe, and one more evidence of how dangerous American participation in the settlement of such questions must be for European nations whose own security and rights are thus sacrificed in the pursuit of an abstract or academic idea.

"If the Bulgars get Thrace there will be another Balkan war provoked by them in an effort to get Saloniki. Conceivably, if they fail to get Thrace there will be another war, but short of handing over the whole Balkan Peninsula to the Bulgars there is no way of satisfying their appetite and their ambition. Venizelos, in 1913, offered them Kavala and all the hinterland east of the Struma. They took it and then attacked Greece treacherously. He and the Serbs consented that they should have this very Thracian region now under discussion even after their wicked assault upon Greece and Serbia in 1913. Yet two years later they attacked Serbia and invaded Greece. The consequence has been that those strong British forces which from the day of Gladstone have sympathized with Bulgaria have practically abandoned hope. Our appearance now in the rôle of a champion of the Bulgars has resulted in the loss not merely of Greek sympathy with the league of nations but of the enormously valuable support of a man who in many eyes bulks as the greatest of contemporary European statesmen."

Mr. BRANDEGEE. Mr. President, because of several declarations made by the President, such as that a new day has dawned, that no longer are nations jealous of each other but are all living together in the spirit of brotherhood, I wanted that article to go into the RECORD. It shows that the Balkans are still aflame; it shows that Italy and Jugo-Slavonia are at swords' points; it shows that every time we attempt to mix in, to "butt in," in an effort to settle the boundaries of Europe, which are none of our business, we get into trouble and make enemies for America. When the war ended every nation in Europe, except Germany, was our friend. Now, I should like to have anybody point out the nation in Europe that is friendly to America, owing to our intermeddling and our attempt to heal the sore spots and festering spots of Europe.

This gentleman, Venizelos, the ex-premier of Greece, President Wilson told us at the White House last March, when we were there with the Foreign Relations Committee, was the ablest man that he had met in Europe. Evidently he has found his way out of the regions of Utopia and has got down to "brass tacks," and whatever adherence he may have given to the delusions and hallucinations which animated at least one of the distinguished members of the peace commission abroad, which, owing to our Treasury and man power, was imposed upon the others, he at least has returned to the earth and to sanity; and I think others will soon follow in his footsteps.

Mr. LODGE. Mr. President, I listened to the reading of that article with great interest. When I heard the President make the statement which the Senator from Connecticut has quoted, I was very much struck with it and not surprised. I have no doubt that Venizelos is one of the very ablest men in Europe to-day, if not the ablest, and of his moderation and wisdom I have heard from many who have attended the peace conference.

Mr. President, there is something in the article that is to me unpleasant, because it refers to the American position in regard to Thrace. I do not know who was at liberty to state the American position, but I do not believe that any Americans in this country who understand the question at all believe in handing Thrace over to Bulgaria. Thrace has a Greek population; they are Hellenic; they ought to be joined to Greece; and it has seemed to me—for the question has been brought to my attention by citizens of Greek origin in this country—that to hand Thrace over to Bulgaria, our enemy, the ally of Germany, to reward her for her opposition to us or to the Allies, for she was fighting on the side of Germany—I say that under these circumstances to take a Greek people and hand them over to Bulgaria seems to me a great wrong. I have thought so for some time and I have looked into the question with some care.

Mr. POINDEXTER. Mr. President——

Mr. LODGE. I yield to the Senator.

Mr. POINDEXTER. That would seem to me consistent, however, in view of what is called the American attitude toward the Italians in Fiume, handing them over to the Jugo-Slavs, and handing the Chinese in Shantung over to the Japanese.

Mr. LODGE. Yes, Mr. President; but I have been unable to believe that Thrace was to be added to that catalogue. It seems to me incredible that those Greek people should be handed over for the sake of benefiting Bulgaria; and although we can do nothing about it here except to protest, I am very glad that this matter has been brought to the attention of the Senate and to the attention of the country by printing in the RECORD the statement of Mr. Simonds, who is well known as one of the very ablest writers for the press.

Mr. THOMAS. Mr. President, the article just read into the RECORD was published in the Evening Star yesterday afternoon, and I read it, I presume, with quite as much interest as did the Senator from Connecticut. I read also another article in the same paper, from a writer whose name I forget, which assumed to give the facts underlying the comments of Mr. Simonds. The Senator from Connecticut has very kindly furnished me a copy of it, and I will read it into the RECORD, because I think the two should go to the public together. This article is by Paul Scott Mowrer, "by cable to the Star and Chicago Daily News," and dated Paris, August 6:

The result of several weeks of private negotiations between Foreign Minister Tittoni, of Italy, and Premier Venizelos, of Greece, is an agreement between Italy and Greece which is of great interest to the United States. In Asia Minor, Italy promises under certain minor restrictions to give Greece the 12 Greek inhabited islands which she took from Turkey in the course of the Tripolitan War. Italy agrees to recognize the Greek claims in Asia Minor despite the pact of St. Jean de Maurienna, which promises Smyrna to Italy. Greece agrees to accept the river meander as a permanent line of demarcation between the Greek and Italian districts.

The Senate will note that this seems to be a side agreement between two of the parties to the Paris conference.

In Albania, Italy agrees to recognize the Greek claim to the northern Epirus; that is to say, to southern Albania. Greece agrees to recognize the Italian claim to Valona and a protectorate over what is left of Albania. In Thrace, Italy agrees to recognize the validity of the Greek claim to all of Thrace, thus cutting off Bulgaria from the Aegean Sea.

These private agreements must first be accepted by the peace conference, but the fact that they have been reached between the States chiefly concerned is a long step toward their definite realization.

HOW UNITED STATES IS INTERESTED.

Where the interest of the United States comes in is chiefly in Thrace. It was Col. Castoldi, of the Italian peace delegation, who has lived many years in the Balkans and knows Balkan questions thoroughly, who first won over our delegation to the conviction that Thrace should remain Bulgarian, despite the political support given by France and Britain to the Greek claims. After a due analysis of the various sets of "propaganda" statistics, it is apparent even to persons unfamiliar with the Balkans that, even aside from Bulgaria's right to an outlet on the Aegean, the parts of Thrace concerned are predominantly Bulgarian. Now that Italy has agreed to change sides and recognize the Greek claims, the American delegates find themselves isolated in opposing the Greek demand for Thrace.

M. Venizelos evidently hopes that the Americans, being now in an absolute minority, will weaken, and indeed there are certain indications to confirm his view. It is entirely possible that neither Under Secretary Polk, who is a newcomer in the field of European diplomatic intrigue, nor Delegate White will fully grasp the meaning of Tittoni's maneuver.

I am convinced that this Italian diplomat, in changing sides and agreeing to support Greece in Thrace, merely did so to facilitate Greco-Italian understandings in other regions. He doubtless counted on the Americans to hold firmly to what they believed the right in the Thracian question. If our delegates give in on the question of right merely because they appear to be in the minority, Tittoni probably will be considerably disconcerted and may even try to work out some entirely new combination before the question is finally decided.

The Tittonian policy is entirely different from that of his predecessor, Baron Sonnino, who fought bitterly over every point and tried to bluster it through.

ITALY DEPENDENT ON ALLIES.

The truth about Italy is that she is absolutely dependent at the present time on the Allies, especially the United States and Britain, for food for her people and coal for her industries. She is accordingly constrained to accept all of the Allies' decisions. Tittoni, therefore, dropped the troublesome Fiume question for the present, and behind a sort of smoke screen of discreetly optimistic press propaganda is pushing forward every question concerning Italy and at the same time jockeying for position at every possible point. Under existing circumstances this would certainly seem to be Italy's best method. The entire Italian policy is dominated by distrust of the new Jugo-Slav State. It is, therefore, apparent that it is to Italy's interest to detach Greece from the Jugo-Slav alliance, if possible, and also to make friends with Bulgaria and Roumania, thus preventing the formation of a Balkan block which would endanger her penetration of Albania. The understanding with Greece is the first step in this direction, but unless Italy is to lose Bulgarian friendship it is essential to Tittoni's strategy that the United States should hold out against Greece in the question of Thrace.

As for Roumania, the fact that the Roumanians have entered Budapest and may prove reluctant to leave gives Italy an opportunity to gain Roumania's friendship by supporting the Roumanian claims in Hungary and gain Bulgaria's good will by asking the Roumanians to give back the Dobrogea to Bulgaria by way of compensation.

MERE FEATURE OF WORLD POLITICS.

All this seems sordid enough, but in the present state of world politics as practiced by the European powers and as tacitly connived at by our own delegates, it is not surprising. Ideally, everything should perhaps be otherwise. Ideally, Italy should be given Fiume, but should be refused Albania and should be kept out of Asia Minor. Ideally, Greece's true field of expansion lies not in southern Albania and Thrace but in Asia Minor, where large sections of the coast are really inhabited by Greeks. Ideally, Bulgaria should not only have Thrace and the Dobrogea but should be given that part of Macedonia which the Serbs and Greeks seized at her expense at the end of the second Balkan war. Ideally, Roumania should be satisfied with Transylvania and probably Bessarabia.

But we are not yet living in an ideal world. If the Americans give in on the question of Thrace, it will be difficult to find a single point in which the proposed Balkan settlements resemble anything like an ideal.

This article throws much light upon the situation, assuming that the recitals of Mr. Mowrer are accurate.

Mr. BRANDEGEE. Mr. President, will the Senator permit me a word of explanation here?

Mr. THOMAS. Why, certainly.

Mr. BRANDEGEE. I brought that article over, as the Senator will see, marked with a blue pencil, intending to put it in the RECORD; but after looking it over again, although it is an extremely interesting article and I am glad the Senator put it in, I did not put it in in connection with the other because the other article treats of the question of America taking sides with Bulgaria against Greece. This is a more general résumé of the tangled skein of ensnarlments with which we are dealing, and it did not seem to me to touch the point I wanted to make; so I did not want to stuff the RECORD with it.

Mr. THOMAS. I was not criticizing the Senator for not using it.

Mr. BRANDEGEE. I know the Senator was not; but I did not want the Senate to think that I had put in one article and withheld another that did not bear out the first article. That was not my purpose at all. I withheld it because it did not seem to me to touch the question of our taking sides with Bulgaria against Greece, but did cover a wider field. I am glad it is in the RECORD.

Mr. THOMAS. Mr President, it would seem, from a cursory examination of the facts, that the position of the United States as regards Fiume and Bulgaria is a consistent one. It has been consistent with Venizelos as to Fiume and consistent with Italy as to Bulgaria; but in the meantime it would seem—to use a common expression—that Italy and Greece have been playing both ends against the middle and carrying on a quiet negotiation of their own by which, through a division of territory as between themselves, each can be satisfied or, at least, each can be made content for the present with the division, provided the peace congress shall accept and confirm their partition of the Balkans and of some parts of Asia Minor.

I regret as much as the Senator from Connecticut possibly can the identification of the United States with these squabbles. I realize as fully as he does that we can make no boundary settlement in the Balkans or in central Europe that will make for the peace of the world unless the settlement, when finally determined, be confirmed and continued by an armed military force constantly on call and ready for action whenever the need arises. But we should have foreseen these things, if we object to them, when we went into the war, because by going into the war, by participating as a combatant by sending our soldiers to Europe and there fighting the allied battles, we entered the European arena. We are there, we can not help ourselves, and we must stay there until the situation clears up by some treaty finally determining these various problems.

If we were to adopt the pending treaty without the league of nations provision we would still be in Europe, because the other parts of the treaty require our participation, as I now remember, in 19 different commissions and boards, some of which are endowed with governmental authority, judicial, legislative, and executive, pending the determination of boundaries and the holding of plebiscites. We are also bound by the treaty, outside of the league of nations, to hold with the Allies all territory to the west of the Rhine with a military force until Germany shall have complied with the major conditions imposed upon her by it; so, being there, we must make the most of it and do the best we can.

Mr. BRANDEGEE. Mr. President——

Mr. THOMAS. I yield.

Mr. BRANDEGEE. The Senator must not assume that the treaty is in existence yet as far as we are concerned. It is perfectly possible for us to strike ourselves out of these commissions and let Europe settle its own affairs.

Mr. THOMAS. I must assume that some treaty will be made at some time between the allied and associated powers and Germany. That is inevitable, because not otherwise can the war be brought to a final, official, actual termination.

Mr. BRANDEGEE. Why, Mr. President, if the Senator will permit me, of course, probably some treaty of peace with Germany will be made at some time. If no treaty of peace with Germany at all is made, a mere declaration of Congress that the state of war which Congress declared no longer exists ipso facto and automatically puts us at peace with Germany. All this attempt to ring us into permanent commissions for the next 50 years, to adjust all the rows of Europe, is simply a scheme to entwine us, in addition to the way the covenant for the league entwines us, in the interminable quarrels of European nations. There is no reason for it. We can have peace with Germany in two days, if we want peace; but the proponents of the league say: "You shall not have peace unless you take the covenant of the league." They are the parties who are delaying peace, not we.

Mr. THOMAS. Mr. President, I do not care to indulge in a controversy with regard to the power of Congress to declare peace beyond saying that I do not assent for one moment to that proposition. Congress has no such power.

If we possessed it, Mr. President, the declaration of it would not settle conditions between the United States and Germany.

Mr. JONES of New Mexico. Mr. President, will the Senator permit an inquiry?

Mr. THOMAS. Certainly.

Mr. JONES of New Mexico. I understand that the Senator from Connecticut [Mr. BRANDEGEE] is a member of the Foreign Relations Committee and that a resolution to the effect that we are at peace with Germany has been referred to that committee for its consideration. I should like to inquire of the Senator whether there is any probability that that resolution will be reported to the Senate for its action?

Mr. BRANDEGEE. I can not inform the Senator about the probabilities. Mr. President, peace is a status. Peace is a fact. Everybody knows that we are at peace with Germany now in fact. The position of this Government, having declared war on Germany, remains. That is a technical thing between the two Governments. We declared war against the German Government, as the President said, and not against the German people. Germany never declared war against us. The fighting has stopped. There is no way for us to get at Germany if we wanted to fight without crossing a peaceful country—France. Peace is a status, and everybody in the world knows that we are at peace. The blockade is lifted; we are shipping cargoes to

Germany now, and the question is, Shall this Government decline to declare the fact in order to force through a covenant for a league to entangle us with the ensnarlments of Europe forever? That is the question.

Mr. THOMAS. Mr. President, whether Congress has the right to declare peace, and by that means to terminate the war, and whether our declaration would be accepted by a country with which we were at war, are academic questions for the present. Commercial relations have been reestablished between certain of the allied and associated powers and Germany; actual warfare no longer exists; but we have thousands upon thousands of the forces of the allied and associated powers upon German soil keeping peace, which without their presence would in all probability soon be terminated.

However, let me refer again to this article for a moment. I think the details of the proceedings of the peace conference, when given to the world, will disclose a selfishness and a sordid interest of many of the nations there represented that will go far toward confirming the proposition that human nature in all its details is practically the same that it was in 1815 or at any other period in history.

Italy made a bargain, and drove the best bargain she could, with the Allies, while carrying on negotiations for a bargain with Austria and Germany, before she entered into the war. We all know that. It is history. The Allies having made the best proposal, Italy accepted it and threw the weight of her armies and her influence against the Central Powers.

The agreement which was ultimately concluded between her and Great Britain, France, and Russia made no mention whatever of Fiume, but Italy demands Fiume now, notwithstanding that fact. The treaty had nothing to do, I think, so far as territorial acquisition was concerned, with what was then included within the geographical boundaries of the Kingdom of Bulgaria.

Mr. MOSES. Mr. President, what the Senator from Colorado says with reference to the agreement which brought an end to the war is quite true; but was there not another secret agreement by which Fiume was to pass into the possession of the Serbo-Croatian-Slovenian State?

Mr. THOMAS. This is the first time I have heard of it.

Mr. LODGE. Mr. President, of course there is such an agreement. The President stated it in his address about Italy, and Premier Orlando stated it also.

Mr. THOMAS. I accept the assurance that there was such an agreement.

Mr. MOSES. So, with the President insisting that Fiume pass to the Serbo-Croatian-Slovenian State, it is merely a choice between two secret treaties.

Mr. THOMAS. It is not, because each of the treaties should be recognized and enforced if one is. Great Britain and France are in no position to deny to Italy that which they promised her, and they are bound, if there was a secret treaty with the Serbian interests, also to recognize that.

Mr. MOSES. Then would the principle of self-determination ultimately fix the disposition of Fiume?

Mr. THOMAS. Mr. President, the principle of self-determination announced by the President of the United States was announced long after the secret treaties were made. If the Senator wants my opinion about it, I will say that self-determination should be considered as one of the elements in the ultimate disposition of Fiume, provided Fiume be considered not merely as a city and harbor but as the outlet of a very densely populated region in the hinterland.

So far as Bulgaria is concerned, I am inclined to agree with the Senator from Connecticut [Mr. BRANDEGEE] in his criticisms of the *American attitude* concerning that country—not of the attitude itself but of the general situation. We never declared war against Bulgaria. Bulgaria never declared war against America. Hence I should prefer leaving that mess between the nations immediately concerned, keeping out of it altogether, if possible. But I have no doubt, Mr. President, that for the purpose of encouraging—perhaps that is too strong a word—for the purpose of displaying a friendly attitude toward, Italy the American delegation did occupy and does occupy, with regard to Bulgaria, the position which Mr. Mowrer discloses. But it would seem that the Italian delegates, in conjunction with the Greek delegates, have by a collateral agreement sought to place the Government of the United States in a most embarrassing position, and one which the Italian emissaries doubtless assumed we would not recognize, in consequence of which they used that fact as a pawn in their dealings with Greece.

Mr. McCORMICK. Mr. President——

Mr. THOMAS. I yield.

Mr. McCORMICK. If the Senator will allow me, I want to ask him to return to a point in his remarks which he passed some time ago, because his opinion is important and influential on any phase of the treaty.

Mr. THOMAS. I thank the Senator.

Mr. McCORMICK. He spoke of the war as involving the United States permanently in the settlements to be made in Europe.

Mr. THOMAS. I think I said indefinitely.

Mr. McCORMICK. Indefinitely in the settlements to be made in Europe.

Mr. THOMAS. That is correct.

Mr. McCORMICK. These settlements require the United States to exercise its influence, due to its resources, in a fashion which alienates from the United States the nations upon whom pressure is brought to bear. We have an example in the case of Roumania to-day. I wish to ask the Senator if he will not consider the possibility of these settlements being maintained without the participation of the United States? The treaty itself contains instances of that sort in the commissions which it sets up for the control of the navigable streams. On those commissions there are to be representatives of several powers, great and small, but none of the United States. Would it not be possible for these bodies, subject to the proposed league, to be constituted of the representatives of the European nations immediately interested, without any representatives of the United States, so that we might not be obligated for troops or treasure in the future? The very cables which bring us word to-day of the action of Roumania and of the ultimatum supposed to have been handed to Roumania by the United States also bring us word that the British purpose to retire from the Caucasus and are asking us to send 80,000 troops thither to keep the peace.

I thank the Senator for his courtesy.

Mr. THOMAS. Mr. President, the Senator's suggestions are extremely pertinent. Nothing would please me better than to see the ratification of a treaty, if it could be done, that would relieve the United States Government of the duty of maintaining a single commission or keeping a single soldier in Europe. I have no doubt that in the structure of the treaty every commission has been exclusively composed of those immediately concerned in Europe, excluding the United States, which could possibly be so constructed; but I can not perceive how the United States can fairly, with due regard to its obligations and attitude to the Allies, refrain from participating in the administration of the reparation clauses of the treaty or in those relating to the Saar Valley, and to the fixation of boundaries between Germany and the new countries to which, before and at the time we entered the war, we gave a virtual guaranty of independence in the event of our success.

Take Poland, for example. From the time the United States became a possible antagonist of Germany we extended the torch of hope to Poland. I think the President, in his address on the 2d day of April, 1917, specifically did that. I know that about the time of the armistice the distinguished Senator from Massachusetts [Mr. LODGE], in an address on this floor, asserted the right of Poland to independence as a result of the war; and the same hope extended to the Czecho-Bohemian combination, now known as Czechoslovakia, doubtless had an immense influence upon the ultimate result of the war, not only in bringing us victory but also in a speedy termination of the struggle.

We must, if we are to stand as we should before the public opinion of the world, discharge those obligations by such further participation in the affairs of Europe as may be essential. The mere geographical delimitation of Poland is not a guaranty of Poland's independence. The mere delimitation of the boundaries of Jugo-Slavonia and of Czechoslovakia does not accomplish anything more than the placing of these nations upon the map. They must have behind them the guaranty of the force that brought them into life until their independence is fully recognized and their ability to take care of themselves shall have been demonstrated.

I do not know whether that will ever be. I have an old-fashioned notion that but one race in the world is capable of self-government, and that is the race to which the Senator from Illinois [Mr. McCORMICK] and I belong, and I think sometimes, and especially since the war, it may be a question whether even that race can successfully endure the ordeal of such responsibility.

Mr. McCORMICK. May I suggest to the Senator, in connection with the remark he made just before he concluded, that there is a line between the obligations of the United States arising out of the war, and which it must honorably discharge, and an unnecessary and fruitless interference in the composition of European differences.

Mr. THOMAS. Undoubtedly. But who is to draw it?

Mr. McCORMICK. The United States.

Mr. THOMAS. The United States have tried to do it and are still trying to do it. We are trying now. The Senate is inquiring into it every day.

Mr. McCORMICK. If the Senator will permit me, there are some of us who believe that in trying to draw that line one of the distinguished agencies of the United States reaches out too far. In the question of Thrace, for example, which is mooted at this moment, the great powers are divided upon the ultimate control of Constantinople. Why should the United States be invited, for example, to assume the responsibility of the government of Constantinople when Greece is there to assume the burden, or why should the United States be invited to dispatch 80,000 troops to the Caucasus when Greece is there ready to contribute her troops?

Mr. THOMAS. It is perfectly easy to understand, I think, why the United States has been requested to assume the control of the affairs of Constantinople. Constantinople is a cosmopolitan city. Napoleon said it occupied the most favorable position in the world. The contending jealousies, interests, suspicions, and ambitions of the European nations will be aroused against any of them to which the task is assigned. Hence the delegation of that duty to any one power in Europe naturally suggests the United States to the others as an outside power, uninfluenced by local considerations, and therefore more likely to discharge its obligations to the world as the custodian of the Bosphorus than any other power of the world.

With regard to sending 80,000 troops to the Caucasus, I think the Senator knows just as well as I do that no 80,000 troops of the United States will be sent there, no matter what the emergency may be, because American public opinion will not sustain it at this time. I know there is great need for an armed force in Armenia, the massacre of whose people continues sporadically. It is an aftermath of the war which thus far leaves a trail of blood somewhere behind it.

Now, coming back to Thrace for a moment, assuming it is true, and I have no doubt it is, that the great bulk of the population of that part of Greece which is the subject of controversy is Bulgarian, and remembering that it was wrested from Bulgaria after it had been given to her at the close of the first Balkan War by her former allies, Greece and Serbia, and also recalling that without it she can have no outlet to the sea, I can not but feel that the American attitude is the correct one. I am sure that, whether we are for the league of nations or not, we all yearn for an indefinite peace. The world of this generation is sick of war, and we shrink from any condition which will inevitably provoke war.

Mr. President, I can conceive of no cause so provocative of war in the early future as that which will arise from the denial to any of the nations of the right to the use of the great international highways of the world. If Bulgaria is to be excluded from enjoyment of harbors, if Jugo-Slavonia is to be denied a port upon the Adriatic, then just as sure as fate the pent-up forces and commercial jealousies and the feeling of wrong which nations, like individuals, cherish will result in another conflagration, possibly within the life of the present generation. Italy does not see it, Greece does not see it, or if so their desire for territory overcomes both their patriotism and their judgment.

Venizelos is a great statesman. I heard the statement of the President to which the Senator from Connecticut referred, and I have heard from the lips of others who have encountered Venizelos that he is the equal of any statesman in the world. He is one of the two or three great statesmen of continental Europe.

Mr. MOSES. Mr. President——

Mr. THOMAS. In just a moment. It would seem that this great statesman, conscious of the critical condition of affairs in the world, is nevertheless, like American Senators, influenced more by the demands of his constituencies than his concern for world affairs. Therefore he is demanding Thrace because the Greeks demand Thrace. He is treating with Italy to secure Thrace because that is the only way in which he can secure it, and inasmuch as the United States has not seen fit to change its attitude and yield Thrace to his country, Mr. Simonds says he has declared himself from now on opposed to that league which he had as much to do in forming as any one man in the world, and only because he is dissatisfied with our attitude, which as to this particular controversy has been absolutely consistent with justice.

I now yield to the Senator from New Hampshire.

Mr. MOSES. In full accord with what the Senator from Colorado has said as to the fruits of proceedings such as are now going on in Europe and in connection with the treaty, I wish only to point out that the making of ethnographic maps is the great indoor and outdoor sport of the Near East. If a Bulgarian makes a map of Macedonia or of Thrace, it is invariably colored green. If a Greek makes an ethnographic map of Macedonia or Thrace, it is invariably colored blue. If a Serb or a Roumanian makes a map of that section of the world, it is invariably colored with their national colors. But the historic fact yet remains that Thrace is essentially Greek. Its greatest city, Adrianople, bearing a Greek name, has a preponderant Greek population. It is true the Province fell to Bulgaria as one of the spoils of the first Balkan war, but it was only after the protest of the Greek people, and it was only by reason of certain negotiations similar to those now going on between Greece and Italy that the Enos-Medina line was agreed upon as the southern line for Bulgaria and that Kavala fell to Greece.

One other point needs clearing up. If this portion of the present Ottoman Empire should go to Bulgaria, she still would have no port on the Aegean. The only available port on that seacoast is the port of Kavala, a city which with its hinterland is preponderantly Greek. Bulgaria already has ports on the Black Sea fully capable of development. So she does not necessarily need the outlet of the Aegean Sea upon which the economic claim has been based.

But, Mr. President, everything the Senator from Colorado has said, and in which I fully concur, sheds an illuminating light upon the manner in which side steps are being made between the contestants while the great contest is going on in the peace conference, and so long as those various racial rivalries exist there will be a continuance of these side arrangements.

Mr. POINDEXTER. Mr. President, I should like to ask the Senator from New Hampshire, with the permission of the Senator from Colorado, speaking of the side steps that are going on while the peace conference is in session, if he knows how the President voted on the question of Japanese racial equality?

Mr. MOSES. I have no information. I am as ignorant of that as the Secretary of State was when we tried to get that information from him the other day.

Mr. THOMAS. I am obliged to the Senator from New Hampshire for his contribution to this discussion, which has already exceeded the limits that I supposed it would.

I am quite aware of the ethnological conditions in the Balkans, although I am not as familiar with them as is the Senator from New Hampshire. To me they have always been a reminder of the map of an active western mining district where claims lap and interlace in a tangled, confusing mass which even a mining engineer sometimes finds it difficult, if not impossible, to understand, where each locator colors his claim with the brightest colors possible, upon the assumption that the brighter the color the more legal the claim.

I am also, Mr. President, without any expectation or hope that any boundary fixed in the Balkans, or perhaps in central Europe, will continue very long, whether we have a league of nations or not, for these ethnographic differences, these racial animosities, are just as sure to find expression in friction culminating in explosion in the future as they have in the past.

Roumania is a conspicuous example of the manner in which a Balkan nation acts when it has the opportunity. Disregarding the order of the Allies and in face of the certainty that its food supplies will be cut off if disobedience follows the order, its armies have proceeded eastward until they have captured and now occupy Budapest, which they propose, if possible, to hold as part of their spoils of the war. I am glad that the Government of the United States has protested against her conduct. I hope the other allied countries will do so and follow up their protest, if necessary, by requiring that nation to observe the geographical limitations which it originally asserted.

We are in this situation and it is our duty to remain over there so long as it is necessary to our own obligations and therefore to our standing and national character, but not a moment longer. I do not wish to remain identified with European conditions the fraction of a second longer than our requirements demand.

Mr. BRANDEGEE. Mr. President, the only purpose of my rising is to say a word to the Senator from Colorado [Mr. THOMAS]. I think in the main I agree with what the Senator from Colorado has said. I did not really make any criticism about our alleged attitude toward Bulgaria, for I know nothing about it; I had no information about it. I simply saw the article by Frank H. Simonds in the newspapers and thought it was of interest. I did not know but that if attention were called to it in the Senate it might elicit some further information on the subject.

I am aware, I will say to the Senator from Colorado, that when I get interested in a debate perhaps the tone of my voice or my enthusiasm makes it appear that I lay down the law a little peremptorily or am a little imperious. I did not intend to be so.

Mr. THOMAS. I did not so understand the Senator.

Mr. BRANDEGEE. It is simply my nature. I merely wanted to have the Senator feel that I had no intention in any way of offending him by the perhaps spirited way in which I made my assertion.

Mr. THOMAS. The Senator from Connecticut could not offend me if he tried to do so.

Mr. BRANDEGEE. I am very glad to hear the Senator from Colorado say so. I shall certainly not try to offend him.

CLAIMS AGAINST MEXICO.

Mr. LODGE. From the Committee on Foreign Relations I report back favorably, with amendments, Senate resolution 106, and I submit a report (No. 145) thereon. I ask for the present consideration of the resolution.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. ASHURST. I certainly have no objection to the consideration of the resolution, but I wish to ask the distinguished chairman of the committee if he will consent to an amendment to the resolution?

Mr. LODGE. There are two amendments to the resolution which have been reported by the committee.

Mr. BRANDEGEE. Yes; there are two amendments which have been reported to the resolution and which are to be stated at the desk.

Mr. ASHURST. I will wait until they have been acted upon. I repeat, I have no objection to the present consideration of the resolution.

The Senate, by unanimous consent, proceeded to consider the resolution.

The amendments were, on page 2, line 11, after the word "country," to insert "and in general any and all acts of the governments of Mexico and its citizens in derogation of the rights of the United States or of its citizens," and in the same line, after the word "purpose," to insert "to sit at any time or place during the sessions of Congress or during recess and with authority."

The amendments were agreed to.

Mr. ASHURST. I wish to propose an amendment. I move to add at the end of the resolution the following: "; and the said committee shall further investigate and report to the Senate what, if any, measures should be taken to prevent a recurrence of such outrages."

Mr. LODGE. I have no objection to the amendment, though I think it is already covered in the resolution.

Mr. ASHURST. I shall be very glad to have the amendment adopted.

The amendment was agreed to.

The resolution as amended was agreed to, as follows:

Resolved, That the Committee on Foreign Relations, or any subcommittee thereof, is authorized and directed to investigate the matter of damages and outrages suffered by citizens of the United States in the Republic of Mexico, including the number of citizens of the United States who have been killed or have suffered personal outrages in Mexico, and the amount of proper indemnities for such murders and outrages; the quantity of damages suffered on account of the destruction, confiscation, and larceny of personal property and the confiscation and deprivation of the use of lands and the destruction of improvements thereon; the number of citizens of the United States residing in Mexico at the time Porfirio Diaz retired from the presidency of Mexico, and the number of citizens of the United States at present residing in Mexico, and the nature and amount of their present holdings and properties in said country and in general any and all acts of the Governments of Mexico and its citizens in derogation of the rights of the United States or of its citizens; and for this purpose to sit at any time or place during the sessions of Congress or during recess and with authority to subpœna such witnesses and documents as may be necessary, and to make a report of its findings in the premises to the Senate; and the said committee shall further investigate and report to the Senate what, if any, measures should be taken to prevent a recurrence of such outrages.

The VICE PRESIDENT. The committee proposes to strike out the preamble.

The preamble was stricken out.

RESTRICTION OF EXPORTS.

The VICE PRESIDENT. Morning business is closed.

Mr. CALDER obtained the floor.

Mr. MYERS. Will the Senator from New York yield to me for a minute?

Mr. CALDER. Yes.

Mr. MYERS. I had intended to ask that Senate resolution 157, relative to the restriction of exports, which was yesterday introduced by me, be laid before the Senate, but the Senator from New York having obtained the floor for the purpose of making an address, I ask that the resolution go over until Monday without prejudice.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

THE NATION'S HOUSING NEEDS.

Mr. CALDER. Mr. President, side by side with the matter of the increased cost of food comes the question of providing housing facilities for the people of the United States. The need for homes is nation-wide, and is peculiarly acute in the State of New York.

Recently the legislature of that State passed a resolution dealing with the subject, and asked that it be presented to this body. It reads as follows:

STATE OF NEW YORK, IN SENATE,
Albany, June 16, 1919.

Whereas it appears from an investigation made by a joint committee of the Legislature of the State of New York that there is an alarming shortage of housing accommodations in the State, more especially in the city of New York, which demands relief, where possible, by action of Federal as well as by State authorities; and

Whereas Congress has recently passed a bill which received the approval of the President, creating Federal farm-loan banks, the main object of which is to afford farmers an opportunity to obtain long-term mortgages at reasonable rates: Therefore, be it

Resolved (if the assembly concurs), That the representatives of the State of New York in the Congress of the United States be respectfully requested to confer on the several Federal home-loan bills now pending in Congress, with the hope that they may unite on some measure that may be enacted at the present session which will accord to citizens who desire to own a home the same inducements now afforded to farmers by Federal statutes; and be it further

Resolved, That a copy of the resolution be transmitted to the Representatives of the State of New York in the Congress of the United States.

By order of the senate.

ERNEST A. FAY, *Clerk.*

In assembly June 16, 1919.
Concurred without amendment, by order of the assembly.

FRED W. HAMMOND, *Clerk.*

Mr. President, the Congress of the United States can do little to relieve the necessities of the country in securing additional housing facilities except by encouraging a proper financing of housing undertakings, and with that purpose in view I have introduced Senate bill 2492, which creates a Federal home-loan banking system through the medium of the building and loan associations of the United States, thereby enabling the people of the country to obtain money on reasonable terms for the building of homes.

NATION-WIDE DEMAND FOR HOMES.

One of the most favorable indications during this period of reconstruction is the nation-wide movement to "own your own home." If one may judge from newspaper accounts, this movement has spread through the entire country, and, after all, it is but a natural consequence of the war, in which the whole Nation aroused itself to protect the home.

After the Civil War the homestead act greatly encouraged the establishment of settlements and of homes in the West. The shortage of housing brought about by the World War has again centered national attention on the necessity of homes, both rural and urban.

The home is the place for the raising and for the development of the family. While the investment in the home may not pay any direct returns as in buying and selling, it pays the greatest return of all investments through the increased efficiency of the family.

As the manufacturing and business processes become more highly specialized, the necessity of the relaxation of healthy home life is increasingly emphasized.

Municipalities are being aroused to the importance of protection not only of the home but also of the community, not only through laws preventing encroachment but also through the creation of community centers as well as through improved means of rapid transit.

Even in our larger cities, with a few exceptions, there are tracts of land which, with slightly improved transit facilities, might form large, healthful home communities.

In the final outcome we must either be a nation of home owners or a nation of tenantry. A wider distribution of the ownership of real estate, with the interest and responsibility incident to such ownership, more than any other factor, tends toward the betterment of our national citizenry.

ENCOURAGE SAVINGS TO SECURE HOMES.

The building and loan associations of the United States have encouraged saving for the purpose of home owning. I am told that these associations already have some 7,000 branches. These branches are administered by men of high repute in each community, who, in the big brother attitude, give their services to their fellow citizens. Members of each association deposit small amounts weekly, and when the member's deposit has reached a sufficient amount to cover an equity he may, if funds are available, obtain a loan for home building. The combined business done by these building and loan associations

of the United States aggregated during the past year twelve hundred and fifty million dollars, and this business was done at a cost of about $\frac{8}{10}$ of 1 per cent. Further, the amount of the mortgages now held by them totals nearly $2,000,000,000, and that their business is conducted practically without loss, their mortgages being continually reduced by systematic amortization. However, as large as these assets appear to be, there are not sufficient funds available for home building, because the funds loaned must come from the amounts deposited weekly by the members, and frequently intending home builders are obliged to wait many months for their turn while the funds accumulate.

HOME LOAN BANKS WILL AID.

The purpose of the home loan bank bill is to make part of the $2,000,000,000 of good assets held by these associations immediately available for building. The following table gives statistics of the building and loan associations of the United States:

1918–1919.

	States.	Number of associations.	Total membership.	Total assets.	Increase in assets.	Increase in membership.
1	Ohio	723	842,754	$359,559,538	$37,818,009	75,654
2	Pennsylvania	2,124	725,000	355,000,000	30,734,607	47,089
3	New Jersey	792	348,805	169,308,867	1,092,954	19,742
4	Massachusetts	186	247,224	140,201,034	13,505,997	[1] 501
5	Illinois	681	240,000	119,712,407	6,183,882	[1] 6,800
6	New York	249	200,111	89,017,871	2,945,042	540
7	Indiana	346	198,418	80,468,883	2,355,966	[1] 3,991
8	Nebraska	73	104,363	57,151,546	2,605,916	2,434
9	Maryland	590	87,963	41,782,242	[2]	[2]
10	Michigan	70	82,565	37,923,798	2,264,438	13,524
11	California	86	40,409	37,120,999	1,192,552	[1] 1,818
12	Missouri	158	55,147	29,260,489	2,490,345	[1] 969
13	Kentucky	122	63,266	28,439,546	1,354,264	420
14	Kansas	74	64,679	28,157,391	2,157,224	[1] 1,763
15	Louisiana	64	50,366	27,588,719	1,674,791	2,573
16	District of Columbia	20	38,951	24,250,684	1,850,689	1,876
17	Wisconsin	79	54,393	23,365,389	3,478,021	3,781
18	North Carolina	133	40,000	19,453,000	1,845,000	2,600
19	Iowa	57	35,440	12,385,755	2,746,903	2,405
20	Arkansas	42	21,386	12,234,608	1,651,161	333
21	Washington [3]	37	39,944	10,287,315	[1] 4,156,862	[1] 6,374
22	Oklahoma	44	19,800	9,134,704	2,580,529	1,658
23	West Virginia	52	23,530	8,890,789	771,658	2,030
24	Minnesota	64	21,800	8,890,021	[1] 89,621	[1] 220
25	Colorado	38	15,483	7,823,972	1,134,989	5,283
26	Maine	38	15,057	7,251,168	579,929	98
27	Rhode Island	8	12,205	6,377,469	439,033	706
28	Connecticut	22	15,000	5,250,000	389,252	100
29	South Carolina	134	13,500	[4] 4,816,301	[2]	[2]
30	Alabama	8	10,460	4,257,463	[2]	[2]
31	Oregon	10	10,204	4,198,083	[2]	[2]
32	New Hampshire	22	8,642	3,682,699	346,627	88
33	South Dakota [5]	14	5,857	3,603,836		
34	Tennessee	12	5,497	3,070,181	[1] 137,573	331
35	North Dakota	10	5,835	2,911,970	74,852	50
36	Texas	25	7,531	2,484,957	170,030	375
37	Montana	18	5,441	2,094,836	244,901	1,202
38	New Mexico	13	3,515	1,454,728	[1] 14,548	[1] 30
39	Arizona	4	2,400	802,699	[2]	[2]
40	Vermont	7	790	352,055	64,264	41
	Other States	235	227,670	108,328,334	6,865,950	10,322
	Total	7,484	4,011,401	1,898,344,346	129,202,171	172,789

[1] Decrease.
[2] Included in other States.
[3] Washington Savings & Loan Association, Seattle, with net assets 1917 of $6,354,280, converted to Mutual Savings Bank, not included. Actual increase in assets $2,197,427.
[4] Dues paid in as per report to Comptroller General.
[5] Report issued biennially. Figures 1917 used.

RECEIPTS AND DISBURSEMENTS FOR 1918.

The aggregate receipts for 1918 from all sources were $1,325,313,352, which is an increase of $104,712,694 over the receipts of the previous year, but is $53,974,941 less than the increase shown by last year's report. The receipts from weekly dues for the year were increased $61,758,882, paid-up stock decreased $735,634, and deposits increased $20,506,927. Mortgage loans made decreased $11,802,655. There was an increase of stock withdrawals of $37,122,734 and of deposits of $28,131,857. The total expense of management was $10,319,842, or a little less than eight-tenths of 1 per cent of the total receipts. In detail, the receipts and disbursements for 1918 were as follows:

Receipts, 1918.

Cash on hand Jan. 1, 1918	$65, 821, 255
Weekly dues	434, 152, 308
Paid-up stock	49, 577, 180
Deposits	136, 561, 915
Loans repaid	337, 049, 934
Interest	108, 051, 292
Premium	5, 025, 119
Fines	1, 625, 113
Pass books and initiation	966, 081
Borrowed money	106, 688, 294
Real estate sold	9, 855, 524
Miscellaneous receipts	69, 939, 337
Total receipts	1, 325, 313, 352

Disbursements, 1918.

Pass-book loans	$42, 964, 393
Mortgage loans	480, 292, 037
Stock withdrawals	341, 153, 906
Paid-up stock withdrawals	53, 898, 333
Deposit withdrawals	120. 460, 565
Expenses	10, 319, 842
Borrowed money	103, 183, 442
Interest	3, 489, 874
Real estate purchased	12, 266, 982
Miscellaneous disbursements	95, 020, 432
Cash on hand Jan. 1, 1919	62, 263, 546
Total disbursements	1, 325, 313, 352

It is proposed that the Government license these associations to form into group organizations or local home loan banks, with which they may deposit their mortgages and receive long-term loans upon them, the funds becoming available through the issuance by the district home loan banks of salable bonds against mortgages deposited.

Licensing of the Federal Government would function to standardize these bonds and make them most attractive to the investor, with all the security of the well-placed first mortgage, and, in addition, the security of a collection of such mortgages backed by a reserve fund against possible loss.

It is hoped by those who have given this matter much thought that these securities may be sold on such favorable terms as to permit a minimum charge of interest to the home builder and save him the annoyance and hardship of commissions and bonuses so frequently suffered.

It is contended that while the facilities for general commercial banking have been greatly improved during the past decade through the rediscount system, the facilities for real estate banking remain in their antiquated form, and that there is a growing tendency on the part of institutions to loan only to the larger building and real estate operations, with increasing hardship on the small operator, driving him to individual and professional loaners and often involving him in uncertainty, extra commissions, bonuses, and higher rates of interest.

These people maintain that the real problem is to organize and correlate all the sources of capital that are normally utilized by the building industry, in order that a complete system of real estate banking may be worked out which would in no way conflict with the present system of commercial banking, but which would supplement it, and in the case of national emergencies, such as occurred during the war, strengthen it and bring together toward one focus the entire banking resources of the country.

That there is a great national shortage of building is questioned by none. Building, after all, is a part of the war debt. It must be paid after the war is over at an increased cost, paid for in the cost of building or in rent or in the general high cost of living through the shortage of facilities.

LITTLE PROMISE OF LOWER COSTS.

Authorities offer no encouragement that there is an approaching lowering of costs, the consensus of opinion being that we are all subject to influences beyond our control—the world shortage of men, materials, and plant, heavy tax burdens, and foreign political complications.

Lowering of prices through the curtailment of exports or the increase of imports seem impossible at the present time.

The only avenue remaining is the lowering of prices through increasing production.

The shortage of man power in the country points to the necessity of improved national facilities of every description. It is to be hoped that we are entering upon an era of industrial development which in effectiveness will outrun that occurring from 1865 to 1890, when machine methods replaced hand methods and tonnage production replaced pound production.

We are the wealthiest Nation in the world, wealthier than five of the next wealthiest nations combined. Our wealth is in the neighborhood of $265,000,000,000.

There is no nation on the face of the earth with so large and homogeneous a population. The moral characteristics of our people have been quietly but unmistakably indicated by their response to the draft and to the war loans.

It is said that we already have more than one-half of the tools of industry of the entire world, and these, together with our remarkable resources and with the spirit of American hustle, have made possible a higher standard of living in this country than in any part of the globe.

Now that we are facing a shortage of labor and commodity, let us improve our tools of industry and develop our national resources, for our assets are surely ample, and let us improve our credit facilities for necessary construction.

It is the belief of those interested in this legislation that the people who live in the cities of the country have as much right to expect encouragement from the Federal Government in the matter of obtaining homes as the man who lives on the farm

does in securing a mortgage on his farm under reasonable conditions. The difference between this act and the farm loan act is that the Government is in no way obligated to take any bonds of the home loan bank nor in any way assume their payment.

To encourage the building of homes by providing for exemption from taxation of the income on mortgages on real estate.

This is the title of Senate bill 2094, introduced by me, which exempts from all Federal taxation the income from real estate mortgages, the total principal of which does not exceed $40,000, when held by an individual.

This bill, if enacted, would encourage individuals to lend their money on real estate mortgages. A great many people have always looked upon first mortgages on real estate as an ideal investment, and many men of large means have their money invested in securities of this character.

The heavy taxes levied upon incomes of every kind by the recent revenue act has had the effect of reducing the net income on many mortgages to less than 2 per cent, and the result is that millions of dollars are being withdrawn from this class of security and being invested in State and municipal bonds, which are exempt from taxation. Therefore, if we purpose doing anything to relieve the housing situation, we could do nothing more effective than to assist in their financing by exempting from taxation mortgages on real estate when in the hands of individuals.

It is an interesting fact that the mortgages on real estate in the city of New York total approximately $5,000,000,000, and of this sum about $2,000,000,000 is loaned by the savings banks, life insurance companies, and building associations, the income from which is exempt from all Federal taxation.

The other $3,000,000,000 is loaned by individuals, and as I indicated a moment ago, because of the tax on incomes, nets to the lender a return so small that these mortgages are being called in in large volume, thereby reducing the available money for building development.

Something must be done to improve this condition, and rather than have the Government go into the housing business, which has already cost us over $150,000,000, with little appreciable relief, it would be infinitely better to encourage private industry by passing the two bills I have described. The Government will not lose any revenue by this legislation, for with a good market for mortgage investments, which the enactment of these bills will bring about, the building industry would revive at once, and hundreds of millions of dollars would be put actively to work, many men would be employed, and the income from this business would more than offset the loss of revenue by exempting from taxation the bonds of the home loan bank and the limited number of mortgages that would be relieved by the second bill I have described.

The great difficulty to-day is in obtaining the necessary financial assistance for the construction of homes. There is an unusual demand for houses all over, despite the prevailing high prices, and there would be great building activity if it were possible to secure financial encouragement. The enactment of these two bills would tend materially to relieve the situation, and it is the only practical thing the Government can do to help.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER (Mr. MCNARY in the chair). Does the Senator from New York yield to the Senator from Minnesota?

Mr. CALDER. I do.

Mr. NELSON. Does not the Senator think that the great difficulty to-day is in the excessive cost of material and the excessive wages of labor?

My understanding is that there was to a large extent a suspension of building operations for private account during the war. Now, the war being over, it strikes me that there would be immense building operations carried on throughout the country if the price of materials would come down and be more moderate, and the wages of the workmen. Instead of that it seems that the workmen, the laborers and mechanics engaged in building operations, are insisting on still higher wages and striking here and there. Is not that really retarding building operations; and is not the effect of it that only in the most urgent cases will people resort to building under the high prices for material and labor that prevail to-day? Would not the laboring man be more favored, get a better opportunity for employment, and get more work readily if he were more moderate in his wages? Would not that expedite building operations?

Mr. CALDER. Mr. President, it is my purpose to deal with the questions raised by the Senator from Minnesota further on in my remarks, but I will say to the Senator now that the high cost of building material, which I estimate is something like 110 per cent greater than four years ago, and the increased cost of labor, which is 40 per cent more than four years ago, has had much to do with the stoppage of building activities. In my judgment, however, such is the unusual demand for homes, there being a shortage of at least a million in the entire country, that building would proceed despite these things if capital were available. The insurance companies to which I referred a moment ago have obligated themselves in their contributions to the Liberty and Victory loans for almost their entire income for the next two years, leaving only the savings banks and savings and loan associations with a few private lenders to take care of the building needs at this time.

I know there is a great deal in what the Senator says; and in feeling out the pulse of the country on building questions it has seemed to me that many men hesitated because of the uncertainty of the future. They wanted to be sure that present prices would not come down, for, as the Senator knows, building is a different matter than raising things on the farm or manufacturing clothing or shoes or hats or other things for immediate need, because the man who builds houses to-day and offers them for sale necessarily competes with all the old houses that have been previously constructed. Of course no one would purchase a new house if he could buy an old one cheaper that would answer the purpose, and all of these things contribute to the result. Unquestionably, as the Senator suggests, the high cost of material and labor injures the development of real estate at this time, but my own judgment is that the need of money for financing building is retarding building activity to-day more than any other one thing.

Mr. KING. Mr. President, will the Senator yield?

Mr. CALDER. Yes.

Mr. KING. I was speaking with a builder quite recently. He resides in a large city, and he stated that one of the principal difficulties was not in securing capital, but it was because so many people were now leaving the smaller towns and leaving the farms and going into the cities, and those who had capital were uncertain as to the future of labor and the future of the cities themselves. That is to say, they were not sure that the large multitude now rushing to the cities would find employment there; and if they failed to find employment then, of course, if houses should be erected for them, within a short time those houses might be vacant because of the exodus of the people back to the smaller cities and the rural communities.

It seems to me that the irrepressible desire of the people to go to the cities, and the lack of development in the cities in the way of manufacturing so that employment can be had, will produce a scarcity of houses, and it will be inevitable so long as that tendency exists; and particularly will there be objection to the building of houses because of the high municipal taxes that are involved because of the extravagances of our municipalities.

Another gentleman with whom I was speaking stated that the taxes in the cities were increasing, that the officeholders were being multiplied, and that the extravagance and waste in municipal government was so stupendous as to make the taxes in the municipalities almost confiscatory; that is to say, that after paying the taxes, no matter how good your property was, no matter how favorably situated it was, the returns upon the investment were wholly inadequate.

I shall be glad if the Senator will touch upon that question in his address—the high taxes in the cities, the waste and extravagance of the municipalities, and the effect of the high taxes of the municipalities and State governments upon the question of housing.

Mr. CALDER. Mr. President, there is a great deal in what the Senator says. Men are afraid to invest heavily in real estate because of the things he suggests; but, Mr. President, there is need of houses for people to live in. There are not enough. I have information to that effect from all over the country. It was my privilege many years ago, before I came to the other House of Congress, to serve as the head of the building department of the city of New York and I have had direct contact with this subject, and I know, from a study of the problem, that we need houses for the people to live in. In New York City there are no vacant houses or apartments for people of moderate means. Rents are constantly increasing and many of our poorer families are doubling up, and while there has been considerable building this summer of smaller houses, when the fall comes and the people return from the country the situation will be worse than ever. My opinion in this matter is shared by many men who have studied the subject and they agree that what we need at this moment is financial facilities for going on with these building projects.

Mr. NELSON. Mr. President, there is another matter that occurs to me. To extend the building of homes, especially in the large cities, will necessarily involve spreading out into the country, away out into the suburbs. That being the case, unless

you can make due provision for transportation to the suburbs, if men who settle in these suburbs are likely to be held up by strikes as you are to-day in Brooklyn, what good does it do the poor people to get houses and cottages away out in the country or the suburbs of a big city if you are unable to regulate the transportation, if the men who live in the suburbs are always at the mercy of strikes?

Mr. CALDER. Mr. President, there is much to what the Senator says. We have a dreadful strike in Brooklyn just now, which is menacing to our peace and which is most damaging to the interests of the people who live in our suburbs. This is the first great railroad strike we have had since the late nineties, and I am hopeful that when this one is settled it will be settled for good. It is true that the people in the cities build their small homes for one or two families in the suburbs, and that is the sort of construction I should like to encourage. We have been building in New York, in the crowded centers, these great 20, 30, 40, and 50 family tenement houses, where there is no real home life. I want to encourage facilities that will tend to have the people move out in the outlying sections, where they can enjoy a real home life and bring up their children out in God's sunlight.

I will say to the Senator that around New York—and I think it is so in every crowded center—we have extended our transportation facilities, and when a new development comes we go out to it. I do not think there is any section in all the country better equipped than Brooklyn is now for transportation facilities into the suburbs. This has come about through the extension of our subway systems within the past few years.

Mr. KING. Will the Senator from New York yield for another inquiry?

Mr. CALDER. Certainly.

Mr. KING. Does not the Senator think it would be a very wise idea if the chambers of commerce of the United States, taking the National Chamber of Commerce as the nucleus, should inaugurate a movement leading to the decentralization of the manufacturing industries of the United States? I have discovered that many of the manufacturing corporations and individuals who are engaged in the manufacturing business seek the large cities, because of the superior railroad accommodations, because of the advantages in terminal facilities, and so on.

Mr. CALDER. And perhaps because of the great amount of labor there.

Mr. KING. And because of the labor question, as the Senator has suggested. They seek those crowded centers for the establishment of their plants. It seems to me that if we should decentralize the manufacturing organizations and businesses, and induce the manufacturers to go into rural communities having railroad accommodations and build their plants there, it would solve to a large extent the housing problems and prevent the congestion of the population of the United States in the large cities, crowding them, as we are now, and as we will continue to do if the present manufacturing policy is adhered to. I believe that that would solve the question, and it would make for better conditions, better home life, for greater peace, for educational advantages, and for a higher citizenship.

In making this observation I do not wish to be understood as saying that those who reside in the cities are not the equals of those who reside in the country; but I do believe that many of our ills to-day, many of the problems that confront us could be solved if we could get our factories and our manufacturing establishments out in the country, away from New York, Chicago, and similar centralized points.

Mr. CALDER. Mr. President, I concur in part in what the Senator from Utah says. But the greater railroad accommodations at the large cities and the port facilities at the seaports all tend to attract the great manufacturing plants toward these communities. But even if business were decentralized, and if it were possible to induce the owners of factories to go out into the smaller cities and towns, there would still be a need for houses for the people to live in. What I am endeavoring to show is that Congress must necessarily pass some legislation that will tend to encourage the building of homes by providing financial assistance.

DURING THE WAR THE GOVERNMENT DISCOURAGED BUILDING.

Senators will undoubtedly recall that over a year ago, when the question of appropriating money for Government housing was under advisement, I made the statement on the floor of the Senate, in reply to an inquiry from the late Senator Gallinger, of New Hampshire, that the relief afforded would be negligible. I pointed out then that the action of the Treasury Department and the Federal Reserve Board in discouraging the loaning of money for building purposes would bring on a situation that by this year would be exceedingly difficult. Building was also discouraged by the War Industries Board; in fact that board, over my protest, issued an order, which was generally obeyed, prohibiting building of every character without a permit from that board. Their object was, of course, to utilize the funds that would ordinarily go into building construction for the purchase of Liberty bonds and other war purposes. The War Industries Board also insisted that the material necessary for the construction of houses could not be spared and that the labor necessary for the same could be better utilized in manufacturing material for the Army and Navy abroad. I insisted that while every possible effort should be put forth to obtain for the Nation everything needed to carry out the war program, it was entirely unnecessary for us to break down the whole fabric of the building industry to carry out this purpose. I called the Senate's attention to this condition in detail, and I advised the War Industries Board that the complete destruction of our building organizations would undoubtedly work havoc in the future. The results indicate that the statements I then made were entirely correct, for when the war was over and those who had been engaged in building pursuits resumed their operations they were compelled to organize from the ground up. As a result we have had inefficient help in many of these plants during the present year. This, of course, has tended toward high production costs and has naturally increased the prices we must pay for houses. Prices have been so high that many men have been afraid to undertake construction work. In New York City rents have increased 50 per cent, and the cost of building houses generally, as compared with four years ago, has increased at least 80 per cent. Let me point out the difference in the price of material and labor in New York City between 1915 and 1919, and this same ratio exists throughout the entire country.

Wholesale prices of building materials New York market.

	Average for 1915.	July, 1919.	Increase.
			Per cent.
Lime, common, per barrel	$1.24	$2.70	118
Cement, per barrel, net	1.03	2.05	99
Common brick, per thousand	5.94	16.00	170
Sand, per cubic yard	.50	1.25	150
Gravel, per cubic yard	.85	2.00	123
Crushed stone, per cubic yard	.85	1.75	106
Linseed oil, per gallon	.56	1.90	240
White lead in oil, per pound	.07	.13	86
Structural steel, per hundredweight	1.46	2.72	86
Hemlock, base price per thousand	[1] 22.50	40.00	78
Yellow pine timber, per thousand, short leaf	[1] 22.50	42.00	87
Yellow pine, per thousand, long leaf	[1] 28.00	50.00	127
Spruce timber, per thousand	[1] 28.00	48.00	71
Window glass (single, united, inches, 40–N), per 50 square feet	2.635	[2] 6.20	136
Plate glass, 5–10 square feet, per square foot	.25½	[2] .54	113

[1] July, 1915. [2] April, 1919.

Average increase 110 per cent.

Union wage scale, building trades, New York City.

	July, 1915.	July, 1919.	Increase.
			Per cent.
Carpenters, shop work	$4.00	$6.00	50
Carpenters, outside	5.00	6.50	30
Bricklayers	6.00	7.20	20
Cement masons	5.00	6.50	30
Composition roofers	3.50	5.25	50
Electrical workers	4.80	6.00	25
Engineers (hoisting)	6.00	7.00	17
Marble cutters and setters	5.50	6.50	18
Metallic lathers	5.30	6.00	13
Painters	4.00	6.00	50
Plasterers	5.50	7.25	30
Plumbers	5.50	7.00	27
Roofers and sheet-metal workers	5.00	6.00	20
Slate and tile roofers	5.50	6.50	18
Steam fitters	5.50	7.00	27
Stonecutters	4.50	6.75	50
Stonemasons	4.80	6.50	35
Stone setters	6.00	7.00	17
Tile layers	5.50	7.25	30
Woodworkers, per week of 48 hours	18.00	27.50	53
Hod carriers	3.25	5.50	69

Average increase about 39 per cent.

Mr. President, the first of these tables indicates that the prices of building materials have increased 110 per cent between 1915 and 1919. The second table shows the union rates of wages paid in New York City in 1915 and indicates that the increases of wages in the building lines have been nearly 40 per cent. These things have tended largely, as they must naturally, to increase the cost of building, which, including material and labor, is about 80 per cent.

COOPERATION VERSUS COMPETITION.

The man engaged in the building industry to-day faces an entirely different problem than he did four years ago. During the war the policy of the Government was to divide its work among the different concerns in the same line, in proportion to their capacity to perform. There was a fixed price and a fixed profit. There was little or no competition. It was, as the President has put it in dealing with our labor troubles, a matter of collective bargaining. The prices of a given article were practically the same, no matter from where or by whom quoted. To-day one must pay practically the same price for what he buys no matter who sells it to him.

During the war we abolished the economic law of competition, and in its place have created a system of cooperation where men in every line of industry are assured a profit on their output. This is all very fine in theory, but what about the ultimate consumer? The man who builds houses to-day not only competes with other men who build under the same conditions but with men who have old houses for sale, houses built when prices for the material and labor that went into them were little over half what they are at present, and while this era of high prices has made large profits for those who were wise enough to purchase houses under old price conditions, the man who builds houses to-day runs a great risk of having difficulty in disposing of them unless they are unusually attractive and different in type from those built in prewar times.

No one will buy a new house when he can get an old one nearly as good as new for very much less in price. The problem is, how best can we assure the builder a profit reasonable enough to induce him to go to work. In every city in the Nation we are organizing associations to prevent profiteering in rents. That man is entitled to little consideration who will take advantage of present conditions and raise rents abnormally, but at the same time recognition must be given to the change in conditions, and the man who is compelled to increase his rents in keeping with larger carrying costs must be distinguished from the profiteer. If we are going to give any encouragement to the builder of new houses, if you are going to bring about a condition whereby rents will be stabilized, then you have got to give the man who takes the risk of building under such conditions every possible assistance.

On every hand we hear men argue that the workmen of the Nation should have a better understanding with the employer, and that there should be a division of profits. I am for all of these things, but there is a degree to which cooperation and collective bargaining can go which may completely destroy the entire business fabric, and unless a way is found to prevent abnormal profits in building materials, thereby tremendously increasing the cost of production, then there must be no complaint against high rents and greater prices for the sale of the finished building. My own opinion is that we are not, for many years, going to have any cheaper construction. While it is true that the wages of workmen are high, still, in comparison with the things these wages purchase, they are not too high. There is no evidence of the necessities of life being materially reduced in price.

GOVERNMENT SHOULD SELL DWELLINGS IT ERECTED DURING THE WAR.

I am in favor of the Government's selling all its buildings constructed last year for housing purposes just as speedily as they can be disposed of. I do not favor the Government's going into the real estate business. In view of the excessive cost of these buildings, I do not believe the Government can sell the houses it built last year for 50 per cent of their cost. I shall be glad if they can do so. This is no reflection upon those who had charge of the work. They were compelled to build under unusual conditions. Much of the work was done at overtime prices, and the material used was in many cases very expensive. There should be no complaint over the losses. I would have them sold out and disposed of and the whole matter cleaned up and for all time the Government refrain from entering into this kind of business again.

THE NATION NEEDS 1,000,000 HOUSES.

In the United States every year there is need of approximately $3,000,000,000 worth of building construction to meet the needs of the country. Of this total perhaps $2,000,000,000 worth is required for the housing of the people, the rest being used for industrial and amusement purposes.

To-day in the United States we are short nearly $4,000,000,000 worth of houses for our people to live in. We are something like a million homes behind the need. And for that reason those who have made a business of the construction of houses should have no misgivings about the beginning of construction, despite the high prices. Every assistance should be extended to enable our people to build or buy their own homes. Where there is a community of home owners no Bolshevists or anarchists can be found. It is written in history since the beginning of civilization that where people reside in their own houses there the best in government and civilization exists. And so if this Congress can do anything at all to relieve the present needs of the people in the matter of homes, it should do so at once. I have pointed out two ways in which they can help; first, by creating this home-loan banking system, thereby making available at least $2,000,000,000 of existing assets for building purposes; and, second, by relieving from taxation the income on a limited amount of real-estate mortgages in the hands of individuals, thereby encouraging investment in securities of this character, in the end making sufficient funds available for building purposes. These measures, in my opinion, would be exceedingly helpful, and I hope Senators will examine them and, if they agree with me, assist in securing their enactment.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 2 o'clock and 7 minutes p. m.) the Senate took a recess until 3 o'clock and 45 minutes p. m., at which hour it reassembled.

JOINT MEETING OF THE TWO HOUSES.

The VICE PRESIDENT (at 3 o'clock and 50 minutes p. m.). The hour having nearly arrived at which, in accordance with the concurrent resolution of the two Houses, the Senate is to proceed to the Hall of the House of Representatives to listen to an address by the President of the United States, the Sergeant at Arms will take charge.

Thereupon the Senate, preceded by its Sergeant at Arms and by the Vice President and the Secretary, proceeded to the Hall of the House of Representatives.

ADDRESS BY THE PRESIDENT OF THE UNITED STATES.

The address of the President of the United States this day delivered at a joint meeting of the two Houses of Congress is as follows:

GENTLEMEN OF THE CONGRESS: I have sought this opportunity to address you because it is clearly my duty to call your attention to the present cost of living and to urge upon you with all the persuasive force of which I am capable the legislative measures which would be most effective in controlling it and bringing it down. The prices the people of this country are paying for everything that it is necessary for them to use in order to live are not justified by a shortage in supply, either present or prospective, and are in many cases artificially and deliberately created by vicious practices which ought immediately to be checked by law. They constitute a burden upon us which is the more unbearable because we know that it is wilfully imposed by those who have the power and that it can by vigourous public action be greatly lightened and made to square with the actual conditions of supply and demand. Some of the methods by which these prices are produced are already illegal, some of them criminal, and those who employ them will be energetically proceeded against; but others have not yet been brought under the law, and should be dealt with at once by legislation.

I need not recite the particulars of this critical matter: the prices demanded and paid at the sources of supply, at the factory, in the food markets, at the shops, in the restaurants and hotels, alike in the city and in the village. They are familiar to you. They are the talk of every domestic circle and of every group of casual acquaintances even. It is matter of familiar knowledge, also, that a process has set in which is likely, unless something is done, to push prices and rents and the whole cost of living higher and yet higher, in a vicious cycle to which there is no logical or natural end. With the increase in the prices of the necessaries of life come demands for increases in wages,—demands which are justified if there be no other way of enabling men to live. Upon the increase of wages there follows close an increase in the price of the products whose producers have been accorded the increase,—not a proportionate increase, for the manufacturer does not content himself with that, but an increase considerably greater than the added wage cost and for which the added wage cost is oftentimes hardly more than an excuse. The labourers who do not get an increase in pay when they demand it are likely to strike, and the strike only makes matters worse. It checks production, if it affects the railways it prevents distribution and strips the markets, so that there is presently nothing to buy, and there is another excessive addition to prices resulting from the scarcity.

These are facts and forces with which we have become only too familiar; but we are not justified because of our familiarity with them or because of any hasty and shallow conclusion that they are "natural" and inevitable in sitting inactively by and letting them work their fatal results if there is anything that we can do to check, correct, or reverse them. I have sought this opportunity to inform the Congress what the Executive is doing by way of remedy and control, and to suggest where effective legal remedies are lacking and may be supplied.

We must, I think, frankly admit that there is no complete immediate remedy to be had from legislation and executive action. The free processes of supply and demand will not operate of themselves and no legislative or executive action can force them into full and natural operation until there is peace. There is now neither peace nor war. All the world is waiting,—with what unnerving fears and haunting doubts who can adequately say?—waiting to know when it shall have peace and what kind of peace it will be when it comes,—a peace in which each nation shall make shift for itself as it can, or a peace buttressed and supported by the will and concert of the nations that have the purpose and the power to do and to enforce what is right. Politically, economically, socially the World is on the operating table, and it has not been possible to administer any anesthetic. It is conscious. It even watches the capital operation upon which it knows that its hope of healthful life depends. It cannot think its business out or make plans or give intelligent and provident direction to its affairs while in such a case. Where there is no peace of mind there can be no energy in endeavour. There can be no confidence in industry, no calculable basis for credits, no confident buying or systematic selling, no certain prospect of employment, no normal restoration of business, no hopeful attempt at reconstruction or the proper reassembling of the dislocated elements of enterprise until peace has been established and, so far as may be, guaranteed.

Our national life has no doubt been less radically disturbed and dismembered than the national life of other peoples whom the war more directly affected, with its terrible ravaging and destructive force, but it has been, nevertheless, profoundly affected and disarranged, and our industries, our credits, our productive capacity, our economic processes are inextricably interwoven with those of other nations and peoples,—most intimately of all with the nations and peoples upon whom the chief burden and confusion of the war fell and who are now most dependent upon the cooperative action of the world.

We are just now shipping more goods out of our ports to foreign markets than we ever shipped before,—not food stuffs merely, but stuffs and materials of every sort; but this is no index of what our foreign sales will continue to be or of the effect the volume of our exports will have on supplies and prices. It is impossible yet to predict how far or how long foreign purchasers will be able to find the money or the credit to pay for or sustain such purchases on such a scale; how soon or to what extent foreign manufacturers can resume their former production, foreign farmers get their accustomed crops from their own fields, foreign mines resume their former output, foreign merchants set up again their old machinery of trade with the ends of the earth. All these things must remain uncertain until peace is established and the nations of the world have concerted the methods by which normal life and industry are to be restored and all that we can do, in the meantime, to restrain profiteering and put the life of our people upon a tolerable footing will be makeshift and provisional. There can be no settled conditions here or elsewhere until the treaty of peace is out of the way and the work of liquidating the war has become the chief concern of our government and of the other governments of the world. Until then business will inevitably remain speculative and sway now this way and again that, with heavy losses or heavy gains as it may chance, and the consumer must take care of both the gains and the losses. There can be no peace prices so long as our whole financial and economic system is on a war basis.

Europe will not, cannot recoup her capital or put her restless, distracted peoples to work until she knows exactly where she stands in respect of peace; and what we will do is for her the chief question upon which her quietude of mind and confidence of purpose depend. While there is any possibility that the peace terms may be changed or may be held long in abeyance or may not be enforced because of divisions of opinion among the Powers associated against Germany, it is idle to look for permanent relief.

But what we can do we should do, and should do at once. And there is a great deal that we can do, provisional though it be. Wheat shipments and credits to facilitate the purchase of our wheat can and will be limited and controlled in such a way as not to raise but rather to lower the price of flour here. The Government has the power, within certain limits, to regulate that. We cannot deny wheat to foreign peoples who are in dire need of it, and we do not wish to do so; but, fortunately, though the wheat crop is not what we hoped it would be, it is abundant if handled with provident care. The price of wheat is lower in the United States than in Europe, and can with proper management be kept so.

By way of immediate relief, surplus stocks of both food and clothing in the hands of the Government will be sold, and of course sold at prices at which there is no profit. And by way of a more permanent correction of prices surplus stocks in private hands will be drawn out of storage and put upon the market. Fortunately, under the terms of the Food Control Act the hoarding of food stuffs can be checked and prevented; and they will be, with the greatest energy. Food stuffs can be drawn out of storage and sold by legal action which the Department of Justice will institute wherever necessary; but so soon as the situation is systematically dealt with it is not likely that the courts will often have to be resorted to. Much of the accumulating of stocks has no doubt been due to the sort of speculation which always results from uncertainty. Great surpluses were accumulated because it was impossible to foresee what the market would disclose and dealers were determined to be ready for whatever might happen, as well as eager to reap the full advantage of rising prices. They will now see the disadvantage, as well as the danger, of holding off from the new process of distribution.

Some very interesting and significant facts with regard to stocks on hand and the rise of prices in the face of abundance have been disclosed by the inquiries of the Department of Agriculture, the Department of Labor and the Federal Trade Commission. They seem to justify the statement that in the case of many necessary commodities effective means have been found to prevent the normal operation of the law of supply and demand. Disregarding the surplus stocks in the hands of the Government, there was a greater supply of food stuffs in this country on June first of this year than at the same date last year. In the combined total of a number of the most important foods in dry and cold storage the excess was quite nineteen per cent. And yet prices have risen. The supply of fresh eggs on hand in June of this year, for example, was greater by nearly ten per cent. than the supply on hand at the same time last year and yet the wholesale price was forty cents a dozen as against thirty cents a year ago. The stock of frozen fowls had increased more than two hundred and ninety-eight per cent, and yet the price had risen also, from thirty-four and a half cents per pound to thirty-seven and a half cents. The supply of creamery butter had increased a hundred and twenty-nine per cent. and the price from forty-one to fifty-three cents per pound. The supply of salt beef had been augmented three per cent. and the price had gone up from thirty-four dollars a barrel to thirty-six dollars a barrel. Canned corn had increased in stock nearly ninety-two per cent. and had remained substantially the same in price. In a few food stuffs the prices had declined, but in nothing like the proportion in which the supply had increased. For example, the stock of canned tomatoes had increased one hundred and two per cent. and yet the price had declined only twenty-five cents per dozen cans. In some cases there had been the usual result of an increase of price following a decrease of supply, but in almost every instance the increase of price had been disproportionate to the decrease in stock.

The Attorney General has been making a careful study of the situation as a whole and of the laws that can be applied to better it and is convinced that, under the stimulation and temptation of exceptional circumstances, combinations of producers and combinations of traders have been formed for the control of supplies and of prices which are clearly in restraint of trade, and against these prosecutions will be promptly instituted and actively pushed which will in all likelihood have a prompt corrective effect. There is reason to believe that the prices of leather, of coal, of lumber, and of textiles have been materially affected by forms of concert and cooperation among the producers and marketers of these and other universally necessary commodities which it will be possible to redress. No watchful or energetic effort will be spared to accomplish this necessary result. I trust that there will not be many cases in which prosecution will be necessary. Public action will no doubt cause many who have perhaps unwittingly adopted illegal methods to abandon them promptly and of their own motion.

And publicity can accomplish a great deal. The purchaser can often take care of himself if he knows the facts and influences he is dealing with; and purchasers are not disinclined to do anything, either singly or collectively, that may be necessary for their self-protection. The Department of Commerce, the Department of Agriculture, the Department of Labor, and the

Federal Trade Commission can do a great deal towards supplying the public, systematically and at short intervals, with information regarding the actual supply of particular commodities that is in existence and available, with regard to supplies which are in existence but not available because of hoarding, and with regard to the methods of price fixing which are being used by dealers in certain food stuffs and other necessaries. There can be little doubt that retailers are in part,—sometimes in large part,—responsible for exorbitant prices; and it is quite practicable for the Government, through the agencies I have mentioned, to supply the public with full information as to the prices at which retailers buy and as to the costs of transportation they pay, in order that it may be known just what margin of profit they are demanding. Opinion and concerted action on the part of purchasers can probably do the rest.

That is, these agencies may perform this indispensable service provided the Congress will supply them with the necessary funds to prosecute their inquiries and keep their price lists up to date. Hitherto the Appropriation Committees of the Houses have not always, I fear, seen the full value of these inquiries, and the Departments and Commissions have been very much straitened for means to render this service. That adequate funds be provided by appropriation for this purpose, and provided as promptly as possible, is one of the means of greatly ameliorating the present distressing conditions of livelihood that I have come to urge, in this attempt to concert with you the best ways to serve the country in this emergency. It is one of the absolutely necessary means, underlying many others, and can be supplied at once.

There are many other ways. Existing law is inadequate. There are many perfectly legitimate methods by which the Government can exercise restraint and guidance.

Let me urge, in the first place, that the present food-control Act should be so extended both as to the period of time during which it shall remain in operation and as to the commodities to which it shall apply. Its provisions against hoarding should be made to apply not only to food but also to feed stuffs, to fuel, to clothing, and to many other commodities which are indisputably necessaries of life. As it stands now it is limited in operation to the period of the war and becomes inoperative upon the formal proclamation of peace. But I should judge that it was clearly within the constitutional power of the Congress to make similar permanent provisions and regulations with regard to all goods destined for inter-state commerce and to exclude them from inter-state shipment if the requirements of the law are not complied with. Some such regulation is imperatively necessary. The abuses that have grown up in the manipulation of prices by the withholding of food stuffs and other necessaries of life cannot otherwise be effectively prevented. There can be no doubt of either the necessity or the legitimacy of such measures. May I not call attention to the fact, also, that, although the present Act prohibits profiteering, the prohibition is accompanied by no penalty. It is clearly in the public interest that a penalty should be provided which will be persuasive.

To the same end, I earnestly recommend, in the second place, that the Congress pass a law regulating cold storage as it is regulated, for example, by the laws of the State of New Jersey, which limit the time during which goods may be kept in storage, prescribe the method of disposing of them if kept beyond the permitted period, and require that goods released from storage shall in all cases bear the date of their receipt. It would materially add to the serviceability of the law, for the purpose we now have in view, if it were also prescribed that all goods released from storage for inter-state shipment should have plainly marked upon each package the selling or market price at which they went into storage. By this means the purchaser would always be able to learn what profits stood between him and the producer or the wholesale dealer.

It would serve as a useful example to the other communities of the country, as well as greatly relieve local distress, if the Congress were to regulate all such matters very fully for the District of Columbia, where its legislative authority is without limit.

I would also recommend that it be required that all goods destined for inter-state commerce should in every case where their form or package makes it possible be plainly marked with the price at which they left the hands of the producer. Such a requirement would bear a close analogy to certain provisions of the Pure Food Act, by which it is required that certain detailed information be given on the labels of packages of foods and drugs.

And it does not seem to me that we can confine ourselves to detailed measures of this kind, if it is indeed our purpose to assume national control of the processes of distribution. I take it for granted that that is our purpose and our duty. Nothing less will suffice. We need not hesitate to handle a national question in a national way. We should go beyond the measures I have suggested. We should formulate a law requiring a federal license of all corporations engaged in interstate commerce and embodying in the license, or in the conditions under which it is to be issued, specific regulations designed to secure competitive selling and prevent unconscionable profits in the methods of marketing. Such a law would afford a welcome opportunity to effect other much needed reforms in the business of inter-state shipment and in the methods of corporations which are engaged in it; but for the moment I confine my recommendations to the object immediately in hand, which is to reduce the cost of living.

May I not add that there is a bill now pending before the Congress which, if passed, would do much to stop speculation and to prevent the fraudulent methods of promotion by which our people are annually fleeced of many millions of hard-earned money. I refer to the measure proposed by the Capital Issues Committee for the control of security issues. It is a measure formulated by men who know the actual conditions of business and its adoption would serve a great and beneficent purpose.

We are dealing, Gentlemen of the Congress, I need hardly say, with very critical and very difficult matters. We should go forward with confidence along the road we see, but we should also seek to comprehend the whole of the scene amidst which we act. There is no ground for some of the fearful forecasts I hear uttered about me, but the condition of the world is unquestionably very grave and we should face it comprehendingly. The situation of our own country, as I have said, is exceptionally fortunate. We of all peoples can afford to keep our heads and to determine upon moderate and sensible courses of action which will ensure us against the passions and distempers which are working such deep unhappiness for some of the distressed nations on the other side of the sea: But we may be involved in their distresses unless we help, and help with energy and intelligence.

The world must pay for the appalling destruction wrought by the great war, and we are part of the world. We must pay our share. For five years now the industry of all Europe has been slack and disordered. The normal crops have not been produced; the normal quantity of manufactured goods has not been turned out. Not until there are the usual crops and the usual production of manufactured goods on the other side of the Atlantic can Europe return to the former conditions; and it was upon the former conditions, not the present, that our economic relations with Europe were built up. We must face the fact that unless we help Europe to get back to her normal life and production a chaos will ensue there which will inevitably be communicated to this country. For the present, it is manifest, we must quicken, not slacken our own production. We, and we almost alone, now hold the world steady. Upon our steadfastness and self-possession depend the affairs of nations everywhere. It is in this supreme crisis,—this crisis for all mankind,—that America must prove her mettle. In the presence of a world confused, distracted, she must show herself self-possessed, self-contained, capable of sober and effective action. She saved Europe by her action in arms; she must now save it by her action in peace. In saving Europe she will save herself, as she did upon the battlefields of the war. The calmness and capacity with which she deals with and masters the problems of peace will be the final test and proof of her place among the peoples of the world.

And, if only in our own interest, we must help the people over seas. Europe is our best customer. We must keep her going or thousands of our shops and scores of our mines must close. There is no such thing as letting her go to ruin without ourselves sharing in the disaster.

In such circumstances, face to face with such tests, passion must be discarded. Passion and a disregard for the rights of others have no place in the counsels of a free people. We need light, not heat, in these solemn times of self-examination and saving action. There must be no threats. Let there be only intelligent counsel, and let the best reasons win, not the strongest brute force. The world has just destroyed the arbitrary force of a military junta. It will live under no other. All that is arbitrary and coercive is in the discard. Those who seek to employ it will only prepare their own destruction.

We cannot hastily and over night revolutionize all the processes of our economic life, and we shall not attempt to do so. These are days of deep excitement and of extravagant speech; but with us these things are of the surface. Everyone who is in real touch with the silent masses of our great people knows that the old strong fibre and steady self-control are still there, firm against violence or any distempered action that would throw their affairs into confusion. I am serenely confident that they will readily find themselves, no matter what the circumstances, and that they will address themselves to the tasks of

peace with the same devotion and the same stalwart preference for what is right that they displayed to the admiration of the whole world in the midst of war.

And I entertain another confident hope. I have spoken to-day chiefly of measures of imperative regulation and legal compulsion, of prosecutions and the sharp correction of selfish processes; and these, no doubt, are necessary. But there are other forces that we may count on besides those resident in the Department of Justice. We have just fully awakened to what has been going on and to the influences, many of them very selfish and sinister, that have been producing high prices and imposing an intolerable burden on the mass of our people. To have brought it all into the open will accomplish the greater part of the result we seek. I appeal with entire confidence to our producers, our middlemen, and our merchants to deal fairly with the people. It is their opportunity to show that they comprehend, that they intend to act justly, and that they have the public interest sincerely at heart. And I have no doubt that housekeepers all over the country, and everyone who buys the things he daily stands in need of will presently exercise a greater vigilance, a more thoughtful economy, a more discriminating care as to the market in which he buys or the merchant with whom he trades than he has hitherto exercised.

I believe, too, that the more extreme leaders of organized labour will presently yield to a sober second thought and, like the great mass of their associates, they will think and act like true Americans. They will see that strikes undertaken at this critical time are certain to make matters worse, not better,—worse for them and for everybody else. The worst thing, the most fatal thing that can be done now is to stop or interrupt production or interfere with the distribution of goods by the railways and the shipping of the country. We are all involved in the distressing results of the high cost of living and we must unite, not divide, to correct it. There are many things that ought to be corrected in the relations between capital and labour, in respect of wages and conditions of labour and other things even more far-reaching, and I, for one, am ready to go into conference about these matters with any group of my fellow countrymen who know what they are talking about and are willing to remedy existing conditions by frank counsel rather than by violent contest. No remedy is possible while men are in a temper, and there can be no settlement which does not have as its motive and standard the general interest. Threats and undue insistence upon the interest of a single class make settlement impossible. I believe, as I have hitherto had occasion to say to the Congress, that the industry and life of our people and of the world will suffer irreparable damage if employers and workmen are to go on in a perpetual contest, as antagonists. They must, on one plan or another, be effectively associated. Have we not steadiness and self-possession and business sense enough to work out that result? Undoubtedly we have, and we shall work it out. In the meantime,—now and in the days of readjustment and recuperation that are ahead of us,—let us resort more and more to frank and intimate counsel and make ourselves a great and triumphant Nation by making ourselves a united force in the life of the world. It will not then have looked to us for leadership in vain.

The Senate returned to its Chamber at 4 o'clock and 45 minutes p. m., and the Vice President resumed the chair.

Mr. LODGE. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 45 minutes p. m.) the Senate adjourned until Monday, August 11, 1919, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate August 8, 1919.

RECEIVER OF PUBLIC LANDS.

Elmer W. Killion, of Kansas, to be receiver of public moneys at Dodge City, Kans., vice John V. Killion, removed.

COLLECTOR OF INTERNAL REVENUE.

John A. Grogan, of Detroit, Mich., to be collector of internal revenue for the first district of Michigan, in place of James J. Brady, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate August 8, 1919.

CONSUL.

CLASS 8.

Lee R. Blohm to be a consul of class 8.

COLLECTOR OF CUSTOMS.

William P. Ryan to be collector of customs for customs collection district No. 13, with headquarters at Baltimore, Md.

COLLECTOR OF INTERNAL REVENUE.

James E. Kennedy to be collector of internal revenue for the district of Vermont.

RECEIVERS OF PUBLIC MONEYS.

Elmer W. Killion to be receiver of public moneys at Dodge City, Kans.

Matthias N. Fegtly to be receiver of public moneys at Vale, Oreg.

Claude E. Rusk to be receiver of public moneys at Yakima, Wash.

William F. Page to be receiver of public moneys at Spokane, Wash.

POSTMASTERS.

ARKANSAS.

Edward A. Brennan, Conway.
Eugene R. Browning, Piggott.
Rosa Wallace, Washington.

KANSAS.

Imogene Ream, Axtell.
Arthur Poole, Corning.
Cyrus W. Ricketts, Paola.
Louis W. Johnson, Pittsburg.
George Harman, Valley Falls.
Edia C. Warner, Wamego.
William Reedy, Yates Center.

MICHIGAN.

Ronald H. Macdonald, Dollar Bay.
Florence L. Washer, Imlay City.
William F. Hemmeter, Saginaw West Side.
Henry W. McClure, Tecumseh.

MONTANA.

James Bartley, Fort Benton.
William Cluston, Great Falls.
Queenie B. Lyndes, Hysham.
Thomas G. Hayden, Winifred.

NEW MEXICO.

John H. Vaughan, State College.

NEW YORK.

John T. Kopp, Martinsville.
Thomas P. Hammond, Middleport.
August S. Hughes, Seneca Falls.
Elizabeth C. Harrington, Wilson.

NORTH CAROLINA.

Manly W. Cranford, Davidson.

TENNESSEE.

Felix P. McGinness, Carthage.
Daniel D. Scott, Jellico.

HOUSE OF REPRESENTATIVES.

FRIDAY, *August 8, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Good Lord, deliver us, we beseech Thee, from the unwarranted conditions in which we as a people find ourselves.

We have just passed through the greatest war of all history, and won a victory for democracy, liberty, and freedom from autocracy and oppression.

Thus we have cast out the demon of autocracy, but we have permitted seven devils to enter in, and the last state of the house is worse than the first.

The greatest trickster becomes for a day the greatest business man. The greatest trickster becomes for a day the greatest lawyer. The greatest trickster becomes for a day the greatest statesman. But honesty, justice, truth, righteousness, which are eternal, will assert themselves, right all wrongs, free the oppressed, and make life tolerable.

So we pray for a victory over the high cost of living and the deadly enemies of truth, liberty, and justice. In His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 7110. An act extending the time for the construction of a bridge across Flint River, in the State of Georgia.

The SPEAKER announced his signature to an enrolled joint resolution of the following title:

S. J. Res. 80. Joint resolution to authorize the President to convene a meeting of an international labor conference in Washington, D. C.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 150. Joint resolution to suspend the requirements of annual assessment work on certain mining claims during the year 1919.

The message also announced that the Senate had passed the following resolution, in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 7.

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Friday, the 8th day of August, 1919, at 4 o'clock in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

JOINT SESSION OF SENATE AND HOUSE.

Mr. MONDELL. Mr. Speaker——

Mr. BLANTON. Mr. Speaker, I rise to a question of personal privilege.

Mr. MONDELL. I ask for the immediate consideration of the Senate resolution just messaged over.

Mr. BLANTON. I rise to the question of privilege which I submitted yesterday, which the Chair held was a question of personal privilege.

The SPEAKER. The Chair is disposed to think it is, but the gentleman from Wyoming arises to present a resolution which is also a question of constitutional privilege, and which the Chair thinks requires prior consideration.

Mr. BLANTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Where a Member of the House is recognized by the Chair upon a question of high privilege, which the Chair admits is a question of high privilege, and then the Member is taken off his feet by the point of no quorum and the House is forced to adjourn, is there anything higher than that question of privilege when the House reassembles?

The SPEAKER. The fact that the question came up yesterday does not affect the question of priority to-day. The House adjourned yesterday so that the gentleman, of course, begins anew, as if he had not begun yesterday.

Mr. BLANTON. Mr. Speaker, a point of order.

The SPEAKER. The Chair will recognize the gentleman in due time.

Mr. BLANTON. Mr. Speaker, the President of the United States is to address this House to-day upon important business of the Nation.

Mr. MONDELL. Mr. Speaker——

Mr. BLANTON. I think we should have a quorum here to make arrangements to receive the President in proper form. I make the point of no quorum present.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. It is obvious that there is no quorum present.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Ackerman	Butler	Doremus	Goldfogle
Alexander	Caldwell	Doughton	Good
Anderson	Carew	Dowell	Goodall
Andrews, Md.	Carter	Drane	Gould
Anthony	Christopherson	Dyer	Graham, Pa.
Ashbrook	Clark, Fla.	Echols	Greene, Vt.
Aswell	Classon	Ellsworth	Griest
Babka	Cole	Emerson	Hamill
Bankhead	Cooper	Evans, Mont.	Hamilton
Barbour	Copley	Evans, Nebr.	Hardy, Colo.
Bee	Costello	Fairfield	Haskell
Benham	Cramton	Ferris	Hastings
Benson	Crisp	Fields	Hawley
Bland, Ind.	Currie, Mich.	Fitzgerald	Hersey
Bland, Mo.	Dallinger	Flood	Hicks
Boles	Darrow	Fordney	Hill
Booher	Davey	Freeman	Huddleston
Brand	Davis, Minn.	Fuller, Ill.	Humphreys
Britten	Dempsey	Fuller, Mass.	Husted
Brooks, Ill.	Dewalt	Gallivan	Ireland
Browne	Dickinson, Mo.	Gandy	Johnson, Miss.
Browning	Dickinson, Iowa	Ganly	Johnson, S. Dak.
Brumbaugh	Donovan	Glynn	Johnston, N. Y.
Burroughs	Dooling	Godwin, N. C.	Jones, Pa.
Juul	Mapes	Reber	Stephens, Ohio
Kearns	Mason	Riddick	Stevenson
Kennedy, Iowa	Mead	Riordan	Strong, Pa.
Kennedy, R. I.	Monahan, Wis.	Robinson, N. C.	Sullivan
Kettner	Moon	Rogers	Summers, Wash.
Kiess	Mooney	Rouse	Taylor, Ark.
Kleczka	Moore, Ohio	Rubey	Taylor, Tenn.
Kreider	Moore, Pa.	Rucker	Thompson, Ohio
LaGuardia	Mott	Sabath	Thompson, Okla.
Langley	Mudd	Sanders, La.	Tilson
Larsen	Neely	Sanford	Tinkham
Layton	Nelson, Mo.	Saunders, Va.	Towner
Lea, Calif.	Nelson, Wis.	Schall	Treadway
Linthicum	Newton, Mo.	Scully	Vare
Lonergan	Nicholls, S. C.	Sears	Venable
Longworth	Olney	Sells	Vestal
Luce	Osborne	Sherwood	Vinson
Lufkin	Overstreet	Shreve	Wason
McClintic	Parker	Siegel	Watson, Va.
McGlennon	Pell	Sinnott	Webb
McKenzie	Peters	Sisson	White, Kans.
McKiniry	Phelan	Slemp	Wilson, Ill.
McKinley	Platt	Smith, Ill.	Wise
MacCrate	Purnell	Smith, N. Y.	Wright
Madden	Rainey, Henry T.	Snell	Yates
Magee	Rainey, John W.	Snyder	
Maher	Ramsey	Steele	
Major	Randall, Wis.	Stephens, Miss.	

The SPEAKER. On this call 223 Members have answered to their names, a quorum.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

Mr. MONDELL. Mr. Speaker, I ask the Speaker to lay before the House Senate concurrent resolution No. 7, which has just been messaged over from the Senate concerning the joint session of the two Houses.

The SPEAKER laid before the House the following resolution:

The Clerk read as follows:

Senate concurrent resolution 7.

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Friday, the 8th day of August, 1919, at 4 o'clock in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

Mr. MONDELL. Mr. Speaker, I move the previous question on the concurrent resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the concurrent resolution.

The concurrent resolution was agreed to.

EXTENSION OF REMARKS.

Mr. KAHN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the Shantung proposition.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

QUESTION OF PERSONAL PRIVILEGE.

Mr. BLANTON. Mr. Speaker, I presented yesterday what the Chair then deemed a question of privilege. Is it necessary for me to restate the question?

The SPEAKER. The Chair thinks it would be wise for the gentleman to do so, because some Member here to-day who might not have been here yesterday may wish to make the point of order.

Mr. BLANTON. Mr. Speaker, on Saturday last, August 2, 1919, in the RECORD of that date, on page 3580, after certain remarks had been made by myself concerning the railroad situation, the following colloquy occurred:

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CROWTHER. Mr. Chairman, I move to strike out the last word.

Mr. BURKE. Mr. Chairman, I ask unanimous consent for five minutes' time.

Mr. CROWTHER. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

Mr. FORDNEY. Mr. Chairman, I must object to any more speeches not confined to the subject matter of the bill. We are trying to get these bills out of the way.

Mr. BURKE. I hope I shall be given time asked for to reply to the false statements just made here.

I call the attention of the Chair now to the fact that the only statements made preceding that colloquy were statements of fact which had been made by myself, so that undoubtedly the gentleman from Pennsylvania [Mr. BURKE] referred to the statements made by me when he said that certain false statements had been made. To show that that contention went over the country, unknown to me, however, for I did not hear the statement made by the gentleman from Pennsylvania, although I was present in the Hall at the time—and if I had known that he had made

the statement applying to me, I would have answered the same at that time—in the Fort Worth Star-Telegram appears a dispatch giving a report of the proceedings of Congress sent by the staff correspondent, Mr. Leo R. Sack, under a Washington date of August 2, and that is as follows:

WASHINGTON, *August* 2.

Representative BLANTON, in a five-minute speech on the floor of the House, in a formal statement to-day, charged—

And so forth.

Then occurs the following in that same dispatch:

Representative BURKE, of Pennsylvania, himself a member of the brotherhood, accused BLANTON of false statements.

Without going further into the matter, I submit that where a Member of Congress in the RECORD and on the floor of the House is accused of making false statements, and the press of the country carried that information to the people that false statements have been made, it constitutes a question of the highest privilege. I submit that to the Chair.

The SPEAKER. The rulings and decisions on the subject are quite clear. The Chair is disposed to think that the newspaper statement would hardly raise the question of privilege, because it has been held that where a newspaper simply quotes what a Member has said on the floor it does not of itself constitute a question of privilege. There is a precedent exactly in point, however, decided by Mr. Speaker Carlisle, where one gentleman in the House accused another of having made a false statement. The Speaker then held that that did raise a question of personal privilege. The Chair is disposed to think that the question of personal privilege is raised here, although he would be very glad to hear anyone who desires to argue the matter.

Mr. BURKE rose.

The SPEAKER. Does the gentleman from Pennsylvania desire to be heard?

Mr. BURKE. Mr. Speaker, reserving the right to object——

Mr. BLANTON. Mr. Speaker, a point of order. Respecting the procedure of the House, is it proper when a Member addresses the Chair on a question of personal privilege for another Member then to rise and reserve the right to object?

The SPEAKER. Of course the gentleman can not reserve the right to object, but the Chair will hear the gentleman from Pennsylvania if he wishes to argue the point of order.

Mr. BURKE. Just the same privilege after the gentleman from Texas finishes.

The SPEAKER. It is merely a question of personal privilege that is before the House, and it depends upon whether anything is said by the gentleman from Texas [Mr. BLANTON] as to whether the gentleman from Pennsylvania will be entitled to the floor.

Mr. WHEELER. Mr. Speaker, will the gentleman from Texas yield to a question?

Mr. BLANTON. Certainly; provided I am not taken off the floor.

Mr. WHEELER. I simply wanted to ask a question. As I understand it, no name was mentioned in the RECORD?

Mr. BLANTON. But the RECORD shows to whom the gentleman from Pennsylvania referred. There were no other remarks.

Mr. WHEELER. The gentleman from Pennsylvania stated that a false statement had been made on the floor of the House.

Mr. BLANTON. That it had "just" been made.

Mr. WHEELER. He mentioned no name.

The SPEAKER. The Chair is disposed to think that the RECORD shows very clearly to whom the gentleman from Pennsylvania referred. The gentleman from Texas is entitled to the floor.

Mr. BLANTON. Mr. Speaker and gentlemen of the House, every statement of fact that was made by me on Saturday last concerning the railroad situation is backed up by reports of the Railroad Administration of the United States and conditions well known to every posted man in this Nation. I stated, first, that the Adamson law was the result of threats made by the brotherhoods of the country, dire threats, to tie up the railroads of the United States so tight that it would destroy the usual industrial activities of the country.

And the gentleman's general denial that my statements were false has tended to make some believe the statement made by me was false, and I can not permit him to thus becloud the RECORD. Is there a man in this House who will question the truth of the statement——

Mr. KING. Mr. Speaker, I question the statement of the gentleman.

Mr. BLANTON. Does the gentleman question the statement that it was by dire threats that the Adamson law was passed?

Mr. KING. I certainly do. I deny the gentleman's statement upon the floor of this House.

Mr. BLANTON. It shows how little posted the gentleman from Illinois is on the affairs of his country.

Mr. KING. The gentleman was not present here. He was down on the prairies of Texas.

Mr. BLANTON. That didn't keep me from being informed. Mr. Speaker, I refuse to be interrupted further until I get through. Every posted man in this country knows that it was threats by the brotherhoods that caused the Adamson law to be passed. I stated that the brotherhoods were not satisfied with that acquirement in the way of legislation but that during war times, when the soldiers of the country were in the trenches of France knee deep in mud, trenches that were cootie infected, fighting for their country for $33 a month, these same railroad brotherhoods in war time came to Director General McAdoo and by dire threats forced him to give them an annual increase of $754,811,000 of the people's money—that they forced it by threats in war time. Is there a man so poorly posted in this House as to question the truth of that statement?

Mr. KING. I absolutely deny the gentleman's statement.

Mr. BLANTON. It again evidences how very poorly informed the gentleman from Illinois is on the current history of his country, because the report from the director general's office shows that these increases of $754,811,000 were granted, and the posted public knows they were granted upon threats. I stated that they were not satisfied with that; that they were not satisfied with what they had drawn through such threats from this Government, made upon Mr. McAdoo and upon Congress, and they came to Director Hines almost before his seat had gotten warm in office, and by threats similar—to tie up the railroads of the country and even of revolution—they made him dig up out of the Public Treasury $67,500,000 more in annual increases. This $822,311,000 has come out of the people's Treasury. It has been produced by increased freight and passenger rates. It has been in the nature of a tax upon the 110,000,000 people of the United States. And have they stopped? No. They now come to the President and to Congress and say that you must grant us an additional increase of a billion dollars. Else what? What does Mr. Jewell say, the acting president of the railroad brotherhoods' department of the American Federation of Labor? On last Tuesday Mr. Jewell, through the press of this country, said that if Congress does not accede to our demands right now we are going to tie up every railroad in this land so tight that they can not run, and we will elect a Congress that will carry out our wishes. And we Congressmen sit here on our seats and truckle, truckle, with anarchy invading our land. The President of the United States is the greatest man living to-day, in my judgment, and yet he is human. We are now experiencing the fruits of our Nation's truckling in the passage of the Adamson law, the most colossal blunder of Woodrow Wilson's whole life. [Applause on the Republican side.]

Mr. KING. Mr. Speaker——

Mr. BLANTON. We gave notice then——

Mr. KING. Mr. Speaker, I raise the point of order that the gentleman, by attacking the President of the United States, is not speaking to the question of personal privilege.

Mr. BLANTON. A Congressman has a right to criticize anybody. This is a Republic.

Mr. KING. And I ask for a ruling upon it.

The SPEAKER. The gentleman will confine himself to the point of order——

Mr. BLANTON. I am discussing a question of privilege, Mr. Speaker.

The SPEAKER. To the question of privilege. The Chair is disposed to sustain the point of order made by the gentleman from Illinois. At that time the gentleman was not discussing the question of personal privilege.

Mr. BLANTON. Are we going to sit here and truckle some more or are we going to be men? Are these threats that are coming to me because I raise my voice against this plundering Plumb plan—these threats against my life that have come to me daily—are they coming to you? Why, organizations of the whole State of Georgia sent me a threat yesterday that they were going to publish in every newspaper of my country the fact that I was their enemy and should be replaced by a friend of the brotherhoods, thinking they would intimidate me; and you find representatives of those brotherhoods coming before your committee and Congress saying that if you do not do like we ask, we are going to elect a Congress that will obey our will——

Mr. MONDELL. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Wyoming rise?

Mr. MONDELL. Mr. Speaker, my understanding is that the gentleman was recognized for a question of personal privilege with a view of giving him an opportunity to prove the accuracy of certain statements he has made, the truthfulness of which has been questioned. The gentleman is certainly not pursuing that line at this time. The gentleman is discussing another and different matter.

Mr. BLANTON. Mr. Speaker, I beg to be heard to show I am doing it. By accusing Congress of truckling——

Mr. MONDELL. I make the point of order that the gentleman is not discussing the matter raised by his question of privilege.

The SPEAKER. The gentleman from Wyoming has correctly described the issue——

Mr. BLANTON. Mr. Speaker, I may have committed lese majeste when I did so, but I accused Congress of having truckled in the past. The gentleman said my statements were false.

Mr. WINGO. Mr. Speaker, I rise to a point of order, and ask that the gentleman's words be taken down.

The SPEAKER. The gentleman from Arkansas makes the point of order that the words of the gentleman from Texas are out of order, and demands that they be taken down. The Reporter will report the words to the Chair.

Mr. BLANTON. Mr. Speaker, I still make the statement that Congress has truckled.

Mr. CAMPBELL of Kansas. Mr. Speaker, I suggest the gentleman from Texas now take his seat.

Mr. BLANTON. I will wait until the order is decided, Mr. Speaker.

Mr. Speaker, to save time I will withdraw it.

Mr. WINGO. I object.

The SPEAKER. The Clerk will report the words.

Mr. WINGO. The rules are very clear. The gentleman should keep his seat until the House is in order.

Mr. BLANTON. I withdraw the words. I have heard the gentleman from Arkansas make it.

Mr. WINGO. You have not. He can not withdraw them by unanimous consent, because I object. There is an end to all patience.

The SPEAKER. The Clerk will report the words taken down.

The Clerk read as follows:

Mr. BLANTON. Mr. Speaker, I may have committed lese majeste when I did so, but I accused Congress of having truckled in the past. The gentleman said my statements were false.

Mr. WINGO. Mr. Speaker, the language I object to is where he accused Congress of truckling.

Mr. REAVIS. Mr. Speaker, following the use of the language just reported by the Clerk, the gentleman from Texas [Mr. BLANTON] renewed the accusation against Congress.

Mr. BLANTON. Mr. Speaker, a point of order. Would I be permitted to put certain Congressmen on the witness stand and prove that Congress has truckled?

Mr. WINGO. Mr. Speaker, I make the point of order on that, and I ask that it be taken down. I make the point of order on that very disorderly and unparliamentary language, and I ask that it be taken down, and I intend to move that it be stricken from the RECORD. We are not going to have, under the guise of a point of order, the rules violated.

The SPEAKER. The words referred to by the gentleman will be taken down.

Mr. BLANTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. May I ask the Speaker what authority this Congress has to pass upon the violation of lese majeste of a previous Congress or some other Congress?

Mr. WINGO. I make the point of order, Mr. Speaker, that the gentleman is out of order.

The SPEAKER. The Clerk has not yet reported the words.

Mr. CLARK of Missouri. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Missouri. Did not the gentleman from Texas offer to withdraw these remarks?

The SPEAKER. He did. The Chair put that question to the House, whether he should be allowed to withdraw, and objection was made.

Mr. CLARK of Missouri. I know. That is the very thing I wanted to ask about. Has it not been the practice of the House that when words that were supposed to be offensive to some gentleman and the man who made them offered to withdraw them it was done without objection?

The SPEAKER. I think it is very rarely that there has been objection.

Mr. CLARK of Missouri. Has anybody a right to make an objection?

The SPEAKER. The Chair is informed by the parliamentary clerk that he has.

Mr. WINGO. I will say to the gentleman from Missouri that under the rule the Speaker cited it had to be done by unanimous consent.

Mr. CLARK of Missouri. I have ruled a dozen times when a man wanted to withdraw remarks that he could do it. I remember very well that the gentleman from New York, Mr. London, on one occasion made some remarks that were offensive to Mr. Austin, of Tennessee, and Mr. Austin undertook to make a motion to have him reprimanded or expelled, and I sent the parliamentary clerk down to Mr. London and asked him to withdraw the language, and he did it, and that was the end of it.

The SPEAKER. The last decision in the Manual, on page 330, provides:

Words so taken down may be withdrawn only by unanimous consent. (Chairman Foster, June 3, 1918, p. 7901.)

Mr. CAMPBELL of Kansas. Mr. Speaker, I think that was in committee and after the words were taken down and reported to the House. I think before the words are reported to the House they may be withdrawn in the House, but where the words are taken down and reported to the House they can only be withdrawn by unanimous consent.

Mr. CANNON. Oh, Mr. Speaker——

The SPEAKER. The Chair will be glad to hear the gentleman from Illinois.

Mr. CANNON. Suppose a gentleman of the House should utter the most offensive words about another Member, and after he has made them, and while they were being taken down, he should withdraw them, or should withdraw them after they are taken down. If he can withdraw them before they are reported to the House, then I could make all kinds of offensive remarks, if I chose to do so, so offensive that I would deserve to be expelled——

Mr. WINGO. And thereby defeat the very object of the rule.

Mr. CANNON. Yes; and get away with it.

The SPEAKER. It seems to the Chair that the logic suggested by the gentleman from Illinois is sound, and the Chair will adhere to the rule.

Mr. WINGO. Mr. Speaker, has the first language been reported?

The SPEAKER. Of course, it is unusual for objection to be made. The Clerk will report the language at the beginning.

The Clerk read as follows:

Mr. BLANTON. Mr. Speaker, I may have committed lese majeste when I did so, but I accuse Congress of having truckled in the past. The gentleman said my statements were false.

The SPEAKER. The gentleman from Arkansas [Mr. WINGO] makes the point of order that the words of the gentleman from Texas are out of order and demands that they be taken down.

Mr. WINGO. Mr. Speaker, the report is not complete.

The SPEAKER. The gentleman will wait until the Clerk reports it.

The Clerk read as follows:

Mr. BLANTON. Mr. Speaker, I still make the statement that Congress has truckled.

* * * * * * *

Mr. BLANTON. Mr. Speaker, a point of order. Would I be permitted to put certain Congressmen on the witness stand and prove that Congress has truckled?

Mr. QUIN. Mr. Speaker——

Mr. WINGO. I move to strike out the offensive language read, and on that I move the previous question. I recall that it is not debatable.

Mr. BLANTON. On that I demand the yeas and nays.

The SPEAKER. The gentleman from Arkansas [Mr. WINGO] moves to strike out the offensive language read.

Mr. WINGO. The offensive language of the gentleman from Texas [Mr. BLANTON] reported by the Clerk.

The SPEAKER. The offensive language uttered by the gentleman from Texas and reported by the Clerk.

Mr. BLANTON. I ask for the yeas and nays.

The SPEAKER. The gentleman from Texas calls for the yeas and nays.

Mr. QUIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. QUIN. In order to prove that the gentleman from Texas is not out of order, I want to ask if Webster's Dictionary is not a good authority?

The SPEAKER. That is not a parliamentary inquiry. As many as favor taking this vote by yeas and nays will rise and stand until they are counted. [After counting.] Five gentlemen have risen—not a sufficient number. The question is on

ordering the previous question, as demanded by the gentleman from Arkansas [Mr. WINGO].

The previous question was ordered.

The SPEAKER. The question is on the motion to strike out the language.

The question being taken, on a division (demanded by Mr. BLANTON) there were—ayes 70, noes 90.

Mr. WINGO. Mr. Speaker, I make the point of no quorum present.

The SPEAKER. The gentleman from Arkansas makes the point of no quorum present. The Chair will count. [After counting.] One hundred and eighty-one Members, not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll. As many as are in favor of striking out the words will when their names are called vote "yea," those opposed "nay."

The question was taken; and there were—yeas 82, nays 135, answered "present" 8, not voting 204, as follows:

YEAS—82.

Almon	Dupré	Lazaro	Romjue
Ayres	Eagan	Lee, Ga.	Rowan
Baer	Elston	McAndrews	Sims
Barkley	Fisher	McCulloch	Small
Bell	Focht	McDuffie	Smithwick.
Blackmon	Gallagher	McKeown	Sumners, Tex.
Bland, Va.	Garland	Martin	Taylor, Colo.
Briggs	Goodwin, Ark.	Mays	Tillman
Brinson	Griffin	Mead	Upshaw
Byrnes, S. C.	Hardy, Tex.	Minahan, N. J.	Watkins
Byrns, Tenn.	Harrison	Montague	Weaver
Campbell, Kans.	Hayden	Moore, Va.	Welling
Candler	Heflin	Morgan	Welty
Caraway	Howard	Nichols, Mich.	Whaley
Carss	Hull, Iowa	Nolan	Wheeler
Casey	Igoe	O'Connell	Wilson, La.
Cleary	Jacoway	O'Connor	Wilson, Pa.
Coady	Keller	Oldfield	Wingo
Cullen	Kincheloe	Oliver	Woods, Va.
Davis, Tenn.	King	Padgett	
Dent	Lankford	Park	

NAYS—135.

Anderson	Gard	McArthur	Rodenberg
Andrews, Nebr.	Garner	McFadden	Rose
Bacharach	Garrett	McLane	Rowe
Begg	Goodykoontz	McLaughlin, Mich.	Sanders, N. Y.
Black	Graham, Ill.	McLaughlin, Nebr.	Scott
Blanton	Green, Iowa	McPherson	Sinclair
Bowers	Greene, Mass.	MacGregor	Smith, Idaho
Box	Hadley	Mann	Steagall
Brooks, Pa.	Haugen	Mansfield	Stedman
Buchanan	Hays	Merritt	Steenerson
Burdick	Hernandez	Michener	Stiness
Burke	Hersman	Miller	Strong, Kans.
Campbell, Pa.	Hickey	Mondell	Sweet
Cannon	Hoch	Moores, Ind.	Temple
Chindblom	Houghton	Morin	Thomas
Clark, Mo.	Hudspeth	Murphy	Timberlake
Collier	Hulings	Newton, Minn.	Tincher
Connally	Hull, Tenn.	Ogden	Vaile
Costello	Hutchinson	Overstreet	Voigt
Crago	James	Paige	Volstead
Crowther	Jefferis	Parrish	Walsh
Curry, Calif.	Johnson, Ky.	Porter	Walters
Dale	Johnson, Wash.	Pou	Ward
Davis, Minn.	Jones, Tex.	Quin	Watson, Pa.
Denison	Kelley, Mich.	Radcliffe	Webster
Dominick	Kelly, Pa.	Raker	White, Me.
Dunbar	Kendall	Ramseyer	Williams
Dunn	Knutson	Rayburn	Winslow
Eagle	Kraus	Reavis	Wood, Ind.
Edmonds	Lampert	Reed, N. Y.	Woodyard
Evans, Nev.	Lehlbach	Reed, W. Va.	Young, N. Dak.
Fess	Lesher	Rhodes	Young, Tex.
Foster	Little	Ricketts	Zihlman
French	Luhring	Robsion, Ky.	

ANSWERED "PRESENT"—8.

Flood	Kinkaid	Lanham	Randall, Calif.
Holland	Kitchin	Lea, Calif.	Smith, Mich.

NOT VOTING—204.

Ackerman	Cantrill	Dyer	Gould
Alexander	Carew	Echols	Graham, Pa.
Andrews, Md.	Carter	Elliott	Greene, Vt.
Anthony	Christopherson	Ellsworth	Griest
Ashbrook	Clark, Fla.	Emerson	Hamill
Aswell	Classon	Esch	Hamilton
Babka	Cole	Evans, Mont.	Hardy, Colo.
Bankhead	Cooper	Evans, Nebr.	Haskell
Barbour	Copley	Fairfield	Hastings
Bee	Cramton	Ferris	Hawley
Benham	Crisp	Fields	Hersey
Benson	Currie, Mich.	Fitzgerald	Hicks
Bland, Ind.	Dallinger	Fordney	Hill
Bland, Mo.	Darrow	Frear	Huddleston
Boies	Davey	Freeman	Humphreys
Booher	Dempsey	Fuller, Ill.	Husted
Brand	Dewalt	Fuller, Mass.	Ireland
Britten	Dickinson, Mo.	Gallivan	Johnson, Miss.
Brooks, Ill.	Dickinson, Iowa	Gandy	Johnson, S. Dak.
Browne	Donovan	Ganly	Johnston, N. Y.
Browning	Dooling	Glynn	Jones, Pa.
Brumbaugh	Doremus	Godwin, N. C.	Juul
Burroughs	Doughton	Goldfogle	Kahn
Butler	Dowell	Good	Kearns
Caldwell	Drane	Goodall	Kennedy, Iowa
Kennedy, R. I.	Monahan, Wis.	Riordan	Stephens, Miss.
Kettner	Moon	Robinson, N. C.	Stephens, Ohio
Kiess	Mooney	Rogers	Stevenson
Kleczka	Moore, Ohio	Rouse	Strong, Pa.
Kreider	Moore, Pa.	Rubey	Sullivan
LaGuardia	Mott	Rucker	Summers, Wash.
Langley	Mudd	Sabath	Taylor, Ark.
Larsen	Neely	Sanders, Ind.	Taylor, Tenn.
Layton	Nelson, Mo.	Sanders, La.	Thompson, Ohio
Linthicum	Nelson, Wis.	Sanford	Thompson, Okla.
Lonergan	Newton, Mo.	Saunders, Va.	Tilson
Longworth	Nicholls, S. C.	Schall	Tinkham
Luce	Olney	Sully	Towner
Lufkin	Osborne	Sears	Treadway
McClintic	Parker	Sells	Vare
McGlennon	Pell	Sherwood	Venable
McKenzie	Peters	Shreve	Vestal
McKiniry	Phelan	Siegel	Vinson
McKinley	Platt	Sinnott	Wason
MacCrate	Purnell	Sisson	Watson, Va.
Madden	Rainey, H. T.	Slemp	Webb
Magee	Rainey, J. W.	Smith, Ill.	White, Kans.
Maher	Ramsey	Smith, N. Y.	Wilson, Ill.
Major	Randall, Wis.	Snell	Wise
Mapes	Reber	Snyder	Wright
Mason	Riddick	Steele	Yates

So the motion to strike out the words was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. IRELAND with Mr. LINTHICUM.

Mr. DEMPSEY with Mr. ASWELL.

Mr. BROWNE with Mr. OLNEY.

Mr. MCKINLEY with Mr. GALLIVAN.

Mr. CRAMTON with Mr. DEWALT.

Mr. SNYDER with Mr. SMITH of New York.

Mr. CHRISTOPHERSON with Mr. SULLIVAN.

Mr. FAIRFIELD with Mr. SCULLY.

Mr. DYER with Mr. SANDERS of Louisiana.

Mr. GOODALL with Mr. MCCLINTIC.

Mr. PURNELL with Mr. NEELY.

Mr. BUTLER with Mr. STEELE.

Mr. EMERSON with Mr. MOONEY.

Mr. OSBORNE with Mr. BENSON.

Mr. JOHNSON of South Dakota with Mr. FLOOD.

Mr. HARDY of Colorado with Mr. VINSON.

Mr. KINKAID with Mr. HOLLAND.

Mr. EVANS of Nevada with Mr. ROBINSON of North Carolina.

Mr. ESCH with Mr. RUCKER.

Mr. ELLSWORTH with Mr. SABATH.

Mr. ELLIOTT with Mr. SAUNDERS of Virginia.

Mr. DOWELL with Mr. SEARS.

Mr. DICKINSON of Iowa with Mr. SHERWOOD.

Mr. DARROW with Mr. SISSON.

Mr. DALLINGER with Mr. STEPHENS of Mississippi.

Mr. BURROUGHS with Mr. STEVENSON.

Mr. BROWNING with Mr. TAYLOR of Arkansas.

Mr. BLAND of Indiana with Mr. VENABLE.

Mr. BARBOUR with Mr. LANHAM.

Mr. BRITTEN with Mr. WATSON of Virginia.

Mr. ANDREWS of Maryland with Mr. WISE.

Mr. ANTHONY with Mr. WEBB.

Mr. ACKERMAN with Mr. WRIGHT.

Mr. LANGLEY with Mr. CANTRILL.

Mr. MACCRATE with Mr. MCKINIRY.

Mr. LAYTON with Mr. BANKHEAD.

Mr. TOWNER with Mr. HASTINGS.

Mr. WASON with Mr. RUBEY.

Mr. SMITH of Michigan with Mr. ASHBROOK.

Mr. COOPER with Mr. THOMPSON of Oklahoma.

Mr. SELLS with Mr. PELL.

Mr. PETERS with Mr. DOREMUS.

Mr. MADDEN with Mr. CALDWELL.

Mr. MCKENZIE with Mr. CAREW.

Mr. SANDERS of Indiana with Mr. PHELAN.

Mr. YATES with Mr. DICKINSON of Missouri.

Mr. TINKHAM with Mr. MAHER.

Mr. SLEMP with Mr. NICHOLLS of South Carolina.

Mr. ROGERS with Mr. HENRY T. RAINEY.

Mr. RAMSEY with Mr. JOHN W. RAINEY.

Mr. MOORE of Pennsylvania with Mr. BEE.

Mr. PLATT with Mr. RANDALL of California.

Mr. GOOD with Mr. LONERGAN.

Mr. FREAR with Mr. RIORDAN.

Mr. WHITE of Kansas with Mr. DOUGHTON.

Mr. VARE with Mr. DRANE.

Mr. KENNEDY of Rhode Island with Mr. GANDY.

Mr. KENNEDY of Iowa with Mr. GANLY.

Mr. KEARNS with Mr. GODWIN of North Carolina.

Mr. KAHN with Mr. GOLDFOGLE.

Mr. HICKS with Mr. HAMILL.

Mr. HAWLEY with Mr. HUDDLESTON.

Mr. HASKELL with Mr. HUMPHREYS.
Mr. HAMILTON with Mr. JOHNSON of Mississippi.
Mr. GRIEST with Mr. JOHNSTON of New York.
Mr. GREENE of Vermont with Mr. KETTNER.
Mr. GRAHAM of Pennsylvania with Mr. LARSEN.
Mr. GOULD with Mr. LEA of California.
Mr. GLYNN with Mr. MCGLENNON.
Mr. SANFORD with Mr. CLARK of Florida.
Mr. NEWTON of Missouri with Mr. CRISP.
Mr. STEPHENS of Ohio with Mr. DAVEY.
Mr. WILSON of Illinois with Mr. DONOVAN.
Mr. TILSON with Mr. MAJOR.
Mr. SMITH of Illinois with Mr. NELSON of Missouri.
Mr. LONGWORTH with Mr. FERRIS.
Mr. KREIDER with Mr. FIELDS.
Mr. KIESS with Mr. FITZGERALD.
Mr. SNELL with Mr. MOON.
Mr. MOTT with Mr. BABKA.
Mr. NELSON of Wisconsin with Mr. DOOLING.
Mr. MUDD with Mr. ALEXANDER.
Mr. MASON with Mr. BLAND of Missouri.
Mr. MAPES with Mr. BRAND.
Mr. MAGEE with Mr. BRUMBAUGH.
Mr. LUFKIN with Mr. CARTER.
Mr. LUCE with Mr. EVANS of Montana.
Mr. FORDNEY with Mr. KITCHIN.

Mr. SMITH of Michigan. Mr. Speaker, I voted "nay," but I am paired with the gentleman from Ohio, Mr. ASHBROOK, so I wish to withdraw my vote and to answer "present."

Mr. LANHAM. Mr. Speaker, having inadvertently overlooked a pair that I have with the gentleman from California, Mr. BARBOUR, I ask unanimous consent to withdraw my vote on the proposition to strike from the RECORD certain remarks made by the gentleman from Texas [Mr. BLANTON] and be marked "present."

The SPEAKER. Without objection, the change will be made.

There was no objection.

Mr. KITCHIN. Mr. Speaker, did the gentleman from Michigan, Mr. FORDNEY, vote?

The SPEAKER. He did not.

Mr. KITCHIN. Then I desire to withdraw my vote of "nay" and answer "present."

The name of Mr. KITCHIN was called, and he answered "Present."

The result of the vote was announced as above recorded.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House stand in recess until 15 minutes of 4 o'clock.

Mr. BLANTON. Mr. Speaker, I will state to the gentleman that I will be able to conclude in five minutes more, if I be not interrupted. I have a few matters that I desire to state. I can conclude in 10 minutes.

The SPEAKER. Does the gentleman object?

Mr. BLANTON. I do, because I do not like to be taken off the floor.

Mr. WINGO. The gentleman has already been taken off the floor.

Mr. WALSH. Oh, no; the words were not stricken out.

Mr. WINGO. It does not make any difference whether they were or not.

Mr. BLANTON. I will conclude in 10 minutes if the gentleman will not interrupt me.

Mr. HEFLIN. Mr. Speaker, I suggest to the gentleman from Wyoming that in all fairness to the gentleman from Pennsylvania [Mr. BURKE] he ought to be given some time.

The SPEAKER. The gentleman from Texas objects to the request of the gentleman from Wyoming. Did the gentleman from Arkansas make a point of order?

Mr. WINGO. Yes; the point of order is this: If the Speaker will refer to the precedents, I think he will find that I am right. A point of order was made against the language of the gentleman and, under the rules of the House, the Speaker, by permitting the proceeding and entertaining a motion to strike out, thereby held that the language was unparliamentary.

The SPEAKER. The Chair does not so recollect. He did not so hold.

Mr. WINGO. I say that by that action the Chair did.

The SPEAKER. The Chair may be mistaken in his recollection, of course.

Mr. WINGO. I say that by that action the Chair did. I made the point of order on the language and asked that the words be taken down.

The SPEAKER. The Chair's understanding was not that the gentleman had made a point of order.

Mr. WINGO. Yes; I arose, made a point of order against the language, and demanded that the words be taken down.

The SPEAKER. He asked that the words be taken down. The Chair thinks that if the gentleman had made the point of order he would have asked the Chair to rule.

Mr. WINGO. It was up to the Chair. The practice of the House heretofore has been for the Speaker, if he thinks the words are disorderly, and that the House should pass on whether or not they should stay in the RECORD, then to entertain the motion to strike out. If the Speaker, when the words were reported and I made the motion, had held that they were not disorderly, he would have ruled that they were not disorderly and would have ruled my motion out of order, but the Speaker did not do that.

The SPEAKER. The Chair made no ruling at all. Let the Chair state the matter. There are two methods. The gentleman can make the point of order on the words, and the gentleman can demand that the words be taken down. The gentleman from Arkansas says that he did both. That may be so. The Chair did not so understand it. The Chair made no ruling at all on the question, and it would naturally seem to the Chair, if the gentleman did make the point of order, that he would have asked the Chair to rule upon it.

Mr. WINGO. With the Speaker's statement that he did not pass upon it one way or the other, I shall not press the point of order.

The SPEAKER. The gentleman from Texas is recognized.

Mr. BLANTON. Mr. Speaker, I stated that the duties of a passenger conductor were not arduous; that prior to these increases he received a salary of from $135 to $165 per month. Since these increases have been granted, according to a statement that I have from the Director General of Railroads for the United States, the passenger conductors on railroad trains now receive an average salary of $180 a month, plus time and a half for all overtime, which runs their salaries up in many cases considerably over $200 a month. They work eight hours a day, six days a week, having one day off in every week. They ride in comfortable coaches, out of the weather, and they eat in lavish dining cars at reduced rates. They have porters to wait on them, and they even have auditors to take up the tickets for them, and may I say in this connection that there are employees on freight trains to-day who receive more money from this Government than a colonel in the United States Army.

Yet we are asked for a cool billion of dollars in raises, and we are asked to do what McAdoo did and what Hines did under the lash of threats, to date the raise back to the 1st day of January of this year.

I have no personal feeling in the matter. I have the highest regard for my colleague. One of my best friends that I have in this House is the distinguished gentleman from Ohio [Mr. COOPER], that able, moral, highly respected legislator, God bless him, and there is no man here who deserves more credit, for he came to Congress from an engine cab, and I take off my hat to him. There is no man in this whole country for whom I have higher respect and regard and personal friendship, but he is not the kind of man, and the gentleman from Pennsylvania [Mr. BURKE] is not the kind of man, who controls these brotherhoods. They are controlled by the radicals, by men like Plumb and Jewell and Stone, who want to take $20,000,000,000 of private property from widows and orphans and little minor children whose ancestors possibly have acquired it through a lifetime of thrift, energy, and effort. He wants to wipe out the security of private rights in private property. Oh, Mr. Speaker, we have been too busy in making the high seas safe for a few rich Americans to travel upon, and we have forgotten to make the sacred soil of America safe for Americans to live upon. [Applause.] I said they came to us like highwaymen. Have they not? No highwayman ever presented to his victims a deadlier weapon. Mr. Jewell says we have got to grant them a cool billion dollars in wages and that we must give them $20,000,000,000 of private property.

What is the alternative? What is the weapon that he points at the heart of this Republic? That he would tie up the railway industry so tight that not a train will run. Food distribution ceases, coal shipments stop, innocent women and children are to freeze this winter. And you have got a threat in the newspapers here in the Nation's Capital that to-morrow you will not be able to bring a train in or take a train out. You have got members of the brotherhood down here on guard in a peaceful country that has just spent $40,000,000,000 to make the world a safe place to live in, picketing by force all yards and shops, who will kill and murder if necessary. You have got them down here right now on guard in an effort to prevent honest Americans from working who want to work. If Congress will pass the resolution that I put in that basket awhile ago there will not be any tie-up. There will not be any further interference

with the transmission of interstate mails and traffic. If Congress will pass the resolution that I put in the basket awhile ago there will not be any truckling or acceding to threats and there will not be any $20,000,000,000 taken from the pockets of private citizens and turned over to these marauders of a Republic. It is nothing but open brigandage hitherto not tolerated by a Republic.

I have introduced a resolution here in that basket which you may term a third declaration of war. The last two were declarations of war in foreign countries and this is a declaration of war that makes the soil of the United States sacred to the American people and is to make America a safe place to live in. It authorizes and directs the President of the United States to run the anarchy and anarchists out of this country. It turns over to the President and pledges to him the entire Naval and Military Establishments of this country to put to sleep forever and eternally certain socialistic doctrines, as the Plumb plan [applause]; a doctrine which even to be considered by Congress is a travesty upon good common sense and justice of this country. Highwaymen! In that connection they talk about lowering the high price of living. I call my good friend's attention to the fact that Mr. Henry Bacon, the great shoe manufacturer of Haverhill, Mass., through just such threats and strikes, has been forced to pay the men in his factory who cut shoe linings for shoes $120 a week for 44 hours a week and he pays the men who cut the leather from $70 to $80 a week for 44 hours a week, and they do not work one single minute on Saturday or Sunday. They only work five days a week. These shoe-lining cutters have got to have their four Saturdays in each month in order to spend that $480 for 20 days' work that they receive. Four hundred and eighty dollars for 20 days' work! If you will get the Rochester Herald of April 10 last you will see the declaration of the organization of the Electrical Workers' Union, whereby they state that thenceforth every journeyman must be paid $9 a day for six hours' work; that their foremen of five men or more must receive $10.50 a day for six hours' work, and for all time over six hours they must be paid $3 an hour for overtime. They further declare, and they put it in existence and in practice, that whenever they are called upon to work in the rain or in the snow they must be paid $18 a day for six hours' work. They further declare that on every Saturday they shall work only three hours and yet receive a full day's wages. There is the secret of your high cost of living. There has been a decrease in production all down the line. There have been too many men working too few hours, and for wages far in excess of the value of their services. Why, when I was on a farm it was a question of who could pick the most cotton in a day, who could chop the most cotton and the most corn, who could plow the most acreage. It was a question of efficiency, a question of the greatest production. That is the problem of the farm. There is not a member of these brotherhoods, there is not a member of union labor anywhere that produces one single product raised from the farm. It is to their interest to cry down the price of every farm product while they are raising the price of everything that the farmer uses on the farm through the increased wages they receive. It is a class privilege which has grown up in our land that has secretly and quietly grown up through the organization which Mr. Jewell says and which Mr. Plumb says is so strong that they can come before your Committee on Interstate and Foreign Commerce and brazenly tell it through their representatives and Mr. Plumb that if you do not do like we ask there is going to be a revolution in this country. A revolution! Now, men, it is up to us. Congress has now reached the Marne.

I ask you, you men, you good men of Congress, who are brave, who I know have never truckled in your life, I ask you good men, do not begin now to truckle. [Applause.] I ask you to take such steps that will wipe out of this whole Nation every single vestige of Bolshevism [applause] that has been existing and growing so long. [Applause.] If this Congress does not do something of that kind, then I want to tell you this, that we will brand ourselves from San Francisco to Florida as arrant cowards, afraid to do our duty, afraid to carry out our oath to the Constitution that makes us uphold the principles of that flag for which this Nation has fought for so many years. Gentlemen, I thank you. [Applause.]

Mr. BURKE. Mr. Speaker, I ask the privilege of replying to the remarks made by the gentleman on last Saturday.

The SPEAKER. For how long a time?

Mr. BURKE. It will take only a few minutes.

The SPEAKER. But the gentleman must state the time.

Mr. BURKE. It will not take more than 10 minutes

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to address the House for 10 minutes in reply to the gentleman from Texas? Is there objection? [After a pause.] The Chair hears none.

Mr. BURKE. Mr. Speaker and gentlemen, I take this opportunity to reply to some remarks made by the gentleman from Texas [Mr. BLANTON] in this Chamber last Saturday, at which time, I think, he very unfairly and unwarrantedly made an assault on the four railroad brotherhoods, and also made incorrect statements as to how the membership of the brotherhoods were paid in the way of overtime, and the number of days they worked monthly to get the monthly guaranty.

Let me read from the RECORD of Saturday the gentleman's own statement regarding this. He says:

A passenger conductor at that time during the war, before the increase was granted, received $135 to $165 per month for eight hours' work, six days in the week, with time and a half for all time over eight hours.

This statement is incorrect. In the eastern territory the minimum wage for a passenger conductor at the time he refers to was only $135 for a 30-day month, and there was not then, and there is not now, time and a half for overtime. Let me quote the rule governing this as handed down by the arbitration board covering the eastern territory:

Regularly assigned passenger trainmen who are ready for service the entire month, and who do not lay off of their own accord, shall receive the following minimum sums, exclusive of overtime, for the calendar month: Conductors, $135.

The conductors, through their organization, and in conjunction with the other three organizations, have justly asked that time and a half for overtime be paid, but it has not yet been granted.

Mr. BLANTON. What is the gentleman reading from?

Mr. BURKE. What am I reading from? I am reading from my own statements, and they are facts, too, and the gentleman has the right to challenge them if they are not.

Mr. BLANTON. That is not in accordance with Mr. Hines's statement to me.

Mr. BURKE. I do not know what Director Hines said to you, but I know how the men are paid, and I do know that they are not paid time and a half for overtime. That is why I said before that your statement was incorrect.

He charges that the conductors ride in comfortable coaches, with porters to wait on them and auditors to collect the tickets. This statement on the face of it is so exaggerated that it is unworthy of comment.

The gentleman from Texas asserts that the railroad conductor comes in like a highwayman, threatening to tie up the traffic of the Nation so tight that railway activities and the business of the Nation will be destroyed unless this Congress gives the four great brotherhoods $1,000,000,000 more annual increase. I deny this charge and brand it as either exaggerated or made through the grossest ignorance. He says the brotherhoods are trying to make Congress truckle. I deny this, too. The brotherhoods are doing no such thing. When a wage question arises, they take it to the proper source, the board created by this Government for this purpose, and then to the Director General of Railroads.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman may be allowed to proceed for five minutes more.

The SPEAKER. The gentleman from Texas asks unanimous consent that the gentleman from Pennsylvania may proceed for five minutes more. Is there objection?

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the gentleman may continue for five minutes.

The SPEAKER. The gentleman from Texas has already preferred that request. Is there objection?

There was no objection.

Mr. BURKE. The gentleman from Texas blames the railroad brotherhoods for keeping him in Washington at this time. The matter which has kept Congress here is the most vital question of the day, and it is a question that can not be sidestepped but must be squarely met. A universal cry and demand has gone out from the people of this country that the cost of the necessities of life must be lowered in price. The Order of Railway Conductors and the Brotherhood of Locomotive Engineers, through their authorized representatives, carried an appeal to the President of the United States for relief from the exorbitant cost of living, and they were within their constitutional rights in so doing. In making an appeal for relief they voiced the sentiment of every American workingman in the country. And let me say here that if their appeal to the President of the United States to have the cost of living lowered is effective and brings action from this body to stamp out the crime of profiteering in the necessities of life, they will have rendered a public service to the people of the Nation.

The railroad men of the country need no defense by me. Their record of patriotism and loyalty to country is unequaled. During the war they stood faithfully at their post and gave the best

that was in them to their country. They bought Liberty bonds and Victory bonds out of their earnings, and not only bought them, but gave their time in selling them. They had but one thought in mind—to win the war—and they worked unto this end. The younger members of the organizations answered their country's call in defense of liberty and to preserve the rights of humanity.

Personal malice against labor organizations or the working classes should not be aired in this congressional Chamber. What is wanted from this Congress is results beneficial to the Nation and the people. [Applause.]

Nearly 100,000,000 American people are suffering because they have not sufficient means to pay the exorbitant prices for the food that sustains life. Wage increases mean nothing, because as soon as an increase is granted the price of food goes soaring; shoes and clothing go skyrocketing in price and the American workingman is again facing the problem of trying to make ends meet on an insufficient wage.

Let Congress heed the cry of the people of this country and do something speedily to put an end to the exploitation of the American people by the profiteers and secure relief from the deplorable conditions now in existence. [Applause.]

I thank you, gentlemen.

Mr. BLACK. Mr. Speaker, will the gentleman yield for a question?

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

RECESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House stand in recess until 15 minutes to 4.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the House stand in recess until 15 minutes to 4. Is there objection?

There was no objection.

Accordingly (at 2 o'clock p. m.) the House stood in recess until 3 o'clock and 45 minutes p. m.

AFTER THE RECESS.

The recess having expired, the House was called to order by the Speaker.

JOINT MEETING OF SENATE AND HOUSE.

At 3 o'clock and 56 minutes p. m. the Doorkeeper announced the Vice President of the United States and the Members of the United States Senate.

The Members of the House rose.

The Senate, preceded by the Vice President and by their Secretary and Sergeant at Arms, entered the Chamber.

The Vice President took the chair at the right of the Speaker, and the Members of the Senate took the seats reserved for them.

The SPEAKER. The Speaker appoints on the part of the House as a committee to wait upon the President and escort him to the Hall, the gentleman from Wyoming [Mr. MONDELL], the gentlemen from Illinois [Mr. CANNON and Mr. MANN], the gentleman from Missouri [Mr. CLARK] and the gentleman from North Carolina [Mr. KITCHIN].

The VICE PRESIDENT. On behalf of the Senate, the Vice President appoints Senators CUMMINS, LODGE, SIMMONS, HITCHCOCK, and MCCUMBER.

At 4 o'clock and 1 minute p. m. the President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House, was announced by the Doorkeeper, and stood at the Clerk's desk, amid applause on the floor and in the galleries.

The SPEAKER. Gentleman of the Senate and House of Representatives, the President of the United States. [Applause.]

ADDRESS OF THE PRESIDENT.

The PRESIDENT. Gentlemen of the Congress, I have sought this opportunity to address you because it is clearly my duty to call your attention to the present cost of living and to urge upon you with all the persuasive force of which I am capable the legislative measures which would be most effective in controlling it and bringing it down. The prices the people of this country are paying for everything that it is necessary for them to use in order to live are not justified by a shortage in supply, either present or prospective, and are in many cases artificially and deliberately created by vicious practices which ought immediately to be checked by law. They constitute a burden upon us which is the more unbearable because we know that it is wilfully imposed by those who have the power and that it can by vigorous public action be greatly lightened and made to square with the actual conditions of supply and demand. Some of the methods by which these prices are produced are already illegal, some of them criminal, and those who employ them will be energetically proceeded against; but others have not yet been brought under the law, and should be dealt with at once by legislation.

I need not recite the particulars of this critical matter: the prices demanded and paid at the sources of supply, at the factory, in the food markets, at the shops, in the restaurants and hotels, alike in the city and in the village. They are familiar to you. They are the talk of every domestic circle and of every group of casual acquaintances even. It is matter of familiar knowledge, also, that a process has set in which is likely, unless something is done, to push prices and rents and the whole cost of living higher and yet higher, in a vicious cycle to which there is no logical or natural end. With the increase in the prices of the necessaries of life come demands for increases in wages,—demands which are justified if there be no other way of enabling men to live. Upon the increase of wages there follows close an increase in the price of the products whose producers have been accorded the increase,—not a proportionate increase, for the manufacturer does not content himself with that, but an increase considerably greater than the added wage cost and for which the added wage cost is oftentimes hardly more than an excuse. The labourers who do not get an increase in pay when they demand it are likely to strike, and the strike only makes matters worse. It checks production, if it affects the railways it prevents distribution and strips the markets, so that there is presently nothing to buy, and there is another excessive addition to prices resulting from the scarcity.

These are facts and forces with which we have become only too familiar; but we are not justified because of our familiarity with them or because of any hasty and shallow conclusion that they are "natural" and inevitable in sitting inactively by and letting them work their fatal results if there is anything that we can do to check, correct, or reverse them. I have sought this opportunity to inform the Congress what the Executive is doing by way of remedy and control, and to suggest where effective legal remedies are lacking and may be supplied.

We must, I think, frankly admit that there is no complete immediate remedy to be had from legislation and executive action. The free processes of supply and demand will not operate of themselves and no legislative or executive action can force them into full and natural operation until there is peace. There is now neither peace nor war. All the world is waiting,—with what unnerving fears and haunting doubts who can adequately say?—waiting to know when it shall have peace and what kind of peace it will be when it comes,—a peace in which each nation shall make shift for itself as it can, or a peace buttressed and supported by the will and concert of the nations that have the purpose and the power to do and to enforce what is right. [Applause.] Politically, economically, socially the World is on the operating table, and it has not been possible to administer any anesthetic. It is conscious. It even watches the capital operation upon which it knows that its hope of healthful life depends. It cannot think its business out or make plans or give intelligent and provident direction to its affairs while in such a case. Where there is no peace of mind there can be no energy in endeavour. There can be no confidence in industry, no calculable basis for credits, no confident buying or systematic selling, no certain prospect of employment, no normal restoration of business, no hopeful attempt at reconstruction or the proper reassembling of the dislocated elements of enterprise until peace has been established and, so far as may be, guaranteed.

Our national life has no doubt been less radically disturbed and dismembered than the national life of other peoples whom the war more directly affected, with its terrible ravaging and destructive force, but it has been, nevertheless, profoundly affected and disarranged, and our industries, our credits, our productive capacity, our economic processes are inextricably interwoven with those of other nations and peoples,—most intimately of all with the nations and peoples upon whom the chief burden and confusion of the war fell and who are now most dependent upon the cooperative action of the world.

We are just now shipping more goods out of our ports to foreign markets than we ever shipped before,—not food stuffs merely, but stuffs and materials of every sort; but this is no index of what our foreign sales will continue to be or of the effect the volume of our exports will have on supplies and prices. It is impossible yet to predict how far or how long foreign purchasers will be able to find the money or the credit to pay for or sustain such purchases on such a scale; how soon or to what extent foreign manufacturers can resume their former production, foreign farmers get their accustomed crops from their own fields, foreign mines resume their former output, foreign merchants set up again their old machinery of trade

with the ends of the earth. All these things must remain uncertain until peace is established and the nations of the world have concerted the methods by which normal life and industry are to be restored. And all that we can do, in the meantime, to restrain profiteering and put the life of our people upon a tolerable footing will be makeshift and provisional. There can be no settled conditions here or elsewhere until the treaty of peace is out of the way and the work of liquidating the war has become the chief concern of our government and of the other governments of the world. [Applause.] Until then business will inevitably remain speculative and sway now this way and again that, with heavy losses or heavy gains as it may chance, and the consumer must take care of both the gains and the losses. There can be no peace prices so long as our whole financial and economic system is on a war basis.

Europe will not, cannot recoup her capital or put her restless, distracted peoples to work until she knows exactly where she stands in respect of peace; and what we will do is for her the chief question upon which her quietude of mind and confidence of purpose depend. While there is any possibility that the peace terms may be changed or may be held long in abeyance or may not be enforced because of divisions of opinion among the Powers associated against Germany, it is idle to look for permanent relief. [Applause.]

But what we can do we should do, and should do at once. And there is a great deal that we can do, provisional though it be. Wheat shipments and credits to facilitate the purchase of our wheat can and will be limited and controlled in such a way as not to raise but rather to lower the price of flour here. The Government has the power, within certain limits, to regulate that. We cannot deny wheat to foreign peoples who are in dire need of it, and we do not wish to do so; but, fortunately, though the wheat crop is not what we hoped it would be, it is abundant if handled with provident care. The price of wheat is lower in the United States than in Europe, and can with proper management be kept so.

By way of immediate relief, surplus stocks of both food and clothing in the hands of the Government will be sold, and of course sold at prices at which there is no profit. And by way of a more permanent correction of prices surplus stocks in private hands will be drawn out of storage and put upon the market. Fortunately, under the terms of the Food Control Act the hoarding of food stuffs can be checked and prevented; and they will be, with the greatest energy. [Applause.] Food stuffs can be drawn out of storage and sold by legal action which the Department of Justice will institute wherever necessary; but so soon as the situation is systematically dealt with it is not likely that the courts will often have to be resorted to. Much of the accumulating of stocks has no doubt been due to the sort of speculation which always results from uncertainty. Great surpluses were accumulated because it was impossible to foresee what the market would disclose and dealers were determined to be ready for whatever might happen, as well as eager to reap the full advantage of rising prices. They will now see the disadvantage, as well as the danger, of holding off from the new process of distribution.

Some very interesting and significant facts with regard to stocks on hand and the rise of prices in the face of abundance have been disclosed by the inquiries of the Department of Agriculture, the Department of Labor and the Federal Trade Commission. They seem to justify the statement that in the case of many necessary commodities effective means have been found to prevent the normal operation of the law of supply and demand. Disregarding the surplus stocks in the hands of the Government, there was a greater supply of food stuffs in this country on June first of this year than at the same date last year. In the combined total of a number of the most important foods in dry and cold storage the excess was quite nineteen per cent. And yet prices have risen. The supply of fresh eggs on hand in June of this year, for example, was greater by nearly ten per cent. than the supply on hand at the same time last year and yet the wholesale price was forty cents a dozen as against thirty cents a year ago. The stock of frozen fowls had increased more than two hundred and ninety-eight per cent. and yet the price had risen also, from thirty-four and a half cents per pound to thirty-seven and a half cents. The supply of creamery butter had increased a hundred and twenty-nine per cent. and the price from forty-one to fifty-three cents per pound. The supply of salt beef had been augmented three per cent. and the price had gone up from thirty-four dollars a barrel to thirty-six dollars a barrel. Canned corn had increased in stock nearly ninety-two per cent. and had remained substantially the same in price. In a few food stuffs the prices had declined, but in nothing like the proportion in which the supply had increased. For example, the stock of canned tomatoes had increased one hundred and two per cent. and yet the price had declined only twenty-five cents per dozen cans. In some cases there had been the usual result of an increase of price following a decrease of supply, but in almost every instance the increase of price had been disproportionate to the decrease in stock.

The Attorney General has been making a careful study of the situation as a whole and of the laws that can be applied to better it and is convinced that, under the stimulation and temptation of exceptional circumstances, combinations of producers and combinations of traders have been formed for the control of supplies and of prices which are clearly in restraint of trade, and against these prosecutions will be promptly instituted and actively pushed which will in all likelihood have a prompt corrective effect. [Applause.] There is reason to believe that the prices of leather, of coal, of lumber, and of textiles have been materially affected by forms of concert and cooperation among the producers and marketers of these and other universally necessary commodities which it will be possible to redress. No watchful or energetic effort will be spared to accomplish this necessary result. I trust that there will not be many cases in which prosecution will be necessary. Public action will no doubt cause many who have perhaps unwittingly adopted illegal methods to abandon them promptly and of their own motion.

And publicity can accomplish a great deal. The purchaser can often take care of himself if he knows the facts and influences he is dealing with; and purchasers are not disinclined to do anything, either singly or collectively, that may be necessary for their self-protection. The Department of Commerce, the Department of Agriculture, the Department of Labor, and the Federal Trade Commission can do a great deal towards supplying the public, systematically and at short intervals, with information regarding the actual supply of particular commodities that is in existence and available, with regard to supplies which are in existence but not available because of hoarding, and with regard to the methods of price fixing which are being used by dealers in certain food stuffs and other necessaries. There can be little doubt that retailers are in part,—sometimes in large part,—responsible for exorbitant prices; and it is quite practicable for the Government, through the agencies I have mentioned, to supply the public with full information as to the prices at which retailers buy and as to the costs of transportation they pay, in order that it may be known just what margin of profit they are demanding. Opinion and concerted action on the part of purchasers can probably do the rest.

That is, these agencies may perform this indispensable service provided the Congress will supply them with the necessary funds to prosecute their inquiries and keep their price lists up to date. Hitherto the Appropriation Committees of the Houses have not always, I fear, seen the full value of these inquiries, and the Departments and Commissions have been very much straitened for means to render this service. That adequate funds be provided by appropriation for this purpose, and provided as promptly as possible, is one of the means of greatly ameliorating the present distressing conditions of livelihood that I have come to urge, in this attempt to concert with you the best ways to serve the country in this emergency. It is one of the absolutely necessary means, underlying many others, and can be supplied at once.

There are many other ways. Existing law is inadequate. There are many perfectly legitimate methods by which the Government can exercise restraint and guidance.

Let me urge, in the first place, that the present food control Act should be so extended both as to the period of time during which it shall remain in operation and as to the commodities to which it shall apply. Its provisions against hoarding should be made to apply not only to food but also to feed stuffs, to fuel, to clothing, and to many other commodities which are indisputably necessaries of life. As it stands now it is limited in operation to the period of the war and becomes inoperative upon the formal proclamation of peace. But I should judge that it was clearly within the constitutional power of the Congress to make similar permanent provisions and regulations with regard to all goods destined for inter-state commerce and to exclude them from inter-state shipment if the requirements of the law are not complied with. Some such regulation is imperatively necessary. The abuses that have grown up in the manipulation of prices by the withholding of food stuffs and other necessaries of life cannot otherwise be effectively prevented. There can be no doubt of either the necessity or the legitimacy of such measures. May I not call attention to the fact, also, that, although the present Act prohibits profiteering, the prohibition is accompanied by no penalty. It is clearly in the public interest that a penalty should be provided which will be persuasive.

To the same end, I earnestly recommend, in the second place, that the Congress pass a law regulating cold storage as it is regulated, for example, by the laws of the State of New Jersey,

which limit the time during which goods may be kept in storage, prescribe the method of disposing of them if kept beyond the permitted period, and require that goods released from storage shall in all cases bear the date of their receipt. It would materially add to the serviceability of the law, for the purpose we now have in view, if it were also prescribed that all goods released from storage for inter-state shipment should have plainly marked upon each package the selling or market price at which they went into storage. By this means the purchaser would always be able to learn what profits stood between him and the producer or the wholesale dealer.

It would serve us a useful example to the other communities of the country, as well as greatly relieve local distress, if the Congress were to regulate all such matters very fully for the District of Columbia, where its legislative authority is without limit.

I would also recommend that it be required that all goods destined for inter-state commerce should in every case where their form or package makes it possible be plainly marked with the price at which they left the hands of the producer. Such a requirement would bear a close analogy to certain provisions of the Pure Food Act, by which it is required that certain detailed information be given on the labels of packages of foods and drugs.

And it does not seem to me that we can confine ourselves to detailed measures of this kind, if it is indeed our purpose to assume national control of the processes of distribution. I take it for granted that that is our purpose and our duty. Nothing less will suffice. We need not hesitate to handle a national question in a national way. We should go beyond the measures I have suggested. We should formulate a law requiring a federal license of all corporations engaged in interstate commerce and embodying in the license, or in the conditions under which it is to be issued, specific regulations designed to secure competitive selling and prevent unconscionable profits in the methods of marketing. Such a law would afford a welcome opportunity to effect other much needed reforms in the business of inter-state shipment and in the methods of corporations which are engaged in it; but for the moment I confine my recommendations to the object immediately in hand, which is to reduce the cost of living.

May I not add that there is a bill now pending before the Congress which, if passed, would do much to stop speculation and to prevent the fraudulent methods of promotion by which our people are annually fleeced of many millions of hard-earned money. I refer to the measure proposed by the Capital Issues Committee for the control of security issues. It is a measure formulated by men who know the actual conditions of business and its adoption would serve a great and beneficent purpose.

We are dealing, Gentlemen of the Congress, I need hardly say, with very critical and very difficult matters. We should go forward with confidence along the road we see, but we should also seek to comprehend the whole of the scene amidst which we act. There is no ground for some of the fearful forecasts I hear uttered about me, but the condition of the world is unquestionably very grave and we should face it comprehendingly. The situation of our own country, as I have said, is exceptionally fortunate. We of all peoples can afford to keep our heads and to determine upon moderate and sensible courses of action [applause] which will ensure us against the passions and distempers which are working such deep unhappiness for some of the distressed nations on the other side of the sea. But we may be involved in their distress unless we help, and help with energy and intelligence.

The world must pay for the appalling destruction wrought by the great war, and we are part of the world. We must pay our share. For five years now the industry of all Europe has been slack and disordered. The normal crops have not been produced; the normal quantity of manufactured goods has not been turned out. Not until there are the usual crops and the usual production of manufactured goods on the other side of the Atlantic can Europe return to the former conditions; and it was upon the former conditions, not the present, that our economic relations with Europe were built. We must face the fact that unless we help Europe to get back to her normal life and production a chaos will ensue there which will inevitably be communicated to this country. For the present, it is manifest, we must quicken, not slacken our own production. We, and we almost alone, now hold the world steady. Upon our steadfastness and self-possession depend the affairs of nations everywhere. It is in this supreme crisis,—this crisis for all mankind,—that America mut prove her mettle. In the presence of a world confused, distracted, she must show herself self-possessed, self-contained, capable of sober and effective action. [Applause.] She saved Europe by her action in arms; she must now save it by her action in peace. [Applause.] In saving Europe she will save herself, as she did upon the battlefields of the war. The calmness and capacity with which she deals with and masters the problems of peace will be the final test and proof of her place among the peoples of the world.

And, if only in our own interest, we must help the people over seas. Europe is our best customer. We must keep her going or thousands of our shops and scores of our mines must close. There is no such thing as letting her go to ruin without ourselves sharing in the disaster.

In such circumstances, face to face with such tests, passion must be discarded. Passion and a disregard for the rights of others have no place in the counsels of a free people. [Applause.] We need light, not heat, in these solemn times of self-examination and saving action. There must be no threats. [Applause.] Let there be only intelligent counsel, and let the best reasons win, not the strongest brute force. The world has just destroyed the arbitrary force of a military junta. It will live under no other. All that is arbitrary and coercive is in the discard. Those who seek to employ it will only prepare their own destruction. [Applause.]

We cannot hastily and over night revolutionize all the processes of our economic life, and we shall not attempt to do so. These are days of deep excitement and of extravagant speech; but with us these things are of the surface. Everyone who is in real touch with the silent masses of our great people knows that the old strong fibre and steady self-control are still there [applause], firm against violence or any distempered action that would throw their affairs into confusion. I am serenely confident that they will readily find themselves, no matter what the circumstances, and that they will address themselves to the tasks of peace with the same devotion and the same stalwart preference for what is right that they displayed to the admiration of the whole world in the midst of war. [Applause.]

And I entertain another confident hope. I have spoken to-day chiefly of measures of imperative regulation and legal compulsion, of prosecutions and the sharp correction of selfish processes; and these, no doubt, are necessary. But there are other forces that we may count on besides those resident in the Department of Justice. We have just fully awakened to what has been going on and to the influences, many of them very selfish and sinister, that have been producing high prices and imposing an intolerable burden on the mass of our people. To have brought it all into the open will accomplish the greater part of the result we seek. I appeal with entire confidence to our producers, our middlemen, and our merchants to deal fairly with the people. It is their opportunity to show that they comprehend, that they intend to act justly, and that they have the public interest sincerely at heart. And I have no doubt that housekeepers all over the country, and everyone who buys the things he daily stands in need of will presently exercise a greater vigilance, a more thoughtful economy, a more discriminating care as to the market in which he buys or the merchant with whom he trades than he has hitherto exercised.

I believe, too, that the more extreme leaders of organized labour will presently yield to a sober second thought and, like the great mass of their associates, they will think and act like true Americans. [Applause.] They will see that strikes undertaken at this critical time are certain to make matters worse, not better,—worse for them and for everybody else. The worst thing, the most fatal thing that can be done now is to stop or interrupt production or interfere with the distribution of goods by the railways and the shipping of the country. [Applause.] We are all involved in the distressing results of the high cost of living and we must unite, not divide, to correct it. There are many things that ought to be corrected in the relations between capital and labour, in respect of wages and conditions of labour and other things even more far-reaching, and I, for one, am ready to go into conference about these matters with any group of my fellow countrymen who know what they are talking about and are willing to remedy existing conditions by frank counsel rather than by violent contest. [Applause.] No remedy is possible while men are in a temper, and there can be no settlement which does not have as its motive and standard the general interest. Threats and undue insistence upon the interest of a single class make settlement impossible. [Applause.] I believe, as I have hitherto had occasion to say to the Congress, that the industry and life of our people and of the world will suffer irreparable damage if employers and workmen are to go on in a perpetual contest, as antagonists. They must, on one plan or another, be effectively associated. Have we not steadiness and self-possession and business sense enough to work out that result? Undoubtedly we have, and we shall work it out. In the meantime,—now and in the days of readjustment and recuperation that are ahead of us,—let us resort more and more to frank and intimate counsel and make ourselves a great and triumphant Nation by making ourselves a united force in the life of the world. It will not then have looked to us for leadership in vain. [Applause.]

At 4 o'clock and 39 minutes p. m. the President retired from the Hall of the House.

Thereupon the Vice President and the Members of the Senate returned to their Chamber.

The SPEAKER. The joint session is now adjourned.

REFERENCE OF THE PRESIDENT'S ADDRESS.

Mr. MONDELL. Mr. Speaker, I move that the address of the President be referred to the Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Wyoming moves that the address of the President be referred to the Committee of the Whole House on the state of the Union. Without objection, it will be so referred.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. VINSON, for 10 days, on account of important business.

To Mr. IRELAND, for about two weeks, on account of death in his family.

To Mr. STEVENSON (at the request of Mr. DOMINICK), for 10 days, on account of illness in his family.

RATIFICATION OF WOMAN SUFFRAGE AMENDMENT BY NEBRASKA.

The SPEAKER laid before the House a communication from the secretary of state of the State of Nebraska announcing the ratification by the legislature of that State of the proposed amendment to the Constitution of the United States relating to woman suffrage.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 44 minutes p. m.) the House adjourned until Saturday, August 9, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Postmaster General, transmitting the claim of Edward A. Purdy, postmaster at Minneapolis, Minn., for credit on account of loss by burglary, together with report of investigating inspector (H. Doc. No. 175); to the Committee on Claims and ordered to be printed.

2. A letter from the Postmaster General, transmitting claim of E. K. Eichelberger, postmaster at Hanover, Pa., for credit on account of loss by burglary, together with reports of investigating inspectors (H. Doc. No. 176); to the Committee on Claims and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting estimate of appropriation to pay claim for damages by collision, river and harbor work, which has been adjusted and settled by the Chief of Engineers, United States Army (H. Doc. No. 177); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SMITH of Idaho, from the Committee on the Public Lands, to which was referred the bill (H. R. 1429) adding certain lands to the Idaho National Forest and the Payette National Forest, in the State of Idaho, reported the same without amendment, accompanied by a report (No. 225), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (H. R. 1430) to authorize the addition of certain lands to the Weiser National Forest, Idaho, reported the same with amendment, accompanied by a report (No. 226), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SHERWOOD (by request): A bill (H. R. 8335) to provide legal tender money without interest for public improvements, market roads, needs, and employment of discharged soldiers, sailors, marines, unemployed, and other citizens of the United States; to the Committee on Banking and Currency.

By Mr. KAHN: A bill (H. R. 8336) to provide American documents for the steamers *Port Saunders* and *Hawk*; to the Committee on the Merchant Marine and Fisheries.

By Mr. TINKHAM: A bill (H. R. 8337) to supply deficiency in the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes," approved July 11, 1919, and for other purposes; to the Committee on Appropriations.

By Mr. GRIGSBY: A bill (H. R. 8338) authorizing the Secretary of War to donate one German cannon or fieldpiece to each of the following cities in Alaska: Juneau, Ketchikan, Cordova, Seward, Valdez, Anchorage, Fairbanks, and Nome; to the Committee on Military Affairs.

By Mr. KENDALL: A bill (H. R. 8339) authorizing the Secretary of War to donate captured German cannon or field gun to the town of Masontown, Pa., for decorative purposes; to the Committee on Military Affairs.

By Mr. THOMAS: A bill (H. R. 8340) for the erection of a public building at Greenville, Muhlenberg County, Ky.; to the Committee on Public Buildings and Grounds.

By Mr. HAYDEN: A bill (H. R. 8341) to provide for the retirement of enlisted men of the Regular Army who have accepted commissions in the Army of the United States for service during the emergency; to the Committee on Military Affairs.

By Mr. HAUGEN: A bill (H. R. 8342) to promote agriculture by preventing the adulteration and misbranding of commercial feeds and for other purposes; to the Committee on Agriculture.

By Mr. BLANTON: Joint resolution (H. J. Res. 178) declaring that a state of anarchy exists in the United States of America, and authorizing the President to free interstate mails and traffic from further unlawful interference, to adequately protect citizens in their property rights, and making provisions for such action; to the Committee on Interstate and Foreign Commerce.

By Mr. KAHN: Joint resolution (H. J. Res. 179) tendering the thanks of the American people and the Congress of the United States to Gen. John J. Pershing and to the officers and men of the American Expeditionary Forces; to the Committee on Military Affairs.

By Mr. THOMAS: Resolution (H. Res. 235) requesting the Secretary of War to place on sale in the United States surplus Army supplies now in Europe; to the Committee on Military Affairs.

By Mr. BYRNES of South Carolina: Resolution (H. Res. 236) directing the Federal Trade Commission to ascertain the cost of manufacturing the various grades of cotton into yarns and cloths; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Memorial of the Legislature of Wisconsin, urging Congress to enact legislation providing adequate compensation for soldiers, sailors, and marines who served in the war against Germany, Austria, and their allies; to the Committee on Military Affairs.

Also, memorial from the Legislature of Wisconsin, urging Congress to pass the bill introduced by Hon. MARVIN JONES, relating to recognition of the services of soldiers, sailors, and marines; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 8343) granting an increase of pension to Solomon Hoagland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8344) granting an increase of pension to Ephraim L. Schank; to the Committee on Invalid Pensions.

By Mr. AYRES: A bill (H. R. 8345) granting a pension to Emma E. Briles; to the Committee on Invalid Pensons.

By Mr. CALDWELL: A bill (H. R. 8346) granting a pension to Helen Larsen; to the Committee on Pensions.

By Mr. CAMPBELL of Kansas: A bill (H. R. 8347) granting an increase of pension to Lee Toms; to the Committee on Pensions.

By Mr. FOCHT: A bill (H. R. 8348) granting an increase of pension to Henry F. Donehower; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 8349) granting an increase of pension to Sarah Prim; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8350) granting an increase of pension to William P. Dugan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8351) granting a pension to Morris E. Leighty; to the Committee on Pensions.

By Mr. GARLAND: A bill (H. R. 8352) for the relief of David Steers, alias William Johnson, alias John Hartman; to the Committee on Military Affairs.

By Mr. IGOE: A bill (H. R. 8353) granting an increase of pension to Lucian Lindsey; to the Committee on Pensions.

By Mr. McKENZIE: A bill (H. R. 8354) granting an increase of pension to James C. Goldthorp; to the Committee on Invalid Pensions.

By Mr. McKINLEY: A bill (H. R. 8355) granting an increase of pension to Daniel W. Cecil; to the Committee on Invalid Pensions.

By Mr. PARKER: A bill (H. R. 8356) granting a pension to Catherine Millington; to the Committee on Pensions.

By Mr. RAKER: A bill (H. R. 8357) for the relief of Andrew M. Dunlop; to the Committee on Claims.

By Mr. ROBSION of Kentucky: A bill (H. R. 8358) granting a pension to Gilson D. Moore; to the Committee on Pensions.

Also, a bill (H. R. 8359) granting a pension to Alonzo L. Housel; to the Committee on Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 8360) for the relief of the legal representatives of the estate of Henry H. Sibley, deceased; to the Committee on Claims.

By Mr. TAYLOR of Tennessee: A bill (H. R. 8361) granting a pension to Samuel C. Braden; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the Thrace-Greek community of Bangor, Me., appealing to the United States Congress for justice at the peace conference and to give justice to the Hellenic cause; to the Committee on Foreign Affairs.

Also, petition of 5,000 Ukrainians, protesting against occupation of Ukrainian territory by Poles; to the Committee on Foreign Affairs.

Also, petition of the convention of the National Association of Credit Men, urging encouragement of the building up of our merchant marine; to the Committee on Interstate and Foreign Commerce.

Also, petition of the National Association of Credit Men, opposing the present practice of attaching to important legislation the so-called rider; to the Committee on Rules.

Also, petition of the first district of California Congress of Mothers and Parent-Teacher Associations, favoring movements by Government along the line of naturalization; to the Committee on Immigration and Naturalization.

By Mr. BEGG: Petition of certain citizens of Lake Township, Ottawa County, Ohio, for an extension of rural route No. 1, out of Genoa, Ohio; to the Committee on the Post Office and Post Roads.

Also, resolutions adopted at a meeting of the Fostoria (Ohio) League of the Friends of Korea; to the Committee on Foreign Affairs.

By Mr. ESCH: Petition of the National Wholesale Grocers' Association of the United States, urging retention of zone advances; to the Committee on the Post Office and Post Roads.

Also, petition of the toy manufacturers of the United States, urging changes in railroad legislation; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Wisconsin Legislature, urging Congress to pass the bill introduced by Hon. MARVIN JONES relating to recognition of the services of soldiers, sailors, and marines; to the Committee on Military Affairs.

Also, petition of the Wisconsin Legislature, urging the Congress of the United States to enact legislation providing adequate compensation for soldiers, sailors, and marines who served in the war against Germany, Austria, and their allies; to the Committee on Military Affairs.

By Mr. FOCHT: Evidence in support of House bill 6700; to the Committee on Invalid Pensions.

By Mr. JACOWAY: Petition of W. H. Roerig, of Lutherville, Ark., favoring electric mail system; to the Committee on the Post Office and Post Roads.

By Mr. KELLEY of Michigan: Petition signed by more than a thousand citizens of Lansing, Mich., and vicinity, asking that the Senate and House of Representatives of the United States enact proper legislation giving the soldiers, sailors, and marines additional pay in the World War to the amount of $50 per month while in actual service; to the Committee on Military Affairs.

By Mr. KIESS: Additional evidence in support of House bill 5687, for the relief of Isaac Stead; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 7678, for the relief of John Yoder; to the Committee on Invalid Pensions.

By Mr. McARTHUR: Petition of the National Association of Supervisors of State Banks, congratulating the State banking institutions of the United States upon their splendid record during the war; to the Committee on Banking and Currency.

By Mr. MERRITT: Petition of the District Grand Lodge of New England, Knights of Pythias, colored, protesting against abuse and discrimination against the colored race; to the Committee on the Judiciary.

Also, petition of sundry citizens of Stamford, Conn., favoring the repeal of the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. O'CONNELL: Petition of the Illinois Association of Postmasters, regarding increase in salaries; to the Committee on the Post Office and Post Roads.

By Mr. PELL: Petition of sundry citizens of New York, for the repeal of the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. RAMSEYER: Petition of 27 citizens of Grinnell, Iowa, urging the repeal of the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

Also, petition of 15 Civil War veterans of Sigourney, Iowa, urging legislation for the general increase of pensions; to the Committee on Invalid Pensions.

Also, petitions of 113 retail grocers, urging support of the Kenyon bill, S. 2202; to the Committee on Agriculture.

By Mr. SINCLAIR: Petition of the South St. Paul Live Stock Exchange, protesting against the passage of the bills S. 2199 and S. 2202, known as the Kendrick and Kenyon bills; to the Committee on Agriculture.

By Mr. SMITH of Idaho: Petition of the convention of postmasters in Idaho, urging enactment of legislation providing for increased compensation; to the Committee on the Post Office and Post Roads.

By Mr. TINKHAM: Petition of the Benjamin Franklin Branch, Friends of Irish Freedom, opposing the league of nations; to the Committee on Foreign Affairs.

HOUSE OF REPRESENTATIVES.

SATURDAY, *August 9, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father in heaven, make us wise to apprehend, willing to obey, strong to execute Thy behests, patient to wait for results.

To think, to will, to act, to accomplish is life and progress. To repine, grumble, find fault, and wait for things to turn up is to deteriorate and become a dead-weight on the body politic.

I am come, said the Master, that they might have life and that they might have it more abundantly. He lives, reigns. May we be true disciples. Amen.

THE JOURNAL.

The Journal of the proceedings of yesterday was read.

Mr. McARTHUR. Mr. Speaker, I notice all the way through the reading of the Journal the presiding officer of the Senate is alluded to as the President pro tempore. The Vice President was in the Hall yesterday performing those duties, and I ask that the Journal be corrected accordingly.

The SPEAKER. Without objection the correction will be made in accordance with the statement of the gentleman from Oregon.

There was no objection.

The Journal was approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted, as follows:

To Mr. WALTERS, indefinitely, on account of illness.

To Mr. REAVIS, for one week, on account of illness.

Mr. MOORE of Pennsylvania. Mr. Speaker, I ask unanimous consent for leave of absence for six weeks, to attend to important public business in Philadelphia. [Prolonged applause.]

Mr. MONDELL. Mr. Speaker, reserving the right to object—and I shall not object to the request of the gentleman from Pennsylvania—I wish to say that it is with the greatest regret that we hear him make the request, because we all realize that the public business which he has in mind is a public business which may take him from us in the not distant future. I know that both sides of the House—even though the gentlemen on the Democratic side do not always agree with the gentleman from Pennsylvania—will regret very greatly his departure from this body even temporarily. [Applause.] We will all miss him and regret his going, but we shall all feel that wherever he

goes and to whatever duty he is called he will be the same honest, courageous, effective, and forceful man and public servant that he has always been in the House. [Applause.]

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 150. Joint resolution to suspend the requirements of annual assessment work on certain mining claims during the year 1919.

ENROLLED BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills and joint resolutions:

H. R. 7110. An act extending the time for the construction of a bridge across Flint River, in the State of Georgia;

H. J. Res. 163. Joint resolution authorizing the Secretary of Labor to lease the Charleston immigration station and dock connected therewith;

H. J. Res. 165. Joint resolution to allow the payment of bills lawfully incurred for construction work actually performed or construction material actually purchased and delivered prior to the approval of an act approved July 11, 1919 (Public, No. 7, 66th Cong., H. R. 5227); and

H. R. 5032. An act to extend the franchise in the parishes and separate congregations of the Protestant Episcopal Church in the District of Columbia.

ORDER OF BUSINESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Speaker, the President addressed the House yesterday on the very highly important question of the high cost of living. We listened to his address with attention and interest. It contained valuable information and important suggestions. The House will proceed with the consideration of the suggestions made by the President relative to those things that may require action by Congress. The President suggested the possible desirability of further appropriations. So far no estimates have reached the Congress asking for further appropriations than have already been made for the various departments of the Government. While we appropriated liberally for the Department of Justice and other law-enforcement services of the Government and only one full month of the fiscal year has elapsed, yet the Congress stands ready to promptly and carefully consider any estimates for further appropriations that may be presented, and hopes that such estimates as in the opinion of the departments of the Government are necessary and essential will be made as promptly as possible. They will be promptly and carefully considered. And I am sure that all estimates found after due consideration to be necessary for the purposes suggested will be reported on favorably and passed by the House. I reiterate, however, that as we appropriated liberally only a little more than a month ago for these services, I do not clearly understand how more funds are necessary for the present.

The President suggested legislation along certain lines, some of which is in the nature of minor amendments to laws now on the statute books. They can be passed upon quite promptly by the committees of the House. Some other suggestions are quite revolutionary in character, affecting very profoundly the policies of the Government, and they will require, of course, longer and more thorough consideration. These matters will all receive immediate consideration by the committees of the House, and will be acted upon by the House as soon as the committees shall have had time to reach a determination in regard to them. For the immediate present, however, there is nothing that the House can do, as we all understand, relative to the suggestions made by the President—nothing that could be done to-day. However, I think the House should be in session early, or at least in the middle of next week, to receive from the committees any suggestions they may have to make with regard to appropriations or legislation as suggested by the President. For to-day it has come to my attention that several gentlemen would like to address the House briefly on matters suggested by the President's message, and that some unanimous-consent requests may be submitted. My thought has been that after a program of that sort has been carried out I should make the motion to adjourn.

Mr. HULL of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. HULL of Tennessee. My inquiry should be addressed to the chairman of the Committee on Printing, perhaps, but can the gentleman tell me what number of the President's message will be printed under the present rules of the House?

Mr. MONDELL. I am not prepared to say. Possibly some member of the Committee on Printing who is present could give us that information.

Mr. JOHNSON of Washington. Mr. Speaker, as a member of the Committee on Printing, let me say that as many copies as can be printed for $500 can be printed without a special resolution being offered.

Mr. HULL of Tennessee. I did not hear the gentleman.

Mr. JOHNSON of Washington. I think the number that will be printed will be the number that can be printed for $500 unless a resolution is introduced for a larger number.

Mr. HULL of Tennessee. It seems to me there ought to be a fair number of copies printed.

Mr. MONDELL. The Committee on Printing, of course, can take up that matter and present a resolution at any time.

Mr. JOHNSON of Washington. The message will make a 16-page pamphlet, and 60,000 or 70,000 can be printed for less than the $500 authorization. If more copies are needed, the committee will present a resolution.

Mr. MONDELL. And the House, of course, will consider it.

Mr. CLARK of Missouri. The universal practice has been that where it comes to no more than $500 the Committee on Printing attends to it. If it is more than $500, then it takes a special order of the House.

Mr. SIMS. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. SIMS. What is the order or rule of the House as to the printing of bills that may be obtained in the document room? I do not know, and I have a great many requests with regard to it.

Mr. MONDELL. As to the number to be printed?

Mr. SIMS. Yes; and placed in the document room—any particular bill—any bill. What is the rule or authority for the printing of an indefinite number of a bill?

Mr. MONDELL. I am frank to say that I am not fully informed on that subject, except that I know that it is a few hundred, and that a bill having been exhausted an additional number equal to the first print is printed, if needed, at the request of the officials of the document room.

Mr. SIMS. Is the chairman of the Committee on Printing in the House?

Mr. MONDELL. The chairman of the Committee on Printing is not here, but the gentleman from Illinois, who is well informed on everything, and better informed than I am as to the details of the printing of bills, will no doubt be able to answer accurately.

Mr. SIMS. If there is anybody else in the House except the chairman of the Committee on Printing who can tell, I would be very glad to hear.

Mr. MANN. Mr. Speaker, I do not answer to the description——

Mr. SIMS. I agree with the description.

Mr. MANN. The number of public bills and the number of private bills are different.

Mr. SIMS. It was public bills I had reference to.

Mr. MANN. The usual number is not a large number. Three or four hundred, possibly five hundred, are printed for the House, but the Committee on Printing can order an additional number printed. That is the accustomed practice where there is a demand for a public bill and the number printed is exhausted, but the Committee on Printing can order a reprint of a bill and frequently do it; it is very common. The number so far as the law provides in the first instance is the usual number, which is not a very large number. Of private bills it is only 100.

Mr. MONDELL. And the practice is, I think, that whenever a bill is exhausted and there is a demand for it the additional number which may be authorized by the Committee on Printing is assumed to be authorized.

Mr. MANN. Where the Committee on Printing actually authorizes it on the application of the document room.

Mr. SIMS. But that only refers to one additional reprint.

Mr. MANN. But they can order another if they want to do so.

Mr. SIMS. I did not know how that was, and I have been asked in reference to it.

EXTENSION OF REMARKS.

Mr. RIDDICK. Mr. Speaker, I would like to ask unanimous consent to extend my remarks in the RECORD on a joint resolution which I recently introduced in reference to the high cost of living.

The SPEAKER. The gentleman from Montana asks unanimous consent to extend his remarks in the RECORD on a resolution which he introduced in reference to the high cost of living. Is there objection? [After a pause.] The Chair hears none.

ORDER OF BUSINESS.

Mr. WALSH. Mr. Speaker, I ask that the gentleman from Wyoming have five additional minutes.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that the gentleman from Wyoming have five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. WALSH. Will the gentleman from Wyoming yield?

Mr. MONDELL. Yes.

Mr. WALSH. Is it the expectation of the gentleman that if the House adjourns to-day that on Monday the business in order on the calendar for that day will be taken up, or will the House immediately adjourn?

Mr. MONDELL. Well, that would depend entirely on the judgment and desire of the House. My thought is that there is not anything particularly pressing for Monday. However, I am to be here and will be glad to have the House go on with the legislative work if gentlemen so desire. My opinion is that for the present the most important work of the Congress is in the committees. They can best dispose of the matters before them if not required to constantly attend the sessions of the House.

Mr. WALSH. Mr. Speaker, will the gentleman yield further? Why can not an adjournment be taken over until Tuesday or possibly Wednesday?

Mr. MONDELL. I think an adjournment might very probably be taken until Tuesday if gentlemen desire. I do not care to submit a request if there is likely to be any objection to it.

Mr. GARNER. If the gentleman will yield, do we understand that there is no business on the calendar now that needs the attention of the House?

Mr. MONDELL. I think there are matters that we might very properly take up, but I do not think there is anything on the calender that is especially pressing to be taken up on Monday.

Mr. GARNER. The point I had in mind was this: We are evidently going to have to stay here this summer in continuous session until fall and maybe until December, and if the business we are going to transact, the passage of legislation, and so forth, could be taken up now and facilitated it might be possible in October or November to get an adjournment of the Congress.

Mr. MONDELL. The gentleman realizes that many Members had made their arrangements to go home for a short time, when we expected a five weeks' recess—the gentleman from Texas had gotten nearly home and turned around and came back [laughter and applause]—and that some Members necessarily are detained at home for a few days, and so far as those things that are not urgently pressing are concerned, it has occurred to me that they might go over for a few days, at least until those Members who have returned home have had a few days with their constituents.

Mr. GARNER. I merely wanted to get the gentleman's viewpoint. The real situation is this, if I understand it, that a great number of Members on both sides, as far as that is concerned, are absent upon the idea that they were going to have a five-weeks' recess——

Mr. MONDELL. Yes.

Mr. GARNER. And made their arrangements accordingly. It is inconvenient and sometimes impossible for them to return at such times, and for the lack of that number of Members, or, rather, to suit their convenience, it is better for the House to adjourn over until Tuesday or Wednesday, or some other day.

Mr. MONDELL. That is true—to Tuesday at least. I think that is fair to absent Members on both sides. Of course, in the meantime committees will be at work on the questions suggested by the President's message.

Mr. GARNER. I think it is a little unjust for the House to take up business of importance now when Members are absent and can not get back.

Mr. MONDELL. As a matter of fact, as we have no estimates now before us—I do not know when we shall have them—and as it will take the committees some days to pass on any of the suggestions made by the President, there would be no delay in the public business now deemed most urgent if the House adjourned until Tuesday and then until Friday.

Mr. GARNER. The gentleman means in what he says as to the reference of public business the public business suggested by the President. There are a lot of things on the calendar that ought to be attended to, and as long as you convey the idea to absent Members to adjourn until Tuesday and then until Friday we will never get to any business here.

Mr. MONDELL. My thought is, following exactly the line of the thought of the gentleman from Texas, that very soon we must get down to regular sessions. I have the same thought that the gentleman from Texas has.

Mr. GARNER. Do you not think it would be advisable, the gentleman being the leader of the majority, to let it be understood by the absent Members that they should hasten here as quickly as possible? If you are not going to undertake to pass legislation, I think it is a little unfair to those who are here. The gentleman mentioned myself. I traveled 2,000 miles. I awoke in the morning and saw that the President had said that Congress should not adjourn, and that the gentleman from Wyoming [Mr. MONDELL], in response to that, had offered a resolution canceling the vacation. So I got on the train and came back. I say if you have got 200 and more people here now waiting for the transaction of business the absent Members ought to use every effort to get back here and allow us to transact business.

Mr. MONDELL. I agree entirely with the gentleman. My thought is that not only should we take up the matters the President has suggested to us but other important matters now on the calendar very soon. The committees will be considering the matters presented by the President at once, the House as soon as the committees can act.

Mr. MANN. Will the gentleman yield?

Mr. MONDELL. I will yield.

The SPEAKER. The time of the gentleman from Wyoming has expired.

Mr. MANN. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, the House could remain in session 24 hours in the day for 7 days in the week. It is a wonder that some gentlemen have not proposed that in order to expedite public business. But we all know it would not expedite public business and it would not make for good legislation. And it will not make for good legislation now to attempt to keep the House here all the summer, all the fall, and all next winter and next summer. It is not for the interest of the country to have that done, no matter how seriously gentlemen may take the legislation.

The work now before the House is mainly the work of committees. It would be a good thing if most of the Members would take a trip away from Washington for a while and get rested up and their souls eased up. Of course, those who are here sometimes feel that everybody else ought to be here. I can understand the feeling of the gentleman who has been called back 1,000 miles. He thinks everybody ought to have come with him.

Mr. GARNER. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. GARNER. I distinctly asserted that I did not criticize anybody who did not return; but I say this, and I repeat it, that when you have got a majority of Congress here and daily waiting for the transaction of the business of the country, that business being those bills that are on the calendar, it seems to me there ought to be some effort to impress those who are absent that they ought to return here and help transact business.

Mr. MANN. Mr. Speaker, there will always be bills on the calendar. There are always bills on the calendar when final adjournment comes. If we could wind up all the legislation in the world forever by sitting here a few days, I would be in favor of doing it, but I have learned through experience that that can not be done. A majority of the Members of the House were not here last week. They came back in order to make a quorum in order that the President might be heard. But if you proceed now I am not going to stay here, so far as I am concerned, unless you keep a Sergeant at Arms bringing me back. I will stay here during the cool days. I am going home now. If Congress wants to meet, I am perfectly willing. I do not expect to be here then for a while, not before next winter. But I know from experience and observation that Congress will do better work if it takes a recess of some sort, either implied or agreed, during the summer months, and give Members an opportunity to go home or somewhere else for a while. "Chicken feed" is now on the calendar, and that is all. "Chicken feed" can be disposed of or wasted and no great loss to the country.

Mr. SIMS. I want to say to the gentleman that some of these bills are not "chicken feed," although some people might be glad

if they were. For instance, there is a bill to return to the Interstate Commerce Commission and the State commissions power to suspend rates made by the President, which has been reported by the committee.

Mr. MANN. I think that is about as near "chicken feed" as anything can be.

Mr. SIMS. I am glad to have the judgment of a man who I think is so capable of passing judgment as is the gentleman from Illinois.

Mr. MANN. It is absolutely unimportant whether it is passed now or not. If it were passed there would be nothing done about it for months. It would probably be years before a decision would be reached by the Interstate Commerce Commission. It is not essential, in my judgment.

Mr. SIMS. I made the same argument in committee and could not get a majority of the members to follow me.

Mr. MANN. It is unimportant that we should spend 5 hours or 10 hours or 24 hours a day on the floor of the House. I think we had better take a rest. [Applause.]

Mr. CLARK of Missouri. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. The gentleman from Missouri asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. CLARK of Missouri. Mr. Speaker, we might as well recognize the condition we are in. It is perfectly apparent to the old-timers here that we are stuck. [Laughter.] We are probably stuck until December.

Mr. OVERSTREET. Mr. Speaker, I would like to hear what the ex-Speaker is saying. Let him turn around and face this side.

Mr. CLARK of Missouri. All right. We shall probably be here until this time next year. We may take a short vacation just before the 1st of December for prudential reasons. [Laughter.] Now, that being the case, I am going to notify every Democrat in the House by telegraph to come back here just as quick as he can. [Applause.] I think we ought to go on with the business.

The gentleman from Wyoming [Mr. MONDELL] has a celebrated bill pending here for the good of the soldiers. We all want to help the soldiers. That bill has been on the calendar now for a week or so.

Mr. SIMS. "Chicken feed!"

Mr. CLARK of Missouri. The gentleman from Tennessee [Mr. SIMS] suggests that that is "chicken feed." I do not think it is "chicken feed." [Laughter.] I think this House ought to do at once, or as quickly as it can, anything that it can do for the benefit of the soldiers who fought in this Great War, and who were in it.

Whether the Mondell bill is the panacea or not, I do not know, but I do know that some of us will stay here. Mr. MONDELL and myself took a good deal of trouble to get a quorum here yesterday. We telegraphed everybody and wrote everybody, and did everything we could. Of course, we did not pay any attention to people who live west of the Mississippi. They could not get here. Next to the St. Louis Members, I live closer to Washington than any other Missourian in Congress. If I make close connection in St. Louis—just a few minutes—I can get home in 30 hours; if not, in two days. For the rest of them it takes longer than that. But those of us who stay here are entitled to have business transacted, so that if possible we can get away from here and have a month or two of vacation in the fall. [Applause.]

It is practically a waste of time to come here every morning and go through a performance somewhat similar to this of to-day and get nowhere. I know enough about the business of this House to know this—and if the Speaker does not know it now he will find it out—that when this Congress is coming to a conclusion there will be a great hullabaloo here and a great rush to get recognition, and everybody will be in a bad humor, and the legislation will be done in a slipshod way. There is no question in the world about that. This business has got to be transacted. By the time the gentleman from Wyoming can get his bill up about drainage, irrigation, cut-over lands, and all that, why then perhaps the gentleman from Tennessee, Brother SIMS, will have him a bill ready. [Laughter.]

Mr. SIMS. Mr. Speaker, will the gentleman yield?

Mr. CLARK of Missouri. Yes.

Mr. SIMS. What I said a moment ago about the Mondell bill being "chicken feed" was, of course, ironically spoken, because I thought the gentleman from Wyoming himself was treating his own bill as "chicken feed." [Laughter.]

Mr. CLARK of Missouri. You ought to mark it "ironical." [Laughter.] The Mondell bill will take a good deal of discussion. There is no question about that. There are half a dozen theories up in the air about what we should try to do for the soldiers. Some of them are somewhat in line with the ideas of the gentleman from Wyoming, and some of them very radically different.

Now, the gentleman from Wyoming said that there were some gentlemen sitting around here who wanted to make speeches to-day. I hope they will not. [Laughter.] But if you will get up the Mondell bill and allow a proper time for discussion, all these men who have speeches in their systems can work them out under general debate, and I think we ought to go to work. I am not objecting to adjourning to-day.

Mr. GREEN of Iowa. Mr. Speaker, will the gentleman yield?

Mr. CLARK of Missouri. Yes.

Mr. GREEN of Iowa. I might also say that there are half a dozen bills reported from the Committee on Ways and Means that may take from three days to a week to dispose of.

Mr. CLARK of Missouri. Well, the longer they are put off, the better off the country will be. [Laughter and applause.]

Mr. CANNON. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. CANNON. Mr. Speaker, it is well not to become excited because of the weather—the weather outside or the political weather. The last Congress, closing its session on the 4th of March, under the leadership of one of the most able members of the Committee on Appropriations that I ever served with, Mr. Sherley, passed through the House, after great consideration and inquiry upon all the estimates that were submitted, the bills that it had charge of. They went to the Senate and failed. Then came the special session, beginning on the 19th of May, when the House organized and the Congress organized. A new Committee on Appropriations did strenuous work and good work, substantially taking the bills that the House had passed in its last session, and which failed in the Senate, reporting them with increases. A deluge of supplemental estimates came in until the hammer came down after they were passed. Under the leadership of another able chairman of that committee, with an able committee, both of the majority and minority, we prepared and recommended to the House, under the leadership of the chairman, the bills that were enacted, caring for the past fiscal year by way of deficiency, together with some things that were not strictly deficiencies, and providing for the present fiscal year. The Department of Justice was amply provided for, and it was the duty of that department to enforce the laws with its great machinery, and it did not lack for money then and does not lack for money now to perform efficiently its function. It was not stinted. Well, it went along, and there was no great excitement, no great hurry, no threat on the part of any organizations. Oh, it is not pleasant for me to think about threats. If the House will pardon me, I voted for the bill that was passed under threat. God knows I will never vote for another one that is passed under threat. [Applause.] I am not proud of my vote on that bill, though I had plenty of company. It was on the eve of the movement of the crops. Much legislation, most valuable legislation, that had been recommended was postponed until the next regular session, and while it was recommended it slept and slept from that day to this. Now, the fiscal year has just begun to run. The appropriations for the fiscal year are available. Only a little over a month and nine days of this fiscal year have elapsed. The laws on the statute books could have been enforced and can be enforced now; but things are springing up under stress, and we are going to attend to the high cost of living. That is important, but it is no more important now than it was three months ago or six months ago.

Now, I am a member of the Committee on Appropriations. I want to say to you, as our leader upon this side [Mr. MONDELL] stated, no estimates have been made since the beginning of this fiscal year for deficiencies or other appropriations, but later the estimates will come. They will be originated by the heads of divisions, by the heads of bureaus, by the heads of various departments, and forwarded by the Secretary of the Treasury. They will—

Come as the winds come when navies are stranded.

In my opinion there is law upon the statute books that covers the present emergency—all the war measures touching food and touching the high cost of living—under which plenary power is lodged with the Executive, and money has been appropriated to enforce the laws.

The SPEAKER. The time of the gentleman has expired.

Mr. CANNON. May I have a minute longer?

Mr. WALSH, Mr. SMITH of Michigan, and Mr. FESS asked unanimous consent that Mr. CANNON's time be extended five minutes.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that the time of the gentleman from Illinois be extended five minutes. Is there objection?

There was no objection.

Mr. CANNON. In my opinion, with the war-time laws still in force, with appropriations to carry them out, with the fiscal year only a little more than a month begun, there is no necessity for immediate appropriations. The appropriations are available. Only 1 months' appropriations have been used and there are 11 months more of the fiscal year.

Now, I am not seeking to make a political speech. I am referring to the present situation. It goes without saying that, in my judgment, the snow will fly before this session of Congress will close. I am not grumbling about that. It is our duty to be here when it is necessary, and we ought to perform our duty as Members of the House, because revenue measures and appropriation bills originate with us, and while this House is a great body, with 435 Members, we go back to the country every two years to be turned up or turned down, as the case may be.

So we should be careful. Now, I do not know how many additional estimates may come in. I have referred to that before and will not speak of it further. I have no promise to make. As one Member with one vote, I will be here, and that vote will be cast according to my judgment, and in my old age without fear of anybody except Him who holds the universe in His hands, and I do not fear Him, but I have great reverence for Him. [Applause.]

Mr. HARDY of Texas. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from Texas asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. HARDY of Texas. Mr. Speaker, lest we forget, and in order to keep the record straight, since the Adamson bill has been made a target of attack, yesterday by the gentleman from Texas [Mr. BLANTON] and again to-day by the gentleman who has just spoken [Mr. CANNON], I want to make a few remarks. I voted for that bill when it passed. I have no apologies or excuses now for having voted for it. I want to put in the RECORD now a succinct statement of the conditions prevailing at that time. There was great turmoil in the country—in the words of the President, a "very grave situation." The railroad trainmen had been in a controversy for more than a year with their employers and had some months before that time fixed a date when they were going to vote on the question of a strike. They had grievances which they had sought in vain to have settled. The President, having in view the welfare of the whole country, in order to avoid a condition which would have been in his judgment a public calamity, sent for the owners of the railroads and the trainmen to come and see him and talk with him. Both parties came and conversed with the President, and after that conversation the President formulated a plan which in his judgment might be a just basis of settlement. He called on both parties. The railroad owners refused to accept the plan. The railroad men agreed to accept it. In this condition the day of strike was fast approaching.

Mr. BLACK. Will the gentleman yield?

Mr. HARDY of Texas. If I can get a little more time.

Mr. BLACK. Just for one question at that point.

Mr. HARDY of Texas. I presume my time will be extended if necessary.

Mr. BLACK. Does not the gentleman know that the owners of the railroads offered and agreed to arbitrate the disputed questions by arbitrators to be appointed by the President?

Mr. HARDY of Texas. I think the gentleman is mistaken. I know he was one of the Members who voted against the Adamson bill.

Mr. BLACK. I was. [Applause.]

Mr. HARDY of Texas. I think the gentleman is mistaken now, because in the campaign that followed I investigated the whole matter and I found that the railroad owners had disagreed and refused to accept the proposition submitted by the President, while the men agreed to accept it. In his message to Congress, August 29, 1916, the President declared: "The representatives of the brotherhoods accepted the plan"—that is, the plan of the President—"but the representatives of the railroads declined to accept." Then the President recommended a law in the nature of the Adamson bill, which was formulated by the leaders of the Democratic Party in the committee, perhaps in consulation with the leaders of the other party. It came before Congress. Two great men were candidates for the Presidency of the United States while that bill was pending. One of them had recommended it. The other one was silent. The leader of the opposition party was silent and remained silent until the bill was passed, though he might have reached his own party leaders here by wire. The bill was passed by a vote of 236 to 50. Strong leaders of the Republicans as well as strong leaders of the Democrats, a majority of the Republican Party, if I am not mistaken, voted for the bill, as well as nearly a solid Democratic vote.

Mr. MOORE of Virginia. Will the genteman yield?

Mr. HARDY of Texas. I yield to the gentleman.

Mr. MOORE of Virginia. I can give the gentleman the exact figures on that vote—239 for the bill and 56 against the bill on the final passage.

Mr. HARDY of Texas. That is correct. I thank the gentleman. I think there were only two Democrats against it, and a substantial majority of the Republicans, including their former Speaker [Mr. CANNON], who has not generally been accused of lacking courage, voted for the bill.

God hates a coward, but I doubt if He has any regard for the hero who, far away from the battle front or long after the issue, asperses those who bore the burden and responsibility of duty.

It is easy to criticize the action taken when a great emergency is passed, but the men who are so quick to criticize after the action are the very men who would have acted as we did during the occasion.

Mr. POU. Will the gentleman yield?

Mr. HARDY of Texas. Yes.

Mr. POU. If it was such a colossal blunder, why does not the majority party repeal it now? They have it in their power to do so.

Mr. HARDY of Texas. That very point I had noted to refer to. I am glad the gentleman does not let me forget it. The law has been on the statute books for nearly three years. The Republican Congress has been in session for three months. Not a single bill, so far as I know, not even one by the gentleman from Texas [Mr. BLANTON], my colleague, has ever been introduced into this House asking to repeal the Adamson law. I have defended it all over this land because I believe that for the trainmen of this country an eight-hour day is essential to the safety of the traveling public as well as for the welfare of the men. [Applause.] But here comes a man from my State and charges this great Congress with truckling to a threat, with a disgraceful surrender of right and justice, and the gentleman from Illinois [Mr. CANNON] this morning begs pardon for having surrendered. I say that it is now time for some one who knows the facts to restate them for the RECORD. The law stands to-day, and he is a bold man and a foolish man who would dare to offer to repeal it.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. POU. Mr. Speaker, I ask unanimous consent that the time of the gentleman be extended for five minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. WINGO. Mr. Speaker, will the gentleman yield?

Mr. HARDY of Texas. Yes.

Mr. WINGO. Those who criticize that as a base surrender found most of their criticism upon the charge that we yielded to the demands of the trainmen and gave them time and a half for overtime. As a matter of fact the act provided only for pro rata pay for overtime.

Mr. HARDY of Texas. I am very glad the gentleman has called my attention to that fact. They say that Congress surrendered under a threat of strike at the demand of the railroad men. I deny that. I say we passed a wise and just law, at a time when it saved the country from a national calamity, under the leadership of a great President who loved his country well enough to be willing to face the criticisms and taunts and aspersions of those who attacked his courage then or who may attack it now. A great policy is involved. Who is here so reckless as to say that railroad men have not the right to strike to better their condition? Who will say that they did anything illegal in proposing to call a strike? They made no demand on Congress. The President made the only demand. They said that, acting within their rights, they proposed if evils were not corrected to order a strike. Evils were not corrected.

The President of the United States, looking to the welfare of the whole country, came to the front and suggested a plan for settlement, and when the railroad owners refused to accept the suggestion and the railroad men agreed to it no demand was made on Congress by the railroad men, but the President came to Congress, asking Congress to pass this law. The men stood on their rights, and if passing that law was truckling to a threat, then every just settlement made between labor and capital through the instrumentalities of the Government when the

parties to the controversy are about to precipitate a ruinous calamity is truckling surrender to labor. I hold no brief for labor. I hold no brief for capital. I do hold a brief for the great American people, whose interests and welfare were involved in the condition that existed in 1916. [Applause.] Every great city in the land was on tiptoe, fearful that its transportation would be tied up by the struggle between the parties to the contest. Capital sat in the saddle, having all it wanted; labor was demanding something; capital refused. That was the condition when the President, and then Congress, stepped in to protect the interests of all the people of the United States.

Mr. BLACK. Mr. Speaker, will the gentleman yield?

Mr. HARDY of Texas. Certainly.

Mr. BLACK. I want to ask the gentleman this question: Does he not remember that at the time the President submitted the Adamson law, or, rather, a suggestion for the Adamson law, he suggested four other measures, some of them being for the interest and benefit of the public, and that Congress adopted only one, to wit, the one for the benefit of the employees, and nothing whatever has been done toward the adoption of the others? [Applause.]

Mr. HARDY of Texas. The gentleman is now rehashing the campaign criticisms made by the Republican leaders after we passed the law. There were other measures suggested by the President at the same time, and we may have been, and may be still, derelict in not passing them. If so, let us pass them now. In my campaign discussion I did not go into what other measures submitted by the President ought to have been passed. I concerned myself only with the right or the wrong of that Adamson law at the time it passed. I defend it as wise and right now. And I say that the men who attack us as truckling for passing that law ought to propose to repeal or to amend it today, and they do not dare do it. No; you seem to complain because from the gristmill of legislation there was ground out only one bill from three or four bills. If other and further wise legislation was suggested by the President, why do not gentlemen use their great ability and genius to propose and pass it? But let us get back to the Adamson law.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. HARDY of Texas. Yes.

Mr. CANNON. What is there of the Adamson law to repeal?

Mr. HARDY of Texas. There is nothing that ought to be repealed.

Mr. CANNON. What is there? It is past.

Mr. HARDY of Texas. And there is nothing that the gentleman from Illinois who apologized a moment ago for which he ought to apologize in voting for it.

Mr. CANNON. That is a matter of my opinion as to my action, just as the gentleman acts according to his opinion.

Mr. HARDY of Texas. And the gentleman will admit that whatever the conditions are a Member of Congress ought to vote for a law that is right in his opinion. The Adamson law in effect is the eight-hour day applied to the trainmen of the United States, and it ought to have been in force before that time, and is in force now and will remain in force.

The SPEAKER. The time of the gentleman from Texas has again expired.

Mr. BLACK. Mr. Speaker, I ask that he may have five minutes more.

The SPEAKER. The gentleman from Texas asks unanimous consent that his colleague may proceed for five minutes more. Is there objection?

There was no objection.

Mr. BLACK. The gentleman has stated that the Adamson law is an eight-hour day. Now, the gentleman recognizes that when the law was passed a commission was created to investigate the whole subject and report back. I believe Gen. Goethals was chairman of that commission.

Mr. HARDY of Texas. It was part of the law.

Mr. BLACK. Does not that report show that there has been no shortening in the hours of labor of the railroads [applause], and that there has been no real eight-hour day put in effect, and that in truth and in fact it was only a wage-increase bill? [Applause.]

Mr. HARDY of Texas. What the commission may have reported I do not know and do not care. It was unquestionably a wage increase per hour, being a shortening of the standard of a day's labor with no lessening of the day's wage. If labor had had no demand which capital resisted, there would have been no struggle. There was a struggle. This law settled it, and as it has proved satisfactory to both parties since then it is a wise law. [Applause.] And neither the gentleman from Texas who has addressed me nor the one who criticized all Congress yesterday has had the nerve to offer a bill to repeal that law.

Mr. BLANTON. Will the gentleman yield?

Mr. HARDY of Texas. Yes.

Mr. BLANTON. The vice of the Adamson law is the acceding to threats and not the substance of the law itself.

Mr. HARDY of Texas. The gentleman heard me say the railroad organization of railroad men did not make any demand on Congress.

Mr. BLANTON. Oh, the people of the United States know it if the gentleman from Texas does not.

Mr. HARDY of Texas. No; and the gentleman from Texas who addresses me does not know it. I know the facts, and they are as I have stated.

Mr. WINGO. Will the gentleman yield?

Mr. HARDY of Texas. Yes.

Mr. WINGO. Is not this a fact, that the Adamson law was a compromise suggested by the President? The railroad men finally yielded. They demanded time and a half pay for overtime. They contended the eight-hour day without the time and a half overtime to penalize the railroads would not give any relief. Then the railroad men finally yielded. Congress did not yield, but they yielded. Then the railway executives refused to yield to the demands of the President and the President came to Congress, and we made the railroad executives agree to the President's demand. It is not Congress yielding to the railroad men.

Mr. HARDY of Texas. That is about what I stated in the beginning of my remarks. Perhaps the gentleman was not present. The controversy was on. The President sent for both parties. They both came to him and talked to him. He studied the situation, he devised a plan for settlement, and said here is a wise and just solution for both. The railroad men accepted it and the employers refused and rejected it. Then the President came to Congress and truckled, if you call it so, by proposing this Adamson law. In my judgment he acted for the best interest of the country, and yet three years afterwards the man who professes to worship the shadow of Woodrow Wilson charges me and all Democrats in Congress and a majority of the Republicans as being truckling servants to the will of the laboring men. [Applause.]

Mr. WALSH. Will the gentleman yield for a question?

Mr. HARDY of Texas. I will.

Mr. WALSH. Is it not a fact that before the bill was passed by Congress that an order to strike had been issued by the officials of the labor organization of the railroads?

Mr. HARDY of Texas. If the gentleman had listened—I stated in the beginning that before the President took the matter up of the differences between labor and capital, the employers and employees had reached an acute stage. The country was trembling in the balance of a strike. A vote was being taken or had been taken; a day was fixed. An effort was made by the President then, as Theodore Roosevelt made in the mining controversy, to get labor and capital together, and not succeeding, he called each one of them to his office. He talked with them, got their point of view, and afterwards made a proposition which in his own mind was just to both, and submitted it to each of them. The employees agreed to accept it; the employers refused, and held the country in their grasp.

Mr. WALSH. I had not heard the gentleman state that.

Mr. HARDY of Texas. No; that was a fact.

This whole question was thrashed out in 1916. Mr. Hughes, who sat silent while the measure was being discussed, after the President's message of August 29, and until it was approved by the President, opened up with the same line of attack made yesterday by my colleague [Mr. BLANTON]. It was his chief attack on Mr. Wilson in his tour from the Atlantic to the Pacific. And yet, when challenged to say whether he would try to repeal the law if elected, he gave no definite reply.

In the President's message he suggested also the following:

> Fifth, an amendment of the existing Federal statute which provides for the mediation, conciliation, and arbitration of such controversies as the present by adding to it a provision that in case the methods of accommodation now provided for should fail, a full public investigation of the merits of every such dispute shall be instituted and completed before a strike or lockout may lawfully be attempted.

Congress seems even yet stalled on the proposition contained in this suggestion. I very much favor some such legislation. I realize that compulsory arbitration is contrary to the genius and spirit of our people. To enforce it against the employee would be equivalent to slavery, if it could be enforced. To enforce it against capital would be confiscation. The suggestion of the President is not compulsory arbitration, but it is a prohibition against hasty and arbitrary action by either organized labor or by capital, and would, I think, prove in practice salutary and beneficial to both capital and labor. At any rate, Congressmen ought to be constructive and not simply critical.

The SPEAKER. The time of the gentleman has again expired.

Mr. TINCHER. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

Mr. BLACK. Mr. Speaker, may I make a parliamentary inquiry just at this point, if the gentleman will yield to me? I came into the Chamber a little after the beginning of the session, and I would like to know what other addresses have been agreed to.

The SPEAKER. Nothing. This is all by unanimous consent.

Mr. BLACK. There was no understanding as to addresses? I desired to know.

The SPEAKER. The gentleman from Kansas asks unanimous consent to address the House for 10 minutes.

Mr. GARD. Mr. Speaker, reserving the right to object, may I inquire how long this field day is going to go on?

The SPEAKER. It depends upon the consent of the House, of course.

Mr. GARD. I desire to ask what is the purpose of the leader of the majority as to the time when the House shall adjourn this afternoon. I do not desire to object——

Mr. MONDELL. The gentleman from Kansas has asked to proceed for 10 minutes.

Mr. GARD. I am making inquiry as to the purpose of the majority leader.

Mr. MONDELL. There seem to be gentlemen on both sides who desire to discuss questions of interest to the country. It has occurred to me that it is just as well to continue the discussion for a time.

The SPEAKER. The gentleman from Kansas asks unanimous consent to address the House for 10 minutes. Is there objection?

Mr. OVERSTREET. Mr. Speaker, reserving the right to object, I would like to know on what subject?

Mr. TINCHER. On the high cost of living.

The SPEAKER. Is there objection?

Mr. OVERSTREET. Just one moment, Mr. Speaker. I have no objection to the gentleman talking on any live issue that is affecting the people to-day, but I do not believe that this is any place to discuss political bunk like we are doing to-day. I think the things the country is interested in are matters ahead of us, not like the Adamson law and others that are past, and I shall object in the future. I do not object to the gentleman discussing matters of live interest, such as the high cost of living, but I shall object to any discussion of political bunk by any man on either side.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. HARDY of Texas. You might do well to make that suggestion while the administration is being shelled instead of doing it now.

Mr. OVERSTREET. I object to a rehashing of politics.

The SPEAKER. The gentleman is out of order.

Mr. TINCHER. Mr. Speaker, I do not think there is any quarrel among the Members of Congress now as to the policies of legislation demanded by threat. I do not care whether we have ever had such legislation or not, I am glad to see such a unanimous sentiment, voicing apparently the sentiment of the President of the United States as expressed here, to the effect that, if we ever did have, we will not have any more of that kind of legislation.

The President in mentioning the high cost of living yesterday, called attention to the fact that the Food Administration would be called upon to keep the price of wheat down. I come from a wheat-growing district. I was glad to hear the President say to this Congress and the United States that wheat was one commodity, one food product, that the United States had actually regulated the price of and kept down. I was glad to hear him say yesterday to this Congress that wheat to-day is cheaper in the United States than in Europe, and with proper management he hopes to keep it that way.

There never was a time since this Congress fixed the price of wheat but that the fixing of that price has operated to cheapen wheat in the hands of the farmer. There has never been a time since the Government fixed the guaranteed price of wheat but what the farmer's wheat would have been worth more if it had not been for that guaranty. I am glad that matter has finally been straightened out so that it will not be expected any more that the Government made a suitable price for it. Everybody knows if it was not for a fixed price of wheat to-day wheat would be selling for $4 a bushel.

Mr. HARDY of Texas. Was it not due to the fact that the Representatives of the wheat-growing sections of the country urged the original wheat-pricing bill?

Mr. TINCHER. I think that is true of some of the States, but not at that price.

Mr. HARDY of Texas. And they asked for the fixing of $2-a-bushel price at that time. Did not the same Representatives here at last session urge the bill to guarantee that by the passage of a billion-dollar appropriation bill?

Mr. TINCHER. I was not here at either of the sessions, and I can not answer. I do want to say this, that I am glad there has never been occasion for the President or anyone else to say to any other producing section of the United States that he is glad to see that the price of their product is cheaper in the United States than in Europe, and that he intends to keep it so.

Mr. CANDLER. Will the gentleman yield?

Mr. TINCHER. Not for a moment. I want to explain something about profiteering in wheat products.

Mr. CANDLER. I want to explain where that came from and why it was fixed.

Mr. TINCHER. I want to say that I sympathize with the President in his proposed prosecution of the profiteer. I called attention, in my feeble way, to the fact that for more than a year before I came here the profiteer was running rampant in the milling business in my district. I called attention to the fact that at the fixed price of wheat, the maximum price the miller was permitted to pay for wheat, the number of pounds of wheat he was permitted to use in a barrel of flour, and at the price of flour, the miller could not make more than 25 cents a barrel on flour. The food department of the United States sent auditors into my district and audited the books. I have one milling company in my district that they say owed this Government $282,000 of excess profits. Well, all of them together, I think, owe a million. Without reauditing those books, without sending another man to look at the books, the milling company sent their attorney here to Washington, and he compromised with the Grain Corporation. I do not know where they get jurisdiction to settle those matters. I do not know whether they turned it over to the Department of Justice or not, but they compromised for $8,000 and went home with their receipt in full. I say to you that if the Department of Justice is sincere about enforcing the law against profiteering, they ought to have enforced that law, and that that conduct on their part was simply encouraging profiteering, and that that policy having been pursued by the department is partly accountable for the profiteering.

Mr. GARNER. Will the gentleman yield?

Mr. TINCHER. I will.

Mr. GARNER. If I caught the gentleman's statement correctly, it was that an inspector of the Treasury Department investigated the books of this milling company and ascertained that they owed them $282,000 of income tax?

Mr. TINCHER. No, sir.

Mr. GARNER. Excess-profits tax?

Mr. TINCHER. No, sir; that they had profiteered to that extent. The profit the miller could make on a barrel was 25 cents a barrel.

Mr. GARNER. If I caught the gentleman's remarks, they were to the effect that they had $282,000 profit, on which they owed——

Mr. TINCHER. Not profit.

Mr. GARNER. Well, what was it?

Mr. TINCHER. They had profiteered above the limit fixed by the Government that much money. They had taken that much money, and your department here settled without my consent or the consent of anyone else for $8,000, and the figures are in the department to show it. I claim, first, that the Grain Corporation or the Food Administration had no right to assume the responsibility for the Government of the United States to settle that; and I claim, second, that the Department of Justice of the United States that permits those things to go on from time to time comes in here at this late date and says that they will prosecute the profiteers if they can arrange with Congress for additional appropriation. [Applause.]

Now, I want to call your attention to something else. I want to tell you how it happened that I got to investigating this matter. The 1st day of July this year I began to receive telegrams, and the gentleman from Texas [Mr. GARNER] has got, no doubt, some on the same subject, about the price of cattle, and I went with some Senators—Senator CAPPER, Senator KENDRICK, and Congressman HOMER HOCH—and others to the Department of Agriculture to talk about that proposition. There was a prevalent sentiment in the country to the effect that we were doing a patriotic thing if we did not even eat meat, and the cattlemen, who were being ruined by the reduction of the price of cattle, were begging for publicity on that question, to make it plain to the people that there was no longer a ban on the eating of meat. They were asking the Department of Agriculture to give publicity to that fact.

We found, when we got to the department, the Bureau of Markets in conference with the officials of the Department of Agriculture, and the gentleman in charge of that bureau had

procured the preparation of an article to which they were going to give publicity, in which they were going to say that the packers of the United States were entirely blameless in this instance. I said, "How do you get at that result that the packers in this instance are blameless?" The head of the Bureau of Markets—I could never find out yet who is the head of that bureau, but the man who held himself out as being the head of that bureau—said: "On the figures from Buffalo, St. Louis, Chicago, and Cincinnati, and everywhere, showing that while they reduced the price of your steer 5 cents a pound, they reduced the price of the carcass 5 cents a pound to the people." I said: "You are going to say, in the face of that, that the packers are absolutely blameless? Let us talk a minute. On the 1st day of March the steer was worth $60 more than he is to-day, selling at 5 cents less a pound. The packer claimed he only wanted to make $1.60 on that steer. They are selling the carcass of 800 pounds to-day for $40 less than on the 1st day of March, 5 cents a pound. If he was making $1.60 on the 1st day of March, he is making $21.60 to-day, and here is the Bureau of Markets, which is supposed to help the consumer and producer, putting out publicity to the effect that the packer is manifestly fair." [Applause on the Republican side.]

The SPEAKER. The time of the gentleman from Kansas has expired.

Mr. TINCHER. Mr. Speaker, I ask unanimous consent to proceed for five minutes more.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. TINCHER. I want to give credit where credit is due. They changed that publicity circular and said "the packer was manifestly unfair." [Laughter.] That was the way the article went out. [Renewed laughter.]

Here is what happened: The packers had their cold-storage plants filled with that cheap meat, and they had the choice, when the publicity came, either of raising the price of steers a little or reducing the price of meat. Of course they had too much meat on hand to reduce the price of meat, and they put $20 a head on the steer. And then the packers protested against the unfairness of the publicity that came from the Department of Agriculture. I tell you that there was not one of the boys except those who were up there that got any meaning from that circular letter as to what the unfairness of that publicity was.

Mr. JOHNSON of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. TINCHER. Yes.

Mr. JOHNSON of Kentucky. The gentleman seems to have a good deal of information concerning packing——

Mr. TINCHER. Very little——

Mr. JOHNSON of Kentucky. And the shortage of foodstuffs. I have noticed from the agricultural papers and the bulletins and the newspapers for the last 10 or 15 years that millions and millions of goats have been killed. No one ever heard of a goat coming out of one of these packing houses. They all come out as "lambs" or remain there. Has anybody any information as to how many goats are in there, and how many came out as "lambs"? [Laughter.]

Mr. TINCHER. No. I would not know a goat from a guinea.

Mr. McARTHUR. Mr. Speaker, if the gentleman will permit, I want to say to the gentleman from Kentucky that he can settle this question by examining the carcass. The tail of the sheep sticks down, while the tail of the goat sticks up. [Laughter.]

Mr. TINCHER. I want to encourage the Department of Justice if that department really wants to investigate these profiteers. If they want to, they can. The President yesterday placed the stamp of his approval on our Federal Trade Commission. He mentioned that as one of the branches of the Government that he approved of. Well, on July 27, 1918, the Federal Trade Commission reported to the President and the Congress the condition with reference to the packers and the condition with reference to profiteering. I will not attempt to read that report. You are all familiar with it. There is no doubt the Department of Justice has been familiar with it, and there is no doubt that all the departments of Government have been familiar with it. But I want to say now, although I do not want to say anything that will discourage them when they say they are going after them fearlessly, but is it not a long time to wait to ask for an appropriation from June, 1918, to August, 1919, after having received the figures from the department of the Government appointed by himself and having his approval at this time? [Applause on the Republican side.]

I do not want to cause any trouble to anyone, but I say to you that I believe that there is some one in the department who, after all this time, complacently thinks he could settle $282,000 claims for $8,000. I think anybody who investigates it would find not only that one milling company compromised but that they all practically compromised, and practically all on the same basis. I wonder how many Congressmen here ever stopped to think that the farmer is not receiving to-day in Kansas, for wheat that makes better flour than you get in Washington, over $1.75 a bushel?

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. TINCHER. Yes.

Mr. GARNER. The gentleman has made a statement that I confess I am ignorant about. I think an investigation ought to be made if the statements are, as I understand them, from the Government. I understood, first, that he owed the Government $282,000, and that the Government settled for $8,000.

Mr. TINCHER. Let me explain that.

Mr. GARNER. I hope the gentleman will explain it.

Mr. TINCHER. The Government said to him, "You are making flour. You can only make a profit of 25 cents a barrel. All above that goes to the Government." The Food Administration said that. The Food Administration was authorized by Congress to say that. Now, the Food Administration sent their auditors to that mill and the auditors reported that the books showed that the mill owed the Government $282,000.

Mr. GARNER. Do I understand that where a man made a greater profit than that the Food Administration required him to turn it over to the Government?

Mr. TINCHER. What was he to do with it?

Mr. GARNER. I do not know. I am asking the gentleman.

Mr. TINCHER. Somebody was profiteering. He turned over $8,000 to the Grain Corporation. I do not know whether they turned it over to the Government or not.

The SPEAKER. The time of the gentleman has expired.

Mr. TINCHER. I should like to have two minutes more.

The SPEAKER. The gentleman from Kansas asks unanimous consent that his time be extended two minutes. Is there objection?

There was no objection.

Mr. GARNER. I did not know that the Government received any revenue out of the Food Administration act. Do I understand the gentleman to say——

Mr. TINCHER. Wait. I do not want the gentleman to take all my time. The Grain Corporation took this $8,000, that I know about, and I understand that is one department of this administration.

Mr. HAUGEN. The report states that millers were making a profit of 13½ cents on each barrel of flour for the four years ending June 30, 1916, and that under Food Administration regulations limiting their profits to 25 cents per barrel maximum they were making 45 cents a barrel, which was three times the normal profit per barrel referred to. Before the regulation their average profit was 13½ cents.

Mr. TINCHER. When I hear the Department of Justice and when I hear this Grain Corporation and some of the other high-up officials proclaiming what they are going to do to the profiteers I am reminded of the old saying that what they are speaks so much louder than what they say that you can not hear them. [Applause.]

Mr. BLACK. I ask unanimous consent to address the House for 15 minutes.

The SPEAKER. The gentleman from Texas asks unanimous consent to address the House for 15 minutes. Is there objection?

There was no objection.

Mr. BLACK. Mr. Speaker, our esteemed colleague, Judge HARDY, took occasion awhile ago to make some remarks on the bill passed in September, 1916, commonly known as the Adamson law. As I construed his address it was a defense of his own position as to the passage of that law and an attack upon those Members who voted against it.

Mr. HARDY of Texas. Will the gentleman yield right there?

Mr. BLACK. Yes; I will yield.

Mr. HARDY of Texas. Certainly I did not charge them with truckling, or attack them in any manner. I was defending those of us who voted for it, who were attacked on yesterday as having truckled.

Mr. BLACK. The gentleman gives an interpretation to his own remarks to which I do not exactly agree. I do not mean to say that the gentleman in any offensive manner criticized his colleagues who voted against the Adamson law, but the substance of his address was a severe indictment of those of us who did not see fit to vote for that law. I have never on the floor of this House criticized any Member who voted for that law.

Mr. HARDY of Texas. Will the gentleman yield right there?

Mr. BLACK. Yes.

Mr. HARDY of Texas. I want to say that I have not the slightest criticism of any gentleman whose judgment permitted him to vote against that law.

Mr. BLACK. I am very glad to have the gentleman say that.

Now, in regard to the circumstances of the passage of the Adamson law, I recall and can not forget that at the time the situation came up the President of the United States submitted to us six propositions, none of which were embodied in the Adamson bill except those which took care of the demands of the employees. Why? Because the advocates of that law said, "A strike has been threatened and has been called for next Monday morning, and the orders for it have been sent out by the brotherhood chiefs, and we have no opportunity to take up more than one feature of the President's recommendation, to wit, the eight-hour feature, which will make it obligatory upon the carriers to pay to each employee engaged in any capacity in the operation of trains for 8 hours' service what he is now receiving for 10 hours' service." In other words, a wage-increase bill. So the leaders in charge of the legislation said, "We will take up these other propositions recommended by the President later on, but we can not take them up now." Now, when that appeal was made to me as a Member of this House, feeling that the then existing danger was a proposition that was bound to confront us again in the future, I said, "No; I will not vote for a bill that deals with only one feature and ignores the others," and I did not vote for it. [Applause.] I stated at that time my reasons why I did not vote for it. With your indulgence I will restate them and will read from a statement which I issued at the time and which was published in the Dallas Morning News of September 2, 1916, and in which I said: "I voted against the Adamson bill because, in my opinion, the bill does not deal in a comprehensive and adequate manner with the situation that confronts the country." If the measures suggested by the President in his address to both Houses of Congress had been embodied in the measure I would have supported it.

While I did not agree in its entirety with all the program suggested by the President in his address to Congress, still I think it was broad in its conception and would have adequately met the situation not only for the present, but would have provided safety for the future. I was emphatically opposed to taking up just one phase of the matter and rushing through hasty and ill-considered legislation merely because of the threat of a strike held over the heads of Congress.

I refuse to be coerced and intimidated by the employees who were threatening to strike, just as I would refuse to be coerced and intimidated by the railroads.

I am ready at any time to approach the whole problem in a legislative way, with a view of doing absolute justice to the railroads, the employees, and the general public, who are themselves vitally concerned.

Then here is what I said in conclusion:

The problem is bound to be met at some time in the future, and why not now? I believe in not only providing for the immediate present, but making it impossible for a situation of this kind to arise again in the future.

[Applause.]

If Congress had proceeded then with a constructive, legislative program, in all probability we would not be confronted with the present situation. I do not mean to say this in a harsh, critical sense as to those who were willing to pass the Adamson law with only its features meeting the employees' demand and letting those affecting the public's interest wait. But what I do say is: That a mistake was made, and I said so at the time.

Mr. GARRETT. Mr. Speaker, will the gentleman yield?

Mr. BLACK. Yes.

Mr. GARRETT. In order to make the history complete Congress adjourned within a few days after the passage of this act, and when it returned for the short session—I do not want to trespass too much upon the gentleman's time, but I think this is important——

Mr. BLACK. Oh, probably I can get an extension. I am always glad to have the gentleman from Tennessee make an observation in my time.

Mr. GARRETT. When Congress returned for the short session the President of the United States again came before the House and renewed the recommendations as to the other matters of legislation which had not been contained in the original Adamson Act.

Mr. BLACK. That is true. I commend the President for it.

Mr. GARRETT. Some four weeks, or three weeks, perhaps, before the adjournment of that short session of Congress the Committee on Interstate and Foreign Commerce reported at least a part of that legislation into the House.

Mr. BLACK. Yes.

Mr. GARRETT. The only method by which it could then be brought up—and, of course, practically we know it was then too late to have it pass the Senate—was by a special rule. I can bear personal testimony to the fact that the gentlemen who represented themselves to be representatives of the brotherhoods called at my office, as a member of the Committee on Rules—whether they ever appeared publicly before the Committee on Rules I can not say, because I do not now remember—and they protested against the reporting out of any rule for the consideration of that legislation. I told them that they had come to the wrong office. I was of the opinion of the gentleman from Texas [Mr. BLACK] on that legislation. I was assured by those gentlemen—and by what authority they spoke I can not say—that they were satisfied there would be no further trouble with labor. That did not appeal to me. I still stood for the rule, but the rule was not forthcoming. The legislation did not pass and the Congress was adjourned, and my recollection is that within ten days after that time a strike was threatened while that decision was pending in the Supreme Court of the United States. [Applause.]

Mr. BLACK. The gentleman is exactly right, and I am now going to read a letter from representatives of the four brotherhoods which, as soon as the legislation the gentleman from Tennessee mentioned was brought up, was written to Members of Congress demanding that they defeat every other feature of the legislation, which had been proposed by the President and which had been embodied in Mr. Adamson's second bill, H. R. 19730. I am going to read you this letter in a moment, but before I do that I will say this: My distinguished friend, and he is a great advocate, Judge HARDY, has deceived himself into believing that this was a real eight-hour-a-day measure, and I am going to prove to the gentleman by the letters of the brotherhoods that it was not an eight-hour measure; that they were emphatically opposed to an eight-hour law, such as is commonly understood when we speak of an eight-hour day. Here is the letter. It speaks for itself. Remember, this letter is dated five months after the enactment of the Adamson law, when they said, "If you give this to us, we are willing to forego other demands and approach the whole problem from an impartial and get-together spirit," and when at the reconvening of Congress the distinguished gentleman from Georgia, Mr. Adamson, chairman of the Committee on Interstate and Foreign Commerce, introduced a bill that did embody the other features of the President's recommendations, who do we find to be its most vigorous and active opponent? The four railroad brotherhoods of the United States.

Mr. HARDY of Texas. Will the gentleman state for the RECORD what those other recommendations were?

Mr. BLACK. I will insert them. I remember one was the compulsory investigation proposal, known as the compulsory conciliation act, during which investigation it would be unlawful to call a strike or for the railroad owners to declare a lockout. I will insert these recommendations of the President with the gentleman's permission. The following are these recommendations:

First. Immediate provision for the enlargement and administrative reorganization of the Interstate Commerce Commission along the lines embodied in the bill recently passed by the House of Representatives and now awaiting action by the Senate, in order that the commission may be enabled to deal with the many great and various duties now devolving upon it with a promptness and thoroughness which are with its present constitution and means of action practically impossible.

Second. The establishment of an eight-hour day as the legal basis alike of work and of wages in the employment of all railway employees who are actually engaged in the work of operating trains in interstate transportation.

Third. The authorization of the appointment by the President of a small body of men to observe the actual results in experience of the adoption of the eight-hour day in railway transportation alike for the men and for the railroads; its effects in the matter of operating costs, in the application of the existing practices and agreements to the new conditions, and in all other practical aspects, with the provision that the investigators shall report their conclusions to the Congress at the earliest possible date, but without recommendation as to legislative action, in order that the public may learn from an unprejudiced source just what actual developments have ensued.

Fourth. Explicit approval by the Congress of the consideration by the Interstate Commerce Commission of an increase of freight rates to meet such additional expenditures by the railroads as may have been rendered necessary by the adoption of the eight-hour day and which have not been offset by administrative readjustments and economies, should the facts disclosed justify the increase.

Fifth. An amendment of the existing Federal statute which provides for the mediation, conciliation, and arbitration of such controversies as the present by adding to it a provision that in case the methods of accommodation now provided for should fail, a full public investigation of the merits of every such dispute shall be instituted and completed before a strike or lockout may lawfully be attempted.

Sixth. The lodgment in the hands of the Executive of the power, in case of military necessity, to take control of such portions and such

rolling stock of the railways of the country as may be required for military use and to operate them for military purposes, with authority to draft into the military service of the United States such train crews and administrative officials as the circumstances require for their safe and efficient use.

Mr. WINGO. Mr. Speaker, I have tried to get the gentleman's viewpoint. Is he opposed to an eight-hour day, or was he opposed to the Adamson law because it was not a bona fide eight-hour measure?

Mr. BLACK. If the gentleman will permit me, I will discuss that feature later. I stated on the floor a moment ago why I voted against the Adamson law, when I read my statement, printed September 2, 1916. Was the gentleman in the House at the time?

Mr. WINGO. Certainly. I always listen to the gentleman. The thing I want to get is, is the gentleman opposed to an eight-hour day.

Mr. BLACK. Oh, no; I am not opposed to an eight-hour day, and I have always advocated it whenever it was possible and practicable, but I am going to show to the gentleman from Arkansas that the Adamson law was not an eight-hour day, but was, in fact, a wage-increase bill. If the gentleman has deceived himself into believing that it was a real eight-hour law, then I am surprised.

Mr. WINGO. Will the gentleman yield for another question?

Mr. BLACK. Not now. I want to read this letter, and then the gentleman can interrogate me all he desires.

The SPEAKER pro tempore (Mr. WALSH). The gentleman declines to yield.

Mr. WINGO. I did not think the gentleman would yield to the question I wanted to propound.

Mr. BLACK. I will yield when I get through with this letter.

Mr. WINGO. Oh, no; the gentleman will not. He is running away from it.

Mr. BLACK. The letter is as follows:

AUSTIN, TEX., *January 20, 1917.*

HON. EUGENE BLACK, *Washington, D. C.*

DEAR SIR: We are coming to you again asking that you oppose the bill known as H. R. 19730, the Adamson bill—

Remember that is the second Adamson bill, the one that embodied the provisions that were for the benefit of the public.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. MCARTHUR. Mr. Speaker, I ask unanimous consent that the time of the gentleman from Texas be extended for ten minutes.

The SPEAKER pro tempore. Is there objection?

Mr. OVERSTREET. Mr. Speaker, reserving the right to object, I have just come into the Hall, and the gentleman is discussing a law that has been passed for some time——

Mr. BLANTON. While the gentleman has been out of the Hall that matter has been discussed for a considerable time.

Mr. BLACK. I hope the gentleman will not object, as I have not finished reading the letter.

The SPEAKER pro tempore. Is there objection?

Mr. WINGO. Mr. Speaker, reserving the right to object, would there be any objection to my having 30 minutes after that?

Mr. HARDY of Texas. Fifteen minutes is all that the gentleman requested at first.

Mr. BLACK. I will not object to the gentleman.

Mr. WINGO. Gentlemen who objected to the brotherhoods took the same position the gentleman did then officially, that this was not an eight-hour law, bona fide, with time and a half for overtime, but of course if the House does not care to hear the facts discussed, I shall not press my request.

Mr. HARDY of Texas. I want to say this much——

Mr. OVERSTREET. Mr. Speaker——

Mr. HARDY of Texas. I hope the gentleman from Arkansas may be allowed 15 minutes.

Mr. BLACK. He will have no objection from me.

The SPEAKER pro tempore. Is there objection?

Mr. HARDY of Texas. Mr. Speaker, reserving the right to object, I just want to say——

Mr. OVERSTREET. Mr. Speaker, a point of order.

The SPEAKER pro tempore. Is there objection?

Mr. OVERSTREET. Here is one thing I want to say——

The SPEAKER pro tempore. The question is, Is there objection?

Mr. OVERSTREET. Mr. Speaker, reserving the right to object——

The SPEAKER pro tempore. The question is, Is there objection? [After a pause.] The Chair hears none.

Mr. BLACK. Now, here is what the letter goes on and says—

or particularly the compulsory arbitration, the absolute eight-hour-day limit to trainmen and enginemen, and the military feature provisions of the bill, and sincerely trust you may fully realize the position of our people in the event these provisions are enacted into law.

Our people desire shorter hours of service in train movement, and the time may come—

I desire the gentleman from Arkansas may give heed to this.

Mr. WINGO. I do not care to listen to the gentleman unless he yields——

Mr. BLACK (continuing reading)—

the time may come when an eight-hour-limit day shall be practical, but conditions are such that it could not now be so without an expense that would seem to us not justifiable at this time.

Mr. WINGO. Will the gentleman read the published statement of the brotherhoods made at that time?

Mr. BLACK. I do not have the published statement. The gentleman can read it. I shall be glad to hear him read it.

Mr. WINGO. I can not get time.

Mr. BLACK. Now, speaking of the compulsory arbitration feature.

The compulsory feature would restrict the well-admitted rights of our people to a dangerous degree, especially when conditions would render a decided advantage to the employing class, in that the power of the Government has already been tested as to its ability to curb that class in similar cases in the past few years. Our people possess a great admiration for their Government, as any other class of citizens, against the common enemy, but to further extend military power to the employing class, that would entirely place this department of the Government at the disposal of the protection of property, without a due regard to the protection of human rights, we protest, and respectfully beg of you for that defense of these rights that you have given the people of all classes in your past public service.

This is signed by C. F. Goodridge, Order of Railway Conductors; C. D. Johnson, Brotherhood of Locomotive Engineers; O. L. Kinsley, Brotherhood of Locomtive Firemen and Enginemen; and Charles Murphy, Brotherhood of Railway Trainmen.

I am not questioning the right of the railroad brotherhoods to oppose the adoption of the second Adamson law or to oppose the adoption of any other law, as for that matter. That is their right; but what I want to emphasize is that having secured their part of the demands in the enactment of the first Adamson law, they set about to actively oppose and did oppose the other recommendations of President Wilson which had been submitted for the protection of the public interest. Their contention which has been made all along in this controversy, to the effect that the owners and managers of the railroads were arbitrary and refused to approach the matter in a spirit of conciliation, I do not believe is sustained by the facts.

The final proposals which were submitted by the managers of the railways in the original controversy were as follows:

(a) The railroads will, effective September 1, 1916, keep the time of all men represented in this movement, upon an eight-hour basis and by separate account, monthly, with each man, maintain a record of the difference between the money actually earned by him on the present basis and the amount that would have been earned upon an eight-hour basis—overtime on each basis to be computed pro rata. The amounts so shown will be subject to the decision of the commission, provided for in paragraph (c) of this memorandum and payable in money, as may be directed by said commission in its findings and decision.

(b) The Interstate Commerce Commission, to supervise the keeping of these accounts and report the increased cost of the eight-hour basis, after such period of actual experience as their judgment approves, or the President may fix, not, however, less than three months.

(c) In view of the far-reaching consequences of the declaration made by the President, accepting the eight-hour day, not only upon the railroads and the classes of labor involved directly in this controversy, but to the public and upon all industry, it seems plain that before the existing conditions are changed the whole subject, in so far as it affects the railroads and their employees, should be investigated and determined by a commission, to be appointed by the President, of such standing as to compel attention and respect to its findings. The judgment of such a commission would be a helpful basis for adjustments with labor and such legislation as intelligent public opinion so informed might demand.

Mr. HARDY of Texas. Will the gentleman yield there, as he has referred——

Mr. BLACK. Just a moment. Now, I have read the letter of the brotherhoods, which opposes each and every feature of the second Adamson bill, which embodied the recommendations of the President, and this letter, in effect, admits that the Adamson law was not an eight-hour bill, and that a real eight-hour law, as we understand it, is impractical in the railway industry. [Applause.]

Mr. HARDY of Texas. Will the gentleman permit me just to make this statement?

Mr. BLACK. I will.

Mr. HARDY of Texas. I never understood the Adamson law to confine or limit any railroad man to working eight hours, but that eight hours was made the measure of a day's pay under the Adamson law.

Mr. BLACK. What is an eight-hour day?

Mr. HARDY of Texas. An eight-hour day is the work of eight hours per day as a standard day for a standard day's pay.

Now, if by agreement with the railroads they purposed or did make them work more, I do not understand the Adamson bill to prevent that, providing they paid overtime pro rata.

Mr. BLACK. Do not the eight-hour laws we have enacted for the Government of the United States relative to the service of laborers and mechanics employed by the Government prescribe that they shall be eight hours in fact, and that it shall be unlawful for any officer of the Government, unless the President issues an Executive order permitting it, to suspend the operation of such eight-hour law? [Applause.]

Mr. HARDY of Texas. The eight-hour laws we have passed never prescribed that the laborer shall not work more than that, of his own consent, that I have ever seen, and that is all the railroad eight-hour law was. I certainly never misunderstood it. It simply provided that for the purpose of reckoning the compensation for service eight hours should be a day's work for the trainmen.

Mr. BLACK. When the war broke out and it was necessary to operate the Government factories more than eight hours per day, did not the President have to issue an Executive order permitting a longer time than eight hours?

Mr. HARDY of Texas. Permitting the employers to put in force a longer time—to require a longer time? Possibly that is true.

Mr. BLACK. Permitting Government officials.

Mr. HARDY of Texas. But the gentleman ought to know there has never been a law put on the statute books that forbids a man from working nine hours under a special contract for the extra hour.

Mr. BLACK. We are not talking about conditions of that kind. We are discussing the meaning of a real eight-hour law.

Mr. HARDY of Texas. One thing further. I want to say this, that so far as the other measures urged by the President were concerned perhaps I agreed with the gentleman when they were before Congress, but I did not let my vote on the Adamson law be governed by what I thought ought to be done in addition. The Adamson law was and is right as an independent matter.

Mr. BLACK. The difference between the gentleman and myself was that I knew as well as I knew anything, or at least I believed as I believe anything, that the time would come when we would face the same situation as we did then. [Applause.] It was not the proper thing to deal with only one feature of it and overlook the other recommendations urged by the President.

Mr. HARDY of Texas. Is the gentleman now in favor of an absolute compulsory arbitration?

Mr. BLACK. I will answer that. In reference to interstate carriers I favor the creation of a commission upon which the public, the railroad owners, and the employees will have full and fair representation—and I hope it will be created before this Congress adjourns—that will have the absolute right to adjudicate the differences that arise between the railroad employees and their employers and after having given a careful hearing to both sides and rendering a decision, which I have every confidence to believe will be an impartial one, that that decision shall be binding both upon the carriers and the employees. [Applause.]

I see nothing revolutionary about that. In fact, not to do it will leave the public no protection at all, and I fear that a crisis might arise at some future time which, having no legal instrumentality to deal with it, would precipitate a nation-wide strike, bring widespread disaster and distress to our whole country, and in which catastrophe no one would suffer more than the railroad employees themselves. Legal methods it seems to me are much better methods to settle difficulties of any kind than attempted coercion and force.

I understand very well that the Congress of the United States can not pass any law that will prohibit an individual workman from working whenever he wants to work and quitting whenever he wants to quit, and working for whoever he pleases; nor will Congress attempt to enact any law which will interfere with labor's right to organize and bargain collectively.

Mr. HARDY of Texas. You and I agree on that.

Mr. BLACK. But Congress can and will prevent combinations of both capital and labor from exercising their power in a tyrannical way to the detriment of the peace and welfare of the Nation. [Applause.] That is where I stand on it.

Mr. HARDY of Texas. What remedy would the gentleman suggest?

Mr. BLACK. I have just suggested that I favor a commission with full power to settle the differences which arise between the railroads and their employees. Permit me to say that I have no attack to make upon organized labor as such. Labor unions have been and still are useful to the welfare of labor. I am willing to admit that they have many achievements to their credit which are good, as well as some that are bad. But I realize as a representative of the people that they have demonstrated that some restrictions must be thrown around their use of power. It is bound to come if we are to continue to have a government of law and order. These restrictions and limitations are not only in the interest of society but are absolutely essential to the welfare of labor itself. There is no one but what will concede that combinations of capital have been of vast benefit to the country in the past. They have builded our factories and expanded our commerce. They have belted our Nation with telegraph and telephone lines and have given us the most complete and efficient railway system in the world. And yet, is there a Member on the floor of this House——

The SPEAKER pro tempore (Mr. WALSH). The time of the gentleman has expired.

Mr. QUIN. Mr. Speaker, I ask unanimous consent that the gentleman have three minutes more.

The SPEAKER pro tempore. The gentleman from Mississippi asks unanimous consent that the gentleman from Texas have three minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. BLACK. Mr. Speaker, notwithstanding these great achievements of capital, will any Member on the floor of the House say that it is not necessary to throw some restrictions around their use of power? We have recognized that fact prior to the war and as to common carriers had vested in the Interstate Commerce Commission the power to absolutely regulate and fix their rates, from which they had no appeal except to the courts, whenever the rate was confiscatory. At first the railroads bitterly protested against these regulations and the curbing of their use of power. But it was just, it was right, it was in the public interest, and it is now a settled policy of this country, and there is no longer any contest about it.

Now, will any gentleman have the unwisdom to suggest that great combinations of organized labor can go on continuously without any limitations of their use of power?

Gentlemen, the thirst for power is an appetite which grows by what it feeds upon. One of our great statesmen has said: "Power may justly be compared to a great river, which while kept within its due bounds is both beautiful and useful, but when it overflows its banks it is then too impetuous to be stemmed, it tears down all before it and brings destruction and desolation wherever it comes." I have read that Robespierre when a country judge in France was so tender-hearted that he resigned rather than impose the death penalty upon a convicted criminal, and yet, under the intoxication of power he became one of the most detestable tyrants in the history of the world. They tell us in history that when Caligula was clothed with the imperial purple of Rome and ascended the throne, he passed as a mild-mannered young man, and for eight months thereafter, but under the intoxication of power he became the crazed monarch, and his favorite expression was, "I wish the people of Rome had but one neck." Trojan said that absolute power would convert any man into a wild beast. Absolute power, my friends, can only be safely lodged in the body of the people and exercised through their organized Government.

Why, gentlemen, you can not go on without dealing with this serious situation if this country of ours is to remain a republic of the people, for the people, and by the people. [Applause.]

Mr. HARDY of Texas. Now, will the gentleman yield.

Mr. BLACK. Let me finish.

Mr. HARDY of Texas. I want the gentleman to suggest something constructive.

Mr. BLACK. If the commission which I have suggested is not constructive, I would like to know the reason why? Gentlemen, the strength of America does not lie in its vastness of territory or its greatness of wealth, though we are the richest Nation in the world.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BLACK. The strength of America does not lie in its Navy, although we have one of the best that ever sailed the seven seas.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HARDY of Texas. Mr. Speaker, I would like to have five minutes.

Mr. BLANTON. Mr. Speaker, a point of order. The request of the gentleman from Mississippi [Mr. QUIN] was that the gentleman from Texas should have 10 minutes. The Chair must have misunderstood, for the gentleman from Texas has consumed only about three or four minutes.

The SPEAKER pro tempore. The Chair understood the gentleman from Mississippi to say three minutes. It was so stated by the Chair, and there was no objection. Of course, the Chair may have misunderstood the gentleman.

Mr. BLANTON. I ask that my colleague have five minutes.

Mr. HARDY of Texas. I have no objection to that, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent that his colleague have five additional minutes. Is there objection?

Mr. HARDY of Texas. I ask permission to have five minutes at the end of the gentleman's time.

The SPEAKER pro tempore. The Chair hears no objection.

Mr. HARDY of Texas. I am reserving the right to object.

The SPEAKER pro tempore. The regular order is, Is there objection?

Mr. HARDY of Texas. All right. I will not object.

Mr. BLACK. The strength of America does not lie in its Army, though we have one which has been as brave as the invincible Macedonian Phalanx that followed the invincible Alexander the Great through the burning sands of Persia; as brave as were the Roman legions that followed Caesar through the swamps and morasses of Gaul; as brave as was Napoleon's old guard, who knew how to die, but not how to surrender, and who left their hitherto invincible squares on the field of Waterloo. The strength of America does not lie in its great organizations of capital or its great organizations of labor. The strength of America lies in the sacredness of its family altars erected to the glory of God and the hope of the world by the sons of freedom—North, East, South, and West—one God, one flag, one country, "one and inseparable now and forever."

These can only be preserved and handed down to our posterity by preserving the authority of law and the energy of Government. [Applause.]

Mr. PLATT. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from New York asks unanimous consent to address the House for five minutes. Is there objection?

Mr. HARDY of Texas. Reserving the right to object, Mr. Speaker, I think that after all this talk somebody on the other side ought to be given five minutes to reply to the gentleman from Texas.

The SPEAKER. The Chair has not been here in the last few minutes.

Mr. HARDY of Texas. I think he had about 35 minutes. I talked about 15 or 20 minutes.

Mr. BLANTON. I think the gentleman from Texas used about two-thirds of his time.

The SPEAKER. The Chair thinks it but fair that a gentleman on the other side should be recognized.

Mr. HARDY of Texas. I shall not object.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PLATT. Mr. Speaker, I want to take a few minutes to call attention to a section of the food-control act which, it seems to me, is crucial to the cost-of-living situation and ought to be enforced. If there has ever been any prosecution under it, I have never heard of it. Section 4 provides—

> That it is hereby made unlawful for any person willfully to destroy any necessaries for the purpose of enhancing the price or restricting the supply thereof; knowingly to commit waste or willfully to permit preventable deterioration of any necessaries in or in connection with their production, manufacture, or distribution.

And section 8 provides—

> That any person who willfully destroys any necessaries for the purpose of enhancing the price or restricting the supply thereof shall, upon conviction thereof, be fined not exceeding $5,000 or imprisoned for not more than two years, or both.

Now, it seems to me that is the crucial part of the food-control act. You can allow produce, eggs, meat, fruits, and so forth, put in storage—cold storage where necessary—to be held for almost any length of time, provided no part of the foods stored is allowed to be destroyed or go to waste. They ought all to be sold for consumption, and if all sold they would be sold nearly always at prices that would be pretty nearly right under the law of supply and demand. But if the holders of those foods or necessaries are going to be allowed to permit a part to spoil, or to destroy a part of it rather than put the price down where all of it will sell, then you have left a weapon in the hands of the cold-storage men which is a profiteering weapon that helps to keep up high prices.

I know these sections of the food-control act have been violated. I think the newspapers have given instances of violations of these sections, but I do not believe there has been a prosecution made under either of them, or an attempt to prosecute anybody for willful waste or for destroying necessaries. The language of section 4 ought to be strengthened. It is a little bit difficult to prove willfulness, possibly, in some cases, but there have been cases where willfulness could have been proved. I believe there are lots of cases where both wholesalers and retailers, having a supply of a certain product, a vegetable product or a perishable product on hand, will take the risk of having part of it spoil or destroying part of it in the hope of making a larger profit on what remains. If there are a large number of such violations of the food control act, even though the waste in each case were comparatively small, the aggregate result would be higher prices than ought to prevail. I think any man who will make an investigation in his own neighborhood will find that those things are taking place. They ought to be stopped.

That is about the only effective thing that can be done in the line of prosecution in my opinion, but it is not spectacular, like the prosecution of the beef packers, who are perhaps the most efficient of public servants in the country in a private capacity. They may have violated some part of our antiquated antitrust laws, but their prosecution won't cheapen the cost of anything we buy one cent.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. PLATT. Yes.

Mr. GARNER. I have a point which I wish to submit to the gentleman which is somewhat foreign to the subject he is discussing. The gentleman is chairman of the Committee on Banking and Currency, I believe, is he not?

Mr. PLATT. Yes.

Mr. GARNER. Is there a bill pending before the gentleman's committee with reference to the Capital Issues Committee, to which the President referred yesterday?

Mr. PLATT. I think that is pending before the Committee on Ways and Means.

Mr. GARNER. I believe the original law came from the Committee on Ways and Means, but I believe the bill that proposes to extend that law is now before the Committee on Banking and Currency. It is not a revenue measure in any sense of the word. I was just wondering whether the gentleman's committee had given it any consideration, or whether any hearings had been had on it, or what the condition was.

Mr. PLATT. Without committing myself, and without having recently examined the bill, I am inclined to favor it, but have not seen it among the bills referred to the Committee on Banking and Currency.

Mr. ROSE. Mr. Speaker, will the gentleman yield?

Mr. PLATT. Yes.

Mr. ROSE. I am very much impressed with what the gentleman has said about those sections of the law to which he refers. I believe myself that is the gist of the situation. Does the gentleman know of any condition of that kind existing that has been brought to the attention of the authorities for investigation?

Mr. PLATT. Well, taking an instance that everybody knows about, I may mention the fact that the War Department held the biggest supply of foods in the country until it began to deteriorate. I do not think any one will deny that. That was not willfully done, to be sure, to enhance their price, but nevertheless it was done. There are other cases that could be mentioned.

Mr. NEWTON of Minnesota. Mr. Speaker, will the gentleman yield for a suggestion there?

Mr. PLATT. Yes.

Mr. NEWTON of Minnesota. The Chief of the General Staff has admitted a great loss by reason of the deterioration.

Mr. PLATT. Yes; I believe that is correct.

Mr. FESS. Mr. Speaker, will the gentleman yield?

Mr. PLATT. Yes.

Mr. FESS. It has been currently stated in the press that it is the practice of certain commission merchants to buy the whole crop of a certain farmer and then only take such portions of it as they want to use or want to put on the market. Those statements are in the press. Has the gentleman any facts about whether they are true or not?

Mr. PLATT. I have no personal knowledge of the truth of these statements, but have often heard them, and have heard of specific instances which I believe to be true. I think such a practice could be stopped under the sections to which I have called attention.

It seems to me far more important that these sections should be enforced than that there should be any limit placed upon the length of time foodstuffs may be kept in storage. Several States have tried limiting the duration of storage, without the slightest beneficial results to consumers.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. OVERSTREET rose.

The SPEAKER. For what purpose does the gentleman from Georgia rise?

Mr. OVERSTREET. I put the House on notice a few minutes ago that I was willing to stay here and transact the legitimate business of the House, but I was not willing to stay here and hear political bunk. I make the point of no quorum.

The SPEAKER. The gentleman from Georgia makes the point of no quorum.

Mr. HARDY of Texas. Mr. Speaker, will the gentleman withhold that until I can ask unanimous consent to extend my remarks?

Mr. MONDELL. Will the gentleman withhold that?

Mr. OVERSTREET. For a moment.

Mr. MONDELL. There is another gentleman on this side who desires to talk five minutes, and I am sure the gentlemen of the House will be entertained with what he says.

Mr. HARDY of Texas. I want to ask leave to revise and extend my remarks.

Mr. OVERSTREET. All right. I will yield to the gentleman five minutes. [Laughter.]

The SPEAKER. The gentleman from Texas asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. CROWTHER. Mr. Speaker, I ask unanimous consent that I may address the House for 10 minutes, if possible.

The SPEAKER. The gentleman from New York asks unanimous consent to address the House for 10 minutes. Is there objection?

There was no objection.

Mr. FESS. Will the gentleman yield a moment to allow me to make a request?

Mr. CROWTHER. I yield to the gentleman for a moment.

Mr. FESS. I ask unanimous consent that I may address the House for 20 minutes when we meet again, on Monday or Tuesday, on the high cost of living.

The SPEAKER. The gentleman from Ohio asks unanimous consent that when the House next meets, after the reading of the Journal and the disposition of business on the Speaker's table, he may address the House on the high cost of living. Is there objection?

Mr. GARNER. Mr. Speaker, the gentleman from Wyoming [Mr. MONDELL], the leader of the majority, gave notice here once that he was not going to permit that to be done, when gentlemen on this side of the House made requests for time. I call the gentleman's attention to that.

Mr. MONDELL. At that time I said I did not think it wise to grant any such request, because there was business before the House, some of it unfinished. I think generally it is somewhat questionable, but I think the situation is somewhat different now, and I should not be inclined to object in this particular case.

The SPEAKER. Is there objection?

There was no objection.

Mr. CROWTHER. Mr. Speaker, when I hear a Democrat raving and ranting about special interests being identified with the Republican Party, I am reminded that at no period in the history of the Nation have said special interests been coddled and bowed down to as they have been during the past six years of Democratic rule.

You declared yourselves, in 1911, as "Jack the giant killer" in regard to trust busting. But in the performance you have shrunk to a "hop o' my thumb."

The old high cost of living was also to have its fangs removed, but under six years of your economic policy his sting is as virulent as ever. Read your campaign literature on this subject of 1911 and 1912, and if you have not entirely lost your sense of humor you will laugh yourselves to death. [Laughter.]

I desire at this time to refer to the aspersions cast upon this Republican majority by the gentleman from Arkansas [Mr. WINGO] as to their sole accomplishment having been the appointment of several "smelling committees" and growling at the President. Well, on the Democratic side of the House there is a long record of failure of accomplishment that even the excuse of the war, which you used continually to hide behind, can not erase. You felt secure in the fact that criticism of your dilatory tactics might be turned to your own benefit by charging with disloyalty everybody on this side of the House who dared to suggest that the Democratic Congress was not the absolute savior of the Nation.

The Democratic Party was returned to power on the plea that your candidate for President would keep us out of war, a war into which we were finally driven by a vision of what might be the horrible fate of our mothers and sisters and daughters and wives at the hands of the brutal Hun. The motive now ascribed for our entry into the war is one highly altruistic, but I ask you how many sons of the United States had laid down their lives without ever having heard of, much less considered, the 14 points.

I have traveled on trains with returning soldiers, I have visited at the training camps, I have fraternized with them at the hospitals, and I have found from their conversation that they had gone forward to demonstrate to the world that the idea that had evidently seeped into the minds of the European nations that "we were too proud to fight" was, in their estimation, a stain on the valor and integrity of the people of the United States that these boys desired to wipe out forever. And as making good is a characteristic of young America, they waded in and cleaned up. [Applause.] I do not desire at this time to speak at length of our soldiers' accomplishments; very many wonderful speeches have been made on the subject by Members on both sides of the House, but I yield to no one in my admiration and appreciation of what they accomplished, these magnificent soldiers, sailors, and marines, for the preservation of liberty and the sanctity of the American home.

Too many times on the Democratic side of the House have patriotic speeches been made with an eye single to covering up the failures as a result of inefficiency in the various departments. Everything from the price of cotton to the failure of the aeroplane production has had its nakedness covered by Democratic orators wrapping it in the Stars and Stripes. I do not need to remind you of the oratorical flights of the distinguished gentleman from Alabama, whose personal pulchritude causes a flutter in every feminine heart whenever he rises to address the House. [Laughter and applause.] But you can only fool a part of the people all of the time, and the soldier boys of the good old U. S. A. know that they helped to win the war, not because of the efficiency of the Democratic administration but that they were successful in spite of the fact that they were seriously handicapped in many branches of the service by your failures. [Applause.] The failures were indirectly the result of watchful waiting, and if the spirit of hide-bound partisanship had been banished from the Democratic administration just long enough to benefit by the prophetic vision and practical advice of the late Theodore Roosevelt and Maj. Gen. Leonard Wood thousands of lives might have been saved and many a mother spared her anguish and sorrow. [Applause.]

You charge the Republican majority with having made no advance in reconstructive legislation after but 10 weeks or less of this special session. Most of that time has been employed in cleaning up the mass of legislation strangled in the closing days of the Sixty-fifth Congress, not as has been so frequently charged on that side of the House by Republican filibustering, but by Democratic procrastination. [Applause.] Also, a desire on your part that if a Republican majority was returned that you might have in special session some legislation of your own construction to play politics with. That you anticipated this condition was clearly exemplified by the letter from the President asking the people for a Democratic Congress as an evidence of confidence in the administration.

Well, the people of the country answered that letter in no uncertain terms, even though their minds were occupied with the Great War, and now that they have opportunity to calmly and carefully consider the facts they will in 1920 serve notice upon the Democratic Party that their services are no longer required. [Applause.]

The gentlemen of the minority seem unduly alarmed that we Republicans are losing our prestige with the people of the country, but in your hearts you know that whenever the country has been under Republican rule a spirit of confidence pervades every individual and all industrial enterprises.

The country, sickened to death with Democratic anemia developed as a result of your "thin-gruel" policy of economics, is now to be refreshed and regenerated by the transfusion of the red blood of Republican accomplishment. [Applause.]

The ending of the war leaves the Republican Congress heir to many serious problems, but past performances give assurance that they will be handled with a maximum of capability, and I trust that there may come from your side of the House that full measure of support for Republican legislation in this coming period of reconstruction that was accorded you by the Republican minority when some of your own Members were weak in the knees on war legislation.

You chide us for having no program for the railroad problem that your administration helped to make a more serious matter than it would normally have been. It is perhaps the greatest problem we have to deal with and affects every citizen of the Nation. Labor and capital must be reconciled, and a fair and square agreement entered into that shall be to the lasting benefit of both. Such legislation can not be enacted as an over-

night proposition; it will necessitate the careful consideration of the best minds in this body and knowledge gleaned from extended hearings, at which both labor and capital should be represented. [Applause.]

The placing of the Stars and Stripes on the ocean highways is also a tremendous problem; that an American merchant marine shall ply the waters of the world must no longer be a dream, but a substantial fact. I believe that what has been accomplished in this direction by the present Shipping Board is marvelous, considering the many handicaps they have had to overcome.

In these and many other national problems we desire your assistance rather than carping criticism. On your side of the House are many master minds, and if there could but be devised some method of segregating your copper-headed Democratic partisanship, so that our committees might have the benefit of your colossal intellect, then, with what we in our pigmy minds might devise, we should be able to present some legislation worthy of your consideration. [Laughter.]

And, in passing, do not forget that to our lasting disgrace, through the dilatory tactics of this administration over a period of some years, the most unsafe place for an American citizen to declare himself as such is across the border line in Mexico.

Of course, it is within your province and privilege to proclaim the prestige of your leader, the honored President of the United States. He is the great light around which all you moths have fluttered and have been occasionally singed. Even the distinguished leader of the minority, the gentleman from Missouri [Mr. CLARK], has on several occasions, with all the dignity and courtliness of a Chesterfield and with the chivalrous courtesy of a Raleigh, prostrated himself into the Democratic puddle of inefficiency that the President might have safe passage to his homeland of self-sufficiency. [Laughter.]

Next year on the rostrum you will hold forth and try once more to fool the people, but as you stand before the multitudes you will be surrounded by four pillars, which all your hearers shall observe, and on them shall be graved four slogans: "Watchful waiting," "Peace without victory," "Too proud to fight," and "Politics is adjourned," each of which phrases were coined for use at a particular period. [Applause.]

Oh, how the American people wish that they might be obliterated from their memory. Thank God, the first three were eliminated forever by the traditional loyalty and bravery of American soldiers, sailors, and marines [applause], and the fourth was sufficiently passed upon by the fathers and mothers of this country, who determined by their votes the Republican majority in this House, and in their judgment and stability and ideals of real Americanism I have an abiding faith. [Applause.]

CHANGE OF REFERENCE.

Mr. KINKAID. Mr. Speaker, I ask unanimous consent that the Committee on Irrigation of Arid Lands be discharged from the further consideration of H. R. 6425, to authorize advances to the reclamation fund and for the issue and disposal of certificates of indebtedness in reimbursement therefor, and that the same be referred to the Committee on Ways and Means.

The SPEAKER. The gentleman from Nebraska asks unanimous consent that the reference of H. R. 6425 be changed from the Committee on Irrigation of Arid Lands to the Committee on Ways and Means. Is there objection?

Mr. CLARK of Missouri. What is the bill about?

Mr. KINKAID. It is a bill to provide for raising revenue, which places it in the jurisdiction of the Committee on Ways and Means.

The SPEAKER. Is there objection to the change of reference?

There was no objection.

ADJOURNMENT UNTIL TUESDAY.

Mr. BLANTON. Mr. Speaker, I have a privileged resolution which I desire to call up.

Mr. MONDELL. I move that the House do now adjourn.

Mr. KITCHIN. Why not adjourn over until Tuesday?

Mr. MONDELL. The gentleman from North Carolina asks why not adjourn over until Tuesday. So far as I am concerned, I have no objection, if that is the will of the House.

Mr. KITCHIN. We know what will be in order on Monday, and the House is not prepared for that work.

The SPEAKER. It requires unanimous consent.

Mr. MONDELL. At the suggestion of the gentleman from North Carolina [Mr. KITCHIN] I will submit the request. I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Tuesday next.

The SPEAKER. The gentleman asks unanimous consent that when the House adjourns to-day it adjourn to meet on Tuesday next. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. MONDELL. I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 12 minutes p. m.) the House adjourned until Tuesday, August 12, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of Commerce, transmitting a serious condition that exists in the variation and methods of paying the draftsmen in the United States Coast and Geodetic Survey to those paid draftsmen in other Government bureaus (H. Doc. No. 178); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of State submitting a supplemental estimate of appropriation required for the purchase and repair of the premises now occupied by the American embassy, Santiago, Chile (H. Doc. No. 179); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Commerce submitting a supplemental estimate of appropriation for improvement of the water supply at Wytheville, Va., fish hatchery (H. Doc. No. 180); to the Committee on Appropriations and ordered to be printed.

4. A letter from the chairman of the Public Utilities Commission of the District of Columbia, transmitting list of reports from the various public utilities of the District of Columbia (H. Doc. No. 1771, pt. 2, 65th Cong., 3d sess.); to the Committee on the District of Columbia and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. KIESS: A bill (H. R. 8362) to amend and revise the laws relating to the public printing and binding and the distribution of Government publications, and for other purposes; to the Committee on Printing.

By Mr. FITZGERALD: A bill (H. R. 8363) making appropriation to continue repair and construction work at navy yards; to the Committee on Appropriations.

By Mr. KELLER: A bill (H. R. 8364) for the purchase of a site and erection of building for the use and accommodation of the post office at St. Paul, Minn.; to the Committee on Public Buildings and Grounds.

By Mr. HUDSPETH: A bill (H. R. 8365) to amend section 300 of the war-risk insurance act, being article 3 thereof, so as to include all persons who were members of the Military or Naval Establishments on or after April 6, 1917; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Washington: Resolution (H. Res. 237) to print the President's address of August 8, 1919, as a House document; to the Committee on Printing.

By Mr. HUDSPETH: Concurrent resolution (H. Con. Res. 27) to prevent profiteering in sugar and other commodities classed as the necessaries of life and to provide for the purchase of the same by the citizens in the immediate locality in which sales are conducted where it is shown there is an actual need for the same and the citizens are willing and ready to pay the price demanded by the Government; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND of Indiana: A bill (H. R. 8366) granting a pension to Christopher Howder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8367) granting a pension to James Stone; to the Committee on Pensions.

By Mr. BOWERS: A bill (H. R. 8368) granting a pension to William C. Shaffer; to the Committee on Pensions.

By Mr. BUTLER: A bill (H. R. 8369) for the relief of Frank Pulaski; to the Committee on Naval Affairs.

By Mr. FRENCH: A bill (H. R. 8370) granting an increase of pension to Aldrich S. Luther; to the Committee on Invalid Pensions.

By Mr. HERNANDEZ: A bill (H. R. 8371) to restore pension to Leandra Montoya de Pfeiffer; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 8372) granting an increase of pension to Isaac J. Green; to the Committee on Invalid Pensions.

By Mr. SANDERS of Indiana: A bill (H. R. 8373) granting a pension to Thomas A. Puyear; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of Legislature of the State of Nebraska ratifying the proposed amendment to the Constitution extending the right of suffrage to women; to the Committee on Woman Suffrage.

Also (by request), petition of council of the city of Portland, Oreg., indorsing any action by the President to lower the cost of living and recommending a nation-wide campaign to bring about this result; to the Committee on Interstate and Foreign Commerce.

By Mr. LUFKIN: Petition of the Tuesday Club of the Maple Street Church, of Danvers, in favor of a league of nations; to the Committee on Foreign Affairs.

By Mr. POU: Petition of 383 farmers of Wake County, N. C., protesting the placing of duty on the importation of potash and other ingredients used in fertilizer; to the Committee on Ways and Means.

By Mr. RAKER: Petition of Richmond City Council, Richmond, Calif., indorsing location of a United States naval academy on the Pacific coast; to the Committee on Naval Affairs.

Also, petition of physicians, lately medical officers of the United States Army, of Chicago, Ill., indorsing House bill 2492, for conferring of rank on the Army Nurse Corps; to the Committee on Military Affairs.

Also, petition of Pacific Rice Growers' Association, Sacramento, Calif., protesting against House bill 8115; to the Committee on the Judiciary.

By Mr. SMITH of Michigan: Petition of Illinois Association of Postmasters for increased pay; to the Committee on the Post Office and Post Roads.

SENATE.

MONDAY, *August 11, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come to Thee to worship and lift up our hearts in grateful acknowledgment to Thee for Thy boundless goodness to us. We would not be less grateful because Thy bounties are ministered to us through a thousand avenues of nature. We would not forget the provision Thou hast made for us on the earth, the sea, the sky, because these come to us mediated by the hand of nature. We remember the heart that is back of all, the heart of God, the heart of love. We praise Thee for Thy goodness to us. We pray Thee to accept our expressions of gratitude. In Jesus' Name. Amen.

The Secretary proceeded to read the Journal of the proceedings of Friday last, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

GOVERNMENT DORMITORIES.

The VICE PRESIDENT laid before the Senate a communication from the United States Housing Corporation, transmitting, in response to a resolution of the 2d instant, certain information relative to the project known as the Government Hotels, which was referred to the Committee on Public Buildings and Grounds.

PETITIONS AND MEMORIALS.

MR. CURTIS presented a memorial of sundry citizens of Newton, Kans., remonstrating against universal military training, which was referred to the Committee on Military Affairs.

He also presented a resolution adopted by Dewey Lodge, No. 199, Brotherhood of Boilermakers and Iron Shipbuilders of America, of Horton, Kans., favoring the adoption of the so-called Plumb plan for the operation of railroads, which was referred to the Committee on Interstate Commerce.

He also presented a memorial of sundry citizens of Oswego, Kans., remonstrating against the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of the State of Kansas, praying for the establishment of a Department of Education, which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Ensign, Kans., praying for the repeal of the "stamp" tax on medicines, toilet preparations, etc., which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Winfield, Kans., praying for the repeal of the so-called daylight-saving law, which was ordered to lie on the table.

Mr. CURTIS (for Mr. KEYES) presented a petition of sundry citizens of Somersworth, N. H., praying for the repeal of the tax on ice cream, soda, and soft drinks, which was referred to the Committee on Finance.

Mr. GRONNA. I present a memorial from the Jamestown (N. Dak.) Commercial Club with reference to the zone system of rates of postage. I ask that it be referred to the Committee on Post Offices and Post Roads and printed in the RECORD.

There being no objection, the memorial was referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

JAMESTOWN COMMERCIAL CLUB,
Jamestown, N. Dak., July 29, 1919.

Whereas the executive committee of the Jamestown Commerical Club after considerable investigation, discussion, and consideration, are of the unanimous opinion that any change in present postal laws that makes a flat rate for transportation of periodicals to all points in the United States should be opposed; and

Whereas we believe that the law, practically universal, that pay for service rendered should be in proportion to the cost of such service is entirely appropriate in this case, and that this principle is now being recognized by the Government in charging periodical transportation by weight and distance and is one of the principal factors in rate making by rate-making commissions: Now, therefore, be it

Resolved, That we sincerely hope you will use your best efforts in Congress to defeat any efforts of publishers to repeal the zone system and revert to the old flat rate of postage on the advertising pages of their periodicals.

JAMESTOWN COMMERCIAL CLUB.
L. B. NIEMEYER, *President.*
ANDREW HAAS, *Secretary.*

Mr. FLETCHER presented a resolution adopted by the Central Trades and Labor Council, of Jacksonville, Fla., favoring the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Key West, Fla., praying for the repeal of the tax on ice cream, soda, and soft drinks, which was referred to the Committee on Finance.

Mr. CAPPER presented a memorial of sundry citizens of Barton County, Kans., remonstrating against Federal control of the meat-packing industry, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of the State of Kansas praying for the repeal of the tax on medicines, toilet preparations, etc., which was referred to the Committee on Finance.

Mr. HALE presented a memorial of the Chamber of Commerce of Auburn, Me., remonstrating against Federal control of the meat-packing industry, which was referred to the Committee on Agriculture and Forestry.

Mr. PAGE presented a petition of the congregation of the Second Congregational Church of Bennington, Vt., praying for the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. TOWNSEND presented a memorial of the Michigan Hardwood Manufacturers' Association remonstrating against the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Federation of Labor of Flint, Mich., praying for the adoption of the so-called Plumb plan for the operation of railroads, which was referred to the Committee on Interstate Commerce.

He also presented a resolution adopted by the Michigan State Manufacturers' Association favoring the return to private ownership of the railroads of the country, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Social Science Class of the South Baptist Church of Lansing, Mich., praying for the enactment of legislation to reduce the high cost of living, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Muskegon, Mich., praying for the repeal of the tax on ice cream, soda, soft drinks, etc., which was referred to the Committee on Finance.

Mr. COLT presented a resolution adopted by the Equal Suffrage League of Barrington, R. I., favoring the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Chamber of Commerce, of Providence, R. I., praying for the return to private owners of the railroads of the country, which was referred to the Committee on Interstate Commerce.

He also presented a resolution adopted by the Americanization Committee of the City of Providence, R. I., favoring the enactment of legislation providing for the training of alien women in citizenship, which was referred to the Committee on the Judiciary.

Mr. LODGE. I ask to have printed in the RECORD, without reading, a telegram from constituents of mine in Massachusetts.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

BOSTON, MASS., *August 6.*

Senator LODGE,
Washington, D. C.:

By unanimous vote citizens of Massachusetts who are delegates representing every one of Ireland's 32 counties, with 20,000 members in Greater Boston, of whom more than 1,500 fought for America, protest ratification of the league of nations in its present form as utterly inconsistent with the ideals of liberty and independence upon which this Government is founded. We are united in believing that our sovereign rights are jeopardized; that articles in the league of nations commit this country to actions which would uphold autocracy and turn a deaf ear to all peoples struggling for liberty; that the ideals for which we entered the war have been swept aside through secret diplomacy, which has evolved this document. We urge you as Representative of Massachusetts to use your influence to prevent its ratification.

CENTRAL COUNCIL IRISH COUNTY ASSOCIATIONS.
JOHN FOLEY, *President.*
FRANK M. TIERNAN,
WILLIAM H. COLLINS,
WILLIAM OSBORNE,
Vice Presidents.
WILLIAM H. GORMLEY,
JOHN MONAHAN,
Secretaries.

Mr. WALSH of Montana. I present a joint memorial of the Legislative Assembly of the State of Montana, relative to certain legislation pending before the Senate. I ask that it be read, and I call the especial attention of the Senator from Iowa [Mr. KENYON] to the memorial.

The resolution was read and referred to the Committee on Agriculture and Forestry, as follows:

House joint memorial No. 1.

(Introduced by McQuarrie.)

A memorial to Congress relating to the production, sale, and distribution of live stock and live-stock products, dairy products, poultry and poultry products in commerce.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

We, your memorialists, the Sixteenth Legislative Assembly of the State of Montana, in extraordinary session convened, respectfully represent and petition that—

Whereas there is now pending before the Congress of the United States a bill known as S. 2202, introduced by the Hon. W. S. KENYON, Senator from Iowa, providing for the licensing by the Federal Government of all persons engaged in the business of slaughtering live stock, preparing live-stock products for sale, engaged in the business in commerce of buying, selling, or shipping live stock for slaughter and live-stock products, conducting or operating stockyards in which live stock is handled in commerce, performing services in commerce with respect to live stock handled on a commission basis or in connection with stockyards, collecting in connection with stockyards and distributing in commerce live-stock market quotations or live-stock market news, buying, selling, and shipping dairy products, poultry and poultry products in commerce, and providing for the regulation and control thereof by the Federal Government; and

Whereas the legislative assembly is of the belief that all such industries and businesses should be subjected to Federal control and regulation; and

Whereas the legislative assembly is of the belief that the said S. 2202 presents legislation effecting that object: Be it therefore

Resolved by the Sixteenth Legislative Assembly of the State of Montana, the House and Senate concurring, That we do respectfully petition and earnestly pray the honorable Congress of the United States for the passage of S. 2202; and be it further

Resolved, That a copy of this memorial be forwarded by the secretary of state of the State of Montana to the Senate of the United States, that a copy of this memorial be forwarded by the secretary of state of the State of Montana to the House of Representatives of the United States, and that copies of this memorial be transmitted by the secretary of state of the State of Montana to the Senators and Representatives in Congress from the State of Montana with a request that they use every effort to bring about an accomplishment of the ends and purposes herein set forth.

Mr. McKELLAR. I desire to read a telegram from Nashville, Tenn., which is as follows:

NASHVILLE, TENN., *August 8, 1919.*

Hon. KENNETH D. MCKELLAR,
Washington, D. C.:

Tennessee Post No. 6, of the American Legion, composed of 300 discharged soldiers, sailors, and marines of Davidson County, Tenn., at its regular meeting held last night passed, by unanimous vote, a resolution declaring this organization to be opposed to all attempts which are now being made, or may hereafter be made, to coerce the President or the Congress of the United States or to seek by undue influence to control or direct governmental action. I am instructed by this resolution to wire you that this post indorses your efforts to settle and adjust the railroad question and reduce the cost of living through regular governmental agencies and processes, and that to this end we pledge you our unswerving and loyal support and cooperation to the limit.

POST NO. 6, AMERICAN LEGION, DAVIDSON COUNTY, TENN.
By W. P. COOPER, *Post Commander.*

Mr. President, I wish to say that I think that shows a splendid American spirit. I am delighted to know that the soldiers, sailors, and marines takes such a view. I think it is a healthful sign when, of their own accord, they protest against any attempted coercion or direction of governmental action by any particular class of our people. It is a very strong protest, it seems to me, against any form of Bolshevism in this country, and as such it ought to be commended, and I desire to commend it.

Another hopeful sign in this telegram is their position that whatever reforms or remedies are necessary they should be brought about through regular governmental agencies and processes. That sentiment, also expressed in this telegram, I desire to commend.

LOSSES OF PUBLIC BUILDING CONTRACTORS.

Mr. FERNALD. I report back favorably from the Committee on Public Buildings and Grounds without amendment the bill (H. R. 6323) for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes, and I submit a report (No. 146) thereon.

Mr. President, this is a matter of very great importance to the business men of this country who entered into contracts with the Government under the Treasury Department to construct public buildings all over the United States.

The bill has the approval of the ex-Secretary of the Treasury, Mr. McAdoo, and the present Secretary of the Treasury, Mr. Glass. On account of the high prices of all materials, which immediately became effective after we entered the war, it was necessary for these contractors to pay two and sometimes three and four times as much for their materials as they expected to pay when the contracts were taken previous to the war. The activities of the War and Navy Departments in taking men from them left them without men, and to those they did have they were obliged to pay much higher wages. Sometimes their organizations were entirely broken up. The contractors would have one or two hundred men on a job to-day and would be entirely out of men to-morrow. The Priority Board inspected their changes and they were unable to get material. Some of it expected promptly was delayed for many months.

These contractors to-day are on the verge of bankruptcy. This bill gives them relief, inasmuch as they are ready to take up the matter with the Treasury Department and show their claims. In no case are they to have any profit, but simply to base their settlement upon the loss which was sustained by the activities of the military department.

Mr. SPENCER. The bill has passed the House.

Mr. FERNALD. It passed the House by a very large majority. It was unanimously reported by the Public Buildings and Grounds Committee of the House and also by the Senate Committee on Public Buildings and Grounds. It seems necessary that these contractors should have speedy relief, and I ask that the bill may be considered at this time.

Mr. SMOOT. Let it be read first.

The VICE PRESIDENT. The bill will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed, under such regulations as he may prescribe, to receive fully itemized and verified claims and reimburse contractors and their subcontractors, including material men, for the construction, improvement, special repair, equipment, or furnishing of post offices and other buildings or work under the supervision of the Treasury Department (as well as the United States courthouse in the District of Columbia and the approaches and retaining wall to the Lincoln Memorial in the District of Columbia) whose contracts were awarded or whose bids as thereafter accepted were mailed or delivered to the proper governmental authority prior to the entrance of the United States into the war with Germany, to wit, April 6, 1917, and whose contracts have been or will be completed after said date, for loss due directly to increased costs thereafter arising, due either, first, to increased cost of labor or materials, or, second, to delay on account of the action of the United States Priority Board or other governmental activities, or, third, to commandeering by the United States Government of plants or materials shown to the Secretary of the Treasury to have been sustained by them in the fulfillment of such contracts by reason of war conditions alone: *Provided,* That any subcontractor may submit his claim through the contractor or to the Secretary of the Treasury. And the Secretary of the Treasury is hereby directed to submit from time to time estimates for appropriations to carry out the provisions of this act: *Provided further,* That no claims for such reimbursement shall be paid unless filed with the Treasury Department within three months after the passage of this act: *And provided further,* That in no case shall the contractor or subcontractor be reimbursed to an extent greater than is sufficient to cover his actual increased cost in fulfilling his contract or subcontract, exclusive of any and all profits to such contractor or subcontractor; nor shall such reimbursement include any advances or payments made by the sureties of such contractor or subcontractor in executing the work, but the surety on any contract coming within the provisions of this act who, as surety, has completed, or may complete, the work of any defaulting contractor on any such contract, or who has furnished financial assistance to a failing contractor on any such contract whereby such contractor has been enabled to complete such contract, may file claim, within the period hereinbefore fixed, and be reimbursed in the manner hereinbefore provided for the increased cost due to the causes

hereinbefore specified of the labor and material supplied in so completing any such contract, or for the increased cost of the labor and material paid for from funds so furnished by such surety: *And provided further*, That the Secretary of the Treasury shall report to Congress at the beginning of each session thereof the amount of each expenditure and the facts on which the same is based.

Mr. HITCHCOCK. I should like to inquire of the Senator from Maine, the chairman of the committee, who has asked for the present consideration of the bill, whether the committee secured any definite information as to the number of claims that would be made under it and any approximation of the total amount involved?

Mr. FERNALD. Yes; we had a hearing last Friday. Many of the contractors appeared.

Mr. HITCHCOCK. I will state that I am reserving the right to object to the present consideration of the bill.

Mr. FERNALD. The Secretary of the Treasury wrote a letter which is attached to the bill. There are about 80 projects involved, and the estimated expense is about $2,132,000—that is the estimate made by the Secretary of the Treasury, Mr. Glass. These men appeared before the committee last Friday, and it was certainly a pathetic story which they told. Almost every one of them is on the verge of bankruptcy, caused entirely by no fault of their own. As all will remember, the public-building contractors were allowed to work their men only 8 hours, while those engaged in war activities worked their men 10 and 11 and sometimes 12 hours, and at pay and a half; and the wages of common laborers has advanced from $2 to $4 and $5 a day. The War and Navy Departments were both bidding against each other for men, taking them from these organizations, and they were left high and dry to finish their work.

Mr. HITCHCOCK. Suppose these contracts had been made by private corporations, would the contractors have had any valid claim against those corporations in such cases?

Mr. FERNALD. If the trouble had been caused by the private citizens or the corporations, I think they would.

Mr. HITCHCOCK. I doubt very much whether there is any parallel for reimbursing contractors for losses occurring in this way. I realize that there probably were some losses.

Mr. FERNALD. Some of the contractors appearing before the committee last Friday said that they were reimbursed on private contracts where they were constructing buildings for private individuals.

Mr. HITCHCOCK. Has the committee presented a written report?

Mr. FERNALD. Yes.

Mr. HITCHCOCK. Does the report contain a list of the projects?

Mr. FERNALD. I think the House committee report does contain such a list. That report is with the bill at the Secretary's desk.

Mr. HITCHCOCK. I am inclined to think that it is rather a dangerous precedent to establish, if the Government is going to begin reimbursing individuals for war losses.

Mr. FERNALD. It simply gives these men the privilege of taking their cases before the Secretary of the Treasury. It does not settle the claims at all, but gives them a permit to present their claims before the Secretary of the Treasury.

Mr. SMOOT. I did not so understand the bill. As I understood it, it not only gives them the right to present their claims but provides that the Secretary of the Treasury may pay whatever is determined to be the actual loss.

Mr. FERNALD. The Secretary of the Treasury is to determine the actual loss.

Mr. KING. If my colleague will allow me, this is the language of the bill:

That the Secretary of the Treasury is hereby authorized and directed, under such regulations as he may prescribe, to receive fully itemized and verified the claims and reimburse contractors and their subcontractors—

And so forth.

Mr. FERNALD. Certainly, after the case is presented to him.

Mr. KING. I think this measure is too dangerous. I shall object to the consideration of the bill.

The VICE PRESIDENT. The bill will be placed on the calendar.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. KELLOGG:

A bill (S. 2755) to provide an honorable discharge from the United States Army (with accompanying papers); to the Committee on Military Affairs.

By Mr. DIAL:

A bill (S. 2756) to prescribe the method of capital punishment in the District of Columbia; to the Committee on the District of Columbia.

By Mr. NORRIS:

A bill (S. 2757) to amend the naturalization laws; to the Committee on Immigration.

By Mr. SMOOT:

A bill (S. 2758) providing for an exchange of lands between the Swan Land & Cattle Co. and the United States; to the Committee on Public Lands.

By Mr. CURTIS:

A bill (S. 2759) providing a pension rate of $50 per month for certain soldiers and sailors of the Civil War, a rate of $60 per month for total incapacity for labor, and for other purposes;

A bill (S. 2760) granting an increase of pension to Abram F. Darst (with accompanying papers);

A bill (S. 2761) granting an increase of pension to Robert H. Wynne (with accompanying papers);

A bill (S. 2762) granting a pension to Jennie C. Rathbun (with accompanying papers);

A bill (S. 2763) granting a pension to Annie E. White (with accompanying papers);

A bill (S. 2764) granting a pension to Noah Hardy (with accompanying papers); and

A bill (S. 2765) granting an increase of pension to William H. Mize (with accompanying papers); to the Committee on Pensions.

By Mr. McKELLAR:

A bill (S. 2766) making appropriation for payment of claims of John Sevier, sr., and John Sevier, jr., in accordance with report and findings of the Court of Claims as reported in House Documents Nos. 1302 and 131 under the provisions of the act approved March 3, 1883, known as the Bowman Act; to the Committee on Claims.

By Mr. CALDER:

A joint resolution (S. J. Res. 85) for a special postage stamp to commemorate the three hundredth anniversary of the landing of the Pilgrims; to the Committee on Post Offices and Post Roads.

LICENSING OF CORPORATIONS.

Mr. KELLOGG. I desire to introduce a bill to provide for the licensing of corporations engaged in interstate commerce and to prevent monopolies and undue restraint of trade, which I ask to have referred to the Committee on Interstate Commerce.

The bill (S. 2754) to provide for licensing corporations engaged in interstate commerce and to prevent monopolies and undue restraint of trade was read twice by its title.

Mr. KELLOGG. Mr. President, I seek the indulgence of the Senate for about five minutes while I make an explanatory statement respecting the bill I offer, in order that it may appear in the RECORD and be available for consideration by the proper committee.

Some years ago, after the prosecution of the Standard Oil Co. by the Government, I became convinced that other means were necessary to regulate trusts and combinations in restraint of trade.

At that time I prepared a bill embodying some of my views, but nothing was ever done with it. I have since revised it, and I now submit it to the consideration of the Congress as a suggestion.

In view of the present conditions, I think I should wish to make some amendments and changes in it, but these can be considered by the committee.

The bill requires all corporations engaged in interstate commerce and having a capital or assets of $10,000,000 or over to take out a Federal license, and provides that when the license is issued by the Federal Trade Commission, such corporation shall be presumed to be a legal corporation, and shall have the right to engage in interstate and foreign commerce, unless the license is revoked, as provided in the bill.

It further provides for a forfeiture of the license if the corporation shall enter into any contract, combination, or conspiracy in restraint of trade, or shall monopolize commerce or attempt to monopolize it. This would give the commission a supervisory jurisdiction over such corporations, and their license would be subject to forfeiture if they engage in a combination to raise or fix prices, engage in unfair methods of competition for the sake of crushing out their competitors, or any of the other abuses which have been in the past commonly employed to monopolize commerce.

It may be that $10,000,000 is excessive, and that smaller corporations should be covered by the bill. It was my view at the time I prepared this bill that the danger of monopolization of commerce arose with regard to those large corporations having business all over the country capable of exerting their power.

It is my opinion that prosecution under the present antitrust act is not a sufficient remedy. There should be a department of the Government having power of supervision, not necessarily interfering with the business of the country, but possessing the power to investigate, publish the facts, and take immediate action to revoke a license if a corporation abuses its power. With this power in the Federal Government, there will be less likelihood of price-fixing agreements. The bill provides, however, if the license is forfeited the corporation may protect its rights in the courts. I would not give to any executive board of the Government the absolute power to bar a corporation from engaging in interstate commerce. On the other hand, under the present law, many corporations do not know whether or not they are lawfully transacting business, or whether they are legally organized.

I do not mean that they do not know when they form an unlawful combination and agree on prices, but as to whether the corporate combination itself is legal or not lawyers disagree and courts disagree.

Lawyers and courts differ on the subject. They should be licensed and know whether their business is lawful. In fact, as this bill provides, they should have the right to apply to the commission and have it determined in advance whether any proposed action is legal.

The bill also regulates the issuance of stock and securities by such corporations and requires all stock hereafter issued to be fully covered either in property or money.

It provides that a corporation having more than 50 per cent of the total business of the same character in the United States shall not purchase the property and business of any other corporation engaged in a similar and competitive business, unless the said purchasing corporation shall apply to the commission and receive the approval thereof. The object of this provision is to prevent a large corporation, having more than 50 per cent of the business, from using its power to compel its competitors to sell, and from acquiring a complete monopoly by purchase of competitive concerns.

This does not prevent a corporation having a natural monopoly by patent enjoying all its business nor does it prevent a corporation or individual business from growing. It simply prevents them from acquiring power by combination, as in the past.

Mr. KING. Mr. President, will the Senator yield?

Mr. KELLOGG. I yield to the Senator.

Mr. KING. The suggestion which the Senator makes is very interesting. The thought has occurred to me on a number of occasions, and it is reenforced by the attitude of the Senator, that the entire question might be reached by the invocation of the taxing power. Have a graduated tax increasing in its effect so that the larger the corporation and the larger the returns of the corporation, the heavier the tax. Then, if you desire, by a graduated tax, to suppress a corporation that grows too large, confiscate all of the returns of the corporation above a certain amount, and in that way automatically and without the intervention of licenses and the instrumentalities of the Government and officialdom, any corporation might be crushed and driven out of existence.

Mr. KELLOGG. An objection to such a tax would be that certain classes of business require very great capital and a very large aggregation while other classes of business do not, and it is impossible, I believe, to tell where we should commence to impose the tax. I think it will be found of very great difficulty.

Mr. BORAH. Do I understand that the Senator's bill provides for a licensing system, and that some one under the system is to determine when the corporations are legally organized and when they are carrying on legitimate business?

Mr. KELLOGG. Some one is to determine before the corporation is licensed whether it is legally organized. Of course, the party has the right of appeal to the courts if he claims that his corporation is legally organized and the department denies the license. We could not take away that right.

Mr. BORAH. Do I understand that the system includes also a supervision of a corporation from time to time under the licensing system as to whether or not it is conducting its business in a legitimate way?

Mr. KELLOGG. It does.

Mr. BORAH. Who is going to determine that?

Mr. KELLOGG. Of course, that is determined under the rules of law. I do not believe that we should give any man the absolute power to determine whether or not a corporation is obeying the law. This bill is intended to create a control similar to that exercised under the Sherman Act or the antitrust act.

Mr. KING. Will the Senator permit an inquiry?

Mr. KELLOGG. If the Senator will permit me to conclude my statement first, I shall be glad to answer his question.

It is in the best interest of the country that there should be a free and open field in which to engage in business, and then competitors should not be destroyed through unfair methods of competition or oppression by a corporation having large capital and great power. On the other hand, there may be cases where it is in the interest of the public that such a corporation should purchase its competitors and the corporation should know whether it has such right or not. At present no one can tell, and the right to make such a purchase or consolidation can only be determined at the end of long litigation under the Sherman Act.

I yield now to the Senator from Utah.

Mr. KING. The question I was about to ask the Senator is this: As I understand the object of the Federal trade act, it was to provide machinery something akin to that suggested by the Senator from Minnesota. If the Federal Trade Commission should intelligently exercise the powers that have been committed to it, could it not prevent much of the unfair discrimination, much of the monopoly, which the bill of the Senator is aimed to prevent?

Mr. KELLOGG. I do not think they have the power. They can only prosecute in the courts. After extended litigation or prosecution under the criminal law they may obtain a conviction, but the business of this country can not be regulated by criminal prosecutions. Some power should exist to speedily remedy a price-fixing agreement.

Mr. KING. Does the Senator think the Federal Trade Commission has utterly failed to justify its creation?

Mr. KELLOGG. I do not think it has.

Mr. STANLEY. Mr. President, before the Senator takes his seat I should like to ask him a question. Under the bill to which he has just called the attention of the Senate, in the event the Federal Trade Commission should find that a given corporation was either violating the law or was within the law, is that finding reviewable by any court?

Mr. KELLOGG. Oh, yes. It would have to provide that, because I do not think we can deny the corporation its day in court. If the licenses are liable to forfeiture very few corporations will enter into any price-fixing agreement, in my opinion.

The VICE PRESIDENT. The bill will be referred to the Committee on Interstate Commerce.

RETIREMENT OF CIVIL-SERVICE EMPLOYEES.

Mr. KELLOGG submitted an amendment intended to be proposed by him to the bill (S. 1699) for the retirement of the employees in the classified civil service, and for other purposes, which was referred to the Committee on Civil Service and Retrenchment and ordered to be printed.

GOVERNMENT IRRIGATION PROJECTS.

Mr. WALSH of Montana. Mr. President, the hard conditions prevailing throughout the country by reason of the high cost of living have been aggravated in the State of Montana by reason of the prevalence of the severest drought in the history of our State. I regret to say that recent reports coming to me from the Department of Agriculture indicate that the grain crop generally in our State is a total failure, or practically so. The conditions have induced the governor of our State to call the legislature in extraordinary session for the purpose of considering conditions. I am in receipt of a telegraphic copy of a resolution adopted by the Sixteenth Legislative Assembly of Montana asking for relief from Congress. I ask that it be read from the desk.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

HELENA, MONT., *August 9, 1919.*

Hon. THOMAS J. WALSH,
United States Senate, Washington, D. C.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

We, the Sixteenth Legislative Assembly of the State of Montana, in extraordinary session assembled, do hereby urgently recommend that you promptly enact legislation appropriating the sum of $50,000,000 for work on Government irrigation projects throughout the West. The long-extended drought prevailing throughout Montana has rendered more storage and use of water for irrigation purposes a problem of grave importance; and as the projects undertaken by the United States Reclamation Service are entirely under Federal control, the individual State is powerless to aid in their completion. The farmers of Montana exerted their utmost efforts and staked their entire resources in response to every call of the United States Government for increased crop production and for the raising of funds for the different purposes required in the prosecution of the World War. And because of the unprecedented

drought conditions during the last three seasons and especially the season of 1919, the many farmers of Montana are faced with the disastrous effects of such drought, clearly demonstrating the great need and necessity of said appropriation for the purpose of storing and retaining the vast quantity of flood waters which flow to waste each year, which, if made available, would reclaim a vast acreage of the lands of the State and make them more certain and profitable for the raising of such crops as are necessary for the support of the Nation in time of peace or war. For all of which reasons we urgently recommend the speedy enactment of the proposed legislation as embodying a sound business policy applies to a great national problem.

The secretary of the State of Montana is hereby directed to transmit by wire and in writing copies of this memorial to the President of the Senate, to the Speaker of the House of Representaties, to the Secretary of the Interior, and to the Montana Senators and Representatives in Congress.

C. T. STEWART,
Secretary of State.

Mr. WALSH of Montana. Mr. President, although the resolution does not refer to the fact, the Committee on Irrigation and Reclamation of Arid Lands of the Senate sometime ago reported to the Senate favorably a bill in accord with the recommendation now made by the Legislative Assembly of the State of Montana. It was reported by the Senator from Washington [Mr. JONES], and I trust it may soon have the consideration of the Senate.

RAILWAY REORGANIZATION.

Mr. KING. Mr. President, I have a copy of a letter written by the able Senator from Ohio [Mr. POMERENE], dealing with the Plumb plan for railway reorganization and cognate legislation. I regard it as such an able exposition of the entire subject that I ask that it be printed in the RECORD. It is very lengthy, or I should like to have it read, but I will not ask to have that done now.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[Copy of Senator POMERENE'S letter to men here named in re Plumb plan for railway reorganization: Mr. James G. Harkins, Mr. Frank Spicer, Mr. J. W. McDonald, Mr. H. E. Wright, Mr. G. A. Stephenson, Mr. Patrick J. Gorman, Mr. Fred Martin (secretary), Mr. H. T. Hamilton, committee representing Hocking Valley Federation System No. 51, affiliated with railway employees' department of the American Federation of Labor, Columbus, Ohio.]

Gentlemen, I beg to acknowledge your favor of the 29th ultimo in support of the Plumb plan for railway reorganization, which reads as follows (the italics being my own):

"Perhaps you will be pleased to know of the interest our membership manifests in behalf of *the masses of the people.*

"Nine or ten weeks ago a committee was appointed, who was assigned to the duty of investigating thoroughly all legislative matters and *candidates for political offices,* then presenting their findings and recommendations to their constituents for confirmation.

"The first task, however, that was assigned to the committee was the 'Glenn E. Plumb suggested plan for railway reorganization.' Candidly speaking, the committee labored faithfully and constantly for eight weeks, studying and counseling with *lawyers and professors,* with a view of ascertaining different interpretations from those who were in a sense disinterested directly in the railway problem, and in order that the so-called selfish interests would be destroyed and be in an able position to intelligently present their findings and recommendations to the rank and file for approval.

"On the 23d day of July the committee concluded their task in connection with the 'suggested Plumb plan.' On the following Monday the recommendations thereto were presented to a called meeting of representatives and delegates, who unanimously adopted the committee's report and 'Mr. Plumb's suggested plan' in its entirety, even though the plan was not thought to be perfect, but far superior to private operation and the operation in effect at the present time, and, in fact, the only ultimate solution of the 'railroad problem' that has as yet been presented to your honorable body.

"Therefore we take this opportunity of ascertaining your theory of the railroad plan herein referred to and trust you will be candid enough to please inform us as to whether you are for it or against it."

My answer will be as frank and as direct as your letter. I think it will be conducive to a better understanding if we shall forget for the time being that you are railway men and I am a United States Senator, and in a matter of such grave importance let us counsel together as American citizens, always remembering that laws should be enacted because they are right or defeated because they are wrong, and not because they will make or lose votes for the legislator.

With this thought in mind, let me ask you:

First. In your deliberations whom did you consult who was representative of "the masses of the people" as contradistinguished from those who were personally interested in the plan, and, if you consulted such persons, did "the masses" choose them or did you choose them, and what did they say either for or against it?

Second. I note that you counseled with *lawyers and professors.*

Who were these lawyers and professors?

What interest did they have in the subject?

In what respect did they represent *the masses?*

What did they say, either for or against the subject? and

What was their purpose in advising you? Was it with a view of giving you enlightenment, or was it for the purpose of serving some selfish motive of their own with the hope of currying favor with you?

Third. You tell me that you studied this for a matter of 9 or 10 weeks, and on the 23d day of July (Wednesday) you concluded your task, and on the following Monday these recommendations were presented to a called meeting of representatives and delegates, who unanimously adopted the committee's report.

Who were these representatives and delegates who were able at one sitting to understand the Plumb plan and advise as to what should be done in the interest of "the masses of the people"? Were they chosen by "the masses" to represent them?

Fourth. You write me that the Plumb plan is the only "ultimate solution of the 'railroad problem' that has as yet been presented to your honorable body."

Many proposed plans are pending before the Interstate Commerce Committee of the Senate, and all of them are being carefully studied with a view of the best possible solution of the situation.

Did your committee or "the representatives and delegates who unanimously adopted the Plumb plan in its entirety" examine these plans, or any of them, before passing judgment upon them?

Now, let us go a step further. You and I understand that the transportation system of the country is vitally related to the industrial, the financial, and the social welfare of 110,000,000 people. The railroads of this country, in round numbers, are valued at $20,000,000,000. They are the web and woof of America's industrial, commercial, and social life. Under the Plumb plan it is proposed to take this property by purchase or condemnation from its stockholders, among whom are thousands, not to say millions, of the plain people of the country—old and young, the widows and the orphans—and to pay for them in cash payments or by the issuance to such owners of United States Government bonds. In other words, they shall be paid for by the people's cash or by their obligations. They are then to be managed and operated by the national railway operating corporation for 100 years, which shall have a board of directors to be composed of 15 men, 5 of whom shall be selected by the classified employees of the railways, 5 by their official employees, and 5 to be appointed by the President, not more than 3 of them to belong to one political party.

Suffice it to say that you and I both understand—even if we are not willing to admit it—that the 10 railway directors will have interests which will be at variance with the interests of the traveling and shipping public, who pay the bill; and while the other 5 appointed by the President are said to represent the public, which perhaps embraces about 100,000,000 people—I mean the people other than those who will be directly or indirectly interested either as the classified and official railway employees or their families—they will owe their appointment to a political power and, it is my judgment, may be influenced by the political purposes of the party in control of the Government.

Are you quite sure that when the Plumb plan was devised it was in the interest of "the masses"? If so, how does it happen that the bill is presented by the brotherhoods alone and their associates? Why were not the interests of the general public consulted?

In the history of railroad economics do you know of any country anywhere under which any plan akin to the Plumb plan has been adopted? Are you quite sure that it is fundamentally sound to require the Government of the United States to invest $20,000,000,000—about one-twelfth of the total wealth of the country—in this enterprise and turn it over to the operatives for 100 years?

If the Plumb plan is sound economically and is for the interests of "the masses," why do you not suggest that similar legislation be adopted whereby all public utilities, including water works, electric-light plants, gas and heating plants, be purchased and turned over to their employees and operatives, respectively?

If it is sound and in the interest of *the masses,* why do you not suggest that all the coal mines, iron and copper mines, be purchased by the Government and turned over to the operatives in the same way?

Why do you not suggest that all the manufacturing and industrial plants of the country be purchased with Government funds or by the issuance of Government bonds and turned over to their operatives in the same way?

Why do you not advise that all the stores be purchased and turned over to their operatives in the same way?

Why do you not recommend that all the banks of the country be acquired by the Government and turned over to their operatives?

Why do you not ask, in the interest of "the masses," that the Government purchase all the farms of the country and turn them over to the employees on the farms?

And, lastly, may I suggest that if one man should happen to own two houses, one of which he rents, why do you not ask that the second house shall be bought by the Government and turned over to the renter?

Where is this going to end?

My friends, permit me to say the Plumb plan has nothing akin to it outside Bolshevik Russia.

It is worse than socialism.

Socialism contemplates the public ownership of property to be controlled and operated by the public for the public. The Plumb plan contemplates the public ownership of the railroads for a class. As already stated, they are to be taken over by purchase or condemnation and paid for with the cash or bonds of the whole people, and then turned over to the national railway operating corporation, whose board of directors shall consist of 15 men, 10 of whom shall be railroad classified and official employees. As neither class of these employees will have any stock, their interests will be one and the same as against the public. In other words, $20,000,000,000 worth of property bought by money belonging to 110,000,000 people is to be turned over to 2,000,000 railroad men, representing, perhaps, including their families, 10,000,000.

Does this seem to be for the benefit of "the masses?"

Mr. Plumb in his testimony before the Senate Committee on Interstate Commerce in February assumed that the capital invested amounted to $18,000,000,000 approximately. In his testimony last week before the Interstate Commerce Committee of the House he estimated that all the present owners would get for their property is $13,000,000,000. So, according to his own testimony, Mr. Plumb's plan, if enacted into law, will substantially confiscate $5,000,000,000 worth of property belonging to private owners.

And how is he to pay for this property even at this reduced value?

He tells the public that he will, by his plan, save to the shippers of the country a large expense, in that these bonds can be sold for 4 per cent.

The railroads earned during the three years before Government control 5.24 per cent. He does not say who is to buy this perhaps $18,000,000,000 or $20,000,000,000 worth of bonds. He has not named the purchasers.

May I not remind you that during the last Victory loan, by the best organized, nation-wide campaign conducted by all the patriotic men, women, and children of the country, we sold less than seven billions of bonds at 4¾ per cent. And if, when all the patriotism of the country was back of this campaign, it was so difficult to sell these bonds at par for 4¾ per cent, will Mr. Plumb rise up and tell us where he is going to sell $20,000,000,000 worth of bonds—probably the real value of the roads—at 4 per cent?

Ought you not to tell me how we are going to sell these bonds when you ask me to support this proposed legislation?

Does it not occur to you, when not only the whole Nation but the whole world is disturbed, industrially, economically, and financially, that we had better wait until normal conditions are restored before beginning a scheme so revolutionary as that proposed in the Plumb plan, even if it were sound?

And what would be the result if it fails?

Invoking the principle of brotherhood—a name I love—do you not feel you ought to be consistent, and while asking for this investment of the public funds for your benefit to likewise ask for the benefit of a proportionally equal amount of Government funds for every other business enterprise in the United States, and turn that over to the employees of those several enterprises?

Does not the principle of fraternity suggest this?

And by the time we get through with it there will be $240,000,000,000 of Government bonds issued and on the market.

My friends, this Plumb plan spells ruin for beloved America.

In the past few years a good many people have urged Federal ownership and control of the railroads, the telegraphs, and the telephones. In view of recent experiences most of them who have had no selfish purpose to serve have changed their views. Government control of these utilities has been so complete that it does not differ materially from actual Government ownership, and there is no such radical difference between the present Government control and operation and that provided for in the Plumb plan as to warrant anyone in saying that while the former has been a failure the latter will be a success.

From the standpoint of operation every user of the railroads, telegraphs, and telephones knows that the service has been worse than during the private control, excepting only the condition of the railroads during the last two months of private control, which was due to war conditions.

And let me say a word concerning Government control of railroads from a financial standpoint.

You will remember that the increases in wages during the year 1918 were made retroactive, dating from January 1, 1918.

Freight rates were advanced 25 per cent and passenger rates much more, the increases to take effect as of July 1, 1918. Director General McAdoo, in his testimony before the Committee on Interstate Commerce, said to us that if the increase in rates had been for the entire year there would have been a "substantial surplus for the year of at least $100,000,000 to the Government." And he added, "For the year 1919, with all wage increases granted in 1918 operating for the entire 12 months, and upon the assumption that the traffic for 1919 is substantially the same as in 1918 and that the cost of fuel and supplies remains the same, it is estimated that there should be a surplus to the Government over and above the standard return of approximately $100,000,000."

As I now recall, Director General Hines gave substantially the same assurances early in January of this year.

But what was the result? Senator CUMMINS, chairman of the Interstate Commerce Committee, speaking in the Senate on August 5, said, "We lost $240,000,000 last year, and we lost in the first four or five months in this year, 1919, $260,000,000, and we are now losing at the rate of $30,000,000 a month."

Do you really believe that under the Plumb plan you can turn this deficit under Government control either into a surplus for the account of the Government or the public or into better service for the country?

I do not believe it can be done except by one increase after another in transportation rates.

Permit me to make another suggestion: Since Government control was begun the wages to the employees have been increased about $1,000,000,000. The Director General, on July 31, 1919, informed the President that additional increases were demanded which would aggregate, if granted, about $800,000,000 more per year.

I have no knowledge as to whether the conditions are such as to justify this increase or not, and I express no opinion with regard to it. I want the railroad men and all laboring men to be liberally paid, whether under public or private control.

But this is only an incident to the larger question to which I want to call your attention. If the conditions are such that this increase is justified, then I am for it. I await the proof before I shall decide it.

But when your representatives come to Washington and not only ask this increase but demand that the Congress of the United States shall buy these properties at a cost to the Government of $18,000,000,000 or $20,000,000,000 and turn them over to the national railway operating corporation for management and operation I want to say to you as one American to another it is neither fair nor American for them to insinuate revolution, as they have before the Interstate Commerce Committee of the House, unless their demands are granted.

And let me suggest that the people at large have not expressed any desire for this plan, but members of your brotherhoods—I do not mean the chiefs—have been in Washington making their threats as to what would happen unless this legislation is enacted. As one Senator I shall always be open to conviction, but I never yet have yielded to a threat, and I never will.

Of course, I know that you do not approve these methods. Law-abiding citizens, real Americans, never do approve them. It is only men of the Bolshevik type of mind that ever resort to them.

Among the threats that have been made are threats of a nation-wide strike. I do not mean to suggest that the chiefs of the brotherhoods have suggested a nation-wide strike, but some of the members of the brotherhoods have made these threats here in Washington to Senators. I am sure that you do not give any countenance to strikes under present conditions.

I believe in the right of the laboring man to use the instrument of the strike under proper circumstances, but I do not believe the occasion is here or ever has been here or ever will be here which will justify a nation-wide strike, with all the distress it will bring, not only on the public at large but on the strikers and their families.

With a general strike on in this country, tying up all the railroads, the products of the mine and the farm and the factory could not be moved to the centers of population and in one week's time the people of our great cities would be starved, and in winter frozen. The people of these centers of population include the wives, the children, and the babes of railway men as well as others. It is too shocking a situation to even contemplate.

A subcommittee of the Interstate Commerce Committee, of which I am a member, has been engaged for a number of weeks in preparing a bill providing for the reorganization and regulation of the railroads to present to the full committee for its consideration. I hope it will appeal to the sober sense of the public. I can give no assurances as to whether it will be approved or disapproved, but of this I am convinced, that the American public never will approve the Plumb plan or anything akin to it.

The Plumb plan is the most vicious piece of legislation that has been presented to Congress since I have been in the Senate. I would feel that I was contributing to the ruin, not only of the transportation system of the country, but to its financial and industrial breakdown, if I voted for it. It would lead not only to the ruin of the whole people but to every railroad man as well.

Notwithstanding the statement in your letter to the effect that this plan was unanimously adopted at a meeting of the representatives and delegates to whom it was submitted by you, I venture the assertion that when they understand it the vast majority of them will oppose it.

Much has been said by the brotherhood chiefs and their counsel in the last few days here in Washington about the democratization of industry, and the Plumb plan is referred to as the means of democratizing transportation. A careful study of the bill will show that it is not democracy in transportation for which it provides, but autocracy in transportation.

Mr. Plumb the other day referred to the Wall Street control of the railroads. That was true in the past. It is not true now. Wall Street has many vicious things to its credit in years gone by, but the captains of finance have never demanded $20,000,000,000 of the American people's money at one time!

The Plumb plan out-Harrimans Harriman in his palmiest days! The public does not want to be skinned, but if it must be skinned it will make little difference whether it is by Wall Street or by the methods provided for in the proposed Plumb plan.

It was my pleasure in 1916 to support your claims for the Adamson law, because I believed that you were entitled to better working hours and to better compensation, and so long as I am in public life it will be my pleasure to do whatever can be reasonably done to advance the interests of labor, but bear in mind that it is not "every one who cries unto me, 'Lord, Lord,' shall enter the kingdom of heaven," and it is not every man who comes around declaiming in favor of labor who is labor's friend.

I am sure that a sober second thought will persuade you that this bill ought to be defeated.

Sincerely, yours,

ATLEE POMERENE.

PEACE TREATY AND LEAGUE OF NATIONS.

Mr. LODGE. Mr. President, I ask permission of the Senate to have printed in the RECORD a letter from the President of the United States addressed to me as chairman of the Committee on Foreign Relations in reply to a resolution of that committee, and I ask to have printed with it the resolution requesting the President to send in certain papers. The resolution and the President's letter are self-explanatory. I will not ask to have them read now, but simply printed in the RECORD.

There being no objection, the resolution and letter of the President were ordered to be printed in the RECORD, as follows:

"*Resolved*, That the Committee on Foreign Relations respectfully requests the President, if not incompatible with the public interest, to transmit the following to the committee:

"1. All drafts or forms presented to or considered by the peace commissioners relating to a league of nations, and particularly the draft or form prepared or presented by the commissioners of the United States;

"2. All proceedings, arguments, and debates, including the transcript of the stenographic reports of the peace commission relating to or concerning a league of nations, or the league of nations finally adopted; and all data bearing upon or used in connection with the treaty of peace with Germany now pending."

—

THE WHITE HOUSE,
Washington, 8 August, 1919.

My DEAR MR. CHAIRMAN: I have at last been able to go personally over the great mass of papers which remained in my hands at the close of my stay in Paris, and am disappointed to find that it is in no respect a complete file, the complete files remaining with the American Commission.

You ask for all drafts or forms presented to or considered by the Peace Commissioners relating to the League of Nations, and particularly the draft or form prepared or presented by the Commissioners of the United States. There are no formal drafts in my possession, except that presented by the American Commissioners, and this I take pleasure in enclosing, along with the formal Report of the Commission on the League of Nations.

You also ask for all proceedings, arguments, and debates, including a transcript of the stenographic reports of the Peace Commission relating to or concerning a League of Nations or the League of Nations finally adopted, and all data bearing upon or used in connection with the Treaty of Peace with Germany now pending. No stenographic reports were taken of the debates on the League of Nations, and such memoranda as were taken it was agreed should be confidential. The reason for regarding as confidential intimate exchanges of opinion with regard to many delicate matters will, of course, occur to you, and I beg to say that I am following the example of the representatives of the other Governments in making this explanation.

The various data bearing upon or used in connection with the Treaty of Peace with Germany are so miscellaneous and enormous in mass that it would be impossible for me to supply them without bringing from Paris the whole file of papers of the Commission itself, and would include many memoranda which, it was agreed on grounds of public policy, it would be unwise to make use of outside the Conference.

Very sincerely, yours,

WOODROW WILSON.

Hon. HENRY CABOT LODGE,
Chairman Committee on Foreign Affairs,
United States Senate.

Mr. LODGE. We asked for a large number of documents. For reasons which seemed good to the President we received only one, which is a printed draft of the American plan for a covenant, and with it a report of the commission on the league of nations, which contains what is known as the first draft of the league, which, of course, was printed everywhere in this country last March. I ask that those may be printed in the RECORD together and as a document.

Without objection, the matter referred to was ordered to be printed as a document (S. Doc. No. 70) and to be printed in the RECORD, as follows:

"AMERICAN DRAFT OF COVENANT OF LEAGUE OF NATIONS.

"PREAMBLE.

"In order to secure international peace and security by the acceptance of obligations not to resort to the use of armed force, by the prescription of open, just and honorable relations between nations, by the firm establishment of the understandings of international law as the actual rule of conduct among governments, and by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organized peoples with one another, and in order to promote international cooperation, the Powers signatory to this Covenant adopt this constitution of the League of Nations.

"Article I.

"The action of the Contracting Powers under the terms of the Covenant shall be effected through the instrumentality of a Body of Delegates which shall consist of the diplomatic representatives of the Contracting Powers accredited to X. and the Minister of Foreign Affairs of X. The meetings of the Body of Delegates shall be held at the seat of government of X. and the Minister for Foreign Affairs of X. shall be the presiding officer.

"Whenever the Delegates deem it necessary or advisable, they may meet temporarily at the seat of government of Y. or of Z., in which case the diplomatic representative to X. of the country in which the meeting is held shall be the presiding officer *pro tempore.*

"It shall be the privilege of any of the Contracting Powers to assist its representative in the Body of Delegates by any method of conference, counsel, or advice that may seem best to it, and also to be represented at any time by a special representative.

"Article II.

"The Body of Delegates shall regulate their own procedure and shall have power to appoint such committees as they may deem necessary to inquire into and report upon any matters that lie within the field of their action.

"It shall be the right of the Body of Delegates, upon the initiative of any member, to discuss, either publicly or privately as it may deem best, any matter lying within the field of action of the League of Nations as defined in this Covenant, or any matter likely to affect the peace of the world; but all actions of the Body of Delegates taken in the exercise of the functions

and powers granted to them under this Covenant shall be formulated and agreed upon by an Executive Council, which shall act either by reference or upon its own initiative and which shall consist of the representatives of the Great Powers, together with representatives drawn in annual rotation from two panels, one of which shall be made up of the representatives of the States ranking next after the Great Powers and the others of the representatives of the minor States (a classification which the Body of Delegates shall itself establish and may from time to time alter), such a number being drawn from these panels as will be but one less than the representatives of the Great Powers; and three or more negative votes in the Council shall operate as a veto upon any action or resolution proposed.

"All resolutions passed or actions taken by the Body of Delegates or by the Executive Council, except those adopted in execution of any specific powers herein granted, shall have the effect of recommendations to the several governments of the League.

"The Executive Council shall appoint a permanent Secretariat and staff and may appoint joint committees, chosen from the Body of Delegates or consisting of other specially qualified persons, for the study and systematic consideration of the international questions with which the Council may have to deal, or of questions likely to lead to international complications or disputes. The Executive Council shall also take the necessary steps to establish and maintain proper liaison both with the foreign offices of the Contracting Powers and with any governments or agencies which may be acting as mandataries of the League in any part of the world.

"Article III.

"The Contracting Powers undertake to respect and to protect as against external aggression the political independence and territorial integrity of all States members of the League.

"Article IV.

"The Contracting Powers recognize the principle that the maintenance of peace will require the reduction of national armaments to the lowest point consistent with domestic safety and the enforcement by common action of international obligations; and the Executive Council shall formulate plans for effecting such reduction. It shall also inquire into the feasibility of abolishing compulsory military service and the substitution therefor of forces enrolled upon a voluntary basis and into the military and naval equipment which it is reasonable to maintain.

"The Executive Council shall also determine for the consideration and action of the several governments what military equipment and armament is fair and reasonable in proportion to the scale of forces laid down in the programme of disarmament; and these limits, when adopted, shall not be exceeded without the permission of the Body of Delegates.

"The Contracting Powers further agree that munitions and implements of war shall not be manufactured by private enterprise and that there shall be full and frank publicity as to all national armaments and military or naval programmes.

"Article V.

"The Contracting Powers agree that should disputes or difficulties arise between or among them which cannot be satisfactorily settled or adjusted by the ordinary processes of diplomacy, they will in no case resort to armed force without previously submitting the questions and matters involved either to arbitration or to inquiry by the Executive Council and until there has been an award by the arbitrators or a recommendation by the Executive Council; and that they will not even then resort to armed force as against a member of the League of Nations who complies with the award of the arbitrators or the recommendation of the Executive Council.

"The Contracting Powers agree that whenever any dispute or difficulty shall arise between or among them with regard to any question of the law of nations, with regard to the interpretation of a treaty, as to any fact which would, if established, constitute a breach of international obligation, or as to any alleged damage and the nature and measure of the reparation to be made therefor, if such dispute or difficulty cannot be satisfactorily settled by the ordinary processes of negotiation, to submit the whole subject matter to arbitration and to carry out in full good faith any award or decision that may be rendered.

"In case of arbitration, the matter or matters at issue shall be referred to arbitrators, one of whom shall be selected by each of the parties to the dispute from outside their own nationals, when there are but two such parties, and a third by the two thus selected. When there are more than two parties to the dispute, one arbitrator shall be named by each of the several parties and the arbitrators thus named shall add to their number others of their own choice, the number thus added to be limited to the number which will suffice to give a deciding vote to the arbitrators thus added in case of a division among the arbitrators chosen by the contending parties. In case the arbitrators chosen by the contending parties cannot agree upon an additional arbitrator or arbitrators, the additional arbitrator or arbitrators shall be chosen by the Executive Council.

"On the appeal of a party to the dispute the decision of said arbitrators may be set aside by a vote of three-fourths of the Delegates, in case the decision of the arbitrators was unanimous, or by a vote of two-thirds of the Delegates in case the decision of the arbitrators was not unanimous, but unless thus set aside shall be finally binding and conclusive.

"When any decision of arbitrators shall have been thus set aside, the dispute shall again be submitted to arbitrators chosen as heretofore provided, none of whom shall, however, have previously acted as arbitrators in the dispute in question, and the decision of the arbitrators rendered in this second arbitration shall be finally binding and conclusive without right of appeal.

"If for any reason it should prove impracticable to refer any matter in dispute to arbitration, the parties to the dispute shall apply to the Executive Council to take the matter under consideration for such mediatory action or recommendation as it may deem wise in the circumstances. The Council shall immediately accept the reference and give notice to the parties, and shall make the necessary arrangements for a full hearing, investigation and consideration. The Council shall ascertain and as soon as possible make public all the facts involved in the dispute and shall make such recommendation as it may deem wise and practicable based on the merits of the controversy and calculated to secure a just and lasting settlement. Other members of the League shall place at the disposal of the Executive Council any and all information that may be in their possession which in any way bears upon the facts or merits of the controversy; and the Executive Council shall do everything in its power by way of mediation or conciliation to bring about a peaceful settlement. The recommendation of the Executive Council shall be addressed to the disputants. Should the Executive Council fail to arrive at any conclusion, it shall be the privilege of the members of the Executive Council to publish their several conclusions or recommendations; and such publications shall not be regarded as an unfriendly act by any of the disputants.

"The Executive Council may in any case refer the consideration of a dispute to the Body of Delegates. The consideration of the dispute shall be so referred at the request of either party to the dispute. In any case referred to the Body of Delegates all the provisions of this Article relating to the action and powers of the Executive Council shall apply to the action and powers of the Body of Delegates.

"Article VI.

"Should any Contracting Power be found by the League to have broken or disregarded its covenants under Article V, it shall thereby *ipso facto* be deemed to to have committed an act of war against all the members of the League, which shall immediately subject it to a complete economic and financial boycott, including the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, and the prevention, so far as possible, of all financial, commercial, or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a member of the League or not.

"It shall be the duty of the Executive Council in such a case to recommend what effective military or naval force the members of the League shall severally contribute, and to advise, if it should think best, that the smaller members of the League be excused from making any contribution to the armed forces to be used against the covenant-breaking State.

"The covenant-breaking State shall, after the restoration of peace, be subject to the regulations with regard to a peace establishment provided for new States under the terms supplementary Article IV.

"Article VII.

"If any Contracting Power shall be found by the League to have declared war or to have begun hostilities or to have taken any hostile step short of war, against another Contracting Power before submitting the dispute involved to arbitrators or consideration by the Executive Council as herein provided, or to have declared war or to have begun hostilities or to have taken any hostile step short of war, in regard to any dispute which has been decided adversely to it by arbitrators the Contracting Powers hereby engage not only to cease all commerce and intercourse with that Power but also to unite in blockading and closing the frontiers of that Power to commerce or intercourse with any part of the world and to use any force which may be agreed upon to accomplish that object.

"Article VIII.

"Any war or threat of war, whether immediately affecting any of the Contracting Powers or not, is hereby declared a matter of concern of the League and to all the Contracting Powers, and the Contracting Powers hereby reserve the right to take any action that may be deemed wise and effectual to safeguard the peace of nations.

"It is hereby also declared and agreed to be the friendly right of each of the Contracting Powers to draw the attention of the Body of Delegates or of the Executive Council to any circumstances anywhere which threaten to disturb international peace or the good understanding between nations upon which peace depends.

"The Body of Delegates and the Executive Council shall meet in the interest of peace whenever war is rumored or threatened, and also whenever the representative of any Power shall inform the Body of Delegates that a meeting and conference in the interest of peace is advisable.

"The Body of Delegates may also meet at such other times and upon such other occasions as they shall from time to time deem best and determine.

"Article IX.

"In the event of a dispute arising between one of the Contracting Powers and a Power not a party to this Covenant, the Contracting Power shall bring the matter to the attention of the Executive Council. The Executive Council shall in such a case, in the name of the League, invite the Power not a party to this Covenant to become *ad hoc* a party, and if that Power consents it is hereby agreed that the provisions hereinbefore contained and applicable to the submission of disputes to arbitration or to consideration shall be in all respects applicable to the dispute both in favor of and against such Power as if it were a party to this Covenant.

"In case the Power not a party to this Covenant shall not accept the invitation of the Executive Council to become *ad hoc* a party, it shall be the duty of the Executive Council immediately to institute an inquiry into the circumstances and merits of the dispute involved and to recommend such joint action by the Contracting Powers as may seem best and most effectual in the circumstances disclosed.

"Article X.

"If hostilities should be begun or any hostile action taken against the Contracting Power by the Power not a party to this Covenant before a decision of the dispute by arbitrators or before investigation, report and recommendation by the Executive Council in regard to the dispute, or contrary to such recommendation, the Contracting Powers engage thereupon to cease all commerce and communication with that Power and also to unite in blockading and closing the frontiers of that Power to all commerce or intercourse with any part of the world, and to employ jointly any force which may be agreed upon to accomplish that object. The Contracting Powers also undertake to unite in coming to the assistance of the Contracting Power against which hostile action has been taken, and to combine their armed forces in its behalf.

"Article XI.

"In case of a dispute between states not parties to this Covenant, any Contracting Power may bring the matter to the attention of the Body of Delegates or the Executive Council, who shall thereupon tender the good offices of the League with a view to the peaceable settlement of the dispute.

"If one of the states, a party to the dispute, shall offer and agree to submit its interests and cause of action wholly to the control and decision of the League, that state shall *ad hoc* be deemed a Contracting Power. If no one of the states, parties to the dispute, shall so offer and agree, the Body of Delegates shall through the Executive Council or of its own motion take such action and make such recommendation to the governments as will prevent hostilities and result in the settlement of the dispute.

"Article XII.

"Any Power not a party to this Covenant, whose government is based upon the principle of popular self-government, may apply to the Body of Delegates for leave to become a party. If the Body of Delegates shall regard the granting thereof as likely to promote the peace, order, and security of the World, they shall act favorably on the application, and their favorable action shall operate to constitute the Power so applying in all respects a full signatory party to this Covenant. This action shall require the affirmative vote of two-thirds of the Body of Delegates.

"Article XIII.

"The Contracting Powers severally agree that the present Covenant is accepted as abrogating all treaty obligations *inter se* which are inconsistent with the terms hereof, and solemnly engage that they will not enter into any engagements inconsistent with the terms hereof.

"In case any of the Powers signatory hereto or subsequently admitted to the League shall, before becoming a party to this Covenant, have undertaken any treaty obligations which are inconsistent with the terms of this Covenant, it shall be the duty of such Power to take immediate steps to procure its release from such obligations.

"SUPPLEMENTARY AGREEMENTS.

"I.

"To the colonies formerly part of the German Empire, and to those territories formerly belonging to Turkey which include Armenia, Kurdestan, Syria, Mesopotamia, Palestine and Arabia, which are inhabited by peoples not able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilization and that securities for the performance of this trust should be embodied in the constitution of the League.

"The best method of giving practical effect to this principle is that the tutelage of such peoples should be entrusted to advanced nations who by reason of their resources, their experience or their geographical position, can best undertake this responsibility, and that this tutelage should be exercised by them as mandataries on behalf of the League.

"The character of the mandate must differ according to the stage of development of the people, the geographical situation of the territory, its economic conditions and other similar circumstances.

"II.

"Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a mandatory power until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the mandatory power.

"Other peoples, especially those of Central Africa, are at such a stage that the mandatary must be responsible for the administration of the territory subject to conditions which will guarantee the prohibition of abuses such as the slave trade, the arms traffic and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases and of military training of the natives for other than police purposes and the defense of territory, and will also secure equal opportunities for the trade and commerce of other members of the League.

"There are territories, such as South-west Africa and certain of the Islands in the South Pacific, which, owing to the sparseness of their population, or their small size, or their remoteness from the centres of civilization, or their geographical contiguity to the mandatary state, and other circumstances, can be best administered under the laws of the mandatary state as if integral portions thereof, subject to the safeguards above-mentioned in the interests of the indigenous population.

"III.

"In every case of mandate, the mandatory state shall render to the League an annual report in reference to the territory committed to its charge.

"The degree of authority, control, or administration to be exercised by the mandatory State or agency shall in each case be explicitly defined by the Executive Council in a special Act or Charter which shall reserve to the League complete power of supervision, and which shall also reserve to the people of any such territory or governmental unit the right to appeal to the League for the redress or correction of any breach of the mandate by the mandatory State or agency or for the substitution of some other State or agency, as mandatory.

"The object of all such tutelary oversight and administration on the part of the League of Nations shall be to build up in as short a time as possible out of the people or territory under its guardianship a political unit which can take charge of its own affairs, determine its own connections, and choose its own policies. The League may at any time release such people or territory from tutelage and consent to its being set up as an independent unit. It shall also be the right and privilege of any people or territory to petition the League to take such action, and upon such petition being made it shall be the duty of the League to take the petition under full and friendly consideration with a view of determining the best interests of the people or territory in question in view of all circumstances of their situation and development.

"IV.

"No new State shall be recognized by the League or admitted into its membership except on condition that its military and naval forces and armaments shall conform to standards prescribed by the League in respect of it from time to time.

"V.

"The Contracting Powers will work to establish and maintain fair hours and humane conditions of labor for all those within their several jurisdictions and they will exert their influence in favor of the adoption and maintenance of a similar policy and like safeguards wherever their industrial and commercial relations extend. Also they will appoint Commissions to study conditions of industry and labor in their international aspects and to make recommendations thereon, including the extension and improvement of existing conventions.

"VI.

"The League shall require all new States to bind themselves as a condition precedent to their recognition as independent or autonomous States and the Executive Council shall exact of all States seeking admission to the League, the promise to accord to all racial or national minorities within their several jurisdictions exactly the same treatment and security, both in law and in fact, that is accorded the racial or national majority of their people.

"VII.

"Recognizing religious persecution and intolerance as fertile sources of war, the Contracting Powers agree, and the League shall exact from all new States and all States seeking admission to it the promise that they will make no law prohibiting or interfering with the free exercise of religion, and that they will in no way discriminate, either in law or in fact, against those who practice any particular creed, religion, or belief whose practices are not inconsistent with public order or public morals.

"VIII.

"When the rights of belligerents on the high seas outside territorial waters shall have been defined by international convention, it is hereby agreed and declared as a fundamental Covenant that no Power or combination of Powers shall have a right to overstep in any particular the clear meaning of the definitions thus established; but that it shall be the right of the League from time to time and on special occasion to close the seas in whole or in part against a particular Power or Powers for the purpose of enforcing the international Covenants here entered into.

"IX.

"It is hereby covenanted and agreed by the Contracting Powers that no treaty entered into by them shall be regarded as valid, binding, or operative until it shall have been published and made known to all the other States members of the League.

"X.

"It is further covenanted and agreed by the Contracting Powers that in their fiscal and economic regulations and policy no discrimination shall be made between one nation and another among those with which they have commercial and financial dealings.

"REPORT OF THE COMMISSION ON THE LEAGUE OF NATIONS.

[Preliminary peace conference.]

"1. TERMS OF REFERENCE.

"The Preliminary Peace Conference at the plenary session of the 25th January 1919 (Protocol No. 2) decided to nominate a Commission to work out in detail the Constitution and functions of a League of Nations.

"The terms of reference of this Commission were as follows:

"'The Conference, having considered the proposals for the creation of a League of Nations, resolved that—

"'1. It is essential to the maintenance of the world settlement, which the Associated Nations are now met to establish, that a League of Nations be created to promote international co-operation, to ensure the fulfillment of accepted international obligations and to provide safeguards against war.

"'2. This League should be treated as an integral part of the general Treaty of Peace, and should be open to every civilised nation which can be relied on to promote its objects.

"'3. The members of the League should periodically meet in international conference, and should have a permanent organization and secretariat to carry on the business of the League in the intervals between the conferences.

"'The Conference therefore appoints a Committee representative of the Associated Governments to work out the details of the constitution and functions of the League.'

"This Commission was to be composed of fifteen members, i. e. two members representing each of the Great Powers (*United States of America, British Empire, France, Italy and Japan*), and five members to represent all the Powers with special interests. At a meeting of these latter Powers on the 27th January, 1919, Belgium, Brazil, China, Portugal and Serbia were chosen to designate one representative each. (See Annex 6 of Protocol No. 2.)

"2. CONSTITUTION OF THE COMMISSION.

"The Commission was therefore originally composed as follows:

"For the United States of America:
- "The President of the United States of America.
- "Honorable Edward M. House.

"For the British Empire:
- "The Rt. Hon. the Lord Robert Cecil, K. C., M. P.
- "Lieutenant-General the Rt. Hon. J. C. Smuts, K. C., Minister of Defence of the Union of South Africa.

"For France:
- "Mr. Leon Bourgeois, former President of the Council of Ministers and Minister for Foreign Affairs.
- "Mr. Larnaude, Dean of the Faculty of Law of Paris.

"For Italy:
- "Mr. Orlando, President of the Council.
- "Mr. Scialoja, Senator of the Kingdom.

"For Japan:
- "Baron Makino, former Minister for Foreign Affairs, Member of the Diplomatic Council.
- "Viscount Chinda, Ambassador Extraordinary and Minister Plenipotentiary of H. I. M. the Emperor of Japan at London.

"For Belgium:
- "Mr. Hymans, Minister for Foreign Affairs and Minister of State.

"For Brazil:
- "Mr. Epitacio Pessoa, Senator, former Minister of Justice.

"For China:
- "Mr. V. K. Wellington Koo, Envoy Extraordinary and Minister Plenipotentiary of China at Washington.

"For Portugal:
- "Mr. Jayme Batalha-Reis, Envoy Extraordinary and Minister Plenipotentiary of Portugal at Petrograd.

"For Serbia:
- "Mr. Vesnitch, Envoy Extraordinary and Minister Plenipotentiary of H. M. the King of Serbia at Paris.

"A request of four other Powers—Greece, Poland, Roumania and the Czecho-Slovak Republic—to be represented on the Commission was referred by the Conference to the Commission for consideration. Upon the recommendation of the Commission the four following members took their seats on February 6th:

"For Greece:
- "Mr. Eleftherios Veniselos, President of the Council of Ministers.

"For Poland:
- "Mr. Roman Dmowski, President of the Polish National Committee:

"For Roumania:
- "Mr. Diamandy, Roumanian Minister Plenipotentiary.

"For the Czecho-Slovak Republic:
- "Mr. Charles Kramar, President of the Council of Ministers.

"3. FIRST REPORT OF THE COMMISSION.

"Between the date of its appointment and the 14th February, the Commission met ten times. As a result of these meetings the following draft Covenant of the League of Nations was adopted, and read as a preliminary report by the Chairman at a plenary session of the Conference on the latter date (Protocol No. 3):

"'PREAMBLE.

"'In order to promote international co-operation and to secure international peace and security by the acceptance of obligations not to resort to war, by the prescription of open, just and honorable relations between nations, by the firm establishment of the understandings of international law as the actual rule of conduct among governments, and by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organized peoples with one another, the Powers signatory to this Covenant adopt this constitution of the League of Nations.

"*'Article I.*

"'The action of the High Contracting Parties under the terms of this Covenant shall be effected through the instrumentality of meetings of a Body of Delegates representing the High Contracting Parties, of meetings at more frequent intervals of an Executive Council, and of a permanent international Secretariat to be established at the Seat of the League.

"'*Article II.*

"'Meetings of the Body of Delegates shall be held at stated intervals and from time to time as occasion may require for the purpose of dealing with matters within the sphere of action of the League. Meetings of the Body of Delegates shall be held at the Seat of the League or at such other place as may be found convenient and shall consist of representatives of the High Contracting Parties. Each of the High Contracting Parties shall have one vote but may have not more than three representatives.

"'*Article III.*

"'The Executive Council shall consist of representatives of the United States of America, the British Empire, France, Italy and Japan, together with representatives of four other States, members of the League. The selection of these four States shall be made by the Body of Delegates on such principles and in such manner as they think fit. Pending the appointment of these representatives of the other States, representatives of shall be members of the Executive Council.

"'Meetings of the Council shall be held from time to time as occasion may require and at least once a year at whatever place may be decided on, or failing any such decision, at the Seat of the League, and any matter within the sphere of action of the League or affecting the peace of the world may be dealt with at such meetings.

"'Invitations shall be sent to any Power to attend a meeting of the Council at which matters directly affecting its interests are to be discussed and no decision taken at any meeting will be binding on such Power unless so invited.

"'*Article IV.*

"'All matters of procedure at meetings of the Body of Delegates or the Executive Council including the appointment of Committees to investigate particular matters shall be regulated by the Body of Delegates or the Executive Council and may be decided by a majority of the States represented at the meeting.

"'The first meeting of the Body of Delegates and of the Executive Council shall be summoned by the President of the United States of America.

"'*Article V.*

"'The permanent Secretariat of the League shall be established at which shall constitute the Seat of the League. The Secretariat shall comprise such secretaries and staff as may be required, under the general direction and control of a Secretary-General of the League, who shall be chosen by the Executive Council; the Secretariat shall be appointed by the Secretary-General subject to confirmation by the Executive Council.

"'The Secretary-General shall act in that capacity at all meetings of the Body of Delegates or of the Executive Council.

"'The expenses of the Secretariat shall be borne by the States members of the League in accordance with the apportionment of the expenses of the International Bureau of the Universal Postal Union.

"'*Article VI.*

"'Representatives of the High Contracting Parties and officials of the League when engaged on the business of the League shall enjoy diplomatic privileges and immunities, and the buildings occupied by the League or its officials or by representatives attending its meetings shall enjoy the benefits of extraterritoriality.

"'*Article VII.*

"'Admission to the League of States not signatories to the Covenant and not named in the Protocol hereto as States to be invited to adhere to the Covenant requires the assent of not less than two-thirds of the States represented in the Body of Delegates, and shall be limited to fully self-governing countries including Dominions and Colonies.

"'No State shall be admitted to the League unless it is able to give effective guarantees of its sincere intention to observe its international obligations, and unless it shall conform to such principles as may be prescribed by the League in regard to its naval and military forces and armaments.

"'*Article VIII.*

"'The High Contracting Parties recognize the principle that the maintenance of peace will require the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations, having special regard to the geographical situation and circumstances of each State; and the Executive Council shall formulate plans for effecting such reduction. The Executive Council shall also determine for the consideration and action of the several governments what military equipment and armament is fair and reasonable in proportion to the scale of forces laid down in the programme of disarmament; and these limits, when adopted, shall not be exceeded without the permission of the Executive Council.

"'The High Contracting Parties agree that the manufacture by private enterprise of munitions and implements of war lends itself to grave objections, and direct the Executive Council to advise how the evil effects attendant upon such manufacture can be prevented, due regard being had to the necessities of those countries which are not able to manufacture for themselves the munitions and implements of war necessary for their safety.

"'The High Contracting Parties undertake in no way to conceal from each other the condition of such of their industries as are capable of being adapted to war-like purposes or the scale of their armaments, and agree that there shall be full and frank interchange of information as to their military and naval programmes.

"'*Article IX.*

"'A permanent Commission shall be constituted to advise the League on the execution of the provisions of Article VIII and on military and naval questions generally.

"'*Article X.*

"'The High Contracting Parties undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all States members of the League. In case of any such aggression or in case of any threat or danger of such aggression the Executive Council shall advise upon the means by which this obligation shall be fulfilled.

"'*Article XI.*

"'Any war or threat of war, whether immediately affecting any of the High Contracting Parties or not, is hereby declared a matter of concern to the League, and the High Contracting Parties reserve the right to take any action that may be deemed wise and effectual to safeguard the peace of nations.

"'It is hereby also declared and agreed to be the friendly right of each of the High Contracting Parties to draw the attention of the Body of Delegates or of the Executive Council to any circumstances affecting international intercourse which threaten to disturb international peace or the good understanding between nations upon which peace depends.

"'*Article XII.*

"'The High Contracting Parties agree that should disputes arise between them which can not be adjusted by the ordinary processes of diplomacy, they will in no case resort to war without previously submitting the questions and matters involved either to arbitration or to inquiry by the Executive Council and until three months after the award by the arbitrators or a recommendation by the Executive Council; and that they will not even then resort to war as against a member of the League which complies with the award of the arbitrators or the recommendation of the Executive Council.

"'In any case under this Article, the award of the arbitrators shall be made within a reasonable time, and the recommendation of the Executive Council shall be made within six months after the submission of the dispute.

"'*Article XIII.*

"'The High Contracting Parties agree that whenever any dispute or difficulty shall arise between them which they recognize to be suitable for submission to arbitration and which can not be satisfactorily settled by diplomacy, they will submit the whole subject matter to arbitration. For this purpose the Court of arbitration to which the case is referred shall be the court agreed on by the parties or stipulated in any Convention existing between them. The High Contracting Parties agree that they will carry out in full good faith any award that may be rendered. In the event of any failure to carry out the award, the Executive Council shall propose what steps can best be taken to give effect thereto.

"'*Article XIV.*

"'The Executive Council shall formulate plans for the establishment of a Permanent Court of International Justice and this Court shall, when established, be competent to hear and determine any matter which the parties recognize as suitable for submission to it for arbitration under the foregoing Article.

"'*Article XV.*

"'If there should arise between States members of the League any dispute likely to lead to a rupture, which is not submitted to arbitration as above, the High Contracting Parties agree that they will refer the matter to the Executive Council; either party to the dispute may give notice of the existence of the dispute to the Secretary-General, who will make all necessary arrangements for a full investigation and consideration thereof. For this purpose the parties agree to communicate to the Secretary-General, as promptly as possible, state-

ments of their case with all the relevant facts and papers, and the Executive Council may forthwith direct the publication thereof.

"'Where the efforts of the Council lead to the settlement of the dispute, a statement shall be published indicating the nature of the dispute and the terms of settlement, together with such explanation as may be appropriate. If the dispute has not been settled, a report by the Council shall be published, setting forth with all necessary facts and explanations the recommendation which the Council think just and proper for the settlement of the dispute. If the report is unanimously agreed to by the members of the Council other than the parties to the dispute, the High Contracting Parties agree that they will not go to war with any party which complies with the recommendation and that, if any party shall refuse so to comply, the Council shall propose the measures necessary to give effect to the recommendation. If no such unanimous report can be made, it shall be the duty of the majority and the privilege of the minority to issue statements indicating what they believe to be the facts and containing the recommendations which they consider to be just and proper.

"'The Executive Council may in any case under this Article refer the dispute to the Body of Delegates. The dispute shall be so referred at the request of either party to the dispute, provided that such request must be made within fourteen days after the submission of the dispute. In any case referred to the Body of Delegates all the provisions of this Article and of Article XII relating to the action and powers of the Executive Council shall apply to the action and powers of the Body of Delegates.

"'*Article XVI.*

"'Should any of the High Contracting Parties break or disregard its covenants under Article XII, it shall thereby *ipso facto* be deemed to have committed an act of war against all the other members of the League, which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, and the prevention of all financial, commercial, or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a member of the League or not.

"'It shall be the duty of the Executive Council in such case to recommend what effective military or naval force the members of the League shall severally contribute to the armed forces to be used to protect the covenants of the League.

"'The High Contracting Parties agree, further, that they will mutually support one another in the financial and economic measures which are taken under this Article, in order to minimize the loss and inconvenience resulting from the above measures, and that they will mutually support one another in resisting any special measures aimed at one of their number by the covenant-breaking State, and that they will afford passage through their territory to the forces of any of the High Contracting Parties who are co-operating to protect the covenants of the League.

"'*Article XVII.*

"'In the event of disputes between one State member of the League and another State which is not a member of the League, or between States not members of the League, the High Contracting Parties agree that the State or States not members of the League shall be invited to accept the obligations of membership in the League for the purposes of such dispute, upon such conditions as the Executive Council may deem just, and upon acceptance of any such invitation, the above provisions shall be applied with such modifications as may be deemed necessary by the League.

"'Upon such invitation being given, the Executive Council shall immediately institute an inquiry into the circumstances and merits of the dispute and recommend such action as may seem best and most effectual in the circumstances.

"'In the event of a Power so invited refusing to accept the obligations of membership in the League for the purposes of such dispute, and taking any action against a State member of the League which in the case of a State member of the League would constitute a breach of Article XII, the provisions of Article XVI shall be applicable as against the State taking such action.

"'If both parties to the dispute when so invited refuse to accept the obligations of membership in the League for the purposes of such dispute, the Executive Council may take such action and make such recommendations as will prevent hostilities and will result in the settlement of the dispute.

"'*Article XVIII.*

"'The High Contracting Parties agree that the League shall be entrusted with the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest.

"'*Article XIX.*

"'To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilization and that securities for the performance of this trust should be embodied in the constitution of the League.

"'The best method of giving practical effect to this principle is that the tutelage of such peoples should be entrusted to advanced nations who by reason of their resources, their experience or their geographical position, can best undertake this responsibility, and that this tutelage should be exercised by them as mandataries on behalf of the League.

"'The character of the mandate must differ according to the stage of the development of the people, the geographical situation of the territory, its economic conditions and other similar circumstances.

"'Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a mandatory power until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the mandatory power.

"'Other peoples, especially those of Central Africa, are at such a stage that the mandatary must be responsible for the administration of the territory subject to conditions which will guarantee freedom of conscience or religion, subject only to the maintenance of public order and morals, the prohibition of abuses such as the slave trade, the arms traffic and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases and of military training of the natives for other than police purposes and the defense of territory, and will also secure equal opportunities for the trade and commerce of other members of the League.

"'There are territories, such as South-west Africa and certain of the South Pacific Islands, which, owing to the sparseness of their population, or their small size, or their remoteness from the centers of civilization, or their geographical contiguity to the mandatory state, and other circumstances, can be best administered under the laws of the mandatory state as integral portions thereof, subject to the safeguards above-mentioned in the interests of the indigenous population.

"'In every case of mandate, the mandatory state shall render to the League an annual report in reference to the territory committed to its charge.

"'The degree of authority, control, or administration to be exercised by the mandatory State shall if not previously agreed upon by the High Contracting Parties in each case be explicitely defined by the Executive Council in a special Act or Charter.

"'The High Contracting Parties further agree to establish at the seat of the League a Mandatory Commission to receive and examine the annual reports of the Mandatory Powers, and to assist the League in ensuring the observance of the terms of all Mandates.

"'*Article XX.*

"'The High Contracting Parties will endeavor to secure and maintain fair and humane conditions of labor for men, women and children both in their own countries and in all countries to which their commercial and industrial relations extend; and to that end agree to establish as part of the organization of the League a permanent Bureau of Labor.

"'*Article XXI.*

"'The High Contracting Parties agree that provision shall be made through the instrumentality of the League to secure and maintain freedom of transit and equitable treatment for the commerce of all States members of the League, having in mind, among other things, special arrangements with regard to the necessities of the regions devastated during the war of 1914–1918.

"'*Article XXII.*

"'The High Contracting Parties agree to place under the control of the League all international bureaux already established by general treaties if the parties to such treaties consent.

Furthermore, they agree that all such international bureaux to be constituted in future shall be placed under the control of the League.

"'*Article XXIII.*

"'The High Contracting Parties agree that every treaty or international engagement entered into hereafter by any State member of the League, shall be forthwith registered with the Secretary-General and as soon as possible published by him, and that no such treaty or international engagement shall be binding until so registered.

"'*Article XXIV.*

"'It shall be the right of the Body of Delegates from time to time to advise the reconsideration by States members of the League, of treaties which have become inapplicable, and of international conditions, of which the continuance may endanger the peace of the world.

"'*Article XXV.*

"'The High Contracting Parties severally agree that the present Covenant is accepted as abrogating all obligations *inter se* which are inconsistent with the terms thereof, and solemnly engage that they will not hereafter enter into any engagements inconsistent with the terms thereof.

"'In case any of the Powers signatory hereto or subsequently admitted to the League shall, before becoming a party to this Covenant, have undertaken any obligations which are inconsistent with the terms of this Covenant, it shall be the duty of such Power to take immediate steps to procure its release from such obligations.

"'*Article XXVI.*

"'Amendments to this Covenant will take effect when ratified by the States whose representatives compose the Executive Council and by three-fourths of the States whose representatives compose the Body of Delegates.'

"4. SUBSEQUENT MEETINGS OF THE COMMISSION.

"The draft Covenant of the 14th February was made public in order that discussion of its terms might be provoked. A great deal of constructive criticism followed upon its publication. Further suggestions resulted from hearings of representatives of thirteen neutral states before a Committee of the Commission on the 20th and 21st March.

"These various recommendations were taken under advisement by the Commission which held meetings on the 22nd, 24th and 26th March and on the 10th and 11th April. At the meeting of the 10th April a delegation representing the International Council of Women and the Suffragist Conference of the Allied countries and the United States were received by the Commission.

"5. FINAL REPORT OF THE COMMISSION.

"At the meetings of the 10th and 11th April the Commission agreed definitively on the following text of the Covenant to be presented to the Conference:

"'COVENANT OF THE LEAGUE OF NATIONS.

"'In order to promote international co-operation and to achieve international peace and security by the acceptance of obligations not to resort to war, by the prescription of open, just and honorable relations between nations, by the firm establishment of the understandings of international law as the actual rule of conduct among governments, and by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organized peoples with one another, the High Contracting Parties agree to this Covenant of the League of Nations.

"'*Article I.*

"'The original Members of the League of Nations shall be those of the Signatories which are named in the Annex to this Covenant and also such of those other States named in the Annex as shall accede without reservation to this Covenant. Such accession shall be effected by a Declaration deposited with the Secretariat within two months of the coming into force of the Covenant. Notice thereof shall be sent to all other Members of the League.

"'Any fully self-governing State, Dominion or Colony not named in the Annex, may become a Member of the League if its admission is agreed to by two-thirds of the Assembly, provided that it shall give effective guarantees of its sincere intention to observe its international obligations, and shall accept such regulations as may be prescribed by the League in regard to its military and naval forces and armaments.

"'Any Member of the League may, after two years' notice of its intention so to do, withdraw from the League, provided that all its international obligations and all its obligations under this Covenant shall have been fulfilled at the time of its withdrawal.

"'*Article II.*

"'The action of the League under this Covenant shall be effected through the instrumentality of an Assembly and of a Council, with a permanent Secretariat.

"'*Article III.*

"'The Assembly shall consist of Representatives of the Members of the League.

"'The Assembly shall meet at stated intervals and from time to time as occasion may require at the Seat of the League, or at such other place as may be decided upon.

"'The Assembly may deal at its meetings with any matter within the sphere of action of the League or affecting the peace of the world.

"'At meetings of the Assembly each Member of the League shall have one vote, and may have not more than three Representatives.

"'*Article IV.*

"'The Council shall consist of Representatives of the United States of America, of the British Empire, of France, of Italy, and of Japan, together with Representatives of four other Members of the League. These four Members of the League shall be selected by the Assembly from time to time in its discretion. Until the appointment of the Representatives of the four Members of the League first selected by the Assembly, Representatives of shall be members of the Council.

"'With the approval of the majority of the Assembly, the Council may name additional Members of the League whose Representatives shall always be members of the Council; the Council with like approval may increase the number of Members of the League to be selected by the Assembly for representation on the Council.

"'The Council shall meet from time to time as occasion may require, and at least once a year, at the Seat of the League, or at such other place as may be decided upon.

"'The Council may deal at its meetings with any matter within the sphere of action of the League or affecting the peace of the world.

"'Any Member of the League not represented on the Council shall be invited to send a Representative to sit as a member at any meeting of the Council during the consideration of matters specially affecting the interests of that Member of the League.

"'At meetings of the Council each Member of the League represented on the Council shall have one vote, and may have not more than one Representative.

"'*Article V.*

"'Except where otherwise expressly provided in this Covenant, decisions at any meeting of the Assembly or of the Council shall require the agreement of all the Members of the League represented at the meeting.

"'All matters of procedure at meetings of the Assembly or of the Council, including the appointment of Committees to investigate particular matters, shall be regulated by the Assembly or by the Council and may be decided by a majority of the Members of the League represented at the meeting.

"'The first meeting of the Assembly and the first meeting of the Council shall be summoned by the President of the United States of America.

"'*Article VI.*

"'The permanent Secretariat shall be established at the Seat of the League. The Secretariat shall comprise a Secretary General and such secretaries and staff as may be required.

"'The first Secretary General shall be the person named in the Annex; thereafter the Secretary General shall be appointed by the Council with the approval of the majority of the Assembly.

"'The secretaries and the staff of the Secretariat shall be appointed by the Secretary General with the approval of the Council.

"'The Secretary General shall act in that capacity at all meetings of the Assembly and of the Council.

"'The expenses of the Secretariat shall be borne by the Members of the League in accordance with the apportionment of the expenses of the International Bureau of the Universal Postal Union.

"'*Article VII.*

"The Seat of the League is established at Geneva.

"The Council may at any time decide that the Seat of the League shall be established elsewhere.

"'All positions under or in connection with the League, including the Secretariat, shall be open equally to men and women.

"'Representatives of the Members of the League and officials of the League when engaged on the business of the League shall enjoy diplomatic privileges and immunities.

"'The buildings and other property occupied by the League or its officials or by Representatives attending its meetings shall be inviolable.

"'*Article VIII.*

"'The Members of the League recognize that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations.

"'The Council, taking account of the geographical situation and circumstances of each State, shall formulate plans for such reduction for the consideration and action of the several Governments.

"'Such plans shall be subject to reconsideration and revision at least every ten years.

"'After these plans shall have been adopted by the several Governments, the limits of armaments therein fixed shall not be exceeded without the concurrence of the Council.

"'The Members of the League agree that the manufacture by private enterprise of munitions and implements of war is open to grave objections. The Council shall advise how the evil effects attendant upon such manufacture can be prevented, due regard being had to the necessities of those Members of the League which are not able to manufacture the munitions and implements of war necessary for their safety.

"'The Members of the League undertake to interchange full and frank information as to the scale of their armaments, their military and naval programmes and the condition of such of their industries as are adaptable to war-like purposes.

"'*Article IX.*

"'A permanent Commission shall be constituted to advise the Council on the execution of the provisions of Articles I and VIII and on military and naval questions generally.

"'*Article X.*

"'The Members of the League undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all Members of the League. In case of any such aggression or in case of any threat or danger of such aggression the Council shall advise upon the means by which this obligation shall be fulfilled.

"'*Article XI.*

"'Any war or threat of war, whether immediately affecting any of the Members of the League or not, is hereby declared a matter of concern to the whole League, and the League shall take any action that may be deemed wise and effectual to safeguard the peace of nations. In case any such emergency should arise the Secretary General shall on the request of any Member of the League forthwith summon a meeting of the Council.

"'It is also declared to be the friendly right of each Member of the League to bring to the attention of the Assembly or of the Council any circumstance whatever affecting international relations which threatens to disturb international peace or the good understanding between nations upon which peace depends.

"'*Article XII.*

"'The Members of the League agree that if there should arise between them any dispute likely to lead to a rupture, they will submit the matter either to arbitration or to inquiry by the Council, and they agree in no case to resort to war until three months after the award by the arbitrators or the report by the Council.

"'In any case under this Article the award of the arbitrators shall be made within a reasonable time, and the report of the Council shall be made within six months after the submission of the dispute.

"'*Article XIII.*

"'The Members of the League agree that whenever any dispute shall arise between them which they recognize to be suitable for submission to arbitration and which cannot be satisfactorily settled by diplomacy, they will submit the whole subject matter to arbitration.

"'Disputes as to the interpretation of a treaty, as to any question of international law, as to the existence of any fact which if established would constitute a breach of any international obligation, or as to the extent and nature of the reparation to be made for any such breach, are declared to be among those which are generally suitable for submission to arbitration.

"'For the consideration of any such dispute the court of arbitration to which the case is referred shall be the court agreed on by the parties to the dispute or stipulated in any convention existing between them.

"'The Members of the League agree that they will carry out in full good faith any award that may be rendered and that they will not resort to war against a Member of the League which complies therewith. In the event of any failure to carry out such an award, the Council shall propose what steps should be taken to give effect thereto.

"'*Article XIV.*

"'The Council shall formulate and submit to the Members of the League for adoption plans for the establishment of a Permanent Court of International Justice. The Court shall be competent to hear and determine any dispute of an international character which the parties thereto submit to it. The Court may also give an advisory opinion upon any dispute or question referred to it by the Council or by the Assembly.

"'*Article XV.*

"'If there should arise between Members of the League any dispute likely to lead to a rupture, which is not submitted to arbitration as above, the Members of the League agree that they will submit the matter to the Council. Any party to the dispute may effect such submission by giving notice of the existence of the dispute to the Secretary General, who will make all necessary arrangements for a full investigation and consideration thereof.

"'For this purpose the parties to the dispute will communicate to the Secretary General, as promptly as possible, statements of their case with all the relevant facts and papers, and the Council may forthwith direct the publication thereof.

"'The Council shall endeavor to effect a settlement of the dispute, and if such efforts are successful, a statement shall be made public giving such facts and explanations regarding the dispute and the terms of settlement thereof as the Council may deem appropriate.

"'If the dispute is not thus settled, the Council either unanimously or by a majority vote shall make and publish a report containing a statement of the facts of the dispute and the recommendations which are deemed just and proper in regard thereto.

"'Any Member of the League represented on the Council may make public a statement of the facts of the dispute and of its conclusions regarding the same.

"'If a report by the Council is unanimously agreed to by the members thereof other than the Representatives of one or more of the parties to the dispute, the Members of the League agree that they will not go to war with any party to the dispute which complies with the recommendations of the report.

"'If the Council fails to reach a report which is unanimously agreed to by the Members thereof, other than the representatives of one or more of the parties to the dispute, the Members of the League reserve to themselves the right to take such action as they shall consider necessary for the maintenance of right and justice.

"'If the dispute between the parties is claimed by one of them, and is found by the Council, to arise out of a matter which by international law is solely within the domestic jurisdiction of that party, the Council shall so report, and shall make no recommendation as to its settlement.

"'The Council may in any case under this Article refer the dispute to the Assembly. The dispute shall be so referred at the request of either party to the dispute, provided that such request be made within fourteen days after the submission of the dispute to the Council.

"'In any case referred to the Assembly all the provisions of this Article and of Article XII relating to the action and powers of the Council shall apply to the action and powers of the Assembly, provided that a report made by the Assembly if concurred in by the Representatives of those Members of the League represented on the Council and of a majority of the other Members of the League, exclusive in each case of the Representatives of the parties to the dispute, shall have the same force as a report by the Council concurred in by all the members thereof other than the Representatives of one or more of the parties to the dispute.

"'*Article XVI.*

"'Should any Member of the League resort to war in disregard of its covenants under Articles XII, XIII or XV, it shall *ipso facto* be deemed to have committed an act of war against all other Members of the League, which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, and the prevention of all financial, commercial, or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a Member of the League or not.

"'It shall be the duty of the Council in such case to recommend to the several Governments concerned what effective military or naval force the Members of the League shall sev-

erally contribute to the armed forces to be used to protect the covenants of the League.

"'The Members of the League agree, further, that they will mutually support one another in the financial and economic measures which are taken under this Article, in order to minimize the loss and inconvenience resulting from the above measures, and that they will mutually support one another in resisting any special measures aimed at one of their number by the covenant-breaking State, and that they will take the necessary steps to afford passage through their territory to the forces of any of the Members of the League which are cooperating to protect the covenants of the League.

"'Any Member of the League which has violated any covenant of the League may be declared to be no longer a Member of the League by a vote of the Council concurred in by the Representatives of all the other Members of the League represented thereon.

"'Article XVII.

"'In the event of a dispute between a Member of the League and a State which is not a Member of the League, or between States not Members of the League, the State or States not Members of the League shall be invited to accept the obligations of membership in the League for the purposes of such dispute, upon such conditions as the Council may deem just. If such invitation is accepted, the provisions of Articles XII to XVI inclusive shall be applied with such modifications as may be deemed necessary by the council.

"'Upon such invitation being given the Council shall immediately institute an inquiry into the circumstances of the dispute and recommend such action as may seem best and most effectual in the circumstances.

"'If a State so invited shall refuse to accept the obligations of membership in the League for the purposes of such dispute, and shall resort to war against a Member of the League, the provisions of Article XVI shall be applicable as against the State taking such action.

"'If both parties to the dispute when so invited refuse to accept the obligations of membership in the League for the purposes of such dispute, the Council may take such measures and make such recommendations as will prevent hostilities and will result in the settlement of the dispute.

"'Article XVIII.

"'Every treaty or international engagement entered into hereafter by any Member of the League, shall be forthwith registered with the Secretariat and shall as soon as possible be published by it. No such treaty or international engagement shall be binding until so registered.

"'Article XIX.

"'The Assembly may from time to time advise the reconsideration by Members of the League of treaties which have become inapplicable and the consideration of international conditions whose continuance might endanger the peace of the world.

"'Article XX.

"'The Members of the League severally agree that this Covenant is accepted as abrogating all obligations or understandings *inter se* which are inconsistent with the terms thereof, and solemnly undertake that they will not hereafter enter into any engagements inconsistent with the terms thereof.

"'In case any Member of the League shall, before becoming a Member of the League, have undertaken any obligations inconsistent with the terms of this Covenant, it shall be the duty of such Member to take immediate steps to procure its release from such obligations.

"'Article XXI.

"'Nothing in this Covenant shall be deemed to affect the validity of international engagements such as treaties of arbitration or regional understandings like the Monroe Doctrine for securing the maintenance of peace.

"'Article XXII.

"'To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilization and that securities for the performance of this trust should be embodied in this Covenant.

"'The best method of giving practical effect to this principle is that the tutelage of such peoples should be entrusted to advanced nations who by reason of their resources, their experience or their geographical position, can best undertake this responsibility, and who are willing to accept it, and that this tutelage should be exercised by them as Mandataries on behalf of the League.

"'The character of the mandate must differ according to the stage of the development of the people, the geographical situation of the territory, its economic conditions and other similar circumstances.

"'Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a Mandatary until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the Mandatary.

"'Other peoples, especially those of Central Africa, are at such a stage that the Mandatary must be responsible for the administration of the territory under conditions which will guarantee freedom of conscience or religion, subject only to the maintenance of public order and morals, the prohibition of abuses such as the slave trade, the arms traffic and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases and of military training of the natives for other than police purposes and the defence of territory, and will also secure equal opportunities for the trade and commerce of other Members of the League.

"'There are territories, such as South-west Africa and certain of the South Pacific Islands, which, owing to the sparseness of their population, or their small size, or their remoteness from the centers of civilization, or their geographical contiguity to the territory of the Mandatary, and other circumstances, can be best administered under the laws of the Mandatary as integral portions of its territory, subject to the safeguards above-mentioned in the interests of the indigenous population.

"'In every case of mandate, the Mandatary shall render to the Council an annual report in reference to the territory committed to its charge.

"'The degree of authority, control, or administration to be exercised by the Mandatary shall if not previously agreed upon by the Members of the League be explicitly defined in each case by the Council.

"'A permanent Commission shall be constituted to receive and examine the annual reports of the Mandataries and to advise the Council on all matters relating to the observance of the mandates.

"'Article XXIII.

"'Subject to and in accordance with the provisions of international conventions existing or hereafter to be agreed upon, the Members of the League

"'(a) will endeavor to secure and maintain fair and humane conditions of labor for men, women and children both in their own countries and in all countries to which their commercial and industrial relations extend, and for that purpose will establish and maintain the necessary international organizations;

"'(b) undertake to secure just treatment of the native inhabitants of territories under their control;

"'(c) will entrust the League with the general supervision over the execution of agreements with regard to the traffic in women and children, and the traffic in opium and other dangerous drugs;

"'(d) will entrust the League with the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest;

"'(e) will make provision to secure and maintain freedom of communications and of transit and equitable treatment for the commerce of all Members of the League. In this connection, the special necessities of the regions devastated during the war of 1914–1918 shall be borne in mind;

"'(f) will endeavor to take steps in matters of international concern for the prevention and control of disease.

"'Article XXIV.

"'There shall be placed under the direction of the League all international bureaux already established by general treaties if the parties to such treaties consent. All such international bureaux and all commissions for the regulation of matters of international interest hereafter constituted shall be placed under the direction of the League.

"'In all matters of international interest which are regulated by general conventions but which are not placed under the control of international bureaux or commissions, the Secretariat of the League shall, subject to the consent of the Council and if desired by the parties, collect and distribute all relevant information and shall render any other assistance which may be necessary or desirable.

"'The Council may include as part of the expenses of the Secretariat the expenses of any bureau or commission which is placed under the direction of the League.

"'*Article XXV.*

"'The Members of the League agree to encourage and promote the establishment and co-operation of duly authorized voluntary national Red Cross organizations having as purposes the improvement of health, the prevention of disease and the mitigation of suffering throughout the world.

"'*Article XXVI.*

"'Amendments to this Covenant will take effect when ratified by the Members of the League whose Representatives compose the Council and by a majority of the Members of the League whose Representatives compose the Assembly.

"'No such amendment shall bind any Member of the League which signifies its dissent therefrom, but in that case it shall cease to be a Member of the League.'

"ANNEX TO THE COVENANT.

"1. Original Members of the League of Nations.

"SIGNATORIES OF THE TREATY OF PEACE.

"United States of America.	China.	Japan.
	Cuba.	Liberia.
"Belgium.	Czecho-Slovakia.	Nicaragua.
"Bolivia.	Ecuador.	Panama.
"Brazil.	France.	Peru.
"British Empire.	Greece.	Poland.
"Canada.	Guatemala.	Portugal.
"Australia.	Haiti.	Roumania.
"South Africa.	Hedjaz.	Serbia.
"New Zealand.	Honduras.	Siam.
"India.	Italy.	Uruguay.

"STATES INVITED TO ACCEDE TO THE COVENANT.

"Argentine Republic.	Norway.	Sweden.
"Chili.	Paraguay.	Switzerland.
"Colombia.	Persia.	Venezuela.
"Denmark.	Salvador.	
"Netherlands.	Spain.	

"2. First Secretary General of the League of Nations.

"6. RECOMMENDATION OF THE COMMISSION.

"At the last meeting of the Commission, the following resolution was adopted:

"Resolved, that in the opinion of the Commission, the President of the Commission should be requested by the Conference to invite seven Powers, including two neutrals, to name representatives on a Committee.

"A. to prepare plans for the organization of the League.

"B. to prepare plans for the establishment of the Seat of the League.

"C. to prepare plans and the Agenda for the first meeting of the Assembly.

"This Committee shall report both to the Council and to the Assembly."

COMMITTEE TO INVESTIGATE SALARIES OF POSTAL EMPLOYEES.

Mr. TOWNSEND. Mr. President, I ask unanimous consent that the senior Senator from New Hampshire [Mr. MOSES] be appointed on the part of the Senate a member of the joint commission composed of Members of the two Houses from the Committees on Post Offices and Post Roads to investigate the salaries of postmasters and employees of the Postal Service. The Senator from Connecticut [Mr. MCLEAN] was a member of the Senate Committee on Post Offices and Post Roads, but under the reorganization of committees he is no longer a member and has asked to be relieved from further service on that commission. I ask that his request be granted and that the Senator from New Hampshire [Mr. MOSES] be appointed.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

The order as agreed to was reduced to writing, as follows:

Ordered, That the senior Senator from New Hampshire [Mr. MOSES] be appointed on the part of the Senate a member of the commission to investigate the salaries of postmasters and employees of the Postal Service, authorized in section 3 of the Post Office appropriation act approved February 28, 1919, vice Senator MCLEAN, resigned.

Ordered, That the Secretary of the Senate notify the House of Representatives thereof.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that the President had, on the 8th instant, approved and signed the following acts:

S. 1361. An act further extending the time for the commencement and completion of the bridge or bridges authorized by an act entitled "An act to amend an act to authorize the Dauphin Island Railway & Harbor Co., its successors and assigns, to construct and maintain a bridge or bridges, or viaducts, across the water between the mainland, at or near Cedar Point, and Dauphin Island, both Little and Big; also to dredge a channel from the deep waters of Mobile Bay into Dauphin Bay; also to construct and maintain docks and wharves along both Little and Big Dauphin Islands," approved June 18, 1912, as extended by an act approved June 30, 1916; and

S. 1378. An act to authorize the Central Railroad Co. of New Jersey to construct a bridge across the navigable waters of the Newark Bay, in the State of New Jersey.

TRANSFER OF SHANTUNG TO JAPAN (S. DOC. NO. 72).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, referred to the Committee on Foreign Relations, and ordered to be printed:

TO THE SENATE:

I have received the resolutions of the Senate, dated July 15 and July 17, asking:

First, for a copy of any treaty purporting to have been projected between Germany and Japan, such as was referred to in the press dispatch enclosed, together with any information in regard to it which may be in possession of the State Department, or any information concerning any negotiations between Japan and Germany during the progress of the war. In reply to this resolution I have the honor to report that I know of no such negotiations. I had heard the rumors that are referred to, but was never able to satisfy myself that there was any substantial foundation for them.

Second, requesting a copy of any letter or written protest by the members of the American Peace Commission or any officials attached thereto, against the disposition or adjustment which was made in reference to Shantung, and particularly a copy of a letter written by General Tasker H. Bliss, Member of the Peace Commission, on behalf of himself, Hon. Robert Lansing, Secretary of State, and Hon. Henry White, Members of the Peace Commission, protesting against the provisions of the Treaty with reference to Shantung. In reply to this request, let me say that General Bliss did write me a letter in which he took very strong ground against the proposed Shantung settlement, and that his objections were concurred in by the Secretary of State and Mr. Henry White. But the letter can not properly be described as a protest against the final Shantung decision, because it was written before that decision had been arrived at, and in response to my request that my colleagues on the commission apprise me of their judgment in that matter. The final decision was very materially qualified by the policy which Japan undertook to pursue with regard to the return of the Shantung peninsula in full sovereignty to China.

I would have no hesitation in sending the Senate a copy of General Bliss's letter, were it not for the fact that it contains reference to other Governments, which it was perfectly proper for General Bliss to make in a confidential communication to me, but which I am sure General Bliss would not wish to have repeated outside our personal and intimate exchange of views.

I have received no written protests from any officials connected with or attached to the American Peace Commission with regard to this matter.

I am also asked to send you any memorandum or other information with reference to an attempt of Japan or her Peace Delegates to intimidate the Chinese Peace Delegates. I am happy to say that I have no such memorandum or information.

WOODROW WILSON.

THE WHITE HOUSE,
8 August, 1919.

LANDED ESTATES OF AMERICANS IN MEXICO (S. DOC. NO. 71).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying paper, was read and referred to the Committee on Foreign Relations and ordered to be printed:

TO THE SENATE:

I transmit herewith a report from the Secretary of State in response to the resolution adopted by the Senate on June 19, 1919, in respect to the action taken by the United States with relation to the protection of landed estates of American citizens in Mexico.

WOODROW WILSON.

THE WHITE HOUSE,
11 August, 1919.

DEPARTMENT OF STATE,
Washington, August 7, 1919.

The PRESIDENT:

The undersigned, the Secretary of State, has the honor to refer to the resolution adopted by the Senate on August 2, 1919, which is quoted below:

Resolved, That the Secretary of State inform the Senate what steps, if any, have been taken by the United States in protest or otherwise to the Mexican Government to prevent the threatened confiscation of landed estates owned by American citizens in said Republic under what is known as the "agrarian law" recently promulgated in the State of Sonora.

Attest:

GEORGE A. SANDERSON, *Secretary.*

And in reply to this resolution I have the honor to state that on July 16, 1919, having been informed that the Legislature of Sonora had passed a so-called agrarian law, the Acting Secretary of State telegraphed the American Embassy at Mexico City that the department's information indicated that the legislature had passed this law in substantially the same terms as a measure against which the embassy was instructed to protest in telegraphic instructions from the department sent on December 24, 1918. The embassy was further instructed to request the foreign office to advise it if the information in question was correct; to renew the protest against the measure made, pursuant to said instructions of December 24, 1918; and to conclude by urging that action be promptly taken to prevent the coming into force of a measure threatening confiscation of American interests. On July 17, 1919, the Acting Secretary of State sent telegraphic advices to the American consul at Nogales, Mexico, of the instructions to the American Embassy on July 16 and directed him to advice the appropriate State authorities that the embassy had been directed to renew the protest against the measure in question, referring in this connection to the specific grounds upon which the original protest had been made.

In further explanation of the matter, I have the honor to state that the grounds upon which the embassy was directed, on December 24, 1918, to protest against a proposed agrarian law then pending in the Sonora Legislature were that this measure was confiscatory in character and made no provision for due process of law and judicial determination in connection with the proposed expropriation of the lands affected thereby.

I have the honor further to state that since the said instructions of July 16, 1919, were dispatched to the American Embassy at Mexico City the Department of State has received from the American consul at Nogales a copy and translation of the so-called agrarian law and it is now studying the provisions of this law with a view to determining what further representations, if any, it should make to the Mexican Government regarding the matter.

Respectfully submitted.

ROBERT LANSING.

COST OF FOOD PRODUCTS.

Mr. BRANDEGEE. Mr. President, I have received two letters from a Bridgeport, Conn., manufacturer in relation to the cost of living. I send them to the Secretary's desk and will ask the Senate to indulge me for about three minutes before the Secretary reads them to the Senate. I will ask the Secretary to omit reading the signature.

I wish to say, of course, the question of the cost of living is most complicated and may be viewed from many standpoints and many angles. I do not indorse all that my correspondent says in the two communications, but they show the difference in viewpoint. He directs his criticism mostly to the cost of wheat, which, in his opinion, is the basis of the cost of most of the other cereals, and hence of a great many food products the cost of which depends on that of cereals.

I realize perfectly well that wheat and other grains are the manufactured product of the farmer, but to the manufacturer they are merely the raw material of his industry. I desire these letters read as illustrating the way the country is divided into conflicting classes of people on this question and for the purpose of showing how interrelated all these different interests are which in the aggregate make up the conglomerate mass which we are called upon to estimate in advance and which is called public opinion.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

BRIDGEPORT, CONN., *August 4, 1919.*

Hon. F. B. BRANDEGEE,
United States Senate, Washington, D. C.

DEAR SIR: We are all greatly interested in the high cost of living. So far as our business—the chemical line—is concerned, you will find that prices have returned to practically a prewar basis without any trouble. We are confronted with old-time conditions, but have to buy everything, aside from our own line, at abnormally high prices.

I have traveled considerably and talked to a great many people, and it is my opinion that the entire trouble with high prices can be settled offhand by reducing the price of wheat to the consumer to $1. I should judge that about 50,000,000 people outside of Congress are willing that the farmers should receive $2.26 per bushel for wheat for this year. When they receive it, we understand that there will be no competition, as the Government holds the entire supply. Therefore the Government has a perfect right to sell wheat at $1 per bushel, pocketing the loss, which it should do.

If necessary, another Liberty, or wheat, loan to cover this deficit could be floated, which we would all be glad to take.

The idea put up to Congress to sell wheat at the market price sounds to most of us like "bosh," as the price may go down slowly, according to the ability of the wheat gamblers to borrow enough money to keep the price up.

The Government-fixed price, to take effect September 1, will inevitably cause the fall of all other cereal prices, which, by the way, should be so, as the Government made no guaranty to keep up the price of all foodstuffs in the United States. We all know that the price of wheat controls the price of corn, barley, oats, and hay, which means the price of eggs, poultry, beef, and shoes. In keeping up the price of wheat, amounting to $2,000,000,000, it is also upholding about $10,000,000,000 worth of vital necessities. Herein lies the "joker" of the fixed price of wheat.

I appreciate the fact that the packers and their financiers keeping these stocks in storage will hold up their right hands and solemnly swear that it can not be done without breaking the country. It will assuredly break most of the speculators, but, to my mind, it is better to break the market and let us live than to have the entire country split by a revolution, which certainly threatens at the present time.

Outside of Washington, if you are in touch with the people, you will find that most of the country feels that there is no inducement to work hard when at the end of the week nine-tenths of them have not "broken even." This condition can not last without some violent upheaval, which may come this fall just before winter sets in, and will be a national calamity.

Why not have the Government at once set the price of wheat and break the market before it is too late?

The fall of these prices will, no doubt, stimulate European selling in an effort to keep up prices. This could be obviated by taking an average of three years' shipments of wheat, copper, and coal, say for the three years 1912, 1913, and 1914, and putting an embargo on all shipments in excess of that amount. This would take care of Europe's real needs and also limit the amount of credits to the nations that most of us feel can never pay, as our "horse sense" tells us that if they were in hard straits before the war on account of their national debts, they surely can not make good when they owe ten times the amount.

On account of the depreciation of foreign currency standards, which we believe is the basis of exchange, they can not afford to buy, if they want to, unless they intend to never pay their bills.

For instance, I would like to know how Germany can buy copper at 24 cents per pound and pay for it with a depreciated German mark, which would mean that they would be paying from $1 to $1.20 per pound, unless the exchange was juggled in such a way that some one lost the difference?

Regarding shoes; we come in contact with quite a few manufacturers of artificial leather, leather, etc., and at the present time no one seems to be able to buy hides enough. It does not seem necessary that the large dealers, such as the Chicago packers, should be allowed to ship all their hides to Europe. An embargo should be placed on shipments over the average of the three prewar years.

There are 100,000,000 people in this country who have to buy shoes. How can we do it unless these tremendous shipments are stopped or regulated? Talk will bring nothing but disaster, and greatly increase the feeling against the present administration, which is much more bitter than is indicated by the press.

We know that Europe is in desperate need of coal, also England can take care of its need by strict economy. We understand that lately the Government has taken over the output of the Cambria coal fields to insure the shipment of at least a million more tons of coal to Europe. Anyone who has been through the coal region knows that the miners will not, or can not, work more than half the time, thereby assuring a shortage this fall with higher prices. When the coal prices are ready to be boosted by the mine owners, the Government will work with them by shipping this coal out and taking enough coal out of the market to insure higher prices.

We also know that the sale of Government supplies, which should have been done months ago, was held up through official Washington to the detriment of the people. We also know that if it was sold at once it is only a drop in the bucket, as the supplies of food this fall run up to eight or ten billion dollars, and a hundred million does not go far. The main thing is that the Government should sell wheat at $1 per bushel, with embargoes to check the exports to a normal prewar average, nothing more.

I also note that Washington intends to tinker with the currency. Otherwise, reduce our money circulation, if possible, in the hope of checking the present inflation. The past history of the United States shows only one thing, viz, whenever the Government reduced the currency in any way it caused a panic, which it will do again.

We are not ready for a panic; only ready for sound legislation, which will cause the least disturbance and the least fright in the minds of the people. For instance, let the fact go broadcast through the country that the Government intends to reduce the currency, and see how fast each one of us tries to hide away our little share. Any fool knows what that would mean in 30 days.

I doubt very much if official Washington, which would expect to draw their pay just the same and would have enough to take care of themselves very well, feels as concerned as the rest of us who are out "in the cold" and depend upon the continued prosperity of the land to make a living.

I do not advocate the shooting of the packers, or other monopolists, as that will happen soon enough if this thing keeps on. They, no doubt, feel as secure in their position as Wilhelm II when he declared war; but to my mind he was in an infinitely stronger position than the men who are running this country in as arbitrary a way.

The pity and shame of it is that men who have every luxury possible can not visualize the untold suffering and injury they are doing to the mass of helpless people all over the country for the sake of greed, pure and simple, as the extra money they are getting can do them no good whatever when they already have everything they can possibly need.

Yours, very truly,

Mr. HITCHCOCK. Mr. President, the letter from the constituent of the Senator from Connecticut rather suggests to me the saying of the old humorist that he was willing in case of war to sacrifice all of his wife's relatives. He seems to be willing to have the Government buy large quantities of wheat and throw it upon the market for the purpose of depressing the market. I presume he would not be satisfied to have the Government go into the chemical market, he being a chemical manufacturer, and purchase any product in order to break the price.

It is rather notorious at the present time that wheat is selling in many markets in the United States for a price above the Government guaranty; it is also well understood that wheat is selling in the markets of Europe at very much higher than the American price, and it ought to be known to the author of this letter that the course of events within the last 60 days has deprived the United States of about 300,000,000 bushels of wheat that had been expected, so that the wheat crop for this year will be very much smaller than had been estimated in the spring. In my opinion, if wheat were left to the natural law of supply and demand the wheat producers would be receiving even more than they will receive under the Government guaranty.

I have not much patience with manufacturers or business men in one line who are forever complaining about the advanced prices of goods in other lines. The fact is that we are suffering now the results of war, and we will continue to suffer those results for some time from manifold causes, not only because production has been reduced but because the quantity of money, the supply of money, has been enormously increased. We can not expect in the United States with a per capita circulation of $56 the same prices that prevailed when the per capita circulation was $36, any more than they can in Europe with their enormous expansion of currency. I think such complaints and suggestions as are made by the manufacturer who is a constituent of the Senator from Connecticut are nothing more than the common clamor we hear of one class against another. They are complaints against what is inevitable under present conditions, conditions that will continue until we get back to normal, and a start to get back can not be made until the peace treaty is signed and we resume the ways of peace.

Mr. BRANDEGEE. Mr. President, I do not agree at all with the last statement of the Senator. I do not think the signing of the peace treaty will have any effect whatever upon prices; but there is no use talking about that, because the President thinks the other way, or says he does.

I said, Mr. President, when I offered the communications that I did not agree with all the sentiments expressed by my correspondent, and I am still of the same opinion. I agree to a great extent with the Senator from Nebraska that each man looks at this situation largely with reference to himself and those circumstanced as he is. I stated that in the universal dissatisfaction at the high cost of living each man seems to think that his own product is selling at a fair price, but that what he has to buy is too dear.

The farmer may be getting a full price for his wheat. About that I do not know, for I do not come from a section of the country that produces much grain and I am not brought in close association with that question; but, as I understand my correspondent, his proposition is not to reduce the price of wheat to the farmer, but that the Government should buy the wheat crop and sell it to the people for a dollar a bushel. That may or may not be fantastic; it may or may not have some merit; I do not know; but, Mr. President, all I will say is this, that the farmer—and I am told there is no money for the farmer at present prices for wheat, at least in this section of the country, although I do not know about that—even if he is getting a fair price for his wheat, is affected by the high cost of living just as everyone else is, for everything that he has to buy has gone up. The price of rent has gone away up; the price of money which he owes on his mortgage has gone away up; the price of his agricultural implements and his fertilizers and his insurance and his food, other than what he raises on the farm, and everything that he uses has gone up. The price of labor is away up, and it is very difficult, as I am informed, to obtain farm labor at any price in certain sections of the country. In my opinion that is one thing that contributes to the high cost of food products—the fact that tremendous areas of the country have had to be abandoned from cultivation because it was impossible, during the war and until the Army shall be fully demobilized, to get farm labor at any price, and they have had to abandon the cultivation of large tracts of their land, and such labor as they do get is very high priced.

That is the farmer's position, as I understand. I have no patience with the man who wants to get everything as cheap as he can and sell his own product as dear as he can. It is human nature to be selfish, and in this great crush of conflicting interests everybody appears to be looking after himself; but it is our duty to try to arrive at some compromise measure which, to the best possibility of attaining the greatest good for the greatest number, will result in the greatest good for this whole country under these circumstances.

What that remedy is, of course, the committees of Congress are going to work out as best they can; but I do not think it is within human power or within the grasp of the human intellect, contemplating these tremendously differentiated and conflicting forces that are moving all over this country, for any one Senator or any one Representative to retire to his camera and take a piece of paper and indite upon it such words as will furnish a complete remedy for a situation which is perfectly abnormal and unprecedented not only here but all over the world. Time will be required to adjust these matters of great delicacy and intricacy, and patience on the part of the public will be required, too. They must realize, and the thinking portion of them I have no doubt do realize, that Senators and Representatives are just as human and just as fallible as the great mass of the public are, and that nobody here can empirically evolve out of his inner consciousness a single panacea which, at the stroke of a pen or the falling of the gavel of the presiding officer stating that the bill has passed, is going to work a miracle in a country distracted by all sorts of sequences of a tremendous world cataclysm such as we have been through. Patience and toleration and some self-sacrifice and a disposition not to swallow every gudgeon that is painted with rainbow hues, but to feel our way along, and possibly to experiment a little bit—that is necessary, because the conditions are unprecedented—are essential to the peaceful and wise and permanent solution of this tremendous question.

The VICE PRESIDENT. The Secretary will read the second letter presented by the Senator from Connecticut.

The Secretary read as follows:

BRIDGEPORT, CONN., *August 7, 1919.*

Hon. FRANK B. BRANDEGEE,
United States Senate, Washington, D. C.

DEAR SIR: I note with interest your letter of August 5, and greatly appreciate your acknowledgment of my complaint. After watching the news from Washington I feel that, except yourself, there is no "man of the hour," or no man in Washington big enough to stand up and advocate any definite plan for relief.

The only plan put up was that of the chief of the Brotherhood of Locomotive Engineers, and to the writer it is too bad that

there is no Senator or Congressman big enough to stand up and meet his demands with a bill that will remove their chief cause of complaint at once, and will end for this time the argument as to whether the railroad employees shall run the United States or not.

As it stands to-day, with a vacillating Senate and House (as we see it), there is no answer to their demands except to temporize. Delay does not buy bread for their families, nor ours, nor those of our employees. Neither does it bring down the high prices.

Why not undertake to introduce a bill in the Senate yourself which will allow the United States to sell all the wheat in the country at $1 per bushel on September 1 and place an embargo on wheat for export, so that only a certain amount will leave the country during the next six months, with the added assurance that any man buying this wheat and holding it to bolster up the market, incidentally having the banks advance him money enough to carry it as a marginable proposition, will be prosecuted and imprisoned.

A bill of this kind, as I take it, is the only one that will stop the condition we are verging into, which is only anarchy.

President Wilson's proposed speech on Friday has no significance for most of us, as that is all we have heard for the past four years. We have seen no action. We all saw these high prices coming for months, but nothing was done.

You represent Connecticut. Take, for instance, Bridgeport. To-day the employees of about 25 factories in this city are on strikes, demanding wages that the firms can not pay and run, unless they again increase their prices, which they admit is impossible. They have the alternative of meeting the demands of the men and running their shops at a loss or closing the factories and letting the city drift into a state of riot. These continued strikes and resulting idleness can bring only one definite thing—disorder.

If the markets for foodstuffs can be broken inside of a week these strikers will have no excuse but to go back to work. Even from a capitalistic point of view the safest thing to do would be to break the wheat market regardless of what it will do.

I read with interest Mr. Barnes's report that this can not be done. I think that a man who handles United States Government money which is set aside to keep the cost of living down and then boasts that he has made the people pay $24,000,000 more for bread alone than was intended is no friend of the people but is simply misguided as to why he is there and should be fired as soon as possible for the good of the country.

The statement was made yesterday in Washington that corn and other supplies are not guided by the price of wheat and that statistics prove it. So far as I can see, statistics did prove that corn did not move exactly in the same ratio, but at the same time it was lower in price when wheat was lower.

If this is the case horse sense tells us to lower the price of wheat enough so that other foodstuffs can come down. Even the hucksters on the street have to charge more for their vegetables simply for the one item of feed for their horses, as it is four times what it was two years ago.

It is the accumulation of these little things on the backs of all of us that has closed down the factories of Bridgeport to-day. This has nothing to do with the determined front shown by the 2,000,000 railroad employees, who at least have heads in their organizations who are able to put a concrete proposition up and back it. Again I would say put up a concrete proposition in rebuttal—$1 wheat on September 1—and see what will happen.

Yours, very truly, ———— ————.

P. S.—This is my last letter, as I appreciate that there are many others who no doubt would like to gain your kind attention.

Mr. NELSON. Mr. President, I want to remark that the gentleman who wrote that letter takes a most narrow view of the case. The cost of living refers to something more than the mere price of flour and bread. While the price of flour may be high, it does not compare with the price of boots and shoes and clothing. If the writer of the letter had looked abroad in New England, he would have found that the boot and shoe makers of New England charge a greater profit on their leather and boot and shoe goods than the farmers of the West charge for farm products; and if he had looked among the manufacturers of clothing and all the other necessaries of life he would have found that the farmers of the Northwest are getting less profit on their wheat than the manufacturers of New England are getting on their products.

The gentlemen who are making war on the farmers because of the cost of wheat and flour had better sweep their own front yards before they attack the farmers of the West.

INCOMES OF CERTAIN AMERICAN CORPORATIONS.

Mr. BORAH. Mr. President, Mr. Basil Manly read a paper before the National Conference of Social Work at Atlantic City on June 2, 1919. The address was not published in full, to my knowledge, except in one publication, but it created a great deal of comment, and some people were so interested in it that they felt that it ought to result in Mr. Manly being prosecuted, if possible, as an advocate of Bolshevism in this country. I call attention to this article in order that the Attorney General may investigate it. I think he will find in it considerable information which he would like to have concerning profiteers. He purports to give data and facts which, if they be well founded, are facts which the Attorney General ought to have.

I read a single paragraph:

> I have just completed a study of the earnings of 82 representative American corporations, a record of whose profits is available for each year from 1911 through 1918. This is not a list selected either because the profits were large or because the profits were small. It is a list of all the corporations whose earnings covering this entire period were available to me. A compilation of these figures shows that the same 82 corporations, which in the prewar years had an average net income of $325,000,000, had net incomes in 1916 amounting to more than $1,000,000,000, in 1917 of $975,000,000, and in 1918 of $736,000,000. This is after the deduction of every dollar of State and Federal taxes and of every conceivable charge which these companies could devise for reducing and concealing their apparent profits.
>
> I am convinced, as a result of my study, that the actual profits, even after the payment of taxes in 1917 and 1918, were just as great as in 1916, the difference being accounted for by the fact that in 1917 and 1918 these corporations set up all kinds of excessive reserves for depreciation, amortization, and other unspecified and fanciful contingencies for the purpose of evading taxation and concealing their excessive earnings from the public and the tax collector. But even taking the figures as they stand, we find that these 82 corporations earned, net, $3 in 1916 and 1917 and over $2 in 1918 for every dollar which they earned in the prewar period. This is profiteering with a vengeance, and the profiteers may well tremble lest the people avenge themselves for this shameless exploitation during a period of the Nation's greatest necessity.

Mr. NELSON. Mr. President——

Mr. BORAH. Just a moment. All of this information is to be had by searching the records of the departments here, and while the address was condemned throughout the country as inciting the people to revolution, and so forth, my opinion is that it will be found that the facts as stated by Mr. Manly are correct; and if they are correct, the Attorney General will have something to begin with.

Mr. NELSON. What I desired to ask the Senator was whether he could give us any information as to who these companies are, their names, and what industries they are engaged in?

Mr. BORAH. I can only give the Senator general information.

Mr. HITCHCOCK. The article was published in the RECORD of Friday, August 8, the names of the corporations given, and the full detail as to the profits of each one for the various years.

Mr. FLETCHER. The Senator will find it beginning on page 3703.

Mr. BORAH. I have made some examination of the matter, and the corporations cover almost every line of industry, so far as that is concerned.

Mr. FLETCHER. They are all given on pages 3704 and 3705 of the RECORD in the proceedings of Friday last.

Mr. BORAH. Very well.

RESTRICTION OF EXPORTS.

The VICE PRESIDENT. Morning business is closed.

Mr. MYERS. Mr. President, I ask that Senate resolution 157 be laid before the Senate and read.

The VICE PRESIDENT. The Chair lays before the Senate the resolution referred to by the Senator from Montana, which will be read.

The Secretary read Senate resolution 157, submitted by Mr. MYERS on the 7th instant, as follows:

> Whereas the high cost of living, constantly increasing, with no prospect of a cessation or reduction, is a serious and constantly growing menace to the peace and welfare of the people of the United States and to the stability of the Government of the United States; and
>
> Whereas it is expedient and necessary for the Congress to find and provide a remedy for this serious state of affairs: Therefore be it
>
> *Resolved*, That the Committee on the Judiciary be, and it is hereby, instructed and directed to consider forthwith and to report upon the advisability of legislation to restrict or prohibit for a time exports from the United States of food, clothing, hats, caps, leather goods, and other necessities of life; and if it may deem any such legislation advisable, to report to the Senate a proposed form of bill therefor and to make such suggestions in the premises as it may deem fit, and to advise the Senate generally in the premises.

Mr. MYERS. Mr. President, I think one of the gravest crises that ever confronted the people of the United States now confronts them. I think it as grave as any that has ever arisen since the foundation of the Republic; quite as grave as any that

confronted the people of this country during the Civil War or during the war with Germany and her allies. The rising cost of living in this country is engrossing the grave attention and deep concern of everybody, and all citizens who value the welfare of their country are seeking remedies for the distress that besets the country and the threatened disasters that are impending.

There is nothing cheap in this country to-day except money. Everything else is high. Our money, though, is depreciated. We have a 50-cent dollar when compared with its purchasing price of five years ago. Unless there is some relief, I believe there will be very serious trouble. Already the railroad employees of the country have demanded an increase of wages or a reduction of the cost of living. They have accompanied their demands by threats that unless one or the other is granted in a short time transportation will be tied up by a nation-wide railroad strike, and boldly threaten industrial paralysis, stagnation, and starvation of people.

I am not in favor of any increase of wages for railroad employees at this time. I do not believe an increase would be right or justifiable. The railroads are being operated by the Government at a tremendous loss—a loss, I believe, of about $30,000,000 a month, a million dollars a day. Passenger and freight rates have been increased enormously, so that they are a very heavy burden upon the people and add greatly to the increased cost of living. Still, with all that, there is a tremendous deficit of revenue which the taxpayers of the country have to pay for the operation of the railroads. I think, under those circumstances, it would be wholly unjustifiable to increase the pay of railroad employees. I believe the business of the country should be conducted as is the business of individuals. If an individual were conducting a business that was operated at a great loss, a business that was not nearly paying expenses, he would be considered a fit subject for a lunatic asylum if, under those circumstances, he should grant an increase of wages to his employees. I think the same principle should apply to the conduct of Government business. We owe a duty to the taxpayers. Railroads should be made to pay expenses before an increase of wages of employees is considered for a moment.

Unfortunately the demands of the chiefs of the brotherhoods of railway employees for an increase of wages have been accompanied by startling threats of railroad strikes, tie-ups, and industrial paralysis. I am always willing to lend a sympathetic ear to the complaints of workmen who are engaged in interstate commerce if they respectfully represent that they can not live comfortably on their wages and petition for an investigation of conditions, and under such conditions I am willing to favor investigation, but the demands and threats of the brotherhoods of railway employees in this instance resemble entirely too much the methods of a holdup to suit me. Congress is ordered to "stand and deliver," and if it does not deliver is threatened with dire disaster. I do not believe in yielding to any such demand.

Unfortunately for labor, that demand is also accompanied simultaneously with a demand that the industries of this country be sovietized, and a vast propaganda has been started to back up this demand. It is also accompanied by threats of revolution, of force, and of serious and dire disaster to the people if the demand is not granted by Congress. A nation-wide propaganda to back up this revolutionary demand has been inaugurated. Already I am in receipt of telegrams urging my support of what is known as the Sims bill, which embodies the so-called Plumb plan. The Plumb plan is simply a bold, bald, naked attempt to sovietize the railroads of this country; and I will say now to one and all that I am not in favor of the Sims bill and I shall not support it or anything like it. I am not willing to be a party to the sovietizing of the industries of this country. If the railroads were sovietized, ft would merely be an entering wedge to conducting the industries of this country for the benefit of a favored few. If the railroads were conducted by the railroad employees under the Plumb plan, the employees would fix their own wages; they would have the power to fix rates for passenger travel; to fix all freight rates and to regulate the amount of money to be taken from the people for the operation of the roads. The employees would be supreme. They would be absolute monarchs, with the power to take whatever they might choose from the people of this country. If they were allowed to do that, the next move would be to sovietize the steel industry, the mines, the manufacturing industries, and all of the other industries of this country. The American Republic would be thoroughly Russianized.

If the employees of an industry were allowed to fix their own wages and were allowed to tax the people of the country whatever they might choose in order to provide their wages and meet all expenses of conducting operations, how would the farmers of the country fare? How would the blacksmiths of the country fare? How would the merchants of the country fare? How would building contractors fare and those who work for them? Take the case of a man who is a building contractor and simply takes contracts where he can get them, here and there, to erect buildings. He is not conducting a factory or an established business that maintains on its pay roll at all times a large number of employees; his employees are dependent upon the success of his business for employment and for their pay. How would all such fare under such a system if it pervaded all of this country? I think it would be absolutely disastrous to all except the favored few who would fix their own wages in industry and fix the tax to be levied upon the people of the country in order to bring in the money with which to pay themselves. It would be un-American. It would be class legislation of the rankest kind. Farmers, live-stock men, lumbermen, merchants, tradesmen, contractors, and the great body of the people, the masses of the consumers, the majority, as in Russia, would be absolutely at the mercy of the minority, the favored few, who could fix their own wages and fix the prices of products. The cost of living would be higher than ever and intolerable.

Of course, those who advocate the plan say that the profits would be divided with the Government; but that phase of the matter is amusing. We all know about what the profits would be; it would not take a wheelbarrow to carry them, and yet if there were any loss sustained by the business the Government would be called upon to pay it. Under such a system each year the Congress would be confronted with a demand to appropriate millions and perhaps billions of dollars to foot the losses occurring in the operation of industries, and the Congress each year would have presented to it a threat that if it did not comply with the demand to appropriate money to foot the bills for losses dire disasters of various kinds would be brought upon the country. Members of Congress would undoubtedly be threatened that if they did not yield they would be put out of public life and others would be elected to fill their places who would yield to the demand and vote hundreds of millions or billions of the people's money to private interests to make up deficits. It would be a great game!

There has long been conducted in this country, I know, a sinister campaign to teach the people of this country the alleged beauties of Russian Bolshevism and sovietism—an insidious attack upon the institutions of this country. It has been conducted by mail, by literature, by addresses delivered in open and in secret, and by clubs which have been formed. The general network of this insidious propaganda has been thrown all over the country; it has been going on for a long time and those participating in it have been unusually bold and active for many months. I have been wondering who would take it upon himself or themselves to put in concrete form the issue of Bolshevism in this country. I knew that so long as it was only advocated in a general way, in an abstract way, no harm could come from it directly; I knew that it could not be applied to the institutions of this country and put into practice when only taught abstractly. I knew that some concrete proposition had to be presented to the people in order to make it an issue; but the veil of mystery has been lifted at last, and I am sorry to say it falls to the leaders of the railroad brotherhoods to present to the people of this country a concrete test of Bolshevism against Americanism. The test is upon us; we have on our hands right now the test of Bolshevism against Americanism, and, so far as I am concerned, I am ready for the test. Those who have precipitated it have threatened that the Members of Congress who do not support their proposal will be retired to private life and will be succeeded by others who do favor this plan to sovietize the industries of the country.

So far as I am concerned, I am quite ready and willing at any time to sacrifice my political life for the welfare of my country, and I will sacrifice it rather than be a party to binding this country hand and foot and turning it over to Bolshevism to sovietize American industries. Such threats have no terror for me. I am quite willing at any time, if necessary, to die politically for my country; indeed, that would be a small sacrifice compared to the sacrifice of hundreds of thousands of American citizens who have given their physical lives from the time of the Revolutionary War down to the present time in order that the principles of this Government might survive. Hundreds of thousands of Americans sacrificed their lives in the Revolutionary War, the War of 1812, the Mexican War, the Civil War, the Spanish-American War, and the war with Germany and her allies. They died that American institutions might live. More than that, I would not only be willing to sacrifice my political life but to sacrifice my physical life rather than to see this Government destroyed. Then I should be willing to do no less than thousands upon thousands of patriotic citizens before me have done.

The test of Bolshevism against Americanism is confronting us right now and must be met and decided. There is no middle ground; it can not be side-stepped or dodged any more than the issue of slavery could be side-stepped or dodged when it was brought to the fore. Politicians side-stepped and dodged the slavery question for generations; the Democratic Party of the North and the Whig Party of the South temporized with it and dodged it and took evasive stands upon it for many years. Finally it had to be met and settled. So this issue must be settled, and the sooner the better. Now is the best time.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER (Mr. SMOOT in the chair). Does the Senator from Montana yield to the Senator from Minnesota?

Mr. MYERS. I yield, with pleasure.

Mr. NELSON. Does not the Senator from Montana think it would have been well if the administration three years ago had taken the stand it has now taken?

Mr. MYERS. Three years ago?

Mr. NELSON. Yes; when the railroad trainmen came before Congress and the President just about in the same attitude that they did recently. Would it not have been advisable then to have put on the brakes instead of letting it go on, instead of sowing the wind and now reaping the whirlwind?

Mr. MYERS. It might have been. However, there were very different conditions at that time, and the nature of the demands at that time was very different from those now made.

Mr. NELSON. Was not the trouble then that there was an election pending that fall?

Mr. MYERS. Mr. President, I will say that there is an election pending now. There is an election pending next year. Elections are always pending in this country, and there are people who look forward to elections at all times. If Congress made one mistake, I do not believe it would be any justification for Congress to make another and a far greater mistake. If the railroad brotherhoods held up this country once, I do not believe it would be any justification for yielding to a holdup demand now. I believe that the issue of who shall conduct the affairs of this country is more clearly and concisely presented to the people of the country now than it ever was before, and I believe that it should be met fairly and squarely.

As I was saying, on the slavery question——

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to his colleague?

Mr. MYERS. I yield, with pleasure.

Mr. WALSH of Montana. If my colleague will permit me, before he passes from the subject he was speaking about in reply to the inquiry of the Senator from Minnesota, I feel that the difference between the situation which now confronts us and that which confronted us in 1916 ought to be made very clear. I voted for the legislation enacted in 1916. I do not know what attitude the Senator from Minnesota took with respect to it.

Mr. NELSON. Mr. President, may I ask the Senator a question in that connection? Did not the railroad trainmen come then with a threat of a strike, as they have done recently?

Mr. WALSH of Montana. That was just the point to which I desired to address myself.

Mr. NELSON. Did they not hold the threat up to our throats?

Mr. WALSH of Montana. Exactly.

Mr. NELSON. And did they not say that unless we would acquiesce in that legislation they would strike and hold up everything in the country?

Mr. WALSH of Montana. Exactly; and that is just the question to which I desire to address myself. So they did, and the country was confronted with a great catastrophe, and it was confronted with a great catastrophe because no machinery had been provided at that time through which the justice or the injustice of the claims then made could be determined.

Mr. NELSON. Oh, Mr. President, we had an arbitration board.

Mr. WALSH of Montana. Exactly; we had an arbitration board that the railroad companies refused to resort to. That is the situation. The railroad men offered to submit their cause to that board of arbitration, and the railroads of the country declined to arbitrate, as they had an opportunity to do. Congress had failed to provide the machinery by which the matter could be determined; but, Mr. President, it has since done so. Under the existing law a board under the Railroad Administration has been created which is fully empowered by the Legislature to hear and determine the justice of the claim now made. Accordingly we occupy an entirely different situation.

Mr. NELSON. Oh, no, Mr. President. I want to say to the Senator that we could have enacted legislation then providing for a board to consider the question of wages. We could have said then, "Before you strike you must submit your demands to this arbitration board," and we could have created a board, and that is what we ought to have done at that time—created a board. The only relief we can hope for is to provide some system by which we will require these railroad men or any other men connected with our transportation systems, before they strike, to submit the question to some board of arbitration and have it passed upon. That is the only relief possible, and that system you could have provided three years ago without acquiescing in the other matters that were contained in that bill.

Mr. WALSH of Montana. Without taking issue with the Senator from Minnesota—whom I admire too much to have any controversy at all with—I will state that I rose merely to indicate that the situation that confronts us now is essentially and vitally different from the situation that confronted us in 1916. Moreover, I do not recall now that the Senator from Minnesota or any Senator upon the other side of the Chamber, when the legislation to which reference has been made came before the Senate in 1916, proposed as a substitute for that legislation a system of compulsory arbitration. Practically everybody at that time recognized that, unfortunate as the situation was, there was only one solution to it, and that was to enact the legislation which was enacted. There was practically a unanimous agreement upon that point. But in any case, Mr. President, the situation arose by reason of the fact that Congress had not legislated in order that the situation might be taken care of. Congress went to work and legislated, and the situation can be taken care of now in the way in which it is being taken care of—by a board acting under the Railroad Administration.

Mr. MYERS. Mr. President, the demand of the railroad brotherhoods in 1916 was not a demand for an increase of wages. It was a demand for an eight-hour labor day, such as had been given to labor in nearly all other lines of industry. It was a question of hours, not of wages. As my colleague did, I voted for the Adamson law in 1916. I had long believed in an eight-hour day in all industries. At that time the railroads as a whole were not losing money, either. If that was a holdup, as the Senator from Minnesota seems to believe, it is no excuse for another and far worse holdup, and I will say that never in future will any legislation, as the result of a holdup, be enacted in Congress by the aid of my vote.

I have always been sympathetic with all legitimate and reasonable requests of labor. Since I have been in this body I have voted for nearly everything that labor has requested of Congress. There are few Members of this body who have voted for more legislation to alleviate the conditions of labor than I. I have done that because I have had a sincere desire to give to labor a full measure of social and economic justice and a fair proportion of the prosperity and benefits of this country and because I wanted to deal fairly and justly with labor. I have wanted, and I want now, labor to have fair treatment, but when it comes to a demand to sovietize the industries of this country, to turn this country over to Bolshevism and socialism, and to overturn the rights of property and the established principles of this Government, or as a threatened alternative to bring upon this country chaos, revolution, revolt, industrial stagnation, paralysis of industry, starvation of American citizens, I start a little revolution of my own. It is revolting to my sense of justice, my Americanism, and I revolt against it here and now.

If labor is going to back up this demand to sovietize the industries of this country, it will find that many sympathizers who have heretofore stood with it in all reasonable and legitimate matters and in many past contests, giving to it, as I did on the Adamson bill, the benefit of any doubt, can not be counted upon to support it in such extraordinary and revolutionary demands as are now being made by some representatives of labor. I doubt if the rank and file of the railroad men of this country are at heart in favor of the proposition to sovietize the industries of this country. I believe this crisis has been brought upon the country by the leaders of the railroad brotherhoods. I believe they have moved together concertedly to precipitate upon this country, at a great crisis in its existence, the demand that is now made upon Congress. It looks like they had long determined to act at an opportune time.

I read yesterday in the Washington Post a very sensible article by Mr. Thomas C. Atkeson, Washington representative of the National Grange. Among other things, he said:

> The hysterical wave of protest against the high cost of living which broke out this week came at a suspiciously opportune time to influence Congress in favor of the so-called Plumb plan, and no denials from interested sources can hide this suspicious timeliness.

It appears to me very suspicious that the demand for an increase of wages and the demand to sovietize the industries of this country came like a thunderclap upon Congress at the

same time; launched at the same time, in one and the same breath, you might say, and both backed up by more or less insinuating threats that unless they were granted there would be revolution, anarchy, stagnation, and industrial paralysis in this country. There has been some effort made, in the last day or two, to separate the demands, to show that the threat of a strike was only made to back up the demand for an increase of wages and not to enforce the demand to sovietize the industries of this country; and yet the leaders of the railroad brotherhoods last week issued a statement in which they said that the railroad employees of this country were in no temper to brook the return of the railroads to their owners. Now, if language means anything, that means that they will not tolerate it, that they will not permit it, that they will prevent it in one way or another. They have done some reckless talking. One of the railroad brotherhood chiefs also said that if Congress should follow a certain policy suggested by President Wilson the railroads would be tied up so tight that they would never run again—would never run again. That means a long time. I do not see how that could occur unless the railroads of the country were destroyed, unless their property should be physically destroyed.

This crisis has been launched, it appears to me, as a climax to a long-continued system of agitation to overthrow American institutions and the principles of a republican form of government, to overthrow the rule of all the people and establish rule by a few people for the benefit of a few. I am opposed to class legislation for the benefit of a few people. It does not make any difference whether the few to be benefited by it at the expense of the many are laboring people or capitalists.

I have all of my life stood against class legislation for the benefit of a few, and I still maintain that stand. I do not care who it is that demands special privileges and class legislation for the benefit of the few at the expense of the many. I am just as much opposed to it to-day as I ever was, and I am just as much opposed to it for the benefit of one class as for another. I say that Congress should set its face as a flint rock against this audacious demand of representatives of a few people of this country to sovietize the industries of the United States for the benefit of a class. I am satisfied that the propaganda for this revolutionary demand is only beginning, and that it will be conducted into and through the next campaign. Many will join in it. Thousands will support it.

We may expect every rampant Socialist, every I. W. W., every Bolshevist, every soviet, every long-haired man and short-haired woman who wants to Russianize this country to put himself or herself back of this propaganda and to bring to bear in support of it all of the power and agitation possible. As far as I am concerned, my back is against the wall. Not one inch will I yield to this audacious demand to sovietize the industries of this country. It can get no support from me. Being opposed to the plan to sovietize the industries of the country, and not believing that it would be fair or just at this time to increase wages of railroad employees, when the Government, in spite of high freight and passenger rates is paying out millions of dollars a month to foot the deficits of the railroads, I can not favor either of those demands.

However, I am very heartily in sympathy with the demands of railroad employees, as well as of all other employees and all other classes of people, that something be done to reduce the enormously high cost of living, which is constantly rising and mounting higher and higher. I am in favor of reducing the cost of living, if possible, for the benefit of railroad employees, for the benefit of all other employees, and for the benefit of every individual—the whole people and not any one class. I insist that Congress should do something about this. If it does not effect some reduction in the cost of living, I predict that there will not only be strikes but riots, insurrection, looting, and destruction of property in this country on a scale never before known in its history. I claim that the Congress should not spurn any suggestion which appears to have any merit or any possible hope of relief in it, which may appear calculated to protect the welfare and to benefit the entire people, and therefore I have introduced the pending resolution. It is to direct the Committee on the Judiciary to give consideration to the advisability of legislation to restrict or prohibit, for a time, exports from the United States of food, clothing, hats, caps, leather goods, and any other necessities of life.

I do not think that we should allow the people of this country to be bled white for the benefit of the people of the rest of the world and for the benefit of the few in this country who make enormous profits out of exports from this country. I read from the Washington Post of this morning this article:

Increase in exports of food and other commodities during the last 12 months caused a gain of 262 per cent in the number of cars of export freight received at North Atlantic ports during the week ended July 30 over the number received during the corresponding week of 1918.

A traffic report issued Saturday by Director General of Railroads Hines showed a total of 5,825 cars received during this year, compared with 1,607 received for the corresponding week last year.

When we were at war and were furnishing those associated with us in Europe with a large proportion of their munitions, clothing, food, and other necessities for the sustenance of life and the conduct of the war exports were far less than now. The increase of our exports is enormous, startling, and unwholesome. It is bleeding this country of the necessities of life. We should not allow the people of this country to face starvation merely for the benefit of people in other countries. I believe in giving a sympathetic degree of attention to the wants and needs of people who are suffering in other parts of the world, but we should consider ourselves first. I believe in America first. When we shall have looked after the welfare of our own people, then I say let us give a humane and sympathetic measure of attention to the welfare of the people of the rest of the world.

We all know that our exports are greater now than they ever were before, and no doubt many of those exports are being paid for by money that we have furnished gratis or loaned to the people of European governments. No doubt many of those exports are being paid for with our own money, out of the ten billions of dollars that we authorized to be loaned to foreign governments and out of the hundred million dollars that we voted last fall for food for people in European countries. I also understand that many of those exports are being sold in Europe at figures lower than those being charged for articles of the same nature in this country. That may be very profitable to a few profiteers in this country, who are reaping the benefits, the immense profits on these vast exports. But it is bringing face to face with deprivation millions of people in this country, and I do not believe we should require our own people to face want in order to show a humane interest in people of other countries. I am for America first. America comes first with me. I believe our first duty is to look after the welfare of our own people.

I understand the reason why shoes are so high in this country, and are mounting higher and higher, is that Italy has bought up practically all of the leather in this country. I understand that shoes next year will probably be double the price they are this year. At a meeting of manufacturers of men's clothing, held a few weeks ago, the chairman of the meeting declared that in his opinion men's clothing next year would cost twice what it costs this year. Are we going to see those things go on interminably, indefinitely, without making any effort to look after the welfare of our own people? Are we going to allow our people to face want, and are we going to have to deal with threats of strikes, and revolution, and industrial paralysis, and stagnation of business, and actual suffering, without turning our attention to some method of stopping that extraordinary condition of affairs?

This resolution merely refers the matter for investigation to the Committee on the Judiciary. It does not initiate any legislation. It does not commit the Senate to anything; it merely asks for a study of the matter and report on it by the Committee on the Judiciary; and I think it is supported by common sense.

In the good old days, when the average, all-round farmer raised a crop, in the fall, when he would harvest his crop, he would first lay in enough supplies to last him and has family through the winter, and probably through the year, before selling any. If he had apples, he would put enough apples in his cellar to last his own family and employees during the winter, or probably a year, before selling any. Then he would sell the balance. If he raised potatoes, he would store enough potatoes in the cellar to supply his own family through the coming year, and then he would sell the balance, sell what he could afford to sell. If he raised pork, when hog-killing time came he would salt down and put away enough pork to last his own family, to supply his own table, and to feed the family and employees during the coming year, and then sell the balance.

I claim that is a common-sense business principle, and I contend that the United States should do the same. We should first see that our own people are clothed and fed at a reasonable cost, and then export and furnish to the rest of the world what remains of our products. We should not require our people to compete with the whole world, even with our enemies, and to pay enormous, unconscionable prices for the barest necessities of life in sufficient quantities merely to keep away starvation.

I believe this is worth while for the Judiciary Committee to consider and report upon. I would not favor putting a Chinese wall around this country and cutting off all exports, but the

exportation of some of the necessities of life I believe could well be restricted in part for a time, at least until we get down to a normal condition of affairs.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Utah?

Mr. MYERS. With pleasure.

Mr. KING. Mr. President, the subject which the Senator is discussing, namely, the wisdom or propriety of applying an embargo upon exports, is one which has received considerable attention of late. I want to suggest to the Senator, however, some of the dangers that would result and some of the evils that inevitably would follow the establishment of an embargo upon foodstuffs and the other articles which we are now shipping to Europe.

Our exports during the past month were $938,000,000, the month before eight hundred and some odd millions, and the month before $763,000,000. The Senator must realize that when we export we must import. When we export it means that we have a surplus of certain products. Many of those things which we exported were finished products, the products of factories, consisting of shoes, clothing, and other goods, as well as foodstuffs. The result is that if we cut off exports absolutely it would mean a congestion here in our markets, a glut in nearly all the industries of the United States.

Mr. MYERS. I will say to the Senator that I do not favor cutting off exports absolutely.

Mr. KING. It would mean that factories would close down, thousands and hundreds of thousands of men and women would be thrown out of employment. Every time you restrict exportation you are injuring somebody at home; you are damming the stream of productivity to the extent of the embargo.

I can conceive of cases where the interests at home are so imperative that an embargo is wise. I can conceive that the supply of foodstuffs may be so short at home that we ought to impose an embargo in order to prevent hardship and famine and serious injury, physical and otherwise, to our domestic concerns and to our own people. Yet I suggest to the Senator that when the Government attempts to lay an embargo it is playing with fire. How far will it go? Where will it stop?

If an embargo is laid upon wheat, somebody will insist that an embargo be laid upon corn, or upon bacon, or upon shoes, or upon cotton, and soon you would be deluged with importunities for an embargo upon the products of our country, and the result would be, as I stated, that importations would be cut off, the channel by which a market is found for our surplus would be cut off, and it reacts immediately upon the people at home; there would be unemployment in thousands of our cities and towns. You would dislocate business, disturb our domestic affairs, and perhaps in the end cause more harm than do good.

Mr. THOMAS. Mr. President, that was the result of Thomas Jefferson's embargo.

Mr. KING. As the Senator from Colorado calls to my attention, that was a policy which was pursued in the time of Mr. Jefferson. Mr. Jefferson examined this subject very fully, and they placed an embargo then with respect to exportations from abroad, and an embargo really from one port to another within the United States, which resulted in hardship, which bankrupted many of the localities or sections of the country, and, indeed, bankrupted in part the country.

Mr. MYERS. Mr. President, the Senator from Utah is a member of the Judiciary Committee of this body. I would be very glad to have his views and the views of the other members of that important committee on this subject. If the views he has now expressed should be his ultimate views I would be glad to have him express them, in conjunction with other members of that committee, in a composite report to the Senate of the views of that committee on this subject. That is all this resolution asks. This is a most vital matter. We need all the light and deliberation we may be able to obtain.

There can be no harm in getting light on the subject. No harm can come from getting light from such an eminent body as the Judiciary Committee of the Senate. That is what we have the committee for; to get its views on important matters, such as this, and that is all this resolution asks. I think there should be no objection to the resolution.

Mr. POINDEXTER. Mr. President, in corroboration of the suggestion of the Senator from Montana [Mr. MYERS] that the movement which took its final form in the demand of the various railroad organizations for the passage of what is known as the Plumb plan is similar in its nature to what we have come to denominate as the Bolshevist movement in this country, I wish to call the attention of the Senate to the publication this morning of the names of some of the active members of the press bureau in charge of publicity for the Plumb plan:

Lincoln Colcord, former associate editor of the Nation, whose radical writings have often been the subject of public comment, is a member of the press bureau. He is a close personal friend and coworker of William C. Bullitt, the agent who was supposed to represent the American delegation to the peace conference on a mission to Lenin and Trotski, and that unfortunate mission, together with unexplained "leaks" of official documents bearing upon relations between this Government and the leaders of the Bolsheviki of Russia, is about to be made a subject of investigation, it is reported, by the Foreign Relations Committee of the Senate in connection with its consideration of the peace treaty.

RADICALS IN GROUP.

Herbert B. Brougham, a member of the coterie which includes Messrs. Bullitt and Colcord, is the personal assistant to Glenn E. Plumb, the latter avowedly the chief propagandist of the plan which bears his name.

Raymond Swing, who was the correspondent of a Chicago newspaper in Germany during the time that nation was at war and this Nation remained a neutral, is in charge of the Plumb press bureau, and Ray McClung is one of his assistants. Altogether the personnel constitutes probably the strongest body of exponents of radical propaganda that could be gathered together in this country, but none of them is in any way identified with the railroad brotherhoods or with organized labor in any manner.

Mr. President, on Thursday last I caused to be printed in the CONGRESSIONAL RECORD an editorial, which bears somewhat upon the same question that the Senator from Montana [Mr. MYERS] has been discussing, from the New York Times of May 30, 1919. It was printed on page 3700 of the CONGRESSIONAL RECORD of August 7, 1919, headed "An apology due," and is as follows:

[From the New York Times, May 30, 1919.]

AN APOLOGY DUE.

Senator POINDEXTER in his place in the Senate charged the President with having delivered to the Congress on December 4, 1917, an address in which he spoke of the Bolshevist government in Russia as "worthy of the admiration of every lover of mankind." On December 4, 1917, the Kerensky government had been overthrown, but the Bolshevist government was not effectively set up, the social democrats still having a considerable voice in it. It was not until over a month later that they dispersed the constituent assembly by force and embarked on the wild career of absolutism.

On December 4, 1917, the President did deliver an address to Congress. Its purpose was to ask for a declaration of war against Austria-Hungary. We find in it very little about Russia. He did say that if the real issues had been made plain from the beginning "the sympathy and enthusiasm of the Russian people might have been once for all enlisted on the side of the Allies, suspicion and distrust swept away, and a real and lasting union of purpose effected."

Is that what Senator POINDEXTER means? It does not sound much like his quotation. The President also said:

"The Russian people have been poisoned by the very same falsehoods that have kept the German people in the dark, and the poison has been administered by the very same hands."

That does not sound much like Senator POINDEXTER'S quotation. Yet these two sentences are the only ones in which President Wilson on December 4, 1917, made any reference whatever to Russia. He made no reference whatever to the month-old Bolshevist government. Mr. POINDEXTER owes the President a retraction. He says he got the quotation out of a Bolshevist pamphlet. He ought to verify his quotations when he gets them from such a source.

That is the conclusion of the editorial. The subject of that editorial is a statement which I made and which appears in the CONGRESSIONAL RECORD of May 28, 1919, on page 331, in a colloquy with the Senator from Arkansas [Mr. ROBINSON], who had read from some remarks which I had made on an occasion of a public address outside of the Senate. It was that incident which called forth the statement which I made in reply to a direct question asked me by the Senator from Arkansas. I read:

Mr. POINDEXTER. What I referred to in the address that the Senator just mentioned were matters about which I presume there will be no dispute—certain matters of fact. The Senator from Arkansas undoubtedly has read the speech of the President delivered to Congress on January 8, 1918, in which the President referred to the Bolshevist government of Russia as represented at the Brest-Litovsk peace conference as "challenging the admiration of every friend of mankind," the language which was used by the President. The Senator undoubtedly is also familiar with the fact that the so-called Bolshevists or communists in the United States have taken that expression from the President's speech to Congress and printed it on the first page of the pamphlets which they have circulated throughout the world; and, I assume, as I said in Massachusetts, that eulogy of the Bolshevists by the President used in that way is of great benefit to the communist movement.

If this matter related only to the question of the accuracy of the single statement quoted in this editorial, important and vital as is the subject to which it refers, I would not call attention to it in this way. Even though it related only to the accuracy of the statement, being a quotation from the Chief Officer of the Government about a public matter of vital concern, I take it that it would not only have been an appropriate but a very desirable subject of public debate and public investigation and inquiry. But for the reason that it is only one of a series of acts and declarations indicating not merely sporadic expression of casual views but indicating a fixed and settled principle and a well-established policy on the part of the President in regard to this matter, I have considered it of sufficient importance to

reprint in the RECORD the documents which I have read and make some comments upon them.

Mr. President, if I had misquoted the President in any respect whatever it would be a very great pleasure for me to offer him an apology, as is suggested by the editor of the New York Times; but, being prepared to show to the Senate that the statement which I made is literally correct and is a quotation from an authorized public document, there is no occasion for any apology either for inaccuracy of statement or for having referred to the subject at all.

I appreciate the interest of this great and very reputable newspaper in accuracy of statement. It is exceedingly important that those who are discussing great public questions should be accurate in their statements, though it is somewhat peculiar that a paper of this standing, in an editorial on the subject of accuracy of statement, which contains two main statements of fact, is absolutely not only inaccurate but wrong in every respect in each one of them. The editorial undertakes to dispute that the President had uttered the remarks which I quoted from him. It is wrong in that, as I shall show in a moment. It also contains the assertion that, referring to myself—

He says he got the quotation out of a Bolshevist pamphlet. He ought to verify his quotations when he gets them from such a source.

The newspaper is wrong in that statement. I made no such statement as to the source of my information. I did not make any statement as to the source of my information. I assumed that it would not be necessary. I assumed that the Senate, as I stated at the time, was familiar with the public utterances of the President of the United States delivered in official messages to the Congress.

It seems strange to me that a great newspaper like this, which is one of the thick-and-thin supporters of the President, is not familiar with the President's declarations and the President's views upon the great public questions of the day and that it does the President the injustice of denying that he took a certain attitude in regard to the government of Russia, known as the Bolshevist government, which, as a matter of fact, he did take. I think that the paper is entitled to a great deal of consideration, because it is perfectly natural that a friend of the President should resent an assertion that the President had made a public statement that the Bolshevist government of Russia, as represented at the Brest-Litovsk peace conference, was entitled to the admiration of every friend of mankind. I think there is naturally more or less repugnance on the part of the President's friends to such an assertion and that the paper ought to be regarded as entitled to a great deal of consideration for rushing to his defense; but certainly it is peculiar that it is not informed as to what the President's attitude was in regard to a subject to which it undertakes to state his position and to write a leading editorial.

Mr. President, I have in my hand an official publication entitled "Document No. 468, Sixty-fifth Congress, second session. Address of the President of the United States, delivered at a joint session of the two Houses of Congress, December 4, 1917." I also have "Document No. 765, Sixty-fifth Congress, second session. Address of President Wilson to the Congress of the United States, January 8, 1918."

The address of January 8, 1918, as will be seen by reference to the entire address, was on the subject of the new developments in Russia. It may enable those who are interested in this question, and also the New York Times, to give proper interpretation to the President's remarks by reference to the fact that the date of the overthrow of Kerensky was November 7, 1917; that the Brest-Litovsk peace conference met on December 20, 1917, and continued in session until March 4, 1918; that the treaty between the Bolshevist government of Russia and the German Imperial Government, known as the Brest-Litovsk treaty, was signed March 4, 1918; and that the constitutional assembly, which had been elected by the people of Russia, was dissolved by force of arms by the Bolshevik usurpers on January 20, 1918. So that it is quite significant, Mr. President, that at the very time mentioned by the Times, namely, a month later than December 4, 1917, the President declared his admiration of the Bolshevists. The New York Times editorial declares that on December 4, 1917—

the Kerensky government had been overthrown, but the Bolshevist government was not effectively set up, the social democrats still having considerable voice in it. It was not until over a month later that they dispersed the constituent assembly by force and embarked on the wild career of absolutism.

I wish to call attention in connection with the comment of the editorial to the fact that it was just four days more than a month later than December 4, 1917, namely, January 8, 1918, that the President delivered the address to Congress which contained the language which I quoted from him, at a time which the editorial itself says would have given to that statement on the part of the President much greater significance than it would have had at an earlier date.

The President opened his address of January 8, 1918, by the statement—and I read this very largely to show the subject matter of the address, in order that the references further on made may be intelligently understood:

Once more, as repeatedly before, the spokesmen of the Central Empires have indicated their desire to discuss the objects of the war and the possible bases of a general peace. Parleys have been in progress at Brest-Litovsk between Russian representatives and the representatives of the Central Powers, to which the attention of all the belligerents has been invited for the purpose of ascertaining whether it may be possible to extend these parleys into a general conference with regard to terms of peace and settlement. The Russian representatives presented not only a perfectly definite statement of the principles upon which they would be willing to conclude peace but also an equally definite program of the concrete application of those principles.

Proceeding further in the statement the President says:

The Russian representatives—

Referring, of course, to the Russian representatives at the Brest-Litovsk peace conference—

have insisted very justly, very wisely, and in the true spirit of modern democracy, that the conferences they have been holding with the Teutonic and Turkish statesmen should be held within open, not closed, doors, and all the world has been an audience, as was desired.

I will not interrupt the reading of this address of the President to the Congress further than to make the comment that if the same eulogy which the President delivered upon the Bolshevist representatives at the Brest-Litovsk peace conference in regard to the openness of their proceedings could have been delivered upon the peace conference of the Allies at Paris, of which the President was the chief representative of the United States, it would have been a great deal more gratifying to the people of the United States.

Reading further from the same address I quote the President as follows:

There is, moreover, a voice calling for these definitions of principle and of purpose which is, it seems to me, more thrilling and more compelling than any of the many moving voices with which the troubled air of the world is filled. It is the voice of the Russian people. They are prostrate and all but helpless, it would seem, before the grim power of Germany which has hitherto known no relenting and no pity. Their power, apparently, is shattered. And yet their soul is not subservient. They will not yield either in principle or in action. Their conception of what is right and what it is humane and honorable for them to accept, has been stated with a frankness, a largeness of view, a generosity of spirit, and a universal human sympathy which must challenge the admiration of every friend of mankind.

That is the identical language, Mr. President, which I quoted in the Senate and which the editorial I have read disputes. The statement of the President, which I repeat, to the effect that the representatives of the Bolshevist government of Russia at the Brest-Litovsk peace conference were entitled to the admiration of every friend of mankind, is not in my opinion the most significant feature of the President's address. The country is familiar with the tragic occurrences that plunged Russia into shame and impotency in course of the great German war. Everyone is familiar with the fact—it is borne in upon their consciousness if not familiar to their minds—that in the midst of this war, when the issues involved in the war were hanging in the balance, the communists of Russia, nay, not the communists only but the communists who believed in putting into effect the doctrines of communism by force—and, as I understand, that constituted Bolshevism—overthrew the patriotic government of Kerensky, which had been loyal to the Allies and which was endeavoring by every means in its power to carry on the war against Germany, to which the United States and its associates were committed, to the full extent of their man power and of their wealth, and after having overthrown the Kerensky government betrayed the Allies and made a base peace with Germany. By its terms many millions of Russian people were put under German dominion. By its treason to the Russian people and its shameless betrayal of their allies victory seemed placed in the reach of Germany. It may not have been known to blind men at that time what was obvious to those who could see, what was afterwards proved by the Sisson papers and by a thousand other proofs, that Lenin and Trotski were acting under the direction of the German general staff, but it was known that they had surrendered to that staff and withdrawn the support of the Russian Army from the Allies' cause. These were the traitors who were the objects of the President's eulogy. At the time of the President's address on January 8, 1918, the United States had been nine months in the war, the blood and treasure of our people had been pledged to its prosecution, and the liberty of our country depended upon its success.

It is no exaggeration to say that these Brest-Litovsk anarchists, whom the President recommends to the "admiration of every friend of mankind," by the most shameless betrayal in

history, cost the lives of a vast army of Americans fighting for their country in France and the blood of hundreds of thousands of our Allies.

I say the country is familiar with those circumstances. The significant feature of the President's addresses of January 8, 1919, and of December 4, 1917, is that they show the astonishing fact that the President of the United States not only looked upon the representatives of the Bolshevist government with admiration but that he approved their terms of peace and was using his influence as the chief officer of this Government to bring about similar terms of peace between the United States and its associate powers and Germany.

I wish to read briefly from his address in order to show that fact, which is somewhat of an enlargement and development of the idea that was merely suggested in some of its milder forms in the quotation which I have already presented. It is quite familiar, Mr. President, that on January 22, 1917, a short time before the United States entered the war against Germany, the President made an address to the Senate of the United States after our subsequent associates had been carrying on the war for several years, when the issues were well defined and familiar to the world, in which he declared:

The statesmen of both of the groups of nations now arrayed against one another have said, in terms that could not be misinterpreted, that it was no part of the purpose they had in mind to crush their antagonists. But the implications of these assurances may not be equally clear at all—may not be the same on both sides of the water. I think it will be serviceable if I attempt to set forth what we understand them to be.

They imply, first of all, that it must be a peace without victory. It is not pleasant to say this. I beg that I may be permitted to put my own interpretation upon it and that it may be understood that no other interpretation was in my thought.

On December 4, 1917, many months after the United States had committed itself to this war, in an address to the Congress, the President referred to his speech of January 22, 1917, in which he declared that there should be a peace without victory, which was the same thing as saying that France and Great Britain should not win the war, in which he confirmed the views he had expressed at that time. This, I repeat, was eight months after we ourselves had entered the war and our people were exhausting our resources in order to gain a victory.

From every point of view, therefore, it has seemed to be my duty to speak these declarations of purpose—

This is on page 6 of the President's address of December 4, 1917—

to add these specific interpretations to what I took the liberty of saying to the Senate in January—

That is the speech to which I have just referred—

Our entrance into the war has not altered our attitude toward the settlement that must come when it is over.

At this critical hour of the Nation's life he reiterated the base proposal of a craven "peace without victory," and on page 3 of his address adopts the very language of the traitors of Brest-Litovsk and recommends it to the American Congress.

It is this thought—

He says—

that has been expressed in the formula, "No annexations, no contributions, no punitive indemnities." Just because this crude formula expresses the instinctive judgment as to right of plain men everywhere it has been made diligent use of by the masters of German intrigue to lead the people of Russia astray, * * * in order that a premature peace may be brought about.

Mr. President, in regard to the statement that the Bolshevists had printed this declaration of the President upon the front page of pamphlets which they had circulated throughout the world, and which, as I stated, I assumed would be considered as an encouragement to the communistic movement, I have in my hand a pamphlet entitled, "A Voice Out of Russia," published by the Dial Publishing Co., of 152 West Thirteenth Street, New York, sold at the price of 10 cents, one of a number of pamphlets issued by that publishing company, some of which are listed on the cover as follows:

"Withdraw from Russia."

"Soviet Russia and the American Revolution," by Lincoln Colcord, the same man who is acting as a member of the press bureau of Mr. Plumb in promoting the so-called Plumb plan of railroad adjustment.

"A Voice Out of Russia," by George V. Lomonossoff.

"Decree on Land."

"Decree of Workers' Control."

It contains, covering almost the entire page, this extract from the President's address:

The treatment accorded Russia by her sister nations in the months to come will be the acid test of their good will, of their comprehension of her needs as distinguished from their own interests, and of their intelligent and unselfish sympathy.

There is, moreover, a voice calling for these definitions of principle and of purpose which is, it seems to me, more thrilling and more compelling than any of the many moving voices with which the troubled air of the world is filled. It is the voice of the Russian people. They are prostrate and all but helpless, it would seem, before the grim power of Germany, which has hitherto known no relenting and no pity. Their power, apparently, is shattered. And yet their soul is not subservient. They will not yield either in principle or in action. Their conception of what is right, and what it is humane and honorable for them to accept, has been stated wth a frankness, a largeness of view, a generosity of spirit, and a universal human sympathy which must challenge the admiration of every friend of mankind; and they have refused to compound their ideals or desert others that they themselves may be safe. (President Wilson in an address delivered at a joint session of the two Houses of Congress, Jan. 8, 1918.)

Mr. President, those declarations of the President, in his addresses to Congress, were not, as I said before, exceptional or casual, but were consistent parts of a fixed course. They were expressions of a settled principle and policy of Government by which the President's attitude toward the Bolshevists was determined. This, I think, will clearly appear by considering them in connection with the various incidents I will now call to your attention. I have in my hand the statement of the governor of California accompanying his action in commuting from death to life imprisonment the sentence of Thomas Mooney, convicted of dynamiting a preparedness-day parade. In this statement of the governor of California are incorporated several messages from the President of the United States to the governor, requesting his interference with the course of the decisions of the courts of California in the Mooney case in order to secure for Mooney a new trial. Strange as it may seem, it appears from these messages of the President to the governor of California in the Mooney case that the same influences that the President eulogized in his address to Congress which I have just read, and to which I referred here on a former occasion, were operating upon him to induce him, notwithstanding his position as Chief of the Federal Government, to use the influence of that position to interfere with the course of justice in a sovereign State of the Union.

Gov. Stephens says:

On July 22, 1916, 10 persons—men, women, and children—were killed and about 50 others wounded in a bomb explosion during a preparedness parade in the city of San Francisco.

The parade was a patriotic manifestation into which the people of the city had entered with much spirit and loyal impulse.

HOSTILITY TO UNITED STATES DEFENSE MEASURES ACTUATED CRIME.

Manifestly, because of the occasion chosen, hostility to the Nation's defense measures must have had a part in actuating the perpetration of so horrible a deed. It is not unreasonable to assume that a sympathy or even a definite relationship existed between these murderers and the propaganda and violence then being engaged in throughout the country by agents of the German Government.

The case as presented to the California courts was that of murder, without further evidence of motive than the impossible tenets of anarchists, whose sympathies for the German cause in the war are well known. Their wild pacifist theories fitted into the widespread activities of the Kaiser's agents in this country.

Omitting a part of his statement, and reading further, he said:

In considering the Mooney case, I have had before me the urgent appeal of the President of the United States that I grant commutation.

Originally, in January of this year, I received a letter from the President, asking me if it would not be possible to postpone the execution of Mooney until he could be tried upon one of the other indictments against him.

Inasmuch as an appeal already had been taken to the Supreme Court of California, which appeal itself acted as a stay of execution, there was at that time no occasion for action on my part. I take it that the President was not correctly informed as to the status of the case.

In March I received a telegram from the President urging that I commute Mooney's sentence. It was as follows:

This is the second message, the first not having been published:

THE WHITE HOUSE,
Washington, D. C., 12.06 p. m., March 27, 1918.

Gov. WILLIAM D. STEPHENS, *Sacramento, Calif.*

With very great respect I take the liberty of saying to you that if you could see your way to commute the sentence of Mooney, it would have a most heartfelt effect upon certain international affairs which his execution would greatly complicate.

(Signed) WOODROW WILSON.

Mark the language of that message:

Would have a most heartfelt effect upon certain international affairs.

It is well known, Mr. President, that the agitation for the commutation of the sentence of Mooney, so far as the impetus which attracted the attention of the country was concerned, originated not in the United States but at St. Petersburg, in the Bolshevist government of St. Petersburg; and it was that international influence which the President of the United States referred to in this telegram which I have just read, which he addressed to the governor of California.

The governor further says:

In June I received this additional message, the President again urging commutation of sentence:

"THE WHITE HOUSE,
"Washington, D. C., 3.51 p. m., June 4, 1918.

"Hon. WILLIAM D. STEPHENS:

"I beg that you will believe that I am moved only by a sense of public duty and of consciousness of the many and complicated interests involved when I again must respectfully suggest a commutation of the death sentence imposed upon Mooney."

Note again:

"I would not venture again to call your attention to this case did I not know the international significance which attaches to it.
(Signed) "WOODROW WILSON."

The governor says:

At the time of the receipt of these messages the case was still pending in the supreme court of the State. Not until August 23 was the case finally disposed of by the California courts, and on November 18 by the Supreme Court of the United States.

Further, the governor says in his statement:

REFUSES TO VIEW CASE AS CLASH OF CAPITAL AND LABOR.

I refuse to recognize this case as in any fashion representing a clash between capital and labor. I regard the petition of the defendant for clemency solely as that of a man convicted of murder in the first degree. On his behalf a propaganda has been carried on to make it appear that he is a martyr to the cause of labor. This is absurd. The methods pursued in this propaganda have partaken largely of the system described in the following letters written by Alexander Berkman, an associate of Mooney and an anarchistic agitator:

"I have had some experience in labor matters. I have also participated in the defense work of various labor cases in the East; and all my experience has convinced me that in such matters the thing of chief importance is to create favorable public sentiment. Funds, money for the defense, etc., are of secondary importance.

"Take, for instance, the case of Alexander Aldemas, the Spanish marine worker. He was arrested during the transport workers' strike of some three years ago, and he was charged with cutting a scab and shooting three policemen. The district attorney claimed he could give him 40 years.

"I was secretary of the Aldemas defense committee when Simon Pollock, one of our attorneys, came with an offer of compromise from the district attorney. Aldemas should plead guilty and get off with seven years State prison. * * * We had little money. Lawyer Darling, of Brooklyn, had squandered several thousand dollars of our hard-collected funds, but we gave him the sack and engaged Pollock. But we did not depend on money. We at once organized a wide campaign of publicity, held numerous mass meetings, agitated the matter in the press, and got in touch with the people all over the country for purposes of agitation. When Aldemas was first arrested everyone cried 'Hang him!' Within two months of intense agitation we so changed the public mind on the matter that Aldemas was sentenced to 1½ years instead of 40 years the district attorney had threatened us with, and instead of 7 years the lawyers were quite ready to accept for him. The moral is obvious: Stick to your guns always and under all circumstances, and, further, public agitation to change the psychology of the people is more important in such matters than big funds."

The defendant, Mooney, never has been identified with the labor movement that has achieved so much for the benefit of the workingmen and working women of California. His connections have been with a small group of agitators of pronounced anarchistic tendencies. However, the propaganda in his behalf, following the plan outlined by Berkman, has been so effective as to become world-wide.

I shall next read from an article published in the San Francisco Call, August 22, 1918, by John D. Barry, a communistic writer, referring to the propaganda and the agitation which had been instituted for the purpose of freeing Thomas Mooney, and which had resulted in the two telegrams from the President to Gov. Stephens, which I have already read, and in the first communication, which has not been given out, from the President to the governor, the President in the telegrams stating the fact that his interest in the matter was due to international agitation. It will show the identity of this influence on the Government of the United States with that which brought forth the declaration that the Bolshevists, Lenin and Trotski, as represented in the peace conference at Brest-Litovsk, were entitled to the admiration of every friend of mankind. Mr. Barry states in this article:

That demonstration in Petrograd was planned in this country. Some Russian workers who were going back from New York to Russia shortly after the outbreak of the revolution conceived the idea of rousing the whole world to what they believed to be the unjust treatment of Mooney. They knew that if they made the demonstration in the very heart of the revolution they would secure attention such as they could not possibly get here. When they explained the case to their comrades in Petrograd they found enthusiastic support. The news of the demonstration sent out by the press bureaus of Europe and the Associated Press of the United States made the case known everywhere.

In an article by the same writer, in the same paper, on another date, he said:

It is this point that caused the President to take so deep an interest in the case and to do everything he can to keep the principle from being violated. As Secretary Tumulty says, "He has gone the limit." Incidentally, as an executive with a practical mind, he appreciates the gravity at this time of a labor man being held up before the world of labor as one who is the victim of a conspiracy.

The significant thing, Mr. President, about that series of communications is that the President thereby disclosed his disposition to intervene in the jurisprudence of a State in a case of a most heinous character, involving the death penalty, not at all because of any question connected with the case nor because of any doubt as to the guilt of the defendant, but, as he himself states in his telegram, because of international complications—a willingness to mollify international Cerberuses by throwing to them the sop of our system of judicial procedure in a dual government of independent States operating under a Federal Union.

In the same connection, Mr. President, and to trace along the course of this influence and the tie that binds the various movements of the country and organizations of different names with the internationale of Russia and the socialists of Germany, many of them acting under the direction of the German autocracy, which used them for its purpose, I call attention to this report from the Washington Post of May 10, 1918, showing the connection between the I. W. W. movement in this country and this same Bolshevist junta in Petrograd, which were powerful enough to induce the President to interfere in the Mooney case and for which he expressed his admiration in the speech to Congress which I have read:

Chicago, May 9: Members of the Bolshevik party to interpret Bolshevism into I. W. W.ism, which is one manifestation of it in the United States.

CHICAGO, *May 9.*

Members of the Bolshevik Party in Russia were corresponding with the Industrial Workers of the World here in August, 1917, relative to activities in America, according to evidence submitted by the Government to-day in the trial of 112 I. W. W. leaders for seditious conspiracy.

Letters, antedating by only a few weeks the Russian revolution that placed the Bolsheviki in power, sought information from William D. Haywood and others as to the progress being made in the campaign to "take America from the capitalists and bring about industrial freedom."

Commenting on relations between the I. W. W. and the Russian party, one of the leading Russian members of the I. W. W. informed the membership on August 25, 1917, that "very soon we will have a Russian administration of the I. W. W."

DEFY COURTS AND GOVERNMENT.

Throughout the day the Government read into the records excerpts from propaganda used in the alleged antiwar campaign, pamphlets calling upon workers to destroy property for the purpose of wrecking industries, and song books containing bitter attacks on religious organizations and defying the courts and the Government.

"What is more civilized than for the workers to create powder that refuses to explode?" was one of the passages in the huge mass of documentary evidence seized by the Government in its nation-wide raid. "What is more civilized than to spike the guns when they are trained on our working-class brothers in other countries? Sabotage will civilize the soldier."

This form of propaganda, the Government alleges, was freely used shortly after enactment of the selective service law.

TEACHES SABOTAGE METHODS.

"Sabotage is the logical weapon of the revolutionist. It can be used in missending freight in times of stress, and likewise in all other industries. It is broad and changing as industry; it is as flexible as the imagination and passions of humanity. There is but one treason—loyalty to the employer." After outlining how sabotage can prevent movement of troops, munitions, and strike breakers by the "mere burning of drawbridges," one article declared "we will take over the land and the machinery thereof whether we are ethically justified or not," and continued:

"We will lose no time proving title to them beforehand; but we may, if necessary, hire a couple of lawyers and judges to fix up the deed and make the transfer legal. Indeed, if necessary, we will have a couple of learned bishops to sprinkle holy water on it and make it sacred."

On August 18, 1917, Haywood issued the following notice to members through Solidarity, the official organ:

"Murder by the capitalist gunmen can not stop, but only accelerate, the sweep of the revolution that soon will engulf the masters and their cowardly assassins. Let our motto be from now on: 'We never forget. Organize and avenge.'"

This notice was issued at a time when the Government charges the antiwar campaign was at its height.

I next refer to an article in the Washington Star of June 4, 1919, as indicating the character of this movement, which has exerted such a powerful influence upon our Government, in connection with the recent bomb explosions, one of which occurred at the house of the Attorney General of the United States here in this city, similar ones occurring about the same time in some six or seven other places in the United States, each one having for its object a selected victim of the communists, as indicating the source of that enterprise and its connection with the same influences that I have been speaking of:

BOSTON, *June 4.*

The circulars entitled "Plain words" found scattered about the houses wrecked by dynamiters Monday night were printed in this city, according to an announcement to-day by the police, who asserted that they had the printing plant under surveillance. All the printing for the propaganda of local anarchists is believed to be issued from this plant.

—

PITTSBURGH, *June 4.*

Evidence that anarchists responsible for bomb explosions at the homes of Judge W. H. S. Thompson, of the United States district court, and W. W. Sibray, chief inspector of the bureau of immigration, Monday night, were operating under orders from Russian radicals' headquarters at 133 East Fifteenth Street, New York, was in the hands of the police here to-day.

There is considerable additional information, one item of which is a telegram dated June 4 from New York:

NEW YORK, *June 4.*

New York police have no evidence to support the theory of Pittsburgh detectives that the anarchists responsible for yesterday's bomb explosions acted under orders from the Russian radical headquarters at 133 East Fifteenth Street, this city, according to a statement made at police headquarters to-day.

It was said that the house in question, which is known as the "Russian People's Home," has been under constant surveillance since last March, when it was raided and 164 persons were arrested.

That was March, 1918.

Four of these were subsequently deported. Since that time, the police say, they have had no evidence that the house was being used as the headquarters of the terrorists.

The "Russian People's Home" at that time was the headquarters of the terrorists in the United States, and according to the information which I have, to which I have undertaken to give a judicial consideration, it is that same influence which has reached so far as to interfere with the processes of the courts in California. The same strange penchant for settling "international complications" by concessions of essential rights and principles, as in the internationalization of the Panama Canal and the interruption of judicial procedure in California led also to interference with the processes of the administration of criminal law in the State of Utah, in the case of Hillstrom, "generally known as Joe Hill, the hobo poet." He was "an active member of the I. W. W. and the author of the hobo marching song, Hallelujah, I'm a Bum."

Gov. Spry, of Utah, on November 18, 1915, gave out this statement in regard to Hillstrom, who was under sentence of death, upon conviction of murder:

Reviewing the history of the case, and particularly the President's action in connection with it, the governor says, in his telegram:

"September 30 you requested a stay of execution of the sentence to give the Swedish minister an opportunity to present his view of the case. Upon the same day, at your request only, on the assumption that you were in possession of facts not presented to the board, I granted a respite until October 16, especially requesting that the Swedish minister personally investigate the case and appear before the board. Under date of October 1 you advised me that your only reason for interceding was the request of the representative of a foreign government.

Foreign Government again, although this time apparently not, in fairness I may say, the Government of Russia, but the Government perhaps of Sweden on this occasion was the reason for the attempt to put a brake upon the procedure of the courts of Utah for the administration of its laws. As to the influence cooperating with the Swedish Government it is stated:

Ever since his arrest it has been alleged by his I. W. W. brethren and by many socialists that Hillstrom was being made a victim of class prejudice because of his revolutionary activities, and they have carried on an energetic campaign in his behalf, enlisting the aid of President Wilson, the Swedish minister—Hillstrom being a Swedish subject—and many other prominent persons. This week the American Federation of Labor, in convention in San Francisco, asked for clemency for Hillstrom.

The governor says:

October 16, at the regular board meeting, an open hearing was had in further consideration of the case. Hillstrom's attorney advised the board that there was nothing further to present and that Hillstrom declined to appear before the board again.

The only representation in the convict's behalf was a short telegram from the Swedish minister, requesting commutation of sentence, not by reason of any new thing in relation to the case, but, as he expressed it, "for the sake of humanity and comity usually practiced between friendly nations." Because of the absence of any showing the board terminated the respite and again denied the commutation. The convict thereupon was on the 18th day of October resentenced by the court to be shot November 19.

Forty-six days after the granting of the respite and at the eleventh hour, you, as the President, without stating any reasons therefor, again wired, urging a thorough reconsideration of the case because of its importance and the justice and advisability of such a course.

Your interference in the case may have elevated it to an undue importance, and the receipt of thousands of threatening letters demanding the release of Hillstrom, regardless of his guilt or innocence, may attach a peculiar importance to it, but the case is important in Utah only as establishing, after a fair and impartial trial, the guilt of one of the perpetrators of one of the most atrocious murders ever committed in this State. It is also important by reason of the fact that this case has had more careful and painstaking consideration at the hands of the proper officials of Utah than any other like case in the history of the State.

That is the case which, at the instance of a foreign Government and of the socialist friends of Hillstrom, the President of the United States undertook with the influence of his office to control. There is the statement of the governor of Utah that the President had no facts to present, and that he offered no reason, no excuse or justification whatever for his effort to set aside and pervert the administration of the laws of Utah except that he had been requested to do so by a foreign Government.

The President's telegram to the governor of Utah in that case is as follows:

With unaffected hesitation, but with a very earnest conviction of the importance of the case, I again—

This is his second telegram—

venture to urge upon your excellency the justice and advisability, if it be possible, of a thorough reconsideration of the case of Joseph Hillstrom.

WOODROW WILSON.

Mr. President, passing from the Mooney case and the Hillstrom case, which are, I think, clearly shown to be but incidents in the general course of Bolshevist activities and I. W. W. propaganda in this country, I want to call attention to another case in which there were similar interferences with the course of justice by the President, apparently, or at least by some one in high authority. I am not prepared to say in this case that it was the President, but I will submit the documents for what they are worth.

In the San Francisco Chronicle of July 12, 1919, there is an article with this headline and reading as follows:

ROBT. MINOR CASE BIGGEST SCANDAL OF WAR, OFFICIALS OF ARMY DECLARE—LANSING AND COL. HOUSE INVOLVED, REPORT—FRENCH CENSOR STOPS STORY.

PARIS, *July 11.*

While Secretary Lansing was talking about the truth and international reparations before a South American and Franco-American audience in Paris on Tuesday night, the French censor forbade publication here of a strictly American story about Robert J. Minor being released by Gen. Pershing on reported orders by President Wilson.

Secretary Lansing and Col. House are involved in what Army officials privately declare, will be the greatest scandal of the war when the American public hears the evidence. An Army official says Minor was prepared for a printed campaign to make the American Army of Occupation Bolshevik. It is known in Coblenz that the printer who produced the pamphlets containing Minor's secrets of Bolshevism had been located by the American Expeditionary Forces and was prepared to testify to Minor's connection with the unsettling propaganda had the case gone to trial.

CONGRESSMAN DEPOSITED COIN.

Minor was seen in Paris Tuesday evening. It is known $250 was transmitted to him through official channels, the money having been deposited in Washington by an American Congressman. It is also known that Acting Secretary of State Polk transmitted from Washington to Paris a report on Minor's previous radical activities, which is said to be anything but complimentary to Minor.

Ambassador Wallace, interviewed to-day, said:

"The American embassy's official knowledge of the Minor affair is confined to Col. House's request for information shortly after Minor's arrest in Paris about June 1 by the French police and his deportation to Coblenz. When information on the arrest was obtained it was given to Col. House, and our embassy's interest ceased since the American Expeditionary Forces then became custodian of Minor's person."

BRITISH WOULD QUIZ MINOR.

It is recognized Ambassador Wallace's and Gen. Pershing's positions in the matter have been extremely delicate and embarrassing, and that Army officials released Minor only on the reported direction of President Wilson. British authorities are deeply interested in getting possession of Minor. They desire to interrogate him regarding Bolshevik propaganda in the British Army.

Another article from a different source——

Mr. KING. Will the Senator yield?

Mr. POINDEXTER. I prefer not to do so if the Senator will postpone his question just a moment.

Mr. KING. It is with respect to the Minor matter.

Mr. POINDEXTER. If the Senator insists upon it, I shall of course answer his question.

Mr. KING. I shall not insist upon it, of course, if it displeases the Senator.

Mr. POINDEXTER. I read a dispatch from Coblenz dated July 8:

Minor release laid to orders of "higher ups."

I am presenting these documents, Mr. President, for what they are worth, and I call attention to the fact that they come from a great many different sources and have a great wealth of detail and substantiality. This is an article under the name of Edwin L. James, who, I assume, is a well-known newspaper correspondent from the prominence that is given his name.

UNUSUAL CASE OF FORMER S. F. NEWSPAPER MAN STIRS INTEREST IN PARIS—COL. HOUSE ACTIVE—SUSPECTED PROPAGANDIST IS MYSTERIOUSLY FREED AFTER ARMY COURT NAMED.

[By Edwin L. James, Special Correspondent The Chronicle.]

COBLENZ, *July 8.*

Robert J. Minor, held for four weeks in the military prison at Coblenz awaiting trial on charges of violation of the articles of war, has been released.

Orders for his release appear to have emanated from a source superior to military authority. He was freed after the military commission had been named to try him, after the charges had been prepared and served upon him, after witnesses had been brought from many places, and after great effort and expense by the Army in the preparation of the case. His release is regarded as unusual.

In no other case in the legal annals of the American Expeditionary Forces has such interest been shown by persons in civil authority not connected with the Military Establishment. In no other case has the embassy at Paris called upon Army headquarters every day for information.

ARRESTED IN PARIS.

Minor was arrested in Paris June 8, after attending a meeting of the Paris strike leaders. In his hotel was found a trunk full of propaganda, supposed to have been for distribution among American soldiers in Germany.

The first notice of high interest in the case came with a request from Col. House for information. Soon after money came for Minor through the American embassy in Paris, a thing natural enough. Thereafter the embassy gave orders that it be kept informed of all developments, and nearly every day the embassy called Coblenz on the telephone for information. Meanwhile the British military authority at Cologne tried 10 persons there for radical efforts among the troops, including an attempt on Gen. Plumer's life. Minor's name was mentioned at this trial a number of times.

MIXED WITH RADICALS.

Following his trial in Germany, it was shown he had associated with radicals there. Saturday there came orders from Gen. Pershing to release Minor. He was put in a train and sent to Paris. Not until late last night did the military authorities make public the fact that he had gone, and then only after it had leaked out through a subordinate officer.

The authorities here refuse to give out the evidence against Minor or to allow correspondents to see the alleged Bolshevik propaganda, or the charges. Minor is a former New York and San Francisco newspaper man, once a cartoonist on the New York World. He is a graduate of Princeton and the son of an American judge.

I am informed upon authority which I believe to be creditable that Robert Minor was the head of the Mooney Defense League.

Among the effects of one of the Hindoo conspirators tried and convicted in San Francisco were letters introducing Comrade Robert Minor to Trotski, in Russia, and asking Trotski to assist in the revolution in India; there were also letters of introduction to a celebrated revolutionary woman in Sweden.

It was rumored that Minor was first indicted for sedition in the United States courts in New York—that part I only state upon information—and then given passports to Russia; his associate, Selig Schulberg, was refused passports to Russia about that time. Schulberg intended to take the Mooney prosecution film, called "The Frame Up," to Russia.

Robert Minor is supposed to have written the scenario for this film.

Lieut. Leonard and Sergt. Green, of the Army intelligence office in San Francisco, were in close touch with Minor's activities. It is rumored that the Army intelligence office was called off the scent from high authority in Washington.

So much for that incident, Mr. President.

In following the course of these activities, which in order to be understood, obviously, should be taken as a whole, in order to determine whether or not there is a settled belief, policy, or principle involved, and to show the effect upon the country, I wish to call attention to a dispatch from Jackson, Minn., dated July 9, as follows:

BAER'S VIEWS LIKE WILSON'S, HE SAYS—NORTH DAKOTA CONGRESSMAN DEFENDS NONPARTISAN LEAGUE AT TRIAL.

JACKSON, MINN., *July 9.*

Representative J. M. BAER, of Fargo, N. Dak., testifying to-day at the conspiracy trial of A. C. Townley and Joseph Gilbert regarding his statement of principles in the Nonpartisan League's war-program pamphlet issued in 1917, declared the sentiments contained in this pamphlet have since shown that "myself and the league were five months ahead of President Wilson's 14 points."

BAER declared the attack on war corporations contained in the pamphlet was made before the Government passed the excess-profits law. He defended the criticism of "imperialistic designs" contained in the pamphlet by asserting that his criticism has been supported "by the treaty recently drawn up at Versailles, where Japan and other nations have gained vast territory which we must protect."

After Representative BAER read his war declarations and explained them on direct examination, he was cross-examined by Prosecuting Attorney Nicholas.

Nicholas, taking the utterances almost sentence by sentence, demanded that the North Dakota Congressman explain how the utterances should be construed as assisting the Government in the war. BAER insisted again and again that he followed the attitude of President Wilson in drawing a distinction between the peoples and the rulers of various governments.

Mr. BORAH. Does Mr. BAER state what the 14 points are now?

Mr. POINDEXTER. No; they have since been lost.

Another incident, Mr. President: I stated in this address, which was challenged by the New York Times, that I supposed that the printing of the President's eulogy of the Bolshevists upon the back of their pamphlet in circulation throughout the world would be an encouragement to communists. I leave it to impartial judges as to whether or not it would be, and I want to cite a little proof to bear out the statement which I made.

Here is a report of a fact about which I assume there can be no question. In the Post-Intelligencer of Seattle, Wash., Wednesday, May 28, 1917, the headline of the article is:

Philosophy of I. W. W. is from President's book—Bruce defense contends The New Freedom is source of radical views.

The article is as follows:

That the I. W. W. drew its philosophy from the teachings of President Wilson, and regarded his book, The New Freedom, as a singularly powerful exposition of the organization's view of existing relations between capital and labor, was the amazing contention of the defense Tuesday in the trial of James Bruce, now facing a charge of criminal anarchy in the superior court.

Following a lengthy verbal skirmish, during which the jury was excused, between George F. Vanderveer, counsel for Bruce, and Deputy Prosecutor Charles E. Claypool, Judge Walter M. French overruled the State's objection to the reading of excerpts from Mr. Wilson's book. And in the course of his cross-examination of a witness for the State, Elbert Coutts, a former I. W. W. agitator, Vanderveer read several passages which the witness said embodied to a great extent the I. W. W. philosophy.

Certain statements in the book presented by the attorney, Coutts said, did not agree with arguments he had heard in I. W. W. halls, but the general tenor of the passages, he asserted, after hearing them all, was in harmony with radical theories.

WILSON'S BOOK IS QUOTED.

Some of the most striking paragraphs from the book read by Mr. Vanderveer—

In the defense of a man charged, according to this article, with criminal anarchy—

follow.

Now, quoting from the New Freedom:

"Don't you know that there are mills in which men are made to work seven days in the week for 12 hours a day, and in the 365 weary days in the year can't make enough to pay their bills? And this in one of the giants among our industries, one of the undertakings which have thriven to gigantic size upon the very system. * * *

"We have come to be one of the worst-ruled, one of the most completely controlled and dominated governments in the civilized world—no longer a government by free opinion, no longer a government by conviction and the vote of the majority, but a government by the opinion and the duress of small groups of dominant men. * * *

"Don't you see that big business has already captured the Government?

"The Government of the United States is the foster child of special interests."

Attorney Vanderveer than pointed out in a copy of the Industrial Worker, an I. W. W. publication, an advertisement offering The New Freedom as a prize to subscription solicitors. "The I. W. W. has borrowed and adopted President Wilson's philosophy," he said in addressing the court.

Mr. KING. If the Senator will pardon me, I might suggest to him that it is an axiom that the devil can quote scripture; so that no doubt the I. W. W. might quote a very excellent book in support of their pernicious doctrines.

Mr. POINDEXTER. But you can not find any doctrine like that in the Bible.

As to the spread of this propaganda and this philosophy as quoted in this instance in the defense in a criminal case and exemplified in so many directions, I note a remarkable incident, which, taken in connection with the other circumstances arising from day to day, seems to me to be probably a part and parcel of this new, synchronized, and harmonized movement on the part of the I. W. W., the Russian Bolshevists, and their sympathizers and encouragers:

BANQUET GIVEN TO MEN CONVICTED OF SEDITION.

SEATTLE, WASH., *June 14.*

Councilman W. D. Lane, acting mayor during Mayor Ole Hanson's recent absence in the East—

Hanson was touring the East to receive congratulations for having put down the Bolshevist revolution in Seattle, and while he was gone the acting mayor of the town, W. D. Lane—

and 300 men and women prominent in labor circles attended a banquet last night in honor—

One might think it was in honor of some very distinguished person who had rendered some great service for the State; but it was in honor—

of Hulet M. Wells and Sam Sadler on the eve of their departure for the Federal penitentiary, to serve a two-year sentence for sedition. The banner of the electrical workers was hung over the face of a large American flag used as a decoration. Red carnations were used as table decorations and worn by many of the banqueters.

Wells was a former president of the Central Labor Council.

As showing another incident in the publicity program, indicating the danger, the effect, and the use which is made of the encouragement given by the high officials of the Government to movements of this kind, here [exhibiting] is a photograph of a billboard in San Francisco. Clear across the top of it, in large letters, are the words "President Wilson," followed by this statement:

Has asked for a new trial for Thomas J. Mooney. Mass meeting, Civic Auditorium, Tuesday evening, April 16. To secure justice in this case stand by the President.

This is a photograph of the billboard. The description of the billboard, with this language on it, as stated by my correspondent, is as follows:

I inclose herewith photograph of one of the numerous billboards in this city bearing a poster of an unusual character. It explains itself. Without warrant, the President is utilized to give added force to an appeal emanating from an anarchistic source—an appeal that is of an incendiary nature and that is calculated to inflame public opinion, the effect of which can not be other than prejudicial to law and order.

* * * * * * *

Another odd combination that has aroused much comment in the city is the fact that the head of the police commission is the attorney for the interned German diplomatic attachés here, members of the abolished German consulate. In other words, on one hand, as a public official supposed to be in quest of pro-German plots and plotters, fully possessed of Government secret business pertaining thereto; on the other hand, professionally engaged in the direct service of the Kaiser's duly accredited representatives and working to advance their interests and assist them in the cause they represent. Such a thing would probably be impossible in any other country than America. Jekyll and Hyde was an amateur.

Passing on, Mr. President, very briefly to the counterpart of this movement in foreign countries. In Egypt they had a perfectly futile and helpless insurrection. Men, women, and children marched down the streets of Cairo crying, "Hurrah for Dr. Wilson," their emotions being based upon speeches which they had read from the President promising self-determination to the peoples of the world. The result of it, of course, was a lot of funeral processions, and nothing more. That is the wide gulf between promise and performance, between beautiful theories and putting those theories into effect, between raising the aspirations of peoples, inciting them to futile efforts, and

coming to their assistance, in doing something for them when they have been aroused.

I have an article here from a very brilliant writer, although I think he is a kind of Bolshevist himself. He was arrested in Egypt, and was there while these things were taking place. I refer to William T. Ellis. He writes in sympathy with this revolution and describes some of the circumstances of it.

CAIRO, *May 30.*

Pharoah's present peril is that he may be drafted into the army of Lenin, Trotski and Company.

It is astonishing how these matters are connected up with Lenin and Trotski. They seem to be the centers around which gather those encouraged to revolution by the President's speeches.

Pharoah's banner is already red, plus three little moons and stars, and "blood on the moon" would quickly incarnadine his banner.

This man, like a great many other radicals, is a very fine writer, a fine phrase maker, but always getting himself and other people into trouble.

Further in his article he says:

Uncomprehendingly, they have been stirred by the tides of the times. The war has shaken them from their ancient stolidity and contentment. Without knowing what they mean, they repeat the big new watchwords to which President Wilson has given currency. A variety of grievances, real and fancied, some of the smallest of which seem greatest in their eyes, have aroused them against the British. Volatile as children, they are also quite as gullible. With the immediacy of simplicity, they think that all things desirable may be granted overnight. They expect the millennium in the morning.

They are not peculiar in that respect. There are some in this country who expect the millennium in the morning, and that it can be brought about by a wave of the hand, and that we can escape the labor and the difficulty and the time that has been required to accomplish the blessings of the world; that by some sudden change in government, some new proclamation, we can establish a new order, in which all men will be comfortable and happy and free from the evils of the world. It seems that that was the idea that these people had gotten.

He goes on to say:

Then came some announcement which turned all eyes toward the two Americans perched up in the gallery, and quickly there followed, in perfect unison and with great vehemence, the familiar "Yahia el America!" "Yahia Dr. Wilson!"—"Long live America!" "Long live Dr. Wilson!" After which the preacher proceeded, with arms upstretched to us, to make an address wherein he drew a parallel between what Washington was to young America and what Wilson is to the new Old World. The way in which Asia cites American history never ceases to be a marvel to me.

* * * * * * *

After sitting throughout that address and a short one by a native Protestant Christian we left, and it took the active efforts of several functionaries to keep the crowd from rushing us and carrying us on their shoulders. Even so, as we left the mosque the rabble at the gate shouted, "Yahia el America!" What will they cry when they learn that Paris—which to them means President Wilson—has not acceded to all their demands?

* * * * * * *

Meanwhile the phase of the matter that is gravest is the effect upon the whole Near East. The issue is now far greater than any question of British administration in Egypt. It touches the stability of civilization. If once the masses of the Orient are caught up in the Bolshevik conflagration then the world will be in the direst trouble it has ever known. From this central point the fire will sweep in every direction and with even less restraint than has been shown in Russia. All the structure of western civilization that has been built up like a framework around the East will collapse, and there may be nothing left for the western nations to do but to shut themselves within their own borders until the holocaust has exhausted itself. So many dire possibilities are conjured up by the prospect of Bolshevism raging outward from Egypt that one prefers not to dwell upon them.

Those are some of the prospects that are created in the world by these declarations to which the revolutionists of Egypt are looking to set them free of the British rule and bring to them, as this writer says, a new millennium. And what was the result?

CAIRO, *May 17.*

Egypt's insurrection is not Bolshevism—though it may easily become the entrance of Bolshevism into the Orient—but it borrowed one of Bolshevism's big ideas, the public funeral as a demonstration. This device of making the dead speak the message of the moment has reached its climax in the land that has ben more famous for its mummies than for its men. America has no analogy for it.

That was the result of arousing the desires and aspirations of the Egyptian people, without prospect, possibility, or intention of rendering them any practical assistance.

Mr. President, I have been told that the Korean people—a simple and excellent people, gullible, I suppose, as this writer describes the Egyptians—believed a story that was circulated among them that President Wilson, who was their shibboleth as he was to the Egyptians, was going to appear in Korea in an airplane some day and set them free from Japan. They started a futile, helpless insurrection. We have heard here in eloquent speeches of the mutilations of their children, the abuses of their women, the murder of their men by the Japanese soldiers. That is all that came of it; and what was the incentive? What was the instigation? There has been considerable discussion of that. I present here for your consideration in that connection a statement from Tokyo, dated June 5:

TOKYO, *June 5.*

Reports that American missionaries incited the Korean insurrection are quite incorrect according to a statement of K. Yoshizawa, counselor of the Japanese foreign office, who has returned after an investigation of the situation in Korea.

Speaking to Japanese newspaper men Mr. Yoshizawa expressed the view that the disturbances were the outcome of a collision between the old-fashioned thought of the Tendokyo cult and the modern thought produced by the influence of Christianity. Mr. Yoshizawa continued: "A lack of perfect understanding between Japanese and Koreans is one of the main causes of the disturbance, but the principal cause that led to the uprising is the discontent and complaint in the mind of the Koreans, which suddenly burst out, prompted by the new-born thought kindled by the principle of self-determination."

And so it has reached even to Korea, if this authority is to be believed. The extent to which this movement has spread in the United States, Mr. President, is shown by this special article in the Evening Star, of this city, of June 8, 1919, from which I read this paragraph:

Contained in the mass of material are assertions of the infiltration of I. W. W. members, agents, and even officials into important branches of the Government or of governmental activities. Among the documents are seemingly adequate proofs of the planting of such agents of revolution in legations and embassies of foreign governments in Washington. Detailed statements appear in the material of employment of active members of the I. W. W. in important positions in at least one department of the Government. Positive assertions are made of payment of specified sums of money by known, avowed anarchists to at least one member of a Government board assigned to investigations of industrial difficulties. Direct charges contained in the mass of material of suppression of reports of anarchistic and I. W. W. activities and propaganda indicate that the subtle poison has infected half a dozen or more of the working parts of the governmental machine.

Here is a circular put out by the Department of Labor, issued through the United States Employment Service:

For extra copies address Roger W. Babson, Chief, Information and Education Service, Department of Labor, 1706 G Street NW., Washington, D. C. W. B. Wilson, Secretary of Labor.

The United States Department of Labor is signatory to it. This is a dodger in large letters, quite significant now in the face of the demand for the nationalization and socialization, not only of the railways but—as I read in the statement of their chief representative before the House committee—of all industry.

Changing from war to peace we must cooperate as American freemen now or later drudge as somebody's slaves.

Does that sound like a Government publication? It sounds to me more like an I. W. W. document. I place it here, along with this photograph of Mooney's billboards, for examination by anybody who chooses to examine them, and ask that they be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Changing from war to peace, we must cooperate as American freemen now or later drudge as somebody's slaves.

UNITED STATES DEPARTMENT OF LABOR.
W. B. WILSON, *Secretary of Labor.*

(For extra copies address Roger W. Babson, Chief Information and Education Service, Department of Labor, 1706 G Street NW., Washington, D. C.)

President Wilson has asked for a new trial for Thomas J. Mooney. Mass meeting, Civic Auditorium, Tuesday evening, April 16, 8 p. m., to secure justice in this case. Stand by the President. Speakers, Maxwell McNutt, Mrs. Hannah Sheehy-Skeffington, William Spooner, Rena J. Mooney, Israel Weinberg, Edward D. Nolan; chairman, John P. Beckmeyer, Machinists' Union, Lodge No. 68. Auspices of Machinists' Union, Lodge No. 68; indorsed by San Francisco Labor Council and affiliated unions.

Mr. POINDEXTER. They say they are for revolution; that the railroads, as the Senator from Montana [Mr. MYERS] quoted, will be tied up so tight that they will never run again if we do not pass the laws that they want to have passed. That is in line with the I. W. W. They are for revolution.

Here is a dispatch from the Associated Press:

NEW YORK, *July 17.*

James T. Holland, president of the New York State Federation of Labor, testifying to-day before the joint legislative committee investigating radical and seditious activities in the State, declared that the I. W. W. had organized many thousands of workers throughout the country on a platform which included in its planks one calling for the destruction of the American Government.

I have shown, Mr. President, the union between the I. W. W. of America and the Bolsheviki of Russia. The one can be interpreted by the other and the acts of the one understood in the light of the accomplishments of the other.

Continuing to read:

The most powerful of the radical organizations, Mr. Holland asserted, was the Amalgamated Garment Workers of America, with a membership which he estimated at 70,000.

As an evidence of the wide, sweeping plans of the I. W. W. letters were read into the testimony before Mr. Holland took the stand in which I. W. W. leaders urged European and South American workers to join in a scheme for an "international revolutionary industrial union."

Those words sound very familiar—"union," "international," "internationalism," "international union for a common prin-

ciple." It runs through the German autocracy. Though they do not propose that this international union should be under the control of a German autocracy, so far as the union of the world is concerned under one central government, the Prussian military autocracy, the Bolsheviki of Russia, the International Workers of the World of the United States, many pacifists and so-called intellectuals of this country, and the League to Enforce Peace, proposing a constitution of government for the world, have a common belief in the union of the world, and a centralized government with power to enforce its decrees upon all mankind.

Proceeding, this Associated Press dispatch says:

WOULD ORGANIZE MARINE WORKERS.

One of the most ambitious projects was the organization of the marine workers of the two Americas and the maritime European countries into "one big union."

The most fruitful field found by the radicals in this country, according to Mr. Holland, has been the garment industry, the second greatest industry in the United States. Asked what were the principles of the organization formed by the International Workers of the World among the garment workers, Mr. Holland replied:

"They don't believe in government. They preach that behind closed doors now and none of them preach it out of doors."

KNOWS THEY FAVOR SOVIET.

The witness was then asked if it ever had been brought to his attention that the Amalgamated Garment Workers favored a soviet form of government.

"It has not only been brought to my attention, but it has been rammed down my throat," replied Mr. Holland. "But the majority of the working men and working women are Americans first and not soviets, as some would have us believe."

Mr. Holland admitted that the radicals had succeeded in winning about 25,000 recruits from the conservatives in New York State in the last three years. Outside of the garment workers he mentioned the molders and the hotel and restaurant employees as two of the trades in which radical propaganda had been successful.

The whole International Workers of the World movement is controlled by foreigners, according to the New York labor leader. He asserted that 85 per cent of the radicals in this State—

That is, New York—

are not American citizens, and that the Amalgamated Garment Workers' Union is controlled by foreigners also.

The Woman's Trade Union League also was attacked by the witness as "a tail to the socialistic kite," and he charged that this organization had expressed sympathy for the soviet government at a convention in Philadelphia on June 9.

Before Mr. Holland took the stand several documents were read into the record, including letters addressed by officials of the International Workers of the World to Russian, Finnish, Spanish, Portuguese, Italian, and other foreign workers, setting forth the plan to organize an "international revolutionary industrial union" as the best means for overcoming the capitalists.

In the Evening Star, of this city, of June 16, 1919, there is a dispatch from Schenectady, N. Y., dated June 12, as follows:

SCHENECTADY, N. Y., *June 12.*

There are probably between 300,000 and 500,000 men and women living in New York City who believe in and advocate the unlawful and forcible seizure of property and the revolutionary overthrow of the established Government. This estimate was given by State Senator C. R. Lusk, chairman of the joint legislative committee investigating seditious activities in this State, in an address before the State conference of mayors and other city officials.

"A few years ago," Senator Lusk said, "these doctrines were systematically advocated by a few so-called 'crack pots.' To-day in the city of New York this propaganda is being systematically handled by shrewd, experienced men and women who seem to be systematically coordinating their efforts and who apparently have no lack of funds with which to operate. In New York City alone over 50 publications are regularly circulated advocating this radical doctrine.

VIOLENCE OPENLY ADVOCATED.

"A large number of public meetings are held each week in the city in which these doctrines are openly advocated. When the speakers at these meetings suggest accomplishing these results by force and violence the suggestion is received with tremendous applause. It is estimated by people in a position to know that as many as 100 meetings of this kind have been held in the city in one week. Speakers are being sent throughout the State and have been holding meetings even in the smallest cities, and they are circulating their literature among the workingmen throughout the entire State."

Senator Lusk suggested as an immediate and temporary remedy an appeal to public sentiment and reason by means of public meetings and the press. "The time has come," he said, "to make it perfectly plain that this is not a political question; it is not a question upon which men and women with knowledge of the facts can honestly differ."

NEED FOR POLICE WORK.

Senator Lusk also suggested that police officers of unquestioned patriotism and ability should be assigned to this work and instructed to see to it that the holding of meetings and the distribution of seditious literature are stopped. He also called to the attention of the city officials the new State law which provides that the governing boards of cities may establish industrial aid bureaus. This law provides an instrument, he said, whereby city officials can be in touch with the unemployed and discontented in the community and show them that the State is able and willing to take care of its people in its industrial depression.

Regarding a permanent remedy, Senator Lusk said that practically the only remedy suggested so far is a class of legislation which, when analyzed, amounts to little more than a wage-raising program. "Something constructive," he said, "must be done to do away with profiteering and to do away with capital's making excessive and unreasonable profits on the necessities and luxuries of life before the real permanent remedy for this industrial unrest will be reached."

I want to call attention to a brief statement showing that these Bolshevists, whose terms of peace were approved by the President, whose conduct at Brest-Litovsk was eulogized by him, and who were so highly esteemed by the President, in pursuance of his address to the Senate of January 22, 1917, reiterated and confirmed on December 4, 1917, some months after we had entered into the war, were traitors to the Allies and in the employ of the German Government. I want to read an extract from an article over the signature of Edgar Sisson, published in the Evening Star, of this city, on a recent date:

All the world, except America, seems to appreciate the fall of the German-Bolshevik poison plan—how its efforts for anarchy in all Entente and friendly neutral countries, as well as in Hungary and Austria, were intensified immediately after the armistice, and how the sinister assault continues. The threat of casting the world into Bolshevistic chaos was all the weapon that Germany had left after its military defeat, and it has wielded it unceasingly to lessen its own punishment.

Yet in America to tell the truth about Bolshevism is to become a target for innuendo and abuse. It is the apologists for Bolshevism who receive consideration and protection.

That statement is entitled to credence, because the author of it was in Russia for a considerable time, and his work has been subjected to investigation by impartial experts in this country, who found that the documents which he presented showing documentary proof of the employment of the Lenin and Trotski government by the German Government were genuine.

In that same connection, Mr. President, I ask leave to print an Associated Press dispatch from Zurich, Switzerland, showing the activities of the Germans in propagating I. W. W., Bolshevist, and radical doctrines throughout the world.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The matter referred to is as follows:

ZURICH, SWITZERLAND, *June 4.*

The further the trial here of 28 alleged pro-German agents proceeds the more evidence is produced tending to show that German secret diplomacy has been at work throughout the whole world.

Two of the prisoners—Hindus—are charged with plotting revolutions in Switzerland and Italy, planning to murder former Premier Salandra and Foreign Minister Sonnino, of Italy, and to blow up banks in Rome, in Milan, and to destroy the famous Simplon and other tunnels.

PAWNS OF VON BUELOW.

The examination of the accused men thus far has indicated that they were only pawns in the hands of Prince von Buelow, once German chancellor, and Baron von Stockhammer, who from Lucerne directed the movements of the revolutionists and riots in America, Europe, India, Egypt, and North Africa, the German Government supplying unlimited funds.

The Hindu anarchist, Lala Har Dayal, who was brought to Berlin by the Germans, was sent to Zurich and then to Constantinople in order to foment a holy war among the Mussulmans, using the German Embassy at Constantinople as his office, according to testimony adduced to-day.

It was further testified that all the money for use by the conspirators was sent from Berlin to Berne in the German diplomatic pouch. From some of the testimony it would appear that German activity has not yet ended.

BOMBS AND BACTERIA SHOWN.

The tables in the courtroom were to-day loaded with a mass of bombs, grenades, and revolvers of German origin, and there were poison and bacteria tubes placed in evidence.

In the house of the German consul general here it is alleged there were found 500 grenades, 100 revolvers, and thousands of cartridges. One Hindu is declared to have acted as financial agent and to have brought large sums of money to Zurich. The trial, which is being carried on in the Italian language, is expected to last a week.

Mr. POINDEXTER. I want also to read the eighth paragraph of article 1 of the constitution of the Russian Socialist Federated Soviet Republic.

8. In its effort to create a league—free and voluntary, and for that reason all the more complete and secure—of the working classes of all the peoples of Russia, the third Congress of Soviets merely establishes the fundamental principles of the federation of Russian Soviet Republics, leaving to the workers and peasants of every people to decide the following question at their plenary sessions of their soviets: Whether or not they desire to participate, and on what basis, in the federal government and other federal soviet institutions.

I call attention to the general similarity of the style of that instrument to that of the covenant of the league of nations and the distinguishing characteristics which mark it and separate it from such an instrument as the Constitution of the United States, which latter in brief and concise language lays down the law, while these documents express the aspirations of their friends, their hopes, their wishes, their desires, instead of declarations of supreme law.

I present also, Mr. President, a card mailed at Cleveland, Ohio, with this language:

The grand synthesis of world events is now electing Woodrow Wilson, President of the United States of America, to be the first president of the United States of the World.

A constitution for the government of the United States of the World will be sent free on application from the Cleveland School of the University of the World, instituted to propagate the philosophy of Americanism, by C. A. Bowsher, Caxton Building, Cleveland, Ohio.

Also, Mr. President, I have in my hand, but do not ask to have it printed, simply submitting it for examination of anybody who cares to examine it, one of a daily series of cartoons printed upon the front page of a great daily newspaper, indicating this idea of internationalism that is permeating the world under the propaganda of the league of nations, a picture of a soldier returned from the Great War with Germany holding the arm of a veteran of the Civil War, a member of the Grand Army of the Republic, and the point of the cartoon is that the member of the Grand Army of the Republic proudly wears upon his coat the insignia of his order, the Grand Army of the Republic, while the soldier of the United States who has just returned from service in the Army of the United States in the war with Germany wears upon his coat the insignia "Grand army"—not of the Republic nor of the United States, but "Grand army of the world." There is considerable food for thought in that cartoon as indicating the extent to which the idea of merging the United States with the affairs of all the world has found public expression.

That same idea of international union was called to my attention in a picture, which I will not ask to be printed, but which I submit for examination, the cover picture of a magazine printed at Toronto, Canada, called National Progress, an illustrated journal of Canadian growth. The feature of it to which I wish to call attention is a new coat of arms of a union government that is printed upon the back of that paper, in which, under the motto, "In unity is strength," are printed the flags of Great Britain and of the United States entwined and the insignia of the United States, Great Britain, and Canada. It is in line with many of the advertisements which are printed by Americans and circulated at great expense for a United States of the World, in which Canada, Great Britain, and the United States shall merge their identity into mere states in a greater union.

Mr. President, in this work, the New Freedom, in which Bruce in defending his case in Seattle found refuge, I find on page 46 this comment upon the Constitution of the United States:

> The makers of our Federal Constitution read Montesquieu with true scientific enthusiasm. They were scientists in their way—the best way of their age—those fathers of the Nation. Jefferson wrote of "the laws of nature," and then by way of afterthought, "and of nature's God." And they constructed a government as they would have constructed an orrery—to display the laws of nature. Politics in their thought was a variety of mechanics. The Constitution—

Referring to the Constitution of the United States—

> was founded on the law of gravitation. The Government was to exist and move by virtue of the efficacy of "checks and balances."
>
> The trouble with the theory is that government is not a machine, but a living thing. It falls, not under the theory of the universe but under the theory of organic life. It is accountable to Darwin, not to Newton.
>
> It is modified by its environment, necessitated by its tasks, shaped to its functions by the sheer pressure of life. No living thing can have its organs offset against each other, as checks, and live.

In other words, the Constitution of the United States, being a constitution of checks and balances, according to the author of "The New Freedom," can not live.

Having so disposed of the Constitution of the United States, one would think that the President would have more regard for the earlier and more revolutionary instrument—the Declaration of Independence—but I was very much surprised, in turning to his remarks in this glossary of political ideals, to find that he entertains no greater regard for the Declaration of Independence than he does for the Constitution of the United States. On page 48 of this work he says:

> Some citizens of this country have never got beyond the Declaration of Independence—

He speaks quite contemptuously of them—

> signed in Philadelphia, July 4, 1776. Their bosoms swell against George III, but they have no consciousness of the war for freedom that is going on to-day.

He seems to think that the Declaration of Independence is quite obsolete and has lost its efficacy in these modern times.

Having spoken so lightly of Thomas Jefferson, it might be expected that the President would turn with admiration to Jefferson's great antithesis in the ideas and conflicts of ideas in the framing of the Government—Alexander Hamilton—and so I turned to see what he had to say about Alexander Hamilton. But much to my surprise he seems to have no more regard, or less even, for Alexander Hamilton's views of government than he had for those of Thomas Jefferson. On page 55 the President said:

> There are two theories of government that have been contending with each other ever since government began. One of them is the theory which in America is associated with the name of a very great man, Alexander Hamilton. A great man, but, in my judgment, not a great American. He did not think in terms of American life.

On pages 58 and 59 may be found this statement, and this is what apparently has encouraged these men to commit the acts for which they were sent to the penitentiary and which they set up in the trial—a rather mistaken interpretation, no doubt; I hope so, at least:

> The Government of the United States at present is a foster child of the special interests. It is not allowed to have a will of its own. * * * The Government of the United States in recent years has not been administered by the common people of the United States. You know just as well as I do—it is not an indictment against anybody, it is a mere statement of the facts—that the people have stood outside and looked on at their own Government and that all they have had to determine in past years has been which crowd they would look on at; whether they would look on at this little group or that little group who had managed to get the control of affairs in its hands.

These extracts on pages 60 and 61 might be very well considered in connection with the proposition to set up a government of the league of nations to be directed by a council of men chosen in ways which are not provided, a league of nations under the direction of a council, which is to set itself up as the guardian of the world, under the supposition that this council which is to direct the league of nations are going to know better what the world needs and what will be for the best interests of the world than anybody or everybody else will know under Lincoln's idea of "government by the people." Here is what President Wilson said in former days about government by a council:

> I have never found a man who knew how to take care of me, and, reasoning from that point out, I conjecture that there isn't any man who knows how to take care of all the people of the United States. I suspect that the people of the United States understand their own interests better than any group of men in the confines of the country understand them.

When we read about the settlement of the affairs of the world upon the recommendation of experts in Paris, experts in this line or the other, men generally without broad knowledge, with acute understanding of a particular line but perfectly helpless outside of that, undertaking to frame a constitution and the terms of peace upon which the entire world is to conduct the hard, practical problems of life for the future, it is pertinent to read what President Wilson says about experts, on page 60:

> I don't want a smug lot of experts to sit down behind closed doors in Washington and play Providence to me.

He might have said Paris, too. If he had had that in view at that time no doubt he would—

> There is a Providence to which I am perfectly willing to submit. But as for other men setting up as providence over myself, I seriously object. I have never met a political savior in the flesh, and I never expect to meet one.

On page 64, he said:

> I do not believe that there is a group of men of any kind to whom we can afford to give that kind of trusteeship.
>
> I will not live under trustees if I can help it. No group of men less than the majority has a right to tell me how I have got to live in America. I will submit to the majority, because I have been trained to do it, though I may sometimes have my private opinion even of the majority. I do not care how wise, how patriotic, the trustees may be. I have never heard of any group of men in whose hands I am willing to lodge the liberties of America in trust.

Having entirely discredited the leading statesmen of the early days of the Republic one would think Mr. Wilson would turn with admiration to the leaders of parties of modern times in the United States. But in his universal condemnation of declarations of independence and constitutions of the United States and government by trustees, of Thomas Jefferson and Alexander Hamilton, he has this comment to make upon two great modern leaders of America, on page 68:

> My thought about both Mr. Taft and Mr. Roosevelt is that of entire respect, but these gentlemen have been so intimately associated with the powers that have been determining the policy of this Government for almost a generation that they can not look at the affairs of the country with a view of a new age and of a changed set of circumstances.

The President has taken an oath of office to "preserve, protect, and defend the Constitution of the United States."

The Constitution vests in Congress exclusive control of the foreign trade of the United States.

The President has entered into a compact with foreign powers whereby the supervision of the trade of the United States in munitions of war shall be vested in a league of nations.

The Constitution vests in Congress exclusive and complete control over duties on imports into the United States. The President, in pursuance of his declaration in favor of "the removal, so far as possible, of all economic barriers" between the nations associating themselves together for the maintenance of peace, has signed an agreement with foreign nations whereby the United States binds itself to "make provision to secure and maintain freedom of transit * * * for the commerce of all member States."

The Constitution vests in Congress unlimited power "to raise and support armies," and "to provide and maintain a navy." The President has negotiated a covenant with foreign nations whereby when the status of the Army and Navy has been fixed by the proceedings therein set out the same can not

be increased without the permission of the league of nations, and the President has agreed to terms whereby the league of nations may coerce the United States in case of its refusal to abide by this agreement, whereby the sovereign power to raise and maintain armies and navies shall be surrendered to a league of nations in violation of the Constitution.

The Constitution vests in the various branches of the Government the sovereign power to "provide for the common defense" by every means necessary and proper to that end within the functions of government as defined in the Constitution.

The President has negotiated and signed a constitution of union with other powers whereby every international dispute between the United States and a foreign country is transferred from the jurisdiction of the Government of the United States to that of a league of nations, and the President has agreed upon terms whereby the league of nations can enforce its decrees against the Government and people of the United States.

The "Monroe doctrine" is the unwritten law of the foreign policy of the United States. The administration of this doctrine has resulted in the rule of international law, as governing the United States, that this Government will not consent to the control of an independent American nationality by a European power. The President has agreed that in any international dispute between an American and a European power the league of nations, including Europe and Asia, shall have power to render and enforce its judgment.

The Constitution of the United States declares its purpose to be "to promote the general welfare" of the people of the United States. The President has endeavored and is now endeavoring to obligate the United States, contrary to its own interests, to protect "the territorial integrity and political independence" of every member of the proposed league of nations, in whatever part of the world it may be situated, regardless of the merits of the contest in which it may be involved, and regardless of the interests or general welfare of the United States.

The Constitution vests the conduct of the foreign affairs of the United States, subject to such laws as may be enacted by Congress and to the constitutional powers of the Senate, in the President. In the exercise of this power the President has violated the traditional policy of the Nation of honest friendship with those nations with which we are at peace by entering into a compact with Japan for the transfer of a substantial part of China and of her people from her own jurisdiction and authority to that of Japan, over the protests of our ally China, and agreeing, on the part of the United States by article 10 of the league of nations, to assist Japan in retaining this Chinese territory; and this violation of the "territorial integrity" of China was included by the President in the same compact in which he agreed to "preserve the territorial integrity" of the members of the league.

For a long period of time the President has absented himself from the seat of government, and for a period of six months, with one brief interval, has neglected the duties of his office, being absent from the Capital and beyond the seas.

He has endeavored to place limitations and restrictions on the power vested in Congress by the Constitution to raise armies, to provide and maintain a Navy, to make rules for the government and regulation of the land and naval forces, to declare war, to regulate commerce with foreign nations, to define and punish piracies on the high seas.

He has proposed and is now attempting to secure an arrangement by which, under article 16 of the proposed league, the United States shall be in a state of war with foreign countries without a declaration of war by the Congress or assent thereto by the people of the United States.

He has agreed with the representatives of foreign countries, in article 15 of the proposed league, that every dispute of the United States "likely to lead to a rupture," however vital to the interests of the United States, shall be placed under the control of a foreign tribunal, in which, in such cases, the United States will have no vote.

He has attempted to set up a government separate and apart from the Government of the United States, with distinct and foreign powers of its own, and has agreed, in article 16 of its constitution, that the United States shall be subject to its coercion should the United States declare war contrary to its decrees.

He has neglected the duty and interests of the United States in Mexico, and, after the expenditure of the lives and treasure of our people in expeditions into Mexico, has uselessly abandoned these campaigns and withdrawn therefrom without purpose or result.

He has attempted to impose on the United States the joint duty with other nations of "preserving as against external aggression" the territorial integrity and existing political independence of Great Britain, India, South Africa, Australia, Canada, Hedjaz, Portugal, Italy, Japan, and many other nations, thus embroiling us in the quarrels of most of the world. He has declared in favor of a union of the world and the joining of our fortunes with the fortunes of other nations.

He has advocated, as President of the United States, that we should cease to seek the national advantage of the United States, and that we should make a "supreme national sacrifice," though we have committed no international sin for which this sacrifice is to atone.

He has abandoned the teachings of Washington, the established principle of our foreign policy, against participation in the ordinary politics of Europe, and has attempted to make the United States a party to all European and Asiatic international controversies.

While President, he has undertaken to act in the distinct and separate capacity of envoy extraordinary to a peace congress in a foreign country, thus attempting to be the appointer and the appointee of the same office, and by associating himself in the capacity of delegate with other delegates to the congress, appointed by himself, has destroyed the power of independent action or decision of these delegates.

He has used the influence of Federal Chief Executive to trespass upon the independent jurisdiction of the States of California and Utah, by attempting to interfere with the course of justice in those States.

He has, as President, attempted to control the decision of bitter foreign controversies in which the United States has but a remote concern. He has officially undertaken the settlement of local territorial and racial quarrels as in the case of Fiume, Thrace, and Shantung, and in so doing has unnecessarily antagonized and affronted our Allies in the war.

By general phrases of vague meaning, such as "the democratization of industry" without definition or application, he has aroused aspirations throughout the world which he is incapable of satisfying, tending to set the world in chaos.

Quoting from his propaganda, the communists demand, under threat of revolution, that the railroads be given, at public expense, into the possession and management of the operatives and employees.

It is as though the President has received the world as a toy and proceded to take it apart in order to reconstruct it on a new plan. Now, with its pieces scattered around him, he finds that he has no new way and that he can not put it together again in the old way. He has declared the end of the old order, and substitutes for it the new disorder.

Mr. MYERS. I ask that the pending resolution, Senate resolution 157, go over until to-morrow without prejudice. In explanation of my request that the resolution go over until to-morrow I will say that I am ready for a vote on it now, and would be glad to have a vote, but several Senators who are absent and can not be here this afternoon desire to speak on it, and I promised them in their absence and on their account that I would ask to have the resolution go over until to-morrow.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

ROBERT MINOR.

Mr. KING. Mr. President, when the Senator from Washington [Mr. POINDEXTER] was speaking he referred to Mr. Robert Minor, the correspondent who was arrested, as the information indicated, for the dissemination of seditious literature amongst the troops. The information the Senator has given to the Senate was similar to that which I had received from various sources; indeed, a number of persons who had been in Europe communicated with me and averred that he had been engaged in the spread of Bolshevik literature amongst the soldiers. I was also advised that he had been arrested and subsequently had been discharged.

Acting upon the information which I received, I believed it was due the country to learn what the facts were, and accordingly, a few days ago, I introduced in the Senate a resolution calling upon the War Department to furnish full and complete information in regard to that matter. If there have been any improper influences employed by the War Department or the State Department or any executive branch of the Government to protect Minor or any other man who advocates Bolshevism, I think those influences ought to be understood. I hope that the War Department will transmit a full and complete report of the facts in regard to the Minor transaction. If it does not furnish adequate information within a reasonable time, I shall call the attention of the Senate to that fact and shall offer another resolution asking the State Department to furnish information. I think that the situation is of such a character as

to demand a full and complete explanation from some source as to the reasons why he was so summarily released from custody.

HIGH COST OF LIVING.

Mr. McKELLAR. Mr. President, I desire to give notice that after the morning hour on Wednesday next I shall address the Senate on the subject of cold storage in connection with the high cost of living.

Mr. CURTIS. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, August 12, 1919, at 12 o'clock meridian.

SENATE.

TUESDAY, *August 12, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come to Thee this morning with our prayers. We remember especially the boys who are now gathered in the very shadow of the Capitol, who will march in their glorious comradeship the last time, perhaps, over our historic Avenue, who will be reviewed with pride by our whole people, the boys who first stood the shock of battle, the boys who turned the tide in favor of justice and right and truth. We bless Thee that they have returned. We thank Thee that so large a number of them have come back in their strength and health. As they leave their comradeship of arms to go back into the paths of peace, into the work of the world, may they carry with them unsoiled that character that has been forged in the furnace of this great world conflict. Give to them ever-increasing prosperity and success. Help all nations with thankful hearts to praise God that the war is over, that the victory is won. May the glory be given to Thy name. For Christ's sake. Amen.

On request of Mr. LODGE, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with, and the Journal was approved.

ISSUANCE OF RAILROAD PASSES (S. DOC. NO. 57, PT. 2).

The VICE PRESIDENT laid before the Senate a communication from the Director General of Railroads, transmitting, in further response to a resolution of the 8th ultimo, certain information relative to the number of annual passes issued during the period of Federal control good over all lines under the United States Railroad Administration, etc., which, with the accompanying papers, was referred to the Committee on Interstate Commerce and ordered to be printed.

RECESS UNTIL 2 O'CLOCK.

Mr. LODGE. Mr. President, when I gave notice that I would ask permission of the Senate to address it to-day upon the league of nations I was not aware, of course, that there was to be a parade of the marines. I am sure it is the desire of Senators generally to see the parade and to pay honor in that way to some of the best and bravest troops in the world, the survivors and associates of the men who charged at Chateau-Thierry and went through Belleau Wood. I am therefore going to move that we take a recess until 2 o'clock, and at 2 o'clock I shall ask the indulgence of the Senate to be allowed to proceed with the address of which I gave notice.

I make the motion that the Senate take a recess until 2 o'clock.

The motion was agreed to; and (at 12 o'clock and 2 minutes p. m.) the Senate took a recess until 2 o'clock p. m., at which hour it reassembled.

LEAGUE OF NATIONS.

Mr. LODGE. Mr. President, in the Essays of Elia, one of the most delightful is that entitled "Popular Fallacies." There is one very popular fallacy, however, which Lamb did not include in his list and that is the common saying that history repeats itself. Universal negatives are always dangerous, but if there is anything which is fairly certain, it is that history never exactly repeats itself. Popular fallacies, nevertheless, generally have some basis, and this saying springs from the undoubted truth that mankind from generation to generation is constantly repeating itself. We have an excellent illustration of this fact in the proposed experiment now before us, of making arrangements to secure the permanent peace of the world. To assure the peace of the world by a combination of the nations is no new idea. Leaving out the leagues of antiquity and of mediaeval times and going back no further than the treaty of Utrecht, at the beginning of the eighteenth century, we find that at that period a project of a treaty to establish perpetual peace was brought forward in 1713 by the Abbé de Saint-Pierre. The treaty of Utrecht was to be the basis of an international system. A European league or Christian republic was to be set up, under which the members were to renounce the right of making war against each other and submit their disputes for arbitration to a central tribunal of the allies, the decisions of which were to be enforced by a common armament. I need not point out the resemblance between this theory and that which underlies the present league of nations. It was widely discussed during the eighteenth century, receiving much support in public opinion; and Voltaire said that the nations of Europe, united by ties of religion, institutions, and culture, were really but a single family. The idea remained in an academic condition until 1791, when under the pressure of the French Revolution Count Kaunitz sent out a circular letter in the name of Leopold, of Austria, urging that it was the duty of all the powers to make common cause for the purpose of "preserving public peace, tranquillity of States, the inviolability of possession, and the faith of treaties," which has a very familiar sound. Napoleon had a scheme of his own for consolidating the great European peoples and establishing a central assembly, but the Napoleonic idea differed from that of the eighteenth century, as one would expect. A single great personality dominated and hovered over all. In 1804 the Emperor Alexander took up the question, and urged a general treaty for the formation of a European confederation. "Why could one not submit to it," the Emporer asked, "the positive rights of nations, assure the privilege of neutrality, insert the obligation of never beginning war until all the resources which the mediation of a third party could offer have been exhausted, until the grievances have by this means been brought to light, and an effort to remove them has been made? On principles such as these one could proceed to a general pacification, and give birth to a league of which the stipulations would form, so to speak, a new code of the law of nations, while those who should try to infringe it would risk bringing upon themselves the forces of the new union."

The Emperor, moved by more immediately alluring visions, put aside this scheme at the treaty of Tilsit and then decided that peace could best be restored to the world by having two all-powerful emperors, one of the east and one of the west. After the Moscow campaign, however, he returned to his early dream. Under the influence of the Baroness von Krudener he became a devotee of a certain mystic pietism which for some time guided his public acts, and I think it may be fairly said that his liberal and popular ideas of that period, however vague and uncertain, were sufficiently genuine. Based upon the treaties of alliance against France, those of Chaumont and of Vienna, was the final treaty of Paris, of November 20, 1815. In the preamble the signatories, who were Great Britain, Austria, Russia, and Prussia, stated that it is the purpose of the ensuing treaty and their desire "to employ all their means to prevent the general tranquillity—the object of the wishes of mankind and the constant end of their efforts—from being again disturbed; desirous, moreover, to draw closer the ties which unite them for the common interests of their people, have resolved to give to the principles solemnly laid down in the treaties of Chaumont of March 1, 1814, and of Vienna of March 25, 1815, the application the most analogous to the present state of affairs, and to fix beforehand by a solemn treaty the principles which they propose to follow, in order to guarantee Europe from dangers by which she may still be menaced."

Then follow five articles which are devoted to an agreement to hold France in control and check, based largely on other more detailed agreements. But in article 6 it is said:

> To facilitate and to secure the execution of the present treaty, and to consolidate the connections which at the present moment so closely unite the four sovereigns for the happiness of the world, the high contracting parties have agreed to renew their meeting at fixed periods, either under the immediate auspices of the sovereigns themselves, or by their respective ministers, for the purpose of consulting upon their common interests, and for the consideration of the measures which at each of those periods shall be considered the most salutary for the repose and prosperity of nations and for the maintenance of the peace of Europe.

Certainly nothing could be more ingenuous or more praiseworthy than the purposes of the alliance then formed, and yet it was this very combination of powers which was destined to grow into what has been known, and we might add cursed, throughout history as the Holy Alliance.

As early as 1818 it had become apparent that upon this innocent statement might be built an alliance which was to be used to suppress the rights of nationalities and every attempt of any oppressed people to secure their freedom. Lord Castlereagh was a Tory of the Tories, but at that time, only three years after the treaty of Paris when the representatives of the alliance met at Aix-la-Chapelle he began to suspect that this

new European system was wholly inconsistent with the liberties to which Englishmen of all types were devoted. At the succeeding meetings, at Troppau and Laibach, his suspicion was confirmed and England began to draw away from her partners. He had indeed determined to break with the alliance before the Congress of Verona, but his death threw the question into the hands of George Canning, who stands forth as the man who separated Great Britain from the combination of the continental powers. The attitude of England, which was defined in a memorandum where it was said that nothing could be more injurious to the idea of government generally than the belief that their force was collectively to be prostituted to the support of an established power without any consideration of the extent to which it was to be abused, led to a compromise in 1818 in which it was declared that it was the intention of the five powers, France being invited to adhere, "to maintain the intimate union, strengthened by the ties of Christian brotherhood, contracted by the sovereigns; to pronounce the object of this union to be the preservation of peace on the basis of respect for treaties." Admirable and gentle words these, setting forth purposes which all men must approve.

In 1820 the British Government stated that they were prepared to fulfill all treaty obligations, but that if it was desired "to extend the alliance so as to include all objects, present and future, foreseen and unforeseen, it would change its character to such an extent and carry us so far that we should see in it an additional motive for adhering to our course at the risk of seeing the alliance move away from us, without our having quitted it." The Czar Alexander abandoned his Liberal theories and threw himself into the arms of Metternich, as mean a tyrant as history can show, whose sinister designs probably caused as much misery and oppression in the years which followed as have ever been evolved by one man of second-rate abilities. The three powers, Russia, Austria, and Prussia, then put out a famous protocol in which it was said that the "States which have undergone a change of government due to revolution, the results of which threaten other States, ipso facto cease to be members of the European alliance, and remain excluded from it until their situation gives guaranties for legal order and stability. If, owing to such alterations, immediate danger threatens other States, the powers bind themselves, by peaceful means, or if need be by arms, to bring back the guilty State into the bosom of the great alliance." To this point had the innocent and laudable declarations of the treaty of Paris already developed. In 1822 England broke away and Canning made no secret of his pleasure at the breach. In a letter to the British minister at St. Petersburg he said:

> So things are getting back to a wholesome state again. Every nation for itself, and God for us all. The time for Areopagus, and the like of that, is gone by.

He also said, in the same year, 1823: "What is the influence we have had in the counsels of the alliance, and which Prince Metternich exhorts us to be so careful not to throw away? We protested at Laibach; we remonstrated at Verona. Our protest was treated as waste paper; our remonstrances mingled with the air. Our influence, if it is to be maintained abroad, must be secure in the source of strength at home; and the sources of that strength are in the sympathy between the people and the Government; in the union of the public sentiment with the public counsels; in the reciprocal confidence and cooperation of the House of Commons and the Crown." These words of Canning are as applicable and as weighty now as when they were uttered and as worthy of consideration.

The Holy Alliance, thus developed by the three continental powers and accepted by France under the Bourbons, proceeded to restore the inquisition in Spain, to establish the Neapolitan Bourbons, who for 40 years were to subject the people of southern Italy to one of the most detestable tyrannies ever known, and proposed further to interfere against the colonies in South America which had revolted from Spain and to have their case submitted to a congress of the powers. It was then that Canning made his famous statement, "We have called a new world into existence to redress the balance of the old." It was at this point also that the United States intervened. The famous message of Monroe, sent to Congress on December 2, 1823, put an end to any danger of European influence in the American Continents. A distinguished English historian, Mr. William Alison Phillips, says:

> The attitude of the United States effectually prevented the attempt to extend the dictatorship of the alliance beyond the bounds of Europe, in itself a great service to mankind.

In 1825 Great Britain recognized the South American Republics. So far as the New World was concerned the Holy Alliance had failed. It was deprived of the support of France by the revolution of 1830, but it continued to exist under the guidance of Metternich and its last exploit was in 1849, when the Emperor Nicholas sent a Russian army into Hungary to crush out the struggle of Kossuth for freedom and independence.

I have taken the trouble to trace in the merest outline the development of the Holy Alliance, so hostile and dangerous to human freedom, because I think it carries with it a lesson for us at the present moment, showing as it does what may come from general propositions and declarations of purposes in which all the world agrees. Turn to the preamble of the covenant of the league of nations now before us, which states the object of the league. It is formed "in order to promote international cooperation and to achieve international peace and security by the acceptance of obligations not to resort to war, by the prescription of open, just, and honorable relations between nations, by the firm establishment of the understandings of international laws as the actual rule of conduct among governments, and by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organized peoples with one another."

No one would contest the loftiness or the benevolence of these purposes. Brave words, indeed! They do not differ essentially from the preamble of the treaty of Paris, from which sprang the Holy Alliance. But the covenant of this league contains a provision which I do not find in the treaty of Paris, and which is as follows:

> The assembly may deal at its meetings with any matter within the sphere of action of the league or affecting the peace of the world.

There is no such sweeping or far-reaching provision as that in the treaty of Paris, and yet able men developed from that treaty the Holy Alliance, which England, and later France, were forced to abandon and which, for 35 years, was an unmitigated curse to the world. England broke from the Holy Alliance and the breach began three years after it was formed, because English statesmen saw that it was intended to turn the alliance—and this league is an alliance—into a means of repressing internal revolutions or insurrections. There was nothing in the treaty of Paris which warranted such action, but in this covenant of the league of nations the authority is clearly given in the third paragraph of article 3, where it is said:

> The assembly may deal at its meetings with any matter within the sphere of action of the league or affecting the peace of the world.

No revolutionary movement, no internal conflict, of any magnitude can fail to affect the peace of the world. The French Revolution, which was wholly internal at the beginning, affected the peace of the world to such an extent that it brought on a world war which lasted some 25 years. Can anyone say that our Civil War did not affect the peace of the world? At this very moment, who would deny that the condition of Russia, with internal conflicts raging in all parts of that great Empire, does not affect the peace of the world and therefore come properly within the jurisdiction of the league? "Any matter affecting the peace of the world" is a very broad statement which could be made to justify almost any interference on the part of the league with the internal affairs of other countries. That this fair and obvious interpretation is the one given to it abroad is made perfectly apparent in the direct and vigorous statement of M. Clemenceau in his letter to Mr. Paderewski, in which he takes the ground in behalf of the Jews and other nationalities in Poland that they should be protected, and where he says that the associated powers would feel themselves bound to secure guaranties in Poland "of certain essential rights which will afford to the inhabitants the necessary protection, whatever changes may take place in the internal constitution of the Polish Republic," he contemplates and defends interference with the internal affairs of Poland—among other things—in behalf of a complete religious freedom, a purpose with which we all deeply sympathize. These promises of the French prime minister are embodied in effective clauses in the treaties with Germany and with Poland and deal with the internal affairs of nations, and their execution is intrusted to the "principal allied and associated powers;" that is, to the United States, Great Britain, France, Italy, and Japan. This is a practical demonstration of what can be done under article 3 and under article 11 of the league covenant, and the authority which permits interference in behalf of religious freedom—an admirable object—is easily extended to the repression of internal disturbances, which may well prove a less admirable purpose. If Europe desires such an alliance or league with a power of this kind, so be it. I have no objection, provided they do not interfere with the American Continents or force us against our will but bound by a moral obligation into all the quarrels of Europe. If England, abandoning the policy of Canning, desires to be a member of a league which has such powers as this, I have not a word to say. But I object in the strongest possible way to having the United States agree,

directly or indirectly, to be controlled by a league which may at any time, and perfectly lawfully and in accordance with the terms of the covenant, be drawn in to deal with internal conflicts in other countries, no matter what those conflicts may be. We should never permit the United States to be involved in any internal conflict in another country, except by the will of her people expressed through the Congress which represents them.

With regard to wars of external aggression on a member of the league, the case is perfectly clear. There can be no genuine dispute whatever about the meaning of the first clause of article 10. In the first place, it differs from every other obligation in being individual and placed upon each nation without the intervention of the league. Each nation for itself promises to respect and preserve as against external aggression the boundaries and the political independence of every member of the league. Of the right of the United States to give such a guaranty I have never had the slightest doubt, and the elaborate arguments which have been made here and the learning which has been displayed about our treaty with Granada, now Colombia, and with Panama, were not necessary for me, because, I repeat, there can be no doubt of our right to give a guaranty to another nation that we will protect its boundaries and independence. The point I wish to make is that the pledge is an individual pledge. We have, for example, given guaranties to Panama and for obvious and sufficient reasons. The application of that guaranty would not be in the slightest degree affected by ten or twenty other nations giving the same pledge, if Panama, when in danger, appealed to us to fulfill our obligation. We should be bound to do so without the slightest reference to the other guarantors. In article 10 the United States is bound on the appeal of any member of the league not only to respect but to preserve its independence and its boundaries, and that pledge, if we give it, must be fulfilled.

There is to me no distinction whatever in a treaty between what some persons are pleased to call legal and moral obligations. A treaty rests and must rest, except where it is imposed under duress and securities and hostages are taken for its fulfillment, upon moral obligations. No doubt a great power impossible of coercion can cast aside a moral obligation if it sees fit and escape from the performance of the duty which it promises. The pathway of dishonor is always open. I for one, however, can not conceive of voting for a clause of which I disapprove because I know it can be escaped in that way. Whatever the United States agrees to, by that agreement she must abide. Nothing could so surely destroy all prospects of the world's peace as to have any powerful nation refuse to carry out an obligation, direct or indirect, because it rests only on moral grounds. Whatever we promise we must carry out to the full, "without mental reservation or purpose of evasion." To me any other attitude is inconceivable. Without the most absolute and minute good faith in carrying out a treaty to which we have agreed, without ever resorting to doubtful interpretations or to the plea that it is only a moral obligation, treaties are worthless. The greatest foundation of peace is the scrupulous observance of every promise, express or implied, of every pledge, whether it can be described as legal or moral. No vote should be given to any clause in any treaty or to any treaty except in this spirit and with this understanding.

I return, then, to the first clause of article 10. It is, I repeat, an individual obligation. It requires no action on the part of the league, except that in the second sentence the authorities of the league are to have the power to advise as to the means to be employed in order to fulfill the purpose of the first sentence. *But that is a detail of execution*, and I consider that we are morally and in honor bound to accept and act upon that advice. The broad fact remains that if any member of the league suffering from external aggression should appeal directly to the United States for support the United States would be bound to give that support in its own capacity and without reference to the action of other powers, because the United States itself is bound, and I hope the day will never come when the United States will not carry out its promises. If that day should come, and the United States or any other great country should refuse, no matter how specious the reasons, to fulfill both in letter and spirit every obligation in this covenant, the United States would be dishonored and the league would crumble into dust, leaving behind it a legacy of wars. If China should rise up and attack Japan in an effort to undo the great wrong of the cession of the control of Shantung to that power, we should be bound under the terms of article 10 to sustain Japan against China, and a guaranty of that sort is never invoked except when the question has passed beyond the stage of negotiation and has become a question for the application of force. I do not like the prospect. It shall not come into existence by any vote of mine.

Article 11 carries this danger still further, for it says:

> Any war or threat of war, whether immediately affecting any of the members of the league or not, is hereby declared a matter of concern to the whole league and the league shall take any action that shall be deemed wise and effectual to safeguard the peace of nations.

"Any war or threat of war" means both external aggression and internal disturbance, as I have already pointed out in dealing with article 3. "Any action" covers military action, because it covers action of any sort or kind. Let me take an example, not an imaginary case, but one which may have been overlooked, because most people have not the slightest idea where or what a King of the Hejaz is. The following dispatch appeared recently in the newspapers:

HEJAZ AGAINST BEDOUINS.

> The forces of Emir Abdullah recently suffered a grave defeat, the Wahabis attacking and capturing Kurma, east of Mecca. Ibn Savond is believed to be working in harmony with the Wahabis. A squadron of the royal air force was ordered recently to go to the assistance of King Hussein.

Hussein I take to be the Sultan of Hejaz. He is being attacked by the Bedouins, as they are known to us, although I fancy the general knowledge about the Wahabis and Ibn Savond and Emir Abdullah is slight and the names mean but little to the American people. Nevertheless, here is a case of a member of the league—for the King of the Hejaz is such a member in good and regular standing and signed the treaty by his representatives, Mr. Rustem Haidar and Mr. Abdul Havi Aouni.

Under article 10, if King Hussein appealed to us for aid and protection against external aggression affecting his independence and the boundaries of his kingdom, we should be bound to give that aid and protection and to send American soldiers to Arabia. It is not relevant to say that this is unlikely to occur; that Great Britain is quite able to take care of King Hussein, who is her fair creation, reminding one a little of the Mosquito King, a monarch once developed by Great Britain on the Mosquito Coast of Central America. The fact that we should not be called upon does not alter the right which the King of Hejaz possesses to demand the sending of American troops to Arabia in order to preserve his independence against the assaults of the Wahabis or Bedouins. I am unwilling to give that right to King Hussein, and this illustrates the point which is to me the most objectionable in the league as it stands—the right of other powers to call out American troops and American ships to go to any part of the world, an obligation we are bound to fulfill under the terms of this treaty. I know the answer well—that of course they could not be sent without action by Congress. Congress would have no choice if acting in good faith, and if under article 10 any member of the league summoned us, or if under article 11 the league itself summoned us, we should be bound in honor and morally to obey. There would be no escape except by a breach of faith, and legislation by Congress under those circumstances would be a mockery of independent action. Is it too much to ask that provision should be made that American troops and American ships should never be sent anywhere or ordered to take part in any conflict except after the deliberate action of the American people, expressed according to the Constitution through their chosen representatives in Congress?

Let me now briefly point out the insuperable difficulty which I find in article 15. It begins: "If there should arise between members of the league any dispute likely to lead to a rupture." "Any dispute" covers every possible dispute. It therefore covers a dispute over tariff duties and over immigration. Suppose we have a dispute with Japan or with some European country as to immigration. I put aside tariff duties as less important than immigration. This is not an imaginary case. Of late years there has probably been more international discussion and negotiation about questions growing out of immigration laws than any other one subject. It comes within the definition of "any dispute" at the beginning of article 15. In the eighth paragraph of that article it is said that "if the dispute between the parties is claimed by one of them, and is found by the council to arise out of a matter which, by international law, is solely within the domestic jurisdicion of that party, the council shall so report and shall make no recommendation as to its settlement." That is one of the statements, of which there are several in this treaty, where words are used which it is difficult to believe their authors could have written down in seriousness. They seem to have been put in for the same purpose as what is known in natural history as protective coloring. Protective coloring is intended so to merge the animal, the bird, or the insect in its background that it will be indistinguishable from its surroundings and difficult, if not impossible, to find the elusive and hidden bird, animal, or insect. Protective coloring here is used in the form of words to give an impression that we are perfectly safe upon immigration and tariffs, for example, because questions which international law holds to be

solely within domestic jurisdiction are not to have any recommendation from the council, but the dangers are there just the same, like the cunningly colored insect on the tree or the young bird crouching motionless upon the sand. The words and the coloring are alike intended to deceive. I wish somebody would point out to me those provisions of international law which make a list of questions which are hard and fast within the domestic jurisdiction. No such distinction can be applied to tariff duties or immigration nor indeed finally and conclusively to any subject. Have we not seen the school laws of California, most domestic of subjects, rise to the dignity of a grave international dispute? No doubt both import duties and immigration are primarily domestic questions, but they both constantly involve and will continue to involve international effects. Like the protective coloration, this paragraph is wholly worthless unless it is successful in screening from the observer the existence of the animal, insect, or bird which it is desired to conceal. It fails to do so and the real object is detected. But even if this bit of deception was omitted—and so far as the question of immigration or tariff questions are concerned it might as well be—the ninth paragraph brings the important point clearly to the front. Immigration, which is the example I took, can not escape the action of the league by any claim of domestic jurisdiction; it has too many international aspects.

Article 9 says:

> The council may, in any case under this article, refer the dispute to the assembly.

We have our dispute as to immigration with Japan or with one of the Balkan States, let us say. The council has the power to refer the dispute to the assembly. Moreover, the dispute shall be so referred at the request of either party to the dispute, provided that such request be made within 14 days after the submission of the dispute to the council. So that Japan or the Balkan States, for example, with which we may easily have the dispute, ask that it be referred to the assembly, and the immigration question between the United States and Jugoslavia or Japan, as the case may be, goes to the assembly. The United States and Japan or Jugoslavia are excluded from voting, and the provisions of article 12, relating to the action and powers of the council, apply to the action and powers of the assembly, provided, as set forth in article 15, that a report made by the assembly, "if concurred in by the representatives of those members of the league represented on the council and of a majority of the other members of the league, exclusive in each case of the representatives of the parties to the dispute, shall have the same force as a report by the council concurred in by all the members thereof other than the representatives of one or more of the parties to the dispute." This course of procedure having been pursued, we find the question of immigration between the United States and Japan is before the assembly for decision. The representatives of the council, except the delegates of the United States and of Japan or Jugoslavia, must all vote unanimously upon it, as I understand it, but a majority of the entire assembly, where the council will have only seven votes, will decide. Can anyone say beforehand what the decision of that assembly will be, in which the United States and Jugoslavia or Japan will have no vote? The question in one case may affect immigration from every country in Europe, although the dispute exists only for one, and in the other the whole matter of Asiatic immigration is involved. Is it too fanciful to think that it might be decided against us? For my purpose it matters not whether it is decided for or against us. An immigration dispute or a dispute over tariff duties, met by the procedure set forth in article 15, comes before the assembly of delegates for a decision by what is practically a majority vote of the entire assembly. That is something to which I do not find myself able to give my assent. So far as immigration is concerned, and also so far as tariff duties, although less important, are concerned, I deny the jurisdiction. There should be no possibility of other nations deciding who shall come into the United States or under what conditions they shall enter. The right to say who shall come into a country is one of the very highest attributes of sovereignty. If a nation can not say without appeal who shall come within its gates and become a part of its citizenship it has ceased to be a sovereign nation. It has become a tributary and a subject nation, and it makes no difference whether it is subject to a league or to a conqueror.

If other nations are willing to subject themselves to such a domination, the United States, to which many immigrants have come and many more will come, ought never to submit to it for a moment. They tell us that so far as Asiatic emigration is concerned there is not the slightest danger that that will ever be forced upon us by the league, because Australia and Canada and New Zealand are equally opposed to it. I think it highly improbable that it would be forced upon us under those conditions, but it is by no means impossible. It is true the United States has one vote, and that England, if you count the King of the Hedjaz, has seven—in all eight—votes; yet it might not be impossible for Japan and China and Siam to rally enough other votes to defeat us; but whether we are protected in that way or not does not matter. The very offering of that explanation accepts the jurisdiction of the league, and personally I can not consent to putting the protection of my country and of her workingmen against undesirable immigration out of our own hands. We and we alone must say who shall come into the United States and become citizens of this Republic, and no one else should have any power to utter one word in regard to it.

Article 21 says:

> Nothing in this covenant shall be deemed to affect the validity of international engagements, such as treaties of arbitration or regional understandings like the Monroe doctrine for securing the maintenance of peace.

This provision did not appear in the first draft of the covenant, and when the President explained the second draft of the convention to the peace conference he said:

> Article 21 is new.

And that was all he said. No one can question the truth of the remark, but I trust I shall not be considered disrespectful if I say that it was not an illuminating statement. The article was new, but the fact of its novelty, which the President declared, was known to everyone who had taken the trouble to read the two documents. We were not left, however, without a fitting explanation. The British delegation took it upon themselves to explain article 21 at some length, and this is what they said:

> Article 21 makes it clear that the covenant is not intended to abrogate or weaken any other agreements, so long as they are consistent with its own terms, into which members of the league may have entered or may hereafter enter for the assurance of peace. Such agreements would include special treaties for compulsory arbitration and military conventions that are genuinely defensive.
>
> The Monroe doctrine and similar understandings are put in the same category. They have shown themselves in history to be not instruments of national ambition, but guarantees of peace. The origin of the Monroe doctrine is well known. It was proclaimed in 1823 to prevent America from becoming a theater for intrigues of European absolutism. At first a principle of American foreign policy, it has become an international understanding, and it is not illegitimate for the people of the United States to say that the covenant should recognize that fact.
>
> In its essence it is consistent with the spirit of the covenant, and, indeed, the principles of the league, as expressed in article 10, represent the extension to the whole world of the principles of the doctrine while, should any dispute as to the meaning of the latter ever arise between the American and European powers, the league is there to settle it.

The explanation of Great Britain received the assent of France.

> It seems to me monumentally paradoxical and a trifle infantile—

Says M. Lausanne, solicitor of the "Treaties" and a chief spokesman for M. Clemenceau—

> to pretend the contrary.
>
> When the executive council of the league of nations fixes the "reasonable limits of the armament of Peru"; when it shall demand information concerning the naval program of Brazil (art. 7 of the covenant); when it shall tell Argentina what shall be the measure of the "contribution to the armed forces to protect the signatures of the social covenant" (art. 16); when it shall demand the immediate registration of the treaty between the United States and Canada at the seat of the league, it will control, whether it wills or not, the destinies of America.
>
> And when the American States shall be obliged to take a hand in every war or menace of war in Europe (art. 11), they will necessarily fall afoul of the fundamental principle laid down by Monroe.
>
> * * * If the league takes in the world, then Europe must mix in the affairs of America; if only Europe is included, then America will violate of necessity her own doctrine by intermixing in the affairs of Europe.

It has seemed to me that the British delegation traveled a little out of the precincts of the peace conference when they undertook to explain the Monroe doctrine and tell the United States what it was and what it was not proposed to do with it under the new article. That, however, is merely a matter of taste and judgment. Their statement that the Monroe doctrine under this article, if any question arose in regard to it, would be passed upon and interpreted by the league of nations is absolutely correct. There is no doubt that this is what the article means. Great Britain so stated it, and no American authority, whether friendly or unfriendly to the league, has dared to question it. I have wondered a little why it was left to the British delegation to explain that article, which so nearly concerns the United States, but that was merely a fugitive thought upon which I will not dwell. The statement of M. Lausanne is equally explicit and truthful, but he makes one mistake. He says in substance that if we are to meddle in Europe, Europe can not be excluded from the Americas. He overlooks the fact that the Monroe doctrine also says:

Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is not to interfere in the internal concerns of any of the powers.

The Monroe doctrine was the corollary of Washington's neutrality policy and of his injunction against permanent alliances. It reiterates and reaffirms the principle. We do not seek to meddle in the affairs of Europe and keep Europe out of the Americas. It is as important to keep the United States out of European affairs as to keep Europe out of the American Continents. Let us maintain the Monroe doctrine, then, in its entirety, and not only preserve our own safety, but in this way best promote the real peace of the world. Whenever the preservation of freedom and civilization and the overthrow of a menacing world conqueror summon us we shall respond fully and nobly, as we did in 1917. He who doubts that we should do so has little faith in America. But let it be our own act, and not done reluctantly by the coercion of other nations, at the bidding or by the permission of other countries.

Let me now deal with the article itself. We have here some protective coloration again. The Monroe doctrine is described as a "regional understanding," whatever that may mean. The boundaries between the States of the Union, I suppose, are "regional understandings," if anyone chooses to apply to them that somewhat swollen phraseology. But the Monroe doctrine is no more a regional understanding than it is an "international engagement." The Monroe doctrine was a policy declared by President Monroe. Its immediate purpose was to shut out Europe from interfering with the South American Republics, which the Holy Alliance designed to do. It was stated broadly, however, as we all know, and went much further than that. It was, as I have just said, the corollary of Washington's declaration against our interfering in European questions. It was so regarded by Jefferson at the time, and by John Quincy Adams, who formulated it, and by President Monroe, who declared it. It rested firmly on the great law of self-preservation, which is the basic principle of every independent State. It is not necessary to trace its history, or to point out the extensions which it has received, or its universal acceptance by all American statesmen without regard to party. All Americans have always been for it. They may not have known its details, or read all the many discussions in regard to it, but they knew that it was an American doctrine, and that, broadly stated, it meant the exclusion of Europe from interference with American affairs and from any attempt to colonize or set up new States within the boundaries of the American Continent. I repeat, it was purely an American doctrine, a purely American policy, designed and wisely designed for our defense. It has never been an "international engagement." No nation has ever formally recognized it. It has been the subject of reservation at international conventions by American delegates. It has never been a "regional understanding," or an understanding of any kind with anybody. It was the declaration of the United States of America, in their own behalf, supported by their own power. They brought it into being, and its life was predicated on the force which the United States could place behind it. Unless the United States could sustain it, it would die. The United States has supported it. It has lived—strong, efficient, respected. It is now proposed to kill it by a provision in a treaty for a league of nations.

The instant that the United States, who declared, interpreted, and sustained the doctrine, ceases to be the sole judge of what it means, that instant the Monroe doctrine ceases and disappears from history and from the face of the earth. I think it is just as undesirable to have Europe interfere in American affairs now as Mr. Monroe thought it was in 1823, and equally undesirable that we should be compelled to involve ourselves in all the wars and brawls of Europe. The Monroe doctrine has made for peace. Without the Monroe doctrine we should have had many a struggle with European powers to save ourselves from possible assault and certainly from the necessity of becoming a great military power, always under arms and always ready to resist invasion from States in our near neighborhood. In the interests of the peace of the world it is now proposed to wipe away this American policy, which has been a bulwark and a barrier for peace. With one exception it has always been successful, and then success was only delayed. When we were torn by civil war France saw fit to enter Mexico and endeavored to establish an empire there. When our hands were once free the empire perished, and with it the unhappy tool of the third Napoleon. If the United States had not been rent by civil war no such attempt would have been made, and nothing better illustrates the value to the cause of peace of the Monroe doctrine. Why, in the name of peace, should we extinguish it? Why, in the name of peace, should we be called upon to leave the interpretation of the Monroe doctrine to other nations? It is an American policy. It is our own. It has guarded us well, and I for one can never find consent in my heart to destroy it by a clause in a treaty and hand over its body for dissection to the nations of Europe. If we need authority to demonstrate what the Monroe doctrine has meant to the United States we can not do better than quote the words of Grover Cleveland, who directed Mr. Olney to notify the world that "to-day the United States is practically sovereign on this continent, and its fiat is law to which it confines its interposition." Theodore Roosevelt, in the last article written before his death, warned us, his countrymen, that we are "in honor bound to keep ourselves so prepared that the Monroe doctrine shall be accepted as immutable international law." Grover Cleveland was a Democrat and Theodore Roosevelt was a Republican, but they were both Americans, and it is the American spirit which has carried this country always to victory and which should govern us to-day, and not the international spirit, which would in the name of peace hand the United States over bound hand and foot to obey the fiat of other powers.

Another point in this covenant where change must be made in order to protect the safety of the United States in the future is in article 1, where withdrawal is provided for. This provision was an attempt to meet the very general objection to the first draft of the league, that there was no means of getting out of it without denouncing the treaty; that is, there was no arrangement for the withdrawal of any nation. As it now stands it reads that—

Any member of the league may, after two years' notice of its intention to do so, withdraw from the league, provided that all its international obligations and all its obligations under this covenant shall have been fulfilled at the time of its withdrawal.

The right of withdrawal is given by this clause, although the time for notice, two years, is altogether too long. Six months or a year would be found, I think, in most treaties to be the normal period fixed for notice of withdrawal. But whatever virtue there may be in the right thus conferred is completely nullified by the proviso. The right of withdrawal can not be exercised until all the international obligations and all the obligations of the withdrawing nations have been fulfilled. The league alone can decide whether "all international obligations and all obligations under this covenant" have been fulfilled, and this would require, under the provisions of the league, a unanimous vote, so that any nation desiring to withdraw could not do so, even on the two years' notice, if one nation voted that the obligations had not been fulfilled. Remember that this gives the league not only power to review all our obligations under the covenant but all our treaties with all nations, for every one of those is an "international obligation."

Are we deliberately to put ourselves in fetters and be examined by the league of nations as to whether we have kept faith with Cuba or Panama before we can be permitted to leave the league? This seems to me humiliating, to say the least. The right of withdrawal, if it is to be of any value whatever, must be absolute, because otherwise a nation desiring to withdraw could be held in the league by objections from other nations until the very act which induces the nation to withdraw had been completed, until the withdrawing nation had been forced to send troops to take part in a war with which it had no concern and upon which it did not desire to enter. It seems to me vital to the safety of the United States not only that this provision should be eliminated and the right to withdraw made absolute but that the period of withdrawal should be much reduced. As it stands it is practically no better in this respect than the first league draft, which contained no provision for withdrawal at all, because the proviso here inserted so encumbers it that every nation to all intents and purposes must remain a member of the league indefinitely unless all the other members are willing that it should retire. Such a provision as this, ostensibly framed to meet the objection, has the defect which other similar gestures to give an impression of meeting objections have, that it apparently keeps the promise to the ear but most certainly breaks it to the hope.

I have dwelt only upon those points which seem to me most dangerous. There are, of course, many others, but these points, in the interest not only of the safety of the United States but of the maintenance of the treaty and the peace of the world, should be dealt with here before it is too late. Once in the league the chance of amendment is so slight that it is not worth considering. Any analysis of the provisions of this league covenant, however, brings out in startling relief one great fact. Whatever may be said, it is not a league of peace; it is an alliance, dominated at the present moment by five great powers, really by three, and it has all the marks of an alliance. The development of international law is neglected. The court which is to decide disputes brought before it fills but a small

place. The conditions for which this league really provides with the utmost care are political conditions, not judicial questions, to be reached by the executive council and the assembly, purely political bodies without any trace of a judicial character about them. Such being its machinery, the control being in the hands of political appointees whose votes will be controlled by interest and expediency, it exhibits that most marked characteristic of an alliance—that its decisions are to be carried out by force. Those articles upon which the whole structure rests are articles which provide for the use of force; that is, for war. This league to enforce peace does a great deal for enforcement and very little for peace. It makes more essential provisions looking to war than to peace for the settlement of disputes.

Article 10 I have already discussed. There is no question that the preservation of a State against external aggression can contemplate nothing but war. In article 11, again, the league is authorized to take any action which may be necessary to safeguard the peace of the world. "Any action" includes war. We also have specific provisions for a boycott, which is a form of economic warfare. The use of troops might be avoided, but the enforcement of a boycott would require blockades in all probability, and certainly a boycott in its essence is simply an effort to starve a people into submission, to ruin their trade, and, in the case of nations which are not self-supporting, to cut off their food supply. The misery and suffering caused by such a measure as this may easily rival that caused by actual war. Article 16 embodies the boycott and also, in the last paragraph, provides explicitly for war. We are told that the word "recommend" has no binding force; it constitutes a moral obligation; that is all. But it means that if we, for example, should refuse to accept the recommendation we should nullify the operation of article 16 and, to that extent, of the league. It seems to me that to attempt to relieve us of clearly imposed duties by saying that the word "recommend" is not binding is an escape of which no nation regarding the sanctity of treaties and its own honor would care to avail itself. The provisions of article 16 are extended to States outside the league who refuse to obey its command to come in and submit themselves to its jurisdiction—another provision for war.

Taken altogether, these provisions for war present what to my mind is the gravest objection to this league in its present form. We are told that of course nothing will be done in the way of warlike acts without the assent of Congress. If that is true let us say so in the covenant. But as it stands there is no doubt whatever in my mind that American troops and American ships may be ordered to any part of the world by nations other than the United States, and that is a proposition to which I for one can never assent. It must be made perfectly clear that no American soldiers, not even a corporal's guard, that no American sailors, not even the crew of a submarine, can ever be engaged in war or ordered anywhere except by the constitutional authorities of the United States. To Congress is granted by the Constitution the right to declare war, and nothing that would take the troops out of the country at the bidding or demand of other nations should ever be permitted except through congressional action. The lives of Americans must never be sacrificed except by the will of the American people expressed through their chosen Representatives in Congress. This is a point upon which no doubt can be permitted. American soldiers and American sailors have never failed the country when the country called upon them. They went in their hundreds of thousands into the war just closed. They went to die for the great cause of freedom and of civilization. They went at their service. We were late in entering the war. We made no preparation, as we ought to have done, for the ordeal which was clearly coming upon us; but we went and we turned the wavering scale. It was done by the American soldier, the American sailor, and the spirit and energy of the American people. They overrode all obstacles and all shortcomings on the part of the administration or of Congress and gave to their country a great place in the great victory. It was the first time we had been called upon to rescue the civilized world. Did we fail? On the contrary, we succeeded, succeeded largely and nobly, and we did it without any command from any league of nations. When the emergency came we met it, and we were able to meet it because we had built up on this continent the greatest and most powerful Nation in the world, built it up under our own policies, in our own way, and one great element of our strength was the fact that we had held aloof and had not thrust ourselves into European quarrels; that we had no selfish interest to serve. We made great sacrifices. We have done splendid work. I believe that we do not require to be told by foreign nations when we shall do work which freedom and civilization require. I think we can move to victory much better under our own command than under the command of others. Let us unite with the world to promote the peaceable settlement of all international disputes. Let us try to develop international law. Let us associate ourselves with the other nations for these purposes. But let us retain in our own hands and in our own control the lives of the youth of the land. Let no American be sent into battle except by the constituted authorities of his own country and by the will of the people of the United States.

Those of us, Mr. President, who are either wholly opposed to the league, or who are trying to preserve the independence and the safety of the United States by changing the terms of the league, and who are endeavoring to make the league, if we are to be a member of it, less certain to promote war instead of peace have been reproached with selfishness in our outlook and with a desire to keep our country in a state of isolation. So far as the question of isolation goes, it is impossible to isolate the United States. I well remember the time, 20 years ago, when eminent Senators and other distinguished gentlemen who were opposing the Philippines and shrieking about imperialism sneered at the statement made by some of us, that the United States had become a world power. I think no one now would question that the Spanish war marked the entrance of the United States into world affairs to a degree which had never obtained before. It was both an inevitable and an irrevocable step, and our entrance into the war with Germany certainly showed once and for all that the United States was not unmindful of its world responsibilities. We may set aside all this empty talk about isolation. Nobody expects to isolate the United States or to make it a hermit Nation, which is a sheer absurdity. But there is a wide difference between taking a suitable part and bearing a due responsibility in world affairs and plunging the United States into every controversy and conflict on the face of the globe. By meddling in all the differences which may arise among any portion or fragment of humankind we simply fritter away our influence and injure ourselves to no good purpose. We shall be of far more value to the world and its peace by occupying, so far as possible, the situation which we have occupied for the last 20 years and by adhering to the policy of Washington and Hamilton, of Jefferson and Monroe, under which we have risen to our present greatness and prosperity. The fact that we have been separated by our geographical situation and by our consistent policy from the broils of Europe has made us more than any one thing capable of performing the great work which we performed in the war against Germany, and our disinterestedness is of far more value to the world than our eternal meddling in every possible dispute could ever be.

Now as to our selfishness. I have no desire to boast that we are better than our neighbors, but the fact remains that this Nation in making peace with Germany had not a single selfish or individual interest to serve. All we asked was that Germany should be rendered incapable of again breaking forth, with all the horrors incident to German warfare, upon an unoffending world, and that demand was shared by every free nation and indeed by humanity itself. For ourselves we asked absolutely nothing. We have not asked any government or governments to guarantee our boundaries or our political independence. We have no fear in regard to either. We have sought no territory, no privileges, no advantages, for ourselves. That is the fact. It is apparent on the face of the treaty. I do not mean to reflect upon a single one of the powers with which we have been associated in the war against Germany, but there is not one of them which has not sought individual advantages for their own national benefit. I do not criticize their desires at all. The services and sacrifices of England and France and Belgium and Italy are beyond estimate and beyond praise. I am glad they should have what they desire for their own welfare and safety. But they all receive under the peace territorial and commercial benefits. We are asked to give, and we in no way seek to take. Surely it is not too much to insist that when we are offered nothing but the opportunity to give and to aid others we should have the right to say what sacrifices we shall make and what the magnitude of our gifts shall be. In the prosecution of the war we gave unstintedly American lives and American treasure. When the war closed we had 3,000,000 men under arms. We were turning the country into a vast workshop for war. We advanced ten billions to our allies. We refused no assistance that we could possibly render. All the great energy and power of the Republic were put at the service of the good cause. We have not been ungenerous. We have been devoted to the cause of freedom, humanity, and civilization everywhere. Now we are asked, in the making of peace, to sacrifice our sovereignty in important respects, to involve ourselves almost without limit in the affairs of other nations and to yield up policies and rights which we have maintained throughout our history. We are

asked to incur liabilities to an unlimited extent and furnish assets at the same time which no man can measure. I think it is not only our right but our duty to determine how far we shall go. Not only must we look carefully to see where we are being led into endless disputes and entanglements, but we must not forget that we have in this country millions of people of foreign birth and parentage.

Our one great object is to make all these people Americans so that we may call on them to place America first and serve America as they have done in the war just closed. We can not Americanize them if we are continually thrusting them back into the quarrels and difficulties of the countries from which they came to us. We shall fill this land with political disputes about the troubles and quarrels of other countries. We shall have a large portion of our people voting not on American questions and not on what concerns the United States but dividing on issues which concern foreign countries alone. That is an unwholesome and perilous condition to force upon this country. We must avoid it. We ought to reduce to the lowest possible point the foreign questions in which we involve ourselves. Never forget that this league is primarily—I might say overwhelmingly—a political organization, and I object strongly to having the politics of the United States turn upon disputes where deep feeling is aroused but in which we have no direct interest. It will all tend to delay the Americanization of our great population, and it is more important not only to the United States but to the peace of the world to make all these people good Americans than it is to determine that some piece of territory should belong to one European country rather than to another. For this reason I wish to limit strictly our interference in the affairs of Europe and of Africa. We have interests of our own in Asia and in the Pacific which we must guard upon our own account, but the less we undertake to play the part of umpire and thrust ourselves into European conflicts the better for the United States and for the world.

It has been reiterated here on this floor, and reiterated to the point of weariness, that in every treaty there is some sacrifice of sovereignty. That is not a universal truth by any means, but it is true of some treaties and it is a platitude which does not require reiteration. The question and the only question before us here is how much of our sovereignty we are justified in sacrificing. In what I have already said about other nations putting us into war I have covered one point of sovereignty which ought never to be yielded—the power to send American soldiers and sailors everywhere, which ought never to be taken from the American people or impaired in the slightest degree. Let us beware how we palter with our independence. We have not reached the great position from which we were able to come down into the field of battle and help to save the world from tyranny by being guided by others. Our vast power has all been built up and gathered together by ourselves alone. We forced our way upward from the days of the Revolution, through a world often hostile and always indifferent. We owe no debt to anyone except to France in that Revolution, and those policies and those rights on which our power has been founded should never be lessened or weakened. It will be no service to the world to do so and it will be of intolerable injury to the United States. We will do our share. We are ready and anxious to help in all ways to preserve the world's peace. But we can do it best by not crippling ourselves.

I am as anxious as any human being can be to have the United States render every possible service to the civilization and the peace of mankind, but I am certain we can do it best by not putting ourselves in leading strings or subjecting our policies and our sovereignty to other nations. The independence of the United States is not only more precious to ourselves but to the world than any single possession. Look at the United States to-day. We have made mistakes in the past. We have had shortcomings. We shall make mistakes in the future and fall short of our own best hopes. But none the less is there any country to-day on the face of the earth which can compare with this in ordered liberty, in peace, and in the largest freedom? I feel that I can say this without being accused of undue boastfulness, for it is the simple fact, and in making this treaty and taking on these obligations all that we do is in a spirit of unselfishness and in a desire for the good of mankind. But it is well to remember that we are dealing with nations every one of which has a direct individual interest to serve, and there is grave danger in an unshared idealism. Contrast the United States with any country on the face of the earth to-day and ask yourself whether the situation of the United States is not the best to be found. I will go as far as anyone in world service, but the first step to world service is the maintenance of the United States. You may call me selfish, if you will, conservative or reactionary, or use any other harsh adjective you see fit to apply, but an American I was born, an American I have remained all my life. I can never be anything else but an American, and I must think of the United States first, and when I think of the United States first in an arrangement like this I am thinking of what is best for the world, for if the United States fails the best hopes of mankind fail with it. I have never had but one allegiance—I can not divide it now. I have loved but one flag and I can not share that devotion and give affection to the mongrel banner invented for a league. Internationalism, illustrated by the Bolshevik and by the men to whom all countries are alike provided they can make money out of them, is to me repulsive. National I must remain, and in that way I like all other Americans can render the amplest service to the world. The United States is the world's best hope, but if you fetter her in the interests and quarrels of other nations, if you tangle her in the intrigues of Europe, you will destroy her power for good and endanger her very existence. Leave her to march freely through the centuries to come as in the years that have gone. Strong, generous, and confident, she has nobly served mankind. Beware how you trifle with your marvelous inheritance, this great land of ordered liberty, for if we stumble and fall freedom and civilization everywhere will go down in ruin.

We are told that we shall "break the heart of the world" if we do not take this league just as it stands. I fear that the hearts of the vast majority of mankind would beat on strongly and steadily and without any quickening if the league were to perish altogether. If it should be effectively and beneficiently changed the people who would lie awake in sorrow for a single night could be easily gathered in one not very large room but those who would draw a long breath of relief would reach to millions.

We hear much of visions and I trust we shall continue to have visions and dream dreams of a fairer future for the race. But visions are one thing and visionaries are another, and the mechanical appliances of the rhetorician designed to give a picture of a present which does not exist and of a future which no man can predict are as unreal and short lived as the steam or canvas clouds, the angels suspended on wires and the artificial lights of the stage. They pass with the moment of effect and are shabby and tawdry in the daylight. Let us at least be real. Washington's entire honesty of mind and his fearless look into the face of all facts are qualities which can never go out of fashion and which we should all do well to imitate.

Ideals have been thrust upon us as an argument for the league until the healthy mind which rejects cant revolts from them. Are ideals confined to this deformed experiment upon a noble purpose, tainted, as it is, with bargains and tied to a peace treaty which might have been disposed of long ago to the great benefit of the world if it had not been compelled to carry this rider on its back? "Post equitem sedet atra cura," Horace tells us, but no blacker care ever sat behind any rider than we shall find in this covenant of doubtful and disputed interpretation as it now perches upon the treaty of peace.

No doubt many excellent and patriotic people see a coming fulfillment of noble ideals in the words "League for Peace." We all respect and share these aspirations and desires, but some of us see no hope, but rather defeat, for them in this murky covenant. For we, too, have our ideals, even if we differ from those who have tried to establish a monopoly of idealism. Our first ideal is our country, and we see her in the future, as in the past, giving service to all her people and to the world. Our ideal of the future is that she should continue to render that service of her own free will. She has great problems of her own to solve, very grim and perilous problems, and a right solution, if we can attain to it, would largely benefit mankind. We would have our country strong to resist a peril from the West, as she has flung back the German menace from the East. We would not have our politics distracted and embittered by the dissensions of other lands. We would not have our country's vigor exhausted, or her moral force abated, by everlasting meddling and muddling in every quarrel, great and small, which afflicts the world. Our ideal is to make her ever stronger and better and finer, because in that way alone, as we believe, can she be of the greatest service to the world's peace and to the welfare of mankind. [Prolonged applause in the galleries.]

Mr. WILLIAMS. Mr. President, I hesitate very much to undertake to reply extemporaneously and in a few minutes to the greatest possible prepared presentation of the selfishness of American policy ever made even by the Senator from Massachusetts. I would have to have more egotism than even I have if I thought I could answer fully "off the bat" the things the Senator from Massachusetts has been cogitating and laboriously

studying to express for three weeks, more or less, with a view to capturing the Senate and the galleries, whose occupants have come by announcement to hear him to-day. It is not a new presentation of the personality of the Senator from Massachusetts. He has always attempted to make a show of himself. [Manifestation in the galleries.]

The VICE PRESIDENT. Just a moment——

Mr. WILLIAMS. I hope the Chair will not interfere with the galleries.

The VICE PRESIDENT. The occupants of the galleries violated the rules of the Senate in their applause of the Senator from Massachusetts, but the Chair was patient with them. They have, however, no right to do it, and if there is another manifestation of approval or disapproval the Chair will order the galleries cleared. The occupants of the galleries are the guests of the Senate. They ought to be ashamed of themselves.

Mr. WILLIAMS. As I was about to say, the Senator from Massachusetts has always attempted to make a show of himself as being "nonpartisan," or "nonsectional," and fair and impartial. I remember that that was his position when he fathered the Force bill against the southern white people in the House of Representatives. There was nothing more affecting than the concluding sentence of the Senator's address at that time, paying a high tribute to himself as being about the only man devoted to Americanism and devoted to the United States.

Mr. President, the Senator says "we must render service of our own free will" to the world—service of our own free will. Mr. President, how can any nation, how can any people, how can any man render service of their or its own free will? We are too indissolubly connected with one another for that. I can not render service in Yazoo County, Miss., of my own free will. I must consult the other people who are my neighbors. Yazoo County can not render service of its own free will. It must consult the other counties in Mississippi. Mississippi can not render service of its own free will. It must consult and agree to a line of conduct with the balance of the States of the United States. The United States can not, if they would, render service of their own free will. Ties of commerce, literature, law, religion, ties of history, ties of future idealism as well as of past traditions, bind us to the balance of the world; and the man who stands forward in the twentieth century and says that any country—I care not even if it be this country, the greatest and the wealthiest if not the most intelligent country upon the surface of the earth—can direct its own course to please itself, regardless of the balance of the world, has not sense enough to deserve to be a member of a town council.

Mr. President, all the crossing of "t's" and the dotting of "i's" that the Senator from Massachusetts has recourse to does not make me forget that he has "neglected the weightier matters of the law." What is the weightier matter of the law here? It is peace amongst the nations of the world! Has he shown the slightest sympathy with the desire to have it? Leave out his crossing of "t's" and his dotting of "i's" and his finally carefully three-weeks prepared peroration, intended to appeal to the Senate and the galleries, and which did appeal to them. Has he shown the slightest heart sympathy with the desire of the world to have peace? Has he shown any sympathy with the desire of the mother that her son shall not uselessly die upon the battle field? Has he shown the slightest degree of sympathy with the wish of the father that his son should die only a noble death, in defense of his country, and without regard to any other quarrel that the world might have originating in Serbia or China?

Oh, Mr. President, it is easy to dot "i's" and cross "t's," and it is easy for the Senator from Massachusetts to scorn and cast obloquy upon the sentence of the President when the President said "If you defeat the league of nations you will break the heart of the world." Has the Senator had any sympathy with breaking the heart of the world? Has he expressed any idea that he would not break the heart of the world? With an absolute, cold, New England, Brahmin cynicism that invites the scorn of every honest, human-loving man he merely made fun of the phrase. It is a slight thing to "break the heart of the world"! It is a little bit of a thing! It does not make any difference, provided Republican policies in the Senate of the United States are at stake! What do we care about the world, anyhow? "We are the United States." What do we care about the heart of the world? We are furnishing the mind of the world, or we fondly imagine that we are.

And then the Senator goes back in history, and he tells us of all the brave dreams that brave men have ever dreamt, of all the good and sweet dreams that good men have ever dreamt about the peace of the world, and then he makes fun of it all—not a real, genuine, human fun, because he has not imagination enough to do that, but he makes fun of it in his cold, cynical way; the upshot of it all being, "What have we got to do with the brave words of the past?" as he calls them.

Mr. President, they were brave words; they were true words; they were honest words; and they were words worthy of the worship of mankind. Jesus Christ uttered some of them. Alfred Tennyson uttered some of them. Immanuel Kant uttered some of them. Henry IV of France uttered some of them. Oh, it is awfully easy for the Senator to say, "Yes; they have all been uttered, but they have all failed." They did fail, but why? Because the world had not then reached the state of civilization where the receptiveness of the world could meet the initiative of the dreamer. The question now is whether we have even yet come to that stage of the world's enlightenment.

The Senator after a while concludes his historical recitation of all the attempts that have been made for the peace of the world by bringing in the Holy Alliance, and he attempts to identify the Holy Alliance with this league of peace. Why, you might as well attempt to identify the son of one father and mother with the son of another father and mother, forgetting the birth source of each altogether. The Holy Alliance came from autocrats seeking the perpetuation of autocratic power. It failed. Does it follow necessarily, therefore, that an agreement between the peoples of the earth seeking peace in the name and interest of popular power shall fail?

Oh, but the Senator says, "You are talking to us about internationalism, and I want to talk about nationalism." Do you imagine, Mr. President, that I surrender my nationalism whenever I confess myself an inhabitant of the earth, subject to international influence and international ethics and international ideals and international traditions, any more than I surrender my identity as my father's son because I meet your daughter or your son in just intercourse? Where does this narrow chauvinism come from? It comes from original tribal relations, and the world is past that. The Senator can stand there and read, read, reread—not speak—his carefully prepared sentences with the view of controlling politics in America as well as he can, but he can not blot out the fact that while I am a citizen of America I am also a citizen of the world. He can not even blot out the fact that he is an inhabitant of the world, whether he is a willing citizen or not. I imagine he is not a willing citizen, because he never would have consented to be naturalized under the world's terms. He has never consented to record himself as a child of God and an inhabitant of the globe and a citizen of the world or, if so, he failed to let any knowledge of the fact slip his lips this morning.

Are we, individual against individual, to fight our quarrels out? Are we, county against county, to fight our quarrels out? Are we, State against State, to fight our quarrels out? Are we, nation against nation, to fight our quarrels out, when we can of our own free will construct some machinery that will come to a fairer and a more just conclusion of our quarrels? I imagine not; but that is the question presented to the American people to-day. It is not whether you would, if you could, amend article 10, or article 11, or article 22, or article 25 of this treaty; but the question is, "Take it all in all, as a measure for the advancement of civilization and peace and humanity and justice, does it meet with your approval or does it not?" If as a whole it does not, cast it aside; but if as a whole it does, although, in your opinion, some things in it ought to be amended, then you are a narrow-minded, selfish ass if you cast it aside. You are not only a narrow-minded ass, but you are a narrow-minded barbarian, because you throw aside justice and humanity and civilization and peace for a clause, the crossing of a "t" or the dotting of an "i."

I listened very attentively to the Senator from Massachusetts and, as I said a moment ago, I hesitated very much about making an extemporaneous reply to a long-prepared expression made for national, international, and political purposes; but I boldly say that he never touched the question of the peace of the world; never seemed to recognize that as the primary question.

Now, I understand some men in connection with this question. I understand the man that frankly comes forward and says, "I am an American, and I am nothing else, and I do not want to be anything else. I do not acknowledge that I do inhabit the earth. I do not acknowledge that I am a citizen of the world. I do not acknowledge that I have any duty to Frenchmen or British or Italians or Germans or anybody else. I want you to let me alone until I can conquer Mexico, and add its three or four northern Provinces to the United States, and then you can let your league of nations play if you want to." I could understand that, if only I had sufficient interests down in Mexico to make it my business to attend alone to that sort of thing and were selfish enough to consider it primary. I also under-

stand the position of the Senator from Idaho [Mr. BORAH] when he just simply goes back a hundred years and says: "I plant myself on George Washington," notwithstanding steamships and wireless and everything else.

When we had thirteen little, weak Colonies along the Atlantic coast, Washington said: "Let us keep out of a row." Why? Because there was no row that we could enter into that we would not get the worst of. I understand that. But I do not understand, Mr. President, the idea of a man who comes here with a typewritten presentation, carefully prepared for three weeks or more, with the idea of appealing to the galleries—beforehand invited to come—even more than to the Senate, an appeal to the galleries thus invited not in the interest of peace, not in the interest of humanity, not in the interests of the mothers of children, not in the interests of the sweethearts of young men, but in the interest of a narrow Chauvinistic policy, which shall be mainly tortured here at home for the purpose of securing Republican partisan success. I am a partisan Democrat. I would do most anything for the Democratic Party except just about that.

Mr. President, the Senator from Massachusetts inveighs against "interference in the internal affairs of countries," while the treaty says expressly that that shall not be done.

He speaks of our being "controlled by the league," and you will remember that when he first began this discussion his complaint was that Wilson had controlled the league, not that the league had controlled Wilson. The complaint was that Wilson had gone off as a high American "boss" to Europe, had taken everything in his own hands, and "run the whole business." What danger is there of our being controlled by the league, except if we should be wrong—"palpably and plainly and obviously wrong"—and the league should be consequently unanimously against us, and "palpably and plainly and obviously" right?

The Senator from Massachusetts quarrels with the phrase of the covenant of the league which says that "any war or threat of war is a matter of universal concern." The league does not there attempt to make us make war or declare war or even go to economic pressure. It merely says that where a menace to the peace of the world is brought before the league, the league shall take cognizance of it and make investigation and make a recommendation. Even then the council must vote unanimously, and the American delegate must vote for it. If there is no minority report, to use a congressional phrase, then the league can make inquisition and it can make recommendation, and that is all it can do.

But the Senator from Massachusetts says a "recommendation" amounts to an order and a mandate. Who ever in the world, after reading this treaty, has said so except him and except a few men dealing with this question in the same narrow spirit in which he is dealing with it?

If I should be called in to make a recommendation for the settlement of a quarrel between the Senator from Colorado [Mr. THOMAS] and the Senator from North Carolina [Mr. SIMMONS], who is there that says that the recommendation is an order, that it is something that binds either Senator legally and morally to comply with it unless his own sense of ethics makes him comply with it?

My quarrel with this league of nations is that it does not go far enough. Its recommendations ought to be followed by an order, and that ought to be followed up by physical force if necessary. That is my own private opinion. I say that if the Senator from North Carolina and the Senator from Colorado left the settlement of a difficulty to me as an umpire, there ought to be some way to make them comply with the decision.

But that is not the league, that is not the treaty, and the Senator from Massachusetts had no right to torture it into having any such meaning. "Controlled by the league!" We, the United States! "Bound to send American soldiers to Arabia," he said. I defy even the Senator from Idaho [Mr. BORAH], termagant on this question as he is—and I am using the word "termagant" purposely—to find a single sentence, phrase, or word that compels us anywhere at any time to send any soldiers to Arabia; and, of course, he knows that the Senator from Massachusetts knew almost as much about this treaty as he does, and he knew that the Senator from Massachusetts knew that nothing of that sort appeared in it. But it appealed to the galleries. The packed and invited galleries could shout. It "tickled the ears of the groundlings, although it made the judicious to grieve."

Then the Senator from Massachusetts speaks of "the right of all the powers to 'call out' American sailors and soldiers." I want to appeal especially to the Senator from Idaho [Mr. BORAH], because however mistaken he may be, however radical he may be, I pick on him as a man on the other side of the Senate who is honest; at any rate, who has intellectual integrity—and I do not mean by that that there are on his side no others who have, of course. But the Senator from Massachusetts speaks of the right of all the powers to "call out American soldiers and sailors." I wish that the Senator from Idaho would tell me when he gets the floor—or now, if he chooses—where this treaty at any place gives any right to the league to "call out American soldiers or sailors." He can not do it, because it is not in the treaty, and the Senator from Massachusetts knew it was not in it. He knew it as well as I do. Why did he say it? To "tickle the ears of the groundlings," while he "made the judicious to grieve."

There is not a thing in this treaty that is even as strong as the original confederacy between the 13 American colonies, and that confederacy was strong enough, I bid gentlemen to mark, to win American independence and strong enough after that to keep the peace among American States after they had ceased to be colonies until the new Constitution was adopted. But there was never any right in the Continental Congress to summon a single soldier from North Carolina or Virginia or to levy a single dollar of taxes upon a citizen of North Carolina or of Virginia or of Massachusetts. All that the Continental Congress could do was to make recommendations and to remind the people and governments of the Colonies of the fact that they had not filled out their quota of men and money. Some of them never filled it. Some of them have never filled it yet. There are two States in the Union that have never paid what they owe in money for American independence.

But that "league of States"—the Continental Congress—that forerunner of a "league of nations," was strong enough to win American independence, and strong enough to maintain American peace until the adoption of the new Constitution—the present Constitution. There was not a word in the Constitution of the Continental Congress that gave any right to summon a soldier from Virginia or Massachusetts to the colors, or to levy in taxes one dollar upon a citizen of Massachusetts or of Virginia. But they did have the right of the expression of "the decent public opinion" of America. The league expresses the "decent opinion" of the civilized world.

A gentleman every now and then tells me, "Here is this particular clause, and here is this one. I do not find that you have military and naval force behind it in the league of nations. What power, therefore, has this thing in itself? How can it have its decrees executed?"

My answer is, "The same way that the Continental Congress had its decrees executed—approximately, though not perfectly." It was not without reason that, in drawing up the Declaration of Independence, Thomas Jefferson said that we owed an account of our action to the decent opinion of the world. There is nothing stronger in the world than the decent opinion of the world.

If any Senator came to my county to-morrow, and the public opinion of my county demanded that he should do certain things, and he stood out in narrow individualism and said that he would not, how long would he last? He would soon find it necessary to move back to wherever he came from.

Mr. President, the Senator from Massachusetts goes on speaking about international action binding us, and trammeling us, and making slaves of us—slaves to a lot of people of alien birth and alien residence. Where does he find that in the treaty?

Everything of any importance must be done by the council by unanimous vote, and our representative must vote for it. Who is our representative upon the council? Is he an independent delegate? Of course not. He is an ambassador of the United States in an international congress. To whom is he subject for orders? To the Government of the United States. There is not a case that could arise under this treaty where there can be action upon any important matter without our own consent in the council. There are cases where a majority may control questions of procedure, but they are negligible in number and importance.

Then the Senator from Massachusetts says that we will not have any vote in the council or in the league of nations upon certain questions to be decided against us. He knew better than that. What the treaty says is that if the vote shall be unanimous, leaving out of consideration the votes of the litigants, of the contestants, of the parties who quarrel with one another, the council may do what? It may make a recommendation; and if it make a recommendation, what shall follow? That any country which makes war against the country accepting the recommendation shall be subject to expulsion, shall be subject to economic pressure, and shall be subject to

such other penalties as the league of nations may agree to visit upon it by unanimous vote of the council and a majority of the league.

Senators, I ask you this question, in ordinary, plain, Mississippi planter's common sense, leaving out finesse, leaving out "possibilities," and all that, Can you imagine a case with which we could be confronted where the whole world except ourselves would be against us unless we were wrong?

Of course, if anyone wants us left free, for example, to go down and invade and conquer Mexico and annex two or three of her Provinces, I will not argue with him; I will not even talk to him. He is beneath my contempt; he is beneath the contempt of the world. But if your object is justice and right and righteousness, can you imagine a case where Great Britain and the British Empire and France and Italy all should be opposed to us unanimously and we alone stand out? I can imagine but one conceivable case of that sort, and that would arise under the Monroe doctrine—some question affecting the Western Hemisphere. When we come to that question, the treaty itself says that the Monroe doctrine is validated and is excepted from the jurisdiction of the league. Gentlemen say, "But in saying you except the Monroe doctrine you misdescribe it." I do not care whether we do or not; we have named it, and everybody knows what is meant by it.

Then the Senator very carefully, very dexterously, with a velvet glove in an iron hand, referred to the question of immigration. He attempts to frighten us about our rights in prohibiting immigrants from coming into the United States. If there is a question well settled in international law, it is that a nation has the right to say who shall be welcome in its house, just as I have the right to say who shall be a guest in my house. But suppose that were not true; suppose that you can imagine half of the world combining against the United States to make us admit Japanese immigrants. I started to say negro immigrants from the West Indies, but we are already admitting them by our own will and power, and they are infinitely less desirable citizens than the Japanese; but that is because you boys up North do not want to lose any votes when you go before the negroes in your States. But suppose that combination to make us admit Japanese were sought, how many nations could you get to combine against us? Could you get Great Britain? Why, if she undertook to force Japanese immigration upon Canada, or Chinese or Japanese immigration upon Australia, or either one or the other upon South Africa or New Zealand to-morrow, she would break up the British Empire by internal revolt. Do you imagine any of the great wise statesmen of Great Britain, who, whatever else they have been in the past, have never been fools, do not know that?

Will any Senator tell me that Canada is less opposed to Japanese immigration than we are? Will any Senator tell me that Australia is not three times as much opposed to all sorts of oriental immigration as we are? Will any Senator deny the fact that South Africa denied the right even of her "fellow subjects" of British East India to enter into her borders, and that Great Britain from London had to respect her wish?

Then the Senator says in high language that he "will not vote for anything that leaves to foreign nations the question of what men or what goods shall come into the United States." Who wants to do that? Who has proposed to do it? That is another case of "tickling the ears of the groundlings and causing the judicious to grieve." There is not a word in all this treaty that undertakes to decide what men shall enter into the United States or what goods shall enter in. On the contrary, by omission in the first place and by direct expression to the contrary in the second place, all consideration of questions of that sort is excluded from the jurisdiction of the league.

Then the Senator says we are committed, if we adopt the league, to union in a concern out of which we can not get unless all the other powers of the world let us out. The wording of the league is that any nation may withdraw after two years' notice "if it has complied with its international obligations." Unlike some of my Democratic colleagues and some advocates of the league, I take it by that that both the United States and the league must pass upon the question whether we have or have not complied with our obligations. But the league must decide against us unanimously before we can be held, leaving our own vote out of consideration, of course.

Let me make a statement of a case and see how far you are willing to go. Suppose that as the result of this treaty finally, in the treaty with Austria, let us say, we should provide that $300,000,000 should be paid to Serbia as reparation for her devastation in the most unjust manner, and suppose that twenty million of that fell to the United States, and suppose the utterly unsupposable case, that the United States gave notice to get out of the league without paying the $20,000,000, would you think that was honest? Do you not think before anybody retires from any sort of partnership he ought to pay his share of the liabilities of the partnership? Can you say that anything else is even passably honest? Would you, as an honest man, seek to enter a partnership from which you could retire to-morrow without paying your share of the liabilities? If you would seek to do it, you would be inchoately dishonest, and if you did it you would be actually dishonest.

Then the Senator speaks of the marked characteristics of the league as being something to be carried out by war. Is not this the funniest thing you ever heard of? The Senator from Massachusetts, opposing the league in behalf of the peace of the world and advancement of the cause of peace, objects to the very league peace itself on the ground that it has to be carried out by war. Not one-half nor one-third of the cases that can arise under this league would be carried out by war. Of course, there is a menace of war upon the part of the league behind some of the clauses, just as there was a menace of war behind the doctrine of Monroe. Substantially it meant "if the European powers dare to attempt to reconquer the Spanish Provinces here it is such an unfriendly act that the United States will resist it by war." But will anybody say that the Monroe doctrine was a war measure? It was, upon the contrary, a peace measure. Its very object was to give notice to the world that if they did not keep the peace we should make war, and they kept the peace, and they kept it for over 100 years without the loss of a man's life and without the expenditure of a dollar.

There is not a case under this treaty where armed force could be used against any lawless nation except when that nation had shown bad faith, when the lawless nation had, after submission to arbitration, refused to abide by the decision, or where that nation had refused to go into arbitration when the other nation was willing to go; and even there the first punishment is not war, but it is about the third problematical punishment. Why should she not be punished? But you say it might be the United States. I say, No; it might not be the United States. The United States is never going to behave that way. I would be willing to expatriate myself if I thought the United States would ever submit to arbitration and then refuse to abide by it. I would be willing to expatriate myself if I thought the United States would ever agree beforehand in settlement of a dispute to go into arbitration and then not go into it. I deny that it is a possibility, except in the infinite sense in which somebody said that it was "possible for God to tell a lie" provided only that God wanted to, which is irreconcilable with God's nature. That is old scholasticism of the worst type.

Then the Senator speaks of "the misery and suffering" that follow economic pressure upon nations to make them keep the peace. Is not that amusing? The misery and suffering that would follow blockading somebody to make them keep the peace, to keep them, rather, from violating the covenants of peace, because it only applies to those who have taken the covenant upon their souls! How does that compare with the misery and suffering of the boys in the trenches and the mothers at home and the fathers seeking careers for the boys while they were suffering the hardships of the trenches and the horrors of gas attacks and the shattering of limb from limb by shrapnel and shell? Why should the Senator grow so pathetic about the suffering of nations visited with embargoes to make them keep their plighted word—that is all there is to it—and say so little about the horrors of war otherwise inescapable? Mr. President, war is the damned thing; it is the insane thing; it is the stupid and the foolish thing, and men who are not willing to do almost anything in the world except to sacrifice self-respect to get rid of it are unworthy of human notice. The Senator seems to have no indignation in his breast against war. He has never felt it.

Then the Senator scares us to death by telling us that the treaty might be "unconstitutional." Suppose it was; the Supreme Court would declare it to be unconstitutional just like it might declare any other law to be unconstitutional. Of course, it is my duty not to vote for a treaty that I think is unconstitutional; but suppose I thought it was constitutional, and suppose the Supreme Court of the United States thought it was not, the treaty would not be valid.

Then the Senator pays a high tribute to the idea that we "ought to remain disinterested." We remained disinterested in this war over a year longer than we ought to have remained disinterested. From the day that the *Lusitania* went to the bottom with its precious cargo of women and children we ought to have ceased to be disinterested.

The Senator appeals to "Americanism." My Americanism is not merely defensive; it is not merely a question of isolation; it is a question now and then of indignation and offense against the powers of unrighteousness and wrong, and I am willing to

take up the cudgels against them. Then the Senator from Massachusetts finally shows the cloven hoof; he comes to the last political and party appeal and diapason of his magnificent address when he asks us "not to forget the millions of people of foreign birth and derivation in the United States" that perhaps we can not tie to ourselves nor to the American Republic. Oh, what does that mean? That means we must take account of the pro-German German-American vote and of the anti-British Irish vote, and that the politics of this country must be controlled by these hyphenated classes who confess their patriotism to be 50-50; at any rate, not 100 per cent American. I decline to consider any appeal made to me upon that ground. If there be any men in America whom, because of their "foreign derivation," as the Senator from Massachusetts calls it, we have got to nurse and hug and kiss in order to make them say that they are genuine Americans, I decline to hug or nurse or kiss them. So far as I am concerned they can go to the uttermost boundaries of Sheol and Sahara. I am going to favor the Government of this country regardless of men with 50-50 patriotism.

When any man comes to me telling me that he want this, that, or the other done because he is of German derivation and loves Germany I will say to him, "Then go back to Germany." If any man comes to me and says, "I want you to do this, that, or the other thing because I am an Irishman and hate Great Britain and I want to fight her," my answer is, "Go back, then, and fight her; do not call on me to do your fighting." If Great Britain should call on me to do her fighting against you, I would tell her—oh, well, I can not express in parliamentary language what I would tell her.

There is just this difference between these two classes of people. I have some respect—not much—for the German-American who opposes American policies because of "love for the Fatherland," but I have no respect at all for the man who opposes good American policies because of *hatred* of somebody in Europe. He has not even love behind his disloyalty; he has only hatred.

The Senator then said that "we owed no debt to anybody in the world except to France in our Revolution." Oh, I want to tell you about France—dear France; beautiful France. Do you know that the first act of our national existence was to enter into a treaty with France that we would defend her sovereignty and her territorial integrity in the West Indies—the very things you are quarreling about in this treaty—territorial integrity and sovereignty? The Continental Congress made that treaty, and after the new Federal Government was organized under the Constitution it reaffirmed the validity of all treaties which had been made including that; but when the time came around to defend the West India possessions of France, we coolly backed down; and we did it under no less a President than George Washington, and under no less a Secretary of State than Thomas Jefferson. It is a page of shame in American history, and yet it would have been a page of folly in American history if we had attempted to enforce the provision of the treaty, because we knew we could not. We had but a few ships while Great Britain had great fleets. There was no way in which we could practically defend the title and the sovereignty and the territorial integrity of France in the West Indies. But while Senators are talking about this league and talking about its being unconstitutional, let them not forget that a part of the consideration which we paid to France in order to gain our independence was that treaty, doing the very thing that Senators now say that in this treaty we can not constitutionally do.

Mr. BORAH. That we should not do.

Mr. WILLIAMS. Well, no, you say that we can not do it; you say that it would be unconstitutional; you say it would deprive Congress of the right to declare war; you say it would deprive us of our sovereignty; you say it would be taking away from us our independence, if I understood the Senator.

Mr. BORAH. The Senator from Mississippi is in error.

Mr. WILLIAMS. If I am in error, I desire to be corrected.

Mr. BORAH. The Senator from Idaho has never taken that position.

Mr. WILLIAMS. Then some other Senator did.

Mr. BORAH. The Senator from Idaho has never taken the position that by a treaty we can change the Constitution of the United States. I do not believe in any such doctrine.

Mr. WILLIAMS. I do not think anybody not an ass has ever taken that position except for the purposes of debate in the Senate; but that is not the point that I was getting at. Some Senators—and I thought the Senator from Idaho, amongst others—have contended that when we agree that we will protect with arms, if necessary, the territory of a foreign country we are trenching upon the right of Congress to declare war. As to the first treaty we ever made, a part of the consideration of the aid of France in gaining our independence was an engagement of just that sort. Whether we violated it or whether we kept it is a matter that sounds to our own honor or our own shame, but it does not sound to our right to enter into the treaty; and we entered into it, and it stands there not only as a precedent but as a birth principle.

But the Senator from Massachusetts says, "We owe no debt to anybody, except to France, for aid in the Revolution." Oh, Mr. President, I doubt that. We owe more debt than that to France. She saved civilization, or helped to save it, in this war in her fight against autocracy and barbarism and the old spirit—not of the Hun, because they were not descendants of the Hun, but of the Goth and Visigoth and the Vandal. She saved for the tenth time Latin civilization from Teutonic barbarism—once more in the history of the world she saved it. France helped save it; Great Britain helped save it; little Belgium helped save it. God knows we are under obligations to a whole lot of people besides France, and to France for much more and more recent than her services in the American Revolution.

It is true that we went in after a while at the right time, or about in the nick of time, at any rate—not quite the right time—and it is true that our soldiers did their part in magnificent style; but we did not win this war; we did not establish civilization over the inroads of the Vandal, the Goth, and the Visigoth. The whole world put together did it; the British and French and Belgian and Serbian and Italian had been standing there for three years before we got there. We are "under no obligations to anybody except France for helping us win our independence." We are under obligations to every man who served in the war with Germany and came out unscathed; we are under double obligations to every man who went in and came out without an arm or a leg, whether a Belgian, a Frenchman, or a Briton. We are under everlasting obligations to the shades and the ghosts of the dead of all three of those armies. It all marks one thing: We are under obligations to them and they are under obligations to us, and neither of us can do away with the obligations, and none of us can go back to the original isolation.

We can not go back to George Washington and the stagecoach and the horse-riding habit; we can not dispense with the fact that we have just tangled ourselves up in Europe; we can not dispense with the fact that we did not intend to tangle ourselves up in Europe. We just got tangled up because we could not help it. Senators speak of "entangling alliances." I tell you that what we propose are "unentangling" alliances. There can not be a war started in the Balkans to-morrow, there can not be a war started in Thrace to-morrow, there can not be a war started in Livonia to-morrow that will not sooner or later, under the present modern system of commerce and intercourse, bring the United States into it, in spite of the fact that we want to stay out of it. I remember how the Senator from Nebraska [Mr. HITCHCOCK] was almost pathetically affected when he realized we had to go into the European war. It did not affect me in that way, because I had realized it a month or two before, but it did him; it came upon him all of a sudden. We could not keep out of it.

Now, what are you going to do? Are you going to leave our necessary "entanglement" to accident or are you going to direct your part in it? Are you going to drift or are you going to be partially, at any rate, "master of your own soul"? Are you going back to the conditions of 1914 and leave it to accident and incident and murder and mid-sea assassination to bring us in or are you going to say beforehand upon what grounds we are going in and upon what grounds we are going to stay out?

Talk about self-government, and talk about the United States controlling themselves, how are you going to let the United States control themselves by drifting along and leaving it all to accident under the old isolation idea, with an absolutely perfect knowledge that isolation as a fact has ceased to exist, as you must admit that it has? Are you going to guide your own destiny in advance by saying, "This thing and that thing and the other thing are just and right, and we shall abide by them, while this, that, and the other thing are wrong, unrighteous, and diabolical, and we will not tolerate them"? Or are you going to drift until shot at? By which one of these two plans do you make yourself most nearly "the architect of your own fortune"? By which one of them do you make yourself most "the captain of your own soul"—by drifting or by saying beforehand, in concert with civilized mankind, whither you are going?

The Senator from Massachusetts spoke of our being "in leading strings"; and yet he made a speech not long ago upon the floor of the Senate in which he accused the Senate and the Congress and the nations of Europe all of being in leading

strings to Woodrow Wilson while he—Woodrow Wilson—was "obsessed" by the league of nations.

The Senator then referred contemptuously to "internationalism" with a side swipe at the Bolshevfsts, as if the so-called internationalism of Bolshevism had anything in the world to do with the internationalism of a world peace concert. He knows better; he knows that the right sort of internationalism is made up of treaties of peace between nations, each retaining its own sovereignty and surrendering nothing except by its own consent and giving its own consent only to provisions to secure world peace by the solemn assertion of the sovereignty of each nation obligating itself to that holy and sacred and Christlike purpose.

Mr. President, the Senator speaks of the Monroe doctrine. What the British delegate said about the Monroe doctrine was that it was "at first an American doctrine," and "it has become an international understanding." Is that not true in both particulars? In other words, they are now recognizing that which was solely an American doctrine as having grown to be an "international understanding," and they give their reasons for it. The world has obeyed it. Explicitly or implicitly, they have had "understanding" enough to mind it. But the Senator and others say to us: "Who is going to say whether or not the principles of the Monroe doctrine apply to a particular case?" That is the strong point in their argument, in which there is some merit. The answer to that is that, of course, nobody can be the sole judge in his own case; and when the treaty says that questions coming under the Monroe doctrine are excluded from the consideration of the league of peace the question will present itself whether or not a particular question does come under the Monroe doctrine or not; and when that question presents itself, of course, the other disputant has as much right as we have to raise the question and to have the civilized world sit in judgment upon it. But they can not decide against us except by a unanimous vote.

Mr. President, I want to apologize to the Senate for this so-called speech. I think it is a species of almost unutterable egotism for any human being to rise in his place in the Senate and attempt to answer extemporaneously a carefully, long-time prepared—lamplight-prepared—and written speech by the Senator from Massachusetts, in which he has probably weighed every word, weighed every comma and every period, with the view of avoiding criticism as far as could be, and with the view of helping the Republican Party all that he could with a careful, wise, taught, trained intellect, and with a great deal of information. I would not have undertaken to answer him at all to-day but for the fact that I did not want what he said to go into the RECORD, even for to-morrow, without something to show that somebody differed with him about the carefully drawn and midnight-light-finished periods of his speech. Later, on some day, I shall make a considered and careful reply, weighing words and phrases. That I could not do to-day, of course.

Mr. HITCHCOCK. Mr. President, I think the Senator from Mississippi has, perhaps, been a little oversevere in denouncing the Senator from Massachusetts——

Mr. WILLIAMS. I did not denounce him.

Mr. HITCHCOCK. Because the Senator from Massachusetts elected to condemn the idea of a league of nations. Now, it is true that the Senator from Massachusetts did that to-day; but I hold in my hand an extract from a very able address of the Senator from Massachusetts——

Mr. WILLIAMS. Mr. President, I hope the Senator from Nebraska will pardon me for one interruption. I do not want it to appear that I denounced the Senator from Massachusetts. I may have denounced some of his utterances.

Mr. HITCHCOCK. I will accept that correction. I hold in my hand an extract from a most admirable defense of the idea of a league of nations which the Senator from Massachusetts denounced to-day, and I am sure that anyone reading the former address of the Senator from Massachusetts to which I refer and other addresses which he has made in support of the idea of a league of nations will make allowances for his attack upon the league of nations and his glorification of nationalism to-day.

Let me read an extract. It is from the speech made by the Senator from Massachusetts at Union College, I think, in 1915. He says:

> What can we do in the larger sense toward securing and maintaining the peace of the world? This is a much more difficult question; but turn it back and forth as we may there is no escape from the proposition that the peace of the world can only be maintained as the peace and order of a single community are maintained, as the peace of a single nation is maintained, by the force which united nations are willing to put behind the peace and order of the world. Nations must unite as men unite in order to preserve peace and order. The great nations must be so united as to be able to say to any single country, "You must not go to war"; and they can only say that effectively when the country desiring war knows that the force which the united nations place behind peace is irresistible. We have done something in advancing the settlement by arbitration of many minor questions which in former times led to wars and reprisals, although the points of difference were essentially insignificant, but as human nature is at present constituted and the world is at present managed there are certain questions which no nations would submit voluntarily to the arbitration of any tribunal, and the attempt to bring such questions within the jurisdiction of an arbitral tribunal not only fails in its purpose but discredits arbitration and the treaties by which the impossible is attempted. In differences between individuals the decision of the court is final, because in the last resort the entire force of the community is behind the court decision. In differences between nations which go beyond the limited range of arbitrable questions peace can only be maintained by putting behind it the force of united nations determined to uphold it and to prevent war. No one is more conscious than I of the enormous difficulties which beset such a solution or such a scheme, but I am certain that it is in this direction alone that we can find hope for the maintenance of the world's peace and the avoidance of needless wars. Even if we could establish such a union of nations there might be some wars which could not be avoided, but there are certainly many which might be prevented.
>
> It might be easily said that this idea, which is not a new one, is impracticable; but it is better than the idea that war can be stopped by language, by speechmaking, by vain agreements, which no one would carry out when the stress came, by denunciations of war and laudations of peace, in which all men agree, for these methods are not only impracticable but impossible and barren of all hope of real result. It may seem Utopian at this moment to suggest a union of civilized nations in order to put a controlling force behind the maintenance of peace and international order; but it is through the aspiration for perfection, through the search for Utopias, that the real advances have been made. At all events, it is along this path that we must travel if we are to attain in any measure to the end we all desire of peace upon earth. It is at least a great, a humane purpose to which, in these days of death and suffering, of misery, and sorrow among so large a portion of mankind, we might well dedicate ourselves. We must begin the work with the clear understanding that our efforts will fail if they are tainted with the thought of personal or political profit or with any idea of self-interest or self-glorification. We may not now succeed, but I believe that in the slow process of the years others who come after us will reach the goal. The effort and the sacrifice which we make will not be in vain when the end in sight is noble, when we are striving to help mankind and lift the heaviest of burdens from suffering humanity.

So, Mr. President, it appears that the Senator from Massachusetts knows how to advocate a league of nations. It appears that the Senator from Massachusetts believed in a league of nations a few years ago, and it is for the Senator from Massachusetts to explain why he now devotes his speech to denouncing the league of nations and glorifying nationalism. [Applause in the galleries.]

The VICE PRESIDENT. The Chair is inclined to say a word to the occupants of the galleries.

There is a rule of the Senate that there shall be neither approval nor disapproval from the galleries. In recent months you have paid no attention to the rules. You are simply there as the guests of the Senate. To-day we had a shocking spectacle of hissing from the galleries of the United States Senate. This body is supposed to be composed of men who can utter their views fearlessly upon any public question without being awed and intimidated by those who for the moment happen to be guests in the galleries. The Chair thought a reasonable amount of applause was pleasing to a speaker. The Chair has never reached the conclusion that to be hissed is pleasing to any man.

The Chair hopes it will not be necessary to be constantly calling the attention of the occupants of the galleries to the rule of the Senate. I am not responsible for it. I did not make it. So far as I am concerned, you can cheer all you want to and throw all the stale vegetables you want to. It would not hurt me; but it is a rule of the Senate and I am ordered to enforce it.

I hope those who come to the galleries hereafter will be kind enough to obey the proprieties and the rules as laid down.

Mr. BORAH. Mr. President, I remained silent during the discussion by the able Senator from Mississippi [Mr. WILLIAMS], not expecting to take any part in the debate, but in view of some observations that he made with reference to my position, I desire to occupy the time of the Senate a moment. Before I say what I desire to say in reply to the Senator from Mississippi, with regard to his reference to myself, may I say a word with reference to the rereading of the speech of the Senator from Massachusetts [Mr. LODGE], delivered some three or four years ago at some college graduating exercises, I believe?

I am fairly familiar with that speech as I have heard it read several times here in the Senate. I only stop to say that if there be inconsistency between the position of the Senator from Massachusetts at this time and the position which he occupied at that time, great men often change their views. I have in my desk—which I am not going to take the time to read—perhaps the most brilliant defense that has been made in America of late years of the policy of isolation, so called, and of the maintenance of Washington's policy and of the Monroe doctrine, a defense made four years ago by the President of the United States. He stated, with his usual capacity for expression, that our great object was to maintain a situation wherein America

could live her own life. I do not quote his exact language, but he contended with great earnestness that we should keep out of all entangling alliances with European powers. With force and clearness, with fullness and breadth, he covered and defended the nonentangling policy as the only true and safe policy for this Republic.

I get no particular benefit out of the proposition that the President has changed his view. It neither adds to nor takes from my view with reference to this league. But if the debate in this Chamber is to turn upon the question of the consistency of our leaders, and if we are to be required to follow them in their meanderings across the intellectual field, I pass over to the Senator from Nebraska the address of the President of the United States four years ago, and as the President can not address the Senate from the floor I ask the Senator from Nebraska to explain the President's address.

Mr. HITCHCOCK. Mr. President, the Senator from Idaho will appreciate that I was defending the Senator from Massachusetts against the charge brought by the Senator from Mississippi. I was showing that he did hold other views, but he expressed them at a different time.

Mr. BORAH. Mr. President, I am defending the President in the same way. [Laughter in the galleries.]

The VICE PRESIDENT. Is there any possibility of the occupants of the galleries being at least courteous to the presiding officer of this body? Is it to become absolutely necessary to close the doors of the Senate of the United States to keep visitors out? There ought to be at least some gentlemanly conduct on the part of people who occupy the galleries.

Mr. BORAH. Mr. President, I agree entirely with the views of the President of the United States as expressed four years ago. I have never for a moment other than defended those views, not so ably as the President presented them, not so comprehensively and effectively, but in my humble way following undeviatingly the policy announced by the President at that time.

Again, before the President left for Europe the first time he stated that no special alliance could ever have the approval of the United States. He stated that which is true, and which all history supports, that special alliances are the sources of war, that they are the means by which wars are engendered, and that the United States could never be interested in special alliances. Others even more familiar with the President's speeches will have no trouble in recalling his clear and ringing denunciation of these alliances. They were to be forever rejected and once for all condemned.

After the President went to Europe, Mr. Clemenceau made a statement to the effect that France would be satisfied with nothing less than the old balance of power, which was rather a shock to the world at that time, because the world generally agreed with Mr. Wilson's statement that the balance of power was simply a means of engendering and perpetuating this world strife in which Europe had been engaged for 300 years. The President promptly and effectively replied to Mr. Clemenceau the next day, if I remember correctly as to dates, at Manchester, England, saying that if the United States was to be invited into the old system of balance of power, to engage in special alliances, the United States would find no interest in the suggested program.

Nevertheless, Mr. President, the circumstances were such—and I am frank to say that I do not know what all the circumstances were—that special alliances were made, they were negotiated, and they are now here for ratification by the Senate of the United States. The old balance of power comes stalking in upon us again, with only this difference from the balance of power that existed for 300 years, that the American Republic is to become a part of it, a member of it. All this now has the blessing and the support of the President.

So I say, Mr. President, that this question of the consistency or inconsistency of leaders has, to my mind, very little weight in determining whether or not this particular league which is now submitted to us is a wise thing for us to join. It rests upon principles so fundamental and so wide-reaching and extending so far in the future that any one man's opinion is worth very little more than another man's opinion; and a man's opinion to-day may, indeed, by course of events, be changed to-morrow. The most that we can do is to examine the league according to its terms and in conscientious devotion to our own country determine as best we may where duty lies and where obligation calls us to go.

Passing upon this league in that respect, as the Senate well knows, my views were expressed upon it some two years ago. I do not claim that by reason of any ability of mine I was at that time able to outline a course which I have been able to follow since, but I was able, by reason of the information which I gathered from the lives of those who had proven their worth to mankind and their wisdom, to determine upon a course from which I have not deviated, and, God being my help, I am not going to deviate from it for any possible reason that can be suggested in this Senate Chamber or any influence that can be exerted elsewhere. I do not say this because I rely upon my own judgment in the matter, but when I gather together in my mind's vision that body of men, coming down from Washington, and Jefferson, and Madison, and Monroe, and Jackson, and Lincoln, and Grant, and McKinley, and Roosevelt, and Wilson until four years ago, I reach the conclusion that I must remain in that company. Where in all the annals of Government do you find such another group of men—men so distinguished for wisdom, for courage, for patriotism; men whose policies have been so amply and conclusively justified by the severest of all tests, that of experience? Their company is safe enough for me, and it is the only safe company that I know of in this great emergency and in this great crisis in which we find ourselves. I believe, if I might suggest it to my colleagues, it would be found pretty good company in which to keep close association for the future.

We are told, Mr. President, that the policy of Washington was framed under circumstances and conditions wholly different from the present. I challenge the statement upon the facts. Washington's policy was framed under conditions almost exactly the same as conditions which prevailed at the close of this war. War had been raging in Europe for 20 years. Every part and parcel of Europe was torn with turmoil and strife and dissension, with dynastic quarrels and racial antipathies. It had extended over a greater territory even than the present war. Spain, Portugal, Norway, Sweden, and Switzerland—all those countries—had been swept into it. Chaos reigned throughout Christendom. The storm of battle had swept every coast and visited all lands. We ourselves had just emerged from the European system. We had been a part of it as colonies for 200 years, and the thought of the entire world was that the only safe course was for the new United States to ally itself with European powers. It was deemed essential to our safety and security that we join with European powers in establishing a stable civilization, and the appeal which was made to the Father of his Country could be very easily duplicated to-day by taking the language then used and applying it to the arguments which are now made.

He was asked if it was thought that the United States could travel alone in a world of turmoil and strife, in a world of dissension and disorder. He was asked if it was believed that we could establish here a system or a civilization of our own and maintain it against the ever-encroaching powers of European governments. A less steadfast soul would have yielded. But he sat upon his back porch at his home at Mount Vernon and fought it out. He there dictated the first letter upon the subject, even before he was elected President of the United States, and said there was only one way by which to build a nation, to have common ideals, common aspirations, a common purpose, a national mind, and a national purpose, and that was to divorce and separate ourselves from the European system. It was a wise course. It saved and made possible this Republic. And I am one of those who believe that in that hour he was guided by a wisdom higher than all earthly wisdom. So the little American Republic, thirteen colonies, without an army and without a navy, launched out upon an unknown sea, without any other chart or compass than that of the faith of the Father of his Country, and to-day we have here, as a monument to his genius and his statesmanship, the most powerful Nation on the face of God's footstool. Without his foreign policy this effort would have ended in failure. Without its faithful maintenance, it is my belief, this glorious enterprise would be dragged down by Europe to disaster and ruin.

It was my faith in these leaders which led me. The Senator from Mississippi is exactly correct. I go back 100 years and plant my feet upon the principles upon which this Republic was founded. I want no league. You can not have a league without compromising these two great propositions. How can you have a league without surrendering and forfeiting Washington's policy? The very first thing that you do with reference to the league is to form your permanent alliances with European powers, and Washington's policy is gone. Is there any man who believes for a moment that you can maintain the Monroe doctrine when Washington's policy is gone? If we intermeddle in European affairs, Europe will intermeddle in our affairs. You can put it upon paper, you can write it in black and white, but the practical course of events will carry us together. There is one thing, Mr. President, which this league does beyond all

controversy—about that there can be no dispute—it may not mean peace, it may mean war; it may mean this or it may mean that, but there can be no possible question that it sacrifices for all time both these great policies. For that reason, so far as I am concerned, I accept the position which the Senator from Mississippi assigns to me, and I go back 100 years and plant myself upon those principles.

Mr. President, there are some things about which there can be no compromise and concerning which there can be no respectable halfway ground. One of those things is the integrity of your country's independence. Who would debate the question of personal honor? Who would formulate reservations concerning the sacred unity of the family? And who will urge that our country shall be satisfied with anything less than untrammeled and absolute independence? Who will contend that any part, however small, of the power of the people of this country to choose our policy and shape our course shall be shared with foreigners?

There are spheres of action in which compromise may be a wise rule. In the ordinary concerns of life in our national domestic affairs concessions and expediency may have their proper place, but in the great and sacred things of individual and national life those things which stand for conscience, for personal honor, for family, for national independence, for the freedom of a people, compromise is degradation and concession is ruin.

We are told that God made of one blood all nations of men to dwell upon all the face of the earth. Recognizing that fact, we are in duty bound as a Christian Nation to be sympathetic and helpful, to be fair and honest and just, toward all peoples and nations.

Mr. THOMAS. My recollection of that scriptural quotation is that the Senator stated only a part of it.

Mr. BORAH. I am going to state the rest. But we are also advised, as the Senator from Colorado was about to suggest, I presume, that while He made of one blood all nations of men to dwell upon the face of the earth, He marked the bounds of their habitations. He divided them into peoples and nations, confounding their tongues, and distinguishing their colors and customs. Recognizing that fact also, shall we not nourish and cherish our national spirit, augment and strengthen our national ideals, and if we wish to preserve our individual civilization, shall we not guard with relentless vigilance our national independence untrammeled and disenthralled?

Great and noble institutions have been given into our keeping for a brief season, policies which have given us prestige and power and honor are now intrusted through the accidents of time and politics to our honor and to our courage—and as for me, I shall vote to pass them on as they came into our possession—the richest heritage ever left to the care of any generation of men. If they are to be compromised, if they are to be surrendered in whole or in part, if they are to be any less effective, less potent for the happiness and tranquillity, the honor, and the glory of America in the future than they have been in the past, it will be by other votes than mine.

Mr. JOHNSON of California. Mr. President, I will not attempt to add to what has just been said by the Senator from Idaho [Mr. BORAH], nor to suggest to the Senator from Massachusetts [Mr. LODGE] anything that might be an addition to what has been so eloquently said by him to-day; but as a contribution historically to the discussion I want to read a portion of a letter of Secretary of State Adams to the American ambassador on the occasion when the United States of America was invited to become a part of the Holy Alliance. The language then used is apt to-day. The result of the Holy Alliance has been portrayed in a fashion which I could not equal and which I would not attempt to emulate; but the fact is that the Senator from Massachusetts is everlastingly right when he asserts that, under article 10 of the covenant which is sought to be foisted upon this Nation, not alone will external aggression be under the jurisdiction of this league but every internal disturbance which might threaten external aggression will alike be under the jurisdiction of the league and will alike be dealt with by the league.

I read the letter of Secretary Adams because of its singular aptness in this particular juncture and because I think that heretofore it has not been made a part of the record. I read only a part of it. The whole may be found in Moore's International Law, if any colleague desires there to investigate:

> The political system of the United States is also essentially extra-European. To stand in firm and cautious independence of all entanglement in the European system has been a cardinal point of their policy under every administration of their Government, from the peace of 1783 to this day. If at the original adoption of their system there could have been any doubt of its justice or its wisdom, there can be none at this time. Every year's experience rivets it more deeply in the principles and opinions of the Nation. Yet, in proportion as the importance of the United States as one of the members of the general society of civilized nations increases in the eyes of the others, the difficulties of maintaining this system and the temptations to depart from it increase and multiply with it. The Russian Government has not only manifested an inclination that the United States should concur in the general principles of the European league, but a direct though unofficial application has been made by the present Russian minister here that the United States should become formal parties to the Holy Alliance. It has been suggested, as inducement to obtain their compliance, that this compact bound the parties to no specific engagement of anything.

How like that is to some of the arguments which are advanced by our league of nation's men to-day!

> That it was a pledge of mere principles—that its real as well as its professed purpose was merely the general preservation of peace—and it was intimated that if any question should arise between the United States and other Governments of Europe, the Emperor Alexander, desirous of using his influence in their favor, would have a substantial motive and justification for interposing if he could regard them as his allies, which, as parties to the Holy Alliance, he would.
>
> It is possible that overtures of a similar character may be made to you; but whether they should be or not it is proper to apprise you of the light in which they have been viewed by the President. No direct refusal has been signified to Mr. Poletica. It is presumed that none will be necessary. His instructions are not to make the proposal in form unless with a prospect that it will be successful. It might, perhaps, be sufficient to answer that the organization of our Government is such as not to admit of our acceding formally to that compact. But it may be added that the President, approving its general principles and thoroughly convinced of the benevolent and virtuous motives which led to the conception and presided at the formation of this system by the Emperor Alexander, believes that the United States will more effectually contribute to the great and sublime objects for which it was concluded by abstaining from a formal participation in it than they could as stipulated members of it. As a general declaration of principles, disclaiming the impulses of vulgar ambition and unprincipled aggrandizement and openly proclaiming the peculiarly Christian maxims of mutual benevolence and brotherly love to be binding upon the intercourse between nations no less than upon that of individuals, the United States not only give their hearty assent to the articles of the Holy Alliance but will be among the most earnest and conscientious in observing them. But independent of the prejudices which have been excited against this instrument in the public opinion, which time and an experience of its good effects will gradually wear away, it may be observed that for the repose of Europe as well as of America, the European and American political system should be kept as separate and distinct from each other as possible. If the United States as members of the Holy Alliance could acquire a right to ask the influence of its most powerful member in their controversies with other States, the other members must be entitled in return to ask the influence of the United States for themselves or against their opponents; in the deliberations of the league they would be entitled to a voice, and in exercising their right must occasionally appeal to principles which might not harmonize with those of any European member of the bond. This consideration alone would be decisive for declining a participation in that league, which is the President's absolute and irrevocable determination, although he trusts that no occasion will present itself rendering it necessary to make that determination known by an explicit refusal.

This was a letter of Mr. Adams, Secretary of State, to Mr. Middleton, minister to Russia, July 5, 1820, and what he said there is true to-day. What was stated there as to the ability of the United States better to aid the benevolent purposes of the Holy Alliance is true to-day, and the greatest asset the peace of the world has, the United States, will be sacrificed by the United States joining any league wherein its action will be curtailed or wherein it will be subject to any foreign nation.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. 150) to suspend the requirements of annual assessment work on certain mining claims during the year 1919, and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

Mr. MOSES presented petitions of the congregation of the Methodist Episcopal Church of Chesterfield and of sundry citizens of Raymond, Mason, Hopkinton, and Albany, all in the State of New Hampshire, praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. PAGE presented a memorial of Mansfield Grange, No. 441, Patrons of Husbandry, of Jericho, Vt., remonstrating against the adoption of the proposed plan of the Secretary of the Interior to reclaim desert and swamp lands, etc., which was referred to the Committee on Public Lands.

Mr. PHELAN presented a petition of Local Union No. 338, Amalgamated Sheet Metal Workers' International Alliances, of Hanford, Calif., praying for the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

He also presented a petition of Orange Grove Lodge, No. 97, Brotherhood of Locomotive Firemen and Enginemen, of Los Angeles, Calif., praying for Government ownership and control of railroads for a period of five years, which was referred to the Committee on Interstate Commerce.

BILL AND JOINT RESOLUTIONS INTRODUCED.

A bill and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. OWEN:

A bill (S. 2767) to amend the act approved December 23, 1913, known as the Federal reserve act, as amended by the acts of August 4, 1914, August 15, 1914, March 3, 1915, September 7, 1916, and June 21, 1917; to the Committee on Banking and Currency.

By Mr. POMERENE:

A joint resolution (S. J. Res. 86) authorizing the Secretary of War to loan necessary cots, blankets, and equipment for use at the encampment of the Grand Army of the Republic, to be held in Columbus, Ohio, during September, 1919; to the Committee on Military Affairs.

By Mr. WALSH of Montana:

A joint resolution (S. J. Res. 87) authorizing the President to distribute food supplies to drought-stricken territory; to the Committee on Military Affairs.

By Mr. OWEN:

A joint resolution (S. J. Res. 88) to amend an act entitled "An act to provide further for the national security and defense, and, for the purpose of assisting in the prosecution of the war, to supervise the issuance of securities, and for other purposes"; to the Committee on Banking and Currency.

OIL AND GAS LANDS.

Mr. MYERS submitted two amendments intended to be proposed by him to the bill (S. 1269) to promote the mining of coal, phosphate, oil, gas, and sodium on the public domain, which were referred to the Committee on Public Lands and ordered to be printed.

HIGH COST OF LIVING.

Mr. THOMAS. Mr. President, a day or two ago I received from a correspondent a letter calling my attention to what he claimed to be the effect of the existing revenue law upon the high cost of living. The argument which he presents, while not entirely convincing, is very important, and I am sure will be an interesting one to the Senate. I ask leave therefore to have the letter inserted in the RECORD without reading.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

"NEW YORK, *August 5, 1919.*

"Hon. C. S. THOMAS,
"*249 Senate Office Building,*
"*Washington, D. C.*

"MY DEAR SIR: I have been reading the newspapers with much interest on the subject of the high cost of living. Every one so far has missed what to me is one of the most potent influences in that direction if not the most potent of all. That is the system of taxation. I am convinced that courageous tax revision in the right direction will do more good than any one thing and of itself would yank present costs of necessities down by 20 to 30 per cent. I refer to direct consumption taxes instead of excess-profits taxes. The individual income tax I don't think has much effect.

"The excess and war profits tax is on the wrong end—the producing instead of the consuming end. The manufacturer figures—and not unjustly—that he should have the same net profit after taxes now as he had five years ago, so he adds to his selling price sufficient to pay his excess-profits tax to get this result, and in most cases adds a bit for good luck. The jobber he sells to probably is incorporated and has to pay an excess-profits tax, so he adds in the same way. He may sell to a smaller distributer who does likewise; then along comes the retailer, and he does it too—to pay his excess-profits tax, if incorporated, and his income tax if not. So the consumer really pays a tax on a tax on a tax on a tax, and a profit on each tax. If the tax was assessed against the sale to the consumer or against the sales of the retailer, the same sum in revenue from taxes could be raised and still deliver the article to the consumer for much less than now. It is easy to multiply cases proving this. I would retain the excess-profits tax only as a tax on earnings in excess of prewar earnings, taxing such excess earnings 100 per cent, if possible, allowing, however, tax-free earnings on additional capital in the same proportion as on prewar capital.

"New enterprises could be taxed on excess earnings by allowing them the same tax-free earnings as business in similar lines. You might add an administrative provision that for purposes of figuring earnings for taxation that salaries of officers could be no greater than for the prewar period, plus a proportion equal to the ratio of the index figure for basic commodity prices of necessities for the particular year to the same index for the prewar period. A few such provisions would avoid salary padding, etc., to figure down earnings.

"I don't think it would be difficult to convince the wage earner that capital would not benefit financially from this, but that he would, as he pays the tax anyway. I think such a plan would reduce costs materially. Limitation of hoarding, etc., will help, but taxation will strike right at the root of it."

SPECIAL COMMITTEE ON BUDGET SYSTEM.

On motion of Mr. LODGE, it was—

Ordered, That in compliance with the Senate resolution of the 14th instant, Mr. MCCORMICK, Mr. SMOOT, Mr. POINDEXTER, Mr. LENROOT, Mr. EDGE, Mr. KEYES, Mr. SIMMONS, Mr. JONES of New Mexico, Mr. WOLCOTT, and Mr. KING be constituted the special committee to consider plans for a budget system.

EXECUTIVE SESSION.

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, August 13, 1919, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate August 12, 1919.

UNITED STATES DISTRICT ATTORNEY.

Edwin Lowry Humes, of Pittsburgh, Pa., to be United States attorney for the western district of Pennsylvania, vice R. L. Crawford, appointed by court.

COLLECTOR OF INTERNAL REVENUE.

Leon O. Tebbetts, of Waterville, Me., to be collector of internal revenue for the district of Maine. New office.

CONFIRMATIONS.

Executive nominations confirmed by the Senate August 12, 1919.

POSTMASTERS.

MISSOURI.

Thomas H. E. Mathis, Ava.
George H. King, Birch Tree.
Frances J. Smith, Blue Springs.
Roy E. Wilson, Bolchow.
Leonidas W. Mitchell, Bevier.
Robert W. Corum, Boonville.
Samuel T. Breckenridge, Bosworth.
Ed L. Reed, Breckenridge.
Cleo J. Burch, Brookfield.
Jefferson B. Robertson, Brunswick.
Mary L. Shackleford, Bunceton.
George P. Hicks, Callao.
Edward F. Layne, Center.
Francis M. Traughber, Centralia.
John H. Taylor, Chillicothe.
Viola J. Moore, Corder.
Dow S. Pollard, Cowgill.
Benjamin F. Carney, Crane.
David F. Willm, Crystal City.
Ibe C. Walker, Cuba.
Delmer Pool, East Prairie.
Grover C. Meineke, Essex.
George T. Barker, Everton.
Joseph B. Smith, Farmington.
Leonard P. Albers, Florissant.
James E. Kinkead, Fornfelt.
Albert G. Whited, Goodman.
Floyd E. Watson, Green City.
Frank P. Engleman, Greenfield.
Tinsley Brown, Hamilton.
John R. Blackwood, Hannibal.
James H. Campbell, Higginsville.
Frank D. Ball, Holden.
William H. Farris, Houston.
William A. Crow, Humansville.
William T. Dameron, Huntsville.
George C. Bean, Illmo.
Robert K. Wilson, Jackson.
J. Thomas Fisher, Jefferson City.
Anna L. Davis, Kearney.
Allen D. Osenbaugh, Kirksville.
Antoinette Sullivan, Lamonte.
Bennett Wardlow, Lancaster.
Ernest A. Wilson, Liberal.
Thomas L. Winston, Lilbourn.

Hickman J. Wigginton, Linneus.
John V. Bumbarger, Memphis.
James R. Lowell, Moberly.
William J. Rouse, Monroe City.
Orville M. Headlee, Morehouse.
James T. Dearmont, Mound City.
John E. Cherry, Mount Vernon.
Joel J. Thom, Neosho.
Edward Smyth, New Hampton.
Harrel Johnson, New Madrid.
Nesbert W. Lemasters, Oak Grove.
Joseph Kuehls, Odessa.
Don B. Martin, Oregon.
John Tappmeyer, Owensville.
DeWitt C. Leonard, Ozark.
Grover C. Gresham, Parkville.
William H. Alexander, Paris.
Martin B. Yater, Pattonsburg.
John W. Davis, Platte City.
Albert R. Alexander, Plattsburg.
Edgar R. Idol, Pleasant Hill.
Samuel J. Jamison, Rich Hill.
Charles A. Stoner, Ridgeway.
Thomas C. Bassore, Rogersville.
Louis P. Kern, Ste. Genevieve.
Tobie J. Thomure, St. Marys.
Robert L. Hamilton, Salisbury.
William S. Dray, Savannah.
Andrew L. Davidson, Senath.
Francis A. Howard, Slater.
Edwin Reavis, Sweet Springs.
Thomas J. Davis, Tarkio.
Peter J. Weber, Tipton.
John A. Cooper, Trenton.
Lulu R. Conway, Union.
Curry B. Ellis, Vandalia.
Patrick H. Kidwell, Versailles.
Gedney D. Hart, Warsaw.
Albert E. Michie, Webb City.
Richard A. Strickler, Wellington.
Frederick Blattner, Wellsville.
Will H. Zorn, Westplains.
Edson C. Utter, Westboro.
Rolla N. Owsley, Windsor.
Julius H. Stegen, Wright City.
Alva S. Wells, Wyaconda.

HOUSE OF REPRESENTATIVES.

TUESDAY, *August 12, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, lead us by Thy wisdom out of the labyrinth of confused thought and purpose in which we find ourselves as a people into the pure light of heaven, that we may see our way clearly, walk humbly before Thee fulfilling the genius of our Republic, making life worth living—class conditions and circumstances, birth and inherited wealth, to the contrary notwithstanding.

We thank Thee that this Capital City will give a royal welcome to the marines who proved themselves Americans by their valor, bravery, and endurance in the greatest battle of the late war, that we may show our appreciation, love for our country, in this day of glory; and Thine be the praise, through Him who taught us the way, and the truth, and the life. Amen.

The Journal of the proceedings of Saturday, August 9, 1919, was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. IGOE, for one week, on account of death in family.

To Mr. STEDMAN, indefinitely, on account of important business.

RECESS.

Mr. MONDELL. Mr. Speaker, the Capital City is to-day doing honor to the men who turned the tide of war at Chateau-Thierry and Belleau Woods. [Applause.] I ask unanimous consent that the House stand in recess for one hour——

SEVERAL MEMBERS. Why not adjourn?

Mr. KITCHIN. Mr. Speaker, if we want to see the parade, we can not do it in one hour. It will be two hours before that is over. I think we can easily adjourn.

Mr. MONDELL. In view of the evident opinion that we should stand in recess more than one hour, I ask unanimous consent that the House stand in recess until 2 o'clock in honor of the heroic members of the Fourth Brigade of Marines and their gallant commander, Col. Neville.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming that the House stand in recess until 2 o'clock p. m.? [After a pause.] The Chair hears none, and it is so ordered.

Accordingly (at 12 o'clock and 5 minutes p. m.) the House stood in recess until 2 o'clock p. m.

AFTER THE RECESS.

The recess having expired, at 2 o'clock p. m. the House was called to order by the Speaker.

The SPEAKER. Under the previous order of the House, the gentleman from Ohio [Mr. FESS] is recognized for 20 minutes.

Mr. FESS. Mr. Speaker, I asked for time to discuss the high cost of living largely because our mails are filled with inquiries upon this subject and many various suggestions are given as a remedy. I hold here a list of the letters coming from men of distinction, some of them governors of States, others business men, all of them recognizing a condition that is very abnormal, and many of them making specific suggestions or offering remedies that ought to be applied.

I asked especially for time to discuss one phase of the high cost of living that has not been fully discussed in this House; at least I have not noticed very elaborate discussion of it anywhere. I refer to the inflation of the currency and the inflation of our credits. That was what I had in mind when I asked for time, but when I entered upon the subject I found so many phases of it that I shall not be able to get through in 20 minutes, and I now ask that I be not interrupted, at least until the 20 minutes are exhausted.

Mr. Speaker, the Government must take action on the following items:

1. Take immediate steps to increase the purchasing power of the dollar.
2. Control the export of foodstuffs, even to the point of an embargo if necessary.
3. Get out of Europe bag and baggage as soon as possible.
4. Dismantle immediately the war machine and repeal the war-emergency legislation, so as to get back to a peace basis.
5. Eliminate every item of needless waste, cut off every unnecessary agency induced by war, and reduce the national pay roll to prewar times as soon as possible.
6. Dispose of the vast stores of war materials both in Europe and in this country on the best salvage basis and to the best advantage of the public at large by opening sales direct with the public.
7. Inaugurate a campaign of "work and saving" against the baneful extravagance so widely prevalent.
8. The Government must get out of business at the earliest possible day, but, if necessary, exercise a regulatory control of transportation under private enterprise, that economy and efficiency may be assured without the danger of advantage being taken of the public.
9. All profiteering must be punished to the limit.

The Government must employ its abundant authorities to do this, and wherever it appears more authority should be granted it will be granted immediately.

The activities of the Department of Justice indicate abundant authority to prosecute profiteers.

The Hutchinson bill, introduced several days before the President's appearance and following a general demand from the House that greater control of cold storage be exercised, is now before the Committee on Agriculture.

A famous Englishman a few days ago, commenting upon the high cost of living, remarked: "President Wilson has not yet written a note about it. But American labor has asked him whether the rise in prices is due to profiteering or exportation. When he does write a note he will likely say that it is due most largely to an over-plus of circulation."

When the President addressed us he took the popular view and laid the cause to profiteering, and asked for more law to prevent it. If the price is being controlled by wanton destruction, through neglect or otherwise, section 8 of the food-control act, August 10, 1917, will prevent it if enforced:

Any person who willfully destroys any necessaries for the purpose of enhancing the price or restricting the supply thereof shall upon conviction thereof be fined not exceeding $5,000 or imprisoned for not more than two years, or both.

If the price is controlled by any combination to restrict either supply or distribution, section 9, of same law, on a penalty of $10,000 or imprisonment for two years, or both, will prevent it if enforced:

SEC. 9. That any person who conspires, combines, agrees, or arranges with any other person (a) to limit the facilities for transporting, producing, manufacturing, supplying, storing, or dealing in any necessaries; (b) to restrict the supply of any necessaries; (c) to restrict the distribution of any necessaries; (d) to prevent, limit, or lessen the manufacture or production of any necessaries in order to enhance the price thereof shall, upon conviction thereof, be fined not exceeding $10,000 or be imprisoned for not more than two years, or both.

If the price is the result of storing or holding for the purpose of limiting the supply to the public or affecting the price, it can be punished with a penalty of $5,000 or imprisonment of two years, or both, under section 26 of the same law.

If the high cost of foods, feeds, fuel, or any necessaries of life is due to a cornering process by the profiteer it can be punished under the Sherman antitrust law, which seems to have become lifeless in recent years, but is still the law.

The law permits the President to purchase, store, hold, and sell foods as a measure to control the production, distribution, and price to the consumer. In the exercise of such power the War Department held vast stores of foods after the armistice, primarily to keep up the price, until ordered by a vote of this House to dispose of it directly to the public, but not until after great loss, the amount of which no one will likely ever know—loss by sheer negligence to dispose of it.

In 1913 President Wilson commented upon the high cost of living as follows:

One of the most significant signs of the new social era is the degree to which government has become associated with business. I speak for the moment of the control over the Government exercised by big business. * * * Our Government has been for the past few years under the control of heads of great allied corporations with special interests. It has not controlled these special interests and assigned them a proper place in the whole system of business; it has submitted itself to their control.

Whatever be the basis of this statement in 1913 he has been our President ever since with all the law in his hands and has been given absolute and war power to control, and yet no period in our history shows such a range of cost as to-day.

The President's suggestion of more law is not tenable until he enforces the law now on the books. He has all the law necessary to prosecute the profiteer. The appropriations of the past years were available, and those for the next fiscal year were made less than a month ago, and that money is now available. The only thing necessary is to use the authority he now has to enforce the law. The activities now observed of the various departments, including the Department of Justice, clearly show that the failure is not want of law but lack of enforcement incident to an itinerary government, too much engaged in European duties to look after American affairs.

Mr. Speaker, while the high cost of living is due to the wasteful methods of war and which can only be relieved by a discontinuance of these governmental methods, there are at least two fundamental items which must not be overlooked in an examination of the high level of cost of production, first, the governmental increase in wages, the chief item of cost in production, and, second, the cheapening of the purchasing power of our money through a vast inflation of both credit and currency.

The wages paid in any industry is determined by what the market will stand. If the price is more than the market will support, wages must come down or the business must stop, in which case there is neither work nor wages. But in the case of war activities, the Government becomes the employer of labor and the market does not determine the scale, since the product is not sold but used by the Government; hence cost counts but little since the Government Treasury supplies the payment.

The country suddenly went to a war basis. It called labor in great masses at unheard-of wages into building cantonments, aviation fields, munition plants, shipyards, and numerous other activities sufficient to fix the scale for all the country, both war and peace industries.

It drained all the country of its labor. The peace industries which were not closed were compelled to meet the Government in its competition for labor or close down altogether. This was done, and the Government's scale of wages became the general scale for all industries not closed, and the additional cost was passed on to the public.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. FESS. I yield.

Mr. BLANTON. Is the gentleman willing to pay the ordinary laborers of this country the same salaries that our Supreme Court judges get, the same salaries that a United States Senator and a Representative get, the same income that an expert physician receives for his services? That is the contention they are making upon the Congressmen of the country in many of the letters that I am receiving—that, ipso facto, because a Congressman gets $7,500 a year, the ordinary laborer should receive that much.

Mr. FESS. Mr. Speaker, the gentleman's question carries with it its own answer. The gentleman knows that I do not believe in that sort of an idea.

Mr. BLANTON. That is the sort of question which you will be called upon to decide.

Mr. FESS. I believe that the laborer should be paid in accordance with the efficiency of the service rendered, and I see clearly that in this abnormal level of prices wages can not come down until the cost of living comes down. However, I want to go into that a little further on and a little more fully. I am now speaking of the Government's part in increasing the cost of living by offering unheard of wages for all sorts of labor on contracts on "cost plus" basis, which was the most persuasive reason for increasing cost instead of decreasing it. There is no other conceivable way to insure greater waste of Government funds than the methods employed deliberately by this administration.

It is well known that the Government doubled and trebled in places wages, greatly increased the number of laborers in a given work, fixed eight hours for a day with time and a half for overtime, paid transportation for its labor, including time en route, and in many cases built houses for its labor.

What was done in war activities in a lesser degree was done in the transportation business. The first step after the Government took over the roads was to increase wages to a point where the second greatest business of the world—up to that time a prosperous enterprise giving the best service and at the least burden upon the public known to the world—at once faced bankruptcy, which was obviated only because of the Federal Treasury, and yet costing the public for transportation service—the most unsatisfactory known to the country—the highest rates in railway history.

This is but one object lesson of the business capacity of the Government and its part in the increased cost of living. It can be repeated wherever the Government has entered the business realm. Politics can not take the place of efficiency.

Take the telephone business. I installed a telephone in my house since the Government took over the telephones, and before we returned them I was required to pay $5 for the installation, a thing I never was called upon to do before the Government mixed up the telephone business. I had occasion to move the phone from one side of the room to the other because I found it was wrongly placed. I asked that it be done; it was done and I was again presented with an additional bill of $3.50 for transferring the telephone. Now, that useless governmental wicked waste displayed in all the Government operations is passed on to the public, and it is that feature which the Government does in everything it touches that accounts largely for the high level of cost as expressed in the cost of living.

A further sidelight upon transportation facilities is the bankruptcy of trolley lines, the interruption of transporting articles of commerce to the centers, and the consequent suffering in the midst of plenty, by prohibitive prices, through the inability to make connection between producer and consumer. Less governmental interference with rates and greater latitude for enterprise are demanded.

Perhaps the most glaring example of labor profiteering is in the case of Hog Island, too well known to need comment. This was not only allowed but invited by the Government.

We can not reduce the cost of labor, and should not, so long as the price of living remains where it is. While it is the chief item of cost, it never increases as rapidly as the cost of living, as demonstrated by the figures compiled by the Labor Department.

INFLATION OF CURRENCY AND CREDIT.

A second chief item in the high cost level is the inflation of our currency, and especially our credits, which has cheapened the purchasing power of the dollar, which will not to-day purchase half what it commanded prior to the war.

The estimate is that wages increased about 42 per cent on the average, but the cost of living has gone in certain agricultural products from 88 per cent to 103 per cent. The cost of living can not be so easily controlled as the wages of the great masses of laboring men, and, consequently, if there is an increased level of prices very largely initiated by governmental stimulation on the side of increase of labor, other things take advantage of it and go way beyond, and labor is the sufferer after all.

The SPEAKER. The time of the gentleman has expired.

Mr. FESS. Mr. Speaker, I ask unanimous consent that I may have 10 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? [After a pause.] The Chair hears none.

Mr. BLANTON. Will the gentleman permit one other question?

Mr. FESS. I yield to the gentleman.

Mr. BLANTON. The gentleman spoke of extravagance, and that there must be a change, and I heartily agree with him. Does the gentleman think that the ladies, in August, should quit wearing—especially poor shop girls—$100 furs; and I would like to ask the gentleman whether he is in favor of their wearing furs on bathing garters and things of that kind?

Mr. FESS. I will say to my friend he is getting into a realm I fear law will not help. [Applause.]

A committee of 12 on war finance, appointed by the American Economic Association, representing the best thought in America, reported this year its findings, including the item of inflation. Inflation is a redundancy of currency beyond trade needs. It occurs when, at a given price level, the circulating medium increases beyond the needs of trade. War inevitably produces inflation, as it invariably stimulates trade by entering upon borrowing as a basis of transaction. The present war stimulated American enterprise before we entered the war.

This committee took 12 items of trade: Pig iron, anthracite coal, bituminous coal, petroleum, copper, silver, rail transportation, water transportation of freight, wheat, corn, and cotton, and building permits in given cities. These 12 activities include the stable occupations and represent fairly the business of the country.

Beginning with 1913 as the basis, at 100 per cent, the physical volume of business up to the armistice was as follows: Nineteen hundred and thirteen, 100 per cent; 1914, 99 per cent; 1915, 103 per cent; 1916, 107 per cent; 1917, 112 per cent. Nineteen hundred and eighteen was not given, but it is safe to say it was at least 115 per cent. This shows that the increase of volume of business was at least 15 per cent.

The money in circulation for our purpose will only include what is in actual circulation, and will not, therefore, include what is held in the Federal Treasury, nor that held by the reserve banks and agents as reserve against outstanding reserve notes. Taking the same years, we have:

Years.	Amount.	Per cent.
1913	$3,390,000,000	100
1914	3,505,000,000	103
1915	3,682,000,000	109
1916	4,159,000,000	123
1917	4,914,000,000	145
1918	5,428,000,000	160

While the volume of business calling for money use increased but 15 per cent in 1918 over 1913, the circulation increased 60 per cent. This alone will indicate the effect upon price.

Then, in addition, the stock of gold in the country, which in 1913 was but $1,885,000,000, rose in 1918 to $3,066,000,000, or nearly 80 per cent increase. Here the basic money must respond to the law of supply and demand.

The total stock of money in the country in 1913 was $3,732,000,000; in 1917, $5,661,000,000; and in 1918, $6,848,000,000. If we take the day's report from the Treasury, we will note that the present stock of money will reach close to $7,000,000,000.

The measure of inflation is not the 60 per cent of increase of money in circulation, nor the 83 per cent of money stock in the country. It is found, in addition to these items, in the deposit currency which under the present Treasury financing by short-term certificates which had reached since we entered the war considerably over $20,000,000,000 in addition to the vast bank deposits against which checks could be drawn. This, taken in connection with the deposit currency upon which checks were issued, which ranges from 75 to 90 per cent of business, reaches into yet higher figures. While the per capita stock of money reaches nearly $70, that does not represent the inflation now experienced.

The bank clearings outside of the reserve banks reach over $300,000,000,000 in a year. The Federal Reserve System also permits the reserve money greater use, so that to-day 10.6 cents (106 mills) in bank does a dollar's worth of work if measured by actual checking. This is an increase over 1913 of 9.4 per cent.

This vast inflation, first in our currency, which is easily 60 per cent, and secondly in our money stock, which reaches over 80 per cent, and lastly in the deposit currency, which no one can tell accurately, goes far to explain the abnormal prices for everything purchased and measured in this inflated period. At the close of the Civil War our per capita circulation was $16.50. In the famous silver campaign of 1896 it was about $30. While nominally, according to Gov. Harding's figures, it is to-day less than $50, it really reaches nearer $70 in money, to say nothing of deposit currency.

It is as bad as it was in the greenback period following the Civil War. The years immediately following the close of the Civil War supply a period in our history which all should reread. The remedy came, after bitter debate and business disaster, in the resumption of specie payment.

The SPEAKER. The time of the gentleman has again expired.

Mr. GARNER. Mr. Speaker, I ask that the gentleman's time may be extended two minutes. I desire to ask him some questions.

Mr. FESS. Mr. Speaker, I would like to have 10 minutes more. I find I will not be able to get through.

Mr. GARNER. I understood the gentleman did not want to be interrupted until he concluded his remarks, and that is the reason I did not interrupt him.

Mr. FESS. I will finish with this branch of the subject in a few minutes and then yield to the gentleman.

The SPEAKER. The gentleman from Ohio asks unanimous consent to speak for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FESS. I will yield to my friend from Texas in just a moment.

The remedy now is not that, since specie itself has become a drug on the market. It must be by a wise policy of gradual retirement of a redundant currency, which is the inevitable effect of the ease with which the Treasury attempts to convert fictitious values into liquid assets. The boast of the reserve system is rapidly becoming the undoing of our entire industrial fabric, in which a remedy is becoming a disease. The country must find a way to reach normal by gradual process, or it will be reached after a crash not unlike that of 1873, which is an assured result of an era of wild speculation. No legislation is necessary to apply the remedy unless authority refuses to do it, when legislative direction may be necessary.

Now, I will yield to the gentleman from Texas.

Mr. GARNER. Mr. Speaker, I gathered from the early remarks of the gentleman from Ohio that his position, and I take it the position on that side of the House, will be that there are no laws necessary in response to the President's message in order to reduce the cost of living, because, if I understood the gentleman, he contends that the laws on the statute books now are sufficient to meet all emergency in case the Executive desires to enforce them. Is that the position of that side of the House?

Mr. FESS. That is the position I take. I do not speak for this side of the House. However, I will say to my friend, that I know that this side of the House will join that side of the House in passing any legislation the moment that the need of the legislation is assured. [Applause on the Republican side.]

Mr. GARNER. I gather, then, at this time—and I get some cheers from that side of the House—that there is no need of any legislation whatever, because the gentleman from Ohio is the first Republican to speak to any extent since the President delivered his message. He is certainly one of the leaders if we may judge, being chairman of the campaign committee of the Republican Party, and has taken a leading part in this House. Now, I will ask the gentleman fairly and squarely, Does the position he has taken to-day that there are sufficient laws on the books to meet every emergency—that is, to-day; of course, to-morrow or the next day may bring up a different state of affairs, but so far as to-day is concerned, the position of that side of the House is that we do not need any additional laws?

Mr. FESS. So far as I am concerned, I feel that if the disease is profiteering there is law to take care of it, and the very activity of the departments under the present administration without an iota of further law indicates there has been a lack of doing things rather than waiting for some law. [Applause on the Republican side.]

Mr. GARNER. I wanted to get what the gentleman's position was——

Mr. FESS. That is the position.

Mr. GARNER. And I presume the gentleman speaks for his side of the House.

Mr. FESS. The gentleman speaks only for himself.

Mr. BEGG. Ask him if he speaks for his side of the House.

Mr. CANNON. What is the position of the gentleman?

Mr. GARNER. We are waiting; it is your move. [Laughter on the Republican side of the House.]

Mr. FESS. I will be frank to say that the last suggestion of my friend from Texas carries too much real meaning to be laughed at by either side. It is the move that the administra-

tion is attempting to play by passing the buck to this side of the House by asking for more law, in the hope of blinding the public to the failure to use the law it now has. Your waiting for us to move is no defense for failure to move yourselves. [Applause on the Republican side.]

Mr. PLATT. Will the gentleman yield?

Mr. FESS. I yield to my friend from New York.

Mr. PLATT. If I understood the gentleman correctly, he agrees with Gov. Harding, of the Federal Reserve Board, in the remedy he proposes?

Mr. FESS. I do; on the working and saving remedy.

Mr. PLATT. One thing that will bring real and lasting good is the working and saving—an increase of production and an increase of saving?

Mr. FESS. If my friend will extend the time so that I may finish what I have to say, he will be satisfied with what I will present on that score.

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the gentleman be permitted to conclude his remarks.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the gentleman from Ohio may be permitted to conclude his remarks. Does the gentleman mean the hour?

Mr. FESS. I will end them before that time.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. FESS. I want to thank the membership of the House, because the subject being discussed, I think, admits of serious consideration and ought to be discussed without any fight here politically. I confess I am somewhat embarrassed by my colleagues from the mere fact that, being chairman of a committee, every time I speak somebody gives it a political or a partisan tinge, which is a source of great embarrassment to me. I am attempting to discuss the question before us and am free of any partisanship except when by questions from the Democratic side I am compelled to answer.

Mr. SMITH of Michigan. Will the gentleman from Ohio yield?

Mr. FESS. I yield.

Mr. SMITH of Michigan. I thought I gathered from the gentleman's remarks that the high cost of living is due to the situation of the currency of the country?

Mr. FESS. Very much so; yes.

Mr. SMITH of Michigan. I should like to ask him whether or not he is in favor of reducing the purchasing price of a dollar or reducing the amount of currency that is now in circulation?

Mr. FESS. I certainly would not be in favor of reducing the purchasing price of the dollar, but increasing it. I would increase the purchasing price of the dollar by a gradual method of retiring the redundant currency that is far beyond the needs of the country, as demonstrated by the facts adduced by one of the most scholarly and thoughtful committees in all this country.

Mr. SMITH of Michigan. Would that be done by——

Mr. FESS. That would be done by the Treasury Department.

Mr. SMITH of Michigan. Suppose that you have increased the purchasing power of the dollar by reducing the currency, and suppose we have a failure of crops, or suppose there is such a demand for an article that the country can not supply it, that you can not get it, is that going to change the value of those commodities?

Mr. FESS. The law of supply and demand always determines, provided that under the laws under which we are operating—the political laws—the law of supply and demand can operate. That is what I want to do. Let the trade needs determine the amount of currency, not a Government bureau.

Mr. SMITH of Michigan. Under our Federal Reserve System is not that true of our currency, the supply and demand, and that they send it out whenever more is demanded?

Mr. FESS. The Federal Reserve System as it now is at work will permit credits upon anything found in cold storage or warehouses, or wherever else found, and turn fictitious values, which are to-day one thing and to-morrow another thing and next year another thing, into liquid assets, and you do not know what the value of those items is at all, and yet they serve as a basis for the issue of currency. There is $20 per capita of fiat now in our Federal reserve notes.

Mr. SMITH of Michigan. That depends on what you term fiat money.

Mr. FESS. Fiat money means money in circulation without any specific value behind it save the fiat of the Government, which has always had many advocates in the country.

Mr. SMITH of Michigan. Is such money as that issued by the Federal reserve banks?

Mr. FESS. It is increasing constantly by calling in currency based upon either Government bonds or species and issuing these notes.

Mr. GARNER. Will the gentleman from Ohio yield?

Mr. FESS. I yield to my friend.

Mr. GARNER. Is the gentleman from Ohio opposed to the Federal Reserve System?

Mr. FESS. I voted for it. I voted for it because we had an archaic system that needed revision, and the revision came through the Aldrich Commission, upon which was drafted the Aldrich plan, which the Democratic Party stole in toto, except in the central bank idea, discarded for the regional plan, the only Democratic feature and the weakest element in the system, and I was perfectly willing to vote for it.

Mr. GARNER. I am asking the gentleman now a serious question. I want——

Mr. FESS. I know it is serious, and I answered it seriously.

Mr. GARNER. Is the gentleman in favor of the Federal Reserve System?

Mr. FESS. Yes.

Mr. GARNER. Is it being wisely administered?

Mr. FESS. In time of war, in order to avoid what the board thought was a serious tie-up of money, they have responded to such an inflation of both currency and credit that it is becoming dangerous, and my friend from Texas will see it in due time if it is not corrected.

Mr. GARNER. I am asking the gentleman a direct question, and I would rather that he not dodge it.

Mr. FESS. I am not dodging, I will say to my friend.

Mr. GARNER. He says that he is in favor of the Federal Reserve System. Now, is it being wisely administered at this time?

Mr. FESS. At the present moment I doubt the wisdom of its administration, and I am satisfied that the statement of Gov. Harding, made public yesterday, is totally misleading.

Mr. PLATT. Will the gentleman yield?

Mr. FESS. I will.

Mr. PLATT. Do I understand the gentleman to say that the Treasury Department could arbitrarily decrease the circulation?

Mr. FESS. I presume I should not have said "arbitrarily."

Mr. PLATT. The remedy, as I see it, is, as Gov. Harding says, in that it lies with the people. If the people will save their bonds and not use them for material gain, the circulation will come down automatically.

Mr. FESS. We are begging the question.

Mr. PLATT. We are not.

Mr. FESS. Bonds can be found in every store in this town, deposited instead of money, and bonds have become a part of the currency of the country. The expansion of the currency based upon commercial paper of various values in an attempt to liquefy the wealth of the country permits an increase of price without a corresponding increase of value. This means we are floating bonds paid for by our people in a cheap currency, which will be redeemed in years to come in a dearer currency. My contention is against this inflation to avoid a depreciated dollar in the onset. But instead we have inflated it to the point where it is depreciated, and it probably will not buy a half or a third of what it would five years ago.

Mr. PLATT. Does the Government bond inflate credit any more than a railroad bond or an industrial bond?

Mr. FESS. Yes; because the Government issues without limit, save contingent value of commercial paper, with no stability of price, but vacillates with the market, while a railroad issues with reference to the property on which the bond is issued.

Mr. PLATT. The Government has limited its issues now.

Mr. FESS. If my friend, the chairman of the Committee on Banking and Currency, does not want the Federal reserve administration as now administered pointed out, it is his concern clearly and not mine. I ask your attention to the export trade just now.

Mr. UPSHAW. Mr. Speaker, will the gentleman yield for a moment?

Mr. FESS. I would like to enter upon a discussion of the export trade, if you please.

Mr. UPSHAW. Before you leave that other.

Mr. FESS. I yield to my friend. I can not refuse to yield to such a good friend.

Mr. UPSHAW. The gentleman said this side of the House stole the Federal Reserve Banking System. I understood it was playfully said, but very genuinely.

Mr. FESS. I ought not to have used the ugly word "stole."

Mr. UPSHAW. If a case of theft were ever right, does not the gentleman think the Democratic Party is to be pardoned

for stealing a system which is so good that it saved the country from a financial panic? [Applause on the Democratic side.]

Mr. FESS. I think stealing on the part of the Democratic Party is always justified, because they would never get it in any other way. [Laughter and applause on the Republican side.] I will withdraw that remark.

Mr. UPSHAW. I understand, thoroughly; but if this Federal Reserve System was good enough for the gentleman from Ohio and his colleagues to vote for at one time, why was it not good enough for the Democratic Party to put over when they had a chance? If it has saved the country from a financial panic, is it not a good enough thing for us to share the glory of it?

Mr. FESS. If the gentleman had been here in 1913 that question would not have been asked.

EXPORT TRADE.

When the war opened in Europe our open market was entered by the belligerent powers bidding for all we produced, hence the natural advance in price. When we entered the war we undertook to regulate the export trade. The war called millions away from production into consumption, which widened the chasm between the two. With the war over we still find Europe's production interrupted and looking to us for supply. We are told we must not only supply them with raw materials, including food and feed, but we must loan them money with which to pay for it.

That is the point, fellow Members, that I should like to get before the House. Men go to Europe, study the situation there, and come back and report on the dismal situation of the people of Europe, and ask that this country finance Europe, and money is loaned with a lurking hope on the part of certain portions of Europe that it will never be paid. All through Europe, in official representative bodies, you hear the statement repeated that there must be a reassessment of the cost of the war, and that the United States, which has made money out of the war, must be required to pay its share; and we have people in this country that are tending in the same way. So that Europe is not only demanding what we produce, but expecting us to loan that with which to pay, in the hope that they will not be called upon to pay it back, and we ought to be quite specific that while we are assisting Europe in her dire distress we must not put our own people to the point of suffering because of a sentimentality that has not a sounder basis than mere maudlin sympathy. That is one danger from which we are now suffering.

Mr. WOOD of Indiana. Mr. Speaker, will the gentleman yield?

Mr. FESS. Yes; I will yield to my friend.

Mr. WOOD of Indiana. Does the gentleman know that the Federal taxes of the United States have been increased in round numbers 2,000 per cent while the Federal taxes of France have only been increased 6 per cent since the beginning of this war? They are depending entirely upon their own ability to borrow money.

Mr. FESS. That is a remarkable statement, I will say to my friend.

Mr. WOOD of Indiana. That is true.

Mr. FESS. And if it is an accurate statement—and I have no reason to think it is not, because otherwise the gentleman would not give it—it is quite astonishing.

Fellow Members, my judgment is that the remedy here is to force Europe to go to work. Not that I have no regard for their present suffering, but because I have too much concern for their future welfare.

The remedy here is to force Europe to work. Self-helpfulness must be resumed. War has had the effect to induce idleness, as may be seen to-day in France and Belgium and elsewhere. Already can be read placards all over Paris, "To work! To work!" This indicates that France properly senses the problem.

There must be a relief from that idleness which persists in the belief that "I have done my duty now let the Government provide bountifully for me the rest of my days." Rehabilitation of Europe can only be assured by organized production encompassing the entire populations. Here is where our influence should be felt rather than too great a willingness to supply all their needs with gratuitous altruism.

Exports must be regulated. We exported in June last $918,000,000 and for the year $7,225,000,000. The power that fixes the price of our surplus can easily fix the entire home production. Here is a function of the Government in its regulatory administration to insure against actual suffering of our own people while we are busy looking after the interests of Europe and Asia.

The sooner we are out of Europe the better it will be for both Europe and America. [Applause.] This is the testimony of every soldier boy returning and of every Member of Congress who has given an opinion upon the relation between this country and Europe.

The war machinery, so expensive because so all pervasive, should at once be dismantled. The hundred and one agencies which attached themselves to the pay roll of the Government by whatever authority organized and set in motion should be disbanded, except such as the War Risk Insurance Bureau, which must be reorganized or else displaced by some bureau which can give better service. There are some things in this bureau we must do. We should transfer the compensation division to the Pension Department at once. Steps must be taken to insure better results in the insurance division or else take steps to reach an agreement with insurance companies to take over the work. The present system simply is intolerable and has been from the beginning, with little promise of improvement.

While I would not withhold any power necessary for the President to protect the public against the profiteer when once it appears he has not that power which he doubtless has, I do not look with any favor whatever on continuing war legislation in peace time, much less on increasing the war power of the President. His suggestion of a license for business is an obnoxious interference with freedom of the law of supply and demand, and should be resorted to only as a last resort when other things fail. On the other hand, we should at once repeal every vestige of war legislation necessary to force the country on a peace basis.

Mr. NEWTON of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. FESS. Yes; I yield to my friend from Minnesota.

Mr. NEWTON of Minnesota. May I not suggest to the gentleman that the President while in Paris issued four or five orders withdrawing from the license system the various industries, including the licensing of storage houses? Up to the time of that withdrawal any profiteer could have had his license withdrawn and his right to continue in business prohibited. But at Paris, France, all concerns, including cold-storage houses, were withdrawn from that license provision. I thought the gentleman might be glad to have that interruption.

Mr. FESS. I thank the gentleman for the interruption, because it adds a fact with which I was not entirely familiar, and if the gentleman gives that upon authority I gladly accept it.

Mr. NEWTON of Minnesota. I have seen the orders.

Mr. FESS. On the other hand, I mean instead of increasing this legislation we should at once repeal every vestige of war legislation that is necessary to force the country back upon a peace basis, for it is well known by every Member of this House, Republican and Democrat, that we will not get back on a peace basis unless we force it. You once make an attachment to the public pay roll and there is no possibility of dissociation unless you use the meat ax or the corn knife.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. FESS. Yes; I yield to my friend from Texas.

Mr. GARNER. I agree with the last statement that the gentleman made. I agree that these laws ought to be repealed. Why do not you repeal them? You are in power here. Your side is in the majority and in control of the House. Why not repeal them?

Mr. FESS. Oh, they will be repealed.

Mr. GARNER. I am talking not about "will" or "has been," but why not repeal them now?

Mr. FESS. It is a pertinent inquiry that whenever something is on that has danger in it somebody who hangs to the skirts of the big man wants to know why we do not embarrass him by taking from him what he already has at the time when he is asking for even more.

Mr. GARNER. Mr. Speaker, will the gentleman yield again?

Mr. FESS. Yes.

Mr. GARNER. Does the gentleman contend that it will embarrass the "big man" that he refers to by repealing these laws?

Mr. FESS. If he demands more laws, as he did recently, and you repeal what he has, I fear it would embarrass him and give him further excuse for administration inaction.

Mr. GARNER. He has not requested the repeal of the law. He has demanded the enactment of an entirely different kind of a law.

Mr. FESS. It will interfere with the play that he is making.

Mr. GARNER. The gentleman is talking about another kind of play.

Mr. REED of West Virginia. Mr. Speaker, will the gentleman yield?

Mr. FESS. Yes.

Mr. REED of West Virginia. If we attempted to repeal certain war-time laws, would it not be repeating the experience we

had when we repealed the daylight-saving law? When we repealed it we had the repeal vetoed.

Mr. FESS. A very pertinent observation. The President indicated his desire for extension of the food-control act so as to cover feeds and fuel, as well as food, and have a penalty attached. The President has been so absorbed in European affairs for the past seven months that he has forgotten the terms of the law to which he refers, the first section of which defines necessaries as follows:

Be it enacted, etc., That by reason of the existence of a state of war, it is essential to the national security and defense, for the successful prosecution of the war, and for the support and maintenance of the Army and Navy, to assure an adequate supply and equitable distribution, and to facilitate the movement of foods, feeds, fuel including fuel oil and natural gas, and fertilizer and fertilizer ingredients, tools, utensils, implements, machinery, and equipment required for the actual production of foods, feeds, and fuel, hereafter in this act called necessaries.

Section 6 of the act covers hoarding, which the President had overlooked.

SEC. 6. That any person who willfully hoards any necessaries shall upon conviction thereof be fined not exceeding $5,000 or be imprisoned for not more than two years, or both. Necessaries shall be deemed to be hoarded within the meaning of this act when either (a) held, contracted for, or arranged for by any person in a quantity in excess of his reasonable requirements for use or consumption by himself and dependents for a reasonable time; (b) held, contracted for, or arranged for by any manufacturer, wholesaler, retailer, or other dealer in a quantity in excess of the reasonable requirements of his business for use or sale by him for a reasonable time, or reasonably required to furnish necessaries produced in surplus quantities seasonally throughout the period of scant or no production; or (c) withheld, whether by possession or under any contract or arrangement, from the market by any person for the purpose of unreasonably increasing or diminishing the price: *Provided*, That this section shall not include or relate to transactions on any exchange, board of trade, or similar institution or place of business as described in section 13 of this act that may be permitted by the President under the authority conferred upon him by said section 13: *Provided, however*, That any accumulating or withholding by any farmer or gardner, cooperative association of farmers, or gardeners, including live-stock farmers, or any other person, of the products of any farm, garden, or other land owned, leased, or cultivated by him shall not be deemed to be hoarding within the meaning of this act.

The ample penalties fixed in the law had also escaped the eye of the President.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. FESS. I yield to my friend from Alabama.

Mr. HUDDLESTON. Does the gentleman refer to the espionage act as one of the war laws that ought to be repealed?

Mr. FESS. It ought to be repealed, and will be repealed by limitation as soon as the war is over, because it ceases with the end of the war.

Mr. HUDDLESTON. But the gentleman is aware that certain interests are endeavering to have similar legislation enacted, to be in force during times of peace?

Mr. FESS. I will say to my friend from Alabama that there is not a law on the statute books placed there under the stress of war, when we virtually ceased for the time to be a democratic Government, that some interests are not trying to keep there, just the same as the one to which my friend refers.

Mr. HUDDLESTON. I am happy to infer from what the gentleman says that he does not favor any such repressive legislation.

Mr. FESS. I do not; and the sooner we get away from war legislation the better for all the Nation.

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. FESS. I yield to my friend from Kentucky.

Mr. ROBSION of Kentucky. Just a few days ago, when the President addressed the House and the Senate, and was asking an extension of power, and that more power be given under these war regulations, did it not meet with hearty applause on the Democratic side?

Mr. FESS. It certainly did, as everything he says meets with hearty outward applause over there, no matter what may be the common remarks in the cloakroom later; there are bitter enders, and there are the toadiest of the toadies, who no matter what is said in public or done at home or abroad declare that it is all right, because we live in a time when certain people have abdicated individual opinions and bank upon the easy-going practice of following a leader who can not make or think of a mistake. [Laughter.]

Mr. GARNER. And up to date your side of the House has been quite as obedient as our side of the House has for two years.

Mr. FESS. Well, that is an even draw. I was referring to the necessity of dismantling this war machine and repealing these laws.

This should be done at all hazards to put a stop to the vast waste of war times. No further power should be granted that will prevent speedy elimination of war expenses.

The Government's fiscal obligations will amount to at least $25,000,000,000, upon which there is an annual interest charge greater than the total expenses of the Government prior to the war. The monthly expenditures of the Government since last January have been over $1,400,000,000. The total disbursements of last month, as reported in the daily Treasury report July 30, were $2,324,927,311. While this item included bonds, interest-bearing notes, and certificates retired, it was nevertheless a charge on the Treasury that can not be met by mere bookkeeping, and this is 10 months after the war is over.

There is small hope of lowering the cost of living so long as we continue to call upon the Treasury for such outlays. There is little hope that we shall ever again have light taxation, at least for years to come, until we wipe out these demands for cash. Hence the scale of the cost of living must be high. Our duty is to cut off every item of unnecessary expense attached to the war machine, and return the army of civil employees, gathered from the four corners of the country, to a more productive life. Nine months after the war is over we still report employees in Washington constantly increasing. The month of July brought 237 more than were here in June. The pay roll continues to grow.

The wickedly wasteful practice of "cost plus" during the war so dulled our sense of economy in this riot of expenditure into which we entered two years ago that it still persists, as revealed by the partial reports of the Committee on War Expenditures.

If the War Department does not of its own initiative convert the war material into cash, then, as in the case of stored meats and vegetables, Congress should direct it done at once. It is reported that there are now being held in various places at least 135,000 trucks, many of them out in the weather, where, as in case of meat which was spoiled, the trucks will soon be of no value. Officers when asked why they are not sold pretend innocent ignorance. Some of them declare their belief that they will never be sold.

Congressmen returning from France declare there is easily billions of dollars' worth of property over there. In conversation with one of our colleagues but yesterday who has just returned from Europe, he declared his outraged feelings over the advantage Europe takes of this country. He especially refers to their disregard for their promise as to our horses and mules left in France. Instead of fear of breaking the market, all these diversified goods should be immediately converted into money and covered into the Treasury, and the organization at once disbanded as one less war agency to maintain.

Extravagance is a certain and inevitable product of war. The Government sets the pace and the populations fall in line. Never in the history of nations is this demonstrated as to-day. One billion two hundred million dollars for aviation and only 213 American planes in Europe. Open charge of official corruption. Aircraft investigation report, and recommendation of court-martial dismissed as groundless. The only echo is an eloquent peroration of the Secretary of War on the Government's achievements.

Ford Eagle boats belong in the same category, and will never get farther than Admiral Earle's testimony.

Three billion eight hundred million dollars for the Shipping Board, and yet we paid handsomely Great Britain for transporting 54 per cent of our own boys to Europe. On Hog Island, where profiteering in labor seems to have reached high tide, it is reported in the employment of 20,000 laborers there were hired and fired together about 268,000 on "cost-plus" basis.

As an item of governmental economy, the rent for the first nine months for the Food Administration in the District of Columbia, to say nothing in the 48 States, was $86,000; clerks at last report were 1,500. The clerical force in the War Risk Bureau is 19,000, most of them in one another's way, and the force still growing at last reports.

Another example of governmental persistence is found in the Housing Commission, just now circularizing the Congress to convince us that unless we make permanent this temporary war emergency of a socialistic character as a permanent peace regulation we have lost our opportunity as forward-looking legislators. It is the old story—give an American a Government position with a salary attached and you have a permanent institution ever thereafter.

I want to take just a moment to enter the field that my friend from New York [Mr. PLATT] mentioned.

The lavish employment of funds by the Government's extravagant operations, in which it did over $50,000,000,000 worth of business, almost all of which was borrowed capital, handled by persons whose past business experience had not up to date greatly impressed the country, quite naturally induced similar habits of extravagance among our people. Laborers were multiplied on a given piece of work, wages were increased, hours were reduced, time and a half for overtime was allowed; profiteering at high tide; ready money came as never before and it went as never before. Everybody had money to spend. Every train was

crowded, even dining and Pullman cars were at a premium; automobiles were in the possession of one out of every five in places like our Capital City. Price cuts no figure for merchandise. Every business was alarmingly prosperous; girls paid three prices for shoes and wearing apparel; merchants saw an unlimited demand at any price for a limited supply—and so goes the orgy of extravagance just as if it will last always. This can not indefinitely continue. The day of paying up will come. It is not necessary to pay these exorbitant prices. They are charged because people are willing to pay the charge.

A friend of mine sent his servant down to a bargain store to buy a $3 pair of easy working shoes. The servant came back with a $17 pair, on the conviction that no decent servant would wear the flat-heel $3 pair. This is the rule to-day in the buying world. It will continue until we reach bottom, either by wise frugality or by the discipline of hard times. Nothing is more certain.

It is our boast that our wealth as a Nation is greater than the combined wealth of Great Britain, France, and Italy, and our annual income is equal to half the total wealth of Great Britain. Our comparative situation when examined in wealth, income, and national debt makes us careless of our resources.

Our wealth is $300,000,000,000, income $60,000,000,000, and debt only $24,000,000,000.

Great Britain's wealth is $120,000,000,000, income $15,000,000,000, and a public debt of $36,000,000,000.

France's wealth may be estimated at ninety billion, her income twelve billion, and debt thirty-six billion.

Italy stood, wealth 40 billion, income four and one-half billion, and debt $12,600,000,000.

Germany stood, prior to the war, wealth eighty billion, income ten billion, and debt thirty-nine billion, which she will likely repudiate.

Our per capita debt is about $220; Britain's, $780; France, $900; Italy, $350; and Germany about $600.

Our interest charge on each $100 income is about $1.66; Great Britain, $10.16; France, $15; Italy, $7.30; and Germany, $19.50.

In a country like ours, so vastly wealthy, which makes of our borrowing campaigns a veritable spree of money lending, even to the extent of borrowing in order to lend, our people, unused to habits of frugality, are flush with a Government inflated pay roll, and they demand the best, which sends prices skyward. If this delirium of expenditure does not give way to sane, frugal habits we are doomed for a crash in time.

This Congress should take steps to help the Government out of business as soon as it can be done without harm to the public. Instead of further shackling the industries of the country, we should remove the governmental barriers of enterprise and permit the existent industries to expand to meet the demands of a growing country and encourage new industries to build. We should in the near future increase our agricultural acreage, but by such legislation as will safeguard the public against deception and will protect the Government against raids upon the Treasury by selfish interests, so all persistent in times like these.

We should encourage enterprise in order to insure profitable investment of every idle dollar of capital and steady and healthy employment of every toiler in the land at an American wage.

True it is, wherever the arm of the law is necessary to correct abuses it must be done. When the producer of live stock sells to the packers on a falling market, and the consumer buys of the retailer on a rising market, there is something rotten which must be corrected by the Government.

We have abundant laws to take care of such cases. The Hutchinson bill to control cold storage, introduced several days before the President came to Congress, is now before the Committee on Agriculture, where it will be considered, and if thought necessary for the safety of the public it will be reported out and doubtless passed by the House.

Mr. Speaker, I leave off as I began, that the evils of hoarding and profiteering can be cured if we but enforce the law that we have. But the real step this administration must take is to dismantle this war machine, close up these extravagances, increase the purchasing power of our circulating medium, regulate our exports, get the Government out of transportation and other businesses, and thereby get back on the basis of efficient service away from the riot of bleeding an industry, organize our people out of the activities of war into the industries of peace, thereby increase production and reduce the cost to the consumer, and we shall then be in the best possible position to insure America as the home of the happiest as well as the most powerful of all the nations, and while we will continue to extend our succor to Europe and the outside world, we will still hold fast to America and American ideals. Our real duty is here and now.

Mr. POU. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to address the House for 20 minutes. Is there objection?

There was no objection.

Mr. POU. Mr. Speaker, I have sought opportunity to address the House for the purpose of reminding my colleagues here of a plain duty which confronts us.

During the World War many sacrifices were made, but I believe all will agree that the greatest sacrifice was made by the private soldier of the Army and the enlisted sailor of the Navy. [Applause.] I am not speaking now of the hardships these men endured. I am speaking of the great financial sacrifice made by the private soldier and the ordinary enlisted seaman.

These men won the war. They should at least be treated fairly. Take the case of the private in the Army. His compensation was $1 per day. He had little freedom of action. Of course, he did not expect much. He knew he must submit to rigid discipline, and he submitted cheerfully and without protest. While he was undergoing training in the cantonment he saw unskilled laborers work eight hours a day for a wage four and five times as great as his. He saw them quit work in the afternoon at a given signal, with plenty of daylight remaining to take in some amusement and enjoy part of the unprecedented wage he was receiving. But the soldier must observe discipline. He was not free; this unskilled laborer was. The soldier must get permission to take in a picture show; the laborer, with his $5 per day, responded to his own wishes and desires. He was forced to consult nobody. Of course, this very extreme difference in wage put the soldier to thinking. He knew he was making a sacrifice greater than anyone around him, but he did his duty uncomplainingly, in the firm belief that a great, rich, grateful Government would in the end do justice by him. This same private saw everyone around him reaping a rich harvest because of the war, which he was expected to win and which he did win. He accepted his $1 per day and relied upon the justice of the Nation for whose flag he was willing to die.

This same private soldier was sent to Europe. He made July 18, 1918, a day never to be forgotten. [Applause.] He won a victory at Chateau-Thierry which will mark an epoch in the history of the world. He pressed on; he endured privation and suffering during the Argonne drive impossible to describe. He was then receiving increased pay. He was actually receiving $1.10 per day, but he never once complained. He knew war was hell, and he wanted to make short work of the nasty job. He wanted to press on to Berlin and see his Nation dictate the terms of peace from the palace of the Kaiser. He pressed on and on, never once turning back, until he was ordered to stop. He was disappointed that the order to stop came before he got to Berlin; he did not openly protest—he had learned to obey orders—but he was not satisfied. But in any event there was glory enough for all. The job was finished. The courage, the staying quality, of the American private soldier had won the war. [Applause.]

Demobilization appeared to him to be proceeding a little slowly, but still he did not complain. At last he is brought back home. He learns after his arrival that everybody has been making money. He learns that many a rivet driver in the shipyard received as much in one day as he did in a month. He learns that these men, as a rule, received more in one day than he did in a week. He saw the corner groceryman with whom he had been accustomed to trade enjoying comforts and luxuries never dreamed of before the war. He learned that wages had been increased on every hand, in some instances doubled and trebled. He returned to see the Nation he had risked his life to save literally rolling in wealth. Now, imagine, if you can, the feelings of this private soldier when this great, rich, grateful Government handed him the munificent sum of $60. [Applause.] Imagine his feelings, if you can, when he saw the war worker here in Washington, whose salary was three or four times as large as his, receive a bonus of $240. Imagine his feelings, if you can, when he saw the business he had started in the hands of some one else or the job he had given up filled by some one else, all prosperous, while he was forced to be content with his $60. Imagine also his feelings, if you can, when he went with his $60 into the furnishing store to buy clothes to take the place of his uniform, and learned the prices of the things he was bound to have.

Mr. PLATT. The war workers are continuing to work. We are paying them for work which they are doing.

Mr. POU. Yes; and they are now getting $240 for every year in addition to the salary they agreed to work for. These

soldiers went to the front and risked their lives, and when they return we hand them a paltry $60.

Mr. PLATT. We paid the war workers $120 last year. This year we pay them $240; but they are working all the time.

Mr. CAMPBELL of Kansas. About half working.

Mr. PLATT. If they are not all working that is not our fault.

Mr. POU. If the gentleman wants to offer that as an excuse for nonaction on this question, that is a matter for himself. I say it is no excuse.

Mr. UPSHAW. May I suggest that if it had not been for the loyalty and sacrifice of these soldiers there would not have been any chance for the war workers to work.

Mr. POU. Exactly so. [Applause.]

Mr. Speaker, do you wonder there is a feeling of dissatisfaction among these men? Most of them are too proud to admit it, but I tell you there is a prevailing feeling that they have not had a square deal, and they know just where the responsibility rests. They know Congress must act. They know that Congress alone has the power.

The question therefore is, What are we going to do for these men? In the first place, let us keep politics out of this question. Let there be no sparring for political advantage. I have talked with a great many soldiers and sailors. I have tried to get the viewpoint of the men who did not hold commissions. After all, I repeat what all will admit, they are the boys who did the job. The soldiers and sailors who did the actual fighting are the men entitled to our first consideration. Several bills have been introduced. One of these I have introduced myself, but as to authorship I care not the snap of my finger. I want to see this Congress during this extra session before the 1st day of October pass some measure which more nearly does justice to the private soldier and enlisted sailor. This much at least should be done. These men should be given a sum of money which will aid them in starting life anew. The $60 did not half pay for the civilian outfit.

In my judgment, it would be only just to give to each man a sum equal to the bonus paid the war workers, who did no fighting, endured no hardships compared to the private soldier and sailor. No man should receive less than $180; that is to say, $240 less $60 already paid.

Now, I know certain gentlemen will immediately begin to figure the amount of the appropriation necessary. Certain gentlemen who aspire to be called the watchdogs of the Treasury will be horror stricken when they figure the appropriation necessary.

I submit this observation: When the war was on nobody stopped to figure when appropriations were actually needed. Now, these men have done more than was expected of them. They brought the war to an end fully one year ahead of the time anybody dreamed it could be brought to an end. By their conduct they not only brought glory to America but saved the expenditure of many billions—not millions. I submit, therefore, it is no answer to a just proposal to figure out the millions it will require. Justice should be done, no matter what the cost. The country is rich enough and the people of America are willing to see a square deal accorded the men who won this war.

Mr. Speaker, we can not afford to pay the war worker a bonus of $240 and the war fighter $60. If these were to be the figures, the $240 should have been paid to the private soldier, to the enlisted sailor, while the $60 should have gone to the war worker.

Even now it is not too late to do justice. Oh, no, Mr. Speaker, even now it is not too late to do justice to these men. And let me say this in conclusion: There are some men who have no heart to play politics when it comes to the question of dealing with the soldiers. There are men who have been struck too hard and have felt the blow too heavily to even attempt to play politics when it comes to dealing with the soldiers, some of whom we saw marching down the Avenue to-day. God bless them every one! [Applause.] Discarding politics from my heart I would say now to every colleague in this Chamber we can not afford to let this session end without doing something in addition to the paltry $60 which these men have received. [Applause.]

Mr. O'CONNOR. Mr. Speaker——

Mr. BLANTON. Mr. Speaker, I desire to offer a privileged resolution.

The SPEAKER. The Chair recognizes the gentleman from Louisiana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Speaker, I wish to discuss the high cost of living.

The SPEAKER. The gentleman must ask unanimous consent to address the House.

Mr. O'CONNOR. I make that request.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to discuss the high cost of living for 20 minutes. Is there objection?

There was no objection.

Mr. O'CONNOR. Mr. Speaker, I do not lay the flattering unction to my soul that what I say here will bring the millennium into the great depot of humanity by a fraction of a second sooner than that period in which it is ordained to arrive, and as the great emancipator, Lincoln, said at Gettysburg, I know that the world will little note nor long remember what we say here to-day, but it will remember what we do here in behalf of the great people of this magnificent country in solving the greatest problem that has come to them for solution in the history of this Republic, a problem so grave that it takes place only second in importance to the great wars incident to the purpose of winning and securing our liberties and maintaining them.

Mr. Speaker, I know that this Congress, the concrete expression of the wisdom of the people of the United States of America, will settle this problem, and settle it correctly and upon proper lines. Having the advice of the pulpit, journalism, and the university, and with their own talent, it is inevitable that this question will be settled to the satisfaction of the American people. Unawed by the murmurings of the lowly—and we have a sympathetic ear for their murmurings—unterrified by the ominous, menacing whispers of the great and exalted, I know that this Congress will solve and settle the problem of the high cost of living and its incident perils in accordance with the conscience and the best judgment of the American people. [Applause.] They will settle it not for the purpose of satisfying any particular class but in response to the demand, the cry, of the American people and in conformity with the principles of truth and justice. Unterrified by the great and exalted, unmoved by the clamor of the crowd, there will be no oppression, no tyranny—law, order, and justice will be maintained. My friends, to illustrate what I have in mind, permit me to tell you a story that I heard told in the long ago. I was then a student at Tulane University, down in New Orleans, and one of the greatest civilians that ever came into the legal life of this country was endeavoring to make us understand that a witness that took the stand should be there for the purpose of telling the truth, the whole truth, and nothing but the truth, out of regard for and love of truth alone. He illustrated by telling the story of the girl who walked the walls of the ancient city in the long, long ago, carrying a torch in one hand and a pail of water in the other, singing, "With this torch I will burn the heavens and with this pail of water I will extinguish the fires of hell, so that God may be loved for himself alone—without hope of reward, without fear of punishment." That is the attitude of this Congress, I know, with respect to this all-absorbing question which involves the happiness, the welfare, of the people of this land. [Applause.] We want to solve it so as to bring happiness and hope into the lives of our people—wage earner, day laborer, salary man, employer, industrialist, and banker—for we are one—the American people.

I heard a great deal on the floor of this House about the operation of that law which is known as the law of supply and demand. Let us recognize the facts of human existence as they present themselves to the ordinary beholder, to the everyday citizen of this Republic. You have brought into existence refrigerators and other instrumentalities which in themselves have created laws which have suspended that great law of supply and demand; instrumentalities which when operated along just lines may promote the general welfare, but when conducted with the sinister purpose of creating an apparent shortage in food products and an unwarranted, unnatural, and artificial advance in prices become a menace to the millions of consumers.

Need I say, Mr. Speaker, that a readjustment of the railroad systems is necessary which will make for a proper allotment of business to all of the ports of the country, whereby one will not suffer from congestion and become a danger to all of the people of this country. That will be a step in the right direction. There should be a just and fair allocation of ships to the various ports, and an extension of the great highways and roads, and the building of national roads, North and South, East and West, if you will, to bring about that system of distribution which it is the duty of this Congress to work out, as a solution of the great problem that confronts the people of this country. A scientific system of distribution will follow as night the day. I am not dismayed by that problem, and I know that those who have served here since long ago, who have faced and solved the problems which have confronted this country, will not be dismayed by it. We can never forget that splendid figure, who has the love and the affection of both sides of the House, when he took the floor a few days ago and spoke about the bravery of

the people of his section of the great State of Illinois, Mr. CANNON, using the expression, "As brave but not braver than you of the South, as brave but not braver than you of the East, as brave but not braver than you of the North, for we are all one people, divided only as the waves but one as the sea, and our destiny is to accomplish great things, to do noble things, and not to dream them all day long." That gentleman, who has the love and affection of all of this House, stood on this floor and repeated to us that which we should not forget, and that is that as long as the generations of man shall come to inhabit this earth there will be great and trying problems to solve. It was so in the beginning. It will be so, my fellow countrymen, when the last chapter is written in the affairs of man. Whose remarkable words are these?

Careless seems the Great Avenger. History's pages but record
One death grapple in the darkness twixt old systems and the Word.
Truth forever on the scaffold, Wrong forever on the throne;
Yet that scaffold sways the Future, and behind the dim Unknown
Standeth God within the shadow, keeping watch above His own.

The God of this Nation will, I trust, as long as we remain a patriotic and religious people, keep us within mind, and even though he stands within the shadow all will go well for the people of this great country.

At this juncture, Mr. Speaker, I am reminded of what was said here a few days ago most eloquently by the gentleman from Texas [Mr. BLACK], who told us something that we knew, but which it was gratifying for us to hear again, that our brave boys on land and sea had duplicated all of the wonderful military and naval accomplishments of bygone years. They were as brave, as dauntless, as the phalanxes that followed Alexander as he swept down the Macedonian hills and over the Asiatic sands and made dynasties reel and crumble before his advance. Then he told us of the great Julius as he went through the swamps and morasses of Gaul with his conquering legions, and he suggested the wonderful epileptic, Mahomet, wandering over the sands of Arabia and who suddenly gathered behind him a conquering army from the wilds of his region and changed not only the customs and manners of Europe but almost its religion; and of Tamerlane and Genghis Khan and Attila and the mighty Corsican. He told in thrilling tones of some wonderful naval accomplishments of centuries past on the seven seas, and I thought, is the destiny of my country to be nothing more or less than a repetition of these great events on land and sea? Waterloos and Trafalgars, Salamis, dark Actinum's fatal shore, Pharsalia, Arbil, and the floods and fields that suggest the conquerors who were willing to wade through slaughter to a throne and shut the gates of mercy on mankind.

And then I thought of what another speaker had said on the floor of this House, that we are rapidly approaching that degree in art when we would compare favorably with the age of Phidias and Pericles; that we would attain the glory that was of Greece, the grandeur that was of Rome; and I felt with sad misgivings that all of our art came from two or three thousand years ago, and there came to me a vision of the wonderful temples and palaces and pyramids that lined the Nile, and I came to the conclusion that our architectural and engineering genius and our originality came from afar, and I wondered what can be the mission of this great Republic? Is it merely to be a replica of those magnificent civilizations that came and went, that played their part in the affairs of men and then tottered to their destruction and fall? Or is it in the mind of the great Omnipotent that we shall have a greater purpose and a higher mission? I trust that purpose is to scatter plenty over a smiling land and to write a nation's history in its eyes, a purpose which, in my judgment, is far better, higher, and holier than all the victories that have been written in the pages of any country and which but add to that thirst for military glory that ever filled the minds of those who would seek reputation at the cannon's mouth.

For true, indeed, did Gibbon speak in his immortal Decline and Fall of the Roman Empire when he declared that just so long as mankind continues to bestow more liberal applause on their destroyers than on their benefactors will the thirst of military glory ever be the vice of the most exalted. A long succession of poets and historians have aroused a dangerous spirit of emulation in the minds of madmen who try to set the world on fire every now and then like the imperial war lords of the German Empire.

May my country rise to heights never before attained by any nation, modern or ancient, not in material transcendentalism, not in private palaces, not in the brilliancy of its social resorts, poor and weak imitations of that which was in Babylon thousands of years ago, but in literature which will rival that book written 2,000 years before Joseph was sold into captivity and long before the dawn of Judaism began, Egypt's celebrated Book of the Dead, and the Bible, the glory of the religious thought of the Christian world, the Iliad, on which all poetry seems to be modeled, and in the newer thing—the spirit of the new dispensation, the manifestation of which will make for a broader and purer and nobler Americanism, that Americanism which will mean that government must make for the welfare of the people, not in platitudinous sentences but in reality; a government which has for its purpose the insurance of every man and woman and boy and girl in each generation enough to eat and wear, with proper shelter and an opportunity to earn a competence for old age—the golden age on earth, if you will, when mankind will not be shadowed from the cradle to the grave by the horrible, terrifying fear of poverty in old age. That is all we pray, we who believe in the new order—an assurance against want and the opportunity to share in the wonders of the universe through the telescope and the microscope and to get a strain from the spheres through the wondrous beauty of our own song and music. Oh, it is great—and there is no other greatness—to make some nook of God's creation a little better and brighter. It is the work for the great American people; it is their mission—the splendid road over which they are to journey by direction of the One above. With minds steeled upon this Utopia, if you will move forward, my American countrymen and countrywomen, your own desires will lift you up to what appears the unattainable.

The new order is in sight. Never again shall we play the part of Sisyphus rolling up the old civilization with its apparent glories to the summit of the hill of history only to have it roll back into the abyss of nothingness—and then start all over again, to attain what? The material splendors which seem to have been the aim, the goal, the curse, of all the nations that have come and gone since creation's dawn.

We can make the start on this great, great journey. This Congress represents the life of this Nation. I do not mean to flatter. You are here as the representatives of 110,000,000 people, and you must have talent, ability, something that has justified the districts in sending you here, the Capital of the Nation. You can solve the problem ahead of—yes, before us—and it will make us great to solve it. To have share in the sorrows of our people broadens the mind, tempers the vision, and makes golden the hearthstone where we with loved ones dwell.

We can, we must, bring into the life of 47,000,000 wage earners of our country happiness, because they are our kith and our kin, our blood. We may have lost sight of them—if we are occupying exalted position—but they are ours, and they have a right to live as decent Americans. "Once at least our paths have crossed." This is their home. They are Americans. They are appealing to us as wage earners have appealed in all ages for the right to live, not as hewers of wood and as drawers of water, but as men and women who came into the world to play a decent and not an ignoble part in the grand drama of existence. Age old is the cry, expressed by Heber—

From Greenland's icy mountains,
From India's coral strands,
Where Afric's sunny fountains
Stream down their golden sands.

From many an ancient river,
From many a palmy plain,
They call us to deliver
Their land from error's chain.

And by settling it along proper lines you will bring ultimately happiness into the life of the employer, the industrialist, the banker, the man of commerce. For mankind are one in spirit. In the gain or loss of one race all the rest have equal claim.

God knows, good and evil will always be in the world, always. But with the independence, the greatness, the goodness, in American life, we look for an expression from this Congress to settle this matter upon lines that will bring employer and employee together closer as American citizens working for the glory of their common country. [Applause.]

New occasions teach new duties; time makes ancient good uncouth;
They must upwards still and onward who would keep abreast of truth.
Lo, before us gleam their camp fires; we ourselves must pilgrims be,
Launch our Mayflower and steer boldly through the desperate winter's sea,
Nor attempt the future's portals with the past's blood-rusted key.

Gentlemen, I thank you. [Applause.]

Mr. HEFLIN. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes.

INVESTIGATION OF THOMAS J. MOONEY.

The SPEAKER. The gentleman from Texas has a privileged resolution.

Mr. HEFLIN. Will the gentleman withhold that?

Mr. BLANTON. I have withheld it for two or three hours. It will not take but a few minutes to dispose of it.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 225.

Resolved, That the Secretary of Labor be, and he is hereby, directed to report forthwith to the House of Representatives of the United States of America the following facts:

(1) Copies of all such instructions mentioned by John B. Densmore as having been received by him during the months of May, June, July, August, September, and October, 1918, he having said:

"SAN FRANCISCO, CALIF., *November 1, 1918.*

"Hon W. B. WILSON,
"*Secretary of Labor, Washington, D. C.*

"SIR: Pursuant to instructions received from time to time during the past six months, I have the honor to report that I have conducted a secret and altogether informal inquiry into the Mooney case, and beg leave to submit herewith the results of my investigation."

(2) The names of all persons who, under the direction of any branch of the Department of Labor, had anything to do with the investigation of Thomas J. Mooney, charged with and convicted for heinous crime in California, stating in detail their respective activities, the amount of compensation paid them respectively, and the expenses of such investigation itemized in detail during the six months between May 1 and November 1, 1918.

(3) What connection in behalf of the Department of Labor, if any, since the punishment of said Thomas J. Mooney was commuted to life imprisonment, and since November 1, 1918, has any employee of the Department of Labor had with said case of Thomas J. Mooney, stating such activities in detail, the expense of same itemized in detail, and upon what authority of law, attaching copies of all reports made thereunder to the Department of Labor.

(4) What activities, if any, are now being conducted in behalf of Thomas J. Mooney.

(5) Attach copies of vouchers of McPherson, Kelly, and Kilmer for July, 1918, covering their trip from San Francisco to Los Angeles, the purpose of such trip and expense of same itemized.

(6) Attach copy of letter of instructions sent by John B. Densmore to H. L. Cobb after Cobb was sent to Texas on propaganda trip for Employment Bureau and expense of trip itemized in detail.

(7) Attach all reports of Gallagher and Martin for their six weeks spent in Philadelphia, spring of 1919, investigating F. R. Welsh, with statement of expenses fully itemized in detail.

(8) Attach report of John B. Densmore on Immigration Service investigation at San Francisco, with full statement of expense thereof itemized in detail.

Mr. WALSH. Mr. Speaker, I make the point of order against the resolution that it is not a privileged resolution, in that, while purporting to call for facts, it calls for an expression of opinion. I call attention to figure 4, lines 19 and 20, on page 2, calling for "What activities, if any, are now being conducted in behalf of Thomas J. Mooney." Now, there may be a great many activities being conducted in behalf of Thomas J. Mooney that the Secretary of Labor has no knowledge or connection with, and in a privileged resolution the House is bound by the resolution. While the gentleman from Texas may have intended to inquire what activities were being conducted by the Department of Labor on behalf of Thomas J. Mooney, the inquiry in subparagraph 4 calls for activities in behalf of Thomas J. Mooney which are not limited in scope.

And furthermore, Mr. Speaker, it calls for an interpretation on the part of the Secretary of Labor as to what is the activity in behalf of Thomas J. Mooney. Of course, as the Chair well knows, the House has always been extremely careful in directing resolutions of inquiry to the executive departments. There are certain formulas which have been followed invariably, and it is very seldiom that the House in passing a House resolution departs from them. Now, the mere inclusion of the words "if any" would call, it would seem to me, for the exercise of the expression of opinion on the part of the Secretary of Labor, as, to wit, whether certain things were being done, whether they were an activity or whether they were not; and if he felt they were not an activity, of course he would not feel required to report them to the House.

I have no particular interest in the information or in the matter which the gentleman from Texas [Mr. BLANTON] seeks to acquire under this resolution, but I do think that if we were to pass a resolution upon this subject it certainly ought to be confined to the purposes and to the requirements of the rules of the House upon those matters.

Mr. BLANTON. Mr. Speaker, I desire to be heard on the resolution before the Speaker rules.

The SPEAKER. The Chair will hear the gentleman.

Mr. SMITH of Michigan. Mr. Speaker, in reference to the point of order made by the gentleman from Massachusetts, in all of which I concur, I would like to call the attention of the Speaker to the fact that this resolution calls for an investigation. It has eight sections to it, and, as was said by the highest parliamentarian, I think, in the United States, the gentleman from Illinois, no resolution can be sent out as a dragnet. This resolution calls for a complete investigation, and the gentleman from Texas understands how to get an investigation in this House, which is by special committee. I would like to call the attention of the Chair to the fact that while there are eight different paragraphs to the resolution, the rule is that if any one of the sections in the resolution itself is subject to a point of order the whole resolution must fail.

Now, the resolution must call for facts and not opinions, as was stated by the gentleman from Massachusetts [Mr. WALSH]. Section 4 says:

What activities, if any, are now being conducted in behalf of Thomas J. Mooney?

That does not call for a fact. That calls for activities being carried on at the present time. And I would like to ask the Speaker or anyone else whether or not the qualification contained in that paragraph is a fact? I ask if the phrase, "What activities, if any," constitutes a fact? The resolution can only call for information on the fact in being, and that is shown in Third Hinds, 1892, as well as by the Manual, at the top of page 381.

Now, they mention here "the names of persons, stating in detail their activities." This is a set of resolutions covering a certain period of activities and calling for an investigation. An investigation is never had by a special rule of the House by resolutions, but the House has a well-defined way in which to provide for an investigation. And the gentleman knows how to proceed in that regard. I am not complaining about any investigations—this is a period of investigating—but to set out a dragnet, as was said by the gentleman from Illinois, is not permissible under a resolution, and there can not be a resolution of inquiry. It must be a simple resolution asking for facts.

And, again, it says:

What connection in behalf of the Department of Labor, if any?

That does not call for a fact. It calls for an investigation. They can not make an investigation out of this kind of a resolution. For that reason I think the resolution is subject to a point of order.

In section 4 it says:

What activities, if any, are now being conducted in behalf of Thomas J. Mooney?

Who by? By the Department of Justice? Thomas J. Mooney and his kin should be allowed to rest and not be brought into this House any more than should Debs or these other parties.

I think this resolution is not specific. It calls for an investigation. It asks for an opinion and does not ask for a fact, and for that reason is subject to a point of order.

Mr. CLARK of Missouri. Mr. Speaker, the maintaining of the rules and practices of the House is really more important than is the resolution itself. Both of these gentlemen hop onto section 4 as being very defective. Of course, everybody who has been here much and has had anything to do with the parliamentary arguments in the House knows that all the Speakers have been very careful about keeping these resolutions within due bounds. Sometimes it is very hard to tell whether they are asking for an opinion—which, of course, is barred—or asking for facts. The gentleman from Michigan [Mr. SMITH] says an activity is not a fact. Well, if an activity is not a fact, what is an activity, and what is a fact?

Mr. SMITH of Michigan. Will the gentleman from Missouri yield?

Mr. CLARK of Missouri. Yes.

Mr. SMITH of Michigan. It says, "what activities, if any." I say it is not a fact, because it leads him to determine his opinion.

Mr. CLARK of Missouri. No; it does not. It says "activities, if any."

Mr. WALSH. Will the gentleman from Missouri define an activity?

Mr. CLARK of Missouri. Yes. An activity is a line of action.

Mr. WALSH. And if it is used in an inquiry on the part of a House resolution it means what line of action, if any, is being conducted in behalf of Thomas J. Mooney.

Mr. CLARK of Missouri. Of course it does. Now, the objection——

Mr. WALSH. I dislike to disagree with the gentleman's opinion, but I think I have heard him make a ruling on this very phrase——

Mr. CLARK of Missouri. I always ruled out any shade of opinion that was ever asked for in one of these resolutions. You could address a resolution to the United States marshal here asking what activities were being exercised to catch a lot of burglars. Are they not facts? There are various ways of catching criminals. You want to know what he is doing, what kind of activity he is carrying on, or whether he is carrying on any. What harm does the putting in of the words "if any" do? It excuses the Secretary of Labor from making a report on section 4 if there are no activities going on in this Mooney case. He can say there are none just as easily as he can say there are some—a dozen, if there happens to be a dozen. I think the gentleman from Massachusetts, who is a crack parliamentarian, is splitting hairs on section 4.

The gentleman from Michigan [Mr. SMITH] claims, it seems, that you can ask of these heads of departments but one question at one time. That is a nice how-de-do. [Laughter.] There are eight sections in this resolution, and each one asks for something that is not asked for in the other.

Whether the Secretary of Labor knows all these things or not I do not know, but this resolution simply seeks to find out.

Mr. HUDDLESTON. Mr. Speaker, will the gentleman yield?

Mr. CLARK of Missouri. Yes; in half a minute. All I am talking about is the technical right of the gentleman from Texas [Mr. BLANTON] to have his resolution voted on.

Mr. HUDDLESTON. Mr. Speaker, will the gentleman yield now?

Mr. CLARK of Missouri. Yes.

Mr. HUDDLESTON. May I call attention to sections 7 and 8, which call in form for original documents? They do not call for copies of documents, but they call for original reports made by certain officials, which we can not do, as I understand, under a House resolution. I understand we can only call for original documents from one of the department heads and take them out of his possession and out from under his control by a joint resolution.

Mr. CLARK of Missouri. Now, taking it for granted that the contention of the gentleman from Alabama is correct, it would be the easiest thing I know of to correct it by some amendment to furnish copies.

Mr. HUDDLESTON. May I ask the gentleman this question: Does not that take away from the resolution the privilege that it would otherwise have?

Mr. CLARK of Missouri. Why?

Mr. HUDDLESTON. In other words, it is an improper resolution. It is not privileged, because it calls for a thing to be done that you can not properly include in a House resolution.

Mr. CLARK of Missouri. I know; but that is not the point. The gentleman from Texas, if he wants to, has a perfect right to call for an original document. It does not make any difference as to the technicality of it.

Mr. HUDDLESTON. Can that be done in a House resolution?

Mr. CLARK of Missouri. Why not?

Mr. HUDDLESTON. For the reason that it is not in parliamentary form.

Mr. CLARK of Missouri. It calls for facts.

Mr. HUDDLESTON. That is not a fact. It calls for a document. You might as well take away a ledger from the Department of State, or a charter, or a desk which is in their possession. We can not do it by a House resolution. We are going beyond our scope, and therefore it can not be privileged.

Mr. CLARK of Missouri. You can ask for copies.

Mr. HUDDLESTON. Yes; but it deprives the resolution of the quality of privilege.

Mr. CLARK of Missouri. I do not think so.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. CLARK of Missouri. Yes.

Mr. WALSH. Will the gentleman state whether or not, in his opinion, the language in line 6, page 2, "charged with and convicted for heinous crime in California," calls for an expression of opinion?

Mr. CLARK of Missouri. No. It assumes a fact; the resolution itself assumes, and correctly, that Mooney was "charged with and convicted of a heinous crime in California," to wit, murder.

Mr. WALSH. No. It calls for the names of persons who have been charged with or convicted of heinous crimes in California.

Mr. CLARK of Missouri. No; "the names of all persons who, under the direction of any branch of the Department of Labor"——

Mr. WALSH. "Who had anything to do with the investigation of Thomas J. Mooney, charged with and convicted for heinous crime in California." There is a comma after "Mooney," and I suppose it means persons charged with heinous crime in California.

Mr. CLARK of Missouri. Are not the names of people facts?

Mr. WALSH. Yes; but whether a crime is a heinous crime or not is a matter of opinion.

Mr. CLARK of Missouri. Well, murder is a heinous crime, is it not?

Mr. WALSH. Yes. Sometimes in some localities chicken stealing is.

Mr. CLARK of Missouri. It is made a felony in Missouri in the second instance. "The names of all persons who, under the direction of any branch of the Department of Labor, had anything to do with the investigation of Thomas J. Mooney, charged with and convicted for heinous crime in California." It does not do a thing on earth except ask for the names of the witnesses, and surely the names of people are facts. It does not make any difference what Mooney was charged with, so far as the parliamentary status of it is concerned.

Mr. UPSHAW. What does a fact look like?

Mr. CLARK of Missouri. What does a fact look like? Some do not look like anything and some look very large. [Laughter.]

Mr. UPSHAW. That is what I was trying to bring out.

Mr. CLARK of Missouri. Surely the getting of names of witnesses in the Mooney case simply calls for so many facts. There is no question about that part of the resolution. I think myself that the gentleman from Texas [Mr. BLANTON] ought to amend his paragraphs 7 and 8 by calling for copies. While this resolution contains eight different propositions, it seems to me nobody on earth except the gentleman from Massachusetts thinks that it is not right because it requires eight different things. It might require eighty. But in order to fix it right I would call for copies.

Mr. CAMPBELL of Kansas. They could all be stated without numbering them?

Mr. CLARK of Missouri. Of course. Nowhere in this paper is there a single request for an opinion from the Secretary of Labor or anybody else on the face of the earth.

The SPEAKER. The Chair understands the gentleman from Texas moved to discharge the committee.

Mr. BLANTON. If the Chair has any doubt on the question of the point of order raised, I would like to be heard on it.

The SPEAKER. Does the gentleman move to discharge the committee?

Mr. BLANTON. Yes. I move to discharge the committee.

The SPEAKER. The only points that the Chair cares to hear the gentleman on are whether No. 4 calls for facts, and the suggestion made by the gentleman from Alabama [Mr. HUDDLESTON] and the gentleman from Missouri [Mr. CLARK] that paragraphs 7 and 8 ought to call for copies instead of originals.

Mr. BLANTON. Mr. Speaker, on those two points the resolution, while it has eight subdivisions, is construed in its entirety as to all.

The SPEAKER. The gentleman need not discuss that question.

Mr. BLANTON. And it clearly shows to any ordinary mind that is not so technical as that of my good friend from Massachusetts, which is abnormally technical [laughter], that its purpose is to cover only the activities exerted by the Department of Labor. It is an inquiry directed to the Secretary of Labor with respect to matters pertaining to his department, and it would be surplusage to repeat in each subdivision the fact that it is applicable to the Department of Labor. That is indicated once in the beginning, and that would be inferred in the subsequent sections.

I call the attention of the Speaker to good pleading in court. The courts have held that it is surplusage to be compelled to set out in each separate paragraph all the matters which are clearly understood from preambles in the statement. So much for section 4, which merely asks what activities known to the Department of Labor are being conducted in behalf of this criminal.

The SPEAKER. It does not say the Department of Labor.

Mr. BLANTON. It does in two other places.

The SPEAKER. Of course, that is the only point the Chair is in doubt about.

Mr. BLANTON. In section 2 it says "any branch of the Department of Labor." In section 3 it says "the Department of Labor." Section 4 merely follows the preceding paragraphs. In other words, if it is so clear that the Secretary of Labor will understand what is meant, this document is good, and I do not see how any mind could misunderstand it. Can the Speaker say that the Secretary of Labor will not understand what this section 4 means? He would understand that it applies to the various branches of the Department of Labor. He could not go outside of his own department. He would not for one minute attempt to extend or apply it to any other branch of the Government, or to understand that it so applied.

Now, in so far as sections 7 and 8 are concerned, in all seriousness I want to suggest to the gentleman from Alabama, does he believe that the House of Representatives has not the inherent right, if it wants to, to inspect any document in any department of this Government? If it wants to see a document, it has the right to see the document itself. The House of Representatives acts independently of the Senate on many occasions with respect to certain inquiries.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. BLANTON. I am glad to do so.

Mr. HUDDLESTON. These sections purpose to take away from the Department of Labor the physical possession of docu-

ments that properly belong in the Department of Labor under the law as it now exists. The law as passed by both Houses of Congress puts the possession of those documents in the Department of Labor.

Mr. BLANTON. What law is there that prevents the House of Representatives from calling for a document?

Mr. HUDDLESTON. Let me finish what I am saying. The gentleman proposes to take away one or two of those documents by action of the House alone, to take them from the proper depository of the documents, made so by a law passed by both Houses of Congress. Now, will the gentleman permit me further——

Mr. BLANTON. I did not yield for a speech, Mr. Speaker.

Mr. WALSH. Will the gentleman yield?

Mr. BLANTON. In just a moment. I want to reply to the gentleman from Alabama before I yield to the gentleman from Massachusetts.

Mr. HUDDLESTON. The gentleman did not allow me to finish my question. He can not answer the question until he allows "the gentleman from Alabama" to be heard.

Mr. BLANTON. I courteously yielded to the gentleman from Alabama to ask me questions, but could not yield him time to make a speech.

The SPEAKER. Unless some authority is presented to the Chair, the gentleman need not discuss the question about the originals of the reports.

Mr. WALSH. Will the gentleman yield?

Mr. BLANTON. I gladly yield for a question.

Mr. WALSH. Will the gentleman from Texas state whether or not in his opinion the language in line 23—

The purpose of such trip—

calls for the statement of a fact or the expression of an opinion?

Mr. BLANTON. It calls for a fact, Mr. Speaker, and I think I can convince the gentleman in a moment. The Department of Labor acts presumably upon authority. That authority can come from various sources. The President of the United States could direct the Secretary of Labor to do certain things. Pursuant to such instructions or requests from the President of the United States, the Secretary of Labor could carry out those instructions. The House of Representatives could call on the Secretary of Labor to do certain things. That would be a fact.

In response to this question the Secretary of Labor could say, "I did so-and-so at the behest of the President," or "I did it at the behest of the Senate," or "I did it at the behest of the House of Representatives," or "I did it upon the authority of an act of Congress," and cite Congress to the act giving him authority. Any one of these illustrations which I have given constitutes a fact and not an opinion.

Mr. WALSH. Will the gentleman yield further?

Mr. BLANTON. Yes.

Mr. WALSH. But, of course, in stating the purpose of a trip, which the gentleman calls for in subparagraph 5, the gentleman is not calling for the statement of a fact, but for the expression of the opinion of the party who may have ordered the trip.

Mr. BLANTON. I will gladly answer the gentleman. For instance, the facts will show that these three men hired an expensive, high-power automobile and paid an enormous sum per day for it and ran back and forth from San Francisco to Los Angeles, back and forth and forth and back, costing this Government hundreds of dollars. And incidentally the facts will show that instead of being engaged in a lawful purpose, one was arrested by the officers of the law for violating the law in particular. Now, I do not ask for an investigation, as stated by the gentleman from Michigan. No investigation is sought. It is merely to show to the Members of this House the facts, so that afterwards if they want to call for an investigation the House can do so; but God knows it is hard enough to get an investigation of this Labor Department, though needed badly. I have been trying for two months to get an investigation of the department presided over by Mr. Densmore, to show where the millions that have been spent by him went. I have in my pocket a little button that a Congressman gave me just a moment ago, and he stated to me that $75,000 of the people's money has been spent by Mr. Densmore to have hundreds of thousands of these little buttons manufactured, and they are still down there unused.

Mr. ASWELL. Mr. Speaker, I make the point of order that the gentleman is not discussing the subject.

The SPEAKER. The Chair sustains the point of order. The gentleman will confine himself to the resolution.

Mr. BLANTON. I am not asking for any investigation. I am asking to have these facts placed before the Congress, hoping some day to get an investigation.

Mr. ASWELL. I make the point of order that the gentleman is not discussing the resolution.

Mr. BLANTON. I simply ask for the reports of the activities of these men between San Francisco and Los Angeles and ask for an itemized statement of their expenses.

Mr. SMITH of Michigan. Would it not be better to ask for an investigation? I will admit that the House has the right to ask for a report.

The SPEAKER. The Chair would suggest that that does not bear on the point of order.

Mr. BLANTON. I do not yield to the gentleman for that. The only purpose on earth of this resolution is to try to get certain facts before the House of Representatives, and if, in their judgment later on they desire to do so, they may call for an investigation.

Mr. VAILE. I would suggest to the gentleman that with the purpose of establishing a fact we prove the intent in criminal cases in court right along.

Mr. BLANTON. Certainly, the intent is proven like any other fact, and in regard to the Philadelphia matter, that is certainly a fact. This man Welsh sent me certain information, and therefore Densmore had to send men to Philadelphia to investigate Welsh.

The SPEAKER. The gentleman must not discuss the merits of the case but the gentleman must confine himself to the point of order.

Mr. BLANTON. I am asking the Secretary of Labor to send the report of these men in Philadelphia who investigated Mr. F. R. Welsh for six weeks and an itemized statement of their expenses there. Is not that a fact? This is Government money that has been spent, and there is nothing in any of these eight subdivisions in this resolution that does not call for a fact.

Mr. CAMPBELL of Kansas. Mr. Speaker, just an observation upon the question raised by the gentleman from Alabama [Mr. HUDDLESTON] in respect to information asked for by sections 7 and 8. The clauses do not ask for the originals of these documents, and the presumption is that the department is asked for what the department has a lawful right to give. The law provides that all of the departments of the Government on proper request shall make certified copies of any reports or of any documents rightfully filed within the department, and that these copies of reports properly certified by the head of the department as such are accepted in any court of justice as the original. I take it that these clauses call for such a report as the department has a right to make and can make under the law.

Mr. HUDDLESTON. Mr. Speaker, just for a moment——

The SPEAKER. If the gentleman from Alabama has any authority that the House has no right to demand original papers, the Chair will be very glad to hear him, but otherwise it seems to the Chair that that is a question of the merits of the resolution. It may possibly be unwise for the House to do that, but the Chair does not see that that affects the matter from a legal standpoint.

Mr. HUDDLESTON. I have no desire to discuss this in order to hear myself talk, and if the Speaker has a conclusion about it I do not wish to say anything.

The SPEAKER. The Chair has expressed an opinion, and if the gentleman has anything to suggest to change that, he would be very glad to hear from him.

Mr. HUDDLESTON. This question is called up in the House suddenly, and manifestly I have not had time to investigate it and am unable to cite any precedents, if by "authority" the Speaker means decisions as a matter of parliamentary procedure. I have authority which I think I could cite which would by logical inference be applicable, but if the Speaker means parliamentary precedents I have nothing of the kind.

The SPEAKER. The Chair thinks this: It may be unwise and improper for the House to demand these originals from the department, but that is not a question for the Chair to decide. That does not affect the legality of such a resolution, and all the Chair can decide is whether it is legal.

Mr. HUDDLESTON. I think I could have presented my point of view in the time that has been taken up between the Speaker and myself in colloquy.

The SPEAKER. The Chair will hear the gentleman.

Mr. HUDDLESTON. I merely want to call attention to this with reference to what the gentleman from Kansas [Mr. CAMPBELL] has said: This resolution calls in several of its subdivisions for "copies" of reports or documents. In subdivisions 7 and 8 it calls for "reports." Manifestly there is only one thing which is a report, and that is the original. It follows as a matter of course that if we ask for a report in the absence of anything to indicate the contrary we are asking for the original report and not a copy of the report. Especially does that implication obtain when there are subdivisions of this resolution which call for "copies" of papers. If copies only

were asked for by these subdivisions 7 and 8, "copies" would be asked for. Therefore, taking the resolution as a whole, it seems clear to me that the original reports are demanded.

What I was going to say upon the main question is this: The acts of Congress make the Secretary of Labor the proper custodian of these reports that are called for here—that is, acts of Congress, not acts of the House or of the Senate, but of Congress as a whole. We propose by this resolution, if I interpret it correctly, to call for the original of these papers, to change those acts of Congress—to take away from that official who has under existing law the custody of the papers the right to retain them—and to place the papers elsewhere. They will not be returned to the Department of Labor, but they will be kept here and laid before the Speaker.

As I was saying, we do not propose to turn these papers back to the Department of Labor, where they properly belong, after inspecting them, but they are to be laid before the Speaker and to become a part of the archives of the House. Therefore we are changing the place of deposit from what it is under present law—the Department of Labor—to the archives of the House, and that is a change of law. That is the reason why the House can not by House action alone do this. A joint resolution, which is an act of Congress, can alone do this.

The resolution sought to be called up has privilege only if it seeks by a proper method to do a proper thing. It has no privilege if its object is improper—if it seeks to do something that the House can not lawfully do. Therefore I hold that the resolution has lost its quality of privilege because it would change existing law.

Mr. MONDELL. Mr. Speaker, I will not take up the time of the House but a moment in regard to this point of order. I do not consider the matter sufficiently important to warrant taking up very much time. I do not think it will make very much difference to any of us whether or no the resolution passes, but I want to suggest to the Speaker this resolution certainly trenches on the border line, if it is not actually subject to the point of order made. It is a peculiarly worded affair. I think gentlemen are justified in saying that it calls for an investigation; it certainly calls for an opinion on the part of the Secretary as to the alleged information sought under several of the various heads of the resolution. The Secretary might find it very difficult to determine just what the alleged information was that was sought through the resolution. It offends the rule as generally construed in that it is a dragnet. Evidently whoever drew the resolution had some doubt whether or no the alleged facts sought to be described were in existence.

Mr. BLANTON. Will the gentleman yield?

Mr. MONDELL. I yield.

Mr. BLANTON. I drew the resolution, and I know that the facts exist in each one of them. Well, does the gentleman think that is a fair argument to deliver on the floor of the House when a gentleman can not even answer a question?

Mr. MONDELL. The gentleman from Wyoming said at the very outset that he did not think it was very material or important from anybody's standpoint whether or no the resolution passes, whether or no these alleged facts were furnished. I do not think it is going to settle any important controversy one way or the other. If the gentleman knew these alleged facts existed, as he says he did, it should have been possible more clearly to describe them. It ought not to have been necessary to use such hazy and uncertain terms in the attempt to designate them or locate them or indicate what particular classes of facts were sought. A resolution of this kind may be privileged within the rules, but it is certainly on the border line, because it comes very near requiring the forming and expression of opinion. It is certainly a very broad and all-embracing dragnet, which a resolution of inquiry should not be to be privileged.

Mr. CLARK of Missouri. I would like to ask the gentleman a question or two. The effort to keep these resolutions within proper limits is more important than the essence of this resolution?

Mr. MONDELL. Very much more.

Mr. CLARK of Missouri. Now, what I want to ask the gentleman about is, really, is there in any one of these eight sections any effort to get the Secretary of Labor to express his opinion?

Mr. MONDELL. Well, I should say that the resolution bristled with the effort.

Mr. CLARK of Missouri. Name one of the bristles, then. [Laughter.]

Mr. MONDELL. Well, I think I could name all of the paragraphs—all eight of them.

Mr. CLARK of Missouri. Now, let me ask a question about that.

Mr. MONDELL. More or less of that character. For instance, paragraph 4, referred to by the gentleman from Massachusetts, "What activities, if any, are now being conducted in behalf of Thomas Mooney." Conducted where? Who by?

Mr. CLARK of Missouri. Why, by the Secretary of Labor or his agents.

Mr. MONDELL. The resolution says simply——

Mr. CLARK of Missouri. But you have got to construe the language in the light of ordinary common sense and practice.

Mr. MONDELL. Well, the honorable gentleman from Missouri who is now addressing the House as a Member perhaps is not bound to that closeness of reasoning which characterized him as a presiding officer. When the presiding officer of the House. I doubt if he would have said that the paragraph very clearly and unquestionably indicated its purpose.

Mr. CLARK of Missouri. Now, what is the matter with the paragraph?

Mr. MONDELL. Well, the matter with it is that it is all-embracing; it spans the heavens like a bow from one horizon to the other.

Mr. CLARK of Missouri. I know; but any Member of the House has a perfect right to do that very thing if he wants to and if the House will coincide with him.

Mr. MONDELL. Well, I think the gentleman will agree that the resolution would not be privileged if the paragraphs were all like this.

Mr. CLARK of Missouri. Well, why?

Mr. MONDELL. "What activities, if any, are now being conducted in behalf of Thomas J. Mooney?" Well, I assume a good many activities are being conducted on behalf of Mr. Mooney at one place and another, by one person and another.

Mr. CLARK of Missouri. Will not the gentleman admit that on a reasonable construction of this resolution that it is to find out what activities the Secretary of Labor or any of his agents are using? And if there are none, as implied by the words "if any," why, all he has got to say is that there are none.

Mr. MONDELL. Mr. Speaker, the vice of this resolution lies in the fact that, while possibly no particular paragraph of it offends the ordinary rule of construction which makes resolutions privileged, nearly all the paragraphs are questionable in their character; and a resolution of this kind is certainly, as I have said, on the border line in all of its paragraphs, if it does not in fact violate the rule in almost every one of them.

Now, here is a question about reports. We may assume that what is sought is a copy, but the resolution does not say so, and the resolution in failing to say so raises the question of what it is that the House seeks—an original or a copy. The very first paragraph calls for a copy of certain instructions that can be no better described, apparently, than by reference to a letter alleged to have been written by Mr. Densmore to the Secretary of Labor.

Paragraph 3 is not very clear as to its meaning and purpose and intent; and so on through. Paragraph 5 says:

> Attach copies of vouchers of McPherson, Kelly, and Kilmer for July, 1919, covering their trip from San Francisco to Los Angeles; the purpose of such trip and expense of same itemized.

That is rather hazy and uncertain. Evidently some one has an idea that certain gentlemen, surnamed McPherson, Kelly, and Kilmer, made a trip about a certain time in a certain direction. It is not very clear.

The sixth paragraph says:

> Attach copy of letter of instructions sent by John B. Densmore to H. L. Cobb after Cobb was sent to Texas on propaganda trip for Employment Bureau, and expense of trip itemized in detail.

Now, if there is a set of facts sought in connection with the activities of one Cobb, the existence of which facts are known, it ought to have been possible to have more definitely referred to them. And so on through the entire resolution. It is uncertain and hazy and questionable in every one of its paragraphs.

Mr. WALSH. Mr. Speaker, might I direct the Speaker's attention to the language in line 23 on page 2, which says, "the purpose of such trip," and recall to the gentleman from Missouri [Mr. CLARK] a resolution offered during the Sixty-fourth Congress, directed to the Secretary of War, I think, with reference to expenditures for aeroplanes, in which the language used was "the purpose of such expenditures," and the gentleman from Tennessee [Mr. GARRETT] made the point of order that the resolution was not privileged because it called for the purpose of an expenditure made by the head of one of the executive departments, and that clearly the expression of purpose called for an expression of an opinion.

Mr. CLARK of Missouri. I do not remember that case, but even if it did, let us see whether "purpose" is a bad word or not.

The SPEAKER. Can the gentleman from Massachusetts [Mr. WALSH] cite that case to the Chair?

Mr. WALSH. I do not have it before me, but I recall the point being made against the word "purpose" in a resolution, I think, directed to the Secretary of War, and the point being made by Mr. GARRETT, of Tennessee.

Mr. CLARK of Missouri. I will ask the gentleman a question: Suppose a simple resolution asking the Secretary of Labor or anybody else for what purpose the Secretary of Labor, or Tom, Dick, or Harry took a trip to St. Louis, or ask the gentleman himself, for what purpose the gentleman went to Boston——

Mr. WALSH. That calls for a state of mind, what the man had in his mind, and not an existing fact. The purpose of this trip would not be stating a fact.

Mr. CLARK of Missouri. Why is it not a fact? The gentleman from Massachusetts might go to Boston for a dozen different reasons or purposes. He might go there on this committee of which he is the head.

Mr. WALSH. Oh, yes; but the gentleman from Texas [Mr. BLANTON] is here calling upon the Secretary of Labor to say what the purpose of a trip made by somebody else was.

Mr. CLARK of Missouri. I know, but he was one of his agents.

Mr. WALSH. I know, but he could not state the intentions existing in the mind of one of his agents.

Mr. CLARK of Missouri. Well, the agent went at his solicitation if he went anywhere, or under his direction, and the United States Government paid the expenses of his trip, and whether it will do any man on the face of God's earth any good to find out how much he spent or what he spent it for I do not know; but if any Member wants to find out what the expense was and what the trip was made for, he has the right to know it.

Mr. STEENERSON. Mr. Speaker, I want to call the attention of the Speaker to the first paragraph, which says:

> That the Secretary of Labor be, and he is hereby, directed to report forthwith to the House of Representatives of the United States of America the following facts.

Now, if you leave out everything else except the eighth paragraph, which reads:

> Attach report of John B. Densmore on Immigration Service investigation at San Francisco, with full statement of expense thereof itemized in detail—

It seems to me the plain meaning of it would be that he would report the report, and therefore the construction as placed on it here, that he should transmit the original, is not justified. This resolution does not ask him to transmit it. It asks him to report the report, and that the reasonable meaning of these words is that he should report the contents of the report.

Mr. BLANTON. Mr. Speaker, just a moment, please. I want to call the Chair's attention to the ridiculous position in which some of the gentlemen would place the House; that is, the House by a proper vote could appoint a subcommittee and authorize that subcommittee to have any executive come before it and bring any document in his office, and yet the Members of the House will stand here on the floor and say that the House itself has not any authority to have documents brought before it. We can appoint a committee; we can delegate to a committee the above authority, to have their officers come before them and bring everything they have got in their departments, if necessary; swear them, put them under oath, and yet, having that power, we absolutely are without power in the House to have anything brought before the House itself. That is a ridiculous situation.

Mr. MONDELL. Mr. Speaker, the gentleman from Texas loses sight of a very important factor of the situation. A pure resolution of inquiry is privileged. It gives an opportunity to the gentleman who offers it to discuss it and to bring it before the House. It is highly important that that privilege shall not be abused, and that the rules of the House shall not be so interpreted as to give any sort of a resolution which a gentleman may see fit to throw into the basket a privileged status.

Mr. REED of West Virginia. Mr. Speaker, it seems to me that one of the haziest parts of the resolution is section 6, in which a demand is made for the letter of instructions sent by Mr. Densmore to Cobb after Cobb was sent to Texas. How long after? The heads of bureaus are no doubt sending letters of instruction frequently to those under their direction. Suppose Mr. Densmore had sent Cobb one yesterday? Now, it would be a matter of opinion on the part of Mr. Densmore as to what letter of instruction is asked for. The resolution calls for a letter written after Cobb was sent to Texas.

Mr. CLARK of Missouri. I would like to ask the gentleman from West Virginia one question.

Mr. REED of West Virginia. Very well.

Mr. CLARK of Missouri. Does he not suppose that Densmore, the very minute he lays his eyes on this resolution, will know what letters they are after?

Mr. REED of West Virginia. It will be a matter of opinion with him, will it not?

Mr. CLARK of Missouri. No; it is not a matter of opinion.

Mr. REED of West Virginia. Suppose he has written several letters since Cobb was sent to Texas?

Mr. CLARK of Missouri. I do not know whether he ever wrote more than one, or whether he can write. [Laughter.]

The SPEAKER. It may be true, as the gentleman from Wyoming [Mr. MONDELL] suggests, that it is not of great moment whether the House adopts this resolution or not, but the Chair thinks it is important that the Chair should, if possible, rule rightly, because it will make a precedent which will have an effect during the rest of this Congress, at least, if not in subsequent Congresses, and therefore the Chair is anxious to make a correct decision, no matter how important or unimportant it may be in this particular instance.

The Chair does not consider the merits of the resolution, or whether the House ought to adopt it without amendments or not, or whether the House ought to order a Secretary to send down any original documents. No authority has been cited to show that the House has not the right to order originals sent here. While it might be wise to amend the resolution, the Chair does not see how that question affects his decision.

These resolutions of inquiry are part of the privileges of the House. A resolution of inquiry is an engine which the House has to extort information from an administration, and it always indicates that the administration is unwilling to communicate certain facts which the House wishes to have; and so it seems to the Chair that the Chair ought, as a rule, in his decisions to lean in favor of the privileges of the House. The only privilege that this resolution has now is because the committee has failed to report it within seven days.

Now, the point of order which has been raised is that this resolution asks for an opinion rather than for facts.

The Chair thinks that while the language here and there throughout the resolution is inaccurate, as evidenced, for example, in the objection to section 6, to attach copies of letters sent "after Cobb was sent to Texas"—which is somewhat indefinite and vague—yet after all when the House asks for instructions from the department it is not presumed to know the exact facts and can not be precise in its averments, because otherwise there would be no reason for asking for the information, and therefore all that the House can do in the resolution is make its inquiry so definite that the department shall know what is intended and be able to determine whether the House is acting within its rights.

The only clause which gives the Chair any serious difficulty is clause 4. To clause 5, to be sure, the objection is made that the purpose of such a trip involves the expression of an opinion. But the Chair thinks it pretty clear that what is intended there is not the purpose in the mind of the man who made the trip, but the purpose of the department in sending him, and the Chair thinks that is a proper fact for Congress to ask for.

The fourth paragraph is "What activities, if any, are now being conducted in behalf of Thomas J. Mooney." That is vague. If it said, "What activities, if any, are now being conducted by the Department of Labor," the Chair thinks it would be very clear. But inasmuch as in the previous paragraphs it speaks of the activities of the Department of Labor, and inasmuch as the whole resolution is directed to the Department of Labor and the inquiry is made of that department, the Chair thinks it is not stretching the language but is a reasonable and fair interpretation to say that that means "what activities, if any, are now being conducted by the Department of Labor in behalf of Thomas J. Mooney"; and therefore the Chair overrules the point of order, and decides that the resolution is privileged.

Mr. BLANTON. Mr. Speaker, I move the previous question on the motion to discharge the committee.

The SPEAKER. There is no need of that. It is neither debatable nor amendable. The question is on discharging the committee from further consideration of the resolution.

The question was taken, and the motion was agreed to.

The SPEAKER. The question is on agreeing to the resolution.

Mr. BLANTON. Mr. Speaker, I desire to amend the resolution, and I ask unanimous consent——

Mr. WALSH. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Obviously there is not a quorum present.

Mr. BLANTON. Mr. Speaker, I move a call of the House.

Mr. WALSH. We are not going to pass any more Mooney resolutions unless there is a quorum present.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 41 minutes p. m.) the House adjourned until to-morrow, Wednesday, August 13, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting an estimate of appropriation for defraying the cost of transportation and subsistence to China of certain Chinese refugees from Mexico who have been under military jurisdiction since 1917 (H. Doc. No. 181); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting estimate of a deficiency in the appropriation for "Suppressing counterfeiting and other crimes," sundry civil act for the fiscal year 1920, and suggesting an amendatory clause (H. Doc. No. 182); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Acting President of the United States Civil Service Commission, transmitting report in response to House resolution No. 73 (H. Doc. No. 183); to the Committee on Reform in the Civil Service and ordered to be printed.

4. A letter from the Acting Secretary of the Treasury, transmitting copy of communication from the acting chairman of the Federal Trade Commission submitting an estimate of appropriation for all expenses necessary in the collection of information as may be directed by the President of the United States or Congress regarding the production, ownership, manufacture, storage, and distribution of foodstuffs, or other necessaries, and the products or by-products in connection therewith, together with figures of cost and wholesale and retail prices (H. Doc. No. 184); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. KIESS, from the Committee on Printing, to which was referred the bill (H. R. 8362) to amend and revise the laws relating to the public printing and binding and the distribution of Government publications, and for other purposes, reported the same without amendment, accompanied by a report (No. 227), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SIMS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 8076) authorizing the county of Montgomery, Tenn., to construct a bridge across the Cumberland River within 7 miles of Clarksville, Tenn., reported the same without amendment, accompanied by a report (No. 228), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 7815) granting a pension to Benjamin Franklin Brown; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 4548) granting a pension to Amelia Erdman; to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. KALANIANAOLE: A bill (H. R. 8374) to amend section 4 of the act approved July 17, 1916, known as the Federal farm-loan act, extending its provisions to the Territory of Hawaii; to the Committee on Banking and Currency.

By Mr. KINKAID: A bill (H. R. 8375) to authorize advances to the reclamation fund and for the issue and disposal of certificates of indebtedness in reimbursement therefor; to the Committee on Ways and Means.

By Mr. ZIHLMAN: A bill (H. R. 8376) to provide increased compensation for postal employees; to the Committee on the Post Office and Post Roads.

By Mr. FOCHT: A bill (H. R. 8377) for the purchase of a site and erection thereon of a public building at Mount Union, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. GARD: A bill (H. R. 8378) to reduce the cost of living and to control the production and distribution of food products, wearing apparel, and fuel, and for other purposes; to the Committee on Agriculture.

By Mr. REED of New York: A bill (H. R. 8379) authorizing the Secretary of War to donate to the village of Bolivar, N. Y., one German cannon or fieldpiece, with accompaniments; to the Committee on Military Affairs.

By Mr. KAHN: A bill (H. R. 8380) to provide for the preparation, printing, and distribution of selected photographs of the war of 1917 to 1919; to the Committee on Military Affairs.

By Mr. FOCHT: A bill (H. R. 8381) authorizing the Secretary of War to donate to the county of Mifflin, State of Pennsylvania, to be placed in the public school grounds in the city of Lewistown, one German cannon or fieldpiece, with carriage and suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 8382) authorizing the Secretary of War to donate to the county of Fulton, State of Pennsylvania, to be placed in a public place in the city of Hustontown, one German cannon or fieldpiece, with carriage and suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 8383) authorizing the Secretary of War to donate to the county of Huntingdon, State of Pennsylvania, to be placed in a public place in the city of Mount Union, one German cannon or fieldpiece, with carriage and suitable number of shells; to the Committee on Military Affairs.

Also a bill (H. R. 8384) authorizing the Secretary of War to donate to the county of Franklin, State of Pennsylvania, to be placed in a public place in the city of Mont Alto, one German cannon or fieldpiece, with carriage and suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 8385) authorizing the Secretary of War to donate to the county of Franklin, State of Pennsylvania, to be placed in the public square in the city of Waynesboro, one German cannon or fieldpiece, with carriage and suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 8386) authorizing the Secretary of War to donate to the county of Juniata, State of Pennsylvania, to be placed in the courthouse square in the city of Mifflintown, one German cannon or fieldpiece, with carriage and suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 8387) authorizing the Secretary of War to donate to the county of Perry, State of Pennsylvania, to be placed in the public square in the city of Millerstown, one German cannon or fieldpiece, with carriage and suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 8388) authorizing the Secretary of War to donate to the county of Juniata, State of Pennsylvania, to be placed in the public square in the city of East Waterford, one German cannon or fieldpiece, with carriage and suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 8389) authorizing the Secretary of War to donate to the county of Snyder, Pa., to be placed in the public square in the city of Selinsgrove, one German cannon or fieldpiece, with carriage and suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 8390) authorizing the Secretary of War to donate to the county of Huntingdon, Pa., to be placed in the public square in the city of Huntingdon, one German cannon or fieldpiece, with carriage and suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 8391) authorizing the Secretary of War to donate to the county of Franklin, Pa., to be placed in the public square in the city of Mercersburg, one German cannon or fieldpiece, with carriage and suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 8392) authorizing the Secretary of War to donate to the county of Perry, Pa., to be placed in the public square in the city of New Bloomfield, one German cannon or fieldpiece, with carriage and suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 8393) authorizing the Secretary of War to donate to the county of Perry, Pa., to be placed in the public square in the city of Liverpool, one German cannon or fieldpiece, with carriage and suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 8394) authorizing the Secretary of War to donate to the county of Snyder, Pa., to be placed in the public square in the city of Middleburg, one German cannon or field-piece, with carriage and suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 8395) authorizing the Secretary of War to donate to the county of Union, Pa., to be placed in the public square in the city of Lewisburg, one German cannon or field-piece, with carriage and suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 8396) authorizing the Secretary of War to donate to the county of Union, Pa., to be placed in the public square in the city of Mifflinburg, one German cannon or field-piece, with carriage and suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 8397) authorizing the Secretary of War to donate to the county of Juniata, Pa., to be placed in the public square in the city of Port Royal, one German cannon or field-piece, with carriage and suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 8398) authorizing the Secretary of War to donate to the county of Franklin, Pa., to be placed in the public square in the city of Chambersburg, one German cannon or field-piece, with carriage and suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 8399) authorizing the Secretary of War to donate to the county of Fulton, Pa., to be placed in the public square in the city of McConnellsburg, one German cannon or fieldpiece, with carriage and suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 8400) authorizing the Secretary of War to donate to the county of Perry, Pa., to be placed in the public square in the city of Duncannon, one German cannon or field-piece, with carriage and suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 8401) authorizing the Secretary of War to donate to the county of Mifflin, Pa., to be placed in the public square in the city of Yeagertown, one German cannon or field-piece, with carriage and suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 8402) authorizing the Secretary of War to donate to the county of Mifflin, Pa., to be placed in the public square in the city of Millroy, one German cannon or fieldpiece, with carriage and suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 8403) authorizing the Secretary of War to donate to the county of Perry, Pa., to be placed in the public square in the city of Newport, one German cannon or fieldpiece, with carriage and suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 8404) authorizing the Secretary of War to donate to the county of Mifflin, Pa., to be placed in the public square in the city of McVeytown, one German cannon or field-piece, with carriage and suitable number of shells; to the Committee on Military Affairs.

By Mr. GOODYKOONTZ: Resoution (H. Res. 238) proposing a remedy for the high cost of living; to the Committee on Rules.

Also, resolution (H. Res. 239) requiring certain information from the Secretary of War concerning Army motor trucks and automobiles, and proposing the sale of such trucks and automobiles to the American people; to the Committee on Military Affairs.

By Mr. KELLER: Joint resolution (H. J. Res. 180) to conserve American products for American people, to prevent profiteering, and to reduce the high cost of living; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 8405) granting an increase of pension to Josiah Swick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8406) granting a pension to Sarah A. Trauger; to the Committee on Invalid Pensions.

By Mr. BELL: A bill (H. R. 8407) granting an increase of pension to Capt. John T. Morgan; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 8408) granting a pension to Frederick J. Young; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8409) granting a pension to William W. Shortridge; to the Committee on Pensions.

By Mr. HICKEY: A bill (H. R. 8410) granting an increase of pension to Andrew J. Laramore; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Iowa: A bill (H. R. 8411) granting a pension to Albert F. Knight; to the Committee on Pensions.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 8412) granting a pension to Thomas H. Coxe; to the Committee on Pensions.

By Mr. MOORE of Pennsylvania: A bill (H. R. 8413) granting an increase of pension to Thomas J. Parker; to the Committee on Pensions.

By Mr. NICHOLS of Michigan: A bill (H. R. 8414) granting an increase of pension to Watson F. Bisbee; to the Committee on Invalid Pensions.

By Mr. ROBSION of Kentucky: A bill (H. R. 8415) granting an increase of pension to William H. Wallace; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 8416) granting an increase of pension to Frank M. Grapes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8417) granting an increase of pension to Melvin Frazure; to the Committee on Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 8418) granting a pension to Mary Frame; to the Committee on Invalid Pensions.

By Mr. TINKHAM: A bill (H. R. 8419) granting a pension to James F. Connell; to the Committee on Invalid Pensions.

By Mr. VAILE: A bill (H. R. 8420) granting a pension to Eliza A. Sprague; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of 500 members of the Brotherhood of Railroad Trainmen, urging exhaustive investigation for the purpose of placing responsibility of the high cost of living; to the Committee on Agriculture.

Also (by request), petition of the mayors and representatives of the municipalities of New Jersey, supporting the President and Congress in their efforts to reduce the cost of living; to the Committee on Agriculture.

Also (by request), petition of clerks and carriers of the Marshall post office, urging increase in salaries; to the Committee on the Post Office and Post Roads.

Also (by request), petition of advisory board of the bureau of foods, markets, and farm products of the city of Ohio, urging legislation to provide punishment for profiteering; to the Committee on Agriculture.

Also (by request), petition of Brotherhood of Locomotive Engineers, Division 357, and Brotherhood of Locomotive Firemen and Enginemen, Lodge 270, of the Chicago, Milwaukee & St. Paul Railway, urging investigation to decrease the cost of living; to the Committee on Agriculture.

Also, petition of Sixteenth Legislative Assembly of the State of Montana, urging appropriation for the irrigation of projects throughout the West; to the Committee on Appropriations.

By Mr. CANDLER: Petition of A. E. Scott, C. L. Tubb, and 100 others, for repeal of the luxury tax; to the Committee on Ways and Means.

By Mr. CAREW: Petition of the New York Post Office Clerks' Association, Branch No. 1, of the United National Association of Post Office Clerks, urging increase in salaries; to the Committee on the Post Office and Post Roads.

Also, petition of Illinois Association of Postmasters, urging increase in salaries; to the Committee on the Post Office and Post Roads.

By Mr. CURRY of California: Petition of Stockton (Calif.) Local 320, National Federation of Postal Employees, protesting against House joint resolution 151; to the Committee on the Post Office and Post Roads.

Also, petition of Service Club of San Joaquin County, Calif., in favor of restricted immigration; to the Committee on Immigration and Naturalization.

By Mr. FULLER of Illinois: Petition of Lombard Post, No. 170, Grand Army of the Republic, supporting House bill 7022, proposing to increase pensions of soldiers of the Civil War and their widows; to the Committee on Invalid Pensions.

By Mr. GREENE of Vermont: Petition of Mansfield Grange, No. 441, of Jerico, Vt., opposing passage of the Mondell bill; to the Committee on Military Affairs.

By Mr. HAYS: Petition of citizens of Hornersville, Mo., for repeal of tax on ice cream, etc.; to the Committee on Ways and Means.

By Mr. HERNANDEZ: Petition of Alamogordo (N. Mex.) Post of the American Legion, urging enactment of laws to cor-

rect the present policy with regard to war-risk insurance; to the Committee on Military Affairs.

Also, petition of New Mexico Cattle and Horse Growers' Association, indorsing Kendrick-Kenyon bill; to the Committee on Agriculture.

Also, petition of the New Mexico Cattle and Horse Growers' Association, urging increase in pay for Forest Service employees; to the Committee on Agriculture.

Also, petition of the New Mexico Cattle and Horse Growers' Association, favoring extension of farm loans; to the Committee on Agriculture.

Also, petition of the New Mexico Cattle and Horse Growers' Association, favoring passage of Senate bill 2455; to the Committee on Agriculture.

Also, petition of the New Mexico Cattle and Horse Growers' Association, opposing transfer of the administration of the national forests from the Department of Agriculture to any other department; to the Committee on Agriculture.

By Mr. JACOWAY: Petition of Business Men's League of Clarksville, Ark., protesting against repeal of zone postal system; to the Committee on the Post Office and Post Roads.

By Mr. KENNEDY of Iowa: Petition of the adjutant general and other citizens of Iowa, protesting against the passage of the Chamberlain-Kahn bill; to the Committee on Military Affairs.

By Mr. LEHLBACH: Petition of mayors and other representatives of the municipalities of New Jersey regarding the high cost of living; to the Committee on Agriculture.

By Mr. MOORE of Pennsylvania: Petition of Lumberman's Exchange of the city of Philadelphia opposing Government control of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of National Association of Hosiery and Underwear Manufacturers opposing Government control of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. O'CONNELL: Petition of Illinois Live Stock Association opposing the enactment of the Kenyon bill; to the Committee on Agriculture.

Also, petition of staff of the United States Geological Survey protesting against the reducing of the space allotted to the employees of the Geological Survey in the new Interior Building; to the Committee on Public Buildings and Grounds.

Also, petition of Hughes Manufacturing Co., Rome N. Y., favoring House bill 7976; to the Committee on Ways and Means.

By Mr. REBER: Petition of Joseph Basanavicins, of Shenandoah, Pa., and P. B. Belles, of Tamaqua, Pa., urging the United States to demand the withdrawal of Polish troops from Lithuanian territory and to give to Lithuania moral support in her war against Bolshevism; to the Committee on Foreign Affairs.

Also, petition of Joseph Matlauskas and Frank Abromaitis, both of Tamaqua; Stiney Geguzis, Mahanoy City; Anthony Zelinsky, Shenandoah; A. Morgalis, and A. Alestik, of Shenandoah, all in the State of Pennsylvania, urging the United States to demand the withdrawal of Polish troops from Lithuanian territory and to give to Lithuania moral support in her war against Bolshevism; to the Committee on Foreign Affairs.

By Mr. ROWAN: Petition of John J. Gorman, inclosing editorial on universal military training; to the Committee on Military Affairs.

Also, petition of National Association of Credit Men, Chicago, Ill., regarding Federal taxation; to the Committee on Ways and Means.

Also, petition of Hughes Manufacturing Co., Rome, N. Y., favoring House bill 7976; to the Committee on Ways and Means.

Also, petition of the Traffic Club of St. Louis, indorsing Esch-Pomerene and Poindexter bills; to the Committee on Interstate and Foreign Commerce.

Also, petition of Armour & Co., Chicago, Ill., opposing Kenyon and Kendrick bills; to the Committee on Agriculture.

Also, petition of Chamber of Commerce, Camden, N. J., favoring corporate ownership and operation of railroads under comprehensive Government regulation; to the Committee on Interstate and Foreign Commerce.

Also, petition of J. J. Hodupp, New York City, opposing the Kendrick-Kenyon bills; to the Committee on Agriculture.

Also, petition of Food Products Union, New York, urging low-cost farm labor as a means to reduce the cost of living; to the Committee on Agriculture.

Also, petition of the National Live Stock Exchange, regarding high cost of living; to the Committee on Agriculture.

Also, petition of San Francisco Chamber of Commerce, regarding disposition and operation of Government vessels; to the Committee on Naval Affairs.

Also, petition of New York Post Office Association, Branch No. 1, of the United National Association of Post Office Clerks, urging increase in salaries; to the Committee on the Post Office and Post Roads.

Also, petition of representatives of the American Federation of Labor and affiliated organization of the four railway train service organizations of America regarding Plumb plan for control of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of National Wholesale Grocers' Association of the United States urging retention of zone advances; to the Committee on the Post Office and Post Roads.

Also, petition of Illinois Manufacturers' Association regarding the policy of the board of contract adjustment; to the Committee on Military Affairs.

By Mr. SCHALL: Petition of National Association of Letter Carriers, Minneapolis Branch, No. 9, Minneapolis, Minn., for increase in salaries; to the Committee on the Post Office and Post Roads.

Also, petition of International Association of Machinists, Minnehaha Lodge, No. 827, Minneapolis, Minn., for the permanent public ownership, democratic control, and efficient operation of the railroads of the United States as embodied in the Plumb plan for railroad reorganization; to the Committee on Interstate and Foreign Commerce.

By Mr. STRONG of Pennsylvania: Petition of citizens of Washington Township, Clarion County, Pa., protesting against a tariff on potash; to the Committee on Ways and Means.

By Mr. TINKHAM: Petition of Boston Central Labor Union urging appropriations for governmental departments; to the Committee on Appropriations.

SENATE.

WEDNESDAY, *August 13, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, let us find Thy divine favor as we face once more the tasks of the day. May we go through the duties of the day in the constant remembrance that Thou dost look upon us, that Thou hast an interest in the work that has been committed to our hands, and that Thou art willing to inspire us with divine wisdom. Do Thou help us in our tasks. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

PETITIONS AND MEMORIALS.

Mr. JOHNSON of South Dakota. I have a letter from C. J. Harris, State secretary of the American Legion, South Dakota branch of American Veterans of the Great War, inclosing resolutions adopted at a recent State convention of that organization held at Sioux Falls July 14–15. I ask that the communication and resolutions be printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection, the communication and resolutions were referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

THE AMERICAN LEGION,
SOUTH DAKOTA BRANCH OF AMERICAN
VETERANS OF THE GREAT WAR,
Sioux Falls, S. Dak., August 2, 1919.

Hon. EDWARD JOHNSON,
Washington, D. C.

DEAR MR. JOHNSON: The recent State convention of the American Legion of the department of South Dakota, in its first annual convention held in Sioux Falls, July 14–15, the inclosed resolutions were passed, and the secretary instructed to send a copy to you as a Representative in the Government, in Washington, from this State.

The American Legion, as you know, stands for policies beneficial to the people at large, and will expect of all Representatives that support.

Very truly, yours,

C. J. HARRIS, *State Secretary.*

Resolution regarding equality of disability pay to all officers or enlisted men of the Army, Navy, or Marine Corps, where such disability was occasioned incident to service in the recent war with the Central Powers of Europe.

Whereas under the present laws and regulations there is discrimination in favor of certain persons who received injuries in the service in the war against the Central Powers of Europe, and this discrimination grants to persons subject to retirement as officers of the Regular Army having a file number with the War Department, contra distinction to members of the Officers' Reserve Corps, of the National Guard, and of the National Army, benefits in excess of the benefits, rights, and privileges granted to officers of the same length of service, whose service was in the Officers' Reserve Corps, National Guard, or National Army; and

Whereas the granting of such discrimination in favor of officers subject to retirement as officers in the Regular Army having a file number with the War Department, savors of class legislation; and

Whereas equal benefits were granted to all members of the Army, Navy, and Marine Corps by the war-risk insurance act, and such benefits were granted regardless of vocation and previous training, and with the end in view of returning the individual if injured to his trade or vocation or of training such person for some equally lucrative employment: Be it

Resolved by this convention of the American Legion of the department of South Dakota, That the existing laws and regulations do unjustly and unwisely discriminate in favor of persons whose interest was no greater and whose service was of no greater benefit to the Nation, and that such discrimination has a tendency to place the several branches of our military service on different status, and by so doing causes friction and injustice; therefore be it further

Resolved, That a copy of this resolution be forwarded to all Members of Congress from South Dakota with the recommendation that legislation placing all members of the Army, Navy, and Marine Corps on an equal status regarding payments for disability or retirement on account of injuries received in the recent war.

—

Resolution calling attention of our congressional representation to H. R. 5545.

Whereas there has been introduced into the House of Congress as resolution 5545, providing for the building of homes, reclamation of lands, and other substantial aid to soldiers seeking to establish themselves in the world after discharge, and believing that the bill embodies legislation which will be of vast benefit to all ex-service men: Be it

Resolved, That the Members of Congress from South Dakota be furnished with a copy of this resolution with the request that they give this bill their best attention, interest, and consideration.

—

Resolution regarding war-risk insurance.

Whereas one of the primary purposes of this organization is to protect, assist, and promote the welfare of its members and of all persons in the military service of the United States and those dependent thereon; and

Whereas owing to the speedy demobilization of the men in the service and the impossibility of explaining to them their full rights and privileges under the war-risk insurance act, and to the fact that a large number of men are thereon daily losing said rights, benefits, and privileges, which may never be restored; and

Whereas it is desirable that every means be pursued to acquaint the men involved of their full rights and privileges and to prevent the loss of such rights: That it should be

Resolved, That this convention pledges its earnest support to the campaign of publicity and education in this connection in order that all men now acquainted with the rights and benefits accruing from a continuation of such insurance may take the proper steps for continuance or reinstatement, and that the executive committee be empowered to confer with the War Risk Bureau to insure the rights of all men now residents within this department; and be it further

Resolved, That the war-risk insurance act be so amended by Congress that the insured may be able to elect whether his insurance, upon maturity, shall be paid as an annuity or in one complete and full payment, and that the insured may select his beneficiaries regardless of relationship; and be it further

Resolved, That a copy of this resolution be forwarded to each Member of Congress from South Dakota requesting their best interests in protecting the rights of all men now retaining their war-risk insurance.

Mr. CURTIS (for Mr. KEYES) presented petitions of sundry citizens of Hopkinton, Mason, Albany, and Raymond, all in the State of New Hampshire, praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. TOWNSEND presented a petition of the Chamber of Commerce of Morgan City, La., praying for the continuance of the present zone system of postage rates, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry postal clerks of Sioux Falls, S. Dak., and a petition of the Colorado State Association of the National Association of Letter Carriers, praying for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

Mr. CAPPER presented a petition of Local Union No. 880, International Association of Machinists, of Pittsburg, Kans., and a petition of the United Trades Council of Pittsburg, Kans., praying for Government ownership and control of railroads, which were referred to the Committee on Interstate Commerce.

Mr. FERNALD presented a petition of sundry citizens of Maine, praying for the repeal of the tax on soda water and ice cream, which was referred to the Committee on Finance.

Mr. NEWBERRY presented a petition of the Michigan Hardwood Manufacturers' Association, praying for the return to private owners of the railroads of the country, which was referred to the Committee on Interstate Commerce.

He also presented a memorial of the Michigan Hardwood Manufacturers' Association, remonstrating against the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of Monroe, Mich., remonstrating against the enactment of legislation providing for Federal control of the meat-packing industry, which was referred to the Committee on Agriculture and Forestry.

Mr. MOSES. I present resolutions adopted at the annual convention of the New Hampshire Rural Letter Carriers' Association held at Charlestown, N. H., which I ask to have printed in the RECORD and referred to the Committee on Post Offices and Post Roads.

There being no objection, the resolutions were referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

Whereas the present rate of compensation paid rural carriers is totally inadequate to meet the present high and ever-increasing cost of living and maintenance of equipment necessary to serve our routes: Therefore be it

Resolved by the New Hampshire Rural Letter Carriers' Association in convention assembled at Charlestown, N. H., June 28, 1919, That we hereby respectfully petition Congress that the following schedule of salary and allowance for maintenance of equipment be promulgated;

The salary for the first year after induction into service shall be $50 per mile or major fraction of 1 mile per annum, increasing 10 per cent per year for a period of five years; such percentage of increase to be retroactive from time of induction into the service; allowance for maintenance of equipment shall be $600 per annum for standard routes of 24 miles; such allowance to be increased or decreased $20 per mile for routes more or less than the standard; and

Whereas it is impossible to render satisfactory or regular service by horse-drawn vehicles on routes in excess of 30 miles in length, these long routes impairing the efficiency of the service; be it further

Resolved, That no rural routes shall be established that are more than 30 miles in length, and all routes more than 30 miles in length shall be reduced to 30 miles or less.

We further respectfully request that the law passed by Congress directing the department to compensate rural carriers for the handling of locked pouches on rural routes be made effective, so that carriers who are required to handle such pouch mail shall receive just remuneration for performing this extra service; and

Whereas the present practice of requiring rural letter carriers to deliver parcels-post and relay mail for city carriers has resulted in serious delay in the delivery and dispatch of the mail on their own routes, also working a hardship on carriers performing this extra duty: Therefore it is respectfully requested that the practice be prohibited; and

Whereas in the past many rural carriers have been unjustly removed from the service without any possible chance of redress: Therefore be it

Resolved, That a civil service court of appeals be instituted so that all civil service employees will have a chance to present their cases, thereby having a chance to receive just treatment.

Mr. MOSES presented a petition of sundry citizens of Lyme, N. H., and a petition of sundry citizens of Atkinson, N. H., praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. NELSON presented a petition of Local Branch, Railway Mail Association, of Albert Lea, Minn., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

Mr. HALE presented a petition of Local Grange No. 287, Patrons of Husbandry, of Clinton, Me., praying for the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 2768) to authorize the disposition of certain grazing lands in the State of Utah, and for other purposes; and

A bill (S. 2769) to authorize the disposition of certain grazing lands in the State of Utah, and for other purposes; to the Committee on Public Lands.

By Mr. ROBINSON:

A bill (S. 2770) authorizing local drainage districts to drain certain public lands in the State of Arkansas, counties of Mississippi and Poinsett, and subjecting said lands to taxation; and

A bill (S. 2771) granting to certain claimants the preferential right to purchase certain alleged public lands in the State of Arkansas, and for other purposes; to the Committee on Public Lands.

By Mr. HARDING:

A bill (S. 2772) granting an increase of pension to George W. Pitner; to the Committee on Pensions.

By Mr. NEWBERRY:

A bill (S. 2773) for the relief of Ethel Proctor; to the Committee on Claims.

A bill (S. 2774) granting an increase of pension to Alverton H. Town (with accompanying papers); to the Committee on Pensions.

RETURN OF THRACE TO GREECE.

Mr. KING. I offer the following resolution and ask that it be printed in the RECORD and referred to the Committee on Foreign Relations. I also ask that there be printed in the RECORD a portion of a telegram which I have received and which is signed by a number of individuals and organizations of Greeks residing in the United States. This telegram protests against the Greek nation being deprived of territory which, it is claimed,

under the principle of self-determination and with a proper regard to the rights of nations, should be incorporated within the Kingdom of Greece.

The VICE PRESIDENT. Are those American organizations?

Mr. KING. I understand that they are; otherwise I would not present the petition. My understanding is that the petition is signed by individuals, as well as by societies or organizations of Greeks who are residents of the United States. The organizations are American in character. I shall make further inquiry, and if I ascertain——

The VICE PRESIDENT. The Chair does not understand how a man can be an American and a Greek citizen at the same time.

Mr. KING. I suppose that some of those who have signed this petition are in somewhat the same position as those American citizens who have made representations here and elsewhere concerning Ireland, and have asked that her people be given the right of self-determination. Such petitions were presented by loyal American citizens. I know that there are thousands and tens of thousands of American citizens of Greek birth and they are loyal to America and to our Government, but it is natural that they should have great solicitude for their fatherland.

The VICE PRESIDENT. The Chair knows that the Senator from Utah wants to observe the rules and that is all that is required.

Mr. KING. I have made some inquiry and am satisfied that these societies under whose auspices the meeting referred to in the telegram was held are American organizations and that the members of the societies are American citizens.

The resolution (S. Res. 160) was referred to the Foreign Relations Committee, as follows:

Resolved, That it is the sense of the Senate that in the treaties of peace with Bulgaria and with Turkey, western or Bulgarian Thrace to the line of the Arda River and eastern or Turkish Thrace, including Adrianople, to the line from Enos on the Aegean Sea to Midia on the Black Sea, should be awarded to Greece, proper facilities for Bulgarian commerce to be reserved at Saloniki, Kavala, and Dedeagatch; and be it further

Resolved, That the residue of European Turkey, including Constantinople, the coasts of the Sea of Marmora and the Peninsula of Gallipoli should be constituted a free State under the protection of the league of nations.

Mr. KING subsequently said:

Mr. President, a moment ago I offered a telegram containing resolutions adopted at a meeting of certain societies held in Boston, Mass., on Sunday last. An inquiry was made by the Chair as to whether the organizations and societies were American in character. Upon further examination of the signatures of the telegram I find that among them are the names of distinguished American citizens. Mayor Peters, of Boston, is one who joined in the telegram. Also, the secretary of state of Massachusetts; Lieut. Col. Frank Perkins; Capt. Winifred MacBrayne, of the Aviation Corps; Dr. M. M. Eichler, director of the Zionist Bureau of America; Joseph Horton, principal of the schools of Ipswich, Mass.; Bishop Rodostolu Alexander, who signs for the Greek churches in America. The telegram is also signed by Sergt. H. Korgis, of Company L, Twenty-third Infantry, Second Division, and he signs as chairman of the delegates representing 65,000 American soldiers of Greek nationality. The petition also states that those signing are citizens of the United States.

I shall not ask that all of the names attached to the telegram be inserted in the RECORD. There are a few lines in the telegram referring to a matter not germane which I shall ask to have excised and not printed.

Mr. President, naturally those in our midst who came from Greece and are acquainted with her glorious past are anxious for her welfare and development, notwithstanding their allegiance to their adopted country. Thousands of Greeks have come to our shores, and we find them in all parts of this Republic. Many of them have become naturalized and are bearing with fidelity the responsibilities of American citizenship. I have found them to be industrious and frugal and earnest to become loyal, patriotic, and intelligent Americans.

It is natural that they should be proud of the historic record of the Grecian people and that in the liquidation of the war they should behold with more or less anxiety the dealings of the peace conference with Hellenic interests. They feel, as do most Americans, that Bulgaria entered the war for the purpose of territorial aggrandizement and to aid in crushing the other Balkan States. They feel, as I know most Americans feel, that Bulgaria must be dealt with at the peace conference as an enemy nation. Of course, that does not mean that she shall be treated other than in a fair and just manner. The Grecian people desire to realize a part at least of their national aspirations. Everyone admits that Greece, both directly and indirectly, contributed to the allied cause. Every effort was made by Germany and Austria to secure the support of the Grecian people for the cause of the Central Powers. The great statesman, Venizelos, rendered signal service to his country and to the allied nations in combating the intrigues and the sinister efforts of the Germans and Austrians to attach Greece to the cause of the Central Powers. I have sometimes felt that sufficient credit has not been given to Venizelos and to the Greek people for their contribution to the success of the associated and allied powers. Bulgaria is attempting, notwithstanding her defeat, to impose the terms of a conqueror. She is seeking territory which should, in the readjustment of national lines, go to Greece, and I sincerely hope that the peace conference at Paris will see that the rights of Greece are protected.

I hope that the Foreign Relations Committee will promptly report, with a favorable recommendation, the resolution which I have just offered.

BOSTON, Mass., *August 11, 1919.*

Senator KING,
Washington, D. C.

The delegates of 126 Greek communities and 56 societies in the United States, and American-born citizens, assembled Sunday, August 10, in Mechanics' Building in Boston, resolve that—

"Whereas the Great War has been fought to establish justice and the principle of self-determination;

"Whereas we have pledged our honor that we will apply justice to all races;

"Whereas the Greeks have a just and valid claim to Thrace, to Northern Epirus, to the 12 islands of the Aegean, and Western Asia Minor on principle of nationality as admitted by all delegates at peace conference;

"Whereas the claims advanced by the Bulgarians upon Thrace are based only upon economic considerations;

"Whereas the Bulgarians have in the past demonstrated their inability to govern non-Bulgarian races in justice, and have perpetrated horrible crimes against Greeks, Serbians, Turks, and humanity at large;

"Whereas Greece has shown her capacity for governing equitably non-Hellenic races;

"Whereas for the Greek nation the question of Thrace is one of vital importance, and unless solved justly will drive the Greek people to desperation to go to war against Bulgaria in order to liberate the Province: Now therefore we American citizens, native born and of Greek descent, friends of the Greek nation, as well as of all nations subscribers to the principle of self-determination, convinced of the right of the Greek cause and believing that no other solution but a just one on principle of nationality will bring peace in the Balkans, respectfully represent to Senators LODGE, BRANDEGEE, KING, and MOSES our desire that justice be done to the Greek race, that Thrace and Northern Epirus and the islands be united with the free kingdom of Greece in order that the universal sentiment for Greece in America be not shocked by the surrender of purely Greek populations to our enemies,

"*Resolved*, That a vote of thanks be addressed to the entire press of the United States for the warm support it has given to the just cause of the Greek nation.

"*Resolved*, That a vote of thanks be addressed to Senators LODGE, BRANDEGEE, KING, and MOSES for the stand they have taken in defending the just cause of Greece before the Senate of the United States of America.

"*Resolved*, That a special vote of thanks be addressed to the New York Times, Herald, Tribune, World, Chicago Tribune, News, Post, Journal, Springfield Republican, Philadelphia Ledger, Washington Post, Kansas City Star, Boston Transcript, Herald, Globe, Post, Christian Science Monitor for their impartial presentation of Greek questions before the just tribunal of the American people.

"Committee chairman, Albert Langtry, Secretary Commonwealth Massachusetts; Sergt. H. Korgis (who captured 256 Germans, Company L, Twenty-third Infantry, Second Division), chairman delegates behalf 65,000 Greek American soldiers; Mayor Peters, Boston; Lieut. Col. Frank Perkins; Capt. Winifred MacBrayne, Aviation Corps; Dr. Chas. Fleischer; Miran Sevasly, Director Armenian Union America; Dr. M. M. Eichler, director Zionist Bureau America; William Flatmayer, Taunton, Mass.; Joseph Horton, principal schools, Ipswich, Mass.; Bishop Rodostolou Alexander, for Greek churches America; and many others."

CHARLESTON (S. C.) NAVY YARD EMPLOYEES.

Mr. FERNALD. I ask unanimous consent to call up from the calendar the bill (H. R. 6323) for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes.

The VICE PRESIDENT. Is there objection?

Mr. SMITH of South Carolina. Before that bill is taken up I should like to ask if the morning business has been closed.

The VICE PRESIDENT. It has not formally been so announced.

Mr. SMITH of South Carolina. It will take me just a moment to state the reason why I made the inquiry. I wish to call the attention of the Senate to a matter and make some inquiry of the proper committee, if the Senator from Maine will permit me. It will take only a moment.

Mr. FERNALD. I yield for that purpose.

Mr. SMITH of South Carolina. I wish to call attention to a letter I have received from a gentleman connected with the navy

yard at Charleston, S. C. He complains of the fact that the regular employees are being laid off on account of a lack of funds, while the temporary employees are being kept on the work, and he wants to know if it was really the policy of Congress to keep the temporary war workers on who have a civil-service status, while the old regular employees, who were there previous to the war and who have been doing the work, are being laid off.

With the permission of the Senator from Maine I should like to read a few paragraphs from this letter. The writer says:

> Permit me to bring to your attention a condition existing at the navy yard here that probably does not have its analogy in any other country in the world, certainly not in any commercial enterprise, namely, the laying off without pay experienced and necessary employees because of the "lack of funds" and at the same time retaining with pay temporary employees who can not possibly perform their ordinary duties because those who guide and direct their work are absent.
>
> Certain work of the Government always has been done by classified employees, who must first show their fitness for the numerous positions by taking and passing a civil-service examination.
>
> For years prior to the war this work at our yard has been performed by the class of employees above mentioned. The war naturally increased the work, temporary civil-service clerks were employed, and at the same time the Navy Department enlisted reservists (yeomen and yeomen (f)), placing them in the offices at desks where they became assistants to and worked under the clerks already so employed.

The letter goes on and shows that this temporary army of clerks have been provided for by an appropriation, while the regular clerks did the work upon which the temporary clerks were dependent, and now the permanent employees are being laid off while the temporary employees are kept there without any work to do.

I invite the attention of the chairman of the Committee on Naval Affairs to this matter. I should like to introduce this letter and have it referred to that committee and have the chairman make a report upon the conditions, so that we may clearly understand the facts in the case.

Mr. PAGE. Mr. President, as far as I know that is a matter which is left entirely in the hands of the Navy Department. I think it is permitted by law. I do not know the condition at this time, but if the Senator thinks it should be investigated and will introduce a proper resolution, we will look into the matter.

Mr. SMITH of South Carolina. I will state the reason why I called attention to it, with the permission of the Senator from Maine. It seems to me it is a matter about which an explanation could be given by the committee without any further investigation, so that I might inform my constituents just the reason why the permanent employees are being laid off without pay while the temporary employees are kept in employment.

Mr. PAGE. I can not answer, except to say that I understand it is the policy of the department—why I do not know. It is a matter entirely in their hands.

Mr. SMITH of South Carolina. Then I will content myself by saying that I will introduce at the proper time in the near future a resolution asking for this information, so that the public may be informed.

Mr. TOWNSEND. I was just going to make that suggestion, because I believe the Senator from South Carolina is absolutely right in endeavoring to place this information before the Senate. If it requires a resolution, I hope the Senator will not delay in introducing it.

The VICE PRESIDENT. The letter will be referred to the Committee on Naval Affairs.

APPROPRIATIONS FOR NAVAL CONSTRUCTION.

Mr. KING. Will the Senator from Maine yield to me for a moment?

Mr. FERNALD. Certainly.

Mr. KING. I would like to ask the chairman of the Committee on Naval Affairs a question. I am also a member of the committee, but I want a little information. I noticed in several publications yesterday and the day before that one of the officials in the Navy Department indicated that $100,000,000 more were required by the Navy Department for construction and other work, and the intimation was that if it was not appropriated there would be a deficit of $100,000,000. I want to ask the Senator from Vermont, the chairman of the committee, whether there has any intimation gone forth from the committee that they will tolerate the expenditure of money by the Navy Department which has not been appropriated or that they will ratify or confirm any act of the Navy Department in creating a deficit of $100,000,000.

Mr. PAGE. I think the Senator from Utah knows as well as anyone that no expenditure of that character would be tolerated without a full and careful consideration of the reasons for such an expenditure.

Mr. KING. I suggest, in the light of the rather positive statement made by the newspapers—and they seem to have spoken after consultation with one of the officials of the Navy Department—that the chairman of the committee advise that department that if there are deficiencies there is a penal statute, and a penal statute will be invoked against those who create great deficiencies.

Mr. President, speaking as one man, I am getting tired of these enormous deficiencies. After full consideration Congress determines what shall be granted to a department or to a bureau, and the officials in the department or in the bureau pay no attention whatever to the limitations placed upon them, and they incur expenditures of hundreds of thousands and tens of millions of dollars and come here with the greatest brazenry and effrontery and demand that Congress shall make appropriations to cover these deficiencies. It is about time some of these officials should be advised that they are not this Government; that they are executive officers, and they can not transcend the authority which is conferred upon them.

Mr. PAGE. The Senator from Utah, who is a member of the Committee on Naval Affairs, did his share, I judge, toward the formulation of the bill approved by the Naval Committee and by Congress. I do not know of any reason for assuming that the department will take any action that is not warranted by law. If there is any expenditure that does not come within the appropriation, I know the Senator from Utah will call it to the attention of the committee, and I shall be glad to act with him in any way he thinks advisable in ascertaining the facts. I do not think we need to rely too much upon what we see in the newspapers.

The VICE PRESIDENT. The Senator from Maine [Mr. FERNALD] asks unanimous consent for the present consideration of House bill 6323. Is there objection?

Mr. THOMAS. Will the Senator from Maine yield to me for a moment?

Mr. FERNALD. I yield to the Senator.

EXTRA PAY TO DISCHARGED SOLDIERS.

Mr. THOMAS. Mr. President, a few days ago I received a letter signed by a number of gentlemen as ex-soldiers, inquiring why I opposed the idea of a six months' bonus to the American Expeditionary Forces. I answered that letter on the 12th instant, and inasmuch as I am in receipt of other similar communications I ask leave to have inserted in the RECORD, without reading, the letter referred to and my answer to it. I thank the Senator from Maine.

There being no objection, the letters referred to were ordered to be printed in the RECORD, as follows:

NEW YORK CITY, *August 2, 1919.*

Senator THOMAS,
Washington, D. C.

DEAR SIR: We, the undersigned, all honorably discharged soldiers of the United States Army, noticing your antagonistic attitude toward the appeal the Senator from New York State, our representative, yesterday laid before the Senate, wish to inquire why you do not favor the proposed bill.

You no doubt are acquainted with the fact that if Germany had won the late war you would be forced to accept the terms she would have demanded. In that event the entire population of the United States would have been forced not only to pay Germany a great deal more than $1,000,000,000 but to give up our hard-earned liberty, which your and our forefathers fought so gallantly for.

While we were away those who stayed at home doubled and tripled their income, and if they happened to be exceptionally keen-sighted, amassed a fortune that will last them their entire life without having to expose themselves to death while doing so. We had to obey the command of our Government, even to the extent of forfeiting our life, without the prospect of a fortune lying before us. Surely they are willing that we at least be recompensed for the time that we lost while at the Government's disposal. The cost to them can be greatly lessened if you and your coherents will investigate the different camps and Government-owned storehouses, ascertain the amount of surplus supplies and dispose of them to the common people in this country at a fair price, so that they may save, and help stop speculators' profiteering, and then apply this money to a soldiers' fund.

One of the undersigned knows of one camp within 50 miles of Washington where a large accumulation of motor trucks are being allowed to stand out in the open rotting and rusting away from unuse and inattention. The money derived from the sale of these trucks alone would more than pay half of the entire emergency army a bonus of six months' pay.

We understand fully the immense volume of work that the present session of Congress have to handle, but we think that they can pause a moment or so in order to show their appreciation of a job well done and act upon both Senator CALDER's and Representative LAGUARDIA's appeal immediately.

Very truly, yours,

Henry F. McCann, Joseph A. Keelan, Joseph Demarest, George S. Basch, Frank Long, Otto W. Dahl, Edw. Baumgart, Donald Hanna, Charles M. Carlson, Thomas F. Wallace, William Bohrer, jr., Joseph J. Moeller, George Boetsch, Frank A. Rudolf, Fred E. Roediger, Leo M. Rogers, ex-soldiers, at present Sonora employees.

—

AUGUST 12, 1919.

HENRY F. MCCANN, Esq.,
1293 Second Avenue, New York City.

GENTLEMEN: In briefly acknowledging the receipt of your letter of the 2d instant, inquiring why I do not favor a bill for the payment of a bonus of $180 each to the soldiers of the United States engaged in the war with Germany, I promised as soon as opportunity permitted to answer you to the best of my ability. This promise I shall now fulfill.

The proposal, if I correctly understand it, is that the Government shall give to its soldiers a bonus equivalent to six months' pay while in the active service in recognition of its obligation to them for the successful performance of a supreme public duty.

My objections are:

First. The bill commercializes patriotism, impairs the sentiment of loyalty, and reduces to terms of money the service and sacrifice of the citizen for the public weal.

Every man in the United States is the possessor of certain rights which are reciprocal with certain duties or responsibilities. His enjoyment of the one is inseparable from his recognition of the other. The ultimate sanction of society, whatever the form of its government, is force, whose final analysis is the soldier in the ranks. The obligation to serve when the occasion arises is insistent and inexorable. Because of it you possess individual freedom, the right of initiative, the companionship of family and friends, the enjoyment of property, and the right to its lawful accumulation. Without the protection of a government guaranteeing these things they would perish, either by foreign aggression or domestic violence, or both. When threatened or assailed the government summons the citizen to its defense, and he must respond. In doing so he recognizes an obligation and pays a debt he owes to society. Its discharge is beyond price, as every patriotic, intelligent, and thoughtful man will at once admit. The soldier, it is true, receives and deserves a stipend sufficient for his needs, and properly requires his government to furnish him during service with arms, ammunition, clothing, provisions, and shelter. He also has the right to insist that the public shall care for those dependent upon him while he is performing such service.

It is evident that this service can not be measured in money. It is beyond price; it is sacred; it incarnates sacrifice. It is above and beyond the sordid standards of the workaday world. The attempt to apply them not only fails, but fastens upon that service the reproach that its impulses and its purposes were mercenary. There have been soldiers of fortune in the world, and armies have been composed of them, but never for a republic. Until Rome became an empire her legions were her pride and glory. When the republic became an empire these selfsame legions were transformed into the retainers of her emperors. These they finally dictated and then abandoned her to her fate.

There are, of course, exceptions to the principle. The family of the citizen serving in the ranks who loses life, and he who loses limb or bodily health in the performance of duty, must be cared for out of the public treasury. That condition is the genesis of the pension, and it was a sorry day for the Nation when that principle was abandoned at the demand of the Grand Army of the Republic and the present system substituted for it. The mad rush for pensions has dragged its glorious record in the mire, and in these days deserters and those dishonorably discharged are not only permitted but encouraged to apply for the correction of their records that they may share the spoils with those who fought the good fight. You will not approve that any more than I, but the disgraceful fact is there.

Another duty of the citizen is the payment of taxes for the actual needs of the Government. Just at present this is a pretty severe test of his loyalty, for he is paying them as he never paid them before, and he has a right to demand that the proceeds be applied as frugally as possible to the tremendous but imperative needs of public administration. We are raising $6,000,000,000 annually in this manner, or about half of what we are spending. This deficit we must make good, and we can do this only by taxation. Candidly, do you not think the taxpayer did something toward the war and that it is hardly fair to bankrupt him if we can avoid it?

You have performed a great work. Posterity will bless you for it. The country honors you for it. But you have performed a duty, recognized an obligation, and discharged a great sacred trust. There is the record. May it never be measured in terms of trade.

Second. The Government has voluntarily done and is doing more for its soldiers than ever before, and possibly more than it can afford. At the outset it doubled his pay. It then provided a system of war-risk insurance which its creators and advocates declared to be far better than and designed to take the place of a pension system. It was only upon that assurance that it was enacted, and even then some of us were inconsiderate enough to predict that after the war we would have both the insurance and the pension—a prediction which is being verified. We have given one bonus of $60 per soldier, equivalent to $250,000,000, and are devising a system of land allotments which assures a freeholder's place in the country to every soldier desiring to avail himself of it. I believe this should be done, but to be perfectly frank I must add that my principal motive is to secure the distribution of all public lands among the people as soon as possible. It is better for them, as it is infinitely better for the Government. Moreover, this enterprise requires a very considerable appropriation of money, although it adds very largely to the taxable wealth of the Nation, thus balancing the outlay. And it will serve to anchor the soldier to the soil. More than this we should not do.

Third. The bonus in question will be expended as easy money always is, and will be inevitably followed by demands for another and then another. The $60 bonus led to the movement for this one; the next will carry twice as much. The reasons for the first, if of any merit, are quite as convincing for all successive ones. And why should they not continue, once the practice begins? The politician, anxious for the soldier vote; demagogue, working on human cupidity; and the man coveting other appropriations for other purposes may always be depended upon "to start the fire and keep it burning." "Corn and the circus" became the cry of the Roman plebs once its appetite for them had been aroused, and the cry, we may be sure, was always heeded, though Rome perished in the end.

Fourth. The bonus is for every man, although the ostensible need for it is limited. There are countless thousands among you who are far removed from need. They are the majority. But very few are without means of support, and there is plenty of real work—not sinecures—for all who will work. Why should an overtaxed people be required to have their sorely needed revenues distributed among the well-to-do of the land? Are taxes levied in this country for such a purpose? Surely you will not, upon reflection, so contend.

Fifth. Every man and woman who worked in the Red Cross and other relief associations; in the hospitals, in the factories, in the mines, on the farms, and in selling bonds during the war, was serving the Nation. There were millions of them. Is there any reason why they should not have their bonuses, too, if bonuses are the order of the day? They were not in the trenches, neither were 65 per cent of the American Expeditionary Forces. Many of them were getting good wages, some of them only fair wages, some of them no wages. Why exclude them? Nay, why not bonus the poor old taxpayer himself? He certainly helped win the war, for without him you could not have been munitioned, nor clothed, nor fed. My dear sir, when a nation goes into the bounty business you can not draw the line. The civil-service employees are to-day clamoring for pensions. They say with much justice that they are as much entitled to them as are those of the military service, and we can not answer that claim. The Nation can not stand the added burden of this proposed bonus. If it were the only added charge we are asked to impose upon the Treasury it would be serious enough, but it is one of many. The railroad brotherhoods are demanding an additional $800,000,000, and we must provide not less than the sum of $1,000,000,000 for our guaranty of $2.26 wheat to the farmers. Education is clamoring for $100,000,000, and the civil employees want their wages raised to the absorption of as much more. The War Risk Bureau spends money as fast as we can supply it, to say nothing of "vocational education," pension increases, and scores of other claims which a good-natured Congress treats with favorable unconcern, and few of which should be considered at all. You gentlemen have helped win the war that America might continue her stately

progress undisturbed by the enemies threatening her institutions. Surely you do not want to bankrupt what you have saved!

Sixth. The Government exists for the people, not the people for the Government. Yet we are fast reversing this principle. We are more and more regarding it as some great superinstitution of which we are the children that it is bound to feed, clothe, and support us, supply us with funds from an inexhaustible Treasury, nurse us when sick, and that we should depend on it for everything—from the cradle to the grave. That is paternalism, pure and undefiled. It undermines the integrity of the citizen, destroys his initiative and self-reliance, and will finally reduce the Government to hopeless impotency. The process has been going on ever since the Civil War; so it is not surprising that the average man is now demanding that the Government support him instead of his aiding to support the Government. Its founders had no such delusions. Hence their greatness and the greatness of the Nation they created. So much for my objections.

Coming now to the recital of your letter. You tell me that had Germany won the war we would have lost our liberty and been compelled to pay her not less than a billion dollars of indemnity. Quite true; but how does that affect the question? If a burglar attacks my father's home and I kill him, must the old gentleman give me what the burglar would otherwise have appropriated had he killed me instead?

It is true that some, but by no means all, of those who stayed at home doubled and trebled their incomes. But their expenses always kept pace with their incomes, to say nothing of the tax which the Government has imposed upon them and from which you are largely, if not wholly, exempt. I know the Government has a surplus of nearly everything for which it paid billions, but they were secured to equip you and hasten, regardless of cost, the successful ending of the war. It is selling them as fast as it can, and using the money, as it should, to pay, in part, the appalling debt which its people are carrying.

I do not doubt your assertion regarding an accumulation of Army trucks, but who will buy them? And who will pay $320,000,000 for what cost much less? They would have to produce that amount to "more than half pay the Army bonus," for the emergency Army to which you refer includes every man who wore the Army or the Navy uniform.

I know that certain newspaper men, some of whom made your job as difficult as possible while you were performing it, are now clamoring for the bonus, and that men anxious for your votes will support this demand, but I can not, under my conception of duty, take any part in its promotion. My son, who won his wings in the Aviation Service, but who for lack of orders could not go to France, though anxious to do so, would spurn the idea of a "bonus" for doing his duty to his country, as I am sure would thousands of others who also served in the hour of need.

I am not at all in accord with the view that we shall hereafter live in freedom from wars and conflict, but I am sure that if this war is to be followed by opening the National Treasury to demands like this, as now seems unfortunately probable, we shall live at peace with other nations for the very good reason that we can not fight them, whatever their conduct. We will have no money, no credit, and consequently no Army.

Very sincerely, yours,

C. S. THOMAS.

REDUCTION OF CURRENCY IN CIRCULATION.

Mr. OWEN. Mr. President, on August 8 the chairman of the Federal Reserve Board, Gov. Harding, made a reply to Senate resolution 142 relative to the gradual reduction of currency in circulation in the United States. It is a very important communication and explains the reason why no legislation at this time is necessary with regard to the currency. It shows that in April, 1917, the per capita circulation outside of Federal reserve banks and Federal reserve agencies and the Treasury of the United States was $37.88 and on August 1, 1919, it was $45.16.

There has been an expansion of the circulation to a larger amount than that, but the currency is in the hands of Federal reserve agents and in the hands of Federal reserve banks and is not in circulation. For instance, there have been sequestered over $850,000,000 of gold certificates in the hands of the Federal reserve agents against the issue of a like amount of Federal reserve notes. The Federal reserve notes, being constantly subject to daily redemption in gold, are being retired every day, and this process would retire the entire system of Federal reserve notes, except that as commerce demands additional currency like notes are issued and find their way into circulation. The Federal system is such, therefore, that there is no possibility of expanding the Federal reserve notes beyond the needs of our commerce.

The letter is of such importance and so convincing that I think it ought to go into the CONGRESSIONAL RECORD. I emphatically agree with Gov. Harding that the high cost of living needs to be abated by diligent and efficient labor, by thrift, avoidance of waste and extravagance. Private monopolies should be controlled and profits restricted to a rate that shall be fair to the consumers. If restraint of trade be unlawful when "unreasonable," Congress should provide a means of determining when the restraint is "unreasonable" and fix the rates of profits at "reasonable" figures. I should favor generous rules on this line. I request that Gov. Harding's letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AUGUST 8, 1919.

Hon. GEORGE P. MCLEAN,
Chairman Committee on Banking and Currency,
United States Senate, Washington, D. C.

DEAR SIR: The Federal Reserve Board acknowledges receipt of your letter of the 5th instant asking for an expression of its views as to the advisability of legislation providing for the gradual reduction of the currency in circulation as proposed by Senate resolution 142.

The board would suggest that in determining whether or not legislation is necessary or desirable to regulate the volume of currency in circulation, consideration be given to the various forms of money which make up the sum total of our volume of currency. A distinction should also be drawn between the stock of money in the country and the amount actually in circulation.

With respect to gold coin, gold certificates, standard silver dollars, silver certificates, subsidiary silver, and Treasury notes of 1890, the board assumes that it is recognized that no legislation is necessary.

The United States notes, or legal tenders, which have remained at the fixed amount of $346,681,016 since March 31, 1878, have not been a disturbing factor since the passage of the act of March 14, 1900. An adequate gold reserve of more than 45 per cent is now held against these notes, most of which are in the form of small bills of $1, $2, and $5 denominations. Notes of these denominations are needed in the daily transactions of the public, and were the United States notes to be retired the issue of an equal volume of small bills in some other form of currency would be necessary. To effect the retirement of the United States notes, funds would have to be withdrawn from the Treasury to be supplied either by taxation or by the sale of interest-bearing obligations. The board does not believe that any legislation with respect to United States notes is necessary or desirable at this time.

The national bank notes outstanding on August 1, 1919, amounted to $658,118,555, a reduction of nearly $60,000,000 since Juy 1, 1914. The greater part of these notes is secured by United States 2 per cent bonds, and provision has already been made in section 18 of the Federal reserve act for their gradual retirement.

Federal reserve bank notes, which are secured by United States obligations and are taxed just as national bank notes are, have been issued only to replace in part national bank notes retired and standard silver dollars melted or broken up and sold as bullion under authority of the act of April 23, 1918, known as the Pittman Act. The issue of these notes has, therefore, brought about no increase in the circulating medium.

The amount of Federal reserve notes outstanding has increased from $357,239,000 on April 1, 1917, to $2,504,753,000 on August 1, 1919. It appears, therefore, that those who see in the larger volume of circulation in the United States the prime cause of increased costs of living and who seek a remedy by a forced contraction of the currency must have in mind the Federal reserve notes and section 16 of the Federal reserve act, as amended June 21, 1917, which provides for its issue and redemption.

In analyzing our present monetary situation and in considering the causes which have led to the expansion of credits and note issues during the war, we should not lose sight of some of the developments of the prewar period and of their effect upon credits and prices. Very heavy purchases of supplies of all kinds were made in this country by European belligerents during the years 1915 and 1916, payment for which involved the shipment to us of large amounts of gold. The stock of gold in the United States on July 1, 1914, was $1,890,678,304. This amount increased steadily until April, 1917, the date of our own entry into the war, when it reached $3,088,904,808, an increase of about $1,200,000,000. Bank deposits likewise show a large

increase, the net deposits of national banks having risen from $7,485,149,000 on June 30, 1914, to $10,489,217,000 on March 5, 1917, while the net deposits of all banks in the United States increased from $17,966,150,000 in June, 1914, to $24,891,218,000 in June, 1917. Net deposits of national banks had further increased up to May 12, 1919, to $11,718,095,000, and those of all banks in June, 1918—the latest date for which figures are available—to $26,769,546,000. Shortly after April 6, 1917, when the Congress declared war, the Treasury began to sell bonds, notes, and certificates in large amounts, resulting in a net increase in the public debt to August 1, 1919, of $24,518,064,840.

On July 1, 1914, the total stock of money in the United States, exclusive of that held by the United States Treasury, was $3,419,168,368. On April 1, 1917, the stock of money, estimated on the same basis, was $4,702,130,941, an increase of $1,282,962,573, of which increase $883,481,028 was in gold.

On July 1, 1914, there were no Federal reserve notes in existence, while on April 1, 1917, there were outstanding $357,239,000.

The amendment to the Federal reserve act approved June 21, 1917, changed substantially the original reserve requirements for member banks and provided that their entire lawful reserve should be carried with the Federal reserve banks. The same amendment authorized the Federal reserve banks to exchange Federal reserve notes for gold. The result of these two changes in the law was to transfer immediately large sums of gold from the vaults of the member and nonmember banks and from general circulation to the Federal reserve banks, and this caused a change in the methods of accounting for gold by the Federal reserve banks and Federal reserve agents.

In order to avoid confusion in determining the volume of money in actual circulation, it is necessary to distinguish between tables showing the total stock of money in the country and tables showing the circulation outside of the Treasury and Federal reserve agents' vaults and to limit our view to amounts held by member and nonmember banks and the public, which are exclusive of amounts on hand at Federal reserve banks, held by Federal reserve agents, and held in the Treasury.

The reserve money held by or for the Federal reserve banks serves, of course, as a basis for credit, but it forms no part of the currency in circulation. Upon this basis, the amount of money in circulation on July 1, 1914—there being no Federal reserve banks in operation at that time—was $3,419,168,368, made up as follows: Gold coin and certificates, $1,649,775,803; silver dollars and silver certificates, including Treasury notes of 1890, $552,203,610; all other currency, $1,217,188,955; being circulation per capita, $34.53.

The corresponding amounts of money in circulation on April 1, 1917, December 1, 1918, and August 1, 1919, are shown in the following table:

Amount of money outside the Treasury and Federal reserve banks.

	Apr. 1, 1917.	Dec. 1, 1918.	Aug. 1, 1919.
Gold coin and certificates	$1,989,152,000	$861,245,000	$728,046,000
Silver dollars and silver certificates (including Treasury notes of 1890)	532,700,000	372,489,000	241,505,000
Federal reserve notes	357,239,000	2,607,445,000	2,504,753,000
Federal reserve bank notes	3,170,000	87,737,000	166,289,000
All other currency	1,218,715,000	1,201,069,000	1,156,297,000
Total	4,100,976,000	5,129,985,000	4,796,890,000
Amount per capita outside the Treasury and the Federal reserve banks	37.88	48.13	45.16

Assuming that the date December 1, 1918, marks the beginning of the post-war period, the table shows changes during this period up to August 1, 1919, as follows: Gold coin and certificates in circulation decreased $133,199,000; silver dollars and silver certificates, including Treasury notes of 1890, decreased $130,984,000; Federal reserve notes decreased $102,692,000; Federal reserve bank notes increased $78,552,000; all other currency decreased $44,772,000, being a net decrease in circulation for the post-war period of $333,095,000, or $2.97 per capita.

In considering the question of currency in circulation, there should be taken into account the various factors which have entered into the demand for currency, among which are: The gradual enlargement of pay rolls, both as to the number of workers and amount paid to each; the effect of higher wages upon deposits in banks and upon the amounts of money carried by shopkeepers in their tills and by individuals in their pockets; the amounts of money locked up or carried on their persons by workmen who have been receiving high wages and who, especially in the case of ignorant foreigners, are unwilling to deposit their savings in banks or to invest in Government bonds; the amount of money carried away by workmen returning to their homes in foreign countries; and the fact that the circulating media of the Philippine Islands, Hawaii, Cuba, Porto Rico, Santo Domingo, Haiti, Honduras, Panama, and, in part, Mexico include United States paper currency and subsidiary silver. The amounts required in these countries, most of which are very prosperous, have greatly increased in the last few years. The total foreign circulation of United States currency can not be stated accurately, but is estimated to be at least $150,000,000.

The difficuly, indeed the impossibility, of keeping in circulation an excessive volume of Federal reserve notes should be understood. The issue of these notes has been carefully safeguarded by the Federal reserve act, and ample provision has been made for their redemption. Federal reserve notes are redeemable in gold; they can not be forced into circulation in payment of the expenses of the Government, or for any other purpose, as they can be issued only in exchange for gold or against a deposit of negotiable paper growing out of a legitimate commercial transaction, plus the required gold reserve of not less than 40 per cent. Upon payment of commercial paper which has been deposited to secure Federal reserve notes, there results either an immediate return of an equal amount of notes to the bank or an automatic increase in the percentage of gold reserve available for their redemption. Federal reserve notes are not legal tender, nor do they count as reserve money for member banks. They are issued only as a need for them develops, and as they become redundant in any locality they are returned to the Treasury at Washington or to a Federal reserve bank for redemption. Thus there can not at any time be more Federal reserve notes in circulation than the needs of the country at the present level of prices require, and as the need abates the volume of notes outstanding will be correspondingly reduced through redemption. The increased volume of Federal reserve notes in circulation during the past three years, in so far as it is not the result of direct exchanges for gold and gold certificates which have been withdrawn from circulation, is the effect of advancing wages and prices and not their cause.

There has undoubtedly taken place during the last two years a certain amount of credit expansion, which, under the circumstances connected with our war financing, was inevitable; but this will be corrected as the securities issued by the United States Government for war purposes are gradually absorbed by investors. This credit expansion is equal to the difference between the total of the war expenditures of the Government, on the one hand, and, on the other, the total amounts raised by the Government through taxation and by the sale of its obligations so far as paid for out of savings. No reliable estimate can be made of this difference, which must be gradually absorbed through future savings, for the reason that banks are lending, and will always lend, freely on Government bonds as collateral.

The principal cause of the advance of prices before and during the war was the urgent need of the Governments of the allied world for goods of all kinds for quick delivery in large volume, and the competition of this buying by governments with purchases by private individuals who failed to contract their expenditures at a rate commensurate with the growing expenditures of these governments. In the postwar period through which we are now passing the country has experienced rising prices, owing in part to a general relaxation of the war-time régime of personal economy, resulting in an increased demand for commodities by individuals who restricted their purchases during the war but who are now buying in competition with export demand. In addition, accrued incomes and increased wages have led to heavy demands for commodities not of prime necessity which have resulted in diverting labor and material from essentials to nonessentials.

The Federal Reserve Board believes that any currency legislation at this time is unnecessary and undesirable, and would suggest that, whether viewed from an economic or financial standpoint, the remedy for the present situation is the same, namely, to work and to save; to work regularly and efficiently, in order to produce and distribute the largest possible volume of commodities; and to exercise reasonable economies in order that money, goods, and services may be devoted primarily to the liquidation of debt and to the satisfaction of the demand for necessities, rather than to indulgence in extravagances or the gratification of a desire for luxuries. The war is over—in a military sense—and while the bills have been settled by loans to the Government, these obligations, so far as they are carried by the banks, must be absorbed before the war chapter of the financial history of the country can be closed.

Very truly, yours,

W. P. G. HARDING, *Governor.*

LEAGUE OF NATIONS.

Mr. REED. Mr. President, I ask to have inserted in the RECORD a paper by Maj. Harry B. Hawes, of St. Louis, Mo., who has recently been connected with the Government service abroad, touching upon the league of nations. This article appeared in the St. Louis Republic, St. Louis Globe-Democrat, and St. Louis Post-Dispatch on July 27, 1919.

There being no objection, the paper was ordered to be printed in the RECORD, as follows:

"THE LEAGUE OF NATIONS AND SUGGESTIONS.

[By Harry B. Hawes.]

"FREEDOM OF DISCUSSION.

"During the period of the war it was my privilege, in fact, for long periods of time it became a necessity for me to read the English papers and have read to me the French and Spanish papers. The freedom of discussion on all subjects which did not relate to the movement of troops or furnish military information to the enemy was remarkable. Even in Germany the papers during the critical periods of the war carried long articles by Maximilian Harden, and several of the big socialistic newspapers were critical to an extreme. There seemed to be a fuller, freer discussion permitted, or at least carried on, in Europe than in America.

"From the time of our entering the war until November, when it became apparent that Germany was defeated and an armistice was declared, our newspapers followed our President with unanimity and an absence of criticism, a fidelity and patriotism which were remarkable, especially so as it was in such marked contrast to the discussions which were carried on by our Allies in Europe. With the signing of the armistice in November and the realization that the physical war was over, criticism and a division of sentiment appeared, and the press of our Nation resumed to a certain extent its great privilege of individual thought and expression. And so it was with men. So long as any information could reach the enemy showing a divided counsel or opinion it was suppressed. Unfortunately treaties, parts of treaties, and the covenant of the league of nations were delayed for some reason in their transmission to the United States. European nations and newspapers had these in advance of the American people. Communications traveled fast in Europe by post and telegraph. Our communications came by cable—a single wire extended on the bottom of the ocean from Europe to America, 3,500 miles away, with censors at both ends—a wise provision while war continued, but fraught with danger where it attempted to control discussion of instruments of peace.

"Our long silence and proper restraint during the period of the war seem to have unconsciously extended over to the period of peace. Men have, to a great extent, refrained from an expression of opinion and discussion, probably because they have not yet awakened to the fact that the war is ended, but that we have entered upon a period in which the discussion rests solely upon one of great national foreign policy. Slowly this restraint is passing and two dividing groups are forming. One would have the minds of the American people directed toward the Government of America and keep ever foremost America and the United States; the other is giving preference to the consideration of the disputes and troubles of European nations and but secondary thought to our own affairs. How these opposing groups will ultimately find expression is problematical, and no absolute certainty can be reached until the two great parties have spoken or a third movement is under way providing for an expression of opinion which does not agree with the declarations of either of the old parties.

"Because of contiguity the European statesmen have made a closer study of the Governments of Europe and their racial characteristics. All speak at least three languages.

"Because of our isolation Americans generally have given but little attention to the subject of international law or to history relating to European affairs. We are acquainted with our quarrels with England, Spain, and other countries, but there is amongst the mass of our people much ignorance on these subjects, and they have too quickly formed opinions.

"THE LEAGUE.

"Let all our citizens attend discussions on the subject of the league of nations, hear both sides, and retain some mental reservations until the discussion is concluded. It is unfortunate that the proposed covenant of the league of nations should have been so interwoven with the peace treaty that it now becomes difficult to separate the two. Separate documents would have given an opportunity for better understanding.

"It is to be expected the United States Senate will ratify the peace treaty with Germany, and discussion is now directed to that part relating to the league of nations. The ultimate decision will be (1) a ratification, (2) rejection, (3) ratification with amendments, or (4) ratification with reservations.

"As the league was undoubtedly the result of many compromises, and as our President apparently granted the requests of England, France, Italy, and Japan in the treaty of peace, it would seem that any proper request emanating from the Senate either in the form of amendment or reservation would be accepted.

"If the commission which represented us at the Paris conference should prefer not to represent the United States in a request for amendment or reservation, a new commission should be appointed which will secure such amendments or reservations.

"It seems inconceivable that after our service to the Allies in blood, money, and cooperation any proper request would be refused. And if their temper is such that they will not make concession now, it would be well for Americans to know it, and we can sign such portion of the compact as relates to the treaty of peace and withdraw from the league of nations. We have granted all their demands for land, money, ships, and protection, and it is decidedly important for us to know immediately whether a request for a change in the machinery of the compact of the league will be refused.

"We gave our Allies all they asked for. Can not the American people be permitted a mere change of machinery in the league?

"Certain reservations and amendments are at least essential to secure united support for the league, and without such reservations it will become a dividing political issue for years to come.

"Our domestic affairs require immediate consideration, and a long, bitter, national controversy over foreign affairs will distract attention from these reconstruction problems.

"I believe we should demand such reservations or amendments as will (1) preserve the Monroe doctrine; (2) permit our withdrawal from the league upon resolution by our Congress; (3) eliminate all matters for discussion that relate to our domestic affairs, such as tariff, finance, immigration, and so forth; (4) that all questions relating to war shall first be submitted to Congress and approved by that body before war is declared; (5) remove all obligation upon us to oppose the right of peoples to change their form of government or to secure their independence as did the American Colonies from England.

"NO GOVERNMENT MACHINERY FOR POPULAR EXPRESSION.

"At the conclusion of hostilities our President appointed himself, selected four associates, and proceeded to the conference in Paris. These five men spoke for the United States of America, and from the first meeting until the treaty was signed theirs was the voice of the United States.

"Whether the commission truly interpreted or failed to interpret the wishes of the American people, they were placed in the unfortunate position of not knowing positively what our people wanted. They guessed that it favored a certain policy, which was their policy, and it may be they guessed correctly. To this day they do not know. If they had known there would be no discussion in the Senate.

"Our Constitution provides that treaties shall be made by the President 'by and with the advice and consent of the Senate.' So far as I have been able to ascertain, the advice of the Senate was never asked as to the terms of the treaty or the covenant of the league.

"With the exception of his failure to confer with the Senate before concluding his covenants, we can have no proper criticism of the President's course, for the reason that no other method was provided under which he could proceed; so that many of the difficulties and complaints we have to-day are due to a failure to provide for an expression of opinion by the people, or at least by their Representatives in Congress.

"Contrasting the lack of machinery in the United States Government for this expression of opinion, we turn to the other members of the big four—George of England, Clemenceau of France, and Orlando of Italy. When these men spoke for England, France, and Itally they knew that if at any time they failed to properly interpret the wishes of their countries, the legislative branches of their Governments had in their possession the power of recall.

"Few Americans have given consideration to the Governments of these three countries, but it is a fact that all European nations, whether monarchy or republic, have parliamentary forms of government. George, Clemenceau, and Orlando are premiers of cabinets. They originate and present to the parliaments of their respective countries certain governmental measures in the form of bills. Some of these premiers represent a party; others represent a coalition of parties; but it is the unwritten law, the established custom—and failure to observe such custom

would bring revolution—for the premier frequently to ask for a vote of confidence from the elected representatives of the people. If this vote of confidence is withheld, he immediately resigns and a successor is appointed. Or, in the absence of a request for a vote of confidence, he may even present a measure in the form of a bill, and if this measure is of vital interest to the nation and is defeated, he immediately resigns. So we find that the government machinery of England, France, and Italy all provide for quick methods of recall of their representatives.

"When the matter of Fiume came before the Paris conference our President appealed to the people of Italy over the head of Orlando for a decision, and immediately we find Orlando taking the first train for Italy, appearing before the parliament, and asking for a vote of confidence. There was the machinery ready-made to tell Orlando whether he really did or did not speak for the Italian people. And it will be remembered that he refused to return to the conference in Paris until the legislative branch of his government had discussed and approved his position. Not only do the legislative branches of the Governments of England, France, and Italy retain the right of direction and approval over treaties, but this is true of nearly every government in Europe. We find the representatives of Greece, Spain, and other countries representing their nations with the same restrictions, the same power of recall, and the same right of the legislative branch of the government to participate.

"The European peoples on bloody battle fields forged their magna chartas or constitutions, and in nearly every constitution in Europe will be found an express denial of the right of the sovereign to make treaties or to declare war without the permission of the parliamentary branch of the government.

"Let us assume, for the purpose of illustration, that our President was not the man of high character, great intelligence, and broad statesmanship that he is, but had developed into a schemer bent upon self-glorification or some personal project which did not represent any portion of public sentiment in this country, and that he was proceeding upon a course which 95 per cent of Americans disapproved of or one which met with universal condemnation. There is no machinery of government which could have removed him from the conference.

"What would have been the result? The American people would have been helpless excepting for the check placed in our Constitution for securing the consent of the Senate. No king, monarch, president, or ruler of a single nation in Europe is permitted to exercise the same unrestricted right as our laws give to a President.

"The President must not be blamed because he exercised these unusual, extraordinary powers which had been taken away many years ago from the potentates of Europe. It is not his fault; it is the omission of our law.

"So one of the vital questions which the American people must decide is, Shall we ever again make a treaty through a President without some provision by which the parliamentary or legislative branch of our Government can not at all times voice opinion, give advice, and, in case this advice is ignored, have the power to withdraw from any treaty conference the representatives of the American people and authorize others who do represent the opinion of the people expressed through the legislative branch of the Government?

"Will the Democratic Party, the Republican Party, or a new party secure for the people of the United States a right that is possessed even by the people living under the monarchies of Europe, or shall our Executive retain and exercise a power more unrestricted, unrestrained, and autocratic than that of any European ruler?

"This is a problem for the future and is independent of the question of the ratification or approval of the peace treaty or the league of nations.

"HISTORIC LIGHT.

"Until 1914 my own knowledge of international law was not greater than that of the average American lawyer. But in 1914, in order to combat German propaganda against the loan of money and the export of arms to the Allies prior to our entrance into the war, I gave attention to the subject of international law, and during the last year, through my governmental connection, an intensive study of the machinery of foreign governments was forced upon me.

"It has been said that 'the future is but the past entered by a different door,' and if this be so, then the study of history is absolutely essential to an understanding of the proposed covenant of the league of nations. The average man considers it a new plan, something entirely novel, some kind of an intellectual inspiration which descended from heaven upon the big four in Paris and was given birth there. The most superficial study of history will show the utter fallacy of this belief. Leagues of nations of uncivilized, semicivilized, and civilized peoples throughout the ages have been formed, and in the course of time have disintegrated—all formed to prevent war and all ultimately provocative of war.

"The United States, in its little more than a hundred years of political life, has held aloof from such leagues, believing that her service to humanity lay in the formation of a distinct nation. The making of a nation, the development of a true, sane, national life, was the function of the people of this country. We said frankly to the governments of Europe that we did not propose to meddle in their affairs until some action of theirs jeopardized our own national life and, through the Monroe doctrine, that we would not permit European governments either to impose their forms of government upon the different peoples of the American Continent or meddle in their domestic affairs.

"In 1914 the German Kaiser, suffering from a form of insanity called egoism, undertook with fire and sword to subjugate Europe and bend the nations to his will. He nearly succeeded and probably would have succeeded had it not been for the interference of the United States in the last instance and the heroic defense of little Belgium in the first instance.

"The second decade of the nineteenth century marked the downfall of another egomaniac, this time a Frenchman, Napoleon Bonaparte, suffering from the same form of insanity as the Kaiser, trying to bend all the nations of Europe to his will with fire and sword and extend the control of France over Europe, as the Kaiser had attempted to extend the influence of Germany.

"After Napoleon's defeat, which was brought about by a coalition of England, Germany, Russia, and other nations, an advocate for a league of nations appeared in Europe at the congress of Vienna. We read this description:

"It was as if immediately on the ending of this bitter war, which had racked all Europe, he floated out into a very sea of glory. He had been important before; he now seemed almost omnipotent. His visit to Paris was a triumph, the entry such as no foreign representative had ever enjoyed. He spoke of it afterwards to one of his official family and there were tears in his eyes at the memory. 'The people wanted to embrace my knees, to kiss my hands and feet.' During his entire stay crowds waited constantly outside his residence; enviously they watched deputations of workers and learned men and delegates from the small oppressed nations go in at the doors, and when these reappeared they cheered them merely for that they had seen and praised the great man. His public utterances rang through Europe. How stirring was his proposal to establish in place of the 'unjust aggressor's tyrannical system those strong and liberal institutions which are adapted to this enlightened age.' How fine was his avowal that 'to be serviceable to mankind is the sole object of my conduct and the only motive which has brought me here.' 'Where is he stopping?' asked some one during his Paris visit, and the reply was, 'On Virtue Street, at the Magnanimity Hotel.' Praises, toasts, parades, gifts, te deums, a visit to the mint and a medal struck off, with the inscription, 'To the restorer of peace in Europe.' There was one in exile who had thought to ride emperor of the world through the streets of Paris. What must his feelings have been to learn of another usurping the triumph, supported by the plaudits of humanity!

"The enthusiasm was the same in England; speeches by the lord mayor, a gorgeous banquet at the Guildhall, honors, eulogies, and perpetually cheering crowds. Everywhere the simple modesty of this man touched the popular imagination. Oxford honored him with the doctor of laws. 'But how can I accept the diploma?' he demurred. 'I have passed no examination.' The reply won thunderous applause. 'You have brilliantly won a case against the oppressor of nations, a test which is more than any jurisconsult has ever achieved.' This in practical England, which but a little while since had met his professions with a cold ear! England had responded grudgingly to this eloquence about 'the cause of liberty and the interests of mankind.' She had read in these pledges of unselfishness something of Pharisaism, and the constant distinction between enemy government and enemy people rankled not a little. But with his actual presence the opposition withdrew; dissenting politicians could not but retire, and the voice of the people spoke.

"The facts are that these sensational phenomena were in evidence nearly a hundred years ago, after the downfall of Napoleon, who had the same ambitions as the German Kaiser. The man who received this prone adulation and carried with him a league of nations was none other than Czar Alexander, of Russia. The description of his receptions in the countries of Europe has a familiar ring, and yet he was a ruler of most despotic power and of a country that then hardly knew the meaning of the word 'liberty.'

"It would seem highly probable that in the loss by death of over 7,500,000 men and the wounding and maiming of some 20,000,000 more and the destruction of billions of property Europe is now so exhausted that there should not be another great war in a quarter of a century, no matter what kind of a league is proposed, accepted, or rejected. In this belief we can and should proceed slowly, with circumspection, to a study of history and facts before we irrevocably bind ourselves in a world-wide compact. A good maxim to bear in mind at this time is that 'where it is not necessary to do a thing, then it is necessary not to do it.'

"In his first inaugural President Lincoln said:

"My countrymen, one and all, think calmly upon this whole subject. Nothing valuable can be lost by taking time. If there be an object to hurry any of you in hot haste to a step which you would never take deliberately, that object will be frustrated by taking time, but no good object can be frustrated by it.

"RACIAL DIFFERENCES.

"The average American does not understand the European 'en masse.' Each nationality has its peculiar characteristics of thought, dress, manners, food, and life; the American is unaware in large part of these racial characteristics.

"The United States, when it enters into a field of government in Europe, proceeds upon unknown paths beset with many dangers, and while many of our people will quickly discuss governments by theory their practical experience and contact with the nations of Europe is so limited that they can not but make mistakes and cause misunderstandings.

"England is a nation of Englishmen, France of Frenchmen, Spain of Spaniards, Italy of Italians; there is probably only one nation—Switzerland—which has not clearly marked racial lines. Part of the population of Switzerland is of German origin, another portion is Italian, and a third French; so that today the complex blood ties of the Swiss citizens constantly cause trouble. During the whole period of the last war the Swiss Cantons of Zurich (which is largely of German origin) were distinctly pro-German. The French Cantons of Geneva and that section were distinctly proally in sentiment, as were the Italian Cantons of the south. This made of little Switzerland a place of turmoil and confusion, and it became the great spy center of all Europe.

"When we turn to our own country we find the most complicated problem of any. Suppose our commissioners have presented to them an adjustment between the Jugo-Slavs and the Italians. While this discussion proceeds, as much as we may dislike it, the natural sympathy of the millions of Italians in this country will be at once arrayed on the Italian side of the controversy. Or let us assume that it is a controversy which originates between Norway and Sweden. We have hundreds of thousands of these people in our population, and while that controversy continues they will divide in their sympathies along racial blood lines. Or if it is a discussion on the subject of Jerusalem—the sacred and ancient home of the Jew—it is but natural that the Jewish portion of our population would, at least in some measure, have a special interest in this discussion. The question might arise of England's desire to control Jerusalem, and the Jews in America might not want this. So American thought will be divided on each new problem presented before the commissioners of the league of nations. We observed with some alarm that blood lines had their effect before our war with Germany, and while upon the declaration of war by the United States the German-American did his full share, and did it well, yet prior to our entrance into the war they were permitted and had the legal right to express their preference, and they did so.

"Now comes the Irish question, thrust upon us by the doctrine of the self-determination of nations. No constitutional statesman of America believes that the United States has the right to dictate to England what her course should be regarding Ireland. For years many of us have given to the Irish cause our contributions and our sympathies, just as we contributed and gave our sympathies to the Boers in their war for freedom. But we did not ask, nor did the Irish-American ask, that the United States Government intercede or engage in any official way in a movement for Irish home rule. Yet, when we officially enunciate a doctrine that all of the races of the earth have the right of self-determination with regard to their government, and that the Jugo-Slav and the Armenian have the right to select the United States as one of its champions on the question of self-determination, what answer can be made—that is, what logical answer can be made—to the Irishman who makes the same demand?

"How far discussions, which will soon come, which can not be avoided, on boundaries, forms of government, etc., which will be brought before the league of nations will divide our people again into racial groups I do not know, but I look to the future with some apprehension.

"When a contention comes before the executive committee of the council of the league in which Italy is involved, Italian pressure from the United States will be brought to bear. When questions involving Ireland are considered, if they are permitted to be considered, Irish sentiment and Irish pressure will be brought to bear. And so it will be with the Norwegian and the Swede, the Greek, and the Armenian; and it will have a tendency to keep alive organizations and societies of these different nationalities which in my opinion should not exist if they are to be Americans first, last, and for all time.

"Then again, these questions will involve matters of religion. We find, for instance, the official religion in some of the countries is Catholic; in other countries it is Protestant; and when differences arise between the Protestant and the Catholic countries, what is to prevent the church sympathy of one side or the other asserting itself and creating trouble in our own country? Switzerland has this racial trouble to-day, and Switzerland is essentially democratic in government and liberal in its policies.

"KEEP THE RECORD STRAIGHT.

"During the last few months we have been told that we went to war with Germany to preserve democracy; to put democracy above autocracy; to establish the principle of the self-determination of nations; to free the little nations of Europe; and various other fine reasons. All these are splendid thoughts and theories. But let us keep the record clear.

"President Wilson, in April, 1917, declared to Congress:

"* * * Vessels of every kind, whatever their flag, their character, their cargo, their destination, their errand, have been ruthlessly sent to the bottom without warning and without thought of help or mercy for those on board, the vessels of friendly neutrals along with those of belligerents.

"Even hospital ships carrying relief of the sorely bereaved and stricken people of Belgium, though the latter were provided with safe-conduct through the prescribed areas by the German Government itself and were distinguished by unmistakable marks of identity, have been sunk with the same reckless lack of compassion or of principle. * * *

"The present German submarine warfare against commerce is a warfare against mankind. * * *

"That same night both Houses of Congress adopted the following resolution:

Whereas the recent acts of the Imperial German Government are acts of war against the Government and people of the United States:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the state of war between the United States and the Imperial German Government which has thus been thrust upon the United States is hereby formally declared.

"And the United States went to war.

"We might have added that we knew if Germany was successful in beating France, Russia, England, and Italy to their knees Europe would be dominated by Germany, and that a German monarchy dominating Europe would confront the people of the United States with a growing and terrible power which might ultimately reach out and try for supremacy on our continent.

"These were the causes which led the United States into war and not glittering generalities which only began to appear after the armistice was declared. Our people mobilized. They mobilized their men, their women, their children, their money, their food, and their every resource. We saw red, and, thank God, we did see red! We wanted to punish the Kaiser and his junkers. When our boys had stemmed the German tide at Chateau-Thierry and the Argonne and sent them reeling back, giving the French and English a chance to take breath, we thought they were headed for Berlin. No one considered an armistice which would last for eight months, and a league of nations and the doctrine of self-determination of races were not considered at that time. While the big four divided Europe, discussed the league of nations, and transferred German possessions in Europe, Asia, Africa, and China to our various allies, over 1,500,000 American soldiers marked time. So if you find our boys coming home complaining of captious spirit, and inclined to criticism, consider what their occupation has been for the last six or seven months. Fighting over, wisely enough their officers could not permit them to remain idle. Idleness breeds mischief; it provokes fights; it causes trouble. So our soldiers, in order to be kept occupied, were compelled to clean tents, polish cannon, rub up rifles, mend uniforms, dig trenches, and drill. Home far away, they went through the academic exercises of clean, drill, drill, clean; engaged in the occupations not of war but of the training camp for seven long months after the war was over. It hurt their spirits. It almost broke their hearts. At least 1,500,000 homes had a representative marking time, marking time, and again marking time when they were wanted back home, in the office, in the workshop, or on the farm. And it cost our Nation $100,000,000 a day while our boys marked time. Can you blame our boys for being disgruntled?

"In November, 1918, the United States of America stood at the very pinnacle of world esteem, and as each month passed by and each new contention appeared that prestige dropped until to-day we read from our psychological experts the statement that it has reached low ebb.

"Do sensible men believe that our draft would have worked smoothly, that our millions would have gone cheerfully to slaughter, simply to demonstrate the theories of the doctrinaire?

"The violation of international law, the brutal treatment of Belgium, and the thought that our turn might come made America see red; and, seeing red, she went to war, and went to war for punishment and not for the purpose of participating in the government of Europe after the war was over!

"When the work on the battle field had been done and a decision reached by force of arms, we could have said to Europe, 'We are through! You have seen what we can do; we can do it again; and, furthermore, we will do it again! We will stand for the right and we will unite with any nation which stands for the right in the future!' If we had pursued this policy, we would have had the affection and the admiration of all the nations of the earth; our independence would have been complete; our achievements would have been acknowledged.

"A SUGGESTION.

"The President should recommend that our laws be so changed that no commission to a peace conference, or to serve as our representative in the league of nations, should proceed upon its work without instruction or reserving to Congress—or one of the branches of Congress—the power of recall. Pending the amending of our laws, if the President is called upon to appoint such commission their names should be first submitted to the Senate for its approval or rejection.

"There are questions of a domestic nature which we will settle in our own fashion, as we have settled them in the past.

"There is no room for Bolshevism in our country, and while we demand idealism in our leaders we shall want men who, when they fix their eyes upon the stars, will have their feet squarely and firmly planted upon the ground.

"There were brave men before Agamemnon, and there are brave men to-day who will demand a settlement of America's problems on the basis of American nationality."

BUILDINGS ON ARLINGTON FARM.

Mr. PHELAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Maine yield to the Senator from California?

Mr. FERNALD. I yield.

Mr. PHELAN. Mr. President, I observed the other day while riding through Potomac Park that an unsightly barn was being erected between the Lincoln Memorial and the Arlington Mansion and the new amphitheater. I was very much surprised and inquired of the Commission on Fine Arts in reference to the matter. I learned that the Agricultural Department was erecting the barn; that there was a question as to the jurisdiction of the Agricultural Department over the particular land; and that possibly its jurisdiction was in the Department of War.

I desire to offer a resolution in order to check that vandalism, for it is the destruction of the beauty of nature. I ask that the resolution be read and ordered to lie on the table under the rules, to be taken up for consideration to-morrow.

The resolution (S. Res. 161) was read and ordered to lie on the table and to be printed, as follows:

Resolved by the Senate of the United States, That the Secretary of Agriculture be requested to discontinue the construction of and to remove the unsightly buildings on the so-called Arlington Farm on the Potomac between the Lincoln Memorial and the Arlington Mansion and the new amphitheater.

LOSSES OF PUBLIC BUILDING CONTRACTORS.

Mr. FERNALD. I move that the Senate proceed to the consideration of the bill (H. R. 6323) for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed, under such regulations as he may prescribe, to receive fully itemized and verified claims and reimburse contractors and their subcontractors, including material men, for the construction, improvement, special repair, equipment, or furnishing of post offices and other buildings or work under the supervision of the Treasury Department (as well as the United States courthouse in the District of Columbia and the approaches and retaining wall to the Lincoln Memorial in the District of Columbia) whose contracts were awarded or whose bids as thereafter accepted were mailed or delivered to the proper governmental authority prior to the entrance of the United States into the war with Germany, to wit, April 6, 1917, and whose contracts have been or will be completed after said date, for loss due directly to increased costs thereafter arising, due either, first, to increased cost of labor or materials, or, second, to delay on account of the action of the United States Priority Board or other governmental activities, or, third, to commandeering by the United States Government of plants or materials shown to the Secretary of the Treasury to have been sustained by them in the fulfillment of such contracts by reason of war conditions alone: *Provided,* That any subcontractor may submit his claim through the contractor or to the Secretary of the Treasury. And the Secretary of the Treasury is hereby directed to submit from time to time estimates for appropriations to carry out the provisions of this act: *Provided further,* That no claims for such reimbursement shall be paid unless filed with the Treasury Department within three months after the passage of this act: *And provided further,* That in no case shall the contractor or subcontractor be reimbursed to an extent greater than is sufficient to cover his actual increased cost in fulfilling his contract or subcontract, exclusive of any and all profits to such contractor or subcontractor; nor shall such reimbursement include any advances or payments made by the sureties of such contractor or subcontractor in executing the work, but the surety on any contract coming within the provisions of this act who, as surety, has completed, or may complete, the work of any defaulting contractor on any such contract, or who has furnished financial assistance to a failing contractor on any such contract whereby such contractor has been enabled to complete such contract, may file claim, within the period hereinbefore fixed, and be reimbursed in the manner hereinbefore provided for the increased cost due to the causes hereinbefore specified of the labor and material supplied in so completing any such contract, or for the increased cost of the labor and material paid for from funds so furnished by such surety: *And provided further,* That the Secretary of the Treasury shall report to Congress at the beginning of each session thereof the amount of each expenditure and the facts on which the same is based.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. POMERENE. I suggest to the chairman of the committee that he ask to have inserted in the RECORD the report of the committee on the bill, as explaining the reasons for its passage.

Mr. FERNALD. I have no objection. I shall be very glad to have that done.

The report submitted by Mr. FERNALD on the 11th instant is as follows:

[Senate Report No. 146, Sixty-sixth Congress, first session.]

Mr. FERNALD, from the Committee on Public Buildings and Grounds, submitted the following report:

The Committee on Public Buildings and Grounds, to whom was referred H. R. 6323, has considered the same and reports the same back with the recommendation that the bill do pass without amendment.

The purpose of the bill is to reimburse contractors and subcontractors for the construction of post offices and other buildings under the supervision of the Treasury Department.

For further report I would refer to the report of the Public Buildings and Grounds Committee of the House accompanying the bill.

The committee would add to this, however, the importance of prompt action, as a large number of the contractors are now in sore need of funds which would be available as soon as the bill passes and the matter can be brought to the attention of the Treasury Department for adjustment.

The bill has the approval of Hon. William G. McAdoo, former Secretary of the Treasury, as well as that of the present Secretary, Hon. Carter Glass. The letter of Secretary Glass follows:

TREASURY DEPARTMENT,
Washington, August 7, 1919.

The CHAIRMAN COMMITTEE ON
PUBLIC BUILDINGS AND GROUNDS,
United States Senate.

SIR: Reference is made to your request of the 5th instant for a report in connection with bill H. R. 6323, recently passed by the House of Representatives, and which provides for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department.

This bill proposes to furnish relief to contractors and subcontractors engaged on public work who have suffered loss as the result of heavy increase in the cost of labor and materials during the war. It is a matter of common knowledge that the cost of all labor and materials entering into the construction, furnishing, and equipment of public buildings was greatly increased as a result of war conditions, and this department believes that the proposed legislation is justified and that it will be possible to give proper consideration to claims filed for relief under the provisions of the bill.

In response to your request for the number of contracts which would be affected by this bill and an estimate of the amount of money involved, you are advised that except as to major contracts it is practically impossible at this time to give either the number of claims which will probably be filed or the amount which will be involved. There is inclosed herewith a copy of a letter which was addressed to the chairman of the Committee on Public Buildings and Grounds of the last Congress, on January 4, 1919. As will be seen from an examination of this letter, the information contained therein was based upon a letter addressed to contractors engaged on public-building work during the war period and indicates the losses claimed by those communicated with. The claims made have, of course, so far received no examination and the total amount is liable to material change based upon the careful adjudication which will have to be made in case the proposed legislation is enacted.

While, therefore, the amount given in the letter referred to is $2,113,595.65, it is probable that the careful examination which will be made of all claims submitted will result in bringing the total amount well within the figures given.

Respectfully,

CARTER GLASS, *Secretary.*

The committee gave a public hearing on the bill and several contractors appeared. The evidence given was all practically along the same lines as shown in the printed copy of the hearings.

[House report No. 53, Sixty-sixth Congress, first session.]

The Committee on Public Buildings and Grounds, to whom was referred H. R. 6323, having considered the same, reports the same back with the recommendation that the bill do pass without amendment.

The purpose of the bill is to reimburse contractors and their subcontractors, including material men, for the construction of post offices and other buildings under the supervision of the Treasury Department, and the courthouse in the District of Columbia and the Lincoln Memorial, for increased cost due (1) to increased cost of labor or materials; (2) to delay on account of the action of the United States Priority Board or other governmental activities; and (3) to commandeering by the United States Government of plants or material shown to have been caused by war conditions alone.

All the buildings covered in the bill are under the supervision of the Treasury Department except the courthouse in the District of Columbia and the Lincoln Memorial. The courthouse in the District of Columbia, except that it is not under the supervision of the Treasury Depart-

ment, is in all other respects substantially the same as the buildings covered by the bill that are under the supervision of the Treasury Department. The Lincoln Memorial, of course, is in a class by itself, but no citizen wishes a dollar unjustly taken from anyone to be used in the construction of a memorial to Abraham Lincoln.

Several of the contractors to be relieved by the terms of this bill, by the fault of the Government and without fault on their part, are on the verge of bankruptcy, and helping these contractors promptly will be helping them doubly. Prompt relief given to the contractors will also be of advantage to the Government, for when a contractor fails it causes delay and additional cost to the Government.

A similar bill for the relief of these contractors was unanimously reported by this committee in the third session of the Sixty-fifth Congress. The report accompanying that bill was written by the Hon. John L. Burnett, for many years a distinguished Member of the House of Representatives and of this committee. That report is so able, so just, and so clear that a large portion of it is quoted, adopted by the committee, and made a part of this report.

—

"It will be noted that the bill only proposes to indemnify contractors whose contracts were awarded or bids submitted before the declaration of war and whose contracts have been or will be completed after that date.

"It will be further noted that the bill specifically forbids any indemnity for profits.

"On December 2, 1918, the Secretary of the Treasury wrote the chairman of the committee as follows:

TREASURY DEPARTMENT,
Washington, December 2, 1918.

The CHAIRMAN COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS,
House of Representatives.

SIR: The department is in receipt of your letter of the 15th ultimo, inclosing copies of hearings held before your committee on "A proposal for the relief of contractors engaged on public building construction under the supervision of the Treasury Department," and notes the statement that your committee would like to have an expression of the department's views thereon.

It is a matter of common knowledge that the cost of all labor and materials entering into the construction, furnishing, and equipment of public buildings has greatly increased because of the war conditions, and the department deems that legislation along lines that have been suggested is justified. The department, however, is not in possession of data to enable it to submit an estimate as to the amount of money which would be required to adjust claims which may be filed in case the proposed legislation should be enacted.

If it is the purpose of Congress to enact legislation of this character, the department believes that its benefits should also be extended to contractors for furniture and equipment for public buildings. It would appear also that contractors who have finished their contracts should receive the same relief as those whose contracts are yet unfinished.

At the proper time the department would be gratified if an opportunity could be afforded it to submit its views upon the details of such bill as it may be the purpose of your committee to report.

Respectfully,

W. G. MCADOO, *Secretary.*

"These contractors had the right to base their bids, and did base their bids, on prices of labor and material existing at the time the contracts and the bids were made. After that conditions changed, and damages and loss were brought about by the action of the Government itself, one of the contracting parties. If it had been a contract between private parties and one of the parties brought about a condition entailing loss to the other party, in law and in good conscience the party responsible for the condition should have made good that loss. That is all this bill seeks to do.

"A precedent in point will be found in the river and harbor bill approved July 18, 1918. Other precedents not near so equitable as this bill presents are found in the act of Congress reimbursing contractors for damages done to the main Government buildings at the Panama Exposition by the storm of September 12, 1900 (32 Stats., 1275); also the contractors for the erection of the Baltimore customhouse caused by fire in February, 1904 (33 Stats., 453); also the contractor for the erection of the San Francisco customhouse for loss occasioned by the earthquake and fire in April, 1906.

"Many other cases equally as strong could be cited. In fact, these cases were of loss by act of God, while the cases involved in this bill are losses occasioned by one of the contracting parties itself.

"Were the United States a private party, and as such had done those things which have operated to increase the construction costs of the public buildings herein referred to, the courts undoubtedly would have held it liable to reimburse the contractors therefor. Its sovereignty alone protects it from legal responsibility in the courts, but the moral responsibility still exists.

"Then is it an honest Government which will not do without a suit what its own laws would compel one of its citizens to do by suit?

"Again, will a great, rich Government refuse to do that justice to its contractors that many States, cities, and individuals are doing to theirs? The State of New York has granted relief of this character to contractors for public works; so has the city of Philadelphia, and so have private individuals.

"In many instances the Government activities have so increased the price of labor as to actually take away the laborers from contractors. In some others the action of the priority board has prevented the delivery of material contracted for by the contractors. In others the Government has actually commandeered the plants that had agreed to furnish the material. In others the railroads became so congested with the transportation of war materials that they could not transport the materials. None of these things and others of like character were contemplated at the time of the making of the contracts or the bid. I will cite one or two instances. The following letter is a typical case:

PORTLAND, ME., *January 6, 1918.*

Representative JOHN L. BURNETT,
Chairman of Subcommittee, House Committee on Public Buildings and Grounds, Washington, D. C.

DEAR SIR: We wish to take this opportunity to place before you some of our reasons why, in our opinion, the United States Government should reimburse us for the losses we have sustained in the execution of our contract, namely, construction of quarantine station at House Island, Portland, Me., in order that we may be brought closer together in this matter which you have under your supervision for mutual settlement.

The labor question has been by far the most difficult and expensive item that we have had to contend with.

Due to the establishment of shipbuilding and fitting-out plants for the Emergency Fleet Corporation, we have had to meet nearly all of the demands for the laborers and mechanics whom we tried to retain in our employ under the eight-hour working schedule of the United States Treasury Department while the Fleet Corporation was offering these same men enormous weekly pay and overtime.

We have lost our entire crew at different times and had to resort to the employment of unskilled laborers and mechanics at very large salary, even going to the extreme of hiring fishermen from near-by islands to perform labor and mechanical work at which they were far inferior to any ordinary tradesman.

This necessitated additional supervision on our part, forcing us to reject all opportunity to take on any work outside of our House Island contract, because neither member of our firm could be spared away from the construction proper.

On a percentage job at the next island to our building, where the War Department was putting in a water main, some of our men were hired away from us to go to work for them, and they received pay from the time they sailed from Portland until they returned to Portland at the rate of 60 cents per hour for common labor, and on Saturday, when they only worked four hours, they received seven and one-half hours' pay.

After losing some of our best men by one man enticing his fellow workmen away, we were forced to again meet the conditions made by the war representatives of the United States Government and raise the pay of the men that we had left.

Special materials as called for by the Government can only be procured in a limited number of places. One illustration is a matter of placing an order for folding suspension bunks to be installed in the above-mentioned contract by us.

We had a proposal on the same at the beginning of our contract from a firm that was satisfactory to the Government. At the outbreak of our war with Germany the demands of the Government on this firm for furnishing similar folding beds in order that ships could be fitted out for the transportation of our boys overseas were so great that they canceled our acceptance of their proposal. We have tried all the other known firms, such as Bernstein Manufacturing Co., Gosso Manufacturing Co., etc., and have been unable to find anyone who can make a satisfactory bed as called for. That forced us to buy in the open market the upright columns and have cast the special flanges that go with them locally, as they were a part of the construction proper that held up the concrete roof, as this concrete work was holding back all the rest of the construction work, and we left the bunks for future consideration. These columns and flanges were very expensive, and we think that when we have completed the furnishing of the balance of the stock and labor and erect them in place we will have a loss of approximately $5,000.

To prove to you conclusively that we have sustained tremendous losses on our House Island contract, we wish to state that we have borrowed all the money the banks will loan us; we have used all of the money that our firm had; we are now indebted to everybody who will give us credit, and but for the assistance of a very close friend, who is backing us in money for our pay rolls, we would have to go into bankruptcy.

We are only hoping your committee will at once give us immediate assistance and save us the humiliation that is daily staring us in the face.

Very truly, yours,

MAHONEY CONSTRUCTION CO.,
By JOHN E. CONLEY, *Treasurer.*

"Many other cases of like character could be cited. Can we be fair with ourselves and ignore these claims?

"Many thousands of people have suffered financial losses as an incident of the war, but the cases covered by the bill are those where a contractual relation between the Government and the contractors, with all its obligations and equities, existed and the loss was occasioned by the acts of one of the contracting parties.

"The House has just passed a bill appropriating $100,000,000 for feeding the needy people of Europe.

"This was a charity pure and simple. Then, how can we hesitate to authorize this mere pittance to save a few of our own citizens from absolute bankruptcy because of the activities of our own Government?

While we are shedding tears over the people of foreign lands let us at least be just to our own."

HIGH COST OF LIVING.

Mr. McKELLAR. Mr. President, I think it was about seven years ago, soon after I came to the House of Representatives, that I was asked by a lawyer friend of mine of Memphis, Tenn., Mr. Jere Horne, a very able lawyer and gentleman, to investigate the subject of cold storage and its effect upon health and upon prices. I made that investigation, and shortly afterwards introduced a bill on the subject in the other House. That bill was not my own composition, but followed a recommendation by the Committee on Manufactures of the Senate, which was made in 1910, and of which committee the late Senator Heyburn, of Idaho, was chairman. The only member of the committee who is now a Member of the Senate is the Hon. ELLISON D. SMITH, of South Carolina. One of my predecessors here from Tennessee, the Hon. James B. Frazier, was also a member of the committee. That committee had as its members not only the late Senator Heyburn, but also the late Senator from New Hampshire, Mr. Gallinger; former Senator Oliver, of Pennsylvania; and other distinguished Members of the Senate at that time.

The committee held very extensive hearings. I say "extensive," for many citizens were heard, many representatives of independent cold-storage concerns were heard, and the packers were heard in a way. Senator Heyburn invited them to appear before his committee, but they did not appear. He went to Chicago and undertook to secure their testimony, but they did not appear there. At that time the packers contented them-

selves with merely writing letters giving their side of the controversy, claiming that the proposed legislation was not necessary, and that they were practically conforming to what the committee had recommended.

In order to show the cavalier manner in which Senator Heyburn and his committee were treated, I quote the following from pages 215–216 of the hearings:

The CHAIRMAN. Now, before starting this morning, I want to put into the record a copy of a letter which I addressed, as chairman of the committee, to Mr. Arthur Meeker, who is one of Armour & Co., at Chicago, requesting them to be present and give the committee the benefit of such information as they had. The letter is as follows:

MAY 20, 1910.

Mr. ARTHUR MEEKER,
Care of Armour & Co., Chicago, Ill.

DEAR SIR: Senate bill 7649, introduced as a result of the inquiry that is being made by a special committee appointed by the Senate to investigate the high cost of living, has been the subject of hearings before this committee. A number of representatives of those who conduct cold-storage plants, as well as chemists, have appeared before this committee and furnished information with reference to the alleged unwholesomeness of food kept in cold storage. By reason of your familiarity with the cold-storage business you could probably furnish valuable data which would be of interest and value to the committee in determining what action should be taken on the measure. Will you kindly indicate if you are willing to appear before the committee, when a date will be set for the hearing.

Yours, very truly,

——— ———.

I have his reply, under date of May 24, which is as follows:

MAY 24, 1910.

Hon. W. B. HEYBURN,
Chairman Committee on Manufactures, Washington, D. C.

DEAR SIR: I beg to acknowledge receipt of your courteous invitation to appear before the special committee appointed to investigate the high cost of living. I would gladly appear if I thought I could furnish any information that would be of value to the committee, but I have no special knowledge on the subject.

Thanking you, I am,

Yours, very truly, ARTHUR MEEKER.

I wish also to submit a copy of a letter which I wrote to Mr. T. J. Connor, general superintendent of Armour & Co., Chicago, requesting that they be present or have some representative appear to give us any information which they have. The letter is as follows:

MAY 20, 1910.

Mr. T. J. CONNOR,
General Superintendent Armour & Co., Chicago, Ill.

DEAR SIR: For several weeks this committee has been considering Senate bill 7649, to prevent the sale or transportation in interstate commerce of articles of food held in cold storage for more than one year and for regulating traffic therein, and for other purposes, which was introduced as a result of the inquiry before the special Senate committee investigating the high cost of living. Quite a number of representatives of those engaged in cold-storage business as well as chemists have testified before the committee with reference to the alleged unhealthfulness of food kept in cold storage.

Thinking that because of your familiarity with the cold-storage business you would be able to furnish the committee valuable information on the subject, I write to inquire if you are willing to appear before the committee in the near future and give the result of your observations with reference to this subject and answer such inquiries as may be propounded by the committee?

Very truly, yours,

——— ———.

And I have his reply, which is as follows:

MAY 23, 1910.

Senator W. B. HEYBURN,
United States Senate, Washington, D. C.

DEAR SIR: Your letter of the 20th addressed to Mr. T. J. Connor received. Mr. Connor is out of the city at present, and expected to be absent for some time, so that it will probably not be possible for him to comply with your request.

Yours, respectfully,

A. E. GIFFEN,
Private Secretary.

Based on those hearings, however, an elaborate and a very carefully drawn bill was submitted by the committee; but it was not submitted until the day before the close of that session of Congress, and therefore was not acted upon and has not been acted upon since.

That bill, with amendments in several particulars, as it seemed to me it should be amended, has been introduced by me in every subsequent Congress. I have introduced as a matter of fact two such bills, one a general bill having for its basis the interstate-commerce clause of the Constitution and the other a bill taxing cold-storage products after they have been in cold storage a fixed time. In my judgment, in either way the matter can be handled, but, of course, the best way is under the interstate-commerce clause of the Constitution, and this is the bill which I wish to present for your consideration to-day.

By the way, while speaking of the power of Congress to deal with the subject, on yesterday I appeared before the Committee on Agriculture of the House of Representatives, where the question of the constitutionality of the measure was raised by certain members of the Agricultural Committee of the House. It had been contended before that committee, as I understand, that any measure of this character was not constitutional. That matter, however, has been passed upon by the Supreme Court of the United States, notably in a case to which I now desire to refer. I think we need not go further upon the constitutional question involved than to one opinion of the court. I refer to the case of McDermott against the State of Wisconsin and Brady against the State of Wisconsin, reported in Two hundred and twenty-eight United States on page 115 and following pages. In that case it is clearly laid down that a bill of this character, regulating cold storage and fixing a limit after which food may be regarded as adulterated and refused admission into interstate commerce, is constitutional. The cases cited arose under the pure food and drugs act, and I am going to read just enough to show to the lawyers of this body and to other legislators who are not lawyers that there can be no question as to the constitutionality of the proposed act. I quote from the opinion of the court, delivered by Mr. Justice Day:

That Congress has ample power in this connection is no longer open to question. That body has the right not only to pass laws which shall regulate legitimate commerce among the States and with foreign nations, but has full power to keep the channels of such commerce free from the transportation of illicit or harmful articles, to make such as are injurious to the public health outlaws of such commerce, and to bar them from the facilities and privileges thereof. Congress may itself determine the means appropriate to this purpose, and, so long as they do no violence to other provisions of the Constitution, it is itself the judge of the means to be employed in exercising the powers conferred upon it in this respect.

That is from page 128. I will merely read one further excerpt from page 130:

That the word "package," or its equivalent expression, as used by Congress in sections 7 and 8 in defining what shall constitute adulteration and what shall constitute misbranding within the meaning of the act, clearly refers to the immediate container of the article which is intended for consumption by the public, there can be no question. And it is sufficient for the decision of these cases that we consider the extent of the word "package" as thus used only, and we therefore have no occasion and do not attempt to decide what Congress included in the terms "original unbroken package" as used in the second and tenth sections and "unbroken package" in the third section. Within the limitations of its right to regulate interstate commerce Congress manifestly is aiming at the contents of the package as it shall reach the consumer, for whose protection the act was primarily passed, and it is the branding upon the package which contains the article intended for consumption itself which is the subject matter of regulation. Limiting the requirements of the act as to adulteration and misbranding simply to the outside wrapping or box containing the packages intended to be purchased by the consumer, so that the importer, by removing and destroying such covering, could prevent the operation of the law on the imported article yet unsold would render the act nugatory—

That is, a State act—

and its provisions wholly inadequate to accomplish the purposes for which it was passed.

I read, in that connection, from section 1 of the bill:

That all shipments from any point in one State or Territory to any point in another State or Territory, within the United States, of adulterated or misbranded food products, as defined in this act and in the regulations made under the authority of this act, are hereby declared unlawful and are prohibited.

Then the second section proceeds as follows:

That any of the hereinafter-named articles of food which have been held in cold storage for more than the periods hereinafter designated, to wit:

Beef, or the manufactures or products thereof, seven months.
Veal, or the manufactures or products thereof, two months.
Pork, or the manufactures or products thereof, four months.
Sheep or goats, or the manufactures or products thereof, four months.
Lamb or kids, or the manufactures or products thereof, three months.
Poultry and game, or the manufactures or products thereof, three months.
Fish, or the manufactures or products thereof, two months.
Eggs, or the manufactures or products thereof, three months: *Provided, however,* That eggs held in cold storage not less than three months or more than seven months may not be classed as adulterated if they are upon inspection at the end of the three-month period sound and wholesome and are stamped or labeled as follows: "Second period cold-storage eggs," such stamp or label to be on each container from which said eggs are sold, and shall be in plain view of the purchaser, or, on demand, produced for inspection by the purchaser.
Butter, or the manufactures or products thereof, three months.

I shall not read more; but it is clear that under the established opinions of the Supreme Court it is constitutional for us to deal with this subject. It comes directly within the commerce clause of the Constitution, as interpreted in similar cases by our Supreme Court; and I am not going further into that subject. I hope my friends in the House who raised this question in the House committee yesterday will examine this case and the cases cited in it. If they do, they will not have any further trouble about the constitutional question.

Mr. President, I do not wish to have it understood from anything I may say that I am in the slightest degree opposed to that great benefaction to humankind known as cold storage. It is one of the greatest discoveries of the modern age. It gives to mankind vast advantages over what they had in the way of the use of foodstuffs before the discovery, and it may be interesting to know that the man who discovered it—a French-

man by the name of Fellier—died in poverty just a short time ago. He made a discovery that is worth untold millions, and which has brought an inestimable boon to humanity, and yet he never reaped the benefits of his own wonderful discovery, and died in poverty and without any fame at all in connection with it, except that he had actually discovered it. He fitted out the first cold-storage ship that ever crossed the ocean.

Mr. SMITH of South Carolina. Mr. President——

Mr. McKELLAR. I yield to the Senator.

Mr. SMITH of South Carolina. I notice from reading the bill of the Senator that it looks toward governmental control of cold storage, and setting a limitation upon the time for which certain articles may be kept. Has the Senator investigated this phase of the matter, which has been brought to my attention?

Take eggs, for instance. During the spring and summer there is quite a plethora of eggs. Heretofore, during the winter, without cold storage, eggs were almost unobtainable. It has been brought to my attention that when the investigation of the cold-storage question was made an unusual number of eggs were found, because during this period of plethora they were storing them up; but at no time, so it was alleged, did they have more than two or three months' supply; that they would find the high-water mark in cold storage during the period of production in the spring and summer, and then when the fall and winter came on there would be a distribution of the same product which theretofore had gone to waste and spoiled, and that instead of being hoarding, according to their statement, it was nothing but preserving the overplus of the market to distribute during the time when there was practically no production. I wanted to know if the Senator had investigated that feature of this complaint against the hoarding of foodstuffs in cold storage.

Mr. McKELLAR. I think that before I get through I shall be able to demonstrate to the Senator that I have investigated that matter and investigated it very thoroughly. I want to come to the egg question specifically a few minutes later, and I shall be glad to answer the Senator's question then.

I might say in passing that one statement made by the Senator is in error according to the statistics. It is one of the most peculiar things in the world. The theory of distribution which the Senator suggested is the real theory that ought to exist in practice, but it does not because of the misuse of cold storage made by packers and other warehousemen. It is a curious thing that in 1913, when prices were what we would now term exceedingly low, in the period of scarcity of eggs, which is in the months of November, December, and January, eggs were higher under cold storage than they were at any period between the years 1870 and 1900 when they had statistics about them, when there was no cold storage. It is a remarkable thing, but I shall go into that question a little later.

Mr. President, recently the Federal Trade Commission has made a report as to certain articles kept in cold storage. That report is valuable as far as it goes. It does not include all of the products kept in cold storage, for the reason that, generally speaking, the majority of all cold-storage products are now kept in cold storage and have been kept in cold storage by the five great packers of the country. The reports that they have from the five great packers are inadequate. These reports are evidently taken largely from what are known as the independent warehouses. In this connection I might say right now that there are about 450,000,000 cubic feet of storage space in this country. About half of it, or perhaps a little more than half, is controlled by the packers and the other half by independent warehouses. To what extent the packers have secured a controlling interest in the independent warehouses has not yet been disclosed, but it should be disclosed and will be disclosed if we get the information that is provided for by this bill, by reason of the rules and regulations in regard to inspection that will come from it.

I now want to speak of just a few articles that were mentioned in the report of the Federal Trade Commission. The first of these is eggs.

On June 1, 1918, there were reported—and they merely give reports; as I understand, they have not the authority to exact reports, but they get reports through the Department of Agriculture—there were in storage on June 1, 1918, 5,440,000 cases of eggs, and on June 1, 1919, 5,975,000 cases, about 10 per cent more than in June, 1919, than there were in June, 1918; and yet the price of eggs is higher than it was a year ago. Frozen eggs were substantially in the same situation. There is a difference between frozen eggs and cold-storage eggs, which I will point out a little later.

I next come to the question of creamery-butter stocks. There was nearly twice as much creamery butter in storage in 1919 as there was in 1918, and yet the price has advanced higher than it was in 1918.

In the case of poultry, here is the most astonishing thing. I want to call the Senate's particular attention to the question of poultry. Taking poultry of all kinds, these figures show that there was three times as much poultry in stock on June 1, 1919, as there was on June 1, 1918, and still all kinds of poultry were 4 to 5 cents higher in price.

Mr. REED. What are the figures?

Mr. McKELLAR. As I said before, I am giving the figures reported here. We have not all the figures. I will give the Senator the report. Poultry of all kinds amounted to 54,570,000 pounds on June 1, 1919; on June 1, 1918, 18,340,000 pounds—a difference of practically three times, with a small decimal—three times as much poultry, taken as a whole, on June 1, 1919, as there was in 1918. Now, of course, all other questions aside, that shows beyond the peradventure of a doubt that the law of supply and demand is absolutely nugatory, so far as poultry is concerned.

Mr. WATSON. Mr. President——

Mr. McKELLAR. I yield to the Senator.

Mr. WATSON. The Senator speaks of so much poultry being in stock. Does he use the words "in stock" and "in cold storage" interchangeably?

Mr. McKELLAR. No; this is in cold storage.

Mr. WATSON. The Senator used the words "in stock," and I wondered whether he meant "in cold storage."

Mr. McKELLAR. Three times as much in cold-storage stock. The law of supply and demand can not possibly be effective with that immense stock. The price goes up instead of down.

Mr. REED. Mr. President——

Mr. McKELLAR. I yield to the Senator from Missouri.

Mr. REED. I desire to ask the Senator if he considers 54,000,000 pounds of poultry of all kinds an excessive amount to be in cold storage? That is a little less than one-half of 1 pound for every individual in the United States.

Mr. McKELLAR. As the Senator understands, these stocks are constantly being kept up and enlarged, and they are fit for comparison because of the fact that at this time last year, instead of being a half a pound, there was less than one-fifth of a pound of surplus stock for each individual in the country. In other words, this is the season of the year when stocks are being increased in cold storage, and, of course, we must look at them relatively. Then, in addition to that, this is not all the cold-storage stock. This only represents surplus in some of the warehouses.

Mr. REED. That is not just my question. I do not want to argue it with the Senator, but I want to get his view. I suppose the Senator will agree that there ought to be something in cold storage?

Mr. McKELLAR. Of course.

Mr. REED. While 54,000,000 pounds seems like a large amount, still this is a large country, and I want to know whether that would supply the United States more than two days if it were drawn on.

Mr. McKELLAR. The Senator wholly misunderstands the effect, it seems to me, of the figures. For instance, they are constantly adding to the stocks. It is 54,000,000 to-day, it may be that to-morrow it will be 55,000,000, it may be that the next day it will be fifty-four million and a half, and so on. There are certain stocks kept in storage. They are constantly adding to them or constantly subtracting from them. This does not constitute all the stock.

Mr. REED. They are constantly adding to them and taking away.

Mr. McKELLAR. And taking away.

Mr. REED. It is a reservoir.

Mr. McKELLAR. It is a reservoir. That reservoir was 18,000,000 pounds last year, and poultry commanded a certain price. This year the reservoir contains three times as much poultry, and still the price goes up about 4 cents a pound. It shows the law of supply and demand is no longer in force as to this commodity. By reason of being able to keep this stock in cold storage the owners can put it on the market or keep it off at will.

Mr. REED. I do not desire to take the Senator's time nor to take any sides in this matter, but I am simply in search for light. Does the mere fact that a year ago there were only 18,000,000 pounds on hand and that there are now 54,000,000 pounds on hand argue anything? Does it prove anything?

Mr. McKELLAR. If the Senator feels that way about it, of course, that is a matter for the Senator to consider. So far as I am concerned, I think it is most significant that when you have an immense surplus stock on hand the price should go up, and when you have a small surplus it also goes up. If I understand the law of supply and demand, it is that when

the supply is greater the prices go down, and when the supply is less the prices rise. That is my understanding of it.

Mr. REED. Will the Senator let me interrupt him again?

Mr. McKELLAR. I am glad to be interrupted. I think I know something about this matter, and I will be glad to tell anything I can.

Mr. REED. I am seeking for information. The Senator says that in the year 1918 there were only about 18,000,000 pounds on hand in the month of June. Was not that a very much smaller stock than had been ordinarily carried?

Mr. McKELLAR. Just one moment, and I will give the Senator the information he asks.

Mr. REED. I do not know. I am just asking for light.

Mr. McKELLAR. I have a book here that I can give to the Senator which tells all about it.

Mr. REED. I could never find it in that book.

Mr. McKELLAR. I will undertake to find it for the Senator, then. I regret that I can not go on with some continuity in thought in reference to what I want to say.

Mr. REED. Then I withdraw my question.

Mr. McKELLAR. Wait one moment; I have it right here, and I will give it to the Senator. The Food Survey, gotten out by the Department of Agriculture, gives all these stocks, and I thought I had a Food Survey of three years ago, with which I would compare the stocks. So that the Senator's question may be answered, I will get the figures and put in the RECORD the exact amount of stock on hand in preceding years at the same time, running through a number of years. I have taken just two. The reason why I thought two were sufficient is that in 1918 we were in the midst of a great war, prices were soaring skyward, and at that time we had only 18,000,000 pounds surplus in storage in some of the warehouses. This year, with the war past, we have 54,000,000 pounds in storage in the particular warehouses that report, which are only a part of those that actually exist, and the price, instead of going down from the war-period price, is being lifted up; and I think there is some reason for its being lifted up, in view of the supply. I think it is monopoly raising the price. I think the law of supply and demand has been rendered inoperative.

Mr. REED. Now, will the Senator pardon me again?

Mr. McKELLAR. I yield to the Senator.

Mr. REED. Is it or is it not a fact that about a year ago the Food Administration issued orders that no chickens should be marketed except roosters?

Mr. McKELLAR. I do not know. I do not know what effect that would have on the price. I do not believe it would have any. However, I do not know.

Mr. REED. That was the fact.

Mr. McKELLAR. I do not believe that would have any effect, except on roosters.

Mr. REED. It might have had an effect on the amount in cold storage, might it not?

Mr. McKELLAR. I do not know. I think that is a very difficult proposition. I do not see the pertinency of it to this subject.

Mr. REED. I will state the pertinency of it. I am not trying to be witty, or anything of that sort.

Mr. McKELLAR. I am afraid the Senator is unwittingly witty.

Mr. REED. It may be that it is a funny thing; but I did not think it was funny when Mr. Hoover issued his order. I am not stating that the order was issued at that time. My recollection simply runs to the effect that it was about a year ago that we had the order issued that I refer to. If such an order was issued, it would have a natural tendency to keep poultry out of the market, and there would be a natural tendency, therefore, to draw upon the supplies and to lessen the supplies that were on hand. That is the point. I did not ask the question for the purpose of being humorous.

Mr. McKELLAR. If that is the point of it, either of two certain things must be true, either that the order was not carried out or that it was not made, for we find, as a matter of fact, that the stock of poultry on hand has increased 200 per cent.

Mr. REED. We understand that the hens have since been led to the slaughter, and roosters are not exclusively reserved.

Mr. McKELLAR. I do not believe any reports give the statistics as between hens and roosters. They do give the statistics between hens and roosters on one side and broilers on the other, and I am going to call the attention of the Senate to that question in just a moment.

Mr. REED. I am not interested in broilers.

Mr. McKELLAR. I think the Senator will be a little interested in broilers. I have some figures about them that are very interesting. I want to call attention to them in just one moment. Just let me finish this matter and I will be glad to answer any questions.

There is frozen poultry. The comparative figures, as taken from the Food Survey of the Department of Agriculture, June 27, 1919, show the total pounds as 4,571,513 in 1919, as against 18,339,127 in 1918. The broilers referred to are the small chickens that are served in any good hotel, and my recollection is that you pay for them at the first-class hotels about $1.50 each, or something like that. Here is the situation as to broilers: In 1918 there were 1,709,557 pounds. In 1919 there were 8,660,284 pounds, 506 per cent more of this particular class of fowl on hand in 1919 than there were in 1918, a war being on in 1918, peace in 1919, and the price of broilers rising still higher.

The same is true as to roasters. The figures are here. Of roasters there were 3,923,303 pounds in 1918 and 14,030,763 pounds in 1919, a difference of 357 per cent. And yet the price of roasters and broilers and all other kinds of poultry, in spite of the enormous stocks that we have on hand now, are from 4 to 5 cents higher at wholesale than they were then. What is the necessary conclusion? It is but one, and that is that the packers of the country, the cold-storage people who are interested in these things, are able to keep these products off the market. They put them on the market at will. The law of supply and demand no longer affects that combination of capital, and it is controlling the country's food without regard to the law of supply and demand. That is what it is.

Mr. WATSON. Mr. President——

Mr. McKELLAR. I yield to the Senator.

Mr. WATSON. The Senator is giving certain statistics and figures as to the number of pounds of fowl in cold storage. Was that on a particular date?

Mr. McKELLAR. Yes; on a particular date.

Mr. WATSON. At what particular time of the year are the most of the fowls placed in cold storage?

Mr. McKELLAR. Fowls are different from eggs. Of course broilers are put in in the early spring, but even then that has its limitation. If the Senator will wait just a moment, I will get to that subject. I will discuss the question of eggs and then of chickens, which will answer absolutely the Senator's question, as it seems to me.

Mr. WATSON. I wish merely to make this further observation. The Senator has provided a certain length of time that fowls shall stay in cold storage and that eggs shall stay in cold storage, with the privilege of renewal for eggs, as I understand it?

Mr. McKELLAR. That is correct.

Mr. WATSON. With no privilege of renewal for fowls?

Mr. McKELLAR. I will give the reason in a few moments.

Mr. WATSON. If most of the fowls were placed in cold storage along in the spring and summer and you provide that they shall remain there not more than three or four months, what do you expect to do about the distribution of meat of that character throughout the winter months? It will all be distributed before that, will it not?

Mr. McKELLAR. I will answer that question right now. I would rather do it in a different way, but I will answer the Senator's question right now. The experiments of the Department of Agriculture, by a very noted scientist, show that after a period of three months fowls kept in cold storage are not good for human consumption, and we must find some plan by which they may be kept good. We must, therefore, fix the time when they are allowed to be kept in cold storage at three months.

Mr. TOWNSEND. Mr. President, I am very much interested in what the Senator is saying, and I have not heard all that he has said up to date, so I am going to ask two questions in order that I may start right. About what per cent of cold-storage products are included in the statistics given by the Senator, and what may we understand to be the total amount of cold-storage products?

Mr. McKELLAR. The figures are not accurate. Ten years ago, when they had no accurate reports on the packers, it was supposed that about 10 per cent of all the foodstuffs of the country subject to cold storage was kept in cold storage. Of course, the greater supply of foodstuffs, even now, as popular and as common as cold storage has become, and the greater body of meats of all kinds, are not kept in cold storage. Then, again, it depends upon what the character of the cold storage is. These figures usually apply to frozen cold storage. There is another kind of cold storage known as cooler cold storage. Cold-storage people make a distinction between the two kinds.

Mr. TOWNSEND. Let me state what I am asking particularly about. The Senator attempts to give us the weight of chickens in cold storage. What do those statistics include as to chickens in proportion to all the chickens in cold storage?

Mr. McKELLAR. If the Senator will look at the food survey of June 27, 1919, he will see it shows that the number of storages vary from 124 to 583. They just get such reports as are volun-

tarily sent them, as I understand it. There are over a thousand of these independent storage concerns, and they constitute about half of all the storage there is, the packers having the other half or more than the other half. So you can see that these figures are merely suggestive of the facts and are not accurate, because they do not contain all of the cold-storage products.

Mr. TOWNSEND. And the probabilities are the amount of cold storage is much greater than that?

Mr. McKELLAR. Oh, much greater. I imagine instead of 54,000,000 pounds of poultry in cold storage to-day there is something like two or three times that much.

Mr. TOWNSEND. The Senator gave the prices as of June, 1918, and June, 1919.

Mr. McKELLAR. Yes.

Mr. TOWNSEND. Are those the wholesale prices or the packers' prices?

Mr. McKELLAR. Those are the wholesale prices. They are prices given here in these papers.

Mr. TOWNSEND. That is, they are the prices which the cold-storage people obtain for their eggs?

Mr. McKELLAR. Yes; the prices which they obtained for their eggs. Of course, the prices which the consumer pays are from 50 to 100 per cent higher than those prices. The producers get much less.

Mr. TOWNSEND. That is what I thought. Is the Senator sometime during the course of his discussion going to enlighten us on the question of the difference between the wholesale prices obtained by the packers and the prices paid by the consumers?

Mr. McKELLAR. I am going to attempt to do so. If I get an opportunity, I shall be glad to do it.

Mr. SMITH of South Carolina. Before the Senator continues, may I inquire if he has given a list showing the comparative prices, showing what the cold-storage product brings and what the same product brings at the farmyards throughout the country?

Mr. McKELLAR. The Senator has asked a very pertinent question, and I shall give an answer that was given me by an employee of the House when I was a Member of the House after I had made a speech on this same subject. This splendid old gentleman had a chicken farm near here. He performed his duties in the House in the daytime, in the afternoon, and on Sundays and at other times raised chickens and sold chickens and eggs. He said to me, after I had finished making my speech, that many farmers around him came into town and bought cold-storage eggs and took them out to the farm, and the next morning brought them back into the city and sold them as fresh eggs. The first three months the eggs are in cold storage that can be done, but there is a difference in prices to which I will gladly call attention in a little while.

Mr. SMITH of South Carolina. I will state the reason why I made that suggestion. With automobiles and autotrucks to-day furnishing rapid transportation within a certain radius around our towns and villages, if the retail prices of the cold-storage product should be so extraordinarily high, I was wondering if the fresh article would not sell at practically the same price from the venders who come into town. That is what I was trying to get at.

Mr. McKELLAR. Before I go further, Mr. President, I wish to insert here the figures on this subject taken from a report of August 7, 1919, of the Federal Trade Commission:

COLD-STORAGE STOCKS.

Eggs: 5,975,000 cases June 1, 1919; 5,440,000 cases June 1, 1918; 1919 stocks were 110 per cent of 1918. Price, June, 1919, fresh (Chicago), $0.40 to $0.40½ per dozen; June, 1918, $0.29 to $0.30½.

Frozen eggs were substantially unchanged—11,306,000 pounds June 1, 1919, against 11,338,000 pounds the June before. No prices secured.

Butter: 30,000,000 pounds this year on June 1; 15,875,000 pounds last year, June 1. This June's stocks are 189 per cent of last June's.

Creamery butter stocks, 1919, were 29,190,222 pounds; 1918 they were 12,749,056 pounds; this June being 229 per cent of last June. Price, creamery, extra (Chicago), June, 1919, $0.53 per pound; June, 1918, $0.41.

Cured beef: About the same this June as last; this June, 25,700,000 pounds, or 103 per cent of last June. Price, salt mess beef (New York), $35 to $36 per barrel, 200 pounds; June, 1918, $32 to $34.

Frozen lamb and mutton: 7,100,000 pounds, or 191 per cent of last June's 3,725,000 pounds. No prices.

Frozen pork: 138,300,000 pounds, or 120 per cent of last June's 115,625,000 pounds. No prices.

Pickled pork: 432,300,000 pounds, or 110 per cent of last June's 394,800,000 pounds. No prices.

Frozen poultry, all kinds: 54,570,000 pounds this June, or 298 per cent of last June's 18,340,000 pounds. Of this total, stocks of frozen fowls were 10,962,670 pounds this June and 2,749,077 pounds last June, this June being 399 per cent of last. Price, frozen fowls (New York), June, 1919, $0.37½ per pound; June, 1918, $0.34½.

Iced poultry (Chicago): Price, June, 1919, $0.31 to $0.32 per pound; June, 1918, $0.27½ to $0.28.

The above cold-storage items are selected ones showing increases; others have decreased.

The total of cold-storage items reported in pounds in June, 1919, and June, 1918 (omitting apples in barrels but covering eggs; frozen eggs; butter; cheese; frozen and cured beef; frozen lamb and mutton; frozen, dry salt, and pickled pork; lard; and frozen poultry), was as follows:

	Pounds.
June 1, 1919	1,671,777,990
June 1, 1918	1,669,826,166

That is, cold-storage stocks this June are 100.1 per cent of those last June.

None of the above figures include Army stores nor the Army excess supply which is to be distributed by the War Department under resolution of the House of Representatives.

The sum of dry storage and cold storage (except apples) for the two periods (combining the figures already given) was as follows:

	Pounds.
June 1, 1919	9,547,058,030
June 1, 1918	8,006,589,671

That is, the total stocks reported on June 1, 1919, were 119 per cent of those on June 1, 1918.

This, as noted, does not include Army supplies.

Grouping the commodities in four classes—

(1) Those increasing in stocks and increasing in price.
(2) Those increasing in stocks and decreasing in price.
(3) Those decreasing in stocks and increasing in price.
(4) Those decreasing in stocks and decreasing in price—

we have the following significant tables, which indicate that the "law of supply and demand" is not working.

Does not the Senator understand that the packers and others interested in eggs, for instance, divide up the country in districts, and only certain concerns are to buy in those districts and only certain prices are to apply? The countryman does not fix the price of eggs, but the price is fixed by the packers.

Mr. SMITH of South Carolina. But he gets it when he sells eggs at all.

Mr. McKELLAR. Oh, he gets the price, of course, and should get it. The thing I am complaining of is not that the producer gets too much for his product, but that he does not get enough—that there is too great a difference between what the producer gets and what is charged the consumer.

I am now going to take up specifically the question of eggs. We all know there is a season of plenty and a season of scarcity for eggs. The season of plenty in this neighborhood or this zone of American territory is in May, June, and July, and the season of scarcity is November, December, and January. It varies in various parts of the country. For instance, the principal laying period of hens in Texas is January and February. In Louisiana, Alabama, Mississippi, and Georgia it is February and March. In Tennessee it is April and, to some extent, in May. When we come along to this zone it is in June and July, as I have stated before. Along where the Senator from Michigan [Mr. TOWNSEND] lives, it is July and August that comprise the principal laying season of the year. In other words, in a great country producing eggs all over it nature in a way fixes the question of distribution itself, establishes the question itself, settles the question itself, I should say.

Cold storage first began, as applied to eggs, about the year 1900. Before that time it was not in general use. Eggs are kept at about freezing point, or just a little above freezing point. They can be frozen, but they are not usually kept that way.

The bill under consideration provides that they may be kept three months as pure food, and provides a second period of four months when they can be considered as what is termed "second-period cold-storage eggs." These figures are not arbitrary. They are based upon scientific investigation, and that scientific investigation was made by Dr. Harvey W. Wiley in this city in 1910. The method of his investigation was this, that he rented cold-storage space down in Center Market and assembled a lot of the very best quality of eggs, after carefully candling them to see that they were pure, then putting them in cold storage under most scientific principles, and keeping them there three months. At the end of three months he impaneled a jury and took them down there, and they were permitted to eat of the three months storage eggs. The eggs were cooked in various ways.

The members of the jury at the same time were allowed to eat eggs that were fresh and were then asked to determine which were the fresh eggs and which were the cold-storage eggs. Almost without exception there was no way of telling which were the cold-storage eggs and which were the fresh eggs after that period of storage. The jury almost unanimously, in fact unanimously I think, determined that they could not tell the difference at that time. At the end of six months Dr. Wiley again took the jury down and compared, by actual eating, the eggs of six months storage and the fresh eggs, and a majority of the jury could tell which were the cold-storage eggs and which were the fresh eggs. At the end of a period of nine months it was apparent, even before they began to eat the eggs, which were which. Dr. Wiley reported that no egg

ought to be kept in cold storage longer than nine months, and he thought even a shorter period should be required.

In order that the matter might be fairly dealt with, it seems to me that during the first three months, as shown by this very carefully arranged experiment, it has been demonstrated that of course they should not be branded. They should not even be branded at all during the first three months except to show the date of their production. At the end of three months they should be branded to show that they are cold-storage eggs. The bill then provides that they can not be sold unless in a container or crate or basket which gives the date of production and shows that they are cold-storage eggs. There is no other practical way to deal with the question. It is best for the health of the people. It prevents the hoarding of eggs indefinitely. They must be sold prior to the time which, under the law, they are declared adulterated.

Mr. SMITH of South Carolina. If the Senator will allow me, is there no provision in the pure-food law which would protect the public against the keeping of foodstuffs in cold storage for such a length of time that it becomes unfit for human consumption?

Mr. McKELLAR. As I understand it, the Department of Agriculture reports that there is no method of ascertaining that. They have no right of inspection; they have no right to go in and see whether the foodstuffs are properly kept and stored or not.

Mr. SMITH of South Carolina. Have they not the right to inspect the food that is put on the market?

Mr. McKELLAR. Perhaps so, but you can see where that would lead. It was believed by Dr. Wiley and those associated with him that this was the proper way to deal with the matter. I believe that possibly the length of the second period of the cold storage of eggs might be extended a month, so that it would be eight instead of seven months, in order to carry eggs over the period of scarcity in the winter, so that the public would get everything out of cold storage they are entitled to get and should get, but they should not be allowed to keep those eggs indefinitely.

I understand that they keep eggs in cold storage, controlling the market all the time, and when they get bad they put them through a drying process and sell them in the dried form, and in that way palm them off on the public. The proposed bill will prevent such things, and I will tell you why it will prevent it. The packers know it will be prevented. By the way, you gentlemen will see representatives of the packers in reference to this bill before it goes very much further. They are here in Washington—their agents are here—and they will be around to call on you. You will all be told that they are doing now just what the bill requires and that there is no use to regulate them. They will tell you they are not manipulating prices, that they are not dividing up the territory. I refer you to the report of the Federal Trade Commission, which shows that they are dividing up the territory and that they are combining. The best means they have of combining and hoarding is cold storage, because they can withhold, practically without cost, food from the market whenever they want to and at all times. It gives them every opportunity to manipulate the price. Do you doubt that they use this opportunity?

I come next to the question of poultry. There are two reasons why this bill ought to pass in respect to poultry. In the first place, poultry is not properly prepared for cold storage now. It is not properly killed, it is not properly picked, it is not properly handled. I want to explain the process that is in vogue now. The head is not taken off of poultry now, but the fowl is simply killed by being cut in the neck. It is not bled. It is not drawn. The insides are not taken out when it is put in cold storage. The feathers are not taken off. They are not cooled as nature would cool them and according to scientific processes, but they are killed by inserting a knife in their neck, and when that method is used they are not bled properly, and they are immediately thrown into a cooling room, and then deposited in large vaults just as they are. When they are taken out of cold storage to be placed on the market this thing occurs: They are taken out and dumped into hot water and scalded, and the feathers taken off in that way and the skin torn, according to the expert witnesses on that subject. The skin is torn and the hot water has the effect of swelling the fowl and making it look like a fresh fowl. In addition to that, the head is left on it, and the fowl deteriorates very rapidly after having been treated in that way. Even the retail men put these fowls in hot or warm water to make them swell out and look like fresh fowls and, incidentally, to gather greater weight. You who love poultry, do you not think we had better regulate these processes? At all events, should we not see that the people are not imposed upon—that they actually get what they buy and pay for?

As a matter of fact Dr. Pennington, who is an expert on that subject, says that the chicken should be properly bled; that it should be dry-picked; that it should be dry-cooled; that it should not be put into hot water at all; and that the skin should not be made to puff out, as it will by the application of water. One of the effects of the practice is, as I said before, that it makes the fowl look like a fresh fowl temporarily until it can be sold, and the other is that it adds weight. For that reason a fowl ought not to be kept long, and there ought to be regulations as to its being placed in storage.

Senators are familiar with the facts and figures as to fowls placed in cold storage. In many instances they are kept there indefinitely. We are given impure food, and the price of fowls is absolutely controlled by the organizations to which I have referred. Now I yield to the Senator from North Dakota.

Mr. GRONNA. Mr. President, I dislike very much to interrupt the Senator from Tennessee, for he is making a very interesting argument, but I want to call his attention to section 5 of the food-control act.

Mr. McKELLAR. That act was called to my attention on yesterday. I am perfectly familiar with it. I understand there have been two prosecutions under it and that both prosecutions have failed because the law was not specific enough to convict anyone under it, as has been held in some cases down in Texas. If the Senator will remember, when that law was passed two years ago, I endeavored to insert the bill I am now advocating as a part of it and was outvoted. It is just a question of whether we want to pass a law that will control or whether we want to pass a general provision like the one which is contained in the pure-food act, which means nothing to anybody.

Mr. GRONNA. If the Senator from Tennessee will permit me, I want to call his attention to the fact that section 5 of the food-control law does provide for licensing. It gives the President of the United States authority to provide for a licensing system and for an accounting system.

Mr. McKELLAR. Yes; during the war.

Mr. GRONNA. I think the Senator is mistaken in saying that there is no provision in the law compelling reports to be made to the Department of Agriculture.

Mr. McKELLAR. I think there is no doubt about it.

Mr. GRONNA. Then, if the Senator will remember, section 6 of that law provides the penalty; it provides that anyone who hoards—and it uses the broadest term imaginable; it uses the term "necessaries"—shall be subject to a fine of $5,000 or imprisonment for a term of two years. I am simply calling the attention of the Senator to this, because I think the RECORD ought to show that there is on the statute books to-day ample provision for an accounting and licensing system, and that no individual and no corporation can transact business in interstate commerce unless they do so under a license. Does not the Senator from Tennessee agree with me on that?

Mr. McKELLAR. Not entirely. I agree with the Senator about a law having been passed, but that law can no longer be enforced.

Mr. GRONNA. And the law is in force.

Mr. McKELLAR. I have that law before me, but it is not being enforced. I think during the war the very people who controlled the situation—that is to say, the packers—were being appealed to to furnish all the foodstuffs possible. They control the situation under the existing law. My purpose is to secure the enactment of a law that will control the packers and not a law that will permit the packers to control the situation, as was done under the food-control law.

I am sure the Senator from North Dakota can see the difference between those two propositions. I believe that under the law of two years ago the packers were given authority to control the products and the prices which the American people had to pay for the products that went to their hands; but under this proposed law the American people will control the packers. That, in my judgment, is the difference between the existing law and the proposed law.

Mr. GRONNA. I am not finding any fault with the law which is proposed by the Senator from Tennessee, but, if the Senator will permit me, I want to read merely a few lines of section 5 of the food-control act.

Mr. McKELLAR. I shall be very glad to have the Senator do so.

Mr. GRONNA. As I understand, that law is still in full force and effect.

Mr. McKELLAR. I do not know whether it is or not. Indeed, in a practical sense it is not.

Mr. GRONNA. I am quite sure it is.

Mr. McKELLAR. I think the Food Administration has to a great extent been dissolved by reason of the fact that that law was a temporary measure for the war; and, as I understand,

practically no appropriations were made for the continuation of the Food Administration or, at any rate, only very small appropriations were made, surely not sufficient to carry out the provisions of the law to which the Senator refers. As a matter of fact, that law was a war-time measure, and was badly enforced during the war, I think, and especially in so far as hoarding and profiteering were concerned. I regret that was the case; I regret that the law was framed as it was. It ought to have been framed more specifically and it ought to have been framed to prevent these abuses for all time. But if the Senator believes in that law and believes that that law was effective, surely he will vote for this proposed law, which does exactly the same thing, and does it more effectively and does it specifically.

Mr. GRONNA. I simply want to call attention to a provision of the law.

Mr. McKELLAR. I have it before me; I am very familiar with it. I voted for it and helped to pass it, and I am not sure I acted wisely in doing so.

Mr. GRONNA. It gives the President of the United States all necessary authority.

Mr. McKELLAR. During the war.

Mr. GRONNA. During the war; and let me remind the Senator that this morning I received a letter from the Attorney General accompanied with a bill proposing to amend this law.

Mr. McKELLAR. That is true; and the law will not only have to be amended but we shall have to furnish money to carry out its provisions, if it is to be revived and used. The law already on the statute books is a war measure. I read from it as follows:

> That by reason of the existence of a state of war it is essential to the national security and defense, for the successful prosecution of the war and for the support and maintenance of the Army and Navy, to assure an adequate supply and to facilitate the movement and equitable distribution of food—

And so on—foods, feeds, and fuel are what the law applies to, and, of course, that is sufficient in a general way; but the Senator knows that not only has the Army practically been demobilized and the Navy largely demobilized but that Congress has cut off the appropriation for the Food Administration, and the Food Administration itself has been demobilized and is not in a position, unless an additional appropriation is authorized, to enforce the present law. This is shown by the request of the Attorney General.

The purpose of my bill is not to provide a war measure, not to provide the immense machinery to carry out a war measure, but a very simple, adequate law to effect the purpose provided in the bill, which is to prevent hoarding, profiteering, manipulation of prices and the like by an improper and wicked use of cold storage——

Mr. GRONNA. If the Senator maintains that the food-control law has ceased to exist, there is no use to argue the question. I contend that it has not.

Mr. McKELLAR. The Senator's contention that it has not ceased to exist may be technically right, but practically it is wholly wrong, for the reason that there can not be an enforcement of the law unless we have a Food Administration to carry it out and the money with which to carry it out. His party has cut off the necessary appropriations.

Mr. GRONNA. Oh, yes.

Mr. McKELLAR. And the Senator knows that we have not such an administration.

Mr. GRONNA. The Senator from Tennessee is a good lawyer, but he is absolutely mistaken in that, for it is a law which imposes the duty upon the President of the United States and not upon the Food Administration.

Mr. McKELLAR. The President himself does not personally enforce the law. This was never contemplated. Congress has got to give him means with which to enforce it, and has not done so. The last appropriation for the Food Administration was just some trifling amount to close up its affairs; that is all. It did not provide for the enforcement of the law. That law is a thing of the past. It may be revived by Congress, but until it is revived and money appropriated to carry out its provisions, we can not get anywhere with it. The President can not enforce it unless it is made applicable to present conditions, and the money given him with which to enforce it.

Mr. GRONNA. It is true, as the Senator says, that some of the men who were employed under the Food Administration have ceased their labors there, but I do not think the Senator is correct in assuming——

Mr. McKELLAR. Some of them! About 95 per cent of them, I am advised.

Mr. GRONNA. I do not think the Senator is correct in assuming that the office of the food controller has ceased to exist.

Mr. McKELLAR. I do not think we have a food controller. Mr. Hoover resigned, and I have never heard of a successor to him being appointed.

Mr. GRONNA. How are we operating to control the grain situation if the Food Administration is not functioning, I will ask the Senator?

Mr. McKELLAR. There was a special appropriation made for that purpose, but the official in charge of the Grain Corporation, as the Senator knows, is under a special provision and he is only the controller of grain. That particular part of the food controller's job was continued under the construction of the law that the Government control of the grain situation runs until next June.

Mr. GRONNA. Yes.

Mr. McKELLAR. And it was seen fit to continue the grain administrator to carry out the law. All the other functions of the Food Administration, however, were ended. Congress has not appropriated money to continue them, and surely the President ought not to be criticized for not enforcing a law when Congress has given neither the money nor the men with which to enforce it. It is unfair for you gentlemen to withhold from him the necessary appropriations to enforce it and then blame him for not enforcing it.

Mr. GRONNA. Does the Senator believe, then, that the food-control commissioner is to-day out of office?

Mr. McKELLAR. My understanding is that Mr. Hoover resigned some time ago, and there has been no successor to him, because the food-control act was purely a war measure and has performed its mission and is out of commission.

Mr. GRONNA. Of course, the Senator knows that the President had ample funds—he had the control of $100,000,000 during the war—which he might use for any purpose that he saw fit.

Mr. McKELLAR. I do not know whether the President has any of this fund on hand yet or not. I do not think there has been any such fund appropriated this year. The former fund expired on July 1, as the Senator knows. My recollection is that the Food Administration spent $100,000,000 in possibly a week while it was acting under the food-control law; but, as a matter of fact, there is no doubt in the world that, while the food-control act may still technically be the law, because we have not formally ratified the treaty, substantially it is not the law, because there are no means with which to enforce it. I wish to say to the Senator that it might cost hundreds and hundreds of millions of dollars—perhaps $1,000,000,000—to continue the food-control act in existence all along the line, and I think such legislation would be very unwise. I may say that it will probably take $100,000 to carry out the provisions of the proposed law I am advocating, and which will be much more effective for the purpose indicated.

Mr. GRONNA. I do not disagree with the Senator, and I wish to apologize for disturbing him.

Mr. McKELLAR. I am glad to have the Senator interrupt me. The question to which he has referred has been raised heretofore; it was raised in the House committee the other day; and I am delighted to have the privilege of stating just what the facts are and just what the law is, so that the country may know that there has been no dereliction in not having some provision under which this subject may be handled and to show that certainly there has been no dereliction on the part of the President.

Mr. GRONNA. The Senator must admit that up to the 30th day of June there were ample funds supplied to the food-control commissioner, because several hundred thousand dollars which were not expended went back to the Treasury.

Mr. McKELLAR. I so understand.

Mr. GRONNA. Up to the 1st of July, at least, there were ample funds for the prosecution of any persons who violated the law.

Mr. McKELLAR. I think so, and I think they ought to have been prosecuted. I agree with the Senator, and I think it is very unfortunate that no such action was taken.

However, I understand that the food-control act was so defective in its definitions and in its penalties that wherever prosecutions have taken place under it the Government has failed to make out a case. When this provision of the food-control law was passed I believed that it would be ineffective, and the courts have substantiated the position that I took about the matter at the time. When we deal with profiteers and hoarders and manipulators of prices we are obliged to be specific in the laws which we pass; otherwise they will escape. They have the best legal talent in the country employed to look after their affairs, and we can not be too careful when we enact these laws that they are so worded as to have the effect intended.

Mr. SIMMONS. Mr. President, I wish to ask the Senator a question.

The PRESIDING OFFICER (Mr. TOWNSEND in the chair). Does the Senator from Tennessee yield to the Senator from North Carolina?

Mr. McKELLAR. I yield.

Mr. SIMMONS. I understand that the food-control act has not been repealed.

Mr. McKELLAR. No; but it has been practically nullified.

Mr. SIMMONS. But the organization has been practically disbanded.

Mr. McKELLAR. It has been practically disbanded.

Mr. SIMMONS. No appropriation was made for the administration of the food bureau, because none was asked. Is not that the truth?

Mr. McKELLAR. I do not think that any was asked. I am not sure. It was not expected to keep it in operation, and it ought not to have been kept in operation; it ought to have been wound up as soon as possible. The moment the dilatory Senate—if I may so speak of it, and as I am a Member of it perhaps I have the right to speak of it in that way—acts upon the treaty of peace and ratifies the treaty of peace, as it ought to have been ratified a month or six weeks ago, for there is no possible excuse for not having ratified it, the food-control act passes out of existence. That is what was intended, and that is as it should be. It was not necessary and it was not intended to keep up this great organization of men in the food-control department to carry out the provisions of the law after the war was over. The country would not have stood for it in times of peace.

Mr. SIMMONS. But no appropriation was asked, because——

Mr. McKELLAR. There was a small appropriation asked and allowed, as I recall.

Mr. SIMMONS. That was merely to keep up a skeleton organization.

Mr. McKELLAR. That was all.

Mr. SIMMONS. An amount was appropriated for administering the legislation with reference to wheat, but practically no appropriation was made for keeping up the food-control organization, as I understand.

Mr. McKELLAR. That is true.

Mr. SIMMONS. Because, under the conditions that then obtained and under the conditions that were thought likely to occur, it was believed to be no longer necessary to continue that organization. My understanding is that that situation has changed, and that it is now felt necessary and expedient either to continue this old organization or to substitute for it something as good or better.

Mr. McKELLAR. That is my understanding.

Mr. SIMMONS. But as long as the present act is in force, and as long as we are in a state of war—that is to say, until peace has been concluded—the President has authority at any time to recreate this organization. That is true?

Mr. McKELLAR. Yes.

Mr. SIMMONS. So that there is no trouble about authority on the part of the administration to establish this organization as long as we are technically at war with Germany, and the only thing lacking is money with which to do it. The power exists.

Mr. McKELLAR. That is true. This Congress has not given the money, and the President can not carry it out without the money. The President is not expected to carry it out himself personally.

Mr. SIMMONS. Now, does the Senator want a food administration in this country any longer than these conditions of war obtain?

Mr. McKELLAR. Not at all. I think what we ought to do is to pass laws——

Mr. SIMMONS. Then, if that is the Senator's idea, what is the necessity of further legislation with reference to a food administration?

Mr. McKELLAR. I think there is none.

Mr. SIMMONS. Why not simply appropriate the money and let the matter rest where it is now?

Mr. McKELLAR. The Senator means not to pass a law regulating cold storage?

Mr. SIMMONS. I am not referring to cold storage at all.

Mr. McKELLAR. I assume not.

Mr. FLETCHER. Mr. President——

Mr. McKELLAR. I yield to the Senator.

Mr. FLETCHER. That brings up the question as to whether or not there ought to be some amendment to this law to make it more effective.

Mr. McKELLAR. You would have to have some amendment to make it meet present conditions, and you must appropriate money to enforce it.

Mr. FLETCHER. For instance, as to penalties there is a defect in the law.

Mr. McKELLAR. There have been no convictions under it, as I understand, because the penalties are so arranged that a judge can not even construe them. My own judgment was—and I think I made the statement on the floor of the Senate at the time—that those provisions, if passed, would be wholly inadequate; that the bill virtually turned over the food supply of the country to the packers of the country, and that is what was largely done. The packers had absolute control all during the war of the food supply of this country, so far as meats, chickens, eggs, and things of that sort are concerned—those things that go into cold storage—and, by the way, they are reaching out to control practically everything that goes into cold storage.

Mr. FLETCHER. I was going to suggest further to the Senator that not only ought certain provisions with regard to penalties be strengthened and amended, but there are references in the act, for instance, to "persons" doing this, that, and the other, and it does not cover corporations, organizations, and associations.

Mr. McKELLAR. That is true; at least the courts have so held.

Mr. FLETCHER. So those changes ought to be made if the law is to remain.

Mr. McKELLAR. If we are to amend that act, then the changes suggested by the Senator must be made; but I want to call the Senator's attention to the fact that what we need is peace-time legislation to cure certain evils in this situation. Now, we need not make any mistake about it; and that brings me to the very crux of this question. We need not make any mistake about it. It is a question of whether Congress is going to control this country, in so far as its food supply is concerned, or whether the packers are going to control it—the five great packers of Chicago. We might as well reach the question right now; and I want to tell you Senators at this minute, right here in Washington the packers have a lobby, and that lobby is vigorous and active, and it is going to be up to you, and you individually as well as collectively, because they are going to appeal to you to defeat just such legislation as this, which will regulate them and make them do the right and fair thing toward the producers and consumers of this country.

As it is now, according to a late report of the Federal Trade Commission, the five packers control 82.2 per cent of the cattle of the country, 76.6 per cent of the calves, 61.2 per cent of the hogs, and 86.4 per cent of the sheep and lambs. They control poultry and eggs almost in the same way, and butter, and everything that goes on the table, and canned goods, and the by-products of all these great primary products are controlled absolutely by the packers of this country; and through cold storage they are enabled absolutely not only to control the products themselves, but to control the prices, because they can put them on the market at will, and after they are once put in cold storage it costs very little to keep them in cold storage. Take poultry: If you keep it alive it is expensive. You have got to feed it; you have got to care for it. You put it into cold storage, and there it lies until you want to use it. The cost is relatively small. That is shown here. The packers' control of prices is shown here in the figures. There was three times as much surplus poultry on June 1, 1919, as there was on June 1, 1918, and yet the price goes up.

Mr. REED. Mr. President——

Mr. McKELLAR. I hope the Senator will wait just a moment, and then I shall be very glad to yield.

Mr. REED. Why, certainly.

Mr. McKELLAR. I want to continue about this matter for a moment. The law of supply and demand has ceased to operate. The time has passed for us to take halfway measures. The fight is on, and one of the representatives of the packers told me it was on. It is a question of whether the Senate is going to line up with the packers or whether it is going to line up with the people; and by "the people" I mean the producers as well as the consumers, because there is a vast difference between the prices paid the producers for what they produce and the prices charged to the consumers for the meat when it leaves the packers' hands.

Right here I want to say that the packers are making a special appeal to the producers of the country because the prices paid the producers are much larger than the prices formerly paid in the prewar period. That is true, but the prices paid to the producers are fixed by the packers and are wholly inadequate in comparison with what the packers receive for the

finished products, as these figures heretofore quoted show the prices that the packers get are extortionate, and then we find that the prices at which the wholesalers sell provide for an immense profit, and the retailers make a large profit, so that by the time the food products get to the consumers it is almost impossible for the consumer to get enough money to pay.

The profiteers are the middlemen; the profiteers are not the hog raisers and the poultry raisers. They are not the farmers.

If an effective cold-storage law is passed, restoring the law of supply and demand as provided in this bill, if an effective law against monopoly and against hoarding and against the fixing of prices, against the division of territory in which the packers buy, and against dividing up the territory in which they sell, as provided in this bill, is passed, then the producers will necessarily get more for their products, and the consumers will have to pay less for them. The inevitable effect of such enactments as provided in this bill will be to cut down the profits of the profiteering middlemen, and this is what we should do.

Why, according to the testimony this country is divided up into districts, and one packer has charge of one district, and he may not buy or sell outside of that district without the consent of the others. The prices are fixed by gentlemen's agreements. The farmer has nothing to do with fixing the price of his products. The packers fix the price; and I tell you, Senators, they are getting exceedingly bold about it. If a man undertakes to have an independent view they undertake to discipline him, by fair means or foul.

I expressed some views here to the effect that the packers ought to be regulated, and what is the result? Every bank with which they do business, every business man with whom they do business that they can possibly lay their hands on, has been writing me from Tennessee, and saying, "Hold off the packers—hold off the packers!"

I read here a few days ago a resolution of the Middle Tennessee Cattle Raisers' Association, virtually instructing me not to vote for the Kenyon and Kendrick bills, regulatory of the packers. I wrote my friends in Tennessee and told them that I did not agree with them; that I could not see the matter as they saw it. The men who signed that resolution are men well known to me, among the very best men in Tennessee; honorable men. I could not imagine what was the matter—why that sort of a resolution was passed, and I told them that I knew that no packer's agent had dictated to them; and here is an answer that I want to read:

"SPRING HILL, TENN.,
August 8, 1919.

"Hon. K. D. MCKELLAR,
United States Senate, Washington, D. C.

"DEAR SIR: Replying to your inquiry as to the intent and subject of the Middle Tennessee Farmers' Institute in adopting the resolution in regard to the Kenyon and Kendrick bills: At meetings of the institute all resolutions are turned in to a committee, who first consider them before putting them before the members as a whole.

"I did not get to the meeting until nearly noon of the second day. I was asked by the president to serve on the resolutions committee in place of a member called away. Talking to the president at the time was a Mr. Burnett, to whom I was introduced. Mr. Burnett was evidently discussing the matter at the time, as some one in the party suggested that he draw the resolution and hand it in for consideration. He went into the office where there was a typewriter and drew the resolution and handed it to me as a member of the committee—and the only one there at the time. As I remember, Mr. Burnett told me he was in the employ of the Union Stock Yards at Nashville and had been with a packing company. Just after dinner most of the members went out to the experiment station. Mr. Harvey Whitfield, the chairman, of Clarksville, Tenn., and I were the only members of committee who remained to work on the resolutions. When we came to the Kenyon resolution, I said: 'I am not posted as to the merits or demerits of this bill.' Mr. Whitfield said: 'I am not.' So we laid it aside, shaped up the rest of the resolutions, and waited. I don't know that Mr. Dunklin, a member, ever saw this resolution at all. When Mr. Homer Hancock, of Lebanon, or Wilson County, came in, we called his attention to this resolution. Whitfield and I understood from him that he was familiar with the bills, and he was under the impression that it was a move on the part of the large packers to hamper building plants in the South."

And, by the way, I was served with notice in the same way. Some packing plants have been established in my State, and I was served with notice that if I did not watch out no more packing plants would be established in my State. [Reading:]

"Also, that it would interfere with the dairy industry of the South (which is now growing at a marvelous rate). And it was from these impressions the resolution was submitted to the members. There was no discussion on any part of the resolution, the members having faith in the committee, and the committee thinking the bills would work a great damage to southern interests.

"You know the effect these bills will have much better than did we. Therefore, in my opinion, it is your duty to follow your own judgment, being in close touch and familiar with all the bearings of the bills.

"You are at liberty to use this letter when and where you like.

"Truly, yours,

"SAM. N. WARREN."

Mr. SMITH of South Carolina. Mr. President——

Mr. MCKELLAR. I yield.

Mr. SMITH of South Carolina. The Senator is making a protest against the hoarding of food products by the packers and providing means to make them disgorge. If the Senator will allow me, there are just six lines in the food-control bill that I should like to read and ask him if he thinks this covers it.

Mr. MCKELLAR. The Senator from North Dakota [Mr. GRONNA] has just read that into the RECORD, and I have myself read it into the RECORD. I want to call the Senator's attention to the fact that while the food-control bill may be technically the law, no appropriation has been made for the President to carry it out. I repeat that. It is merely a war-time measure. The time of its operation is limited, and we have got to have other legislation; and, indeed, the Attorney General has recommended that we amend it.

Mr. SMITH of South Carolina. But this paragraph provides that suits can be brought in any one of the Federal courts; and surely you do not need an appropriation to enable people to bring suits in the Federal courts.

Mr. MCKELLAR. The Senator was not in the Chamber at the time, but it has been disclosed here by the Senator from Florida [Mr. FLETCHER] and from such information as I had that the only indictments that have been brought were dismissed, for two reasons. One was because the penalty was not one that could be carried out and the other one was that this act only referred to persons and not to corporations, and therefore it has been held that it did not apply to the packers, and the packers are the principal malefactors, in my judgment.

Now, I want to read a portion of another letter from one of the others:

"The subject of regulation of the packers was presented to the meeting by Mr. Burnett, who is a representative of the packers at Nashville, and who is identified with the local stockyards. He did not have even a copy of the bills with him, but made verbal statement of the contents of the bills and presented the packers side of the case. He frequently referred to price fixing of foodstuffs by the Government and to the costly experiment or necessity of the Government operation of railroads during the war and succeeded in creating the impression that the Government was going to practically take over the packing industry. He introduced the resolution which was passed and it was considered by the resolutions committee in a perfunctory way. Not a member of the committee, I am informed, had ever seen a copy of the bills, but voted to recommend the resolution to the meeting on Mr. Burnett's statement of the case."

This letter was from one of the leading citizens of Tennessee, as in the case of Mr. Warren. This last letter is from a colonel who has lately returned from France. He is one of the largest farmers in my State.

Mr. President, I want to say that I resent the action of these five packers and their agents going to my State and attempting to get up a propaganda of instructions as to how I shall vote on questions here. The very best men in my State have been misled by that propaganda, and when submitted to them they invariably come back with the statement that they were instigated by representatives of the packing industry. If this goes on in every State, if this goes on in Washington here, what will happen is that we will not have legislation on this most important subject where legislation is so vitally necessary. These packers are fighting this bill, they have been fighting it all the time, ever since it was introduced, and my recollection is that one of them stated to me it was a fight to the finish. I welcome the fight. I say it is a fight to the finish. The question is whether this Senate and whether this Congress is going to be dominated by these five men who are dealing in the food of the Nation. There may be some excuse for letting them combine and hoard and monopolize during the war, but it seems to me to be a monstrous thing when we permit five institutions of this country to control absolutely the foods of the United States while we are in the midst of the greatest

plenty of every kind of food product. There is more wheat on hand, perhaps, than ever before in the history of this country; there is more beef, more pork, more poultry, more eggs, more of everything which we eat, and yet the prices are higher. The war is over, and yet the prices continue to ascend; and why? It is because the foodstuffs of this country are in this gigantic monopoly, whose members are profiteering, and in that way they enable those with whom they deal to profiteer. The question has come down to this, whether America is going to control the packers or whether the packers are going to control America, because any institution which controls the foodstuffs of this country will absolutely control the country. They are controlling the country now and making it pay tribute to them.

Did you ever think of the immense difference between the price the producer receives and the price the consumer pays? I think there have been more tomatoes grown this year than ever before in our history. This is the period of the greatest plenty. This is the period of the highest production. And yet if you buy tomatoes to-day you pay the same price you paid in the winter time, in the period of greatest scarcity during a great war. The law of supply and demand, in so far as foodstuffs are concerned, is no longer in force. It has been absolutely abrogated by the great packers of the country controlling the foodstuffs of our country and of other countries.

They not only control the foodstuffs of this country but they are reaching out and controlling the foodstuffs of other countries—foreign countries like Canada, Argentina, and Australia. Where is it going to end? When their agents come here and impudently tell Senators of the United States that it is a fight to the finish, what are you going to do about it? Are you going to let the challenge go? Are we going to let them control or are we going to be men enough to control this organization? In my judgment, there ought not to be any organization in this country stronger than our Government. Some 50 or 60 years ago it was thought that another institution in this country was stronger than our Government, but it was found that they were mistaken about it, and these packers are going to be mistaken about their strength. They may think that for a season they are stronger than this Government, but the time will come when they will be regulated as they ought to be regulated.

I have nothing whatever against the packers. I just want to make them do right. If they are putting up these foodstuffs fairly and properly now, so that the public health will not be injured; if they are paying a reasonable price to the producer and charging a reasonable price to the consumer, there is no harm done by this bill. If they are doing an honest business, how can they object to regulation by the Government?

Mr. President, I want to call attention to two or three provisions of the bill which are departures from the bill as introduced by the late Senator Heyburn. They are found in sections 11 and 12. I will read section 11:

SEC. 11. That any agreement, express or implied, verbal or written, so-called gentleman's or agent's, secret or open, by and between two or more persons, partnerships, firms, corporations, or associations of persons or corporations, engaged in buying or selling said cold-storage products, or engaged in the cold-storage business, whether as owner of such cold-storage plants and engaged in dealing in said food products or whether as owners of said storage plants for hire, when such products are the subject of interstate commerce or are intended for interstate commerce, by which agreement or understanding any of the above-mentioned and set forth articles of food kept in cold storage are to be stored for a longer or shorter period, or are to be sold or withheld from sale, in whole or in part, for the purpose of affecting the purchase price or selling price of such articles of food, is hereby prohibited and declared unlawful, and upon conviction shall subject the offender to a fine of not less than $1,000 or more than $10,000 and imprisonment of not less than one year or more than 10 years.

If the conduct of those who are engaged in this business is not violative of the proposed law, how can they object to it? The Federal Trade Commission has reported that they are in combination, that they control the prices, fix the prices, agree upon them in various ways, and they point out in their report how it is done. They fix the prices at which they buy and fix the prices at which they sell, and indefinite cold storage gives them the right to keep at will. Why should they not be regulated? Why should they be allowed to keep eggs for one year or two years, and let them spoil, in many instances, rather than to put them on the market for the people? Why should they not be forced, periodically at least, to put these foods on the market? We see in the papers constantly where immense stores of poultry and immense stores of eggs are being dumped somewhere because they have been kept in cold storage too long and can not be put on as food. This is a crime in morals, anyway. Many States have passed these laws, including New Jersey, Massachusetts, New York, and Indiana, and they have tried to pass them elsewhere, but the packers have kept them from being passed. I ask unanimous consent to print in the RECORD these laws. The packers have lobbies everywhere in the country fighting these laws, and when the laws are passed in the States it has been held by many of the courts that they are ineffective for this reason, that once the character of interstate commerce has been fixed upon the goods, it is fixed until it goes to the consumer, and the States have not the right to legislate on that subject, it is violative of the Constitution; and such acts have been abortive and are made of no effect because of that plea. Yet they will come here and tell you, "Let the States act. They have made food laws in this State and that State. Why not let the States act?"

Senators, the only way you can effectively deal with them is along the lines of this bill, regulate them under the Federal commerce clause, and whenever you do you have done the work, and you have restored the law of supply and demand that has been abrogated by the packers, you will have successfully dealt with the hoarders and profiteers. Cold storage is the greatest, the most beneficent, discovery of the age, probably. It is being misused by those who deal in it to prey upon the people and to profiteer upon the people in the matter of food. We talk about our laws. We pass laws for the protection of almost every conceivable thing in this country. And yet that thing that is more important to the human race than anything else, food, we allow to be absolutely controlled by five concerns in Chicago. Is it right? No wonder there is unrest in this country, when it is known, as it is known, that these five great corporate bodies in Chicago absolutely control the food products of the country, with food rising higher and higher and higher all the time. How are you going to stop it? There is but one way, and that is to restore the law of supply and demand, and make these packers obey the law.

Mr. President, the packers will tell you, when you argue this way, that you are arguing against the farmer, that you are arguing against the producer. I think we know better than that. Surely we know that there is such a discrepancy between what the farmer actually gets and what the packer or the middleman gets that there must be something wrong in that argument. Just let me illustrate it:

I bought last night at a fruit stand two large peaches for a nickel. I was rather surprised that I could get them that cheap. They were quite as much as you would get at any first-class hotel under an order of peaches and cream. The hotel bought probably quite as cheaply as the fruit vendor down on the corner. Assuming that they did, the two peaches could not have cost more than 4 cents; maybe much less. And yet at a first-class hotel, with cream which is served with the peaches probably not costing over 1 cent, they charge you for peaches and cream 50 or 60 cents. I know at one of the hotels it is as high as 60 cents in this city. There ought to be some regulation. We can make that regulation in the District of Columbia. It is made in this bill. Let us try it out here. It is easy to ascertain here the profits of the packers, the profits of the wholesalers, the profits of the retailers, because there is no question of lack of power in the Congress to deal with these questions here. I understand the District Committee of the Senate is dealing with these questions. I hope they will ascertain the facts.

Did you ever think of the frozen food in cold storage these days; over 200 articles of food of every conceivable kind in cold storage? The storage people are absolutely in control of putting it on the market and controlling the price whenever put there.

Senators, it is an important matter. This bill affords an effective way of dealing with the subject. It will be the most effective way of reducing the high cost of living. We ought to pass it. We ought not to be deterred by lobbyists, but we ought to come forward and vote for the people, and it seems to me it is a question for every man in this Senate to determine whether he is going to vote with the lobbyists of the packers or whether he is going to vote for the American people on this vital question of the high cost of living.

I speak plainly, for that is the issue. We will be compelled to meet it, whether we think so or not. The people of this country will force us to meet it.

Some years ago, when prices were about one-third as high as they are now, and I had this bill up before the House, nearly every newspaper in this country wrote an editorial commending the proposition. I want to insert many editorials from leading papers of the country as a part of my remarks, showing that public sentiment is behind the proposition.

The PRESIDING OFFICER (Mr. WALSH of Massachusetts in the chair). Without objection, is is so ordered.

Mr. MCKELLAR. Mr. President, we must not deceive ourselves. It is a plain question whether we are going to obey public sentiment, the demand for lower prices, the demand that

we shall not bow down to the packing interests of this country, to the hoarders of food, to the monopolists of food, to the profiteers, but that we shall give the people and all the people a fair deal. As between the packers, the monopolists, the hoarders, and the profiteers on the one side and the American people on the other, I declare myself right now for the American people.

The people of the United States are expecting action on this question. They are not expecting delay. We are delaying too many things in this body. Several months ago the President of the United States was pilloried here because his opponents claimed it took him so long to effect a treaty of peace involving the destinies of the whole world, and yet after that treaty of peace had been entered into and submitted to this body, with nothing to do but to ratify, amend, or reject it, a period of over two months has elapsed and no action has been taken, as I understand it, except the reading of the treaty in the Senate Committee on Foreign Relations. The whole country waits while the treaty is slowly read. The business men of this country, the plain people of this country, want action on that treaty. They want to be restored to normal times. There is not a Senator here who does not know how he is going to vote on that treaty. There is no reason for delaying the vote; there is no reason for keeping the people of the country in a state of unrest. Business wants to know what is going to happen. Financial men want the matter settled. All people want to know what they are going to do, and they are criticizing the Senate because of its delay. The delay has been too long. It is time we should get rid of the treaty. I say we ought to vote on it, and then we ought to take up these domestic questions—questions like the high cost of living. We all understand the remedy. Let us kick out the profiteers and their agents from the Capitol and let us go boldly forward and do our duty as legislators, and thus quiet the unrest that must come unless action is had.

The American people want to put these things behind them. Our boys have won the greatest war that mankind ever engaged in. We want to have the matter settled. The fruits of that victory should be established. The people of this country should be permitted to go about their usual ways, into their usual vocations and avocations, and an end put to all this unrest. We should settle that peace question and we should settle the railroad question. We are dilatory about that. There is no report from any committee as to what is to be done with the railroads. No wonder many plans are being introduced and talked about. No wonder there is a spirit of unrest over that question. It is our duty to put the railroads back into the hands of the owners like they were before the war, and as quickly as possible, and when we do it we will stop a lot of unrest about that subject.

We are entirely too dilatory. We need action upon this greatest of all domestic questions, action upon this tremendous cost of food to the people. It meets every man, woman, and child in the country face to face every day. The Senate is dilatory; the Senate investigates, and the Senate debates. The Senate adjourns for a day or days at a time. The House adjourns for days at a time. No real business is being done in either House, and the country is standing still while we delay here. It is an unpardonable situation. Let us put an end to talking, let us put an end to investigation, and let us get down to business and pass these measures that we know are going to be passed. We ought to pass them in 30 days and leave here. There is no reason in the world why the peace treaty should be delayed. There is no reason in the world why the railroad question should be delayed. There is no reason in the world why this cold-storage question should be delayed. There is no reason why we should not deal with the hoarders and profiteers. We know the facts. We have investigated to our fullest capacity to investigate, and we ought to get busy and do something. I am prepared to vote, and I am for voting on all these measures. The best way, if we have differences among ourselves, is to vote them down or vote them up. We can not settle them except by voting. Let us get to the voting stage and earn the praise and commendation of the American people, and we will do it if we will take active steps, and if we do not take active steps we are going to be held responsible for the conditions which must necessarily arise by lack of action or by delay in action, by the continuous story of investigation, by the continuous story of one side abusing the other—Democrats abusing Republicans for this thing and that thing and the other thing and Republicans abusing Democrats for not having done this, that, or the other. The people are not interested in whether Republicans get the advantage for next year's election or whether the Democrats get the advantage. These three questions are all important to them: They want this country put on a peace basis, they want the railroads restored and regulated, and, finally, they want the high cost of living reduced and the hoarders and profiteers punished.

We are all Americans. If we have differences of opinion let us get together here in the Senate and settle those differences of opinion. Let us legislate for the people awhile, if we have been legislating or trying to legislate for party. Why, in this very debate before the House committee and here in the Senate I have been asked the question if a law passed for war time only ought not to be enforced, with the evident purpose of trying to throw the blame on the President of the United States. Senators, let us quit that kind of quibbling. We all know there is no law in force, and our quibbling about it gives the greatest pleasure to our packer friends, our monopolistic friends, our hoarding friends, our profiteering friends, for they do not want anything better than the trouble and discord over remedies. They want to fan the flames of factional trouble and strife. Surely we ought to have sense enough to know that the only people that can be benefited by factional strife in the Senate, whether over the treaty, whether over the league of nations, whether over the high cost of living, or whether over the railroads, or what not, while we are quarreling about it, are the hoarders and the profiteers, who are laughing in their sleeves at the Senate of the United States.

APPENDIX.

PACKERS ARE BUYING EGGS—ARMOUR HAS PURCHASED 150 CARS OF STORAGE STOCK—PRICES HAVE BEEN BOOSTED 1 TO 1½ CENTS—PACKERS PAYING ABOUT 28 CENTS F. O. B.—STEADY UPWARD TREND TO MARKET.

CHICAGO, *November 21.*

Heavy buying by the beef packers in the stock yards has boosted the storage-egg market 1 to 1½ cents. Although the packers put away a large block of eggs in the spring, they have been free sellers and late last week came into the market and since that time have bought several hundred cars of eggs. Armour & Co. are reported to have bought over 150 cars. The packers have not only been buying eggs stored in Chicago, but have gone also to coolers in Nebraska, Kansas, and Iowa. It is reported that Armour bought eggs at Hastings, Nebr.; Lincoln, Nebr.; Sioux City, Iowa; Omaha, Topeka, Abilene, and other points.

Charles B. Ford is reported to have been the heavier seller to the packers. Gossip has it that Mr. Ford has sold over 100 cars of storage eggs within the past week, and one sale of 25 cars to Armour & Co. is rumored. Fifteen cars of these eggs are said to be at Hastings, Nebr., and 10 at Lincoln. The price paid is reported to be 28 cents storing point. Early this week Mr. Ford sold a car of Aprils at what is the record high price thus far this season. A local jobber paid him 28 cents for a car of his Rochelle packed eggs. Among the large blocks sold by shippers is the reported sale of a block of about 20 cars by Shotwell & Schermerhorn, of Des Moines, at a price equivalent to 28¼ cents here. Among other large sellers to the packers, according to rumor, is the S. Love Kelley Co., which is reported to have sold 19 and 12 cars, respectively.

The eggs which Ford sold to Armour & Co. at Hastings and Lincoln, Nebr., belong to W. H. Holmes, formerly president of the Fox River Butter Co. This cleans up all of the holdings of Mr. Holmes, except six cars, which he says is fine stock and is holding for 28 cents. These cars are also at Hastings and Lincoln.

The steady upward trend of the egg market is best illustrated in the history of the block of eggs stored by the John M. Adams Produce Co., Boonville, Mo., this spring. This block consisted of 16 cars of Aprils and 17 cars of Junes. As reported in the News several weeks ago, Mr. Adams was here and sold the entire block to Bowman & Bull Co. at prices said to average 24¾ cents. Charles Bowman later sold the Aprils and Mays to Merrill & Eldredge and some time later bought the entire block back at an advanced price. Late last week he resold the Adams block to the Bennett-Howard Co. at 27½ cents, according to report, and these are supposed to have reached the stockyards at 28 cents.

The egg kings, Wetz & Morin, are reported to have started selling their block of 170 cars. The first batch of these to be sold was 29 cars bought by Armour & Co., which is reported to have netted Wetz & Morin a profit in the neighborhood of $27,000. Armour is also supposed to be looking at 50 cars more of Wetz & Morin's eggs, and more sales may be consummated.

Early this week West & Morin sold another 17-car block to a broker at 28 cents, who sold them in turn to an eastern buyer at one-fourth cent profit. This makes 48 cars that the egg kings have moved this week.

Although the Chicago retail trade is dull, the movement from the coolers continues heavy. The movement from the Monarch last week was the largest in the history of that storage. This week's movement from the same storage may even surpass last week, as 11,000 cases were moved Monday and over 9,000 Tuesday.

Trading on the Butter and Egg Board has been light, but it illustrates fairly well the trend of the market. Last Saturday the first car was posted at 30 cents, and the first bid of 28 cents registered. At Monday's meeting the top price for firsts thus far this season was reached when a car sold at 27½ cents. Outside of this sale the lowest offerings for firsts was at 28 cents. Extras were offered at 29 cents, with 28 cents bid freely. It was quite a surprise Tuesday when Hunter Walter sold a car of April firsts at 27 cents to Merrill & Eldredge on the board. As the market was firm, dealers were paying 27½ cents freely. In fact, the buyer was offered a nice profit on this purchase immediately after the call. The market held up firm Wednesday, although there were fewer bidders. Bowman-Bull bought a car of April extras at 28¼ cents, and 28 cents was bid for the rest of the offerings. On fall eggs 33 cents was freely bid on Octobers. Fresh eggs sold Wednesday on the board at 34 cents.

A small coterie of Chicago egg speculators who hit it right last spring write us that they had sold 21 cars at a profit of $840 each, but under present conditions they say the profit is too small, and they are holding the other 140 cars so as to make $1,200 profit on each. We

hope for their sakes they can do so, but we doubt it. We have known these same speculators to be satisfied with a profit of $50 a car, but that was some other season. We are no hogs. If we had the eggs and could realize $850 a car profit we could not sell them quick enough.

—

[The Fayette Falcon.]

Congressman MCKELLAR introduced a bill in Congress a few days ago which, if enacted into law, will prohibit cold-storage concerns from keeping fresh meats, eggs, butter, and other perishable articles of food in storage for a longer period than three months and then ship into another State for sale. Col. MCKELLAR explained that the purpose of his bill is to keep these large packing concerns from keeping the supply of these food articles off the market to force the price up and then sell their entire holdings at enormous profit. If their operations are confined to the State in which they are operating by the bill then a corner in any of these things will be impossible, as they could be sold only in the State in which they are stored if they had been in storage longer than three months. If the bill can help to reduce the present high prices of these food articles it should be speedily passed. With her splendid natural advantages, Fayette County ought to be independent of these packers and their food supply and could be if her farmers would see the magnificent profit in stock and poultry and turn their attention to them. Eggs are selling in Somerville now at 30 and 35 cents per dozen and are scarce at that. Beef is selling here at 12½ cents per pound for the cheapest, up to 20 cents for the best steaks, and beef is being shipped here from the packing houses to meet the demand. Our farmers sell their cattle at 3 or 4 cents per pound and then buy them back at 15 and 20 cents. And no wonder we remain poor.

—

Mr. MCKELLAR is author of a resolution pending before the House Interstate Commerce Committee, providing heavy fines and prison punishments for cold-storage operators who keep perishable foodstuffs in their warehouses more than 90 days. Since the measure was presented, he said, he has received hundreds of letters containing charges which, even if only partially substantiated, make a serious case against the alleged storage monopoly.

"I believe that the Federal Government can, by a simple law, largely do away with this unjust use of cold storage. The scheme is simply to prohibit interstate shipments of all kinds of fresh meats, fish, butter, eggs, and the like, that have been kept in cold storage for a longer period than three months, with a fine or imprisonment, or both, for violation. Food gambling can not be excused on any ground."

Mr. MCKELLAR quoted an interview in which Director Brand, of the office of markets, blamed the hen for the egg shortage, and continued:

"I think any Egg Trust magnate or pork packer would agree with the view of this Government official. I do not believe the consumers will agree with him at all. The census shows that the production of eggs has constantly increased within the last few years, and that for a period of 10 years, while there was an increase of 21 per cent in population, there has been an increase of 23 per cent in the production of eggs. I believe an officer of the Government should be very careful of his facts before even seemingly upholding the food trusts.

"I find, also, that there are now stored in cold-storage warehouses in Pennsylvania 10,000,000 dozens of eggs and that 90 per cent of these have been in storage since April 1. This is probably relatively the case in every State in the Union, and the cold-storage men seem to be simply manipulating the market by creating an artificial scarcity. What is true of the egg situation is also true of the meat, fish, and butter situation.

"I have received many letters and newspaper clippings indorsing my bill, and, of course, I am delighted that so many approve. I understand that women's clubs are taking hold of the matter, and I hope all good citizens will cooperate with me."

—

[Johnson City (Tenn.) Staff, Nov. 30, 1913.]

AFTER THE EGG TRUST.

The more than 15,000 readers of the Daily Staff on this glad Thanksgiving Day will be pleased to learn that the Staff's campaign for the unscrambling of the Egg Trust is bearing fruit. Day by day for the past month we have pointed out the iniquity of this unprincipled trust that would rob the poor man of his food and snatch the crown of glory from the great American hen, week by week we have declared it has sinned away its day of grace, if it ever had any, and must be destroyed. State editors have kindly copied and commented on our editorials, Representatives in Congress have been aroused, Cabinet officials have taken notice, but the straw that broke the camel's back, that caused the country to sit up and take notice, was the inability of the White House to furnish eggs to the wedding guests. Silver and gold, frankincense and myrrh in abundance, but no eggs. Whereupon, according to Bob Gates, the well-known Washington correspondent, within the next week, special attorneys and agents all over the country are expected to file with the Attorney General's office detailed information about cold-storage houses and their handling of eggs. The Department of Justice has been informed by Congressman KENNETH MCKELLAR, of the Memphis district, that the cold-storage interests of the country, by the manipulation of markets, have caused the high prices at present being charged for food. In addition to an immediate investigation by Congress demanded by Mr. MCKELLAR, he has asked Attorney General McReynolds to assemble evidence of the reported conditions with a view to instituting criminal proceedings.

Congressman MCKELLAR told the Department of Justice that he had been informed that one storage firm actually destroyed eggs by the carload, after its warehouses had become taxed to their capacity, rather than allow the eggs to go into the retail markets and curtail the plan of "cornering" the egg market.

So it will be seen that the Staff has not overdrawn the conditions in the country at large. The late Pierpont Morgan wanted to know how it was possible to unscramble eggs, but he was not so simple as to inquire how to unscramble the Egg Trust. It is plain that Congressman MCKELLAR and the Department of Justice are on the right track, and the death knell of this unconscionable trust is soon to be sounded. Eggs-actly.

—

[Lockport (N. Y.) Sun, Nov. 25, 1913.]

WHY THE DIFFERENCE.

If cold storage only costs a cent and a half a dozen on eggs, why does the price jump from 18 cents or thereabouts to 40 and 50 cents between spring and this season of the year? This is the question which every consumer considers when he applauds the demand of the United States Attorney General that there shall be an investigation made of the various storage and commission houses throughout the country to determine how many eggs they have been holding through the summer, and how long.

Congressman MCKELLAR claims the hen is not to blame, and it is a generally accepted fact that the cornering of the markets is responsible. That game is even carried into Niagara County, where eggs are bought up and rushed to city storehouses during the summer season. It is somewhat the same with butter. It is told of the butter buyers that they pay as low as 15 cents to the farmers and then hold for the inflated winter tariffs which the poor consumers have to meet. Eternity should have a warm place for those who gamble in foodstuffs.

—

[Boston Transcript, Nov. 24, 1913.]

SPECULATION AND COLD STORAGE.

Of course when an abnormal situation from which the public suffers exists, those who are suspected of being responsible for it may be expected to be prepared with some plausible explanations. These have not been lacking when a justification of the unprecedented prices of eggs has been called for. The law of supply and demand is invoked to account for them. The hens are moulting and have been holding up their wares, and so forth. Everybody knows that there is an annual period of shortage in strictly fresh eggs, but the surprise this year has been that it set in so early and has lasted so long. It dates back to August and is gradually increasing in acuteness. The public is naturally curious to learn the bottom reasons for conditions that are this year so extraordinary. We have had hints of similar situations in former years, but we have now been suffering from poor eggs and high prices for a full quarter of a year, and the end is not yet in sight.

It can hardly be said that there is a scarcity of eggs. If anyone is satisfied with the cold-storage variety he can get all he is disposed to pay for at prices but little more than a half of those asked for those that more nearly approach freshness. But people who have all their lives had the benefit of fresh eggs do not wish to be compelled to subsist on the cold-storage substitutes, at least beyond the time when natural conditions are operative. Those engaged in the business claim that natural conditions can explain everything. Thus far they have inside information to an almost exclusive extent, and so the consumer is at a disadvantage in attempting to sustain his protests. But he is none the less dissatisfied with the explanations that are handed out to him, and the investigation of the cold-storage interests that has been proposed to Congress by one of its Members will probably receive the approval of the great majority of egg consumers.

Congressman MCKELLAR, of Tennessee, who has announced his purpose of pushing this investigation, has gleaned from the census that while there was an increase of 21 per cent in the population, there was an increase of 23 per cent in the production of eggs. His remedy for the present situation is a law that will largely do away with the unjust use of cold storage. "The scheme is simply to prohibit interstate shipments of all kinds of fresh meats, fish, butter, eggs, and the like that have been kept in cold storage for a longer period than three months, with fine or imprisonment, or both, for violation." This would be independent of the question of how long food can be kept in cold storage and still be wholesome. There is a wide difference of opinion on that point even among those who claim to be experts. But it is obvious that so long as there is no reasonably definite limit to the period, the opportunity for speculation and cornering is wide open, and the longer the exorbitant rates prevail the stronger grows the belief that this opportunity has been improved.

If this belief is not well founded, an investigation that would disclose the fundamental facts would be a benefit to the great dealers who individually and through combinations control the market, and they should be the first to welcome such action. It is conceded that cold storage is an agency in the equalization of food supplied throughout the year that can be, and indeed has been, of great service to the public. But it is an agency that under, and it is important to consumers to learn whether or not that has been the case with respect to at least one of our most important food staples, and perhaps others. The sporadic boycott of dealers, a crusade which the housewives are leading in some cities, is not likely to have widely corrective results. It will have as little effect upon the main problem as Mrs. Partington's broom had upon the Atlantic. It is a situation that seems to be entirely worthy of the Government's attention.

—

[Memphis Scimitar, Dec. 1, 1913.]

A WISE MEASURE.

The bill introduced in Congress by Representative MCKELLAR the other day, after several consultations with the Attorney General, is a measure that should be enacted into law at as early a date as possible. It provides for the regulation of transportation of certain food products, and would prohibit the shipment and sale of adulterated or misbranded articles. It provides for an effective system of regulation of cold storage and the dealing in cold-storage food products, and fixes severe penalties, including fines of from $100 to $1,000 for each offense, and imprisonment for terms not exceeding five years. Some sort of a measure is necessary to bring an end to the gambling that is now so general in food products and to prevent the adulteration and misbranding of the necessities of life. The public at large has no protection in this matter, and the middlemen or retailers, who handle these articles, are quite as helpless as the general public, because they can not tell whether or not an article purchased from a broker or a manufacturer in a distant city is what it is represented to be. The prison punishment will prove to be a greater deterrent than any mere monetary amercement could hope to be. Rich men care very little for fines, but they seriously object to being sent to prison for a term of years.

—

[Los Angeles Examiner, Dec. 1, 1913.]

A PRACTICAL ATTACK ON A CORNER IN EGGS.

Representative KENNETH D. MCKELLAR, of Memphis, Tenn., is going after the Egg Trust in a way that promises results.

He has now before the House Committee on Interstate and Foreign Commerce a bill punishing with fines and imprisonment shippers over interstate lines of fresh meats, vegetables, eggs, or other foodstuffs which have been in storage over 90 days.

He will also present to the regular session of Congress, opening today, a resolution providing for a congressional investigation of the cold-storage system and methods.

Both the bill and the resolution should pass. That the present extortionate price of eggs is due wholly to the aid which the cold-storage warehousemen give to those engaged in cornering the market is notorious. Other foodstuffs are doubtless manipulated the same way. Instead of being an invention of supreme value to man, the speculators in their greed have made it a part of the gambler's equipment.

Representative MCKELLAR is on the right track. His bill should be one of the first measures reported to the regular session.

—

[Houston Daily Post, Houston, Tex., Dec. 1, 1913.]

COLD-STORAGE REGULATION.

If Congress devotes serious consideration to the cold-storage regulation bill, introduced by Representative MCKELLAR, of Tennessee, it will begin to get close to one of the many causes of the high cost of living. The high cost of food is, of course, most responsible for excessive living expenses. During the past 10 years the price of nearly all the important foodstuffs has risen to almost wartime levels, and nothing that our economists have been able to do has given relief. During the campaign of last year the cost of living was a dominant issue, and the demand for tariff reduction was strengthened in all the centers of population because the people were led to believe that lower duties on foodstuffs and clothing would lighten the terrific pressure upon the earnings of labor.

Acting in harmony with that theory, nearly all foodstuffs were placed upon the free list, and yet with the new law in full operation foodstuffs seem destined to reach higher levels than ever before.

The McKellar idea, however, if carried out upon the scale he proposes, is very likely to produce results. By limiting the period for which any article may be kept in storage and providing severe penalties for violating these regulations the markets of the great cities will be more abundantly supplied in all likelihood, and this abundance is apt to cause a recession of prices.

The McKellar bill would make the maximum period of storage on beef or its products seven months; veal, two months; pork, four months; sheep or goats, four months; lambs or kids, three months; poultry and game, three months; fish, two months; eggs, three months to six months, with provision for labeling all over three months old after inspection; butter, three months. The bill proposes that cold-storage articles must be labeled with the dates of production, killing, packing, or manufacturing, and period of storage. It would bar thawing out cold-storage products, would have regulations issued by the Department of Agriculture, and provide other precautions.

After providing against long storage of foodstuffs the bill provides that packers of meat, poultry, butter, and eggs and all cold-storage concerns must furnish to the Government daily statements of goods on hand, shipments, receipts, and deliveries, in violation of which fines ranging from $100 to $1,000 or prison sentences not exceeding five years may be imposed.

At present the cold-storage establishments are enabled to gauge the volume of products supplied to the markets. They enforce a condition of scarcity at all times regardless of the production, and in this way the market is set upon a keen edge. Not only is this true, but the power to conserve and hold invests the men who control the markets with the power to fix the prices at which the producers must sell. Thus the producer is exploited on the one hand and the consumer on the other.

It will require skillful treatment of this subject to bring relief without subjecting the producers to ill treatment, and this point will have to be watched. Men enjoying the power that the great cold-storage men have are loath to part with it, and the law will have to be strong at all points to become advantageously effective.

But when all that is possible shall have been done, full relief for the consumer and justice to the producer will not have been accomplished until many other reforms are adopted, and the individual will have to perform an important part supplementary to the law before we shall hear the last of the high cost of living.

—

[Hartford (Conn.) Post, Dec. 1, 1913.]

NEW COLD-STORAGE BILL.

A most drastic bill providing for the control of cold storage has been introduced in the lower House by Congressman MCKELLAR, of Tennessee.

This bill provides for close Federal control of the products of the country in so far as the cold-storage plants are concerned. It not only proposes to regulate the cold storage of foodstuffs but it also proposes to penalize agreements for storage, pooling, division of territory, interference with competition, or other restraint of trade in foodstuffs. It provides that beef can not be kept in cold storage longer than seven months; veal, two months; pork, four months; sheep or goats, four months; lambs or kids, three months; poultry and game, three months; fish, two months; eggs, three to six months, with a provision for labeling all over three months; butter, three months. The bill also provides that all cold-storage articles must be labeled with the dates of production, killing, packing, or manufacturing, and period of storage.

All of which sounds good to the consumer and the producer alike, but which may be robbed of its teeth by a number of very simple devices known to the cold-storage people. One might say with perfect truth that there are already enough laws to control the entire food situation, but somehow they are never invoked to the advantage of the common people. When great combinations of capital can succeed in delaying final judgment in cases brought against them for enough years until practically all of the persons originally interested are either dead or worn out, the chances of the common people getting a square deal through any law, no matter how good, are about nil.

If the Congressman from Tennessee can attach to his bill, and get it into the statute books, some provision whereby suits against the cold-storage and other people who control the foodstuffs of the Nation can be begun automatically and pushed with vigor in the interest of justice and equity for all concerned, he will have achieved a great benefit for the common people of the country.

—

[Knoxville (Tenn.) Sentinel, Nov. 28, 1913.]

M'KELLAR'S BILL.

Representative MCKELLAR, of Memphis, has introduced in Congress a bill which is likely to have a favorable hearing. It forbids the transportation in interstate commerce of food products that have been in storage more than 90 days. It is likely that the bill will be amended if it is passed, but the basic idea is widely commended. A number of the States have established time limits to the storage of foodstuffs. Pennsylvania storage houses are to be required to rid themselves of 9,000,000 eggs before December 1. But the price of eggs in Pennsylvania cities is not falling as that period approaches. It is supposed that the egg dealers will ship eggs into other States.

The objects of the McKellar bill are to give the States adequate control of cold-storage foodstuffs.

The time limit on the storage of eggs is not the same as on the storage of other foodstuffs, and it may be found necessary to give the subject detailed and scientific study in order that the Federal legislation may point the way for model regulation in the States and may not unduly hamper the interstate trade in foodstuffs. One of the needs of the country is a model storage law which all the States might adopt and which the Federal Government could support through its control of interstate commerce.

—

[Commercial-Tribune, Cincinnati, Dec. 2, 1913.]

CONTROL COLD STORAGE.

Federal and State control of food products held in cold storage is contemplated by a bill introduced by Representative MCKELLAR, of Memphis. An exchange comments:

"It forbids the transportation in interstate commerce of food products that have been in storage more than 90 days. It is likely that the bill will be amended if it is passed, but the basic idea is widely commended. A number of the States have established time limits to the storage of foodstuffs.

"Pennsylvania storage houses are to be required to rid themselves of 9,000,000 eggs before December 1. But the price of eggs in Pennsylvania cities is not falling as that period approaches. It is supposed that the egg dealers will ship eggs into other States.

"The objects of the McKellar bill are to give the States adequate control of cold-storage foodstuffs.

"The time limit on the storage of eggs is not the same as on the storage of other foodstuffs, and it may be found necessary to give the subject detailed and scientific study in order that the Federal legislation may point the way for model regulation in the States and may not unduly hamper the interstate trade in foodstuffs. One of the needs of the country is a model storage law which all the States might adopt and which the Federal Government could support through its control of interstate commerce."

—

[Herald-Transcript, Peoria, Ill., Nov. 28, 1913.]

COLD STORAGE AND EGGS.

Representative MCKELLAR, of Tennessee, announces his purpose of pushing a congressional investigation of the cold-storage business and of placing upon the statute books a law to prohibit interstate shipments of all kinds of fresh meats, butter, fish, eggs, and other like perishables that have been kept in cold storage for a longer period than three months.

Mr. MCKELLAR has discovered that in the last year population has increased 21 per cent and the production of eggs 23 per cent. He therefore concludes that cold storage is chiefly responsible for the rising prices. The bill he proposes applies merely to interstate shipments and does not pass on the question as to how long perishables may be kept in cold storage and still be wholesome.

There has been a growing scarcity of eggs since August, and it is natural that the public should credit the shortage to efforts on the part of cold-storage operators to corner the market.

Attorney General McReynolds has ordered a cold-storage investigation and criminal prosecutions are likely. Chicago has nearly half the egg cold-storage capacity in the United States and is said to have on hand 350,000 cases of eggs, each containing 30 dozen. In the 44 cold-storage warehouses in the United States there were reported, on November 1, 1,562,800 cases of eggs.

Cold storage is a new wrinkle in distribution, and when brought under effectual regulation should have the effect either of reducing prices or of preventing their advance. However, if it is to be used by speculators for the purpose of exploiting the public, the sooner the Government intervenes the better.

Legal technicalities will not be heard against the merits of the controversy. The public safety and the public welfare is the supreme law.

—

[Wisconsin, Milwaukee, Wis., Dec. 1, 1913.]

CONGRESS AND COLD STORAGE.

The House Committee on Interstate and Foreign Commerce, of which Congressman Adamson is chairman, will meet in Washington to-morrow to consider several bills which have been referred to it providing for Federal regulation of the business of cold storage.

One of these bills was drawn up by Congressman MCKELLAR, of Tennessee, and proposes to make it a crime to keep food products of a perishable nature, such as meat and eggs, in cold storage for more than 90 days. In the opinion of many Congressmen the McKellar bill is too drastic, and a fairer and better way of dealing with the problem would be to provide for the labeling of all cold-storage products with the date of their admission to the warehouses, so that the purchasing public would know what it is getting and be able to use its own judgment. The theory of this program is that such labels would prevent articles from being kept in storehouses inordinately long, because consumers would discriminate in favor of fresh food, and dealers would have to dispose of their stocks within a reasonable time or face deterioration in the value of their products.

The public's grievances against cold-storage methods as they have developed under existing conditions which provide no legal regulation fall under two heads, one of which is that the cornering of products frequently enables the cold-storage men to produce artificial scarcity and command abnormal prices; the other, that holding perishable food products in cold storage for long periods results in their deterioration, and when they are placed on the market, with no indication of the length of time for which they have been stored, they become a menace to the health of the consumers.

Consumers have a right to know the history of what they buy. They have a right to protect their stomachs. The plan of dating cold-storage products looks reasonable to the consuming public, however much it may be opposed by men engaged in the business of cold storage.

—

[San Francisco Examiner, Dec. 2, 1913.]

ATTACKING A CORNER IN EGGS.

Representative KENNETH D. MCKELLAR, of Memphis, Tenn., is going after the Egg Trust in a way that promises results. He has now before the House Committee on Interstate and Foreign Commerce a

bill punishing with fines and imprisonment shippers over interstate lines of fresh meats, vegetables, eggs, or other foodstuffs which have been in storage over 90 days.

He will also present to the regular session of Congress, opening to-day, a resolution providing for a congressional investigation of the cold-storage system and methods.

Both the bill and the resolution should pass. That the present extortionate price of eggs is due wholly to the aid which the cold-storage warehousemen give to those engaged in cornering the market is notorious. Other foodstuffs are doubtless manipulated the same way. Instead of being an invention of supreme value to man, the speculators, in their greed, have made it a part of the gambler's equipment.

Representative McKELLAR is on the right track. His bill should be one of the first measures reported to the regular session.

—

[The Tipton Record.]

Hon. K. D. McKELLAR's bill to prevent the cold-storage people from holding goods indefinitely is meeting with approval in every community where the price of living has been made higher by this monopoly.

—

[Bristol (Tenn.-Va.) Courier, Dec. 2, 1913.]

AFTER THE COLD-STORAGE TRUST.

If Congressman KENNETH D. McKELLAR, of Tennessee, has his way cold storage and its effect on the price of foodstuffs will be investigated by a congressional committee this winter, and Congress will pass a law that will largely destroy the power of the cold-storage interests to manipulate the market and boost prices by creating an artificial scarcity of the necessaries of life.

"It is bad enough to gamble on poker, horse races, cotton futures, and the like when you go into the gamble with your eyes open and both sides know what they are doing," says Mr. McKELLAR, "but when a few men get together and corner the market on necessaries of life without the knowledge or consent of the people they rob it is certainly carrying the thing too far. I believe that the Federal Government can, by a simple law, largely do away with this unjust use of cold storage. Food gambling can not be excused on any ground."

The law which Representative McKELLAR has in mind and which he has announced he will introduce early in the present regular session of Congress would prohibit interstate shipments of all kinds of fresh meats, fish, butter, eggs, and the like that have been kept in cold storage for a longer period than three months, with fine and imprisonment, or both, for violation. The Tennessee Congressman will also demand a congressional investigation of the effect of cold storage upon food prices. In the meantime the Department of Justice is engaged in a nation-wide preliminary inquiry into the cold-storage business, with a view of disclosing whether or not a combination exists to keep up prices.

There is little doubt in the public mind that the cold-storage interests are responsible for the present high prices of eggs and other articles of food that have advanced to fancy figures. Census figures show a constant increase in the production of eggs, yet eggs are now unusually scarce and the price is unusually high. Probably the explanation can be found in the fact that there are now in cold-storage warehouses in Pennsylvania alone 10,000,000 dozens of eggs, 90 per cent of which have been in storage since April 1, or eight months. And it is safe to say that this is relatively the case in every State of the Union.

If these hundreds of millions of dozens of eggs were thrown upon the market fast enough to meet the demand the price would fall until it would be fair both to the cold-storage people and to the consumers. Therefore the storage interests can hardly escape the suspicion that they are holding these eggs to create an artificial scarcity and raise prices to an unreasonable figure.

It is hoped that the movement started by Mr. McKELLAR will result in the solution of the problem involved in trust manipulation of the market on the necessaries of life. That is the next number of the Democratic legislative program.

—

[Union Star, Schenectady, N. Y., Dec. 10, 1913.]

LIMITING COLD STORAGE.

There seems to be much to commend in the bill of Representative McKELLAR, of Tennessee, now pending before the House, and having for its object the lowering of the cost of living. The bill seeks to attain its object by labeling all foodstuffs with the length of time they have been in cold storage and by strictly limiting the duration of their stay in warehouses. The bill provides that eggs shall be stored only 3 months at the outside; beef, 7 months; veal, 2 months; pork, sheep, and goats, 4 months; lamb, game, and poultry, 3 months; fish, 2 months; and butter, 3 months. To the consumer, some of the periods mentioned may appear to be too long, but that is a matter to be determined by the Congress after proper hearings.

Certainly the subject of food storage is a national one and should be treated through national legislation. The conflicting interests of the States must not enter the matter at all. Government from time immemorial has claimed and exercised the right to regulate food prices, and existing conditions seem to call now for sumptuary legislation for their remedy.

—

[Tribune, Tacoma, Wash., Dec. 3, 1913.]

AFTER THE FOOD TRUSTS.

Scores of bills were introduced in Congress on the opening day of the December session proposing various remedies for existing high prices, which may be traced to cold storage and manipulation by the dealers in foodstuffs. Congressman McKELLAR, of Tennessee, has offered a bill which has the indorsement of a majority of the members of the Committee on Interstate and Foreign Commerce.

The McKellar bill provides punishing with fines and imprisonment of shippers over interstate lines of fresh meats, vegetables, eggs, or other foodstuffs which have been in storage over 90 days. He will also present a resolution providing for a congressional investigation of the cold-storage system and methods.

Both the bill and the resolution should pass. That the present extortionate price of eggs is due wholly to the aid which the cold-storage warehousemen give to those engaged in cornering the market is notorious. Other foodstuffs are doubtless manipulated the same way. Instead of being an invention of supreme value to man, the speculators, in their greed, have made it a part of the gamblers' equipment.

[Journal-Tribune, Knoxville, Tenn., Dec. 4, 1913.]

COLD STORAGE.

Mr. McKELLAR, Representative in Congress from the tenth district of Tennessee, is the author of a bill for the regulation of cold storage of provisions. Cold storage, if not abused, is a good thing for the country. It has been demonstrated that many articles of food may be thus preserved without detriment to the wholesomeness of their qualities.

But it can do no harm and is no great hardship on the part of those engaged in the business if they are required to label the articles stored, giving date, so the purchaser may know what he is buying. Articles that have long been in cold storage need not be sold as fresh, when they are not fresh.

The feature of the case that calls for regulation is that speculators may buy when things are selling cheap, and hold until scarcity and demand may run up prices to exorbitant figures. In the doing of that, prices, when they should be lower, when the producer expects lower prices, may be kept up by buying and putting articles on cold storage. Thus there is never a time when the consumer may have the benefit of low prices.

Most complaint is probably made regarding eggs. The speculators buy up the eggs in a season when they are most plentiful, take them out of the markets, place them in cold storage, and hold them until a time when the hens are doing less laying, thus getting the benefit of buying at a very low price and selling at a very high price. Thus it is neither the producers nor the consumers get the benefit of fluctuations in the markets.

If this is not a combination in restraint of trade, what is there that may be called such a combination?

—

[Milwaukee Free Press, Dec. 9, 1913.]

COLD STORAGE.

Representative McKELLAR, of Tennessee, has introduced a bill designed to regulate the interstate shipment of cold-storage products. This is getting at the suspected abuse in question in the right way.

We are unfamiliar with the provisions of the McKellar bill; more than this, we believe that such legislation should wait until the Department of Justice is through with its probe of the storage situation. But this does not alter the fact that Federal law is the proper avenue for working correction.

A number of States have in recent years enacted statutes to curb the abuses of the cold-storage business. There have been numerous searching State probes. Some of the regulations thus enforced have improved the character of the stored goods, but, on the whole, this State legislation has not noticeably changed conditions.

The suspected illegitimate manipulation has scarcely been touched, and there lies the greatest public interest.

The fault does not so much lie in the laws as in their inability to get at a business which is so largely interstate in character.

Therefore the Federal law must step in; but before that is done Congress should know something more about the business it tries to regulate than mere suspicion and prejudice.

That is why it should be desirable to await the developments of the probe instituted by the Attorney General.

—

[Birmingham Age-Herald, Dec. 10, 1913.]

THE M'KELLAR BILL.

The introduction by Representative McKELLAR, of Tennessee, of a bill in the House of Representatives designed to prevent the cornering of foodstuffs by market speculators is timely, with the whole Nation stirred by the present price on eggs. "I can not conceive," he declares, "of any greater crime against the public than cornering of the market of foodstuffs."

Mr. McKELLAR charges that by use of cold storage, warehouse gamblers, whom he terms "voracious vultures of the market place," have frequently established themselves in a position where they could practically dictate the price of any food to the whole Nation. This he believes is wrong, as does every man affected by the matter, which is saying the entire population of the United States.

No one, of course, will underrate for a moment the value of the cold-storage industry. It is, indeed, one of the great boons in our modern life; but the speculators who take advantage of its possibilities for the purpose of controlling the price of food must always incur resentful opposition on the part of the public.

This practice of food speculation should be stopped, and if such drastic measures as are contained in the proposed law are necessary to cope with the situation, then they should by all means be enacted. There has been great agitation in regard to speculation in cotton futures, but this affecting the cost of food is a much more serious problem. At best the futures question touched only a part of the United States, but when a staple food product is cornered and the price forced up to an abnormally high level then every man who consumes that commodity is directly affected.

Another commendable feature of the McKellar bill is that section making it illegal to ship adulterated and misbranded food products in interstate commerce and limiting the periods in which food products may be held in storage without becoming adulterated.

Doubtless the bill needs some amendments, but in the main it is sound and should be passed by the Congress.

—

[Knoxville Journal-Tribune, Dec. 10, 1913.]

COLD STORAGE AND PRICES.

Congressman McKELLAR has undoubtedly struck a popular chord in the preparation and introduction of a bill for the regulation of cold storage. For a number of years there has been kindled a fire in the hearts of the people of this country prejudicial to cold storage. Recently, with or without just cause, it has broken out as a flame.

It all comes from the high cost of some of the articles of food kept in cold storage. It is said and believed that those engaged in the business have not dealt with the public fairly; that, in fact, a greediness has been shown to get rich quickly at the expense of those who live by eating.

It will not be denied that cold storage has its uses. Some articles of food may be kept for quite a long time without suffering in quality. In fact, it is claimed that there are some such articles that are improved in quality by being kept in cold storage.

But the trouble is, according to those who are making complaints, speculators have embraced the opportunity offered by the system of cold

storage to buy and store commodities and hold them in such quantities as to make the demand in the open markets greater than the supply. The holders may hold until prices become exorbitant, and then turn loose in quantities only sufficient to meet demands without glutting markets and lowering prices.

The bill of which Congressman MCKELLAR, of this State, is the author is meant to remedy such a situation as that by the regulation by the Government of cold-storage establishments. Commenting upon this bill, the Washington Star, among other things, remarks:

"If the cold-storage warehouses are used to raise the prices for these necessities above the normal range, a crime is being committed against the public welfare that calls for punishment. The Department of Justice should be able to ascertain how far an agency that ought to work out to the advantage of the public is employed to its detriment. But punishment alone is not enough. Some method should be found to prevent such a misuse of the cold-storage facilities in the future through inspection and check. This is a large order, but the Government, assisted by the State and city agencies, can accomplish it. Representative MCKELLAR'S bill proposes a plan to this end, and an early report on it to the House is desirable. The Department of Agriculture is in possession of trustworthy information at all seasons respecting the volume of produce for the meeting of public food needs."

—

[Sun, Salt Lake City, Utah, Dec. 5, 1913.]

The high cost of eggs is not due to actual shortage in the production. Congressman MCKELLAR, of Tennessee, who is interesting himself in the cold-storage question, claims that while the population has increased 21 per cent, the egg production has advanced 23 per cent. Similar figures would be obtained by investigation in other directions. It is not true that the food supply is diminishing in proportion to the rise in prices.

—

[Register, Mobile, Ala., Dec. 2, 1913.]

TO REGULATE STORAGE.

Representative MCKELLAR, of Tennessee, has introduced a bill in the National House of Representatives that possesses merit, in view of the experiences of the public in the last two years with the Cold Storage Trust. It provides for a restriction of cold storage, and penalties for agreements for storage, pooling, division of territory, and interference with competition or other restraint upon the movement of foodstuffs. It fixes the maximum time for keeping beef in cold storage at seven months; veal, two months; pork, four months; sheep or goats, four months; lambs or kids, three months; poultry and game, three months; eggs, three months to six months, with a provision requiring the labeling of all over three months old. Butter may be kept only three months, and fish two months.

The bill requires that cold-storage keepers must list with the Government pure-food inspectors daily statements of the food on hand; the receipts for storage and the outgo, with dates of the storage of the goods shipped out, the Government to have access for inspection at any time; and fines ranging from $100 to $1,000 and imprisonment are provided for violations of the law.

It is stated from Washington that Representative MCKELLAR'S bill has the approval of the Attorney General and has been very carefully drawn; also that it has the approval of many Members of Congress, who express the belief that such a measure will do much to break down the artificial manipiulation of foodstuffs.

Some such measure of relief is badly needed. The consumers complain that they have been bled outrageously by the amalgamation of the cold-storage interests. The opinion seems to be that this measure is what is needed by the country, and that it will be among the first bills passed by the new session of Congress.

—

[Tribune, Salt Lake City, Utah, Dec. 1, 1913.]

REGULATION OF COLD STORAGE.

The bill which Representative MCKELLAR, of Tennessee, is framing to govern the cold storage of food is a natural addition to the pure-food laws. We can remember the great opposition that was directed against all pure-food measures 15 and 20 years ago. When the national pure-food laws were finally passed and we began to experience the good effects of their regulations, we wondered that such statutes had been delayed so long.

The earlier pure-food provisions dealt with the natural or the manufactured products, and little or no attention was paid to cold storage. The benefits of cold storage seemed to outweigh the possible evil. It was regarded as a great boon for mankind, and there was little disposition to interfere with its growth. Soon, however, the evils began to assume threatening proportions, and the public to realize that cold storage was an aid to monopoly and high prices; and, moreover, that foods placed on the market out of cold storage often were tainted and seldom as nutritive and appetizing as the natural product.

It would be impossible to abolish cold storage in the present state of civilization. If we complain of high prices now as a result of the system, we would find more reason to complain should the system be done away with entirely. In order to provide vast populations with food, cold storage has become a necessity. It is true that the packers hold their goods in times of plenty so that they may charge high prices in times of scarcity: but it is also true that if the surplus were not held over into the lean days the scarcity would be intensified to the point of famine.

In passing any laws against cold storage, therefore, the beneficent results of the system will be taken into consideration. Even the Democrats will not insist on "smashing the trust," but will seek only to regulate it. Representative MCKELLAR'S bill will penalize agreements for storage, pooling, division of territory, interference with competition, or other restraint of trade in foodstuffs, and will set limits on the time during which meat, fish, eggs, poultry, game, and butter may be kept in cold storage. It provides also that cold-storage articles must be labeled with the dates of production, killing, packing, or manufacture, and periods of storage. It would place a ban on the thawing out of products and would have special regulations made by the Department of Agriculture as further protection.

All this is a laudable attempt to eliminate evils that are crying out for remedy. The trust methods are especially onerous, because they add to the high cost of living. It is widely believed that middlemen, such as packers and cold-storage people generally, are taking too many and too great profits. By interfering with competition and by imposing restraints on trade in foodstuffs a vast number of unnecessary middlemen are brought into existence, and statutes directed against these evils are apt to throw out of business a considerable number of middlemen and thereby bring the producer and consumer into more direct dealing on a more economical basis.

—

[News, St. Joseph, Mo., Dec. 4, 1913.]

COLD-STORAGE REGULATION.

A number of measures have been introduced in Congress to regulate the cold-storage business, but the bill offered by Congressman MCKELLAR, of Tennessee, is receiving most of the attention. The feature of this bill is that it limits the period of storage. It would make the maximum period of storage on beef or its products seven months; veal, two months; pork, four months; sheep or goats, four months; lambs or kids, three months; poultry and game, three months; fish, two months; eggs, three months to six months, with provision for labeling all over three months old after inspection; butter, three months. The bill proposes that cold-storage articles must be labeled with the dates of production, killing, packing, or manufacturing, and period of storage. It would bar thawing out cold-storage products, would have regulations issued by the Department of Ariculture, and provides other precautions.

After providing against long storage of foodstuffs, the bill provides that packers of meat, poultry, butter, and eggs, and all cold-storage concerns must furnish to the Government daily statements of goods on hand, shipments, receipts, and deliveries, in violation of which fines ranging from $100 to $1,000 or prison sentence not exceeding five years may be imposed.

At present there is no Federal law regulating the period of storage. Dealers and cold-storage men can enforce a condition of scarcity at any time by manipulating the markets. Any unconscionable and far-sighted person can rig up a corner on a foodstuff by storing it, and he invariably takes enough toll from the public to pay him well for the trouble.

There isn't going to be any cold-storage regulation without a fight. The cold-storage interests are organized for the fray. And, of course, they have a side of the story, too, that will have to be heard and pondered before action is taken.

—

[Times, Tampa, Fla., Dec. 1, 1913.]

MORE INVESTIGATION.

The cold-storage interests, in their relations to the food supply and as affecting the high cost of living, are attracting much attention and discussion of late. A few days ago the Times published an editorial upon the subject of "Eggs" and their connection with these interests and the enormous quantity that had been accumulated in the cold-storage depots; and mention was made in that article of a bill that had been prepared for introduction in Congress for the purpose of checking the evil of piling up articles of food in these depots to such an extent as to affect the prices in the markets prejudicially to the welfare of the people.

One of the Representatives in the lower House who proposes to take a leading part in this legislative movement is Congressman MCKELLAR, of Tennessee. He has already announced that just as soon as Congress convenes next week he will demand action toward an investigation of the entire subject of cold storage, with especial reference to its bearing upon the prices of food.

Congressman MCKELLAR has been engaged for some time in the collection of evidence to show that the food markets are being manipulated by the cold-storage interests and that the direct result has been that food has been rendered more expensive to the people than it would otherwise have been. An instance of the methods pursued by the boosters of prices is related in the destruction of an entire carload of eggs for the purpose of decreasing the visible supply and thus producing a rise in prices.

Mr. MCKELLAR says:

"It is bad enough to gamble on poker, horse races, cotton futures, and the like, when you go into the gamble with your eyes open and both sides know what they are doing, but when a few men get together and corner the market on the necessaries of life, without the knowledge and consent of the people they rob, it is certainly carrying the thing too far. Food gambling can not be excused on any ground."

—

[Journal, Ithaca, N. Y., Dec. 5, 1913.]

THE EVILS OF COLD STORAGE.

It seems evident that cold storage is going to play quite a part at the present session of Congress. Several Members of the House of Representatives have interested themselves in the subject, but the bill which has the backing of the Department of Justice and which is attracting the most attention is the one introduced by Representative MCKELLAR, of Tennessee.

Mr. MCKELLAR has taken the lead in the House in urging legislation to remedy abuses which he believes have a direct bearing on the high cost of foodstuffs, and it is known that he expects the administration to support his bill, which was referred to the House Committee on Interstate and Foreign Commerce. The measure aims to prohibit interstate shipment of certain food products and the transportation and sale of others adulterated or misbranded and to regulate cold storage.

The bill provides that certain articles of food held in cold storage for longer periods than those fixed shall be deemed adulterated and their shipment prohibited in interstate commerce.

With respect to eggs, those held in cold storage not less than three months or more than six months may not be classed as adulterated if, upon inspection, they are found to be sound and wholesome and are stamped or labeled "second period cold-storage eggs."

This stamp is to be on the container from which the eggs are sold and in plain view of the purchaser. Any article of food that has also been in cold storage is to be deemed to be misbranded if the package fails to bear a label plainly stating the date of production, killing, packing, or manufacturing of the product, and the period it has been in cold storage.

Those guilty of misbranding or adulterating any food product would be subject on conviction to a fine of not less than $500 or over $5,000 and to a sentence of from 6 months to 10 years' imprisonment. The penalty for any agreement by which food products are kept in cold storage for a longer or shorter period, or are to be sold or withheld from sale for the purpose of affecting prices is to be from $1,000 to $10,000 combined with 1 to 10 years in prison. Furthermore such agreement for withholding food products from sale to affect prices is prohibited.

While all the blame for the high cost of living can not be placed on cold storage, it is beyond dispute that the plants enable the people who have corners on certain goods to keep up the prices. It is to be hoped that the Federal Government and the State governments can enact laws that will do much toward lessening the evils laid at the door of the cold-storage plants.

—

[Star, Newark, N. J., Dec. 1, 1913.]

FEDERAL VINDICATION OF THE EGG TRUST.

The Department of Agriculture is disposed to vindicate the Cold Storage Trust. Its experts insist that the high price of eggs is caused by the wet and cold spring and the dry July of this year, which slowed up the laying season, but that the pullets have now begun to attend to business and eggs are already cheaper. Representative MCKELLAR, of Tennessee, very pertinently wants to know how the department, which was unable to give him information about the egg production this year compared with that of previous years, managed to get inside statistics on the doings of the pullets for the past two weeks. The Senator's skepticism will be shared by the consumer.

—

[Cleveland Plain Dealer, Dec. 10, 1913.]

COLD-STORAGE REGULATION.

The Plain Dealer is in receipt of a letter from an East Cleveland reader who protests against further "agitation against storage eggs." "If ever a woman had to study hard on home finances, I had to do so," she writes, relating how she had to support a family by her own resources. "I have depended on eggs to give nourishment; without storage eggs my children would have been denied this nourishment in the winter months, for the price of strictly fresh is beyond our means."

At no time has the Plain Dealer agitated against cold storage or its products. So far as it has taken any part in the current discussion, it has merely advocated measures which should protect the buyers of these products from artificially raised prices on the one hand and from dangerous deterioration in the products on the other.

Most legislative proposals touching the subject have proposed, first, that eggs should be dated when placed in storage and, second, that their sale after a certain period in storage should be prohibited. The measure in Congress proposes to prohibit the interstate shipment of storage products which have not conformed to such requirements.

Our East Cleveland friend, who relies on storage eggs because she can not afford fresh ones, would find protection, not hardship, in such regulatory laws as proposed. When buying she would know accurately just when the eggs were put in storage and could not, therefore, be overcharged. Nor could an unscrupulous dealer sell her storage eggs, claiming they were fresh.

It is primarily for the protection of such people as the writer of this letter that more stringent cold-storage regulation is proposed. The public has tired of what it believes to be the exactions of cold-storage men. No right-thinking person would for a moment suggest anything unjust to the owners of storage warehouses. All that is asked is a square deal all around.

—

[Cincinnati Globe and Commercial, Dec. 1, 1913.]

AGAINST COLD-STORAGE EXACTIONS.

The revolt of American housewives against the exactions of the cold-storage system has reached Cleveland. A league has been organized with branches in all principal centers. It proposes to study possible methods for combating high prices; one particular object is to help the Federal Government pry into the activities of the so-called cold-storage "combine."

KENNETH DOUGLAS MCKELLAR, Representative in Congress from the tenth Tennessee district, has introduced a measure to regulate the interstate shipment of storage products. This the housewives' leagues of other cities have indorsed. In the same connection Attorney General McReynolds announced the other day that he proposed to investigate the cold-storage men.

Here are two definite points upon which the housewives, organized or unorganized, may center their efforts to relieve conditions admittedly bad. They may boost the McKellar bill; they may lend whatever assistance possible to help the Department of Justice get at the real inside of the storage situation. Whether a boycott on cold-storage products is wise or could be efficacious is quite another question.

Regulation of cold storage is properly a national rather than a State matter. Various States have undertaken something of the kind, but it is doubtful if any appreciable advantage has been obtained. Trade knows no State lines, and it is just as bad for Ohio to eat bad eggs stored in New York as it is to eat bad eggs stored in Ohio. Congress can best handle the evil.

If, however, Congress refuses to act, or until it acts, State legislatures might well pass laws designed to protect their people against the exactions of cold-storage men. A definite time limit should be placed upon the storage of food. Some regulation is needed requiring that storage products be marked to distinguish them from fresh. These two objects are sought by the McKellar bill, the aim of which will meet very general approval.

—

[Cincinnati Commercial-Tribune, Dec. 2, 1913.]

CONTROL COLD STORAGE.

Federal and State control of food products held in cold storage is contemplated by a bill introduced by Representative MCKELLAR, of Memphis. An exchange comments:

"It forbids the transportation in interstate commerce of food products that have been in storage more than 90 days. It is likely that the bill will be amended if it is passed, but the basic idea is widely commended. A number of the States have established time limits to the storage of foodstuffs.

"Pennsylvania storage houses are to be required to rid themselves of 9,000,000 eggs before December 1. But the price of eggs in Pennsylvania cities is not falling as that period approaches. It is supposed that the egg dealers will ship eggs into other States.

"The objects of the McKellar bill are to give the States adequate control of cold-storage foodstuffs.

"The time limit on the storage of eggs is not the same as on the storage of other foodstuffs, and it may be found necessary to give the subject detailed and scientific study in order that the Federal legislation may point the way for model regulation in the States and may not unduly hamper the interstate trade in foodstuffs. One of the needs of the country is a model storage law which all the States might adopt and which the Federal Government could support through its control of interstate commerce."

—

[New York Produce News.]

BIG MEAT PACKERS PLAN MONOPOLY OF EGGS AND POULTRY—SWIFT & CO. ALONE CARRIED MORE EGGS IN STORAGE THIS YEAR THAN ANY 50 OF THEIR COMPETITORS, EDITOR OF PRODUCE JOURNAL DECLARES—SMALLER COMMISSION MEN UNABLE TO COMPETE WITH BIG CONCERNS EITHER IN BUYING OR SELLING.

It is openly talked of in the egg business that the big meat packers intend to monopolize it entirely, and not only the egg business but the poultry, butter, and cheese business besides. At least that is the opinion of H. L. Preston, sr., editor of the Produce News.

"The meat packers intend, as sure as daylight, to monopolize the entire egg, poultry, butter, and cheese business, and this in flagrant violation of the Sherman law," Mr. Preston said to-day. "This is the talk of the produce business. Every one in the business knows about it, and they are inclined to believe it. And why shouldn't they be? The business of Swift & Co. this year alone exceeds anything ever known by private jobbers before. They alone carried more eggs than any 50 other operatives.

"The intention of the Meat Trust, according to men in the produce business, is to pool together, in combination in restraint of trade, and corner all of the warehouses of any size in the United States in order to control absolutely the entire output of perishable meat products in this country.

"After they have their talons on the warehouses they will run the small jobbers and private operatives out of business. Any man who wants to store perishable food products will have to apply to the meat industry for space in the cold-storage plants. It would be easy for the Meat Trust either to run the rates up so high on the commission merchant that he could not afford to store, or else to say to him they had filled the plant to capacity, and thus exclude him from any opportunity to store his goods.

"INTERESTED IN BANKS.

"Furthermore, the Meat Trust in every big city is interested in one or more banks which make a business of loaning money on stored goods. Through the connection of these banks with the Money Trust they so control credit as to make it impossible for any little operative to obtain credit on goods in storage unless they are willing that he should have credit. If credit is refused to the small operative, it is easy to see that he will soon be driven out of business.

"Of course, his action would be a flagrant violation of the Sherman antitrust law, but the actions of Swift & Co., of Armour & Co., of Schwarzschild & Sulzberger, and of Morris & Co. this year certainly show a direct effort to restrain trade."

"Can you prove that?" asked the reporter.

"Certainly," responded Mr. Preston. "Here is the proof: In every favorable egg-producing district in the United States Armour, Schwarzschild & Sulzberger, Morris & Co., and Swift open buying plants for eggs in April. The finest eggs in the country for storage purposes are what is known in the trade as 'April eggs'; that is to say, the eggs that are laid between the 1st of April and the middle of May. The condition of the hen is such that the albumen is firmer and the egg stores better.

"In April the big meat men go into the markets and insist upon getting eggs. They buy them at any old price, probably so high that the average commission merchant is left out entirely. In other words, at the initial point in the storage business the meat packers force the price up above the point where the average commission man considers it safe to store.

"They are able to do this because they own great private storehouses in Kansas City, in Chicago, and in St. Louis, and they ship the eggs direct to their own storage houses, where the cost of storage to them is not more than 15 cents, and is probably about 10 cents, whereas the commission merchant, if he took the eggs to the public storage house, would be charged at least 30 cents, and probably 40. That is why the meat men are able to shove the price up at the initial point.

"INSPECTORS CAN'T ENTER.

"The price charged to the small commission merchant is from two to four times what it costs the meat packer to store his eggs in his own private storage house, and in addition those private storage houses are not subject to Federal and State inspection. It is as though they were in a private house. The Government officers can not come in and inspect them.

"Now, the April egg is, as a rule, sold in October. (By the way, one of the chief reasons for the high price of eggs this winter is that on account of the heat last July and last August some of the lot of April eggs had to be broken into, and as a result they are not available.) Now, under the law in Illinois, in Chicago eggs do not have to be marked when they go into storage and when they come out. As a result, in Chicago 9-months-old eggs can be foisted on the public as fresh, and the storers can get away with it.

"Swift & Co. have a brand of eggs that they call the Brookfield eggs. These come from Brookfield, Mo., and, as a rule they are shipped in April to Chicago and stored there. Then in October or later they are shipped on to New York in Swift & Co.'s private cold-storage cars and put into a carton here marked Brookfield eggs. They were not stamped when they were put into storage and when they were taken out. If they have a stamp mark it is a deceptive one, stating when they were put into storage in New York State and neglecting the time that they have been stored in Chicago.

"Furthermore, the eggs are brought to New York in private refrigerator cars. These are not inspected unless some one has a complaint to make against their contents. The big meat men are not subject to the same kind of treatment that the small shippers get when a load of their eggs are thrown from one of the cars at the public docks by an inspector.

"TRANSPORTATION IS CHEAPER.

"That's how it is that the big meat men are able to keep the price of eggs up so high while they are making such a handsome profit. The transportation cost is far cheaper for the bulk when they transport, and, besides, the difference between the cost of the storage in the big private plants of the meat men and the public storage houses where the commission men have to go is great enough to afford a handsome profit to anyone. And this is true not of eggs only, but also of poultry, of butter, and of cheese—in short, of all the perishable food products."

[Journal, Lincoln, Nebr., Dec. 10, 1913.]

COLD STORAGE AND EGGS.

As the price of eggs mounts up and up the victims with one accord turn their wrath upon the cold-storage men. The hens have struck. The main supply of eggs is in cold storage, and the price is not modest. An impassioned Congressman speaks of the cold-storage men as "voracious vultures of the market places" and a "plunderbund of food sharks." This is Mr. MCKELLAR, of Tennessee, who has introduced a bill to "put these gamblers out of business." In Chicago, New York, and Kansas City organizations of women are battering at the heads of the cold-storage men with boycotts. It is a hot time for cold storage.

When we go to pay our taxes we abuse the clerk who takes our money. He is no more responsible for the amount of our taxes than the man in the moon, but his is the nearest head, and the majority of us take a whack at it. The cold-storage men, whether they are combined into an egg corner or not, are little more responsible for the high price of eggs than Postmaster Sizer for the price of postage stamps. But they are the collectors of the price, and so they are the recipients of the wrath. Congress ought to know better than to fall into this mistake, but it doesn't seem to.

The price of any article is determined, on the average and in the long run, by the relations of supply and demand. This is true whether the article is monopoly controlled or not. There are a certain number of eggs in existence and being produced. Whether 1 man or 10,000 own these eggs, the average price at which they can be sold to the consumer is the same. Let the monopolist put his price too high, and he will lose because of eggs left unsold and unsalable on his hands. In case of competition there is the same check on high prices, while the price will never go below what, in the judgment of dealers, will be necessary in order to make the eggs move. There are a thousand collateral facts to consider in this connection, but, roughly speaking, what has been said is true. With a given supply and a given demand the price will be the same whether the article is monopolized or not. In his Principles of Economics, Prof. Taussig, of Harvard, says:

"So far as the ordinary course of market prices is concerned, mere cornering has no effect. If supply remains the same, price to consumers will not be more or less because an article is in single hands. Yet the cornerer may make money. The profit is not obtained at the expense of consumers. The question is simply which set of producers or middlemen will accurately gauge the market price of the season and profit accordingly. This is especially true of articles that are in consumable form. * * * The price of these things is settled with much precision by the play of demand and supply—i. e., by marginal utility—and it matters not to the consumer whether that supply be in a single hand or not."

It is only where the monopolist has control of the supply, of the quantity of an article to be produced and marketed, that he can exercise arbitrary power over prices. When the trusts wish to raise prices they shut down a few mills. The cold-storage men have no authority over the hens. They can not say to the farmers' wives, "Set fewer hens next spring in order that eggs may be higher." They must take the supply as it is. The only thing they can do is to equalize the supply throughout the year, or throughout a series of years, if they are allowed to sell eggs after more than a year in storage. The storage man bets that the price of eggs in July, when the market is flooded, is enough lower than it will be in January, when the hens fail, to pay him for storing July eggs for January sale. But for his purchases eggs would have been cheaper last July. But for his sales they would be now even dearer than they are.

Doubtless proper rules and regulations would get us better eggs from cold storage. We are on the wrong scent, however, in holding the cold-storage men responsible for the high prices. Had Congressman MCKELLAR put "these gamblers out of business" a year ago, eggs would probably be a dollar a dozen now.

—

[Johnson City (Tenn.) Staff.]

M'KELLAR IN ACTION.

Just as the Staff predicted, Congressman MCKELLAR, of the Memphis district, could not restrain his feelings after investigating the Egg Trust. The more he investigated the cold-storage business the madder he got, until finally he addressed his colleagues in Congress on the subject.

"The drastic features of the bill are only aimed at the corrupt and dishonest, at the gamblers, at voracious vultures, who stand around in the market places and reap where they have not sown and fatten on other people's food. I do not believe any Member of this great House will stand up for any such plunderbund of food sharks."

We should say not. The McKellar bill, which would prescribe both prison terms and heavy fines for violation of its provisions, would make it illegal to ship adulterated and misbranded food products in interstate commerce, and limit the periods in which food products may be held in storage without becoming adulterated.

Reviewing the data produced by the Senate committee, which investigated the high cost of living, Mr. MCKELLAR submitted further statistics intended to show that packers and warehousemen corner the markets on foodstuffs deliberately to increase profits. He asserted that these men would insist that the Federal Government should leave the regulation to the States.

"I can not conceive," Mr. MCKELLAR declared, "any greater crime against the public than the cornering of the market on foodstuffs. Almost every housewife in this country is complaining of the high cost of eggs, and we find these gamblers not only cornering the price of eggs and reaping unfair and unjust profits from it, but actually laughing at the public. My bill would put these gamblers out of business and would give the customer a chance."

Profits of from 100 to 200 per cent were made by the "egg kings" on storage eggs, Mr. MCKELLAR asserted.

Good for this young and courageous Congressman from Tennessee. Maybe we will get cheaper eggs long about the time the currency bill is passed.

—

[Public Ledger, Philadelphia, Dec. 15, 1913.]

COLD STORAGE MUST BE REGULATED.

[Written for the Public Ledger, by Charles H. Lawall, chemist to the Pennsylvania Dairy and Food Department, Philadelphia.]

Cold storage, when subjected to such restrictions as are necessary to protect the public from abuses, is a fundamental necessity of our time. It constitutes a means for effecting a distribution of the overplus of perishable products at certain seasons of the year so as to afford an even supply throughout the entire market year. This is made necessary, not only because of the increasing centralization of population in the large cities, but also because the consuming public demands articles of food at periods of the year when the fresh product is not available.

The practice of storing perishable foods at certain seasons has been carried on from the most remote times. It is only during recent years, since advancement in methods of refrigeration have resulted in the establishing of large cold-storage warehouses for the public storage of foods for a nominal charge, that it has come into public view as one of the possible factors of the increasingly high cost of living.

A few States have passed laws dealing with the subject more or less completely, among them being Pennsylvania. A long-promised attempt at Federal regulation is seen in the bill recently introduced into the House of Representatives at Washington by Representative MCKELLAR, of Tennessee. This proposed national bill defines and regulates cold storage and establishes periods beyond which no articles shall be held in cold storage, such periods ranging from two months for veal and its manufactured products, to seven months for beef and its manufactured products.

There is no doubt that much opposition to the proposed national law will be centered against the arbitrary establishment of certain periods for storage, after which the food becomes legally unsalable, whether it has become unwholesome or not. It seems both unjust and unnecessary to condemn as unfit for sale food products which are still in a wholesome condition for the alleged reason of preventing speculation in food commodities, with the result of unfairly raising prices. It looks like a confession of weakness of our power to meet and overcome evil conditions to attack them in such a roundabout manner, and it is not at all clear that in order to escape one evil we shall not encounter a greater one, i. e., that of shortage or scarcity at certain times of the year if the maximum periods of cold storage be made too short. It would seem to be to the best interests of the food-consuming public to establish, unify, and enforce both State and national cold-storage laws, particularly along the following lines:

First. The definition of cold storage and cold-storage warehouses so as to include not only public storage plants, where sanitary conditions are usually regulated in accordance with the requirements of keeping products in a condition favorable for resale, but also private refrigerating rooms in hotels, manufacturing establishments, etc., where it is now possible to use up food that is in such a bad condition as to be unsalable unless worked up into other products in such a manner as to disguise its condition.

Second. To provide for the proper inspection of all articles entering and leaving cold storage so as to insure soundness and wholesomeness, both at the time when stored and when withdrawn for sale.

Third. To provide for the periodic inspection of all cold-storage rooms or warehouses and of the products as subsequently found upon the market for sale at retail. This would insure the proper handling of those goods which are well known to be more susceptible to decomposition than the corresponding fresh articles.

Fourth. To provide for the enforcement of labeling regulations for cold-storage foods, which should plainly state for the information of each handler, and especially the consumer, the dates of entry to and withdrawal from cold storage. If this be firmly and rigidly attended to, the time element will largely take care of itself.

Fifth. To provide for the absolute prohibition of the return to cold storage of food once withdrawn from storage for sale.

Sixth. To provide for the keeping of such records and the rendering of such reports as will enable shipments to be traced from the time the article enters cold storage until it is withdrawn for sale.

Seventh. To provide penalties for the violation of any of the sections of the act and for the sale of cold-storage goods as fresh.

If the foregoing underlying principles be rigidly looked after and a maximum period of one year be established for some classes of foods, together with shorter periods for other classes, and the requirement that after a certain time—say three months for eggs and six months for beef—no such article may be removed from storage and sold without inspection and approval of its wholesome condition (or destruction, if found to be unwholesome), the public will be amply protected and the question of speculation and overstorage can be met and overcome in other ways, if necessary.

All of the prejudice concerning the alleged unwholesomeness of cold-storage products is utterly without foundation, if such products are collected, stored, and handled under proper conditions. If laws embodying the features indicated above be enforced, these proper conditions will follow, and cold storage under such regulation will undoubtedly become an important factor in lowering the cost of living instead of raising it.

A consideration of the subject of cold storage would be incomplete without some attention being paid to the egg question. Among the more or less frenzied statements which have lately been made relative to the price of fresh eggs and their apparent scarcity, is that the present high price is due to the Pennsylvania cold-storage act, which is said to have deterred dealers from placing the customary number in storage in the spring. No statement could be more misleading. The number of eggs placed in cold storage has little to do with the price, as is proved by the following extracts from the annual report of the United States Secretary of Agriculture for 1911, in which it is stated that although "The egg year 1910–11 had 29 per cent more eggs in cold storage than the preceding year, at a time when there was a plenty of eggs in storage, the wholesale price of eggs soared to 43 cents in Boston and 45½ cents in New York in November. There was an apparent mistake of the storage men in overestimating the consumption of the public at exorbitant prices, and the storage men dumped on the foreign market the greatest quantity of eggs ever exported from this country in a year."

The present high cost of fresh eggs is due to the fact that formerly any kind of eggs were sold as fresh, while, under the present enforcement of the food laws, they are required to be fresh eggs in fact as well as in name. In corroboration of this point, a grocery-trade paper, published in Philadelphia, contained an editorial recently in which the fact was freely admitted that heretofore any egg that had never been in cold storage was sold as a fresh egg, irrespective of its age (which is frequently from three to six weeks) and lamenting the fact that the majority of such eggs must now be sold simply as "selected" eggs. That this is true may be verified by an inspection of the cartons of eggs sold by most dealers, who formerly called their eggs fresh, and on which the word "fresh" has been replaced by the word "selected," either by the printing of a new carton or by pasting the word "selected" over the former word "fresh."

The correction of an evil of this kind is in the interests of public welfare, and the blame can not be laid upon the cold-storage laws nor upon any other laws, but upon the previous deceptions practiced by the egg dealers themselves.

[Courier, Buffalo, N. Y., Dec. 14, 1913.]

THE M'KELLAR BILL.

Several bills for regulating cold-storage warehouses have been introduced in Congress, but the one that is attracting most attention is that which was prepared by Congressman MCKELLAR, of Tennessee, assisted by the Department of Justice and the Department of Agriculture.

The McKellar bill, which probably will be made the basis of any legislation that Congress may enact, is elaborate and drastic. Its main feature is a provision declaring that certain specified articles of food, which have been held in cold storage beyond certain periods, shall be deemed adulterated, and their shipment in interstate commerce shall be prohibited. For instance, the maximum cold-storage period for beef is seven months; veal, two months; pork, four months; sheep, four months; lamb, three months; game and poultry, three months; fish, two months; eggs, three months; butter, three months.

The bill absolutely prohibits the sale within the United States of any adulterated or misbranded food products as defined in the act. It also prohibits the placing in cold storage of any products that are diseased, unsound, or which are not caught and fed and slaughtered in a sanitary manner.

The penalty for misbranding or adulterating any food product is a fine of not less than $500 or more than $5,000 and imprisonment of from 6 months to 10 years. The penalty for any agreement to keep food products in cold storage for a longer or shorter period to affect prices is from $1,000 to $10,000 and imprisonment from 1 to 10 years. The penalty for offering for sale any cold-storage product as a fresh product is a fine from $100 to $1,000 and imprisonment from 3 to 6 months.

Whatever else may be said of the McKellar bill, it can not be rightly charged that it hasn't a full set of teeth.

—

[The Washington Times, Dec. 19, 1913.]

COLD-STORAGE MEN LINE UP FOR FIGHT—M'KELLAR BILL TO BE OPPOSED BY INTERESTS AT APPROACHING HEARINGS.

Whenever Congress attempts to regulate any of the large special interests there is always an outcry and all manner of difficulties are encountered. This is illustrated in the case of the attempt to regulate the cold-storage business.

Cold-storage interests are planning for the fight of their lives against the McKellar cold-storage bill. It has been determined that hearings on this bill will be deferred until after the holiday recess of Congress. Meantime, the cold-storage interests are organizing to combat the measure and compel its modification.

CHAIRMAN COVINGTON ACTS.

Congressman Covington is chairman of the subcommittee of the House Committee on Interstate Commerce, which will hold the hearings. He has announced hearings will be begun the day after the holiday recess ends. When the hearings begin it is the purpose to marshal before the subcommittee packers of beef and of various meats and meat products, fishermen, poultrymen, cold-storage men, and many others interested in handling foodstuffs.

Even some farmers will be arrayed before the committee. It will be urged that the McKellar bill is too drastic and would hurt more than it would help.

The facts respecting the egg will be given special attention. That is, the cold-storage people will endeavor to impress the subcommittee with the idea that they are not to blame for the high prices of eggs. Frank A. Horne, of New York, president of a large cold-storage company, and chairman of the joint committee of the Cold Storage Warehousemen's Association and Affiliated Industries, will be one of the witnesses.

Mr. Horne will deny there is a cold-storage trust or combination and will lay the high prices of eggs to the great flood in the Ohio Valley and the Middle West. He will asseverate that hosts of fowls were drowned, and besides that drought in some of the agricultural States also diminished egg production. He will insist there was a shortage November 1 in the leading cold-storage warehouses of 664,016 cases of eggs, each case containing 30 dozen.

Other testimony will be offered to try to prove that it was the hard hand of nature, not of any cold-storage trust, that made folks go eggless.

In a general way, the cold-storage interests will try to prove that the cold-storage business is beneficent; that the cold-storage men gather up food articles while the supply is redundant and preserve them until the public needs them. It will be especially insisted that the provisions in the McKellar bill limiting the time food articles can be kept in storage are unwise and entirely too short.

In a word, a battle royal is going to be waged. The cold-storage interests are powerful and their ramifications wide. Attempts have been made heretofore to bring about strict regulation, but they have been blocked. Dr. Harvey W. Wiley, while head of the Bureau of Chemistry, fought for regulation, but was beaten.

It remains to be seen what the outcome of the forthcoming fight will be. It is a fact, however, that public sentiment to-day is more fully stirred against all manner of food combines than ever before, and the outcome may be a piece of lawmaking with teeth in it.

—

ACTS OF VARIOUS STATES RELATING TO COLD STORAGE.

DELAWARE.

Chapter 177.—General provisions respecting trade.

An act relating to cold-storage and refrigerating warehouses and places and the sale or disposition of the food kept or preserved therein.

Be it enacted by the Senate and House of Representatives of the State of Delaware in general assembly met:

SECTION 1. The term food as used in this act shall include any article used for food or drink by man or animal, with the exception that it shall not include and apply to the storing and refrigerating of fruits or of fish.

SEC. 2. It shall hereafter be unlawful for any person or persons, corporation or corporations, engaged in the business of cold-storage warehousemen or in the business of refrigerati , to receive any kind of food, with the exception of fruits and fish, unless the said food or the package containing the same is branded, stamped, or marked in some conspicuous place with the day, month, and year when the same is received for storage or refrigerating.

SEC. 3. It shall be unlawful for any person or persons, corporation or corporations, engaged in the business of cold-storage warehousemen or in the business of refrigerating within the State of Delaware, to permit any article of any kind whatsoever used for food, now in the possession of any person or persons, corporation or corporations, now engaged in the business of cold-storage warehousemen or refrigerating, to be taken from their possession without first having branded, stamped, or marked on said stuffs or the package containing the same, in a conspicuous place, the day, month, and year when said foodstuffs or package was received by any person or persons, corporation or corporations, engaged in the business aforesaid.

SEC. 4. It shall hereafter be unlawful for any person or persons, corporation or corporations, engaged in the business of cold-storage warehousemen or refrigerating within the State of Delaware, to keep in storage for preservation or otherwise any kind of food or any article used for food for a longer period than six calendar months without the consent granted as hereinafter provided by the board of health having jurisdiction, or its duly authorized agents or officers, or except as hereinafter otherwise provided.

SEC. 5. The State board of health or the local board of health within the limits of any municipal corporation having such local board is vested with full power and authority to inspect and supervise all places in the State of Delaware now used or hereafter to be used for cold-storage or refrigerating purposes; the members of the board of health having jurisdiction as aforesaid, or the duly authorized agents or employees of said board, shall be permitted access to such place or places and all parts thereof at all times for the purpose of seeing that said place or places are kept and maintained in a clean, sanitary manner, and for the purpose of determining whether or not the provisions of this act or any other act relating to foodstuffs are being complied with. The power of supervision hereby granted shall extend to enable the State board of health as aforesaid to adopt such reasonable rules and regulations as may be determined upon from time to time as essential to the proper protection of the consumer of the commodities kept and preserved in such place or places, and the board of health having jurisdiction as aforesaid may appoint and designate from time to time such person or persons as they deem fit for the purpose of making such inspection.

SEC. 6. All persons or corporations engaged in the business of cold-storage warehousemen or in the business of refrigerating in the State of Delaware shall submit a quarterly report to the board of health having jurisdiction as aforesaid upon printed forms to be provided by said board of health, setting forth in itemized particulars the quantity of each and every foodstuff in storage or in the control of said person or persons, corporation or corporations; said quarterly report shall be filed on or before the 25th day of January, April, July, and October of each year, and reports so rendered shall show conditions existing upon the first day of the month in which said report is filed.

SEC. 7. In the event of any food or any article used for food being kept or maintained in refrigerating or cold-storage places for a longer period than six months, reports of such fact shall be filed by the person or persons, corporation or corporations, operating such cold-storage or refrigerating place with the board of health having jurisdiction as aforesaid upon blanks so provided by said board of health upon application, and no such food or article used for food shall, after the expiration of said period of six months, be delivered to any person or persons, corporation or corporations, without a certificate from the board of health having jurisdiction as aforesaid first had and obtained authorizing such delivery. Power is hereby given to said board of health, or its proper agents, to extend the time when any particular foodstuff or article used for food may be kept, maintained, or preserved in such place or places, but in no event shall permission be given to keep or maintain or preserve any foodstuff for a longer term than eight months from the date of its reception in such place or places.

SEC. 8. The transfer of any food from one cold-storage or refrigerating warehouse to another for the purpose of evading any provision of this act is hereby prohibited.

SEC. 9. Any food kept or preserved in any cold-storage warehouse or refrigerating place for a longer period than herein provided for shall be sold at public auction by the person or persons, corporation or corporations, having the custody of the same, and at the place where the same is kept or preserved, within 60 days after the time limit for the keeping or preserving thereof, unless said food has been condemned as unfit for use by the board of health having jurisdiction as aforesaid, in which case it shall be destroyed or otherwise disposed of under such conditions as the said board of health may prescribe.

SEC. 10. That it shall be unlawful for any person or persons, corporation or corporations, firm or agent, to dispose of poultry or game within the State of Delaware that has not been drawn before being placed in cold storage. And that it shall be unlawful for any person or persons, corporation or corporations, firm or agent, to dispose of any eggs that have been kept in cold storage except from the original crate or package, said crate to be marked with the date when said eggs were placed in said cold storage or refrigerator.

SEC. 11. Any person or persons, corporation or corporations, or officer or officers thereof, violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not less than $100 or more than $1,000, or shall be imprisoned for a term not less than 60 days or more than 1 year, or shall be sentenced with a fine or imprisonment, or both, in the discretion of the court.

SEC. 12. Nothing in this act shall be held to affect or apply to the storage or refrigerating of fruits or fish.

SEC. 13. This act shall take effect immediately upon its approval.

Approved, April 19, A. D. 1911.

CALIFORNIA.

Chapter 360.

An act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of foods kept or preserved therein, and defining the duties of the State board of health in relation thereto.

The people of California do enact as follows:

SECTION 1. The term "cold storage" as used in this act shall be construed to mean a place artificially cooled to a temperature of 40° F. or below, but shall not include such a place in a private home. The term "cold stored" as used in this act shall be construed to mean the keeping of "articles of food," except eggs and butter, in "cold storage" for a period exceeding 30 days: *Provided, however,* That when the term "cold stored" is used in connection with eggs and butter, it shall mean the keeping of these "articles of food" in "cold storage" for any length of time whatever. The term "articles of food" as used in this act shall be construed to mean and include fresh meat and fresh-meat products (except in process of manufacture), fresh fruit and vegetables, fish, shellfish, game, poultry, eggs, butter, and cheese. The term "storer" as used in this act shall be construed to mean the person or persons who offer articles of food for cold storage.

SEC. 2. Any person, firm, or corporation desiring to operate a public cold-storage or refrigerating warehouse shall make application in writing to the State board of health for that purpose, stating the location of the plant or plants. On receipt of the application the State board of

health shall cause an examination to be made into the sanitary condition of said plant or plants, and if found to be in a sanitary condition and otherwise properly equipped for the business of cold storage, the State board of health shall cause a license to be issued authorizing the applicant to operate a cold-storage or refrigerating warehouse for and during a period of one year. The license shall be issued upon payment by the applicant of a license fee of $50 to the State board of health. The secretary of the State board of health shall keep a full and correct account of all fees received under the provisions of this act, and shall, at least once each month, deposit all such fees collected with the State treasurer and make a detailed report covering same to the State comptroller, and such moneys shall be credited to the traveling and contingent fund of the State board of health to be used exclusively for the purpose of this act.

SEC. 3. In the event that any place or places, or any part thereof, covered by a license under the provisions of this act shall at any time be deemed by the State board of health to be in an insanitary condition, it shall be the duty of the State board of health to notify licensee of such condition, and upon the failure of the licensee to put said specified place or places, or the specified part thereof, in a sanitary condition within a designated time it shall be the duty of the State board of health to prohibit its use under its license (of) such specified place or places, or part thereof, as it deems in an insanitary condition until such time as it may be put in a sanitary condition.

SEC. 4. It shall be the duty of any person, firm, or corporation licensed to operate a cold-storage refrigeration warehouse to keep an accurate record of the receipts and the withdrawals of the articles of food, and the State board of health shall have free access to these records at any time. Every such person, firm, or corporation shall furthermore submit a quarterly report to the State board of health, setting forth in itemized particulars quantity of food products held in cold storage. Such quarterly reports shall be filed on or before the 25th day of January, April, July, and October of each year, and the reports so rendered shall show the condition existing on the first day of the month in which the report is filed. The State board of health shall have the authority to require such reports to be made at more frequent intervals than the time herein specified, if in the judgment of the State board of health more frequent reports shall be needed in the interest of a proper enforcement of this act, or for other reasons affecting the public welfare.

SEC. 5. No storer shall place in cold storage any article of food intended for human consumption if diseased, tainted, or deteriorated so as to injure its keeping qualities, or if not slaughtered, handled, and prepared for storage in accordance with the pure food and sanitary foods laws and such rules and regulations as may be prescribed by the State board of health for the sanitary preparation of food products for cold storage under the authority herein conferred. Any article of food if intended for use other than human consumption before being cold stored shall be marked by the owner in accordance with forms prescribed by the State board of health, under authority hereinafter conferred, in such a way as to plainly indicate the fact that such articles are not to be sold for human food.

SEC. 6. It shall be the duty of the State board of health to inspect and supervise all cold storage or refrigerating warehouses in this State, and to make such inspection of the entry of articles of food therein as the State board of health may deem necessary to secure proper enforcement of this act. The member of the State board of health or its duly authorized agents, inspectors, or employees, shall be permitted access to such establishments and all parts thereof at all reasonable times for purposes of inspection and enforcement of the provisions of this act. The State board of health may also appoint and designate, at such salary or salaries as it may designate, such person or persons as it deems qualified to make the inspections herein required.

SEC. 7. All articles of food when deposited in cold storage shall be marked plainly on or in connection with the containers in which they are packed on the individual article with the date of receipt and when removed from cold storage shall be marked with the date of withdrawal, in accordance with such forms as may be prescribed by the State board of health, under the authority hereinafter conferred.

SEC. 8. No person, firm, or corporation as owners or having control shall keep in cold storage any article of food for a longer period than 12 calendar months, except with the consent of the State board of health, as hereinafter provided. The State board of health shall, upon application, grant permission to extend the period of storage beyond 12 months for a particular consignment of goods, if the goods in question are found upon examination to be in proper condition for further storage at the end of 12 months. The length of time for which further storage is allowed shall be specified in the order granting the permission. A report on each case in which such extension of storage may be permitted, including information relating to the reason for the action of the State board of health, the kind and amount of goods for which the storage period was extended, and the length of time for which the continuance was granted, shall be included in the annual report of the State board of health.

SEC. 9. It shall be unlawful to sell or to offer or expose for sale uncooked articles of food which have been cold stored without notifying persons purchasing or intending to purchase the same that they have been kept in cold storage, by the display in a conspicuous place and upon the articles of food of a sign marked, "These are cold-storage goods," in type at least 2 inches high; and it shall be unlawful to represent or advertise as fresh goods articles of food which have been placed in cold storage.

SEC. 10. It shall be unlawful to return to cold storage any article of food that has once been released from such storage and placed on the market for sale to consumers, but nothing in this section shall be construed to prevent the transfer of goods from one cold storage or refrigerating warehouse to another: *Provided*, That such transfer is not made for the purpose of evading any provision of this act.

SEC. 11. The State board of health may make rules and regulations to secure a proper enforcement of the provisions of this act, including rules and regulations with respect to the sanitary preparation of articles of food for cold storage; the use of marks, tags, or labels, and the display of signs; and the violation of such rules shall be punished on conviction, as provided in section 12 of this act.

SEC. 12. Any person, firm, or corporation violating any of the provisions of this act shall, upon conviction, be punished for the first offense by a fine not exceeding $500, and for the second offense by a fine of not exceeding $1,000, or by imprisonment for not more than 90 days, or by both such fine and imprisonment.

SEC. 13. All acts and parts of acts in conflict herewith are hereby repealed.

Approved June 13, 1913. In effect August 10, 1914.

INDIANA.

Chapter 71.

An act for the protection of the public health and the prevention of fraud and deception by regulating cold storage and refrigerating warehouses, and holding of food products stored therein and the sale of such products, and defining the duties of the State board of health in relation thereto. (S. 18. Approved Mar. 2, 1911.)

Be it enacted by the General Assembly of the State of Indiana, That all food products which are placed or stored in any cold storage or refrigerating warehouse in this State shall be marked, stamped, or tagged, either upon the product itself or on the original package in which it is inclosed, with the date when it was placed or stored in any such cold storage or refrigerating warehouse; and all such food products when removed from any such cold storage or refrigerating warehouse shall in addition be marked, stamped, or tagged with the date when such product was removed from any such cold storage or refrigerating warehouse: *Provided, however*, That when such products are removed for interstate shipment such marking, stamping, or tagging shall not be required. And for the purpose of this act a cold storage or refrigerating warehouse shall be defined as one employing refrigerating machinery or ice for the purpose of refrigeration, whether for public or private use, and shall not apply to ice boxes used for temporary protection only.

SEC. 2. That all food products which shall be placed or stored in any cold storage or refrigerating warehouse after the passage of this act shall not be kept in cold storage or refrigerating warehouse for a longer period than nine months after the same has first been placed or stored therein, nor placed or stored in any other cold storage or refrigerating warehouse after nine months from the time when such food products were first placed in a cold storage or refrigerating warehouse: *Provided, however*, That any meat, fish, butter, cheese, eggs, poultry, game, fruit, farm or garden produce, or any other perishable foodstuffs which shall have been held in cold storage or refrigerating warehouse for more than nine months shall be reported by the person, firm, or corporation operating such cold storage or refrigerating warehouse to the State board of health, and any such food product shall be inspected and if found to be unfit for human food shall be delivered forthwith to and before the nearest circuit or city judge or justice of the peace who shall order that such food product shall be drenched with kerosene oil or rendered into grease and tankage or otherwise made unfit for food as the court may direct.

SEC. 3. That all food products now in cold storage or refrigerating warehouse in this State shall be removed from cold storage and placed upon the market within nine months from the passage of this act.

SEC. 4. That no food shall be sold or offered for sale in this State which shall have been placed or stored in any cold storage or refrigerating warehouse outside of this State unless it shall have been marked, stamped, or tagged as provided for in section 1 of this act.

SEC. 5. That it shall be unlawful for any person, firm, or corporation to sell or have in its possession with the intent of selling or offering or exposing for sale any package, box, bale, barrel, tub, or other receptacle in which any meats, fish, eggs, butter, cheese, poultry, game, fruits, farm or garden produce, or any other perishable foodstuffs are packed or contained and which has been taken or removed from any cold-storage or refrigerating warehouse where the stamp showing the date such articles of food were placed in any such cold-storage or refrigerating warehouse has been removed, defaced, altered, or destroyed, or is not plainly legible, nor shall such person, firm, or corporation sell, either at wholesale or retail, any storage eggs as fresh eggs, and all invoices shall plainly state whether such eggs are storage eggs or fresh, and when such eggs are sold at retail, in case eggs so sold have been in storage for 30 days, there shall be placed in or on the receptacle containing them, in full view of the public, a card not smaller than 6 inches in width by 6 inches in length, upon which shall be printed the words "cold storage" in plain gothic letters not less than 2 inches in length, and the wrapper, bag, or container in which said eggs are delivered to the purchaser by the retailer shall be plainly stamped with the words "cold storage."

SEC. 6. It shall be the duty of any person, firm, or corporation carrying on, engaged in, or conducting a business of storing perishable food or keeping or maintaining a cold-storage or refrigerating warehouse where meats, fish, butter, cheese, eggs, poultry, game, fruits, farm or garden produce, or any other perishable foodstuffs are stored, to keep an accurate record of the receipts and withdrawals of all products so received or withdrawn, and the State board of health shall have free access to these records at any time.

SEC. 7. That any person, firm, or corporation desiring to carry on, engage in, or conduct a business of storing perishable food, or to keep, maintain, or operate a cold-storage or refrigerating warehouse where meats, fish, eggs, butter, cheese, poultry, game, fruits, farm or garden produce, or any other perishable foodstuffs are stored, shall make application in writing to the State board of health for that purpose, in which application shall be declared the location at which said business is proposed to be carried on. Upon receipt of the application the State board of health shall cause an examination to be made into the sanitary condition of the place of business occupied by the applicant. If upon examination said place of business is found to be in a sanitary condition, clean, and suitable for said purpose, the State board of health shall cause a license to be issued such applicant authorizing such applicant to carry on said business for and during a period of one year. The said license shall be issued upon payment by such applicant of a license fee of $10 to the treasurer of State. The license fees so paid shall be held by the treasurer of State as a fund for the enforcement of this act, and at the end of each fiscal year the unexpended balance shall revert to the general fund. All disbursements necessary for the carrying out of this act shall be paid by warrant drawn upon the treasurer of State after the filing with the auditor of State all vouchers and bills as now provided by law. In the event that said place of business shall be conducted in an unsanitary manner or in a manner contrary to the provisions of this act, it shall be the duty of the State board of health to revoke said license and to close the cold-storage or refrigerating warehouse until such time as it may again be in a sanitary condition, clean, and suitable for use.

SEC. 8. That it shall be the duty of the State board of health to enforce the provisions of this act, and for this purpose the State food and drug commissioner, the food inspectors of the State board of health, and the State, county, and city and town health officers shall have full power at all times to enter every building, room, basement, or cellar occupied or used or suspected of being occupied or used as a cold-storage or refrigerating warehouse, and to inspect the premises, and if upon such inspection any cold-storage or refrigerating warehouse or any employer, employee or other person is found to be violating any of the provisions of this act, or if the meats, fish, eggs, butter, cheese, poultry,

game, fruit, farm or garden products, or any other perishable foodstuffs stored therein are not marked, stamped, or tagged in accordance with the provisions of this act, or are found to be unfit for food, the officer or inspector making the inspection shall furnish evidence of said violation to the prosecuting attorney of the county or circuit wherein such violations occur, who shall prosecute all person violating any of the provisions of this act. The State board of health shall adopt such rules as may be necessary to enforce this act, and violation of said rules shall be punished on conviction as set forth in section 9 of this act.

SEC. 9. That any person, firm, or corporation violating any of the provisions of this act shall, upon conviction, be punished for the first offense by a fine of not less than $25 nor more than $50; for the second offense by a fine of not less than $50 nor more than $100; and for the third and subsequent offenses by a fine of $200 and imprisonment in the county jail for not less than 30 nor more than 90 days, and each day on which the cold-storage or refrigerating warehouse is found to be in violation thereof or the employer, employee, or other person is found to be violating any of the provisions of this act shall constitute a distinct and separate offense.

SEC. 10. All acts and parts of acts in conflict with the provisions of this statute are hereby repealed.

KANSAS.

Chapter 187.

An act to prohibit the sale of refrigerated undrawn slaughtered poultry, game, and fish, and for the protection of slaughtered fresh meats, and providing penalties for violation thereof.

Be it enacted by the Legislature of the State of Kansas:

SECTION 1. That every person who shall offer or expose for sale at retail, for human food, at any public market, store, shop, or house, or in or about any street or other public place, any slaughtered domestic or wild fowls, rabbits, squirrels, or other small animals, wild or tame, that have been preserved by refrigeration or cold storage, unless the entrails, crops, and other offensive parts are properly drawn and removed, shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine of not less than $50 nor more than $100 for each offense.

SEC. 2. That every dealer in slaughtered fresh meats, fish, fowl, or game for human food, at wholesale or retail, at any established place, or as a peddler in the transportation of such food from place to place to customers, shall protect the same from dust, flies, and other vermin or substance which may injuriously affect it, by securely covering it while being so transported. Every violation of this provision shall be a misdemeanor punishable by a fine of not less than $10 or by imprisonment in the county jail for not less than 10 days.

SEC. 3. This act shall be in force and effect from and after its publication in the official State paper.

Approved, February 7, 1907.

Published in the official State paper February 9, 1907.

NEW JERSEY.

Chapter 189.

An act relating to cold storage and refrigerating warehouses and places, and the sale or disposition of the food kept or preserved herein.

Be it enacted by the Senate and General Assembly of the State of New Jersey:

1. The term food, as used in this act, shall include any article used for food except liquid food.

2. It shall hereafter be unlawful for any person, persons, or corporations engaged in the business of cold-storage warehouseman, or in the business of refrigerating, or who own, operate, control, or lease any cold storage or refrigerating plant to receive, nor shall any such person, persons, or corporation place therein any article of food unless said food, or the package containing the same is branded, stamped, or marked in some conspicuous place, upon receipt thereof, with the day, month, and year when the same was received for storage or refrigerating, and it shall be unlawful for any such person, persons, or corporation to receive any article of food which has been kept in cold storage without the State, unless at the time of such receipt such article offered is branded, stamped, or marked with the day, month, and year when it was placed in the cold storage in such other State, or such person, persons, or corporation as shall have obtained the consent of the State board of health to receive such article of food.

3. It shall be unlawful for any person, persons, or corporation engaged in the business of cold-storage warehouseman or in the business of refrigerating, or who own, operate, control, or lease any cold storage or refrigerating plant, to permit any article of any kind whatsoever used for food now in the possession of any person, persons, or corporation now engaged in the business of cold-storage warehouseman or refrigerating, or who own, operate, control, or lease any cold storage or refrigerating plant, to be taken from their possession without first having branded, stamped, or marked on said article of food, or the package containing the same, in a conspicuous place the day, month, and year when said article of food or package was received by any such person, persons, or corporation engaged in the business aforesaid, or by any person, persons, or corporation owning, operating, controlling, or leasing any cold-storage plant.

4. It shall hereafter be unlawful for any person, persons, or corporation engaged in the business of cold-storage warehouseman or refrigerating, or who own, operate, control, or lease any cold storage or refrigerating plant, to keep in storage for preservation or otherwise any article of food a longer period than 10 calendar months without the consent, as herein provided, of the State board of health or its duly authorized agents or officers, or except as hereinafter otherwise provided.

5. The State board of health is hereby vested with full power and authority, and it shall be the duty of said board, to inspect and supervise all places in this State now or hereafter used for cold storage or refrigerating purposes; the members of the State board of health or its duly authorized agents or employees of said board shall be permitted access to such place or places and all parts thereof at all times for the purpose of seeing that said place or places are kept and maintained in a clean and sanitary condition, and for the purpose of determining whether or not the provisions of this act or any other act relating to articles of food are being complied with. The State board of health is hereby granted power and authority to adopt such reasonable rules and regulations as may be essential to the proper protection of the consumer of the commodities kept and preserved in such place or places, and the State board of health may appoint and designate from time to time such person or persons as said board may deem fit for the purpose of making such inspection.

6. All persons or corporations engaged in the business of cold-storage warehousemen or in the business of refrigerating, or who own, operate, control, or lease any cold storage or refrigerating plant, shall submit a quarterly report to the State board of health, upon printed forms to be provided by said State board of health, setting forth in itemized particulars the quantity of each and every article of food in storage, or in the control of said person or persons, corporation or corporations; said quarterly report shall be filed on or before the twenty-fifth day of January, April, July, and October of each year, and reports so rendered shall show conditions existing upon the first day of the month in which said report is filed.

7. In the event of any food or any article used for food being kept or maintained for a longer period in refrigerating or cold-storage places for a longer period than 10 months, report of such fact shall be filed by the person, persons, or corporation operating such cold storage or refrigerating place, or by those owning, operating, controlling, or leasing any cold storage or refrigerating plant with the State board of health upon blanks to be provided by said State board of health upon application, and no such food or article used for food shall, after the expiration of said period of 10 months be delivered to any person, persons, or corporation without a certificate from the State board of health first had and obtained authorizing such delivery. Power is hereby given to said State board of health, or its proper agents, to extend the time when any particular foodstuff or article used for food may be kept, maintained, or preserved in such place or places.

8. The transfer of any food from one cold storage or refrigerating warehouse to another for the purpose of evading any provisions of this act is hereby prohibited.

9. When food which has been in cold storage is released therefrom for the purpose of placing on the market for sale, it shall be a violation of the provisions of this act to knowingly again place such food in cold storage.

10. Any article of food kept or preserved in any cold-storage warehouse or refrigerating place for a longer period than herein provided, after at least 20 days' notice to the owner or consignor of such article of food to remove the same, shall be sold at public auction by the person, persons, or corporation having the custody of the same, and at the place where the same is kept or preserved; such sale shall be within 30 days after the time limit for the keeping or preserving thereof, and the proceeds of such sale shall be paid to the owner or consignor thereof after deducting storage or other charges thereon, unless said food has been condemned as unfit for use by the State board of health, in which case it shall be destroyed or otherwise disposed of under such conditions as the State board of health may prescribe.

11. Any person or persons, corporation or corporations, or officer or officers thereof violating any of the provisions of this act shall, upon conviction, be subject to a penalty of not exceeding $500 for the first offense. Any such person or persons, corporation or corporations, or officer or officers thereof having once been convicted of violating any provision of this act shall, upon a second offense, be held guilty of a misdemeanor. The conviction of any corporation shall not operate to relieve any officer or officers, agents, or employees of such corporation from prosecution under the provisions of this act.

12. If any paragraph or provision of this act shall be questioned in any court and held to be invalid, the remainder of this act shall not be invalidated thereby, but shall remain in full force and effect.

13. All acts or parts of acts inconsistent herewith are hereby repealed.

14. This act shall take effect immediately.

Approved, April 21, 1911.

MASSACHUSETTS.

An act to regulate the cold storage of certain food products.

Be it enacted, etc., as follows:

SECTION 1. The term "cold storage," as used in this act, shall be construed to mean the storage of articles of food at or below a temperature of 40° F. in cold-storage or refrigerating warehouses.

The term "cold-storage or refrigerating warehouse," as used in this act, shall be construed to mean an establishment employing refrigerating machinery or ice for the purpose of refrigeration, or a place otherwise artificially cooled, in which articles of food are stored for 30 days or more at a temperature of 40° F. or below.

The term "article of food," as used in this act, shall be interpreted to include fresh meat, fresh meat products, except in process of manufacture, fresh food, fish, poultry, eggs, and butter.

SEC. 2. No person, firm, or corporation shall operate a cold storage or refrigerating warehouse without a license issued by the State board of health. Any person, firm, or corporation desiring such a license may make written application to the board, stating the location of its plant or plants. On receipt of the application the board shall cause an examination to be made of the sanitary condition of any such plant, and if it is found to be in a sanitary condition and otherwise properly equipped for the business of cold storage the board shall cause a license to be issued authorizing the applicant to operate a cold-storage or refrigerating warehouse for a period of one year. The license shall be issued upon payment by the applicant of a license fee of $10 to the treasurer of the Commonwealth. In case any warehouse licensed under the provisions of this section or any part thereof shall be deemed by the State board of health to be conducted in an insanitary manner it shall be the duty of the board to close such warehouse, or part thereof, until it shall be put in sanitary condition, and the board shall have power also to suspend the license in case the required changes are not made within a reasonable time. Every such licensee shall furthermore submit a quarterly report to the State board of health on a printed form to be provided by the board. The report shall be filed on or before the 25th day of January, April, July, and October of each year, and it shall state the quantities of articles of food placed in cold storage during the three months preceding the first day of the said months, respectively, and also the quantities of butter and eggs held on the first day of the month in which the report is filed.

SEC. 3. No article of food intended for human consumption shall be placed in cold storage if deemed by the State board of health to be diseased, tained, or otherwise unwholesome.

It shall be the duty of the State board of health to inspect and supervise all cold-storage or refrigerating warehouses in this Commonwealth, and to make such inspection of the entry of articles of food therein as the board may deem necessary to secure proper enforcement of this act. The members of the board or its duly authorized agents, inspectors, or employees shall be permitted access to such establishments, and all parts thereof, at all reasonable times, for purposes of inspection and enforcement of the provisions of this act or of any other provision of law relating to food products. The board may also appoint and designate such person or persons as it deems qualified to make the inspections herein required.

SEC. 4. All articles of food when deposited in cold storage shall be marked plainly with the date of receipt on the containers in which they

are packed, or, if not packed, in containers, on or in connection with the articles, except fish.

SEC. 5. No article of food shall be held in cold storage within this Commonwealth for a longer period than 12 calendar months, except with the consent of the State board of health, as hereinafter provided. The State board of health may, upon application, grant permission to extend the period of storage beyond 12 months for a particular consignment of goods if the goods in question are found, upon examination, to be in proper condition for further storage at the end of 12 months. The length of time for which further storage is allowed shall be specified in the order granting the permission. A report on each case in which such extension of storage may be permitted, including information relating to the reason for the action of the board, the kind and amount of goods for which the storage period was extended, and the length of time for which the continuance was granted, shall be included in the annual report of the board.

SEC. 6. It shall be unlawful to sell, or to offer or expose for sale, articles of food which have been held in cold storage without notifying persons purchasing or intending to purchase the same that they have been kept so by the display of a sign marked, "Cold-storage goods sold here," and it shall be unlawful to represent or advertise as fresh goods articles of food which have been held in cold storage.

SEC. 7. It shall be unlawful to return to cold storage any article of food that has once been released from such storage for the purpose of placing it on the market for sale to consumers, but nothing in this section shall be construed to prevent the transfer of goods from one cold-storage or refrigerating warehouse to another, provided that such transfer is not made for the purpose of evading any provision of this act.

SEC. 8. Broken eggs packed in cans, if not intended for use as food, when deposited in cold storage shall be marked by the owner in accordance with forms prescribed by the State board of health, under the authority herein conferred, in such a way as plainly to indicate the fact that they are not to be sold for food.

SEC. 9. The State board of health may make rules and regulations to secure a proper enforcement of the provisions of this act, including rules and regulations with the respect to the use of marks, tags, or labels, and the display of signs, and may fix penalties for the breach thereof.

SEC. 10. Any person, firm, or corporation violating any provision of this act shall upon conviction be punished for the first offense by a fine not exceeding $100, and for the second offense by a fine not exceeding $500, or, if the offense is committed by a person acting either in his individual capacity or in behalf of the firm or corporation, by imprisonment for not more than 30 days, or by both fine and imprisonment.

SEC. 11. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 12. This act shall take effect on the 1st day of September, 1912.

Approved, May 27, 1912.

An act relating to the sale of eggs taken from cold storage.

Be it enacted, etc., as follows:

SECTION 1. Whenever eggs that have been in cold storage are sold at retail, or offered or exposed for sale, the basket, box, or other container in which the eggs are placed shall be marked plainly and conspicuously with the words "Cold-storage eggs," or there shall be attached to such container a placard or sign having on it the said words. If eggs that have been held in cold storage are sold at retail or offered or exposed for sale without a container, or placed upon a counter or elsewhere, a sign or placard having the words "Cold-storage eggs" plainly and conspicuously marked upon it, shall be displayed in, upon, or immediately above the said eggs; the intent of this act being that cold-storage eggs sold at retail or offered or exposed for sale shall be designated in such a manner that the purchaser will know that they are cold-storage eggs. The display of the words "cold-storage eggs," as required by this act, shall be done in such a manner as is approved by the State board of health.

SEC. 2. Violation of any provision of this act shall be punished by a fine of not less than $10 nor more than $500 for each offense.

Approved April 25, 1913.

NEW YORK.

Chapter 335.

An act to amend the public health law, relating to cold-storage and refrigerating warehouses and places, and the sale or disposition of the food kept or preserved therein.

The people of the State of New York, represented in senate and assembly, do enact as follows:

SECTION 1. Chapter 49 of the laws of 1909, entitled, "An act in relation to the public health, constituting chapter 45 of the consolidated laws," is hereby amended by adding after article 16 thereof a new article to be article 16–a, to read as follows:

ARTICLE 16–A.—Cold storage.

335. Definitions: The term food as used in this article shall include any article, except nuts, fruits, cheese, and vegetables, used for food by man or animal and every ingredient of such article.

336. Cold-storage food to be marked: It shall hereafter be unlawful for any person or persons, corporation or corporations, engaged in the business of cold-storage warehousemen, or in the business of refrigerating, to receive any kind of food unless the said food is in an apparently pure and wholesome condition and the food or package containing the same is branded, stamped, or marked, in some conspicuous place, with the day, month, and year when the same is received in storage or refrigeration.

It shall hereafter be unlawful for any person or persons, corporation or corporations, engaged in the business of cold-storage warehousemen or in the business of refrigerating to permit any article of any kind whatsoever used for food in the business of cold-storage warehousemen or refrigerating to be taken from their possession without having first branded, stamped, or marked on said foodstuffs, or the package containing same, in a conspicuous place the day, month, and year when said foodstuffs or packages were removed from cold storage or refrigeration.

337. Time that cold-storage foods may be kept: It shall hereafter be unlawful for any person, corporation, or corporations engaged in the business of cold-storage warehousemen or refrigerating to keep in storage for preservation or otherwise any kind of food or any article used for food a longer period than 10 calendar months, excepting butter products, which may be kept in said cold storage or refrigeration 12 calendar months.

338. Powers of State commissioner of health: The State commissioner of health is hereby vested with full power and authority to inspect and supervise all places in this State now used or hereafter to be used for cold-storage or refrigerating purposes. The State commissioner of health or his duly authorized agents or employees shall be permitted access to such place or places and all parts thereof at all times for the purpose of seeing that said place or places are kept and maintained in a clean and sanitary manner and for the purpose of determining whether or not the provisions of this article or any other act relating to foodstuffs are being complied with. The power of supervision hereby granted shall extend to enable the State commissioner of health to adopt such reasonable rules and regulations as may be determined upon from time to time as essential to the proper protection of the consumer of the commodities kept and preserved in such place or places, and the State commissioner of health may appoint and designate from time to time such person or persons as he deems fit for the purpose of making such inspections.

339. Reports of warehousemen: All persons or corporations engaged in the business of cold-storage warehousemen, or in the business of refrigerating, shall submit reports to the State department of health, upon printed forms to be provided by said State department of health, setting forth in itemized particulars the quantity of each and every foodstuff in storage or in the control of said person or persons, corporation or corporations. Said reports shall be filed on or before the 25th day of January, May, and September of each year, and reports so rendered shall show conditions existing upon the first day of the month in which said report is filed.

339–a. Transfers from one warehouse to another: The transfer of any food from one cold-storage or refrigerating warehouse to another for the purpose of evading any provision of this article is hereby prohibited.

339–b. Prohibits return of food to cold storage when once released for purpose of placing same on market for sale: When food has been in cold storage or refrigeration and is released therefrom for the purpose of placing the same on the market for sale it shall be a violation of the provisions of this article to again place such food in cold storage or refrigeration.

339–c. Prohibits sale of food kept in cold storage without representing said fact: It shall be a violation of the provisions of this article to sell any article or articles of food that have been kept in cold storage or refrigeration without representing the same to have been so kept.

339–d. Penalties: Any person or persons, corporation or corporations, or officer or officers thereof, violating any of the provisions of this article shall be guilty of a misdemeanor. The conviction of any corporation shall not operate to relieve any officer or officers, agents, or employees of such corporation from prosecution under the provisions of this article.

2. This act shall take effect immediately.

Became a law June 15, 1911, with the approval of the governor. Passed, three-fifths being present.

PENNSYLVANIA.

An act for the protection of the public health and the prevention of fraud and deception, by regulating the storage and sale of cold-storage foods, fixing penalties for the violation of the provisions thereof, and providing for the enforcement thereof.

Be it enacted, etc., That this act shall be known, and may be cited, as the "Cold-storage act of 1913."

SEC. 2. The term "cold storage," as used in this act, shall mean the storage of food, at or below a temperature of 40° F., in a cold-storage warehouse.

SEC. 3. The term "cold-storage warehouse," as used in this act, shall mean an establishment employing refrigerating machinery or ice for the purpose of refrigeration, or a place otherwise artificially cooled, in which articles of food are stored for 30 days or more at a temperature of 40° F. or under.

SEC. 4. The term "food," as used in this act, shall mean the fresh flesh of animals and fresh products therefrom, the fresh flesh of fowls, fresh food fish, eggs, and butter which have been stored in a cold-storage warehouse.

SEC. 5. The word "container," as used in this act, shall be taken to mean any bag, band, barrel, basket, bottle, box, caddy, can, canister, carton, crate, firkin, hogshead, jar, jug, keg, stopper, vessel, wrapper, frozen bulk, or any similar or analogous utensil, receptacle, band, or wrapper in which food may be kept, stored, sold, or offered for sale.

SEC. 6. The word "marked," as used in this act, shall be taken to mean written, printed, stamped, or painted, or any other means whereby words or figures may be indicated in or on a container, or on any cover attached thereto.

SEC. 7. The term "wholesome," as used in this act, shall mean fit for human food.

SEC. 8. No person, firm, or corporation shall operate a cold-storage warehouse without a license issued by the department of agriculture, through its agent, the dairy and food commissioner. Such license shall be issued only on written application, stating the location of such warehouse. Upon receipt of the application, said dairy and food commissioner shall cause an examination to be made into the sanitary conditions of such warehouse. If it be found to be in a sanitary condition and properly equipped for the purpose of cold storage, the dairy and food commissioner shall cause a license to be issued, authorizing the applicant to operate a cold-storage warehouse during the period of one year from the date of such license. No license shall be issued until the applicant therefor shall have paid to the dairy and food commissioner the sum of $50. A license shall be required for each separate warehouse building.

SEC. 9. Whenever any warehouse licensed under the provisions of this act, or any portion of such warehouse, shall be deemed by the dairy and food commissioner to be in an insanitary condition, it shall be the duty of the dairy and food commissioner to cause such warehouse, or portion thereof, to be closed until it shall be put in a sanitary condition. If such changes be not made within a reasonable time, the dairy and food commissioner may suspend or revoke the license granted for the operation of such warehouse. It shall be unlawful for any person, firm, or corporation to operate any such warehouse, or portion thereof, when the same shall be closed by order of the dairy and food commissioner.

SEC. 10. It shall be the duty of every person, firm, or corporation that shall be licensed to operate a cold-storage warehouse to keep an accurate record of the receipts and withdrawals of food therefrom. The agents of the dairy and food commissioner shall have free access to such records at all times. It shall be the duty of each person, firm, or corporation, licensed to operate a cold-storage warehouse, to file in the office of the dairy and food commissioner, on or before the 6th day of January, April, July, and October of each year, a report setting forth in itemized particulars the kind and quantities of food products held in cold storage in such warehouse. The report shall be made on

printed forms prepared and supplied by the dairy and food commissioner. If, in the judgment of the dairy and food commissioner, it shall be deemed better in enforcing this act to cause reports to be made at more frequent intervals than herein required, said dairy and food commissioner may cause such reports to be filed in accordance herewith.

SEC. 11. It shall be unlawful for any person, firm, or corporation to place in any cold-storage warehouse, to keep therein, or to sell, offer, or expose for sale, any diseased, tainted, or otherwise unwholesome food.

SEC. 12. It shall be unlawful for any person, firm, or corporation to place in any cold-storage warehouse any slaughtered animals, or parts thereof, unless the entrails and other offensive parts have been first properly removed.

SEC. 13. It shall be the duty of the dairy and food commissioner to cause to be made a careful inspection of all cold-storage foods, with a view to determining whether the same are wholesome. Such inspection shall be made where such food is stored; and each package of such food so inspected shall bear the marks, stamps, or other device for identification provided for in this section. It shall be the duty of the dairy and food commissioner to make such rules and regulations as he may deem proper, relating to such inspection and supervision and to the cold storage of food, and otherwise to secure the proper enforcement of this act. Duly authorized agents of the dairy and food commissioner may, at any reasonable time, enter such warehouse and inspect the same.

SEC. 14. All food when deposited in cold-storage warehouses shall have plainly marked upon the container the date that such food shall be placed in such warehouses. If such food be not in a container, such marking shall be on such food, or on a tag or label securely and permanently attached thereto. Such food, or the container thereof, shall have marked plainly thereon the date of withdrawal of such food from such warehouses. The marking of food, in accordance with the terms of this section, shall be under such regulations as may be prescribed by the dairy and food commissioner.

SEC. 15. It shall be unlawful for any person, firm, or corporation, or any agent thereof, to sell, or offer or expose for sale, or have in possession with intent to sell, at wholesale, any food which is not marked and distinguished, on the outside of each container, in a conspicuous place, by a placard with the words "Wholesome cold-storage food" printed thereon; such placard to be placed in a conspicuous position, in full view of the purchaser; and the said words "Wholesome cold-storage food," on such placard, shall be printed in plain, uncondensed gothic letters, not less than one-half inch in length; and, in addition, all such food shall be marked with the date when it is placed in any such cold-storage warehouse, and with the date when it is withdrawn from such cold-storage warehouse.

There shall also be displayed upon every open container containing such food, in the same manner, in a conspicuous position, a placard with the words "Wholesome cold-storage food" printed thereon, in the same form as above described in this section; and when such food is sold from such container, or otherwise, at retail, before being delivered to the purchaser it shall be wrapped in wrappers plainly stamped on the outside thereof with the words "Wholesome cold-storage food" printed or stamped thereon in letters one-fourth inch square, and such wrapper shall also contain the date of first placing such food in cold storage; and the said words "Wholesome cold-storage food" and the date of first placing such food in cold storage so stamped or printed on said wrapper shall not be in any manner concealed, but shall be in plain view of the purchaser at the time of the purchase.

SEC. 16. No person, firm, or corporation shall sell, offer, or expose for sale any of the herein-named foods which shall have been held for a longer period of time than herein specified in a cold-storage warehouse or warehouses, to wit: Whole carcasses of beef, or any parts thereof, 4 months; whole carcasses of pork, or any parts thereof, 6 months; whole carcasses of sheep, or any parts thereof, 6 months; whole carcasses of lamb, or any parts thereof, 6 months; whole carcasses of veal, or any parts thereof, 3 months; dressed fowl, drawn, 5 months; dressed fowl, undrawn, 10 months; eggs, 8 months; butter, 9 months; and fish, 9 months.

SEC. 17. After food has been withdrawn from a cold-storage warehouse, for the purpose of placing it on the market for sale, it shall be unlawful for any person, firm, or corporation to return such food, or any portion thereof, to such warehouse or any other similar warehouse. Subject to such regulations as shall be prescribed to the dairy and food commissioner, food may be transferred from one cold-storage warehouse to another: *Provided*, That the total length of time such food shall remain in cold storage, for the purpose of sale, shall not exceed the time specified in section 16 of this act.

SEC. 18. No food shall be sold, or offered or exposed for sale, in this State which shall have been placed or stored in any cold-storage warehouse outside of this State unless it first shall have been marked as provided for in section 15 of this act: *Provided, however*, That no such food shall be sold or offered or exposed for sale in this State if the total length of time that such food has remained in cold storage shall exceed that specified in section 16 of this act.

SEC. 19. It shall be unlawful for any person, firm, or corporation to mark, or cause to be marked, any container of food with a mark or marks other than those required by this act to be marked on such food or container. It shall be unlawful for any person, firm, or corporation to change, or cause to be changed, any mark or marks on any food or container after such mark or marks have been placed thereon: *Provided*, That nothing in this section shall apply to the marking of such container with the name and address of the owner thereof.

SEC. 20. Nothing in this act shall be construed to prohibit the shipping, consigning, or transporting of fresh food in properly refrigerated cars within this State to points of destination; nor, when received, to prohibit the same being held in a cooling room for a period of 48 hours: *And provided further*, That nothing in this act shall be construed to prohibit the keeping of fresh food in ice boxes or refrigerators in retail stores while the same is offered or exposed for sale.

SEC. 21. It shall be the duty of the department of agriculture, through its dairy and food commissioner, to enforce all of the provisions of this act, and to make all rules and regulations, not otherwise herein provided, necessary for the enforcement of the same.

SEC. 22. That all license fees and fines and penalties imposed and recovered for the violation of any of the provisions of this act shall be paid to the dairy and food commissioner or his agent, and when so collected and paid, shall thereafter be by the dairy and food commissioner paid into the State treasury for the use of the Commonwealth in accordance with the provisions of this act.

SEC. 23. Any person, firm, or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced for the first offense to pay a fine not exceeding $500; and for the second and each subsequent offense such person, firm, or corporation shall be sentenced to pay a fine of not more than $1,000, and, in addition thereto, such person or the members of such firm, or the officers of such corporation, as the case may be, with guilty knowledge of the fact, may be sentenced to undergo imprisonment in the jail of the proper county for a period of not less than 30 nor more than 90 days, or both, at the discretion of the court.

SEC. 24. All acts and parts of acts inconsistent with the provisions of this act are repealed.

SEC. 25. This law shall take effect 90 days after its final passage.

Approved the 16th day of May, A. D. 1913.

ADJOURNMENT TO FRIDAY.

Mr. CURTIS. I move that when the Senate adjourns to-day it adjourn to meet on Friday next.

The motion was agreed to.

Mr. CURTIS. I move that the Senate adjourn.

The motion was agreed to; and (at 2 o'clock and 10 minutes p. m.) the Senate adjourned until Friday, August 15, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *August 13, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

As the heavens declare Thy glory, O God our Heavenly Father, and all things obey Thy will, help us as intellectual, moral, and spiritual beings to obey the laws Thou hast written in our hearts.

Thus, by the rectitude of our behavior, reflect Thy glory. In the spirit of the Lord Jesus Christ. Amen.

The Journal of yesterday's proceedings was read and approved.

ORDER OF BUSINESS.

Mr. BLANTON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. BLANTON. To resume consideration of the resolution which was under consideration when the House adjourned yesterday.

The SPEAKER. This being Calendar Wednesday, that matter can not come up until to-morrow. Such business is not in order on Calendar Wednesday. To-day is Calendar Wednesday.

Mr. BLANTON. Mr. Speaker, before taking up the calendar I think we should have a quorum present, and I make the point of no quorum.

The SPEAKER. The gentleman from Texas makes the point of no quorum present. The Chair will count.

Mr. BLANTON. Mr. Speaker, I will withdraw the point.

Mr. ASWELL. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. On Calendar Wednesday the Chair thinks that is not permissible. The gentleman can undoubtedly get time on the bill which will come up, on which there will be general debate.

Mr. KELLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The Chair does not think that is in order on Calendar Wednesday. After the calendar is disposed of the gentleman can do that. The Clerk will call the committees.

CONGRESSIONAL PRINTING.

The Clerk called the Committee on Printing.

Mr. KIESS. Mr. Speaker, I desire to call up for consideration H. R. 8362, to amend and revise the laws relating to the public printing and binding and the distribution of Government publications, and for other purposes.

The SPEAKER. The gentleman calls up for consideration a bill, which the Clerk will report by title.

The Clerk read the title of the bill.

The SPEAKER. This bill is on the Union Calendar, and under the rule the House automatically resolves itself into the Committee of the Whole House on the state of the Union, and the gentleman from Kansas [Mr. CAMPBELL] will please take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. CAMPBELL of Kansas in the chair.

The CHAIRMAN. The Clerk will report the title of the bill.

The Clerk read the title of H. R. 8362.

Mr. KIESS. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to dispense with the first reading of the bill. Is there objection?

Mr. MANN. Reserving the right to object, what is the proposition as to debate on the bill?

Mr. KIESS. That we will use the two hours.

Mr. MANN. I do not object.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. KIESS] is recognized for one hour.

Mr. KIESS. Mr. Chairman, for the information of the House I will say that there has been no general revision or codification of the printing laws since 1895. Substantially all the provisions of this bill, however, have been under consideration by Congress since 1911, when a bill proposing a complete revision of the printing laws was introduced by Senator SMOOT as chairman of the Printing Investigation Commission. That commission had spent seven years investigating the public printing and binding, and concluded its work by proposing a bill to effect many reforms and economies in Government printing. The general printing bill was favorably reported from the Printing Committees of both Houses in the Sixty-second, Sixty-third, and Sixty-fourth Congresses. It passed the Senate without opposition in the Sixty-second Congress and the House in the Sixty-third Congress. An abridged printing bill along the lines of the one now reported also passed the Senate in the Sixty-fourth Congress. However, owing to the crowded calendar of the other House when the bill reached it and the short time of the Congress remaining for its consideration, neither bill as passed by one House was acted upon by the other House in the same Congress and thus failed to become a law.

The committee is of the opinion that the size and scope of the former printing bills also prevented their prompt consideration and enactment by Congress. The general printing bill as submitted to the Sixty-fourth Congress consisted of 132 pages and proposed a complete revision of all laws relating to the public printing and binding and the distribution of Government publications. The bill now reported for the consideration of the House is about one-third the size of the former bills and its subject matter is confined almost entirely to printing and binding for Congress. In fact, the bill proposes that it shall be designated as "The congressional printing act." The former bills included also revisions of the laws relating to the Government Printing Office and printing and binding for the various departments and other establishments of the Government. The committee decided to reserve these subjects for future consideration and to report only the congressional section of the general bill at this time, in the hope that at least so much of the proposed economies will be made effective without further delay.

The following is a brief legislative history of the various printing bills:

In the Sixty-first Congress a general printing bill submitted by the Printing Investigation Commission was favorably reported to the Senate from its Committee on Printing. This bill was not acted upon by the Senate.

In the Sixty-second Congress a general printing bill was passed by the Senate without opposition and favorably reported to the House by the House Committee on Printing, of which Hon. David E. Finley, of South Carolina, was chairman. This bill, although favorably reported to the House, failed of further consideration, owing to the crowded calendar of the House at that time.

In the Sixty-third Congress another general printing bill, introduced by Hon. Henry A. Barnhart, of Indiana, chairman of the committee, passed the House and was favorably reported to the Senate, but failed of passage there owing to the crowded calendar and the short session.

In the Sixty-fourth Congress a general printing bill was favorably reported to both the House and the Senate. This bill was considered by the House on two Calendar Wednesdays, but no further action was taken in regard thereto. Near the close of the Congress the Senate passed an abridgement of the printing bill relating to Congress. A similar bill was introduced in the House by the chairman of the Committee on Printing, but there was no opportunity for consideration of it. An important provision of the bill relating to the organization and duties of the Joint Committee on Printing was taken from the bill and enacted into law by this Congress as section 6 of Public Act No. 381.

In the Sixty-fifth Congress, owing to war conditions, a general printing bill was not introduced, but the congressional printing bill, similar to that passed by the Senate in the Sixty-fourth Congress, was introduced in the House by the chairman of the Committee on Printing. An important provision of the bill relating to the powers of the Joint Committee on Printing and requiring substantially all printing and binding to be done at the Government Printing Office was taken from the general printing bill and enacted into law by this Congress as section 11 of Public Act No. 314.

I was a member of the Committee on Printing during the Sixty-third, Sixty-fourth, and Sixty-fifth Congresses, and became chairman of that committee in the present Congress. The bill now being considered by the House proposes an estimated annual economy in printing and binding as charged to Congress of $507,581.80.

This represents a reduction in the charge for printing and binding for Congress of almost a third, since the total cost of printing for Congress for the fiscal year 1918 was $1,566,097.74. The cost of paper used in all printing for Congress amounts to about one-sixth of the total charge. On this basis the saving to the Government in paper alone in the economies proposed by the bill will be approximately $85,000 a year.

That the present method of printing and distributing Government publications has become an almost utter failure is clearly evident from the enormous accumulation of obsolete and useless documents in the Government warehouses year after year. In seven years these accumulations reached a total of almost 7,000,000 publications, the great bulk of which had to be disposed of as waste paper without ever having been unwrapped by anyone.

The accumulation in 1909 of 1,435,272 publications in the office of the superintendent of documents resulted from documents returned by the departments and libraries that had no further use for such publications. The books had become so obsolete and shelf worn as to be unfit for further distribution, and the entire accumulation of 1,435,272 publications was sold by the Public Printer as waste paper at eight-tenths of a cent a pound. The accumulation weighed approximately 950 tons, and the amount received therefor was $14,049.02. The Public Printer had, however, expended $2,825 in handling this accumulation, which made the net receipts $11,224.02. These publications undoubtedly cost the Government fully $700,000, thousands of them having been bound in the best grades of cloth and leather, thus indicating a net loss of $683,125.98 on this one accumulation.

When the accumulation of 1910 was reported to the Printing Commission, it submitted a complete inventory of the books listed for condemnation to every department and establishment of the Government to ascertain whether any further use could be made of the publications. Without exception, all the departments reported that they had on hand a sufficient number of each publication. Accordingly the Public Printer was authorized to sell the same as waste paper. The 959,698 publications weighed approximately 700 tons, and brought about eight-tenths of a cent a pound as waste paper, though the blank white paper on which the books were printed had cost the Government from 3½ to 7 cents a pound, without regard to the cost of printing, binding, and handling the same.

In 1911, when the Public Printer requested authority to dispose of an accumulation of 473,457 useless publications returned to the office of the superintendent of documents, the Printing Commission undertook to ascertain whether any of these publications were of use to Members of Congress. Printed inventories of the accumulation were sent to every Member of Congress with letters stating that they could have such of the publications as they desired to file upon. In response to this letter the commission received requests for these documents from only 160 out of 485 Members of the House and Senate. These 160 Members took a total of only 180,714 documents out of the accumulation of approximately half a million placed at their disposal. The balance of this accumulation of documents had to be sold as waste paper. Thousands of the documents selected by Members from the accumulation were afterwards thrown aside or returned to the superintendent of documents, having been found to be utterly worthless.

Printed inventories of the accumulations of 1912, 1913, and 1915 were also submitted to every Senator and Member of Congress, but, out of the entire membership of 536, less than 150 Members responded in 1912 with requests for documents from the accumulation. In 1913, 128 requests were received from Members of Congress, who selected only 79,289 of the 544,711 publications listed, and subsequently many of these were returned to the superintendent of documents as worthless. In 1915 only 161 Members filed requests for documents listed in the accumulation of that year, and they did not find use for more than 10 per cent of the million and a half publications submitted for their consideration before being disposed of as waste paper. Consequently, the Public Printer had to sell practically all the excess documents of 1912, 1913, and 1915 as waste paper.

The committee that investigated the useless documents in the House folding room in 1910 reported there was practically no demand for the million old pamphlets and publications that had

accumulated therein and had become "wholly useless." The committee said in its report recommending the sale of these worthless publications:

There are in the vaults of the Capitol perhaps a thousand tons of worthless printed paper which cumbers the earth and is of no value to anyone.

The House permitted its Members to draw out such of these documents as they desired, but the great bulk had to be subsequently sold as waste paper.

The Senate in 1914 disposed of its folding-room accumulation of 815,366 old documents. Printed inventories of this accumulation were submitted twice to each Senator, and additional lists were sent to every department and establishment of the Government for their selection, but nearly 150 tons had to be sold as waste paper at 71 cents per hundred pounds.

The record of the seven years thus shows that almost 1,000,000 Government publications find their way into Uncle Sam's junk pile each year. These publications undoubtedly cost the Government at least 50 cents a copy on an average for their printing, binding, wrapping, handling, and storage. Upon thousands of these worthless documents there was also additional expense for transportation in the mails from Washington to various parts of the country, and then for return to Washington.

On a basis of 50 cents per copy, the accumulation of 1,000,000 documents per year indicates an annual loss of $500,000, due to the system of printing and distribution now required by the present law. Undoubtedly double the number of worthless documents accumulated by the Government itself more nearly represents the actual waste of such publications, for it is a matter of common knowledge that the great bulk of the documents allotted to and distributed by Members of Congress finds its way into the wastebaskets of their constituents, who have little or no interest in the general class of publications that Senators and Members now have allotted to them for public distribution. It would be more accurate to estimate the waste in Government publications to be nearly $1,000,000 a year.

There is also a great waste in many publications printed for the document rooms of the Senate and the House. Tons of useless publications are carted away from the document rooms annually and sold as waste paper. Scores of tons of expensive publications have rotted away in the vaults under the terraces of the Capitol, the document room to which they were allotted not having been able to find Members willing to distribute such useless publications.

To prevent a continuance of this enormous loss, and at the same time establish an economical and efficient method of printing and distributing the publications of the Government, the pending bill has been proposed. Particular attention is invited to the valuation plan for the distribution of publications by Members of Congress as proposed in section 20 of the bill. The plan for distribution of Government publications to depository libraries is proposed in section 28. The restriction of printing for the document rooms of Congress to those publications that are of real use for legislative purposes is proposed in section 3. It is believed that the adoption of these provisions will end the shameful waste in Government documents and at the same time more generally supply the public with such useful publications as it desires.

The report accompanying this bill gives a very complete analysis of the proposed changes from existing law, and during the discussion of the bill under the five-minute rule, when we take it up section by section for amendment, I will be glad to answer any questions and to give any information that I can.

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield?

Mr. KIESS. Certainly.

Mr. KINCHELOE. I have not had an opportunity to read this bill. Does it make any changes in any publications that may be allotted to the Members of Congress in the Agricultural Department in the way of farmers' bulletins and things of that kind?

Mr. KIESS. No; it does not deal with that subject.

Mr. JOHNSON of Washington. Mr. Chairman, I believe the gentleman from Oklahoma [Mr. McCLINTIC], a member of the committee, will be recognized to control the time on that side.

Mr. McCLINTIC. Mr. Chairman, the Committee on Printing has devoted a great deal of time to the consideration of this legislation, and we believe that its enactment into law will correct a great many of the evils of the present system of printing and the distribution of public documents.

The Public Printer has made the statement that if this bill is enacted into law approximately $500,000 can be saved on paper alone in each year. He has also made the statement that there are approximately 500,000 useless documents being printed each year, and that if this bill is enacted into law sufficient provision will be made so that this expense can be greatly reduced.

Probably the most important item in this bill is what is known as the exchange provision, which will allow each Member of Congress to exchange the publications that he does not desire for a class of publications that will be of benefit to him in his district.

According to the statement made by the Public Printer, each Member of the House is entitled to some $1,800 worth of public documents. If he does not desire to use certain documents he can notify the Public Printer in writing and he can exchange those documents that he does not desire for those that will be of service to him. We are hoping that this legislation can be enacted into law so it can bring about more efficiency, and so we can bring about a great saving in the expenditure of public money. I am sure that all of those who will give heed to the remarks on this legislation or read the bill will agree with those who have made a careful study of this subject. Mr. Chairman, I yield such time to the gentleman from Louisiana [Mr. ASWELL] as he may desire to address the House.

AGRICULTURE AND FORESTRY IN THE SOUTH—THEIR RELATION TO LAND SETTLEMENT BY SOLDIERS.

Mr. ASWELL. Mr. Chairman, to Col. Henry S. Graves, Chief of the Forest Service, and to Hon. Henry E. Hardtner, of Urania, La., I am deeply indebted for valuable and accurate data presented in this discussion.

My purpose is to offer some contribution to the solution of the serious problem of the proper economic future use and development of our cut-over lands.

Secretary Lane's plan for establishing returned soldiers in agricultural communities, resulting in House resolution 487, has brought to public attention the vast area of cut-over lands in the Southern States. These lands include perhaps our largest remaining undeveloped area of potential agricultural value. Their eventual disposition and use is of the most vital importance, not only to the communities and States directly concerned, but also to the whole Nation.

On them grew the immense stands of pines and of valuable hardwoods which for many years have been the foundation of a very large part of the lumber industry of the United States. During the year 1917 the forests of the States from Virginia to Texas produced more than 17,000,000,000 board feet of lumber, or just about one-half of all the lumber produced in the United States, besides vast quantities of staves, railroad ties, poles, posts, pulpwood, and other products. The lumber industry in these States represented in 1914 an investment in excess of $400,000,000 and employed 250,000 wage earners. More than $100,000,000 was invested in manufacturing industries making products wholly or chiefly from wood, and these industries employed upward of 50,000 wage earners. The naval-stores industry, in which the United States leads the world, is confined to the long-leaf and slash-pine belt from North Carolina to Texas. This industry, which has already passed its zenith, still produces annually a product worth more than $20,000,000, gives employment to nearly 35,000 wage earners, and represents an investment of more than $20,000,000.

The Southern States have a total forest area of a little less than 200,000,000 acres, but it is estimated that less than one-third of this area bears mature timber, and the area of merchantable timber is being reduced at the rate of at least 2,000,000 acres each year. Of the approximately 130,000,000 acres of pine lands only 35,000,000 acres are covered with mature timber. With almost 40 per cent of the forest area of the United States, this region has now only about 20 per cent of the standing timber. Recently representative southern lumbermen have stated that the virgin southern pine timber will be practically exhausted within 10 or 15 years, except for the holdings of a very few large mills. The hardwoods will last somewhat longer, but under present methods will not form the basis of a permanent industry, nor one of the magnitude of the present pine industry.

If all of the forest lands of the South were suitable for growing agricultural crops, so that the passing of the lumber industry would result in a higher use of the land, there could be little legitimate objection to its passing. Such, however, is not the case. It is well understood in every region where forests abound that there are still large areas of soils which are not adapted for farm-crop production, but which still produce forest crops. This is no less true in the South, even though the proportion of good agricultural soil is higher there than in any other well-forested region of the country. It is not enough that the agricultural soils be put in a productive condition, the forest soils must also be kept productive. Not only is there no valid reason why agriculture and forestry can not go on side by side, but it is of the greatest advantage to each that they should do so.

Settlers in a newly developing region especially require large quantities of lumber at low prices for the construction of buildings and fences, and for other purposes. They need a continued supply of such material for the improvement and upkeep of their farms. When their lumber has to be brought from great distances, as is the case now in certain sections of the Lake States, which although once heavily timbered are now bringing lumber from Oregon and Washington, the carrying charges make the cost so high as to be almost prohibitive.

Settlers in any region, and those even on the best grades of cut-over lands, where the costs of clearing the land are high, need the opportunity to work for wages part of the time in order to make a living until their farms are in condition to support them. Even afterwards the possibility of earning something during the slack season to supplement the income from their farms is a great help, and makes possible the successful cultivation of soils which are not of the highest agricultural value. Likewise the forest industries will afford to the settlers a source of emergency farm labor, which they need but could not have if these industries were absent.

The presence of an important industry like the lumber industry insures the settlers a near-by market for a considerable part of their produce. This is of considerable advantage, at least in the early stages of settlement, when transportation facilities are less fully developed and before outside market connections have been established. Moreover, the presence of such an industry, furnishing a large amount of tonnage, is bound to result in better transportation facilities, particularly railroads, than if the traffic depended on the products of the farms alone.

The burden of taxation on the settlers, for the purposes of constructing local improvements such as roads, bridges, and schools, will be much lighter if all of the land is in a productive state than if the improved agricultural land alone has to carry it.

The maintenance in a productive condition of all of the cut-over nonagricultural lands of a region will involve, in the first place, a well-organized system of protection against fires. That such protection is of extreme importance to settlers in cut-over regions has been shown many times where it was lacking, most recently in northern Minnesota, where thousands of farmers last fall lost everything they owned except the land and where nearly 400 people lost their lives.

It is also self-evident that the presence of permanent forest communities, such as sawmill towns or centers of wood-manufacturing industries, contributes toward healthier rural social conditions, with the opportunities for better schools, libraries, churches, stores, banks, theaters, and other forms of recreation, and with more diverse interests and points of view than would be possible with a scattered purely agricultural population.

But not all of the advantages in such a combination of industries will be on the side of the farmers. There are several very distinct advantages for the forest industries themselves. It is pretty generally recognized now that in order to be most efficient laborers in forest industries must be fairly well settled in places which they can call home. Many lumber companies are encouraging their employees to settle down and even to cultivate small farms. In some of the older forest regions, such as the white-pine region of New England, most of the logging is done in winter by farmers who operate their farms in the summer. The agricultural settlement of suitable land in forest regions will insure a supply of settled, contented laborers, who will be vitally interested in the continued existence and prosperity of the forest industry.

It will also afford a market for part of the products of that industry—more particularly for the lower grade products, which can not stand heavy transportation charges, and hence must, under present conditions, usually be left in the woods or marketed at a loss. Such are the lower grades of lumber, suitable in many cases for rough or temporary farm construction or for box or crate material for shipping farm products, and posts, firewood, and similar material. Even the ashes from the refuse burners have considerable value for fertilizer, if they can be sold to near-by farmers.

Moreover, the segregation of forest lands and their management on a continuous-yield basis for the production of timber and allied products will increase the desirability and hence the sale value of the agricultural soils. Settlers will be much more eager to locate where they are assured of a lasting supply of timber at reasonable prices, of opportunity for work when they need it, of the cooperation of permanent forest industries in meeting the burdens of taxation and fire protection, of markets for their products, of good railroad and civic facilities, than in places where all of these advantages are, or in a few years will be, lacking. The increased values of their agricultural lands may in many cases much more than offset the cost to the forest owners and industries of initiating forestry measures, while the advantages gained by the presence of permanent agricultural settlements, including a settled labor supply and the possibility of disposing of their lower-grade products will more than counterbalance any extra costs incurred in continuing measures of reforestation.

No part of the country is better suited at the present time for such a parallel upbuilding of agriculture and forestry than the South. It has large areas of fertile land which may be cleared for farming as well as other areas of nonagricultural land excellently adapted for the continuous profitable production of timber and other forest products. It has a climate especially favorable both to the production of agricultural crops and to the rapid growth of timber. The species of timber native to the region include some of our most valuable trees, the most important of which from an economic standpoint are the long-leaf pine and its near relative, the slash pine. The geographical location and the topography of the region are very favorable to the economical management of forests and to the harvesting and marketing of forest crops. There are already on the ground well-equipped established industries ready to use all of the major forest products which can be grown.

It is likely that the bulk of new settlement for many years at least will be on cut-over hardwood lands or on already cleared lands which have been abandoned. The soils on which are the hardwood forests are in general of much higher value for farming than are the pine soils, while the cost of old-field farms, which have as good soil as most of the pine lands, is considerably less than the cost of cut-over land together with the expense of clearing stumps and débris and otherwise preparing the land for cultivation. That there is a tendency not to settle up the pine lands until other and better land is all in use is indicated by the fact that although the area of improved farm land in the 10 Southern States increased nearly 18 per cent between 1900 and 1910, more than one-fourth of the 500 counties in the pine belt of these States showed a decrease in area of such land during the same period.

However, in much of the pine belt are scattered—and in some places fairly extensive—tracts of good soil which is well suited for farming. These areas can be developed and grow into prosperous permanent farm settlements only if the surrounding areas of forest land are so managed as to insure the continued existence of forest industries. No plan for employing returned soldiers in the colonization of farm lands in this region is complete if it overlooks or slights the opportunity—even the necessity—of developing in connection with them the forest soils and the permanent industries dependent on forest products.

The necessity for and the practicability of such management of pine lands of the South have been clearly recognized by Hon. Henry E. Hardtner, of Urania, a practical lumberman, who owns large tracts of pine land in central Louisiana. Mr. Hardtner has always been keenly interested in matters affecting the welfare of the South, and especially in the future use and development of the vast areas that were once covered with the timber which has played so important a part in the building up of the entire central and eastern parts of the country. For a number of years he has been studying the possibilities of the practice of forestry on these lands and has finally demonstrated that under the favorable conditions existing in the region forestry—the continuous production of forest crops—is not only a practicable but also a profitable undertaking, and that it is the key to the solution of a great part of the cut-over pineland problem of the South.

Full recognition of this fact is so essential for the wise use of these cut-over lands that I feel justified in presenting in some detail the plan which Mr. Hardtner has worked out for reforesting some 1,500 acres in Winn Parish, La., about 10 miles from Urania. This particular tract is high, dry, sandy, and slightly rolling, of the sort usually referred to as "ordinary poor pine-wood land." It was cut over in 1910 for long-leaf pine which ran some 15,000 board feet to the acre, and is still practically without young forest growth. This has been prevented from coming in by annual forest fires and by the grazing of hogs, which eat the pine mast and the young seedlings. Enough seed trees were left, however, to bring about natural reforestation if proper protection is afforded.

Mr. Hardtner plans to surround the entire 1,500 acres of hill land, and perhaps an additional 300 acres of adjacent creek-bottom lands for winter pasturage, with a substantial woven-wire fence topped by barbed wire, which will protect both seeds and seedlings from the voracious hogs. Since long-leaf pine on cut-over lands, according to Mr. Hardtner's experience, bears some seed each year he counts on natural regeneration beginning almost immediately and being complete in about six years.

Protection of the young seedlings from fire will be assured in a number of ways.

On one side of the tract a creek already serves as a natural protection, while on the other three sides roads will be built just inside the fence paralleling public roads now on the outside. Additional roads and fire lanes will be plowed throughout the tract and will furnish excellent beds for the establishment and growth of the new stand. A fire lookout tower will be built. Two men who will be given a contract to cut the pine knots and wood inside the area into suitable lengths and haul it to convenient places on the road where it is in demand at good prices will at the same time patrol the forest. Such patrol will be particularly necessary during the months of October, November, December, March, and April, and at any other time of unusual drought. Section men working on the adjacent logging railroad of the Urania Lumber Co. (Ltd.) and other employees of the company can always be called upon to help extinguish any fires that may occur.

Through the hearty cooperation of the efficient conservation commission, which is rendering such distinguished service to Louisiana, elk, buffalo, and cattle raising will go hand in hand with the forest work. This will not only be profitable in itself but will reduce the fire hazard by keeping the grass from growing too tall and by preventing too dense stands of seedlings and bushes. In the course of a year or two fire protection will result in an improvement of the grazing, and better grasses will begin to take the place of the prevailing sedge, although the latter makes fair forage when not allowed to burn over or to grow too high. English rye and other grasses will be sown in suitable spots to provide late winter and early spring grazing. The natural pasturage will take care of the cattle for at least nine months of the year, and the swamp-cane pasture along the 300 acres of creek bottom will be sufficient to carry them through the winter. To be on the safe side, however, it is planned to buy sufficient hay, grain, cottonseed meal, and hulls to feed them through the three winter months should this prove necessary. After the seedlings have been established for three years, goats of fine grades will be introduced to help keep down the bushes, and a limited number of hogs, with rings in their noses to prevent rooting, will be allowed to consume the oak, beech, and other kinds of mast, both on the hills and swamps. The general object will be to keep as much live stock on the place as can find sustenance without injury to the forest crop.

The men given the contract to work up the wood and to care for the tract in other ways will be given free use of an old farm in one corner of the area. Attached to this are several acres of good bottom land where crops can be raised and the men will also be permitted to raise some cattle and hogs of their own. The farm already has a good dwelling, with barns, outhouses, cattle shed, dipping vat, cisterns, and springs, all of which will be put in good condition. One of the springs will be enlarged into a reservoir covering several acres and will be stocked with black bass and sunfish, which will serve as a source of both pleasure and profit. A telephone and a near-by railroad station at which three logging trains and two motor cars will stop daily will keep the farm in close touch with the headquarters of the Urania Lumber Co. at Urania and with the logging operations farther out.

The initial cost of this venture is estimated as follows:

1,500 acres of land at $4 an acre	$6,000
150 head of cattle at $30	4,500
Barn	500
Roads	100
Fence	1,650
Total	12,750

During the first 15 years the sale of wood and cattle will yield annual returns as follows:

500 cords of wood at $0.50	$250
50 head of cattle at $40	2,000
Total	2,250

As against these returns there will be an annual cost of operation consisting of—

Supervision	$300
Taxes	150
Feed for cattle	900
Total	1,350

This leaves an annual net yield of $900, or 7 per cent on the original investment.

Meanwhile the young stand established by natural reproduction from the seed trees on the area will have been growing steadily in size and density. By the end of 15 years the trees will shade the ground to such an extent as to reduce returns from cattle to a minimum. The reduced yield from grazing will, however, be counterbalanced by cutting out defective and suppressed trees. The removal of these trees will not only enable the remaining stands to grow more rapidly, but they will yield such products as posts, poles, pulpwood, and cordwood, which can be sold at a substantial net profit. There is already a good market for material of this sort, and prices will surely be considerably higher 10 or 15 years hence. The sale of these forest products, together with the returns from stock raising on a smaller scale, will maintain the annual net returns of 7 per cent upon the original investment.

By the time the stand is 25 years old the number of trees will have been reduced from 800 per acre, the number left after the first thinning, to 200 or 300. They will range from 6 to 12 inches in diameter at the stump and will be large enough to commence tapping for turpentine under the French system. Fifty trees to the acre will be tapped annually for a period of five years and then given a rest, while 50 more are worked in the same way. At the end of 20 years, when the entire area will have been covered, the wounds of the first trees tapped will have healed, and the entire operation can be repeated. Fifty cups to the acre from trees averaging 8 inches in diameter will yield 800 pounds of "dip" and "scrape," which in turn will produce 10 gallons of turpentine and 600 pounds of resin. In view of the marked increase in price that will almost certainly result from the rapid disappearance of long-leaf pine, the chief source of naval stores, under present methods of utilization it is safe to count on an annual net yield from these products of $2 per acre, or $3,000 for the entire tract.

In 60 years the trees will be large enough to cut for lumber and the entire stand can be removed, with the exception of such seed trees as must be left to start a new crop. There will now be about 150 trees to the acre, worth $300 per acre, or $450,000 for the entire tract. In other words, the original investment of $12,750, in addition to an annual net return of 7 per cent from the sale of cattle and forest products, at the end of 60 years will yield a clear profit of $450,000; or, if one does not expect to live 60 years and does not care to leave the property to his children, he can use it as collateral for a loan, or can sell it for many times the amount originally invested.

So enthusiastic is Mr. Hardtner over the wonderful opportunities offered by cut-over lands in the South, provided they are used for the purpose to which they are best adapted, that he does not hesitate to advise western farmers to sell their high-priced lands, invest the proceeds in southern cut-over lands, and handle them along lines similar to those outlined above. Not only would such a procedure prove profitable financially, but would give the owner the immeasurable satisfaction of feeling that he had built where others had destroyed; that he had contributed to the welfare of the future as well as of the present.

Certainly there is no gainsaying the fact that in the South, and I believe equally in other forest regions of the country, the colonization of farm and forest lands should go hand in hand. To ignore the forest lands would be to overlook an opportunity for the establishment of wood-using industries that are not only valuable in themselves, but that can contribute greatly to the successful development of the strictly agricultural lands. Furthermore, it is my firm belief that steps to maintain the productivity and to secure the full use of our forest lands should not be limited to colonization projects. Under present methods of utilization some 9,000,000 acres are being added each year to the quarter of a billion acres of cut-over forest lands on which little or no growth of valuable species is taking place. Constantly mounting prices for lumber, accompanied by the decay and even the disappearance of communities dependent upon the forest and wood-using industries, are bringing home to us the fact that such prodigal waste can no longer be afforded even by a country as rich in natural resources as the United States. Prompt action must be taken if we are to preserve our forest heritage. The lumbermen are only too willing to change their present methods of exploitation, which have largely been forced upon them by economic conditions, if they can be assured of guidance and cooperation from the Nation and the States.

The outlines of a broad national forest policy upon which all interests can agree have recently been sketched in a number of speeches and publications by Col. Henry S. Graves, Chief of the United States Forest Service. Col. Graves would safeguard the future of our timber supplies by a considerable expansion of the publicly owned forests—Federal, State, and municipal—and by requiring the protection and regeneration of privately owned forests. This means simply that the Federal and State Governments would work out together arrangements by which it would be made mandatory for private owners to protect their forests from fire and to adopt such simple silvicultural measures at the time of cutting as might be necessary to secure a new crop of forest trees. In return the public would grant liberal assistance to private owners in the protec-

tion and management of their forests. Such a program would of course apply uniformly to all forest lands and would afford a practical means of maintaining the productivity of one of our most valuable natural resources without undue hardship on either the present owners or the general public.

I hope very much that the proposed legislation providing homes for soldiers will not only include the utilization of forest as well as farm lands, but will in the near future be supplemented by legislation that will lay the foundation for a really comprehensive and effective permanent national-forest policy. It is difficult to exaggerate how much the establishment of such a policy would mean to the welfare of the entire Nation. [Applause.]

Mr. McCLINTIC. Will the chairman of the committee yield some of his time?

Mr. KIESS. I yield so much to the gentleman from Washington [Mr. JOHNSON] as he may require.

Mr. JOHNSON of Washington. Mr. Chairman and gentlemen, I would like to call attention to the fact that this printing bill is a practical proposition and one on which both the House and Senate have been at work for years. Members who have been here in recent Congresses will remember that the former chairman of the Printing Committee, the gentleman from Indiana, Mr. Barnhart, gave much time to the details of a bill similar to this. That bill was considered on various Calendar Wednesdays, was amended, and was improved in numerous details, but never passed both branches of the same Congress. It has seemed a pity that the Congress of the United States has had to work of recent years with antiquated laws concerning its printing at a time when the quantity of printed matter was so greatly enlarged.

During all these years, following the organization, I think in 1912, of a commission on printing reform, an effort has been made to pass this bill or some other similar bill and get the distribution of Government printed matter on an equitable basis which would make for actual economy. To-day the great Government Printing Office is actually strained in the effort to keep up with the printed matter called for. This bill carries many what you might call administrative paragraphs for perfection of details for economies in the Government Printing Office and doing away with waste printing. As the chairman of the committee has said, it will easily save this Government one-half million dollars a year. I am inclined to believe that all Members will when they have studied it be pleased with the exchange plan for distribution of documents. When the time comes for discussion of that there will be quite a bit of debate and the whole thing will be explained; but it will be interesting to Members to know that, for instance, the Agricultural Yearbook, of which you now receive 812 copies, allotted to you through the document room, if this bill becomes a law you will be entitled to order, if you so desire, several times that number of Yearbooks. But if you come from a metropolitan district and do not care for Yearbooks, you can take a credit for other printed matter and not take the Yearbooks. Where the Yearbooks now cost anywhere from 75 to 90 cents per copy, it is proposed by this act to strike out extraneous matter and let the report of the Secretary of Agriculture be printed separately and not in the Yearbook, thus reducing the cost of the Yearbook to about 50 cents, which will thus permit more to be placed to the Member's credit. The bill carries many other reforms, and I sincerely hope that on this Calendar Wednesday we will be able to get right along with the reading of the bill. If Members will look at the report, they will find, commencing on page 7, I believe, a detailed explanation of the bill by paragraphs and a clear and careful examination of each new proposal and the necessity therefor.

Mr. KINCHELOE. Will the gentleman yield?

Mr. JOHNSON of Washington. I yield with pleasure.

Mr. KINCHELOE. As I understood, when we had the Barnhart bill up here there was a prorating for public documents of about $1,800 to each Member.

Mr. JOHNSON of Washington. Yes.

Mr. KINCHELOE. Now, if I understand it, this bill will give each Member of Congress the right to have the $1,800 invested in different public documents that he may deem best for his district?

Mr. JOHNSON of Washington. Yes.

Mr. KINCHELOE. That is one thing. Now, with reference to the stationery of Members. Does it go into that?

Mr. JOHNSON of Washington. I believe the plan proposed is this or something like this: A Member of the House now who is not a chairman of a committee is obliged to buy his stationery at the stationery room and pay the price for blank paper in excess of that at which it would be sold at the Government Printing Office. So when a Member not a chairman of a committee buys the paper which he is going to have printed—his name, and so forth—he pays too much for it in view of the fact the Government buys paper in enormous contracts. There is no reason why a Member should pay more for paper than the Secretary of the Interior, so under this plan his paper will come from the Government Printing Office paper and be charged to his stationery account.

Mr. KINCHELOE. Does this bill make any change in regard to the RECORDS allotted to each Member?

Mr. JOHNSON of Washington. Not at present. It is proposed, as the gentleman will discover when he examines the bill, to require the CONGRESSIONAL RECORD to be more nearly an actual record of the proceedings of the House and the Senate, which I think most of us agree is what it should be, and that will reduce the size of the RECORD greatly and the reduction in size will reduce the cost of printing and ultimately we can give a Member more copies to distribute, which I think will be wise.

Mr. KINCHELOE. Suppose a Member decides that he wants more copies of the CONGRESSIONAL RECORD to his credit than 57, or a less number, would that same plan apply under your bill to the CONGRESSIONAL RECORD as it does to any other public document?

Mr. JOHNSON of Washington. No; the CONGRESSIONAL RECORD has been left outside of the distribution. We hope as we reduce the general cost of congressional printing—and this deals with congressional printing and not with departmental printing—to make the situation such that we can in the course of time order an increased number of CONGRESSIONAL RECORDS.

Mr. KINCHELOE. The gentleman says that it does not deal with departmental printing?

Mr. JOHNSON of Washington. No.

Mr. KINCHELOE. I understood the gentleman to say a while ago that we could have a more or less number of Yearbooks.

Mr. JOHNSON of Washington. This is a method of distribution.

Mr. KINCHELOE. That this deals with?

Mr. JOHNSON of Washington. Yes. When I say "departmental" I do not refer to books and documents that Congress orders printed and distributed to each Member. This changes the plan of distribution.

Mr. KINCHELOE. It leaves it to the Member to decide what he wants?

Mr. JOHNSON of Washington. Yes. Let me say to the gentleman the plan of exchange is the same plan, practically, as that which prevails at the Geological Survey. That bureau has, as the gentleman knows, expensive quadrangle maps, and that there is a certain number relating to the gentleman's State placed to my credit and for which I can have no possible use. It used to be that if we got together in some way or other we could make an exchange. I could get what the gentleman has relating to my State and he could obtain what I have which belongs to his State. That was a roundabout process. As the Members became busier and busier the publications piled up. The Geological Survey inaugurated a modern exchange system. We hope to have that with other documents.

Mr. KNUTSON. Will the gentleman yield?

Mr. JOHNSON of Washington. I will.

Mr. KNUTSON. Under the plan of this bill, as I understand it, it is proposed to eliminate the extraneous matter from the RECORD—matter not germane?

Mr. JOHNSON of Washington. Matter not germane, as nearly as it possibly can be worked out. When a man asks to extend his remarks on such and such a subject, the remarks must be on such and such a subject, and nothing extraneous included.

Mr. KNUTSON. Does not the gentleman think, if he will indulge me further, that the extension of remarks should be restricted?

Mr. JOHNSON of Washington. That is the intention and a fair plan is offered. It is proposed under this bill to have a printing clerk attached to the machinery of both House and Senate, one clerk for each. The Senate now has one to take charge of all sorts of little printing matters that come up every day. Take, for instance, the case here recently of the introduction of the Sims bill carrying the Plumb plan. The publicity given to that made the supply of the copies of that bill run out in two days. To secure a reprint required an order from the Clerk of the House or from the document room, and probably a further authorization from the Joint Committee on Printing, an unnecessary routine for necessary printing. This bill carries methods to simplify that and to save time, to save money, to save white paper, and to get along with the business of the Government.

Mr. Chairman, I desire to use no further time now.

Mr. KIESS. Mr. Chairman, I yield to the gentleman from Minnesota [Mr. KELLER].

Mr. KELLER. Mr. Chairman, I ask unanimous consent to extend and revise my remarks on the subject of the high cost of living.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. KIESS. Mr. Chairman, I yield three minutes to the gentleman from Pennsylvania [Mr. GARLAND].

Mr. GARLAND. Mr. Chairman, I would ask unanimous consent to speak on a subject other than this bill during the few minutes I have.

Mr. Chairman, I wish to send a letter to the desk in reference to the coal situation and have it read.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CRUCIBLE STEEL CO. OF AMERICA,
Pittsburgh, Pa., August 12, 1919.

Hon. M. M. GARLAND,
House of Representatives, Washington, D. C.

DEAR SIR: It is very apparent that the business of the country will in the near future suffer very greatly from lack of fuel as a result of inability of shippers and consumers to obtain cars in sufficient number to lay in a reasonable reserve of coal and coke at points of consumption. Consequently, to put it mildly, it seems unpardonable that, as is generally known, there should be standing at various points on the railroads some 50,000 or more new empty cars that are sorely needed at this very moment.

The reason these cars are not available for service, we are told, is because the Government has not reached a satisfactory conclusion with the railroads and the car builders for financing their purchase.

There has been more or less talk in the papers about the Government's taking the necessary action to secure release of these cars, but I understand little or no progress is being made.

It is quite evident that unless you and some others who clearly appreciate the seriousness of the situation and its importance to the country as a whole get back of the movement and impress upon the Government the necessity for action these cars will remain where they are, and as a result a few months hence thousands of American workmen will be out of employment because the plants in which they are engaged are unable to operate through lack of fuel. Not only this, but there will be a great deal of suffering among the people because of shortage of coal with which to keep their homes heated when the cold weather sets in.

Yours, very truly, C. G. WHARTON, *President.*

Mr. GARLAND. Mr. Chairman, this is simply a warning letter of a kind of which I have received many recently. This is one of the largest employing companies in the country, employing thousands and thousands of men everywhere throughout the United States, and paying the highest wages, inasmuch as it is very skilled work. The situation presents itself to you now that we have not the carrying capacity. In many places mines are shut down for want of cars, or are working only part time, and it will be but a few months when we are up against a situation like we were year before last unless something is done to relieve it.

Mr. BLANTON. Will the gentleman yield right there?

Mr. GARLAND. I will.

Mr. BLANTON. Does not this just illustrate the necessity of this Congress in the near future taking some action that will prevent any interference whatever with interstate traffic when it means women and children freezing to death in the winter, when it means the closing up of factories, when cars to be loaded with coal are stopped by reason of interference with interstate traffic?

Mr. GARLAND. Something should be done which is more efficient than the operation of the railroads at this time under the Railroad Administration.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KIESS. Mr. Chairman, I yield eight minutes to the gentleman from Kansas [Mr. HOCH].

Mr. HOCH. Mr. Chairman and gentlemen, we have heard here a number of references within the past few days to the Adamson law. One gentleman was quite impatient over the discussion and referred to the subject as water that had long since gone over the wheel. It is not my purpose to discuss now either the Adamson law or the circumstances of its passage, and the merits of the law have no relation to what I have to say. But I submit that the gentleman was in error in his attitude toward the discussion. While the Adamson law was passed nearly three years ago, under pressure and on the eve of a presidential election, it is to-day again on the lips of men all over the country; and, of course, there is a reason for that.

The country faces another railroad crisis. The great railroad brotherhoods are before the President and Congress with increased wage demands and with a plan of railroad ownership and management. The air is surcharged with forebodings as to what may happen if these demands are not promptly met.

Under circumstances such as these certainly no word should be spoken on this floor that is not spoken with a sober sense of the interests and the issues involved. It is no time for careless talk.

That the spirit and purpose in which I speak may not be misconstrued, may I say at the outset that I am a believer in labor unions. Labor not only has a right to organize and to do collective bargaining, but it had to do it in self-defense against the intolerable abuses of capitalistic power and greed. I believe in the eight-hour day, in a high wage scale, and in the best possible working and living conditions; and any man who can not see that labor is going to have a larger share in the fruits of production is blind to what is going on in the world; and if he can not welcome this better day for labor there is something warped in his make-up. One of the things the Great War means is that more and more the controlling factor in fixing the fabric of society is to be human welfare—the large rights of the individual man.

But every true friend of labor must hear with real concern the program of threat and intimidation advanced by some false prophets of labor. [Applause.] Do not misunderstand me. Mr. Plumb and others of the leaders earnestly disavow such purposes, and they can render no greater service to organized labor than to stand steadfastly against any such methods. Certainly I do not believe that the great body of railroad men, who are splendid American citizens, are in sympathy with violence. But the talk of threat is in the air. Members are even receiving threats against their life if they do not follow a certain course. Under such circumstances I think it is well that we keep some fundamental things clear before ourselves and before the country. The purpose and the mood of this Congress should be clearly understood on a matter of this sort.

Let the country understand that we are saying to the brotherhoods something like this: "We welcome the presentation of your claims and your plans. We recognize your interests and we expect to hear you fully and sympathetically. But your claims must come solely upon their merits and with no threats attached." [Applause.]

Let us not forget the unorganized laborers of this country—the laborers on the farm, in the shop, the store, the office. [Applause.] There must be no special favors to any class merely because that class is organized and holds political power. Any settlement of the claims of organized labor must be made in the light of the interests of all the laborers, of all the people of this country.

If there is anything needed to-day, when all the world is seething with unrest, it is respect for law [applause] and fearless and impartial enforcement of law. And without the latter it is hard to maintain the former. Within the past few days we are told that the profiteers are now to be vigorously prosecuted. This is good to hear, however tardy the action may be.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOCH. May I have two minutes more?

Mr. KIESS. I yield two additional minutes to the gentleman.

Mr. HOCH. While the people sacrificed and the Nation's sons laid down their lives and the ever-mounting cost of living brought burdens almost too heavy to be borne, sleek scoundrels waxed fat out of Government contracts, trafficked in the dire necessities of men, and have been unmolested. The law is ample and has been ample. The way to promote regard for orderly government is to enforce the law.

The supremacy of law, the integrity of legislative action, the inviolability of constitutional government—these things are fundamental and there is no price too great too pay to maintain them. Could we ever afford to abdicate orderly government because disaster threatened? We might buy temporary relief, but when we did it we would but bank the coals for future conflagration, the extent of which no man could foretell.

Certainly no man is a true friend of labor who would tear down the orderly processes of legislation. In the long run the welfare of organized labor will rest upon fair investigation, upon full knowledge of the facts, upon orderly government under the liberty and opportunities which our free institutions have made possible. Any man who leads any class of American citizens, whether they be farmers, or business men, or railroad men, and however just their demands, to think that he does them high favor when he procures what they ask without investigation and at the sacrifice of honest legislative processes will in the end be written down by history as their enemy and not their friend. Government by duress is no government.

Let it be understood now and forever that there is no place in this country for class control. Class control is simply autocracy by another name. Let it be understood now and forever that there is no room in America for footpad legislation.

Lenin and Trotski are not wanted in the land of Washington and of Lincoln. You can never put democracy into industry by putting Bolshevism into government. And the time to hit Bolshevism is every time it raises its head. [Applause.]

Mr. KIESS. Mr. Chairman, I will ask my colleague [Mr. MCCLINTIC] to use some time.

Mr. MCCLINTIC. I yield 12 minutes to the gentleman from Georgia [Mr. LANKFORD].

Mr. LANKFORD. Mr. Chairman, I ask unanimous consent to speak on another subject than the one pending here.

The CHAIRMAN. The gentleman may proceed.

Mr. LANKFORD. Mr. Chairman, I desire to use the time allotted to me in discussing the effort that is being made by the potash interest to get favorable report from the Ways and Means Committee on a bill to license or put a tariff on potash and thereby tax the American farmer who uses guano containing potash.

Clearly this is not an effort to help the farmer, but is an effort to hurt the farmer.

It is an artful device to injure the farmer in order to help the owners of the potash industry in America. It was not seriously contended at the hearing of this matter before the Committee on Ways and Means that this duty on potash is essential to raise money for the Government. It was openly admitted then and is now admitted that the purpose of this proposed legislation is to keep out of this country German and Alsatian potash, so as to allow the potash producers of this country, without let or hindrance, fleece the American farmer.

Of course the advocates of this measure do not speak of its effect, except by way of camouflage. They talk of protecting the potash industry. They want to protect the potash producers from all competition, so they can sell potash to the farmers without competition.

This is an effort not to take money from the farmers for the Government but to take money from the farmers for the pockets of the potash producers.

This is taxation not for governmental purposes but for and in behalf of corporate interests.

Shall this Government stand guard and protect the potash industry from competition, while that interest takes from the farmer his hard-earned rights?

Shall this Government guard the ways of escape and help and protect the moneyed interests, while that interest, like a band of bandits or gang of buccaneers of old, make war upon innocent men, women, and children of the farm and take from them property that is justly theirs?

The supporters of this measure are awfully afraid of German potash. They try to scare us with the word "German." Well, the people of this country never did run from that word and never will. The truth is we are not the running kind. If our boys ran at all they did not run from the Germans. They ran at the Germans. [Applause.]

If the advocates of this provision are deathly afraid of German potash, then suppose they let us have a good, cheap supply of French potash. France now owns Alsace and her valuable potash industry. But they say they want to build up a potash industry in this country so when another war comes we will have potash at home.

My! my! What argument. Here is hoping we have no more wars.

The truth is if we do have another war it will probably not be with Germany, and certainly it will not be with France. So we can get all the potash we want, even if war does come.

Then, again, if the potash industry in this country can not live without robbing the farmers, while the Government approvingly stands by, a particeps criminis, then, I say, let the potash industry die, and the sooner the better.

Oh, but they whine and say they lost money in the potash industry during the war. Well, suppose they did. The farmer does not owe the money to them. Millions of people lost either property, money, or life during the war. Who is going to pay all this? You can not put this world back where she was prior to the war.

Mr. DENISON. Mr. Chairman, will the gentleman yield?

Mr. LANKFORD. Yes.

Mr. DENISON. If the American people can get wheat cheaper from Argentina than from the American farmer, do you think they ought to be permitted to do so?

Mr. LANKFORD. That is another question.

Mr. DENISON. It is right along in the line of the gentleman's suggestion.

Mr. LANKFORD. I am in favor of that legislation which will give foodstuffs to the American people at the cheapest price and reduce the cost of living.

Mr. DENISON. Well, then, if the American people can get all the wheat and flour they need from the Argentine, and it will give us cheaper wheat and flour than we can buy from the American farmers, or cheaper than we can raise it and sell it, do you think that ought to be permitted to be done?

Mr. LANKFORD. The trouble is when you use a protective tariff you protect one and rob the other class.

Mr. DENISON. Do you think the American farmer should be protected from cheap foreign competition?

Mr. LANKFORD. I am not in favor of helping the potash industry to the detriment of the farmer.

Mr. DAVIS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. LANKFORD. Yes.

Mr. DAVIS of Tennessee. I want to ask you, referring to the question propounded by the gentleman from Illinois [Mr. DENISON], if the potash used by the American farmer in producing wheat is made very much higher to them on account of this tariff, would it enable them any more successfully to compete with the Argentine wheat grower?

Mr. LANKFORD. It would not do it.

Mr. POU. Mr. Chairman, will the gentleman yield?

Mr. LANKFORD. Yes.

Mr. POU. I want to suggest to the gentleman from Georgia that the question of the gentleman from Illinois [Mr. DENISON] is not pertinent anyway, because the potash discovered in this country, as I am informed, is no good, and they are proceeding to protect a commodity which is in no way comparable with the Alsace potash, and it is not a comparative case at all, because I know of crops that have been ruined by the use of this American potash.

Mr. DENISON. Of course, if the potash produced in this country can not be used, there should be no protection given to it.

Mr. LANKFORD. Mr. Chairman, I decline to yield further.

The CHAIRMAN. The gentleman declines to yield.

Mr. LANKFORD. Mr. Chairman, will some one kindly rise up and tell me who is to pay the farmer for the loss in his farming operations occasioned by the lack of help caused by his sons being away in the service of their country?

Who is to pay that mother for those boys that never will come back?

Who is to pay that wife for the husband that never will again greet her in this life?

Yes; tell me who is to pay that beautiful little baby girl and wonderful little boy for the loss of a father's kisses, kind caresses, and love?

Yes; tell me all this, and then tell me should the farmer's barefoot boy—God bless him—and the farmer's pure, sweet sunkissed and sun-tanned girl, the purest and sweetest of womanhood, pay the potash millionaire his supposed war losses?

Shall that farmer who gave his sons to die for yonder flag pay that penalty to the potash magnates? Shall the returned soldier who owns a little farm pay it? Shall that widow, whose only son sleeps where the poppies grow in Flanders fields, pay that cash assessment?

Tell me, shall that wife, trying to support those little children with her little farm, pay money to appease the greed for gold of the immensely rich?

Yes; you will tell me and tell them by your vote. What will it be?

Mr. Chairman, what are we about to do? Will this Congress tax the farmer and give the tax to the potash interests?

I can not persuade myself into believing the majority of this Congress will stand for it. We had farmers in this country before we had any cities, before we had any railroads or corporate interests, and before we had a Nation.

The truth is, the development of the farming interest and the farmer's efforts made possible the cities, railroads, Nation, and all that is worth while.

Mr. Chairman, did any man or set of men, whether in this Congress or elsewhere in this Nation, ever before seriously, purposely, and understandingly propose to tax and penalize the farmer, the hand that builded this Nation, that saved this Nation in its direst calamity, and that is now feeding and clothing this Nation and giving it its very lifeblood?

A penalty to be inflicted only in the event our farmers continue to make food for our consumption and clothing for our backs. A penalty which is not to be collected provided our farmers leave off feeding and clothing the people of our great Nation and leave us to suffer and to die.

Can it be possible?

Are we to fight the hand that is feeding us?

You had as well argue to me that it is natural for humanity to hate its greatest benefactors; you had as well argue to me

that it is natural for a man to hate, despise, and murder the mother that gave him birth, as to argue to me that the sober-thinking people of this Nation want to penalize and assess a cash fine against the farmers of this country for feeding and clothing us. Are we to penalize effort and labor? Are we to assess a fine payable in cash against the farmer for earning his bread and our bread by the sweat of his brow? God forbid.

We had as well tax morality and virtue and pension lasciviousness and vice; we had as well assess a cash fine against honest effort and endeavor and grant a bonus to the vagabond and the vagrant, as to penalize our farmers for being farmers and giving us the necessaries of life, and by our legislation help the immensely rich and the big corporations who are able to build and own great potash industries in this country.

We must raise revenue to run the Government, but let us not tax the farmers' efforts to lower the cost of living by producing more foodstuffs. Let us help the farmer instead of hindering him. The gentleman from Michigan [Mr. FORDNEY], the Republican chairman of the Ways and Means Committee, can not urge that it is essential to levy a duty on potash in order to raise revenue. That gentleman busied himself very much on the 31st of May trying to repeal the luxury tax law and thus deprive the Government of approximately $100,000,000 per annum. I wonder what the gentleman from Michigan has against the farmers anyway.

On the 31st of May he was so anxious to repeal the tax on luxuries until he wedged in ahead of the farmers' bill—the Agricultural appropriation bill—and delayed it, and filled up several pages of the RECORD with heartbroken remarks in behalf of the unfortunate man who pays more than $5 per square yard for a carpet, more than $10 for a picture frame, more than $50 for a trunk, more than $25 for a suit case, and who, poor fellow, carries his greenbacks in a pocketbook costing more than $7.50.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. LANKFORD. Mr. Chairman, I would like to have two minutes more.

Mr. McCLINTIC. I yield to the gentleman two minutes.

The CHAIRMAN. The gentleman from Georgia is recognized for two minutes more.

Mr. LANKFORD. The gentleman from Michigan [Mr. FORDNEY] no doubt tossed in his bed through the weary hours of the long night, fearing that some poor unfortunate human being would go without light by night if he or she had to pay a tax on a lamp shade costing over $25.

No doubt he could see millions of people getting sunburned if he did not speedily get repealed the tax on umbrellas costing over $4, and a whole Nation suffering without a fan to cool their brows as long as a tax was left on fans costing over $1 each.

I am so glad I was reared in the land of the good old palmetto fan. My very affectionate friend need not worry any more about the fan question so far as the people of my section are concerned. It is a genuine pleasure to get real warm with a palmetto fan close by.

Say, did any of you fellows ever plow until there was not a dry thread on you and then get in the shade of a tree for a few breaths of rest and fan with your hat just a little? That is the sweetest fanning in the whole world. If you ever enjoyed this exquisite few seconds of rest you would not worry about the man who pays a tax on a fan costing over a dollar; and that is not all; you would not vote to put a tax on a man who does plow simply because he tries to make fertile the land which he plows.

The chairman of the Ways and Means Committee suffers, no one knows how much, because there is yet a tax of 10 per cent on all that a lounging robe costs over $7.50.

My good friends, the farmers, after a hard day's work, can rest without a lounging robe. I am not worried about the tax a man pays on a $10 lounging robe so much as I am worried about the proposed tax on the men and women, boys and girls who toil on a farm and who would not pay $1 a thousand for lounging robes for lounging purposes. [Laughter and applause.]

I really sympathize with the gentleman from Michigan who takes so much to heart the awful wrong of a tax of 10 per cent on the excess price of ladies' hats costing over $15 and men's hats costing over $5, boys' caps costing over $2, and men's, women's, misses', and boys' shoes costing over $10.

No doubt the chairman of the Ways and Means Committee prophesies that a great calamity will befall this country if we leave a tax on men's neckties costing over $2, men's and boys' socks costing over $1 a pair, ladies' silk stockings costing over $2 per pair, and on kimonas costing over $15.

He is very much concerned about those who wear silk socks and stockings, but at the same time willing to tax the barefoot boy of the farm.

He is concerned about the lady with the $15 hat and $15 kimona, with the silk hosiery, and begs for her to be relieved from a tax, but is willing to tax the girl with the sunbonnet, the checked apron, and sensible dress of the farm.

Well, I must admit I can not agree with him, and I can never believe, until I am shown by positive proof, that a majority of this House are in accord with the chairman on this question.

Can it be that this is a sample of the Republican legislation that we are to get?

When the question of taxing potash was up for consideration before the Committee on Ways and Means, the chairman of that committee said he had the interest of the farmers in mind. That reminds me of the old darkey who had the farmer's chickens in mind when he visited the farmer's chicken roost one night about 2 o'clock and misplaced some of the farmer's choice hens so that the farmer never could locate them again. [Applause.]

The farmers rather that people who want to legislate against them would not have their interest so much in mind. Please forget about their interests if you are against them, they will fare better.

Again, the gentleman from Michigan says he wants to help the farmer out.

That is the trouble now. They have been helped out too much. They rather for us to help them in just a little.

This measure proposes to help them out of their hard-earned dues and proposes to help the potash interests into the use of the rights taken from the farmers.

This measure is not in the interest of the farmer. I hope it will not be favorably reported by the committee; and if it is favorably reported out of the committee, I hope the bill will be defeated by this Congress. [Applause.]

Mr. HARDY of Texas. Mr. Chairman, will the gentleman yield for a suggestion?

Mr. LANKFORD. Yes.

Mr. HARDY of Texas. One complaint sent to me about the potash situation was the great export duty Germany levied on her exports of potash, making it cost so much more to our country. Now, this bill proposes to do by impost just what Germany did by an export duty?

Mr. LANKFORD. Yes.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. McCLINTIC. Mr. Chairman, I yield five minutes to the gentleman from Oklahoma [Mr. HOWARD].

The CHAIRMAN. The gentleman from Oklahoma is recognized for five minutes.

Mr. HOWARD. Mr. Chairman and gentlemen of the committee, I rise to commend the Printing Committee, including in its membership my colleague from Oklahoma [Mr. McCLINTIC], for bringing forward the bill, H. R. 8362, being the bill to regulate the public printing. I commend this committee, Mr. Chairman, for the reason that they have explained to me that this bill means a step toward economy and a step toward cutting out the multiplication of printing.

And in this connection I want to say that I congratulate this Congress on the fact that this report intimates that members of some committees have begun to study expenditures of money as well as the collection of taxes. It has been my observation that for many years there have been great associations studying how to raise taxes and to raise revenue, but not many of them have ever given any thought to the scientific expenditure of money. I want to call attention to the fact that it makes no difference to the individual financially whether his money is taken from him at the point of a polished revolver or in the name of taxation.

Mr. Chairman, some two years ago I was appointed a member of a committee of the national tax conference to study the expenditure of moneys in public government; and, Mr. Chairman, we found that there is extant too much of an idea in this country that government is made to live on and not under. [Applause.] In that study, Mr. Chairman, we were somewhat handicapped by the war coming on, and naturally, as laymen do, we turned toward public officials to present our criticisms. We gave study to the congressional printing, and while I have not the figures with me now, I want to say to you that, from the standpoint of a layman, what we brought out in that study of congressional printing was astonishing to us as taxpayers.

But, Mr. Chairman, I have discovered since becoming a Member of this body that no Member of that Congress or of this Congress was or is responsible for that great expenditure. It

is the fault of the present law and system, and it is that law and system, I think, that this bill seeks to remedy. [Applause.]

And while I am on my feet, Mr. Chairman, as this bill is intended to cut out multiplication and increase economy, I want to urge upon the Members of this Congress and each committee of this House that we go further toward the end of cutting out multiplication and establishing economy in governmental functions. I want to suggest that, as this bill does, there can be great savings made in other ways by cutting out multiplication of employees and materials, both in National, State, and city governments.

Mr. Chairman, the analysis of public expenditure by the committee of the national conference to which I refer brought out several other matters of duplication in government, which can and must be remedied. In that analysis we discovered that in one State in this Union there were over 1,100 men employed in doing the same class of work, but employed under different departments of government. For instance, every city had a health department, every county had a health department, the State had a health department, and the National Government had a health department, every one of them having rules in conflict with the others, with the result that through these conflicting rules of these health departments about the only person who was successful in his operations relative to the health of the community was the undertaker. [Laughter.]

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. McCLINTIC. I yield two minutes more to the gentleman.

Mr. HOWARD. We also discovered that in that same State the State was attempting to remove the ticks from the cattle. The State had 60 men traveling under salaries of $100 a month each and an expense account eradicating the ticks and we found that the National Government had 70 men traveling over that State with like expense accounts doing the same thing. These two branches of the Government had different ideas as to the size of the vats. They had different ideas as to the kind of solution in which the cow was to be dipped, with the result that when they got together and started to work the cow had died of old age and the ravages of the tick. [Laughter.]

Mr. Chairman, as this bill has been reported for economy and the cutting out of a multiplication of Government expenses, many more bills can and must be reported out for the purpose of cutting out duplications before we can reduce taxes and through reduced taxation help reduce the high cost of living. I hope this bill will pass unanimously and be an entering wedge for real economy. [Applause.]

Mr. McCLINTIC. Mr. Chairman, I yield two minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, I wish to ask the chairman of the committee a question. Could not this bill properly provide for the curtailment of the expense to which this Government is put every year in the printing of these voluminous reports from the various departments that are piled up year after year and are never read by any person in this Government?

Mr. KIESS. Mr. Chairman, I will say in reply to the gentleman from Texas that in the remarks I made in opening the discussion of this bill I stated that the committee felt that previous bills had failed to pass Congress because they had tried to cover too much ground, and that in presenting this bill, regulating particularly the congressional printing, and calling it the congressional printing act, we thought we could have it passed at this time without serious opposition. Furthermore, I stated that we proposed to draft other legislation covering the matter to which the gentleman from Texas refers.

Mr. BLANTON. I want to call the attention of the chairman of the committee to the fact that not long ago I wanted to find out exactly what there was to my credit in the folding room in the way of these reports, and I had them sent to my office. It would take two wagonloads to haul them all; some of them are books of nearly a thousand pages, and if they are ever opened by any Member of Congress or anybody else I have never heard of it. Of course, once in a while there are reports that are important. But the great majority of them are absolutely valueless and a waste and should be discontinued and this enormous expense stopped. There is no better time to stop it than right now, and I hope that the committee will take appropriate action by adding a proper amendment.

Mr. DENISON. Will the gentleman yield?

Mr. BLANTON. I yield to the gentleman from Illinois.

Mr. DENISON. The gentleman has a very intelligent and discriminating constituency. I would suggest that he get all these reports and send them out to his constituents.

Mr. BLANTON. In the wintertime, when fuel is scarce, they would probably use them for fuel.

Mr. DENISON. I think the gentleman is doing his constituents a great injustice by that remark, because I know they are intelligent.

Mr. BLANTON. My constituents are highly intelligent. What on earth would my constituents want with a thousand-page report from the Department of Commerce, the Department of Justice, the Interior Department, or even the Agricultural Department? These reports are never read by anyone. I do not refer to the Yearbooks. They want the Yearbooks, but I refer to these annual reports that are two-thirds of them copies of some preceding report.

Mr. McCLINTIC. If the gentleman will refer to page 21 of the bill, he will find that there is a great list of reports that are cut out.

Mr. BLANTON. I am glad to hear it.

Mr. KIESS. Mr. Chairman, I want to call the attention of the gentleman from Texas to section 22, which will, I believe, reduce the number of reports. I also wish to say to him that the valuation feature of this bill will permit Members to have what documents they want for their own use, rather than to take those that are allotted to them under the present plan. This will have a tendency to reduce the number of the reports printed, as they will not be printed unless the Members make request for same. I agree with the gentleman from Texas that the printing of so many copies is unnecessary.

Mr. ELSTON. The larger part of the expense consists in the paper and in the printing itself.

Mr. KIESS. Of course, Mr. Chairman, a large part of the expense is in the setting up of the type from which these reports are printed. The gentleman will understand that the paper used and the labor in the printing of the additional copies also adds greatly to the expense. Under section 22 we provide for a reduction in the number of reports to be issued.

Mr. McCLINTIC. I yield five minutes to the gentleman from Alabama [Mr. HUDDLESTON].

Mr. HUDDLESTON. Mr. Chairman, the gentleman from Pennsylvania [Mr. GARLAND] a few moments ago presented a letter from one of his constituents complaining of a shortage in coal cars and stating that the result would be a shortage in coal this winter. The view of the correspondent of the gentleman from Pennsylvania is one that quite commonly prevails among the people.

It is an impression that has been carefully fostered by certain coal interests. I should say by way of explanation that the bituminous coal operators of the United States are organized in what is called the National Coal Association, of which Harry N. Taylor, of Kansas City, is president. The directors of that association held a meeting at the Linton Hotel in Cincinnati on June 10 last and appropriated $50,000 with which to carry on a "buy-coal-now" campaign, as a part of which advertisements were published in some 400 newspapers throughout the country. This advertising and other printed propaganda claimed, among other things, that there was a car shortage and a shortage of labor, which had caused and would continue to cause a great decrease in coal production. Hardly a single statement of fact made in that propaganda was true. Practically all of it was false. Nevertheless it was carried on just the same, and the $50,000 was divided up among the newspapers, in return for which the advertisements were printed, as well as much news and editorial matter in certain venal publications. The impression was left upon the people that these factors mentioned in this propaganda will result in a coal shortage this winter. Of course, the public generally have been considerably misled.

Mr. Chairman, I myself believe that there will be a coal shortage, but none of these factors will enter into it. The trouble is simply that the coal operators are demanding an extortionate price for their product and the people will not buy it. They think the price is too high, and the result is that they are not stocking up on coal. The propaganda has failed. It resulted in a temporary stimulation of the coal market for a few weeks, but people soon found out that it was a false propaganda, and they quit buying. The $50,000 appropriated to finance the campaign has been spent, and the National Coal Association has decided to suspend its propaganda. At a meeting of its directors held in Kansas City on July 10 it was decided to abandon the propaganda. The Pittsburgh bituminous coal interests were insistent that the "buy-now" campaign should be abandoned, and it was agreed at that meeting that there would be no further effort to stimulate coal buying, that the business would be allowed to run along at the present prices, that no effort would be made to overcome the shortage in production, but that when the snow begins to fly and the people to clamor for coal they would go into the market and would then find a coal shortage, and that then these operators would be able to put up the price to the skies and make a big killing in profits, on account of the shortage

in coal. That is the situation, and the people of the country ought to know about it.

I want to say, furthermore, that, in my opinion, there is nothing that is going to stay this infamous plot to take advantage of the suffering of women and children this winter and of the idleness that will be caused by industries shutting down, except action by Congress, and I insist that Congress shall take some action upon this subject. I insist that Congress pass a law which will put it out of the power of coal operators to profiteer during the coming winter. I insist that the price of coal shall be limited by law, and that there shall be no opportunity to increase the price when suffering comes on this winter.

The constituent of the gentleman from Pennsylvania [Mr. GARLAND] labors under a very natural mistake. That impression has been very carefully fostered by this coal organization. But what are the facts? I have here a letter dated July 19, 1919, from Mr. W. T. Tyler, Director of the Division of Operations, United States Railroad Administration, in which, speaking of coal, he says:

The low production in the present year thus far is due almost entirely to lack of market. This is amply shown by the weekly reports of the Geological Survey, which for months past have shown that the mines have lost 30 to 40 per cent of working time on account of no market, while the loss on account of car shortage has never reached 5 per cent and seldom went over 3 per cent.

Not a shortage of coal cars, but no market for the coal, "no market" due to the extortionate prices that are being demanded for coal.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. McCLINTIC. Mr. Chairman, I yield two additional minutes to the gentleman from Alabama.

Mr. HUDDLESTON. Mr. Chairman, I continue the reading of the letter:

The low production in 1919 is the direct result of this condition, and is emphasized by the fact that up to the same date—July 5—the production in 1918 was 295,000,000 tons.

Listen now to this, for these are the facts:

The fact is that the railroads are in much better shape than they were for several years preceding the war. We now have more than 4,000 locomotives in good repair stored and ready for service, whereas at no time during the two years preceding the war did any such condition exist. There are on the railroads under Federal control 975,851 coal cars, and during the week of June 14, 1919, the average in bad order was only 9 per cent, and this 9 per cent included a large number of light coal cars actually withdrawn from service but not taken off the books. The system adopted by the Railroad Administration classes cars as being in bad order when they are undergoing only light repairs as well as heavy repairs. While figures on the same basis are not available for the years preceding the war, there can be no question but what the situation in this respect is more favorable now than it was then.

So, Mr. Chairman, the condition as to cars is much better than it ever has been. There is no excuse for a coal shortage on account of a shortage in transportation, and that part of a propaganda is absolutely false. Of course, the labor troubles for the past two weeks have affected the car situation, but with the men going back to work, unless there should be a further suspension of work in the future, this slight disturbance of the transportation situation will soon be overcome. That we have plenty of coal cars does not mean, however, that we are going to have plenty of coal when winter comes.

The prospect actually is that these operators will go on charging their extortionate prices for coal and that the people of the country will not put it in their cellars, hoping that Congress will come to their rescue and bring down the price to what it ought to be. Then when winter comes we will have shivering women and children, and the coal operators will have the opportunity they are looking forward to, which is to spring their prices to the skies and skin the people to the very last cent they can get out of them. The statement of Mr. Tyler, of the Railroad Administration, as to the cause for the slump in coal production is borne out by a letter, dated July 17, which I received from Director Smith, of the Geological Survey, in which he says:

The information contained in the weekly bulletins, particularly that in the table on page 3, each week shows that the reason for the decrease in the production of bituminous coal is lack of market, or "no demand," as it is classified in that table. The same is true for the anthracite, although the details have not been compiled in the same manner as for bituminous coal.

Another feature of the coal operators' propaganda was the statement that there was a shortage in labor; that alien miners were going back to Europe by thousands, and so on. In refutation of this I have a letter from Director General Densmore, of the United States Employment Service:

MY DEAR MR. HUDDLESTON:

1. Acknowledgment is made of your communication under date of July 12, in which you requested information regarding labor conditions in the coal-mining industry.

2. There are approximately 1,000,000 men employed in and around the bituminous and anthracite coal mines. Ever since the armistice was signed thousands of miners have been idle. Unemployment has been keenly felt in Ohio, Indiana, Illinois, and the southwestern districts. Production of bituminous coal has decreased for the period ending June 28, 1919, from 212,000,000 as compared with 284,000,000 for the same period in 1918 and the production of anthracite coal from 49,000,000 to 38,000,000 tons.

3. This is due to the fact that coal mines have been shut down and thousands of men have been forced out of employment. The coal operators allege that this idleness is caused because there has been no market for coal.

4. Unemployment in certain sections of Indiana, Illinois, and Ohio is such as to create distress and want among a large number of miners and their families.

5. There are approximately the same number of men employed in and around the coal mines now as there were in 1918. In some sections, due to idleness, Italians and Slavs from Europe have returned to their native land, but this has been offset by the return of thousands of men who served in the Army and Navy during the war.

Very truly, yours, J. B. DENSMORE,
Director General.

I regret that the time I have will not admit that I go more fully into the subject. The situation demands immediate action by Congress. We should make these avaricious coal operators know now that they will not be permitted to raise their prices when cold weather has come.

There is neither a car shortage nor is there a labor shortage, but there is a shortage in common humanity and honesty on the part of the coal operators of this country. [Applause.]

Mr. McCLINTIC. I yield 23 minutes to the gentleman from Alabama [Mr. HEFLIN].

[Mr. HEFLIN addressed the House. See Appendix.]

Mr. KIESS. Mr. Chairman, I yield two minutes to the gentleman from Illinois [Mr. GALLAGHER].

The CHAIRMAN. The gentleman from Illinois is recognized for two minutes.

Mr. GALLAGHER. Mr. Chairman and gentlemen of the committee, if the very noisy and windy speech of the gentleman from Alabama [Mr. HEFLIN] contains no more fact than the assertion or the idea he is trying to convey here that the page advertisement of the Friends of Irish Freedom and Associated Societies that appears in the Washington Post this morning is paid for by munition manufacturers, by rifle and other gun makers, also German money, then his speech will have but little influence or effect on the thinking people of America. If there is no more reliable information elsewhere in his speech than in his statement that the money to pay for this advertisement and other page advertisements appearing in the Washington papers came from such a source, then his speech is not worth the paper it is printed on. [Applause.]

Now, the truth of the matter is that the money that pays for these advertisements is gathered up at public demonstrations in every part of the United States, and it is subscribed generously and willingly by the liberty-loving people of America [applause]; and the organizations under whose auspices these great demonstrations are being held are working for the freedom, independence, and self-determination of Ireland. They are laboring to further the hope that was conveyed to them by the leader of his party and the head of the present administration, who said: "The purposes of the United States in this war are known to the whole world—to every people to whom the truth has been permitted to come." We did not enter this war for any selfish purpose of our own, but to "bring peace and safety to all nations and make the world itself at last free." Is it any wonder, then, that the Friends of Irish Freedom and friends of liberty everywhere believe—and they have a right to believe—that the claims of the people of Ireland would be given proper consideration at the end of the war, and also that they would rightfully be given an opportunity to properly present their claims to the peace conference? His speech is unfair and his reference to these advertisements is unwise and uncalled for, and it will not make any impression on this House or anybody who reads it. Let me read you the advertisement he refers to:

A CONSTITUTIONAL QUESTION AND A PERSONAL QUESTION AS WELL.

Are you willing to delegate to foreigners the power to send your boys to war?

The Constitution of the United States provides that in the Congress (the Senate and the House of Representatives) shall reside the power to declare war.

The proposed league of nations provides that the representatives of the signatory powers shall have the power to make war, and that such decision shall be binding upon the members of the league.

The treaty-making power resides in the President and Senate—so the House of Representatives has nothing to say about ratification of the proposed league of nations—has not even the doubtful pleasure of attempting to delegate its constitutional functions to foreigners.

If the league goes through, England will control six votes as against the one vote of the United States.

In view of the way in which the English Government is treating the men and women of Ireland, are you willing to let that Government call your boys to war?

True, the case of Ireland is only an instance. But then Ireland is fighting now for just what the Thirteen Colonies fought in 1776.

Even if Ireland does not interest you, surely your own boys do. Drop a line to your Senator. Help send the league of nations back to Paris.

Published from the Irish Victory Fund under the auspices of Friends of Irish Freedom and Associated Societies.

Mr. HEFLIN. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. In a moment. If the facts were known as to the amount of money that it is believed the British Government is spending in this country to further the league of nations propaganda—and I am of the opinion that the English Government is the only Government that has ratified the treaty and the proposed league up to the present moment—it might call for a different kind of speech from the gentleman, and he might not be so bold in asserting that German money was being used here to defeat the league. [Applause.] Now I yield to the gentleman.

Mr. HEFLIN. What I meant to say in connection with the publication of these articles in the press was not that those who were sore because Ireland was not free were advertising themselves. I meant that the Germans and the munition makers were against the league of nations.

Mr. GALLAGHER. If the gentleman were as good an Irishman as he states, he would not lead anybody to believe that the money to pay for the advertisement came from any such source. There is no proof for any such statement. Ireland has a right to expect assistance from the free people of America. Her sons died by thousands to make America free. In the late war over 2,000,000 American soldiers crossed 3,000 miles of sea to fight for the liberty and self-determination of small nations; over 600,000 of these were of Irish blood. Ireland assisted America with all her resources during the Revolution, and Washington's adopted son, Custis, at a public meeting to assist Ireland, held in Washington in 1829, said, "Ireland, my country's friend in my country's greatest need," and now they ask in return that which they have a right to expect, a recognition of the Irish Republic, and England has no right to object.

Mr. KIESS. Mr. Chairman, I yield two minutes to the gentleman from Colorado [Mr. VAILE].

The CHAIRMAN. The gentleman from Colorado is recognized for two minutes.

Mr. VAILE. Mr. Chairman and gentlemen, I did not get up here to discuss the league of nations. I do not have to vote on it. It may be my duty as a Member of the House, however, to vote to send some of our men over to police the Balkans. If we have to do that, I shall do it, but I declare I will do it with regret. [Applause.]

I just rose here to tell you a little story, one anecdote, which I think will be interesting. A few weeks ago I went to New York City to greet three returning batteries of Colorado troops, Batteries A, B, and C, of the One hundred and forty-eighth Field Artillery, which distinguished our State by their most valiant and effective service in four great battles, and as I saw that magnificent transport coming into the harbor, loaded down with our eager soldiers looking over the rail and waving from the portholes to their friends and relatives, there passed out of the harbor a similar vessel loaded with men going over to occupy the part of Germany which our soldiers will have to occupy for many years under the proposed peace treaty.

I have a brother recently returned from Germany. This young man came at his own expense from Alaska, where he was holding an excellent position in Government work, at the age of 38 years, to enlist as a private for war service in our Regular Army. He told me of a recruiting poster which was used at Coblenz to get men now in the service in Germany to reenlist. That poster said in substance this: "Reenlist. The Government offers you $60 bonus and 5 cents travel pay from the point of your residence and 30 days' leave in Paris. The United States goes dry July 1." [Laughter.]

That was the inducement for a soldier to reenlist. I suppose it was an inducement to some; I do not believe it was to very many, but I could not help wondering, when my brother told me this story, how this argument for the retention of our troops in Germany would appeal to the mothers of Colorado, Kansas, and Nebraska, to whom such eloquent appeals have recently been made for a plan which will keep American soldiers for many years in Germany and probably in other parts of the world. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. EDMONDS having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 6323) for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes.

The message also announced that the Senate had passed the following:

Ordered, That the senior Senator from New Hampshire [Mr. MOSES] be appointed on the part of the Senate a member of the commission to investigate the salaries of postmasters and employees of the Postal Service authorized in section 3 of the Post Office appropriation act approved March 1, 1919, vice Senator MCLEAN, resigned.

Ordered, That the Secretary of the Senate notify the House of Representatives thereof.

CONGRESSIONAL PRINTING AND BINDING.

The committee resumed its session.

Mr. KIESS. I yield two minutes to the gentleman from Nebraska [Mr. KINKAID].

Mr. KINKAID. Mr. Chairman, a few minutes ago the gentleman from Georgia, my esteemed friend, Mr. LANKFORD, in the time granted him under the pending bill, zealously and earnestly assailed the provisions of House bill 4870, introduced by the gentleman from Michigan [Mr. FORDNEY], designed to preserve our young American potash industry against the illegitimate competition of the German potash monopoly.

I shall just now merely say, that I take unqualified issue with him fundamentally, for as I understand him, he is opposed to fostering in any degree, an infant American industry, if the least sacrifice would be thereby temporarily experienced by a consumer of the product in question, and this, regardless of the great ultimate public compensation and benefit to be derived in a year or two by affording such aid.

For my part, I am a firm believer in the wisdom of the policy of preserving American industries and American labor against the products of foreign countries, produced by low-priced labor, and the cost of the production of potash in the United States is nearly 99 per cent traceable to the cost of labor, direct and indirect.

Mr. Chairman, with this brief statement, I shall not give further direct notice to the discussion of the gentleman from Georgia, but allow the views that I shall express generally in behalf of the preservation of our domestic potash industry to suffice.

Neither shall I presume upon the very deservedly distinguished champion of American industries and American labor, the gentleman from Michigan [Mr. FORDNEY] by responding to the criticisms of the gentleman from Georgia of his legislative policies. The gentleman from Michigan will himself take care of this, should he consider the occasion to call for a response.

Mr. Chairman, I should not have promptly asked for time to be heard in behalf of the potash industry this morning, except for the spur given me to do so by the interposition of the gentleman from North Carolina [Mr. POU], who, on account of his ability and character, commands the respect and confidence of the membership of this House in a very high degree. It is this that has impelled me to undertake immediately to disabuse the minds of the gentleman from North Carolina and of those who heard his charge made against the quality of American potash, of any prejudice thereby created against it.

I quote as follows:

Mr. POU. Mr. Chairman, will the gentleman yield?

Mr. LANKFORD. Yes.

Mr. POU. I want to suggest to the gentleman from Georgia that the question of the gentleman from Illinois [Mr. DENISON] is not pertinent anyway, because the potash discovered in this country, as I am informed, is no good, and they are proceeding to protect a commodity which is in no way comparable with the Alsace potash, and it is not a comparative case at all, because I know of crops that have been ruined by the use of this American potash.

SINGLE INSTANCE OF POOR QUALITY.

This charge constitutes a strong indictment against the quality of American potash, coming, as it does, from the gentleman from North Carolina, and it is emphasized by the circumstance that fertilizers are so generally used by farmers in that State.

But let me here frankly state that I freely grant that the gentleman from North Carolina has acted in perfect good faith, and I further grant that certain circumstances which arose last year, and the unjust reports which immediately followed, did lead many fertilizer users, in a section comprising parts of North Carolina and South Carolina, to believe for a time that our domestic potash was of a poor quality; but I shall readily show that the quality of our American potash in general was, by investigation and analyses, forthwith triumphantly vindicated.

Mr. Chairman, of the potash products of 150 or more of the American plants it was shown that the quality was of a good or high grade, at least equal to that imported from Germany and Alsace, with the single exception that the product from one Searles Lake plant, some consignments of which had been distributed in the Carolinas, was ascertained to include borax to an extent to cause injury to food plants and cotton. However, this particular Searles Lake plant, "The Trona," has discovered and applied a process whereby to eradicate the borax contained in its product sufficiently to render its use not injurious

but beneficial to growing crops. This company now gives written guaranties that the borax is eradicated to the extent to render its product unobjectionable. No complaint has ever been made of the quality of any of the Nebraska product, but it has received the universal approval of its patrons.

HIGH QUALITY OF DOMESTIC PRODUCT.

Mr. Chairman, I shall conclusively prove that our American potash product is of a good quality and equal in quality to any hitherto imported from foreign countries. I shall here adduce evidence of a class the very best attainable. It consists of a statement made by J. C. Pridmore, the eminent agronomist of the Southern Fertilizer Association, of his own ascertainments of the quality of our domestic potash, followed by strong testimonials of the State chemists of North Carolina, Alabama, Arkansas, Mississippi, Georgia, South Carolina, Tennessee, and Louisiana, based on the analyses, also on observations they have made of the result of the use of domestic potash.

But before doing so permit me to call attention to what immediately followed the charge made against potash by the gentleman from North Carolina:

Mr. DENISON. Of course, if the potash produced in this country can not be used, there should be no protection given to it.
Mr. LANKFORD. Mr. Chairman, I decline to yield further.
The CHAIRMAN. The gentleman declines to yield.
Mr. LANKFORD. Mr. Chairman, will some one kindly rise up and tell me who is to pay the farmer for the loss in his farming operations occasioned by the lack of help caused by his sons being away in the service of their country. (CONGRESSIONAL RECORD, Aug. 13, p. 4104.)

ABSENCE OF COMPLAINT OF USE OF DOMESTIC PRODUCT.

It is noteworthy to observe that the gentleman from Georgia, aggressive as he was against the Fordney bill, neither responded to the gentleman from North Carolina that he had before heard of that same charge being made against the quality of our American potash, nor did he assent to or comment upon it in any way whatever, from which it is justly inferable that the question of the quality was new to him. Certainly this is a very significant circumstance, remembering that the gentleman from Georgia represents one of the greatest cotton-producing localities in the United States. The fair conclusion is that the quality of the domestic product has been very satisfactory to the farmers in Georgia, and I shall show that such is the fact.

RECENT SALE OF NEBRASKA POTASH.

But let me cite a concrete and very convincing testimonial of the good quality of our domestic potash before calling distinctly expert witnesses. It is this: The Nebraska potash producers recently sold to the great fertilizer companies who supply the Carolinas and all the other cotton States with about all the fertilizers they use, a job lot of potash at a purchase price of between one and two million dollars. Would these experienced fertilizer dealers have purchased this Nebraska product with any question existing as to whether its quality came up to the standard? It is conclusive they would not have done so, thus to defraud and stupidly forfeit their patrons.

Mr. Chairman, referring further, briefly, to the very earnest opposition expressed by the gentleman from Georgia to the safeguarding of our domestic potash industry, I want to make a suggestion which I think will bring the proposition nearer home to him, and thus appeal more favorably to his judgment, maybe to his sympathy.

There are the greensands in his home State, which are constantly being mentioned with the potash resources of the United States, and I understand that the same are right promising. Suppose these greensand deposits should become developed into a large potash industry, thus furnishing a handmaiden for cotton growing in Georgia. Assuredly this would create a community of interests right there locally between cotton growers and potash producers, and all the employees of both. The diversification of industry would add greatly to the general prosperity of the locality and the State.

Under such circumstances, would the gentleman from Georgia or his constituents, whether cotton growers or not, prefer patronizing the German monopoly rather than the Georgia plants?

Mr. Chairman, just such developments as I have here suggested are likely to occur in over half of the States of the Union if the industry is permitted to live. This is not an "out West," "up North," "down South," Atlantic coast, or Pacific coast proposition, nor is it a Nebraska, Utah, or California proposition. It is essentially national, and the war made it an international proposition. As an American I should be for the conservation of the industry if there were no potash plants or resources in Nebraska. For years I have been in favor of pursuing that national policy which might, in my judgment, best promote the development of our national resources and industries to an extent to make our country self-sustaining and independent, when need be, of foreign nations. I shall print herewith testimonials I have mentioned. [Applause.]

TESTIMONIALS OF THE GOOD QUALITY OF AMERICAN POTASH.

An excerpt taken from Mr. Pridmore's lengthy statement is as follows:

Since the potash now used in commercial fertilizers of this country is American made some farmers have shown a disposition to wonder if it is as good as the potash that formerly came from Germany. The State chemists of the South are all of one accord in declaring that the plants made use of potash irrespective of its source, and that American made potash is as good as any other.

Testimonial of Mr. B. B. Rose, State chemist of Alabama: "Considerable amounts of potash have been produced in the last year or two from deposits found in Nebraska and from kelp. Some is being supplied through the medium of cottonseed meal. All the above-mentioned forms of potash should give as good results when applied to crops that are in need of this constituent, and I see no reason for any apprehension as to the quality of potash being supplied at the present time.

Testimonial of Mr. J. B. Rather, State chemist of Arkansas: "Americans can make and are making just as good potash as ever left a German seaport. A fertilizer analyzing 2 per cent potash by the official methods is just as good as regards potash as any fertilizer ever manufactured. Anyone who persists in believing that the only satisfactory potash bears the label 'Made in Germany,' is playing directly into the hands of the German Potash Trust."

Testimonial of Mr. W. F. Hand, State chemist of Mississippi: Fertilizers are manufactured and sold under a definite guaranty as heretofore. Materials entering into their composition are just as good as they have ever been in the history of the fertilizer industry. Of course, the general conditions make prices high, but there has certainly been no deterioration in quality. There is absolutely no ground for the statement that the soluble potash in American salts is not equivalent, pound for pound, to that in salts heretofore imported. Farmers need feel no hesitancy whatever in the purchase of their fertilizers this year. They are as good as they have ever been."

Testimonial of Mr. W. C. Dumas, State chemist of Georgia: "Potash is potash, no matter whether it originated in Germany or in this country. Our domestic sulphate of potash or muriate of potash is just as effective as a plant food as any other. It is absurd for anyone to state that the fertilizer made with domestic potash as a source of this element is not as effective as a similar goods of the same analysis made with German salts as the source of potash, and it is erroneous for anyone to believe or state that the locality from which the material was obtained has anything to do with the value or availability of the potash in the guano."

Testimonial of Mr. R. M. Brackett, State chemist of South Carolina: "Our fertilizer laws require the guaranty of water-soluble potash only. Every per cent of water-soluble potash in American potash is worth, dollar for dollar, to the farmer just as much as the water-soluble potash from Germany. The farmer may rest assured that 6 or 12 or 48 per cent of water-soluble potash furnished by American sources is of exactly the same value to him as 6 or 12 or 48 per cent of water-soluble potash furnished by German sources or by sources from any other country."

Testimonial of J. W. Sample, State chemist of Tennessee: "One lot of muriate of potash of a certain analysis is just as effective as other muriate of potash of the same analysis, whether imported from Germany or produced in this country. The same is true of sulphate and carbonate of potash. It is true that the potash salts produced in this country are not so rich in potash as some of the salts which we formerly got from Germany, but the fertilizer manufacturers take this into account when making up their formulas and simply use more of the domestic salts than they formerly used of the German salts, and in this way produce a finished product of the same analysis and value to the farmer."

Testimonial of W. R. Dodson, director experiment station, Louisiana: "To those who really need potash, I wish to say that I have never had any indication from the three experiment stations where sources of potash have been under investigation that sulphate or muriate of potash manufactured in this country are inferior in any way to imported products, except as applied to tobacco. The form in which potash is applied does have some influence on the quality of tobacco, but for all other crops there is no reliable evidence known to me that the previously imported products have any superiority whatever to our homemade goods."

Mr. KIESS. I yield six minutes to the gentleman from Illinois [Mr. DENISON].

Mr. DENISON. Mr. Chairman, I rise to call the attention of the chairman of the committee and of the Members of the House and of the country to what I consider a very serious abuse of the franking privilege. I do it now because this bill before the House deals with that question, and I hope will in the future prevent a practice that has been indulged in in the past. On the 21st of last February there appeared before the Senate Committee on Interstate Commerce a gentleman by the name of Hon. Albert M. Todd, who is president of the Public Ownership League of America, and he delivered a prepared statement before that committee presenting what he considered to be all of the final arguments in favor of Government ownership.

My understanding is that he was a voluntary witness, and he went before the committee and presented a long brief in favor of the doctrine of Government ownership of all public utilities and other industries that are of a public nature. He presented that argument to the Senate committee, and then afterwards had his own testimony and the brief that he filed before the committee printed in pamphlet form, of which I have a copy, entitled "Public Ownership of Railroads," which consists of 44 pages of fine print. That statement was sent out by the Public Ownership League to various people over the country. It seems that there is a league organized, known as the Public Ownership League of America, and they have offices in Washington in the Evening Star Building, on Pennsylvania Avenue and Eleventh Street. This statement before the Interstate Commerce Com-

mittee of the Senate was made under authority of that league by its president, Albert M. Todd, who, as I understand, was formerly a Member of this House. The statement and brief was sent out under the frank of a Member of another legislative body. I am not going to transgress any of the rules of the House if I can help it, and therefore I can only speak briefly, but I am informed that at least 20,000 copies of this argument have been sent out, and there may have been three or four times that many. We are not permitted under the rules, as I understand them, to refer by name to Members of the Senate or discuss their actions on the floor of the House. Therefore I am confined within very narrow limits in calling attention to what I think has been a gross abuse of the franking privilege, if not of the law, in sending out free of postage these printed documents.

If they were sent out under the frank of a Member of Congress without the Member's knowledge or consent, then the man who sent them is guilty of the same offense that anyone else is who takes something to which he is not entitled. If they were sent out with the Member's consent, then there was a violation of the law, clear and plain. The law provides that—

It shall be unlawful for any person entitled under the law to the use of a frank to lend such frank or permit its use by any committee, organization, or association, or permit its use by any person for the benefit or use of any committee, organization, or association: *Provided*, That this provision shall not apply to any committee composed of Members of Congress.

So that a Member has no right under the present law to permit any organization or association not composed of the Members of Congress to use his frank to send out documents of this kind. There has been a plain abuse of the law in my judgment in this instance, and an imposition upon the people of the country in distributing broadcast over the country great volumes of these pamphlets under the frank of a Member of one of the legislative bodies.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. DENISON. Yes.

Mr. JOHNSON of Washington. I would like to say that the hope is that this bill has provisions in it to cure such misuse, if you desire to so call it, of the franking privilege. And further to prove the necessity for a bill of this kind, it is a matter of record that an agricultural document, printed at the Government Printing Office, was taken by a hardware firm, an agricultural implement concern, opened up and pages of advertisements put in and the whole thing made to appear as a Government publication, and sent around as if the Government was indorsing that hardware proposition. The bill also tries to protect the use of the words "Printed at the Government Printing Office."

Mr. RANDALL of California. This is a violation of the present law, is it not?

Mr. DENISON. Yes; and I want this bill made so strict and tight that before documents of this kind can be published by even a Member, some committee must pass upon it and say whether it is frankable, so that this unwarranted abuse may be stopped. The gentleman, or the league who sent this pamphlet out, addressed a letter to the persons to whom they were franked.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. DENISON. I will ask the gentleman to yield me two minutes more.

Mr. KIESS. I yield two additional minutes to the gentleman from Illinois.

Mr. DENISON. He mailed out to each person to whom this pamphlet was franked a letter, which I understand was not franked, but was sent under paid postage, and in that letter he says:

In a separate envelope franked by ——— ——— I send you a pamphlet of 44 pages containing highly valuable and authentic data from official sources, which I submitted in the recent railroad hearings of Congress in behalf of the Public Ownership League of America.

Showing clearly that he sent the documents himself, and of course he paid the bills for them. There was a violation of law. If we have some kind of arrangement by which these matters have to be submitted to a committee before they can be printed and sent out in that way it will stop this abuse. That pamphlet was sent out at Government expense, perhaps all over the United States.

Mr. BAER. Mr. Chairman, will the gentleman yield?

Mr. DENISON. Yes.

Mr. BAER. The departments themselves are abusing this privilege and are sending out propaganda for everything, and newspapers get a truck load of this every month, which is thrown into the wastebasket.

Mr. DENISON. That is true. In the same letter just referred to this gentleman says:

Your attention is earnestly invited to the Public Ownership League of America, whose purposes are briefly stated above, etc.

In other words, this is pure propaganda in favor of Government ownership. I would be just as much opposed to it if it were propaganda against Government ownership, so far as violating the law is concerned in sending through the mail, and at Government expense, such pamphlets as this. I do not think any committee, whether for or against any of these propositions, ought to be allowed the privilege of sending out a great volume of stuff like this at Government expense; and I do not think any of the Members of Congress ought to permit the use of their franking privilege in this manner and thereby impose upon the people of the country the expense of carrying free such stuff all over the country. Men sometimes go before these committees of the Senate and the House and testify and file great long briefs for the very purpose of having the privilege of franking their statements out at Government expense, and not for the purpose of enlightening the committee upon anything. That sort of thing ought to be stopped. Of course, there is no way that we can prevent any man from going before a committee and asking to be heard. Every man has a right to go before Congress and be heard on any important matter, if the committee can arrange to hear him. What I am objecting to is this loose custom of allowing anyone to go before the committees, make a long speech, and file a long brief and then to use the franks of Members to send them out broadcast over the country as a pamphlet at Government expense. I hope this bill will prevent that.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. DENISON. Yes.

Mr. FESS. Have not the committees control over this? A witness before a committee will very often put in a whole lot of extraneous matter which he wants to circulate, and has not the committee the right to refuse to print that stuff so as to prevent its being given the franking privilege?

Mr. DENISON. I am not able to answer that question. I hope they have.

Mr. FESS. They ought to have.

Mr. POU. They undoubtedly have that right.

Mr. DENISON. I hope they have. But how can a committee say what is not proper and what is proper? I know that that is a very difficult thing to say.

Mr. POU. That is very true. It is an embarrassing situation.

Mr. DENISON. The way you can control it is to require that this stuff, before it can be franked, be passed upon by some committee.

Mr. REED of West Virginia. Mr. Chairman, will the gentleman yield?

Mr. DENISON. Yes.

Mr. REED of West Virginia. What will be the law with relation to this fact: A Member desires to print something legitimate in the CONGRESSIONAL RECORD, perhaps a speech. Can he have that printed by an outside printer, provided it has his own material in it?

Mr. DENISON. Yes.

Mr. REED of West Virginia. Does that cut it out?

Mr. JOHNSON of Washington. He can print and frank in any way he pleases anything properly frankable from the House of Representatives, of course.

Mr. REED of West Virginia. Not by the Public Printer, necessarily.

Mr. JOHNSON of Washington. Members should remember this, that if a man wants to send out speeches which he pays for, the public does not know as a rule he pays for them. Heretofore the Government has contributed the manila envelopes. When this bill passes, if he pays for his speech he pays for the envelopes, which is a fair proposition.

Mr. REED of West Virginia. He can print outside?

Mr. JOHNSON of Washington. Yes.

Mr. RANDALL of California. Under this law it can be printed outside?

Mr. DENISON. Yes.

Mr. RANDALL of California. What is to prevent their being printed outside and using the mail privilege?

Mr. DENISON. I want this bill to prevent the use of the franking privilege by those who have no right to it, and if it does not do it it ought to be amended by the committee, so as to prevent it beyond any doubt.

The CHAIRMAN. The time of the gentleman has expired; all time has expired, and the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the public proceedings of each House of Congress, as reported by the Official Reporters thereof, shall be printed in the CONGRESSIONAL RECORD, which shall be issued in daily form dur-

ing each session and bound in permanent form promptly at the close of each session. The daily and permanent RECORD shall bear the same date, which shall be that of the actual day's proceedings reported therein. The binding of the permanent RECORD shall be in half russia only.

Mr. McLAUGHLIN of Nebraska. Mr. Chairman, I move to strike out the last word. In view of the remarks of the gentleman from Georgia [Mr. LANKFORD] a few minutes ago, I wish to avail myself of this opportunity to call the attention of the Members of the House to the legislation now pending before the Ways and Means Committee relative to the protection of the American potash industry.

Before the war practically all of the potash used by the United States was imported from Germany. Agents of the Central Powers were furthering their hold on this industry by every means at their command. As it now develops, they were even looking forward to "der tag" when the United States would be rendered helpless, in their judgment, by the withdrawal of the potash supply during the gigantic struggle we have just passed through. "The day" came, and in the potash dilemma, as well as every other condition of our country's "unpreparedness," the great American people patriotically arose to the occasion.

When the foreign supply of potash was cut off and word went out from the Government that a potash supply was an imperative need, thousands of liberty-loving, patriotic citizens in California, Utah, Colorado, Georgia, Kentucky, Maryland, Massachusetts, Michigan, Nebraska, New Jersey, Ohio, Pennsylvania, Tennessee, Virginia, Washington, West Virginia, Wisconsin, and Wyoming put their money into the development of the potash industry without stopping to ask any questions as to profit. Our country was at war with an insidious foe; we had to have potash, and that was enough for an American to ask. At least $50,000,000 were invested in the production of potash. Owing to the great expense of getting started, coupled with the short time in which sales were made, because of the early armistice, the men who put their honest hard-earned money into this necessary industry realized not a dollar of profit; in fact, most of them lost money. But they met the potash shortage in the emergency, and, in this particular, rendered an invaluable service.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Nebraska. I shall not yield; I have but five minutes.

Mr. GARNER. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. GARNER. I do not want to interrupt the gentleman, but we are considering the bill under the five-minute rule, and it is a very important piece of legislation. I think it really ought to pass the House of Representatives. I did not undertake to make the point of order that the gentleman is not discussing his amendment; I do not care to do that; but when the gentleman says he has only five minutes he has that five minutes by the grace of the committee and not by his own right.

The CHAIRMAN. Does the gentleman make the point of order?

Mr. GARNER. I do not care to interrupt, but I merely call to his attention the fact that he declined to yield. The gentleman made a statement, if he will permit, on which I would like to have information. I am a member of the Committee on Ways and Means. We have been having hearings. But a moment ago the gentleman spoke of $50,000,000 being invested in the potash industry. I believe the information before the committee was that about all the investment involved was about $11,000,000. If the gentleman has facts relative to the investment of $50,000,000 and he will put them in the RECORD it will be very enlightening to the committee.

Mr. McLAUGHLIN of Nebraska. Mr. Chairman, with reference to the gentleman's statement that only $11,000,000 has been invested in the potash industry throughout the United States, I call the gentleman's attention to the fact that in Nebraska alone there are 9 plants each having an investment ranging from $500,000 to $1,500,000, and about 20 smaller plants with investments ranging from $30,000 to $100,000 each. It is safe to say that at least $10,000,000 has been invested in the potash industry in Nebraska alone, to say nothing of the investments in the Nation as a whole. Col. Parker testified before the Ways and Means Committee that approximately $50,000,000 had been invested in the potash industry. I have found nothing in the hearings to discredit Col. Parker's estimate of the amount invested. From my own study of this industry I am convinced that the amount invested is over rather than under $50,000,000.

Now, Mr. Chairman, if the only question we were endeavoring to solve by this pending license system were that of protecting those of our citizens who have invested their money under the conditions and circumstances I have set forth, I believe that this legislative action would be thoroughly justified. But the fact that these worthy citizens will lose $50,000,000 unless they are protected for a short time in this unforeseen emergency is the least argument in favor of this measure. I for one would feel justified in supporting the measure from the standpoint of this one argument alone, but a study of the potash situation that has been developed during the war reveals to us conclusive arguments of a weighty and nation-wide character in favor of the temporary protection of the potash industry.

While only 54,000 tons of actual potash—one-fourth of our average annual consumption—was produced in the United States last year, owing to the great volume of preparatory work necessary in the way of installing machinery and discovering processes looking toward production, the most significant fact in this whole matter is that potash supplies have been discovered sufficient to take care of the needs of the United States for centuries to come. The equipment that has already been installed will insure an annual output of 100,000 tons of potash. The new equipment that will be installed very shortly, if we protect this industry, will insure an annual output equal to our every demand; and the perfecting processes that are developing and the further discoveries that will be made give us every reason to hope that within a few years unlimited supplies of potash can be produced right here in the United States under conditions that will enable us to compete in price with any other nation in the world. The average cost to the farmers in affording this temporary protection while the potash industry is undergoing necessary development will not exceed 20 cents an acre for the land fertilized, and the average price that will be paid will not exceed $2 a unit, whereas $6 a unit was paid during the war without complaint. If men are patriotic enough to pay $6 a unit for potash without complaint during the war, does anyone assume to say that they will be unwilling to pay $2 a unit for a period of a few years in order to render the United States independent of every other country in the world as to its potash supply for all time to come, either in peace or war? In this connection I wish to read a letter of a Maryland farmer written to Col. Myron M. Parker under date of June 27, 1919, which I believe expresses the true sentiment of every fair-minded farmer of the Nation:

Col. MYRON M. PARKER, *Washington, D. C.*

MY DEAR COLONEL: The National Grange came closer to the farmer than any other organization of farmers. It is composed of real farmers and its organization is extensive. I am a member of the grange at Alvey, Md.

For 18 years I was Chief of the United States Weather Bureau and also an Assistant Secretary of Agriculture, and for 13 years I have owned and personally operated a large fruit, grain, and stock farm at Rockville, Md. My interests are therefore wholly with the betterment of the agricultural conditions of the Nation.

One of the things that seems to me to be imperative is that the beginning that the United States has made as a necessity of war in the manufacture of potash should continue until this country becomes independent of Germany or any other nation in the supplying of this absolutely necessary fertilizer. Every far-seeing farmer will willingly pay whatever price is necessary to protect this new American industry, to the end that we may become independent of other countries and ultimately get the American product cheaper than it can be shipped to us from abroad. No doubt the Germans will sell to us as soon as trade relations are resumed at less than the cost to the manufacturer in this country; but, as a farmer, I know that as soon as the American manufacturer is driven out of business and his plants destroyed the price of the foreign potash will go to an altitude beyond that which is now necessary to protect the American producers of this farm necessity. The price of food is not only high, but it will stay high for years to come, and I know that I and other farmers can use potash at the present price at a profit to ourselves and the home industry of manufacturing potash be developed to the time when a healthy American competition will give us this commodity as cheap as it can be produced and shipped to us from over the sea.

Above all, we should not adopt any shortsighted policy that will ever again put this country at the mercy of a foreign country for our supply of this plant food, especially if that country is now an enemy or is ever likely to become one.

Very respectfully, WILLIS L. MOORE.

Referring again to the supply of potash in this country, the reports of the United States Geological Survey, which are substantiated by many university chemists from different States, warrant us in believing that the supply is to all intents and purposes inexhaustible. Searles Lake alone has 12 square miles of potash deposits, or enough to supply the United States on its present basis of consumption for 80 years. The supply in Nebraska lakes is not yet fully known, but it is believed to be even greater than that of Searles Lake. Rich potash deposits have been found to a depth of 37 feet in the mud under these lakes, and the pumping systems that are being perfected will insure the utilization of all of this potash to any depth it may be discovered. The Leucite rock potash deposits in Wyoming are estimated as being sufficient to supply the United States for 800 years, and the reduction plants that are now installed for the preparation of Leucite potash are proven to be of practical construction for their designed purpose. It is exceedingly probable that the manufacture of potash as a by-product in sugar

factories, cement and brick plants, and hot-blast furnaces will so develop in the years to come as to take care of the entire potash demand of the country.

In thus developing our own potash industries by using our own supplies, we are also making use of American labor in its production, instead of allowing our recent enemy to dump in on the country vast supplies of potash mined in Germany by prison labor during the very time in which we were engaged in the war.

In Nebraska alone two towns, Hofland and Antioch, aggregating a population of 3,000 people, have been born by the potash industry. The town of Lake Side has grown from a mere elevator station to a village of 1,000 people. One thousand five hundred people are employed in potash development in this State alone, and as the industry grows throughout the Nation multiplied thousands of laborers will be profitably employed in producing this great national necessity.

Mr. Chairman, it hardly seems to me that it is necessary to multiply words in further arguing this question. It is enough for us to know that by providing temporary protection for the potash industry we are saving to patriotic investors $50,000,000, making possible the speedy development of a potash supply that will take care of the needs of our country for all future time, and that we are thus rendering ourselves independent of any other country that would seek to handicap us by controlling a great industry necessary to our food production, either in time of peace or in war. I hope the Members of this Congress will not be so nearsighted as to fail to see the justice of this provision and the tremendous future of the potash industry of America that hinges entirely on the result of our attitude toward this pending legislation. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. McLAUGHLIN of Nebraska. I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

SEC. 1. PAR. 3. The Joint Committee on Printing shall have control of the arrangement and style of the CONGRESSIONAL RECORD, and, while providing that it shall be substantially a verbatim report of the proceedings of Congress, shall take all needed action for the reduction of unnecessary bulk, and shall provide for the publication of an index of the CONGRESSIONAL RECORD semimonthly during the sessions of Congress and promptly at the close thereof, and for a table of contents in each issue of the daily RECORD whenever practicable: *Provided*, That no illustrations shall be inserted in the CONGRESSIONAL RECORD, except such maps, charts, or diagrams, in black and white and not exceeding a page of the RECORD in size each, as shall be authorized by the Joint Committee on Printing: *Provided further*, That the Joint Committee on Printing shall designate to the Public Printer a competent person or persons to prepare the semimonthly and session indexes and the daily table of contents of the CONGRESSIONAL RECORD and to edit the bound edition thereof, and shall fix and regulate the compensation to be paid by the Public Printer for the said work and charged to the allotment for printing and binding for Congress.

Mr. CARSS. Mr. Chairman, I move to strike out the last word. Mr. Chairman and gentlemen, I take this occasion to refer to a matter that appears on page 3580 of the CONGRESSIONAL RECORD of Saturday, August 2, 1919. Mr. BLANTON made the following statement on that occasion:

We are told that unless we raise the wages of the railroad employees another billion dollars annually that there is to be a strike on September 1 from one side of this Nation to the other. And by reason of such threats, ipso facto, Congress must provide the increase. By such threats the four great brotherhoods forced the Adamson law upon Congress and upon the Nation. By such threats the four great brotherhoods during the war forced Director General McAdoo to give them an annual increase of wages of $754,811,000.

I want to clear up the situation a little on that proposition, and in order to do so I want to read some testimony given by Mr. Garretson, president of the Order of Railroad Conductors, testifying before the Committee on Interstate and Foreign Commerce on August 11, last Monday, where he made the following statements:

Mr. GARRETSON. * * *

But the point that I want to make is that the four brotherhoods, in being forced on to Congress regarding the passage of the eight-hour act, were unwilling participants. Only the influence, the power, and the personal prestige of the President of the United States ever got us there. We came there on his demand that we should come there for adjudication of the question that we desired to settle by our own methods. But, out of regard for the interest that the President had shown, and respect for the position which he held, and our respect for the office of Chief Magistrate, we accepted his request to transfer the matter in controversy to the Halls of Congress. No living Senator or Representative ever heard a demand from one representative of the four brotherhoods as to what they should do.

Now, before the Interstate Commerce Committee of the Senate, the day before the Adamson bill was passed, a request was made on the four brotherhoods to know whether or not they would defer the hour of the strike. The request had been made by the President of the United States two days prior to that time. The three associates of mine stated to the committee in open hearing that they did not possess power to do the thing requested, but that I would answer for the four. I answered that I had the power, but that I refused to defer. I told them why, and after I told them no further request was made for deferring nor were there any methods of coercion used on any Member, and there is no Member of the present Congress who was a Member of that Congress who will challenge that statement. There are many men here who were Members of that Congress and present at that time. I challenge any one of them to question the correctness of the statement I have made. I wanted just this chance, Mr. Chairman, to make that a matter of record with regard to the talk about holding a stop watch on Congress.

The CHAIRMAN. I was not present in Washington when that was passed. My recollection is that there were no hearings before the House Committee on Interstate and Foreign Commerce on the Adamson bill.

Mr. GARRETSON. There were no hearings. My communications with that committee were all through the floor leader. Mr. Wills made the point that there was a joint hearing, but if so, I am not aware of the fact.

Mr. MONTAGUE. Mr. Wills is mistaken about that. I was on the committee at that time. Perhaps Mr. Wills came to that conclusion because a good many members of that committee went over there; but I did not sit with the Senate committee.

Mr. GARRETSON. There were a number of Members of the House present during the entire hearing, but if there was a member of this committee that sat with the Senate committee I was not aware of the fact. I never appeared directly before the House committee. I did meet the chairman once or twice, and I conferred a half a dozen times, possibly, with Mr. KITCHIN, who was the floor leader at that time, was he not, Mr. Chairman?

The CHAIRMAN. Yes.

Mr. COOPER. May I say that during the debate on the Adamson bill on the floor of the House I made almost the same identical statement that you made here a minute ago, and I have resented at all times the saying that the railroad brothers had come to Congress with a gun in one hand and a stop-watch in the other.

Mr. COOPER. Mr. Chairman, will the gentleman yield for a moment?

Mr. CARSS. I will yield.

Mr. COOPER. I trust the gentleman will pardon me for putting to him a personal question. Is the gentleman a member of the Brotherhood of Locomotitve Engineers?

Mr. CARSS. Yes, sir; I am.

Mr. COOPER. If I have been correctly informed, the gentleman has been chairman of the general committee that had charge of the wage question.

Mr. CARSS. Yes; that is true.

Mr. COOPER. I beg to ask the gentleman this question: To what extent have the wages of railroad employees—that is, engineers, firemen, trainmen, and conductors—been increased in the last two years according to the increase that has been received by other skilled employees of this Nation?

The CHAIRMAN. The time of the gentleman has expired.

Mr. POU. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that the gentleman from Minnesota may proceed for five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CARSS. In answer to the question of the gentleman I will say that the wages of train and engine men of this country have not increased in as great a proportion by, I should say, 40 per cent as has been the increase of other laborers.

Mr. COOPER. Now, will the gentleman from Minnesota yield for just one moment there?

Mr. CARSS. I yield.

Mr. COOPER. The gentleman from Texas [Mr. BLANTON], I believe, on yesterday made the statement that these railroad employees were asking for wages equal to those of the Supreme Court judges and Members of Congress of the United States. I was informed by Mr. Garretson on yesterday that the average wage that the freight conductors of our country received for 100 miles, which constitutes a day's work, is $5.40. I should like to call to the attention of the gentleman from Texas that his wages are over $20 a day, and there is a vast difference between $5.40 and $20 a day. [Applause.]

Mr. HUDDLESTON. Mr. Chairman, will the gentleman yield?

Mr. CARSS. I will.

Mr. HUDDLESTON. I would like to know what the wages of engineers are. Will the gentleman give that information?

Mr. CARSS. That is a pretty hard question to answer offhand. The wages of engineers vary. A switch engineer receives lower wages than an engineer who runs an engine like a Mallet compound.

Mr. HUDDLESTON. About what?

Mr. CARSS. The wages of the average switch engineer, I should say, are about $5.25 for 10 hours or less.

Mr. HUDDLESTON. And what are the wages for those on passenger engines?

Mr. CARSS. The men on passenger engines are on a mileage basis and receive so much per mile, and the amount that they receive, of course, is determined by the number of miles they run and how rapidly they make those miles.

Mr. HUDDLESTON. What would be the average wage of a passenger engineer?

Mr. CARSS. Monthly?

Mr. HUDDLESTON. Yes.

Mr. CARSS. I should think, taking all the runs, short and long and good and bad and indifferent, it would be in the region of $200.

Mr. ZIHLMAN. Will the gentleman yield?

Mr. CARSS. I will.

Mr. ZIHLMAN. What percentage of engineers are passenger engineers?

Mr. CARSS. I should say about 15 per cent. About 16 men out of every 100 who have commenced with firing engines eventually become passenger engineers.

I will read:

Mr. SIMS. I was a member of the committee at that time and the ranking member, next to Mr. Adamson, and no labor man ever asked me a question, or anybody else, but I considered the measure on its own value, strike or no strike, and I have no apologies to make, as a member of that committe, for having exercised my right of voting without fear or favor. My information and knowledge lead me to believe it was right and my conscience told me to do right if the heavens fell, and I went ahead and did it.

Now, there is another matter I would like to refer to briefly in connection with the introduction of this Sims bill.

The events of the past week have given rise to a great confusion as to the purposes of the Railway Brotherhoods and the leaders of the American Federation of Labor. It is only natural that there should have been confusion, for quite suddenly the Nation was confronted with spontaneous strikes in the railroad shops, with wage demands of several of the railroad unions, and with the introduction of the bill embracing the so-called Plumb plan for nationalization of the railroads under tripartite control.

In the statements of union leaders as to the wage demands and as to the commission proposed by the Director General to the President and concurred in by him a great deal was said. The leaders of labor did not feel inclined to accept this commission because the need of the workers for what they considered to be American wage was acute and a commission meant delay in a matter which called for very prompt action. The depreciation of money had left the railroad employees in precisely the same place they had occupied before their wages were advanced by the Railroad Administration.

But while the determination of the labor leaders was plainly not to accede to a delay in the question of wages, there never has been a vestige of a threat of strike or the desire of intimidation in regard to the Sims bill, now before the Committee on Interstate Commerce.

I can say of my own personal knowledge that in all the conferences of the railroad union presidents held during the spring and this summer in connection with their advocacy of the Plumb plan the subject of strike as a means to support the plan has never been even broached. These union leaders felt it incumbent upon them, as responsible guides in the American labor movement, to act without provocation and with all the dignity that should inhere to American political life. They did map out a program. They did organize a league. They did make arrangements to take to the rank and file of their membership and to the public as a whole all of the arguments and information relating to the Plumb plan that could be effectively distributed. I suggest that no one will disagree with me that this was anything less than praiseworthy.

Mr. Plumb, testifying before the Committee on Interstate Commerce, has explained how the bill came to be introduced when it was. The program called for introduction not before October, and then as the spirit of resistance on the wage questions became apparent, the program was changed, and the labor bill was thrown into the basket to prove to the men in the shops and on the trains that their interests were being carefully served. So, as it happens, the threats of strike were not made in support of the Sims bill, but the Sims bill was introduced when it was as an effective answer to the strikes.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BAER. Mr. Chairman, I ask unanimous consent that the gentleman may have five more minutes. He is a new Member, and I would like to hear him.

Mr. KIESS. Mr. Chairman, I believe I will have to object.

Mr. UPSHAW. Let the gentleman have three minutes more.

Mr. POU. The gentleman was interrupted for four or five minutes by Members who were interrogating him.

The CHAIRMAN. The gentleman from North Dakota [Mr. BAER] asks unanimous consent that the gentleman may proceed for five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CARSS. Now, I want to say that American labor is pursuing in the matter of this nationalization legislation a course which deserves something more intelligent than the hysteria to be noted in certain quarters. After all, there are over 5,000,000 union members in America, and they have a right to be heard in this Congress, and any measure upon which they unite after due consideration is surely worthy of debate on the floor of Congress. There have been no threats, either by word or by innuendo, as to what would happen if Congress did not see fit to discuss what 5,000,000 voters asked in a legitimate manner to have discussed.

A great deal has been made of one sentence in the opening statement of the brotherhood and union chiefs, in which certain newspapers that always show an extreme cordiality to the propositions of the financial interests pretended to see a threat as to what might happen if the Plumb plan were not adopted. This sentence is, with one other bearing on the same subject matter, the only one in any authorized pronouncement of the railroad union leaders which can be maliciously misconstrued. The sentence begins:

The railroad employees are in no mood to brook the return of the lines to their former control—

And, gentlemen, there these newspapers invariably stop quoting. But the sentence continues—

since all the plans suggested for this settlement of the problem leave labor essentially where it has stood and where it is determined not to stand.

No one reading this sentence thoughtfully can find in it the intimidation that has been so frequently referred to as having been employed to support a labor measure before Congress. It is a statement of fact; it is the assertion of chosen leaders as to the sentiment of their constituents. And the leaders took pains to repeat it in the last statement they issued, when they said:

We hold to our conviction that the railroad employees are in no mood to consign themselves finally to the autocratic control of financial dictators.

In other words, we are informed that labor must have a better life than was possible in the old state of things. But though labor proposes a constructive measure, it does not say, "You must adopt our measure." It says only you must do something constructive. The statement continued:

We appeal to the statesmanship of America and to the common sense of American manhood and womanhood.

And in this statement appears this truthful assertion:

We have no desire and have had none to impress by violence or by threat our proposal that the railroads be nationalized under "tripartite" control.

I have taken the trouble to inform myself, and I can say that in presenting the Plumb plan to this House the leaders of the American labor movement have shown a full trust in the democratic institutions of this country. And it remains with us of Congress to show whether we will give the proposal of 5,000,000 voters a full, thoughtful American hearing or only a scant and formal acknowledgment. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CARSS. Can I have two minutes more?

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to proceed for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CARSS. Mr. Chairman, I want to say to the gentleman from Texas [Mr. BLANTON] that I protest against the language he used with reference to the railroad men of this country.

I protest in the name of thousands of loyal, industrious, patriotic American citizens. I protest in the name of their wives and children, whose husbands and fathers have been characterized as highwaymen on the floor of this House. I protest in the name of the hundreds of railroad men who freely gave their lives for the cause of democracy and who now sleep their last long sleep in the blood-soaked soil of France. [Applause.]

I wish to say to the gentleman from Texas [Mr. BLANTON] in the kindliest manner possible and with all due allowance for the natural fervency of his disposition that the great problem of social unrest which now confronts us can not be solved by the calling of hard names. It is a problem that challenges the best brains of the world to solve, and it must be approached from a different angle than that from which the gentleman seems to approach it. [Applause.]

I present to this Congress that the men and women who toil have the same joys and sorrows, the same ideals and aspirations, and the same rights under that flag [pointing] as have the men and women for whom they toil.

If we keep these facts in mind when attempting a solution of this great problem, I hope and trust this Congress will be able to formulate legislation that will be just to all the people of this great Republic and that we may hand down to our children a greater, a better, and a purer democracy than the one that we now enjoy.

Mr. Chairman, I have heard it stated at different times that the majority part of this House was responsible for legislation. I do not hold with those that take that view. I believe that every man here is responsible, regardless of his political affiliations, and I want to say that I am ready, for one, to cooperate with any man or any group of men who are attempting in an honest way to pass legislation that will relieve the country of the conditions that are confronting it. I thank you. [Applause.]

Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. KIESS. Mr. Chairman, I want to call the attention of the members of the committee to the fact that this is Calendar Wednesday and that we have been very liberal in the matter of general debate. The committee is very anxious to pass this bill to-day, and I would ask, therefore, that Members confine their remarks to the bill. Unless they do so it will be impossible to complete the bill before adjournment.

The CHAIRMAN. It is within the control of the members of the committee to confine the debate to the bill. The Clerk will read.

The Clerk read as follows:

SEC. 3. PAR. 3. Either House may by simple resolution order additional copies or reprints of any Government publication to the amount of $500; if the estimated cost exceeds that sum, or if it is proposed to make such publication available for distribution under section 20 of this act, the printing shall be ordered by concurrent resolution, unless the resolution is self-appropriating, when the order shall be by joint resolution. Such resolutions when presented to either House shall be referred immediately to its Committee on Printing, which shall report thereon as provided for in this section: *Provided*, That whenever additional copies or a reprint of any Government publication shall be ordered by Congress or either House, there shall also be printed sufficient copies to provide the usual number only for those not previously supplied therewith, and, if the number of copies be not stated in the order, there shall only be printed sufficient copies to provide the document room of each House with its usual number and to provide for those included in the usual number not previously supplied therewith: *Provided further*, That the Joint Committee on Printing may order additional copies or reprints of any Government publication at an estimated cost not to exceed $200 for any one publication in any one Congress.

Mr. CANNON. Mr. Chairman, I move to strike out the last word. I have not read this bill. I am following it hurriedly under the rapid reading of the Clerk, of which I quite approve. In section 3, paragraph 3, it says:

Either House may by simple resolution order additional copies or reprints of any Government publication to the amount of $500; if the estimated cost exceeds that sum, or if it is proposed to make such publication available for distribution under section 20 of this act—

And I am not familiar with section 20—

the printing shall be ordered by concurrent resolution unless the resolution is self-appropriating.

And then further it says:

Such resolutions when presented to either House shall be referred immediately to the Committee on Printing, which shall report thereon as provided for in this section.

Now, again:

Provided, That whenever additional copies or a reprint of any Government publication shall be ordered by Congress or either House there shall also be printed sufficient copies to provide the usual number only for those not previously supplied therewith, and if the number of copies be not stated in the order there shall only be printed sufficient copies to provide the document room of each House with its usual number and to provide for those included in the usual number not previously supplied therewith.

Now, I think that I can strike all this out. I do not care about duplicating it. It says:

Provided further, That the Joint Committee on Printing may order additional copies or reprints.

I thought it required a joint resolution somewhere in this section, passed by the House and the Senate and approved by the President. Am I mistaken about that?

Mr. KIESS. Mr. Chairman, it does not require a joint resolution except where there is an appropriation. The gentleman understands that. But for printing for the two Houses this paragraph does not change existing law.

Mr. CANNON. A joint resolution? When or under what conditions? Explain to me.

Mr. KIESS. Carrying an appropriation, a resolution would have to go to the Committee on Appropriations. No regular printing resolution carries an appropriation. The expense is paid out of the contingent fund of the House.

Mr. CANNON. Why would a joint resolution be necessary?

Mr. KIESS. It is not necessary. A concurrent resolution is necessary.

Mr. CANNON. Precisely. Why should there be a concurrent resolution? Why should not each body, the House and Senate, be at liberty to order additional copies of anything, whether it be estimates or whatever it may be, without having the other body assent?

Mr. KIESS. This applies particularly, Mr. Chairman, to orders of additional copies. The House, of course, can order printed anything that we want printed. We are limited, of course, by the amount that can be expended.

Mr. CANNON. Frequently there is a document, for example, the President's message or address—I merely refer to that—or some other important matter for the convenience of the House that would exceed the amount specified in the proposed legislation.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CANNON. I ask that I may have a minute or two longer. I may want five; I do not know.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. CANNON. I am merely asking these questions for information. I will illustrate by taking as an example the President's addresses to the House. My recollection is that when he makes these addresses the House, one side or the other, frequently desires for distribution an increased number of copies. Does that take a concurrent resolution?

Mr. KIESS. No; that does not take a concurrent resolution.

Mr. JOHNSON of Washington. Take, for example, the recent message. I stated, I believe, on the floor here that we could order up to $500 worth. I investigated it and found that it was $200 worth. That applies to quite a number of ordinary 16-page pamphlets. I believe under the present law in excess of that sum you go to the Joint Committee on Printing, but without a resolution either House can incur an expenditure of $500. Beyond that we provide by a concurrent resolution.

Mr. CANNON. I should think it might be done. Have you not a printing organization of the Senate as well as the House?

Mr. JOHNSON of Washington. Yes; there is a Joint Committee on Printing of the two Houses.

Mr. CANNON. I think it should be done by the Joint Committee on Printing instead of by concurrent resolution.

Mr. JOHNSON of Washington. The day has gone by when Congress will send out horse books by the hundreds of thousands, or any other Government publication, to be used as doorstoppers and props for barns, and things like that.

Mr. CANNON. It may be. If the gentleman had been here in the days of the horse book, representing an agricultural district as he does, I think he would have been "agonizing" for more copies than are here provided.

Mr. JOHNSON of Washington. Since I have been here I have seen, just through one of these congressional accidents, 1,500 copies of the Alaska laws, Alaska being a Territory, and under the machinery that we had then we were forced to distribute about 8 or 10 copies to each Member, so that the Member from Florida had his quota of the compiled laws of Alaska.

Mr. CANNON. You have cured that elsewhere in the bill—in section 20, probably. I suppose it is sufficiently well guarded by the provision that a Member of Congress may have an equivalent of what is provided by law of all these documents?

Mr. JOHNSON of Washington. Precisely.

Mr. CANNON. Or exchange, and have the amount in documents that he desires for distribution?

Mr. KIESS. Yes. That comes later. If I may answer the gentleman from Illinois, I would say that this particular part that he refers to is the existing law. There is no change from the existing law, and in addition to this the Joint Committee on Printing has authority to order printing to the amount of $200 if there is a shortage.

Mr. YATES. How many copies of the President's message will $500 provide?

Mr. KIESS. About 40,000 copies.

The CHAIRMAN. The pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

SEC. 4. Whenever any matter shall be ordered printed as a document or a report by either House, the order therefor shall include the number of copies, unless otherwise provided for, necessary to meet the following distribution:

Of the Senate numbered documents and reports, excepting reports on private bills and simple and concurrent resolutions, there shall be distributed, unbound, to the Senate document room, not to exceed 300 copies; to the House document room, not to exceed 500 copies; to the Secretary of the Senate and to the Clerk of the House, not to exceed 10 copies each.

Of the House numbered documents and reports, excepting reports on private bills and simple and concurrent resolutions, there shall be distributed, unbound, to the Senate document room, not to exceed 200 copies; to the House document room, not to exceed 500 copies; to the Secretary of the Senate, not to exceed 10 copies; and to the Clerk of the House, not to exceed 20 copies: *Provided*, That upon the order of any Senator or Member at the beginning of each session, one copy of every document of such session shall be delivered promptly to his office by the Senate or the House document room, respectively, from the number provided therefor in this section.

Of the Senate and the House numbered documents and reports, excepting reports on private bills and simple and concurrent resolutions, there shall also be distributed, unbound, as follows: To the Executive Office, 2 copies; to the Library of Congress, 3 copies; to the Department of State, for the use of the Diplomatic and Consular Service, 20 copies; to each foreign embassy and legation to the United States, the Government of which extends a like courtesy to the American embassy or legation thereto, 1 copy, to be supplied by the Superintendent of Documents upon requisition of the Secretary of State; to the Pan American Union, 2 copies; to the Government Printing Office, for official use, 5 copies; to the Superintendent of Documents, 2 copies; and to each executive department, independent office, and establishment of the Government, the head of which shall cause daily examination to be made of the CONGRESSIONAL RECORD for the purpose of noting the publication of and the immediate issuing of requisitions for documents and reports relating to his department, office, or establishment, a sufficient number of copies required for official use, which shall be charged to his respective printing allotment or appropriation available therefor.

Of the Senate reports on private bills and simple and concurrent resolutions there shall be distributed, unbound, to the Senate document room, not to exceed 150 copies, and to the House document room, not to exceed 200 copies.

Of the House reports on private bills and simple and concurrent resolutions there shall be distributed, unbound, to the Senate document room, not to exceed 100 copies, and to the House document room, not to exceed 500 copies.

Of both Senate and House reports on private bills and simple and concurrent resolutions there shall be distributed, unbound, to the Executive Office, 2 copies; to the Secretary of the Senate, not to exceed 10 copies; to the Clerk of the House, not to exceed 20 copies; to the Government Printing Office, for official use, 5 copies; to the Superintendent of Documents, 2 copies; to the Library of Congress, 2 copies: *Provided*, That reports on consolidated or omnibus private bills shall be printed for the Senate and the House document rooms the same as reports on public bills: *Provided further*, That reports on bills for the survey of rivers and harbors shall take the distribution of private reports.

Of the Senate and the House numbered documents and reports there shall be bound and distributed to the Executive Office, 2 copies; to the Senate and the House libraries, each, not to exceed 15 copies; to the Library of Congress, for its own use and for international exchanges through the Smithsonian Institution, not to exceed 110 copies, in either bound or unbound form as ordered by the Librarian of Congress; and to the Superintendent of Documents, a sufficient number, in either bound or unbound form, to enable him to make distribution to depository libraries: *Provided*, That only such Senate and House reports on private bills and simple and concurrent resolutions may be included in the distribution to international exchanges and depository libraries as shall be deemed of public importance by the Superintendent of Documents, but one copy of every report shall be distributed to the library of the documents office. The printing and binding provided for by this section shall be done in the manner directed by the Joint Committee on Printing.

Mr. CANNON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. CANNON. I would like to ask the gentleman a question. There is growing constantly, as the House has enlarged and as the country grows, much of important printing, including hearings on the appropriation bills and on revenue bills and other bills. Has the law been changed touching the printing of hearings upon order of committees?

Mr. KIESS. The committees have the same rights under this bill that they have had heretofore.

Mr. CANNON. I do not know whether it would be this committee or whether it would go to the Committee on Accounts. I know that the committee of which I have the honor to be a member during a session might order an amount of printing that could be placed in bulk between my two hands. In the case of the Committee on Ways and Means the amount probably is much greater. Then there is the Committee on the Judiciary and other important committees that require a great deal of printing. But there is only one committee of the House, so far as I know or believe, that indexes its hearings; and inasmuch as Members have so much business, it is impossible for them to become familiar without indexes to the hearings. The Committee on Appropriations, I believe, has always had its clerk index the hearings. Is that a matter that comes within the charge of the Joint Committee on Printing?

Mr. KIESS. It has nothing to do with the bill under discussion. It would be a matter of each committee having enough clerical help to do the indexing. They are permitted under resolution adopted at the beginning of a session to have printed what is necessary for the use of the committee.

Mr. CANNON. I do not know of more than one committee that indexes its hearings, and I undertake to say that the Committee on Appropriations, with less clerical help than any other committee of its importance in the House, with more hearings—unless it might be occasionally when the Committee on Ways and Means is sitting upon revenue bills—is the only committee that has all of its hearings indexed. You might just as well not have hearings printed unless they are indexed. With the time that Representatives take necessarily in answering calls of their constituents and getting, hop, skip, and jump, if possible, outside of the knowledge of the various reports of committees on important bills, the hearings which are without indexes are not of great use to the membership and are of no use practically to the House.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CANNON. I will ask for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent for five minutes additional. Is there objection?

There was no objection.

Mr. CANNON. I do not want to take the time of the House, but I would be glad to know if it is in the power of the gentleman's committee to report legislation, or an amendment to this bill, to provide for the indexing of committee hearings?

Mr. KIESS. Mr. Chairman, in reply to the gentleman from Illinois I will say that I fully agree with what he says as to the importance of the indexing of hearings, and the Committee on Printing of the House, of which I have the honor of being chairman, does index all of its hearings, and the Joint Committee on Printing, made up of the members of the Senate and House Printing Committees, does the same. It is unfortunate that all the committees do not do this; but I do not believe this section is the proper one to provide for its enforcement.

Mr. CANNON. I do not care who does it, but I should like to see it done speedily on this or some other bill, and it seems to me that the committee of which the gentleman is chairman might easily provide for it by an amendment.

Mr. KIESS. I think in section 7, on page 21, at the end of the proviso there will be a place where we can add an amendment. When we reach that section of the bill perhaps the gentleman from Illinois will offer an amendment.

Mr. CANNON. Oh, no; I am not an expert drafter of amendments. I merely want to suggest that that matter be passed over unless the gentleman can mature it before the bill is concluded.

Mr. KIESS. I will offer this amendment at the end of section 7.

Mr. CANNON. I would be glad if you would do so.

The CHAIRMAN (Mr. ELSTON). The Clerk will read.

The Clerk read as follows:

SEC. 6, PAR. 4. The Public Printer shall prepare and bind six complete sets of the printed bills and resolutions of each House of Congress, the volumes when bound to be preserved for reference, as follows: Two in the Library of Congress and one each in the document room and the library of each House.

Mr. KEARNS. Mr. Chairman, I move to strike out the last word. There have been two hours' debate upon this bill, most of that time being used in discussing the high cost of living and the recent war, which closed some 8 or 10 months ago.

I have moved to strike out the last word for the purpose of trying to get some information about this bill. I understand that the object of the bill is to save quite a sum of money—how much money?

Mr. KIESS. Half a million dollars a year.

Mr. KEARNS. How do you estimate that there will be a saving of half a million dollars?

Mr. KIESS. From reports from the Public Printer showing what will be saved in the way of publications.

Mr. KEARNS. I have not had time to read this bill, having only gotten in this morning.

Mr. KIESS. Has the gentleman seen the report of the committee which accompanies the bill?

Mr. KEARNS. Yes; I have seen the report. I would like to ask the gentleman if this bill includes in any way the expense of printing stationery for the various committees?

Mr. KIESS. Yes.

Mr. KEARNS. In what way does it limit the expenditure of money for the printing of stationery for the various committees of the House and Senate?

Mr. KIESS. The method of ordering stationery for the committees is the same under this bill as under the present law. It is ordered through the Clerk of the House by the chairmen of the various committees.

Mr. KEARNS. There has been no change then? This law does not change existing law as to the printing of committee stationery?

Mr. KIESS. We have inserted a provision that committee stationery shall not be used for campaign purposes.

Mr. KEARNS. I am advised that a great many Members of Congress get a large part, at least, of their stationery from the committees to which they belong. I have always been under the impression that each Member is allowed $125 to defray the expenses of his stationery for the year. Now, does it seem right to this committee that some Members should be furnished their stationery through the committees and still receive their $125 to defray that expense? It all comes from the Government after all, and has to be paid for by taxation. I was just wondering whether or not this bill corrected that seeming evil.

Mr. KIESS. This bill is supposed to restrict the use of committee stationery to committee business, and it is expected that the Member will purchase the stationery for his own use.

Mr. KEARNS. I understand the gentleman to say that it is supposed to limit it. Does it do so?

Mr. KIESS. After all, you have to put the Member pretty much on his honor about that.

Mr. KEARNS. I would think it would be very easy to cut out the printing of stationery and letterheads and envelopes for the use of committees.

Mr. JOHNSON of Washington. Let me answer the gentleman. An effort is being made, as everyone knows, by the Joint Committee on Printing to reduce governmental printing everywhere. The Clerk of the House undertook to request the chairmen of committees this year to reduce their orders for stationery, and practically all chairmen did make such reductions. On top of that, the House Committee on Printing authorized the Clerk of the House to reduce the orders further.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KEARNS. Mr. Chairman, since I am engaged in an effort to obtain information, I will ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. KEARNS. The chairman of the committee has just pointed out this further provision in the bill:

Provided further, That no letterheads, envelopes, or blank letter paper, furnished as provided in this paragraph, shall be used in furtherance of the candidacy of any Member for renomination or reelection.

That is at the bottom of page 22. It seems that any Member would be at liberty, however, to go to his committee, if he is fortunate enough to get the chairman of the committee to give him a supply of letterheads and envelopes, and use them in his private correspondence. Now, it seems to me that the same authority that this committee have to limit the use of these letterheads and envelopes in furthering a Member's campaign would extend to the prohibiting of the use of committee stationery for the correspondence of individual Members. It seems to me that that ought to be done. There is no reason why a Member should be given $125 per year to defray the expense of stationery and that he should then be allowed to save the $125 for some other purpose and go to some committee or committees of which he happens to be a member and, at Government expense, receive stationery enough to do him throughout the year except for campaign purposes. I am going to ask unanimous consent to allow this paragraph to be passed over at this time and be permitted to return to it later.

Mr. KIESS. We have not yet reached that paragraph.

Mr. KEARNS. When we do reach it, for the purpose of offering an amendment.

The CHAIRMAN. Does the gentleman make that as a request for unanimous consent?

Mr. KEARNS. Yes.

Mr. KIESS. We have not reached section 10, to which the gentleman refers. When we come to that section there will be opportunity to offer an amendment.

Mr. KEARNS. I am under the impression that I will not have my amendment ready at that time, and I am going to ask now unanimous consent that it be passed over; that I be allowed the privilege of returning to the section for the purpose of offering an amendment.

The CHAIRMAN. The gentleman from Ohio will have the opportunity of making that request at the time the section is reached.

Mr. KEARNS. And, further, I wanted to ask about these manila envelopes being distributed broadcast to the Members of this House and, I suppose, to the Senate. Is there any provision in the bill to limit that distribution?

Mr. KIESS. Mr. Chairman, there is a provision in this bill which limits the furnishing of manila envelopes free to Members, and it applies in this way: At the present time Members pay for the printing of their speeches, but they are furnished envelopes without cost. Under the provisions of this bill they not only pay for their speeches, but for the envelopes in which to inclose the speeches, but other envelopes in which to send out public documents are still furnished free.

Mr. KEARNS. This bill does not correct that evil, then?

Mr. KIESS. It corrects the evil to the extent of the envelopes used for speeches.

Mr. KEARNS. But it is limited to speeches?

Mr. KIESS. Yes.

Mr. KEARNS. If anyone wants to use one of these envelopes for the purpose of carrying on his private correspondence, he is still at liberty to do so?

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. KEARNS. Mr. Chairman, I am still seeking information and I am going to trespass upon the time of the House to again make a request for two minutes.

Mr. CLARK of Missouri. Make it five, for I want to ask the gentleman a question or two.

Mr. KEARNS. Very well, for five minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. CLARK of Missouri. Is there not a penalty of $300 for the use of a franked envelope for private purposes?

Mr. KEARNS. Does not the gentleman from Missouri believe that the penalty has come to be rather a joke?

Mr. CLARK of Missouri. I think it ought to be enforced.

Mr. KEARNS. It is not enforced, is it?

Mr. CLARK of Missouri. I do not know. I do not run the Post Office Department.

Mr. KEARNS. I know the gentleman does not; but the gentleman has been a Member of this body for 25 or 30 years and I ask him if he has ever known of a Member of Congress being arrested or punished in any way for a misuse of the mails in this respect?

Mr. CLARK of Missouri. I never did.

Mr. KEARNS. And never will.

Mr. CLARK of Missouri. They ran amuck I think here some years ago about shipping furniture and typewriters, and so forth.

Mr. FOCHT. And laundry.

Mr. CLARK of Missouri. I do not know how others do, and I do not suppose I am a bit better than the other Members of Congress about this, but I have instructed my secretary ever since I came here that if there was any doubt about whether a letter ought to be stamped or not, to stamp it.

Mr. KEARNS. I have given my secretary that instruction, but he always resolves the doubt in favor of the Member of Congress.

Mr. CLARK of Missouri. I told him to resolve the doubt in favor of the Government.

Mr. KEARNS. They do not often do that, I think.

Mr. HUDDLESTON. Mr. Chairman, will the gentleman yield?

Mr. KEARNS. Yes.

Mr. HUDDLESTON. I wanted to inform the gentleman that there is no penalty attached to a misuse by a Congressman. The only remedy the Government has is to sue him or take other legal steps for the collection of the postage which he should have paid.

Mr. KEARNS. Then, if I should send a letter that is not frankable, I would be sued by the Government for the 2 cents that would be due?

Mr. HUDDLESTON. If the gentleman is sending a letter which is not frankable under his frank, he will not incur any penalty beyond the postage that he should have paid.

Mr. CLARK of Missouri. What is this $300 penalty that is printed on the envelope?

Mr. HUDDLESTON. That is not found on a Congressman's stationery. That is a law applicable to certain departments and bureaus.

Mr. KEARNS. Then, if the chairman of the committee will permit, I would ask this: On these manila envelopes which we sometimes use, there is printed the fact that it contains a public document?

Mr. KIESS. Yes.

Mr. KEARNS. Suppose one were to insert in that a letter. The letter certainly would not be a public document. Is there a penalty against sending a private letter even on Government business in an envelope that is marked a public document?

Mr. CLARK of Missouri. No; it would be all right to put into the envelope a letter containing the words "public document," a letter about public business, undoubtedly. I want to get back to one thing that gentlemen were talking about when I came into the room, and that is about envelopes for speeches. I do not know the fact to be, but I take it to be, that the Printing Office, in figuring on a job of printing speeches, figures in the cost of envelopes.

If it does not, it ought to do so. Now, they figure, as I understand it, 10 per cent profit to the Government on the printing of these speeches. I know this, that you can go down town, or could several years ago, and if you are going to have a large number of speeches printed of any considerable length you could get them 10 per cent cheaper at a private printing office than at the Government Printing Office. I tried that experiment once. I made a speech once that I thought a good deal of. It had 32 pages in it. And on the bill for the speeches

I think it was $97 I saved by having them printed at a private office. Of course, they do not use as good paper as the Government. They do not have as wide margin as those printed at the Government Printing Office. They take the leads out, and it reduces the quantity, size, and so forth, but the average citizen believes, very erroneously—I have written it up three or four times, one way and another—that a Member of either House can order all the speeches printed that he wants free and they can get all the public documents they want free. Of course, we understand that is not true, and if the gentleman running this committee will get the people to understand and know that fact it would be well.

The CHAIRMAN. The time of the gentleman has again expired, and the Clerk will read.

Mr. HUDDLESTON. Mr. Chairman, I want to call the attention of the chairman of the Committee on Printing to the law regulating the use of a Congressman's frank. We get franked envelopes, and they are marked "public document, free," or "official business, free." Whatever head the matter comes under, it is stigmatized always with the word "free." That seems to me to be a very nonsensical thing. If we are going to send out a public document, why detract from its value by putting "free" on it. The people who receive it, of course, look at the "free" plastered over it and the document or other matter is damned in their eyes at the very beginning. They consider that it is something that is "free," and hence is of no value. When we write a letter to a constituent on official business, why stigmatize it on the outside as "free," and so worthless, no good, nonsensical? We should not detract from the value of the matter we send out by such a label. It is in derogation of the dignity of Congress. I think we owe it to ourselves, to the dignity of a great legislative body, if we are going to be allowed to use the frank, that we be allowed it under terms consistent with dignity and with good taste. It is very foolish, it seems to me, to put such a nonsensical label on a Congressman's correspondence.

Mr. KIESS. I want to call the attention of the gentleman from Alabama to section 16 of this act, in which we change that word "free," and we put in the words "postage free." Would that improve it?

Mr. HUDDLESTON. As a matter of sound sense what is the use of putting "postage free" on it? Does not the man who gets it have sense enough to see it has not got a stamp on it, and has he not got sense enough to know that a Congressman writing on official business can send out letters without paying postage? Why stigmatize it? Why put a label on it? Why indicate to the man there is something about it that is less worthy than if it were under a stamp? A Congressman's letters are entitled to as much respect if sent under frank as if stamped. If there is nothing worth while in them, if they are unworthy, they ought not to be sent, no matter what the label is. I insist it is a matter of the dignity of this body. It should be left to the Congressman to say whether it shall be sent under his frank or not. It is a matter of taste with him. It is a matter of honesty with him. This quibbling over a label or whatever else it may be in the matter of official correspondence, it seems to me, is unworthy of the respect we owe ourselves.

Mr. JOHNSON of Washington. Will the gentleman yield to let me tell why it is necessary?

Mr. HUDDLESTON. Why what is necessary?

Mr. JOHNSON of Washington. Why the word "free," or "official business," or "postage free," or something of that kind should be on it. I will tell the gentleman why. The gentleman himself might be out there in Alaska——

Mr. HUDDLESTON. I was going to say to the gentleman that it is not necessary.

Mr. JOHNSON of Washington. I will tell the gentleman why it is necessary. Suppose any Member of Congress should be out there in Alaska and desired to drop a letter in the box, an official letter, and write his name on it, he will find it is not recognized out there——

Mr. HUDDLESTON. I am too good a friend of the postal employees and I have too much respect for the postmasters of this country to think that we have such jackasses in those offices that they do not know that a Congressman can send mail marked "official business" without putting a stamp on it. The mere fact that the envelope is labeled "free" does not necessarily mean that it contains matter which would properly go under the frank and the postmaster is not given any useful information by the label "free." It is simply a nonsensical label and it seems to me time to recognize that fact.

Mr. MANN. Mr. Chairman, after all, these things grow up. Even so late as when I first came to the House it was not customary to have the name of the Congressman printed on the envelope. The custom even then was, and it is not so very long ago, for the Member either to sign his name with pen and ink, or in many cases they had a stamp which they stamped on the envelope, and one can readily see how the practice and the law developed. Originally the word "free" was placed upon the envelope over the signature of a Member of Congress to designate the fact that it was free under the law. He wrote his name and he wrote the word "free." After a while, when Members obtained the help of stenographers and sent out communications in larger quantities, the labor of writing the name or even the labor of stamping the name upon the envelope was so great that we commenced to furnish autograph signatures to the Printing Office and they commenced to print the name on the envelope.

Probably it does not make any great amount of difference whether we are authorized to send correspondence merely by signing "Name, M. C.," or whether we shall certify it is entitled to go free by "Name, M. C." I can not quite agree with my distinguished friend from Alabama that the word "free" on there indicates that it is worthless. My constituents, I am happy to say, have not considered my communications to them worthless because they are marked "free," and I am sure that is the case with the gentleman from Alabama.

The CHAIRMAN. The Clerk will read. The pro forma amendment is withdrawn.

The Clerk read as follows:

SEC. 7. That any committee or commission of Congress or of either House authorized to hold hearings or to conduct investigations, may have printed for its use not to exceed 1,000 copies in all of any hearing before such committee or commission upon pending legislation; but no such committee or commission may have printed more than 500 copies in all of any other matter preparatory to congressional legislation and germane to its official business, and such matter shall not exceed 100 printed pages in any one instance, except as may be specifically authorized by either House: *Provided*, That hearings and other publications of each committee and commission shall be numbered consecutively throughout a Congress.

Mr. KIESS. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KIESS: Page 21, line 8, after the word "Congress," insert:

"*Provided further*, That all hearings shall be indexed by the committee or commission ordering the same to be printed."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

The Clerk read as follows:

SEC. 10, PAR. 1. All letterheads, envelopes, tables, forms, hearings, and other printed matter, blank books and paper, and binding required for the official use of the Senate and the House, officers and committees thereof, shall be furnished by the Public Printer upon requisition of the Secretary of the Senate and the Clerk of the House, respectively: *Provided*, That printing and binding for the use of congressional commissions or joint committees shall be furnished the same as for committees of the Senate: *Provided further*, That no letterheads, envelopes, or blank letter paper, furnished as provided in this paragraph, shall be used in furtherance of the candidacy of any Member for renomination or reelection: *Provided further*, That the Public Printer is hereby authorized to send through the mails, under his frank, such printed letterheads, envelopes, and frank slips as may be so ordered for the official use of a Member at his home.

SEC. 10, PAR. 2. Upon requisition of the Secretary of the Senate or the Clerk of the House, the Public Printer shall furnish appropriately printed letterheads and envelopes and blank letter paper to the stationery rooms of their respective Houses for sale to Members at cost of paper and envelopes, prepaid, and the Secretary of the Senate and the Clerk of the House, respectively, shall reimburse the Public Printer for such letterheads, envelopes, and paper from the stationery appropriation credited to the Member ordering the same or from moneys received from him for such purpose, as said Member may elect: *Provided*, That any Member or officer of Congress desiring embossed instead of printed letterheads or envelopes may order the same by prepaying as herein provided, the cost thereof in excess of the amount that ordinary printing would cost the Government: *Provided further*, That nothing in this act shall prevent the purchase by the officers of the Senate and the House of such stationery and blank books as may be necessary for sale to Members in the stationery rooms of the two Houses.

The CHAIRMAN. The gentleman from Ohio [Mr. KEARNS] desired to make a reservation as to this section?

Mr. KEARNS. Yes.

The CHAIRMAN. What is the request of the gentleman from Ohio?

Mr. KEARNS. The request is for unanimous consent that we may return to this section at any time before the committee rises.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to return to this section at any time before the committee rises. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

SEC. 16, PAR. 1. The Public Printer shall furnish, at cost, to Members of Congress franked envelopes or slips ready for mailing such Government publications and extracts from the CONGRESSIONAL RECORD as a Member may order printed at his own expense at the Govern-

ment Printing Office. Envelopes or slips so furnished shall be printed in black ink only and contain in the upper left-hand corner thereof the following words: "United States Senate," or "House of Representatives, U. S.," "Part of CONGRESSIONAL RECORD," or "Government publication," "Postage free"; in the upper right-hand corner, the facsimile signature or the name of the Member ordering the same, and the letters "V. P.," "U. S. S." or "M. C."; in the lower right-hand corner the name of the State or Territory or city, if the principal part of the Member's district is included in such city; and in the upper left-hand corner may also be printed, in case of an extract from the CONGRESSIONAL RECORD, the name of the Member, the date, the topic or subject matter, and a quotation from the RECORD of not to exceed 30 words. No other words shall be printed thereon except the title of a Government publication which may be mailed under such franks.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word.

I would like to ask the chairman if this provision with respect to what shall go on such an envelope, as has been described in this paragraph, is exactly correct? Does it not convey a wrong impression to the general public? In other words, a Member of Congress has the privilege of ordering copies of remarks or any portion of the CONGRESSIONAL RECORD, and has the privilege of sending them out under his frank to any person in the United States through the mails. Now, on each one of these envelopes heretofore under the law the word "free" has to be printed, and still under the provisions of this bill it must be kept there. Now, the only reason for that word "free" is that the document is transmitted freely through the mails under the frank and that the frank is in lieu of postage, for, as a matter of fact, although not understood by the public—and it is a matter, I might say, for which we are continually criticized through the newspapers—Members of Congress pay the Public Printer out of their own pocket for every speech that we have printed down at the Government Printing Office, the public believing that it costs us nothing and that such documents are furnished absolutely free to us, when, as a matter of fact, we pay for them. For instance, I might mention that I wanted to send my colleagues the copy of some remarks I made concerning a bill over here—the pending Nolan-Kenyon bill—and I did send on day before yesterday each one of you a copy of it, and I also sent each Senator and others copies of it, and I paid $460.13 to the Public Printer for this one speech, and to-day I paid the Public Printer $158.73 for additional copies of this speech, making a total of $618.86 I have paid the Public Printer for this one speech, yet it is marked "free." It did not come free to me.

Mr. KIESS. Mr. Chairman, in reply to the gentleman I will say that in the bill we have provided the words "postage free" instead of the word "free," and if the Members want to get rid of the word "free" I will offer a committee amendment to change that to read "official business."

Mr. BLANTON. All I want to do is to call to the attention of the public generally that when Congressmen do send this matter out—I do not know whether it does the public any good or not, but I presume it does; I presume our people at home have an inherent right to know something of what we are doing here as their representatives in Congress—when we see fit to send them matters concerning action taken on the floor here from time to time we have a right to do it, but when we pay for it out of our own pockets, with our good money, they ought not to be told continually through the press that this is free and that it is furnished free to Congressmen, and they—the people—are paying the bill and the Congressmen are getting the benefit of it. I am willing and desirous of my people knowing what I do and what I do not do here, and I spend considerable of my own money keeping them posted. I want to keep in touch with them, and I want my people to keep in touch with me.

Mr. KIESS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. KIESS] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KIESS: Page 26, line 16, after the word "publication," strike out the words "postage free" and insert in lieu thereof "official business."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

Mr. TILLMAN. Mr. Chairman, I move to amend section 16, on page 26, by inserting after the word "furnish," in line 7, the word "free" and striking out the words "at cost" immediately following the word "furnish."

The CHAIRMAN. The gentleman from Arkansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. TILLMAN: Page 26, line 7, after the word "furnish," insert the word "free" and strike out the words "at cost."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. TILLMAN. Mr. Chairman, I would like to ask the gentleman in charge of the bill just why he thinks the Members of Congress should penalize themselves by voting for this provision which proposes to compel Members to pay for that which they have been getting free all these years?

I see no objection to compelling Members to pay for the printing of their speeches, but certainly it is a very slight imposition on the Government for it to continue to furnish without charge these envelopes, as it has been doing in the past. Those who at this time are earning salaries like Members of Congress have been hit harder, perhaps, by the high cost of living than any other class of our people. I thought we had passed the time when it seemed necessary to cut our mileage or cut our stationery account in order to attract attention to our love of economy. Certainly the Government can afford to furnish free to Members of Congress the envelopes that are to carry their speeches.

Will the gentleman in charge of the bill explain why he felt it was necessary to strafe Members of Congress to this extent?

Mr. KIESS. Mr. Chairman, I will say to the gentleman and to the members of the committee that this amendment, if passed, will leave the law as it now exists. The committee, in making this change, felt, after making investigations, that really about three-fourths of the envelopes, the total cost of the same amounting to something like $100,000 per year, were not used by Members for their personal use entirely, but were used by other persons. Anyone knowing that Members of Congress received these envelopes free of charge would feel perfectly free to ask for an unlimited number; but if he knew that the Member had to pay for the envelopes as well as for the printing of the speeches or the documents, it would have a tendency to reduce the number.

Mr. TILLMAN. Mr. Chairman, will the gentleman yield?

Mr. KIESS. Yes.

Mr. TILLMAN. You say the purpose of the committee in proposing section 16 is to prevent outsiders from taking advantage of the fact that Members of Congress have the franking privilege, for the purpose of sending out propaganda. Do you not take care of that matter elsewhere in the bill?

Mr. KIESS. We do, in part.

Mr. TILLMAN. Then do not punish us as you seek to do in this provision. Get after the people who take advantage of Members by using their frank.

Mr. KIESS. We are not standing in the position of insisting on this. We thought here was an opportunity to save some money for the Government, and that so long as Members pay for the printing of their speeches they should also pay for the printing of the envelopes. It is a matter for the House to decide.

Mr. TILLMAN. I understand the gentleman does not insist that the provision be not amended as suggested?

Mr. KIESS. No.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. DENISON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. DENISON. Mr. Chairman, I want to speak in favor of the amendment offered by the gentleman from Arkansas [Mr. TILLMAN]. Does this apply to the manila envelopes in which we send out the farmers' bulletins?

Mr. KIESS. No.

Mr. DENISON. Just the envelopes we use in sending out our speeches?

Mr. KIESS. Yes. At the present time you pay only for the speeches, and the envelopes are furnished free. I think probably section 17 will take care of the matter of the abuse of this privilege fairly well. If the House feels that it wants to pass this amendment, the committee will not object.

Mr. DENISON. I hope the House will pass this amendment. I think it is a proper amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Arkansas [Mr. TILLMAN].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 16, PAR. 2. The Public Printer shall furnish, without charge, to Members of Congress franked slips or manila envelopes ready for mailing such Government publications as are printed at Government expense for public distribution. Envelopes or slips so furnished shall be printed in black ink only and contain in the upper left-hand corner thereof the following words: "United States Senate," or "House of Representatives, U. S.," "Government publication," "Postage free"; in the upper right-hand corner, the facsimile signature or the name of the Member ordering the same, and the letters "V. P.," "U. S. S.," or "M. C."; in the lower right-hand corner the name of the State or Ter-

ritory or city, if the principal part of the Member's district is included in such city. No other words shall be printed thereon except the title of a Government publication which may be mailed under such franks: *Provided*, That any Member desiring white envelopes instead of manila envelopes as provided herein may order the same by prepaying the cost thereof in excess of the amount that such manila envelopes would cost the Government: *Provided further*, That the Public Printer shall furnish to the Department of Agriculture such franks as the Secretary of Agriculture may require for sending out seeds on congressional orders, which franks shall be printed as provided herein and shall also bear the words "United States Department of Agriculture, Congressional Seed Distribution," or such other printed matter as the Secretary of Agriculture may direct, and be of such size and style as may be prescribed by him: *Provided further*, That the expense of printing franks and franked envelopes as provided for in this paragraph shall be charged to the allotment of appropriation for printing and binding for Congress.

Mr. KIESS. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KIESS: Page 27, lines 11 and 12, after the word "publication," strike out the words "Postage free" and insert in lieu thereof the words "Official business."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 17. It shall be unlawful for any person entitled to congressional franked envelopes or slips under the provisions of this act to furnish the same, either directly or indirectly, to any individual, firm, corporation, committee, organization, or association for the use or benefit of such individual, firm, corporation, committee, organization, or association: *Provided*, That the foregoing provision shall not apply to any committee or commission of Congress, or either House thereof, but no such committee or commission shall furnish franked envelopes or slips, either directly or indirectly, to any individual, firm, corporation, committee, organization, or association for the use or benefit of such individual, firm, corporation, committee, organization, or association: *Provided further*, That it shall be unlawful for anyone except the Public Printer to print congressional franked envelopes and slips for the mailing of Government publications and extracts from the CONGRESSIONAL RECORD, and all such franked envelopes and slips hereafter printed shall bear the imprint of the Government Printing Office: *Provided further*, That the Public Printer shall include in his annual report to Congress a statement showing, by name, the number and cost of franked envelopes and slips furnished free to each Member, officer, committee, and commission of Congress during the preceding fiscal year: *Provided further*, That any person who shall violate the provisions of this section shall be fined not more than $1,000 for each offense.

Mr. DENISON. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DENISON: Page 28, line 14, after the word "indirectly," strike out the comma and insert a comma after the word "to," in line 14, and after the comma insert the words "or permit the same to be used by."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

Mr. DENISON. Let the Clerk indicate how it will read when amended.

The Clerk read as follows:

So that the paragraph will read: "Either directly or indirectly to, or permit the same to be used by, any individual, firm, corporation, committee, organization, or association for the use or benefit of such individual, firm, corporation, committee, organization, or association."

Mr. DENISON. I offer that in order to make it more comprehensive. A man might not furnish it, but he might permit it to be furnished.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

Mr. DENISON. Mr. Chairman, I offer an amendment at the close of the section.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Amendment offered by Mr. DENISON: Page 29, line 12, after the word "offense," strike out the period and insert a comma and the following words: "and shall forfeit to the United States an amount equal to double the value of such franked envelopes or slips and double the amount of postage that would have been required to send such franked envelopes or franked material through the mail, to be recovered by proper action at law in any court of competent jurisdiction by the Postmaster General of the United States."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 20. PAR. 1. Any Member or officer of the Senate or the House who is entitled by law or resolution to an allotment of Government publications in the folding room of the Senate or the House, or of farmers' bulletins, is hereby authorized to direct the Public Printer, in writing, not to print his respective quota of any such publication which he may not desire for distribution; and, if notice thereof is received prior to printing the same, the Public Printer shall deduct such number from the number of copies to be printed and shall direct the superintendent of the respective folding room or the superintendent of documents not to allot or distribute such publications to the Member or officer of either House so authorizing the Public Printer. The value of the publications not printed as provided herein shall be credited by the superintendent of documents, under direction of the Public Printer, to the Member or officer of either House from whose quota such publications were deducted, and such Member or officer shall be entitled to order of the superintendent of documents Government publications of which there is a free distribution, available for free public distribution by such Member or officer to the amount so credited to him, not exceeding $2,200 each for the Vice President or any Senator, and not exceeding $1,800 each for any Representative, Delegate, Resident Commissioner, or officer of either House who is entitled by law to an allotment of Government publications in any one fiscal year; and the total annual amount of such credits for each person entitled to the same shall be reported to Congress by the superintendent of documents at the beginning of each regular session thereof: *Provided*, That no credits shall be available or used for any other purpose than as authorized by this section, and they shall not be subject to transfer or assignment from one person to another or in any wise held to be a personal asset of the individual in whose name such credits may be recorded: *Provided further*, That the superintendent of documents is hereby authorized to exchange, for free public distribution by a Member or officer of either House, publications which he may have available for such purpose for those of equal value which a Member or officer of either House may have to his credit in his respective folding room; and, for the purpose of facilitating such exchanges, the superintendent of each folding room shall advise the superintendent of documents, on request, as to the number of any document that a Member or officer of either House may have to his credit therein: *Provided further*, That the superintendent of documents shall not supply publications on any valuation or exchange account in excess of the amount lawfully credited to the person having such an account with him; nor shall said superintendent charge any such account with publications at less than the price fixed therefor by the Public Printer, which price shall be uniform and shall be sufficient to cover the cost of paper, printing from plates, and binding: *Provided further*, That the valuation or exchange credits as provided for herein shall not be available for copies of the speeches of any Member of Congress, officer of the Government, or any other person, in whatever form printed, but this shall not apply to the addresses or messages of the President to Congress or to memorial addresses and statute proceedings authorized to be printed for congressional distribution: *Provided further*, That in the event of a vacancy in any position entitled to an allotment of Government publications, such credits and documents of the person who held the position shall go to his successor; and all publications allotted to a Member or officer of either House in the folding rooms of the Senate and the House which are not taken by him prior to the expiration of his service in Congress shall be placed to the credit of his successor: *Provided further*, That any person to whom Government publications are allotted or credited as provided for by law, or any employee or agent of such person, or any officer or employee of Congress or either House thereof, who shall sell or dispose of for gain or profit any publications obtained either directly or indirectly under the provisions of this act shall be fined not more than $1,000: *Provided further*, That if the Public Printer, the superintendent of documents, or any other officer or employee of the Government Printing Office shall permit or knowingly be party to any violation of this section, whereby the Government shall suffer any loss therefrom, he shall be fined not more than $5,000 or imprisoned not more than five years, or both.

Mr. KIESS. Mr. Chairman, I offer an amendment to correct a typographical error.

Mr. BLANTON. Mr. Chairman, may I ask the chairman of the committee a question?

Mr. KIESS. Yes.

Mr. BLANTON. While we are considering the provision to impose a penalty, we provide that if a Member should attempt to dispose of any of these periodicals for gain he would be guilty of a crime and punishable by fine and imprisonment. I do not know that it ever has been done or ever will be done. Why should we not at the same time make it a crime for any person to acquire by purchase or otherwise such Government documents?

Mr. DENISON. If the gentleman will yield, would it not be pretty difficult, then, to get any evidence if you make them both guilty?

Mr. BLANTON. I think we ought to make them both guilty.

Mr. DENISON. How would you get any evidence of it, then?

Mr. BLANTON. Why, when adultery is committed both parties are guilty, and yet we get evidence to convict.

Mr. DENISON. I think there is just a little bit of difference between the two cases. In one case there is pretty plain evidence, in the other case there is not.

Mr. BLANTON. Oh, sometimes, in the illustrative case mentioned by me, the crime is a most secretive one, and the evidence is not so plain and easily obtainable as the gentleman would imagine, and yet the Government procures the evidence and obtains convictions, even though both parties to the transaction are equally guilty.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. KIESS] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KIESS: On page 33, line 18, after the word "and," strike out the word "statute" and insert in lieu thereof the word "statue."

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 21. The printing of the following publications for congressional distribution as heretofore provided by law shall be discontinued, and the provisions of law requiring that such reports shall be submitted to Congress are hereby repealed: Monthly Summary of Foreign Commerce of the United States, Annual Report of Foreign Commerce and Navigation of the United States, Annual Report of the Health Officer of the District of Columbia, Annual Report of the Bureau of Ethnology, Bulletins of the Bureau of Ethnology, Bulletins of the Bureau of Fisheries, Geological Bulletins, Geological Professional Papers, Geological Water-Supply Papers, Topographic and Geologic Maps and Atlases, Charts of the Coast and Geodetic Survey, Memoirs of the National Academy of Sciences, the American Ephemeris and Nautical Almanac, Publications of the Naval Observatory, Annual Report of Field Operations of the Bureau of Soils, Annual Report of the Commercial Relations of the United States with Foreign Countries, Navy Yearbook, and the Annual Report of the Commissioner of Patents with list of patents.

Mr. ELSTON. Mr. Chairman, I move to strike out the last word. I should like to ask the chairman of the committee with respect to the list of publications printed on page 36, which are hereafter to be eliminated from the quota to be allotted to Congressmen and are not to be printed at all. This reads very much like a monthly list of credits that Congressmen have at the document room, and most of these designations are somewhat familiar. Now, are they to be taken off from the list that we are furnished by the document room?

Mr. KIESS. Yes; they are automatically taken off from the list.

Mr. ELSTON. I went over that printed list, which contains the names of the reports to be made to Congress and distributed to Congressmen, and in that list are a great many of the publications mentioned here in section 21 and a great many others which I believe are about as useless for distribution as a good many of those here mentioned. I should like to ask with reference to publications like these, which are not included in section 21: Agricultural Experiment Station papers, Army Register, what they call Finance Papers, United States maps, mounted and unmounted, the Navy Register, Smithsonian papers, and the Statistical Abstract. Of course some of these are valuable and some are not; but I should like to know just why some that I have mentioned are left off from this list.

Mr. KIESS. In reply to the gentleman, I will say that the committee thought this was making a pretty good start, and we followed closely a resolution which was passed by the House in the Sixty-third Congress discontinuing the printing of certain publications. It was passed as a joint resolution, but did not go through the Senate. We took this as an expression from the House that they wanted these particular publications discontinued. Now, with reference to the others, they can be taken care of by each Member under this valuation plan. All he needs to do is to notify the Public Printer that he does not want them in his allotment.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. ELSTON. I ask that I may have five minutes more.

The CHAIRMAN. The gentleman from California asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. KIESS. The gentleman will understand that we selected these publications because the House had taken action on same. As to the others, I agree that a number of them are not very important to Members of Congress, at least to Members representing certain sections, but they can all be taken care of under the valuation plan, whereby a Member not wanting any of these reports can notify the Public Printer, and they will not be allotted to him.

Mr. ELSTON. These mounted United States maps must cost a good deal, and if 20 of them are allotted to each Congressman, that represents 8,000 maps. I do not know what it costs to print them, but of course there is nothing extraordinary about those maps. Under this reservation plan, or what may be called special orders, I do not suppose it is intended that one Member, who has a credit of $1,200 for documents, shall order $1,200 worth of these maps, which are not documents at all. That would be an absurd abuse of the privilege; but I think it is possible under the power that you give here to Members to centralize on certain publications and documents and that some Member might do that very kind of thing.

Mr. KIESS. Let me say to the gentleman that there is a specific appropriation made every year by Congress for the publication of these maps.

Mr. ELSTON. Where is that found?

Mr. KIESS. It is carried in one of the appropriation bills each year.

Mr. DENISON. The sundry civil bill.

Mr. KIESS. In the legislative, executive, and judicial appropriation bill, and Congress can stop the printing entirely by refusing to grant the appropriation, if it wishes to do so.

Mr. ELSTON. That is pertinent to an inquiry I was just about to make. It would do no good, then, for me to insert here an amendment to include in the list, in section 21, of discontinued publications, these mounted United States maps?

Mr. KIESS. No; that would be taken care of in another way.

Mr. BRIGGS. Mr. Chairman, I move to strike out the last word, in order to ask the chairman a question or two with reference to several of these documents which it is proposed to discontinue. In section 21, on page 36, I observe in the list the bulletins of the Bureau of Fisheries. Does that refer to the bulletins that the Bureau of Fisheries issues with reference to the character of fish which are edible and which fact is determined by experiments through that bureau?

Mr. KIESS. No; it does not refer to that. The annual bulletin only is referred to here.

Mr. BRIGGS. The Bureau of Fisheries informs me that they have been seriously handicapped in informing the people of the value of food fish because they have no appropriation and have no means, therefore, of informing the people of that fact.

Mr. KIESS. This is the annual bulletin, and each Senator is entitled to receive 10 copies and each Representative 4 copies.

Mr. BRIGGS. This does not affect the food bulletin that they are accustomed to issue?

Mr. KIESS. No; it has nothing to do with that.

Mr. GOOD. Mr. Chairman, will the gentleman from Texas yield?

Mr. BRIGGS. Yes.

Mr. GOOD. For a statement. The Department of Commerce about two or three years ago received an appropriation for instructing in the canning, cooking, and preserving of the dogfish, also called the grayfish. The Department of Commerce under that appropriation commenced to instruct the canners, especially in Massachusetts, upon how to can the dogfish.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. GOOD. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Without objection, it will be so ordered.

There was no objection.

Mr. GOOD. The canners followed the direction of the Department of Commerce, and the result was that last year the Secretary of Commerce came before the Committee on Appropriations and asked for an appropriation, as I now recall, of about $20,000, and this year asked for an appropriation of over $40,000, with which to reimburse the canners, because the department had instructed them along a line that was not in their interest, and their pack could not be used as food at all. The result was that they wanted out of the Treasury of the United States the payment to these canners to reimburse them for following the advice of the Department of Commerce in the manner of cooking dogfish.

Mr. BRIGGS. I do not know anything about the experience of the canners with the efforts of the Department of Commerce to inform them about their business, and I do not think that has anything to do with the efforts of the Bureau of Fisheries to instruct the public in respect to fishes that are edible. That is the only matter to which I have reference. I have no reference whatever to the preparation of those foods. It is simply a question of determining whether a certain fish is edible or not. For instance, in the red-snapper fishing off the banks of Yucatan they catch in great numbers certain fish in addition to the red snapper. The Bureau of Fisheries tells me that this fish is a very desirable fish, quite edible, but the people are not educated to it, and they will not buy it in the markets. It is for the purpose of letting the people know through experiment in some way what are edible fishes, and it is for that reason that I am making this inquiry, with respect to the retention of the bulletins of the Bureau of Fisheries.

The only other publication that I am about to make any question in respect to is the Monthly Summary of Foreign Commerce of the United States. We are spending millions of dollars here now for the organization of a merchant marine. We have millions of tons of shipping, and it is of the highest importance that people should have these statistics, to determine whether or not it is profitable and to what extent to engage in foreign commerce, where the ships are being used, where they are going, and what commerce they are carrying, and what tonnage is being carried. It does not seem to me to be a wise thing to strike out the publication in respect to the foreign commerce of the United States.

Mr. KIESS. The gentleman understands that this does not provide for doing away with the publication, but it is only the matter of the allotment to Congress. I might say that of this report each Senator is now allowed five copies and each Representative two, and the records of the folding room show that there has been a larger accumulation of this particular document in proportion than of any other.

Mr. BRIGGS. I think that is probably so because we have just started upon our shipping.

Mr. KIESS. The gentleman will be able to get this from the department. They will issue them just the same.

Mr. DENISON. Mr. Chairman, will the gentleman yield?

Mr. BRIGGS. Yes.

Mr. DENISON. I would like to ask the gentleman from Texas if there are any of these dogfish in the gentleman's district?

Mr. BRIGGS. Yes; some in the Gulf of Mexico.

Mr. DENISON. Does not the gentleman think, then, that the point raised by the gentleman from Iowa [Mr. GOOD] is well taken and that these canners ought to be reimbursed?

Mr. BRIGGS. No; I have no concern at all about them. I think the canners ought to find out for themselves when they engage in that business how to prepare the food. I do not think the Government is running a department of domestic economics.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

The Clerk read as follows:

SEC. 27. PAR. 1. The libraries of each executive department and independent establishment of the Government in the District of Columbia, the United States Military Academy, the United States Naval Academy, each State and Territory, the District of Columbia, the government of the Philippine Islands at Manila, the government of Porto Rico at San Juan, the Panama Canal at Balboa Heights, Canal Zone, the Pan American Union, the Public Documents Office, the Historical Library and Museum of Alaska, each land-grant college, and the American Antiquarian Society of Worcester, Mass., and in addition thereto not to exceed one library for each congressional district and Territory and two libraries at large for each State, to be designated by the superintendent of documents under such regulations as shall be approved by the Joint Committee on Printing, are hereby constituted depositories of Government publications, and all designations now existing shall be permanent, except as otherwise provided in this act.

Mr. CANNON. Mr. Chairman, I move to strike out the last word. In hastily running through section 27, paragraph 1, I notice a reference to the libraries of the country. There are many of them that have been designated to receive public documents from Members of Congress. Is there anything in this act that repeals the law which authorizes those libraries to receive such documents?

Mr. KIESS. No; there is nothing in the law repealing it. In fact, this makes it permanent.

Mr. CANNON. Take the library in my own town, the Carnegie Library in the city of Danville, about 40,000 people. They have been receiving these documents, and as I hastily glanced through three or four pages here——

Mr. KIESS. The gentleman does not find it?

Mr. CANNON. I gathered the impression that possibly they were not to be furnished in the future.

Mr. KIESS. On page 40, in line 7, it says, "and all designations now existing shall be permanent, except as otherwise provided by this act."

Mr. CANNON. And there is no provision that would interfere with that?

Mr. KIESS. No.

Mr CANNON. I thank the gentleman.

Mr. CHINDBLOM. May such designations be made now? This provision, on page 40, says "all designations now existing." May Members of Congress now make designation for public documents to be furnished to libraries?

Mr. KIESS. Up until the time when this becomes a law, yes.

The CHAIRMAN. Without objection, the postponement will then be withdrawn.

There was no objection.

The Clerk resumed and concluded the reading of the bill.

Mr. KIESS. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The CHAIRMAN. There was a request made for unanimous consent to return to section 10. That request was granted. If anyone desires to return to that section for the purpose of offering amendment, the committee will do so.

Mr. KIESS. The gentleman who made the request has left, with the understanding that he would not ask it.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CAMPBELL of Kansas, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill H. R. 8362 had instructed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. KIESS. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The question was taken, and the amendments were agreed to.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. KIESS, a motion to reconsider the vote by which the bill was passed was laid on the table.

EXTENSION OF REMARKS.

Mr. UPSHAW. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. UPSHAW. I desire to ask unanimous consent to extend my remarks by printing in the CONGRESSIONAL RECORD two communications, one from the Chamber of Commerce of Atlanta and the other from the Atlanta Federation of Trades, concerning the present railroad situation.

The SPEAKER. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD by printing certain communications in reference to the present railroad situation. Is there objection?

Mr. MONDELL. Mr. Speaker, reserving the right to object, how long are these communications?

Mr. UPSHAW. I think both together will not make more than a page.

The SPEAKER. Is there objection?

Mr. UPSHAW. They are strictly nonpartisan, I will say to the gentleman.

Mr. MONDELL. I am sure of that. It relates to the present railroad situation?

Mr. UPSHAW. The present railroad and strike situation.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. ALMON, for five days, on account of official business.

To Mr. CANDLER, for one week, on account of illness in his family.

CONGRATULATIONS.

Mr. GARNER. Mr. Chairman, I merely wanted to get the attention of the gentleman from Wyoming, the majority leader, and to congratulate him on the work we have done to-day and to call his attention to it as an example that we can still do business.

Mr. MONDELL. If you will only give us a chance. I think the House is to be congratulated on the splendid work which it has done to-day in the passage of this bill, a very important piece of legislation, which will result in a saving of at least half a million of dollars a year, and I am very glad indeed it has been passed. It is an evidence of the ability of the Congress to dispose of business promptly and consider legislation carefully and thoroughly. [Applause.]

Mr. GARNER. I am calling the attention of the majority leader to the suggestion that we continue to try to transact business and pass bills that are now on the Calendar. If so, I think we will dispose of a good deal of business while we have not a quorum here.

PERMISSION TO ADDRESS THE HOUSE.

Mr. MACGREGOR. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. MACGREGOR. I would like to ask unanimous consent to address the House for two minutes if I may do so.

The SPEAKER. The gentleman from New York asks unanimous consent to address the House for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MACGREGOR. Mr. Speaker, many Members of this House are members of the order of Knights of Pythias, and will, I feel sure, be interested in a copy of a telegram which I have just received, addressed by the supreme chancellor of the order to the President of the United States, upon the vital question now confronting us on the high cost of living.

In this country of ours, without castes and classes, we have no special groups to exert influence or unite in opposition or support of measures that come before us for consideration, apart from our party political organizations and occasional sporadic groupings of selfish interests with the single aim of

furthering the special scheme in which they may be temporarily concerned. The instinct for organization, for acting with friends and comrades, is an old, old human instinct, and in this country it has been the motive power that brought into being the various organizations known as fraternal organizations and to some one of which nearly every adult American belongs. It is a source of gratification to reflect that in every crisis through which the country has passed the fraternal organizations have been ever on the side of righteousness, of civic integrity, and the maintenance of the highest American ideals, and as we have depended on them to throw their mighty potentialities into the scale on the side of justice and liberty in the past, so to-day they are a bulwark of strength for all that is true and enduring in American idealism to rest upon; a mighty force for the inculcation and preservation of the liberty, fraternity, and equality upon which our form of government is founded and an impregnable Gibraltar against the surging waves of Bolshevism, social disorder, and anarchy that threaten to destroy civilization itself in every country in the world.

The order of Knights of Pythias had its birth in this city, the Capital of the Nation, February 19, 1864. It was born from a desire to heal the wounds of the Civil War and restore the spirit of friendship between our people. It was an American institution, born under our flag.

The spirit that was the cause of its birth found response in the hearts of thousands of men—North, South, East, and West—and from the little band of 13 men in 1864 there has grown a great organization of practically 750,000 men.

The principles of its organization—friendship, charity, and benevolence—have appealed to all, and the sun now never sets upon its lodges.

It has played an important part in American history. It has been a source of strength to our Nation in time of peace and in time of war. It has brought men closer together. It has made them less selfish. It has contributed to good citizenship. It has been true to the home and domestic relations. It has protected and cared for the widow and the fatherless. It has always been true to the flag of our country.

In this land and others it cares for those who are sick or in distress. Its homes for the orphan, the aged, and the helpless are its brilliant jewels in almost every State of the Union.

The SPEAKER. The time of the gentleman has expired.

Mr. MACGREGOR. May I proceed for one minute more?

The SPEAKER. The gentleman from New York asks unanimous consent to proceed for one minute more. Is there objection?

There was no objection.

Mr. MACGREGOR. In times of war it has sent to the front thousands of its members, and in the recent war was active and energetic in all activities tending toward victory and toward caring for the desires and needs of those who fought as well as those loved ones left behind by our fighting boys at the front. [Applause.]

It has always been keenly alive to the great questions confronting our Nation, and as an evidence of its interest in the present problems and desire to share in their solution, with the permission of the House, I will insert in the RECORD a telegram recently sent by the supreme chancellor, Hon. Charles S. Davis, of Colorado, to the President of the United States. [Applause.]

DENVER, COLO., *August 5, 1919.*

Hon. WOODROW WILSON,
President of the United States, Washington, D. C.:

The Government of the United States demonstrated its mighty power in mobilizing the greatest Army ever assembled to wage battle against autocracy and militarism. Our patriots gave unfaltering evidence of valor and purpose and succeeded in rendering gigantic service for the cause of liberty and righteousness. The Government of the United States commandeered America's resources to assure victory for the cause of her allies and America. In the interest of the people the Government of the United States invoked its authority and power in fixing prices during the war to thwart the avarice of the profiteer. The war ended in a glorious victory. Shall we now have the peace that should be ours as a just reward for the sacrifices made? The Government of the United States must again invoke the strong arm of its authority and take immediate and, if necessary, drastic steps to bring relief in the matter of the high cost of living. The economic poise of our country is threatened. We are confronted with a national crisis unless the Government acts promptly. The Order of Knights of Pythias pledged to the Government its man power and all its resources to aid in winning the war. The Order of Knights of Pythias again exhibited its patriotism and loyalty and pledged to the Government its man power and all its resources to aid in the after-war readjustments and reconstruction. The Order of Knights of Pythias represents no class. It represents humanity, and in the interest of humanity the supreme chancellor, speaking for the order and in behalf of all the people, urges upon the President of this great Republic to cause to be made of first importance a thorough investigation of the impending economic situation within the borders of our own country and insist upon the stern application of remedies that must be applied to relieve the situation fraught with danger and calculated to disturb if not destroy the fruits of our own victory. Those engaged in promoting selfish ends by exploiting the people must be brought to account. The Nation must not be permitted to suffer at the hands of the exploiter of the Nation's peace, prosperity, and happiness. Immediate action is imperative. The Government must act.

CHARLES S. DAVIS,
Supreme Chancellor of the Order of Knights of Pythias.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following joint resolution:

H. J. Res. 150. Joint resolution to suspend the requirements of annual assessment work on certain mining claims during the year 1919.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 40 minutes p. m.) the House adjourned until Thursday, August 14, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Labor submitting supplemental estimate of appropriation to enable the Secretary of Labor to render aid and assistance to the President in connection with his efforts to combat and cope with conditions causing the high cost of living (H. Doc. No. 185); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of Commerce submitting a supplemental estimate of appropriations required for certain bureaus of the Department of Commerce to enable them to cooperate in the effort being put forth at the suggestion of the President to reduce the cost of living (H. Doc. No. 186); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. WATSON of Pennsylvania, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 8117) for the construction of a bridge across the Susquehanna River at Falls, Wyoming County, Pa., reported the same with amendment, accompanied by a report (No. 229), which said bill and report were referred to the House Calendar.

Mr. SANDERS of Indiana, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 641) to amend section 10 of an act entitled "An act to provide for the operation of transportation systems while under Federal control, for just compensation for their owners, and for other purposes," approved March 21, 1918, reported the same with amendment, accompanied by a report (No. 230), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SWEET: A bill (H. R. 8421) authorizing the Secretary of War to donate to the city of Worthington, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GREENE of Massachusetts (by request): A bill (H. R. 8422) providing for the recording of mortgages on vessels and notation thereof on certificates of registry or enrollment and license, creating jurisdiction in the district courts of the United States for foreclosure of such mortgages, and providing procedure in connection therewith; also providing for maritime liens upon vessels for necessaries, etc., and their enforcement, and subordinating the same to the liens of mortgages; repealing all conflicting acts; and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. KELLER: A bill (H. R. 8423) providing additional compensation to certain employees of the Post Office Department for overtime service; to the Committee on Expenditures in the Post Office Department.

Also, a bill (H. R. 8424) for increased compensation to postal employees during the current fiscal year; to the Committee on Expenditures in the Post Office Department.

By Mr. KINCHELOE: A bill (H. R. 8425) granting additional pay to the officers and enlisted personnel of the Army, Navy, and Marine Corps; to the Committee on Ways and Means.

By the SPEAKER: Memorial from the Legislature of the State of Montana, urging appropriation for the irrigation of projects throughout the West; to the Committee on Irrigation of Arid Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 8426) granting an increase of pension to Ephraim L. Schanck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8427) granting a pension to Mary E. Frederick; to the Committee on Pensions.

By Mr. DARROW: A bill (H. R. 8428) granting an increase of pension to Mary E. Fiscus; to the Committee on Pensions.

By Mr. FESS: A bill (H. R. 8429) granting a pension to Julia A. Loyd; to the Committee on Invalid Pensions.

By Mr. GOODYKOONTZ: A bill (H. R. 8430) granting an increase of pension to Johnson Hatfield; to the Committee on Invalid Pensions.

By Mr. HAYS: A bill (H. R. 8431) granting a pension to Norris B. Wilkinson; to the Committee on Pensions.

By Mr. KING: A bill (H. R. 8432) granting a pension to Louisa E. Prickett; to the Committee on Invalid Pensions.

By Mr. PETERS: A bill (H. R. 8433) granting a pension to Odelon Valcour; to the Committee on Invalid Pensions.

By Mr. SHREVE: A bill (H. R. 8434) granting an increase of pension to Jay Smith; to the Committee on Invalid Pensions.

By Mr. THOMPSON of Ohio: A bill (H. R. 8435) granting a pension to Emma Call; to the Committee on Invalid Pensions.

By Mr. TILLMAN: A bill (H. R. 8436) granting an increase of pension to William A. Graham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8437) granting a pension to Crittenden Kirkpatrick; to the Committee on Invalid Pensions.

By Mr. WEAVER: A bill (H. R. 8438) granting a pension to Mary Loftin Wildey; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BROOKS of Pennsylvania: Petition of clerks and carriers of the post office at York, Pa., asking for increased pay; to the Committee on the Post Office and Post Roads.

By Mr. CRAGO: Petition of Allegheny County (Pa.) Laundrymen's Exchange, disapproving any attempt to adjourn Congress pending the consideration of legislation affecting the high cost of living; to the Committee on Agriculture.

By Mr. DARROW: Petition of Philadelphia Board of Trade against the plan of the railroad brotherhoods of nationalizing the railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. ELSTON: Petition of Hon. John J. Kintzinger, judge, district court, Dubuque, Iowa, suggesting legislative measures for preservation of the Washington Monument against erosion and disintegration; to the Committee on Public Buildings and Grounds.

By Mr. FITZGERALD: Petition of Boston Central Labor Union urging legislation to relieve the present abnormal condition prevailing throughout the country; to the Committee on Agriculture.

Also, petition of Tampa (Fla.) Branch 599, National Association of Letter Carriers, urging increase in salaries; to the Committee on the Post Office and Post Roads.

By Mr. FULLER of Illinois: Petition of Illinois Association of Postmasters for increase of compensation for all postmasters and post-office employees; to the Committee on the Post Office and Post Roads.

Also, petition of C. Henry Sandelen, of Rockford, Ill., protesting against the passage of H. R. 5941 to tax Mexican graphite; to the Committee on Ways and Means.

By Mr. GOODWIN of Arkansas: Petition of Arkansas Corporation Commission; to the Committee on Interstate and Foreign Commerce.

By Mr. GOODYKOONTZ: Evidence to accompany House bill 6966; to the Committee on Pensions.

By Mr. LINTHICUM: Petition of Solomon Feldman and Balster Herman, both ex-service men of Baltimore, Md., for one year's bonus for discharged service men; to the Committee on Military Affairs.

Also, petition of H. P. Strasbaugh, president of the Tri-State Packers' Association, opposing passage of the Kenyon bill; to the Committee on Agriculture.

Also, petition of Peter Jaras, of Halethorp, Md., regarding Lithuanian affairs; to the Committee on Foreign Affairs.

Also, petition of Clay Platt, of Camp Holabird, Md., favoring passage of Senate bill 2447; to the Committee on Military Affairs.

By Mr. LUFKIN: Petition of Allied Shoe Workers' Union, of Newburyport, Mass., in favor of the league of nations; to the Committee on Foreign Affairs.

By Mr. MACGREGOR: Petition of Catholic Business Women's Club, of Buffalo, for reducing cost of living; to the Committee on Agriculture.

By Mr. MOORE of Pennsylvania: Petition of National Association of Hosiery and Underwear Manufacturers opposing a dye licensing commission and urging a protective tariff system; to the Committee on Ways and Means.

By Mr. O'CONNELL: Petition of International Union of United Brewery, Flour, Cereal, and Soft Drink Workers of America against prohibition; to the Committee on the Judiciary.

By Mr. ROWAN: Petition of Herman Dembow, New York City, favoring House bill 3149 and Senate bill 1699; to the Committee on Reform in the Civil Service.

Also, petition of members of the scientific and technical staff of the United States Geological Survey against the reducing of the space allotted survey department; to the Committee on Public Buildings and Grounds.

Also, petition of Illinois Live Stock Association against the Kenyon and Kendrick bills; to the Committee on Agriculture.

Also, petition of Edward W. Gray, president of the Newark Athletic Club, favoring Gray-Winship solution of railroad problem; to the Committee on Interstate and Foreign Commerce.

Also, petition of International Union of United Brewery, Flour, Cereal, and Soft Drink Workers of America against prohibition; to the Committee on the Judiciary.

Also, petition of National Civil Liberties Bureau, New York, regarding peace-time sedition law; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES.

THURSDAY, *August 14, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

To Thee, O God, who hast ever been our refuge and our strength, we come lifting up our souls in prayer, that we may receive that inspiration, that strength, which shall enable us to act well our part in the affairs of this day, that Thy purposes may be fulfilled in us, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

INVESTIGATION OF THOMAS J. MOONEY.

Mr. BLANTON. Mr. Speaker, I desire to be recognized to continue the consideration of a privileged resolution.

Mr. STEENERSON. Mr. Speaker——

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolution (H. Res. 225) directing the Secretary of Labor to report certain facts in connection with the investigation of Thomas J. Mooney and others to the House of Representatives.

The SPEAKER. The Clerk will report the full resolution.

The Clerk read as follows:

House resolution 225.

Resolved, That the Secretary of Labor be, and he is hereby, directed to report forthwith to the House of Representatives of the United States of America the following facts:

(1) Copies of all such instructions mentioned by John B. Densmore as having been received by him during the months of May, June, July, August, September, and October, 1918, he having said:

"SAN FRANCISCO, CALIF., *November 1, 1918.*

"Hon. W. B. WILSON,
"*Secretary of Labor, Washington, D. C.*

"SIR: Pursuant to instructions received from time to time during the past six months, I have the honor to report that I have conducted a secret and altogether informal inquiry into the Mooney case, and beg leave to submit herewith the results of my investigation."

(2) The names of all persons who, under the direction of any branch of the Department of Labor, had anything to do with the investigation of Thomas J. Mooney, charged with and convicted for heinous crime in California, stating in detail their respective activities, the amount of compensation paid them respectively, and the expenses of such investigation itemized in detail during the six months between May 1 and November 1, 1918.

(3) What connection in behalf of the Department of Labor, if any, since the punishment of said Thomas J. Mooney was commuted to life imprisonment, and since November 1, 1918, has any employee of the Department of Labor had with said case of Thomas J. Mooney, stating such activities in detail, the expense of same itemized in detail, and upon what authority of law, attaching copies of all reports made thereunder to the Department of Labor.

(4) What activities, if any, are now being conducted in behalf of Thomas J. Mooney.

(5) Attach copies of vouchers of McPherson, Kelly, and Kilmer for July, 1918, covering their trip from San Francisco to Los Angeles, the purpose of such trip, and expense of same itemized.

(6) Attach copy of letter of instructions sent by John B. Densmore to H. L. Cobb after Cobb was sent to Texas on propaganda trip for Employment Bureau and expense of trip itemized in detail.

(7) Attach all reports of Gallagher and Martin for their six weeks spent in Philadelphia, spring of 1919, investigating F. R. Welsh, with statement of expenses fully itemized in detail.

(8) Attach report of John B. Densmore on Immigration Service investigation at San Francisco, with full statement of expense thereof itemized in detail.

Mr. BLANTON. Mr. Speaker and gentlemen of the House, on November 1, 1918, Mr. John B. Densmore, Director of the United States Employment Service, filed a report with the Secretary of Labor, wherein he states, in the beginning of it, that in pursuance to instructions he received from the Department of Labor during the preceding six months, that is, during May, June, July, August, September, and October, 1918, he, John B. Densmore, Director of the United States Employment Service, had conducted a secret investigation in San Francisco, Calif., regarding the Mooney case. And in this report he goes on to state that he saw fit to install a dictograph machine in the office of the district attorney of California for certain purposes.

This resolution asks the Secretary of Labor to give Congress the benefit of those instructions which the Secretary of Labor had given John B. Densmore during those six months. I, for one Member of Congress, would like to know what those instructions were. I would like to know what the Department of Labor had to do with interfering with the just punishment of a convicted anarchist who has been convicted through all the highest courts of California.

This is the inquiry that we make of the Secretary of Labor. It is a reasonable inquiry. We previously asked the Secretary of Labor, in a resolution passed almost unanimously by the House of Representatives some time ago, to tell us the expense, to give us the expense itemized, of this investigation of the Mooney case. The Secretary of Labor came back in a document which is a public document now, addressed to the Speaker, in which he says to the House of Representatives, "I do not deem it compatible with the public interest to give you Members of the House of Representatives this information." That is his judgment. It is a question of whether or not his judgment is supported by the judgment of the Members of this House. I would like to have that information.

Mr. STEENERSON. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Texas yield to the gentleman from Minnesota?

Mr. BLANTON. I yield for a question.

Mr. STEENERSON. Did the resolution call for the information in his discretion, or otherwise?

Mr. BLANTON. No, it did not; and the debate on the floor of the House at that time showed conclusively to the Secretary of Labor that it was not the intention of this House to leave it in his discretion, because the Committee on Labor, to which this resolution was referred, came in with a report and had committee amendments attached to the resolution, wherein they sought to leave it to the discretion of the Secretary of Labor, and this House voted down each and every one of those committee amendments, and passed the resolution just as I introduced it in the House.

The debate on the floor of this House at that time showed that it was the intention of this House not to leave it to his discretion, but to require him to furnish to the membership of this House the information that we asked of him. And in the face of it he comes back and says, "You have asked for information, but I do not care to give it to you. I put my judgment up against the judgment of the 435 Members of the House of Representatives," if you please.

Mr. HUDSPETH. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Yes; I yield to my colleague.

Mr. HUDSPETH. If you pass this resolution and he declines to give the information, then what action do you suggest?

Mr. BLANTON. Then I hope that my colleagues will see fit to bring him before the bar of this House for appropriate action. That is an authority that this House has.

Mr. WOOD of Indiana. And he might be impeached, might he not?

Mr. BLANTON. "He might be impeached," my colleague from Indiana says. I am not informed as to that, as to whether or not he might be impeached; but I do know that it is a reasonable inquiry to make, when we vote money to a department for proper uses, for us to ask the department head to tell us how he spends that money. I want to know how the money that I helped to appropriate is spent.

Mr. DENISON. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Texas yield to the gentleman from Illinois?

Mr. BLANTON. I gladly yield.

Mr. DENISON. Has the gentleman from Texas been given any information from any source as to why it would be incompatible with the public interest to give Congress this information?

Mr. BLANTON. I have my private reasons for believing so and so, but I might do the Secretary of Labor an injustice in stating them here, and I want to be fair always, and I want to give him the benefit of the doubt until I am forced to believe to the contrary.

Mr. RAMSEYER. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Texas yield to the gentleman from Iowa?

Mr. BLANTON. In a moment. I do know that ever since this resolution has been subject to call on various occasions here the Secretary of Labor has seen fit to leave his place of work down there in the Department of Labor and come up here and occupy a seat in this House, hobnobbing with the Members; I do not know what for.

Mr. RAMSEYER. Mr. Speaker, will the gentleman yield now?

Mr. BLANTON. I gladly yield.

Mr. RAMSEYER. In what respect does this resolution differ from the one previously passed by the House?

Mr. BLANTON. It is to let him know that when we send him word that we want information we mean business.

Mr. RAMSEYER. It is a second demand, then?

Mr. BLANTON. It is carrying out precedents established in every legislative body in the world, to give him another opportunity to answer.

Mr. RAMSEYER. I do not know whether the gentleman has caught my question exactly or not. Is this resolution identical with the other one?

Mr. BLANTON. This directs him to send us forthwith the information, regardless of his statement that he deems it incompatible with the public interest to do so.

Mr. RAMSEYER. The other one directed him to furnish it?

Mr. BLANTON. It directed, but not in a way to let him know he had it to do. And this resolution also embraces several additional requests for information and records out of his office.

Mr. ASWELL. Will the gentleman yield?

Mr. BLANTON. I gladly yield.

Mr. ASWELL. Does not the gentleman think it would be a good plan if more of the Cabinet members would spend more of their time on the floor of the House?

Mr. BLANTON. It would, unless they came here to try to prevent legislation from being passed that ought to be passed, and if they do that, then they ought to be severely criticized for it.

Mr. ASWELL. Does the gentleman think that the visit of the gentleman he refers to had anything to do with his resolution?

Mr. BLANTON. I do not know. I know that after he sat here day after day talking with Members, it took me a terribly long time to get the resolution up, with every kind of technical objection imaginable raised against its consideration.

Mr. ASWELL. Does the gentleman think that had anything to do with his failure?

Mr. BLANTON. I do not know. I met with a good many obstacles, and if it had not been for the help of the able and distinguished minority leader here [Mr. CLARK of Missouri] in helping me to overcome some of the obstacles that were placed in the way of this resolution by way of points of order, I doubt whether I would ever have gotten it up.

Mr. ASWELL. Is it not a fact that gentlemen on that side really gave you all your support?

Mr. BLANTON. I do not know. On the other resolution there was very little opposition to it from either side. I do not think the gentleman would like to have his constituents believe that he is against this resolution. This is not a party issue. It is an issue of loyalty, and the weeding out of anarchy and anarchists from our Government. I am for my country, right or wrong; but I am for departments of the Government only when they are right, even though they are members of my party. As a Democrat, I stand for making the Democratic Party mean to the country the best party in the world, worthy of confidence, and guaranteeing honest and loyal administration

of the affairs of this Nation. Some Democrats have a false idea that they must not criticize a department, even though it is wrong.

Mr. CLARK of Missouri. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Gladly.

Mr. CLARK of Missouri. I would like to ask who it is that you and the gentleman from Louisiana [Mr. ASWELL] are talking about being here?

Mr. BLANTON. The Secretary of Labor, Hon. W. B. WILSON.

Mr. CLARK of Missouri. I will explain, if the gentleman will permit me. Everything ought to be fair. The Secretary of Labor was over here on two or three different days, a week or so ago, but he was not over here about that resolution at all. He came here to see the gentleman from Wyoming and myself, to see if we could not get that little resolution through authorizing the President to invite people to come here to this labor convention in October. That is what he was seeing us about at that time.

Mr. BLANTON. The distinguished gentleman from Missouri, of course, would know what business the Secretary of Labor had up with him, but I presume that he could not know the business that the Secretary of Labor might have transacted with other Members who were inclined to be lenient with all matters affecting labor.

Mr. ASWELL. Does the gentleman know himself that the Secretary of Labor spoke about this other matter at all?

Mr. BLANTON. I am just drawing a conclusion.

Mr. ASWELL. Generally the gentleman's speeches are conclusions only.

Mr. BLANTON. And sometimes they are based upon facts. [Laughter.]

Mr. MONDELL. Will the gentleman yield just for a moment?

Mr. BLANTON. I want to be fair. I will gladly yield, if I have done any injustice——

Mr. MONDELL. I know the gentleman wants to be fair. I know nothing about the purpose which brought the Secretary of Labor to the House, except so far as my conversation with him was concerned, and that related entirely to the matter that has been referred to by the gentleman from Missouri [Mr. CLARK], the coming labor conference here in October.

Mr. BLANTON. My suggestion was not directed to the distinguished gentleman from Wyoming or to the distinguished gentleman from Missouri, because when these two gentlemen whom I have just mentioned lock arms together and work in double harness no man in the House can get anything up against their wishes. [Laughter.]

Mr. ASWELL. Will the gentleman yield for a question?

Mr. BLANTON. Gladly.

Mr. ASWELL. If the gentleman did not refer to the gentleman from Wyoming [Mr. MONDELL] and the gentleman from Missouri [Mr. CLARK], to whom did he refer?

Mr. BLANTON. Generally. [Laughter.]

Gentlemen of the House, this resolution further directs the Secretary of Labor to send to the House vouchers covering the expenses of McPherson, Kelly, and Kilmer, three different men from the Department of Labor, who made trips from San Francisco to Los Angeles. I will state to the Members of the House that that will be a very interesting document to the gentlemen of the House when we get it, to show the items of expense incurred by those three men, in the hiring of a high-powered automobile to make trips from San Francisco to Los Angeles—not on a proper mission of business for this Government, because, if my information, which comes straight, is correct, these men went there for other purposes, in violation of laws instead of in enforcement of laws.

Mr. F. R. Welsh, a citizen of Philadelphia, furnished me with some very valuable information in connection with the Mooney case. As soon as the attention of the Secretary of Labor and the attention of Mr. Densmore was called to it Mr. Densmore, as the representative of the Department of Labor, sent two men this last spring to Philadelphia, who stayed there six weeks, to investigate F. R. Welsh because he had given information against the department. I ask for their reports and the expense of that trip. Has Congress ever authorized the Secretary of the Department of Labor to send men all over the country to investigate this, that, and the other man because he gives information against the Department of Labor?

Mr. ANDREWS of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. For a question.

Mr. ANDREWS of Nebraska. If the accounting officers of the Government were under the jurisdiction and control of Congress, we would have no occasion to call for these vouchers, because they would have to come here in regular process of law, and there would be no occasion to divide the Lone Star State in its allegiance.

Mr. BLANTON. If we give the branches of the Government to understand that whenever they spend the money of this Government they have got to do it according to law, a step in the right direction for the proper reform will have been made by this House of Representatives. That is the goal for which I am working.

Mr. DYER. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. DYER. What does the gentleman propose to do with these reports if he gets them?

Mr. BLANTON. I want the gentleman and others to get the benefit of them, and to know what they contain, because I believe that in voting on measures now pending before various committees, and which will likely come before the Congress, gentlemen will be better prepared to vote intelligently upon them if they have this information.

Mr. DYER. Did the gentleman get any reply to the resolution we passed before? Did he get any report?

Mr. BLANTON. We got a partial report.

Mr. DYER. Where is it?

Mr. BLANTON. In the document room. It has been there for some time, published.

Mr. DYER. How many Members of Congress know anything about it?

Mr. BLANTON. I presume they know what the RECORD contains, for it contains much valuable information. I presume Members of Congress read the RECORD.

Mr. DYER. The gentleman ought to get such report and read it to the House.

Mr. BLANTON. Oh, it would take me about four times longer than the time I have to do that. Mr. Speaker, I do not want to take up any further time on this resolution unless there is some other question that is desired to be asked, but I do want to say this, that anarchy in this country can not exist unless it is fostered and encouraged and permitted by the citizenship of the land. Anarchy can not exist if every officer of this Government is against anarchy, and the time has come in the affairs of this Government when the people of the United States are looking to Congress to see to it that at least every officer of the Government is against anarchy and does not smile upon it or permit it. If any officer of this Government has been encouraging anarchy, if any officer of this Government has been assisting it and aiding it and abetting it, the time has come for Congress to call a halt. The law abiding people are looking to us to see to it that it is stopped. Law and order must prevail in this Government. The time has come when we must see to it that every citizen, and at least every Government officer, obeys the law; that law and order must be reestablished and must be respected. We have no place for anarchists. We must send them out of this land, and if we can not get rid of them in any other way we should hang them as high as Haman. That is all this resolution seeks to help to bring about.

Mr. Speaker, I move the previous question on the resolution.

The SPEAKER. The gentleman from Texas moves the previous question on the adoption of the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and on a division (demanded by Mr. DYER) there were—ayes 67, noes 14.

So the resolution was agreed to.

On motion of Mr. BLANTON, a motion to reconsider the vote by which the resolution was passed was laid on the table.

CHANGE OF REFERENCE.

Mr. ZIHLMAN. Mr. Speaker, I ask unanimous consent that the reference of the bill (H. R. 8376) relating to the salaries of postal clerks be changed from the Committee on Expenditures in the Post Office Department to the Committee on the Post Office and Post Roads.

The SPEAKER. The gentleman from Maryland asks unanimous consent that the reference of the bill referred to, affecting a change of salary of postal employees, be transferred from the Committee on Expenditures in the Post Office Department to the Committee on the Post Office and Post Roads. Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object, may I inquire of the gentleman whether or not each of the committees have been consulted about this matter?

Mr. ZIHLMAN. I have consulted with the chairman of the Committee on the Post Office and Post Roads.

Mr. STEENERSON. I understand this bill has been introduced by the gentleman himself and referred to his committee merely by mistake.

The SPEAKER. The Chair will state it was not referred by mistake. The Chair thinks the rule properly refers it to the Committee on Expenditures in the Post Office Department. The Chair is indifferent, of course, where it goes.

Mr. DUPRÉ. Mr. Speaker——

Mr. RAKER. Mr. Speaker, I desire to object to the request which takes it from the Committee on Expenditures in the Post Office Department.

Mr. DUPRÉ. Mr. Speaker, I was not going to object; I was simply going to call attention to the fact that the measure which I introduced in regard to the increase in salary of the district attorney of the eastern district of Louisiana for a number of years has been going to the Committee on the Judiciary, and that under the present régime it has been sent to the Committee on Expenditures in the Department of Justice, and I want to know how I stand in that matter.

The SPEAKER. The Chair has read the rules. It seems to the Chair very clear upon the wording of the rule that these changes of salary go——

Mr. DUPRÉ. I have no complaint to make. My bill is so meritorious I would be willing to submit it to any committee of the House.

Mr. ZIHLMAN. Mr. Speaker, I understand a matter of this kind is privileged, and I therefore move that the reference be changed.

Mr. CLARK of Missouri. Mr. Speaker, in order to move to do this thing the gentleman has to have the authority of the committee.

The SPEAKER. The Chair will read from Hinds' Precedents, volume 4, section 4317:

Legislative propositions relating to the fees and salaries of officers and employees of the Government have been considered by the various committees on expenditures.

But the Chair would think in this case that either committee really under the wording of the rule would have control. This is a matter for the House to decide. It is a privileged question, and the gentleman from Maryland, who is chairman of the Committee on Expenditures in the Post Office Department, having agreed with the chairman of the Committee on the Post Office and Post Roads, moves that it be transferred from the Committee on Expenditures in the Post Office Department to the Committee on the Post Office and Post Roads.

The question was taken, and the motion was agreed to.

TUNGSTEN ORES IN THE UNITED STATES.

Mr. HAWLEY. Mr. Speaker, I move that the House resolve itself in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 4437.

Mr. DYER. Mr. Speaker, what is the bill? Will the gentleman indicate? We can not tell what it is merely from the number.

Mr. HAWLEY. It is a bill to provide revenue for the Government and promote the production of tungsten ores and the manufacture thereof in the United States.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 4437, with Mr. GOOD in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 4437, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 4437) to provide revenue for the Government and to promote the production of tungsten ores and manufactures thereof in the United States.

Mr. HAWLEY. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

Mr. MANN. Let the bill be read.

Mr. HAWLEY. I withdraw that request.

The CHAIRMAN. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That on and after the day following the passage of this act there shall be levied, collected, and paid upon the articles named herein, when imported from any foreign country into the United States or into any of its possessions, the rates of duties which are herein prescribed, namely:

First. Crude tungsten, ores, and concentrates, $10 per unit of tungsten trioxide therein contained, a unit being herein defined as 1 per cent of tungstic trioxide in a short ton of 2,000 pounds.

Second. Metallic tungsten, tungsten powder, ferrotungsten (lump and pulverized), ferrotungsten powder, commercial tungstic acid, calcium tungstate, sodium tungstate, and all other salts of tungsten and other manufactured materials containing tungsten, including high-speed tungsten steel, all alloy steels containing tungsten, and all other compounds containing tungsten not specifically provided for in this section, $1 per pound of tungsten contained therein.

SEC. 2. That the provisions of this act shall not be deemed to repeal any tariff now existing upon any substances or materials mentioned in this act.

The committee amendments were read, as follows:

Page 1, line 9, strike out the word "tungsten" and insert "tungstic"; in line 10 strike out the words "tungstic trioxide in," and at the end of line 2, page 2, after the word "pounds," insert the following: "namely, 20 pounds of tungstic trioxide."

Mr. HAWLEY. Mr. Chairman, I yield 30 minutes to the gentleman from Colorado [Mr. TIMBERLAKE]. [Applause.]

Mr. TIMBERLAKE. Mr. Chairman and gentlemen of the committee, I regret the slight delay in proceeding. I did not know this bill was coming up just at this time, and I desired to furnish some samples here of this metal which I will be glad to have the Members of the House examine. These I think they will find very interesting. Tungsten is a new metal to many people of this country, and very few are fully acquainted with its uses and its production. This mineral was first discovered in this country in the year 1900, in Boulder County, Colo., a county within my congressional district, in consequence of which, prior to my coming here to represent that district, I had considerable information on the subject of tungsten. I recognized at the time that a very important discovery had been made, one that would have a very far-reaching effect upon the industries of this country, both in peace and war time; for, permit me to say, 90 to 95 per cent of this metal is used in the manufacture of high-speed tool steel. Its use in that connection is so important that a tool now hardened by tungstic acid is capable of doing from six to seven times more work than a tool hardened under the old carbon process. Its value during the progress of this war can not be estimated too highly, for without it we could not have accomplished that which we did in the manufacture of ordnance supplies, shells, and so forth, for our own use and that of our allies in the world's greatest war. We hope we may never be called upon to engage in another war, but against a bare possibility we should be prepared. So it can readily be seen when it comes to the preparation for war how necessary it is for this country to have a large supply of tungsten. Its use, however, in peace times should incite to its complete development. The gentleman from New York the other day when the question of a tariff for chemical glassware and porcelain ware was before the committee decried the necessity for this subject being brought up at this time. He went on to state that the Ways and Means Committee of this House had determined to postpone for some time the preparation of a regular tariff bill, proposing to change the terms of the revenue law of 1913 and bring them down to a proper protective basis. I beg leave to differ with my colleague from New York with reference to the necessity of having this item considered before a general plan of the revision of the tariff is taken up, and I want to recount just why that is so.

This industry is at a standstill to-day. Three thousand men employed in it are to-day idle, at least in that industry where their labor would be and is best adapted. This metal is only found in 13 States of this Union. You will see from the copies of the hearings where those are, but the principal deposits are in Boulder County, Colo., and in California and in Nevada. Nevada is a new field, its discovery only being brought about when the great necessity for an increase of this metal developed on account of war activities, and it promises a rich field to-day. In Boulder County it was discovered, as I said, in 1900, and has proceeded gradually, until to-day, in connection with the California field, it has been able to produce from 50 to 60 per cent of all of the tungsten ore that was necessary in all the mechanical uses to which it is applied in this country, the remaining amount, of course, coming from other fields. Just why it is necessary to have this tariff I will endeavor to explain as best I can.

First, I desire to refer briefly to the statement of my friend and colleague on the Democratic side, the ranking member of the Ways and Means Committee, in his speech here on the floor of the House the other day, when he referred to the fact, speaking of tungsten, that this bill had been introduced by Mr. TIMBERLAKE, of Colorado, and why it had been taken up in preference to other necessary matters was accounted for by him by reason of the fact that "Mr. TIMBERLAKE was a member of the Ways and Means Committee." Permit me to say in this connection that it was not only since I became a member of this great and important committee of the House that I was interested in the subject of tungsten protection. One of my first acts on becoming a Member of this body was to introduce a bill for a tariff on this same tungsten ore, for I had come from a State where it was produced; I saw the importance of the industry, and I saw on account of the cost of production here and the cost of

production in the other countries whence it came, if it was to continue and develop as it should develop in this country, that a tariff equal at least to the difference of the cost of production in this country or the countries—China and Burma—with which we must compete was necessary. So that over four years ago I introduced the first bill for a tariff on tungsten.

That bill was not given consideration by the Ways and Means Committee. So, after I became a member of this committee, I reintroduced that bill and urged in every possible way its early consideration.

Let me describe the condition in the little field up in Boulder County. It comprises an area only about 12 miles square, and only about 5,000 to 000 acres of this has been explored or prospected. This ore was first found as a surface ore. It had laid on the top of the ground, and through the action of the ages the dross had been driven from it, and it was found in almost a pure state. In other words, it was found in a 60 per cent concentrate form. A 60 per cent concentrate is a concentrate composed of WO_3. "W" is the symbol for tungsten and "O" for oxygen, at the relative rate of three parts of oxygen to one part of tungsten.

Now, as I said, in an early day this was easily mined. It was surface ore, and from the surface to 5 and 10 feet under the ground was as far as they had to go until a considerable pocket was developed. After that was exhausted it did not take long, in delving further, until they found that under this was a stratum of pure rock with no show of tungsten ore at all, measuring in depth from 200 to 300 feet before even a slight trace of this ore was found.

Now, this [exhibiting] is a sample of tungsten ore from the Boulder field in Colorado, and that shows the width of a vein. In order to get that narrow strip of tungsten, most of the mines there now are down to a depth of from 600 to 1,000 feet. In getting that small piece of ore it was necessary for them to drift a tunnel there wide enough and high enough for them to work in, and they must take out, in order to get that and get the room, some 10 or 15 tons of this ore and the rock that surrounds it in order to get 1 ton of WO_3. Then, instead of finding it in its condensed form it was necessary to take that rock and crush and concentrate it in very expensive mills, so as to reduce it to an ore containing 60 per cent of WO_3, or tungstic trioxide.

Mr. CAMPBELL of Kansas. Will the gentleman yield for a question?

Mr. TIMBERLAKE. Gladly.

Mr. CAMPBELL of Kansas. What is the value of this ore as it is taken out of the mine? What is the metallic content worth?

Mr. TIMBERLAKE. The metallic content is, that in a ton of this ore there are about 15 pounds of tungstic trioxide, which is the valuable part of the ore.

Mr. CAMPBELL of Kansas. What is that worth?

Mr. TIMBERLAKE. It varies. To-day it is being shipped from China, Burma, and South America and delivered at New York for a price ranging from $6.50 to $7.50 per unit of 20 pounds. I presume those of you who have studied this bill and have read the report which accompanies it, which I hope you have, will know the value is according to the content of tungstic trioxide contained.

Mr. DUNBAR. Will the gentleman yield?

Mr. TIMBERLAKE. Gladly.

Mr. DUNBAR. It says that this ore is worth from $6 to $7 per unit.

Mr. TIMBERLAKE. Per unit; yes, sir.

Mr. DUNBAR. And, as I understand it, a unit consists of 1 per cent of tungsten to a ton?

Mr. TIMBERLAKE. Yes, sir. One per cent of a ton of 2,000 pounds.

Mr. DUNBAR. That would make tungsten worth $6,000 a ton?

Mr. TIMBERLAKE. Yes, sir.

Mr. DUNBAR. Another question, please. Tungsten is used very largely in the manufacture of all the electric lamps that we have in use?

Mr. TIMBERLAKE. That is one of the very smallest uses to which it is applied; but that is true. All the filaments used in the electric lights are from this metal.

Mr. DUNBAR. How much would this duty imposed increase the cost of an electric lamp?

Mr. TIMBERLAKE. So infinitesimally small that you could not compute it. And right here, in connection with that question, to answer the argument that is adduced by those who are opposed to a protective tariff for the reason that it increases the cost to the consumer, I desire to say that the cost to the consumer in the manufactured steel which is made possible by this bill has been estimated to add only 15 cents per ton to the cost of a ton of finished steel; and basing upon that the statement that I made with reference to the cost in the electric-light lamp, it would be almost too infinitesimally small to compute, or at least to affect the cost to the consumer.

This bill asks for a tariff of $10 per unit, a unit being 20 pounds of tungsten trioxide contained in a short ton, so that this tariff would bring a revenue to the Government of $10 per unit of every 20 pounds of tungsten trioxide that is imported into this country.

The necessity for this tariff let me explain. As I showed you, here is a specimen of ferrotungsten in its finished form. I would like you to see it in its condensed form. Here is a specimen of the ferrotungsten made by the Tungsten Product Co., of Boulder, Colo., and that is the form in which it is used in steel manufacture. This sample is the crude product of tungsten ore. In order to reduce this to the shape in which it is used by the steel manufacturers it is converted into this form by heating in electric furnaces, then ground by a very expensive process until it either forms the powder, as shown in this sample, which is tungsten powder, or in crystal form, as shown in this sample, which is ferrotungsten. The larger part of it is used by the steel manufacturers in this crystalline form or in the form of tungsten powder.

This sample is scheelite, another form of tungsten, which is used in the finished product also. This ore was taken from the southern part of Colorado. You can see this part [designating] is tungsten. It is mingled with quartz, and you see the small amount of scheelite that could be gotten from a ton of that character of ore. It is stated in connection with this that it will take 20 tons of this ore to make 1 ton of WO_3. That is found in the southern part of Colorado, but not in very large quantities.

Mr. DUNBAR. Mr. Speaker, will the gentleman yield?

Mr. TIMBERLAKE. Gladly.

Mr. DUNBAR. This sample that you have shown consists of one part of tungsten and three parts of oxygen?

Mr. TIMBERLAKE. This sample?

Mr. DUNBAR. Yes.

Mr. TIMBERLAKE. Yes, sir.

Mr. DUNBAR. Now, what is the value of this as it is now, in that present form?

Mr. TIMBERLAKE. To-day it is offered on the New York market, coming from China and Burma, for from $6.50 to $7.50 a unit of 20 pounds.

Mr. DUNBAR. Then, that is worth about $6,000 a ton?

Mr. TIMBERLAKE. Yes, sir.

Mr. KINKAID. Mr. Chairman, will the gentleman yield?

Mr. TIMBERLAKE. Gladly.

Mr. KINKAID. In what mountain States is tungsten found?

Mr. TIMBERLAKE. You will find it stated on a certain page in the hearings, where it is stated that it is found in 13 States of this Union. I can not name all of these.

Mr. KINKAID. Well, do not bother about that.

Mr. TIMBERLAKE. The principal production is found in Colorado, California, and Nevada; some in Arizona, and some in the Southern States. Arkansas is one of those where it is found in slight quantity.

Mr. KINKAID. Does the prospecting and development so far promise that enough tungsten can be developed in the United States to supply the domestic consumption?

Mr. TIMBERLAKE. With the known fields, it is estimated that we can to-day produce from 50 to 60 per cent of all the tungsten used in this country, and we feel that with this encouragement, which will aid in the development and seeking out of new fields, it will require only a short time until this country, by reason of the discovery and developments that have been made, will become independent of these other resources for tungsten.

Mr. KINKAID. I have not examined the bill carefully. It does not fix any limit of time, does it?

Mr. TIMBERLAKE. Well, it was suggested in the hearing by some of the witnesses that in their judgment this would stimulate exploration and development to such an extent they thought in three years' time we would be able to supply our full demand.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. TIMBERLAKE. Gladly.

Mr. MILLER. I would like to ask the gentleman if he knows if any of this foreign product is owned and capitalized by American capital?

Mr. TIMBERLAKE. Permit me to say, in answer to the question of the gentleman from Washington, that it was developed at the hearing that there was one case where that was true. Mr. Hepburn, of Pennsylvania, appeared before the committee and advised us that his sons for several years past had been

interested in tungsten mines in South America, and he opposed, in a way as least, this rate of tariff, although I have a letter from him which I think makes his position entirely clear. He thinks that American capital having money invested in those countries should receive some consideration, and yet when he was interrogated with reference to whether or not, in his judgment, this tariff was necessary in order properly to develop the industry in this country he answered that it was. I will just read his letter. He says:

Mr. Calbreath and Mr. Lawrie both being out when I called, I saw Mr. Burns, who suggested that I give you the inclosed papers.

The inclosed papers contained quite an argument why there should be some difference with reference to the protection that we were asking against Chinese and Burmese ore from that which applied against South American ore. He says further:

One thing more I wish to add, to wit: That we believe in a tariff on tungsten that will enable our home mines to be worked profitably, and that will preclude the importation of cheap Asiatic ores, even if it prevents entirely the shipments from American-citizen-operated mines in South America to our own country, rather than no tariff at all.

That is signed by Mr. R. H. Hepburn. I consider that a very magnanimous statement from Mr. Hepburn.

Mr. REED of West Virginia. Mr. Chairman, will the gentleman yield?

Mr. TIMBERLAKE. I yield to the gentleman from West Virginia.

Mr. REED of West Virginia. It would seem, then, that this metal, where it is produced outside of the United States, is undoubtedly produced in countries where labor is very cheap?

Mr. TIMBERLAKE. That is true, and just here I might as well mention that fact in connection with my argument for this bill. The reason that this rate of tariff is necessary is on account of the difference in labor conditions here and in those countries that are competing with us.

Mr. ASWELL. Will the gentleman yield?

Mr. TIMBERLAKE. I yield to the gentleman from Louisiana.

Mr. ASWELL. What proportion of the tungsten is produced in foreign countries?

Mr. TIMBERLAKE. I just stated a few moments ago that we produce from 50 to 60 per cent. The gentleman's question is, How much is produced in foreign countries?

Mr. ASWELL. Yes; I mean what proportion of the consumption in this country is produced in foreign countries? We really produce about two-thirds in this country, do we not?

Mr. TIMBERLAKE. Yes; but the other third we are importing.

Mr. ASWELL. How much will this proposed duty increase the price to consumers in this country?

Mr. TIMBERLAKE. I just made the statement a while ago. In computing the cost to the consumer, it is so infinitesimally small that there has been no opposition to the provisions of this bill from the manufacturers of steel or from any other source.

Mr. ASWELL. Does the gentleman really believe this high rate proposed is necessary?

Mr. TIMBERLAKE. I absolutely believe that for the stabilizing of this industry in this country and for its development up to its possibilities it is absolutely necessary.

Mr. ASWELL. Really there is not much danger of any foreign competition, is there, to amount to anything?

Mr. TIMBERLAKE. Oh, very decidedly. Therein lies the danger.

Mr. ASWELL. From what country?

Mr. TIMBERLAKE. From China.

Mr. ASWELL. It does not amount to very much, though, compared to what we have in this country?

Mr. TIMBERLAKE. Oh, China produces a great deal more than we do in this country.

Mr. ASWELL. I mean we do not consume very much from China.

Mr. TIMBERLAKE. We consumed from 45 to 50 per cent from foreign imports under the rate of production here before the armistice was signed. Since then none is produced.

Mr. KINKAID. Will the gentleman yield for a question?

Mr. TIMBERLAKE. I yield to the gentleman from Nebraska.

Mr. KINKAID. Were the importations into the United States from foreign countries greatly reduced during the war or not?

Mr. TIMBERLAKE. I will say to the gentleman that they were not greatly reduced. Although the industry was given every encouragement to further development, they were not able to produce all that was necessary in this country by about 30 per cent.

Mr. KINKAID. Were the prices increased somewhat during the war?

Mr. TIMBERLAKE. The prices were materially increased during the war.

Mr. KINKAID. How much? What was the cost of production?

Mr. TIMBERLAKE. I can not give exact prices. The cost of production in the Boulder field has been demonstrated to be from $15 to $20 per unit, and the cost of production in the Burma field is very much less than ours, on account of labor being paid from 20 to 50 cents a day in Burma, against the $5 a day paid to our laborers. In Burma they work 10½ to 12 hours a day, as against our 8 hours a day in this country. Then, in addition to that, in the Chinese field, on account of the fact that the ore is on the surface and can be gouged out with pick and shovel, and gathered up in baskets and taken to market, the women and children are engaged in the industry. In the early days of the industry in this country the ore was on the surface, but now it is found only in the form which I have indicated here by the samples which I have on the table, the width of the vein being shown by the piece of ore which I hold in my hand. They are having to go to a depth of from 300 to 1,000 feet in order to get it, and in getting it out they must take out 5 or 6 tons of rock in order to get this small amount.

Mr. KINKAID. I am in thorough sympathy with the gentleman on the labor phases of the question, and I think the measure deserves support on that proposition; but the further inquiry I wish to make is this, whether it was due to the increased price of tungsten caused by the war that these discoveries and developments could be made in the United States and were made?

Mr. TIMBERLAKE. The war stimulated the production to a considerable extent.

Mr. KINKAID. And allowed operation at a profit on a war basis?

Mr. TIMBERLAKE. Yes; and they extended their explorations to a considerable extent.

Mr. KINKAID. But now that the war is over they need protection in order that they may continue, on account of prospective lower prices.

Mr. TIMBERLAKE. That is correct. The day that the armistice was signed tungstic ore dropped on the New York market from $20 to $26 a unit, which it was bringing before the armistice was signed, to $7.50 and $8 a unit, in consequence of which decline every mine in this country is closed down. In the Boulder field, which I know more about personally, the people are patriotic. There are about 1,500 people employed in this industry there, in this area of 12 square miles. Several growing communities have been built up. The miners who are accustomed to this work have built their homes there. When we declared war there were 700 gallant young miners in this field who volunteered to serve their country and they entered the Army. To-day they are returning home. Their families were left there. They find their employment gone. They have been used to this kind of work. It is hard for them to get similar employment elsewhere, and their homes are there. To-day, however, they are drifting off hunting for work. These thrifty towns are almost abandoned. That is why I have pointed out the necessity for immediate action by this House.

Mr. REED of West Virginia. Mr. Chairman, will the gentleman yield?

Mr. TIMBERLAKE. Yes.

Mr. REED of West Virginia. Is the foreign product shipped here in a reduced form such as my colleague shows in that highly concentrated form?

Mr. TIMBERLAKE. It is. There is no tariff to-day on this ore. There is a 15 per cent ad valorem duty in the Underwood bill on the tungstic trioxide, on the finished product.

Mr. REED of West Virginia. In specific gravity, how does that compare with gold or lead?

Mr. TIMBERLAKE. I can not answer that question. I do not recall the specific gravity. It is very heavy. It is heavier, it seems to me, than lead.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. HAWLEY. Mr. Chairman, I yield 15 minutes more to the gentleman from Colorado.

Mr. KITCHIN. Mr. Chairman, before the gentleman proceeds, will he yield to me for a question?

Mr. TIMBERLAKE. In just a moment. I had yielded to the gentleman from West Virginia.

Mr. REED of West Virginia. I had simply asked in what form the finished product comes here.

Mr. TIMBERLAKE. I had answered that it comes in the concentrated form. There is no duty on the ore at all. It has to be concentrated, and very extensive machinery is used in that process.

Mr. REED of West Virginia. Do they ship the ore here from China?

Mr. TIMBERLAKE. No; the ore is not shipped here. It never comes in, except as WO_3, on which there is a duty of only 15 per cent ad valorem.

Mr. REED of West Virginia. The other question I asked in respect to specific gravity was asked merely out of curiosity.

Mr. TIMBERLAKE. I am not able to answer that question.

Mr. HULINGS. Mr. Chairman, will the gentleman yield?

Mr. TIMBERLAKE. Yes.

Mr. HULINGS. The gentleman, I presume, is familiar with the importation into this country of Mexican graphite. I have understood that there are large quantities of Mexican graphite being produced in Mexico through the instrumentality of American capital, and that they object very greatly to a tariff on Mexican graphite.

Mr. TIMBERLAKE. In answer to the gentleman, I beg to say that I do know that there are very valuable deposits of graphite, and that is another very necessary war mineral. Its development should be encouraged in this country. While I know there is considerable American capital invested in Mexico in the graphite mines, I also know that there is a very large amount of American capital invested in graphite mines in our own country. In Colorado and in Alabama there are very great deposits, and I understand the gentleman from Alabama [Mr. HEFLIN] has introduced a bill for a duty on graphite. I sincerely hope that it will receive the serious consideration of this House, because I believe it is necessary to develop that industry in this country on account of its great value as a war mineral and on account of its use in industrial branches.

Mr. HULINGS. What is the gentleman's judgment as to the propriety of the policy of putting a tariff on graphite coming into this country from Mexican mines owned by Americans?

Mr. TIMBERLAKE. While I would sympathize with parties here having capital invested in a foreign country, it would not deter me from supporting a tariff sufficiently large to develop that industry in this country. [Applause.]

I now yield to the gentleman from North Carolina [Mr. KITCHIN].

Mr. KITCHIN. In the first subdivision of the bill there is provision for a duty of $10 per unit on tungstic trioxide, and that makes a duty on the tungsten contained in the ore of $600 a ton.

Mr. TIMBERLAKE. That is correct—that is, on a 60 per cent concentrate.

Mr. KITCHIN. On 60 per cent of pure tungsten in a ton of ore. The 60 per cent would be 1,200 pounds.

Mr. TIMBERLAKE. That is correct.

Mr. KITCHIN. And there are 60 units in that?

Mr. TIMBERLAKE. Yes, sir.

Mr. KITCHIN. A great many Members have asked me what it means.

Mr. TIMBERLAKE. That is correct.

Mr. KITCHIN. In the second subdivision of the bill a duty is provided on metallic tungsten, and so forth, of $1 per pound of tungsten. That would be, of pure tungsten metal, at the rate of $2,000 per ton.

Mr. TIMBERLAKE. Yes, sir. That is correct.

Mr. TAYLOR of Colorado. Mr. Chairman, will the gentleman yield?

Mr. TIMBERLAKE. Yes.

Mr. TAYLOR of Colorado. My colleague has spoken of this as a war metal. Is it not true that tungsten is becoming tremendously important in hundreds of uses and is already a great domestic necessity throughout this country at this time, regardless of war?

Mr. TIMBERLAKE. I will say to my colleague that that is true. Those of you who have read the hearings will probably note that fact very forcefully stated.

Mr. TAYLOR of Colorado. Is it not also true that the mining and production of tungsten being such a comparatively new industry in this country, having been discovered and established only a very few years, and being a bona fide infant industry, capable of marvelous development, it is the gentleman's idea that this duty or tariff will tend to so build up, encourage, and stabilize the industry that it may possibly some day put it on a self-supporting basis, where we can produce it in competition with other countries without any tariff protection?

Mr. TIMBERLAKE. I think that is true, and I think anyone who thinks of the necessity for this tungsten, in case we should have trouble in the future, must realize the importance of it. In case of trouble, if we did not develop our own tungsten mines, we might not be able to get it from abroad. Suppose we should have trouble with Japan or England, we might not be able to get it. There is great necessity for its use in the manufacture of steel for domestic purposes in this country, and it is vitally necessary that this country have it in plentiful quantities in case of war.

Mr. TAYLOR of Colorado. Is it not also true that the gentleman's constituents in Boulder County, Colo., and whom I had the honor to represent in Congress for six years, and who represent one of the greatest and most important tungsten developments in this country, desire only such protection as will honestly afford them a fair and reasonable opportunity to develop and permanently establish this tungsten industry, which has such wonderful possibilities for our country in the future?

Mr. TIMBERLAKE. That is absolutely true.

Mr. TAYLOR of Colorado. They are not trying to build a high, monopolistic tariff wall around the United States to the injury of the people?

Mr. TIMBERLAKE. Not by any means. In this connection permit me to say that I had a talk the other day with an American who is interested in South American tungsten ore, and he made the statement that with a duty of $10 per unit on the South American product he could go into his mine in South America and produce tungsten and deliver it in this country and make all kinds of money and pay that tariff.

Mr. TAYLOR of Colorado. Is it not also true that notwithstanding the tariff was taken off of tungsten before the war, and there was no duty on it during the war, and tungsten mining was in a precarious condition, yet at the instance of the administration the mine owners of these tungsten mines patriotically responded and went in and did a tremendous amount of work and spent large amounts of money and produced the tungsten as a patriotic duty for the purpose of furnishing what was absolutely necessary to the successful carrying on of the war and rendered a great service to our country?

Mr. TIMBERLAKE. That is true, and in addition I want to say that they are not so favorably considered as are the producers of other metals that were deemed necessary by the departments of this Government, and for which we appropriated eight and one-half million dollars, to take care of those who had gone on at the urgent instance of the departments to develop their mines and increase their production.

Acting upon that, not waiting for command from some department, these same men borrowed money to put into a prospect hole in order to increase the production of tungsten here in this country, only to find now from this appropriation they are not receiving any consideration at all. Why? Because of the fact that they did not have a written contract with any board that authorized them to go on. I submit to you gentlemen that all of these reports went out to the country from the departments urging them to increase their production along all lines. They did not believe it would be necessary for them to have a specific order. They received that order just as they received the order for the draft, through the press of the country. They did not get personal notice.

Mr. ASWELL. Will the gentleman yield?

Mr. TIMBERLAKE. I will.

Mr. ASWELL. Does the gentleman believe even though they did do it that that should have anything to do with this bill? Every other industry in this whole country and every individual did the same thing. It is no credit to them especially. If they did not do it, they should have been kicked out of the country.

Mr. TIMBERLAKE. Not to the extent of spending hundreds of thousands of dollars in developing the industry——

Mr. ASWELL. Oh, various enterprises of this country did it where every dollar was lost.

Mr. TIMBERLAKE. They ought to be reimbursed if they did that at the suggestion and invitation of their Government only to find they were losing by the process.

Mr. MILLER. Will the gentleman yield?

Mr. TIMBERLAKE. I will.

Mr. MILLER. Does not the gentleman further think that the element of protection to American labor also figures in this?

Mr. TIMBERLAKE. It certainly does. America does not want to see its labor degenerate to the condition of the Chinese miner, to live under the conditions the Chinese live. There is not a Member of this House who would stand for our labor degenerating in that way. And permit me to say in this connection that that is not all that adds to the cost of production in this country. As I have shown you, this deposit in China is a surface deposit, it is easily gathered, there is no expensive machinery used in its concentration. Why, there are millions and millions of dollars here in this country in the Boulder field, the California and Nevada field, on these concentrating mills which require complex and costly machinery in order to concentrate this metal. Now that enters into it. Then you can see what it would mean through these Rocky Mountains to

dig a trench 2½ feet wide, 7 feet high, right through granite rock and then only find a strip of ore of that kind to repay them. So the cost of labor in performing that work is very high priced. Those of you who have read the hearings will notice that no one has appeared in opposition to a tariff on tungsten.

Mr. RAKER. Will the gentleman yield?

Mr. TIMBERLAKE. I will yield to my colleague.

Mr. RAKER. What effect would the proposed legislation have upon the approximately 5,000 tons of ore now in storage in and about New York? Would they get this raise in the tariff?

Mr. TIMBERLAKE. Would they get the benefit of this rate of tariff?

Mr. RAKER. Yes.

Mr. TIMBERLAKE. I am not able to answer that question with reference to this received in bond. I presume it would not be subject to this tariff, and only that which came in after this bill, if it passes, becomes operative, would be subject to the tariff.

Mr. RAKER. These people imported this tungsten ore, as I understand, to the extent of about 5,000 tons, and that is on deposit now in and about New York. Now, what effect will the placing of this tariff upon that ore have upon the price—will it raise it about 100 per cent, giving these people an enormous profit?

Mr. TIMBERLAKE. Well, I am not able to answer that question definitely. I am rather of the opinion that the provisions of this bill could not apply to the product that had already been bonded in this country coming from abroad. I would not like to put that answer in as definite, because I am not thoroughly conversant with it.

Mr. RAKER. Then they would get the benefit of the tariff now imposed without being compelled to pay any tariff upon that which they had shipped and had stored pending legislation?

Mr. TIMBERLAKE. I think that would be true. The gentleman from California is more or less acquainted, I presume, with the industry in this country, having either in his district or adjoining his district the Atolia mine, which is one of the largest commercial producers of tungsten. Now, gentlemen, I made a statement I want to correct just in a slight way. I made the statement at the beginning that there was not a tungsten mine in operation in this country to-day, and had not been within a few days after the armistice was signed. That was not strictly correct, because I have lately had the information that the Atolia mine is running a very small shift, which is necessary for the reason that before the armistice was signed they had entered into a contract with the owners of that mine for continuous operation for a certain time, and while they are losing money every day they operate, hoping for protection that will relieve them; they have continued to work a very small shift there in order to comply with their contract, although, as I say, they are losing money every day they operate. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. TIMBERLAKE, Gentlemen, I thank you.

Mr. HAWLEY. Mr. Chairman, I yield one minute to the gentleman from Nebraska [Mr. MCLAUGHLIN].

Mr. MCLAUGHLIN of Nebraska. Mr. Chairman, through the courtesy of the gentleman controlling the time, I simply wish to ask unanimous consent to extend my remarks in the RECORD on the subject of the possible cause of race riots.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent to extend his remarks in the RECORD on the subject of the possible cause of race riots. Is there objection? [After a pause.] The Chair hears none.

Mr. KITCHIN. Mr. Chairman, I yield 10 minutes to the gentleman from Louisiana [Mr. ASWELL].

Mr. ASWELL. Mr. Chairman, I am opposed to the high rate of duty imposed by this bill and shall vote against it if it is retained. Much is being said and much being done to reduce the high cost of living, but gentlemen of the majority party seem determined to increase the cost to the consumer of everything they touch. Unless the rate is reduced, I shall certainly oppose the bill.

But at this time I wish to expose a conspiracy, culminating on the 11th of this month, to raise the prices of a very necessary food. I propose to present this data, and all other I can secure, to the Department of Justice, and hope the conspirators will land in prison, where they justly belong. I wish to have read from the Clerk's desk two letters, one from the conspirators to their representatives and agents throughout the entire country, the other from a patriotic citizen of my State, who very vigorously and properly protests against this outrageous combination which strikes at the very life of our people, as beans are one of the most widely used and necessary foods.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

[Circular No. 107.]

LOS ANGELES, CALIF., *August 2, 1919.*

GENTLEMEN: We are finding ourselves in a peculiar position. You probably know that there is in contemplation a merger of the three largest lima-bean shippers on the coast for the next five years, namely, the association, the Levy Co., and the Waterman Selling Agency.

Now, if this thing goes through, and we will not know until August 11, the three of us will all have to sell upon the same terms, conditions, and at same prices.

You know we told our agents to send us S. A. P. business, and we are told that the association and Levy did the same. They, however, took S. A. P.'s subject to their confirmation after buyer approved, while we failed to put this clause up to you when soliciting the jobbers. In consequence, a peculiar thing happened. Our brokers sent more orders for September shipment than could possibly be harvested during September even at a normal crop, and now we know we have only a 50 to 65 per cent crop.

In order to prevent ourselves from being swamped it would be necessary to name a ridiculously high price for September shipment, which no jobber could possibly approve of. We are sure you will agree with us that that would be foolish and disastrous for all concerned.

We are going on the presumption that this combination is going to be put into operation, and we are now putting before you the plan which we believe is the only way to handle this and do it so that justice is done to every one of our friends and customers, and remember that no one is able to judge unless he first becomes acquainted with all the conditions surrounding this combination of selling agents.

Therefore, see all jobbers who gave you S. A. P.'s, explain the situation, cancel S. A. P.'s previously given or get them to change as follows: Let each one give you his positive orders for each month at whatever price will be named, and let them state that they give us authority to purchase this quantity for them, at the same time agreeing to accept pro rata delivery. They must appreciate that the crop is short and limas are a good purchase. We really don't know where they could place their orders and be assured of better treatment than we can give them.

The above is not only for limas but also for baby limas, which will probably sell for less, and we have an idea they will become more popular, so be sure to cover the two kinds of limas, both being good sellers. We will have a definite amount to sell each month during the harvest, and, of course, not more than can be shipped out, and it will do the jobbers no good to place orders with more than one selling agency, as a complete record will be kept and comparisons made so each one will get his just pro rata.

Some jobbers may think we are asking too much by wanting open orders, but we know we can then guard their interests much better this season. We should have their orders to book at whatever price is named and then be allowed to prorate, and at the proper time wire your quantities confirmed.

Get to work immediately, finish in time to have everything completed, all records in the mail Saturday, August 9; and remember as long as they allow us to prorate—and we must be able to do that—we are willing to book all the business we can.

Don't forget that no brokers can book orders for themselves; they must be booked in bona fide jobbers' names according to blue book. We have been told no arguments will prevail against this decision and no jobbers or brokers who are speculators can book orders.

Get to work with a will and the determination that, notwithstanding there won't be big quantities, to make this the most profitable year in limas and baby limas for all concerned.

Yours, truly,

J. M. WATERMAN,
Selling Agency.

Mr. ASWELL. Mr. Chairman, I wish to call attention to the fact that this is a corner in the market on beans and has been definitely planned. This is criminal conduct in a time like this, or in any other time. The above letter has been sent to their agents to have the merchants of the country order beans in the open market without naming the price, giving this combination the right to fix the price after the month ends. If that is not a conspiracy against one of the most important articles of food, I do not know where to find one. And I present this in order to expose the conspiracy, and I shall carry it straight from this House to the Department of Justice.

The other letter which I print gives clearly the purpose of the conspiracy to hold up the public in a scheme of indefensible profiteering. I hope through the Department of Justice the guilty ones will promptly land in jail and there have many years to repent.

ALEXANDRIA, LA., *August 7, 1919.*

Hon. JAMES B. ASWELL,
Senator JOSEPH E. RANSDELL,
Washington, D. C.

DEAR SIRS: I am inclosing you a copy of a circular letter issued by J. M. Waterman Selling Agency, dated at Los Angeles, Calif., August 2. This letter is addressed to their brokers throughout the country.

You will note that they with two other dealers are contemplating a merger for the purpose of controlling the bean crops. From the tenor of the circular, you will note it is their purpose to cancel all (S. A. P.) subject-to-approval-price contracts that were made and offer in lieu of the subject-to-approval price a contract that means we would have to give a positive order for beans to be shipped each month and at whatever price they see fit to name, giving them authority to purchase the beans and at the same time agreeing to accept pro rata delivery.

You can readily see that this would have the effect only of putting the price of this staple food commodity out of reach of the ordinary consumer. They could easily go on the market and contract for more beans than are raised, and by having entire control put the price at whatever point they wanted.

The canners of California fruit offer us practically the same contract on fruits, and many other packers of foods are doing the same thing. Many of the jobbers are refusing to sign any such contracts, we among the number. The result will be we will have no goods to sell.

Now, the purport of this letter is not to suggest to you gentlemen the course to pursue, because you are on the ground and doubtless have

studied the situation better possibly than I, but I wanted you to see just what is being offered to us. I candidly believe that unless some drastic legislation is passed to control the food profiteering this country will be disturbed all over by riots and insurrections. Beans are the poor man's food, or, it might better be said, the masses' food.

Other large meat packers have taken charge of the rice, as by statistics it can be shown that in 1917, when Mr. Armour entered the rice field as a dealer, he not only became the largest rice merchant in the world, handling 17,000,000 pounds, but that it resulted in rice advancing 65 per cent. Now, this was very nice for the rice growers, but it really created a fictitious price to the consumer, who was not fortunate enough to live in the rice-growing belt. Mr. Armour's branch house in Alexandria brought in several cars of rice at a cheap price, and could have by their immense purchasing power offered rice very much cheaper than the wholesale grocer, but it was only a short time that the stocks owned by the wholesale grocer (in accordance with the food regulations) were sold out at a low price, and Mr. Armour succeeded in getting a high price for his stock.

I firmly believe that the five packers—Armour, Swift, Cudahy, Morris, and Wilson—started out with the deliberate purpose of controlling the entire staple-food products in this country. I notice from reports that they have thousands of pounds of butter, thousands of pounds of frozen meat and fish, and thousands of cases of eggs now in cold storage, being held off the market, and have it to offer just as the packer wants, and at his own price.

We have raised wages in this country almost to the breaking point, but even with the wages raised, the laboring man is no better off, and has probably fewer luxuries than he did under a smaller wage scale and cheaper living expenses. This high cost applies as well to dry goods and shoes as it does to groceries. There is profiteering going on all over the country, and unless some drastic step is taken to stop the profiteering it means trouble to all of us.

I hope you will pardon me for this letter. I know you will use your good judgment and favor such bills as will bring relief.

Yours, very truly,

B. F. THOMPSON.

Mr. KING. Will the gentleman yield?

Mr. ASWELL. Yes.

Mr. KING. Has the gentleman presented this to the Department of Justice?

Mr. ASWELL. I am doing it to-day.

Mr. HAWLEY. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. MCLAUGHLIN].

The CHAIRMAN. The gentleman from Oregon has 14 minutes remaining of his time, and the gentleman from Michigan is recognized for 14 minutes.

Mr. MCLAUGHLIN of Michigan. Mr. Chairman, our attention has been called to the very serious problem of the high cost of living, and suggestions of amendments to existing laws have been made, and it occurs to me that it may be interesting to the membership of the House and to the country if I call attention to provisions of existing law, law that has been in force since August 10, 1917. The food-control act was approved on August 10, 1917, and if the committee will bear with me I will read some of its provisions at some length.

Section 1 states the purpose of the law—

to assure an adequate supply and equitable distribution, and to facilitate the movement, of foods, feeds, fuel (including fuel oil and natural gas), and fertilizer and fertilizer ingredients, tools, utensils, implements, machinery, and equipment required for the actual production of foods, feeds, and fuel, hereafter in this act called necessaries; to prevent, locally or generally, scarcity, monopolization, hoarding, injurious speculation, manipulations, and private controls affecting such supply, distribution, and movement; and to establish and maintain governmental control of such necessaries during the war. * * * The President is authorized to make such regulations and to issue such orders as are essential effectively to carry out the provisions of this act.

It will be remembered that the President, in his message of August 8 instant, suggested amendment of the act so as to include "feedstuffs, fuel, clothing, and many other commodities which are indisputably necessaries of life." It will be noticed that the section I have quoted includes feedstuffs and fuel.

Section 2 of the act provides:

That in carrying out the purposes of this act the President is authorized * * * to create and use any agency or agencies, * * * to cooperate with any agency or person, to utilize any department or agency of the Government, and to coordinate their activities.

By virtue of this authority the President created several agencies, including the Food Administration and the Fuel Administration, and made use of some existing departments of the Government, including the Department of Agriculture and the Department of Justice.

I wish to quote section 4 in full:

That it is hereby made unlawful for any person willfully to destroy any necessaries for the purpose of enhancing the price or restricting the supply thereof; knowingly to commit waste or willfully to permit preventable deterioration of any necessaries in or in connection with their production, manufacture, or distribution; to hoard, as defined in section 6 of this act, any necessaries; to monopolize or attempt to monopolize, either locally or generally, any necessaries; to engage in any discriminatory and unfair, or any deceptive or wasteful practice or device, or to make any unjust or unreasonable rate or charge, in handling or dealing in or with any necessaries; to conspire, combine, agree, or arrange with any other person (a) to limit the facilities for transporting, producing, harvesting, manufacturing, supplying, storing, or dealing in any necessaries; (b) to restrict the supply of any necessaries; (c) to restrict distribution of any necessaries; (d) to prevent, limit, or lessen the manufacture or production of any necessaries in order to enhance the price thereof, or (e) to exact excessive prices for any necessaries; or to aid or abet the doing of any act made unlawful by this section.

It will be noticed that this is the section which the President says is "accompanied by no penalty," and he suggests that "a penalty should be provided which will be persuasive." It is true this section does not in so many words provide a penalty, but I shall later call your attention to the fact that other sections of the act and the act as a whole do provide a penalty or furnish a way by which compliance with the provisions of section 4 can be enforced and its violation punished.

Section 5 is a very important section. It relates to the issuing of licenses. It provides—

That from time to time, whenever the President shall find it essential to license the importation, manufacture, storage, mining, or distribution of any necessaries in order to carry into effect any of the purposes of this act, and shall publicly so announce, no person shall, after a date fixed in the announcement, engage in or carry on any such business specified in the announcement of importation, manufacture, storage, mining, or distribution of any necessaries as set forth in such announcement, unless he shall secure and hold a license issued pursuant to this section. The President is authorized to issue such licenses and to prescribe regulations for the issuance of licenses and requirements for systems of accounts and auditing of accounts to be kept by licensees, submission of reports by them, with or without oath or affirmation, and the entry and inspection by the President's duly authorized agents of the places of business of licensees. Whenever the President shall find that any storage charge, commission, profit, or practice of any licensee is unjust, or unreasonable, or discriminatory and unfair, or wasteful, and shall order such licensee, within a reasonable time fixed in the order, to discontinue the same, unless such order, which shall recite the facts found, is revoked or suspended, such licensee shall, within the time prescribed in the order, discontinue such unjust, unreasonable, discriminatory, and unfair storage charge, commission, profit, or practice. The President may, in lieu of any such unjust, unreasonable, discriminatory, and unfair storage charge, commission, profit, or practice, find what is a just, reasonable, nondiscriminatory, and fair storage charge, commission, profit, or practice, and in any proceeding brought in any court such order of the President shall be prima facie evidence. Any person who, without a license issued pursuant to this section, or whose license shall have been revoked, knowingly engages in or carries on any business for which a license is required under this section, or willfully fails or refuses to discontinue any unjust, unreasonable, discriminatory, and unfair storage charge, commission, profit, or practice, in accordance with the requirement of an order issued under this section, or any regulation prescribed under this section, shall, upon conviction thereof, be punished by a fine not exceeding $5,000, or by imprisonment for not more than two years, or both.

The section excludes from its provisions farmers, gardeners, and other producers of food products as to any of these products produced on land owned, leased, or cultivated by them. The section also defines a retailer "to be a person, copartnership, firm, corporation, or association not engaged in the wholesale business whose gross sales do not exceed $100,000 per annum."

Section 6 is the "hoarding section," and is as follows:

That any person who willfully hoards any necessaries shall, upon conviction thereof, be fined not exceeding $5,000, or be imprisoned for not more than two years, or both. Necessaries shall be deemed to be hoarded, within the meaning of this act, when either (a) held, contracted for, or arranged for by any person in a quantity in excess of his reasonable requirements for use or consumption by himself and dependents for a reasonable time; (b) held, contracted for, or arranged for by any manufacturer, wholesaler, retailer, or other dealer in a quantity in excess of the reasonable requirements of his business for use or sale by him for a reasonable time, or reasonably required to furnish necessaries produced in surplus quantities seasonally throughout the period of scant or no production; or (c) withheld, whether by possession or under any contract or arrangement, from the market by any person for the purpose of unreasonably increasing or diminishing the price.

The section does not relate to transactions on any exchange, board of trade, and so forth, because these are taken care of in another section, nor does it relate to farmers, gardeners, or others who produce necessaries on land owned, leased, or cultivated by them.

Section 7 of the act provides that necessaries that shall be hoarded may be seized, condemned, and sold, the intention being to impose a penalty or to provide a remedy against the necessaries themselves that have been hoarded, as other sections provide for the apprehension and punishment of hoarders themselves. I quote a portion of it, so that you may see how full and how strong it is:

That whenever any necessaries shall be hoarded as defined in section 6, they shall be liable to be proceeded against in any district court of the United States within the district where the same are found and seized by a process of libel for condemnation; and if such necessaries shall be adjudged to be hoarded they shall be disposed of by sale in such manner as to provide the most equitable distribution thereof, as the court may direct, and the proceeds thereof, less the legal costs and charges, shall be paid to the party entitled thereto.

Section 8 forbids and provides punishment for destruction of necessaries:

That any person who willfully destroys any necessaries for the purpose of enhancing the price or restricting the supply thereof shall, upon conviction thereof, be fined not exceeding $5,000 or imprisoned for not more than two years, or both.

Section 9 is intended to prevent conspiracies and combinations:

That any person who conspires, combines, agrees, or arranges with any other person (a) to limit the facilities for transporting, producing, manufacturing, supplying, storing, or dealing in any necessaries; (b) to

restrict the supply of any necessaries; (c) to restrict the distribution of any necessaries; (d) to prevent, limit, or lessen the manufacture or production of any necessaries in order to enhance the price thereof shall, upon conviction thereof, be fined not exceeding $10,000 or be imprisoned for not more than two years, or both.

Section 11 confers the broad authority upon the President to purchase certain food products and to sell them at reasonable prices:

That the President is authorized from time to time to purchase, to store, to provide storage facilities for, and to sell for cash at reasonable prices wheat, flour, meal, beans, and potatoes.

And the only limitation as to prices at which these food products shall be sold is the provision contained in section 14, by which the minimum guaranteed price of wheat is fixed at $2; the sale of wheat can not be made below this minimum price. This is a very broad provision, conferring, as it does, authority on the President to direct his agents to go into the market and buy food products and to resell them to the people at cost. This authority was evidently given for the purpose of enabling the President to control prices—to protect the people against profiteers.

There is a section for the control of exchanges and boards of trade and for the prevention of injurious speculation or unjust manipulation of prices of necessaries. It is section 13, a portion of which I quote:

That whenever the President finds it essential in order to prevent undue enhancement, depression, or fluctuation of prices of, or in order to prevent injurious speculation in, or in order to prevent unjust market manipulation or unfair and misleading market quotations of the prices of necessaries, hereafter in this section called evil practices, he is authorized to prescribe such regulations governing, or may either wholly or party prohibit operations, practices, and transactions at, on, in, or under the rules of any exchange, board of trade, or similar institution or place of business as he may find essential in order to prevent, correct, or remove such evil practices.

And this section provides that violation of regulations made by the President shall be punished by a fine not exceeding $10,000 or by imprisonment not exceeding four years, or both.

Money was appropriated by section 18 to be available during the fiscal year ending June 30, 1918. The sum of $2,500,000 was appropriated "for the payment of such rent, the expense, including postage, of such printing and publications, the purchase of such material and equipment, and the employment of such persons and means, in the city of Washington and elsewhere, as the President may deem essential."

And by section 19 the sum of $150,000,000 was appropriated and made available during the time the act is in effect. This money was available for use by the President, his agent or agents, in carrying out the purposes of the act, the only limitation on its use being "that no part of it shall be expended for the purposes described in the preceding section (18)."

My purpose in quoting the sections of this law so fully is that the House may know how well the Congress enacting the law did its work, how full and evidently complete the act is, so that the House, and the country as well, may judge whether amendments are necessary and whether or not the agencies created by the President have used, as they should have used, the authority conferred upon them by Congress in dealing with the serious problem of the high cost of living.

I wish to call attention particularly to section 5, which authorizes the President to issue licenses to persons, companies, or corporations engaged in the importation, manufacture, storage, mining, or distribution of any necessaries. This section gives the President authority to determine when and in what cases licenses shall be necessary, and, announcement of the President having been made, it is made unlawful for anyone to engage in or carry on business specified in the announcement, unless he shall secure and hold a license; that when the President shall find that any storage charge, commission, profit, or practice of any licensee is unjust or unreasonable or discriminatory or unfair or wasteful, the licensee must discontinue improper or objectionable business methods; that the President may determine what is just, reasonable, nondiscriminatory, and fair storage charge, commission, profit, or practice, and it shall be the duty of the licensee to comply with and to conform to the President's finding in this respect; that the penalty for engaging in business without a license or for failing to discontinue unjust, unreasonable, discriminatory, or unfair charge, commission, profit, or practice, as determined by the President, makes the licensee liable to punishment by a fine of $5,000 or by imprisonment for not more than two years, or both. And it may be observed that a retailer—that is, one whose business does not exceed $100,000 per annum—is not required to secure a license. These licenses cover all kinds of business and dealings in all food products and necessaries enumerated in the act, and I wish to submit that if the power conferred by this section had been exercised there would have been and might have continued to this day a complete control over all business in foodstuffs and other necessaries, and control over everybody engaged in such business from the large dealer down to the very smallest.

You may ask how the retailers whose business does not reach $100,000 per year were to be reached, inasmuch as they have been expressly exempted by the statute. They were reached by imposing upon the licensee, the large dealer, by the express terms and conditions of his license, the duty of seeing to it that no small dealer whom he supplied with goods for retail trade sold them or in any manner carried on his business respecting them in an unfair, unreasonable, or unjust way, that no unreasonable price was asked, and that no unreasonable profit was gained by the retail dealer—a very effective method, found to be effective in the few cases in which it was tried. So that the act does give entire control over the entire proposition of manufacture, distribution, and sale of foodstuffs by business large and small alike.

It was pointed out to us that the act relating to destroying necessaries and the committing of waste and the hoarding and the attempt to monopolize, the attempt to get too large a profit, carries no penalty. Violation of these provisions can be punished and prevented, because those who are guilty of these unlawful acts are reached under the licensing system, and some of these unlawful acts have been punished and others have been prevented by proceeding under the licensing section against those who were guilty of them.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Michigan yield to the gentleman from Wyoming?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. MONDELL. I understand that some gentlemen appeared before your committee, representing the Department of Justice, with regard to this matter of penalty for profiteering, and stated that after further consideration of the matter they concluded there was a penalty in the law, notwithstanding the fact that the President had suggested that there was a lack of penalty against profiteering.

Mr. McLAUGHLIN of Michigan. That question was asked of one of the legal representatives of the Department of Agriculture, and he made answer practically as the gentleman from Wyoming states. But he said later that the matter under section 4 could be reached through the licensing system and not by the imposition of a direct penalty.

Mr. ANDERSON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Michigan yield to the gentleman from Minnesota?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. ANDERSON. Of course, the things prohibited by section 4 could be prohibited as a condition in the license, and violation of a condition of a license could, of course, be prosecuted under the act?

Mr. McLAUGHLIN of Michigan. Yes. I thought I had made that clear, that all these things could be provided against in the license issued to the manufacturer, distributor, or large dealer, and the only doubt that could arise in anyone's mind as to the extent to which the matter could be reached under the licensing system was as to the retailers, those whose business did not reach $100,000 a year. I endeavored to point out that even those were reached, because the license issued to the large dealer might contain, and some licenses did contain, the provision that the large dealer should carry on his business in such a way that the small dealer could not get goods if the small dealer did anything violative of the provisions or contrary to the spirit of this section 4.

Mr. YOUNG of Texas. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Michigan yield to the gentleman from Texas?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. YOUNG of Texas. Under the statement of the gentleman, then, you do not think it is necessary to amend this food-control act in the particular as to inserting a penalty, as suggested by the Department of Justice?

Mr. McLAUGHLIN of Michigan. I think it is not necessary to amend it by inserting a penalty, although I am disclosing no committee secret when I say that the Committee on Agriculture, having had under consideration two amendments recommended by the Attorney General, involving the inclusion of certain words suggested by the President and the affixing of a penalty to section 4, has approved of those two amendments, and a bill will very shortly be introduced carrying those amendments.

Mr. RICKETTS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Michigan yield to the gentleman from Ohio?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. RICKETTS. If I understood the gentleman correctly, the law provides that the license shall be issued by such agency as the President shall designate?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. RICKETTS. And the President has the authority to make such rules and regulations with reference to the issuing of those licenses as he deems prudent?

Mr. McLAUGHLIN of Michigan. That is right.

Mr. RICKETTS. And no such agencies have been established under this law. Is that true?

Mr. McLAUGHLIN of Michigan. Some agencies were established. The Food Administration and the Fuel Administration were agencies, and the President called into being other agencies and set to work other authorities, I may say, for a time, and many licenses were issued. But concerning important lines of business the licenses were withdrawn and canceled by the action of the President on the 11th day of February of this year.

Mr. RICKETTS. This year?

Mr. McLAUGHLIN of Michigan. Yes; 1919. On February 11, 1919, the President issued the following proclamation:

Now, therefore, I, Woodrow Wilson, President of the United States of America, by virtue of the powers conferred upon me by said act of Congress, hereby find and determine and by this proclamation do announce that it is no longer essential in order to carry into effect the purposes of the act that the importation, manufacture, storage, or distribution of certain necessaries be subject to license to the extent hereinafter specified.

Licenses heretofore required for the importation, manufacture, storage, or distribution of certain necessaries are hereby canceled, effective February 22, 1919, with respect to the following:

All persons, firms, corporations, or associations engaged in the business of importation, manufacturing, or distributing butter or eggs, or engaged in the business of operating cold-storage warehouses.

All regulations issued under the said act covering licensees so dealing in these commodities are hereby canceled, effective February 22, 1919.

This proclamation shall in no way affect licenses heretofore required for the importation, manufacture, storage, or distribution of necessaries or regulations governing licensees, other than as indicated above.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the city of Paris, France, this 11th day of February, in the year of the Lord 1919, and of the Independence of the United States of America the one hundred and forty-third.

[SEAL.] WOODROW WILSON.

By the President.

FRANK L. POLK,
Acting Secretary of State.

So the President in his wisdom removed all restrictions and gave up all attempt to control, as he had absolute power to control, all business in butter and eggs, and all business carried on by cold-storage warehousemen; and it should be stated that cold-storage warehouses store and deal in meats of all kinds, except salted and pickled meats; fish, poultry, butter, cheese, eggs, and lard. So the President deliberately, in February of this year, gave up the control that he had theretofore exercised over all these products.

It was said in another body yesterday in debate that prosecutions under this act have not been successful because the act had been imperfectly drawn, and one of the imperfections pointed out was that the act does not include corporations; that it refers only to persons, and it was said that this omission made it impossible to regulate in any manner or to prosecute corporations. The gentleman who made that statement is not familiar with the act, because there is a section—section 23—which says:

The word "person," whenever used in this act, shall include individuals, partnerships, associations, and corporations. When construing and enforcing the provisions of this act the act, omission, or failure of any official, agent, or other person acting for or employed by any partnership, association, or corporation within the scope of his employment or office shall, in every case, also be deemed the act, omission, or failure of such partnership, association, or corporation as well as that of the person.

It will be seen, therefore, that the section is as broad and inclusive as it is possible to make it; that it is in the form used in other acts of Congress intended to reach corporations.

It has been claimed, too, that the administration has not been proceeding in the work of reducing or preventing the high cost of living, and that there are now no arrests or prosecutions because of the failure of Congress to make proper appropriations of money. Those who offer that explanation or apology have forgotten or fail to mention the fact that for the fiscal year ending June 30, 1919, there was appropriated for the Food Administration $7,500,000 and for the Fuel Administration $3,500,000. So little was done under that act by way of controlling the food business and trying to curb the high cost of living that at the close of the fiscal year ending six weeks ago the administration turned back $3,500,000.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. HAWLEY. Mr. Chairman, I ask unanimous consent that my time be extended 20 minutes.

The CHAIRMAN. The gentleman from Oregon asks unanimous consent that his time be extended 20 minutes. Is there objection?

There was no objection.

Mr. HAWLEY. I yield five minutes more to the gentleman from Michigan.

The CHAIRMAN. The gentleman from Michigan [Mr. McLAUGHLIN] is recognized for five additional minutes.

Mr. McLAUGHLIN of Michigan. And no further appropriation for this year was asked for by anybody for the purpose of carrying out this act.

Mr. RICKETTS. Who turned back the $3,500,000? Who had charge of that?

Mr. McLAUGHLIN of Michigan. The enforcement of this law was in the hands of the President of the United States, authorized to use any agency or agencies he might be pleased to create, and among other things he created the Food Administration and the Fuel Administration. The appropriation of $7,500,000 was for the President's use in carrying on under the Food Administration the control of food and other necessaries enumerated in the act, and the $3,500,000 was for his use in carrying on the control of fuel under the Fuel Administration.

Mr. RICKETTS. Was the $3,500,000 turned back by the President?

Mr. McLAUGHLIN of Michigan. I do not know whether you would say by the President—by this administration.

Mr. RICKETTS. The President or his agents.

Mr. McLAUGHLIN of Michigan. No one connected with this administration, not even the Department of Justice, asked for any additional money or any further appropriation to continue this work or any part of it.

It seems that the Secretary of Agriculture was early asked to enforce the provisions regarding the "manufacture, distribution, sale, and prices of fertilizer, fertilizer ingredients, tools, utensils, implements, machinery, and equipment required for the actual production of food, feeds, and fuel"; but we learned that absolutely nothing has been done by the Secretary of Agriculture in the way of exercising that authority. One of his officials said very recently that the Secretary, knowing that he had this authority and that the duty of enforcing this law was upon him, was "following up that proposition." This law has been in force nearly two years, and the Secretary of Agriculture is "following it up." The interesting thing about it is that he is still "following," and he gives no intimation that he will ever catch up.

Mr. REED of West Virginia. Watchful waiting.

Mr. YOUNG of Texas. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. My time is very limited.

Mr. YOUNG of Texas. He did handle the fertilizer business, at least.

Mr. McLAUGHLIN of Michigan. He handled some nitrate fertilizer, yes, and sold it at $80 a ton; but nothing has been done or attempted in the direction of reducing the enormous prices paid by farmers for "tools, utensils, implements, machinery, or equipment" mentioned in section 1. Now, I have intended by my remarks to show that the food-control act conferred ample authority upon the administration to do everything which the administration gives evidence now of wishing to do, and that little or nothing has been done. The morning paper carries a notice of the conviction of a man at Binghamton, N. Y., and the Attorney General says "it is the first of the Federal convictions for profiteering that has been had." District Attorney Lucey telegraphed from Binghamton, N. Y., that a retail grocer had been fined $500 for selling sugar at 15 cents a pound. No details were given, and it is not known here under which section of the law the case was brought. Mr. Palmer says that "a few good convictions for profiteering in each State will settle the trouble." So they have finally found that there is a law under which they can reach profiteers, even retailers, and they are proceeding, after the lapse of nearly two years. I did not rise for the purpose of taking issue with those who have asked amendments to the law. I have merely spoken for the purpose of showing what the law is, and that, in my judgment and the judgment of those who have had directly to do with it on the committee, that the law is and has been since its enactment ample for every purpose to enable the administration to do what it seems to wish to do now, except that clothing might be included, and that containers of food might be included, and that, perhaps, in order to make it a little more certain and easy of execution, a penalty should be attached to and provided for the violation of the things set forth in section 4. [Applause].

The CHAIRMAN. The time of the gentleman has expired.

Mr. KITCHIN. I yield five minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, on yesterday the distinguished gentleman from Minnesota [Mr. CARSS], although a member of the Railroad Brotherhood of Engineers, and notwithstanding the fact that he has been chairman of the brotherhood committee having in charge the wage question for such brotherhood, was unable, upon the request of certain Members here, to give us very definite information concerning the wages received by engineers and trainmen. I have just received by special messenger from the Railroad Administration a letter bearing on this subject dated to-day, August 14, which gives us more specific information. It does not give the figures existing since the last raise, but this statement shows that prior to the last raise the average monthly earnings for passenger conductors in 1918 was $190.50; for freight conductors, $188.75; for passenger engineers, $211.42; and for freight engineers, $207.50. It gives the figures for 1916 and 1917 also. It states that there are no figures yet available showing the data with reference to the average earnings subsequent to the placing in effect of the wages as referred to in Supplements No. 15 and No. 16, same being contained in the Director General's press notice of April 11.

Mr. GALLAGHER. Will the gentleman state what the difference is?

Mr. BLANTON. In a moment. There has been some question whether or not these employees are paid for overtime. That question was raised here on the floor of the House. In reply I will read from Supplement No. 16 to General Order No. 27 of the United States Railroad Administration:

ARTICLE II.—*Basic day.*

One hundred miles or less (straightaway or turnaround), five hours or less, except as provided in Article III, section (a), shall constitute a day's work, miles in excess of 100 will be paid for at the mileage rate provided, according to class of engine.

ARTICLE III.—*Overtime.*

(a) Engineers, firemen, and helpers on short turn-around passenger runs, no single trip of which exceeds 80 miles, including suburban and branch-line service, shall be paid overtime for all time actually on duty, or held for duty, in excess of 8 hours (computed on each run from the time required to report for duty to the end of that run) within 10 consecutive hours; and also for all time in excess of 10 consecutive hours computed continuously from the time first required to report to the final release at the end of the last run. Time shall be counted as continuous service in all cases where the interval of release from duty at any point does not exceed one hour. This rule applies regardless of mileage made.

For calculating overtime under this rule the management may designate the initial trip.

(b) Engineers, firemen, and helpers on other passenger runs shall be paid overtime on a speed basis of 20 miles per hour computed continuously from the time required to report for duty until released at the end of the last run. Overtime shall be computed on the basis of actual overtime worked or held for duty, except that when the minimum day is paid for the service performed, overtime shall not accrue until the expiration of five hours from the time of first reporting for duty.

Where a more favorable overtime rule exists, such rule may be retained, in which event this section will not apply.

Where the provisions of this section for continuous time on turnaround runs of over 80 miles one way, change existing overtime rules, the effective date will be April 10, 1919; otherwise January 1, 1919.

(c) Overtime in all passenger service shall be paid for on the minute basis at a rate per hour of not less than one-eighth of the daily rate herein provided, according to class of engine.

Showing conclusively that they do get paid for overtime.

The letter to which I refer is as follows:

UNITED STATES RAILROAD ADMINISTRATION,
DIRECTOR GENERAL OF RAILROADS,
Washington, August 14, 1919.

DEAR SIR: Referring to our telephone conversation this morning with reference to figures of overtime and pay of enginemen and trainmen:

I attach hereto copy of Supplements No. 15 and No. 16 to General Order No. 27, which supplements prescribe rates of pay and the rules for terminal time and working conditions of enginemen and trainmen. You will find under Article III of Supplement No. 16 a definition of overtime.

I do not find that we have available figures showing maximum pay of men in train service, but give you the following, which shows the average compensation for the years 1916, 1917, and 1918 for the classes of employees you spoke of:

	Average monthly earnings		
	1916	1917	1918
Freight engineers	$154.32	$175.64	$207.50
Passenger engineers	177.04	185.93	211.42
Freight conductors	134.77	154.66	188.75
Passenger conductors	156.41	163.75	190.50

The figures are based on reports of the railroads to the Interstate Commerce Commission and are arrived at by taking the actual average compensation as so reported and dividing by 12.

There are no figures yet available showing the data with reference to the average earnings subsequent to the placing in effect of the wages as referred to in Supplements No. 15 and No. 16, attached hereto. In that connection, I invite your attention to the Director General's press notice of April 11.

Yours, very truly,

G. H. PARKER.

Hon. THOMAS L. BLANTON,
House of Representatives, Washington, D. C.

Mr. BOX. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. In a moment. I will gladly yield to my colleague from Texas later on, if I have time. Some question was raised here as to whether or not through this plan, which I was forced the other day to term the "plundering Plumb plan," there is an effort here to force or coerce Congress to do anything, and the claim was made that there is no attempt to force this Congress in this manner.

A MEMBER. To coerce Congress.

Mr. BLANTON. Yes; that is a better term—to coerce Congress. I want to read you the last word on this proposition——

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. I will ask the gentleman from North Carolina to give me one minute more.

Mr. KITCHIN. I yield one minute to the gentleman from Texas.

Mr. BLANTON. I now read excerpts from the Washington Post of this morning, on page 3, column 1, a dispatch from Paris, as follows:

GOMPERS BACKS BIG FOUR—SAYS WORKERS WILL COMPEL GOVERNMENT TO TAKE OVER ROADS—MUST HAVE PART IN ADMINISTRATION OF LINES.

PARIS, *August 13.*

Samuel Gompers, president of the American Federation of Labor, to-day declared in favor of nationalization of American railways and labor's demand for an equal voice in their administration.

"American railway workers intend not only to compel the Government to take over the railways but will demand, as the logical next step, that labor shall be granted a permanent equal voice in railway administration," Gompers said in an interview.

* * * * * * *

"Previous methods have failed to achieve legitimate results. Hence we will be forced to use other means."

Is that a declaration of coercion to force this Government? What did Mr. Jewell, acting president of the railroad brotherhoods department of the American Federation of Labor, say in the press of Tuesday, August 5, would be done? He said that if Congress did not comply they would tie up every railroad in the country so tight that they could not be run. Which speaks more authoritatively, Mr. Gompers and Mr. Jewell or the ones who lately are seeking to deny threats and force?

Mr. GALLAGHER. Mr. Chairman, will the gentleman answer my question now?

Mr. BLANTON. Yes.

Mr. GALLAGHER. The statement of the gentleman from Minnesota [Mr. CARSS] was the average wage of the switch engineer and the average wage of the passenger engineer.

Mr. BLANTON. Oh, yes; but I am giving more definite information concerning all of them, as contained in this letter. As I said the other day, Congress has at last reached the Marne; the stopping point has been reached, and there must be a sane turning back, for the benefit of the 110,000,000 people of this Republic.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. HAWLEY. Mr. Chairman, I yield five minutes to the gentleman from Colorado [Mr. VAILE].

Mr. VAILE. Mr. Chairman, with regard to the duty on tungsten, the gentleman from Louisiana [Mr. ASWELL], by his questions addressed to my colleague [Mr. TIMBERLAKE], indicated a very natural and proper anxiety lest this tariff should increase the present high cost of living. I have before me some data furnished by some of the officers of the Boulder County Metal Mining Association of Colorado, going into that very question. These gentlemen call my attention to the fact, which we all know, that the principal use of tungsten is in the manufacture of tool steel, and to the further fact that it is used in that manufacture to the extent of somewhat less than one-fifth. Now, we are asking for a tariff of $10 per unit of tungstic trioxide as contained in a standard 60 per cent concentrate. This means 50 cents per pound of the oxide. Per pound of finished tool steel, therefore, the increase would be not more than 15 cents according to my correspondents, allowing for loss in smelting, and they are making a very liberal allowance for loss in smelting. Tungsten tool steel is used in general for the manufacture of high-class steels, and I am reliably informed that only 1 pound of tool steel is required for the production of from two to three thousand pounds of finished steel. Assuming, therefore, that 1 pound of tool steel per ton of finished steel is used, it will be obvious that the additional cost of finished steel due to the tariff is entirely negligible. In other words, 15 cents would be divided by 2,000, which equals seven and one-half one-thousandths of a cent per pound of finished steel, an entirely negligible addition to the cost of the finished steel product.

There is another aspect of the cost of living which my colleague brought out, that even in China and in Burma, where tungsten is produced from shallow alluvial deposits at a cost for labor of from 10 to 48 cents per day—and that low labor cost

perhaps accounts for the amount of the product sent to the United States—tungsten is produced at such a low cost that the producers say they could still export it to the United States in large quantities and pay a tariff of $10 per unit and make money. How far does that contrast with the present situation? Tungsten is now admitted free, as I understand it, under the law of 1913. We have, therefore, had no revenue at all from the importation of tungsten since that tariff law went into effect. Notwithstanding that tariff law, we imported in 1918 nearly 6,000 tons of tungsten concentrate, according to information furnished by the United States Tariff Commission for the use of the Committee on Ways and Means at this session of Congress. Our estimated annual consumption of tungsten, both domestic and imported, is something like 7,000 tons. If we imported half of that, our revenue on this basis would be $2,100,000, a vast increase, I submit, as contrasted with our present revenue of nothing at all.

One gentleman suggested that mining conditions are not different from conditions in other lines of business, and that the reimbursement provided by the Government in the fund of eight and a half million dollars to the producers of war minerals was based on a faulty theory, because people engaged in other lines of business also entered into production for the Government during the war.

It would be very easy, Mr. Chairman, to demonstrate that the mining industry stands in a class by itself in that respect. Agriculture and manufacturing are conducted on a basis of cost and profit, which can be fairly well ascertained in advance. Losses from drought, floods, or pests, suspension of output through strikes or other industrial causes, are seldom complete, and even when so do not often involve an entire loss of the capital invested. In mining, on the other hand, the wisest human foresight sometimes can not prevent complete loss. Where ore is "in sight" or "blocked out," of course, it is possible to figure on the return, but ore is never "in sight" when the mine is started. Yet it is to the confidence of some men in its existence that we owe our steel mills, our automobile factories, our agricultural implements, our means of national defense, and the very coin that is the basis of our currency.

Mining is carried on at great expense, and it may or may not produce any returns. Vast fortunes have to be put into the ground on hope. A rich vein may produce returns for a while and then "pinch out." Reasonable foresight and a business-like regard for the capital invested may require continuance of exploration for many months without any further return. The property can not even be left idle without great expense to keep it from filling up with water.

And even before the stage of development begins mining districts must be located and their possibilities unfolded by the prospector. Concerning this, one of my constituents, Mr. Emerson J. Short, of Denver, employed this true and eloquent language in his testimony before the United States Tariff Commission at Denver last summer:

> Prospecting is an art born of long experience and certain natural traits, among which are patience, persistence, and a hopefulness and confidence that never despairs. The prospector carries with him the keys to the mineral kingdom of every nation, and the nation which by a shortsighted and ungrateful policy drives him from the field shall not enter that kingdom.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. VAILE. May I have one minute more?

Mr. HAWLEY. I yield one minute more to the gentleman.

Mr. VAILE. That the United States had strayed far from the safe portals of that kingdom when the World War came upon us was plainly shown by the frantic appeals which the Government sent out urging the production of war minerals. Those appeals were published in every paper in the mining districts. The reason it was necessary to send out those appeals was because the industry had virtually been killed off. If we had had an intelligent and consistent policy of protecting this industry and at the same time producing revenues for the Government, we would have had no occasion for frantic haste, we would not have been handicapped by the incomplete production which resulted from trying to stimulate an industry overnight, prospecting and development would have proceeded normally, and we would have been producing revenue right along and have had contented labor earning a fair wage in all these mining industries. [Applause.]

Mr. HAWLEY. Mr. Chairman, I yield the remainder of my time to the gentleman from Minnesota [Mr. ANDERSON].

Mr. ANDERSON. Mr. Chairman, I always like to talk by the book, and I had hoped to be able to gather together some matter that would enable me to talk by the book to-day, but owing to the very considerable amount of time taken by the hearings in the committee of which I happen to be a member I have not had the opportunity to get together the material which I had hoped to use.

Therefore I am going to discuss the subject which I have in mind from a rather more general point of view than I had intended to do. A casual reading of the President's recent message on the high cost of living would seem to indicate that the President had in mind that the high cost of living was to a considerable extent due to profiteering. I do not think, however, that such a conclusion would be a very high compliment either to the President's information or intelligence, because it is very clear that the fundamental causes which underlie the high cost of living to-day are in very, very small part the result of profiteering as such. The profiteer has no friends. He ought to have none; and, so far as I am concerned, and so far as every Member of this House is concerned, I am sure we will all unite to provide legislative action upon which can be predicated such Executive action as will stop profiteering. [Applause.] But I venture to say that stopping profiteering will not come within a thousand miles of dealing in any fundamental way with the high cost of living.

Mr. MONDELL. Will the gentleman yield?

Mr. ANDERSON. I will.

Mr. MONDELL. The gentleman has suggested that Congress will be quick to provide any additional legislation which may be needed to meet and punish profiteering. The gentleman, of course, does not intend to convey the impression that Congress has failed in its duty as it understood it in providing all of the legislation that had seemed to be necessary along that line?

Mr. ANDERSON. Not in the least. As the gentleman from Michigan [Mr. MCLAUGHLIN] suggested, the President has had for two years, and still has, the power to place every manufacturer, every storer, every wholesaler, every retailer who does a business of more than $100,000 a year, under license. He can make it a condition of that license that the licensee will not conspire or arrange or agree with any other person for the purpose of maintaining prices. He can make it a condition of the license that the licensee will not exact or charge an exorbitant rate or profit. He can insert in that license conditions vastly more stringent, vastly more effective, than would be possible under any legislation which the Congress can pass now as permanent legislation, and he has had that power for two years and still has it.

Mr. GARNER. Will the gentleman yield?

Mr. ANDERSON. I will.

Mr. GARNER. Does the gentleman mean to take the position that we have sufficient laws now? Is the gentleman opposed to the enactment of any additional laws in pursuance of the suggestion of the President?

Mr. ANDERSON. Not at all. I am saying the only suggestion that has been made to the committee of which I am a member is that those very laws which we have on the statute books relating to food shall be extended to wearing apparel and containers in which food is shipped. We are not asked to give further and more far-reaching powers with respect to food.

Mr. AYRES. Will the gentleman yield?

Mr. ANDERSON. I do.

Mr. AYRES. How does the gentleman get after the retailer? How do you get action on the retailer who sells less than $100,000 worth?

Mr. ANDERSON. The gentleman from Michigan explained that very fully, and I do not want to take up my time in going into that.

Mr. AYRES. Does the gentleman mean to say the President has authority to include in the wholesaler's license that he can not sell to the retailer only upon certain conditions?

Mr. ANDERSON. I mean to say he can make it a condition of the license of the wholesaler that he shall not sell goods to retailers who engage in certain practices, and in that way it gives the President a hold on the retailer.

Mr. AYRES. Does the gentleman say the President has authority to do that?

Mr. ANDERSON. Those conditions were in the licenses which were issued.

Mr. GARNER. Of course, the gentleman will recall that his committee only handles one of these, while the President suggested four distinct different laws as a remedy. Now, the gentleman's committee is only handling one. I was wondering if the gentleman was going to consider and discuss the other three provisions.

Mr. ANDERSON. The gentleman from Wyoming rather led me away from the line of discussion which I had intended to pursue, because, as I said in the first place, in my judgment, while profiteering unquestionably has had some effect, and, if it

continues, will continue to have some effect, on the high cost of living, it is not the fundamental cause which underlies the high price of commodities to-day.

Mr. MONDELL. If the gentleman will yield for just one brief question.

Mr. ANDERSON. Yes.

Mr. MONDELL. I do not like to take the gentleman's time, but it is a very interesting and important subject. It would be perfectly idle for Congress further to extend the operations of the food-control act and include other articles if no more effort is made to enforce its provisions with regard to these additional articles than has been made up to this time in the enforcement of the provisions of the law as they relate to articles they now cover.

Mr. ANDERSON. I should say that was true, and especially true when based upon the lack of action upon implements, machinery, tools, and articles of that kind which are used in production. It would be perfectly idle to say, in fact it would be absurd to say, that the taking out of industry and of production of 40,000,000 men for a period of four years has had no effect whatever upon the world production. It is perfectly idle to say, at least so far as food products are concerned—and I think we can make the same statement in reference to practically all the necessaries of life—that there is not to-day, so far as the world at large is concerned, a shortage of production, or that without a limitation upon exports the short world production is not a factor in prices here. The present high cost of living, in my judgment, bears a closer relation to two factors than to any others, and those two factors are, first, the inflation of currency and credit, which was so well discussed the other day by the gentleman from Ohio [Mr. FESS], and, secondly, the largely and constantly increasing tide of exports from this country. A survey of the rise of prices during the Civil War period and the period which followed the Civil War shows that that rise of prices was almost identical in its curve with the inflation of the currency.

And a study of the high prices to-day will show that while the advance of prices has been almost coincident with the increase in the currency, practically the same relation is found between the price of commodities to-day and the rising of the quantity of exports abroad. Of course, under present conditions a very large proportion of this export is on credit, and this credit has a tendency to further increase the inflation of credit and credit currency of the country.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ANDERSON. I would like to have about five minutes more.

Mr. HAWLEY. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from Oregon asks unanimous consent that the time of the gentleman from Minnesota be extended for five minutes. Is there objection? [After a pause.] The Chair hears none. Does the gentleman from Oregon yield the time?

Mr. HAWLEY. I yield it.

Mr. ANDERSON. As I said a moment ago, I expected to have here to-day the exact figures, but as I recall them our exports in 1914 were something about $2,000,000,000. In 1918 they were upward of $5,000,000,000. At the rate at which our exports are increasing during the current year they will be between $8,000,000,000 and $9,000,000,000. That is to say, during the current year our exports will be about four times as great as they were in 1914. Now, of course, a part of that increase in money is represented in the increased price of the commodities themselves, but that fact does not account for more than one-half of the increase. So it is quite clear that the exports during the current year are at least double and probably more than double the exports in 1914. And the examination of the price ratios will show that the prices to-day of most of the exportable commodities, particularly of food, are about twice what they were in 1914.

Now, it must be remembered that supply in an economic sense does not necessarily mean the amount which is in existence at a given time. It rather means the amount which is available for consumption at a given time. For instance, during the war there were something like 100,000,000 or 120,000,000 bushels of wheat in Australia. It was a part of the world's supply, and yet in an economic sense it did not affect the supply at all, because there were no ships to carry it, and therefore it did not go into the ordinary channels of commerce.

I venture to say if it were possible for us to go into the ownership of supplies of food and all other commodities in cold-storage and other warehouses in the country it would be found that a very large proportion of those stores are held in those warehouses for foreign account or held in anticipation of foreign demand, and when they are so held they are just as effectually taken out of the supply of this country as though they had moved from this country to Europe or to some other consuming section outside of the United States. Consequently we find ourselves to-day in very much the same position as we were at the beginning of the war, our large supplies contracted by foreign governments or held out of consumption in anticipation of foreign demand, and our own people competing against each other for the short supply remaining. That means that while we have an apparent abundance of all of these articles in the country, in fact, so far as the domestic supply is concerned, in an economic sense there is a real shortage.

Now, then, this condition exists with reference to wheat, and we propose to deal with that situation by limiting the exports of wheat. I am not now suggesting that there should be a limitation upon exports, but I do say that if we are going, or if the President is going, or anybody is going to undertake to deal with this situation in a fundamental way, in a way which will have any effect, it must either be done by bringing the currency into a closer relation with production or it must be done by a limitation of exports or by greatly increased world production.

Great complaint is made about the high price of wheat. I venture to say that wheat on a basis of the controlled price to-day is very much cheaper than cotton, and I will venture to say it is very much cheaper than most of the food products in the country. On the basis of the present price of cotton, wheat ought to be selling at $3.40 a bushel. Now, then, if it is fair, if it is proper, to limit the exports of wheat in order that the people may have cheap bread, is it not just as proper to limit the exports of cotton in order that the farmers may have cheaper overalls?

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MONDELL. Does the gentleman want more time? I ask that the gentleman's time be extended 10 minutes.

The CHAIRMAN. Did the gentleman from Wyoming make a request?

Mr. MONDELL. I make the request that the gentleman's time be extended for five minutes.

The CHAIRMAN. The gentleman has no time except as yielded by the gentleman from Oregon [Mr. HAWLEY].

Mr. KITCHIN. Mr. Chairman, I yield three minutes to the gentleman.

The CHAIRMAN. Does the gentleman from North Carolina yield time to the gentleman from Minnesota?

Mr. KITCHIN. Three minutes.

The CHAIRMAN. The gentleman from Minnesota is recognized for three minutes.

Mr. YOUNG of Texas. Will the gentleman yield?

Mr. ANDERSON. I yield.

Mr. YOUNG of Texas. The gentleman's first statement was in reference to the embargo being placed on cotton. I will state to the gentleman that, as a matter of fact, cotton was practically wholly embargoed during last season, as every southern port was closed and we could not reach the foreign market, as we had no ships.

Mr. ANDERSON. I am talking about the present time.

Mr. YOUNG of Texas. There is no cotton on the market. The question is, Where does the gentleman get his figures in estimating the present value of wheat and the present value of cotton and in making his statement that wheat is cheaper than cotton? Why not compare cotton with that with which it is comparable in the clothing line, which is wool?

Mr. ANDERSON. I have made the comparison and I have carefully gone over the figures on the basis of the prices, the prewar price of cotton and the present price and the prewar price of wheat and the present price of wheat.

Mr. YOUNG of Texas. Did you include in those figures the year 1914, when the European war broke out, when the sale of cotton was made at an actual sacrifice, while the price of every other product went up, including wheat?

Mr. ANDERSON. I included the good and the bad in the cotton figures, just as I included the good and the bad in the wheat figures, the years of high production and the years of low production in both; and I think an examination of the record will clearly demonstrate that the price of wheat at $2.26 a bushel is very, very much lower than cotton at 35 cents a pound.

Mr. CRISP. But cotton is not selling for 35 cents a pound.

Mr. YOUNG of Texas. No. Cotton is not selling at 35 cents a pound. It sold last year and the year before at 27 and 28—that is, middling; the great majority is only middling—and I dare say it was not more than 20 cents a pound.

Mr. ANDERSON. All the wheat is under $2.26 when the price is controlled, not a majority of it.

Mr. YOUNG of Texas. And guaranteed by the Government.

Mr. ANDERSON. It has not cost the Government a dollar so far, and it will not cost the Government a dollar.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. HAWLEY. Mr. Chairman, I ask unanimous consent that my time be extended three minutes, and that the gentleman from Pennsylvania [Mr. BROOKS] may have that time.

The CHAIRMAN. The gentleman from Oregon asks unanimous consent that the time be extended three minutes. Is there objection?

There was no objection.

Mr. HAWLEY. Mr. Chairman, I yield three minutes to the gentleman from Pennsylvania [Mr. BROOKS].

The CHAIRMAN. The gentleman from Pennsylvania is recognized for three minutes.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I ask unanimous consent to extend my remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. ANDERSON. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VAILE. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BROOKS of Pennsylvania. Mr. Chairman, I would like to state a few facts to the House in regard to the Timberlake bill providing for a tariff on tungsten ore. We have a concern in our town—York, Pa.—known as the York Metal & Alloy Co., who are manufacturers of tungsten. They furnished the steel mills of the country during the war with this absolutely essential material which was necessary in the manufacture of armor plate, guns, and various tools used in the war. This company owns a tungsten-ore mine in Arizona, that they have been obliged to close down because it can not be operated even for their own use in competition with foreign ore.

I received a telegram from them recently, which reads as follows:

We earnestly urge your hearty support and influence in behalf of the Timberlake bill, imposing a duty of $10 on tungsten ore. This is absolutely essential for the domestic productions if the tungsten industry is to survive. Please do all you can for it.

This is a most important industry of our country, not only absolutely necessary in times of war, but the product of which must be used in peace times by all the machine shops and steel industries of our Nation. They can not do without it and therefore must have the protection asked for in the Timberlake bill.

Mr. HAWLEY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GOOD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 4437) to provide revenue for the Government and to promote the production of tungsten ores and manufactures thereof in the United States had come to no resolution thereon.

PRIVATE CALENDAR TO-MORROW.

Mr. MONDELL. Mr. Speaker, Friday, the 15th, is claims day. Bills on the Private Calendar will be called. I expect to ask unanimous consent, when we meet to-morrow, that bills on the Private Calendar unobjected to shall be considered.

ADJOURNMENT OVER FROM FRIDAY UNTIL MONDAY.

Mr. MONDELL. Mr. Speaker, I now ask unanimous consent that when the House adjourns to-morrow it adjourn until Monday.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that when the House adjourns to-morrow it adjourn until Monday. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

Mr. CANNON, by unanimous consent, was granted leave of absence for 10 days.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 15 minutes p. m.) the House adjourned until to-morrow, Friday, August 15, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury transmitting copy of a communication from the Secretary of Agriculture, submitting estimate of appropriations which will be necessary to enable that department to furnish to the people of the United States information regarding the stocks of food products held in storage and retail food prices (H. Doc. No. 187); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury transmitting copy of a communication of the Acting Secretary of Commerce, submitting a supplemental estimate of appropriation required by the Bureau of Foreign and Domestic Commerce to enable it to cooperate in the effort to reduce the cost of living (H. Doc. No. 188); to the Committee on Appropriations and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 8141) to provide for the payment to Alice E. Wells, formerly Alice E. Davis, only heir at law of John C. Davis, deceased, of the amount stated in the findings of the Court of Claims in congressional case No. 9264, and the same was referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. TAYLOR of Colorado: A bill (H. R. 8439) authorizing the exchange of lands within the Routt National Forest, in the State of Colorado, and for other purposes; to the Committee on the Public Lands.

By Mr. RAKER: A bill (H. R. 8440) to restore to the public domain certain lands heretofore reserved for a bird reservation in Siskiyou and Modoc Counties, Calif., and Klamath County, Oreg., and for other purposes; to the Commitee on the Public Lands.

By Mr. TAYLOR of Colorado: A bill (H. R. 8441) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of oil shale, to determine the practicability of its utilization as a commercial product; to the Committee on Mines and Mining.

By Mr. DENT: A bill (H. R. 8442) to provide for the erection of a public building at the city of Camden, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8443) to provide for the erection of a public building at Luverne, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8444) to provide for the erection of a public building at the city of Brewton, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8445) to provide for the erection of a public building at Evergreen, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8446) to provide for the erection of a public building at the city of Bay Minette, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. JOHNSON of Kentucky: A bill (H. R. 8447) permitting certain persons to purchase supplies from the commissary stores of the Army and Navy; to the Committee on Military Affairs.

By Mr. MOORE of Virginia: A bill (H. R. 8448) for the construction of a public building at Orange, Va.; to the Committee on Public Buildings and Grounds.

By Mr. RANDALL of California: A bill (H. R. 8472) to control and conserve for irrigation, power, and other purposes the flood and flow waters of that portion of the Colorado River lying below the junction of the Grande and Green Rivers in Utah, and above the Laguna Dam, situated in the Colorado River, between the States of Arizona and California, and for other purposes; to the Committee on Ways and Means.

By Mr. MORGAN: A bill (H. R. 8473) authorizing the Secretary of War to donate to the city of Tonkawa, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8474) authorizing the Secretary of War to donate to the city of Pond Creek, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GOOD: Resolution (H. Res. 240) requesting the President of the United States to furnish to the House of Representatives certain information; to the Committee on Agriculture.

Also, resolution (H. Res. 241) requesting the United States wheat director to furnish to the House of Representatives certain information; to the Committee on Agriculture.

By the SPEAKER: Memorial from the cabinet of Gov. D. W. Davis, regarding the high cost of living and profiteering; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRUMBAUGH: A bill (H. R. 8449) granting an increase of pension to William C. Wilson; to the Committee on Invalid Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 8450) granting a pension to Annie J. Page; to the Committee on Pensions.

By Mr. DALLINGER: A bill (H. R. 8451) granting an increase of pension to Charles J. McCarthy; to the Committee on Pensions.

By Mr. FAIRFIELD: A bill (H. R. 8452) granting an increase of pension to William J. Opie; to the Committee on Invalid Pensions.

By Mr. FULLER of Illinois: A bill (H. R. 8453) granting an increase of pension to Susan M. Drake; to the Committee on Invalid Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 8454) granting an increase of pension to John B. Gamblin; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 8455) granting an increase of pension to Miley Polly; to the Committee on Invalid Pensions.

By Mr. LITTLE: A bill (H. R. 8456) granting an increase of pension to William P. Gilbert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8457) granting an increase of pension to Samuel C. Whitwam; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8458) granting a pension to Jennie C. Rathbun; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8459) granting a pension to Margaret A. Stobie; to the Committee on Invalid Pensions.

By Mr. McCULLOCH: A bill (H. R. 8460) granting a pension to Alice Yarnell; to the Committee on Invalid Pensions.

By Mr. OLDFIELD: A bill (H. R. 8461) granting a pension to Louisa C. Southerland; to the Committee on Pensions.

By Mr. ROBSION of Kentucky: A bill (H. R. 8462) granting a pension to John G. Broughton; to the Committee on Pensions.

Also, a bill (H. R. 8463) granting a pension to Mattie Centers; to the Committee on Pensions.

By Mr. ROMJUE: A bill (H. R. 8464) for the relief of Jacob F. Webb; to the Committee on Military Affairs.

By Mr. ROSE: A bill (H. R. 8465) for the relief of James Bookhammer; to the Committee on Claims.

By Mr. STRONG of Kansas: A bill (H. R. 8466) granting an increase of pension to William R. Zook; to the Committee on Invalid Pensions.

By Mr. THOMPSON of Ohio: A bill (H. R. 8467) granting a pension to Mary C. Donley; to the Committee on Invalid Pensions.

By Mr. WASON: A bill (H. R. 8468) for the relief of Otis C. Mooney; to the Committee on Invalid Pensions.

By Mr. WELTY: A bill (H. R. 8469) granting a pension to Alexander Shaw; to the Committee on Invalid Pensions.

By Mr. RANDALL of California: A bill (H. R. 8470) granting a pension to Atala F. Allen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8471) granting an increase of pension to Hatch Chamberlin; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BACHARACH: Petition of conference of mayors of New Jersey municipalities, regarding cost of food; to the Committee on Agriculture.

By Mr. CARSS (by request): Petition of Mothers' Club of Merritt School, Minnesota, favoring legislation to establish a Federal motion-picture commission for the efficient and economical censorship of motion-picture films, so far as the jurisdiction of the Federal Government over the District of Columbia and the Territories and interstate commerce permits; to the Committee on Education.

My Mr. ESCH: Petition of Chamber of Commerce of Camden, N. J., against Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of Illinois Live Stock Association, opposing Kendrick and Kenyon bills; to the Committee on Agriculture.

By Mr. FULLER of Illinois: Petition of Dennis Torkelson, of Newark, Ill., opposing enactment of House bill 5941, levying a tariff on Mexican graphite; to the Committee on Ways and Means.

Also, petition of the Clinton (Ill.) Commercial Club, opposing repeal of the present zone system for second-class mail; to the Committee on Ways and Means.

Also, petition of the National Lock Co., of Rockford, Ill., opposing House joint resolution 121 and Senate joint resolution 57 for a conference on industrial problems; to the Committee on Interstate and Foreign Commerce.

Also, petition of Illinois Association of Postmasters, and James J. Dougherty, of Ottawa, Ill., for additional compensation; to the Committee on the Post Office and Post Roads.

Also, petition of the National Lock Co., of Rockford, Ill., opposing the Nolan-Kenyon bill for an appropriation for the United States Employment Service; to the Committee on Appropriations.

By Mr. GOODYKOONTZ: Papers to accompany House bill 8430; to the Committee on Invalid Pensions.

By Mr. GRIEST: Petition of Donovan & Co., Lancaster, Pa., urging repeal of the so-called luxury tax; to the Committee on Ways and Means.

Also, petition of Hager & Bro., Lancaster, Pa., urging repeal of the luxury tax; to the Committee on Ways and Means.

Also, petition of Leinbach & Co., Lancaster, Pa., urging repeal of the luxury tax; to the Committee on Way and Means.

By Mr. HERNANDEZ: Petition of sundry grocery merchants, favoring Kenyon bill; to the Committee on Agriculture.

By Mr. KINKAID: Petition of Women's Society of St. Josephats Congregation, Loup City, Nebr., protesting against Senate bill 2099, which prohibits admission to the mails of the United States of newspapers, magazines, or publications printed in a foreign language; to the Committee on Foreign Affairs.

By Mr. MACGREGOR: Petition of special clerks of the post office, Buffalo, N. Y., regarding increase in salaries; to the Committee on the Post Office and Post Roads.

By Mr. O'CONNELL: Petition of Anchor Cap & Closure Corporation, Brooklyn, N. Y., opposing the Kenyon bill; to the Committee on Agriculture.

Also, petition of Rome Chamber of Commerce, Rome, N. Y., opposing Plumb plan of railroad control; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Petition of Angeles County board of supervisors, of Los Angeles County, Calif., urging every means be exerted to bring about an early reduction in the high cost of living; to the Committee on Agriculture.

Also, letter from the National Association of Credit Men, in regard to Federal taxation; to the Committee on Ways and Means.

Also, petition of city council of San Diego, Calif., urging cooperation with any effort made in Congress to reduce the cost of living; to the Committee on Agriculture.

Also, petition of San Francisco Labor Council, San Francisco, Calif., urging legislation regulating the length of time allowed for keeping foodstuffs in cold storage; to the Committee on Agriculture.

Also, petition of Pacific Lumber Co., of Eureka; California Cotton Mills Co., of Oakland; Weed Lumber Co., of Weed; Dolbeer & Carson Lumber Co., of San Francisco, all in the State of California, supporting the Cummins bill, giving the Interstate Commerce Commission power to suspend rates; to the Committee on Interstate and Foreign Commerce.

By Mr. RHODES: Petition of Associated Industries of Missouri, opposing the nationalization of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of Gilbert B. Huber and others, of Perryville, Mo., protesting against free importation of corn from Argentina; to the Committee on Agriculture.

By Mr. SMITH of Michigan: Petition of 46 citizens of Springport, Mich., for additional pay to veterans of the World War; to the Committee on Military Affairs.

By Mr. TILSON: Petition of W. E. Spragg and members of the Motion Picture Exhibitors' League of Connecticut, urging repeal of the motion-picture tax; to the Committee on Ways and Means.

Also, petition of Mary Taylor Memorial Methodist Episcopal Church, of Milford, Conn., urging suppression of illegal and criminal acts causing high cost of living; to the Committee on Agriculture.

SENATE.

FRIDAY, *August 15, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we seek to guard the sacred honor of our country by keeping ever in touch with Thy law, by living in such personal communion with Thee as that we can draw the wisdom and grace from Thee which will justify our place in the government of this Nation. Let Thy blessing rest upon Thy servants this day. May they be guided by Thy Spirit in that which they say, in all which they plan, that God's name may be glorified by the work of this day and this country advance toward the great goal for which we live. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of Wednesday last, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CARS FOR COAL SHIPMENT (S. DOC. NO. 73).

The VICE PRESIDENT laid before the Senate a communication from the Director General of Railroads, transmitting, in response to a resolution of the 4th instant, certain information relative to the number of coal cars now in use in the transportation of coal, etc., which, with the accompanying paper, was referred to the Committee on Interstate Commerce and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a bill (H. R. 8362) to amend and revise the laws relating to the public printing and binding and the distribution of Government publications, and for other purposes, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. PHELAN presented a petition of sundry citizens of Pasadena, Calif., praying for the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. CURTIS (for Mr. KEYES) presented a petition of sundry citizens of New Hampton, N. H., and a petition of sundry citizens of Benton, N. H., praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. PAGE presented a memorial of Michael Davitt Branch, Friends of Irish Freedom, of Bellows Falls, Vt., and a memorial of sundry citizens of Burlington, Vt., remonstrating against the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. KENYON presented a petition of sundry citizens of Gilmore City, Iowa, praying for the repeal of the tax on tickets of entrance to chautauquas, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Fort Dodge, Iowa, praying for the exemption of light wines and beer from prohibition, which was referred to the Committee on the Judiciary.

He also presented a petition of the Commercial Club of Vinton, Iowa, praying for the continuance of the present zone system of postage rates, which was referred to the Committee on Post Offices and Post Roads.

Mr. HALE presented a petition of Local Union No. 914, United Brotherhood of Carpenters and Joiners of America, of Augusta, Me., praying for the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

He also presented a memorial of Aroostook Union Grange, Patrons of Husbandry, of Maine, remonstrating against the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. ELKINS presented a memorial of sundry citizens of Cokeleys, W. Va., remonstrating against the ratification of the league of nations treaty, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Coal Operators' Association, of Logan, W. Va., praying for the return to private owners of the railroads of the country, which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Kayford, W. Va., praying for Federal control of the meat-packing industry, which was referred to the Committee on Agriculture and Forestry.

Mr. WATSON. I present a petition signed by a large number of honorably discharged soldiers, sailors, and marines who served in the United States Army and Navy during the World War, requesting the enactment of a law giving each and every such honorably discharged soldier, sailor, and marine one year's extra pay for services rendered during the war. I move that the petition be referred to the Committee on Military Affairs.

The motion was agreed to.

Mr. DIAL. I present an extract from the Weekly News Letter, a periodical issued by the Office of Information of the United States Department of Agriculture, relative to the uses by communities in the Southern States of their own resources of food instead of buying from other sources. I ask that the extract be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Weekly News Letter, periodical issued by Office of Information, United States Department of Agriculture, issue of July 30, 1919.]

FORMERLY IMPORTED PORK, NOW COUNTY SELLS IT.

Laurens County, S. C., is an example of how many communities in the Southern States are now using their own resources for food instead of buying food from other places. Laurens County formerly imported most of the pork products used by its people. Now Laurens County is selling pork.

The change began several years ago, when a bank in the county offered to provide funds for the purchase of blooded pigs for the use of boys who would promise to care for them. The county demonstration agent accordingly bought and placed a large number of pigs under a long-term-sale-at-cost arrangement. The boys took up the plan with enthusiasm. A year later the bank bought 124 more pigs, most of them gilts, and these were distributed.

The next year the county's production of pork exceeded household requirements and the demands of the home market. The county agent was brought into touch with packers, a local purchasing agency was established, and about 13 months ago a carload of pigs was shipped out. It was probably the first time, and certainly the first time since the sixties, that Laurens County had sold pork.

The bank which provided the way for the boys to buy their pigs has kept its offer continuously open and expects to do more along this line. Not a dollar has been lost of these advances, an official of the bank says.

Mr. FLETCHER. I present a communication from the Board of Trade of Orlando, Fla., which I ask to have printed in the RECORD and referred to the Committee on Interstate Commerce.

There being no objection, the communication was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

ORLANDO, FLA., *August 7, 1919.*

Hon. DUNCAN U. FLETCHER,
United States Senate, Washington, D. C.

DEAR SIR: The Board of Trade of Orlando, Fla., view with much concern the proposal to take over the operation of the railroads of this country, and at a special meeting of this organization, comprising 260 representative men of this community, the following resolution was adopted as expressing the sentiment of this section, to wit:

"We unhesitatingly call upon and urge the constituted authorities at Washington to refuse the proposal and all demands of labor for an increase in wages, and we call upon the Government to exhaust, if necessary, the entire financial and military resources at their command to defeat the attempted confiscation of private property."

Very truly, yours,

ORLANDO BOARD OF TRADE,
By E. G. DUCKWORTH, *President.*

Mr. FLETCHER. I present resolutions adopted by the County Board of Trade of Ocala, Fla., which I ask to have printed in the RECORD and referred to the Committee on the Judiciary.

The resolutions were referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

MARION COUNTY BOARD OF TRADE,
Ocala, Fla., August 8, 1919.

Senator DUNCAN U. FLETCHER,
The Senate, Washington, D. C.

DEAR SIR: I am directed by the Marion County Post, No. 1, of the American Legion, to forward to you the inclosed copy of resolutions adopted at a meeting of the organization in Ocala yesterday afternoon.

Respectfully, yours,

LOUIS H. CHAZAL, *Post Adjutant.*

Whereas our country has reached a critical period in its history and has need of wise and sober readjustment of its social and economic conditions; and

Whereas it is a time when the welfare of the great majority of the people should take precedence over the demands of a selfish minority; and

Whereas we believe that the country will enjoy an era of unprecedented prosperity if conditions are readjusted on a sound basis; and

Whereas we believe that conditions can best be readjusted by a return to reasonable profits in the sale of the necessities of life, to the highest efficiency on the part of labor, and to an increased production: Therefore be it

Resolved by the Marion County Post of the American Legion, Post No. 27, of the State of Florida, That we who served in the Army, Navy, and Marine Corps during the World War and who helped to make the world a fit place in which to live do earnestly protest against all profiteers and against the threats of organized labor to paralyze the railroads, and thus bring about untold suffering, increasing instead of alleviating the hardships, making the problems greater instead of solving them; and be it further

Resolved, That we do denounce as unpatriotic and un-American the talk of revolution on the part of some of the labor leaders; and be it further

Resolved, That we call on the Congress to take immediate steps to reduce the high cost of living, and do call on all citizens to assist and not to prevent a solution of our problems by extreme and radical demands.

Mr. FLETCHER. I present resolutions adopted by Local Union No. 259, National Federation of Postal Employees, of Tampa, Fla., which I ask may be printed in the RECORD and referred to the Committee on Post Offices and Post Roads.

There being no objection, the resolutions were referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

Whereas the past year has conclusively demonstrated the total inadequacy of the scale of wages inaugurated on July 1, 1918, to accomplish its avowed purpose of meeting the extraordinary war prices; and

Whereas the present prices are no longer extraordinary, but, according to all competent authorities, will never sink below the common level attained in the year 1918; and

Whereas we are informed from the same sources that for some time to come still further increases in the cost of living are to be looked forward to; and

Whereas the very highest grade attainable for postal employees in the Tampa office, namely, that grade which pays $1,500 yearly, has been proven sadly inadequate to meet local conditions, much less so the lower grades, which number among their unfortunates over 50 per cent of the employees of the office; and

Whereas it is an incontrovertible fact that the nature and requirements of the class of work the postal employee is engaged in places him well in the foremost ranks of the skilled worker; and

Whereas a review of the scale of wages paid to both skilled and unskilled workers, nay, even common laborers, in every conceivable branch of industrial activity throughout the United States finds the postal employee well to the foot of the list with respect to remuneration received for the important and essential services he renders in the handling of the mails; and

Whereas in no other business do we find an employee receiving less for his overtime than for his regular time, as is the case with the postal employee, but rather double time or time and a half; and

Whereas the peculiar conditions obtaining in Tampa with respect to the arrival of the heaviest mails after nightfall necessitate the assignment of a considerable proportion of the office to night duty; and

Whereas the involuntary subjection of these men to the unnatural and unhealthful conditions involved in such night duty is manifestly unjust, unless in part compensated by a shorter tour of duty: Therefore we, the members of Tampa Local No. 259, of the National Federation of Postal Employees, in consideration of the foregoing preamble, do hereby offer the following resolutions, copies of which we respectfully submit to our accredited Senators and Representatives in Congress for their earnest consideration and attention:

Resolved, That a law be immediately enacted reclassifying postal clerks into three successive grades, beginning with an initial grade paying $1,800 per annum; second grade, $2,100 per annum; third grade, $2,400 per annum, promotions automatic upon one year's satisfactory service in each preceding grade.

Resolved, That the foregoing reclassification as given be retroactive to July 1, 1919.

Resolved, That postal clerks be paid time and one half time for all overtime and double time for all Sunday and holiday service.

Resolved, That six hours' work shall constitute a day's work whenever the major portion of a tour of duty shall embrace a period after nightfall.

Resolved, That one-half time be allowed for sickness on presentation of a doctor's certificate.

Resolved, That substitutes be paid at the rate of 80 cents per hour.

CONRAD W. CUNEO.
M. B. MCCONNELL.
JOSEPHINE J. SEWARD.

Mr. LODGE. I present a telegram in the nature of a memorial from delegates of 126 Greek communities and 56 societies in the United States and American-born citizens, assembled in Mechanics Hall at Boston, Mass., on the 10th instant, remonstrating against the giving of Thrace to Bulgaria, which I ask to have printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

BOSTON, *August 11, 1919.*

Senator LODGE,
Chairman Committee on Foreign Relations, Washington, D. C.

The delegates of 126 Greek communities and 56 societies in the United States and American-born citizens, assembled Sunday, August 10, in Mechanics' Building, Boston, resolved that—

"Whereas the Great War has been fought to establish justice and principle of self-determination; and

"Whereas America has by its moral and physical force consecrated the principle of nationalities; and

"Whereas we have pledged our honor that we will apply justice to all races; and

"Whereas the Greeks have just and valid claim to Thrace, Northern Epirus, the 12 islands of the Ægean, and western Asia Minor on the principle of nationality as admitted by all the delegates at the peace conference; and

"Whereas the claims advanced by the Bulgarians upon Thrace are based only upon economic considerations; and

"Whereas the Bulgarians have in the past demonstrated their inability to govern non-Bulgarian races in justice and have perpetrated horrible crimes against Greeks, Serbians, Turks, and humanity at large; and

"Whereas Greece has shown her capacity for governing equitably non-Hellenic races; and

"Whereas for the Greek Nation the question of Thrace is one of vital importance, and unless solved justly will drive the Greek people to desperation, to go to war against Bulgaria in order to liberate the Province:

"Now, therefore, we, American citizens, native born and of Greek descent, friends of the Greek Nation, as well as of all other nations, subscribers to the principle of self-determination, convinced of the right of the Greek cause, and believing that no other solution but a just one on the principle of nationality will bring peace in the Balkans, respectfully represent to the august Senate of the United States our desire that justice be done to the Greek race, that Thrace and northern Epirus and the islands be united with the free Kingdom of Greece in order that the universal sentiment of Greece in America be not shocked by the surrender of purely Greek populations to our enemies.

"*Resolved*, That a vote of thanks be addressed to the entire press of the United States for the warm support it has given to the just cause of the Greek Nation.

"*Resolved*, That a vote of thanks be addressed to Senators LODGE, BRANDEGEE, KING, and MOSES for the stand they have taken in defending the justice of Greece before the Senate of the United States of America.

"*Resolved*, That a protest be respectfully addressed to Senator THOMAS, of Colorado, for his unwarranted statement in behalf of delivering Thrace to Bulgaria for economic reasons, in violation of the principle of self-determination, with a prayer that the Senator may reconsider the case of Thrace and do justice to Greece.

"*Resolved*, That a special vote of thanks be addressed to the New York Times, Herald, Tribune, World, Chicago Tribune, News, Post, Journal, Springfield Republican, Philadelphia Ledger, Washington Post, Kansas City Star, Boston Transcript, Herald, Globe, Post, Christian Science Monitor, for their impartial presentation of the Greek questions before the just tribunal of the American people.

"T. Magafas, for South Carolina committee, chairman; Hon. Albert Langtry, secretary Commonwealth of Massachusetts; Sergt. H. Korgis (who captured 256 Germans), Company L, Twenty-third Infantry, Second Division, chairman delegates on behalf of 65,000 Greek-American soldiers; Mayor Peters, Boston; Lieut. Col. Frank Perkins, the "go to hell colonel"; Capt. Winifred MacBrayne, Aviation Corps; Dr. Chas. Fleischer; Miran Sevasly, director Armenian Union, America; Dr. M. M. Eichler, director Zionist Bureau, America; William Flatmayer, Taunton, Mass.; Joseph Horton, principal of schools, Ipswich, Mass.; Bishop Rodgstolou Alexander, for Greek churches of America; N. J. Cassavetes, for Panepirotic Union, America; Emmanuel Anghelakis, for Macedonian-Thracian Union; C. Moustakis, chairman delegates, Commonwealth of Massachusetts; Dr. A. Vryones, for State of Connecticut; Christus Staikos, for State of New York; L. Kalyvas, for Rhode Island; C. Vafiades, for Maine; A. Benachi, for Florida; Dr. George Katsainos, for California; Jason Kokinsatos, for Washington, D. C.; B. Hadjiy Annis, for Chicago; Aristomene Lynardos, for Ohio; Michael Iatrou, for Pennsylvania; Dr. E. Despotes, for Vermont; N. Copadis, for New Hampshire; N. Moustakis, for Michigan; Rev. Christus Anghelopoulos, for Utah; Rev. Vasil Papanicas, for New Jersey; Mrs. M. Panagopoulos, for Wisconsin; Seraphin Canoutas, for Louisiana; Dr. A. Vrachnos, for Texas; John Kritaos, for Virginia; Nicholas Trysicopoulos, for Indiana; Andrew Hadjis, for Nevada; John Panose, for Iowa; M. Boutsalis, for Minnesota; M. Stavrupoulos, for Maryland; G. Mulonas, for Colorado; M. Kalyvas, for Missouri; Rev. G. Papaioannon, for Georgia; George Gerondakis, for Idaho; Dr. B. Despotas, for Oregon; Dr. D. Mitsakoe, for Tennessee."

Mr. KENYON. Mr. President, I ask to have printed in the RECORD a petition adopted at a mass meeting of the citizens of the Virgin Islands asking the American Congress to do something to try to Americanize the Virgin Islands, a matter which I hope will receive early attention.

To all whom it may concern:

This is to certify that Mr. Rothschild Francis, native of St. Thomas, Virgin Islands of the United States, 27 years old, and member of our city council, St. Thomas, was duly elected delegate at a monster mass meeting of the working people of this island held on the Parade Ground, St. Thomas, on the 20th of July, 1919, for the purpose of making a direct appeal to Congress or a committee thereof by laying before them this, our petition. Said Mr. Rothschild Francis is hereby given this mandate for the uses and purposes aforementioned.

We beg to state that all assistance and courtesies extended to this delegate on our behalf will be highly appreciated by us.

We most respectfully petition the Congress, or a committee thereof, that it will adopt such measures as will tend to bring about the following reforms in our island home, St. Thomas:

1. That our status be determined and a bill of rights fully specified.
2. That our code of laws be laid before our council for adoption at an early date.
3. That our said code of laws include the following: (a) Suffrage based on manhood; (b) a workingman's compensation act; (c) an act to regulate the scale of wages for the working people, which shall tend to improve their present miserable economic condition; (d) a homestead act that will tend to bring into occupancy and cultivation all public lands and such other lands as are not at present under cultivation and such as may from time to time become so. It is a fact that there are large portions of such lands to be found here at present.
4. That a commission be sent to investigate conditions in St. Thomas, and, as far as possible, some measures be adopted to remedy our serious economic plight.
5. That our present judiciary be organized on the American system.
6. That our present school system be made in direct accord with the American system of free schools.
7. That a better regulated postal system and service be established and maintained.
8. That most public offices in this island be filled by our qualified natives, and this we hold as our inalienable right, with the exception that the heads of our governmental departments be American citizens, but only in so far as is absolutely necessary.
9. That our island, St. Thomas, be Americanized as quickly as possible, and that all acts and things be done as will tend thereto.

Finally, we beg to emphasize that our delegate, Mr. Rothschild Francis, is directed to address the Congress, or a committee thereof, or any other person or persons as he may deem expedient and necessary, upon matters touching our island. We further beg to state that we repose implicit confidence in Mr. Rothschild Francis, who has a very good reputation in this community.

Signed this 26th day of July, in the year of our Lord 1919.

Chas. A. Emanuel, Syranus De Graff, Ernest Rowell, Ludwig Rogers, Rothschild Francis, V. A. Forde, Randolph A. Innis, Maximillian Wallace, Hubert Hatchett, John C. Keaser, Nathaniel E. Duvergee, Z. Keating, Federico Guirty.

This 26th day of July, 1919, before me came Charles A. Emanuel, Syranus De Graff, Ernest Rowell, Ludwig Rogers, Rothschild Francis, V. A. Forde, Randolph A. Innis, Maximillian Wallace, Hubert Hatchett, John C. Keaser, Nathaniel E. Duvergee, Z. Keating, and Federico Guirty, who are known to me to be the individuals who executed in my presence the above instrument.

[SEAL.] JOHN L. CURRY, *Notary Public.*

Witnesses:
A. GEREAU,
C. ANDURZE.

Mr. WALSH of Massachusetts. I present a communication in the nature of a petition from the National Equal Rights League, which I ask to have printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the communication was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

NATIONAL EQUAL RIGHTS LEAGUE,
OFFICE OF THE RECORDING SECRETARY, 906 T STREET NW.,
Washington, D. C., August 13, 1919.

In the behalf of the National Equal Rights League, acting for the millions of colored Americans, we place in your hands for presentation to the Senate the following petition for an amendment to the covenant of the league of nations to the end of vouchsafing equality of rights for all, regardless of race, color, or creed.

Please find herewith our petition with some several signed copies thereof attached.

Praying the exercise of your official prerogative in the presentation of this petition to the Senate, we are,

Yours for true world democracy,

ALLEN W. WHALEY,
New York.
JOSEPH H. STEWART,
Washington, D. C.
C. M. TANNER,
Washington, D. C.
MAURICE W. SPENCER,
District of Columbia.
BYRON GUNNER,
New York.
WM. MONROE TROTTER,
Massachusetts.
JOHN R. HAWKINS.

To the SENATE OF THE UNITED STATES OF AMERICA:

We, the undersigned, petition the Senate of the United States of America, which, by virtue of its treaty-making power, must give to the league of nations covenant its assent before such covenant can be finally adopted, in the fulfillment of the noble purpose of the recent World War, repeatedly proclaimed by this Government and its Allies while the result was in doubt, viz: To establish real democracy everywhere, to make the world safe for democracy and a safe place to live in, to insert or add by way of amendment while said covenant is before the Senate the following clause:

"Real democracy for the world being the avowed aim of the nations establishing the league of nations, the contracting parties agree to vouchsafe to their own citizens the possession of full liberty, rights of democracy, and protection of life without restriction or distinction based on race, color, creed, or previous condition."

REPORTS OF COMMITTEES.

Mr. RANSDELL, from the Committee on Public Health and National Quarantine, to which was referred the bill (S. 1660) to provide a division of tuberculosis in, and an advisory council for, the United States Public Health Service, and for other purposes, reported it without amendment and submitted a report (No. 147) thereon.

Mr. PAGE, from the Committee on Banking and Currency, to which was referred the bill (H. R. 7478) to amend sections 5200 and 5202 of the Revised Statutes of the United States, as amended by acts of June 22, 1906, and September 24, 1918, reported it without amendment and submitted a report (No. 148) thereon.

TUG RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably with amendment to the title the bill (S. 2700) granting the consent of Congress to the D. E. Hewitt Co. to construct and maintain a bridge across Tug River connecting Martin County, Ky., and Mingo County, W. Va., and I submit a report (No. 149) thereon. I ask for the immediate consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the D. E. Hewit Lumber Co., and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Tug River at a point suitable to the interests of navigation, one end of said bridge being in Martin County, Ky., and the other end of the said bridge being on the opposite side of the Tug River, at Kermit, in Mingo County, in the State of West Virginia, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting the consent of Congress to the D. E. Hewit Lumber Co. to construct and maintain a bridge across Tug River, connecting Martin County, Ky., and Mingo County, W. Va."

PRICE OF COAL.

Mr. SMOOT. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably, without amendment, Senate resolution 126, submitted by the senior Senator from New Jersey [Mr. FRELINGHUYSEN] on the 18th ultimo, and I call his attention to the resolution.

Mr. FRELINGHUYSEN. I ask unanimous consent for the present consideration of the resolution.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Whereas for several years the price of coal to the consumer has from time to time been largely increased; and

Whereas for a period this increase in price was attributed to existing war conditions; and

Whereas in spite of the fact that since the armistice was signed, November 11, 1918, normal peace conditions have prevailed, the price of coal has continued to rise, without any apparent economic or other proper reason therefor: Therefore be it

Resolved, That the Committee on Interstate Commerce, or any subcommittee thereof, be instructed to make inquiry into the cause or causes which have brought about the enormous increase in the market price of coal, and to that end obtain full data regarding freight rates, wages, profits, and other matters bearing upon the question under consideration, with a view to determining who or what may be responsible for such increase in price, whether due to economic causes, and therefore proper and right, or whether due to manipulation or profiteering on the part of miners, shippers, or dealers in coal.

Resolved further, That the Committee on Interstate Commerce, or any subcommittee thereof, be authorized and directed to subpœna witnesses and compel their attendance, to send for persons and papers, and do such further acts as may be necessary to secure any and all information desired in the furtherance of said inquiry.

Resolved further, That the Committee on Interstate Commerce shall report its findings to the Senate, together with such recommendations as may be pertinent and advisable, with a view either to congressional or Executive action, in order to remedy existing conditions or the punishment of any individual or corporation deemed guilty of unlawful acts.

Resolved further, That the expense of the aforesaid inquiry be paid out of the contingent fund of the Senate.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WADSWORTH:

A bill (S. 2776) to provide for the preparation, printing, and distribution of selected photographs of the war with Germany;

A bill (S. 2777) to authorize the Secretary of War to produce for sale and to sell duplicate negatives and prints of motion pictures and prints, lantern slides, and enlargements of still pictures in the possession and control of the War Department;

A bill (S. 2778) to amend section 11 of an act approved March 1, 1919, entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes";

A bill (S. 2779) to provide for the purchase of certain real estate for the Air Service of the Army and for the maintenance and operation thereof; and

A bill (S. 2780) authorizing a military merit badge and additional pay based thereon; to the Committee on Military Affairs.

By Mr. SHEPPARD:

A bill (S. 2781) to utilize certain unexpended balances for the purchase of certain real estate for the Air Service of the Army in Texas, and for the maintenance and operation thereof; to the Committee on Military Affairs.

By Mr. LODGE:

A bill (S. 2782) for the purchase of the embassy building and grounds of the United States at Santiago, Chile; to the Committee on Foreign Relations.

By Mr. FLETCHER:

A bill (S. 2783) for the consolidation of forest lands within the Florida National Forest; to the Committee on Public Lands.

By Mr. BALL (by request):

A bill (S. 2784) to prevent profiteering in food, fuel, and wearing apparel in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. FRANCE:

A bill (S. 2785) to provide aid from the United States for the several States in prevention and control of drug addiction and the care and treatment of drug addicts, and for other purposes; to the Committee on Public Health and National Quarantine.

By Mr. STERLING:

A bill (S. 2786) authorizing the sale of lands in Gregory County, S. Dak.; to the Committee on Public Lands.

By Mr. PHIPPS:

A bill (S. 2787) making an appropriation for the investigation of underground currents, particularly shallow underground waters, and artesian wells in eastern Colorado; to the Committee on Appropriations.

By Mr. DILLINGHAM:

A bill (S. 2788) to limit the immigration of aliens into the United States; to the Committee on Immigration.

By Mr. PHELAN:

A bill (S. 2789) for the consolidation of forest lands in the Sierra National Forest, Calif., and for other purposes; to the Committee on Public Lands.

A bill (S. 2790) granting a pension to Edward J. Mytton (with accompanying papers); to the Committee on Pensions.

By Mr. McNARY:

A bill (S. 2791) to provide for leasing of lands in Alaska for stock breeding and other purposes;

A bill (S. 2792) to enlarge the boundaries of the Oregon National Forest;

A bill (S. 2793) to reserve as a part of the Oregon National Forest certain lands that were revested in the United States pursuant to the decision of the Supreme Court of the United States in the case of the Oregon & California Railroad Co. against the United States;

A bill (S. 2794) for the relief of M. J. Krantz;

A bill (S. 2795) to authorize the purchase by the city of McMinnville, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916;

A bill (S. 2796) to provide for the exchange with the State of Oregon of certain school lands and indemnity rights within the national forests of that State for an equal area of national-forest land;

A bill (S. 2797) to add certain lands to the Crater Lake National Park, Oreg.;

A bill (S. 2798) authorizing the removal of stumps from cut-over Oregon and California lands; and

A bill (S. 2799) to assist in the demobilization of the armed forces of the United States at the close of the present war, and for other purposes; to the Committee on Public Lands.

A bill (S. 2800) authorizing the Coos Bay, Umpqua, and Siuslaw Tribes of Indians in the State of Oregon to submit claims to the Court of Claims; to the Committee on Indian Affairs.

A bill (S. 2801) to increase the pension of those who have lost eyesight or have been permanently disabled in the same in the military or naval service of the United States;

A bill (S. 2802) granting an increase of pension to Indian war veterans and their widows; and

A bill (S. 2803) to provide old-age pensions; to the Committee on Pensions.

By Mr. MOSES:

A bill (S. 2804) for the allowance of certain claims reported by the Court of Claims; to the Committee on Claims.

By Mr. SPENCER:

A bill (S. 2805) for the relief of Lewis Doll; to the Committee on Military Affairs.

A bill (S. 2806) granting an increase of pension to John B. Senecal; to the Committee on Pensions.

OIL AND GAS LANDS.

Mr. SMOOT. I introduce a bill and ask that it be referred to the Committee on Public Lands.

The bill (S. 2775) to promote the mining of coal, phosphate, oil, gas, and sodium on the public domain was read twice by its title and referred to the Committee on Public Lands.

Mr. SMOOT. From the Committee on Public Lands I report back favorably, without amendment, the bill (S. 2775) to promote the mining of coal, phosphate, oil, gas, and sodium on the public domain.

I wish to say to the Senate that this bill is identical with the one introduced by myself as Senate bill 1269 on June 2, 1919, with the amendments as agreed to by the committee. I was instructed by the Public Lands Committee to introduce a new bill as amended, and then I was also instructed to report the bill favorably to the Senate, which I do at this time and ask that it go to the calendar. I wish to give notice at this time that at the very first opportunity I shall ask the Senate to take up the bill for consideration; and in passing I desire to say that the report on the bill is a unanimous one from the Public Lands Committee.

The VICE PRESIDENT. The bill will be placed on the calendar.

AFFAIRS IN MEXICO.

Mr. FALL. By direction of the Committee on Foreign Relations I offer the following resolution and ask that it be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The resolution (S. Res. 163) was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the Subcommittee on Foreign Relations appointed under authority of Senate resolution 106, to investigate Mexican affairs, be, and it hereby is, authorized to send for persons, books, and papers; to compel the attendance and testimony of witnesses; to administer oaths; to conduct hearings; to travel to and from any points where a sitting of the committee may be necessary; to employ interpreters, stenographers, clerks, and any other necessary assistance and to provide for the care and preservation of testimony, papers, and documents.

The expenses of said subcommittee and its necessary assistance in discharging its duties under the provisions of said resolution 106 and of this present resolution to be paid out of the contingent fund of the Senate upon vouchers to be approved by the chairman of the subcommittee.

SPECIAL COMMITTEE ON BUDGET SYSTEM.

Mr. SMOOT submitted the following resolution (S. Res. 162), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the special committee of the Senate appointed to devise a plan for a budget system is hereby authorized to send for persons and papers; to administer oaths; to employ stenographers to report such hearings as may be had; to have the testimony and proceedings of such hearings printed for the use of the committee; to employ a clerk, a messenger, and such clerical assistance as may be necessary; and to employ one or more economists at a rate not to exceed $25 per day, the compensation of the above-mentioned employees and the necessary expenses of the committee to be paid from the contingent fund of the Senate.

That the committee is authorized to sit in the vacation of the Senate.

REGULATION OF STORAGE.

Mr. McKELLAR. Mr. President, a day or two ago I received a telegram from Louis F. Swift with reference to the packing business. I ask unanimous consent to have inserted in the RECORD this telegram and my reply thereto without reading.

There being no objection, the telegram and letter were ordered to be printed in the RECORD, as follows:

CHICAGO, *August 13, 1919.*

Hon. KENNETH McKELLAR,
United States Senate, Washington, D. C.:

Referring to your remarks before the House Committee on Agriculture and on floor of Senate, Swift & Co. has not opposed sane regulation of storage methods. Six years ago at the annual meeting, January 2, 1913, in my address to shareholders, I said, "What is needed at this time is proper regulation, covering inspection in and out of store, the proper limit of time of storage (not to exceed 12 months or from season to season), and the education of the consuming public." Our present position is unchanged.

Swift & Co. has not disregarded the law of supply and demand; rather we are controlled by it at all times.

Conservation and not speculation is the motive behind storing perishable food products. Swift & Co.'s cold-storage business is a necessity incident to handling of perishable goods to carry over stocks from season of surplus production to season of scarcity or no production, thereby avoiding violent price fluctuations and making goods cheaper during season of natural scarcity.

Any law that will tend to hamper, discourage, or make more uncertain this necessary function of conserving food will result in discouragement in production and higher food costs.

Many features of your bill are impracticable and will only tend to reduce the quantity of perishable food stored to the injury of producers and consumers. Would be glad to cooperate with you in revising sections which appear impracticable.

Swift & Co. denies that the packers are in control of the cold-storage business of the country. Neither Swift & Co. nor the five large packers have a monopoly of freezer space. Swift & Co. freezer capacity is only a very small fraction of the total freezer capacity of the country, and the capacity of the five large packers probably is only a small percentage of the total.

Morning papers of 12th feature Bureau of Markets storage report for July 1, which shows 1,334,000,000 pounds of meat in storage. This stock is not being hoarded. Sixty-two per cent consists of meats in process of being cured in pickle or salt. Twelve per cent is pork, which had to be frozen because all curing vats were full at the time. Later on this pork must be put through the regular curing process. Seven per cent represents fairly normal stock of lard. Greater part of remaining 19 per cent consists of frozen beef and mutton put away mainly for overseas shipment. Domestic trade does not care for frozen meats, but even if this frozen beef and mutton were available for and wanted by the domestic trade the quantity would be of little consequence, as it amounts to only 1½ pounds per capita.

LOUIS F. SWIFT.

—

AUGUST 14, 1919.

DEAR SIR: Your telegram of August 13, 1919, was delivered to me a little after 12 o'clock last night. At that time the telegram was already in print in the morning papers.

What you may have told your shareholders appears to me to be immaterial. I made the statement that you and your associate packers did not appear before Senator Heyburn's commit-

tee in July and in September, 1910, and the best that he could get out of you gentlemen when he appeared there for the committee was your prepared answers to written questions. This appears from pages 266 and following in Report No. 1272 of the Committee on Manufactures of the Senate, 1910.

1. You state in your telegram that you are controlled by the law of supply and demand. If this is correct will you explain why poultry, with three times as much on hand in June, 1919, as there was in June, 1918, is about 4 cents higher?

2. You say that conservation is the motive behind storing perishable food products. If this is so, why do you wish the time limit extended beyond one year, and why do you demand 15 months for butter and 18 months for cheese?

3. Why do you demand 12 months for eggs, when you stated in 1910 that you kept them as long as 15 months?

4. Why do you keep beef, frozen and unfrozen, 15 months? If you want simply to carry it over from a period of plenty to a period of scarcity, as you profess, why keep it 15 months, as you say you do in your written report of 1910?

5. You say that many features of my bill are impracticable. Why do you not point out which ones are and which ones are not?

6. Do you object to the antitrust features of my bill, and, if so, why do you object to them?

7. You say in your written report that the average time that you keep eggs is seven months. The time limit fixed by my bill is seven months. Why do you object to this limit?

8. Section 7 of the bill provides that goods that have been frozen in cold storage shall not be offered for sale except in a frozen condition; and any such products that have been once frozen and thereafter thawed, inflated, injected, or in any other way manipulated so as to alter its appearance and make it resemble an unfrozen product shall be deemed to be adulterated. This simply prevents a fraud being perpetrated on the public. Do you object to this provision of the bill?

9. Section 8 provides that no food products coming within the provisions of the bill shall be placed in cold storage if diseased in any way or if in unsound condition, or if not caught, handled, or slaughtered in a sanitary manner, or if not properly cooled or stored. Do you object to this provision of the bill?

10. Do you object to sections 10, 11, 12, and 13?

11. Do you object to section 14 of the bill? If so, state your objections specifically to each one of these sections.

12. Section 2 of the bill, in part, provides as follows: "Any other articles used for human food which, having been held in cold storage for any period of time and have been removed therefrom and returned again to cold storage, without reference to the time the same has been held in cold storage," shall be deemed adulterated. Do you favor this provision of the bill? If not, give your reasons.

13. You say in your telegram: "Would be glad to cooperate with you in revising sections which appear impracticable." If you wish to cooperate, kindly give your full answers to all the foregoing questions.

14. You say that you have not a monopoly of the freezer space. According to the best statistics we have here, the five large packers have over 200,000,000 cubic feet out of a little more than 400,000,000 cubic feet of all the freezer space. Are these figures correct; and if not, will you give me the correct figures?

15. Have you a gentleman's agreement, or any other kind of an agreement, express or implied, in reference to the territory in which all or any one of the five packers may operate?

16. Have you any agreement or understanding, expressed or implied, direct or indirect, as to prices to be paid for the products going into cold storage, or any of them?

17. Do your employees, agents, or representatives have daily or weekly conferences with the employees, agents, or representatives of any one or more of the other four packers; and if so, what is the object of these conferences? Is the question of price discussed at these conferences?

18. Are the various cold-storage products of like kind of the several packers sold at the same price or different prices; and if so, will you give me illustrations of difference in prices at which the packers have sold within the last year?

19. What instructions have your agents and representatives in the various States to get up propaganda against the Kenyon bill and the Kendrick bill and the cold-storage bills now pending in Congress? If instructions have been given in writing, will you furnish a copy of the instructions? If they have been given verbally, will you describe the methods by which they are given and the substance of such instructions?

20. Have you any agreement, express or implied, with those to whom you sell your products that they shall demand not less than a certain price for them?

21. Have you any agreement, express or implied, with the retailers, or do you require any agreement, express or implied, between wholesalers and retailers concerning prices?

22. Will you furnish the average price or prices paid by you for No. 1 eggs in the month of June, 1918, and the average price or prices paid by you for No. 1 eggs in June, 1919; also the average price or prices at which you sold eggs to the wholesaler during the two said months, and the average price or prices at which the wholesalers soid to the retailers during the two said months, and the average price or prices at which the retail dealers sold to the consumers during the two said months?

23. Are you in agreement with the other four packers for the division of live-stock purchases throughout the United States, according to certain fixed percentages?

24. Do you exchange confidential information with the other four companies which is not made available to their competitors, and employ jointly with them paid agents to secure information which is used to control and manipulate live-stock markets?

25. Do you have joint paid agents in attendance upon the Congress at Washington? If so, what are their names?

26. If you have no joint or several agents, if you have individual agents representing you, will you give their names and their duties?

27. Have you any understanding with your four associates in the purchase of live stock in the way commonly known as "split shipments," "part purchases," "wiring on," and "making"?

28. Do you exchange information with the other four regarding margins realized in the sale of meat?

29. Do you have an inspection of one another's stock of fresh meats?

30. Have you a joint action or understanding in underselling independent competitors by a system of rotation, each of the members of the combination in turn assuming the burden of cutting prices to the competitors' customers?

31. What other meat-packing concerns or meat-dealing concerns are you interested in?

32. Have you or your company any stock in so-called independent storage companies, and if so, which ones?

33. Please state whether or not your agents or representatives and the agents and representatives of the other four large packers meet in each large city in which you do business to consider the general good of the five?

34. Are these meetings weekly or daily? And give fully the purpose of the meetings.

Your full and complete answers to these questions at a very early date would greatly aid us in dealing with this subject. I am taking the liberty of putting this letter in the RECORD, together with a copy of your telegram, inasmuch as you published your telegram at practically the same time it was sent to me.

I hope you will answer these questions explicitly and in detail, and inasmuch as you used your telegram, apparently, as an advertisement, I shall take great pleasure in putting into the CONGRESSIONAL RECORD your answer to this letter, if you will make it explicit enough to be of value, either to you or to the country.

Very truly, yours, KENNETH MCKELLAR.

Mr. LOUIS F. SWIFT,
Swift & Co., Chicago, Ill.

RETIREMENT OF CIVIL-SERVICE EMPLOYEES.

Mr. STERLING. Mr. President, I desire to give notice that on Monday next, at the close of the routine morning business, I shall move that the Senate proceed to the consideration of Senate bill 1699, the civil-service retirement bill.

LEAGUE OF NATIONS.

Mr. OWEN. Mr. President, I wish to give notice that on Wednesday next, August 20, I shall submit some remarks on the league of nations.

HIGH COST OF LIVING.

Mr. RANSDELL. Mr. President, I ask permission to read a very brief letter, which is of exceeding interest, on the subject of the high cost of living. It is from Mr. Quincy T. Hardtner, a very prominent citizen of my State, and discusses a matter which I think is of unusual interest. It is from Urania, La., and is dated August 6, 1919:

THE URANIA LUMBER CO. (LTD.),
Urania, La., August 6, 1919.

Hon. JOSEPH E. RANSDELL,
United States Senate, Washington, D. C.

DEAR SIR: I have been reading with much interest the discussion and debate on the bill now before Congress in regard to the packers, and I am inclosing herewith copy of a letter I wrote to the Cassidy

Southwestern Commission Co., St. Louis, Mo., and their reply. There seems to be something wrong with the packing industry, and it seems that the producer gets the worst end of it. We have been occasionally shipping cattle to St. Louis for the past several years and have had ample experience as to what cattle bring on the market, and we also butcher our own beef at this point and sell it in our market. We know what it is worth after being butchered. I wrote to the Cassidy Southwestern Commission Co. in reference to this single case of a cow that we butchered in an endeavor to learn why this wide difference of values here and in St. Louis, as between a cow that we butcher and as to what she would bring on the market in St. Louis. I am inclosing this correspondence, thinking that possibly it might be of some interest to you in view of the present legislation pending.

With kind regards, I remain,

Yours, very truly,

Q. T. HARDTNER.

Here is the letter of Mr. Hardtner, dated July 28, 1919, addressed to the Cassidy Southwestern Commission Co. (Ltd.):

THE URANIA LUMBER CO. (LTD.),
Urania, La., July 28, 1919.

CASSIDY SOUTHWESTERN COMMISSION CO.,
St. Louis, Mo.

GENTLEMEN: We received your stock report last week and note that canners were still selling at 4¼ cents. It happened that the same day we butchered a cow—

I hope the Senator from Iowa [Mr. KENYON] will listen carefully to this:

It happened that the same day we butchered a cow that would class as a canner, and we are giving you the full figures comparing what this cow brought here and what she would have brought had we shipped her to St. Louis and sold her as a canner. She weighed 525 pounds gross, and she dressed 227 pounds beef, at 25 cents per pound—$56.75. The hide, 52 pounds, at 40 cents—$20.80—making a total of $77.50. Had we shipped her to St. Louis, weight here 525 pounds, less 10 per cent for shrinkage en route, 52 pounds, total gross 473 pounds, price offered 4¼ cents, would bring $20.10 less freight and commission of 1 cent per pound—$4.73—leaving a net amount of $15.37 that we would have received for this cow in St. Louis, which brought us $77.50 here after being butchered. I think I have been very conservative in my figures for the price of beef, 25 cents per pound, as a packer's agent was here this morning and said it was worth 30 cents. The price of 40 cents per pound for the hide is also very conservative since we sold hides the same day that this cow was butchered at 41½ cents per pound and the next day we were offered 45 cents.

Now comes the part that is of very unusual interest.

Now the most ridiculous part about this business is that if we had come to the question of shipping her to St. Louis and selling her as a canner or just killing her here and selling the hide, throwing all beef away, we would have been ahead of the game $5.43 as against shipping her to St. Louis. This matter I can not understand and I am writing you at length asking if you can give me some information why such conditions exist. This cow's hide alone is worth as much in St. Louis as here and at the price of 40 cents it amounts to $20.80, whereas the whole cow would only bring $15.27 if sold as a canner in St. Louis.

If you can explain the above matter to me I would be greatly obliged to you, as I admit I am greatly puzzled over the proposition.

Yours, very truly,

THE URANIA LUMBER CO. (LTD.),
Q. T. HARDTNER, *General Manager.*

I am sorry I can not introduce here the reply of the commission company to this letter, for it is quite illuminating, but the company is not willing to have it introduced. I simply wish to call the attenton of the Senate to the fact that one of my constitutents who is in the business of raising cattle along with other things finds that he can sell a cow for $77.50 by butchering it and selling it out to his own people, for which he would have received only $15.43 if he had sent it to St. Louis and sold it, I presume to the meat packers, and that the hide of the cow would have netted him $20.80 had he sold it at his own home, or $5.43 more than he would have gotten for the whole cow had he shipped her to St. Louis. I can not explain this, but it indicates very forcibly that farmers, who produce cattle, are not getting much of the very high cost of beef to the consumers.

Mr. THOMAS. Mr. President, as a contribution to the literature upon the subject of the high cost of living I direct the attention of the Senate for a moment to a couple of circulars which have reached me within the past few days. These are prospectuses, one issued in advocacy of the sale of $7,200,000 of 6 per cent cumulative preferred stock of the Quaker Oats Co. The other is a similar prospectus in advocacy of the promotion of $4,300,000 of 8 per cent cumulative sinking-fund first preferred stock of the Amalgamated Sugar Co.

The capitalization outstanding of the Quaker Oats Co. preferred is $18,000,000 and common $9,000,000, or a total of $27,000,000. The total net assets of the company are said to be $31,000,000, against $18,000,000 of preferred stock outstanding, after deducting prior liabilities and reserves of every character.

The net earnings available for dividends in the past 10 years are said to have averaged more than four and three-fourths times the dividend requirements on the preferred stock outstanding.

The net earnings for 1918, before deducting Federal taxes, were $6,407,760, or nearly six times the dividend requirements on the total outstanding preferred stock, including this new issue.

After deducting Federal taxes they were $3,502,589, and for the past year they averaged $3,509,188, or more than three and two-tenths times this requirement.

These figures make no allowance for saving in interest charges on floating debt to be retired.

During the last 10 years $13,301,467 have been reinvested in the business out of earnings.

Since the organization $15,349,909 have thus been put back out of earnings, equal to over 85 per cent of the entire outstanding preferred stock, including this new issue.

Mr. President, the business of this company, as I am informed, is confined to the manufacture and sale of a breakfast cereal known as Quaker Oats. The capitalization is enormous. The earnings for the past two years on this capitalization have been enormous also. It is now proposed, instead of reducing the cost to the consumer, to increase the capitalization and spread the dividends by another issue of $7,200,000, to be sold at $99 per share with accrued dividends.

The presentation of the case for the Amalgamated Sugar Co. is equally interesting. This has a present outstanding preferred stock, 8 per cent cumulative sinking issue, of $5,000,000 and outstanding common stock of $6,824,400, a total of $11,824,400 out of an authorized issue of $30,000,000. The amount which the public is now invited to subscribe to has a par value of $4,300,000.

The company is one of the important sugar producers of the States, operating factories in Utah and Idaho with an average daily capacity of 5,400 tons of beets, or 1,188,000 pounds of sugar.

The annual net income of this company, after payment of all taxes, including Federal taxes for the last five years ended February 28, 1919, available for dividends, averages $1,485,000, and for the last three years there has been an average of $1,608,000. The annual dividend requirements of the $5,000,000 of stock are $400,000.

After giving effect to the new financing, the net current assets of the company as of February 28, 1919, were $5,020,000, and total net assets $13,366,000, against which this $5,000,000 of preferred stock would be a first charge.

Here, again, Mr. President, is a company assuring the public of earnings yielding enormous profits which it proposes to further distribute without reducing their cost to the public by an added issue of $4,300,000 worth of preferred stock with a guaranteed cumulative sinking-fund dividend of 8 per cent.

Mr. President, this is one of the few things which, in my judgment, may be reached by Congress and by the administration. It will not do for these combinations to contend that they are charging normal rates and making normal profits upon the necessities of life on the one hand and on the other appeal to the investing public to invest in their added securities by the tempting display of such abnormal and extortionate profit.

I ask that these two circulars may be inserted in the RECORD without further comment.

There being no objection, the circulars were ordered to be printed in the RECORD, as follows:

SEVEN MILLION TWO HUNDRED THOUSAND DOLLARS—THE QUAKER OATS CO. 6 PER CENT CUMULATIVE PREFERRED STOCK, PAR VALUE $100 PER SHARE.

[Dividends paid quarterly on last days of February, May, August, and November. Northern Trust Co., transfer agent Central Trust Co. of Illinois, registrar.]

CAPITALIZATION.

Capitalization upon completion of present financing.

	Authorized.	Outstanding.
Preferred stock, 6 per cent cumulative	$25,000,000	$18,000,000
Common stock	25,000,000	9,000,000

The Quaker Oats Co. was incorporated September 21, 1901, and later succeeded the American Cereal Co., some of whose predecessors date back to 1854. To-day it is the largest manufacturer in the world of oatmeal, rolled oats, corn meals, hominy, barley, and similar cereal food products, and of commercial mixed feeds for horses, mules, cattle, dairy cows, hogs, and other animals, and poultry, and has also a very large flour-milling business. Its products are marketed throughout the world, chiefly under the well-known "Quaker," "Schumacher," and "Mother's" trade-marks. It has mills at Akron, Ohio; Cedar Rapids, Iowa; Fort Dodge, Iowa; Battle Creek, Mich; Tecumseh, Mich.; Morris, Ill.; Richford, Vt.; Petersborough, Ontario; London, Ontario; Neepawa, Manitoba; and Saskatoon, Saskatchewan; 49 sales officers and 59 country elevators in the United States and Canada.

From the accompanying letter of Mr. H. P. Crowell, president, we summarize as follows:

"The company has no funded debt, and no mortgage on real estate or plant (other than purchase money obligations) can be created without assent of majority of both preferred and common stockholders.

"Proceeds of this $7,200,000 preferred stock, together with $750,000 new common stock, will be used to reduce floating debt, incurred in part

for plant additions, thus increasing working capital and further strengthening the company's financial position.

"This stock is preferred as to assets and dividends, and no dividend may be paid on the common stock in any year until after dividends on the preferred stock for that year have been actually paid or set apart.

"Total net assets, not including any valuation for trade-marks, patents, good will, and other intangible assets, are in excess of $31,000,000, against $18,000,000 preferred stock outstanding. This is after deducting all prior liabilities and reserves of every character and applying proceeds of present and recent financing, and is based on values of plant, etc., considerably less than present replacement costs.

"Net earnings available for dividends, past 10 years, have averaged more than four and three-fourths times dividend requirements on preferred stock then outstanding.

"Net earnings, 1918, before deducting Federal taxes, were $6,407,760, or nearly six times dividend requirement on total outstanding preferred stock, including this new issue. After deducting Federal taxes, they were $3,502,589, and for the past five years have averaged $3,509,188, or more than three and one-fifth times this requirement. These figures make no allowance for saving in interest charges on floating debt to be retired.

"During last 10 years $13,301,467 has been reinvested in the business out of earnings, exceeding the combined preferred and common stock dividends paid during that period. Since organization $15,349,909 has thus been put back out of earnings, equal to over 85 per cent of entire outstanding preferred stock, including this new issue.

"The preferred stock in 1916 and 1917 sold on the Chicago Stock Exchange up to $115 per share. The common stock sold recently at $295 per share, which would indicate an equity following the preferred stock of over $24,000,000.

"The company since its organization has been under the present successful management."

We recommend this preferred stock for investment.

Price per share, $99 and accrued dividend.

Temporary negotiable receipts of Lee, Higginson & Co. will be ready for delivery on or about August 5, 1919, exchangeable for stock certificates carrying dividends from August 2, 1919.

All legal details in connection with this issue will be passed upon by Messrs. Winston, Strawn & Shaw, Chicago, for the bankers, and by James M. Gray, Esq., Chicago, for the company. Books of the company have been audited regularly by Messrs. Haskins & Sells, certified public accountants.

The statements contained herein are not guaranteed, but are based upon information and advice which we believe to be accurate and reliable.

July 16, 1919.

CHICAGO, ILL., *July 16, 1919.*

MESSRS. LEE, HIGGINSON & CO.,
MERCHANTS' LOAN & TRUST CO.,
ILLINOIS TRUST & SAVINGS BANK,
Chicago, Ill.

DEAR SIRS: In connection with the proposed new issue of $7,200,000 6 per cent cumulative preferred stock of the Quaker Oats Co., I submit the following information:

ORGANIZATION AND BUSINESS.

The Quaker Oats Co. was incorporated September 21, 1901, under the laws of New Jersey, and later succeeded the American Cereal Co., some of whose predecessors date back to 1854. In 1911 it purchased the Great Western Cereal Co.'s plants at Fort Dodge, Iowa, and Joliet, Ill. The company owns all the stock of Quaker Oats (Ltd.), London, distributing agent for Great Britain.

To-day the Quaker Oats Co. is the largest manufacturer in the world of oatmeal, rolled oats, corn meals, hominy, barley, and similar cereal food products, and of commercial mixed feeds for horses, mules, cattle, dairy cows, hogs, and other animals, and poultry and has also a very large flour-milling business. It owns the sole rights to the manufacture of puffed cereals and is the maker of "Puffed rice," "Puffed wheat," and "Corn puffs." It also makes the new patented product known as "Two Minute Oat Food." Recently it has begun the manufacture of macaroni and spaghetti. Products are manufactured from nearly every cereal grown and marketed throughout the world under widely advertised brands, chiefly the well-known "Quaker," "Schumacher," and "Mother's" trade names. Sales are made almost exclusively to wholesalers, reducing to a negligible amount losses from bad debts.

The company since its organization has been continuously under the present successful management.

PURPOSE OF ISSUE.

In recent years large amounts have been taken from earnings to pay for land, buildings, and machinery. Since 1906 the company has expended in capital investment $12,000,000 without creating any mortgage debt and with the sale of only $2,000,000 preferred stock. Gross sales have greatly expanded, requiring heavy increases in working capital and making it advisable to retain for operating purposes as large a portion as possible of earnings. The proceeds of this $7,200,000 preferred stock and $750,000 new common stock will be used, therefore, to reduce floating indebtedness incurred in part for plant account, thus increasing working capital and further strengthening the financial position of the company.

Capitalization upon completion of the present financing and as authorized by the stockholders at a special meeting July 12, 1919.

	Authorized.	Outstanding.
Preferred stock	$25,000,000	$18,000,000
Common stock	25,000,000	9,000,000

The company has no funded debt.

In 1916 and 1917 the preferred stock sold on the Chicago Stock Exchange up to $115 per share, while the common stock in 1916 sold up to $363 per share. The common stock sold recently at $295, which would indicate an equity following the preferred stock of over $24,000,000.

DIVIDENDS.

Regular dividends of 6 per cent per annum have been paid on the preferred stock since organization of the company. Dividends on the common stock have been paid regularly, beginning October 15, 1906, as follows:

Year.	Regular.	Extra.
	Per cent.	*Per cent.*
1906 (last quarter)	1½	½
1907	6	2
1908	6	2
1909	6	2
1910	7½	2
1911	9½	½
1912	10	.....
1913	10	.....
1914	10	.....
1915	10	.....
1916	10	.....
1917	10½	.....
1918	12	3
1919 (6 months)	6	2

GROSS SURPLUS AND DISTRIBUTION.

For the 10 years ending December 31, 1918, gross surplus and distribution thereof have been as follows:

Calendar year.	Gross surplus after taxes.	Depreciation.	Available for dividends.	Preferred dividends.	Surplus after common dividends.
1909	$1,537,105	$162,028	$1,375,077	$524,205	$493,272
1910	1,401,117	176,774	1,224,343	540,000	244,343
1911	1,977,973	197,877	1,780,096	540,000	740,096
1912	2,429,051	213,656	2,215,395	540,000	1,175,395
1913	2,287,011	235,584	2,051,426	540,000	761,534
1914	2,367,252	267,603	2,099,649	540,000	809,669
1915	3,724,223	293,511	3,430,712	540,000	2,140,730
1916	3,991,313	395,227	3,686,086	540,000	[1] 1,905,937
1917	[2] 5,211,752	384,848	4,826,904	563,050	3,397,604
1918	[2] 4,052,265	549,677	3,502,589	632,202	1,632,887
Total	28,979,062	2,788,785	26,192,277	5,499,457	13,301,467

[1] After property loss of $471,399. [2] After deducting Federal taxes.

During these 10 years the average annual earnings available for dividends were over four and three-fourths times the dividend requirements on the preferred stock then outstanding.

Net earnings, 1918, after depreciation but before deducting Federal taxes, were $6,407,760, or nearly six times dividend requirements on the entire present preferred stock, including this issue. After deducting Federal taxes, net available for dividends, 1918, was $3,502,589, and for the last five years has averaged $3,509,188, or more than three and two-tenths times this requirement. These figures make no allowance for saving in interest charges on indebtedness to be retired.

During the 10 years under review $13,301,467 was carried to surplus. This amount, put back into the business out of earnings, exceeds the total of $12,419,411 paid to stockholders in preferred and common dividends during this period. From organization to December 31, 1918, $15,349,909 was thus reinvested in the business out of earnings, equal to more than 85 per cent of the entire preferred stock outstanding, including this issue.

General balance sheet, December 31, 1918.

ASSETS.

Fixed assets—real estate, plants, trade marks, trade rights, patents, and good will, less reserve for depreciation		$20,257,449.43
Stocks of subsidiary companies		453,729.72
Miscellaneous investments		19,357.50
Current assets:		
Accounts receivable	$8,435,237.34	
Cash	2,731,868.26	
Due from subsidiary companies	333,259.54	
War bonds	1,819,275.00	
Inventories of grains, materials, products, merchandise, and supplies	25,092,186.51	
		38,411,826.65
Total assets		59,142,363.30

LIABILITIES.

Notes payable		20,480,000.00
Accounts payable		1,801,812.99
Due to subsidiary companies		178,497.72
		22,460,310.71
Reserves:		
General	$2,579,374.16	
Federal taxes	3,216,069.24	
		5,795,443.40
		28,255,754.11
Profit and loss surplus, Dec. 31, 1918		12,099,909.19
Preferred capital stock		10,536,700.00
Common capital stock		8,250,000.00
Total liabilities		59,142,363.30

Applying proceeds of the present and recent financing to the above statement reduces notes payable to $12,266,700. In this connection it should be noted that the December balance sheet invariably reflects almost the highest point of the seasonal fluctuations in bank borrowing. As of to-day, these notes payable would be further reduced to $4,800,000, and of this amount $1,900,000 is represented by investment in war bonds.

Eliminating all valuation for trade-marks, trade rights, patents, and good will, and applying the proceeds of subsequent and present financing to reduce floating indebtedness, net tangible assets applicable to the $18,000,000 preferred stock, based upon the above balance sheet, are in

excess of $31,000,000. This is after deducting all prior liabilities and reserves of every character.

Plant and real estate figures are based upon a valuation made in 1906 plus actual expenditures since, less adequate depreciation. Plants have been maintained in splendid condition and a valuation on present prices would be far above the book value.

Books of the company have been audited regularly by Messrs. Haskins & Sells, certified public accountants, and the above statements of earnings and financial condition are based upon their audits.

PROPERTIES.

The company owns and operates plants for the production of cereal food products at Akron, Ohio; Cedar Rapids, Iowa; Fort Dodge, Iowa; Battle Creek, Mich.; Tecumseh, Mich.; Peterborough, Ontario; London, Ontario; Neepawa, Manitoba; Saskatoon, Saskatchewan; and, until the outbreak of the war, Hamburg, Germany. Some of these plants also produce commercial mixed feed. Plants for the production of feed alone are operated at Morris, Ill., and Richford, Vt. Flour mills are owned and operated at Akron, Ohio; Cedar Rapids, Iowa; Peterborough, Ontario, and Saskatoon, Saskatchewan. Macaroni and spaghetti are manufactured at Tecumseh, Mich. In addition the company owns and operates 59 country elevators, situated at various points through the grain-producing States and western Canada; a veneer box board plant at Foxworth, Miss; and a strawboard plant at Pekin, Ill.

All plants are modern and well built, mostly of steel and concrete construction, and equipped with the latest improvements in milling machinery. The Cedar Rapids mill is the largest general cereal food plant in the world; the Akron and Peterborough mills are the second and third largest.

The company has 49 sales offices in the United States and Canada.

DESCRIPTION OF THE PREFERRED STOCK.

The essential preferences of the preferred stock, as more fully set forth in the charter, are as follows:

Preferred as to 6 per cent cumulative dividends, payable half yearly, but in practice paid quarterly on the last days of February, May, August, and November.

No dividends on the common stock may be paid in any year until after the dividends on the preferred stock for that year have been actually paid or set apart.

Preferred as to assets. In the event of dissolution of the company, the preferred stock will be entitled to $100 per share before any payment is made on the common stock.

No mortgage or charge on real estate or fixed plant (other than by way of purchase money obligations) can be created without the assent of a majority of both preferred and common stockholders.

No increase or decrease in the authorized amount of preferred stock may be made without two-thirds vote of the holders thereof.

Voting power. The preferred stock has equal voting power with the common stock in the event that any half yearly dividend thereon should be in arrears for a period of three months and until such arrears are made up.

Yours, very truly,

H. P. CROWELL,
President.

FOUR MILLION THREE HUNDRED THOUSAND DOLLARS.—THE AMALGAMATED SUGAR CO. 8 PER CENT CUMULATIVE SINKING FUND FIRST PREFERRED STOCK.

Par value $100 per share. Authorized $5,000,000. Outstanding $5,000,000.

Dividends payable quarterly, February 1, May 1, August 1, November 1.

Redeemable in whole or in part at the option of the company on any dividend date at $120 per share and accrued dividends upon 60 days' notice. Bankers' Trust Co., New York, transfer agent. The Liberty National Bank of New York, registrar.

The following information is summarized from a letter of Mr. David C. Eccles, vice president of the company, copy of which appears on the following pages, to which reference is made.

CAPITALIZATION.

Capitalization after giving effect to the new financing.

	Authorized.	Outstanding.
8 per cent cumulative sinking fund first preferred stock	$5,000,000	$5,000,000
Common stock	25,000,000	6,824,400

HISTORY AND PROPERTIES.

The company is one of the important beet-sugar producers of the United States, and, through some of its constituent companies, has successfully operated for 20 years. It owns and operates eight factories in Utah and Idaho, with an aggregate daily capacity of 5,400 tons of beets, or 1,188,000 pounds of sugar.

PURPOSE OF ISSUE.

The proceeds of this issue of preferred stock, together with $1,000,000 additional common stock, which has been recently sold at par, has been used to retire all of the bonds and to provide for the retirement of the previously issued preferred stock of the company and to add to its working capital.

PRODUCTION.

The company's production of sugar has increased from 81,727,500 pounds in 1915 to 112,326,700 pounds in 1919.

EARNINGS.

Annual net income of the company, after payment of all taxes, including Federal taxes, for the last five years ended February 28, 1919, available for dividends averaged $1,485,000, and for the last three years averaged $1,608,000. Dividend requirements of the $5,000,000 preferred stock are $400,000 per annum.

ASSETS.

After giving effect to the new financing, net current assets of the company as of February 28, 1919, were $5,020,000 and total net assets were $13,366,000, against which this $5,000,000 of preferred stock would be a first charge.

SINKING FUND.

An annual cumulative sinking fund is to be provided sufficient in amount to retire at $120 per share 2 per cent of the amount of preferred stock then outstanding.

PREFERRED STOCK PROVISIONS.

No mortgage, except purchase-money mortgages to the extent of 75 per cent of the cost of new property acquired, may be placed upon any of the property of the company without the consent of 75 per cent in amount of the preferred stock then outstanding, nor, without similar consent, may any other indebtedness be created, except customary borrowings of not exceeding one year in maturity, made in the ordinary course of the company's business.

No additional stock equal or prior to this issue may be issued without the consent of 75 per cent in amount of the preferred stock then outstanding, and then only if the average net earnings of the company applicable to dividends for the three preceding fiscal years equal three times the amount required to pay dividends on the preferred stock then outstanding, including that to be issued.

The company agrees to maintain at all times net current assets equal to at least 60 per cent of the amount of then outstanding preferred stock.

The company's accounts have been examined by Messrs. Thompson & Black, New York City, who have certified as to the correctness of the company's financial statements herein contained.

The legality of the issue has been approved by Messrs. White & Case, New York City, for the bankers, and by Messrs. Howat, Marshall, Macmillan & Nebeker, Salt Lake City, for the company.

Price, 102½ and accrued dividend, yielding over 7¾ per cent.

The statements herein contained are not guaranteed, but have been obtained from sources which we believe to be reliable.

THE AMALGAMATED SUGAR CO.,
Ogden, Utah, August 5, 1919.

Messrs. HAYDEN, STONE & CO.,
Messrs. MONTGOMERY & CO.,
New York.

GENTLEMEN: I take pleasure in giving you the following information in connection with the $5,000,000 8 per cent cumulative sinking fund first preferred stock of the Amalgamated Sugar Co.

HISTORY AND PROPERTIES.

The Amalgamated Sugar Co., which is one of the important beet-sugar producers of the United States, was incorporated in Utah in 1915, through the acquisition and consolidation of several companies, some of which have been in successful operation for 20 years.

The company owns and operates eight sugar factories, five of which are located in northern Utah and three in southern Idaho. In general, the factories are of modern fireproof construction, equipped with up-to-date apparatus and are in good condition and have been well maintained. The territory which they serve is admirably adapted to the growing of sugar beets and the factories are well located to handle the beet crop of the districts. Their aggregate daily capacity is about 5,400 tons of beets, or 1,188,000 pounds of sugar.

PURPOSE OF ISSUE.

Sufficient of the proceeds of this issue of preferred stock, together with $1,000,000 additional common stock, which has been recently sold at par, has been used to pay off the first mortgage 7 per cent serial convertible gold bonds of the company, which were retired on August 1, 1919, thereby eliminating the only bonded debt of the company, and will be used to retire all of the company's preferred stock of another issue and now outstanding, amounting to approximately $245,300. The balance of the proceeds of these stock issues has ben added to the company's working capital.

PROVISIONS OF THE PREFERRED STOCK.

Some of the more important provisions of the preferred stock are substantially as follows:

The preferred stock is entitled to cumulative dividends at the rate of 8 per cent per annum before any dividends are paid upon the common stock, and is preferred over the common stock as to assets in case of liquidation.

No mortgage, except purchase-money mortgages to the extent of 75 per cent of the cost of new property acquired, may be placed upon any of the property of the company without the consent of 75 per cent in amount of the preferred stock then outstanding, nor without similar consent may any other indebtedness be created except customary borrowings of not exceeding one year in maturity, made in the ordinary course of the company's business.

No additional stock equal or prior to this issue may be issued without the consent of 75 per cent in amount of the preferred stock then outstanding, and then only if the average net earnings of the company applicable to dividends for the three preceding fiscal years equal three times the amount required to pay dividends on the preferred stock then outstanding, including that to be issued.

An annual cumulative sinking fund is to be provided in amount sufficient to retire at $120 per share 2 per cent of the amount of preferred stock then outstanding.

The company agrees to maintain at all times net current assets equal to at least 60 per cent of the amount of the then outstanding preferred stock.

PRODUCTION.

The company's production of sugar during the last five years has shown constant increase, as appears from the following statement:

Production for years ended Feb. 28.	Pounds.
1915	81,727,500
1916	91,187,600
1917	92,451,600
1918	93,987,900
1919	112,326,700

EARNINGS.

The average annual net income of the company, after the deduction of all taxes, including Federal taxes, for the five years ended February 28, 1919, available for dividends, was $1,485,000. For the last three years of this period the average annual amount available for dividends was $1,608,000. The amount required to pay dividends on the $5,000,000 preferred stock is $400,000 per annum.

FINANCIAL STATEMENT.

The capitalization of the company, after giving effect to the new financing, will be as follows:

	Authorized.	Outstanding.
8 per cent cumulative sinking fund first preferred stock[1]	$5,000,000	$5,000,000
Common stock	25,000,000	6,824,400

[1] $245,300 preferred stock of an issue previously made and at present outstanding is not included in this statement, as all of this stock will be called for redemption and funds for its retirement at $110 per share and accrued dividends have been deposited with Bankers Trust Co., and proper corporate action will be taken by the company so that its capitalization will conform to the statements herein.

A condensed balance sheet of the company as of February 28, 1919, after giving effect to the new financing, is as follows:

ASSETS.

Factory investment (net after depreciation)		$8,418,097
Other permanent investments		378,020
Current assets:		
Cash, Liberty bonds, etc	$2,295,137	
Sugar, molasses, etc., and materials and supplies	7,702,908	
Accounts and notes receivable	2,023,643	
Other current assets	165,149	
Total current assets		12,186,837
Long-term notes receivable		98,145
Total		21,081,099

LIABILITIES.

Common stock		6,824,400
Preferred stock (see footnote to preceding table)		5,000,000
Current liabilities:		
Notes payable	$6,762,788	
Accounts payable	253,347	
Federal taxes accrued	150,000	
Total current liabilities		7,166,135
Notes payable, 1920 and 1921		445,900
Other debts due over period of 12 to 16 years		52,644
Reserve for sundry liabilities		50,000
Surplus		1,542,020
Total		21,081,099

ASSETS.

The net current assets of the company as of February 28, 1919, after giving effect to the new financing, amount to $5,020,000, and the total net assets, against which the preferred stock would be a first charge, amount to $13,366,000, or $267 per share on the preferred stock.

Very truly, yours,

(Signed) DAVID C. ECCLES,
Vice President.

Mr. McCUMBER. Mr. President, the high cost of living is one of the great subjects under consideration at the present time, and, as I have not placed anything into the RECORD for a long time on that subject from the farmer's standpoint, I am going to ask the permission of the Senate to read a short article from the New York Times of this morning. The article is headed:

Farmers' profit in an $11 dinner just 82 cents, delegates who ate it tell the President—Argue for producers—Western men say profiteering, labor conditions, and extravagance cause high prices.

I desire to say to Senators that there is more philosophy and good common sense in the brief statement presented by the western farmers to the President upon the real conditions that cause the high cost of living than we would ordinarily get from all of the departments of the Government after months spent in preparing reports to the Senate and to the House of Representatives in answer to our queries. The article reads:

[Special to the New York Times.]

WASHINGTON, *August 14.*

The farmers of the Nation, as represented by delegates of the National Federation of State Farm Bureaus, laid their side of the high cost of living problem before President Wilson to-day, asserting that high prices were not caused by the rapacity of producers, but by a combination of causes, including profiteering and speculation by the middleman, extravagance by the public, strikes, and stagnation in the production of manufactured goods and prepared foodstuffs.

The delegates, from bureaus in Ohio, Indiana, Illinois, and Iowa, were with the President for nearly an hour, and were apparently well satisfied with the result of their interview. They urged the President to let wheat alone, and stated that he had said the Government was not disposed at this time to interfere with the price of wheat. He added, they said, that he was working out a solution of the problem entirely along the lines which he had suggested in his address to Congress.

The farmers had prepared a statement which dealt in some detail with their viewpoint, and emphasized that it was essential that they should know what the future held in store for them, as the time had come when they must plan for the 1920 harvest.

In presenting their argument the delegates cited their dinner at what they described as a "modest hotel" in Washington to illustrate their contention that profiteering is being carried on by agencies between the producer and the ultimate consumer. Five of them paid $11 for a none too elaborate dinner, exclusive of tips. Their figures showed that of the $11, 82 cents had gone to the farmers who produced the food.

I only interrupt the reading of this article here to state that it certainly was a very modest hotel in the city of Washington in which five men got a dinner for $11. If they got it for less than $15 at some of our hotels, they would be doing exceedingly well. The article continues:

"Food on the table costs out of all proportion to the price to the producer," they told the President. Part of this is due to the short hours and high wages of labor—

That is something which we very often forget to suggest, especially to the laborers who are asking that their wages may be increased so that they may meet the high cost of living which their wages make, the article continuing—

part to the exorbitant prices of the several middlemen between the producer and the consumer—

We have all recognized that for many years—

and a considerable part to the extravagant practices of the consumer in purchasing.

We have to a great extent lost our economic ability in the matter of purchasing. We never ask whether we can get something a little cheaper at some other place, but we simply pick up the telephone and order our steak and our coffee, and at the end of the month we pay our bill. We have nothing whatever to say as to what the charges will be. A great deal of the trouble, then, as is suggested here by the farmers, grows out of the extravagant practices of the consumer in connection with purchasing. This article further reads:

Without going into an analysis of who gets it, compare the difference in price of choice beef on the hoof at 18 cents per pound with that of a moderate meal for five at one of Washington's modest hotels, the meal consisting—

Now, let us see of what this dinner consisted—

of steak, potatoes, corn, bread and butter, and coffee, and costing $11.

There was no dessert or fruit of any kind—

Of this $11 the producer of the food, the farmer, got about as follows:

82 CENTS FOR THE FARMER.

Beef, 2 pounds, 36 cents; potatoes, 13 cents; bread, 2 cents; butter, 7 cents; coffee, cream, and sugar, 4 cents; corn, 20 cents, making a total of 82 cents. This is about 7 per cent of the total.

Now, it is proposed—and that is about all we hear from the labor unions and others—to cut down by 50 per cent the farmers' price on the 7 per cent, so they might get their meals 3½ per cent cheaper than they otherwise would out of this $11.

A 50 per cent reduction in the price of these products to the producer would have lessened the total cost of the whole meal on the hotel table only 41 cents, smaller by half than the customary 10 per cent tip, which, by the way, is not included in the above price for the meal.

I assume the 10 per cent tip, therefore, in this case would be $1, making their meal cost them $12 instead of $11.

This illustration shows the extremes of exhorbitant profits of the middlemen and of extravagant practices of the consumers in purchasing, including probably all the evils that are contributing in large measure to the high cost of living to the consumer. A reduction to the producer in the price of these foodstuffs to a point which would stagnate production of grains and meats, would have an inconsequential effect upon final prices to the consumer."

The five delegates who ate the $11 dinner were J. C. Crocker, president of the Nebraska Farm Bureau; O. E. Bradfute, president of the Ohio bureau; J. G. Brown, president of the Indiana bureau; J. R. Howard, president of the Iowa bureau; and D. O. Thompson, secretary of the Illinois bureau.

"The high cost of living," asserted the committee, "is not due to the original price of the farm products to the grower. The Government minimum price on wheat does not determine the cost of a loaf of bread.

We have demonstrated that very many times—

"Fixing a resale price at $1.50 per bushel would affect very little, if reflected to the consumer, the cost of living for the average family."

I ask Senators to bear this also in mind:

The high cost of living is not due to the storage of meats, vegetables, fruits, eggs, and poultry in the season when these are produced in surplus against the season of short supply. Food storage for speculative purposes is intolerable.

The high cost of living is not due to exportation of food and clothing any more than it is due to our heavy exports of manufactured goods, machinery, etc., of which the farmer is a heavy purchaser. An embargo on foodstuffs to bring down the high cost of living will be as demoralizing to American agriculture as the embargo placed on foodstuffs was to French agriculture in the time of Louis XIV.

LACK OF PRIVATE ECONOMIES.

Moreover, the high cost of living is not merely a local or national consideration. It is a world matter. Applying a first-aid remedy at home to create and foster anarchy and revolution abroad should not be the policy of the United States, even at this critical juncture.

This question of lack of economy in public spending was brought within the focus of the American public's attention early in July, when the railway brotherhoods demanded of President Wilson that he bring down the cost of living immediately, threatening a demand in wage increase amounting to a total of $800,000,000 a year, payable necessarily from one of two sources, revenues from increase of freight rates or from a deficiency appropriation, either of which would add to the cost of living.

In other words, the brotherhoods ask for an increase of $800,000,000 in wages, which must be immediately charged back to the farmers and other producers in order to bring down the cost of living. The article continues:

A lack of practicing economies in private life may be illustrated without end. Theaters and places of amusement, resorts, and watering places are crowded with beautifully gowned women and handsomely tailored men. The price of shoe shines has doubled and trebled, yet one must wait his turn, though he could shine his own shoes at home for less than 1 cent. So illustrations might be multiplied, all showing that lack of practicing plain economy is a great contributing factor in maintaining the high cost of living.

The high cost of living is due to shifting individual responsibility for the present state of affairs and each component of the people of the Nation seeking self-satisfaction rather than the answer to the great world question. This is our national state of mind. Instead of doing our national and individual best to produce more goods, so that there will be enough for all at a reasonable price, each is trying to better his condition at the expense of the other fellow.

The high cost of living is not due to lack of desire or effort on the part of the farmers to produce to the limit of their physical ability. Following a beautiful promise of a bountiful wheat harvest, a most destructive attack of scab and rust cut the wheat yield very materially. Untimely heat and drought shortened the oats crop and adversely affected the corn crop. The long hours and strenuous diligence of the

farm operation have, in spite of these adverse circumstances, put the crop across. The farmer has not struck, walked out, or otherwise slackened in production.

The high cost of living is due to a stagnation in production of manufactured goods and prepared foodstuffs. Every labor strike that shuts down any plant engaged in the preparation of foods or the making of clothing, that shuts down a mine or a mill, adds to the high cost of living. Shortly after a strike of the United States yards and packing-plant employees the wholesale price of fresh meats advanced 15 to 35 per cent, directly due to the short kill and consequent small supply of fresh meats.

REFUSES TO WORK ALONE.

The American farmer does not sympathize with artificial or political quackery for befogging the real issues, which is impotent to give even passing relief. The American farmer is willing to squarely meet the issue. If prices are cut to the bone all along the line, farm products, wages, manufactured goods, rents, wholesalers' and retailers' profits, will bring the desired result, which he rather doubts. He will go as far along that road as any, but he will not go alone. Let the whole brotherhood of man go the full route. If increased production will clarify the situation, the American farmer will jointly, with all of his fellow citizens, buckle his belt for a most strenuous campaign of production; but here, again, he is determined that he will not work alone.

If capitalistic monopoly wants enough food produced that it may be feasted, if organized labor wants food produced that it may be fed, if the do-nothing dawdlers want enough food produced so that they may occasionally eat, let them stand forth now at this time, when the farmer must determine his 1920 food-production program, and declare by deeds—cutting out profiteering in goods and wages, going honestly to the business of preparing and purveying the necessities of life, going honestly to the job or doing a full day's work for a full day's pay—their willingness to cooperate. Failure of these forces to do this now will be a boomerang that ere the next cycle of the seasons will effect a condition of living now undreamed of.

Mr. President, this may well be taken into consideration by the American consumer to-day. I picked up the Washington Post of a few days ago, and, while we are complaining that there is a shortage of work and labor can not obtain employment, I find in that paper four or five full columns of "Help wanted" advertisements and I find three advertisements under the heading "Situations wanted." That is true of every one of the great daily papers throughout the United States. There is a demand everywhere for labor while labor is idle. Let labor go to work, let them cut out profiteering, let them do an honest day's work for an honest day's pay and increase the productive capacity of this country, and the prices and the high cost of living will come down to proper levels, and we will not need to spend hundreds and hundreds of millions of dollars for investigations.

The VICE PRESIDENT. Is there any further morning business? If not the morning business is closed.

BUILDINGS ON ARLINGTON FARM.

Mr. PHELAN. I should like to call up the resolution which I submitted on the last legislative day.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a preceding day, which will be stated.

The Secretary read Senate resolution 161, submitted by Mr. PHELAN on the 13th instant, as follows:

Resolved, That the Secretary of Agriculture be requested to discontinue the construction of and to remove the unsightly buildings on the so-called Arlington farm on the Potomac between the Lincoln Memorial and the Arlington mansion and the new amphitheater.

Mr. PHELAN. Mr. President, I desire to say that I had information from the Secretary of Agriculture yesterday that, anticipating that there would be some objection to the construction upon the Arlington farm of buildings which are in full view of the city of Washington, he consulted in 1917 the Fine Arts Commission, and he has a letter from Col. Harts, the secretary and executive officer of that body, giving consent. The Secretary said he was very particular in securing the consent of the Fine Arts Commission for the construction of the buildings within his jurisdiction, because he sympathized very strongly with the desire on the part of Congress to preserve the beauty of the National Capital. He conceded, however, that these buildings were a blot upon the landscape and objectionable, but stated that he had arranged to have their roofs painted with some chemical paint, camouflaged so that you could not see the roofs, although they were there, and if the chemical paint fails he agrees to plant trees, which will hide the objectionable structures; and he goes so far as to say that if the paint and the trees fail to camouflage the buildings sufficiently he will very gladly consent to the demolition of the buildings, which in themselves are not very expensive. So we can count upon the full and sympathetic support of the Secretary of Agriculture. He said that the Arlington farm came into the possession of the Agricultural Department by act of Congress transferring it from the War Department, and that he has a committee of his department on this very subject of constructing buildings without giving any artistic offense.

In view of this fact, therefore, I will ask the Chair, and make a motion to that effect, that my resolution be referred to the Committee on the Library. The Committee on the Library have always had jurisdiction over subjects of this kind, and this is not the only matter which might well engage their attention. From the heights of Arlington yesterday I looked down upon the beautiful Mall, with the Lincoln Monument just completed at a cost of two and a half million dollars, and I observed the utterly unsightly Army and Navy buildings, a mile long, which were constructed as war emergency measures at a cost of $7,000,000, destroying from an artistic point of view or from any point of view the great and beautiful memorial to the martyred President.

So I hope the committee will take jurisdiction not only of the offense committed by the Agricultural Department, which has already atoned for it, but the offense committed in the war hurry and necessity of erecting so-called temporary buildings which are a blot upon the fair face of our National Capital.

Mr. BRANDEGEE. Mr. President, I should like to ask the Senator from California a question. I will not delay the Senator from Missouri [Mr. REED], who is anxious to get the floor. How near completion are these buildings to which the Senator objects?

Mr. PHELAN. They are practically all completed. The last building, with the offensive roof, is a chemical building, and it is built high in order to gather the fumes of the chemicals.

Mr. BRANDEGEE. What is the purpose for which they are to be used?

Mr. PHELAN. In the conduct of the experimental farm. The particular building that has given offense is the chemical building, as I have explained.

Mr. BRANDEGEE. Are there any stables?

Mr. PHELAN. I think so.

Mr. BRANDEGEE. I understood the Senator, in conversation, to say that they were barns, or something of the kind.

Mr. PHELAN. They are barns, so far as the eye of the observer goes. I have not inspected them at close range; but it is sufficient to say that they are barns when you look at them. I ask that the resolution be referred to the Committee on the Library.

The VICE PRESIDENT. The resolution will be referred to the Committee on the Library.

HOUSE BILL REFERRED.

H. R. 8362. An act to amend and revise the laws relating to the public printing and binding and the distribution of Government publications, and for other purposes, was read twice by its title and referred to the Committee on Printing.

HIGH COST OF LIVING.

Mr. REED. Mr. President, I am not at all sure that anything I may have to say on the high cost of living, its causes or remedy, will very greatly interest either the Senate or the country. I am impelled, nevertheless, to take the floor for the purpose of contributing as far as I am able my mite to the solution of this great question.

By way of preliminary, I want to say that I have no possible sympathy with the profiteer. Indeed, I believe no decent man can have any sympathy with one who indulges in extortionate practices at a time like this. But, Mr. President, this is an hour when calm investigation, patient research, and temperate conduct ought to rule. The worst thing in the world to do in a time of emergency is to grow excited. An excited man very seldom gets the best result of which he is capable. Temporary and haphazard remedies very often kill the patient, when he would get well if he were left alone and if nature were permitted to take its course.

The country to-day is still suffering from shell shock. Hardly anyone is in a normal state of mind. No line of business is in a normal condition. A great storm has swept over the intellectual world and its ravages and disturbances still exist. A great upheaval has torn and rent the physical world, and the effects are not only felt to-day but they will be felt a hundred years from this hour. The man who comes forward with a cure-all for these conditions is very likely to find that his cure does not work.

So I approach this question with a feeling of considerable modesty, well understanding that I do not possess the wisdom which will enable me to produce some magical remedy for ills that have their roots in physical conditions, and that can be remedied only by time and by the labor of the world.

Let us therefore indulge calmness, and let us refuse to be rushed into panic. Frequently, Mr. President, agitation brings the very evil it seeks to remedy. The best way to cause a run on a bank is to discuss the question whether the bank will be able to pay out. Let that sort of discussion go on in a community for 24 hours and there will be a line of depositors at the paying teller's window demanding their money. Let an agitation go forth that there is a great scarcity of some par-

ticular prime necessity of life that everybody must have and the almost inevitable result is a mounting of prices.

The reasons for that are many, and could be elucidated at great length; but I merely make a general statement, knowing that the experience of Senators makes argument unnecessary. Convince all the world that there is a shortage in some particular thing, and everybody in the world will begin to want to hold what he has and to acquire more. Convince the people of the world that the supply will soon be sufficient, and immediately there will be a relaxation on the part of those who want to hold and to make money. I have not the slightest doubt to-day that if the whole world could be convinced to-morrow morning that the supply of necessities would soon equal the demand, there would be a lowering of the market day after to-morrow of a most pronounced character.

I have heard discussions of the causes for high prices. One person thinks the cause is found in the selfishness of the profiteer. I admit that that is a contributing cause, in some instances a very aggravating cause; but it is not one of the principal causes, in my judgment. Another individual thinks that if you would open all the cold-storage houses of the country and suddenly dump upon the market their contents, you would cure high prices. I grant you that you would break prices for a few days; but, in my opinion, if you were to pursue this policy, unless you did it very temperately and very moderately, you would pay dearly for it next winter. Another sees a remedy in the passage of drastic laws and in the indictment of nearly every man, woman, and child engaged in trade in the United States. I grant you that there are some of these people who ought to be punished; but, again, I do not regard this as the principal cause of high prices.

I want to call attention to some things which I believe can be demonstrated to be the great underlying causes of the present high cost of living, and if we could get at the truth—not the fancies, not the ravings, of men—regarding the actual conditions of the world, we would then be in a position to consider the proper remedies to apply; and with the application of any proper remedy I shall be in hearty accord.

There are two great principles in economics and finance which can not be disregarded and which no amount of legislation can effectively control. These principles lie at the basis of all prices, and, while there may be disturbing or interfering forces which, to some extent, qualify their operation, they nevertheless work with a consistent, irresistible, and controlling force.

First. Whenever the demand for any great necessity materially exceeds the supply, an increase in price is inevitable. Conversely, when the supply exceeds the demand, a decrease in price follows.

The latter condition may be temporarily effected by combinations artificially withholding the supply and controlling the market. But neither combination of men nor decrees of government have ever transmuted deficiency into plenty or satisfied human longings for a necessity which can not be obtained. Neither have they been able under such circumstances to keep prices from advancing.

Second. A radical increase in the number of dollars in circulation results in a decrease in the purchasing power of the dollar. In other words, if the value of dollars is low the price measured by dollars will be high.

When there is a small per capita circulation, money is difficult to get. Therefore a small amount of money will purchase a given commodity. If, however, the amount of money in circulation is doubled, then money is more easily obtained and a larger amount will be required to purchase the same article. That is to say, a scarcity of money means that money has a high purchasing power. A plethora of money means that money has a low value and therefore a low purchasing power. Stated in a sentence, a small circulating medium results in low prices measured by dollars; an excessive circulation means high prices measured by dollars.

Let us apply these two great laws to present conditions and ascertain to what extent they may be responsible for present prices. By intelligently examining the fact we may be able to disabuse our minds of many prejudices and at the same time discover the futility of some of the remedies proposed.

Referring to the first proposition, it must be admitted that if production has fallen behind consumption, so that there is a demand greater than can be supplied, then the excess of prices due to such underproduction and overdemand can only be met by bringing consumption up to production. We must remove the cause to secure the remedy.

Is there a condition of underproduction? Is the world actually in need of a great number of necessaries which it is impossible to immediately supply? If so, then the remedy must be found in increased production. Any device, plan, or scheme, therefore, which will have a tendency to lessen production, to discourage enterprise, or to arrest industry will, instead of bringing lower prices, increase present excessive prices by increasing their primary cause, namely, underproduction.

Let us examine the facts calmly, dispassionately, and without prejudice.

First, in normal times the world consumes each year substantially all that has been produced. I wish Senators would let that thought, that fact, a very old one, sink in.

If the entire world were to fail for a single year to raise a crop, the world would starve to death. If all manufacturing industries were to cease operation for 12 months' time, half the world would be without clothing and shoes or other prime necessities.

These facts serve to illustrate the truth that in normal times consumption constantly treads upon the heels of production.

If each month there were to be manufactured 10 per cent more shoes than are used, there would shortly be accumulated a surplus which would break the market and completely destroy values.

If, upon the other hand, there were a deficiency in production of shoes equal to 10 per cent each month, at the end of 12 months one-twelfth of the people would be without sufficient shoes to supply them. At least, there would be a general deficiency and clamor for shoes. Consequently, prices would increase, for dealers would bid against dealers for the shoes with which to supply their customers.

Take a very simple illustration. If two men each need a hundred horses and there are only 50 horses to be purchased, each of these men will pay high prices in order to secure as many horses as possible. But if there be 300 horses in the market, the sellers will be cutting prices in order to unload, and the buyers can take their pick.

All this is elementary and obvious, but in a crisis like that which now confronts us we are likely to overlook even the obvious.

Let us apply these plain facts to present conditions.

Five years ago Europe withdrew from industrial production over 20,000,000 men. She massed them in camps, where they became consumers instead of producers. She marshaled them on the fields of battle, where they were engaged in the work of destruction instead of the work of creation. The energies of the world were at once taxed to sustain this vast aggregation of consumers and destroyers. From the Arctic to the Antarctic Circles, the round world was combed for everything necessary to sustain the military operations. Not only were millions of farmers withdrawn from the fields and placed in military camps but the supplies which other millions of farmers raised were sent to these military camps and to the armies in Europe. The factories of the world were to a large extent changed from instrumentalities for the making of useful tools and implements of manufacture and recreation into concerns engaged in the making of supplies which were speedily to be destroyed in the great conflict. It is scarcely too much to say that for five years' time production of all the great necessities of life has been limited merely to the supplying of what was actually and grievously necessary.

More than two years ago our own country was drawn into the conflict. First and last, we withdrew from the useful pursuits over 4,000,000 men. We turned the energies of millions of our civilian population into the production of war supplies. We sent armies of workmen into the forests. We seized control of the great steel and iron mills and all classes of factories and shops. We utilized their products in the building, not of homes and cities, but in constructing great military camps and ships which were to take the place of those destroyed by war. We sent abroad immeasurable supplies of every kind. We reproduced here on a gigantic scale all that had been done in Europe, and here, as there, we robbed the accumulations of the past in order to supply the present. We allowed railroads, machine shops, every kind of industrial enterprise to languish in order to devote our energies to the great conflict.

Almost immediately there began to exist a gap between production and consumption. Just as that gap widened prices advanced, and continued to advance. It was the natural law of supply and demand working itself out in prices. It was the natural law of supply and demand measured by dollars.

A raise in the price of one article frequently forces an advance in the prices of fifty or a hundred other products into which the primary article enters.

I am now discussing general principles, and in the illustrations which I use am disregarding interfering causes.

Let us take coal as a sample case. In 1914, 1915, and 1916 the European war increased vastly the demand for American manufactured goods. This made a corresponding increase in coal con-

sumption. The demand for coal for the first time in many years far exceeded the then capacity of the mines to produce. The manufacturers began bidding against each other for coal. The proprietor of the coal mine first made slight advances, but when the demand reached a point beyond the capacity of his normal forces and he was confronted with a proposition of expending money for additional machinery and additional men at higher wages, he naturally advanced the price of coal.

I am not now discussing the question of whether there were combinations or whether there was unreasonable speculation. I am considering alone the basic fact that an increased demand for coal meant an increased price. The increased wages paid the coal miner meant an increased price. The increased price of coal meant an additional price for every article in the production of which coal was employed as a power producer. Steel, copper, lead, zinc, railroad supplies, buildings, bridges, everything into which steel or iron entered found an additional charge laid upon it.

What is said of these articles is true of every other commodity.

Each increase of price in any of the necessities correspondingly increased the cost of living to all of the people of the United States.

Here I pause to make a remark, the substance of which is often too generally disregarded.

We are eternally talking about consumers as though they were a small or particular class of the people. We are likewise talking about producers as though they were a small or particular class of people.

There is no greater mistake than the assumption that the people are divided into two classes—consumers and producers. We are all consumers. Every man, woman, and child in the United States is a consumer. Each advance of price, therefore, falls upon every citizen of the country.

So also it may be said almost without qualification that all of the people of the United States are to a greater or less extent producers. Even the so-called idle rich are producers in the sense that their capital is engaged in production.

It follows, therefore, speaking broadly, that the burdens of high prices are borne by the public at large, and that the benefit of high prices flows back to the public at large. Of course, I do not claim that the distribution is equitable. That is an entirely different question. But it is hard to think of any class of people, except those working upon fixed salaries or living upon fixed incomes, who have not to some extent had the burden of high prices mitigated by an increase of profits, incomes, or wages.

Thus far I have undertaken to show by mere process of reason that there is in this country a great gap between production and consumption; that this is due to the withdrawal from industrial activities of millions of men; and that this shortage in production naturally worked an advance in prices.

But we have been confronted by the fact that the necessities of Europe have been greater than ours. Consequently there has been an enormous suction created in Europe, drawing from this country not the normal European shipments, but an abnormal and wholly unprecedented drain has been laid upon our resources. By this means price conditions and shortages here have been magnified.

An interesting feature is that the American people have themselves furnished a great part of the money to Europe with which Europe purchased our supplies and transported them to her shores. We loaned Europe, first and last, $10,000,000,000, approximately. Nearly all of this money was used to buy American cereals, cotton, leather, steel, and all other conceivable necessaries of life. Our stocks were just to that extent depleted.

If I am a farmer and loan my neighbor a thousand dollars with which to purchase horses and then sell him all the horses I have on my farm for a thousand dollars, I need not be surprised if I am short of horses, although I may have a perfectly good promissory note in my pocket.

This exactly illustrates what we have been doing.

We loan Europe ten thousand millions of dollars and then insist that Europe shall buy from us ten thousand million dollars' worth of American products. This she does, and we ship to her ten thousand million dollars' worth of breadstuffs, meats, clothing, steel, coal, and the other prime necessities of life. Having in this way depleted our larder and our stores, we express surprise when we are confronted with a shortage.

History records the fact that "Old Mother Hubbard went to the cupboard to get her poor dog a bone" and found the cupboard bare. The chronicler does not tell us, however, whether the old lady had fed all the bones to the dog in the adjoining yard the night before; but if she had, and possessed common sense, she would not have been greatly surprised when she found there was nothing with which to feed her own Fido.

Right here you find an additional key to the question of high prices. Nearly everything we shipped to Europe was sold for the highest prices imaginable. There was an exception to that in those products which were controlled by the United States Grain Corporation, but that is a chapter by itself.

It operated against the farmer, as it was intended to operate, but as to nearly all other American products the European prices paid were very high. The price of the surplus shipped abroad always—in the absence of artificial interference—fixes the price of the product at home.

Thus far I have dealt with these questions in the abstract. I now present certain tables compiled from official reports which illustrate and fortify the argument by concrete example.

Mr. SMOOT. Mr. President——

Mr. REED. One moment.

Mr. SMOOT. I merely wish to ask a question of the Senator.

Mr. REED. I yield.

Mr. SMOOT. I desired to ask if he had made any examination into the prices of commodities during the Civil War and their increase from the beginning of that war until its close, as compared with the prices of the same commodities at the beginning of this war and on the 1st day of January of this year?

Mr. REED. I have not made that comparison, but I have no doubt it is very interesting.

Mr. SMOOT. I desire to say to the Senator now that when that comparison is exhibited to the country people will be greatly surprised. I have now in my office a comparison of the prices of 90 commodities on the 1st day of January, 1862, and the prices of those commodities at the time of the close of the Civil War. I have also the prices of the same commodities in the United States on the 1st day of January, 1915, and their price on the 1st day of January, 1918. I repeat, the American people will be surprised to learn that the rate of increase upon those 90 commodities runs, during the present World War, almost exactly parallel to the rate of increase during the Civil War.

Mr. REED. I have no doubt the Senator from Utah has a most interesting compilation, but that is a comparison into which I have not gone. I know the Senate will be interested in his figures when he presents them. However, we all know that there has never in history been a war of any magnitude which has not advanced prices.

Now, returning to my line of argument, the tables which I present show that our exports abroad have increased to such an extent as to drain this country not only of its surplus but of those things which are necessary for consumption at home. I call attention to a few specific items selected out of a great number, because they are typical. I am going to read this table, for it is very short, and I ask Senators to pay me the compliment of remaining in the Chamber to attend to the figures which it presents.

In 1914 we exported of breadstuffs to Europe, in round numbers, $165,000,000 worth; in 1915, $573,000,000; in 1916, $435,000,000; in 1917, $589,000,000; in 1918, $633,000,000; and in the fiscal year 1919, we exported $954,779,894 worth—approximately $1,000,000,000 worth of breadstuffs sent from this country to Europe.

I am not making any attack upon that; but if you send a thousand million dollars' worth of breadstuffs from this country to Europe, you are lacking just that amount at home, unless it be of a surplus; and in view of the fact that our shipments in 1914 were only $165,000,000 worth, that being the natural surplus, it is easy to judge whether we have drained our larder.

Shortage and high prices of breadstuffs, therefore, can be accounted for by the European drain and European prices. Men may rant and demagogues may rave, but all the ranting and all the raving in the world will never remedy a situation like that. If you have too little at home to eat and have been sending too much abroad you will have to pay too much for what you have to eat at home.

Mr. SMITH of Georgia. Mr. President——

Mr. REED. I yield to the Senator.

Mr. SMITH of Georgia. Can the Senator give us the quantity as well as the amount in dollars of these exports? I take it for granted that in 1914 the price of grain was much cheaper than in 1919; so that the relative quantity is not clearly disclosed by the cost.

Mr. REED. I can not do that as to breadstuffs, which were general, and the figures as to which I obtained from statistics compiled in that way; but I will take wheat.

In 1913 we exported 142,789,596 bushels, and in 1919 we exported 287,434,087 bushels; that is to say, in 1919 we exported 144,558,491 more bushels of wheat than we did in 1913.

Mr. SMITH of Georgia. Can the Senator tell us whether that includes the amount we used in France for feeding our own Army?

Mr. REED. No; it does not.

Mr. SMITH of Georgia. It is in addition to what we fed to our own Army?

Mr. REED. What we sent to our own armies is not included in these figures.

It is interesting to notice that at the same time the exports of corn, which in 1913 were 49,640,697 bushels, in 1919 dropped to 16,687,538 bushels. That pretty clearly demonstrates that Mr. Hoover made the American people eat corn while he sent the wheat to Europe—a tenderness for Europeans which is truly Hooveresque. But speaking of breadstuffs generally, the case of wheat is typical, and we sent to Europe of breadstuffs quantities so enormous as to deplete the supply in this country.

In connection with the increase in the exports of breadstuffs, prices should be considered—and I am coming to the very question to which the Senator from Georgia [Mr. SMITH] referred—because the price of the surplus, in the absence of artificial control, fixes the price of the whole. I present a table showing the amount received for foodstuffs shipped abroad. I shall ask permission to print the table in the RECORD, and I now simply call attention to the round figures. In 1913, of wheat and flour we shipped abroad $142,000,000 worth; in 1919, $692,000,000 worth. Of meat and dairy products, in 1913, we shipped abroad $153,000,000 worth, while in 1919—and those who complain of the high prices of meat and butter should get these figures—we shipped abroad $1,167,850,576 worth. Taking the total of all foodstuffs, including meats and dairy products, we have these figures: In 1913, when the exports, by the way, were larger than in 1914, $503,111,639, and in 1919 $2,504,895,554. I ask unanimous consent to insert in the RECORD at this point the complete table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The table referred to is as follows:

Exports of domestic foodstuffs from the United States to foreign countries during the years ending June 30, 1913 to 1919.

[Department of Commerce, Bureau of Foreign and Domestic Commerce.]

Year ending June 30.	Wheat and wheat flour.	Other breadstuffs.	Meat and dairy products.	Other foodstuffs.	Total foodstuffs.
1913	$142,207,965	$68,890,374	$153,883,526	$138,129,774	$503,111,639
1914	142,407,631	22,894,754	146,227,780	119,183,292	430,713,457
1915	428,421,569	145,402,107	220,051,847	167,693,060	961,568,583
1916	302,870,486	132,808,837	290,899,680	253,118,250	979,697,253
1917	391,378,179	197,605,275	403,192,279	277,485,610	1,269,661,343
1918	325,663,682	307,576,174	679,835,794	215,605,026	1,528,680,676
1919	692,605,917	262,173,977	1,167,850,576	382,265,084	2,504,895,554

Mr. REED. With facts like that staring us in the face, we are squabbling about how many cucumbers somebody has in cold storage. I do not say cold storage may not have affected conditions, but get the figures; they mount from $500,000,000 to $2,500,000,000. Making the allowance for prices which must be made if we are to arrive at a fair estimate, we have this enormous drain upon the resources of the country. Furthermore, I pause to interpolate that there was an additional home demand because we had to sustain our armies abroad, and the immense wastage that came from that source, I suppose, can not even be estimated.

Mr. McKELLAR. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. WALSH of Massachusetts in the chair). Does the Senator from Missouri yield to the Senator from Tennessee?

Mr. REED. Certainly.

Mr. McKELLAR. The demand in Europe is not so great this year as it was last, and the demand for the support of our Army and Navy is not so great now as it has been. How does the Senator account for prices continuing to rise when so much of the demand has passed?

Mr. REED. In the first place, the Senator is wrong in his facts. The demand in Europe, speaking broadly, is greater right now than it has ever been. In the month of June, 1919, we shipped abroad, as I shall show you, of certain commodities more than we formerly shipped in a year; so that the Senator is wrong about that fact.

I do not wish to be diverted from my line of argument except for a moment, but as to the other fact, the present increase of prices, when the Senator says that we are not sending so much abroad to our soldiers, that is true. It is also true that the soldier having been returned to his home has not yet had the opportunity to enter into the production of commodities which have reached the market, and he is still a consumer. That is another statement which I must make in a broad and general way—that the soldier who was discharged from the Army last month and went to a farm has not as yet raised any potatoes that have reached town.

Mr. SMITH of Georgia. And they are all consuming just as they were during the war.

Mr. REED. And they are all consuming, as the Senator states. It takes 12 months or more for production, speaking again broadly, to pass from the producer to the consumer. These difficulties will not be found in little, trifling matters; they will be found in great world conditions, and that is the thought which I am trying, if possible, to impress. I wish to proceed now along that line.

Mr. President, I present now, without reading, a long table prepared by the Department of Commerce which shows the shipments for export of domestic breadstuffs and a great number of other articles. Comparisons are made for the years 1919 and 1918. Let me here call the attention of the Senator from Tennessee to the fact that in the month of June, 1918, we shipped abroad of breadstuffs, according to the figures compiled in this table, $55,000,000 worth, and in June, 1919, $118,000,000 worth, in round numbers; that in June, 1918, we shipped abroad $77,000,000 of dairy products, and in June, 1919, the fiscal year which has just come to a close, $174,000,000 worth—I am omitting the odd figures—that in June, 1918, we shipped abroad 87,000,000 pounds of bacon, and in June, 1919, 172,000,000 pounds of bacon; in June, 1918, we shipped abroad 47,000,000 pounds of hams and shoulders, and in June, 1919, 96,000,000 pounds of hams and shoulders, and so on.

I ask permission at this point to insert in the RECORD the entire table.

The PRESIDING OFFICER. Without objection, permission is granted.

The table referred to is as follows:

DEPARTMENT OF COMMERCE,
BUREAU OF FOREIGN AND DOMESTIC COMMERCE,
Washington, August 1, 1919.

The following statement of exports of domestic breadstuffs, cottonseed oil, meat and dairy products, cotton and mineral oils, from the United States was to-day completed by the Bureau of Foreign and Domestic Commerce, Department of Commerce:

Exports, by groups.	June—		Twelve months ending June—						
	1919	1918	1919	1918	1917	1916	1915	1914	1913
Breadstuffs.....dollars	118,330,211	54,472,471	954,779,894	633,239,856	589,234,737	435,679,323	573,823,676	165,302,385	211,098,339
Cottonseed oil.....pounds	30,694,876	18,668,889	178,709,833	100,779,981					
Do.....dollars	6,357,219	3,685,446	36,820,545	18,309,854					
Meat and dairy products.....do	174,344,993	77,957,555	1,167,850,576	679,835,794	404,143,751	290,899,680	220,051,847	146,227,780	153,883,526
Cotton.....bales	631,985	273,302	5,295,711	4,528,844					
Do.....pounds	321,843,929	140,749,051	2,733,683,125	2,320,511,665					
Do.....dollars	101,415,702	45,608,749	863,161,409	665,024,655					
Mineral oils.....gallons	245,974,770	224,269,286	2,531,260,784	2,677,036,228					
Do.....dollars	33,459,916	28,380,789	344,613,109	298,329,051					
EXPORTS BY PRINCIPAL ARTICLES.									
Barley.....bushels	6,046,275	613,901	20,457,781	26,285,378	16,381,077	27,473,169	26,754,522	6,644,747	17,536,703
Do.....dollars	8,254,034	1,043,350	27,687,047	41,650,886	19,027,032	20,663,533	18,184,079	4,253,129	11,411,819
Corn.....bushels	909,875	3,278,978	16,687,538	40,997,827	64,720,742	38,217,012	48,783,291	9,383,855	49,064,967
Do.....dollars	1,646,646	5,908,718	26,705,819	75,305,692	72,497,204	30,780,887	39,339,064	7,038,028	28,800,544
Oats.....bushels	6,164,883	7,207,406	96,360,974	105,837,309	88,944,401	95,918,884	96,809,551	1,859,949	33,759,177
Do.....dollars	4,885,166	6,502,819	79,492,663	86,125,093	55,034,981	47,985,790	57,469,964	757,527	13,206,247
Rye.....bushels	7,121,660	190,459	27,540,188	11,990,123	13,260,043	14,532,437	12,544,893	2,222,743	1,822,962
Do.....dollars	13,199,711	366,744	53,653,629	23,902,848	21,694,666	15,374,499	14,733,409	1,555,012	1,260,384

Exports, by groups.	June—		Twelve months ending June—						
	1919	1918	1919	1918	1917	1916	1915	1914	1913
Wheat.....bushels..	16,389,853	466,624	178,582,673	34,118,853	149,837,427	173,274,015	259,642,533	92,393,757	91,602,974
Do.....dollars..	40,464,778	988,466	424,543,010	80,802,542	298,179,725	215,532,681	333,552,226	87,953,456	89,036,428
Flour.....barrels..	3,613,714	2,423,749	24,190,092	21,879,951	11,942,505	15,520,669	16,182,765	11,821,461	11,394,805
Do.....dollars..	39,943,369	28,293,200	268,062,907	244,861,140	93,202,069	87,337,805	94,869,343	54,454,175	53,171,537
Beef, canned.....pounds..	6,574,766	17,938,816	108,489,472	97,343,283	67,576,725	50,803,765	75,243,261	3,464,733	6,840,348
Do.....dollars..	2,571,458	5,784,021	44,320,197	30,034,707	16,966,030	9,439,066	11,973,530	461,910	857,826
Beef, fresh.....pounds..	15,212,094	58,485,520	332,205,176	370,032,900	197,181,101	231,214,000	170,440,934	6,394,404	7,362,388
Do.....dollars..	3,585,927	13,487,972	79,227,540	67,383,426	26,277,271	28,885,999	21,731,633	788,793	902,149
Beef, pickled, etc.....pounds..	4,768,303	2,321,804	45,067,861	54,467,910	58,693,667	38,114,682	31,874,743	23,265,974	25,856,919
Do.....dollars..	1,069,140	427,268	9,087,262	7,702,524	6,728,359	4,034,195	3,382,670	2,289,516	2,489,965
Oleo oil.....pounds..	12,166,700	13,222,101	59,092,322	56,603,388	.....	.....	.....	.....	.....
Do.....dollars..	3,740,035	2,962,591	15,720,944	12,152,787	.....	.....	.....	.....	.....
Bacon.....pounds..	172,441,100	87,294,477	1,239,540,973	815,294,424	667,156,061	579,808,785	346,718,227	193,964,252	200,993,584
Do.....dollars..	57,391,527	24,051,946	378,729,046	221,473,957	117,221,683	78,615,616	47,326,129	25,879,056	25,647,167
Hams and shoulders.....pounds..	96,854,552	47,465,506	667,848,019	419,571,869	266,655,581	282,208,611	203,701,114	165,881,791	159,544,687
Do.....dollars..	32,112,325	12,458,165	204,667,696	108,106,852	50,474,041	40,803,022	29,049,931	23,767,447	21,641,386
Lard.....pounds..	114,328,804	29,248,133	725,577,868	392,506,355	444,787,521	427,011,338	475,531,908	481,457,792	519,025,381
Do.....dollars..	38,971,047	7,316,794	210,417,859	98,216,856	77,012,830	47,634,376	52,440,133	54,402,911	58,187,336
Neutral lard.....pounds..	2,864,888	1,775,154	17,395,888	4,258,529	17,548,259	34,426,590	36,021,054	29,323,786	44,777,092
Do.....dollars...	996,651	415,178	5,392,710	1,074,603	3,164,172	4,046,397	3,022,321	3,270,236	5,129,899
Pork, pickled.....pounds..	3,131,639	2,293,329	31,504,497	33,221,502	47,001,621	63,460,713	45,655,574	45,543,085	53,749,023
Do.....dollars...	999,936	508,592	7,444,532	7,545,011	6,942,186	6,752,356	4,911,307	4,896,574	5,699,136
Lard compounds.....pounds..	12,884,899	1,393,526	13,750,503	31,278,382	56,279,394	52,843,311	69,980,614	58,303,564	67,456,832
Do.....dollars...	3,255,245	352,891	32,036,692	6,633,640	8,269,844	5,147,434	6,045,752	5,489,139	5,915,759
Milk, condensed.....pounds..	114,835,626	39,021,835	728,740,509	528,759,232	259,102,213	159,577,620	37,235,627	16,209,082	16,525,918
Do.....dollars...	16,516,805	4,741,591	99,970,769	68,045,944	25,129,983	12,712,952	3,066,642	1,341,140	1,432,848
Crude mineral oil.....gallons..	10,687,741	23,697,244	163,782,498	185,069,674	.....	.....	.....	.....	.....
Do.....dollars...	577,192	1,346,301	9,905,490	9,288,979	.....	.....	.....	.....	.....
Illuminating oil.....gallons..	122,419,897	31,929,708	722,129,836	528,217,669	.....	.....	.....	.....	.....
Do.....dollars...	14,358,693	3,188,636	80,964,925	47,261,782	.....	.....	.....	.....	.....
Lubricating oil.....gallons..	25,074,829	23,990,930	274,780,451	269,673,770	.....	.....	.....	.....	.....
Do.....dollars...	7,705,953	6,468,097	86,311,726	66,162,117	.....	.....	.....	.....	.....
Gasoline, naphtha, etc.....gallons..	31,702,238	48,962,811	468,184,573	469,909,599	.....	.....	.....	.....	.....
Do.....dollars...	7,664,655	12,099,289	116,734,306	114,382,086	.....	.....	.....	.....	.....
Residuum, fuel oil, etc.....gallons..	56,090,065	95,688,593	902,383,426	1,224,165,516	.....	.....	.....	.....	.....
Do.....dollars...	3,153,423	5,278,457	50,696,662	61,234,087	.....	.....	.....	.....	.....

Adapted from "Imports of Merchandise, by Principal Articles and Principal Countries," "Monthly Summary of the Foreign Commerce of the United States," June 1915, June, 1917, Department of Commerce.

Mr. WILLIAMS. Mr. President, may I ask the Senator in what condition does that leave the stock on hand in America in the packers' possession and in cold storage compared with the year preceding?

Mr. REED. The stock now in cold storage in the case of many articles is slightly greater than it was at the same time in 1918, while in other articles it is lower. The reasons for that, I think, are abundant, and I believe I can show them.

I have already spoken of the fact that the shipments of necessities abroad were under artificial control—if I have not spoken of it, I will speak of it now—and that American money was used to finance the operation.

Among other things Congress appropriated $150,000,000 as the primary capital of the United States Grain Corporation. The reports of that corporation made in July, 1919, and published in the Modern Grainman, show that since its incorporation the Grain Corporation has collected $3,500,000,000 and disbursed $3,500,000,000. It has bought at first hand and sold for overseas shipment commodities to the value of $1,800,000,000 and has made a profit of $23,000,000. It therefore appears that this corporation, undertaking to control the grain market, handled a total of $3,500,000,000 worth of breadstuffs and supplies, and shipped abroad more than one-half of the entire amount it controlled. Having artificially promoted this drain upon the foods of the country it is not surprising that prices here mounted and that we are confronted by a shortage and high prices to-day.

Moreover, the policy of using Government money and American financial resources to artificially drain America of foodstuffs is prevailing at the present time. Only recently we appropriated $100,000,000 for this purpose. The money, I understand, has been used as a revolving fund. The act expressly provided that the goods must be purchased in this country. Mr. Hoover, in his address before the American Expeditionary University in France in May last, declared:

The United States Food Administration continues its existence, and through its arrangements the large purchases of food still being made in America are all centralized and controlled. Two new great organizations have been especially created—the Interallied Supreme Economic Council, with a food section presided over by the United States Food Administrator; the other, the American Relief Administration, of which the United States Food Administrator is the director general. These two new corporations have the responsibility of determining the necessities of the hungry nations of Europe and of obtaining and allocating the food supplies necessary to meet these necessities.

Nobody seems to be charged with the duty of determining the necessities of the hungry hordes of America.

He continues:

It is the feeding of all Europe that is the burden now lying on these organizations. The American Relief Administration has its representatives in all these countries to-day, and food is flowing from our shores to Poland, Serbia, Bohemia, and Roumania.

Under circumstances such as these is it remarkable that bread is high in the United States, and that ham and bacon are at a premium? And need we look for any small cause when the great one is there?

Mr. McKELLAR. Mr. President——

Mr. REED. I yield.

Mr. McKELLAR. I was called out of the Chamber just a moment ago when the Senator was submitting his figures. He submitted some very interesting figures about the amount of foodstuffs that had gone to Europe. Has the Senator any figures that will show the supply of foodstuffs on hand for June or July, 1918, and June or July, 1919?

Mr. REED. Yes; I have.

Mr. McKELLAR. The Senator must recall that our food supply has been largely increased; and while it is true that more has gone to Europe, is it not also true that our supply is greater, and that we have a greater supply of foodstuffs to-day than we had a year ago, when prices were a good deal lower?

Mr. REED. No; I do not think so at all.

Mr. McKELLAR. Has the Senator any figures on that subject?

Mr. REED. I am coming to that and will try to answer it. I do not want to say anything now that is in the slightest degree ironical, but I think from his speech of yesterday the Senator has cold storage on the brain. He opens up the ice box and looks in there for all the troubles of the world. To him it is the Pandora's box from which come forth all the evils there are.

Mr. McKELLAR. If we could get it on the statute books I think it would be better than having it on the brain.

Mr. REED. My dear sir, it is on the statute books now——

Mr. McKELLAR. No; it is not.

Mr. REED (continuing). That any man who hoards for the purpose of controlling prices can be sent to the penitentiary for a long term of years.

Mr. McKELLAR. There is no penalty attached.

Mr. REED. There is a penalty.

Mr. McKELLAR. No; the Attorney General says not.

Mr. REED. I do not care what any Attorney General says on that point.

Mr. SMITH of Georgia. Mr. President, the Senator from Tennessee misunderstands the view of the Attorney General. Section 6 of the food-control act provides a fine of $5,000 or two years in the penitentiary, one or both, for hoarding, and the Attorney General so construed it yesterday before the Committee on Agriculture and Forestry.

Mr. McKELLAR. Mr. President, it has been held by a number of courts that there is no penalty, and the Attorney General of the United States has appeared before Congress asking for

legislation affording a penalty. He has stated in open interviews that if the Congress will provide a penalty he will secure results in 60 days, and he ought to do it.

Mr. SMITH of Georgia. I challenge the Senator from Tennessee to produce the decision of a court holding anything of the kind.

Mr. McKELLAR. I shall be very glad to do it.

Mr. SMITH of Georgia. The statute is as plain as words can be. Section 6 provides a penalty for hoarding of two years in the penitentiary and a fine of $5,000.

Mr. McKELLAR. I will furnish the decision.

Mr. SMITH of Georgia. It was not that part of section 4 applicable to hoarding the Attorney General desired to reach by additional penalties.

Mr. REED. Mr. President, I do not want to be diverted from my line of argument.

Mr. SMITH of Georgia. I beg the Senator's pardon for interrupting.

Mr. REED. No; that is all right. I am going into this cold-storage business and into the Attorney General's opinion. I say that any man who can not take that statute as it is to-day and punish under it or under the general statutes of the United States any act of monopoly, any act of hoarding to control prices, or any act of conspiracy to control prices, needs to go into a law office and read law, and he ought to begin at the beginning. I am going to discuss that matter, and I have the sections marked here. There is enough law on the statute books now to send every man, woman, and child living to the penitentiary; and the remedy we get is not enforcement but a clamor for more laws.

I have nothing to say against Mr. Palmer; but the fact that a man happens to be appointed Attorney General of the United States, confirmed or unconfirmed, does not increase by one whit the sum total of his legal knowledge. There are other lawyers in the country.

Mr. McKELLAR. Mr. President, will the Senator yield again?

Mr. REED. Yes.

Mr. McKELLAR. On this subject I desire to quote from a message of the President of the United States on August 8, 1919.

Mr. REED. Is the Senator putting that in as a legal authority?

Mr. McKELLAR. I am; of the highest value.

Mr. REED. Quote it.

Mr. McKELLAR (reading)—

> There are many other ways. Existing law is inadequate. There are many perfectly legitimate methods by which the Government can exercise restraint and guidance.
>
> Let me urge, in the first place, that the present food-control act should be extended both as to the period of time during which it shall remain in operation and as to the commodities to which it shall apply. Its provisions against hoarding should be made to apply not only to food but also to feedstuffs, to fuel, to clothing, and to many other commodities which are indisputably necessaries of life. As it stands now it is limited in operation to the period of the war and becomes inoperative upon the formal proclamation of peace. But I should judge that it was clearly within the constitutional power of the Congress to make similar permanent provisions and regulations with regard to all goods destined for interstate commerce and to exclude them from interstate shipment if the requirements of the law are not complied with. Some such regulation is imperatively necessary. The abuses that have grown up in the manipulation of prices by the withholding of foodstuffs and other necessaries of life can not otherwise be effectively prevented. There can be no doubt of either the necessity or the legitimacy of such measures. May I not call attention to the fact, also, that, although the present act prohibits profiteering, the prohibition is accompanied by no penalty. It is clearly in the public interest that a penalty should be provided which will be persuasive.

Mr. SMITH of Georgia. Mr. President, if the Senator will yield, if the President took that position, he could not have read the entire act. Section 4 does not provide the penalty, but specific penalties are provided further on in the act with reference to several of the offenses pointed out in section 4. Now, the immediate subject we had under discussion was the subject of hoarding. Let me read from the statute, not section 4, but section 6, defining and broadening the definition of hoarding.

Section 6 reads:

> That any person who willfully hoards any necessaries shall upon conviction thereof be fined not exceeding $5,000 or be imprisoned for not more than two years, or both.

If the act does not provide a punishment for hoarding, what does that mean?

Mr. REED. Mr. President, I am going to discuss that a little later, but I will here put in the RECORD an epitome of the penalties in the present food-control act:

The President in his message of August 8, 1919, states:

> May I not call attention to the fact, also, that, although the present act—food-control act—prohibits profiteering, *the prohibition is accompanied by no penalty.* It is clearly in the public interest that the penalty should be provided which will be persuasive.

The penalties in the food-control act are:

Section 3 of the act provides a maximum *penalty* of a $10,000 fine or five years' imprisonment, or both, for anyone connected with the Government selling to the Government.

Section 5 provides for the license of manufacturers and storage houses, and provides a maximum *penalty* of a $5,000 fine, or two years' imprisonment, or both, for anyone who refuses to discontinue any unjust, unreasonable, discriminatory, and unfair storage charge, commission, profit, or practice, in accordance with the license regulation.

Section 6 provides a maximum *penalty* of a $5,000 fine, or two years' imprisonment, or both, for any person who willfully hoards any necessities, and defines the term "hoarding."

Section 7 provides procedure by the district attorneys to *prosecute* and institute libel proceedings against any such hoarders.

Section 8 provides a maximum *penalty* of a $5,000 fine, or imprisonment for two years, or both, for any person who destroys necessaries to enhance the price or restrict the supply thereof.

Section 9 provides a maximum *penalty* of a $10,000 fine, or imprisonment for two years, or both, for any person who conspires, combines, or agrees to limit facilities of transportation, production, manufacturing, supplying, or dealing in any necessities; or restricts the supply of any necessities; or prevents, or limits, or lessens the manufacture or production of necessities.

Section 13 provide a maximum *penalty* of a $10,000 fine, or imprisonment for four years, or both, for those violating any of the President's regulations about boards of trade, exchange, etc.

Section 15 provides a maximum *punishment* of a $5,000 fine, or imprisonment for two years, or both, for anyone violating any of the provisions in regard to the use of grain in the production of liquors and beverages.

Section 17 provides a maximum *punishment* of a $1,000 fine, or one year's imprisonment, or both, for any person who interferes with any United States officer in the execution of any duty imposed by this act.

Section 25 provides a maximum *punishment* of a $5,000 fine, or imprisonment for two years, or both, for anyone receiving higher prices than have been fixed by the President.

Section 26 is a blanket *penalty* provision for the whole act, which is as follows:

> That any person carrying on or employed in commerce among the several States, or with foreign nations, or with or in the Territories or other possessions of the United States in any article suitable for human food, fuel, or other necessaries of life, who, either in his individual capacity or as an officer, agent, or employee of a corporation or member of a partnership carrying on or employed in such trade, *shall store, acquire, or hold, or who shall destroy or make away with any such article for the purpose of limiting the supply thereof to the public or affecting the market price thereof in such commerce, whether temporarily or otherwise, shall be deemed guilty of a felony* and, upon conviction thereof, shall be *punished* by a fine of not more than $5,000 or by imprisonment for not more than two years, or both.

I do not want to say a harsh thing about the Attorney General, and I certainly do not want to say anything harsh about the President; but, Mr. President, the Senator from Georgia [Mr. SMITH], who is a great lawyer, who won his spurs not by appointment but in the great forum of the law, did not have any trouble in putting his finger on the language of a statute by which you could send a hoarder to the penitentiary.

Mr. STANLEY. Mr. President, does the Senator believe that a simple inhibition—and I wish to ask both these great lawyers that question——

Mr. SMITH of Georgia. We both accept the compliment. [Laughter.] Go on.

Mr. STANLEY. I say that in perfectly good faith. Does the Senator believe that a simple inhibition against hoarding would meet the alleged evils of which the President and the public generally complain, and the alleged abuses of the cold-storage situation? What I mean is this: Is not a provision against hoarding a good deal like a provision against monopolizing, too general ever to secure a conviction under?

Mr. REED. But there are plenty of specifications, if the Senator will read the law; and the law came over to us with the words of sanctity blown into it. When it came, it came to us from the legal department at the other end of the Capitol—the present law.

Mr. SMITH of Georgia. Not only that, but following this language the Senator will find three definitions of hoarding which I maintain absolutely cover the cold-storage problem and entirely furnish the opportunity to prevent improper conduct in the line of cold storage. That was the immediate subject that was under discussion when we were told that the bill contained no punishment for hoarding. Section 6 of the bill—not section 4; section 4 makes hoarding illegal—section 6

defines more fully what hoarding shall consist of and puts the penalty upon it. Section 4 does not prescribe any penalties. It declares certain things to be illegal. Six classes of conduct are made illegal. Three of those are subsequently punished as crimes. The other three are left to be reached by the President under section 5, which provides for the licensing system, with the privilege to the President to revoke the license if his rules as to profits are disregarded.

That is the general scope of the bill. I was upon the Committee on Agriculture and Forestry when the bill was framed, and I think it went about as far as we could constitutionally go. I am not meaning to criticize the suggestions of the Attorney General. I may support some of them. I was only seeking to urge that the bill which we passed, and which has been in force for more than two years, which we thought was sufficient during war times to control the problem of food prices, has teeth in it, and that there is much in it that could be used.

Mr. STANLEY. I was addressing my question to the statement of the Senator that the law prohibited hoarding, and I did not think that without specifications a mere blanket inhibition against hoarding would be of any value.

Mr. SMITH of Georgia. We did not think so, either; and we put in it three definitions which we thought and which I feel sure certainly cover the case of hoarding in cold storage.

Mr. STANLEY. Does the Senator think the law is broad enough now to cover the situation that exists?

Mr. SMITH of Georgia. I do not say that.

Mr. STANLEY. That is the crux of the proposition.

Mr. SMITH of Georgia. I was only taking issue with the Senator from Tennessee on the statement that the cold-storage people could not be reached under this law. I feel sure that they can be reached.

Mr. FLETCHER. Mr. President, may I suggest to the Senator that the criticism about there not being ample penalties applies to profiteering; not to the hoarding features of the bill, but to profiteering. That is the section under which there appear to be no penalties.

Mr. SMITH of Georgia. There are penalties as to profiteering, but the law treats them as a class. It is in case of a conspiracy, where two or more combine to profiteer, that the punishment takes place. If a single man profiteers or charges an unreasonable price there is no punishment. The theory of those who drew the act was that it was impossible for one man in a community to set up by himself and establish excessive and unreasonable prices of a serious character unless others combine with him; that the others selling at reasonable prices would break him down and destroy his business. But even that line of misconduct was covered in section 5, which allows the President to regulate with licenses all lines of trade in foodstuffs beyond the retail merchant who sold less than $100,000 worth of supplies a year; and the President could prescribe rules fixing percentages of profits and revoke licenses if those rules were disregarded.

Mr. REED. Mr. President, I do not want to be diverted from my argument.

Mr. SMITH of Georgia. I beg the Senator's pardon.

Mr. REED. No; that is all right. It is interesting. I want to get through, however. I am obliged to the Senator from Georgia and I am obliged to the Senator from Tennessee, too, for his interruptions. While I am on this subject, I should just like to have somebody tell me where there is escape from this language of section 26:

> That any person carrying on or employed in commerce among the several States * * * who * * * shall store, acquire, or hold, or who shall destroy or make away with any such article—

And it describes human food and fuel, and so forth—

> for the purpose of limiting the supply thereof to the public or affecting the market price thereof in such commerce, whether temporarily or otherwise, shall be deemed guilty of a felony, and upon conviction thereof shall be punished by a fine of not more than $5,000 or by imprisonment for not more than two years, or both.

Mr. STANLEY. Mr. President, I do not wish to interrupt the Senator after his inhibition, but this is a very practical matter that I believe the question will turn upon. It strikes me that the trouble with your act there is that it punishes the destruction of foods for the purpose of fixing prices, and you have to prove the purpose.

Mr. REED. Oh, no; it does not.

Mr. STANLEY. If the Senator will pardon me——

Mr. REED. Yes.

Mr. STANLEY. I understand that there is great complaint, and I have heard it myself, in several cities of the destruction of foodstuffs that are still edible, like fruits, by dumping them into the rivers. I was in Cincinnati the other day, and the charge was made that thousands of pounds of fruits were dumped into the Ohio River at night in order to maintain the prices at these several places. There are allegations that eggs are dumped, and things of that kind, that have been kept in cold storage for an excessive period. Now, it strikes me that it will be necessary further to limit the conduct of cold-storage plants in order to reach those abuses, because the Senator is more familiar than I am with the difficulty of proving intent in any statute of that character.

Mr. REED. Mr. President, the question that the Senator raises is covered in section 8:

> That any person who willfully destroys any necessaries for the purpose of enhancing the price or restricting the sale thereof shall, upon conviction thereof, be fined not exceeding $5,000 or imprisoned for not more than two years, or both.

Now, the purpose. There is no statutory law that could be passed that would send any man to the penitentiary or punish any man for an innocent holding of a thing that he owns. Pass such a statute as that and I will guarantee to drive a coach and four through it the first time I get into a court of record. You can not say to the citizen who holds his own property for a perfectly innocent purpose that he can not so hold it. You destroy property rights, you take it without due process of law, and so forth—all the inhibitions of the Constitution.

Mr. McKELLAR. Mr. President——

Mr. REED. We are discussing a question which has not anything at all to do with the question I am discussing; but if the Senator from Tennessee wants to elucidate this thing further, I will yield for that purpose, and then I am going on.

Mr. McKELLAR. I beg the Senator's pardon; I am just going to ask one question. The food-control act provides, among other things, as follows:

> To establish and maintain governmental control of such necessaries during the war.

The war is in fact over.

Mr. REED. That is a different question.

Mr. McKELLAR. It goes right to the meat of it.

Mr. SMITH of Georgia. No.

Mr. REED. It does not go to the meat of your interruption. I started to discuss the condition of cold-storage plants to-day.

Mr. SMITH of Georgia. Will the Senator let me answer that in a moment?

Mr. McKELLAR. Just let me finish my statement. It provides that it shall be enforced during the war, and raises a serious question, in the first place, as to whether a state of war now exists. Technically, possibly it does exist, but in fact we know it does not. In addition to that, no appropriations have been made by Congress to carry out the provisions of the act. The food-control organization has been dispensed with, substantially speaking, and for that reason it is impossible to get relief under that act.

Mr. REED. The matter the Senator is now discussing is miles away from the question I have under consideration.

Mr. SMITH of Georgia. Section 24 of the act expressly provides that it shall terminate after the proclamation of the President declaring peace. It in its own language fixes the time when the war will end, and that time is the proclamation of peace by the President. So there can be no doubt about the act being in force now.

Mr. POINDEXTER. Will the Senator yield to me for just a word?

The PRESIDING OFFICER (Mr. SPENCER in the chair). Does the Senator from Missouri yield to the Senator from Washington?

Mr. REED. I yield.

Mr. POINDEXTER. I should like to ask the Senator from Tennessee [Mr. McKELLAR], while section 26 of the act which the Senator from Missouri read a moment ago is undoubtedly subject to the limitation to which the Senator from Georgia [Mr. SMITH] referred, as contained in section 24 of the act, so that it ceases to be in effect when the President has proclaimed the end of the war, whether it is not based merely upon the war powers of the Government? While section 26 of the act is subject to that limitation, it need not be subject to it. It is based upon the power of Congress to regulate interstate commerce, and Congress in enacting it could remove this limitation. It is in effect now. There is no moral reason or any consideration of business which ought to cause the administration to hesitate for a moment to give it effect as long as the law will allow.

Mr. REED. Mr. President, after having circumnavigated the seas and oceans of the world, coming back to the theme I was discussing—and I am trying to stick to the text, the question of the great, principal cause of shortage—I was discussing the fact that we are now sending vast quantities of goods abroad, thus depleting our own supplies and at the same time, so far as prices are not controlled in the interests of Europe by the

organizations that have been set up, we are putting in competition with ourselves the markets of Europe, and then we are doing more than that. We are lending them, as I have shown, the money with which to overbid us.

But speaking now of the amount that has been handled, let me say that I wired Mr. Julius Barnes, of the United States Grain Corporation, on yesterday as follows:

Please wire me immediately the amount and kind of foodstuffs forwarded to each of the various European countries through your organization since the armistice was signed. Also whether the same was paid for in whole or in part by funds furnished by this Government or other American sources and what part, if any, was donated. Are shipments still being continued, and, if so, in what countries? There seems to be confusion as to the facts, and I want to lay the exact facts before the Senate. Immediate information is desired.

(Signed) JAMES A. REED.

This is the reply that came this morning. I am going to read it:

Referring to your telegram of 13th. Since November 11 there has been shipped to various European countries various foods handled through the Grain Corporation, as follows:

Wheat to Allies, 2,793,000 tons; Holland, 37,000; Spain, 4,000; Switzerland, 132,000; Belgium, 598,000.

Rye, Allies, 36,000; Holland, 10,000; Norway, 50,000; Switzerland, 23,000; Belgium, 45,000.

Barley, Allies, 56,000; Holland, 140,000; Belgium, 29,000; Sweden, 3,000.

Corn, Allies, 6,000; Holland, 1,000; Switzerland, 3,000; Belgium, 41,000.

Wheat flour, Allies, 1,013,000; Holland, 101,000; Norway, 3,000; Switzerland, 7,000; Portugal, 5,000; Belgium, 26,000.

Cereal four, Allies, 23,000; Holland, 8,000; Switzerland, 3,000; Belgium, 33,000.

Beans and peas, Allies, 66,000; Belgium, 28,000.

Rice, Belgium, 60,000.

All the preceding shipments were paid for to the Grain Corporation in dollars, but, undoubtedly, the Allies and Belgium secured their money from credits with our Treasury.

So that we loaned them all that money to buy it, and we are taxing our people, of course, and we also are taxing them for interest. I am not complaining. I am not criticizing this. I am just calling attention to the bald facts. I will continue to read:

Now, besides those direct shipments and direct purchases there was shipped to the American Relief Administration direction abroad and distributed by the director general of relief into various areas of Europe including that directed into Germany under the Supreme War Council the following quantities: Wheat, 3,000 tons; rye, 527,000; barley, 8,000; corn, 3,000; wheat flour, 681,000; cereal flours, 180,000; beans and peas, 67,000; rice, 25,000; condensed and evaporated milk, 35,000; lard, 17,000; lard substitutes, 40,000; cottonseed oil, 1,000; cocoa powder, 2,000; sugar, 2,000; pork products, 46,000. A total tonnage in all directions of about 7,000,000 tons, and after the armistice all of these foodstuffs except wheat and wheat flour on relaxation of control could be bought outside of the grain corporation so that there may be additional shipments to some of these countries in other foods. Of the approximate 1,600,000 tons shipped by the grain corporation for distribution by the director general of relief there was received in payment approximately the following:

From Germany $100,000,000 in actual German gold delivered the Federal Reserve Bank by the Germans; cash received from purchasers, $33,000,000; advanced by United States Treasury to pay for foodstuffs to Roumania, $25,000,000; advanced by United States Treasury to pay for foodstuffs to Czechoslovakia, $50,000,000; advanced by United States Treasury to pay for foodstuffs to Serbia, $14,000,000; received and to be received from congressional appropriation of relief outside of Germany and Austria, $100,000,000; received from President for special relief, $5,000,000; total approximately $327,000,000, which will provide for ocean freights paid largely to the United States Shipping Board for the transportation of these relief foodstuffs. No further shipments are contemplated to be made for direction by the director general of relief except possibly moderate quantities of milk, cocoa, sugar, and similar child-feeding supplies and no purchases have been made of packing-house products, oils, or lard substitutes, or rice after the date of removal of stabilization in those commodities, so that the advances in price which followed the removal of stabilization was in no manner influenced by continued governmental purchases.

JULIUS H. BARNES,
Wheat Director.

Of course that is his opinion, but I put it in.

Taking a survey of the field, is there anything astonishing about prices having gone up on these things?

I have no hesitancy in saying that if this European market in its present condition could be kept up indefinitely and they furnish the money instead of we, in a little while the American farmer and the American merchant and everybody else would get rich. Of course it will not be kept up, and it ought not to be.

Mr. President, I have discussed breadstuffs. Let me call attention to meat and dairy products; and here again you find the same condition of affairs. Men may shut their eyes and deny great causes, but it is not the part of wisdom, it seems to me, to follow that course. I hate a monopoly, I believe, as badly as any man living. I hate a monopoly so much that I am sometimes ashamed of myself when I take an inventory of my feelings. From the days when old Pharaoh got a monopoly on the wheat in Egypt and starved the people until they sold their bodies to him in bondage for the wheat with which to feed their stomachs, every monopolist this world has ever produced has been worse than a thief who robs on the highway. That is my opinion of a monopoly, very briefly expressed.

But we must not, if we are to get at the source of the disease, attribute it to the misconduct of a neighbor in an adjoining lot when the difficulty may be in our own kitchen. That is a very poor illustration of my thought, which is simply this, that we must get at the truth of the matter. When I have laid these figures before the Senate I am not going to pretend to say that I am wise enough to present a cure-all, but if I have in some days of diligent labor brought some facts together for the benefit of other Members, so that they may think about them, I shall be content.

Meats and dairy products—what about them? The exports of meats and dairy products show a similar increase. They consistently mounted from $153,883,526 worth in 1913 to $1,167,850,576 in 1919, almost ten times the value. Assuming that they doubled in price, which I think is unfair, we shipped abroad five times the amount we sent in normal years; and that does not count the immense shipments we made to our overseas forces. Plainly, if a considerable portion of this meat had not gone abroad meat prices would have broken in this country. Now, when we are shipping abroad out of the country over one thousand million dollars worth more than we do in normal years it must have an effect in this country. Observe the vastness of these shipments. When we are talking about putting upon the market in order to stabilize prices the supplies that the Army has on hand, compare their supply of meat to the vast amount that went abroad. I am not complaining of this putting of the meat upon the market. Whatever we can do of that kind is all right, but it will soon be gone. It can not feed the American people very long.

Coming now to the figures here, I want to say what I am now putting in I am putting in as an ex parte statement of the packing-house companies. I do not vouch for their accuracy, and there may be some facts that are withheld that I do not know of, but I put the statements in, and I can not conceive of these gentlemen daring to baldly misrepresent facts upon which they have been checked up and upon which they can be checked again in the future by the public authorities.

I sent a telegram to each of the five great packers which I wish to put into the RECORD, for I want this material to set on its own bottom; I want the statements to stand for themselves. I do not say that to discredit them. My own personal opinion is that these statements will be found to be substantially accurate. Some of them are taken from public records. This is the telegram which I sent each of the five great packers:

It was in substance charged yesterday before the Agricultural Committee of the House of Representatives, first, that the five great packing companies practically have a monopoly on cold storage; second, that they have disregarded the law of supply and demand; third, that they have control over the public and can hold or sell as they please, and that millions of pounds of poultry and meat have been allowed to spoil, because the large interests refuse to sell at existing prices. What have you to say with reference to the truth of these charges? In replying, please state specifically the amount of meats, poultry, fish, and provisions held in cold storage at the present time and the length of time it would supply the public demand if placed on the market.

I assume that you have inventories taken each year at given dates showing the amounts on hand both before and during the war on the dates of inventory.

Please give me these figures for comparative purposes. I would like to have a reply during the day, if possible, as I will probably want to use the figures in the Senate to-morrow. Kindly acknowledge receipt at once and advise whether I can have the figures promptly. This telegram goes to each of the five great packing concerns.

JAMES A. REED.

Mr. President, I received a telegram from Swift & Co., and afterwards their representative, a former professor of Yale College, Prof. L. D. H. Weld, called on me and left with me a statement along with a letter of transmittal. The letter is addressed to me and reads:

I transmit herewith a statement with regard to live-stock and meat prices, and also with regard to cold-storage operations of Swift & Co.

This is in response to your telegram of August 13, addressed to Mr. Louis F. Swift, who has asked me to prepare this information and place it in your hands.

Respectfully, yours,

L. D. H. WELD,
Manager Commercial Research Department Swift & Co.,
Chicago, Ill.

This is his memorandum:

INCREASE IN LIVE-STOCK AND MEAT PRICES.

(In round figures.)

Native beef cattle, 1915, $8.50; 1918, $14.75; increase, 73 per cent.

That is for the native cattle; for the live cattle—

Hogs in 1915, $7.25 a hundred; 1918, $17.50 a hundred; increase, 147 per cent.

Prices of dressed beef and pork products increased only in the same proportion as live-animal prices from 1915 to 1918.

Since January 1, 1919, hogs have gone higher than 23 cents, while cattle have fallen. This is due to the continued and heavy foreign demand for pork and fats, while foreign demand for beef has disappeared.

Prices of all meats have not risen more than prices of breadstuffs in general. Pork has risen more than the average and beef less. Beef is now positively cheap, as compared with other foods.

The Department of Agriculture, in statement of July 4, 1919, showed that while prices of medium and good steers at Chicago had fallen from $1.50 to $3.90 per 100 from March 1 to July 1, 1919, the wholesale price of medium and good dressed-beef carcasses had fallen from $3 to $7 per 100.

REASONS FOR HIGH PRICES OF MEATS AND LIVE STOCK.

Although cattle and hog production has increased during the past four years, prices have gone up, for the following reasons:

1. Currency inflation, which has raised prices of all products.
2. Enormous demand at home, due to high wages of working people.
3. Unprecedented demands from abroad:

	Pounds.
Exports of beef:	
1914	148,500,000
1918	590,900,000
Exports of pork:	
1914	921,900,000
1918	1,690,000,000

4. *High* costs of producing animals on farms, and of slaughtering and marketing, and higher freight rates.

That is another cause he assigns.

It takes about 10 bushels of corn to make 100 pounds of live hog. Corn has risen from 75 cents a bushel to $1.75 in three years. This means that whereas 10 bushels of corn in 1915 were worth $7.50, at about which price hogs were selling, in 1918 10 bushels of corn were worth $17.50, which represented hog values during 1918. Since January 1, 1919, corn has gone up to $2 a bushel and hogs over $20.

It may be that that has not anything to do with prices, that it is all cold storage, but I think it does have something to do with them.

Recent increase in hog prices is largely accounted for by increase in export of pork.

Now, get these figures:

Bacon, 87,294,477 in June, 1918; June, 1919, 172,441,100.
Hams and shoulders, June, 1918, 47,465,506; June, 1919, 96,854,552.
Lard, June, 1918, 29,248,133; June, 1919, 114,328,804.
The drop in beef prices is due largely to decrease in exports.

Fresh beef exported in June, 1918, was 58,485,520 pounds; exported in June, 1919, only 15,212,094 pounds.

Last week Swift & Co. showed to the District of Columbia subcommittee of the Senate that whereas it now costs about 2½ cents per pound of beef to slaughter, pay freight, and distribute through selling houses into the hands of retailers, this expense was only 1½ cents in 1916. This is practically due to higher wages. It means that the wholesale price of dressed beef is 1 cent per pound higher as compared with live cattle than if operating costs had not increased.

Swift & Co. at this hearing, August 7, 1919, also gave the following detailed figures to the committee, showing the average cost of cattle and selling price of beef sold in Washington for the five weeks ending August 2, 1919:

Paid for live cattle, per hundred pounds, $12.73.
Amount of beef from 100 pounds live animal, 55.14 pounds.
Raw material cost, per hundred pounds, $23.09.
Expense killing, freight, selling, $2.50.
Total cost and expense, $25.59.
Received for hides and by-products, $6.69.
Net cost of beef, $18.90.
Price actually received in Washington, $19.01.
Net profit, 11 cents, or one-ninth of a cent per pound.

If these figures are false, they ought to be easily checked up here by the authorities, for the packers are bringing these products to the local markets. Of course, this is the average price for the whole carcass; it is not the porterhouse steak, but it is the average price.

The Food Administration in its recent report showed that the profit of the five large packers for 1918 was less than 2 cents on each dollar of sales in their meat business and only 5.6 per cent of total capital employed, including borrowed money. Swift & Co.'s profit in 1918 was about 11 per cent on owned investment.

Now, this man comments:

It looks from these figures as though the packers can not very well be blamed for high prices. It is pertinent to suggest that probably, because of their great efficiency, low operating costs, and low profits, they have been able to sell meat at a lower price, compared with the price of live stock, than would otherwise have been possible.

Cold storage—

Now I come to the question that so much interests my very good friend from Tennessee—

The five large packers—

Says this gentleman—

have no monopoly of cold storage. Department of Agriculture figures of cold-storage space are as follows: Freezer space under 29° total 112,000,000 cubic feet. All packing houses—

That is the five great packers, and the little ones, too—

39,000,000 cubic feet; per cent of total, 35. Total cold-storage space, all temperatures—

That is, it includes cold storage where freezing temperatures are maintained and every other kind of cold storage—

463,000,000 cubic feet. All packing houses, 239,000,000 cubic feet; per cent of total, 52.

That is to say of freezer space, all the packing houses have 25 per cent, and of all cold-storage space 52 per cent.

The Federal Trade Commission reports (pt. 3, p. 129, Report on Packers) that five large packers have only 44.8 per cent of total cold-storage space.

The per cent of five large packers is probably not more than 25 per cent of all freezer space.

The freezer capacity is the important item, because most storage products are frozen solid.

Swift & Co. has about 7,000,000 cubic feet of freezer space, or about 5 per cent of total. This includes all space of Swift interests.

Swift & Co. puts in storage at the season of surplus production only what it needs to supply its trade during season of scarcity. This is not hoarding. It results in lower prices during greater part of the year than would otherwise exist. It performs a necessary economic service. It has no power to control or manipulate prices. Losses are frequently suffered on storage business. Profits in long run are no more than reasonable—only enough to induce us to assume the great risk involved.

Less than 10 per cent of the total annual production of butter and meat finds its way into cold storage at any one time. About 15 per cent of total production of eggs is stored.

Thousands of dealers compete in the purchase and sale of goods put into storage. United States Food Administration stated in bulletin issued May 18, 1918, that there were more than 400 storage houses, some with as many as 500 different dealers renting space for egg storage. The total number of holders reaches into tens of thousands. The Food Administration also said, "No owner has sufficient holdings to dominate the market."

Figures were presented to the House Committee on Agriculture by Senator MCKELLAR to show that although storage stocks had increased prices had risen. This does not mean manipulation—

Says this gentleman. The Senator from Tennessee smiles——

Mr. MCKELLAR. I would hardly expect him to admit that it does mean manipulation.

Mr. REED. The Senator can not smile a fact away. He might entertain me with his smile—he always does—but it is easy to see whether it is really a laughing matter. That is the fact as stated; I do not know that the statement is true, but it accords in part with some things the Senator said the other day, and wherever it accords with anything the Senator said the other day I know that it is "holy writ."

For example, he said:

Poultry stocks were only 18,000,000 pounds June 1 last year and 54,000,000 this year, and yet prices had risen 4 cents.

The 54,000,000 pounds is only about 3 per cent of annual production of poultry, or only a 10 days' supply. This small amount is a negligible factor in determination of prices. Stocks were abnormally low in 1918; poultry stocks of 1919 are no more than normal and even smaller than in 1917. High prices are due to other causes, largely export demand.

These packing houses do not raise chickens; they buy them.

Monthly Crop Reporter for June, 1919, page 60, shows the farmers were getting for chickens on June 1, 1918, 20 cents per pound, and on June 1, 1919, 25.7 cents per pound. This shows that increased price of this year went to farmers and shows that it was not due to manipulation by cold-storage people. Prices to farmers on other products have also increased.

I continue reading without comment:

Swift & Co. handles only about 6 per cent of the total butter, eggs, and poultry business of the United States, and holds only about same proportion of these products put in storage.

Five large packers together store not more than 15 or 20 per cent of these products.

We are governed entirely by law of supply and demand.

It is absurd to charge that cold-storage goods are allowed to spoil. Any concern foolish enough to let valuable goods spoil would suffer a heavy loss. Perishable products will keep well over a year in cold storage without becoming unwholesome. Any law limiting storage to few months is unnecessary and would be harmful. Storage goods come out of storage so that stocks are cleaned up by time next season's surplus production occurs.

Fresh meat can not be stored without freezing it solid. Domestic trade dislikes frozen meats, though large quantities have been frozen during past two or three years for shipment overseas.

Now, Mr. President, I have here a table having to do with poultry which shows that Swift & Co.'s storage holdings June 1, 1917, of poultry in pounds were 12,227,247; in 1918, 2,073,529; and in 1919, 7,095,257, so that their amount in storage now is over 5,000,000 pounds less than it was in 1917, although it is about that same amount more than it was in 1918; and yet, I take it, the prices will show the same differences.

Butter: 1917, 560,000 pounds; 1918, 751,387 pounds; 1919, 717,440 pounds—less than they had in 1918, although a little more than in 1917.

Eggs: 1917, 402,800 cases; 1918, 431,518 cases; 1919, 407,960 cases.

Why did the Senator pick out poultry, and pick out the single year of 1918? Of course, it is a mistake. A man who takes a single item and undertakes to reason from that is liable to make a mistake.

Let us see about the supply—the number of days' supply—for these people's regular trade. This man says they have poultry enough for 30 days, butter for 4 days, and eggs for 48 days. Now, the eggs are at the apex at this period of the year. The eggs are now practically all stored that are to carry them through the year. The chickens will soon quit laying in abundance.

I am not going to read, for it takes too much time, a table that is prepared showing the percentage of totals stored by Swift. I will insert that without reading, with the permission of the Senate.

The PRESIDING OFFICER (Mr. MOSES in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

Per cent of total stored by Swift July 1, 1919.

	Total United States.	Swift.	Per cent of total.
Total	1,734,633,400	311,371,800	17.9
Frozen beef	162,386,600	13,601,800	8.4
Cured beef	29,217,600	3,937,200	13.5
Frozen pork	153,894,000	23,482,600	15.3
D. S. pork	380,462,800	118,470,000	31.1
S. P. pork	421,503,000	104,233,000	24.7
Lard	91,944,500	19,448,000	21.1
Mutton	7,273,200	1,088,300	15.0
Total, meat alone	1,246,686,700	284,261,900	22.7
Poultry	48,895,700	4,372,600	8.9
Eggs	7,508,500	471,300	6.3
Butter	87,851,400	2,141,200	2.5
Cheese	48,727,200	1,851,100	3.8
Fish	77,217,400	4,607,000	6.0

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Mississippi?

Mr. REED. I do.

Mr. WILLIAMS. Would the Senator mind repeating the periods to supply which they have these foods stored that the Senator has just read? Eggs for what—four weeks? What did the Senator say?

Mr. REED. Swift & Co. say they have enough poultry to supply their trade for 30 days, butter 4 days, and eggs 48 days; this being at about the close of the season, when the eggs are accumulating.

Mr. WILLIAMS. Now, I should like to ask the Senator this question: If that be a fact, how would any law limiting their period of storage to seven months hurt them?

Mr. REED. I am not discussing that law. That is a different question. I am discussing purely an economic question here to-day. I am not saying that there may not be some legislation that may do some good; but I am trying, as far as I am able to do it, to lay some facts before the Senate, and by as persuasive method as I can employ to impress the doctrine that taking an enormous number of men out of production has a great deal to do with creating shortages in the world, and that those shortages have a great deal to do with prices.

Mr. President, there is a telegram here from Wilson & Co. which is in keeping with the statement I have read, although it does not go so much into detail. There is a telegram here from Armour & Co. and some tables that they have sent. I do not intend to take the time of the Senate to read these long telegrams; so that those who are interested may read them, I will ask that they be printed in the RECORD for that purpose.

AUGUST 6, 1919.

The NEW YORK WORLD,
Office of the Editor, Pulitzer Building, New York City.

DEAR SIRS: We appreciate your courtesy in including our company in the list of those to whom your circular letter is being sent in the effort to determine the proper answers to some five questions, which we repeat below. These are certainly matters of the gravest public concern and warrant the most careful investigation, study, and statesmanship. Facts must be ascertained and correct principles acted upon. Legislative or other action taken with a view to expediency, politics, or prejudice can not fail but do great harm.

So far as the packing industry is concerned, it recently went on record through the Institute of American Meat Packers, in an official telegram to the President, offering the fullest cooperation with respect to the determination of the answer as to "What is the cause of the high cost of meats?" It furthermore felt sufficiently sure that the packing industry is not in any respect the cause that it volunteered to have its members turn over their books for the verification of costs, prices, and profits.

In answer to your specific questions, which we quote hereinafter, we are excluding such items as monetary inflation and other economic matters, which, while highly important, nevertheless are not properly subjects for theoretical discussion by a practical business corporation at this time. And while we are mentioning these factors we do not mean to intimate that they are the only ones at work. They appear simply to be the most fundamental and controlling factors.

You ask us for:

1. "The cause or causes of the high cost of living," to which we answer that, to the best of our judgment, the most important factors are:

(a) A relative shortage of the various necessaries of life, as compared with the unparalleled demand.

(b) Wage scales on such high levels as to not only largely make for greatly increased costs of commodities but also, and perhaps what is more important, to have so multiplied the spending ability of the American people as to have itself greatly intensified increased demand.

In other words, millions of people are receiving more money per week or per month than they ever did before, and they are spending it with equal liberality, thus affecting the prices of all commodities and for all classes of people.

(c) The Government itself, because of the necessity of raising a fabulous income to meet its needs, through the tax laws now in effect, is a partner to a very large extent in any surplus earnings which any corporation or person may receive. While this is proper, it none the less creates a tendency to maintain high price levels as well as profits where it is possible that they be procured.

2. You ask: "To what extent have increased labor wages contributed to prevailing prices, against which there is universal complaint?"

We have already mentioned that factor and indicated the double effect thereof. The cost of the live animal, which represents an expenditure of some 85 per cent of our gross receipts from all animal products, is the largest item in the cost of preparation of meat and other products. Next to this, the greatest expense is for wages and labor. These account for some 10 cents additional out of each dollar taken in. These expenses are now from two to three fold the prewar levels. At all times they are probably four times the aggregate of the entire net profit of the employers of our industry.

3. "To what extent is unwarranted profiteering by producer, middleman, and retailer responsible?"

Without a complete study of the costs of doing business of the various other factors we, of course, like yourself and the public generally are unable to answer this question, but we feel sufficiently satisfied with the fair-mindedness of business men generally as to believe that the others, just as is the case with the packers, are probably, with few exceptions, doing their business on a basis of relatively reasonable profits. The prevailing prices are undoubtedly largely due to the high costs.

4. "What steps should be taken to bring the current prices for food, clothing, fuel, and other staple necessaries of life down to reasonable levels?"

Speaking from the standpoint of the packing industry, we should say that arbitrary, legislative, and governmental efforts to influence wage scales, commodities, prices, etc., will cause more harm than good. The most permanent and sane relief will be due to the working out with as little artificial restraint as is possible to put upon it increased production of supplies—agricultural, manufactured, and commercial—so that they may more nearly correspond with the demand. Of course, increased production per hourly cost of labor would be of material assistance, as would certain modifications in the revenue acts and other restrictive legislation.

5. "Why have previous efforts to remove the cause or causes for the constantly mounting cost of living failed?"

We are not fully advised as to what other efforts there may have been or what you have in mind in asking this question. Our idea is that governmental and other spasmodic and temporary efforts are bound to defeat themselves, and that the real remedy is as we have suggested in the answer to question 4.

Yours, very truly,

THE CUDAHY PACKING CO.,
_____,
Vice President.

[Telegram.]

CHICAGO, ILL., *August 14, 1919.*

Hon. J. A. REED,
United States Senate, Washington, D. C.:

Answering your telegram of yesterday, the only cold-storage plants in which Wilson & Co. are in any way interested are those on our premises connected with their packing plants, used in the usual course of their business, and that they have no ownership in other public cold-storage plants anywhere in the United States.

The suggestion that they have disregarded the law of supply and demand is absurd. Our business is absolutely controlled by that law. Statement that they control the public and can hold and sell as they please is also absurd. Our facilities are sufficient only for continuing business, and should we hold our products contrary to the law of supply and demand our facilities would soon be blocked, and we would necessarily have to stop killing and other operations. A cessation of 48 hours shipping would automatically stop slaughtering operations. This we have never done, and could not do and maintain our business. The statement that millions of pounds of poultry and meats have been allowed to spoil because large interests refused to sell at existing prices is also ridiculous. No large quantities of meats or poultry owned by Wilson & Co. have spoiled from any cause. On August 8, 1919, Wilson & Co. had on hand at all points in this country 34,578,000 pounds of pork products. August 9, 1918, 34,705,000 pounds, a less amount this year than last, notwithstanding we have since the first of the year killed approximately 18 per cent more hogs than we did for the same period last year. This clearly shows that our movements up to date this year has been more active than last year, notwithstanding that this and other Governments were large buyers of these products last year and have bought practically nothing this year.

These goods do not represent finished products, but is our entire stock on hand, the larger portion of which is in the process of manufacture, curing, etc., requiring many weeks. In the normal course of business all of these goods would go into consumption within eight weeks.

Our stock of beef products in cold storage to-day amounts to 4,500,000 pounds; one year ago, 11,000,000 pounds. This does not take into consideration fresh beef being daily shipped consuming centers. All our fresh beef leaves the packing points within from three to six days from the time of slaughter, and is a continuous process. The 4,500,000 pounds is practically made up of beef in preparation for shipment abroad. The sales on our books now exceed this entire quantity. The balance is miscellaneous cuts handled in the usual course of business. We carry no fish in storage other than canned fish, such as salmon and herring, but this is not a cold-storage proposition.

I believe this covers your inquiry, and if you desire additional information we will be only too glad to furnish anything that you might require.

THOMAS E. WILSON.

CHICAGO, ILL., *August 14, 1919.*

W. C. KIRK,
Washington Hotel, Washington, D. C.:

Please deliver the following message to Senator JAMES A. REED:

Referring to your telegram of even date, we believe figures can be obtained from the Bureau of Markets showing total amount of cold storage in country, and in what ownership, and that they will show very small proportion belong to packers. We have had no poultry or meats spoiled. In considering Armour & Co. stocks of product it must

be understood that they include product in cure which has not yet advanced to state of being in market condition; that they represent an accumulation of product at a time when live-stock receipts are at very heaviest and are greater than the immediate demand; that it is necessary to accumulate this product in times of plenty for a time of shortage. We are in the latter period on hog product at this moment. Our total stocks on June 28, the last inventory period, of meats and provisions amounted to 262,600,000 pounds, against 263,800,000 pounds for the previous year. This total stock represents the product in packing houses located at the following points: Chicago, Omaha, St. Joseph, Sioux City, St. Louis, Kansas City, Fort Worth, Spokane, Tifton, Denver, Jacksonville, New York City, and Jersey City. Included in stock is approximately 4,000,000 pounds of bacon under contract to United States Government. In considering these figures please understand total hog receipts past season have been greatly increased over previous year, and our killing represents an increase of 24.6 per cent. This total stock of meat products would represent about six weeks' shipments for our business, and would not supply the total requirements of the United States more than two days. Our average weekly shipments were approximately 50,000,000 pounds, and we are just approaching the heavy distributing season for cured food products. There is nothing unusual about this stock. As to butter, cheese, eggs, and poultry, last year, on account of war conditions, there was but very small storage stocks, and the 1918 figures are hardly representative of an average storage season's accumulation. We have just finished the accumulative period on butter and cheese and are going into the distributive season. Our total stocks of all products in this department would represent about six weeks' sales. Following are the stocks as of August 1:

	1919	1918	1914
	Pounds.	*Pounds.*	*Pounds.*
Cheese	12,198,214	6,753,070	6,917,595
Poultry	3,563,946	701,190	3,724,000
Butter	9,113,030	4,763,561	5,377,652
Eggs	3,186,850	2,085,350	1,530,000

While our stocks in these products show an increase, the following table will show the difference between the increase in stocks and the increase in sales in 1919 over 1914:

	Per cent.
Increase in stock of cheese	55
Increase in sales of cheese	103
Decrease in stock of poultry	4
Increase in sales of poultry	32
Increase in stock of butter	54.8
Increase in sales of butter	123
Increase in stock of eggs	108
Increase in sales of eggs	113

The above represents as full information as we can give you in response to your question on such short notice. We would be very glad, however, to supplement this with more data if you desire.

ARMOUR & Co.

—

COLD-STORAGE HOLDINGS.

[Compilation of United States Bureau of Markets statistics.]

Case eggs: July 1, 1919, 7,508,530 cases, or 225,255,900 dozen; July 1, 1918, 6,410,384 cases, or 192,311,520 dozen.

On July 1 storage stocks of eggs are at their maximum. The amount in storage represents a considerable proportion of the next seven months' supply. The amount in storage July 1, 1919, represents about 2 dozen eggs per capita, not allowing anything for spoilage.

The annual production of eggs is estimated at 2,500,000,000 dozen.

Creamery butter:	Pounds.
July 1, 1919	87,851,371
July 1, 1918	47,919,035

This represents about three-fourths pound per capita.

Annual production creamery butter estimated at 1,500,000,000 pounds.

Cheese (all kinds):	Pounds.
July 1, 1919	48,727,201
July 1, 1918	29,290,983

Less than one-half pound per capita. Annual production cheese, estimated, 400,000,000 pounds.

Cheese is customarily carried in storage for curing, some kinds being carried for more than one year.

Poultry (all kinds):	Pounds.
July 1, 1919	48,895,704
July 1, 1918	16,984,864

Less than one-half pound per capita.

July 1, 1919:	Pounds.
Frozen beef	162,386,570
Cured beef	29,217,586
Frozen lamb and mutton	7,273,201
Frozen pork	153,894,023
Dry salt pork	380,462,828
Pickled pork	421,507,966
Total above meats	1,154,742,174

July 1, 1918:	
Frozen beef	146,672,220
Cured beef	21,527,827
Frozen lamb and mutton	2,359,359
Frozen pork	94,332,361
Dry salt pork	400,764,197
Pickled pork	361,568,840
Total above meats	1,027,224,804

These figures include meats in process of curing, the time of curing being 60 days or more.

The annual production of meat is estimated at from 12,000,000,000 to 15,000,000,000 pounds.

The amount of all kinds above listed would be about 10 pounds per capita.

CHICAGO, ILL., *August 13, 1919.*

Hon. JAMES A. REED,
United States Senate, Washington, D. C.:

Acknowledging wire; due to not having yet seen complete statement McKELLAR charge and statistics can only comment on them generally. Will say, however, that the Cudahy Packing Co. is entirely independent and in severe competition with all other packers, particularly those larger than ourselves. There is no monopoly either in meat or packing house, and certainly not in cold storage. Our company, of course, requires refrigeration in connection with packing houses and proper preparation of meats; also refrigeration necessary in shipment of perishable products; also many branch houses are refrigerated to properly protect fresh meats for consumers, but we have practically no storage space and none outside our packing houses and branches. We store a relative amount of goods compared to the general volume of our business. Storage only takes place in seasons when surplus is offered on markets, as for instance canner cattle in the fall, eggs in the early spring, and creamery butter in early grazing season. Our stocks at the present time are abnormally low. Our company's total tonnage annually exceeds 1,200,000,000 pounds, all products. We estimate weekly beef consumption United States fifty to seventy-five million pounds. In recent months total United States export of provision has exceeded 75,000,000 pounds weekly. Anyone who compares this enormous weekly export and consumption with official Bureau of Markets figures on stocks on hand can reach no other conclusion that we are even now in a shortage of sufficient food figures of stocks on hand. Can reach no other conclusion than that we are even now in a shortage of sufficient food for the world to carry until next spring.

If the packers were able to make as profit one-half cent per pound, it would be a very high profit. They do not make this. We regard it as absurd to charge that any willful shortage of goods to sustain a market price as against the cost of the goods spoiled, the loss would be overwhelming. Can not understand any basis for this charge that any large interests refuse to sell at existing prices. Our house is in the market constantly both buying and selling at market price. We handle so many kinds and cuts of meats and other products that could not possibly give you understandable figures in detail over the wire, but taking principal items which include pork and other meats in process of cure, which requires 60 to 90 days, and the stocks in storage now compare as follows with previous years: Total cut meats July 31, 1917, in Chicago, Kansas City, Omaha, St. Joseph, Milwaukee, St. Louis, and East St. Louis were 340,000,000 pounds. At same points July 31, 1918, were 383,000,000 pounds. On June 30, this year, were 407,000,000 pounds, and July 31 were 384,000,000 pounds. As stated, largest portion of these amounts would be in process of preparation. As a matter of fact, there is no surplus now in storage or elsewhere, and the world does not have a 90-day food supply on hand. Such stocks as are in storage are butter, eggs, meats, and everything else; need to be husbanded, rather than disposed of, or else tremendous shortage will result even before winter. Of course, proposition that group can control law of supply and demand is absurd, but no group or individual in the packing business works to that end. United States Bureau of Markets publishes regular figures which are quite reliable. Please compare them with what I have given with all packers for markets named and you will see how we estimated export of provisions and normal domestic consumption of certainly 45,000,000 weekly provisions and much more than 50,000,000 beef. The statistics as reported by Bureau of Markets are insignificant for further requirements. Appreciate your calling on us. We expect to be heard before Agricultural Committee later. Sorry can not give you more over the wire.

E. A. CUDAHY.

—

CHICAGO, *August 13, 1919.*

Hon. JAMES REED,
United States Senate, Washington, D. C.:

Answering your wire just received, will say most positively that the five big packers have no monopoly through cold storage. Morris & Co. has but one cold-storage plant outside of our small plant freezers. Both the buying and selling of the packers are regulated absolutely by the law of supply and demand. Morris & Co. has not allowed one pound of meat to spoil because of existing prices. Our purchases of live meat animals were much larger this year than last. We will collect and forward you the requested figures at the earliest possible moment, this afternoon if possible, to-morrow morning at the outside. Of course, you understand that ordinarily more than half of our stock in cold storage is in process of manufacture. You may rest assured that the storage situation is normal so far as Morris & Co. are concerned. Our books are open on this or any other phase of our business. We will gladly comply with any request that you may make for any information whatever in connection with our business.

EDWARD MORRIS,
President Morris & Co.

—

CHICAGO, *August 14, 1919.*

Hon. JAMES REED,
United States Senate, Washington, D. C.:

Further answering your wire of yesterday, our beef carried in storage at this time aggregates 2,971,000 pounds, all of which has been sold and is awaiting shipment, as against 16,300,000 pounds in storage at this time last year. Our cut meats, consisting almost entirely of chucks, rounds, sausage meats, offal, etc., is 19,161,000 pounds, as against 18,184,000 pounds last year. We only have a million pounds of poultry in cold storage at this time. We have no fish whatever in cold storage either at this time or at this time last year. We have a net stock of 58,708,000 pounds of provisions at the present time, as against a stock of 54,261,000 pounds last year, but practically all of this is in the process of cure. You will thus see that we had in storage and process of cure 88,766,000 pounds last year, as against 81,875,000 pounds at the present time. The exports of beef and pork for the month of June last year, which are the latest available figures, amount to 425,211,000 pounds. The entire stock of Morris & Co. in storage would not feed the people of this country more than two days. Hope we have answered fully. Please advise if you want any further information within our power; we are at your service and our books are open.

EDWARD MORRIS,
President Morris & Co.

CHICAGO, ILL., *August 14, 1919.*

Senator JAMES REED,
Washington, D. C.:

Knowing you are interested in cold-storage problems that are coming up at the present time, I am sending you statement I gave out in regard to seizure of seven cars of eggs we had at Chattanooga by the United States district attorney. I can not imagine why the United States district attorney seized 2,800 cases of eggs, of 30 dozen each, at Chattanooga belonging to Morris & Co. This is about one-third of the number of eggs which we had in cold storage at that point this time last year, and yet we did not have enough last year for our regular trade. We supply practically all of our branch houses in southeastern territories from Chattanooga. These eggs were stored in the months of April, May, and June during the producing season, as is always done, and we intended to market them in the months of October, November, and December, which are the months of small productions. These eggs cost us 39.96 cents per dozen on the average going into storage, and with the average storage charges of 1½ cents per dozen, interest and insurance four-tenths cent per dozen, the eggs now stand us 41.86 cents per dozen. The present market price of storage eggs at Chattanooga is 40 cents per dozen. This is not the natural or ordinary time to market storage eggs. Morris & Co. are not hoarding eggs. This is demonstrated by the fact that Morris & Co. has in cold storage fewer eggs than what they had this time last year and our total amount in cold storage at present time represents a very small fraction over 1 per cent of the total amount of eggs in cold storage in this country, although the receipts of eggs have been larger this year than last. If all the storage eggs of this country were put on the market it would probably cause a temporary break in the market and the total amount of eggs would only be about 2 dozen for each person and would last from two to three weeks. However, in the fall and winter, when the production is small, the price of eggs would necessarily go very much higher and could easily reach $1 per dozen. This is manifestly not in the interest of the consumer. There was absolutely nothing in the situation at Chattanooga to justify the seizure of these eggs.

EDWARD MORRIS,
President Morris & Co.

When you read these messages I believe you will come to the same conclusion reached by a committee on which I once served, that there is a great deal of misapprehension about cold storage in this country. I will say, by way of interlude, that I was on the committee when they had the Heyburn bill before them for investigation. I remember that the distinguished Senator from Iowa [Mr. CUMMINS] was on the subcommittee that heard the evidence. For a number of days—I think it ran into the weeks—we took testimony. I know that I went on the committee as much prejudiced against cold storage as a man could well be. When we got through with the hearings I made up my mind that while there might occasionally be some abuses at that time—and I am speaking of that period which is some years ago—there was nothing that would warrant the character of legislation that was proposed and that that character of legislation would increase the prices to every consumer in the United States; and I believe other Senators approaching this matter candidly and carefully will come to similar conclusions or modifications of opinion.

I desire now, Mr. President, to call attention to the question of governmental control; and here I want to say that while we may not know it to a very large extent we are under governmental control to-day as to prices, and to a very large extent the things that we are complaining of as being too high in price are absolutely not only subject to Government control but are controlled.

We have a licensing system by which every man engaged in business of any magnitude can be licensed and has been licensed, and that licensing system, as construed, has gone to the extent of fixing the prices by fixing the profits. I believe that it has been stretched far beyond anything Congress contemplated; but, discussing it in its stretched and extended form, we find that this is true:

The right was given to license dealers in sugar. That right was employed so that the sugar was controlled from the producer to the consumer. It went to the wholesaler, and he was required to sell to the retailer upon certain terms. Then, although there was no right to license the retailer, the wholesaler was told that if he sold to a retailer who did not comply with the regulations of the food control he, the wholesaler, could not have any more sugar. Accordingly they laid down the rule for the little retailer, who was not under license and was not under control, and enforced it just as thoroughly as they did against the big dealer who was under license. It was war time. I am not discussing at this time the question whether it ought to have been employed or not; but it was employed, and to-day the power to license exists, and to-day the laws upon the statute books give the most plenary and tremendous powers to our Government, and for the most part prices are now largely governmental prices.

I did not discuss this matter in connection with meat, but it is well known that the Food Administration met with the packers and agreed upon the prices they were to receive, and that the prices for the products at both ends were fixed. It is a well-known fact that this has been done with wheat; that the millers' prices have been controlled; that although Congress never in the world gave the right to fix a maximum price on the farmer's wheat, but only provided a minimum, only gave him a guaranteed price, yet the licensing power was so employed that the grain dealer was told that his license would be taken away if he paid more than the price stipulated by the Food Administration, and accordingly, if he paid a cent more, he lost his license and went out of business; so that the farmer, having nobody else to sell to but him and the miller, had that market taken away. Then the miller was told that he could only buy from the regular grain dealer or from a farmer who hauled his wheat in his wagon, and that he must pay the price the grain dealer fixed, and the grain dealer was required to fix a price at a certain figure, so that the price on the farmer's wheat was fixed, although there never was a line of law authorizing the fixation of prices. It was fixed because the only two American markets he had were controlled by license. The price on flour was correspondingly fixed to the miller. There was a third place where a farmer might have sold his wheat, and that was for shipment abroad; so the Grain Corporation was organized, and it was granted a monopoly of shipment abroad. So that there was no place left on this earth for the American farmer to sell his wheat except to these controlled sources, and in that way the price of wheat was fixed.

I am not going to discuss the merits of it. I am not here for the present time to make complaint about it; but I am here to say that the price of wheat, the price of flour to-day, the profits of the miller, and the profits of all the middlemen clear down to the dealer and the wholesaler are fixed to-day by the Government. What is the use, then, of complaining about the price that we pay or looking for further relief by more control laws when the control is here and the thing is absolutely in the Government's hands to-day? Yet the American citizen who pays 10 cents for his loaf of bread and thinks he ought to have it for 5, although his wages may be higher than they were before, believes that the Government is powerless and that we have to have more legislation.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Mississippi?

Mr. REED. I do.

Mr. WILLIAMS. I should like to ask the Senator from Missouri a couple of questions for information. I understand that the price of wheat fixed by the Government was $2.26 a bushel. Is that right?

Mr. REED. I think it averages to the farmer about $1.80, but there is a price for a very high grade of wheat. Now, I can not tell the Senator whether it is $2.26 or $2.20.

Mr. WILLIAMS. It was fixed at $2.26 at what they call the primary markets, was it not?

Mr. REED. I think so.

Mr. WILLIAMS. What is wheat selling for now in Kansas City and in Chicago?

Mr. REED. I assume that it is selling for that, less the discount. I have not looked at it. If it is above that, then the control has been relaxed within the last few days.

Mr. WILLIAMS. I wanted to ask the Senator if he was not aware of the fact that wheat has been selling higher than that, and for quite a while?

Mr. REED. If that is true, it is a recent action of the Grain Corporation.

Mr. WILLIAMS. I do not know about that.

Mr. REED. I know that during the larger period of the war the other statement was true.

Mr. WILLIAMS. I am compelled to believe that some corporation somewhere has done it. Now, then, with wheat at $2.26, or selling at a higher price, what was the differential between wheat and flour, and what would that have brought flour to by the barrel, or some sort of flour made out of this wheat at the primary market, and what is flour selling for now?

Mr. REED. That is an involved question. It takes four and a half bushels of wheat of a good grade to make a barrel of flour.

Mr. CURTIS. Mr. President——

Mr. WILLIAMS. I know that, but I thought maybe the Senator had noticed the quotations.

Mr. REED. No; I have not.

Mr. WILLIAMS. The Senator has been discussing this matter and informing the Senate about it.

Mr. CURTIS. Mr. President, may I answer the Senator's question in reference to the price of wheat?

Mr. REED. Certainly.

Mr. WILLIAMS. It is a matter of fact, I think, that flour is selling for very much more than the differential.

Mr. REED. Just one moment. If that is true, then this Government control that was complete has been voluntarily relaxed. That is the point I am making. You do not need more law to remedy a thing where the power exists and has existed, and that is all that I am arguing.

Mr. WILLIAMS. My question was not directed to the success or failure of the attempt to use the governmental power. It was directed to the assertion just made by the Senator, that the price of wheat and of flour were absolutely being controlled by the Government now.

Mr. REED. Well, if the Senator gets any satisfaction out of splitting that hair, let him have it.

Mr. WILLIAMS. I did not split it. I think the Senator from Missouri split it.

Mr. CURTIS. If the Senator from Missouri will permit me, I had a wire from the chairman of the Grain Corporation in answer to the question whether or not the buyers were paying more for wheat than the Government price. He advised me that in the West they were paying from 30 to 40 cents more a bushel for the lower grades, and the market shows that they are paying from 40 to 50 cents a bushel more for the higher grades in other places.

Mr. REED. Very well. Then that simply brings us to this: That they did have power and they did exercise power during the entire period of the war to keep the price of grain within certain limits; that they did fix the amount of profit that the dealers on the boards of trade were to have; that they did fix the profits of the miller. They have that power to-day. If they have relaxed the rule, and if the price of wheat has gone up, the reason for that advance is that the market of the world is drawing the wheat from this country, and they are letting the law of supply and demand to some extent operate. No other reason could be logically assigned.

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Montana?

Mr. REED. I do.

Mr. WALSH of Montana. For the information of the Senator, I desire to say that the Senator from North Dakota [Mr. GRONNA], the chairman of the Committee on Agriculture and Forestry, advised the Senate about a week ago that the current market prices were considerably in advance of the guaranteed price, and he gave us the figures at that time.

Mr. WILLIAMS. Three dollars and something, I think.

Mr. REED. That only demonstrates that of all the men in the world whose prices were held down during the war the chief was the farmer, and it does demonstrate that that kind of a control can hold prices down if it is complete enough.

Mr. WILLIAMS. Does the Senator contend that the price of sugar has been held down? Does he contend that the price of eggs or poultry or beef or coal has been held down?

Mr. REED. I am talking about wheat, and I am going to talk about coal and sugar now. The Senator from Mississippi comes into the Chamber, hears a little of what another Senator says, and then he proceeds to argue some other question. I am only devoting myself to-day to one thing——

Mr. WILLIAMS. If the Senator will pardon me——

Mr. REED. I want to conclude. The Senator is arguing a question I have not been discussing.

Mr. WILLIAMS. I have been listening to the Senator from Missouri for half an hour.

Mr. REED. The Senator is arguing a question which is entirely foreign to what I have been arguing, and, Mr. President, I intend to go on.

I do not propose to be drawn into side lines to discuss the question of just what the market is in wheat to-day. I am discussing the proposition that the Government control of these things is absolute. If they have relaxed it, they have done it recently. The fact remains nevertheless that there is the same law to control that they exercised in the most absolute form. That is all I am discussing.

Mr. WILLIAMS. If that is all the Senator is discussing, there is no dispute between us, but I understood the Senator to say that the present prices of meat products were due to Government control now existing.

Mr. REED. Very well. Perhaps I made that statement a shade broad, but I do not hesitate to say, sir, that Government control even as now exercised has a great deal to do with it, for I have put into the RECORD the statement of Mr. Julius C. Barnes, showing that our governmental agencies have been employed to send hundreds of millions of bushels of wheat to Europe and that they are engaged in doing it now. Of course, if they assist in creating that European competition, and particularly if they take American dollars to do it, and bidding against the ordinary market here, prices will go up unless they are held down by an arbitrary hand. There ought to be no difference between the Senator and myself about that.

Mr. President, let us come to another instance of control. Take coal.

COAL.

Fluctuation in the price of coal well illustrates the general rise of prices which has occurred since the war began and at the same time, in my opinion, exposes both the virtues and vices of governmental control.

Whatever conclusions the advocates of each system may draw as to the wisdom of governmental control, the bald fact stands out that at the present time without Government control the prices are substantially the same as they were when Government exercised a complete dominion over the coal trade.

Here again I find that while we are complaining to-day of high prices and proposing governmental control as a remedy, that we are as well off without that control as we were when we had it.

One thing should be noted that since Government control was relaxed, prices of coal, while on the average the same, have now adjusted themselves so that quality is taken into consideration.

As to the general rise in prices as illustrated by coal, I give a table showing the price of bituminous coal at tidewater from the Federal Reserve Bulletin, July, 1919:

Year.	Average price
1914	$2.20
1915	2.20
1916	2.20
1917	6.00
1918	3.85

It will be noted that coal rose to an abnormal point in May, 1917. The evidence shows that this was the result of a coal panic, but these prices speedily adjusted themselves even without regulation. I should say not a complete adjustment, but a partial adjustment. By the month of April the readjustment had begun and by a voluntary agreement prices were reduced by the 1st of July. This voluntary agreement was temporary and it was understood that further adjustments would be made.

The Government then took control in August and the price was reduced to $3.85, but the Government was immediately compelled to raise prices. They ran from $4.10 to $4 and were approximately at that figure when the Government relinquished control on February 1, 1919, and are at that figure to-day, or substantially at that figure.

Anthracite coal furnishes a still better illustration of the fact that we benefited little from Government control. The table shows that in May, 1917, with an open market anthracite was selling at tidewater, New York, at $5.68. Yet, in May, 1918, under Government control it had advanced to $6.30, and in February of this year, when the Government relinquished control, it was bringing $7.95. It is now selling for approximately that price.

In support of these statements I quote from a letter furnished by the Geological Survey under date of August 13, 1919:

It is believed that the average price now being realized on all bituminous coal sold is not far from what it would be if the same coal were sold at the various Government prices formerly in effect, although, as stated above, some coals are selling above that standard and some below. * * *

Government restrictions having been removed and supply and demand controlling the situation, quality again became the determining factor in the price of bituminous coal. * * *

Dr. Garfield stated that had Government regulation continued he would probably have found it necessary to add 50 cents more to the price of domestic sizes in order to insure the operators their cost—

And so forth. I present the entire letter for the RECORD.

DEPARTMENT OF THE INTERIOR,
UNITED STATES GEOLOGICAL SURVEY,
Washington, August 13, 1919.

Hon. JAMES A. REED,
United States Senate.

MY DEAR SENATOR REED: I take pleasure in sending the memorandum just prepared by Mr. Lesher, the geologist in charge of our coal statistics. In the third paragraph you will see mention of a recent increase in wage scale in two fields, and it might be noted that these are non-union fields—the Washington wage agreement referred to in the first paragraph being the union agreement. This is not in violation thereof.

I also inclose the memorandum regarding the prices for anthracite coal, the substance of which was telephoned you this morning. If there is anything further that you wish to learn Mr. Lesher and myself will be glad to assist you.

Yours, very cordially, GEO. OTIS SMITH, *Director.*

Mr. C. E. Lesher, of the Geological Survey, states as follows:

"Wages of bituminous coal mine labor fixed by the Washington agreement in October, 1917, have not been changed since that date. The Washington agreement, between the United Mine Workers, the operators, and the United States Fuel Administrator, is to remain in effect until peace is promulgated.

"Wages of anthracite mine labor, as fixed by the War Labor Board in conjunction with the Fuel Administrator on November 1, 1918, are still in effect.

"Price restrictions on both bituminous coal and anthracite, under the Lever Act, were removed by the Fuel Administrator February 1, 1919, and there have been no advances nor changes in rates of wages to mine labor—bituminous or anthracite—since that date, except that on August 1, 1919, operators in the Pocahontas and New River fields voluntarily increased the scale of wages for mine labor in those two fields by an amount stated to be the largest wage increase ever granted in those fields. It is reported that the new scale means an increase of 30 to 53 cents per ton in the cost of production. The working day was at the same time decreased from nine to eight hours.

"Although the demand for both anthracite and bituminous was very low in February, when the price and other regulations of the Fuel Administration were removed, there was exhibited from the beginning a tendency to increase in the prices of the higher grade and most desirable grades of bituminous coals and a corresponding decrease in the prices of the lower grades of bituminous coal. This tendency became more marked in the months succeeding the removal of the Government regulations and is now quite noticeable. The higher grades of coal, such as the Pocahontas, New River, Fairmont gas coal, Somerset coal, Pittsburgh, high-grade lump in Alabama, Illinois, and Indiana, and generally the best coals, particularly the selected lump sizes, are now selling above the prices established by the Fuel Administration, while the medium and lower-grade coals, and especially the screenings or slack in all fields, are not bringing the former Government prices. It is believed that the average price now being realized on all bituminous coal sold is not far from what it would be if the same coal were sold at the various Government prices formerly in effect, although, as stated above, some coals are selling above that standard and some below.

"The Government prices on coal were by law determined entirely on the basis of the cost of production and had no regard to quality, relative demand, or nearness to market. It so happens that Pocahontas and Pittsburgh and some, but not all, of the other high-grade coals cost less to produce than lower-grade coals in near-by fields. When the demand for coal fell off after the armistice, consumers immediately began to pick and choose with the result that the high-grade coals were in demand even though the whole market was slack, while the poorer grades for a considerable time could not be marketed at all. In other words, Government restrictions having been removed and supply and demand controlling the situation, quality again became the determining factor in the price of bituminous coal. That is the situation to-day.

"Anthracite mine labor was granted an increase in wages on November 1, 1918, and the Fuel Administrator allowed an advance in the price of domestic sizes of anthracite as of that date of $1.05 per ton to cover the increased cost of labor. When he announced the removal of the Government prices, on February 1, Dr. Garfield in a published statement declared that his allowance of $1.05 had not been adequate to cover the increased cost of labor granted the previous November, and that he had not at that time been willing to pass on to the public the full amount of the added cost accruing from the wage advance. Dr. Garfield stated that had Government regulation continued he would probably have found it necessary to add 50 cents more to the price of domestic sizes in order to insure the operators their cost. When the price was removed on February 1 the larger anthracite companies continued as their circular prices those in effect immediately prior—in January. The independent companies which had from the beginning been allowed a differential in their favor of 75 cents a ton on prepared sizes (originally determined by the President on the advice of the Federal Trade Commission, and continued in effect by the Fuel Administrator) in February announced that their prices would be the same as those of the larger companies, thereby voluntarily renouncing the 75-cent differential. In March the larger companies announced that beginning May 1 the prices of domestic sizes of anthracite would be advanced 10 cents a ton each month, until in September the price of 50 cents above the last Government price had been reach. The independents have on different dates reassumed the 75-cent differential and in many instances are exceeding it by amounts of 25, 50, and 75 cents a ton, making the differential in their favor over the companies $1 to $1.50. The demand for domestic sizes of anthracite is to-day such that they have practically little difficulty in disposing of it at these advance figures."

I also present a table showing the prices of coal at tidewater, taken from the Coal Age of August 7.

Quotations for company white ash coals per gross ton at the mines f. o. b. New York tidewater lower ports during August follow:

	Mine.	Tidewater.
Broken	$5.95	$7.80
Egg	6.25	8.10
Stove	6.50	8.35
Chestnut	6.60	8.45
Pea	5.20	6.95
Buckwheat	3.40	5.15
Rice	2.75	4.50
Barley	2.25	4.00

It must not, however, be forgotten that the control by the Coal Administration was accompanied, as all will remember, by fatally defective distribution. Millions of tons of coal in excess of any amount theretofore used in the Northwest were sent to that part of the country, while insufficient coal reached New York and other ports to bunker ships. In many parts of the country the people were without coal for domestic use. In Ohio, which is abundantly supplied with coal mines, the distribution was so defective that they could not obtain coal to supply their thrashing machines with coal.

It will also be remembered that one of the orders of the Fuel Administration was for all factories east of the Mississippi River to close down for 14 days' time. Theaters were shut up. Churches were compelled to close their doors.

According to a table prepared for Mr. McAdoo by W. P. Manse, industrial agent of the Baltimore & Ohio Railroad, the loss is estimated at from eight to ten billion dollars.

I put in the RECORD a newspaper clipping giving an account of this report:

WORKLESS MONDAY COST THE NATION OVER FOUR BILLIONS.

In 18 of the principal manufacturing cities of the country the money loss from Dr. Garfield's celebrated shutdown order amounted to $4,344,070,000 in workmen's wages and manufacturing products, according to a table prepared for Director General of Railroads McAdoo by W. P. Manse, industrial agent of the Baltimore & Ohio Railroad.

The same table presents figures to show that the car shortage since it began in September, 1916, has caused a total loss of not less than $8,000,000,000 and maybe as much as $10,000,000,000.

A statement issued by the National Rivers and Harbors Congress says that "for the past 18 months the traffic history of this country has been one continuous succession of delays, congestion, embargoes, and car shortage."

Three hundred and seventy-six million tons of freight were handled on the waterways of the country in 1916, enough to fill four times as many freight cars as the country owns to-day. This shows, the River and Harbors Congress statement declares, "that the waterways are still of some service, even after 50 years of cutthroat competition by the railroads."

This appalling loss well illustrates the danger involved in taking the business out of the hands of men who created it and turning it over to the control of men who neither created a business nor are capable of its management after it has been created by the industry of others.

Going back to the question of coal, I do not know what the present winter will bring. I do know it is said that under the railroad management to-day there is an insufficient amount of cars to carry the tonnage of the country, and there may be another coal shortage.

Mr. WALSH of Massachusetts. Mr. President——

Mr. REED. I yield to the Senator.

Mr. WALSH of Massachusetts. It may interest the Senator to know that only to-day there was a representative of the Massachusetts State government in this city trying to find some way of relieving the shortage of coal the coming winter, it being generally believed that there will be as great a coal shortage this fall and winter as at any time in years past.

Mr. REED. I hope that will prove to be a mistake; but I would be unfair if I did not say that there were excessive coal prices before the war began that seemed to demand some kind of action. I believe that excess would have regulated itself in a short time; but I do not care to argue that. The only point I am trying to bring out to-day is that the prices we are having to pay to-day for coal are no more than they were when the Government relaxed control; and, of course, the same kind of control exists to-day as has existed at any previous period.

SUGAR.

Mr. President, let us now look at the sugar situation and see whether the people have benefited by the control there. Of course, we meet the old assertion that the price of sugar would have gone to any figure. I do not intend to argue that, but I do intend to say that, although completely controlled to-day, the price of sugar has risen as much as the price of any other great staple article that is in common and general use. I am not here to argue for the present that that has not been the result of natural conditions. What I am seeking to impress as I go along is that these great fundamental natural conditions can not be defied or set aside. They must be recognized.

Let us take the question of sugar.

Again, it is not my purpose at this moment to discuss the question that the price of sugar might or might not have gone to the highest level without governmental control. That matter is reserved for a later time. It may be, however, safely asserted that the fluctuations in the price of sugar show—

(a) That sugar responded to a general world advance in price.

(b) That this price increased during governmental control.

(c) That notwithstanding all of the hardships and inconveniences that were put upon our people, governmental control did not reduce the consumption of sugar materially.

On August 15, 1917, Mr. George M. Rolph, head of the Hawaiian sugar industry, was appointed chief of the sugar division of the Food Administration. The control dates substantially from that time and continues up to the present. The control of sugar has been complete and absolute. It began in the cane fields and ended with the ultimate consumer. Even at this time sugar control, which is both national and international, exists. How it is operated may be illustrated by the march in prices as shown by the following table.

These tables are taken from the History of Prices During the War, compiled by the Department of Commerce as "international price comparisons":

Wholesale prices in United States, by months, quarters, and years, 1913–1918.

	Sugar, granulated.	
	Actual price U. S.	Relative price U. S.
Market	New York.	
Unit	Pound	
Base price	*Dolls.* 0.0413	
1913—Year	.0427	103
Quarters—		
First	.0429	104
Second	.0411	100
Third	.0454	110
Fourth	.0416	101
Months—		
January	.0450	109
February	.0418	101
March	.0419	101
April	.0410	99
May	.0410	99
June	.0414	100
July	.0447	108
August	.0461	112
September	.0453	110
October	.0419	101
November	.0421	102
December	.0408	99
1914—Year	.0471	114
Quarters—		
First	.0389	94
Second	.0395	96
Third	.0583	141
Fourth	.0523	127
Months—		
January	.0392	95
February	.0392	95
March	.0382	92
April	.0372	90
May	.0397	96
June	.0417	101
July	.0420	102
August	.0649	157
September	.0680	165
October	.0593	144
November	.0493	119
December	.0483	117
1915—Year	.0556	135
Quarters—		
First	.0538	130
Second	.0585	142
Third	.0546	132
Fourth	.0552	134
Months—		
January	.0488	118
February	.0554	134
March	.0571	138
April	.0578	140
May	.0588	142
June	.0588	142
July	.0582	141
August	.0549	133
September	.0506	123
October	.0497	120
November	.0568	138
December	.0592	143
1916—Year	.0688	167
Quarters—		
First	.0610	148
Second	.0729	177
Third	.0696	169
Fourth	.0712	172
Months—		
January	.0573	139
February	.0597	145
March	.0659	160
April	.0706	171
May	.0746	181
June	.0736	178
July	.0750	182
August	.0700	169
September	.0637	154
October	.0708	171
November	.0735	178
December	.0692	168
1917—Year	.0771	187
Quarters—		
First	.0686	166
Second	.0788	191
Third	.0797	193
Fourth	.0814	197
Months—		
January	.0662	160
February	.0686	166
March	.0706	171
April	.0815	197
May	.0794	192
June	.0754	183
July	.0745	180
August	.0818	198
September	.0823	199
October	.0818	198
November	.0818	198
December	.0804	195

Wholesale prices in United States, by months, quarters, and years, 1913–1918—Continued.

	Sugar, granulated.	
	Actual price U. S.	Relative price U. S.
Market	New York.	
Unit	Pound	
Base price	*Dolls.* 0.0413	
1918—Year	.0780	189
Quarters—		
First	.0735	178
Second	.0730	177
Third	.0769	186
Fourth	.0882	214
Months—		
January	.0744	180
February	.0730	177
March	.0730	177
April	.0730	177
May	.0730	177
June	.0731	177
July	.0735	178
August	.0735	178
September	.0845	205
October	.0882	214
November	.0882	214
December	.0882	214

Mr. President, I put this table in and have it printed, but for the information of the Senate as I proceed I call attention to the fact that the New York price for granulated sugar in 1913 was $4 and a fraction per 100 pounds, or a little over 4 cents a pound; in 1914 it was 4.7 cents a pound; in 1915 it was 5.5 cents a pound; in 1916, 6.8 cents per pound; and in 1917, when the food control began, it mounted to 7.7 cents per pound. It has continued to run between 6 and a fraction and 8 or 9.40 cents a pound up to the present time. We are confronted also with a threatened sugar shortage in Chicago, where they are bidding 12 and 13 cents a pound. I put in a table showing these fluctuations in prices. Senators should bear in mind that this commodity is still under Government control, and, as I have stated, that control is absolute and complete.

The principal supply of sugar for this country and the largest source of supply for the world comes from Cuba. The price on Cuban sugar fixes the price on Louisiana cane sugar and the beet sugar of this country as well as the Hawaiian crop.

According to the testimony of Mr. Rolph, Mr. Hoover's agent, on page 76 of the hearings on the shortage of sugar, Senate Committee on Manufactures, the prewar normal price of Cuban sugar was $4.04 per 100 pounds, duty paid. In 1917 the sugar control fixed the price on Cuban sugar at $6.90; that is, they sent down to Cuba and fixed the prices for the raisers of raw sugar far in advance of any prices that have ever been paid for raw sugar in the history of the world. In November they reduced the price to $5.92 and in December they advanced it to $6.55. In June, 1918, it was $6.055. On September 9, 1918, it was $7.28, and on September 13, 1918, it was $6.90. The price to-day, August 11, 1919, is $7.28 to the refiners. The prewar price was $4.04.

Yet here is a governmental agency, an international sugar-control agency, that controlled every ship that hauled the sugar, and controlled every market to which the sugar could go, and yet they raised the price to the Cuban planter from $4.04 to $7.28. When that is being done by governmental agencies themselves in a matter where they are supreme and absolute, will somebody tell me why we complain if prices rise elsewhere, and what remedy we expect to get by increasing governmental control? The fact is, if you ask these gentlemen to account for raising these rates in the market where they had an absolute monopoly of purchase there would be only one answer they could make, and that is that the law of supply and demand was operating and that they had to respond to it. That is what I am arguing. The law of supply and demand moves forward with resistless force. You may control it temporarily, you may check it for the moment, but in the end you can no more stop it than you can stop the longings of the human heart or dam up the tides of human passion.

Bear in mind that the International Sugar Committee consisted of Sir Joseph White Todd and J. Ramsey Drake, appointed by the Allies; Mr. Earl D. Babst, president of the American Sugar Refining Co., commonly known as the "trust," and William A. Jamison, of Arbuckle Bros. Co., were the two

American members. Mr. George M. Rolph, head of the sugar division of the Food Control, was the fifth member of the commission. Mr. Rolph was also head of the Hawaiian sugar industry at the time he was appointed. These were the sugar kings of the world, brought together because of their expert knowledge, and yet as a result of that expert knowledge they substantially doubled the price of raw sugars to the planter in Cuba, and that meant a substantial doubling of the price to the Louisiana cane-sugar man and to the beet-sugar man of this country—beet-sugar factories and not beet raisers.

This organization, together with the United States Sugar Equalization Co., constituted the market for raw sugar, equalized its distribution, and completely controlled all the tonnage available for sugar shipments, and therefore had opportunity to fix the price at will, subject only to the fact that if the price was fixed too low production would be lessened. Nevertheless for some reason, which we must assume they felt justified in acting upon, they increased the price over 60 per cent.

Mr. WALSH of Montana. Mr. President, will the Senator permit an interruption?

Mr. REED. Certainly.

Mr. WALSH of Montana. My understanding about the matter at the time was that that was the very purpose, namely, to increase the price of sugar in order to stimulate the production of it. The Senator will very well remember that, as it was, we were all put upon rations, so far as sugar was concerned, and every effort was made by the Food Administration and by every other department of the Government to stimulate the production of sugar. Of course, the most effective method of stimulating it was to raise prices.

Mr. REED. I am not quarreling with that statement for the present. Indeed, that is what I have been saying in substance—that their reason and excuse for raising the price in Cuba must have been to make a demand. Get more sugar raised, therefore pay higher prices and get it raised.

Mr. WALSH of Montana. It did work that way.

Mr. REED. I do not think it produced any very substantial result. That is the unfortunate part of it.

Mr. WALSH of Montana. My recollection is that the production in Cuba, and particularly in Porto Rico, jumped in the most extraordinary way.

Mr. REED. No; the production in Cuba was going to be marvelous, as everybody in Cuba said—not in acreage so much as a better crop.

I am not quarreling with that. I think the facts, however, will show that there was not any corresponding increase in acreage, as we might have hoped; but for the present I am not discussing the wisdom of the act. I am discussing the fact that the Government being in control did vastly increase the price, and I am assuming that it was done for a virtuous reason, and that reason to be the great law of supply and demand, which is the theme I am discussing. I am trying to show that governmental control can only set it aside temporarily.

The effect of sugar control is further illustrated by the facts as to the average profits on that article. Here I am coming to the question of profiteering. Constantly we find men protesting until they are black in the face about profits and profiteers. How has this thing worked out under governmental control? The Government called together the great sugar refiners of this country; it ascertained what their average profit for refining sugar was; and then it proceeded to agree with them on practically twice the profit they had ever made. This is the first fruit of governmental control. Here are the figures:

The average differential or profit made by the great sugar refiners was given by some of them at 70 cents and by some of them as high as 85 cents; but let us take 85 cents, which was to be their profit per hundred pounds. When they made that profit they made it if they won. They had to take the chances of the market; they had to take the chance of the price going up and down on the raw materials which they had bought. Accordingly they had to take the chances of bankruptcy. But the price which they were now to receive was a fixed price. They obtained their sugar at a given price, and they sold it at a given price, and nobody could say them nay. It was, therefore, a guaranteed profit.

The first differential allowed them was $1.30 instead of their former profit of 85 cents, which they made as an average. This additional price was carried over to the consumer. Later it was raised to $1.40, and in August, 1918, to $1.45. At the end of 1918 it was again raised to $1.54. So under Government control, the most absolute that has ever been exercised on any article that was used by a free people, the Government consented, first, to the payment of a profit to the producers of the raw sugar in Cuba nearly twice the original price, and then consented to pay to the refiner nearly twice his original differential and gave him at the same time what amounted to a guaranteed profit. All this was added to the price of sugar as it reached the consumer.

You may take any staple article that was not controlled—I will not say any article but the average of the uncontrolled articles—and you will find that none of them mounted in price more rapidly than did sugar. I am not at the present time arguing that there was anything wicked about that. I am arguing the fact that the irresistible law of supply and demand was working; the Government control did not set it aside; and it will not set it aside in the future.

Mr. President, I shall print in the RECORD a table showing the prices and fluctuations in the prices of sugar, beginning in 1913 at 9.9 cents a pound. The price in New York City for the refined sugar in April, 1919, with full Government control, was 10 cents a pound, notwithstanding that in the meantime bottoms have been released from war service, so that the accumulated stock of sugar in Java and other parts of the world have been released; and this is an international control where the iron hand of our Allies, united with our own, completely holds the situation.

I now ask that the table to which I have referred may be printed in the RECORD.

The PRESIDING OFFICER. Without objection, permission is granted.

The table referred to is as follows:

Retail prices granulated sugar, New York.

1913	4.9
1914	4.6
1915	6.3
1916	7.9
January, 1917	7.4
July, 1917	8.4
January, 1918	9.7
April, 1918	8.8
July, 1918	8.8
October, 1918	10.6
January, 1919	10.1
February, 1919	9.9
March, 1919	9.9
April, 1919	10.0

Mr. REED. The price to-day is 11 cents, with great threat of rise.

Mr. President, our people were rationed; sugar was badly distributed; panicky conditions existed for over a year. In some parts of the country there was an absolute failure of supply. The people were told just how they could buy sugar and how much they could buy, and where they could buy it. The ordinary housewife who went down to buy a pound of sugar had to undergo an examination such as a suspect does when he is dragged into the police court and given the "third degree."

Mr. President, what was the net result of all that? I remember stating on this floor at the time that you could talk about a sugar shortage until you made everybody want sugar, and now, behold, what has developed? I hold in my hand the annual report of the American Sugar Refining Co.—the great trust. At its head is Mr. Earl D. Babst, who was also at the head of the Government International Sugar Control. He comes to us surrounded by the odor of sanctity, because he was one of the officials who were selected by Mr. Hoover to perform this work; and yet he tells us this:

Contrary to curent belief and notwithstanding the limitations imposed upon consumption, we have consumed in 1918 an amount almost equal to the yearly average of the last decade. Consumption has approximated 10,000 tons a day, or at the rate of 300,000 tons a month, which is about the average normal consumption during the past 10 years. While it is true that many have stinted themselves, for others the rationing has acted as a stimulus to buy. The saving effected by conservation has been to a considerable degree offset by the increased purchases of those who, because of the publicity given to sugar restrictions, bought more than they otherwise would. Necessarily the rationing was administered horizontally throughout the United States, and while the normal consumption of certain localities was reduced, in others the ration was in excess of normal. Accordingly, while certain areas were limited in their consumption, the effect in others was to increase the purchases.

So, Mr. President, as the end of all the rationing and all the inconvenience, we ate just as much sugar as we ever did. They told us that the rationing system was a wonderful success; they told us that as a result of it our Allies were receiving sugar in vast quantities; that whereas Tommy Atkins and the poilu had formerly sat in the trenches in the rain and longed for sugar, now each of them was supplied with a pocketful of the lucious edible, and that between shots they were engaged in devouring it and getting fat. It seems, however, we did not save a pound, according to the statement of Mr. Babst, who came mighty near being the brainest man they had in their whole organization.

What else do we find about governmental control? While we are lecturing profiteers, let us think a litttle about ourselves. We find that the United States Grain Corporation in these hard times could not resist speculating in grain or increasing the

price. So some twenty-three odd million dollars they put on as a profit. This Government agency, employed for the purpose of keeping prices down, could not resist the temptation of profiteering a little for themselves. Of course, they did not take the money; it will go back to the Government after big salaries are paid; but the money that goes back to the Government came out of the pockets of the people who used the wheat.

It seems that this passion of governmental or bureaucratic profiteering is almost universal. The United States Sugar Equalization Co. control took over the sugar crop, and said to the refiners that they must take it from the sugar-control company at an advanced price, and accordingly they have made a profit, according to a telegram I have here, of somewhere between twenty-five and thirty million dollars. While the women of the land were trying to buy sugar and finding it high priced, and while we were clamoring everywhere for a reduction in price and crying out against the profiteer, these two governmental institutions, set up for the purpose of controlling prices for the benefit of the people, were taking down in the aggregate approximately from $45,000,000 to $55,000,000 as profit.

That only bears—and I do not say it to speak of them with great harshness, although I think the proceeding wholly unjustifiable—out the fact that, somehow or other, you can not keep men who are dealing in commodities from trying to make profits; and if Government agencies themselves profiteered with the people's money and charged the extra profits to the people, it is not astonishing if we find private individuals who advanced prices. The example was not a good one.

Mr. President, I have tried to show the effect of the law of supply and demand and that there is a shortage of supply because of world conditions growing out of the war, for which, certainly, we were not responsible and into which we were unfortunately drawn.

There is another cause as general, as universal, and as powerful in the matter of the increasing prices as the law of supply and demand, and when I have discussed that, as I intend to do very briefly, I shall be glad to yield the floor. That cause I have already mentioned. It is that a radical increase in the number of dollars in circulation results in a decrease in the purchasing power of the dollar; that is to say, if the dollar is low the price measured by dollars will be high. The rule is thus laid down by Profs. Fisher and Kammerer:

> The prices of commodities are dependent upon the money in circulation, multiplied by the velocity of circulation, plus the credits (bank deposits subject to check) multiplied by their velocity of circulation.

That is to say, the volume of money, together with the rapidity with which it moves; the amount of credit money, checks, drafts, and so forth, based upon deposits, together with their rapidity of movement, fixes the price of commodities.

Mr. President, it is now generally admitted that that law is correct, and let me, if you please, apply it to present conditions. Before I do so I call attention to the fact that Prof. Seligman, of Columbia University, agrees in substance with this law. This is the day of college professors——

Mr. THOMAS. I think no one now denies it, although it was denied very strenuously in 1896.

Mr. REED. I think the Senator is correct. I will insert Prof. Seligman's statement in the RECORD without pausing to read it. It is as follows:

> It is obvious, then, that apart from the minor oscillations in any one commodity a general change in the level of prices can be explained only by a cause which attaches equally to all prices. Now, price in general is value expressed in terms of money; hence a general change in the price level means a change in the value of money. But the value of money, like the value of everything else, depends upon the relation of the supply of money to the demand of money. From the point of view of supply the answer is easy. The standard of the civilized world is now, and has been for some time, gold. * * * Gold, in other words, is being turned out in such enormous quantities that it is falling in value. But a fall in the value of gold, other things being equal, is tantamount to a rise in general prices.

The observations of Prof. Seligman were made prior to the war and had reference to the rather continuous rise in prices which had been going on for many years, and which Prof. Seligman attributed to the increased gold supply, which then constituted the basis of world circulation. Since the war gold has ceased to be the basis of the circulating medium and paper currency has flooded the world. When I say that I mean to limit my statement to countries other than the United States. There has even been an enormous circulation increase in our own country, due, first, to the influx of gold, and, second, to the increase in Federal reserve bank currency. All that has been greatly accentuated by increased circulation of notes and bills of exchange. An index to the volume of the latter is obtained from the increased bank deposits of the United States. The following table shows the increase in the United States:

FEDERAL RESERVE BOARD,
Washington, August 4, 1919.

MY DEAR SENATOR: In compliance with your request of August 2, I have the honor to hand you herewith statement showing the per capita circulation in the United States at the close of each calendar year, 1913 to 1918, inclusive, and for July 1, 1919.

Complete circulation figures for the European countries are not available, but inasmuch as their present circulation is made up exclusively of paper notes issued either by the Government direct, such as the British currency notes, or by the central banks of issue, as in the case of the continental countries, no appreciable error will be made if changes in the per capita circulation are calculated on the basis of paper currency circulation only. Neither are there available recent official estimates of the changes in population of the European countries. Per capita circulation figures for these countries have therefore been calculated on the basis of population figures as shown by the latest censuses of 1910–11 taken in these countries.

Very truly, yours,

W. T. CHAPMAN,
Acting Secretary.

Hon. JAMES A. REED,
United States Senate, Washington, D. C.

Stock of money and money in circulation in the United States on Jan. 1 of each year, 1914 to 1919, and on July 1, 1919.

[In thousands of dollars.]

	Stock of money in the United States.	Money in circulation as shown by Treasurer's circulation statement.	Per capita circulation.	Money outside U. S. Treasury and Federal Reserve System.	Amount per capita outside the U. S. Treasury and the Federal Reserve System.
Jan. 1, 1914	$3,775,464	$3,477,368	$35.12		
Jan. 1, 1915	3,972,374	3,545,166	35.50		
Jan. 1, 1916	4,401,988	3,909,184	38.48		
Jan. 1, 1917	5,012,046	4,440,933	43.00		
Jan. 1, 1918	6,256,198	5,120,425	48.76	$4,255,585	$40.53
Jan. 1, 1919	7,780,794	5,951,368	55.76	5,105,140	47.83
July 1, 1919	7,588,474	5,841,027	54.28	4,842,345	45.09

Percentage increase, 54 plus.

Mr. President, I only pause to call attention to the fact that our per capita circulation on June 1, 1917, was $34.12 and that it is now $54.28. That increase alone will account to a very large extent for increased prices.

But how has it been in Europe? I will print in the RECORD a table, marked "Table E," to show the increases in Europe. I only pause long enought to call attention to the fact—and to the letter which I have from the Federal Reserve Board in explanation—that in 1913 in the United Kingdom there was in circulation of paper currency only $3.18 per capita, while there is now $45.50 per capita. In France in 1913 there was $27.85 per capita of paper currency; there is to-day $170.62 per capita of paper currency. In Germany there was in 1913, $9.50 per capita of paper currency; there is now $151.17 per capita. In Italy in 1913 there was $12.72 per capita and in 1918 $64.62. I have not been able to secure later figures from Italy.

I ask leave to insert in my remarks at this point the table to which I have just referred.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Paper currency in circulation at the end of each calendar year, 1913 to 1918, and on latest available date in 1919.

End of—	United Kingdom.		France.		Germany.		Italy.	
	Paper currency in circulation.[1]		Paper currency in circulation.[2]		Paper currency in circulation.[3]		Paper currency in circulation.[4]	
	Amount (thousands of dollars).	Per capita.	Amount (thousands of dollars).	Per capita.	Amount (thousands of dollars).	Per capita.	Amount (thousands of dollars).	Per capita.
1913	$144,000	$3.18	$1,103,000	$27.85	$617,000	$9.50	$441,000	$1.72
1914	363,000	8.03	1,927,000	48.66	1,201,000	18.50	567,000	16.35
1915	674,000	14.90	2,569,000	64.87	1,646,000	25.35	766,000	22.09
1916	924,000	20.43	3,219,000	81.28	2,601,000	40.06	968,000	27.91
1917	1,259,000	27.84	4,311,000	108.86	4,206,000	64.78	1,567,000	45.18
1918	1,917,000	42.38	5,838,000	147.42	7,691,000	118.46	2,241,000	64.62
July, 1919	2,058,000	45.50	6,757,000	170.62	9,815,000	151.17		

Per capita circulation based on the following population figures of the 1910-11 censuses:

United Kingdom	45,222,000
France	39,602,000
Germany	64,926,000
Italy	34,671,000

[1] Bank of England notes and currency notes.
[2] Notes of the Bank of France.
[3] German Reichsbank notes and loan bank notes (Darlehnskassenscheine).
[4] Notes of the Banks of Italy, Naples, and Sicily. In addition there were in circulation 401.4 million dollars of treasury notes secured by 21.8 millions of metallic reserve, Nov. 30, 1918.

Mr. REED. Those astounding figures, showing the vast increase of the circulating medium of the world, simply mean that there is an enormous amount of money with which to purchase, and that money, therefore, necessarily has a smaller purchasing power. In other words, we are confronted to-day with the problem of the cheap dollar quite as much as we are with the problem of high prices, for the high prices are largely attributable to the depreciation of the dollar.

On top of this, applying Prof. Fisher's law, we must take into consideration the circulation of what may be termed substitute money, checks, and drafts. I here append tables showing increased bank deposits and credits.

INCREASED BANK DEPOSITS.

Total individual deposits in all the banks of the United States as of June for the years indicated.

Year.	Deposits (in millions).	Per cent increase over previous year.
1913	$17,475	
1914	18,517	5.96
1915	19,135	3.34
1916	22,714	19.01
1917	26,289	15.43
1918	27,808	[1] 5.78
1919 [2]		

[1] This decline may be explained by the various patriotic and financial levies of the year—wherein consider the Liberty loan, Red Cross, et al.
[2] Answers to call of June 30, 1919, not yet received.

Adapted from the reports of the Comptroller of the Currency, 1914–1918.

INCREASE IN BANK CREDITS.

Total credits due all banks in the United States as of June 30 for the indicated years.

1913	$14,626,700,000.00
1914	15,288,357,283.98
1915	15,788,815,177.20
1916	17,903,888,164.40
1917	20,594,228,000.00
1918	22,514,602,064.81

1919 (returns from call of June 30 not yet received).

Adapted from the summary of the combined returns from national and other banks from Reports of the Comptroller of the Currency for 1913, 1914, 1915, 1916, 1917, 1918.

The amount of that no man, I presume, can estimate, but an index to it is given by the amount of bank deposits. Bank deposits in this country have increased from 1913, when they were $17,000,000,000, to $27,000,000,000 in 1918. The returns are not in yet for 1919, but undoubtedly a further large increase is shown.

Mr. President, those figures largely answer the cry that has been made as to the cause of high prices. The two great interfering causes with normal prices—the lack of supply and the increase in the volume of money—I have presented as well as I am able. I believe that these are the fundamental causes. I do not for a moment deny that human cupidity has played its part; that upon a rising market there is always more or less of speculation; and I am in thorough and absolute accord with every sensible effort that may be made to control the cupidity and rapacity of man. But, Mr. President, there is a great danger which confronts us if we do not proceed with moderation, with care, and with foresight, and that is that in the attempt to control some wicked men who may be speculating we shall alarm all business.

I say with very great frankness that it seems to me what we need to-day is more busy hands, more whirring wheels, more of industry, more of production; and I say that I do not believe you can promote investments of capital and development of business by serving notice upon every man who has a dollar to invest that the moment he invests it he must come under Government control. We may talk about how we would like to have things, but you can not ignore the plain facts of life. A man with a fortune of a million dollars to invest to-day in a business may be quite willing, in order to secure the profits that he believes he can harvest, to take the chances of loss if he is allowed to run his own business, subject, of course, to the great general laws which punish a man or punish a corporation for undertaking to create monopolies or to corner industries or otherwise violate the law. But if you serve notice upon every man who contemplates investing money in this country that if he invests his money the next day he may be compelled to take out a license to do business and that the license management or control can then direct him as to the method of running the business, regulate his profits, and fix his prices, it is my opinion that the passage of a law of that kind will stop investment and stop development.

You can very properly pass laws—and we very properly did pass laws—that would punish the proprietor of a business who sought to use his power in such a manner as to close the markets of a free people, and the statute books, not only of the Nation but of the States, bristle with laws of that kind. No man engaged in business has any right to violate those laws or to want to violate them. That sort of act is not legitimate business. But when it is proposed to say to the business of this country, in the very period when we need expansion and we need production, that "before you can engage in business you must take out a license and put yourself under the control of some Government agent," I believe that the business men and manufacturers of this country will hesitate a long time before they will invest their money in enterprises.

It is against mistakes of that kind that I am appealing to the Senate, perhaps without any effect, but with the honest purpose of trying to bring ourselves back to the thought which I expressed here in 1917 that great fundamental laws can not be set aside and that the evils of to-day are largely evils growing out of the war, from which we must for a while suffer. I believe, sir, that if we will sit steady in the boat, if we will encourage factories to produce and farmers to raise crops, if we will get the business of the country back into the hands of the men who created the business and who know how to run it, we will by this means stimulate production in our country, and after a short time we will find that the gap between production and consumption is being filled. It can not be done in a day. We clamored to get our boys back from the front, and the great majority of them are here now, but it takes time for them to get located in business and to get back to production, and it takes time for that production to reach the markets. Great benefit will come from this in a few months' time. Still, we are going to have an era of high prices until the circulation of the world gets back to normal, and we will have an era of high prices until production has caught up with consumption.

OIL AND GAS LANDS.

Mr. SMOOT. Mr. President, I move that the Senate proceed to the consideration of Senate bill 2775, to promote the mining of coal, phosphate, oil, gas, and sodium on the public domain. I wish to announce to the Senate that I have no desire to continue the consideration of the bill to-day, but simply to make it the unfinished business, and I shall then ask to lay it aside for the present.

The PRESIDING OFFICER. The Senator from Utah moves that the Senate proceed to the consideration of Senate bill 2775.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Lands without amendment.

Mr. SMOOT. I ask unanimous consent that the bill be laid aside temporarily.

The PRESIDING OFFICER. Without objection, that will be done.

HIGH COST OF LIVING.

Mr. WILLIAMS. Mr. President, about two hours ago, while he was still speaking and that much before he finished, I thought I wanted to say a few words in answer to the Senator from Missouri [Mr. REED], or, rather, not so much in answer to him as in parallel of line with the argument he was making. I think I would have given up the hope after the long delay of his speech but for the fact of a little loss of temper upon his part and a remark which he made to the effect that I "strolled into the Chamber two or three times a day and asked somebody a question." I hope the Senator will regard it as no discourtesy for me to say that while there may be a modicum of truth in that, it is not quite as bad as strolling into the Chamber about twice a month, as he does, and then making a two-hour speech, and then leaving, as to-day—about nine Senators listening—going on back "to the great arena of the United States" to carry on his crusade against the world's peace—a rather expensive crusade, I imagine.

I do not mean that to be in the slightest degree discourteous. It is merely tit for tat, the Senator will understand, and carries with it not merely a modicum of truth, as what he said did, but the whole truth. Nothing was more uncalled for than what the Senator said about that, and I hope he will think so himself after a bit.

Mr. President, there is nothing single, there is nothing simple, but everything is complex in great world affairs and in great economic questions. The man who goes out to find a panacea for a world trouble is a man who does not know anything about what he is trying to do. It certainly required no great, labored argument to establish what the Senator calls the Fisher law, which is not Prof. Fisher's law, but God's law, to the effect

that the more dollars there are in the world, other things remaining the same, the less value dollars have and the more dollars it takes to purchase a unit of the other things. It required no labored argument for that, not even the half or three-quarters of an hour the Senator spent on it, and nobody will deny that that is one of the reasons of the present high price of products, price being defined to be the value of the product as measured in dollars, although the real value of the commodity as measured in other commodities may not have increased at all. The Senator spent some time to-day and some time once before in useless talk to establish that. Everybody acknowledges that that is not only true, but a truism.

Mr. President, there are frills and embroideries in the present situation, but the fundamental consideration is this: You can not waste five years of mankind's life or of a great part of mankind's life; you can not waste men themselves, and raw material, and finished products without increasing the price of raw materials and of finished products and of human labor all over the world. That is the fundamental trouble with the present situation, because that goes to the real value of things. One of the fundamental troubles with prices is the increase in the number of dollars, and that does not go to the real value of commodities as measured against one another in the market. But when you decreased the number of men and wasted raw material and wasted finished products you increased the scarcity of things themselves—real value—and you increase the difficulty of getting them, whether with the same number of dollars that you had before or with more dollars. Of course, the number of depreciated dollars was more increased than the real number of commodity values.

Going to the very fundamentals of it all, there is no way of getting back permanently and fundamentally to normal conditions except by replacing the labor killed, crippled, or lost either with men or machinery, and replacing the lost or wasted raw material by new production, and replacing the lost or wasted finished products by new manufactures. It does not require any labored argument to establish all that to any man who has ever grown up to be grown and who has thought a little bit about values and about economics, though we have just listened to one.

But, Mr. President, there are some "frills and embroideries," as I have said, and they have something to do with the matter—temporarily at any rate. One of them is the speculator who is forestalling the market and keeping products off the market by keeping those products in cold storage. He does not amount to so much in comparison with the increase of prices by the increase of money or with the increase of values by the production of scarcity, but he amounts to a great deal to the woman who goes to market in the morning.

I could not pay a higher tribute to the Senator from Missouri [Mr. REED] than to say that some little time before he sat down—about an hour before—while he was treating of the prices of products, I was almost convinced that my living and marketing and clothes, the sweetening for my coffee, the bacon for my breakfast, beefsteak, if I were rich enough to buy it, for my dinner—I have not bought any for a month—I could not pay any higher tribute to him than to say that I almost felt convinced by his plausibilities that I was mistaken about all that and that those things had not increased in price to me at all.

Then the Senator undertakes to tell us another reason for it. He tells us we have sold an immense amount of goods to Europe. Well, we have—much to our benefit, much to Europe's benefit—but we have sold our surplus; and the fact that it was a surplus was proven by the concession which the Senator himself made, that the value and volume of products to-day in the warehouses and in cold storage is greater than it was a year ago.

Of course we sold our surplus to Europe. We needed to sell it. Europe needed to buy it. It was a blessing to all humanity that we had it, and that they had the money to pay for it. It would have been a blessing to all humanity even if we had had to go short a little bit in order to do it. This world is no more divided into separate nationalities when it comes to eating and wearing clothes than my family and the family of any other Senator here constitute separate entities in the city of Washington when we go to market to buy bread, sausage, or cabbage. This world passed the stage long ago where restricted markets here or there spells prosperity or calamity for me or for you. It has gone to the point where world conditions regulate the value, abundance, or scarcity of things in all civilized countries. They may have very little effect in parts of Persia, and very little effect in parts of Manchuria, but in America, in Great Britain, in France and Italy, they have their inevitable and unavoidable effect.

I wanted to say these few words now not so much in answer as equal argument with what the Senator has said. I agree with him perfectly about the fact that we must not lose our equipoise, that we must not begin to imagine that we can find panaceas for these troubles. There are just these cures, and these only, to replace the man power by machinery where it can not be replaced with men; to reproduce in agriculture the lost raw material—and it takes time for both things, a longer time for the first than for the second—and to renewed production of finished products in the manufactories of the world. Until that all comes about, and especially the reproduction in agriculture, you can not have the status that there was before the war, and you never will have quite those conditions any more, for that status will never be completely reproduced, because in addition to the fact that a man lives by bread and by wearing clothes and by working in factories and on farms, he also lives psychologically, and an immense change has taken place in the mental aspect of the average man toward society and industry themselves.

Mr. President, I shall vote for everything that comes before the Senate that is not mad and that is not unwise that puts some termination to the period during which these speculators can store up products, keeping them out of American consumption, hoping for 20 or 30 per cent rise abroad, or keeping them out of American consumption hoping for 20 or 30 per cent rise here. Of course I expect violent opposition to that from Chicago and Kansas City and their spokesmen and representatives.

I shall vote for anything that is reasonable and not mad which will punish profiteers, men guilty of such unconscionable bargains that it amounts to theft in substance. But I shall not forget that while it is going on the things that must save us in the long run, which taken together constitute common sense as opposed to plutocracy on the one side and Bolshevism on the other, are work, thrift, and saving. I saw the other day a story about a woman complaining to somebody on the car that she had had to pay 15 cents for an apple, and the old man to whom she was talking said, "Well, why didn't you let the apple alone?" If anybody is fool enough to pay 15 cents for an apple, apples will stay at 15 cents and finally go up to 20 or 25 cents.

There are a whole lot of things you can do without. I went to buy a pair of shoes the beginning of this summer and they wanted $9, or whatever the price was—away up yonder. I said no, I will wear my last summer's shoes, and I am wearing them, and if the prices bother me much I will wear them next year.

You can not, if you will thrive, get away from the old plain common-sense virtues of economy and thrift. You may have all the demagogues, and you may have all the panacea preachers, you may have all the so-called economic teachers, and everybody else talk to you forever, but you have got to come back to Benjamin Franklin's philosophy, and the whole American people have got to do it. That means that the man who would be prosperous must manage his affairs if he can so that he will have a dime over at the end of the week or month and not be a dime in debt.

Somebody suggested the other day in one of the papers that H. C. L., indicating high cost of living, ought to have another H put to it—high cost of high living. I see people every day on street cars and everywhere else who are dressed in extravagant clothes, who are smoking extravagant cigars, who during the war made a sacrifice, ate less sugar and less bread, who did without flour bread in order to help the world, who are now paying any price that anybody asks them for anything. Just quit it. You can not go barefooted, of course, but if the worst comes to the worst, wear brogans. Take the profit out of profiteering by the old-fashioned simple plan of being an honored, honest man, and the honored and honest man does not live beyond his means if he can help it.

There are many things that can be done. The President has suggested some of them. There are more that can be suggested. But after you have gotten rid of all the frills and all the embroideries of the cloth, you have to get to the cloth itself after a while; and, in order to get to that, you have to reproduce; and, in order to reproduce, you have to work; and you have got to pay, and, in order to pay, you have got to save. I think sometimes about how foolish we were after the war had virtually ended. When the war had been going on four or five months and we were trying to save wheat-flour bread, I just said to myself, "When I was a boy, when the Confederacy was on its feet, I lived for two years without flour, and I can do it now"; and during the balance of the war I never ate a piece of wheat bread, and a whole lot of people cut themselves down to "wheatless days" and "sugarless days" and various other things. We got so we put two lumps of sugar in our coffee

when we used to have three before. I used to think I could not drink a cup of coffee without three lumps of sugar in it, but I got so I really rather liked it better with only two lumps. I went through the whole war in that way. Why did I not continue it until now? Turned fool; "got rich" on the anticipation of peace and tried, like the balance of the great mass of the American people, to "keep up with Lizzie."

The Senator says we used just as much sugar during the war as we had used before. I know that Yazoo County, Miss., did not use as much, and I do not believe any other part of the world did, partially because they could not get it and partially because we were performing the sacred duty of self-sacrifice in order to overcome barbarism in the world by winning the war.

Now, I will go to an altogether different subject.

LEAGUE OF NATIONS.

Mr. President, some of you know who Frederick Palmer is. He was a war correspondent during the Japanese-Russian War and he has been a war correspondent during this war. He has written the most sensible, well-reasoned, and, in certain parts of it, the most brilliant defense of the league of nations that I have read. I do not want to take the time of the Senate to read it. I want to insert it in the RECORD with a special request to the readers of the RECORD that, notwithstanding the fine print in which it may be printed, they will read it, because it will pay them to do so.

The PRESIDING OFFICER (Mr. GAY in the chair). Without objection, leave is granted.

The matter referred to is as follows:

"FREDERICK PALMER SAYS THE LEAGUE OF NATIONS CONCERNS THE WHOLE STRUCTURE OF WORLD CIVILIZATION.

[By Frederick Palmer.]

["Frederick Palmer, perhaps the most widely known of American war correspondents, has had perhaps a larger experience of conflicts than any other man living. He covered the Greco-Turkish war of 1896, the Philippine campaign, the Boxer uprising, the Russo-Japanese war, various uprisings in Central America, and the first and second Balkan wars. In the first year of the Great War he was the accredited correspondent with the British Army representing the press of the United States. Soon after we entered the war Gen. Pershing appointed Palmer chief censor on the general headquarters staff, with the title of major. He is the author of a number of books. His 'America in France' is a fine story of the work and services of our Army in the great conflict.]

"We are making the league of nations a partisan question when it is no more partisan than fresh air for school children or laboratory experiments to find a cure for tuberculosis or snake bites. It no more revolves around a single statesman's personality than the president of a railway is indispensable to the daily schedule of trains. Woodrow Wilson is one man, and 10,000,000 men have died in battle on the Continent of Europe. He is 60 years old, with perhaps 20 years of life before him. The league of nations concerns the life and livelihood of billions of human beings for generations to come and the whole structure of world civilization.

"I have voted the Republican ticket, and I may connect the responsibility of the Democratic administration with the management of the post office, but I refuse to rely exclusively on this administration or on any political party, grooming for the campaign of 1920, for the future welfare of American humanity or humanity in general.

"We are told that the World War was inevitable. If so, it was the product of the old system. Do we want to continue the old system in order to make another world war inevitable? Or are we going to try a new system? Many observers in Europe hold that if the new system—the league of nations—had been in existence in 1914 we should have avoided the cataclysm which has immersed the wreckage of nations in the blood of their sons. This supposition of itself calls to the imagination of every progressive human being.

"The soldiers who fought in Europe were fighting to preserve their children from another such war, as I have heard them say again and again. That was their sense of self-preservation, the preservation of humanity from a repetition of the late orgy of human slaughter. The cry of the allied cause was not loot, as in the old days, but to end war. All allied propaganda in this modern antitoxin age found that it must avoid any reference to the glory and adventure of war, which once had its appeal to that human nature which the cynics say can not be changed. Shall we be true in action to the thought which was the inspiration of the allied cause, now that the cause has won?

"Now, in these days, when dirigibles and planes are crossing the Atlantic and drawing the nations still closer together, the statesmen and generals who foregathered to make a treaty of peace under the direct mandate of modern sanitary democracy did not follow in the reactionary steps of the Holy Alliance. Instead of restoring fallen kings to thrones they devised a covenant of a league of nations which looks forward to a universal era of counsel and democracy in which each nation shall be made secure in self-government in its own land. Are we to invoke the Monroe doctrine against the very principle which it was meant to defend?

"The purpose of the league of nations is to try to stop war. To try to stop war! Are we against trying? Those who say that The Hague conference and other methods devised in the past have failed only open the way for argument against their contention. Diplomacy has not stopped all wars, but it has stopped many wars. The Hague conference was not a failure any more than any other effort, including any book or play or talk or legal disquisition or newspaper editorial, which had for its object the teaching of peace or the devising of means to insure it. Within recent times the Venezuelan dispute, the Agadir incident, the Japanese school question, the Canadian frontier dispute, the Persian question, the firing of the Russian fleet on British trawlers—all were incidents which in the old days might have put the match to powder.

"There were two great influences which I observed at the Paris peace conference. One was the passions of the old human nature, which cynics say can never be improved—and, therefore, if their advice were followed, would not be improved—with its racial hates, its suspicions, its predatory desire for annexations, and its spirit of revenge seeking retributory punishment for a beaten foe. The other sought to counteract and minimize all these influences which would breed future wars and to draw the nations of the world together in an agreement that would be worthy of the dreams of a lasting peace of the men who had given their lives to end war.

"In the complex and bubbling play of forces, whether narrow and medieval or farseeing, which required long discussion and compromise, the United States, with no territorial objects to gain, had an arbitral, pacific, and mighty part. The league of nations had to become an inseparable part of the treaty. As Mr. Wickersham soon found when he went abroad in a critical mood, this could not be otherwise in the practical working out of negotiations, as everyone else who has followed the peace conference knows. Though the covenant is far from the desires of extreme pacifists, who forget how arduous progress must be, it is the most forward practical step in international peace ever taken.

"The old objects of conquest and the old grounds of suspicion are largely removed. The German and Austrian Empires, formed according to the old system by the forcible annexation of conquered peoples by armies formed around royal dynasties, are resolved into as many States as there are races or people with language or practical interests in common dwelling within recognized territorial areas. Intolerable as is the Shantung provision, we must rejoice that far less than ever before, where the mixture of races leaves the location of boundaries in doubt, is the decision to be by barter of human beings at a council table. The doctrine of self-determination is invoked in the place of intrigue and bloodshed. While the citizens are not to decide as to their future nationality in all the disputed areas, the method is to be applied in five of the cases. How far public opinion may progress is shown by the declaration of thrifty, wise, and happy little Denmark, that she does not wish to annex a part of Schleswig, which is peopled by Germans.

"This is a wondrous thing—a thing to make Louis XIV, King George III, and Frederick the Great turn in their graves, while William Hohenzollern saws wood at Amerongen. Indeed, it shows that if human nature has not changed, its method of expression has changed. A hundred years is not a long time in the history of this old planet, but it is only a century and a half since George III on his throne stood for taxation without representation, and Frederick the Great on his made wars of annexation the business of Prussia.

"Carrying a step further the common law, which does not permit a man to overrun his neighbor's property, and a step further the Constitution of the United States, which does not permit the big State of Pennsylvania to overrun the little State of Delaware, the league of nations will not permit one of the stronger old nations to overrun one of the small young nations, to which the covenant and the treaty gave birth. It is more than a step—a stride—of a significance we hardly realize, so accustomed have we become to sensational events within the last five years.

"Is the Nation which freed Cuba and set her on her feet, which returned the Boxer indemnity to China, which brought

popular education and sanitation to Porto Rico and the Philippines, which has sent its missionaries and teachers to distant lands, to repudiate the covenant, a covenant so eminently in keeping with its traditions and ideals?

"But may we not be required to police Armenia or Esthonia? Does not the league mean that we shall be drawn into another European war? The old system, not the new, prevailed when we were drawn in in 1917. The object of the new system is to avoid the repetition of this event. The world has grown smaller, the relations of its nations are commercially and socially more intimate and interdependent than those of our States a hundred years ago. Any great war must now be our concern. No more than in face of our pioneer movement westward the Mississippi Valley could escape inclusion in our Nation can we now escape inclusion in the world State.

"I am not one of those who pretend that I know what Lincoln would say about the league of nations if he were on earth to-day. His 'with malice toward none and with charity for all,' and every line of his Gettysburg speech breathe anything but adherence to the old system. Nor do I know what Washington would say, though, of course, many Senators do. His warning against entangling alliances was spoken while we had 3,000,000 Colonists, when the nations of Europe, each stronger than we were, were engaged in a struggle for a mastery which would leave the victors prepared to punish any outside interference. Washington's object of the moment was our security. That is precisely the object of the league of nations to-day.

"If for no other reason, I am for it in the interest of my pocketbook. Every American should be for it if he wishes to prosper. We have become the great creditor Nation of the world. Instead of borrowing from Europe, we are using the interest money which Europe with its developed resources used to receive, to develop our own unlimited resources. There is nothing for us to gain and all to lose in war. Any system which secures us in our possessions without extra expense for armament is good business for us. As a Nation we have not forgotten to remind the other nations that we stand for peace and good will and for all the principles that will give people the free enjoyment of self-rule. Shall we, who have preached loudly, show little faith in practice? For us to stand out from the only league of nations now to be had is to say to Europe that we are strong enough to go alone. It is striking an attitude of defiance. It is making us a partisan of the old system. Such action will confirm all the defenders of the old system in Europe in their espousal of force as the guiding factor of nations and will discredit all the elements that are working for progress.

"The advocates of the old system, given the opportunity, will be prompt to excite fresh enmities and new selfish alliances among the nations. Do not forget that Prussia and France once had an alliance. Italy was the ally of Germany before this war began. France and Great Britain were at swords' points over Fashoda only 20 years ago. It is only a short time since the pens of British jingoes—later to acclaim the Czar's victories over the Germans as blows for freedom—were spilling their bile over that monstrous autocracy threatening India, Persia, and Constantinople. Political combinations will change rapidly in Europe if we revert to the old system. Europe is hungry and poor, with opinions singularly subject to the emotions which are the legacy of the war. Nations thinking of their dead and seeing us rich from war with losses slight will hardly favor the new system when we turn against it.

"Do we want to excite the predatoriness of all the world against us when we have a land capable of supporting five times our population? This is not an idle question, as anyone who has recently been in Europe well knows. It is a burning question which we must answer now in face of future results. If we are to say, 'Yes, after all we are for the system,' then we must stint our appropriations for roads, schools, and public health and better conditions for our workers, increase our taxes, immediately establish universal service, and build vast fleets for the protection of our exposed coasts against assaults.

"As for American mandatories for Armenia—does that really sound sensible? Once Europe's equilibrium is restored, does any one think that European pride would welcome American soldiers policing a region which naturally belongs in the domain of European interests? This talk of our having to police Europe under the league of nations is a catch phrase, developed from the sniping on the side lines at the peace conference by army staffs and propagandists of selfish national interests under the influence of the old system in order to win American adherence to certain European annexations.

"Our mandatories will be on our own continent. This stands to reason, and we must leave something to reason and good will or we can never carry out the league of nations. Mexico is in turmoil. Hitherto any suggestion that we put her on her feet has met with the outcry from the great progressive nations of South America that our action was the opening wedge for the conquest of the continent. Under the league of nations any measures that we may take for the betterment of conditions in any backward American State which needs a helping hand to start it on the right path will be under the guaranty of the supreme court of the United States of the world. Our good faith will be vouched for by our fellow nations. The diplomatic intrigues between European and Latin-American nations which each has considered necessary to protect its own interests under the old system will cease to exist, because they will be as superfluous as preparing dugouts against bombardments from Mars. Our intervention will be in the same category as relief measures for a disaster by flood or fire within our own territorial domain.

"Undoubtedly there are flaws in the league. The Shantung provision is odious. I have read and reread article 10 without seeing in it the danger which others have found. If reservations must be made, then make them without weakening the great principle which is the guiding force of the league.

"But why should not the Senate divide on the issue itself rather than as Republicans and Democrats? Some Republicans who think that they have foresight are asking why the Republican leaders in the Senate should allow Woodrow Wilson to make the league his political property. If William Smith, Republican, had been President when the world demanded a league, would the Democrats have been against it? No doubt.

"Political partisanship has been destroying our perspective. In 1916 I heard a Republican Senator say: 'A spineless President is keeping us out of the war. We ought to be in France, fighting for France with our last man and dollar.' Now he is not only against the league of nations, but particularly bitter at the thought of entering into an agreement to protect France from German aggression. It was in 1916, too, that I heard a Democratic Senator say: 'I am for keeping out to the end. We've no business over there. We'll attend to our business and let them attend to theirs. Let them go on murdering one another until they are ready to stop.' He is now a leading supporter of the league, which his Republican colleague, just quoted, says will draw us into entangling alliances. Again, in 1916 I heard another Republican Senator, now most vigorously opposed to the league, say: 'Keep down our Army! Don't excite suspicion by preparing for war. It's time for the thinking men of the world to get together to prevent such a war as this happening again.' His present attitude should warrant him in subscribing to the view of an able Army officer, who said: 'There can be no Utopia. Men will always fight. We'll make the strongest army and navy in the world—so strong that we can stand against the world and prevent another world war by the very threat of our power.' The officer spoke in professional zeal in behalf of the old system, in which he honestly believes. It is not criticizing his profession to say that I should like to see the world able to get on with fewer Army officers. We should all like to see the world with less disease, which would enable it to get on with fewer doctors.

"The officers stated the issue. It is between war and peace. If we are against the league, then let us arm. We can not be the kind of partner in the league who suspects all his other partners of trying to take advantage of him. If we are for the league, then we can not expect the first draft to be perfect. To start making reservations is to undermine world confidence in the league. We must rely on human nature, as we do in our relations with our neighbors, to meet fair play in kind. Build a wall of suspicion between two partners in any business concern and the business will not flourish. Build one between two nations and either will soon imagine that something inimical to its interests is proceeding on the other side of the wall. This leads to armaments and eventually to war. Break a highway of mutual good feeling through the wall and the two will trade and prosper, each retaining its own customs and habits.

"The league is a framework on which to build. It sets the world to thinking of peace and planning how to maintain peace, rather than thinking of war and planning war. It may not prevent the laying of mines, but it is at least a mine sweeper. It will be as strong as the faith of public opinion in its ability chooses to make it. Whoever has seen the ruins in France and the streams of wounded from the fields of battle and the dead lying on the field feels too deeply about the most ambitious and practical effort to stop war that has ever been devised not to speak his word in its favor. I believe in the league because I believe in the human race and human progress."

STRIKES AND LABOR CONDITIONS.

Mr. THOMAS. Mr. President, apropos of the discussion of this afternoon I want to refer for a brief moment to a statement appearing in the New York Sun of this date. It is entitled:

Gravediggers quit—demand more pay—forty at Mount Olivet Cemetery strike for 50 cents increase a day.

The article proceeds:

Another strike of gravediggers was reported yesterday from Mount Olivet Cemetery in the Maspeth section of Newtown, Queen's, when 40 men, most of them foreigners living in the district, laid down their shovels and walked out of the graveyard because cemetery officials refused to increase their wages from $4 to $4.50 a day. They then picketed the entrances and tried to prevent other men from entering, but Superintendent Chamberlain managed to find some more men to dig the graves. Cemetery officials said that by working night and day with the emergency force they would be able to keep up with the burials as not many people are dying now.

That seems providential under the circumstances.

The article proceeds with a reference to a Manhattan strike of painters for a 44-hour week; with a strike of 500 gasfitters, helpers, jobbers, and drivers employed in the meter department of the Brooklyn Gas Co.; and of 48 men in the repair department of the Flatbush Gas Co.; and at the end of the column I find a telegram from Pittsburgh announcing that "the motormen and conductors of the Pittsburgh Railway Co., in session here to-day and to-night, voted almost unanimously to go on strike at midnight."

Yesterday morning's papers informed us that a committee of physicians had been appointed in New York to consult with the organizers of the American Federation of Labor with a view of forming a doctors' union to affiliate with that organization, doubtless for the purpose of improving the condition of the physicians of that city and incidentally in agreeing upon a generous scale of compensation for professional services. All the actors of the city of New York are out on strike, and they are indulging in the same methods which are characteristic of strikes by humbler workers of the world.

Mr. President, it would seem from these statements, which are but a few of many of similar character, that the world has caught the contagion of a strike disease and is responding to it with a unanimity that suggests that the Government is becoming one of the strikers, for the strikers, and by the strikers.

Every combination which suspends its activities, whatever the alleged grievance, only contributes to the general unrest and to the pressure upon production. It is a melancholy spectacle to contemplate that in this country there are more of these occurrences than ever known in its economic history; and yet there is more money in circulation, wages are higher, there are more evidences of luxury and extravagance; there is a better trade in comforts, such as jewelry, automobiles, and expensive apparel; the theaters are patronized as never before; and instead of a general condition of suffering and starvation there is a general condition of prosperity, punctuated here and there by suffering consequent upon the stationary character of compensation to some as compared with the constant rise of prices of the necessities of life.

I of course know that calling attention to this situation may not improve it. At the same time we must recognize that it can not go on forever, and that if continued during the summer months in the same proportions which now prevail real suffering will be acute when winter comes on, because of the decreased production and a decreased supply of things that are necessary to carry us through the cold and inclement season.

The Bolshevist declares—and in that expression I include the I. W. W.—that the rise in the demand for higher wages must be continued until they shall absorb all the fruits of production and by that means compel a transfer of all property to them through universal bankruptcy. I am not contending that these occurrences are actuated by any such motive, although I am inclined to suspect that some of them are. But whatever the motive, the conclusion is obvious, for just so soon as demands upon production reach a point where everything which induces man to produce is absorbed by the demands made upon it, just so soon will production cease.

On the other hand, if everybody is to be subject to this infection, take it everywhere and get it behind us. We might set the example here and bring matters to a climax. Everybody else is striking; why not the Congress of the United States? Suppose the House and the Senate form a congressional union, differing somewhat from the late congressional union of unhappy memory, and quit legislating until we can be assured of improved conditions and better pay, and, above all, until we receive a guaranty of our reelection in the year 1920. Perhaps the Foreign Relations Committee could bring matters to a climax upon the treaty by going on a strike and force the President to accede to their demand. Perhaps they would make a report more expeditiously by that process.

That seems ridiculous. Yet policemen in this city last night were engaged in forming an association to affiliate with other associations. The policemen at Chicago formed a union some time since. The guardians of the public peace in nearly all the great cities either have done or are doing the same thing. They affiliate with larger confederations and become subject to its orders and requirements, with the result that when a sympathetic strike occurs the guardians of the people, those whose business it is to see that the laws are observed and life and property safeguarded, are faced with the alternative either of performing their obligations to the Government, which ought to be the first consideration, or of obeying the conflicting orders of that industrial organism of which they are a constituent part.

I believe, Mr. President, that official unions, whether State, municipal, or Federal, found and uniting with industrial or economic organizations carrying obligations that must conflict sooner or later with those public duties which they owe to the Government and for which they are paid, should be rigidly prohibited and the prohibition enforced.

The tendency, however, has gone so far, and the absence of any protest against it has been so notable and continued, that I suppose no suggestion of that kind will now be heeded, much less acted upon. But it is a melancholy commentary upon the social and industrial conditions of America that in these times of prosperity—for we have a genuine prosperity, although it may be artificial—so little regard is paid to the wants and requirements of the great body of American consumers. The child is deprived of its sustenance through strikes, and the bodies of the dead can not find interment while men cease to work and wrangle over demands which, if just, can so easily find satisfaction by other methods and if unjust should not be made at all.

This can not, Mr. President, go on forever. I trust that common sense will return to the masses before long, and that men and women everywhere will again perceive that obedience to law is not only the first duty of the citizen but is the surest means of accomplishing his purposes and of securing his happiness. Unless that be done, the turbulent minorities, which seem everywhere disinclined to submit to the good old democratic rule of the majority, will by their conduct only make matters worse. Conditions are approaching a crisis, which I trust will soon have been reached and passed.

ADJOURNMENT TO MONDAY.

Mr. CURTIS. I move that when the Senate adjourns to-day it adjourn to meet on Monday next.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 4 o'clock and 30 minutes p. m.) the Senate adjourned until Monday, August 18, 1919, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate August 15, 1919.

SECRETARIES OF EMBASSY OR LEGATION.

CLASS 4.

Harold M. Deane, of New Haven, Conn.
James C. Dunn, of New York City.
Barton Hall, of Kansas City, Mo.
Myron A. Hofer, of Cincinnati, Ohio.
Jay Pierrepont Moffat, of New York City.
Wallace S. Murray, of Columbus, Ohio.
Mitchell Park, of Big Springs, Tex.
Frederick F. A. Pearson, of Newport, R. I.
Walter H. Schoellkopf, of Buffalo, N. Y.
Richard B. Southgate, of Worcester, Mass.
Wesley Merritt Swift, of the District of Columbia.
Alan F. Winslow, of River Forest, Ill.
Edward C. Wynne, of San Francisco, Calif.

ASSISTANT ATTORNEY GENERAL.

Francis P. Garvan, of New York, to be Assistant Attorney General, vice Samuel J. Graham, resigned.

COLLECTOR OF CUSTOMS.

Herbert C. Comings, of Richford, Vt., to be collector of customs for customs collection district No. 2, with headquarters at St. Albans, Vt. Reappointment.

CONFIRMATIONS.

Executive nominations confirmed by the Senate August 15, 1919.

CONSUL.

CLASS 8.

John P. Hurley to be consul of class 8.

JUDGE OF THE CIRCUIT COURT.

James J. Banks to be third judge of the circuit court, first circuit of the Territory of Hawaii.

UNITED STATES ATTORNEY.

John A. Fain to be United States attorney, western district of Oklahoma.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Ensign Raymond S. Thompson to be a lieutenant (junior grade), for temporary service.

Ensign Thomas O. Brandon to be an ensign, for temporary service.

Ensign Edgar L. Adams to be an ensign, for temporary service.

The following-named warrant officers to be ensigns, for temporary service:

John E. Fredericks,
Samuel Gregory, and
Joseph E. Halliman.

Gunner Andrew Radowicz to be an ensign, for temporary service.

Gunner William J. Medusky, of the United States Coast Guard, to be an ensign, for temporary service.

The following-named ensigns of the United States Naval Reserve Force to be ensigns, for temporary service:

Charles Y. Dyer and
Ralph P. Noisat.

The following-named officers of the United States Naval Reserve Force to be assistant surgeons with the rank of lieutenant (junior grade), for temporary service:

George M. Murray,
Henry T. Stull,
George E. Mott,
Henry L. Klein,
Harris M. Carey,
Frank A. Hughes,
William A. O'Brien,
Waldron A. Cassidy,
Robert F. Sledge,
John W. Daugherty,
Walter E. Divine,
Anthony M. Menendez,
Gordon H. Lightner,
Roger H. DuBose,
William F. Leigh,
Charles F. McCuskey,
Ausley L. Denton,
Charles M. Atchison,
Harry L. Farmer,
Ralph M. Christie, and
Robert M. Goldberg.

The following-named officers of the United States Naval Reserve Force to be assistant dental surgeons with the rank of lieutenant (junior grade), for temporary service:

Roland W. Quesinberry,
Edward J. Noonan,
Charles W. Rodgers,
Pyrle A. Fowler,
Frank V. Davis,
Benjamin F. Loveall, and
Walton C. Carroll.

The following-named acting pay clerks to be assistant paymasters with the rank of ensign, for temporary service:

Albert H. Richter,
Charles J. Wacker,
John E. Wood,
Matthias A. Roggenkamp,
Harold C. Nourse,
Eugene L. Horan,
Stephen R. Edson,
William D. Wilkinson,
Francis M. Waldron, and
Harold D. Burroughs.

The following-named officers of the United States Naval Reserve Force to be assistant paymasters with the rank of ensign, for temporary service:

Victor B. Gilman,
Edwin A. Eddiegorde,
Harold A. Rigby, and
Henry C. Davidson.

Lloyd R. Moore to be a chief boatswain, for temporary service.

The following-named boatswains to be chief boatswains, for temporary service:

Walter E. Carlton,
William Johnston,
Clarence H. Crawford, and
Fred C. Waterston.

The following-named gunners to be chief gunners, for temporary service:

Arthur W. Lindstrom,
Harold McCutheon,
James Clancy,
Raymond Cole, and
Edward W. Wintermute.

The following-named machinists to be chief machinists, for temporary service:

Eugene J. Byrnes and
Robert T. Cupples.

The following-named carpenters to be chief carpenters, for temporary service:

John Conboy and
Benjamin B. Britt.

Chief Carpenter Harold Dillon, United States Naval Reserve Force, to be a chief carpenter, for temporary service.

The following-named pharmacists to be chief pharmacists, for temporary service:

Thomas C. Hart,
Walter W. McKee, and
Artie R. Leh.

The following-named pharmacists to be chief pharmacists, for temporary service:

LeRoy M. McCallum,
Wilfred G. Gilliam,
Max E. Zimmerman,
Clarence J. Owen,
Ernest H. Pennington,
Clive C. Alexander, and
Raymond Watson.

The following-named acting pay clerks to be chief pay clerks, for temporary service:

Lewis R. Benson,
John J. S. Fahey,
John T. Alexander,
Carl S. Baker, and
Theodore P. Witsil.

Machinist Frederick C. Lutz to be a lieutenant on the retired list of the Navy, for temporary service.

Commander Percy N. Olmsted to be a captain.

The following-named commanders to be captains:

Edward S. Kellogg, and
David F. Sellers.

The following-named lieutenant commanders to be commanders:

Richard D. White,
Henry N. Jenson, and
Percy W. Foote.

The following-named lieutenants to be lieutenant commanders:

Rufus W. Mathewson,
Russell S. Crenshaw,
Herbert S. Babbitt, and
William O. Wallace.

The following-named lieutenants (junior grade) to be lieutenants:

Marc A. Mitscher,
Benjamin Perlman,
Thomas L. Gatch,
Charles F. Greene,
Laurence Wild,
Stewart F. Bryant, and
Horace W. Pillsbury.

Ensign Roswell H. Blair to be a lieutenant (junior grade).

The following-named warrant officers to be ensigns:

Ola D. Butler,
Quintus R. Thomson, jr., and
Charles King.

Acting Chaplain Eugene S. Burke to be a chaplain with the rank of lieutenant (junior grade).

Acting Chaplain Milton O. Alexander to be a chaplain with the rank of lieutenant (junior grade).

The following-named assistant civil engineers to be assistant civil engineers with the rank of lieutenant (junior grade):
Fritz C. Nyland,
Ira P. Griffen,
Carl F. Fritch,
Carl H. Cotter,
Louis B. Hyde,
Lewis Thornburg,
Charles R. Johnson,
Frank F. Addicks,
Henry Brinkmeyer, jr.,
John B. McTigue, and
Theron A. Hartung.

The following-named machinists to be chief machinists:
Fred San Soucie and
Percy R. Abrams.

Pay Clerk Mason E. Mitchell to be a chief pay clerk.

Lieut. George Joerns to be a lieutenant commander on the retired list.

Lieut. (J. G.) Ignatus T. Cooper to be a lieutenant on the retired list.

Ensign Shirley A. Wilson to be a lieutenant on the retired list.

Machinist Frederick C. Lutz to be a chief machinist on the retired list.

Pay Clerk Beverly W. Jennings to be a chief pay clerk.

POSTMASTERS.

CALIFORNIA.

Myron P. Meacham, Altadena.
Stella D. Wilson, Arcadia.
William E. Perry, Artesia.
Charles L. Gassaway, Banning.
James A. Kelly, Beaumont.
Charles G. Clyne, Benicia.
Peter D. McIntyre, Blythe.
Luella Mann, Boulder Creek.
Anna M. McVeigh, Brea.
Owen Kenny, Calistoga.
Benjamin F. Hudspeth, Chico.
William A. Dickey, Chino.
Ira J. Cree, Claremont.
Wellington E. Hiatt, Cloverdale.
Katherine S. Bell, Clovis.
Harry G. Hastings, Coachella.
Charles H. Guy, Concord.
Virginia H. Gould, Cottonwood.
Daniel F. Stafford, Covina.
George E. McElroy, Dixon.
Evelyn Mitchell, Dos Palos.
Samuel J. Hindman, Englewood.
Albert O. Peterson, Escalon.
Rosalia A. Crandall, Etna Mills.
Willard Wells, Eureka.
H. P. Martin Eriksen, Ferndale.
Phillippe P. Roche, Fillmore.
William W. Ware, Fort Bragg.
Charles H. Coffey, Gonzales.
Corinne Colcini, Guadalupe.
Reuben E. Baer, Healdsburg.
Anna V. Hocker, Hercules.
Thomas C. H. De Lapp, Huntington Beach.
Cinie J. Mills, La Habra.
Nathan L. Rannells, La Jolla.
Harrington Brown, Los Angeles.
Johnnie L. Murphy, Madera.
Joseph P. Schaefer, Mayfield.
Ambrose E. Daneri, Merced.
Fred F. Darcy, Montebello.
Thomas H. Miller, Morgan Hill.
James I. C. Kennedy, Mountain View.
John E. Walden, Napa.
Fred M. Kelly, Needles.
George W. Archer, Norwalk.
Myrtle M. Evers, Novato.
Frank F. Smith, Oilcenter.
John Mitchell, Ontario.
James Fullerton, Orange.
Fred N. Paxton, Oroville.
Elgin C. Hurlbert, Pacific Grove.
Charles E. Tabler, Parlier.
Wilmot D. Wood, Paso Robles.
Edward B. Warmoth, Red Bluff.
James V. Swift, Redwood City.
Leota M. Stewart, Rialto.
Laura B. Rowden, Riverbank.
William Henson, Riverdale.
K. D. Harger, Riverside.
Joseph Galewsky, St. Helena.
Margaret C. Hamilton, San Anselmo.
George G. Hughes, San Bruno.
Ross H. Hille, San Fernando.
George E. Kirby, San Luis Obispo.
Charles D. Overshiner, Santa Ana.
Charles E. Lilly, Santa Cruz.
Harry Hines, Santa Monica.
Charles H. Gallagher, Sebastopol.
Lewis C. Poor, Sherman.
Geo. E. Meekins, Stanford University.
Charles R. Fuller, Sunnyvale.
Virgil W. Norton, Sutter Creek.
Ruby Vinten, Terminal.
Alfred W. Rozier, Tuolumne.
Ralph P. Giddings, Turlock.
William B. Hagans, Ukiah.
Daniel M. Gibson, Van Nuys.
Earnest H. Haack, Watsonville.
John J. Blaney, Weaverville.
Mary A. Thornton, Yosemite.
Nellie Hawkins, Yreka.
Valentine L. Dillon, Yucaipa.

INDIANA.

Lewis Phillippe, Bicknell.
John W. Wright, Brookston.
Stella M. Brown, Boswell.
Ellis S. Rees, Winamac.
Gilbert A. Wilson, Roachdale.

LOUISIANA.

George S. Eisely, Tallulah.

MAINE.

William F. Curran, Bangor.
Amaziah P. Stinchfield, Danforth.
Le Roy B. Smith, Greenville Junction.
Josephine C. Scribner, Newport.
Lila H. Perham, Rockwood.

MICHIGAN.

Frank H. Fisher, Caspian.
Jennie McMinn, Bessemer.

NEW HAMPSHIRE.

Charles E. Shepard, New London.

NORTH CAROLINA.

Mortimer H. Mitchell, Aulander.

SOUTH CAROLINA.

Dona T. Crosland, Bennettsville.
Joshua L. Young, Ware Shoals.

TEXAS.

Ambrose B. Culbertson, Athens.
Alta Perkins, Aspermont.
Ben I. Conner, Brenham.
Cora L. Baker, Buffalo.
Eulala Smith, Burkburnett.
John H. Young, Itasca.
Lillie E. Sanders, Jewett.
Ada Rodgers, Miami.
William H. Carpenter, Comanche.

VERMONT.

Moses E. Leary, Richmond.
John J. Gallagher, Hardwick.

VIRGINIA.

Samuel S. Brooks, Appalachia.
Thurston W. Richardson, Bedford.
Gordon E. Gilly, Big Stone Gap.
Wirt Dunlap, Blacksburg.
Clarence W. Garrett, Bowling Green.
William A. Byerly, Bridgewater.
Maurice A. Garrison, Cape Charles.
John S. Snavely, Chilhowie.
Albert N. Cocks, Disputanta.
Frederick A. Lewis, Emporia.
Charles F. Ratliff, Floyd.
Frank L. Sublett, Harrisonburg.
William R. Rogers, Hilton Village.
Aut B. Dye, Honaker.
John L. Pulley, Ivor.

Asa A. Ferguson, Lebanon.
George C. Carter, Leesburg.
Thomas S. Burwell, Lexington.
George J. Russell, Marshall.
Laura L. Keeler, Middleburg.
George L. Bane, Narrows.
Charlie F. Kitts, North Tazewell.
Edward E. Miles, Onancock.
John W. Kellam, Onley.
Leslie N. Ligon, Pamplin.
Charles C. King, Pearisburg.
Robert L. Aycock, Penniman.
John W. Anderson, Pennington Gap.
Jasper W. H. Lawford, Pocahontas.
Henry C. Humphrey, Remington.
Boyd Boggess, Richlands.
Levi B. Davis, Roanoke.
Eugene A. Hyde, Saltville.
Robert J. Northington, South Hill.
Samuel M. Donald, Staunton.
Charles N. Davidson, Stonega.
Augustus B. Buchanan, Tazewell.
Myrtle B. Sage, Toms Creek.
William H. Maffett, Vienna.
Alexander S. Hamilton, Warrenton.
James W. Sibert, Winchester.
Margaret P. C. Smith, Yorktown.

HOUSE OF REPRESENTATIVES.

FRIDAY, *August 15, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Lead us by Thy grace, our Father in heaven, through this a newborn day, that with clear vision, clean hearts, and high resolves we may put on record enactments which shall exalt the people here represented.

Let the dignity which should characterize this body obtain, through the courtesy and urbanity of its Members. In His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills and joint resolutions of the following titles:

On July 31, 1919:

H. J. Res. 147. Joint resolution to ratify and confirm, from and including July 1, 1919, obligations incurred pursuant to the terms of certain appropriations for the fiscal year 1920.

On August 2, 1919:

H. R. 5418. An act increasing the pay of printers and pressmen employed in the Government Printing Office, and for other purposes.

On August 4, 1919:

H. R. 2847. An act providing additional aid for the American Printing House for the Blind.

On August 6, 1919:

H. R. 6450. An act to amend an act entitled "An act to amend an act entitled 'An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department, approved September 2, 1914,' as amended."

On August 7, 1919:

H. R. 5228. An act granting the consent of the Congress to the city of Minneapolis, a municipal corporation, to construct, maintain, and operate a bridge across the Mississippi River;

H. R. 5648. An act for the construction of a bridge across the Rainy River between Spooner, Minn., and Rainy River, Province of Ontario, Canada;

H. R. 6342. An act to authorize the construction of a bridge across the Pend Oreille River at the town of Usk, in the State of Washington;

H. R. 6434. An act authorizing the construction of a bridge and approaches thereto across Red River about 2 miles above its confluence with the Washita River, near Preston, Grayson County, Tex.;

H. R. 6438. An act authorizing the counties of Aiken, S. C., and Richmond, Ga., to construct a bridge across the Savannah River at or near Augusta, Ga.;

H. R. 6692. An act to extend the time for the construction of a bridge across the White River at or near Forsyth, Mo.; and

H. R. 6805. An act to authorize the county of Dougherty, State of Georgia, to construct a bridge across the Flint River, connecting Broad Street, in the city of Albany, said State and county, with the Isabella Road, said county and State.

On August 11, 1919:

H. R. 5032. An act to extend the franchise in the parishes and separate congregations of the Protestant Episcopal Church in the District of Columbia.

On August 12, 1919:

H. J. Res. 165. Joint resolution to allow the payment of bills lawfully incurred for construction work actually performed or construction material actually purchased and delivered prior to the approval of an act approved July 11, 1919 (Public, No. 7, 66th Cong., H. R. 5227).

POINT OF NO QUORUM.

Mr. BLANTON. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. With the exception of the day that the President addressed Congress there has not been a quorum here in two weeks, and we had 18 Members here this morning to hear the prayer. I think we should have a quorum here to consider business, and I make the point of no quorum.

Mr. JOHNSON of Washington. Will the gentleman withhold that a moment?

Mr. MONDELL. Will the gentleman withhold that point a moment?

Mr. BLANTON. I think we ought to have a quorum, and I think the gentleman from Wyoming should help us get one.

Mr. MONDELL. I want to submit a suggestion before the gentleman makes the point of no quorum. The gentleman knows perfectly well——

Mr. BLANTON. Mr. Speaker, regular order!

Mr. JOHNSON of Washington. Will the gentleman withhold that?

Mr. BLANTON. Regular order, Mr. Speaker.

The SPEAKER. The gentleman from Texas makes the point of order that no quorum is present.

Mr. MONDELL. Mr. Speaker, if the gentleman from Texas insists that the House shall not do any business to-day——

Mr. BLANTON. Oh, no; I am not insisting on that. I should like to get a quorum.

The SPEAKER. The gentleman is out of order.

Mr. JOHNSON of Washington. Although I may be declared to be not in order, I wish to register a protest against this continued effort to defeat necessary business.

The SPEAKER. Does the gentleman make a motion?

Mr. JOHNSON of Washington. I do not.

Mr. BLANTON. I move a call of the House.

ADJOURNMENT.

Mr. MONDELL. I move that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 32, noes 12.

Accordingly, under the order made yesterday, the House (at 12 o'clock and 5 minutes p. m.) adjourned until Monday, August 18, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of State, transmitting copies of two letters received from the Spanish ambassador, each requesting a reduction of the prevailing duty upon the importation of tomatoes (H. Doc. No. 189), was taken from the Speaker's table, referred to the Committee on Ways and Means, and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 8303) granting a pension to E. Dora Cutler and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HADLEY: A bill (H. R. 8475) authorizing the reconstruction of the buildings and the replacement of the equipment at Baker Lake (Wash.) fish hatchery of the Bureau of Fisheries; to the Committee on the Merchant Marine and Fisheries.

By Mr. ESCH: Resolution (H. Res. 242) for the consideration of Senate bill 641 upon adoption of resolution; to the Committee on Rules.

By Mr. HUDDLESTON: Resolution (H. Res. 243) to provide for the investigation of charges made by representatives of the railroad employees of fraudulent overcapitalization and mismanagement of railroads, and for other purposes; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII,

Mr. WOODYARD introduced a bill (H. R. 8476) granting a pension to Ruth Maxwell, which was referred to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. FULLER of Illinois: Petition of the Catholic Order of Foresters, St. Benedict Court, No. 782, of Peru, Ill., opposing the enactment of the Smith-Towner educational bills; to the Committee on Education.

Also, petition of Warren B. Thayer, of Rockford, Ill., opposing Government ownership of the railroads and the plan of a financial partnership between the roads and the employees; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Association of Disabled Soldiers, Sailors, and Marines, concerning the Federal Board of Vocational Education; to the Committee on Education.

Also, petition of the Eli Bower Post, No. 92, Department of Illinois, Grand Army of the Republic, favoring the bill granting a pension of $50 per month to the surviving veterans of the Civil War; to the Committee on Invalid Pensions.

Also, petition of the Lithuanian Roman Catholic Alliance of America, Lodge No. 221, of La Salle, Ill., urging that the United States Government recognize the present Lithuanian Government and render it moral and material assistance; to the Committee on Foreign Affairs.

Also, petition of the Illinois State Medical Society, protesting against the provision of the Harrison narcotic law, levying a tax on physicians; to the Committee on Ways and Means.

Also, petition of the Barr Clay Co., of Streator, Ill., opposing the Nolan-Kenyon bills, to provide for a permanent United States Employment Service; to the Committee on Labor.

Also, petitions of the Illinois Association of Postmasters and John H. McGrath, postmaster at Morris, Ill., for increased compensation for all postmasters and post-office employees; to the Committee on the Post Office and Post Roads.

Also, petition of the J. D. Tower & Sons Co., of Mendota, Ill., opposing Senate joint resolution No. 57; to the Committee on Labor.

Also, petition of the Free Sewing Machine Co., of Rockford, Ill., opposing the Nolan-Kenyon bill, for the continuation of the United States Employment Service; to the Committee on Labor.

By Mr. REBER: Petitions of John Rumbavage, R. F. D. No. 1, box 36, Pottsville, Pa., and T. P. Krizananskas, 137 South Main Street, Shenandoah, Pa., relative to the Republic of Lithuania; to the Committee on Foreign Affairs.

By Mr. SINCLAIR: Petition of the National Alliance of Bohemian Catholics, Lankin, N. Dak., protesting against the Smith-Towner educational bill; to the Committee on Education.

Also, a letter from A. A. Rumreich, Pisek, N. Dak., against the Smith-Towner educational bill; to the Committee on Education.

SENATE.

MONDAY, *August 18, 1919.*

Rev. John Paul Tyler, of the city of Washington, offered the following prayer:

Almighty God, Lord of our Fathers, King of all the earth, command upon us, we beseech Thee, Thy blessing, that with eyes open to Thy wisdom we may so act this day that our Nation may be more firmly established in Thy righteousness, that our world may be blessed, that the day may be drawn nearer when Thy will shall be done on the earth as it is done in heaven. Grant this, we beseech Thee, in the name of Jesus Christ, our Lord and Savior. Amen.

The Secretary proceeded to read the Journal of the proceedings of Friday last, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

HIGH COST OF LIVING.

Mr. FLETCHER. I ask to have printed in the RECORD an editorial on the subject of the high cost of living.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Florida Times-Union, Jacksonville, Fla., Friday, Aug. 15, 1919.]

WORK AND SAVE—THE REMEDY.

"In a letter made public a few days ago, the writer, W. P. G. Harding, governor of the Federal Reserve Board, makes the most practical of suggestions on the subject of the proper remedy for the universally complained of high cost of living. The letter is addressed to Senator MCLEAN, chairman of the Committee on Banking and Currency, and among other commendable views gives expression to the following:

"Whether viewed from an economic or financial standpoint, the remedy for the present situation is the same, namely, to work and to save; work regularly and efficiently, in order to produce and distribute the largest possible volume of commodities and to exercise economies in order that money, goods, and services may be devoted primarily to the liquidation of debt and to the satisfaction of the demand for necessities rather than to indulge in extravagance or the gratification of a desire for luxuries.

"This is a very brief but none the less comprehensive proposition of a remedy for the ills incident to high prices. It is plain, it is practical. It is a remedy which every individual, man, woman, and child, can employ, and if generally and universally employed there is every reason to believe that there would be a very instant and exceedingly large measure of relief from the affliction of high prices.

"During the days and years of war the people responded very generally to the requests for sacrifice, for getting along with as little as possible of even the essential necessaries of life and without any of the luxuries, for the purpose of helping 'to win the war.' Those sacrifices did help. Of this there is no question. This being so in war time, why not make it so in peace time, not to the severe extent which many loyal patriots went in the matter of self-denial but to an extent that will do good to themselves and to the country?

"Denial and saving were practiced during war time for the good of others, that our soldiers might have all that they required and that fellow human beings might not be permitted to starve to death. Which was eminently right and proper—in the highest sense patriotic. Why, then, for the benefit of the individuals themselves, should there not be very much of this same habit of economy, of saving, of efficient work, speeded to the limit, in order that good may come to them? By this is not meant a degree of saving that partakes of stinginess and of unreasonable stinting, for which there is no call at this time. But there is a call, and one that is loud and strong, to all the people to make a halt in the prodigality of spending, of denying themselves luxuries that they can very well do without and saving the money that they are now paying out in this manner against the 'rainy day' which is sure to come sooner or later to the rich and poor alike, to the union man as well as to him who belongs to no labor organization.

"Wise men and women save in the days of their prosperity; those who are foolish waste. Sane, sensible men who work, either with head or hand, or combining both, work with all the efficiency that they are capable of in order that the product of their labor may be of the best possible and in maximum quantity, realizing that by efficient and productive service they are helping themselves to attain to higher places of employment and service and at the same time reap the rewards that come with efficient labor that is at the same time productive of the utmost amount that it is possible to produce in a given time.

"Of a truth, there is entirely too much of the inclination and practice to do as little as possible and to do that little with only sufficient efficiency to 'get by' to the pay desk, where workers of this class make demands for increased pay and shorter working periods. What is the result? That everybody, workers included, must pay higher prices for the necessaries of life, for the things they absolutely need. Were this not so, were efficiency of labor and volume of production speeded up and practiced more generally, it is reasonable to believe that prices would soon take a downward trend and that labor so given would command the maximum of compensation.

"What is here said is by no means meant to convey the impression that what is commonly designated as labor should be denied the privilege of getting all the compensation that efficient work is entitled to. Nor are the luxuries of life and living justifiably to be denied to those who toil. But there is a reasonable line that all men and women must draw, each for himself and herself. And as that line of reason is put into practice right now, so will come individual prosperity and advancement, and from the individual to the city, the county, the State, and the Nation."

RELATIONS WITH MEXICO.

Mr. BRANDEGEE. Mr. President, with the permission of the Senate, I should like to read to it an editorial in the New York Sun of yesterday, which, as a member of the committee to investigate Mexican affairs and a member of the

Committee on Foreign Relations, appeals to me with a distinct and emphatic interest. It is as follows:

[From the Sun and New York Press, Sunday, Aug. 17, 1919.]

IF MR. WILSON'S LEAGUE WAS ESTABLISHED AND WE HAD TROUBLE WITH MEXICO.

"There is one fortunate thing, and only one, about the Mexican circumstances—the wavering policy of the administration in regard to the protection of American lives and property in Mexico and the impudent attitude of Mr. Wilson's protégé Carranza. It is this: The situation affords a valuable indication of what our plight under similar conditions would be if the treaty was ratified unchanged, as the President has demanded; if the provisions of the covenant were a national obligation, if the league of nations was established and operating according to the plan which our self-appointed representative at Paris has been trying to force upon his country.

"Consider it!

"With the United States a member of the league of nations and Mexico a nonmember, trouble between the two Governments threatening war would at once become the business of the permanent secretariat, the council, and the assembly at Geneva.

"See article 11:

"Any war or threat of war, whether immediately affecting any of the members of the league or not, is hereby declared a matter of concern to the whole league, and the league shall take any action that may be deemed wise and effectual to safeguard the peace of nations.

"The United States could escape this alien jurisdiction only by waiting two years after giving notice of intention to withdraw, and even then not unless the judgment of the exotic supergovernment was that we had fulfilled all our international obligations in general and all our special obligations under the covenant.

"See article 1:

"Any member of the league may, after two years' notice of its intention so to do, withdraw from the league, provided that all its international obligations and all its obligations under this covenant shall have been fulfilled at the time of its withdrawal.

"Will it be believed that according to the letter of this international law proposed by the President of the United States to the Senate of the United States all our relations with Mexico since 1847—or, as to that, with any other nation since the birth of time—would actually become subject, by our own consent, to scrutiny and appraisal by a foreign tribunal unknown to our Constitution? Yet such would be the case, provided the secretariat, the council, and the assembly at Geneva decided to exercise their clearly delegated powers of review. And if the foreign supergovernment acquitted us, it would nevertheless be two years before we could finally break away from the disastrous entanglement.

"A dispute between the United States and Mexico over matters involving the protection of American lives and property in Mexico would immediately and automatically result in an invitation from the league to Mexico to become a member on a parity with the United States.

"See article 17:

"In the event of a dispute between a member of the league and a State which is not a member of the league, the State or States not members of the league shall be invited to accept the obligations of membership in the league for the purposes of such dispute, upon such conditions as the council may deem just.

"If Mexico should accept the invitation and become for the purposes of the dispute a member of the league the United States would be compelled by its contract under the covenant to forego its present right of dealing with the Mexican question in its own independent way and to submit its case either to arbitration or to investigation by the exotic council. Meanwhile our hands would be tied for at least three months, probably for many months, while Mexico went on murdering.

"See article 17 and article 12:

"If such invitation is accepted the provisions of articles 12 to 16, inclusive, shall be applied with such modifications as may be deemed necessary by the council.

"If there should arise between members of the league any dispute likely to lead to a rupture which is not submitted to arbitration [and the matter of border outrages or murders in the interior could never be submitted by the United States to foreign arbitration] the members of the league agree that they will submit the matter to the council.

"The council may in any case under this article [article 15] refer the dispute to the assembly. The dispute shall be so referred at the request of either party to the dispute, provided that such request be made within 14 days after the submission of the dispute to the council.

"So Carranza's government, merely by accepting for the purposes of this 'dispute' the obligatory invitation to become a member of the league, could shelter itself for an indefinite time from precautionary or punitive measures on our part behind the action of the assembly, in which we should have no vote and the British Empire, for example, would have six votes; and this exotic body would decide for us what we might do or might not do for the prevention of outrage along the Rio Grande or murder of Americans in the interior. And in case the decision of the supergoverning assembly was one which the United States could not in honor or in interest accept, and we should insist on a procedure not approved by the supergovernment, we should by our own showing have declared war not only against Mexico but against Great Britain, France, Italy, Japan, and all the other members of the league, big and little.

"See article 16:

"Should any member of the league resort to war in disregard of its covenants under articles 12, 13, or 15, it shall ipso facto be deemed to have committed an act of war against all other members of the league which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, and the prevention of all financial, commercial, or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a member of the league or not.

"Further still in article 16:

"It shall be the duty of the council in such case to recommend to the several Governments concerned what effective military or naval force the members of the league shall severally contribute to the armed forces to be used to protect the covenants of the league.

"And if, undeterred by the Ernulphian curse of the covenant, the United States should persist in pursuing its rightful course of action respecting Mexico and should disentangle itself from the league either by the regular, if slow, process of withdrawal or by voluntarily and joyfully incurring the penalty of expulsion which article 16 provides, and if Mexico, for shelter for the crimes of her bandits and the irresponsibility of her Government, should remain a member when we were out, the celebrated article 10 would become operative for the benefit of the other party to the 'dispute':

"The members of the league undertake to respect and preserve as against external aggression the territorial integrity and political independence of all members of the league. In case of any such aggression or in case of any threat or danger of such aggression the council shall advise upon the means by which this obligation shall be fulfilled.

"We have taken the trouble to attempt to exhibit thus concretely and specifically the bearing upon our independence of action with regard to Mexico of the covenant which President Wilson has prepared for our shackling. It has been his pleasant fashion while demanding the ratification of the treaty as he proposes it down to the smallest iota to describe the covenant as no abandonment of the Monroe doctrine, but, on the contrary, as a beautiful extension of that doctrine. We should say so—an extension with a vengeance! Prismatic idealism indeed!

"Is there an American worthy of the name who does not prefer that our policy regarding Mexico and our dealings with Mexico in case of border or internal outrage upon American citizens or their property shall remain as now matters for our own decision and settlement, exclusive of any inteference or supervision from the other side of the Atlantic or the other side of the Pacific?

"The Sun hopes so and believes so and is confident that the Eagle is of the same mind."

CALLING OF THE ROLL.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gerry	Nelson	Smoot
Ball	Gronna	New	Spencer
Bankhead	Hale	Nugent	Stanley
Brandegee	Harris	Overman	Sterling
Chamberlain	Harrison	Page	Sutherland
Colt	Henderson	Phelan	Thomas
Culberson	Jones, N. Mex.	Phipps	Townsend
Curtis	Kellogg	Pittman	Trammell
Dial	King	Poindexter	Wadsworth
Edge	Kirby	Pomerene	Walsh, Mass.
Elkins	La Follette	Ransdell	Walsh, Mont.
Fernald	McCormick	Robinson	Wolcott
Fletcher	McKellar	Sheppard	
Gay	McNary	Smith, Ga.	

Mr. GERRY. I desire to announce the unavoidable absence of the Senator from Maryland [Mr. SMITH]. I wish also to announce that the Senator from Virginia [Mr. SWANSON], the Senator from Nebraska [Mr. HITCHCOCK], the Senator from Alabama [Mr. UNDERWOOD], and the Senator from Mississippi [Mr. WILLIAMS] are detained on official business.

The VICE PRESIDENT. Fifty-four Senators have answered to the roll call. There is a quorum present.

RURAL CREDITS AND VOCATIONAL EDUCATION.

The VICE PRESIDENT. The Chair lays before the Senate a resolution passed by the Senate of Porto Rico, praying that the rural credits and vocational education laws be made applicable to Porto Rico, which will be inserted in the RECORD and referred to the Committee on Pacific Islands and Porto Rico.

The resolution is as follows:

I, José Muñoz Rivera, secretary of the Senate of Porto Rico, do hereby certify that the attached copy is a true and correct transcription of Senate resolution 1, entitled: Senate resolution praying the Congress of the United States to make applicable to Porto Rico the laws known as "Rural credits" and "Vocational education" acts, approved on April 1, 1919.

Senate Chamber, April 4, 1919.

[SEAL.] JOSÉ MUÑOZ RIVERA,
Secretary of the Senate.

Senate resolution praying the Congress of the United States to make applicable to Porto Rico the laws known as "Rural credits" and "Vocational education" acts.

Whereas it is the sense of the Senate of Porto Rico and of the people of Porto Rico represented by it that the application to this island of the congressional acts generally known as the "Rural credits act" and "Vocational education act," would be highly beneficial to the country in general; and

Whereas the Legislature of Porto Rico, at its first regular session, transmitted to Congress a petition identical to that herein contained and no opportunity should be given Congress even to suppose that the interest of the country to benefit by the said acts has been abandoned: Now, therefore, be it

Resolved by the Senate of Porto Rico, That the Congress be, and the same is hereby, respectfully petitioned to make applicable to Porto Rico, through proper legislation, the laws generally known as the "Rural credits act" and "Vocational education act"; and be it further

Resolved, That this resolution be transmitted in the usual manner, and immediately upon approval thereof, to the President of the Senate and the Speaker of the House of Representatives of the United States and to the Resident Commissioner of Porto Rico in Washington, for their knowledge; and be it further

Resolved, That the subject matter of this resolution shall be urged in Congress and before the Federal authorities by any commission hereafter created by the legislative assembly for the purpose of urging before the said bodies and officials any matter relating to Porto Rico.

AUT R. BARKEL,
President of the Senate.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a memorial from the chairman of the American Commission on Irish Independence, pointing out the grave injustices and abuses which have grown up under the passport system, and praying for legislation to correct these abuses, which was referred to the Committee on Foreign Relations.

Mr. FLETCHER presented a petition of the City Council of Jacksonville, Fla., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Florida, praying that producers of potash in this country be required to sell in competition with potash producers from all other countries, which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of the Board of Trade of Tampa and of sundry citizens of Tampa, Lakeland, Winter Haven, Avon Park, Crystal River, Belleview, and Orlando, all in the State of Florida, praying for Federal control of the meat-packing industry, which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Miami, Fla., praying for the enactment of legislation to reduce the high cost of living, which was referred to the Committee on the Judiciary.

Mr. CURTIS (for Mr. KEYES) presented a petition of sundry citizens of Brookline, N. H., and a petition of sundry citizens of New Market, N. H., praying for the ratification of the league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. FERNALD presented a memorial of the Union Grange, Patrons of Husbandry, of Aroostook, Me., remonstrating against the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. PHELAN presented a petition of the Sonoma County Building Trades Council, of Santa Rosa, Calif., praying for the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. MOSES presented a petition of sundry citizens of Benton, N. H., and a petition of sundry citizens of New Hampton, N. H., praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. PAGE presented a memorial of the Holy Name Society of Swanton, Vt., remonstrating against the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. NELSON presented petitions of sundry citizens of Minneapolis, Lake Park, Frazee, Owatonna, Bemidji, Winona, Belgrade, and St. Paul, all in the State of Minnesota, praying for the repeal of the so-called luxury tax, which were referred to the Committee on Finance.

Mr. TOWNSEND presented petitions of Local Union No. 1233, United Brotherhood of Carpenters and Joiners of America, of Detroit, Mich., of sundry citizens of New York City, Fairmont, W. Va., Logan and Laurelville, Ohio, and Richmond, Va., praying for an increase in the salaries of postal clerks, which were referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of Saginaw, Mich., remonstrating against the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Marquette, East Lansing, Muskegon, Central Lake, Alma, Lyons, Colon, Glen Arbor, Detroit, and Adrian, all in the State of Michigan, praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

He also presented a petition of Local Union No. 411, International Molders' Union, of Owosso, Mich., praying for the passage of the so-called civil-service retirement bill, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Saginaw, Mich., remonstrating against the enactment of legislation providing for Federal control of the meat-packing industry, which was referred to the Committee on Agriculture and Forestry.

Mr. LODGE presented memorials of sundry citizens of Springfield, Lawrence, Watertown, Boston, Beverly, Brookville, Grafton, Fall River, Pittsfield, and Somerset, and telegrams in the nature of memorials from sundry citizens of Boston, all in the State of Massachusetts, remonstrating against the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Brookline, Milton, Templeton, Winthrop, Boston, New Bedford, Sudbury, Norton, Roxbury, Lawrence, West Roxbury, and South Yarmouth, all in the State of Massachusetts, praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of Milford, Mass., remonstrating against the enactment of legislation providing for Federal control of the meat-packing industry, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of Rising Hope Lodge, No. 22, International Order of Good Templars, of Mattapoisett, Mass., and a petition of sundry citizens of Boston, Roxbury, and Dorchester, all in the State of Massachusetts, praying for the enactment of legislation providing for the enforcement of prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry Greek citizens of New York City, N. Y., Buffalo, N. Y., Waltham, Mass., Pottsville, Mass., Newark, N. J., Lagrange, Ga., and Charlotte, N. C., praying that Thrace, Macedonia, Epirus, and Dodecanese be annexed to Greece, which were referred to the Committee on Foreign Relations.

Mr. WALSH of Massachusetts. During the past few weeks I have received from citizens of Massachusetts a large number of communications pro and con relative to the league of nations. I present these communications and ask that they be referred to the Committee on Foreign Relations. The petitions favoring the league substantially as it stands and those either opposing it in toto or insisting upon important reservations as a condition of acceptance I have had grouped, and I ask that the list may be printed in the RECORD under the appropriate headings.

The VICE PRESIDENT. Without objection, it is so ordered.

The list is as follows:

1. RELIGIOUS ORGANIZATIONS.

The International Federation of Catholic Alumnæ.
The Massachusetts Federation of Churches (15 denominations; 2,300 Protestant churches).
The Unitarian and other liberal churches of Barnstable County.
The Andover Association of Congregational Churches and Ministers.
The annual meeting of the New England Society of Friends.
And 22 individual churches.

2. LABOR ORGANIZATIONS.

The Amalgamated Association of Street and Electric Railway Employees.
The Carpenters' District Councils of Lowell and vicinity and Springfield and vicinity.
The Central Labor Unions of Framingham, Gardner, North Adams, and Westfield.
The Allied Shoe Workers' Union of Lynn.
The Boot and Shoe Workers' Union of New Bedford.
The Brotherhood of Railroad Trainmen of Boston.
The United Brotherhood of Carpenters and Joiners of America.
The Pattern Makers' Association of Worcester and vicinity.
The railway clerks of the New Haven and Albany railroad systems.
The Bricklayers' and Plasterers' International Union of Massachusetts.
The Brotherhood of Railway Carmen of America.
The International Association of Fire Fighters.
The Iron Moulders' Union of North America.
The International Brotherhood of Electrical Workers.
The International Brotherhood of Papermakers.
And 115 local unions throughout the State.

3. OTHER ORGANIZATIONS.

The National Grange, the Massachusetts State Grange, and local granges in Ashby, Montague, South Carver, Templeton, Warwick, and Westwood.
The National Conference of the League of Free Nations' Associations.
The Maryland branch of the League to Enforce Peace.
Division 14, Ancient Order of Hibernians (Mittineague).
The Good Government Club of Auburndale.
The Natick Teachers' Association.
The Millville Lodge, Ancient Order of American Workmen.
The Karel Havlicek Society of West Springfield.
The National Slovak Society of Boston.
The League of (20) Jewish Women's Organizations.
The Women's Christian Temperance Union of Millville and South Hanson.
The Women's Clubs of Hyannis, West Medford, and Whitman.
The Abigail Batchelder Chapter, Daughters of the Revolution.
And the Ladies' Physiological Institute of Boston and vicinity.

4. INDIVIDUALS.

President Ellen F. Pendleton, of Wellesley College; Mrs. J. Malcolm Forbes, Harriet Whittier, and 20 other writers of personal letters.

1. IRISH-AMERICAN ORGANIZATIONS.

The United Irish Societies of Holyoke.
The Irish Victory Fund League of Holyoke.
The County Galway Men's Benevolent Association of Greater Boston.
The Friends of Irish Freedom, of Clinton, Lawrence, Leominster, Lowell, and Greater Boston.
The Robert Emmet Branch Friends of Irish Freedom, of Roxbury.
The annual convention of Ancient Order Hibernians Widows' and Orphans' Fund Insurance.
Meeting of Concord citizens, June 26, 1919.

2. OTHER ORGANIZATIONS.

Camp No. 50, United Spanish War Veterans, of Revere.
Post No. 30, of the American Legion, of East Boston.
Local No. 4, International Brotherhood of Stationary Firemen, Holyoke.
Bottlers' and Drivers' Local 122, of Boston.

3. INDIVIDUALS.

Rev. David Claiborne Garrett, of St. Peter's Church, Cambridge, and 61 other writers of personal letters.

REPORTS OF COMMITTEES.

Mr. FLETCHER, from the Committee on Military Affairs, to which was referred the bill (S. 861) for the relief of Edward W. Whitaker, reported it with amendments and submitted a report (No. 150) thereon.

Mr. WADSWORTH, from the Committee on Military Affairs, to which were referred the following joint resolutions, reported them each with amendments and submitted reports thereon:

A joint resolution (S. J. Res. 79) exempting the Dixie Highway from the prohibition contained in the act approved July 11, 1919 (Rept. No. 152); and

A joint resolution (S. J. Res. 83) to permit the payment for certain lands where requisition of the title thereto was duly served and possession taken thereunder or where a binding agreement was entered into followed by the taking possession thereof and erection of improvements thereon prior to July 11, 1919 (Rept. No. 153).

PROHIBITION OF INTOXICATING LIQUORS.

Mr. STERLING. From the Committee on the Judiciary I report back favorably with amendments the bill (H. R. 6810) to prohibit intoxicating beverages, and to regulate the manufacture, production, use, and sale of high-proof spirits for other than beverage purposes, and to insure an ample supply of alcohol and promote its use in scientific research and in the development of fuel, dye, and other lawful industries, and I submit a report (No. 151) thereon. I wish to state that at the earliest opportunity I shall move to proceed to the consideration of the bill.

The VICE PRESIDENT. The bill will be placed on the calendar.

BILL INTRODUCED.

Mr. CAPPER introduced a bill (S. 2808) granting a pension to Brittian Capril Smith, which (with the accompanying papers) was referred to the Committee on Pensions.

EDWARD SIGERFOOS.

Mr. POMERENE. I introduce a bill to correct the military record of Edward Sigerfoos, and I ask that it be referred to the Committee on Military Affairs. I may say that it is a redraft of Senate bill 2717, introduced for the same purpose by me on August 4, 1919. I have redrafted it in order to have it in harmony with a precedent which was established by the Congress of the United States, as will be seen in an act to correct the military record of John T. Haines, approved February 17, 1915. I make this statement for the information of the Committee on Military Affairs.

The bill (S. 2807) to correct the military record of Edward Sigerfoos was read twice by its title and referred to the Committee on Military Affairs.

FEDERAL CONTROL OF INDUSTRIES.

Mr. FERNALD. Mr. President, I give notice that on Thursday next I shall desire to address the Senate on the Federal control of industries.

PEACE TREATY—INDUSTRIAL CONDITIONS.

Mr. THOMAS. Mr. President, I desire to give notice that on Friday next, at the conclusion of the morning business and with the permission of the Senate, I shall submit a few observations upon part 13 of the peace treaty, and, in connection therewith, some observations relating to the present industrial conditions in America.

EFFECT OF TREATY RESERVATIONS.

Mr. PITTMAN. Mr. President, I give notice that on Wednesday next, or as soon thereafter as I may be heard, I intend to submit some remarks on the effect and efficacy of interpolative clauses in a separate but contemporaneous resolution.

INTERNATIONAL POLICY IN THE LEVANT AND THE FAR EAST.

Mr. McCORMICK. Mr. President, I give notice that on Wednesday next, at the conclusion of the morning hour, I purpose to address the Senate on the subject of the treaty in its relation to international policy in the Levant and the Far East.

LETTER FROM EX-GOV. M'CALL.

Mr. LODGE. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from ex-Gov. McCall, of my State, on the duties of straight Americanism.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[The Sun, Sunday, Aug. 17, 1919.]

A LEAGUE FOR FUTURE WAR—FORMER GOV. M'CALL ON THE DUTIES OF STRAIGHT AMERICANISM.

To the EDITOR OF THE SUN.

SIR: As one of those very strongly of the opinion that the time has come for a concert of the nations against war, I have felt that our acceptance of the proposed league should be conditioned upon modifications chiefly relating to the independence of the United States and its equality among the nations. The league will be under a sufficient handicap on account of the general provisions of the treaty without having America stripped of any of those vital attributes which have helped her to become the greatest pacific force the world holds to-day. One hesitates to speak in detail of what our Allies are taking from the peace. We wish them all well, but we must be filled with dismay when the nations of Europe have broken with all the traditions of their statesmanship and when an order is proposed at the price of hopelessly upsetting the equilibrium of the world. If the results of the peace shall abide, the future imperialist of some of the allied nations will fondly look back upon this period, in its acquisition of territory and permanent transfer of trade, as upon his country's golden age.

One of the great empires which for a thousand years has played a foremost part in the government of Europe has been torn limb from limb, and in its place are established new nations founded upon doubtful ethnological lines and coming into the world fighting each other. That fate is visited upon Austria which a century ago was proposed for France.

No sympathy need be wasted upon Germany. As to her, it is what Lloyd-George calls a terrible peace, but it is terrible not merely in its present aspects but for the enormous mass of hate that it will transmit to the future. To uphold such a peace and safeguard the spoils of so many empires will tax all the resources of a league of nations, which would have no light task to preserve the peace in a normal world and not have strapped upon it the burden of this new order. We must face the fact that we are in danger of having a mere league of victors rather than a world-wide league of nations, and a peace that must be propped up by the bayonets of a minority of the Caucasian and a small minority of the yellow race.

That the arrangement now proposed infringes upon the sovereignty of this Nation need not be argued. The French treaty makes more explicit the view that its foremost architects entertained of the function of the league. Under that treaty our obligation to send armies to France is to take effect at the command of the league and to terminate when, if ever, the same power shall release us from it. To delegate to an alien authority the power to decide when we shall fight and when we shall cease fighting is to surrender the very plume and crest of sovereignty.

Our Nation asks nothing; it will take nothing. But our brave soldiers did not fight to yield up to Europe and Asia that independence which was so greatly won and has been so greatly kept by their countrymen of other times. Seriously to impair that would be an appalling calamity even to the peace of the world, and it would be to break faith with the past as it has never been broken by a nation except under the most extreme compulsion.

If the time for internationalism has come evidence of it should not appear in America alone; but the other nations are as intensely national as ever. If they remain national while we become international and dissipate our energies over other lands we shall soon be only a free horse for the world to ride. Our eyes will be forever turned upon Europe, and what remains of America will do its thinking in terms of the Briton and Teuton and Gaul and degenerate into a mere intellectual province.

If the rights of America need safeguarding or the league may be improved it is the obvious duty of the Senate to propose the requisite changes. The power of negotiating treaties is confided to the President. The practice that has at times been followed of choosing Members of the Senate as his agents has been gravely condemned by the greatest Senators as an infringement upon the Senate's power judicially to review. But that power of review is as constitutional and as vital as the power of negotiation. It was never more vital than in this crisis. It now devolves upon the Senate to determine to what it can give its advice and consent as the Senate of the American people.

SAMUEL W. McCALL.

WINCHESTER, MASS., *August 16.*

BRITISH-CONTROLLED OIL FIELDS.

Mr. PHELAN. Mr. President, I recently presented a report of Mr. Van. H. Manning, of the Bureau of Mines, in which he referred to the monopolization of the oil of the world in foreign hands. I have now an article from the Sunday Times of London of July 27, giving a report of a meeting of the Bolivar Concessions (Ltd.)—already absorbed by a new monopoly—Mr. D. Elliott Alves, chairman of the company, presiding, who in his address not only confirms all that Mr. Van. H. Manning presented to the Secretary of the Interior and through me to the Senate, concerning the control of oil, but he goes further and reveals now the existence of the "British Controlled Oil Fields (Ltd.)," a company designed to absorb great oil properties. His report is so illuminating that I ask that the part of it which I have marked be printed in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

"It is well that shareholders should realize what the constitution of the British Controlled Oil Fields (Ltd.), in which you are so largely interested, really is. This corporation has been organized in such a way as will enable it, I am advised, in due course to occupy a position in the oil world probably second to none, and a brief outline of the magnitude of its operations and its immense potential future will at this stage be of value to the shareholders in the present company. It is known to a number of shareholders of this company that vast concessions have been acquired from, and others are at the present moment being negotiated with, the Governments of a number of mid-Central American Republics and private owners. These concessions stretch from the frontier of Mexico right away to Brazil, forming an almost uninterrupted chain of concessions and properties encircling approximately two-thirds of the Caribbean Sea, with numerous ports on the Atlantic and Pacific Oceans. The areas comprised in these great possessions already amount to over 18,000,000 acres, and will at the conclusion of satisfactory negotiations, now in progress with various republics, exceed this figure many times over. It is not to be assumed that such vast areas will all contain oil, or, even if they do, in highly commercial quantities, but it is a fact that large areas are already known to do so. The greatest care is being taken to ascertain which areas are likely to be most lucrative for the operations of the British Controlled Oil Fields (Ltd.), and various expeditions have been sent to mid-Central America and are at present operating and investigating there, under the leadership of some of the most eminent British oil engineers and geologists, with fully equipped staffs to assist them in arriving at these conclusions.

* * * * * * *

"And this is the position as it applies to the shareholders of this company and the shareholders of the British Controlled Oil Fields (Ltd.); but there is another standpoint from which the position must be viewed, and that is its importance in its relation to the British Empire. Machinery has already been created, as I had occasion to mention at a previous meeting, which places the whole of the oil supplies which may be obtained from this vast chain of territories, should they each, or, in fact, any number of them, prove of the value anticipated, absolutely under British control. A voting trust has been created, which will be permanent, and the result of which will be that, no matter who may acquire controlling share interests, however financially powerful they may be, can ever divert a single barrel of oil from national or imperial requirements. For all time, in some instances, and in others for the full life of the concessions, adequate supplies of oil, we may confidently assume, should the fields develop at the ratio we are led to believe they will, will be at the disposal of either the Imperial Government or the nation. Having in mind the supplies of oil now available for the world's consumption and the constantly expanding demand which is increasing at a ratio and will continue to so increase year by year in quantities unthought of only a comparatively few years ago, it is unquestionably evident that the future, and not so far distant future, perhaps, of the British Controlled Oil Fields (Ltd.) holds out great promise. It must be borne in mind, however, that such a vast field of operations, covering so many countries, although fortunately linked together, will require for its development, and I might say even a comparatively small portion of its area, a considerable period of time and an immense expenditure of money and technical knowledge. Time is at our command, also the highest technical knowledge, and we believe that all the capital that will be necessary will also be available."

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that the President had, on the 15th instant, approved and signed the following acts and joint resolution:

On August 15, 1919:

S. 2594. An act to extend the time for the construction of the Broadway Street Bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark;

S. 2595. An act to extend the time for the construction of the Main Street Bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark.; and

S. J. Res. 80. Joint resolution to authorize the President to convene a meeting of an international labor conference in Washington, D. C.

RETURN OF THRACE TO GREECE.

Mr. McCORMICK. Mr. President, I ask leave of the Senate to read part of a cable dispatch from Paris under date of August 16, and then to have inserted in the RECORD, in connection with a word I wish to say, three other dispatches of about that date.

The idea—

That is, of dealing with Thrace—

is that central Thrace shall be internationalized, and thus provide Bulgaria with an international outlet to the sea; that western Thrace shall be divided between Bulgaria and Greece, Bulgaria obtaining the northern shoulder of the region and Greece the southern portion to the sea. Eastern Thrace, with Adrianople on its border, would follow the fate of Constantinople.

The other cables deal with the seemingly unrelated question of the British treaty with Persia, which in England as well as in France, according to the cables, is considered tantamount to the establishment of a protectorate.

Almost every day brings evidence from Europe that the negotiations in Paris are following the old habit of dividing the spoils among the victors. The great powers among the victors can not agree to accord Constantinople to the State which obviously should administer it, whether under the fanciful form of a mandate or in sovereignty—Greece. They can not decide to divide Thrace between Bulgaria and Greece or award it to Greece, because they want to retain for themselves Constantinople, one of the great strategic points of the world. That is the motive which leads them to refuse to Greece what should be properly awarded to her—sovereignty over Thrace and Constantinople. Yet at the same time, apparently privy from the deliberations of the conference in Paris, Great Britain made, consummated, and ratified a treaty with Persia which

establishes what is in substance a protectorate over that country. Nothing like that has happened since Disraeli, secretly from his colleagues, in that conference in the congress of Berlin, sold the support of Britain to the Turks.

The Senator from California [Mr. PHELAN] has just introduced a report touching on the question of oil. It happens that one of the great undeveloped oil fields of the world is in Persia, and it has been whispered in London, as Senators know, that the formation of the Anglo-Persian Oil Co. in 1913 was one of the causes which brought on the great conflict.

Mr. President, I have taxed the patience of the Senate by these few remarks at this time. I ask that the dispatches referred to by me be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is is so ordered.

The matter referred to is as follows:

COUNCIL PLANS TO SPLIT THRACE INTO THREE PARTS.

[By G. S. Adam, special cable from the London Times to the Washington Post. Copyright, 1919, by the Public Ledger Co.]

PARIS, *August 16.*

The peace conference appears to be getting nearer to a solution of the difficult question of the future of Thrace. No unanimous decision yet has been taken. Indeed, it is difficult to take any decision during the uncertainty as to America's rôle in Constantinople and the remnant of Turkey in Europe, but practically there is an agreement among the powers—with the exception of Greece, naturally—in regard to splitting up Thrace.

The idea is that central Thrace shall be internationalized and thus provide Bulgaria with an international outlet to the sea; that western Thrace shall be divided between Bulgaria and Greece, Bulgaria obtaining the northern shoulder of the region and Greece the southern portion to the sea.

Eastern Thrace, with Adrianople on its border, would follow the fate of Constantinople.

This solution has not received the approval of M. Venizelos, and the conference is now awaiting the result of certain direct representations which have been made to Mr. Wilson before it comes to a final decision.

—

PARIS, *Friday, August 15.*

Announcement that the Shah of Persia would visit Europe, with circumstances relative to his trip which have recently come to light, is causing much comment in the French political press circles, criticism predominating. The Echo de Paris says:

"Great Britan has just imposed upon Persia a veritable protectorate. It is an important step on the course which the London cabinet has been following for the past five years, and it is hoped the expansion of British influence in that region does not mean the effacement of France."

Attention is drawn to the fact that the Anglo-Persian treaty was concluded without being submitted to the league of nations.

—

[By a staff correspondent of the Sun. Copyright, 1919, all rights reserved.]

PARIS, *August 15.*

The French newspapers have been stirred up by the news from Teheran that the British minister there has just obtained the signature of the Shah to an agreement by which Persia will pass exclusively under British control, the finances to be reorganized by British agents and the army to be placed under British officers. Already, according to the French papers, this action has been resented by the people, who accuse the Government of having sold their country.

It is recalled that the Persians sent a delegation to the peace conference, which, like those of the Koreans and Egyptians, were kept outside and never heard. British diplomacy in Persia appears to be proceeding regardless of the league of nations.

According to the French view Persia has been placed exactly in the position of Egypt. The Journal des Debats says it is the last act of a process which has developed with a logic that has not escaped the attention of those who have watched events outside of the conference. It adds:

"The fact that Persia has been admitted as an adherent of the league of nations can not inspire many illusions. British policy has not ceased to concentrate its forces upon Persia, forbidding it to engage counsellors, even simple foreign professors, while the peace conference tries without result to settle a policy for Europe."

—

LONDON, *August 15.*

Official announcement was made to-day that the Persian and British Governments have concluded an agreement by which Great Britain will be enabled to provide Persia with expert assistance and advice toward the rebuilding of the Persian State. The negotiations have been in progress for nine months.

The first article of the agreement pledges Great Britain to respect absolutely the territorial integrity and independence of Persia.

Persia by the terms of the agreement will establish a uniformed force, in which will be incorporated the various existing armed bodies. This force will be put under the instruction of British officers. Great Britain will advance Persia $10,000,000 to enable Persia to initiate certain contemplated reforms with the help of a British financial adviser. Persian customs receipts will be security for the loan.

Various provisions of the agreement will enable Great Britain to back Persia in realizing several unsatisfied claims.

Provision is made in the agreement for a revision of the existing treaties between Great Britain and Persia. The agreement recognizes Persia's claim to compensation for material damage suffered at the hands of other belligerents during the war and for certain frontier rectifications.

The Paris Temps on Thursday said that the proposed departure from Teheran of the Shah of Persia on a visit to Europe had been hastened by the feeling aroused in Teheran over the signing of an agreement with Great Britain. The paper said that the agreement seemingly would result in Great Britain being the only power to exercise influence in Persia.

[Special cable dispatch to the Sun. Copyright, 1919, all rights reserved.]

LONDON, *August 17.*

Within six weeks of the signing of the covenant of the league of nations, which provides in article 8 for the fixing of the scale of national armaments by the council of the league, Great Britain has entered into an agreement with Persia to supply that country with such military officers, munitions, and equipment as may be considered necessary.

Furthermore, Great Britain is to supply and Persia to pay for whatever expert advisers are deemed to be necessary after a consultation between the two Governments. The money for improving conditions in Persia, amounting to $10,000,000, will be loaned by Great Britain at the comfortable interest of 7 per cent, while as further evidence of her good will England is prepared to cooperate in the revision of the treaties already in force with Persia, the first in regard to Persia's claim to compensation for material damage inflicted by the other belligerents, and the second in regard to the rectification of Persia's frontier where it is agreed to be justifiable.

For months past the Persian delegation in Paris has been seeking to lay specific questions before the conference. It has been reported that every nation represented in Paris has been perfectly willing to hear Persia's statements except Great Britain. For example, it was desired to engage certain French educationals for Persia, but this was vetoed by the British for the purpose of maintaining their monopoly. By obtaining this monopoly Great Britain has placed herself in a position to do for Persia what Persia desired the peace conference to do in the name of all the Allies.

Practically, Persia now forms a link in the chain of British influence from Egypt to the antipodes. Especially important is the bearing of this new agreement upon future relations between Great Britain and Russia, which in prewar days pursued a policy of active aggression in northern Persia and is practically certain to hold similar aspirations when a stable government is established in the former empire of the Czar.

Under the old régime Persia practically was divided between Russia and Great Britain, the former taking the northern part, including Teheran, the capital, and the British the south, with a neutral zone between. The treaty by which this was done still is in effect, and there is little doubt that in time Russia will claim that it is still a binding agreement, which might entail grave possibilities as between Russia and England.

Mr. WALSH of Montana. Mr. President, the Senator from Illinois [Mr. MCCORMICK] has rendered a very valuable service in calling attention to the basic selfishness that has actuated the representatives of most of the nations participating in the congress at Versailles. It is the conviction of the people of this country, and I think of the people of the world, that there was one nation and but one nation represented at that congress or now represented at that congress which has no selfish purposes to subserve. The chief representative there from our country, the President of the United States, has most notably stood for the sentiment of unselfishness so far as it was manifested in that great gathering; but I desire to inquire, Mr. President, of the Senator from Illinois what encouragement has been given to the President of the United States in his efforts to inject a little unselfishness, a little consideration for the principles of justice, in his great work in that body? Is it not a fact that the Senator from Illinois and other party friends of his have seized every opportunity to speak with scorn and contempt of "idealistic efforts" of the President of the United States? What more, then, can be expected of the representatives of other countries, who have their own selfish interests to subserve, when our own people speak in this manner of any effort to proceed along other lines?

Mr. McCORMICK. Mr. President, since the Senator from Montana has asked that question I will go so far as to say, by way of reply, that, in so far as I am able, I expect to show that under articles 10 and 11 of the treaty the wrongs done in Asia and the fruits of the selfish and perfidious policy of the past are guaranteed to the wrongdoer.

Mr. FALL. Mr. President, I am struck by the observation of the Senator from Montana. He asks what is being done by any of the Senators—the party friends of the Senator from Illinois—to counsel or to console the President of the United States in his attempt to inject altruism or idealism into our relations with foreign countries. I have to plead guilty to being one of the party friends of the Senator from Illinois and also to being one of those who have not approved of very many of the provisions of the proposed treaty. For myself I may say that I have no criticism of the President of the United States or of the American negotiators of the treaty—and, of course, as the Senator well knows, that means the negotiator, the President of the United States—where the President of the United States has attempted to inject any idealistic theories or altruistic doctrines into the document, nor where he has attempted to express himself altruistically or idealistically, nor where he has attempted to lead the American people idealistically or altruistically. I have no objection to any of these matters at all except where, in my judgment, such attempted injection of idealism or altruism would result disastrously to the people of the United States by entangling them in such agreements or covenants as would obligate them even morally, by force of arms or by economic pressure or otherwise, to carry out such idealistic theories or altruistic doctrines, where in many cases, in my judgment, the people themselves directly affected or to be affected by such idealistic

theories or altruistic doctrines do not themselves want such doctrines put in effect nor such idealism preached to them. This is the line of departure apparently in so far as the general good of the world is concerned.

The fact that I am a party friend of the Senator from Illinois would not lead me either to criticize the President of the United States or to vote against his policies unless I believed that such policies would now and in the future menace the Government or the peace or the prosperity of the citizens of the United States. In many instances, in looking into matters of this kind, exercising my very best judgment, and using all my ability in endeavoring to ascertain what is meant by many of the provisions of the treaty and by many of the utterances of the President of the United States, I have determined definitely in my own mind that to attempt to crystallize such theories and such altruistic doctrines in a great treaty of peace, so called, would result not in eventual peace, or even any peace for the present, but would result in future wars; that the United States in adopting such theories may be of itself assisting in bringing about or perpetuating such wars, and would, in the future at any rate, jeopardize its own peace and its own interests and those of its own people in some future wars.

That is a selfish doctrine as compared with the altruistic doctrine or the idealistic theory. I admit that to start with, and I admit that when the interests of the people of the world, socially and commercially, are concerned I may be able to see beyond the seas on either side and possibly almost as far as can the Senator from Montana toward the North or the South Pole. He can see farther when the political interests of the United States are concerned, apparently, than I can; because I admit that when it becomes a question of the political interests of the people of the United States as differentiated from the interests of the other peoples of the world I desire to guard such expression of such interests so that first, last, and all the time will the interests of the people of the United States be guarded. Therefore politically I may not be able to see beyond the "horizon" of the United States.

Mr. WALSH of Montana. Mr. President, I can recall no instance when the Senator from New Mexico has subjected himself in any degree to whatever reproach may have been implied in any of my remarks addressed to the Senator from Illinois. I give the Senator from New Mexico the credit for the very highest motives in the stand he has taken in reference to the ratification of the treaty that is now before us for consideration, and I quite agree with him in much that he has said.

We entered the Great War, Mr. President, for the protection of our own rights and to safeguard the interests of our own people; but when we were in it it was a great source of satisfaction to us that in accomplishing that result for our own people we were conferring lasting and inestimable benefits upon peoples struggling for liberty all over the world. So, likewise, in the treaty that is before us it will be the duty of every Senator to consider what action he should take with respect to what is to the interest of this country.

I am supporting the treaty because I believe it is for the future welfare of the people of this country that the treaty should be ratified. I hope and expect that it will save our people, our citizens, from the burdens and from the tragedies of another great world war, but in accomplishing that result I feel a gratification that we shall bring equally great benefits and advantages to all the people of the world.

Mr. President, speaking about Shantung, to which the Senator from Illinois adverted, everybody recognizes that the provision in relation to Shantung is simply an application of the old principle under which wars were waged, that "to the victors belong the spoils." In other words, Mr. President, in that particular instance the principles of justice, the principles of right announced by the President as those upon which the treaty ought to be negotiated, were departed from. Everybody recognizes that he was unable in every feature of the treaty to obtain recognition for the principles for which he so nobly stood. But, Mr. President, it occurs to me that it comes with ill grace from any man who did not stand behind him and back him up in the enunciation of those principles to endeavor now to bring discredit upon the work of the conference by asserting that therein the principles of selfishness, the doctrines of the old statesmanship, obtained to a greater or lesser degree. If a man backed up the President in the matter, he might then speak with some degree of regret about the matter rather than with contempt.

HIGH COST OF LIVING.

Mr. SPENCER. Mr. President, I have received a letter from the dean emeritus of the law school of the University of Missouri presenting a legal phase of the high cost of living, which is new. If there is no objection, I ask that it be placed in the RECORD.

The VICE PRESIDENT. Without objection, it will be so ordered.

The letter is as follows:

UNIVERSITY OF MISSOURI, LAW SCHOOL,
Columbia, Mo., August 13, 1919.

DEAR SENATOR SPENCER: I follow rather closely the contents of the CONGRESSIONAL RECORD, as I have besides yourself several friends in your august body whose speeches I like to read. Senators in attacking high prices in Washington have referred to the hotels and restaurants and the outrageous charges of some of them. And I note in the newspapers of this week that in a number of our cities the proprietors of leading hotels are announcing that on account of the closing of the bar they will be forced to still greater increase in their rates. Now, I am not a prohibitionist, as you know, but in my travels abroad I have frequently put up at the temperance hotels in London and other English cities and towns. I found them always well kept and most comfortable, and their rates a little lower than at the hotels with the same accommodations where liquors were served or which had a bar. So this reason is, I imagine, sheer camouflage to deceive the public and head off any protest by putting the blame on the antiliquor legislation.

My attention was first called to this subject many years ago. During the Louisiana Purchase Exhibition at St. Louis I had lodgings in a private family near the fair grounds, but one night was stranded downtown through a railroad breakdown and had to go to a leading hotel. The night clerk said that he could not tell me the price as the bookkeeper had gone to bed, but I was taken to a rather small room which I occupied, the clerk saying that he would make it all right in the morning. Next morning a new face was in the office and when I asked for my bill was told that it was $15 for exactly six hours' occupancy. I replied that I could rent a farmhouse with 500 acres and all the machinery for running it in Boone County for less than that sum per day and refused to pay it, telling the clerk that he could sue me or send me a reasonable bill as he chose. A week later I received a bill for $5, which I paid.

When I got home I made the incident the subject of a lecture to my law class on the regulation of charges of public agencies, and later made a thorough examination of the law on the subject from the earliest times.

Being myself the author of a book on the Law of Bailments I have given the subject considerable study, and without citing the decided cases I would like to put before you my conclusions.

The common law—which in this respect we have closely followed in the United States—recognized the right of the legislature to regulate the charges of public agencies. But what callings fell within the rule varied from time to time. There was a period when the tailor and the blacksmith were so regarded; another period when the farrier and the physician came under this description, but at the end of the seventeenth century these had disappeared. But two classes had from the earliest history been regarded as public callings and have continued until this day, viz, the common carrier and the innkeeper.

In the United States there has never been a dispute as to these two and to them have been added in recent years other modern agencies unknown to the era of the common law, such as the telegraph and telephone, the grain elevator, gas and water companies, and so forth.

We have been very vigilant in regulating the charges of the common carrier, proceeding on the common-law rule that the charges of the carrier must be reasonable. But how is it that the innkeeper, while subject to State and municipal laws as to other matters of regulation of business, has entirely escaped the rate regulation of the railroad, the street car, the telegraph, the telephone, and the gas and water companies? I can find hardly any instance of legislative or municipal rate regulation of the hotel keeper since colonial times. Instead of that, the curious result has come about that while the railroad has been compelled to lower its rates for passengers, the hotel keeper has not only not been touched, but has been encouraged to raise his rates for guests. At the St. Louis Fair the city demanded that the railroads reduce their rates, and they did so at once, while nobody demanded that the hotels would reduce theirs, but, on the contrary, expected that they would increase them.

Yet the same legal principle applies to both. The law says that being public agencies the railroad and the innkeeper must receive all that apply so long as he has room, that he must make no discrimination for the same service, and that his charges in the absence of legislation fixing them must be reasonable. Fancy a railroad saying, "There is such a crowd coming on my cars next week to Washington that the rates of fare will be doubled." But that is just what the innkeeper always does.

Yet both, according to the common law, are under the same obligation, whether passengers and guests are few or many. Neither is bound to take more than he has accommodations for; the first come are entitled to be first served, but neither the one nor the other has a legal right to charge the passengers or guests he has room for a higher rate than his usual rate simply because more patrons are presenting themselves than he can accommodate.

I am sure that this is a point which has occurred to few people. I can find no qualification of the common-law rule as to the reasonable charge of the innkeeper in the judicial reports, so it is still the law of the land.

When you come to examine the matter by comparison, you soon find that the charge for hotel accommodation in this country has always been too high. Even $2 a day seems too much for a simple, small room when you compare it with the rent of a whole house. Before the war you could get a very comfortable residence in our towns for $60 a month. You know my residence here—a flourishing city of 15,000; you know my roomy house of 12 or 13 rooms, better furnished than the average hotel, with garden and grounds and magnificent shade trees. When I was abroad several summers and winters studying the European criminal procedure I thought myself fortunate to rent it furnished for $60 a month, and if I were to rent it to-day in these times I could not get more than 30 per cent advance. Yet the local hotels, for a stuffy room not large enough in which to swing a cat, would want this much at least.

I have intended to draw attention to this phase of the law of innkeepers in some law journal, but other matters have prevented me.

I would suggest that Congress should try a hotel rate regulation law in the District of Columbia. There it would clearly have jurisdiction after the war. And all over the land it could extend that law so as to cover travelers from other States. This would be absolutely effective, for no city or town or State would very long permit its own citizens to be charged higher rates than the citizens of other States or foreigners.

Very sincerely,

JOHN D. LAWSON, LL. D.,
Dean Emeritus.

AFFAIRS IN KOREA.

Mr. SPENCER. Mr. President, I hold in my hand a sworn statement of Mr. Homer B. Hulbert, who was for 23 years a resident of Korea and the confidential adviser of the Emperor of Korea. This statement presents information which I think Senators will be glad to read. I ask that it be printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the statement was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA,
District of Columbia, city of Washington, ss:

Homer B. Hulbert, being duly sworn, says that he sojourned in Korea for 23 years; that he was sent to Korea shortly after the signing of the treaty of amity and commerce between the United States and Korea, which was executed in 1882, by the State Department of the United States, and at the request of the Korean Government, to assist in the organization of a school system in Korea. That during the 23 years that he was in Korea he became the friend and confidant of the Emperor of Korea and became intimately acquainted with political and general conditions in Korea and considers himself competent to speak the facts as to those conditions. That he has prepared the attached statement and summary of facts and conditions, and that said statement is true. That he has in his possession the originals of which reproductions are attached to said statement and knows that they are authentic, and stands ready and offers to produce the same in any legislative or judicial tribunal that is or may be considering the questions affecting the Korean situation.

H. B. HULBERT.

Subscribed and sworn to before me this 15th day of August, A. D. 1919.

[SEAL.] HUGH W. BARR,
Notary Public.

WHAT ABOUT KOREA?

The time has arrived when it seems necessary to lay before the American people some facts bearing upon request of the Korean people that they be freed from the tyranny of Japan. This request was made by millions of that nation in a perfectly peaceful way on March 1, 1919, and was met by a perfect orgy of abuse and persecution on the part of the military authorities there. Thousands of people were beaten, tortured, and even killed, and women were treated with obscene brutality.

In order to show the genesis of this remarkable moral and patriotic uprising in which the Koreans, realizing clearly the tragic consequences of their demand, stood up and declared that death is preferable to a continuance of the present situation, it will be necessary to review briefly the course of Japanese policy in that country.

There has never been a time in history, from 600 B. C. to the present time, when Japan has not exhibited a hostile and aggressive spirit toward the Korean people and Government. For 2,000 years it was a series of robber raids and attempted extortions on the part of Japan, until in 1390 A. D. a Korean general succeeded in inflicting such punishment upon the corsairs that they ceased for a time their raids. But in 1592 the Japanese invaded the country with an immense army, and it was only after seven years of sanguinary strife that combined Korean and Chinese armies finally expelled the invaders. It is said that 20 per cent of the Korean population perished in this conflict. It put a stop to Japanese aggression for 300 years.

When Korea was opened to foreign relations, about the year 1882, Japan immediately began to exercise her baneful influence again. In 1884 she organized and supported by force of arms an insurrection in Korea, in which every minister of the King's cabinet was murdered in cold blood before his very eyes. In 1895, after the Japan-China War, though formally recognizing the independence of Korea, Japan made such outrageous demands, economic and commercial, that the Queen of Korea put her foot down and used her great influence to veto the proposition. Therefore the accredited minister of Japan to Korea sent into the palace a band of ruffians, who killed the Queen and incinerated her body, nothing being found but one little finger.

But, not content with this, the Japanese forced upon the King a cabinet of traitors, who held the King a prisoner, and through these tools they compelled the King to put out an edict degrading his dead Queen, the mother of his children, to the position virtually of a prostitute. Perhaps the reader will see why the Koreans have never been eager to accept "western civilization" at the hands of the Japanese.

But Korea managed to hold off the Japanese until after the Japan-Russia War. It will be remembered that at the beginning of that war Japan made a treaty with Korea guaranteeing her perpetual independence. The fact that such treaty was entirely insincere and that the Japanese had no intention of keeping it has nothing to do with the binding nature of the treaty. But it became immediately evident that Japan had no intention of implementing that treaty honestly. She allowed her people to abuse and rob the Koreans without affording any means for redress. She kept encroaching thus until it became evident that the treaty was in her eyes merely a "scrap of paper."

The Emperor of Korea, being aware of the fact that in his treaty with America there was a clause in which the American Government promised to use its good offices if Korea was endangered and announced the fact to us, determined to appeal to our Government to carry out that important clause of the treaty. The following is a translation of his letter to the Washington Government:

Ever since 1883 the United States and Korea have been in friendly treaty relations. Korea has received many proofs of the good will and the sympathy of the American Government and people. The American Representatives have always shown themselves to be in sympathy with the welfare and progress of Korea. Many teachers have been sent from America who have done much for the uplift of our people.

But we have not made the progress that we ought. This is due partly to the political machinations of foreign powers and partly to our mistakes. At the beginning of the Japan-Russia war the Japanese Government asked us to enter into an alliance with them, granting them the use of our territory, harbors, and other resources, to facilitate their military and naval operations. Japan, on her part, guaranteed to preserve the independence of Korea and the welfare and dignity of the royal house. We complied with Japan's request, loyally lived up to our obligations, and did everything that we had stipulated. By so doing we put ourselves in such a position that if Russia had won, she could have seized Korea and annexed her to Russian territory on the ground that we were active allies of Japan.

It is now apparent that Japan proposes to abrogate their part of this treaty and declare a protectorate over our country in direct contravention of her sworn promise in the agreement of 1904. There are several reasons why this should not be done.

In the first place, Japan will stultify herself by such a direct breach of faith. It will injure her prestige as a power that proposes to work according to enlightened laws.

In the second place, the actions of Japan in Korea during the past two years give no promise that our people will be handled in an enlightened manner. No adequate means have been provided whereby redress could be secured for wrongs perpetrated upon our people. The finances of the country have been gravely mishandled by Japan. Nothing has been done toward advancing the cause of education or justice. Every move on Japan's part has been manifestly selfish.

The destruction of Korea's independence will work her a great injury, because it will intensify the contempt with which the Japanese people treat the Koreans and will make their acts all the more oppressive.

We acknowledge that many reforms are needed in Korea. We are glad to have the help of Japanese advisers, and we are prepared loyally to carry out their suggestions. We recognize the mistakes of the past. It is not for ourselves we plead, but for the Korean people.

At the beginning of the war our people gladly welcomed the Japanese, because this seemed to herald needed reforms and a general bettering of conditions, but soon it was seen that no genuine reforms were intended and the people had been deceived.

One of the gravest evils that will follow a protectorate by Japan is that the Korean people will lose all incentive to improvement. No hope will remain that they can ever regain their independence. They need the spur of national feeling to make them determine upon progress and to make them persevere in it. But the extinction of nationality will bring despair, and instead of working loyally and gladly in conjunction with Japan, the old-time hatred will be intensified and suspicion and animosity will result.

It has been said that sentiment should have no place in such affairs, but we believe, sir, that sentiment is the moving force in all human affairs, and that kindness, sympathy, and generosity are still working between nations as between individuals. We beg of you to bring to bear upon this question the same breadth of mind and the same calmness of judgment that have characterized your course hitherto, and, having weighed the matter, to render us what aid you can consistently in this our time of national danger.

[Private Seal of the Emperor of Korea.]

It will be noted that in sending this letter the Emperor of Korea was fulfilling a necessary part of the contract, for by failing so to appeal he would forfeit the benefits of the treaty. He entrusted that letter to me to deliver into the hands of the President of the United States. I showed it to the American minister in Seoul, Korea, and for two reasons: First, I was unwilling to do anything that might look like mere intrigue. I was under no obligation to make public my mission, but as an American citizen I thought it incumbent upon me to acquaint my own authorities with what was to happen. In the second place, it was evident that Japan might attempt to seize Korea at any moment, and I wanted the Government in Washington to know in advance that such a letter was on the way, so that if Japan should use force upon the Korean Emperor and cabinet during the transmission of that document the

American Government might delay action in regard to recognition of the downfall of Korea until the letter should arrive and could be taken into consideration.

The Japanese suspected that something was on foot. It may be that the American minister told them. The sequel warrants such suspicion. At any rate, the Japanese immediately began to bring pressure upon the Emperor and his cabinet to give Japan a protectorate; but it was peremptorily refused. The Emperor was desperately trying to hold them off until the letter should be presented in Washington. Day after day they worked until that letter had passed Yokohama, Honolulu, San Francisco, Denver, and St. Louis. At Cincinnati it was still one day from Washington, and the Japanese were desperate. That night they broke into the palace and filled it with armed Japanese. They brought the Emperor and the cabinet together and made a final and menacing demand for the instant signing of a treaty of protectorate. All protested their utter unwillingness to sign. The Japanese took Mr. Han Kyu-Sul, the prime minister, into a side room, and Field Marshal Hasegawa, the same who is now governor general of Korea, drew his sword and demanded his consent. It was refused. They left him there under guard and went back to the rest of the cabinet and asked them if they would sign now. Being sure that Han Kyu-Sul had been killed and that they also would be killed, three of them signed the document. But it still required the seal of State. The Emperor had secretly dispatched a man to throw this seal into the lake, but the Japanese managed to secure it and attached the seal to the document. This was done almost at the very instant the letter reached Washington.

As yet unaware of the tragedy that was happening in Seoul, I sent to the President saying that I was bearer of an important document from the Emporer. Of course, this fact had been cabled on from Korea by the American minister, and I supposed that the President would be not only willing but eager to see the letter; but instead of that I received the astounding answer that the President would not receive it. I cast about in my own mind for a possible reason, but could imagine none. I went to the State Department with it, but was told that they were too busy to see me. Remember that at that very moment Korea was in her death throes; that she was in full treaty relations with us; that there was a Korean legation in Washington and an American legation in Seoul. I determined that there was something here that was more than mere carelessness. There was premeditation in the refusal. There was no other answer. They said I might come the following day. I did so and was told that they were still too busy, but might come the next day. I hurried over to the White House and asked to be admitted. A secretary came out and without any preliminary whatever told me in the lobby that they knew the contents of the letter, but that the State Department was the only place to go. I had to wait till the next day. But on that same day, the day before I was admitted, the administration, without a word to the Emperor or Government of Korea or to the Korean legation, and knowing well the contents of the undelivered letter, accepted Japan's unsupported statement that it was all satisfactory to the Korean Government and people, cabled our legation to remove from Korea, cut off all communication with the Korean Government, and then admitted me with the letter.

The following is the receipt which I received:

DEPARTMENT OF STATE,
Washington, November 25, 1905.

H. B. HULBERT, Esq.,
23 Union Avenue, Mount Vernon, N. Y.

DEAR SIR: The letter from the Emperor of Korea which you intrusted to me has been placed in the President's hands and read by him.

In view of the fact that the Emperor desires that the sending of the letter should remain secret, and of the fact that since intrusting it to you the Emperor has made a new agreement with Japan disposing of the whole question to which the letter relates, it seems quite impracticable that any action should be based upon it.

Very truly, yours,

ELIHU ROOT.

The reference to secrecy was because the Emperor was anxious not to have the Japanese know what was going on. Perhaps it is not the first time that an important document of state has been withheld from public comment, at least until it has been delivered. The fact of its being too late was because they held off for two days, until it was too late.

The next day I received the following cablegram from the Emperor. It was taken across from Korea to Cheefoo, so as not to be sent over Japanese wires:

"I declare that the so-called treaty of protectorate recently concluded between Korea and Japan was extorted at the point of the sword and under duress, and therefore is null and void. I never consented to it and never will. Transmit to American Government.

"THE EMPEROR OF KOREA."

I took that cablegram to the State Department and put it into the hands of the Assistant Secretary of State, who merely said that he would put it on file. Those two documents which are, or ought legally to be, on file in the archives of the State Department are conclusive proof of the wholly illegal character of Japan's occupation of Korea. Of course brute force can and will have its way, but to-day Korea is de jure a free and independent government, and in demanding physical and actual independence Korea is asking nothing that is not morally and legally her own. The world is talking about Shantung, but Japan's occupation of Korea is fully as illegal as her occupation of Shantung. It is even more illegal, for Japan took Shantung from Germany and not directly from China. I am not defending Japan in Shantung. That occupation is an outrage that calls for and will receive justice in the long run, but Korea was directly stolen without even a decent pretense. In the one case Japan is the receiver of stolen goods; in the other she herself is the original culprit. The fact that some time has elapsed does not validate her claim to Korea nor, in the eyes of respectable people, will the acquiescence of all the great powers in Japan's seizure of Korea render that seizure the less damnable.

It has been said that Korea deserved no sympathy, because she made no effort to oppose the act. This is based wholly upon misapprehension of the facts and upon Japan's excellent control of news sources. For five years the Koreans, by thousands, fought as best they could among the mountains, freezing and starving in the wintertime. Once an entire regiment of Japanese was overwhelmed and destroyed, their gattling gun was taken away among the hills. The Japanese called them bandits. If so, then Garibaldi was a footpad, Cromwell was a bandit, Paul Jones was a pirate, and George Washington at Valley Forge was a brigand.

The women of Korea gave their jewels to sell to save their country. Even the prostitutes came by scores and laid at their country's feet the profits of their nameless toil. Never in history has there been shown more splendid patriotism than the Koreans have exhibited.

If it be said that the Emperor was resigned to this ignominious fate, I will show that this, too, is an error. Although a prisoner in his palace in the hands of the Japanese, he delivered into my hands in June, 1907, a letter to each of the great powers, the United States, Great Britain, France, Belgium, Germany, Russia, Austria-Hungary, and Italy, couched in identical terms, of which the following is the letter to England:

"To His Majesty the King of England, greeting:

"For many years the Government of Korea has been in friendly treaty relations with the Government of Great Britain and has often received evidences of the good will of that power. In this time of our difficulty we feel sure that all people who desire to see justice done will sympathize with us. In order to show that great injustice has been done us we hereby declare that the so-called treaty of November 18, 1905, was fraudulent, because (1) the signatures of certain members of our cabinet were obtained by intimidation and under duress, (2) we never authorized the cabinet to sign the document, and (3) the meeting of the cabinet at which it was signed was illegal, having been convened neither at our call nor that of the prime minister, but by the Japanese themselves.

"We denounce that document as invalid in law and we declare that under no circumstances will we voluntarily consent to the ratification of any instrument which impairs the independence of the Korean Empire.

"Furthermore, in view of the violent manner in which the so-called treaty of last November was carried through we deem it necessary and proper to declare to you that if at any future time any power shall claim to have obtained our consent to such an agreement, that claim will either be wholly false or will be based upon acts wrung from us by force of arms or under threats of personal violence.

"In view of the fact that we are at the present time de jure an independent power, we earnestly request you to reassert your right to establish a legation at Seoul, or at least to prepare for such establishment by helping us to bring the matter before The Hague tribunal, in order that the validity of our claim to independence may be legally established.

"Any further information that may be desired will be given by our fully accredited envoy at whose hand we are transmitting this document.

"In witness whereof we here affix the imperial seal.

"Done in Seoul this 22d day of June, A. D. 1906, and of the dynasty the five hundred and fifteenth year."

Together with these letters he gave me another constituting me his fully accredited envoy to each of these Governments:

"By virtue of the power vested in us as the Emperor of Korea and in accordance with the right granted us in the treaties between Korea and the various friendly powers, we hereby constitute and appoint Homer B. Hulbert as our special envoy to the Governments of the United States, Great Britain, France, Germany, Russia, Austria-Hungary, Italy, Belgium, and China; and we hereby delegate to him full authority to represent our interests and those of the Korean Empire at the seat of each of those Governments.

"In connection with this we have instructed him to deliver to each of these Governments a document relative to the present political situation in Korea and to take such steps as may lead to the peaceful settlement of the difficulties which have arisen between our Government and that of Japan.

"We hereby give him special authority to secure the adjustment of the matter before the peace conference at The Hague.

"In witness whereof we here affix the imperial seal.

"Done in Seoul this 22d day of June, A. D. 1906, and of the dynasty the five hundred and fifteenth year."

When I left Korea with this in the summer of 1907 the Japanese again suspected, and the very day I landed in America they forcibly deposed the Emperor, and thus automatically canceled my credentials. But the point I make is this: The Emperor to his last hour protested against the enslavement of his people, even at the risk of his life.

Two years later, in 1909, the Emperor, fearing that the Japanese might learn of the fact that his private fortune was deposited in the Deutsch Asiatic Bank in Shanghai and would compel him to turn it over to them, sent out to me from his palace, under the skirts of a scrubwoman, the receipts for that investment together with his autograph letter constituting me his financial agent to collect that money and use it according to his directions. I succeeded in getting those papers out of Korea on the person of an American woman, who took them to China for me. I was at the time in some peril, for the Japanese papers charged me with being at the heart of the conspiracy to assassinate Prince Ito, and I was warned to fly the country. I had been intending to go to China to attend to the Emperor's affairs, but when this outrageous charge was made I determined to stay right in Korea lest my departure might give color to the charge. The Japanese Government put a swarm of plain-clothes men about me to guard me against assassination, for, though I may not escape the charge of egotism in saying it, they knew that the Korean people would actively resent any attack upon me, and they did not want any disturbance. At the same time two American secret-service men put themselves at my service and accompanied me not only to China but all the way across Siberia as far as Warsaw. In Shanghai I learned that the German bank had turned over to the Japanese the entire private fortune of the Emperor. It was a pitiful sum, after all, only about $100,000, but the Japanese must have it. They seemingly connived with the Germans and managed to get the money transferred. I have preserved the papers all these years as a sacred trust, and if Korea ever gets out of the hands of Japan, as God grant she may, the Japanese will have to give an accounting of that theft as well as the rest. Of course, I shall be charged with having tried to get the Emperor's fortune into my own hands for selfish reasons. I am willing to abide the charge.

The confidence which the Emperor reposed in me and the years that I have spent in fighting for the rights of the Korean people will be sufficient in their eyes to exonerate me from such a calumny. It will not be for the first time. When I bought thousands of Koreans' farms at one-half a cent apiece simply to put my name down upon their boundary posts, so that the Japanese might not be able to club the farmer from his home and take the land for nothing, one of the most assiduous of Japan's apologists in this country circulated the report that I had sold those farms at good prices and had made a fortune. I have given all those farms back to the original owners, and have never seen even my half cent back. I say that I have given them all back,

but that is a slight error. I hear from the good American in Korea through whom I am doing it that it is almost completed. He has only 1 peck of land deeds left.

The people of America have read in all the papers the indescribable atrocities of which Japan has been guilty during the last few months. And now Japan, whipped to it by public opinion, says that the military party has gone too far and reforms will be instituted. The apologists of Japan have been saying that the civil party will change all that. Well, I ask the American public to note that the following things were common occurrences in Korea when the civil party was dominant there and Prince Ito was the governor general:

(1) Because three Koreans, maddened by the fact that all their land had been taken by the Japanese for railroad purposes, without a cent of immediate or prospective payment, went out one night and tore up a few feet of construction track they were taken out and crucified and then shot to pieces. There are hundreds of photographs of this pleasing event.

(2) When a telegraph line was cut near a country village by parties unknown, but presumably by Korean guerrilla fighters, the Japanese came and burned down 10 villages and left the people to freeze and starve during the winter. One old man, over 80 years old, on his knees begged them to spare his home. The Japanese ran him through with their swords and threw his body into the burning rafters of his own home.

(3) Within a stone's throw of my own house in Seoul, Korea, a Korean lived who refused to sell his house to the Japanese for one-quarter its value. One night six Japanese, stripped stark naked, broke into the house and shocked the inmates so that they deserted the house and fled to the country, and the Japanese got the place for nothing.

(4) A Korean merchant came to Seoul to buy goods, and placed his money in the hands of a Japanese broker to change for him, but when he came for his money the broker said he had already paid it, although the Korean still held the receipt. Only by the intervention of an American was the Korean able to get his money. The Japanese authorities utterly refused to listen to his claim. There was no place of any kind provided by the Japanese where a Korean could come and ask for justice.

(5) A Presbyterian hospital had 40 cases in one month of Koreans who came begging to be cured of the morphine habit which the Japanese had taught them. And although Americans caught Japanese red-handed in the act of selling morphine to Koreans and notified the authorities, not a thing was done to stop the damnable traffic.

(6) The Japanese introduced thousands of prostitutes into Korea and offered opportunities for vice such as the Koreans had never dreamed of. And the spread of venereal diseases was greatly increased.

(7) A woman came to me in great distress, saying that the Japanese had demanded her house for $25, and that if she did not sell it they would dig under the corner posts and let the roof fall on her. She begged me to buy her house for 5 cents and put my card on the door, which I did, and by doing so saved her house.

(8) A Korean business man leased his store to Japanese, who after the first month refused to pay any more and refused to leave. He tried every method to get at the Japanese authorities, but without success. He came to me, and after several weeks we secured the ousting of the Japanese.

(9) A Japanese asked a country gentleman to give him lodging overnight, which the Korean did. In the evening the Japanese drew out a box of pills and said they were good for the digestion. He offered one to his host who took it. In the morning the Japanese before leaving demanded $15 as payment for the pill, and as the Korean refused to pay, he went out to the stable, unhitched the Korean's horse, and drove it away to market. If the Korean had laid a finger on the Japanese he would have been severely handled if not killed.

(10) One night two Koreans who had been cruelly tortured by the Japanese police came to my house and talked with me. I published the facts in my magazine, the Korea Review. Prince Ito sent to me, demanding the names of the men who had come to me. I refused to give them, for it would have meant severe punishment for them.

These are just a few of the many cases that came to me for help under a civil régime, at a time when Korea was governed by a man who claimed to be humane and who was probably the most decent Japanese that could be found. I sent personally to Prince Ito and told him that if he would make some office or tribunal where I could bring Koreans who had been outraged and abused by the Japanese, simply to get a hearing, I would immediately cease from any public comment on Japan's actions in Korea. But he contemptuously refused. In fact he never even replied. He had no intention of giving the Koreans a "square deal."

For this and a score of other reasons I affirm that Japan's proposal to effect reforms in Korea by establishing there a mixed civil and military régime is ludicrous. The very fact that they include the military shows that they propose to govern Korea by intimidation, whatever be the name under which it is carried out.

There is no right solution of the question except the restoration of the complete independence of the Korean people. They have always been so abused and insulted by the Japanese that the continuation of any Japanese control is simply unbearable. The Koreans will not consent to it, and either they must be made free or else the world must look on and see the rapid extinction of a nation of 18,000,000 people who are intrinsically far more "civilized" than are the Japanese themselves.

Japan, as at present conducted, is an anachronism. There is no room for brutal autocracy in this world from now on to the crack of doom. The sooner the Japanese people come to realize this and determine to take things in hand and oust the bureaucrats the better for them and for the whole world. The question will never be settled without a complete revolution in Japan. The sooner it comes the better.

—

[Translation.]

By virtue of the power vested in us as the Emperor of Korea, and in accordance with the right granted us in the treaties between Korea and the various friendly powers, we hereby constitute and appoint Homer B. Hulbert as our special envoy to the Governments of the United States, Great Britain, France, Germany, Russia, Austria-Hungary, Italy, Belgium, and China; and we hereby delegate to him full authority to represent our interests and those of the Korean Empire at the seat of each of these Governments.

In consonance with this we have instructed him to deliver to each of these Governments a document relative to the present political situation in Korea and to take such steps as may lead to the peaceful settlement of the difficulties which have arisen between our Government and that of Japan.

We hereby give him special authority to secure the adjustment of the matter before the peace conference at The Hague.

In witness whereof we here affix the imperial seal.

Done in Seoul this 22d day of June, A. D. 1906, and of the dynasty the five hundred and fifteenth year.

—

[Translation.]

To His Majesty the King of England, greeting:

For many years the Government of Korea has been in friendly treaty relations with the Government of Great Britain and has often received evidences of the good will of that power. In this time of our difficulty we feel sure that all people who desire to see justice done will sympathize with us. In order to show that great injustice has been done us we hereby declare that the so-called treaty of November 18, 1905, was fraudulent, because (1) the signatures of certain members of our cabinet were obtained by intimidation and under duress, (2) we never authorized the cabinet to sign the document, and (3) the meeting of the cabinet at which it was signed was illegal, having been convened neither at our call nor that of the prime minister, but by the Japanese themselves.

We denounce that document as invalid in law, and we declare that under no circumstances will we voluntarily consent to the ratification of any instrument which impairs the independence of the Korean Empire.

Furthermore, in view of the violent manner in which the so-called treaty of last November was carried through, we deem it necessary and proper to declare to you that if at any future time any power shall claim to have obtained our consent to such an agreement that claim will either be wholly false or will be based upon acts wrung from us by force of arms or under threats of personal violence.

In view of the fact that we are at the present time de jure an independent power and nation, we request you to reassert your right to establish a legation at Seoul, or at least to prepare for such establishment by helping us to bring the matter before The Hague tribunal, in order that our legal and just claim to independence may be legally established.

Any further information that may be desired will be given by our fully accredited envoy, at whose hand we are transmitting this document.

In witness whereof we here affix the imperial seal.

Done in Seoul this 22d day of June, A. D. 1906, and of the dynasty the five hundred and fifteenth year.

—

[Translation.]

I desire to draw from the Deutsch Asiatic Bank of Shanghai, China, all the funds that I have there. For this purpose I herewith turn over to you all the papers connected with those funds, including a list of the stocks and bonds and the receipts of the bank therefor. You are hereby authorized to go to the Deutsch Asiatic Bank, examine the certificates of stock or the bonds held for me by that bank, estimate the amount of interest that has accrued on them, and to receive all in my name for transmission to me. This my writing and my seal witness that you have full rights as my agent in respect of this business.

To the American citizen H. B. Hulbert.

Written in the third year of Loong-he, the tenth moon, and the twentieth day.

[Imperial private seal.]

Oct. 20, 1909.

—

ORIGINAL RECEIPT.

SEOUL, *2 December, 1903.*

Received from the private treasury of His Majesty the Emporer of Korea the following:

23 (twenty-three) bars of gold, said to weigh 575 ounces, and Japanese bank notes said to be of the value of 150,000 yen (one hundred and fifty thousand).

The total value to be verified in Shanghai after the sale of the above notes and gold bars, and a detailed receipt to be given to the imperial treasury.

The total amount to be invested in German securities and to be held at the disposal of His Majesty the Emperor of Korea.

J. BUSES,
Manager Deutsch-Asiatische Bank.

CARS FOR COAL SHIPMENT.

Mr. POMERENE. Mr. President, on Friday last, I believe, the Director General of Railroads sent to the Senate a report on a resolution which had theretofore been adopted by the Senate, namely, Senate resolution 152, giving certain information concerning the supply of coal cars. This resolution has attracted a little attention throughout the country, and I think it is only fair to the coal operators that their position be likewise presented to the Senate.

Throughout Ohio and West Virginia there has been a very great shortage of the supply of coal cars, which it seems to me is recognized by the coal trade generally, even if it is not recognized by the Director General of Railroads. I have before me here several telegrams, and I think they will be of interest to the Senate. They came to-day. One of them is from C. E. Maurer, president of the Glens Run Coal Co., of Cleveland, Ohio, in which he says:

CLEVELAND, OHIO, *August 16, 1919.*

Hon. ATLEE POMERENE,
United States Senate, Washington, D. C.:

Referring to Hines testimony stating no car shortage, we lost 22 per cent time last half July and 27 per cent first half of August account car shortage. This is general at all mines on Pennsylvania lines. Understand Baltimore & Ohio worse. Is nearly time the Director General was called by somebody.

C. E. MAURER,
President the Glens Run Coal Co.

Another telegram, from Mr. Thomas K. Maher, treasurer of another coal company in Cleveland—the Purseglove-Maher Coal Co.—says:

CLEVELAND, OHIO, *August 16, 1919.*

Hon. ATLEE POMERENE,
United States Senate, Washington, D. C.:

Referring to Hines testimony before Interstate Commerce Commission yesterday, Hines knows that no cars were distributed at all on the Chesapeake & Ohio Railroad for seven days in succession. Hines knows the Wheeling & Lake Erie have distributed no cars in the No. 8 district this week. Hines knows that Baltimore & Ohio shortage last week amounted to about 50 per cent. His car-distribution department acknowledges these shortages.

THOS. K. MAHER, *Treasurer.*

I may say that in a conference with one of the staff of Mr. Hines I have been advised that this is in part due to the fact that there has been a strike in the repair shops.

Another telegram, from W. R. Nethken, general manager of the Deep Run Big Vein Coal Co., says:

CUMBERLAND, MD., *August 16, 1919.*

Hon. ATLEE POMERENE,
United States Senate, Washington, D. C.:

Please ask Walker D. Hines if he is not ashamed of himself when he faces any Member of the United States Senate and says there has not been and is not now serious car shortage in the bituminous coal fields. His statement to you is a gross misrepresentation of facts or proves his absolute ignorance of the true situation.

W. R. NETHKEN,
General Manager Deep Run Big Vein Coal Co.

Another telegram, from Chattanooga, Tenn., says:

CHATTANOOGA, TENN., *August 16, 1919.*

Senator ATLEE POMERENE,
United States Senate, Washington, D. C.:

Refer statement Hines, Senate, car shortage not responsible coal shortage. Our mines, Cumberland Valley Division Louisville & Nashville Railroad, southeastern Kentucky, with 14 available days August, have run 6 days, lost 8 days account no cars. If this condition general would make total loss production about 12,000,000 tons.

FEDERAL COAL.

Another correspondent, who is interested in the Cambria Coal Co., which has mines in West Virginia, sent me this morning two photographs showing the long lines of empty, unpainted, unlettered new cars which have been standing on the track at Forrest, Ohio, for two months. This correspondent says:

I am inclosing a photograph of 100 cars standing on the siding of Forrest, Ohio, for more than two months, unlettered and unnumbered.

There are standing on Long siding, Big Four Railroad, Sandusky, Ohio, 47 of the same kind of cars, received on May 30.

There are on Ransom siding, Big Four Railroad, 56 of the same kind of cars, which were received June 6.

We are having more photographs taken, which will show you hundreds of these cars standing on sidings for several months, unused, unlettered, and unnumbered, while the prevailing car shortage exists.

And this morning one of the leading manufacturers of Columbus, Ohio, entered my office and stated to me that there is at least a mile of empty, unlettered, unpainted coal cars on the sidings in Columbus, Ohio.

Mr. President, I think it is only fair to say that perhaps in the early part of this year the coal difficulty was not due so much to car shortage as it was, possibly, to the high price of coal, which made many consumers hesitate about buying, or at least delaying to buy, hoping for better prices. I think that situation has somewhat changed; but the public is little concerned as to whether it is due to the high price of coal or to shortage of cars. It is interested in the coal supply; and while these cars are being manufactured and distributed by the Government through the medium of the Director General of Railroads, I hope there will not be cause for further complaint in this behalf. The report of Friday, made by the Director General of Railroads, indicates that a great number of cars are being supplied, I believe at the rate of about 300 per day. It is unfortunate that these cars were not distributed many moons age.

The VICE PRESIDENT. The morning business is closed. The calendar, under Rule VIII, is in order.

THE CALENDAR.

The first business on the calendar was the resolution (S. Res. 76) defining a peace treaty which shall assure to the people of the United States the attainment of the ends for which they entered the war, and declaring the policy of our Government to meet fully obligations to ourselves and to the world.

Mr. ASHURST. Let that go over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 529) for the relief of the heirs of Adam and Noah Brown was announced as next in order.

Mr. SMOOT. I ask that that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 600) for the relief of the heirs of Mrs. Susan A. Nicholas was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

SIMON M. PRESTON.

The bill (S. 1289) for the relief of Simon M. Preston was considered as in Committee of the Whole. It authorizes the Secretary of the Treasury to pay to Simon M. Preston, of Seattle, Wash., $5,838.36, being the amount of the defalcation of D. C. Kearns, a deputy collector under the said Simon M. Preston, who was collector of internal revenue for the first election district of Mississippi from the 1st day of June, 1869, to the 22d day of May, 1873, which sum was repaid to the United States Government by Preston, and its collection by him from D. C. Kearns having been hindered and prevented by the pardon of D. C. Kearns by the President of the United States and the remission of the fine equivalent to that sum.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ESTATE OF MOSES M. BANE.

The bill (S. 1479) for the relief of the estate of Moses M. Bane was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

STEAM LIGHTER "CORNELIA."

The bill (S. 1004) for the relief of the owner of the steam lighter *Cornelia* was announced as next in order, and was read, as follows:

Be it enacted, etc., That the claim of the owner of the steam lighter *Cornelia* rising out of a collision between said steam lighter and the United States destroyer *Bell* in Broad Sound, Boston Harbor, Mass., on the 9th day of August, 1918, for and on account of the losses suffered in said collision by the owner of said steam lighter *Cornelia* by reason of damages and detention of or the loss of said steam lighter, her boats, engines, boilers, tackle, apparel, furniture, and supplies, may be submitted to the United States court for the district of Massachusetts, under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due either for or against the United States upon the same principle and measure of liability with costs as in like cases in admiralty between private parties with the same rights of appeal.

SEC. 2. That should damages be found to be due from the United States of America to the owner of said steam lighter *Cornelia* the amount of the final decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated: *Provided*, That such suit shall be brought and commenced within four months after the passage of this act.

SEC. 3. That the mode of service of process shall conform to the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the United States."

Mr. KING. Mr. President, there are a number of bills of that character. Some objection was made the other day, and I was about to ask the chairman of the committee whether the objections had resulted in any compromise or any adjustment of the plan of meeting these obligations. If not, I object to the further consideration of this bill.

Mr. WALSH of Massachusetts. Mr. President, I was unable to hear the comment of the Senator from Utah.

Mr. KING. I was just stating that the other day this bill, as I recall, and several others of like character, were called up, and objection was made by several Senators—I do not just recall whom—and some suggestion was made as to some general bill by which these claims should be met. I was asking the committee whether or not some composition had been made of those differences? If not, I shall object to the consideration of the bill.

Mr. WALSH of Massachusetts. Mr. President, does the Senator understand that they are simply permissive bills?

Mr. KING. I understand that they are more than permissive bills. It seems to me, as I recall the measures, that an obligation would be created which the Government would be compelled, morally, at least, to meet. They are more than permissive. They are bills for the purpose of fixing liabilities; and when the liability is fixed, of course, the obligation would rest upon the legislative branch of Congress to make an appropriation to cover the liability.

Mr. WALSH of Massachusetts. I understand that they are simply bills that permit these petitioners to have a day in court; and I can not understand any serious objection being made to an aggrieved claimant having a hearing and a day in court in order to have adjudicated an alleged claim of damages against the Government.

Mr. SPENCER. Mr. President, will the Senator from Utah permit me to interrupt him?

Mr. KING. I yield to the Senator.

Mr. SPENCER. May I say to the Senator that the purpose of this bill, as found by the committee, was merely to authorize the presentation of the claim to the Court of Claims. Precisely the same bill was passed by the Senate in the Sixty-fifth Congress.

It does not recognize any liability on the part of the Government, but it does open the way for those who think they have a claim to present it to the Court of Claims.

Mr. SMOOT. Mr. President, Senate bill 1670, a bill introduced by the Senator from Virginia [Mr. SWANSON] for the relief of the Arundel Sand & Gravel Co., was objected to the last time the calendar was up for consideration, and it was suggested at that time that the form of that bill be incorporated in the other bills for the relief of the owners of the different steam lighters. I see that no proposition of that kind is presented here to-day; and I think we ought to have an agreement as to the form in which the bills shall pass before we ask for their disposal. On that account, I ask that they go over to-day.

Mr. WALSH of Massachusetts. Mr. President, may I ask the Senator from Missouri, who has charge of these bills, whether or not similar bills have been enacted into law by previous Congresses?

Mr. SPENCER. My information is that they have been. The committee, in taking up the consideration of this bill, when they found, first, that the Navy Department had recommended the bill favorably for consideration, and that the only purpose of the bill was to enable the claimant to present his claim to the Court of Claims, and that it had passed the last Senate, had no objection to recommending the bill unanimously.

Mr. SMOOT. Mr. President, I believe that is true as to this bill passing at the last session of Congress; but I will say to the Senator from Massachusetts that claims such as are enumerated in these different bills were referred to the Court of Claims under the Tucker Act in past years, as I remember, although none of them that I can call to mind now have ever passed both Houses of Congress and become laws. This, I think the Senator from Missouri will admit, is a new policy for settling such claims as these.

Mr. SPENCER. Such was not my information; but I may say to the Senator from Utah that the gist of the matter is in the single sentence from the Secretary of the Navy in which he states that—

> The department is of the opinion that the owner of the lighter *Cornelia* is justly entitled to have his claim adjudicated by a court of competent jurisdiction, and I have therefore the honor to recommend to your committee favorable action on said bill.

Mr. WALSH of Massachusetts. May I suggest, in view of the fact that there is a unanimous committee report here, and in view of the fact that there are people trying to recover damages for injuries sustained, that either their bills should be referred back to the committee and a general bill reported or they be taken up and disposed of in these forms; otherwise there is no remedy. It seems to me, in view of the fact that there is absolutely no division in the committee, whose members are as careful of the public funds as any other Senators, that we ought to dispose of these bills, which in themselves are very trivial and of very little consequence, but are for the relief of people who claim to have grievances and damage suits and a right to be heard and have a day in court. They ought not to be put off from week to week and from month to month without having a chance to have their damages settled if they have sustained damages.

Mr. SMOOT. I am perfectly willing that every claim against the Government of the United States should have its day in court, but if we are going to begin to legislate in the case of every little accident that may happen to a lighter or a steamer of any kind we will have very little time left for other business.

I wish to say to the Senator from Massachusetts that I will be perfectly willing to pass a general law authorizing claims of this kind to be settled by the Navy Department, or some department of the Government, and let them be settled in that way rather than have bills of this sort coming before Congress in untold number.

Mr. WALSH of Massachusetts. I am not familiar with the procedure. May I ask the Senator from Missouri if it is in order to move to recommit the bill to the committee, that it may consider whether it shall report a general bill or not?

Mr. SMOOT. I will say the committee can take cognizance of what has been said here to-day, and if they desire to report out such a bill I have no doubt there will be favorable action taken upon it.

Mr. WALSH of Massachusetts. The bill has been on the calendar for a long time.

Mr. SMOOT. If the chairman of the committee feels positive that these bills are just, and that they should be acted upon by Congress, and will take it for granted that they are not to be pointed to as precedents in the future, I am not going to object to the consideration of the bill.

Mr. SPENCER. Mr. President, every one of these bills has already been favorably passed by the Senate in the last Congress. They are not new bills.

Mr. SMOOT. Of course, that only shows that the House took the same position that has been taken in the past.

Mr. SPENCER. No; the House did not vote against them; they were not reached by the House on their calendar. Every one of these bills is fair, so far as the committee knows.

Mr. SMOOT. I do not think they were reported out in the House.

Mr. SPENCER. I do not know.

The VICE PRESIDENT. Does anyone object to the consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

STEAMSHIP "MATOA."

The bill (S. 1005) for the relief of the owner of the steamship *Matoa* was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the claim of the owner of the steamship *Matoa* arising out of a collision between said steamship and the U. S. tug *Lucille Ross* off Lambert Point, Va., on the 17th day of January, 1918, for and on account of the losses alleged to have been suffered in said collision by the owner of said steamship *Matoa* by reason of damages to and detention of said steamship may be submitted to the United States Court for the eastern district of Virginia, under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due, either for or against the United States, upon the same principle and measure of liability with costs as in like cases in admiralty between private parties with the same rights of appeal.

SEC. 2. That should damages be found to be due from the United States to the owner of said steamship *Matoa*, the amount of the final decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated: *Provided*, That such suit shall be brought and commenced within four months after the passage of this act.

SEC. 3. That the mode of service of process shall conform to the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the United States."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SCHOONER "HORATIO G. FOSS."

The bill (S. 1006) for the relief of the owners of the schooner *Horatio G. Foss* was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the claim of the owners of the schooner *Horatio G. Foss*, arising out of a collision between said schooner and the U. S. collier *Jupiter*, off Winter Quarter Light Vessel on the 18th day of May, 1918, for and on account of the losses alleged to have been suffered in said collision by the owners of said schooner *Horatio G. Foss* by reason of damages to and detention of said schooner, may be submitted to the United States court for the district of Massachusetts under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due either for or against the United States, upon the same principle and measure of liability, with costs, as in like cases in admiralty between private parties, with the same rights of appeal.

SEC. 2. That should damages be found to be due from the United States to the owners of said schooner *Horatio G. Foss*, the amount of the final decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated: *Provided*, That such suit shall be brought and commenced within four months after the passage of this act.

SEC. 3. That the mode of service of process shall conform to the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the United States."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SCHOONER "HENRY O. BARRETT."

The bill (S. 1222) for the relief of the owners of the schooner *Henry O. Barrett* was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the claim of the owners of the schooner *Henry O. Barrett* rising out of a collision between said schooner and the United States monitor *Ozark*, off Five Fathom Bank Lightship, on the 19th day of April, 1917, for and on account of the losses alleged to have been suffered in said collision by the owners of said schooner *Henry O. Barrett* by reason of damages to and detention of said schooner, may be submitted to the United States court for the district of Massachusetts, under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due either for or against the United States, upon the same principle and measure of liability, with costs, as in like cases in admiralty between private parties, with the same rights of appeal.

SEC. 2. That should damages be found to be due from the United States to the owners of said schooner *Henry O. Barrett*, the amount of the final decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated: *Provided*, That such suit shall be brought and commenced within four months after the passage of this act.

SEC. 3. That the mode of service of process shall conform to the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the United States."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

STEAMER "MAYFLOWER."

The bill (S. 1223) for the relief of the owner of the steamer *Mayflower* and for the relief of passengers on board said steamer was announced as next in order.

Mr. KING. Reserving the right to object, I should like to ask the Senator from Massachusetts what is the claim with respect to passengers alleged to have sustained injuries?

Mr. WALSH of Massachusetts. I am not familiar with the case and I can not answer as to the facts. Probably the Senator in charge of the bill can do so. I might say that these bills came to me from my predecessor in the last Congress, who said that they had passed the Senate. I am not familiar with this particular bill. The Senator from Missouri [Mr. SPENCER] can no doubt state the facts.

Mr. KING. I shall ask that the bill go over.

Mr. SMOOT. Let it go over.

The VICE PRESIDENT. The bill goes over on objection.

ARUNDEL SAND & GRAVEL CO.

The bill (S. 1670) for the relief of the Arundel Sand & Gravel Co. was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the claim of the Arundel Sand & Gravel Co., a corporation organized and existing under the laws of the State of Delaware and doing business in the city of Norfolk, Va., owner of the steam tug *A. G. Bigelow*, against the United States for damages alleged to have been caused by collision between the said tug and the U. S. S. *Susquehanna* in Norfolk Harbor on the 26th day of November, 1917, may be sued for by the said Arundel Sand & Gravel Co. in the district court of the United States for the eastern district of Virginia, sitting as a court of admiralty and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the Arundel Sand & Gravel Co., or against the Arundel Sand & Gravel Co. in favor of the United States upon the same principles and measures of liability as in like cases in admiralty between private parties and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EMMA H. RIDLEY.

The bill (S. 174) for the relief of Emma H. Ridley was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will go over.

UNITED WAR-WORK CAMPAIGN.

The joint resolution (S. J. Res. 42) authorizing national banks to subscribe to the united war-work campaign was announced as next in order.

Mr. KING. I ask that the joint resolution may be read.

The Secretary read the joint resolution.

The VICE PRESIDENT. The Chair wishes to inquire whether there is a united war-work campaign running now to which the banks are subscribing?

Mr. FLETCHER. I do not think there is. It is my understanding that the national banks did subscribe, and that this is really to cover a situation which has actually passed.

Mr. KING. It is an ex post facto measure?

Mr. FLETCHER. I think it is rather legalizing what has already been done in an emergency.

Mr. SMOOT. I do not think the joint resolution will legalize anything.

The VICE PRESIDENT. It would not do anything of the kind.

Mr. SMOOT. It would never touch it in the world.

Mr. KING. I object to the consideration of the joint resolution.

The VICE PRESIDENT. The joint resolution goes over.

The bill (S. 631) repealing certain provisions contained in the urgent deficiency act approved December 22, 1911, was announced as next in order.

Mr. SMOOT. I ask that the bill may go over.

The VICE PRESIDENT. The bill will go over.

WATSON B. DICKERMAN.

The bill (S. 1722) for the relief of Watson B. Dickerman, administrator of the estate of Charles Backman, deceased, was announced as next in order.

Mr. SMOOT. Let the bill go over.

Mr. WADSWORTH. I regret that the Senator from Utah makes an objection to the bill.

Mr. SMOOT. It seems to me that if we are going into this subject at all, it would be better to have a general law. To-day there is a law allowing so much leakage upon each barrel of spirits in a bonded warehouse. The general rule has been, and I think the law itself has demonstrated, that there is enough allowed for leakage, and I can not see why we should take up such a claim. I suppose there are many other claims of the same character.

Mr. WADSWORTH. I do not know how many others there are. I know that during my service on the Claims Committee I have seen none other than this one. This claimant was denied the right of computing the leakage. The Court of Claims has stated that there is due him $5,335. The Secretary of the Treasury——

Mr. SMOOT. He was allowed the regular leakage according to law, was he not?

Mr. WADSWORTH. He was not.

Mr. SMOOT. For what reason?

Mr. WADSWORTH. He was denied it and paid his taxes under protest in 1869—a good many years ago, I admit.

Mr. SMOOT. That was before the leakage law was passed. Really, I do not know where this bill would lead to. It seems to me that every man who had spirits in a bonded warehouse and had some sort of a claim would have had it settled before this time. I think this is a very dangerous bill.

Mr. WADSWORTH. I think the Senator from Utah misconstrues the period during which this has been the law and the custom. You will notice that the first paragraph of the preamble states:

Whereas from the time bonded warehouses were first established until April 14, 1869, the law has been uniformly construed and administered to allow for loss by leakage on spirits distilled prior to July 20, 1868, while in warehouse.

The findings of the Court of Claims appear in the preamble on page 3:

Whereas, in response to Senate resolution 301, of March 2, 1907, referring the matter to the Court of Claims for the findings of such fact, the Court of Claims on December 14, 1908 (S. Doc. No. 590, 60th Cong., 2d sess.), found that Charles Dickerman in 1869 was required to pay, and did pay, as tax on distilled spirits withdrawn by him from warehouse, without allowance for leakage, the sum of $45,890.13, being a tax of $5,335.71 in excess of the tax due on the quantity of spirits so withdrawn by him.

The fact that this man and his estate have been endeavoring to collect from the Government what the Government has owed them all these years should not militate against the passage of this bill. The United States owes this man this money. It has been owing it to him for many, many years. The Treasury Department admits it and the Court of Claims admits it, and yet for one reason or another Congress has never seen fit or been able to concentrate attention upon it sufficiently to pay him the money that is due him.

Mr. SMOOT. I have not read the report in full.

Mr. SPENCER. Permit me to say to the Senator from Utah that a similar bill was not only passed by the Senate at the last session, but was favorably reported by the committee of the House. It merely returns to this man Dickerman the excess of taxes which under a mistake he was required to pay. The department certifies that the payment was an error and that the amount ought to be returned to him. The bill has been before Congress for years and the committee has recommended favorable consideration of the bill.

Mr. SMOOT. I think it has been here since the Sixty-second Congress.

Mr. WADSWORTH. That may have been the fact, but that should not militate against its validity.

Mr. SMOOT. I do not know the details of the bill.

Mr. WADSWORTH. In several of these cases the conduct of the Government is disgraceful. When the Government owes a man money it should pay him. This is one of those cases certified to by all the authorities of the Government that can be approached in getting an opinion.

Mr. BORAH. What effect will it have on the high cost of living to take this money out of the Treasury?

Mr. WADSWORTH. The Senator from Idaho ought to remember that this is a case of distilled spirits.

Mr. BORAH. When did this leakage happen?

Mr. SMOOT. Before the Senator was born. I should like to have the bill go over and I will read the report carefully.

Mr. WADSWORTH. That is the ancient history of this case. I suppose these people will have to go without their money for another half century.

The VICE PRESIDENT. The bill will be passed over.

ALASKA STEAMSHIP CO.

The bill (S. 629) for the relief of the Alaska Steamship Co. was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment, in line 7, to strike out the figures $9,024.27 and insert $5,974.27, so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the Alaska Steamship Co., a corporation organized and existing under the laws of the State of Nevada, out of any moneys in the Treasury not otherwise appropriated, the sum of $5,974.27 in payment of the balance due said company for services rendered at the request of the United States deputy collector of customs at Unalaska, Alaska, and in pursuance of an agreement with him for the transportation and care of 193 survivors of the wreck of the American ship *Columbia*, near Scotch Cap Lighthouse, Alaska, in May, 1909.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 2259) for the relief of Edward S. Farrow was announced as next in order.

Mr. KING. I should like to ask the chairman of the committee, as I have not had a chance to read the report, if he knows what is the reason of this legislation. Is there not any existing law that would permit the promotion if promotion is desired?

Mr. WADSWORTH. I should like to have the bill go over temporarily. The Senator from New Jersey [Mr. FRELINGHUYSEN], who reported it, is absent.

Mr. KING. I ask that it be temporarily laid aside.

The VICE PRESIDENT. The bill will go over.

The bill (S. 1726) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, was announced as next in order.

Mr. KING. Let the bill go over.

The VICE PRESIDENT. It will go over.

The bill (S. 1369) to regulate the height, area, and use of buildings in the District of Columbia, and to create a zoning commission, and for other purposes, was announced as next in order.

Mr. KING. Let the bill go over.

The VICE PRESIDENT. It will go over.

The bill (S. 2496) authorizing the retirement of members of the Army Nurse Corps (female) was announced as next in order.

Mr. KING. Let the bill go over.

The VICE PRESIDENT. It will go over.

ORION MATHEWS.

The bill (S. 608) for the relief of Orion Mathews was considered as in Committee of the Whole, and was read as follows:

Be it enacted, etc., That in the administration of the pension laws and laws conferring rights and privileges upon honorably discharged soldiers, Orion Mathews, late of Battery D, Second Regiment United States Artillery, shall be held and considered to have been honorably discharged as a private from said battery and regiment on the 22d day of March, 1865: *Provided*, That no pension shall accrue prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JAMES DUFFY.

The bill (S. 609) for the relief of James Duffy was considered as in Committee of the Whole, and it was read as follows:

Be it enacted, etc., That in the administration of the pension laws and the laws conferring rights and privileges upon honorably discharged soldiers, their widows and dependent relatives, James Duffy, late of Company A, Twenty-fourth Regiment Wisconsin Volunteer Infantry, shall be held and considered to have been honorably discharged from the military service of the United States as a member of the above organization on the 6th day of October, 1862: *Provided*, That no pay, pension, bounty, or other emoluments shall accrue prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HENRY J. DAVIS.

The bill (S. 610) for the relief of Henry J. Davis was announced as next in order.

Mr. KING. Let the bill go over.

The VICE PRESIDENT. The bill will go over.

RETIREMENT OF CIVIL-SERVICE EMPLOYEES.

The bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes, was announced as next in order.

Mr. STERLING. I ask that the bill may go over. In this connection I wish to withdraw the notice of last Friday that I would call up the bill for consideration to-day. I will state that at the earliest practicable day I shall move the consideration of the bill.

The VICE PRESIDENT. The bill will go over.

HOUSE CONSTRUCTION AND HOME OWNERSHIP.

The bill (S. 168) to create a commission to investigate and report to Congress a plan on the questions involved in the financing of house construction and home ownership and Federal aid therefor was announced as next in order.

Mr. KING. Let the bill go over.

The VICE PRESIDENT. It will go over.

MEMORIAL TO AGRICULTURAL DEPARTMENT EMPLOYEES.

The joint resolution (S. J. Res. 72) authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to employees of the United States Department of Agriculture who died in the war with Germany was announced as next in order.

Mr. KING. Let the joint resolution go over.

The VICE PRESIDENT. It will go over.

AMENDMENT OF FEDERAL RESERVE ACT.

The bill (S. 2472) to amend the act approved December 23, 1913, known as the Federal reserve act, was announced as next in order.

Mr. EDGE. Mr. President, I had intended to bring this bill up for consideration to-day, but on the suggestion of a Senator who is now absent I will delay bringing it up, but give notice that I shall call it up at the first opportunity under Rule VIII.

The VICE PRESIDENT. The bill will go over.

RECREATION ASSOCIATION.

The bill (S. 2224) to incorporate the Recreation Association of America was announced as next in order.

Mr. KING. Let the bill go over.

The VICE PRESIDENT. The bill will go over.

KATIE NORVALL.

The bill (S. 1546) for the relief of Katie Norvall was announced as next in order.

Mr. KING. The Senator from California [Mr. PHELAN] has just stepped out of the Chamber. He is anxious to have this bill passed, and if there is objection to its consideration I ask that it be temporarily laid aside. If there is no objection, let it be considered. If there is any objection to it the Senator from California desires to make an explanation.

Mr. SMOOT. If the Senator from California were here I should like to have him make an explanation because it calls for an appropriation of $10,000. I ask that the bill may go over.

The VICE PRESIDENT. There is an amendment pending to reduce the amount to $5,000.

Mr. KING. Let it be temporarily laid aside until the Senator from California comes in.

Mr. SMOOT. I should like to have it go over.

The VICE PRESIDENT. The bill will go over.

JOHN M. FRANCIS.

The bill (S. 176) for the relief of John M. Francis was announced as next in order.

Mr. KING. Let the bill go over.

The VICE PRESIDENT. The bill will go over.

AIRCRAFT FOR EDUCATIONAL INSTITUTIONS.

The bill (S. 2676) to amend section 56 of an act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916, was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, in line 8, after the word "supply," to insert "solely for educational purposes," so as to make the bill read:

Be it enacted, etc., That section 56 of an act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916, be amended by adding at the end of section 56 the following:

"*Provided*, That the Secretary of War is authorized, under such regulations as he may prescribe, to supply, solely for educational purposes, aircraft, engines, and aeronautical equipment to any educational institution having a course in aeronautical engineering approved by the Secretary of War."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

KATIE NORVALL.

Mr. PHELAN. Mr. President, I now ask that the Senate return to the bill (S. 1546) for the relief of Katie Norvall, which was passed over during my absence.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay $10,000 as full compensation to Katie Norvall for the death of her husband, G. Norvall, who was drowned while engaged in the performance of his duties as fireman and engineer, as a result of a collision between the navy yard launch *Highlander* and the ferryboat *Vallejo* near the Mare Island ferry slip, Vallejo, Calif.

Mr. SMOOT. Mr. President, the Senator from California [Mr. PHELAN] tells me that the amount embodied in the bill is not the sum which the committee intended to report and that he desires an amendment to be made striking out "$10,000" and inserting "$1,173.12," being the amount of a year's compensation in this case. I have no objection to the bill with that amendment.

The VICE PRESIDENT. There is an amendment to the bill now pending which has been offered by the Senator from Colorado to strike out "$10,000" and insert "$5,000." The question is on the amendment.

The amendment was rejected.

The VICE PRESIDENT. The Senator from California now moves an amendment, which will be stated.

The SECRETARY. In line 6, after the words "sum of," it is proposed to strike out "$10,000," and to insert "$1,173.12."

Mr. SPENCER. Mr. President, I think the RECORD should show that that amendment was reported by the committee and embodied in their report, though not printed in the bill.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

REDUCED RATES FOR CERTAIN MACHINE TOOLS.

The bill (S. 2677) to provide for further educational facilities by authorizing the Secretary of War to sell at reduced rates certain machine tools not in use for Government purposes to trade and technical schools and universities, other recognized educational institutions, and for other purposes, was considered as in Committee of the Whole. The bill had been reported from the Committee on Military Affairs with an amendment, on page 1, line 4, after the word "at," to strike out the numerals "10" and to insert "not less than 20," so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized, under such regulations as he may prescribe, to sell at not less than 20 per cent of their cost to trade and technical schools and universities and other recognized educational institutions such machine tools as are suitable for their use which are now owned by the United States of America and are under the control of the War Department and are not needed for Government purposes. The money realized from the sale may be used by the Secretary of War to defray expenses incident to distribution of the tools and the balance shall be turned into the Treasury of the United States.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I desire to ask the Senator reporting the bill just what the last part of it really means where it states:

The money realized from the sale may be used by the Secretary of War to defray expenses incident to distribution of the tools.

Does that mean that the Secretary shall use a part of this money for paying freight upon the tools shipped to educational institutions?

Mr. WADSWORTH. Undoubtedly under that language some of the money might be used in defraying freight charges. These machine tools have to be taken down from the munition plants, oiled, and put in condition, so that they will not deteriorate. Then they have to be crated and packed, which is quite an undertaking. Some of them are very large, some of them are rather complicated, and they ought to have a good deal of care. It is the assumption that the money which will be received for them will more than cover the cost of taking them down and packing and crating them.

Mr. SMOOT. I think that that is as far as we ought to go; but under the wording in the bill it seems to me that the Secretary could undertake, out of the 20 per cent, to pay the freight charges.

Mr. WADSWORTH. I think he could; and there comes up the question of policy.

Mr. SMOOT. I think it would be very unwise to do that. I think an institution that really wants these machine tools could at least pay 20 per cent of their cost and also pay the freight charges. Before they could be shipped, of course, I know they would have to be crated and be put in condition so that they would not rust or deteriorate in any way. I think if the Government does that out of the 20 per cent which it receives, that is all that ought to be asked of it.

Mr. WADSWORTH. I do not know that I have authority to speak for the Committee on Military Affairs, but personally I should have no objection to an amendment on page 2, line 3, after the word "expenses," to insert the words "except freight charges."

Mr. SMOOT. It would be perfectly satisfactory to me if that amendment should be agreed to.

Mr. KING. Will the Senator from New York permit an inquiry?

Mr. WADSWORTH. Yes.

Mr. KING. In some instances these tools might be sent by express. Would it not be better to say "costs of transportation," so that it would include all forms of transportation?

Mr. WADSWORTH. Very well. Then I offer the amendment, on page 2, line 3, after the word "expenses," to insert "except costs of transportation."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM SHELBY BARRIGER.

The bill (S. 2095) to authorize the President of the United States to appoint William Shelby Barriger captain of Cavalry was announced as next in order.

Mr. SMOOT. Mr. President, there is no report from the War Department upon this bill. Does the Senator from Missouri [Mr. SPENCER], who reported the bill, know the details in this case?

Mr. SPENCER. Mr. President, the facts in the case of the bill are these: Capt. Barriger was enlisted as a private years ago. He gradually worked his way up until he became a captain. He then retired to civil life, and within a few months afterwards became very anxious to get back again, thinking he had made a mistake in retiring. He was unable to get back, because of his age. Later on he got into the present war, and was made a major. It was, however, a temporary appointment, as all such appointments are. At the close of the war he leaves the service unless this bill is enacted, which enables him to reenter the regular service.

As the bill was originally presented to the committee, it provided that he should have the rank of captain and occupy the same relative position in the lineal list that he would have occupied if he had not retired to civil life. That was changed, and he was put at the end of the list of captains, so as to displace no one.

Mr. KING. Will the Senator from Missouri permit an inquiry?

Mr. SPENCER. Yes.

Mr. KING. How long was he out of the service?

Mr. SPENCER. He was out of the service some years—I can not tell the Senator the exact number. There was a long list of captains whom he would have displaced had he gone back to his regular place.

Mr. KING. I object to the consideration of the bill.

Mr. SPENCER. I think the consideration that largely influenced the committee in its report was the desire to recognize a man who had come up from the enlisted ranks to the position of a commissioned officer, and, therefore, the recommendation contained in the bill was made.

Mr. KING. If the Senator will permit me, I am very glad to see such recognition accorded; but where a man has retired from the service voluntarily after having reached the grade of captain, and has been out of the service for many years, I think it would be a very bad precedent to restore him and give him the standing which this bill proposes to give him.

The VICE PRESIDENT. The bill goes over.

FRANK S. BOWKER.

The bill (S. 696) to carry out the findings of the Court of Claims in the case of Frank S. Bowker was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay $2,759.80 to Frank S. Bowker, of Phippsburg, Me., as managing owner of the schooler *William H. Davenport* and of the cargo thereof, for the damages caused to the schooner and her cargo of lumber by a collision with the United States lighthouse steamer *Azalea*, which occurred on the 2d day of October, 1899, as found by the Court of Claims and reported in House Document No. 334 of the Sixty-fifth Congress, first session.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE B. HUGHES.

The bill (S. 2257) for the relief of George B. Hughes was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to George B. Hughes, out of any money in the Treasury not otherwise appropriated, the sum of $1,000, as compensation for the loss of his right arm while in the performance of his duties as an electrician in the Government Printing Office during the month of January, 1899.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NAVAL STATION, PENSACOLA, FLA.

The bill (S. 562) for the relief of occupants of certain premises within the naval station at Pensacola, Fla., was considered as in Committee of the Whole.

The bill had been reported from the Committee on Naval Affairs with an amendment on page 2, line 5, after the words "sum of," to strike out "$75,000" and insert "$30,000," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to investigate the representations of the hardships and losses sustained by the occupants of certain premises within the naval station at Pensacola, Fla., who were required by an order recently issued by the Secretary of the Navy to give up such premises and remove their dwellings, buildings, and other property therefrom in order that room might be made for the aeronautic station, and the said Secretary is further authorized and directed to allow in such of said cases as are meritorious and may in his judgment be deserving of relief, reasonable compensation for losses and injuries sustained by reason of removals necessitated by the department's said order, and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $30,000, or so much thereof as may be necessary, to pay such sums as the Secretary of the Navy may award and allow hereunder.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. FLETCHER. I ask that the report in that case be printed in the RECORD.

There being no objection, the report, submitted by Mr. PAGE from the Committee on Naval Affairs on the 5th instant, was ordered printed in the RECORD, as follows:

The Committee on Naval Affairs, to whom was referred the bill (S. 562) for the relief of occupants of certain premises within the naval station at Pensacola, Fla., have considered the same and recommend that the bill do pass with an amendment.

The amendment is as follows:

On line 3 of page 2 of the bill, strike out "$75,000," and insert in lieu thereof, "$30,000."

This measure was considered in the Sixty-fifth Congress, Senate bill 2624, and the following letter from the Secretary of the Navy fully sets forth the facts and is submitted as a part of this report:

NAVY DEPARTMENT,
Washington, June 21, 1919.

MY DEAR SENATOR: Referring to the bill, S. 562, entitled "A bill for the relief of occupants of certain premises within the naval station at Pensacola, Fla.," I have the honor to advise you that, in replying to a similar request of the Senate Committee on Naval Affairs on January 26, 1918, with respect to Senate bill 2624, which is substantially identical with Senate bill 562, I then addressed a letter to the chairman of your committee, of which the inclosed is a carbon copy.

Nothing has occurred since that time to occasion me to modify in any respect the opinion therein expressed, and, with the amendment suggested in the last paragraph of the inclosure, namely, that the appropriation carried by the proposed measure, $75,000, be reduced to $30,000, I cheerfully recommend the passage of the proposed legislation.

Sincerely,

JOSEPHUS DANIELS, *Secretary.*

NAVY DEPARTMENT,
Washington, January 26, 1918.

DEAR SENATOR TILLMAN: Replying to the request of the Senate Committee on Naval Affairs for the opinion of the department respecting Senate bill 2624, for the relief of occupants of certain premises within the naval station at Pensacola, Fla., I desire to say that the purpose and spirit of this bill meet with my approval, and as indicating the reasons which have in part favorably impressed me with the desirability of the proposed legislation may I be permitted to quote from the last annual report of the solicitor of the department, who has given the subject-matter investigation and who on page 10 of said report says:

"As pointed out in my last report, the establishment and extension of the aeronautic station at Pensacola has resulted in apparent hardship to a number of tenants who had been granted permission to reside within the reservation and whose property was removed by order of the department as a necessary incident to the carrying out of the extensive scheme of improvement and enlargement of that station.

"It should be remembered that many years ago, due to the trouble in obtaining hands for the operation of the yard, at that time difficult of access, the department adopted the policy of encouraging mechanics and other workmen to remove to the reservation, offering as an inducement free license to occupy and improve sites within the reservation, and numbers were thus encouraged to make their homes there and expend their means in the erection of houses and other improvements.

"While it is true that such persons occupied these sites under license or permits, revocable at the discretion of the Secretary of the Navy and embodying a provision requiring the licensee in the event of revocation to remove all buildings within a given time, and providing further that in such event no claim should lie against the Government for reimbursement on account of damages sustained by reason thereof, it is nevertheless apparent that a strict and exact requirement of the letter of the bond has in some cases fallen harshly upon those who are least able to sustain reverses, and I refer especially to those tenants who by reason of advancing years, declining health, and indigent circumstances are unable to bear the expenses of removal or of reerection of their houses elsewhere, and to whom the effect of the department's action means the loss of homes without any compensating benefit."

I am of the opinion, however, that the amount of the appropriation carried by the proposed measure, namely, $75,000, is excessive, and that the sum of $30,000 should be substituted by suitable amendment, as being in my judgment entirely adequate for all the purposes contemplated by the bill.

Very respectfully,

JOSEPHUS DANIELS,
Secretary.

Hon. BENJAMIN R. TILLMAN,
Chairman Committee on Naval Affairs, United States Senate.

BILL PASSED OVER.

The bill (S. 1447) to correct the naval record of Fred C. Konrad was announced as next in order.

Mr. KING. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

TUBERCULOSIS DIVISION, UNITED STATES PUBLIC HEALTH SERVICE.

The bill (S. 1660) to provide a division of tuberculosis in, and an advisory council for, the United States Public Health Service, and for other purposes, was announced as next in order.

Mr. KING. I reserve the right to object to that bill.

Mr. RANSDELL. Mr. President, I wish to make a very brief explanation of the bill. It is to create a division of tuberculosis in the United States Public Health Service, and I can better explain it by reading briefly from the report of the Surgeon General of the Public Health Service, Dr. Rupert Blue, dated January 18, 1919. I will not attempt to read it all. He says:

The object of this section—

Referring to section 1 of the bill—

is to provide a special administrative division of the United States Public Health Service, the duty of which shall be to study tuberculosis, its causes and prevention, and demonstrate methods for its suppression. In connection with the necessity for establishing such a division, the following is submitted:

Tuberculosis as a cause of death and disability: Tuberculosis is still the greatest single cause of death in the mortality sheets of this Nation. According to the returns of the United States Census Bureau for 1916, tuberculosis caused 101,396 deaths in the registration area of the United States, which comprises 70 per cent of the total population.

Mr. President, this is a very serious matter. It relates to the most important disease that afflicts the human race, and I should be glad if Senators would give attention to it.

Mr. SMOOT. Mr. President, the Senator does not expect to have the bill passed at this time, does he, without opportunity to give it adequate consideration?

Mr. RANSDELL. I am asking to make a brief explanation of it. The Senator from Utah [Mr. KING] reserved the right to object until after a brief explanation could be made, and that is all I am trying to do. I want the Senate of the United States to understand this bill.

Mr. SMOOT. Mr. President, I am perfectly willing that the bill should come up at a time when there is a full attendance of the Senate and when we will have an opportunity to discuss it, but I wish to say to the Senator that I shall object to its consideration at this time under the five-minute rule.

Mr. RANSDELL. The Senator made the same statement several times during the last session of Congress. Now, I am on the floor and I propose, unless the Senate takes me off my feet, to make a very brief explanation of what this bill is, to let the country see how important it is and who is opposing it and preventing its passage. It ought to have been passed long ago. It is an outrage, sir, that this bill has not been passed. Tuberculosis is the worst disease from which our people suffer, and it is spreading rapidly. We ought to do everything humanly possible to prevent it. I wish to make a short explanation of the bill, and then the Senator can make his objection to its passage, if he so desires. I continue reading from the report of the Surgeon General of the Public Health Service:

The total number of deaths for the calendar year 1916 was 1,001,921. Tuberculosis thus caused 10.1 per cent of all deaths. If the same death rate from tuberculosis prevailed in the area of the United States outside of the registration area, the total number of deaths in the entire United States from this disease was approximately 145,000.

Then he goes on in the next paragraph to show the effect of tuberculosis on military man power, and says:

The effect of tuberculosis as a factor in depreciating national man power is well shown in the figures of the physical examination of the draft. Over 5 per cent of all examined, or more than 1 in 20, were found unfit for military duty because of tuberculosis, while many thousands subsequently developed tuberculosis after induction in the military service and were discharged. If we were to apply the figures of the prevalence of tuberculosis found during the physical examinations incident to the selective-service law to the whole population of the draft age, it may be estimated that there are approximately 1,000,000 cases of tuberculosis in the population of the age groups between 21 and 31.

Think of that, Mr. President—over 1,000,000 cases of tuberculosis in this Nation amongst those between 21 and 31 years of age.

With these figures concerning the prevalence of tuberculosis in this country and its prominence as a cause of death in the national mortality statistics, it is no wonder that tuberculosis has been known as the great white plague.

The Surgeon General then proceeds to show that it is clearly a preventable disease. I will not take the time of the Senate to read that portion of his report, but it is known by scientists that tuberculosis can be prevented. There are Members of this Senate who have had tuberculosis and have been cured of it.

Great efforts are being made all over the country to do something to lessen the ravages of tuberculosis. What this bill proposes is to create a division in the Public Health Service devoted especially to the work.

The Surgeon General continues:

Up to the present time all of the activities of the Public Health Service relating to the investigation of the diseases of man are being conducted under the Division of Scientific Research, while cooperative work in the prevention of the interstate spread of disease and its introduction from foreign countries into the United States is carried on by the Division of Domestic and Interstate Quarantine and Division of Foreign and Insular Quarantine, respectively, in the bureau. While of necessity tuberculosis has been considered in the work of these divisions, it has not been practicable because of insufficient funds and facilities to devote the intensive study to this great problem which it has long merited. Tuberculosis is such an important cause of deaths and disability that if a serious effort is made to reduce to proper limits the needless annual toll of thousands of lives because of its ravages, there is imperative need of a division in the Public Health Service which shall devote all of its time, energy, and funds to the solution of this great problem.

Mr. President, the National Tuberculosis Association, whose members have done a great deal to reduce the effects of this awful plague, have been very active in their support of this measure. They believe that it would have a wonderfully good effect. I agree with them. I have looked into it as carefully as I know how. The Surgeon General thinks it would have a good effect. It is quite a serious proposition here to prevent any longer the passage of this essential legislation which has been already held up for several years by similar objections to those now made. Senators, of course, can take their own responsibility for that.

Before closing I wish to say that the second section of the bill proposes to create an advisory council for consultation with the Surgeon General of the Public Health Service relative to the scientific work to be inaugurated by that service. The effect of this section is to increase the number of members on the board and to broaden the scope of its advisory powers, so that instead of giving to the Surgeon General advice solely in matters relating to the conduct of investigations at the Hygienic Laboratory he may have the benefit of their advice and experience with regard to the entire field of the Public Health Service and investigation. There are now eight members of the advisory board of the Hygienic Laboratory. Section 2 provides for repealing that provision, and in lieu of the eight members of the Hygienic Laboratory creates an advisory council of 10 members who will advise the Surgeon General on all health matters; and then the Surgeon General adds:

In view, therefore, of the increased scope of the functions of the Public Health Service since the passage of the law of 1902, and the need, too, for an advisory council with special relation to the problem of tuberculosis, it becomes eminently desirable to increase the functions of the present advisory board of the Hygienic Laboratory so as to cover all public-health investigations undertaken by the service, and to add to its membership, so that all fields of public-health research may be covered. Section 2 provides for an increase in the membership of the advisory board from 8 to 10, and, moreover, by abolishing ex-officio members, gives a wider field of selection, so that all branches of public-health work may be represented on the board. An advisory board organized on these lines should be of the greatest aid to the National Government.

If there be any real desire on the part of the Senate to take this bill up, discuss it thoroughly, and have a clearer understanding of it, I will not urge that it be taken up now; but it was opposed several times during the whole of the last session. I made effort after effort throughout the entire session to get action on this bill, and notify the Senate now that I am going to do my utmost at this session to get it passed. If it is not passed it will not be my fault. It will be the fault of the men who are opposed to having the very best possible scientific effort made by the Federal Government to prevent, or at least to lessen, tuberculosis in the United States.

Mr. SMOOT. Mr. President, before objecting to the consideration of this bill, I wish to say simply a word or two.

I have no objection to the Government making appropriations for the purpose of assisting in the investigation of tuberculosis. The Senator from Louisiana is no more interested in the subject than I am. The Senator from Louisiana does not know of its ravages, and what it has done to the people of the United States, more than I know it. But, Mr. President, this bill is not simply for the purpose of getting money to make an investigation of tuberculosis. They will never be satisfied until a new division of the Public Health Service is created.

Mr. RANSDELL. That is what the bill creates. The Senator is not familiar with the bill. It creates a tuberculosis division.

Mr. SMOOT. Oh, well, I said that.

Mr. RANSDELL. That is what we are trying to do now.

Mr. SMOOT. I know it, and that is what I am objecting to.

Mr. RANSDELL. All right. I want you to state the bill correctly, though.

Mr. SMOOT. I do not know what the Senator is talking about. I simply say——

Mr. RANSDELL. You said we would not be satisfied until we created a division of tuberculosis. I am simply telling you that the bill creates a division of tuberculosis. That is what we are trying to do in this bill. It is not something to come in the future. It is something to come now, if we get the bill passed.

The VICE PRESIDENT. Are we going to take up the bill or are we not?

Mr. SMOOT. No; we are not. I am simply calling attention to the fact that if this bill becomes a law we will have created here a new division of the Public Health Service, and I will say now that if it becomes a law we will have a great building rented in the District here, we will have hundreds of employees in the District of Columbia, we will have a whole raft of expenses in every conceivable way that a division of the Public Health Service can bring about.

I am not going to discuss the matter any more at this time, Mr. President, but when the proper time comes I wish to call attention to just what it means. I am perfectly willing, as I say, to make a direct appropriation for the Public Health Service for this work, but let the overhead that is directing the investigation of all other diseases direct this in the same way.

I object to the present consideration of the bill.

The VICE PRESIDENT. The bill will be passed over.

BILLS PASSED OVER.

The bill (H. R. 7478) to amend sections 5200 and 5202 of the Revised Statutes of the United States, as amended by acts of June 22, 1906, and September 24, 1918, was announced as next in order.

Mr. SMOOT. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over. We temporarily passed over Senate bill 2259, for the relief of Edward S. Farrow.

Mr. WADSWORTH. Mr. President, I think it would be wiser to let the Senator from New Jersey [Mr. FRELINGHUYSEN] explain that bill. He knows all the facts in the case and was intrusted by the Military Affairs Committee with the duty of explaining it in the event that the question arose.

The VICE PRESIDENT. The bill will be passed over.

ARMY NURSE CORPS (FEMALE).

Mr. WADSWORTH. Mr. President, I do not know whether I am in order or not, but I want to ask the reconsideration of the objection made by the Senator from Utah to the taking up of Senate bill 2496. It is a bill authorizing the retirement of the Army Nurse Corps (female). I am quite sure that if the Senator understood the situation he would not object to its passage, or certainly not to its consideration; and, if I am in order, I will devote a little time to an explanation of that bill.

The members of the Army Nurse Corps are to all intents and purposes a part of the Military Establishment of the United States. The Army Nurse Corps is provided for in the national-defense act. The women who form that corps are in effect enlisted into the service. They are subject to military regulations. Their duties are closely allied with military work, as the Senator knows, in the military hospitals, taking care of the sick and wounded soldiers. They are subject to military orders. They have to comply with the disciplinary regulations of the War Department and of their commanding officers. As I understand, they are the only branch of what we ought to call the military service—because they are in the military service—that have not the retirement privilege.

This bill provides that after a woman has been a nurse in the Army Nurse Corps for 20 years—and, mind you, the Senator from Utah will agree with me that they do not enforce an eight-hour day in the hospitals; the women have to work any number of hours in the day that is necessary, and the work is exceedingly hard upon occasions—after a woman has served for 20 years in the Army Nurse Corps, under the provisions of this bill she will be eligible to retirement on three-quarters pay, just as an enlisted man is eligible for retirement under certain provisions of the law which give him that privilege. It is to put the members of the Army Nurse Corps on somewhat the same basis as the enlisted men and officers of the Army; and I think, Mr. President, they deserve it.

Mr. KING. Mr. President, will the Senator permit an inquiry?

Mr. WADSWORTH. Yes.

Mr. KING. Is this to be followed or preceded by another measure, which provides for giving promotions and official titles to the nurses, making them captains and majors?

Mr. WADSWORTH. Oh, it bears no relation whatsoever to that.

Mr. KING. Because, as I understand, such a bill as that is either in contemplation or it has been incubated in some of the committees here.

Mr. WADSWORTH. I have heard of such a proposal, but it has no connection whatever with this bill.

Mr. KING. How many regular nurses are there in the Army?

Mr. WADSWORTH. I could not tell the Senator the total number of the Army Nurse Corps. Of course it is much larger to-day than it was before, on account of this war.

Mr. KING. I presume that is so.

Mr. WADSWORTH. But it is limited in the national-defense act to a peace-time strength, and the number of nurses who stay in the service for 20 years is comparatively small. They are the ones who rise to positions of comparative responsibility in the military hospitals. As might be supposed, women do not stay in the Army Nurse Corps as long as men stay in the enlisted branch of the Army. Many marry and establish households of their own; but the ones who serve long and faithfully to-day have nothing to look forward to from the Government after their period of active service is over.

Mr. KING. If the Senator will pardon me, my information was that there was some purpose in view to carry on into the service, so that they would get the benefits of this act, a large number of those who had come into the service quite recently, and that whereas the Army was being demobilized there was no purpose to effectuate any demobilization of the Army Nurse Corps, and there would be hundreds of those in the Army, and if they could not find service in the military branch of the Government they would be loaned out, so to speak, to private hospitals and for private purposes, but still maintain their military status.

Mr. WADSWORTH. They could not maintain their active-service status unless they were on active service with the Army, and the demobilization of the Army Nurse Corps goes on along with the demobilization of the Army; and the Congress is master of that situation, as was illustrated in the first part of July, when it appropriated such a small sum of money for the pay and subsistence of the Army as to compel its demobilization down to the authorized strength of the national-defense act. So I can assure the Senator from Utah that under the policy adopted by Congress the number of Army nurses can not exceed, after September 30 next, the number authorized in the national-defense act, and that of those very, very few will ever serve 20 years. I do not suppose there are over 20 nurses in the Army to-day who have had over 20 years of active service, and I think they are entitled to the Army retirement privilege.

Mr. KING. I shall withdraw my objection, but I still think this legislation is not wise. As an original proposition, I think to have a privileged class getting pensions is a mistake. I should object, if it were an original proposition, to giving retirement to judges, to Army officers, or to any employee of the Government.

Mr. WADSWORTH. Then, of course, the Senator should introduce bills repealing all of the retirement legislation of the Army and the Navy.

Mr. KING. I grant that that would be the work of Sisyphus; it never could be accomplished.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes that members of the Army Nurse Corps who have had active service therein of 20 years (including for the purpose of computation time of service as contract nurse) shall, upon application therefor to the Secretary of War, be placed upon a retired list, and shall thereafter receive 75 per cent of the pay, exclusive of foreign-service pay, they were drawing at the time they became entitled to retirement as aforesaid.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

TREATY OF PEACE WITH GERMANY.

Mr. BORAH. Mr. President, I am not going to detain the Senate by any extended discussion. I was interested yesterday, in going through the Sunday papers, to find the state of mind of the world with reference to the settlements and adjustments which have thus far been taken care of in the pending treaty.

Read in the light of the treaty now before the Foreign Relations Committee of the Senate, yesterday's Sunday papers were most instructive. If the news items of these papers are correct, almost one-half of the population of the world outside of the Central Powers are now protesting against the settlements and adjustments made in this treaty. I do not include in that the nations with whom we were at war. I refer only to the people who are subject to the domination or control of the allied powers. The papers carried the voice of protest in different ways of millions who were represented in the war upon the side of the Allies. Much of this news was belated, long suppressed, some of it carried to this country by the representatives of the protesting people. But in some form or other this news appeared in yesterday's paper in different ways. The Chinese are in open protest against the treaty. The Koreans, the Egyptians, large portions of the people of India, the people of Ireland, all are asking in some way to be released from the terms of this treaty or objecting to its provisions. In some of these countries open revolution is being carried on. War is already in progress to compel them to submit to the treaty. If you add to all this dissatisfaction the bitter dissatisfaction of Germany and the people of Austria and Hungary, the treaty which we are asked to underwrite and maintain has arrayed against it at this time the sentiment and vehement protest of far more than one-half of the people of the globe. Never was a more perilous situation presented for the consideration of a nation. It is the conviction of some of us that if we do what is here proposed, sorrow and suffering are ahead of the American people. It is a greater load than we can carry, and yet there are those who are hastening to enter this uncharted sea. I would not feel justified in discussing these facts if it were not that as I view it this covenant makes them of prime concern to us. The task of underwriting the treaty itself with reference to the powers against whom we were at war would be a considerable task, but when we find that the peoples who were represented either directly or indirectly, the subject nationalities upon the side of the Allies, constituting nearly one-half the population of the earth, are in protest now before the treaty is ratified, it presents, to my mind, the most serious proposition with which we have had to deal as a practical fact at this time.

There are the Chinese, some 400,000,000, the Koreans, the Egyptians, the people of Ireland, and you may travel through, quoting now simply from memory, the list of subject nationalities, and practically all have in some form registered a protest against present settlements.

Before proceeding briefly to call attention to the situation I read into the RECORD, although they are familiar, of course, to my colleagues, article 10 and article 11, both bearing upon this particular phase of the situation:

ART. 10. The members of the league undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league. In case of any such aggression, or in case of any threat or danger of such aggression, the council shall advise upon the means by which this obligation shall be fulfilled.

That article has been construed to mean a protection of the boundaries of the different nations as they shall exist at the time the treaty is finally ratified. It is supposed to have nothing to do with other than external aggression and the existing political independence. A great deal has been said as to the manner in which it might well be construed to go much further than the mere protection against external attacks, but I leave it with the construction which its supporters place upon it. Coupled with it is article 11:

Any war or threat of war, whether immediately affecting any of the members of the league or not, is hereby declared a matter of concern to the whole league, and the league shall take any action that may be deemed wise and effectual to safeguard the peace of nations.

"Any war or threat of war" includes war of any kind. Can there be any doubt that article 11 covers internal war as well as external war? That is accentuated in view of the fact that the preceding article covers only supposedly external war. But we have article 11, which says:

Any war or threat of war, whether immediately affecting any of the members of the league or not, is hereby declared a matter of concern to the whole league.

It includes internal disturbance or internal war or a revolution or any other disturbance which the council would construe to rise to the dignity of a threat of war. Then it says:

And the league shall take any action that may be deemed wise and effectual to safeguard the peace of nations.

If article 10 were eliminated and article 11 should remain in the league, the principle of article 10 would be as effectually covered by article 11 as it is in article 10. Certainly "any war or threat of war" would cover an external attack as clearly as an internal, and could be as readily applied to it.

It seems to me that the striking out of article 10 and leaving in article 11 accomplishes but little along the line those desire who are opposed to article 10. Suppose article 10 is eliminated, and we will say, simply for the purpose of illustration, because we have to take some nation, that China makes an external attack upon the territory of Japan. It is just as effectually covered by article 11 as it would be by article 10, because it is a threat of war or actual war. It may be war or a threat of war. Therefore when you couple article 10 and article 11 the league is given jurisdiction over every conceivable disturbance which may be interpreted either as war or a threat of war, and it is immaterial whether it is internal or external.

I call particular attention to article 11 in view of the situation as it was developed in yesterday's papers. There is now going on in the allied countries and subject nationalities war and threat of war among nearly one-half the population of the earth.

If the league were completed to-morrow and the situation should be presented as it was presented yesterday by the news items in the papers we would have a matter of concern to us as a member of the league in every quarter of the globe without any exceptions, so far as I was able to decipher from the news items. We would be concerned with the situation in China and Japan, in Korea, in Ireland, in Egypt, in Persia. Throughout the two hemispheres there is that condition of affairs which must necessarily be designated as either war or a threat of war.

The fact is, Mr. President, that the distribution which took place at Versailles was really a distribution of the territory of two hemispheres among three or four nations at most. For instance, Japan, prior to the meeting at Versailles, had acquired Korea, Formosa, large holdings in Manchuria, extended holdings in Mongolia, and by the settlement at Versailles a most vital holding in the very heart of China, to wit, Shantung. That condition of affairs places Japan in practical control of the Eastern Hemisphere. If the Shantung matter is ratified and the policy which I believe to be the policy of Japan is carried out, and I judge that policy by her acts in the past, there can be no doubt the dominating, controlling, and directing influence for the entire Eastern Hemisphere will be the Japanese Imperial Government. At no distant day she will control the millions in that part of the world.

Against that condition of affairs there is now, and there will continue to be, in my judgment, until it is settled by the arbitrament of war, the protest of nearly one-third of the population of the earth.

Mr. KING. Will the Senator yield?

Mr. BORAH. I yield.

Mr. KING. Is the Senator contesting the proposition which seems to have been accepted by many statesmen, European as well as American, occidental as well as oriental statesmen, that Japan has a special interest in the Orient, the same as we insist upon having a special interest over the Western Hemisphere? Obviously Japan must have some place in the sun. She can not expand to the East. She is forbidden to go into the Philippines or into Australia or New Zealand. Manifestly her destiny leads her into Asia. There is where we prefer that she should go. Is there anything wrong in Japan being conceded by the statesmen of the world a special interest—and I am not attempting to define the term "special interest"—in the Orient, the same as the Root-Takahira agreement seemed to recognize and the Lansing-Ishii agreement seemed to recognize?

Mr. BORAH. I beg the Senator's pardon, the Root-Takahira agreement particularly avoided recognizing anything of the kind.

Mr. KING. I think the object of it was to effectuate that purpose.

Mr. BORAH. No; I beg the Senator's pardon, the Root-Takahira agreement did not recognize any special interest, and that is the distinction between the Root-Takahira agreement and the Lansing-Ishii agreement. Under the Lansing agreement a special interest was recognized. Let me make my position clear.

Mr. REED. Will the Senator yield?

Mr. BORAH. Certainly.

Mr. REED. I should like to ask, if the doctrine which seems to be recognized and accepted by the Senator from Utah [Mr. KING], which he so clearly expresses, is to be accepted, what becomes of the doctrine of self-determination and what becomes of the new theory that weak nations are to be protected from the strong, for the Senator seems to go back to the old barbaric principle which we have heard so much denounced, which is that power and strength shall multiply itself and march forward with resistless force and take wherever it wants to take?

Mr. KING. Will the Senator from Idaho permit me to reply to the Senator from Missouri?

Mr. BORAH. I yield for that purpose.

Mr. KING. I do not intend, of course, to divert the Senator from Idaho from the speech which he is making, and I apologize for intruding again, but I do not want my good friend from Missouri to put me in a false attitude, and I know he would not do so intentionally.

I did not mean to express my approval or disapproval, in the interrogation which I propounded, of the Root-Takahira agreement or the Lansing-Ishii agreement. I merely attempted to state that as I understood it the statesmen both of the New and the Old World seem to concede that Japan's future lies in the Orient. I agree in that view, that her future should lie there, and that if she expands and has a place in the sun we prefer the expansion to be in the Orient rather than in the Occident.

But let me say just in conclusion that a recognition of the proposition that Japan shall have or may have or is entitled to have a special interest in the Orient I do not think confutes the idea of the right of self-determination or the right of local self-government or the right of nationality and sovereignty that belongs to all nations. We assert a special interest in the Western Hemisphere, this great Republic of ours. We do not mean by the assertion of that special interest that we are interfering with the sovereignty or the rights or the liberties or the freedom of any peoples upon the Western Hemisphere.

Mr. REED. That is just the difference between American civilization and Japanese barbarism. They do mean to assert, and they are asserting, the right of national robbery and universal theft.

Mr. BORAH. I desire to make my position clear with reference to the Japanese situation in the Orient and with reference to the English attitude toward its subject nationalities. I might have a deep concern in all those matters as an observer, but I should refrain from discussing them here upon the floor of the Senate if it were not for the fact that we are called upon to become a party to the transaction by underwriting and maintaining a situation.

Japan is said to have a special interest in China. I would be perfectly willing to have that matter debated between China and Japan and have it settled between themselves under certain conditions until those developments should reach the point where they would become of vital concern to us. But the thing which meets us at the very threshold is that this special interest in China is a thing which the United States is called upon now to maintain and guarantee and perpetuate. So it becomes a matter of vast concern to me whether that special interest is based upon the mere fact of the propinquity of Japan to China or whether it is based upon what I believe it to be the intent of Japan to dominate China.

But, Mr. President, where are you going to stop with your "special interests"? When the Lansing-Ishii agreement was made it was agreed that Japan had special interests in China. That was supposed to be based upon the proposition of geographical propinquity. If that was true it was equally true that China had especial interest in Japan. All maps I have ever seen show that China is just as near to Japan as Japan is to China! We would be under just as much obligation if China should ask us to turn about and agree upon a treaty which would give China a special interest in Japan, which there is no danger in the world of our doing, for the simple reason that Japan would not submit to it for a moment. As the Senator from Missouri [Mr. REED] has intimated, it is an exhibition of the fact that the Japanese right is based upon her superior military power and not upon justice.

But, as I said, I could pass that by if it were not for the fact that under articles 10 and 11 the United States will be called upon to maintain these special interests, and it will be called upon to maintain them in whatever light Japan construes them. I think the Secretary of State was correct when he said that this "special interest" had relation to nothing more than the mere fact that it was geographically closely related to China. However, there is no doubt but that a different construction is held by Japan, as was stated in the Russian minister's dispatch to his home government after talking to the Japanese authorities, which was to the effect that Japan placed an entirely different construction upon it, and that in case there was a divi-

sion of sentiment or view in regard to it Japan felt she should have the best opportunity and the greater advantage in enforcing her view.

Mr. MOSES. Mr. President——

Mr. BORAH. Just a moment, please.

So Japan has already construed her special interest to mean paramountcy or political dominancy in the Orient, including a dominancy over 400,000,000 people; and the reason why I am concerned in it is that the United States is now called upon to underwrite and perpetuate it.

I yield to the Senator from New Hampshire.

Mr. MOSES. I should like to call the Senator's attention to the fact that the language in the Lansing-Ishii agreement is "special position," and taken in connection with the Secretary's testimony before the Committee on Foreign Relations, where, to my mind at least, he gave a clear indication of the position, it is that Japan's special privileges, whatever they may have been, grow wholly out of her geographical situation in the Far East.

Mr. BORAH. Both phrases, if I recall, "special interest" and "special position," are used in the agreement.

Mr. MOSES. Both terms are employed, but I think the Secretary's argument before the committee was directed to the term "special position."

Mr. BORAH. The two together, if they are both there, have been construed to mean the same thing, to wit, a peculiar and dominant right of Japan in China over that of any other power. But, Mr. President, there was one thing which appeared in yesterday's papers which interested me more than all else, because the condition of Korea and the protest of China and the situation in the Orient have been discussed a great deal, and there was nothing new about it. I am not assuming to state anything new. But in yesterday's papers appeared, about a month and a half belated, news of the fact that one of the subject nations of England at this time is in violent protest, if not open rebellion, against the authority of the English Government.

In 1882 England went into Egypt ostensibly for the purpose of collecting certain debts and stated to the world over and over again through her statesmen then holding office, such men as Mr. Gladstone, that they were in Egypt solely for the purpose of accomplishing certain things, and that after those things were accomplished, to wit, the collection of debts, they would withdraw from Egypt.

That statement has been carried forward from time to time from 1882, or, in other words, during the last 40 years. In 1914 England, under the exigencies of war, as it was claimed, declared a protectorate over Egypt and set up a ruler chosen by the English Government. It was stated at the time that that was merely a step toward the independence of Egypt, and the Egyptian people thoroughly understood, and acted upon the understanding, that they were being protected by a friendly power with a view of giving them their independence, for which they had long been striving.

When the peace commission met at Versailles the Egyptian people undertook to send their representatives to Versailles for the purpose of presenting their cause. They were denied an opportunity to present the facts. They were not only denied an opportunity to present them, but their representatives were interned and practically imprisoned and are practically held, if not actually in restraint, until this time, being refused passports even to come to the United States.

The world paid very little attention to that incident, because a single line covered the entire transaction. We did not know that lying behind that effort of those representatives to have a hearing at Versailles were the protests and uprising of an entire people, uniform in language and in civilization and animated by a true spirit of nationality. Their protest has ripened into actual warfare, and that warfare has been going on from the time of the first notice to the Egyptians that the protectorate was to be made permanent until now. To-day in Egypt those people are being held by force; they are restrained by the bayonet, and bloodshed and carnage prevail throughout that country.

I again state that, while any man would feel deep concern that such revolting things should be going on, I would not discuss them here except for the reason that this is another one of the illustrated conditions which we are to take care of under articles 10 and 11. The Far East is a seething mass of discontent and revolution, including nearly one-third of the earth's population, and we are to underwrite it.

In addition to that there are coming forth now protests of millions of people under the British flag against the authority which we are asked to maintain for Great Britain. Mr. President, the English Government as a result of this war acquired territory almost as large as the United States. Although imperialistic appetites were supposed to have been satisfied by the experiences of the past, when the Versailles conference shall have finished its work and this treaty shall have ripened into actual results, Great Britain will have acquired a territory almost as large as the United States and will have acquired dominion over 33,000,000 people. Of those 33,000,000 additional people over whom they have acquired or will acquire dominancy practically all are to-day in protest against the reign and rule of Great Britain.

I am concerned about these conditions, as I say, by reason of the fact that they can no longer be a matter of distant concern to the United States. When the league covenant is once completed they may be just as vital and just as much our concern as if they arose within our own territory. We may be called to assume the responsibility of settling them in Egypt as we would be in Mexico, or even within our own boundaries.

I call attention, Mr. President, to some of these facts and will ask that others be inserted in the RECORD.

Bear in mind, Mr. President, that the information which is now reaching the people of the United States is information, based upon facts, which has been in existence and should have reached the people of the United States weeks and weeks ago; and they reached this country not through the channels of the news agencies but by means of special representatives chosen by the subject nations to bring them to the attention of the people of the United States.

In other words, the people of the United States are being asked to make haste and ratify a treaty while the news agencies, such as Reuter and Havas, are withholding from the people of the United States the facts upon which may depend the lives of hundreds of thousands of our citizens. The Reuter News Agency, the French news agency known as the Havas, has been precluding from the people of the United States that information which goes to the very heart of this problem with which we are dealing; and the facts which are brought here for the consideration of the American people are brought in spite of the action and over the protests, as one might say, of the nations with whom we are asked to form a partnership.

We know that for the last four years carnage, devastation, and decimation have been going on in Korea; there is not an act of German brutality that may not find its counterpart in the treatment of Korea by Japan, and yet, until Christian organizations were able through their agents to bring that news to this country, the American people were informed over and over again through the organized propaganda which was going on that it was a blessing that the Korean people had come under the control of Japan. As a matter of fact, when the real information gets here from authorities which we dare not challenge, instead of it having been a blessing, we find that it is an indescribable curse upon the Korean people that Japan ever placed her control over those helpless people.

The same thing precisely is now taking place with reference to Egypt and the other parts of Europe where the subject nationalities are facing the reign and the rule which we propose to fasten down and make permanent for all time.

ATROCITIES CHARGED AGAINST BRITISH SOLDIERS BY EGYPTIAN PEACE DELEGATION.

CAIRO.

Hundreds killed, wounded, and imprisoned by British soldiers, who swept the streets with machine guns during peaceful demonstrations of protest against deportation of Egyptian independence leaders. Ten-year-old girl assaulted by several soldiers until she died.

CHOBAK.

British soldiers pillaged town, killed 21, wounded 12, mistreated women, buried 5 persons to their waists and cut them to pieces with bayonets, burned 144 of the 200 homes.

EL CHABANAT.

Detachment of English soldiers pillaged village, burned it, and left 4,000 persons without shelter.

AZIZIA AND BEDRECHIEN.

Soldiers searched both villages for arms and burned a number of homes.

CHOUBRA-EL-CHARIEH AND KAFFR-EL-HAGGA.

Alleging that a shot had been fired at an English patrol, soldiers condemned all male inhabitants to be flogged on the stomach and back.

UPPER EGYPT.

British general decreed that every Egyptian, including high dignitaries, must salute British officers in the streets. Those who did not obey the order were dragged before courts-martial.

These were facts which the Egyptian people asked permission to present to the Versailles conference, but, just as Japan prevented the Korean delegates from raising their voices at the Versailles conference to give the world the facts and to inform the people of the United States the kind of partners which they were to have, the English Government denied a hearing to the Egyptian delegates who were to present these facts to the conference.

I read a portion of an affidavit, a copy of which I have in my possssion. This is an affidavit by the son of the mayor of Chobak:

I heard what the soldiers had done with five of the inhabitants, namely, the Sheikh Abdel Ghani Ibrahim Tolba, his brother, Abdel Rehim Ibrahim Tolba, his son, Said Abdel Ghani Tolba, and two others, Khafagi Marzouk and Abdel Samad el Okbi—those were buried alive to their waists, then shot and afterwards disfigured with bayonets. I saw their disfigured corpses as I assisted in getting them out of the places they were buried in. One hundred and forty-four houses were burned, and to our knowledge 21 persons were killed and 12 were wounded, out of whom 1 died. It is very probable that the casualties were more than that, as most of the houses were totally burned to ashes, and it is presumed that many inhabitants were burned within.

Four soldiers attempted to break the door of my neighbor, Gad el Noula Nassan Magata, but they were unable to do so. Then they entered an adjacent house and jumped from it onto a roof and went down to the said house, where they found Gad el Noula and his wife, Wakda Bint el Gabn, who was carrying her child, a year old. The soldiers attempted to assault her, and when her husband protested one of them shot him and he died the next day. She fled into another room, but the soldiers followed and caught her. She thought when she held her child, who was on her shoulders, to the soldiers she might attract their mercy and pity toward her, and thus escape assault, but when she stretched her arms with the child between them the soldiers brutally shot the child and the bullet pierced his right shoulder. He did not die and is still under treatment.

I ask permission, Mr. President, to insert at this point some other facts in the RECORD without reading.

The PRESIDING OFFICER (Mr. EDGE in the chair). Without objection, permission is granted.

Mr. BORAH. I read a paragraph from the petitions which were to have been presented by the representatives of Egypt to the peace conference:

STRIKING POINTS IN EGYPT'S PLEA TO PEACE CONFERENCE FOR INDEPENDENCE.

What the English have done in Egypt has opened between them and us an abyss so deep that it is radically impossible for the Egyptians to accept any longer the domination of the English.

We know the great bulk of the British people consent to what is being done in Egypt only through ignorance of the shameful facts. The truth has been rigorously suppressed.

Is there not reason for us to doubt the triumph of justice when we consider all the obstacles put in our path to prevent our feeble voices from being heard in the world above the powerful voice of England?

If excesses committed against the enemy are reprehensible, what is to be thought of excesses committed against a friendly and allied people? (Referring to alleged British atrocities.)

For the British authorities in Egypt the treaty of London was a "scrap of paper," just like the promises officially made by British statesmen.

The principle of inviolability is not taken into consideration; there is no respect for women and no regard for the life and property of the innocent.

The whole of Egypt rejects the British domination. It will be a crying injustice if the conference sanctions the loss of the autonomy we acquired a hundred years ago. Is it conceivable that the Egyptian people can be treated like ordinary merchandise?

Let us suppose, for the sake of the argument, which I am perfectly willing to do, that the outrages in Korea have been exaggerated; let us assume, for the sake of the argument, that the brutalities in Egypt have been exaggerated; let us assume that the cruelties which are now coming to light have been overcolored; the fact remains that all these people are in utter opposition to the authority and the power which we are called upon to perpetuate and maintain; and it is demonstrative of the fact that these people are not going to be reduced to subjection or to serfdom without a contest which will ripen into war. War is now being waged and it will continue to be waged until an overpowering pressure reduces them to actual subjection.

The thing which I object to is that the United States shall be called in as a partner to help furnish that overpowering pressure. I object to forming a partnership with any nation or combination of nations which have not constructed their civilization and their government upon principles in harmony with the principles of this Republic. If, as conditions now exist, we are to form partnerships with these nations, we are simply taking upon ourselves the burden of oppression which has characterized our partners before the partnership was formed.

There are three points to which I therefore direct attention to-day: First, the persistent, the constant, the never-ending efforts of the news agencies of England and France to keep the facts from the American people; second, that while the facts are being concealed and ignorance prevails as to conditions in those countries, we are being whipped and lashed to conclude the treaty before the facts are known; and, third, that when we enter into this partnership we then become, under articles 10 and 11, obligated to perform the never-ending duty of keeping those people in a condition against which they are at this time protesting. It is a fearful task, a task fraught with all kinds of trouble for our people, a task at war with all our professions, principles, and ideals. Why hasten? Let us know all and everything there is to be known before we take on this stupendous burden. Let us, if we are to assume the burden, do so in the full knowledge of its great weight.

I here insert in the RECORD certain statements or affidavits:

Sworn statement of Abdel Latif Abou el Magd, age 25 years, a farmer and son of the omda (mayor) of the village of Shobak, Province of Giza:

"On Sunday, March 30, 1919, a policeman came to our village with a message from the mulahez (police officer) of Mazghouna, Sawi Effendi El Taher, informing my father of the expected arrival of a train conveying British soldiers to repair the railway line. He, the policeman, instructed us to send out 30 men to help in carrying out the repairs; moreover, he drew our attention to the necessity of giving every assistance to the expected forces. The mayor then did his best in collecting the required laborers, and, together with the sheikh and the chief guard, he advised all the inhabitants to welcome the forthcoming soldiers and to treat them well, in order to avoid the unpleasant consequences. Further, a day before all the mayors of the villages of the neighborhood had received instructions from the mulahez to welcome the British soldiers in order to avoid any misunderstanding. Our mayor communicated these instructions to all of us, and we on our part, knowing of what had happened in Azzazia and Badrahein, resolved to resort to absolute tranquillity.

"The train arrived at 4 p. m. and stopped at a distance south of the village. The soldiers came down and were received by the mayor, the sheikh, the chief guard, the guards, and myself. We noticed that they meant to enter the village, and we feared the bad results of their so doing. The mayor, therefore, tried to convince them not to enter the village, but in vain. None of them or with them could understand what the mayor was saying. They entered the village and installed themselves all over. They took all the geese, the fowls, pigeons, lambs, etc., that they came across. I saw some of them surrounding a woman named Aziza Bint Khodeir, wife of Abdel Tawab Abdel Maksoud, shamefully touching every part of her body and trying to violate her. She cried for her husband's help. He ran out from the house with a stick in his hand and gave the soldier who caught his wife a blow on the head. Another soldier then fired at him and killed him on the spot. Murmurs of rage and discontent filled the air, specially for defaming the honor of such women as Aziza and others, of whom I heard but not seen. The soldiers then began to attack the houses, killing the inhabitants, plundering everything that came under their sight, burning the buildings, animals, and people, and shooting everybody who came in their way. My father and I took shelter in our house till the morning. Throughout the whole night the soldiers were trying to open or break through our door in vain. Next day, at about 8 a. m., the mulahez came to our house and shouted to my father to get out. My father then opened the door, and the mulahez, together with 10 British soldiers, entered our house and searched every corner of it to see whether there were arms, but they found none. They did not take anything at all from the house, but took my father along with them, and the mulahez ordered me to shut the door after him, which I did. Half an hour later some soldiers, about 10 in number, climbed our neighbor's house and jumped into ours. I therefore took my younger brother, aged 16, to a room, wherein we shut ourselves. The soldiers broke its door to pieces and ordered us to get out, threatening us with their rifles. They put one of them on our guard and the rest entered all the rooms of the house, breaking open our boxes and cupboards and taking away all that they found, such as jewelry and clothes. One of the soldiers cut off my robe with his bayonet and took my bank-note case, which contained £150 in bank notes, and some jewelry, estimated at £200. Fortunately our ladies were absent that night in a neighboring village. The soldiers on their going out set fire to the carpets of our waiting room. As regards my father, I heard that he had been seen at El Ayat and then at El Wasta, but nothing certain is known about him. I heard what the soldiers had done with five of the inhabitants, namely, the sheikh, Abdel Ghani Ibhahim Tolba; his brother, Abdel Rehim Ibrahim Tolba; his son, Said Abdel Ghani Tolba; and two others, Khafagi Marzouk and Abdel Samad et Okbi. Those were all buried alive to their waists, then shot, and afterwards disfigured with bayonets. I saw their disfigured corpses as I assisted in getting them out of the places they were buried in. A good number of animals were killed, among which we lost a buffalo and a camel. One hundred and forty-four houses out of 210 were burnt, and to our knowledge 21 persons were killed and 12 were wounded, out of whom 1 died. It is very probable that the casualties were more than what had been discovered, as most of the houses were totally burnt to ashes, and it is presumed that many inhabitants were burnt within. The survivors at present leave the village by night and return to it by day.

"Q. Were the soldiers armed when they first left the train, or did some of them return to the train to get their arms?—A. Some of them were armed and some were not. But when the firing of those soldiers in the village was heard the train moved nearer the village and stopped at about 30 meters from it, and the machine guns were then put in action. Fortunately the inhabitants fled to the fields and the losses did not therefore exceed the number above mentioned."

Later, the Omda's son requested to add to his original evidence the following:

"My father, the Omda, was taken to a place unknown to us. The sheikh was half buried alive and shot. The chief guard was also killed in his house and the three guards fled. The village is now left without any responsible person in charge. We therefore solicit the Government to protect us against further attacks on our persons, honor, and property and also the remaining small part of our poor village. We came some days ago to the Mudira and complained to the Mudir and to the members of our provincial council, who had a meeting held and examined our complaint. But till now we did not see any steps taken in connection with our grievances about the atrocious actions committed by the British soldiers in our village. Moreover, I still do not know whereto my father has been taken."

His statement ended, he affirmed and signed.

—

To the members of the legislative assembly and members of the provincial council of Giza:

I, the undersigned, Ibrahim Rashdan, mayor of Azizia, have the honor to submit the following to your notice:

On Tuesday, 25th March, 1919, at 4 a. m., I was awakened by 10 British Army soldiers knocking at my door under the command of two officers, who had revolvers in their hands.

They were accompanied by an Egyptian corporal, a soldier, and an interpreter.

The interpreter told me to give over my weapons and to collect all arms in the village within the space of a quarter of an hour.

I surrendered my revolver, and no sooner had I done so than the soldiers rushed into my bedroom, where my wife and the three children were terribly frightened. The officers and men broke open a wardrobe and jewelry box and took the contents, as well as a wallet containing £50. They subjected my wife and the children to brutal, insulting treatment, even snatching my oldest child's (8 years) earrings with such violence as to wound the ear.

They then went to another wing of the house, where my sons' families lived, and meted out the same treatment to them, the officers looking on and even taking part, with astounding coolness, notwithstanding the pleading of the women and children. They found a safe in my son's apartments and they threatened to kill me if I did not instantly open it; they found 950 sovereigns and my wife's and sons' wives' jewelry, which they took.

They then ordered me to direct them to the homes of the neighboring sheikhs. These homes and those of other inhabitants which looked prosperous were subjected to the same treatment as mine, with varying degrees of violence.

The interpreter informed the people that the British were going to burn the village and ordered the inhabitants to evacuate as soon as possible. Men, women, and children hurried away, carrying what they could.

The village was surrounded by soldiers, who took everything from these unfortunates while leaving the village. They subjected the women to the most brutal treatment; but the fellaheen (peasants) hide these details for the sake of their women's reputation. Cases of rape have been signalled.

From a neighboring sheikh's house I saw the flame rising from my roof, and I learnt that the troops had set fire to it. Every quarter of the village met with the same fate. A sacred banner embroidered with the Moslem formula of faith was desecrated. All the sheikhs were arrested and brought to where I was. The assistant sheikh ghafir (head night watchman) was also arrested, his house plundered, and his wife grossly insulted.

A procession was formed to proceed to Hawamdieh, and whenever the troops found our pace too slow (we were mostly elderly men) they urged us on with the points of their bayonets. We were not allowed to ride, and, as the sun had by now reached its zenith, our sufferings were terrible, and one soldier took pleasure in photographing us in this pitiful condition.

We arrived at Hawamdieh police station about noon, and there found the mayor of Bedreshin and one of his sheikhs. They informed us the terrible treatment which their village and inhabitants had received. We remained for some time under the burning sun with dust blowing, facing the British cannon and surrounded by armed troops.

We were all taken to an inn belonging to the sugar factory, where we found 30 officers and a president. Abdul Medjid Effendi Tharwat, the mulahez (police officer with rank of lieutenant), brought us before them. The senior officer spoke and said, "I am about to inform you of the crime with which you are charged. Azizia is guilty in so much as a British officer has been beaten by some of its inhabitants. This officer was on his way to the Pyramids of Saccara, whither he was bound with other officers; and the joint crime of both villages is, as I learnt at Cairo, the participation of the inhabitants in the burning of the Hawamdieh and Bedreshin railway stations."

I told the officer that I, with my family, the mulahez mustafa effendi, and the people of the village, were guarding the factory during the recent outbreak. I was risking my life in this task. The mulahez by whose side I was standing was wounded by a bullet. I also told the officer that he could make inquiries through the district governor, the manager, and the employees of the factory; but the senior officer would not accept my statement. In truth, these two villages took no part in the destruction of the railway lines, and as far as could be ascertained this destruction was the work of strangers. The burning of the stations of Giza took place several days before the proclamation of the general commanding officer. From our village I can assure that no one molested an officer.

The senior officer then ordered us to collect all arms in the village or he would burn it, and we should share the same fate. He furthermore informed us that henceforth disobedience meant capital punishment. He wrote the following in English and ordered the mulahez to translate in Arabic, and which read: "We, the omdehs and sheikhs of Azizia and Bedreshin, express our regret at the destruction of railways and the attack made on the soldiers of the British Empire, and we admit that the fate which befell our villages is just and proper, and we are prepared to offer any number of men necessary, and refusal will mean court-martial."

The mulahez assured us that if we did not comply and sign this document we should be instantly shot; and we realized that from previous atrocities we had witnessed this would be our fate. As we were in front of the guns and surrounded by armed troops, we signed. The mulahez assured us that he was forcibly obliged also to attach his signature to this document.

We then started for the mudiriah of Giza (provincial governor), where we entered a verbal complaint to his excellency the mudir. From there we went to Cairo and complained to the mustachar (the English adviser to the ministry.)

The next day the mamour el dabt (head officer for public security) took our evidence officially in his report of investigation. He interrogated the Egyptian corporal who accompanied the forces which attacked Azizia and his evidence corroborated mine. He furthermore stated that he had seen British soldiers with the jewelry and who were offering it to the passers-by for sale.

On returning to my home village I found about 180 houses burned and most of the inhabitants left. I found my sister grievously ill as result of the torture she had undergone. All that remained of my home was a few burned mats. I then took my family away to different distant villages.

It is impossible for me to recount all the atrocities and chain of horrors from which unfortunate Azizia suffered, but I will mention the case of the Chafir Abdulla Mahammed, whose house the soldiers entered, took the little money there was and also his wife's jewelry. They undressed his wife and touched her indecently, and in spite of her cries for mercy they beat her with the butts of their rifles. They finished by setting fire to the house.

The Chafir Mahmoud Abdel Aal stated that 10 soldiers took away his rifle, ransacked his house, took all the money and his wife's jewelry. His wife had luckily run away and hid in the cornfields, otherwise she would have been grossly insulted, as were all other women who passed through the British soldiers' hands. His house was completely burned down; they gave him back his rifle, but, adding insult to injury, they tied some dead fowl to it and made him carry it thus to the police station.

I have been an eye-witness to what has been done to the homes of the sheikhs and other inhabitants. They entered the house of Sheikha Mahmoud Okby (I was with them under guard), took his money and all jewelry they could set hands on; the sheikh valued all at about £500. They burned his, his wife's, and the children's clothing, and they are at present wearing borrowed garments. He was then arrested and with me taken to Hawamdieh.

I am suffering from nervous shock in consequence of the treatment to which I was subjected and am extremely weak. I am now staying at Cairo, after having sent my resignation to the mudira.

IBRAHIM DESOUKY RASHDAN.

—

REPORT OF THE MAYOR OF GIZA.

On Sunday evening, the 30th of March, 1919, an armed train arrived in the village of Eli Chobak, carrying British soldiers in charge of repairing the railway lines. Immediately on leaving the train the soldiers commenced seizing fowl, sheep, and other property of the inhabitants. Nobody opposed them. Afterwards they began to grossly insult the women. One woman, whose husband tried to protect her from their revolting behavior, had a quarrel with them. For this they encircled the village and set fire to it on every side. Those who tried to escape from the conflagration were shot. The soldiers then invited the sheikh and four notables of the villages to follow and explain to the commander of the train.

These men were then strangled and buried upright and their heads were covered over by grass. This carnage and burning was continued from Sunday at 3 o'clock p. m. until next morning at 10 a. m. They then drove the inhabitants to the armed train; the mayor was among the number.

The mulahez (police officer) came to intercede in favor of the women. He entered the village and was struck by the cries of a woman, who implored him to help her. He perceived three British soldiers violating her. He stated that the number of killed was 31, the wounded 12; 144 houses were burned. The number of dead animals was 55, besides a large number of stolen ones.

These acts are certainly not of a nature to give satisfaction to humanity nor to civilized peoples. We transmit the lamentations of our widows, orphans, the old, and infirm to every heart which contains a sentiment of pity. We, the inhabitants of the village of Chobak, cry to the world against the atrocious crimes of which we have been victims.

If there is no one to render us justice and to protect us, if this reign of terror continues, we shall be obliged to leave Egypt, which is becoming a center of anarchy from which no power can protect the innocent from their oppressors. We shall trust in God alone.

(Follows 20 signatures, with stamps, of the villagers.)

LEASING OF OIL LANDS.

During the delivery of Mr. BORAH'S speech,

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 2775) to promote the mining of coal, phosphate, oil, gas, and sodium on the public domain.

Mr. SMOOT. I ask unanimous consent that the unfinished business may be temporarily laid aside.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Senator from Idaho will proceed.

After the conclusion of Mr. BORAH'S speech,

Mr. CHAMBERLAIN. Mr. President, some time during the latter part of December last I addressed the Senate, and amongst other things called attention to the severe sentences that were being pronounced by courts-martial both here and in France; and, to illustrate the points I was desiring to make, I cited a number of individual cases where extreme sentences had been passed upon young men in the Army of the United States for very slight offenses. I believe it was the first time that public attention was drawn to these severe sentences, and it seems to have opened up a veritable Pandora's box. The exposure led to an investigation by the Military Affairs Committee of the Senate of the convictions under courts-martial here and in Europe, and hearings were had in February, 1919, at which Gen. Ansell, who was Acting Judge Advocate General, and a number of other witnesses were called in reference to the whole subject.

Mr. President, I shall not undertake at this time to enter into a lengthy discussion of the matter. I intend to do that a little later. The testimony at the hearings showed that there was a difference of opinion between the Judge Advocate General, Gen. Crowder, and the Acting Judge Advocate General, Gen. Ansell, as to the power of the Judge Advocate General over these records of conviction, and these differences were very marked, the Judge Advocate General taking one view of his power under the law to revise or modify or reverse the sentences of court-martial, claiming that where the court had jurisdiction and its judgment is once approved by the proper commander, however erroneous it might be by reason of flaw in the proceedings, there is no power of correction in the Judge Advocate General or elsewhere, and that the Judge Advocate General had no further power than an advisory one, looking to mere clemency, based on the illegality of the proceedings, while the Acting Judge Advocate General, Gen. Ansell, claimed that under section 1199 of the Revised Statutes the Judge Advocate General had the power to "revise" these sentences. This latter, it seems to me, is the sensible view. The War Department sustained the contention of Gen. Crowder. It is

around these conflicting views that the war on the subject has waged for some time.

In the course of the hearings before the Military Affairs Committee—I then had the honor of being chairman of that committee—I requested Gen. Ansell, on behalf of the committee, to prepare a bill which would so amend the Articles of War as to give the power to some tribunal to revise or to modify or to reverse the sentences of courts-martial. That bill has been prepared, was introduced in the Senate by me, and is now before a subcommittee of the Military Affairs Committee, and hearings are being had upon it.

I do not intend to address myself to that measure at this time, but shall do so later, when I hope to be able to cover the whole subject. But, Mr. President, I feel it proper to say here and now that the War Department has been entirely unfair to anyone who has undertaken to present a view which differs from the view of the Judge Advocate General. That department has in most unusual ways put its whole power behind an effort to sustain the present military court-martial system and the Articles of War. I feel that the methods which have been pursued are wrong. I have since the war began felt that the system and its enforcement were inherently wrong for this enlightened day and generation and that a modification of it ought to be made, although I insist that the Judge Advocate General had the power, if he had seen fit to exercise it, without any additional legislation, to modify or to revise sentences of courts-martial, notwithstanding his present opinion to the contrary.

Mr. President, Gen. Crowder rendered the country a most distinguished service in the matter of the selective-service law and the efforts which he made to put it into effect, and I commend the work he did, and the country has commended it, but in that law as originally prepared the hand of the military autocrat was in evidence, and the committees of the House and Senate gave to it its touch with the civil population of the country; and while Gen. Crowder is entitled to credit for its enforcement, he is not entitled to any credit for having deprived the original measure of its Prussian tendency and spirit. He is at heart a military autocrat. To him the enlisted man is a mere pawn upon the chess board.

Mr. President, I have had many conferences with Gen. Crowder during the period of this war, and I have told him and other men connected with the Military Establishment more than once that he and they did not get the civilian viewpoint of matters which affect the nonmilitary population. Now, when anyone dares indulge in criticism of this system of military justice—or shall I say injustice—Gen. Crowder shows the same Prussian bent of mind. I dared criticize and drew upon my innocent head his unreasoning wrath. A short while ago I happened to pass him engaged in conversation with a distinguished member of the Military Affairs Committee of the House. The latter stepped up and greeted me cordially. The former did not even turn in acknowledgment of an introduction to me, thus proving both his entire lack of good manners and his resentment of criticism of what he stood for. I stated then, at the suggested introduction, that although I knew the gentleman, he did not seem to know me, and that I had no regrets over the incident. Nor had I. It simply illustrated—and I tell of the incident for that purpose—the character of the man who might, if he had seen fit, have alleviated the suffering and humiliation that fell to the lot of thousands of American boys. He brooks no criticism. He allows no differences with him. He must be supreme.

This incident is not going to deter me from following the path that I had mapped out a good while ago, and that is to get to the bottom of and, if possible, cure this vicious military system. Some time ago, Mr. President, I showed from authentic sources that there have been more than 322,000 trials by inferior courts in the Army since this war began and up to the armistice and over 22,000 general court-martial trials for the same period, and that the average general court-martial sentence of confinement alone, including the most trivial offenses, reaches a period of seven years. This, of course, excludes sentences of life imprisonment and death. I shall call attention to some of those cases later in the session and before I get through with the discussion of the subject to show how unjust they are. Although the system is perfect, as is claimed by the Secretary of War and the Judge Advocate General, although according to them there are no injustices in the system, although they have undertaken to assure the parents of the young men of the Army that everything was all right, yet some 4,000 of these court-martial sentences have been reduced by a board created by the Secretary of War from an aggregate of 28,000 years to a present aggregate of something like 6,700 years! There is still room for improvement, Mr. President; and what is even worse than all these sentences is the fact that after they have been imposed the most shameful brutality has been practiced against military prisoners, no matter how splendid their records may have been nor how slight their breaches of discipline.

All this is preliminary to this proposition: After these hearings began and the gentlemen who were responsible for these unjust sentences began to sit up and take notice of the conditions, after the lid had been lifted, and the people were beginning to give some attention to conditions, the War Department immediately rushed to the defense of the system. The Judge Advocate General prepared a letter for the Secretary of War some time in March, and the Secretary of War signed it. It was largely devoted to upholding the system, showing that there were no injustices in it and it apotheosized the Judge Advocate General. Then the Judge Advocate General proceeded to reply to that letter in order to show further that there were no injustices in the system. Then under Col. Wigmore, of the Judge Advocate General's department, the subject was still further pursued. The gentleman was a colonel in the office of the Judge Advocate General. He was placed at the head of the propaganda system, and he enlarged upon the defense which the Secretary of War and the Judge Advocate General had made, and there were franked out under his supervision over 70,000 of these so-called justifications and defenses of the court-martial system.

Mr. President, when these letters of the Secretary of War, the Judge Advocate General, and Col. Wigmore were given to the public I appealed to the Secretary of War, who was absent at the time inspecting the cantonments and camps of the country, that Gen. Ansell's view of the system might be presented at the same time to the public. That request was declined. Gen. Ansell's mouth was closed, and he was demoted and practically driven out of the service because he dared to attack this pernicious and vicious system as it was practiced in the Army. He is out of the Army now, Mr. President, and he is permitted to speak. Although he remained in the service for four or five months after he had made his statement before the Senate Military Committee and developed the true state of affairs with respect to court-martial injustices, and was thereafter placed at the head of a clemency board, the War Department has not dared to proceed against him under the very arbitrary system which in season and out of season he has denounced.

I have had a number of conferences with Gen. Ansell, and I recently asked him to address me a letter, answering a number of questions I put to him, and giving me his views of the whole subject of the court-martial system and the attitude of the War Department to it. He has complied with my request, and I ask unanimous consent to print the letter in the RECORD without reading.

The PRESIDING OFFICER (Mr. EDGE in the chair). Is there objection to printing in the RECORD the letter without reading? The Chair hears none.

The matter referred to is as follows:

MILITARY JUSTICE.

RIGGS BUILDING,
Washington, August 16, 1919.

HON. GEORGE E. CHAMBERLAIN,
United States Senate, Washington, D. C.

SENATOR: At a recent interview you referred to the defense made by the Judge Advocate General of the Army and the Secretary of War on "Military Justice During this War," as contained in the document so entitled, consisting of a letter from the Secretary of War to the Judge Advocate General, and of a letter from the Judge Advocate General in reply, published and distributed throughout the country at public expense as official business.

You expressed yourself at the time as of the opinion that the presentation made by these public officials was not helpful to the true interests of the public or of the Army. I said to you then that that presentation could be shown to be of such character that it could but misinform and mislead the public mind. I shall endeavor to show you now that such is its real character.

In the very beginning we are made to see that

THE SECRETARY OF WAR BLINDLY SUPPORTS THE EXISTING SYSTEM.

Military justice is a subject in which the people should have deepest interest and the Secretary of War keenest concern. It involves in a very direct way our national safety. It affects the morale of our soldiery, and influences the attitude of our people toward military service. Like all matters of justice, it should be the object of sustained solicitude upon the part of the people and a highly sensitive regard upon the part of their officials who have immediately to do with its administration. Thereby alone may imperfections in justice be seasonably revealed and remedial action taken. Hardly could it be denied that the maintenance of justice in the Army requires that the

Secretary of War be receptive to all complaints of injustice to our soldiery, alert to discover imperfections in the system of its administration, quick to take or recommend the amplest remedies. Throughout the war his attitude has been the very opposite.

At the beginning of the war, in the actual absence of Gen. Crowder, who had been appointed Provost Marshal General, I, by virtue of seniority, came to be the acting head of the office of the Judge Advocate General, which includes the Bureau of Military Justice, just when the mobilization of the National Army began. The instances of palpable and unquestioned injustice through courts-martial soon became so numerous, so gross, and of such a tendency to aggravation as to seem to me to call imperatively for legal check. More than ever before it was becoming apparent to me, and to my office associates as well, that we could not apply the existing system of military justice to the new Army, as it had been applied to the old, without doing great injustice to the soldiery. Some of the gravest deficiencies of our system, as applied to the old Regular Army, became perfectly apparent. It was more clearly revealed than ever before that that system belonged to other institutions and to another age. It is one in which military justice is to be achieved, as it was achieved in England and on the Continent 150 or more years ago, through the arbitrary power of military command rather than through the application of principles of law; a system governed by man—and a military commander at that—instead of by law. Designed to govern a medieval army of mercenaries, it is utterly unsuited to a national army composed of our citizens called to the performance of the highest duty of citizenship. Designed to govern military serfs obligated by personal fealty and impelled by fear, it is utterly unsuited to American freemen serving the State as soldiers, acting under the impulse and inspiration of patriotism. All this was borne in upon us and impelled us to contemplate remedial methods. It is regrettable that it should not have been seen and appreciated by our professional officers charged with the making of this new Army, whom, unfortunately, the department insisted upon chaining to the medieval system under which they had been trained.

Confronted immediately by a case of shocking injustice, conceded to be such by the department, and still conceded to be such by the Judge Advocate General in his defense (p. 50), in which eight or ten old and experienced noncommissioned officers of the Army had been arbitrarily and unlawfully charged with and tried and convicted of mutiny, we in the office of the Judge Advocate General set to work to reexamine our authority to review the judgment of a court-martial for errors of law, with a view to setting this judgment aside by reason of its illegality. In a unanimous opinion, having for the moment the concurrence of the Judge Advocate General himself, we found this power conferred by section 1199, Revised Statutes, which in terms enjoins the Judge Advocate General of the Army to "revise" the proceedings of courts-martial, a Civil War statute designed, in our judgment, for the very purpose. We conceived that this power of revision of the judgments of courts-martial would largely answer the necessity for the legal supervision of the procedure and judgments of courts-martial, for the establishment of legal principles and appreciations in the administration of military justice, and for giving legal guidance to the power of military command over such judicial functions. That necessity was thus early apparent to the office of the Judge Advocate General, the office that was in daily contact with the administration of military justice and charged with such legal supervision over it as War Department administration would permit; but it was not apparent to the military officials of the War Department insistent upon the view that a military commander must be absolute and unrestrained by law. In control of the Secretary of War, they, led by the Judge Advocate General, who had been induced to change his views, won and had their way throughout the war. The old system, applied without legal restraint, was maintained in its full flower throughout the war. The commanding officer was to have full and final power beyond all review. Thereafter the best we could do was to appeal to the natural sense of justice of those who wielded the power of military command.

Throughout the war, upon every proper occasion, I strove with all the power within me, with such reason, argument, and persuasion as I could command, first, to establish legal regulation of the power of military command in its relation to the administration of military justice, and, when I had failed in that, to induce military authority of its own accord to act justly. The records of the War Department will show that this was my insistent attitude throughout, an attitude with which the department disagreed consistently, except when coerced by expediency into the adoption of some administrative palliative. The department would not stand for the legal supervision of court-martial procedure, but insisted that it should be controlled from beginning to end, and finally, by the power of military command. Surely beyond departmental circles and departmental influence, fair-minded men who know aught of this subject know that the administration of military justice during this war has resulted in injustice, tyranny, and terrorization. The evidence is on every hand. Tens of thousands of our men have been unjustly tried and unjustly punished by courts-martial, and large numbers of them, not tried, have been arbitrarily placed in prison pens and subjected therein to barbarous cruelty, physical violence, and torture. If there be those not willing yet to concede so much, they will be overwhelmed by evidence later on. With our system of military justice as it was considered and decided upon by the Secretary of War and the military authorites the results could not have been otherwise. Those who are responsible for that decision, namely, the Secretary of War, the Judge Advocate General of the Army, the Acting Chief of Staff, and the Inspector General of the Army, must assume the responsibility for the gross injustice done.

Such injustices can not be concealed, however, even during war. Members of Congress became apprised of them from many sources. They became, and properly they ought to have become, a matter of congressional consideration. Bills were introduced for their correction. You were the leader in this remedial movement. In the middle of February last I was summoned before the Senate Military Committee, of which you then were the chairman, and, without having had any previous conference with you upon the subject, to testify out of my experience as Acting Judge Advocate General during the war, and I did testify to the effect that our existing system and the administration of it had resulted in the most cruel injustices. I should have been false to my duty and to my oath had I done otherwise. There had been outcries against the system while war was flagrant. Complaints were everywhere to be heard by all who had not closed their ears. To the extent of my ability I lost no opportunity to acquaint both the Secretary of War and the Judge Advocate General of the Army with them. But the Secretary, as many another stronger man has done, exhibited unusual strength in adhering to his original commitment.

WAR DEPARTMENT METHODS OF DEFENSE.

The matter was now before the public, and the department had to act. The Secretary immediately set about not to inquire, not to investigate, but to make a defense. Therein he was guided, as upon this subject he has ever been guided, by his Judge Advocate General. They appreciated and acknowledged that they were responsible for the injustice, if injustice there had been. They denied that there had been any injustice, and prepared to support and make plausible that denial. Within 10 days after I had testified before the Senate Military Committee the Judge Advocate General and the chief exponent of his view had a conference with the Secretary of War, at which they formulated a plan for the defense of the existing system and their administration under it. The system was to be maintained at all costs. The authority of the department was to be used to reassure the people as to the merits of the existing system, to deny or condone its results, and to destroy the force of all criticism or condemnation of it. Power of government was to be liberally used to this end. Bureaus of the department were set to work to prepare a defense, public funds generously used, and a campaign of propaganda initiated. Officers of high rank, under Col. John H. Wigmore, in charge, and an adequate clerical force were assigned to the task. Much since then has been said and done in the execution of the plan. The methods employed were such as when employed in private affairs habitually receive the condemnation of honest men and discredit any cause; public funds have been improperly used; official favors have been lavishly bestowed upon those in the office of the Judge Advocate General who would actively support the system, and official power has been used to suppress, discredit, menace, demote, and discipline those who oppose it; clemency boards have been "packed" with friends of the system, and simplest mercy denied in order to vindicate the system and those involved in its defense.

Speaking now to the document under discussion: First, the chief of the propaganda section prepared for the signature of the Secretary of War the letter standing first in the document discussed, in which the Secretary of War was made to convey to the Judge Advocate General an assurance of his entire faith in the system and of his confidence in the Judge Advocate General, and to declare that injustice had not been done during this war. And especially did he call upon the Judge Advocate General to prepare for publication a statement, to the end that the public mind should receive ample reassurance on the subject. The chief propagandist then prepared a responsive statement for

the signature of the Judge Advocate General, under date of March 8, which consisted of a general defense of the system and largely of a personal attack upon me. The Secretary of War gave this statement to the press, having arranged in the meantime for the fullest publicity. With all possible patience I prepared a statement pointing out the deficiencies of the system and my own attitude toward it, and asked the Secretary of War to give my communication the same publicity he had given his and that of the Judge Advocate General. This he declined to do, though this communication of mine afterwards appeared in the New York Times, but without any knowledge or connivance upon my part. In that communication I pointed out conduct upon the part of the Secretary of War and the Judge Advocate General in their relation to this subject that was clearly inconsistent with official or personal integrity, notwithstanding which both have ever since kept silent and taken no action, although I remained in the Army for nearly four months thereafter in order that I might continue amenable to such disciplinary action as they might choose to take. However, there was not one word in the communication that I had not previously spoken to the Secretary of War in person, and without denial from him, on the last night of February last.

Not content with this first statement which was given to the press, the chief of the propaganda section prepared the far more comprehensive defense contained in the letter signed by the Judge Advocate General in the document under discussion, between seventy and one hundred thousand copies of which were published and distributed to the lawyers and others throughout the country at public expense. The circumstances attending the publication of this document, when contrasted with contemporaneous representations of the Secretary of War, will mildly illustrate the character of the official methods employed throughout this controversy. This communication, though bearing date of March 10, was not authorized by the Secretary of War until March 26, and was not given to the public until April 9. In the meantime, on April 5, the Secretary of War had assured me in writing that he deprecated the public controversy and that it ought to stop on both sides, and cordially invited my cooperation in remedying the existing system. This assurance I accepted in good faith, only to find four days later this comprehensive publication launched against me and sent broadcast throughout the country.

An artful incident of the common authorship of the three communications is to be found in the fact that the author has the Secretary, in his letter of March 1, give strong and unqualified approval to the system of military justice and its results. But after reflection he has the Judge Advocate General, in his defense, concede many deficiencies and admit much injustice. He might also have taken the Secretary from such an exposed position. This letter, or defense, of the Judge Advocate General is designed to be the last word, the final avouchment, upon the subject, the complete vindication of the system, its supporters, and the department, and to bring about the utter discomfiture of those who have criticized the existing system and have sought and are still seeking a better one.

The system can scarcely be stronger than this skillful representation of it would have it appear. If this representation is weak, the system may be presumed to be weaker still. I would have you first look into the strength of that representation for the moment, not as though it were factitious, but regarding it as of face value and indulging the presumption that it is an expression honestly arrived at and honestly entertained.

THE SECRETARY'S LETTER.

Please look at it. It is from the highest authority, from the chief guardian of the soldier's rights, who should have been watchful for any weaknesses in the system and sympathetic for all who suffered by them. It was his supreme duty to discover its deficiencies and to exert his power for progress and improvement. His letter, saved of its inconsistencies, consists entirely of prejudgment and expressions of satisfaction. This was his state of mind toward the code and the criticism made of it, and he would so express himself without making the slightest investigation. In his letter he first affects surprise at the complaints and resolutely expresses the "firmest determination that justice shall be done." But at once he says he does not believe the complaints and is convinced that injustice has not been done. He arrives at this conviction, he confesses, through the confidence he has in his Judge Advocate General and the faith that he has in the system. Then, observing that, though entirely satisfied himself, "it is highly important that the public mind should receive ample reassurance on the subject," he directs the Judge Advocate General to prepare a statement for that purpose. He does not withhold judgment upon the specific complaints and have them investigated; he does not direct an inquiry; he resents the complaints, sees in them an attack upon "the department and its representatives, who have not been in a position to make any public defense or explanation and have refrained from doing so." His proclaimed purpose is not to determine the facts, but to assume them to be what he wants to believe them to be, and he calls for a statement, based upon that assumption, in order "to reassure the families of all these young men who had a place in our magnificent Army." You can understand his predicament, the necessity for loud asseveration to impress public opinion by assuring it and himself that all was well. It was necessary that he continue to repeat the unreasoned assertions that led to his commitment to the system in the early days of the war. Having committed himself to the views of those intent upon maintaining that system, it was necessary that ever afterwards he soothe his conscience by closing his ears to the cries of justice. Never thereafter would he hear me, an officer of rank, experience, and some repute, with a responsibility that placed me in immediate contact with the unjust results of that system. Holding their hands, he had taken the plunge, and to them he must look for safety. They told him that the department as a matter of law did not have, and as a matter of policy ought not to have, general supervisory power over courts-martial in questions of law, but that the views of the commander in the field should be final. When he denied the department that supervisory power he shut his eyes to his responsibility, he denied himself the opportunity to keep in touch with the administration of justice in the Army, and, relying upon a mere convention which had no basis in law, he turned his back upon the demands of justice and screened himself from its sufferings. He stands or falls with the system.

THE JUDGE ADVOCATE GENERAL'S DEFENSE.

His defense consists of blind professions of faith in the system, unreasonable assertions of its excellence, and a sympathetic appeal that they be believed in even as you would believe in him. It does him less than justice; it would have you believe that sheer cruelty of the system made him happier than Caligula's minion, whereas he is only blind to its cruelty. The statement does reveal his immovable mental attitude upon the subject, which was not to be unexpected. Trained to the line of the Army and not to the law, finding the work of his own department uncongenial, ever ambitious for a line command, orthodox in every military appreciation, he has, throughout his long years of service, taken not the judicial but the professional soldier's "rough-and-ready justice" point of view. He regards the system as so organically perfect and vital to military efficiency that even its form is to be touched only lightly. His mind has repelled all criticism of the system and is incapable of contemplating that it might be fundamentally and structurally wrong. This fixed mental attitude obtrudes throughout the statement. So addicted to regard the system with blind veneration he can never perceive its wretched incongruity as an American institution. He refers to his "firm belief in the merits and high standards of our system of military law." He asserts his vital interest "in vindicating the honor of the Army and War Department as involved in the maintenance of that system." At every point he declares the inherent superiority of courts-martial to the civil system. He resents even those criticisms based upon specific instances of injustice, since "they are calculated to undermine unjustly and needlessly the public confidence in that system." He would have the people "know confidently and take pride in the fact that we possess a genuine and adequate system of military justice." He takes "consolation in believing that if the public at large and particularly the families of those men who have been subjected to military discipline during the past two years could realize the thoroughness of this system they would feel entirely satisfied that the system is calculated in its methods to secure ultimate justice for every man." He refers to some futile proposals of his affecting military justice as tending to show that his attitude "has been an advanced one, at least in comparison to others whose authority was superior to mine at the time." He refers to his own career as Judge Advocate General "as demonstrating that it is inherently improbable that any state of things, even remotely justifying some of the extreme epithets recently used in public criticism, could have existed in our Army during the last two years." These expressions alone reflect a stagnant mental pool.

HIS STANDARDS OF JUSTICE.

The Judge Advocate General asserts that he was actuated by the spirit of justice throughout this war, and that he has not been satisfied with anything less than the highest standards of justice. Doubtless swayed by the demands of discipline as he understood them, he did not deliberately do what he knew to be unjust. It is simply a matter of standard of appreciation. He insisted, however, upon maintaining the system unmodified, and the system has led, was leading, and might have been expected to lead to the grossest injustice. Let us examine his standards as illustrated by the very cases used by him.

(a) The case of the Texas "mutineers." In that case certain old noncommissioned officers of the Regular Army had been subjected to the tyrannous and lawless conduct of a superior officer. Their innocence is conceded. They acted well within their rights in quietly refusing to submit to a palpably unlawful command, and for that refusal they were tried and found guilty of mutiny and sentenced to dishonorable discharge and imprisonment for terms from 10 to 25 years. In this case officers, not men, should have been tried. The trial in its entirety was illegal; the substantial rights of the men were at no point protected; and yet this procedure received the approval of the entire military hierarchy, capped by a major general who approved the sentence and dismissed the men. The Judge Advocate General protected the officers over my protest and denied justice to the men. That was the first case of gross injustice to come to the office after I became its head in August, 1917. I and my associates in the office knew that there would be many like it during the war. The Judge Advocate General admits that this was a "genuine case of injustice" and that it "illustrates the occasional possibility of the military spirit of discipline overshadowing the sense of law and justice." The military minds of the War Department conceded the injustice, conceded the illegality of the proceeding if it could be reviewed for error, but contended that the approval of the major general in command was final and placed the judgment of the court, whether legal or illegal, beyond all power of review. This case presents the crux of the entire difficulty and reveals the fundamental deficiency of the entire system. Courts-martial are controlled not by law but by the power of military command. I held that this could not be, and deduced the authority to review the judgments of courts-martial for errors of law out of existing statutes enacted during the Civil War for the very purpose, statutes which the War Department and compliant Judge Advocate Generals had permitted to become obsolete. The present Judge Advocate General, though he had relinquished all control of his office to become Provost Marshal General, returned to the department and filed an overruling opinion, which the Secretary of War was induced to approve. That opinion established the law for the department that the judgments of courts-martial once approved by the convening authority, however erroneous they may be when tested by legal principles, are beyond all power of legal review and correction. This case presented no more illegality than thousands of others that have since been tried. Clemency was resorted to in that case and the unexecuted punishment remitted, though the men themselves, excellent soldiers of long service, had been branded as mutineers and expelled from the Army in disgrace. Clemency has been resorted to in all such cases as a means of curing, as best it can, the injustice resulting from illegal trials that must go uncorrected. Mercy is given for offenses never committed, and pardon is used where judgments are illegal and should be reversed. This accounts for the wholesale clemency in which the department is indulging. The Judge Advocate General, in order to protect the power of military command, opened the gates to all the injustice of this war. His view was injected into the question. He overruled the opinion of the entire department, consisting of 12 eminent lawyers from civil life, but he succeeded in maintaining supreme the power of military command over military judicial functions. It was under such ruling that the same commanding general in Texas was permitted to hang a half score of negro soldiers immediately upon the completion of the trial and before the records had been reviewed or had even been dispatched from his headquarters to the Judge Advocate General of the Army for whatever revision the statute might be thought by him to require. In those cases the Judge Advocate General, as a result of his construction, engaged in the futile task of "reviewing" the proceedings four months after the accused men had been hanged.

(b) "Burglary" case, No. 110595. This is another case used to illustrate the beneficence of the system. This accused was charged with burglary, and at the end of the trial the court acquitted him. But the commanding general disagreed. He ordered the court to reconvene, and told it that the evidence, to say the least, looked "very incriminatory." The court upon reconsideration as ordered found the accused guilty and sentenced him to be dishonorably discharged and to confinement at hard labor for five years. The Judge Advocate General, in his statement, says: "His (the accused) story was disbelieved and he was found guilty." This is not true; his story was believed and he was acquitted, and it was not until the camp commander ordered a reconsideration that the court convicted him. The Judge Advocate General further says:

> This office reached the opinion that though there was sufficient evidence to sustain the finding, the evidence did not go so far as to show his guilt beyond a reasonable doubt.

A lawyer would be expected to suppose that in a criminal case the evidence in order to be sufficient must be such as to convince the court beyond a reasonable doubt of the guilt of the accused. However, the record shows that the office of the Judge Advocate General said in the review of this case:

> After careful consideration of the evidence, this office is firmly convinced of the absolute innocence of the accused.

As indicating a lack of power in the Judge Advocate General's office to give effect to a conclusion of this sort, a copy of the review was addressed to the camp commander "in order that the reviewing authority may have the benefit of the *study* referred to."

The Judge Advocate General's report also says:

> In such a situation no supreme court in the United States would interfere and set aside a jury's verdict. Nevertheless this office recommended a reconsideration of the verdict by the reviewing authority.

The great fact to be noted is that such a case as this would never have come to any appellate court, because the original acquittal could never have been set aside. And if the case could have gone to any appellate court upon evidence as weak as this, after a fair jury had once found an acquittal, there could never be any doubt about what action the court would take. However, the office of the Judge Advocate General did not recommend the reconsideration of the verdict by the reviewing authority. It only expressed its own serious doubt and referred its "study" to the reviewing authority "for such consideration as he may deem advisable to give it." This case well represents the whole difficulty due to the lack of authority in the office of the Judge Advocate General to do more than present "studies."

Gen. Crowder's defense says:

> It (the verdict) was, in fact, reconsidered; but the court adhered to its finding.

This is not true. After the Judge Advocate General's office had "studied" the case it never went back to the court. The "study" was simply sent to the reviewing authority and the court never had any opportunity to see that "study."

The Judge Advocate General's report says:

> But the feature for emphatic notice is that reconsideration was given, not by exercising the "arbitrary discretion of a military commander" but by referring the case to the judge advocate of the command as legal adviser.

The judge advocate wrote an elaborate review of the evidence, disagreeing with the view of the Judge Advocate General. This illustrates the necessity for final power in the office of the Judge Advocate General. It is to be noted here (1) that the judge advocate who made the elaborate review was the same judge advocate that recommended trial in the first instance; (2) he was the officer on the staff of the camp commander who ordered the trial and who insisted on a conviction instead of an acquittal; (3) to show his bias, he undertakes to say in his review that the court could not have been influenced by the camp commander when it was instructed by him to change its findings from not guilty to guilty; (4) he himself says that he believed that the court was impressed with the "ring of sincerity" of the case when it first voted his acquittal of the charges, and added that he himself was so impressed when he first preliminarily examined the case; (5) the judge advocate's review consists of a belabored argument of 18 pages and is supplemented by a semipersonal note to the Judge Advocate General insisting upon the guilt of the accused. This is a good example of the fact that under the present law judge advocates do not consider themselves as judicial officers at all, but simply as staff officers supporting the views of the camp commander; nor do they consider the office of the Judge Advocate General as a judicial office, for such a relation would bar such semipersonal correspondence. Moreover, this review speaks many times, in what amounts to a slurring manner, of the "study" made by the Judge Advocate General.

The Judge Advocate General's report further says that this reconsideration on the point of proof beyond a reasonable doubt "was a measure of protection which the law does not provide in any civil court for the control of a jury's verdict." As indicated before, the verdict of the jury would have promptly acquitted this man. There would have been no occasion to review it. If a case should get to an appellate court in which the evidence was so weak as to result first in an acquittal, and then required military direction to change it to a conviction, and then two superior reviewing judge advocates pronounced the evidence insufficient to sustain the finding, nobody can have any doubt what a court of appeals would do.

The Judge Advocate General's defense says:

> The case is a good illustration of the feature in which the system of military justice sometimes does even more for the accused than a system of civil justice.

This should be admitted. It does do more. It does it hard and a plenty.

It may be well to add that since the Chamberlain speech was made the justice of the sentence in this case has been reexamined in the office of the Judge Advocate General upon an application for clemency, and as a result Gen. Crowder, on February 12, 1919, recommended that the unexecuted portion of the sentence be remitted and that the prisoner be released and restored to duty. This recommendation contains the ironical statement that the accused had served nearly one year of his sentence. Here is also a strange admission in the general's memorandum:

This office is strongly of the opinion that injustice may have been done to this man, and that it should be righted now so far as possible.

It is a remarkable coincidence that Gen. Crowder signed this memorandum on the same day that he signed his defense in which he vigorously contends for the rightful results of the case.

(c) The four death cases from France: The next cases cited by the Judge Advocate General as illustrating the justice with which the system meets "the stern necessities of war discipline" were four death sentences from France in the cases of four 18-year-old boys, who had volunteered at the beginning of the war—Nos. 110753, 110754, and the companion cases, 110751 and 110752. These were the first death sentences received from France. In the first two the death penalty was awarded for a charge of sleeping upon post, and in the last two for refusal to go to drill. The trials were legal farces, as any lawyer who will look at the records will see. In each of two of the cases the trial consumed about three-quarters of an hour, and the record occupies less than four loosely typewritten pages. The other two consumed slightly more time, and resulted in a slightly larger record. The courts were not properly composed and in two of the cases were clearly disqualified. The accused were virtually denied the assistance of counsel and the right of defense. A second lieutenant as counsel made no effort to assist. That they were hindered rather than helped in their defense by counsel is demonstrated by the fact that in the case where a plea of guilty was entered the sole effort of counsel consisted of his calling a witness and asking him this question:

Q. Was the accused's record good up to this time?—A. It was not. It is one of the worst in the company.

Two pleaded guilty to a capital offense and the other two made not the slightest fight for their lives. Even if the men had been properly tried and convicted, no just judge could have awarded the death penalty. These young soldiers had been driven to the point of extreme exhaustion. At the time of commission of the offenses, the military authorities evidently regarded them lightly. The two who were charged with sleeping on post were not relieved from post nor were they arrested or accused for 10 days thereafter, and the two who were charged with refusal to go to drill were not arrested or charged for a month thereafter. But at this juncture the authorities abruptly changed their policy, and decided to make an example of these men. Gen. Pershing, who under the law had nothing whatever to do with these cases, injected his power and authority into the course of justice, clamored for the death penalty, and asked that the cable be used to transmit to him the mandate of death.

According to the Judge Advocate General, Gen. Pershing urged the adoption of the inexorable policy of awarding the death penalty in all cases of sleeping on post, and he insists that no one should be criticized for agreeing with this policy or acceding to Gen. Pershing's urgent request. And then the Judge Advocate General makes this surprising statement:

I myself, as you know, was at first disposed to defer to the urgent recommendation of Gen. Pershing, but continued reflection caused me to withdraw from that extreme view, and some days before the case was presented for your final action the record contained a recommendation from me pointing in the direction of clemency.

The record shows an entirely different attitude. It shows that on March 29 to April 4 Gen. Crowder wrote the reviews in these cases, but did not as yet conclude them with his recommendation. On April 5 he sent them to Gen. March in this unfinished state, accompanied by a letter in which, while indicating that by right and justice these boys ought not to die, he suggested, nevertheless, that since Gen. Pershing insisted upon the death penalty the department should uphold him and present a united front to the President. He asked for a conference with the Chief of Staff in order that there might be unanimity in the department to that end. Here is his language:

You will notice that I have not finished the review by embodying a definite recommendation.

It would be unfortunate indeed if the War Department did not have one mind about these cases. There is no question that the records were legally sufficient to sustain the findings and sentence. There is a very large question in my mind as to whether clemency should be extended. Undoubtedly Gen. Pershing will think if we extend clemency that we have not sustained him in a matter in which he has made a very explicit recommendation.

May we have a conference at an early date?

He did confer with Gen. March, and they agreed to present the united front, to uphold the hands of Gen. Pershing, and to recommend the execution of the sentence of death. On April 6 Gen. Crowder brought back from his conference with the Chief of Staff the unfinished reviews and immediately concluded them by adding to them the following recommendation:

I recommend that the sentences be confirmed and carried into execution. With this in view there is herewith inclosed for your signature a letter transmitting the record to the President for his action thereon, together with an Executive order designed to carry this recommendation into effect should such action meet with your approval.

(Signed) E. H. CROWDER,
Judge Advocate General.

Gen. Crowder says that he was "disposed to defer" to the urgent recommendation of Gen. Pershing, but the record shows that he did defer.

The record also contradicts his statement that—

continued reflection caused me to withdraw from that extreme view, and some days before the case was presented for your final action the record contained a recommendation from me pointing in the direction of clemency.

And the record also disproves his statement that after an examination by several of the most experienced judge advocates of his staff "no reversible error was found, and there was no doubt of the facts in either case, the only issue in the cases being the severity of the sentences." The record shows that on April 15 I, accidentally hearing about these cases, filed a memorandum in which I pointed out with all the power within me not only reversible error, but annihilating error, and urged that these sentences be set aside and these young soldiers be not executed. And three other judge advocates expressed full concurrence in my views. The record further shows that on April 10 still another judge advocate of high rank, whom Gen. Crowder esteems as a splendid lawyer and who supports the general's views on military justice, filed with him a long memorandum to the effect that these trials were a tragic farce and concluded that—

it will be difficult to defend or justify the execution of these death sentences by way of punishment or upon any ground other than that as a matter of pure military expediency some one should be executed for the moral effect such action shall have upon the other soldiers.

These memoranda the general did not forward to superior authority, but the record shows that upon reading them and "upon continued reflection" the next day, April 16, he addressed a memorandum to Gen. March, which began as follows:

Since our interview on the four cases from France, involving the death sentences, at which interview we agreed that we would submit the cases with the recommendation that the sentences be carried into execution, my attention has been invited to certain facts of which I had no knowledge at the time of the interview and to which I think your attention should have been invited.

He then sets out some, but by no means all, of the facts of these memoranda, simply passing them on to the Chief of Staff "for his information." He did not deem them sufficient to modify his own conclusion or his agreement with the Chief of Staff, for near the close of the memorandum he expressly declared that he submits them without any desire "to reopen the case," and he then concludes as follows:

It will not have escaped your notice that Gen. Pershing has no office of review in these cases. He seems to have required that these cases be sent to him for the purpose of putting on the record an expression of his views that all four men should be placed before the firing squad. I do not make this statement for the purpose of criticizing his action—indeed, I sympathize with it—but it is fair in the consideration of the action to be taken here to bear in mind the fact that Gen. Pershing was not functioning as a reviewing officer with any official relation to the prosecution, but as commanding general, anxious to maintain the discipline of his command.

(Signed) E. H. CROWDER,
Judge Advocate General.

No case could furnish better evidence of what happens when the chief judicial officer of the Army is subject to the power of military command, is "supervised" by it, and must rely upon it for his appointment to and retention in office; and the fact that these men did not die, as the military hierarchy would have had them die, was not due to the Judge Advocate General of the Army; and the fact tLat they came perilously close to an unlawful death and were deprived of protection for themselves, and have been unlawfully subjected to penitentiary servitude, was due to the Judge Advocate General of the Army.

When Gen. Crowder first replied to the Chamberlain criticism and my own, he made reference to other cases, which he deemed to be beyond criticism and illustrative of the justice of the system, which he now significantly omits. I will supply them:

(d) John Schroeder, Machine Gun Company, One hundred and fifty-sixth Infantry, was convicted of absenting himself without

leave from May 9 to 15, when his command was about to embark for overseas service. The gravamen of this offense is obviously the intention to avoid overseas service, as pointed out in the Crowder report, by the division judge advocate, and by Gen. Hodges, who, in his review of June 19, 1918, congratulated the court "in adjudging an adequate sentence and thereby demonstrating its disapproval of an act of a soldier's absenting himself" without permission immediately following his designation for overseas service. This, of course, is one of the most serious offenses, notwithstanding which the accused, represented by an inexperienced first lieutenant as counsel, pleaded guilty; and it is also shown that while without counsel he was approached by an investigating officer, who reported that "the accused declines to make a statement, but says that he will plead guilty," indicating that there was some inducement for the plea. The accused, however, at the trial and after his plea of guilty, stated under oath that he went home for the purpose of seeing a sick mother, and, besides, that he did not know that the company was going abroad and had never been informed of that fact. This statement, absolutely inconsistent with his plea, required the entry of a plea of "not guilty" and a trial of the general issue. There being no evidence whatever to show that the accused was informed that his company was going abroad, the court should have taken the statement of the accused as true and acquitted him. This is an excellent example of a meaningless trial. The accused had no counsel worthy of the name; he did not appreciate nor was he advised of the gist of the offense; he made an ill-advised and uncomprehending plea of guilty, and then made statements absolutely inconsistent with his plea, all of which went unnoticed and resulted in his being sentenced to be dishonorably discharged and to be confined at hard labor for 25 years.

(e) No. 106800 is a sort of companion case to the immediately preceding one. The gist of the offense, here as there, is to be found in the intention to escape overseas service. This accused was also defended by worse than no counsel. The whole proceeding is invalid for the reason that the court disposed of it as though the accused had entered a plea of guilty, whereas he pleaded "to the specification, not guilty; to the charge, guilty." The important part of the plea is, of course, the plea to the specification, the plea to the charge being mere form and may be ignored.

This being a plea of not guilty, the accused should have been tried accordingly. As showing the lax method of the court, even on an assumption of a valid plea of guilty, the accused made a sworn statement absolutely inconsistent with his plea, saying that he did not know and had not been informed that he was ordered to overseas service. He was sentenced to 15 years confinement, and the court was commended, as in the previous case.

(f) No. 114717 was a charge of sleeping on post, in this country, and a plea of guilty. The accused, referred to as "but a little kid," was said to have been found asleep by a lieutenant. This was a capital crime in which the accused, but 17 years old, was permitted by inexperienced counsel to plead guilty, for which he was sentenced to 10 years. The whole proceeding occupies seven pages of loosely twpewritten matter double spaced. The court submitted a recommendation for clemency, asking for a reduction of the sentence on the ground that inasmuch as the accused had pleaded guilty they had been reluctant but compelled to give him a sentence commensurate with the offense, and also on the ground of his youth.

(g) No. 113076. This is a case in which Gen. Crowder contended that the sentinel had been drinking whisky before going on guard and that, having been found asleep thereafter, the case was plainly one for severest exemplary punishment. It is passing strange how justice can hurdle the salient point that an example ought to have been made not so much of the man as of an officer who in violation of regulations and common sense will post as a sentinel a man who had obviously been drinking.

These cases—and there are thousands like them in point of illegality and injustice—are sufficient to show what the Judge Advocate General terms "the general state of things in the administration of military justice."

HIS SPECIFIC CONTENTIONS.

(1) He contends that courts-martial procedure is in accordance with the "rigid limitations of the criminal code" and not according to the arbitrary discretion of the commanding officer.

There are no "rigid limitations" of the code. That is the trouble. The military code is worthy of the name of law only in the sense that any absolute and unregulated power established by law is worthy of it. Congress has authorized military power to do as it pleases in the exercise of this highly penal jurisdiction. Look at the articles from first to last. Is there a word to regulate the preferring of the charge, the arrest, the sufficiency of the charge, the rights of the accused before, at, and after trial? Is there any standard of law to which the court-martial procedure must conform? Is there a single provision for the legal ascertainment of errors and the correction of them? None. All this is committed not to law but to the power of military command. The power of military command determines whether or not there is reasonable ground to believe that the offense has been committed and that the accused committed it. Military power determines whether there is a prima facie case. Military power selects the judges. Military power selects such counsel as the accused may have. Military power determines the legal sufficiency of the charge. Military power determines the kind and competency and sufficiency of proof. Military power passes finally upon every question of law that can arise in the progress of the trial. And military power finally passes upon the legality of the judgment and the entire proceedings. This is one code, criminal in character, that does not recognize principles of law and does not contemplate the services of a single man skilled in the law. Thus there is no standard by which error may be determined except the view of the commanding general. Whatever he determines is right is right, and whatever he determines is wrong is wrong, by virtue of his determination alone. Under such a system, of course, there can be no such thing as error of law; there can only be a variation from whatever the commanding general believes to be right. And from his decision there is no appeal. There is no power on earth to review his decision with authority to say that it is wrong as a matter of law.

And should not a criminal code define the offenses and prescribe the penalties, if it is worthy of the name of law? Look at the code. There are 29 punitive articles. Not one of them defines any offense. The definition is to be found in the common law military, or what military men conceive to be the customs of the service. Not one of them prescribes the penalty.

The court-martial is authorized to award any punishment it pleases. Twenty-nine of these articles conclude by each declaring that the offense punishable therein shall be punished "as the court-martial may direct," which means any punishment less than death. Eleven of them authorize any punishment "that a court-martial may direct, including death," and two of them mandatorily prescribe death. Why should there not have been shocking punishments, shocking both because of their harshness and because of their senseless variations, when courts-martial have unlimited authority to punish as they please? I myself can not conceive that lawyers believe in such delegations of legislative power, either on principle or as a matter of policy. True it is that in times of peace Congress has authorized the President, if he sees fit, to prescribe certain maximum punishments, thus limiting the discretion of courts-martial. This is, nevertheless, an unwise if not an unlawful delegation, inasmuch as a matter of practical administration the military authorities, and not the President, prescribe such limits. Its only effect is to transfer the unlimited power of prescribing the punishment from the several courts-martial to a single military authority of the War Department. It is equally an abdication by Congress itself to prescribe the offense and the punishment.

Does the code contemplate the participation of a single lawyer? Of course lawyers are used in the system. During this war we had a large corps of judge advocates. But they are without authority. They were upon the staff of the commanding general, and like all other staff officers are to do his bidding and be governed by him. No distinction is made between the legal staff and the purely military or administrative staff. It is presumed that the commanding general is as competent in the field of law as he is in the field of tactics, and as a general rule the word of his legal staff officer means little to him. The authority is the authority of the commanding general. Congress has conferred it upon him, and we may expect a military man, of all men, to exercise it. Lawyers are like other ordinary human beings. They are dependent upon the commanding general for advancement and recognition and professional success in the Army. Having no power and authority of his own, a lawyer may not be expected to do other than support the view of his commanding general as best he can, whether right or wrong. Indeed, that he should do so is one of the tenets of the military profession. There is but one will—that is the will of the commanding general. I have seen lawyers placed in this position abase themselves in the face of military authority to the point where one would incline to doubt whether they had not abandoned their professional principles altogether. A member of

the Board of Review appearing before the committee of the American Bar Association recently made the following statement:

> While in many cases the trials of enlisted men are not so elaborate as the trials of officers, and in many cases the rules of evidence are not observed and counsel is obviously inadequate, while in a considerable percentage of cases we find that the decision is not sustained by the fact, still I do not recall a single case in which morally we were not convinced that the accused was guilty.

And in this statement other judge advocates concurred. Verily they have received their reward. Such a statement shows to what extent subjection to the power of military command deflects legal judgments, imposes itself upon professional appreciations, and obscures those first principles which are normally regarded as the foundation stones of the temple of justice. The last man in the world to be expected to prefer his personal impression of moral guilt to guilt duly adjudged, his own judgment to the judgment of a court of law, should be the lawyer. Think a moment what it means for a lawyer sitting in a judicial capacity to say:

> We find the soldier has not been well tried; we find that the rules of evidence were transgressed in his case; we find that he had not the substantial assistance of counsel; we even find that the decision was not sustained by the facts of record; yet we are morally convinced that the accused was guilty, so let him be punished.

That means something worse than injustice to the accused; that is the argument of the mob; that is the road to anarchy. I myself prefer the statement made by Warren, in answering the same contention in the British Army nearly 90 years ago:

> It concerns the safety of all citizens alike that legal guilt should be made the sole condition for legal punishment; for legal guilt rightly understood is nothing but moral guilt ascertained according to those rules of trial which experience and regulation have combined to suggest for the security of the State at large. * * * They (these fundamental principles of our law) have, nevertheless, been lost sight of and with a disastrous effect by the military authorities conducting and supporting the validity of the proceedings about to be brought before your majesty.

And the chief of all judge advocates, the Judge Advocate General himself, is also subject to this military power at its very height. He himself has not one particle of authority; he also may advise and recommend to the Chief of Staff, the highest exponent of military authority. By statute the Judge Advocate General is placed under the "supervision" of the Chief of Staff; by the statute also the Judge Advocate General will hold office for a term of four years unless sooner relieved or unless reappointed. He is subject to the supervision, power, and control of the Chief of Staff just as is the chief of the department that issues the rations, supplies, and matériel, or makes a military plan. His retention of office depends upon the approving judgment of the Chief of Staff. Such a man can not be independent, and in the end must be influenced by what the military authorities would have him do. That this is so is observable daily.

From top to bottom the administration of military justice is not governed by the rigid limitations of the code, but by the rigid powers of military command.

It is to be noted that throughout his defense the Judge Advocate General claims that the punishments have been comparatively light, since the code imposed no limit. The code should limit punishment. The difficulty is it does not.

(2) He contends that the code is modern and enlightened.

He admits that prior to his "revision" of 1916, it was the British code of 1774, and I say that his "revision" did not revise, and that we still have the British code of 1774, itself of even more ancient origin. The best proof that our present articles are organically the British articles of 1774 is to be found by comparing the two. The next best evidence is to be had out of the mouths of the highest officials who proposed the so-called revision of 1916, now relied upon as a complete modernization of the old British code. The British code was adopted under the exigency of the Revolution, and John Adams, the chief instrument in securing the adoption, attributed his surprising success to that emergent situation. There were few minor changes made during the Revolution, and up to the so-called code of 1806. In his statement to the Military Committee, the Judge Advocate General on May 14, 1912, said:

> As our code existed, it was substantially the same as the code of 1806.

And he also showed that the code of 1806 was substantially the code of 1774. Of this code of 1806, he said:

> The 1806 code was a reenactment of the articles in force during the Revolutionary War period, with only such modifications as were necessary to adapt them to the Constitution of the United States.

The modifications that were deemed necessary were simply such modifications as were necessary to make the articles fit into the mere machinery of our Government, and introduced the requisite terminology therefor. Speaking of his so-called revision of 1916, the Judge Advocate General said:

> It is thus accurate to say that during the long interval between 1806 and 1912—106 years—our military code has undergone no change except that which has been accomplished by piecemeal amendment. Of the 101 articles which made up the code of 1806, 87 survive in the present code unchanged, and most of the remainder without substantial change. Meanwhile, the British articles from which, as we have seen, these articles were largely taken, has been, mainly through the medium of the army annual act, revised almost out of recognition, indicating that the Government with which it originated has recognized its inadaptability to modern service conditions.

The so-called revision of 1916 was only a verbal one and not an organic revision. This a comparison with the code as it previously existed will demonstrate. The proponents of the revision themselves so stated; they did not contemplate the making of a single fundamental change. This was clearly shown in the letter of the Secretary of War to the Committee on Military Affairs under date of May 18, 1912, and it is equally clearly shown by the letter of the Judge Advocate General submitting the project, in which he described "the more important changes sought to be made" as those of "arrangement and classification." Nobody, either the Judge Advocate General, the Secretary of War, or either committee of Congress, has ever regarded the project of 1916 as a substantial revision. The Judge Advocate General took occasion to deny that it was anything but a restatement of existing law for the sake of convenience and clarity. He himself pledged the committee—

> If Congress enacts this revision, the service will not be cognizant of any material changes in the procedure, and courts will function much the same as heretofore.

Such revision as was made made the structure rest even more firmly upon the principles that courts-martial are absolutely subject to the power of military command.

(3) He contends that the commanding officer may not put a man on trial without a preliminary hearing into the probability of the charge.

Notice, he does not say the code requires such hearing, but that regulations and orders of the War Department do. Therein lies the deficiency. Law is a rule established by a common superior, and as between the man to be tried and the officer ordering his trial such a regulation is not law. It establishes no right. Its only sanction is in the authority that issued it. It may be inadequate, ignored, disobeyed, modified, revoked, or its violation waived without involving the rights of the man to be tried. As a matter of fact well known in the Army, such preliminary investigation as is prescribed is as a rule perfunctorily made. It must not be presumed to be very thorough when 96 per cent of all charges drawn are ordered for trial. The failure to provide for an investigation whereby it shall be legally determined that there is a prima facie case is at the origin of the great number of trials and is therefore the source of much of the injustice.

Any officer can prefer charges against any enlisted man by virtue of his official status alone. The Judge Advocate General says that the Army follows the Anglo-American system of filing an information by a prosecuting officer. Of course not. Any officer may prefer charges. He acts under no special requirement or sense of obligation. The Judge Advocate General naively says that "this protection is invariable." Would you call it a protection if every man under the sun standing one degree above you in wealth or social position or official position had the power to indict you or inform against you and subject you to a criminal trial? Would you agree that even every civil officer in the land should have such a power over a civilian? And yet, every Army officer has that power by virtue of his office alone.

(4) He insists that there have not been too many trials; indeed, that there have been comparatively few.

He admits that in the year preceding the armistice there were 28,000 general courts-martial and 340,000 inferior courts. He uses 4,000,000 as the size of the Army during the period, whereas the average for the period was, of course, less than 2,000,000. Applying the ratio of Army trials to the population of the United States, you would have 1,500,000 felonies and 19,000,000 misdemeanors tried annually. Comparison will also show that we tried seven times as many men per thousand per year as either France or England. He takes great consolation in the fact that the percentage of trials was smaller in the war Army than in the old Regular Army. That is true, but a cause for shame, not consolation. The system as applied to the Army in peace was intolerable. General courts-martial in the Regular Army averaged six per hundred men per annum. Applying the Regular Army ratio of trials to the National Army, the result would have been for the year mentioned 120,000 general courts-martial

and 1,500,000 inferior courts-martial, surely a number that would have destroyed any army.

The Judge Advocate General and the War Department now say that the injustices revealed during the war have been due largely to the new officer. Quite the contrary. The records show that the new officer, bringing into the Army his civilian sense of justice, has preferred and ordered fewer courts-martial than the regular. It must be remembered also that the old experienced Regular Army officers have been the officers with the authority to convene general courts-martial and approve the punishments awarded by them. They are therefore responsible.

In any event, inasmuch as our wars are to be fought by citizen soldiers, no system ought to be maintained that must inevitably result in injustice by reason of the inexperience of the men.

(5) He contends that our officers are sufficiently grounded in the law to be military judges.

This, again, is a matter of standards. It may be informative to point out the inconsistency between the statement that the new officers are responsible for the deficiencies of the administration of military justice developed during the war and the contention that they are competent military judges. Of course, they are not competent as judges. A case before a court-martial involves the entire criminal law. Courts-martial are judge as well as jury. His regard for the judicial requisites can be properly appreciated in view of his argument that the study of the brief course in the elements of law at West Point or of the course, by the new officers, in the three months' training camp is sufficient "to insure an acquaintance with the law by the members of a court-martial."

In any event, he says, the deficiencies of the trial court will find their corrective supplement in the reviewing judge advocate—one system of legal mechanics that stands the pyramid on its pinnacle.

(6) He contends that the judge advocate does not combine the incompatible function of prosecutor, adviser of the court, and defender of the accused.

The law and universal practice are otherwise. The judge advocate shall prosecute in the name of the United States (art. 17). If accused is not represented, the judge advocate shall, throughout the proceedings, advise him of his legal rights (art. 17). This is defined to be the substantial duty of counsel (par. 96, M. C. M.). The judge advocate is the legal adviser of the court (par. 99, M. C. M.). There are cases in which a single officer set a trap for the accused, was the prosecuting witness, was appointed judge advocate to prosecute the case, and, besides, was also specially detailed as counsel for the accused, and performed all functions. For such an instance, see case of Pvt. Claud Bates, in which, when I pointed out these inconsistencies, the commanding general complained I was "trying to break up our court-martial system."

(7) He resents the criticism that second lieutenants, knowing nothing of law and less of court-martial procedure, are assigned to the defense of enlisted men charged with capital or other serious offenses.

He admits, however, that in an examination of 20 cases a lieutenant appeared as counsel in 13 of them. I can go further and say that in an examination of 5,000 cases lieutenants of but few months' experience appeared in 3,871, or 77 per cent of them. This was perfectly natural; under the system of administration the duty of counsel is an irksome one, imposed upon those who have not enough rank and standing to avoid it. He also contends that all officers are properly equipped to perform the duties of counsel, by reason of the fact, already stated, "that graduates of every training camp have studied and passed an examination upon the Manual for Courts-Martial, and therefore the above criticism is upon its face unfounded." He also finds that after officers of rank and experience have been assigned as members of the court and as judge advocate it is not feasible to find legally qualified officers to act as counsel. "No one," he says, "who has any acquaintance at all with conditions in the theater of war would suppose for a moment that this is practicable." He then dismisses the whole subject by saying that, no matter how incompetent is counsel, he finds in the scrutiny subsequently given the cases "the most satisfactory assurance that such deficiencies as may from time to time occur through the inexperience of officers assigned for the defense have been adequately cured." It might be remarked that it is a rather sad criticism of any judicial system that it regards military rank as the main assurance of efficiency.

(8) He is inclined to resist the view that improvident pleas of guilty are received from those charged with capital crimes.

He says the percentage of such pleas is a small one; and so it should be hoped, although such pleas are known to be surprisingly frequent. As an argument to offset the inference of resultant injustice, he relies upon "the common instincts of fairness and justice of the officers taken recently from civilian life to sit upon the courts as judges." It is interesting to note that shortly before this, in a public address before the bar of Chicago, the Judge Advocate General attributed the harshness of the system to the inexperience of the new officers, as follows:

> Undoubtedly there are things wrong with the administration of military justice. We have brought over 100,000 officers into the Military Establishment of the United States within the brief space of a year. Their commissions are their credentials to sit in the courts and administer justice, and it would be strange, indeed, if there were not a number of cases in which a disproportionate punishment is given.

(9) He admits that commanding generals return acquittals to the courts with directions to reconsider them.

He thinks, however, that "the very object of this institution is to secure the due application of the law," and he adds: "My own experience in the field can recall more than one case in which the verdict of acquittal was notoriously unsound, and in which the action of the commanding general in returning the case furnished a needed opportunity for doing full justice in the case." He finds "that this power is a useful one, and that it is not in fact in any appreciable number of cases so exercised as to amount to abuse of the commanding general's military prestige." He finds that out of 1,000 cases there are only 95 acquittals, anyway, and he says:

> Of these 95 acquittals 39 were returned only for formal correction; of the remaining 56 the court adhered to its original judgment in 38 cases, and in only 18 cases was the judgment of acquittal revoked upon reconsideration and the accused found guilty of any offense.

Though of every 95 acquittals 18 are changed into convictions by the direction of the commanding general, this he considers negligible. This leaves only 77 acquittals out of a thousand tried. Out of deference to unreasonable public opinion, however, he would recommend a change to accord with "the British practice," which he regards as the limit of liberality.

(10) He contends that under all the circumstances the sentences imposed by courts-martial are not, as a rule, excessively severe.

He indicates clearly that we would have profited by "keeping in mind the solemn and terrible warning recorded expressly for our benefit by Brig. Gen. Oakes," in the Civil War, that the inexorable attitude of shooting all deserters would prove merciful in the end, and argues that inasmuch as we did not adopt that policy we should not be "reproached for severity." Dealing with the offense of absence without leave, he would have us believe that "this offense is in many cases virtually the offense of an actual desertion," whereas exactly the opposite is true. The records will show that absence without leave is more frequently than otherwise charged as desertion, since in cases of "doubt" the higher offense is always charged; besides, several commanding officers ordered that all absences even for a few days be charged and tried as desertion. There has been no greater source of injustice than the indiscriminate treatment of absence without leave as desertion and the procurement of convictions accordingly. Along the same line the Judge Advocate General argues that disobedience of orders is always to be punished most severely without regard to the kind or materiality of the order, and he asserts that the disintegration of the Russian Army was due not to age-long tyranny or oppression or reaction, or any other like cause, but entirely to a failure to treat "disobedience in small things and great alike."

Finally, however, after much argument, he concedes that these sentences were long, but justifies them on the ground that "the code prescribes no minimum" and on the further ground "that probably none of these officers (who pronounce sentences) supposed for a moment that these long terms would actually be served"; and he reminds us that there has already been a 90 per cent reduction. He ignores the fact that whether such sentences were or were not intended to be served, they greatly outraged justice. If intended to be served, they abused justice; if not so intended, they mocked it. He says "nobody intended they should be served," which, as one writer has recently put it, is "like hanging up a scarecrow to frighten the birds, that does not scare them as soon as they learn that it is a sham, and then use it to rest on."

(12) He admits that the sentences of courts-martial are very variable for the same offense.

He delights in the fact, however, that "this very matter of variation in sentences is one of the triumphs of modern criminal law," and finds virtue in a situation that gives courts-martial "full play for the adaptation of the sentences to the individual case." A court should have sufficient latitude to make the sentence fit the offense, but I had not supposed that this "modern triumph" would authorize any court—not even a court-martial possessing the virtue of being untrained, unlettered, and unskilled in the administration of justice—to punish an offense.

however trivial, "as it may direct," with life imprisonment or death, if it pleases.

(13) He denies that the Judge Advocate General's office partakes in the attitude of severity.

His defense speaks rather loudly for itself. I must be permitted to say this: Every organ of that office designed to secure correctness of court-martial procedure or moderation of sentences—which now he calls so effectively to his aid—was instituted by me and by me alone. Without any authority from or help of the War Department or of the Judge Advocate General I organized the several divisions of the office; the board of review and the first and second divisions thereof; and the clemency board; and it was my effort, taken in his absence, that showed the necessity for the special clemency board, which, though restricted in every covert way by the department and the office of the Judge Advocate General, has done so much recently to reduce sentences. The Judge Advocate General's attitude has been one of absolute reaction. He has not approved of such organization; he has not approved of my efforts to secure correctness of court-martial judgments or moderation of them. Twice have I been relieved by him from all participation in matters of military justice and superseded by officers who shared his views. He says:

> On the 20th of January you (the Secretary) approved a recommendation of mine, dated January 18, opposing the institution of a system of review for the purpose of equalizing punishment through recommendations for clemency.

He does not say, however, that this was done at my insistence, not his; that when he returned to the office last January he published a written office order relieving me from all connection with administration of military justice.

He does not say that on or about January 8 I went to him and urged that something be done to modify courts-martial sentences, and that he declined to take any action, as "to do so would impeach the military judicial machinery."

He does not say that while he was absent from the office a few days thereafter I filed with the Secretary of War a memorandum, dated January 11, 1919, in which I depicted the shocking severity of courts-martial sentences, and that I was driven to take advantage of Gen. Crowder's absence to bring this to the attention of the Secretary of War. He does not point out that he had me demoted because I did not share his views upon the subject of military justice and had me superseded by an officer who did. He does not point out that notwithstanding he kept me as president of the clemency board, as an assurance to the public that clemency would be granted, he "packed" that board with the officer who wrote this defense of the Judge Advocate General, the chief propagandist for the maintenance of the system, and with other friends of his who shared his reactionary views. He does not point out that the clemency board was given no jurisdiction to recommend clemency for the prisoners in France, since "the people at home were not so interested in the men who had committed offenses in the theater of operations"; that is, the prisoners in France were not in a position to become politically articulate or embarrasing to the department. He does not point out that the dissolution of the clemency board had been determined upon, and I had been notified accordingly, without its having passed upon any of the cases in France, and that those cases were not taken up until recently, and would never have been taken up, except for my written official insistence. He does not point out that a special board of review, composed of men sharing his own views, was constituted, with the sole function of reexamining and revising all findings made by the clemency board wherever clemency was to be based on inadequate trial.

(14) He contends that the action taken in the Judge Advocate General's office has been effectual for justice.

He reaches this conclusion on the ground that seldom or never is the Judge Advocate General's office overruled. Of course, so long as the Judge Advocate General of the Army does what the military authorities want him to do he will not be overruled. When the Judge Advocate General of the Army does, as he did in the death cases from France and as he habitually does, seek an agreement with the Chief of Staff as to what his decision ought to be, when he regards himself not as a judge but as an advocate to uphold the hands of the military authorities, he is not likely to be overruled. I as Acting Judge Advocate General was overruled. I was told by the highest military authorities, in a certain case in which a half score of men were sentenced to be hanged, and in which the military authorities insisted on the execution, notwithstanding the fact that they had not been lawfully tried, that I was disqualifying myself ever to be Judge Advocate General by my insistence upon their rights. Through my insistence, however, these men were not hanged.

You can not expect the Judge Advocate General of the Army to be a judicial officer when the law does not make him one. He himself is subject to the power of military command. By section 4, act of February 14, 1903 (32 Stat., 831), the Judge Advocate General is placed under the "supervision" of the Chief of Staff in the same way that the Subsistence, Quartermaster, Engineer, Medical, Ordnance, and other departments are. He is appointed for four years, he may be relieved if he incurs the displeasure of the department, and he will not be reappointed except with the recommendation and approval of the department. He holds his office, in effect, at the will of the Chief of Staff, under whose supervision he is. If the highest law officer of the Army is subject to such military "supervision," how much more effective must the same "supervision" be over the subordinate officers of the Judge Advocate General's department assigned to the staff of a military commander?

HIS REMEDIES.

The Judge Advocate General now says he favors vesting the President with power to review courts-martial judgments for errors of law, and therefore recommends the enactment of the bill submitted by him last year—section 3692, H. R. 9164. Please look at that bill. If enacted it would (a) effectually place the power in the hands of the Chief of Staff, the head of the military hierarchy; (b) authorize the reversal of an acquittal; (c) authorize increasing the punishment; (d) authorize increasing the degree of guilt determined by the court.

The truth is, the Judge Advocate General does not believe in revisory power. He has ever insisted that military law is the kind of law that "finds its fittest field of application in the camp," and that such revision would militate against the requisite promptness of punishment. He has not acted in good faith. In correspondence with the senior officer of his department on duty with Gen. Pershing's staff, shortly after his submission of the above bill, he expressed his real views and purposes. In that letter, of April 5, he said something had to be done to head off a "threatened congressional investigation," "to silence criticism," "to prevent talk about the establishment of courts of appeal," and "prove that an accused does get some kind of revision of his proceedings other than the revision at field headquarters."

The other remedies proposed, consisting of a few more orders and changes of the manual and empowering the department to prescribe maximum limits of punishment in peace and war, I deemed unworthy of comment.

The Judge Advocate General assumes that he has reached the limit of liberality when he approaches in a few respects what he conceives to be the British system, not appreciating that, though that system is far more liberal than our own, it, too, has become the subject of criticism throughout Britain. The British Government has appointed a committee of inquiry of civilian barristers to examine "the whole system under which justice is administered in the Army." Differing from our own War Department, that Government gives evidence of a desire to know the facts and to find a remedy.

HIS CRITICISMS OF MY PERSONAL CONDUCT.

1. He claims that my efforts to establish a revisory power within the department through the office opinion of November 10 to that end was without his knowledge.

Assuming this to be true, it was well known in the department at that time that he had authorized me to manage the office in my own way and without further reference to him, except for certain appointments having political significance. But, as I heretofore said to the Secretary of War in the paper published in the New York Times, I did take occasion to consult Gen. Crowder upon the subject, and he replied:

> I approve heartily of your effort. Go ahead and put it over. I suspect, however, that you may have some difficulty with the military men arising out of article 37.

I knew of no change of attitude in him until I was advised shortly thereafter that he had prepared a brief in opposition, and two or three days later he resumed charge of the office and filed the brief. When I found this to be so, I went to Gen. Crowder and accosted him about his change of attitude. In explanation thereof he said:

> Ansell, I had to go back on you. I am sorry, but it was necessary to do it in order to save my official reputation.

He then added that he was nearing the end of his service; that he could not afford to be held responsible for the injustice that had gone on, if the existing law could be construed to have prevented it, and adverted to the fact that fixing such responsibility upon him would injure his career in this war. He then told me that the Secretary of War held him personally responsible and had "upbraided" him at the Army and Navy Club for sitting by and permitting this injustice to go uncor-

rected. The general then said that, humiliated at such imputation, he had gone back to the Provost Marshal General's office and consulted some of his friends there and they decided that it was necessary for his self-protection to oppose the opinion the office had prepared, and that two of the officers there helped him prepare the countermemorandum.

2. He says that I surreptitiously obtained an order appointing me as Acting Judge Advocate General in his absence.

Please look at his defense, pages 54 and 55. He admits that he said:

It will be entirely agreeable to me to have you take up directly and in your own way with the Secretary of War the subject matter of your letter of yesterday.

I did take it up in a formal memorandum addressed to the Chief of Staff, the channel of communication prescribed by orders. I never spoke to the Chief of Staff on the subject, and never endeavored in any way to obtain favorable action upon the memorandum. I let it takes its course. Under 1132, Revised Statutes, it was necessary that I be designated as Acting Judge Advocate General if I was to be charged with the policies and responsibilities of the office. Otherwise the policies and responsibilities were Gen. Crowder's, who was not in a position to assume them. In furtherance of his ambitions he held three and sometimes four positions during this war, and he was in no position to perform the duties of Judge Advocate General or prescribe the policies of that office. Therein lies the difficulty. I was held responsible for the output, but for means and power was kept dependent upon an officer who was absent, absorbed in other tasks, and who differed with me on the policy of military justice.

The general bases his charge of surreptition solely on the ground that his approval of my designation as Acting Judge Advocate General was conditioned upon my taking it up "directly" with the Secretary of War. I had assumed that his language was frank and candid and not governed by the quibbling construction he now places upon it.

His other charge of surreptitious method is likewise based solely upon the fact that I made a recommendation on the subject of military justice in France to the Chief of Staff in a written memorandum which spoke for itself and which was never supplemented by any word or action of mine in support of it to secure favorable action. It is quibbling to say, as he does say (p. 58), that my statement to the effect that the commanding general of the American Expeditionary Forces was opposing means for a better supervision of military justice was untrue for the reason that the opposition was officially voiced to the department not by Gen. Pershing in person, but by his senior judge advocate and staff officer, Gen. Bethel; the staff officer, of course, representing the views of his chief.

3. He says that I myself had at first approved the death penalty in the cases from France. If I had done so, the record would show it. The record is to the contrary. Neither is it to be expected that I should have once approved them and then have written a strong memorandum against approval without reference to my former position. The truth is, at the time the cases were being studied by Gen. Crowder, so far as he did study them, and his assistants, I was away from the office in Canada. Col. Mayes, senior officer in my absence, has recently called my attention to this fact and informs me further that he has recently testified before the Inspector General that he had looked over the cases, but that I had not.

CONCLUSION.

The War Department has indeed undertaken to maintain this vicious system at all costs and by methods which reveal the weakness of both the system and the department.

Very truly, yours,

S. T. ANSELL.

Mr. CHAMBERLAIN. Mr. President, my reason for having the foregoing letter printed in the RECORD is that the country may have the views of Gen. Ansell on the subject of military justice, with which many lawyers agree, in opposition to the views of the Judge Advocate General. While he was in the Army and connected with the office of the Judge Advocate General his lips were sealed and he could only speak by permission of his superior officers, who differed from him, although he was himself for a while Acting Judge Advocate General of the Army. That permission was refused him. Gen. Ansell is himself a graduate of West Point, a distinguished lawyer, as well as a patriotic and gallant soldier. He is a man who has been able to see the humane and the civilian side of these controversies and has fearlessly done all in his power to correct a vicious system of the administration of military justice and to alleviate the punishments which that system has inflicted upon the young men of America who sacrificed all for the protection of their country and the preservation of civilization. His reward for the efforts he has made along these lines has been in practical effect demotion by those in authority, although such men are badly needed to tell the truth in order that a vicious system may be corrected. He voluntarily resigned from the Army, Mr. President, and he can now address himself to the American people in any way he sees fit in order to correct abuses which he knows exist and which all are now beginning to understand have been in vogue during the whole of the World War.

HIGH COST OF LIVING.

Mr. WALSH of Massachusetts. Mr. President, I should like to discuss very briefly a phase of the high cost of living which I believe has not been touched upon in this body.

The remarks of the Senator from Tennessee [Mr. MCKELLAR] the other day impressed me very forcibly when he asked for action. I sometimes think we do not appreciate the depth of feeling in America to-day on this question. On a visit recently to my home State I was met with one inquiry at every turn. It was not, "What are you going to do with the league of nations?" It was not, "When are you going to ratify the treaty?" It was, "What are you going to do in Congress about the high cost of living?" It is the main cause of all the unrest, of all the discontent, of all the strikes, of all the business uncertainty in this country to-day. It is more than that; it is causing distrust of our Government itself. It is giving force and strength to un-Americanisms. The people are asking themselves, "Have we a Government capable of grappling with a great problem like this and able to find a solution for it?" I appeal to the Senate to appreciate that the people want immediate action on this subject. The people of America expect us to meet this problem and to find a solution.

Extracts from two letters among many that have come to me sound this note to which I have tried to give expression; one, from the pastor of a Methodist church in the central part of Massachusetts, reads as follows:

Have we men in public life who are aware of the grievous wrong which has been done the public with regard to the price of necessary household commodities?

I am not a prophet, but this Nation is facing either a revolution or a revival of its moral and religious conscience. You are probably aware of the intense feeling there is in the hearts of laboring men to-day, and I hope God will most graciously sustain you and the other Members of Congress in this the most critical period our Nation has ever experienced. We do not want a soviet republic. We do want a continuation of the Republic which existed here up to about 1900.

The other reads:

We are living in a strenuous period economically, and the average man is not giving much thought to parties nor to platforms. Labor to-day is in the saddle, not only here in America but in Europe as well. Apparently the extreme demands that labor is making cause no surprise to the average student of conditions. * * * The present structure of society, with all that is good as well as bad, may disappear overnight if care is not taken. * * * Now, this tremendous sentiment of unrest is not going to abate; it is going to increase; and in the opinion of an humble, observing citizen, whether we like it or not, labor is going to get just about what it starts after, and that includes Government ownership of things like railroads, coal mines, etc., unless the Government deals effectively with the present evils.

Mr. President, the point I wish to emphasize to-day is that it is high time for action. Ten days have elapsed since the President publicly called this question to our attention. What have we done? What are we going to do? I ask these questions fully realizing that this is a very difficult and serious problem, but, nevertheless, its solution is the way to stop this wave of unrest; it is the way to insure the safety of the Government itself; it is the way to protect democracy in America. What can the Senate do? For after all we want practical suggestions. This Congress can at once restore confidence by showing that it is awake to the situation and proposes to act at once. One of these letters is from a clergyman, who complains about the high cost of living and of having received the same small salary for years; and this is largely true of all the salaried class. Telegrams are also pouring in from postal clerks and many other public employees. Policemen in the capital city of Massachusetts are threatening to strike. All this is due to what? It is because they can not, with their present wage, meet the present cost of living.

I ask again, what can we do? I suggest an answer. One thing we can do that would do more to restore confidence and reassure the people of this country would be an announcement in this Chamber and in the other branch of Congress that the steering committee of the Republican Party and the steering committee of the Democratic Party had met and jointly decided to seek an immediate solution. Joint, immediate, nonpartisan action is what the American people have a right to demand.

It seems to me that if such a course were taken and agreement reached that we would act harmoniously and speedily and construct some legislation it would do very much to restore confidence in our system of government and we would be doing

much to assist the people to enjoy the happiness and the prosperity that ought to come with the peace that has been earned at such very great sacrifice.

ADJOURNMENT TO WEDNESDAY.

Mr. CURTIS. I move that when the Senate adjourns to-day it adjourn to meet on Wednesday next.

The motion was agreed to.

HIGH COST OF LIVING.

Mr. THOMAS. Mr. President, I think I recognize the seriousness of the situation to which the Senator from Massachusetts [Mr. WALSH] has directed our attention. I have been aware of it, apprehensively aware of it, for a long time. The present situation is not one which has suddenly thrust itself upon public attention. It has become accute because of the position of certain organized bodies of men feeling the weight of these conditions and demanding an increase of pay. If Congress can by legislation restore the purchasing power of money, increase the food supply, and in other ways regulate or control the natural laws which surround us, and from whose operations we can not escape, we should do it by all means. But the most sinister feature of the present situation lies in the fact that those who are suffering acutely from prevailing conditions are absorbed with the idea that Congress can relieve them if it would. I say that is dangerous, because it produces those discontents to which the Senator has referred and about which his correspondents have written him.

The unfortunate difficulty is not with the desire of Congress to give relief, but with its ability to do so. If we were asked to legislate for the abolition of the law of gravity, if we were asked to change the seasons by substituting spring for summer and summer for winter, we certainly would recognize and the public would recognize how utterly impossible compliance with such demands would be.

Mr. President, it is a terrible condition, but it is not a new one, neither is it a local one. It is a world-wide one. It has succeeded and has in some degree accompanied every great industrial or military convulsion to which the commercial world has been subject, and it will continue to succeed and accompany them so long as men differ and controversies disturbing the peace of the world shall follow.

We have certainly passed a great many laws already which are being enforced upon the subject, and we can perhaps prevent what is called profiteering, a practice which is, unfortunately, not local, but which is everywhere, and which is merely a reflection of the habits and actions of man when opportunity stands at his elbow.

Mr. WALSH of Massachusetts. Will the Senator yield?

Mr. THOMAS. Certainly.

Mr. WALSH of Massachusetts. I should dislike to have the Senator change his line of argument, but I wish to ask him if he does not think that one of the causes, a partial cause, for the present high cost of living in America is due to the fact that previous to this war we only exported the surplus over and above our normal demands for foodstuffs, and that during the war and at the present time we are exporting out of the normal demand of our own people for foodstuffs? Does the Senator agree with me that that is in part a cause?

Mr. THOMAS. Of course, Mr. President, anything that reduces the supply necessarily produces a rise in the market.

Mr. WALSH of Massachusetts. Then will the Senator agree with me that the American people have a right to know that their Government has made an inquiry into what foodstuffs are being shipped out of America that are needed here, and that have increased the cost of the necessities of life, and have a right to know how much is being shipped and whether the amount that is being shipped is absolutely necessary to relieve distress and want on the other side?

Mr. THOMAS. I think that is very apposite. We can not let the world starve, neither should we supply them with food in overabundance, and if that is being done the suggestion of the Senator is extremely pertinent. But if it is done, will that solve this problem?

Mr. WALSH of Massachusetts. It will at least help to do it in part. But the point I desire to make is that the American people would, at least, be somewhat appeased if they knew that the food supply which is being exported was actually to relieve want and not to make more money than could be made by selling the food here in America. It is one of the very serious grounds of discontent that we are exporting when we ought not to be exporting. I say the Government ought, at this crisis under these conditions, to stop exporting every single thing that pertains to the necessities of life in America over and above what will actually relieve want and distress on the other side.

Mr. THOMAS. Has the Senator himself inquired for such information?

Mr. WALSH of Massachusetts. Yes; and I am collecting such information.

Mr. THOMAS. Has the Senator introduced a resolution seeking such information?

Mr. WALSH of Massachusetts. No; I have not; but I am asking the Senator the question because he has said the difficulty is beyond the possibility of our being able to grapple with it, and I have tried to point out one question at least that the American people might be interested in knowing about.

Mr. THOMAS. I am not aware of having stated that this was a problem beyond our possibility to legislate about; but quite the contrary. I declared that there are some features of it which could be reached and which laws had been passed to reach. If we are engaged at present in an overexportation of foodstuffs, then, of course, that surplus should not be so diverted from America but should be kept here. I merely wish now to emphasize some of the things which I hope the average thinking man and woman will for a moment dwell upon.

In the first place, I have stated that the condition is not a national one, and, of course, Congress, powerful as it is, can not legislate for the whole world. Therefore it is a condition underlaid by world-wide causes. It must be. What are they? I will not pretend to state them all, but one is the extraordinary inflation of the currency of all the nations. You can not increase the circulating medium of the people without affecting prices. You can not increase the currency of a people and keep the value of the dollar where it was before, not even if that increase is of gold. If a nation possesses a currency of $1,000,000,000 of gold and subsequently adds $2,000,000,000 more to it, thus having a currency circulation basis of $3,000,000,000, the gold dollar possessed by that country will lose its purchasing power in proportion. The only way in which the value of the dollar is measured is in the thing for which it can be exchanged. In this country and in other countries, as the Senator from Missouri [Mr. REED] on last Friday showed, these increases have been enormous. With us I think it is much more than 100 per cent. I have the figures somewhere. From the instant that our currency increases began they were reflected in current prices and they have continued to be so reflected.

Then, too, Mr. President, we have expanded our credit by an issue of bonds of nearly $30,000,000,000. The inflation of credit added to the inflation of currency aggravates many times the evils consequent upon the reduced and reducing value of the dollar. We can, as the French Assembly did, pass a law requiring the seller of merchandise to take the American dollar at a value fixed by law, and we can guillotine him, as they did in France, if he refuses. But unfortunately that method did not prevail in France; it brought no relief there, and it would not prevail and could bring no relief here. We might just as well attempt to change some other law of nature. I think the people ought to know these facts.

Take another proposition. This country is bearing a burden of taxation that is unprecedented either in America or elsewhere. We expect to raise for the year 1919 something like $6,000,000,000. That must be paid. The people can not escape it. The requirement is hedged about with penalties which no man dare encounter. Every dollar of the National and State taxation which can be is passed on to the next man and finally rests upon the ultimate consumer. I do not pay a cent of tax that is not passed on if it is possible to do so, neither does anybody else. It is a part of the cost which attaches to the business or the income of the taxpayer, and he very naturally makes it good by adding it to the price of his merchandise or his manufacture, and that is borne by the next purchaser, who passes it on until the ultimate consumer bears the burden.

We must not forget that we are all ultimate consumers. Every man, woman, and child in America constitutes a part of that great army. The entire value of the agricultural and meat products of the United States the year before the war, as I remember the figures, was about $7,500,000,000, or very little more than the tax burden which is now passed on to the consumer.

I sometimes wonder whether the prices of the necessities and commodities of life will remain where they are or whether they will continue to advance. I know, or at least I think I know it, that the public will not for years enjoy any permanent relief from the evil of high prices, because for many, many years, running into generations, this burden of taxation will rest upon the productive and consuming energies of the people, and as a consequence we must regard it as one of the heritages of war.

Mr. President, I think the most serious act of my life was the casting of a vote for this war, not because it was not necessary, but largely because as a boy I was in daily contact with the ex-

periences of the Civil War of the early sixties, because those experiences involved the seamy side of that terrible conflict, the agony, the suffering, the destruction of property, the loss of lives, the disappearance of civic institutions, the prevalence of martial conditions both in the Army and in society, and above all the enormous cost of the necessities of life consequent upon the creation of an enormous debt and an undue inflation of currency. I knew that we would win this war, but I also knew that with it would come those terrible costs of victory which spread their evils over many generations of men, and I also feared that they would produce just those social and industrial upheavals which now so seriously disturb the country and which very seriously add to the constantly accelerating cost of the necessities of life, because they diminish consumption, and by demanding a higher wage add a more pressing burden in every direction, upon the Government principally, but upon the operations of those laws which after all govern and control these conditions.

I have opposed in this body, unsuccessfully, every bill having for its purpose an increase of compensation to Government employees. I have done it because I knew the only effect of that grant would be to transform the recipient of these advances into an agency for transferring the amount of the increase into the pockets of the purveyors of the necessities of everyday life; and that has been the case.

It was resisted and resisted. Some Senators and some Representatives went so far as to challenge the accuracy of my position, not the least of whom was a former Representative from my State, a very warm personal friend, Mr. Keating, who is now the secretary of the Congressional Commission on Reclassification of Salaries. Only so late as Saturday last I noticed this statement from Mr. Keating, as it appeared in the Evening Star of this city:

CLERKS' BONUS FAIR GAME FOR SUCH AS PROFITEER.

"Why do you permit landlords, boarding houses, and others to profiteer and raise rents and prices as soon as clerks get a bonus?"

This was the inquiry received to-day by the Joint Congressional Commission on Reclassification of Salaries in the District from somebody who signed himself "Square Deal."

"Square Deal's inquiry is a pertinent one," declared Edward Keating, secretary of the commission. "Unfortunately, he has confused the functions of this committee. But we all recognize the pertinency of his query.

"No sooner does a Government clerk get a bonus than it seems as if something comes along to take it away from him. A vicious circle is formed and will not be stopped until something is thrown into the wheel."

Unfortunately that is the very thing we have been throwing into the wheel and will continue throwing into the wheel and by that means aggravate the condition that we are supposed to improve.

Some days ago the chiefs of the railway brotherhoods made a demand for an extraordinary increase in wages, and at the same time said it would not relieve the situation; that the only effect of it would be to bring the level of prices still higher so as to conform to the increases; and that is true. Every strike for an increase, if granted, will only make it necessary to strike again and to make another demand. This condition will keep rising and rising, and the material man will be always ahead of the fellow who gets the salary, not only in this country but everywhere; not only in this age but in every age. Conditions will continue until something will collapse or explode.

Unfortunately for America, the people generally seem to think that the Government can do everything. We began years ago with a protective tariff, and from that beginning constant requests, demands, and exactions have been made upon the Government until to-day Uncle Sam is visualized as a great institution with an exhaustless Treasury, with all sorts of privileges to bestow upon everybody, and as existing merely for the purpose of helping his children when they get into trouble—feeding them, clothing them, curing them of the colic, seeing to it that they are well educated and that they are coddled and paternalized from the cradle to the grave. It is an unfortunate condition; we are to blame for it, perhaps, quite as much as are the people; but in consequence of it we are face to face with the very ordeal to which the Senator from Massachusetts [Mr. WALSH] has called our attention.

The people assume that we can lower the price of eggs to 10 cents a dozen; that we can restore the price of steak to 10 cents a pound; that we can put the price of canned goods at the dead level they occupied prior to the war; that we can furnish them with $5 shoes and $25 suits just as before, and they propose to take us by the throat if we do not do it. I can not do it. I am going to throw up my hands. If they want my life and my pocketbook and my various little possessions, I can not help it; I am willing to do what I can; but I do not want to deceive the people or any of them who are obsessed with the idea that Congress is possessed of an omnipotence which no human tribunal ever can obtain or exercise.

It is asked, Why does not Congress do something? That is the cry. Under existing laws the Department of Justice is doing something. The Attorney General is gutting all of the cold-storage institutions of the country and is going to bring down the prices in many respects; but next winter when there is a shortage of these identical commodities and prices soar beyond the present level, the same people will rage and reproach the Government for bringing about conditions for which they clamored just before. That is human nature. We will be damned if we do; we will be damned if we don't; and we will possibly be damned anyway. [Laughter.]

Mr. President, if the Senator from Massachusetts will formulate any bill—I do not care what it is—which he believes will effect some relief, I think I shall vote for it, although I may not approve it or may be skeptical about its result.

Mr. WALSH of Massachusets. Mr. President——

The PRESIDING OFFICER (Mr. HARRIS in the chair). Does the Senator from Colorado yield to the Senator from Massachusetts?

Mr. THOMAS. I do.

Mr. WALSH of Massachusetts. Did the Senator from Colorado hear the address delivered by the President of the United States 10 days ago, requesting legislation?

Mr. THOMAS. Oh, yes. I paid very close attention to it.

Mr. WALSH of Massachusetts. My speech only called for action upon the part of the Senate along the lines indicated by the President; that we do something; that we show to the country that we are not playing politics; that we are not politically divided on this question; but that we are trying to do something to help solve this issue.

Mr. THOMAS. Mr. President, I heard the President's address. I desire to say I do not think we are politically divided on this question; I think there is a wide difference of opinion among Senators as to what we can do; but I do not think that the difference runs in the center of this aisle. It is a difference of opinion which is outside of and beyond our political affiliations. Every man on the other side and on this side I am satisfied wants to do all that he can. Hearings are being held by the Agricultural and other committees, but, if I am correctly informed, representatives of the great agricultural interests say that we shall not do anything; they declare that if we make any attempt in this direction its only effect will be to limit production. They know this much at least, that if the proposed laws are passed and they think they are going to deprive them of profits, they will quit producing. No man on earth—not even a Bolsheviki—is going to produce unless he sees some profit in it or hopes for some profit or expects some profit, financial or otherwise. If we destroy that element in the business world, we seriously injure it. Hasty legislation, Mr. President, may be worse than no legislation at all. So, in the face of a tremendous problem like this, however impatient the people may be, I can but think that Congress is wise in going just a little slow before taking the final plunge, for the water may be colder or a great deal deeper than we imagine it to be.

What I approved of in the President's message, perhaps, more than any other sentiment expressed in it was his counsel to the people to keep cool, not to lose their tempers, to face conditions quietly, and yet with a determination to overcome them as far as possible, for if we lose our heads we are gone. If the people become exasperated with what they regard as the indifference or the tedium of Congress if some demands that are now made are not complied with—and I do not think that they can be; I do not think that they ought to be—we can not tell what the result may be. We do know that this cause, as the Senator well says, has underlain many of the turbulences and insurrections and social unheavals of the past. When a man is hungry or thinks that he is being outraged in the matter of foodstuffs, he does not stop to reason.

Blind with wrath and a feeling of outrage, he strikes in the dark at everything and anything within reach, and only considers his unwisdom and his folly when it is altogether too late. So that if coolness and the contemplation of things as they are can only prevail we shall come out of this crisis as we have emerged from every other crisis which this country has faced.

Republicans, Mr. President, and Democrats are alike Americans; they alike have the good of the country at heart; their standpoints are different but their object is the same; they are patriots all. While they have their differences, which rise to fever heat in times of exciting political campaigns, that is but the effervescence of Americanism, which is healthy for themselves and for the community.

There is another significant feature of present conditions: There is more industrial unrest and disturbance, there are more

strikes and commotions and more turbulence of minorities everywhere just now than at any other period in our history; and yet, strange to say, with it all we are prospering wonderfully. I have been unable to perceive any immediate urgent cases of suffering or indigence, although they may exist; but the general trend of conditions is a pretty well distributed prosperity. I never before saw so much money in circulation, and I have lived nearly 70 years upon this planet of ours. There never was as much money in the savings banks—and it is sound money, it is good money. Wages were never so high; the salaries of employees were never better; indulgence in the luxuries of the world is widespread and almost universal. The jewelers are doing the business of their lives, and the manufacturers of automobiles can not keep up with their orders. One can not go to a theater in this or any other city in the United States by day or by night without finding difficulty in securing a seat. Expensive clothing is the rule and not the exception; the people are well dressed everywhere, but torn by discontent—well founded in most cases—and totally unsatisfied with prevailing conditions. Thrift is a forgotten virtue. That was the old element in the prosperity of the Nation—thrift, frugality, economy, saving something at the end of every month or at the end of every year, living within your income. Now the policy is to spend all you get, and, if you want more, strike for it, get it in that way, and spend that; free it comes and easy it goes. The vast proportion of the people who are clamoring for a change in conditions are those who are the least affected by them.

The condition confronts us, however, and we have got to meet it; there is no question about that. I myself am loath to believe—although it may be true—that we are exporting more foodstuffs than are needed across the sea. If so, of course, it means profiteering is being indulged in because of the attraction of increased prices in France, Great Britain, and other European countries. It ought to be stopped, and I think that this administration will stop it.

I know of no reason why they can not stop it under existing laws, for, if I remember our food-control law—and I remember it fairly well—the administration is given almost autocratic power to control the distribution of foodstuffs. Certainly no legislation is needed in that regard; but the inquiry may be entirely pertinent.

If anybody is unduly charging and making extraordinary profits in the dispensation of the necessities of life at this time, that man is an enemy of his country. That is a pretty serious statement, Mr. President, but I make it deliberately, because in the present fevered condition of public opinion any man who ministers to it deliberately and voluntarily, I do not care how the ministration is effected, is for the time being, although he may not know it, an enemy of the public order, and therefore of this country. I have not a particle of doubt that such conditions exist; nor have I any doubt that the administration, through the Department of Justice, will discover those men. I hope they will and bring them to book, because nothing in the world will so serve to enforce rigidly the restrictive conditions of a statute as the imposition of the penalty which it sanctions. If that is done, it ought to, and I think will largely, satisfy the sentiments of those who now feel that they are suffering unjustly and unduly because the Congress hesitates or is afraid to enact legislation which, in their opinion, will regenerate the world.

Mr. WALSH of Massachusetts. Mr. President, I have listened with very keen interest to the able remarks of the Senator from Colorado. Let me say that since I have been a Member of the Senate there is no Senator on this floor who for knowledge of public questions and ability to make a clear exposition of his position upon public questions has impressed me more than the Senator from Colorado. I have great respect for his opinions and views; but I differ from him on this question in this respect: During my public career, if I have found one thing more than another that has tended to influence the people in opposition to our institutions and our Government, and to arouse discontent and doubt as to whether or not we have the right kind of Government, it is the fact that they feel that in emergencies our public officials do not respond to their demands.

During the war with Germany this Government showed to the world and to its own people that it could respond when it set out to do it. When we stood for patriotism and for America and forgot party lines and divisions we accomplished things. Bill after bill was passed by the Senate after only two or three days of deliberation and consideration. Now we are not fighting Germans, but we are fighting discontent in our own country, and we are face to face with serious unrest. The people want us to do something, and I suggest that there is one way that I have seen since I have been here by which things can be accomplished, and that is for the leaders of both political parties to agree upon a policy. There is hardly a bill that can not be passed through both branches of Congress in 24 hours if the leaders of both parties meet and agree to it. The very thing that the Senator has suggested about what is taking place in the Committee on Agriculture shows the need of party cooperation. We all know that when it appears in issue here that the farmers are on one side or the other, each political party takes a position pro or con, determining their position as to whether they can get the farmers' vote or not. I think that this question is beyond votes, beyond party, and that the best way to guarantee to the American people that we are in earnest, that their public officials note this unrest and desire to stop these strikes, is to announce that we propose to face this issue; we propose to pass all legislation necessary, and to do it at once. That is why I suggest that there could not be any act I can conceive of that would guarantee that security better than if it were announced to-morrow in the press of the country that so important did Congress consider this issue that the steering committees of the Republican and Democratic Parties for the first time in years, except during the war, had met together to agree upon a program, to agree upon pushing to the front all legislation which will tend to reduce the cost of living to the American people. What could be fairer? What could bring confidence to our people better than this? And there is need of confidence.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Utah?

Mr. WALSH of Massachusetts. I yield.

Mr. KING. I want to ask the Senator whether, in his opinion, the high prices are the result of scarcity, of extraordinary exports, or of combinations and monopolies in restraint of trade?

Mr. WALSH of Massachusetts. In my opinion the high prices are due primarily to the worst condition of criminal profiteering that any country has ever seen in recent years. I think when the evidence is made public as to the terrific amount—millions and millions of dollars—of profits that have been made by manufacturers and producers of foodstuffs in this country we will have all we can do to satisfy our people that they are living under a Government which can protect them and will protect them.

Mr. KING. Does the Senator think—if I may be permitted another inquiry—that the profiteering has gone to the extent of violating the criminal statutes of the various States and the criminal statutes of the United States?

Mr. WALSH of Massachusetts. In my opinion, the present law is not sufficient to meet the present situation. I do think it goes very far to meet it. I note that certain Members upon the other side of the Chamber take the position that there is nothing to do; that there is enough law upon the statute books, and that the violators of law ought to be prosecuted.

Mr. KING. As I understand the Senator, then, there is a disposition upon the part of manufacturers to extort money from the people by high prices and by combinations. If that is true, since nearly all of the States have very strong statutes, drastic statutes, against restraints of trade and trade monopolies, why do not the State officials, who are right in contact with these evils, bring into effect the statutes of their States? Why do not the State officials of Massachusetts and of Connecticut and of Rhode Island, where large manufacturing plants exist and where, as I understand the Senator, these combinations exist, invoke the State statutes? Why do they always come to Congress for relief when they have relief at home, if these high prices, in part at least, are the result of combinations and monopolies?

It seems to me that the State officials are lying dormant. They must be moribund. The only two States that I have read of recently that are taking any steps at all to enforce the criminal statutes against combinations and against monopolies are the States of New York and Ohio.

Mr. WALSH of Massachusetts. The statements of both the Senators—and I say this most respectfully—reinforce just the argument that I make. The people hear us say: "Why do you not do this? Why do you not do that? Why do you not prosecute? Why do you not go to the separate State governments?" The Senator well knows that the government of some States is in the control of these profiteers, and there is no hope of remedy from that source. The people come to their National Government, as they came here when we were at war, and found the officials of the Government willing to cooperate and try in every possible way to bring victory and success to our arms, and they have a right to come to us in these hours of peace and ask us to meet this very serious problem and this very serious condition.

I note, also, that the opposition, or the suggestions that there is little that can be done or that we ought to go elsewhere,

came from colleagues upon my side of the Chamber; so I am further convinced that it is not a party issue at all. I want that made clear. I say that the Republicans are as patriotic as the Democratic Members are. It is not a party question; but we do too frequently divide here upon party questions, and any man who heard the message of the President 10 days ago knows that unfavorable comments were made simply because these words came from the mouth of a Democratic President. What I ask is, if that is the case, that we give notice to the country that we can not do anything; that it is our Attorney General, it is our State governments, that are responsible; that Congress can not do anything. Let us declare it, not by one Senator's speech but by a unanimity of action here, so that the people will not look further to us. Then they can look for some other remedy, somewhere else. But if we have a remedy, if we can assist, I ask that we show the proper spirit and quell this discontent. Go home to your own State of Utah, Senator, or to Colorado, and every person you meet upon the streets will ask you, "What are you doing in the Senate? What is being done by Congress?" It is true, as the Senator from Colorado says, that it is difficult to do. People are turning to their Congress; and are we to tell them that we are powerless; that there is no remedy here; that there is no law that can be passed by this Congress; that our doors are closed to them; that they must find a remedy in some other branch of the Government, or outside their Government; that it is a condition we are not able to settle?

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Colorado?

Mr. WALSH of Massachusetts. I do.

Mr. THOMAS. The Senator has referred to conditions in my State. I interrupt him to say that I have received a great many letters from my constituents, and almost every one of them suggests a remedy, and no two of these remedies are alike. Some of them are diametrically opposed to each other. Here, again, I can not possibly comply with all of their requirements.

Mr. WALSH of Massachusetts. I repeat, if the political leaders in this Chamber and on the other side of this building meet to-morrow they can within 24 hours pass every law that the President asked to have passed 10 days ago; and every Senator knows that such action has been taken repeatedly during the days that we were at war with Germany.

Mr. THOMAS. May I ask the Senator if he is in favor of passing every law recommended by the President?

Mr. WALSH of Massachusetts. No, sir; I am not.

Mr. THOMAS. I am not, either.

Mr. WALSH of Massachusetts. No; I expect to be opposed to many recommendations that the President makes; but I do say that I love my Government to the extent of not wanting the people to turn against it because its public officials refuse to hear their murmurings and their pleadings. They are with outstretched hands asking for help and for relief. This is the condition in this country to-day. Every government that has ever been overthrown has been overthrown because of its public officials' failure to respond to the hopes and aspirations and wishes of the people. This is getting to be the situation in America. Have we the power, have we the disposition, have we the inclination to meet this situation?

That is why I join with the Senator from Tennessee when he says the people want action; and I have suggested a way of action. There is not a Senator here that can dispute me. Let us have a meeting of both these steering committees. Instead of endeavoring to find out how the farmers, or the manufacturers, or the employers of the men in industries feel, let us say that this is such an important American issue that we are going to solve it no matter where it hits or whom it hurts. This is the way to meet this issue, in my opinion; and I am very glad to have an opportunity of discussion by Senators here, and want to apologize for taking so much time, although I do not believe I need to apologize. I have not thrust my opinions upon this body very much during the short time I have been here. But I do want to find out if it is possible to get this body to act; and I do want to express here the sentiment that is widespread and sweeping across this country: "Can our Government help us? Is there ever going to be an end to the increased cost of living?"

Strikes, strikes, strikes everywhere—against what? Not for more wages, but for money to meet the bills that come pouring in on the housewives of America every day and every hour; not for more wages, but to pay for the cost of sleeping and living, of clothes and food for children and men and women. That is what the strikes are for. That is what the cry is.

Are we powerless? Are we helpless? If we are, let us say so. Let us tell the people the truth. Either we can not or we will not find a remedy. If there is a remedy, let us give it to the people, and let us put it first on the program of action here each day and agree to study and work over this problem in daily session until we settle it. This will put an end to the unrest and restore confidence in our own institutions and our own Government.

Mr. KING. Mr. President, the impassioned speech just made by the distinguished Senator from Massachusetts did not point out any remedy, as I interpret his remarks, to meet the condition of which he complains.

I do not want him to assume from the very quiet and modest questions which I propounded to him that I was expressing an opinion one way or another upon this important question. I do not want him to think that the questions I propounded were designed to convey my views upon the question of high prices or the manner of dealing with the same or the authority of Congress to deal with this question, although I will say frankly that I think the views of many of the people as to the power of Congress to control prices and regulate the activities of the people are fallacious and do not rest upon scientific or economic grounds or historic precedents. It has become the fad nowadays when some evil, real or fancied, exists in the country to rush to the Government of the United States for relief. Legislative enactments are the panaceas for all our industrial and political ills; the philosophy of cause and effect is discarded; the operation of natural laws in economics, in the sociological field, is to be set aside, and hastily written laws are to remedy conditions which result from world-wide influences.

The doctrine is taught that all power is in the Government, in officials and bureaus and the thousands of employees of the United States, and that in some mysterious manner they can heal all infirmities of the social and political organism and drop blessings and prosperity upon the people. This doctrine is an anachronism; it has no place in the political formula of this enlightened age. Freedom and progress and prosperity are the fruits of the individual and result from individual initiative and growth and development. Governments and officials are not fairy godmothers showering gifts upon the people. We must learn the lesson that economic and social progress rest with the people; that liberty and progress result from strong individualism and are found in governments that are free from autocracy and paternalism. Germany was indurated in the belief that the State was the source of power and that the individual existed in order to glorify the State. This view inevitably produced a strong military government in which there was communicated to the social and political structure the same spirit which in the end developed an autocracy and a bureaucratic tyranny.

It should be understood that conditions often arise which legislation can not prevent, and evils appear which enactments can not cure. War changes the currents which carry the world. These changes of currents profoundly affect the lives of the people. The political and economic and social conditions are frequently revolutionized. The effort during the period of war is to create in order to destroy. Life and prosperity—everything we have—we lay upon the altar of sacrifice. War works destruction and ruin and produces consequences which are ineffaceable. Laws can not bring back the billions of dollars in effort, in human energy, in property, which the great struggle through which we have just passed demanded, neither can it put life into the forms of the heroic dead who sleep beneath the blood-stained soil of European lands.

There have been four years of waste; four years during which millions of men were withdrawn from industry and the fields of production and were engaged in destruction. During these long and tragic years millions of men were killed and greater numbers were maimed and rendered incapable of again entering the fields of industry and production. Capital and savings to the extent of billions were destroyed, and ruin and desolation came to many peoples. The world became a huge war machine to turn out men to fight and to be killed, and to produce shot and shell and engines for human destruction. We are now facing the inevitable results of a world conflict—lands devastated, homes destroyed, the accumulations and savings of years of thrift and frugality wasted; Europe a charnel house, her industries paralyzed, her economic life overwhelmed, her people exhausted and still suffering from the shell shock of war. And we must add to this record the further fact that poverty, bankruptcy, and starvation exist in many of the countries of the Old World. And this mighty Nation, while not suffering as other nations suffered, is staggering under the burdens which the war laid upon it.

The causes making for high prices in Europe exist, though perhaps in less acute form, in this country. No human agency could have prevented high prices following the war. Rulers could have promulgated edicts, Congresses and Parliaments could have legislated until their laws filled volumes, still prices

would have increased and industrial and social conditions would have been unstable.

The reaction from this war was bound to produce serious conditions and national and international disturbances. It would be wise, if we could realize this fact and appreciate that the period of transition from war to peace will call for the highest patriotism, statesmanship, and courage upon the part of political leaders and the utmost charity and sanity and common sense upon the part of all the people. This is no time for the preaching of discontent or the application of radical experiments. The swollen tide of war will not subside in a day nor in a year. The normal streams of life can not flow steadily until the mighty inundation has subsided. We must watch and wait, and with patience and wisdom address ourselves to the conditions surrounding us.

Self-initiative must not be weakened or destroyed; the people must not lose faith in themselves, in their own power and virtue, and in their competency to work out their salvation. This is the test of a great people.

The problems of the hour call for courage, splendid individualism, capacity for self-government, and the assertion of those glorious attributes which have so conspicuously manifested themselves in those who laid the foundations of this Nation as well as those who have preserved it until this hour.

Mr. President, the Senator from Colorado [Mr. THOMAS], when I came into the Chamber a moment ago, was detailing some of the factors to be considered when legislation is proposed having for its object the reduction of commodity prices. There is no division of sentiment upon the part of legislators, as well as all thinking people, as to the results which are desired. All are anxious to get back to a peace status as soon as possible. All admit that the prevailing world prices are too high, and that the pyramiding of wages and commodity prices must, if persisted in, end in disaster. There are honest doubts as to the causes of present conditions and as to the measures necessary to effectuate relief. That there is profiteering in many circles and fields of activity I am convinced. Avarice and cupidity are too often the aftermath of war. The moral sensibilities of some are blunted by war, and they seek to profit at the expense of others when patriotic and altruistic individuals are seeking to bring peace and tranquility to a disordered world. I have no doubt but what there are manufacturers, and traders, and brokers, and middlemen, and retailers, and "captains of industry" who are indifferent to the serious situation of our country, and their calloused souls fail to respond to the calls of conscience. There are perhaps some agriculturists, some in the ranks of labor, who also are profiteers, and who are making the task of bringing society back to the safe paths of peace and prosperity infinitely harder.

Monopolies and combinations to restrain trade and production and to increase prices should be punished. The robber should be punished though he wears the respectable habiliments of a "business man." I am in favor of any legislation that will promise results. But I am apprehensive of some of the nostrums suggested up and down through the land. There must be production, and still more production. If the farmers, fearing that they are to be denied a fair profit upon their labor and investment, cease to produce, then want and starvation will peer into our homes.

In the schemes proposed for relief from high prices, care must be had not to discourage production. Punish those who dam up the streams of trade and commerce, who by combinations or illegal methods increase prices; but in every legitimate way encourage greater production and increased physical and mental effort to produce.

However, it is impossible, in my opinion, to immediately bring prices down to prewar conditions. The immense volume of currency in circulation not only in our country but also in the world, the imperative demands of Europe for our raw materials as well as our finished products, together with the shortage occasioned by the war—these and many other causes conspire to maintain a high level of prices for an indefinite period. If we were to contract our circulating medium, reduce the base of credit, cease to export to feed and clothe the starving and naked people of Europe, if we could stimulate production in the face of falling prices, then we might very soon realize some of the benefits so eloquently alluded to by the Senator from Massachusetts.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Colorado?

Mr. KING. I do.

Mr. THOMAS. The Senator says that some of the benefits which the Senator from Massachusetts looks for would be experienced, perhaps, by contracting the currency. I want to suggest to the Senator that the most disastrous and widespread panic and the most serious suffering among men and women of every degree of affluence or the lack of it has been in times of contraction rather in times of inflation.

Mr. KING. The observation of the Senator is pertinent in this connection. The conditions after the Civil War illustrate the evils of a too rapid contraction of the currency. It can not be done without bringing upon us greater evils than those from which we are now suffering.

I sympathize entirely with the situation as it has been depicted by the Senator from Massachusetts. It is regrettable that conditions are as we find them throughout the world; and yet, bad as they are here, we do not suffer as the people are suffering in Europe and in other parts of the world. If prices are high here, they are much higher in Europe.

I say again that some of the conditions existing to-day can not be changed by fiat of Congress. Doubtless there is some legislation which Congress has the authority to enact that will ameliorate conditions. But as I have stated, the return to peace conditions will be a slow and somewhat painful process. The patient does not pass from a serious illness through the period of convalescence and back to perfect health in a day. It requires weeks, and in some instances years, to effectuate a perfect cure. The world has been sick socially and economically and industrially, sick from autocracy, sick from militarism, sick from the horrors of war. It needs a wise and skillful physician; it requires courage and faith and the spirit of sacrifice. The patient must exercise caution and prudence and observe the laws of health if it would again become sound and well and prepared to assume the responsibilities required at its hands.

If we will cease striking and produce more, that will prove one stepping-stone to improved conditions and to falling prices. One of the primary questions is work and production. Anything that will stimulate production will make for the reduction of prices. I repeat that if we cut off exports, if we reduce the circulation medium, if we practice the most rigid economies, then we will not long complain of high prices. If we will practice some of the economies that were observed during the war we will get back to normal conditions very much quicker; but as long as men are spending, as they are to-day, the greater part of the $50,000,000,000 that we earned during the last year, as long as we are spending it and not saving it we will have high prices.

Mr. WALSH of Massachusetts. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Massachusetts?

Mr. KING. I yield to the Senator.

Mr. WALSH of Massachusetts. Does the Senator object to the first step being taken by this body to show that they are interested in this public question—that the steering committees of both political parties deem it of such importance that they are cooperating to give it first place in any program of legislation in this Chamber?

Mr. KING. Mr. President, I should welcome a conference of the leaders of both parties here, a conference of the leading committees, with a view to formulating such legislation as is within the power of the Federal Government, and calculated to remedy the evils of which the Senator complains.

Mr. WALSH of Massachusetts. The Senator will recall that I sought to point out the evils, the unrest, and the discontent, and suggested this as the first immediate remedy, so as to let the country know that we appreciate the condition, and that we were going to prepare to meet it, and meet it in a nonpartisan way, by the cooperation of all leadership here, and by forgetting for once, anyway, any party division upon this important question.

Mr. KING. I regret that I was called from the Chamber when the Senator first addressed the Senate this afternoon, and I do not have the advantage of the remarks which he then made. I was addressing myself with reference to the remarks which the Senator made the second time that he spoke this afternoon.

Mr. President, I think that every Member of the Senate and every Member of the House is desirous of doing everything that may be done under the constitutional power of the Federal Government. But I do think that it is not the part of absolute frankness and candor to convey the idea to the people that Congress is in a situation to bring about all of these changes which so many individuals are demanding. I am afraid that the public do not appreciate that we have just emerged from a great World War; indeed, the war is scarcely over; and that the effect of this war will last for an indefinite period.

I think that we should plead for patience and for patriotism upon the part of the American people; plead for an exhibition of the same stalwart Americanism now that they exhibited during the period of the war. Peace has its dangers and its

problems, sometimes infinitely greater than those that confront nations during the periods of great wars. This is a time when the American people should act wisely and patiently, and should not indulge in hysteria or seek for empirical and experimental legislation and fly to every nostrum and every quack that appears in the land. The lessons of the past are replete with information. We can not by legislative fiat change human nature and change the conditions of society that have been set in motion through the operations of the World War. But I believe the American people are going to act prudently and patriotically. I believe that the spirit of unrest will diminish as the days go by; at least I hope so. I believe that we are Americans now as we have been in the past, and that the sinister movements in the land and the intrigues of Bolshevists and those who seek to destroy the foundation of society will come to naught. There is that stuff in the people of this land that will enable them to meet every emergency and the trials and the dangers encountered will only add to the glory of the victory when peace and justice shall finally prevail.

ADJOURNMENT.

Mr. CURTIS. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 5 minutes p. m.) the Senate adjourned until Wednesday, August 20, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *August 18, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O, Lord God our Heavenly Father, the work of the past is done and passed into history. Whatever is good in it shall live, and the evil under the dispensation of Thy providence shall pass away.

But the work of the present and future looms large before us, hence we pray for wisdom to guide us, strength to sustain us, courage to inspire us to go forward with firm and steadfast purpose; that laws shall be enacted which shall tend to quiet the unrest prevalent throughout our country; that the normal may obtain—peace, prosperity, happiness reign. In the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of Friday, August 15, 1919, was read and approved.

CALENDAR FOR UNANIMOUS CONSENT.

The SPEAKER. To-day being the third Monday in the month the Calendar for Unanimous Consent is in order. The Clerk will call the first bill.

FEDERAL RESERVE ACT—TO ENCOURAGE FOREIGN TRADE.

The first bill in order on the Calendar for Unanimous Consent was the bill (S. 2395) amending section 25 of the act approved December 23, 1913, known as the Federal reserve act, as amended, approved September 7, 1916.

The SPEAKER. Is there objection?

Mr. GARD. Mr. Speaker, I object.

The SPEAKER. The gentleman from Ohio objects.

VETO MESSAGE—DAYLIGHT-SAVING ACT.

Mr. WINGO. Mr Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WINGO. What has become of the President's veto message on the daylight-saving law?

The SPEAKER. It is on the Speaker's table. It has been thought wise not to take that up until to-morrow, and consequently the Chair thought it better not to lay it before the House at this time, so that the vote might be had upon it to-morrow.

Mr. WINGO. It has already been laid before the House, has it not?

The SPEAKER. It has not. The point of no quorum intervened before the Chair could do so on Friday last.

Mr. WINGO. As I understood the Journal this morning, it contained a recital of the fact that the President's message had been received. I have no objection to the consideration of the message going over until to-morrow, but I think it should be done by action of the House.

The SPEAKER. The Chair thinks it is within the discretion of the Chair to lay it before the House when he pleases.

Mr. WINGO. Surely the Chair does not want that announcement to stand—that the Chair has discretion, in the matter of a presidential veto, to lay it before the House when he pleases?

The SPEAKER. The Chair has been so advised. To be quite frank about the matter, there is some doubt about a quorum being present to-day, and the Chair thought it better that the message go over until to-morrow.

Mr. WINGO. I have no doubt about that; but the proper thing would be for the gentleman from Wyoming [Mr. MONDELL] to ask unanimous consent that further consideration of the President's veto go over until to-morrow or until such time as he desires. I have no objection to that; but I do not want the RECORD to show that a President's veto message was received and that we proceeded with other business, without any consideration, as the Constitution requires. I have no objection to its going over, and I suppose the House has no objection. The reasons for its going over are apparent; but the Journal, as read, shows that the message has been received.

Mr. MADDEN. Mr. Speaker, the gentleman must know that it is not obligatory upon the House to take up the President's message immediately upon its receipt. He knows that as well as anyone else.

Mr. WINGO. It is not obligatory on the House——

Mr. MADDEN. Then, why does the gentleman make so much fuss about it?

Mr. WINGO. I am not making as much fuss as the gentleman. It is not obligatory on the part of the House, except so far as the Constitution places an obligation on the House.

Mr. BLANTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. I do not think we ought to take it up until we get enough Members here from the West to pass it over the President's veto.

Mr. MONDELL. Mr. Speaker, it is my purpose, if the President's veto message is presented to the House to-day, to move a reconsideration of the bill to-morrow. It is my purpose when the message is placed before the House to-morrow to move immediate reconsideration of the daylight-saving bill.

Mr. WINGO. What objection has the gentleman to asking unanimous consent that further consideration go over until to-morrow?

Mr. MADDEN. There is no need for unanimous consent.

Mr. CLARK of Missouri. Nobody has to make any motion to reconsider. It is an automatic performance.

Mr. MONDELL. There are three distinct motions that can be made relative to the President's message. I simply desire to notify the House that so far as I am concerned the motion to refer it to a committee will not be made, and that it is my present opinion that the daylight-saving bill should be reconsidered to-morrow. Of course, something might occur to render it advisable to delay consideration for a day or two.

Mr. WINGO. I think myself that it ought to be considered at a time when Members are present, but I do not want the Journal to show that the veto message was received from the President and that then the House proceeded in violation of the mandate of the Constitution, which requires consideration by the House.

Mr. CLARK of Missouri. It does not require immediate consideration.

Mr. WINGO. Yes, it does; though the word "immediate" does not appear.

Mr. MADDEN. The House proceeds every day with messages coming from the President, which goes to the Speaker's table, and pays no attention to them.

Mr. WINGO. Not veto messages.

Mr. MADDEN. Any kind of a message. It does not take them up until such time as the House thinks it is proper to consider them, and there is no sense or reason for asking unanimous consent to postpone the consideration of it.

Mr. WINGO. Of course, the gentleman's understanding of the Constitution may be just as unreasonable and senseless and foolish as he thinks the constitutional requirements to consider when the veto is received.

Mr. MONDELL. Mr. Speaker, reconsideration of the bill, in view of the President's message, will be taken up to-morrow morning, unless at that time there should be some very urgent reason for postponing its consideration.

Mr. HAUGEN. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. HAUGEN. Can not an arrangement be made to refer it to the Committee on Interstate and Foreign Commerce, and that committee can report it back whenever it is deemed expedient?

Mr. MONDELL. I think it has been understood that the bill will be taken up to-morrow and reconsidered, in view of the veto message.

Mr. HAUGEN. Some of the Members are out of the city, and everybody ought to be given an opportunity to be here.

Mr. MONDELL. Members have all been notified that the House was going to begin to do business and a quorum was necessary here this morning and from now on, and notice has been given on each side of the House to that effect.

Mr. CLARK of Missouri. I do not think there is any sense of referring it to the committee.

Mr. WINGO. Nobody wants to refer it to the committee. Everybody knows how they are going to vote on it.

Mr. MADDEN. Mr. Speaker, regular order!

The SPEAKER. The Clerk will report the next bill.

Mr. WINGO. Mr. Speaker, I make the point of order against the proceeding.

The SPEAKER. What is the gentleman's point of order?

Mr. WINGO. I make the point of order that the veto message from the President of the United States is on the table, and that under the practice and rules of the House and the constitutional provision the House should proceed to consider it. I move to postpone further consideration of that bill until to-morrow.

Mr. GOOD. The gentleman can not do that with a point of order pending.

Mr. MADDEN. Mr. Speaker, I want to make the point of order that the gentleman can not make that motion while a point of order is pending.

The SPEAKER. That is correct. The first point of order that the gentleman makes is, as the Chair understands it, that a veto message of the President having been received by the House it must be acted upon before any other business is considered. Is that the point of order?

Mr. WINGO. That is the point of order, and that it is a privileged matter. There is no question about its being a privileged matter. We will get action one way or the other.

The SPEAKER. There is no question in the mind of the Chair that it is a privileged matter.

Mr. WINGO. I have no objection to entering into an agreement to consider it at a future date. My own desire was not to ignore it, in face of the constitutional requirement that we "shall proceed to reconsider it."

Mr. GARNER. Mr. Speaker, I ask unanimous consent that the President's message go over until to-morrow.

The SPEAKER. The gentleman from Texas asks unanimous consent that the President's message be considered to-morrow. Is there objection to the request?

Mr. WINGO. May go over until to-morrow.

The SPEAKER. Is there objection to that request? [After a pause.] The Chair hears none.

Mr. WINGO. I withdraw my point of order, as the action of the House just taken by unanimous consent, I think, meets the requirement of section 7, Article I, of the Constitution, which provides that when the President does not approve a bill "he shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections at large on their Journal and proceed to reconsider." Previous Speakers have ruled that a motion to defer as well as one to refer are "allowable within the constitutional mandate that the House 'shall proceed to reconsider.'"

My only desire is to preserve orderly procedure and duly observe the mandates and plain provisions of the Constitution.

The SPEAKER. The Clerk will report the next bill.

FORWARDING AND RETURN OF MAIL MATTER OF SECOND, THIRD, AND FOURTH CLASSES.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 6951) authorizing the return to the sender or the forwarding of undeliverable second, third, and fourth class mail matter.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the immediate consideration of the bill?

Mr. ELSTON. Mr. Speaker, reserving the right to object, is this bill to return to the sender bulky mail matter, such as catalogues, newspapers, magazines, and so on, whenever not delivered, sending them across the country?

Mr. STEENERSON. There are two kinds of mail matter contemplated in the bill. The first is fourth-class matter of a perishable nature and of obvious value. It may be forwarded to another post office or, if undeliverable, returned to the sender, charged with the forwarding or return postage. This under such rules as the Postmaster General may prescribe. The second provision would cover second, third, and fourth class matter, including catalogues, and authorizes the forwarding or return of such matter, charged with the forwarding or return postage, provided that the sender when he sent it originally placed on it a pledge to pay the forwarding postage or return postage in case it is forwarded or returned.

Mr. ELSTON. This return will not be at the expense of the Government?

Mr. STEENERSON. Oh, no.

Mr. MANN. Will the gentleman yield for a question?

Mr. STEENERSON. I will yield.

Mr. MANN. The language of the bill is, "may be forwarded to the addressee at another post office." Does the word "may" mean the word "shall"?

Mr. STEENERSON. In the first clause of the bill?

Mr. MANN. Well, anywhere in the bill. It runs all through the bill, the word "may." Does that mean "shall"?

Mr. STEENERSON. It does not mean shall in the first part of the bill, because that is determined by the Post Office Department, as to whether it is of obvious value. It is a matter they have to determine——

Mr. MANN. That is what I wanted to know. It says that if it is of obvious value it may be forwarded to the addressee at another post office. Does that mean "shall"?

Mr. STEENERSON. Of course, the word "may" is often construed the same as "shall."

Mr. MANN. I understand that; but what I wanted to get at is what is intended in the bill. Does it mean—I suppose this was drawn in the Post Office Department?

Mr. STEENERSON. It was drawn in the Post Office Department, and I think it means simply conferring authority on them to do so. It hardly would require it in case they would feel that it ought to be done.

Mr. MANN. It does not mean, then, that it may be forwarded at the request of the addressee? He will have nothing to say about it?

Mr. STEENERSON. The addressee? The first-described matter does not require any direction whatever. The Post Office Department, under the rules and regulations they prescribe, will forward it, if it is of obvious value and perishable nature, either to another address or return it to the sender. But the matter described in the second clause of the bill must bear the pledge of the sender.

There is at present no provision for forwarding or returning without prepayment of forwarding or return postage any mail matter except letters (R. S., 3940; 3939 as amended; 36 Stat., 630). The word "letters" is construed to include all first-class matter in the case of forwarding, all except postal cards in the case of returning (Postal Laws and Regulations, secs. 595, 633). Undeliverable perishable mail matter is at present turned over to municipal authorities for distribution to hospitals, and so forth (Postal Laws and Regulations, sec. 636).

The SPEAKER. Is there objection to the immediate consideration of the bill?

Mr. KEARNS. Mr. Speaker, I object.

HOMESTEAD EXEMPTION.

The next business on the Calendar for Unanimous Consent was House joint resolution No. 167, making the provisions of section 2296 of the United States Revised Statutes applicable to all entries made under the homestead laws and laws supplemental and amendatory thereof.

The SPEAKER. Is there objection to the immediate consideration of the resolution?

Mr. GARD. Mr. Speaker, reserving the right to object, may I ask that some one in charge of the resolution advise us of the necessity for the passage of the resolution under the present form?

Mr. RAKER. Mr. Speaker, the present law, section 2296, reads as follows:

> No lands acquired under the provisions of this chapter shall in any event become liable to the satisfaction of any debt contracted prior to the issuing of the patent therefor.

That has been the law for the last 50 years in regard to homesteads. It is a question, and some of the courts have held it does not apply to the enlarged homestead. The matter was taken up with the Secretary of the Interior, and he thought that rather than to introduce another resolution we should take the one that the committee had reported. The committee has considered the matter and reported this resolution, and given all homestead claims upon the bills enacted since section 2296 was enacted the same right. We have the 320-acre homestead; we have the 640-acre stock-raising homestead; and so that they might all have the same protection the present resolution is now before the House.

The SPEAKER. Is there objection to the immediate consideration of the resolution?

Mr. MANN. Reserving the right to object, this resolution in form seems to be a mere construction of a statue. The provisions of section 2296 of the Revised Statutes have been and are applicable to all entries made under the homestead laws.

Mr. RAKER. Will the gentleman yield right there?

Mr. MANN. Now, the law does not so provide. Why does not the form of the resolution state that they are hereby made applicable? That is making law.

I yield to the gentleman.

Mr. RAKER. I introduced a resolution, as suggested by the gentleman. The department came back twice recommending each time the passage of the resolution that is now submitted, and the committee has adopted this resolution. Therefore I accepted the statement of the Secretary of the Interior in preference to what I thought in regard to the facts.

Mr. MANN. It is a rather bad habit to take the suggestion of some clerk in the Department of the Interior for the form of a bill. The clerks are not very reliable about such things. I suppose the intention is to make this relate back and cover some case that has already been disposed of under the existing law, probably to affect rights already acquired adversely. Of course, you make law by construction, but it is not a very good way in which to make law.

Mr. MADDEN. Mr. Speaker, in the meantime, so that there may be no question of the propriety of passing it in this form, I object.

The SPEAKER. Objection is made, and the resolution will be stricken from the calendar.

The Clerk will report the next business.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that the resolution remain on the calendar and go to the foot of it.

The SPEAKER. The gentleman from California [Mr. RAKER] asks unanimous consent that the resolution just objected to——

Mr. MADDEN. Reserving the right to object, if it is to be called up again to-day I shall object.

Mr. RAKER. No, sir; not to-day.

Mr. MADDEN. Then I will not object.

FRATERNAL SANITARIUMS ON PUBLIC LANDS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 1125) to authorize the Secretary having jurisdiction of the same to set aside public lands to be used as national sanitariums by fraternal or benevolent organizations, and for other purposes.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. McLAUGHLIN of Michigan. Mr. Speaker, reserving the right to object——

Mr. GARD. Mr. Speaker, I reserve the right to object for the purpose of learning from the proponents of this bill the necessity, if there be any necessity, for the passage of a bill of this kind at this time; whether or not there are any organizations desirous of using this unoccupied land for sanitarium purposes, and the benefits to be derived therefrom?

Mr. RAKER. Mr. Speaker, this bill has been before Congress for the last three years. House bill 16029, Sixty-third Congress, passed the House unanimously. It was reported out favorably by the Senate but failed to pass because of the congestion of business. The necessity for this legislation is that the Masonic fraternity, the Independent Order of Odd Fellows, the Owls, the A. O. U. W., and others are requesting that this legislation be enacted, and that they severally desire to locate homes and places upon the public land where the climate is salubrious and proper, to the end that their members may be cared and provided for. That is the object and purpose of the bill.

Mr. GARD. Will the gentleman yield?

Mr. RAKER. I do.

Mr. GARD. Could not these organizations apply and acquire by purchase the proper amount of ground for these sanitariums?

Mr. RAKER. There are places in the public domain which can not be bought, because the Government owns them. The places are ideal for these hospitals and sanitariums, particularly for consumption and other diseases, that they may be located away from the populous centers, and where these organizations desire to provide for their members as they are doing in other places.

Mr. DENISON. Will the gentleman yield?

Mr. RAKER. I will.

Mr. DENISON. I understood the Government thought that Dawsonsprings, Ky., was about the best place.

Mr. RAKER. Well, if private organizations and institutions take the Government land and pay for it and put up sanitariums for the purpose of protecting and providing for their members, without any expense to the Government, clearly there should be no objection. That is the object and purpose of this legislation.

Mr. DENISON. I understand there is lots of land around Dawsonsprings upon which other sanitariums could be put for these organizations. I understand it is cheap.

Mr. BARBOUR. Mr. Speaker, will the gentleman yield?

Mr. RAKER. I will.

Mr. BARBOUR. Would this privilege include the Grand Army?

Mr. RAKER. It would. It was so understood and was so considered by the committee when this bill was under consideration.

Mr. BARBOUR. I do not find that the Grand Army or the Spanish-American War Veterans are said to desire to establish a hospital on public lands, and for that reason I ask the gentleman if the Spanish-American War Veterans and the Grand Army and other institutions of that kind would be included within the scope of this resolution. Is it the gentleman's construction that they are included?

Mr. RAKER. Yes; I think they are included.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, reserving the right to object, I have read the report accompanying this bill, and I see in it letters from the Secretary of the Interior and some others whose opinions have been asked respecting the bill. But I see here no report from the Secretary of Agriculture, who has charge of the national forests. The Secretary's opinion was asked, was it not?

Mr. RAKER. It was. The gentleman from Michigan now raises the objection on the other side that the gentleman from Illinois [Mr. MANN] raised, because we took the department's construction of the bill. It has been my contention in the Committee on Public Lands that the committee could draw bills, but the committee, practically unanimously, held that we should get the department's form of the bill, regardless of what we might draw, and therefore in this particular legislation the committee thought it proper and wise to use any part of the public domain where it could be used for the purposes here designated, and they acted accordingly.

Mr. McLAUGHLIN of Michigan. It is true, is it not, that the report of the Secretary of the Interior was favorable if certain amendments were made?

Mr. RAKER. Yes; and we made them.

Mr. McLAUGHLIN of Michigan. And the report of the Secretary of Agriculture was unfavorable, but the Secretary's letter does not appear in the report. Will the gentleman tell me why?

Mr. RAKER. I did not think it was necessary. In further answer to that, some of us have lived in and about the national forests longer than any men in the Department of Agriculture, and they know that if you can put a sanitarium in one of these national forests or other places, where one of these organizations can put a hundred or two hundred men and keep them and give them a new lease of life and practically cure them, it ought to be done.

Mr. McLAUGHLIN of Michigan. The gentleman has not answered the question why the favorable letter from the Secretary of the Interior was included in the committee's report and why the unfavorable letter of the Secretary of Agriculture was not included.

Mr. RAKER. I will answer that frankly. I am not always in the habit of furnishing what the others say adversely to me. The committee acted, and I thought that sufficient in this instance. I would make the report for the committee in the same way it was made last Congress.

Mr. McLAUGHLIN of Michigan. I supposed it would be the purpose of the gentleman to give the House all information available from the departments, and not a one-sided report.

Mr. RAKER. I am going just as far as I can to meet the views of the House, and since the gentleman has asked me what was the opinion of the Secretary of Agriculture on that proposition I will say that the House once before unanimously passed a similar bill, and the committee has twice reported it out favorably, and therefore I adopted this course, which I believe was proper and right.

Mr. McLAUGHLIN of Michigan. The gentleman will pardon me. One of the amendments suggested by the Secretary of the Interior and assented to by the committee was the insertion of the word "unreserved" in line 7 on page 1, so that these locations could not be made on reserved lands if under the control of the Secretary of the Interior. But as to the land under the control of the Secretary of Agriculture, selections and locations can be made upon lands that have been reserved for particular purposes and are under the control of the Secretary of Agriculture.

Mr. RAKER. May I answer the gentleman's question on that?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. RAKER. This reserved land relates to parks and places of that kind, where neither the committee nor anyone else would want to put a sanitarium. The lands we had in mind are forest reservations, some of them in extent larger than many of the States, and the committee believed, basing their judgment upon the wisdom of those who lived in and about these places, that it would not in the slightest degree affect

the forest reserves, and use should be made of this land where it will not affect the reserves in the least degree.

Mr. McLAUGHLIN of Michigan. If this resolution should become a law it would permit the taking of areas of land which were purchased under the Weeks Act, better known as the Appalachian lands, acquired by the Government for particular purposes. If it should be the wish of any of these organizations to acquire and devote to their own use some of those lands they could be acquired. Is not that true?

Mr. RAKER. I think it would be.

Mr. McLAUGHLIN of Michigan. Bringing it right down to brass tacks, will the gentleman consent to the elimination of the words, on lines 8 and 9 of page 1, "or lands on forest reservations"?

Mr. RAKER. If anybody should object, of course, the bill would go over. I would rather not, but if the gentleman insists upon it I must.

Mr. McLAUGHLIN of Michigan. If the gentleman will accept that amendment, I shall not make an objection to the bill.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I will.

Mr. GARD. Will the gentleman inform the House of the report of the Secretary of Agriculture about this matter?

Mr. McLAUGHLIN of Michigan. I looked for it in the report of the committee, but I do not find it. But I have a copy of the Secretary's letter to the chairman of the commitee, and it is unfavorable.

Mr. GARD. Will the gentleman read it, if he has time?

Mr. MANN. It is a long letter.

Mr. McLAUGHLIN of Michigan. It covers about four pages of closely typewritten matter. It contains lots of good reasons for opposing the bill unless it be amended. I still reserve my right to object.

Mr. MANN. Mr. Speaker, my recollection is that this is the same bill that was pending in the last Congress. Is that correct?

At that time, when the bill was reported, I examined it and it seemed to me that it ought to have been referred to the Secretary of Agriculture. As there was nothing from the Secretary of Agriculture in the report, I took the liberty myself of referring it to the Secretary of Agriculture and asked for information on the bill; and in reply I was sent a copy of a letter which the Secretary of Agriculture had sent to the chairman of the Committee on the Public Lands, addressed to the committee. I thought then, and I think now, that it was a breach of good faith to report the bill back to the House favorably without including in the report a letter from the Secretary of Agriculture giving the reasons why, in his judgment, it should not pass. I am surprised that a committee of this House, having referred a bill to the head of a department, and having received a letter giving information upon the subject, should decline to give it to the House for the information of the House because the committee did not agree with the reasoning of the Secretary of the department. It is a lack of good faith to the House.

Mr. TAYLOR of Colorado. Will the gentleman yield?

Mr. MANN. Certainly, if I have the floor.

Mr. TAYLOR of Colorado. In the first place, I want to say that I very largely agree with what the gentleman says, but I do not think he ought to criticize the committee. I do not think my good friend from Oregon, who does not seem to be on the floor just now, should be held up to criticism.

Mr. RAKER. He ought not to be held up to criticism. I will answer that clearly.

Mr. MANN. The House has the report from the committee. The committee adopts the report. The House has a right to rely upon the report of the committee, and when a committee has information of that kind and refuses to submit it to the House, it tries to take advantage of the House.

Mr. RAKER. The committee does not desire to take any advantage of the House. The committee desires to present fully to the House all the information it has.

Mr. MANN. Oh, I beg the gentleman's pardon. The House never would have known from the report of the committee that the Secretary of Agriculture had been asked his opinion upon the bill and had given very good reasons, as it seemed to me at the time, why the bill ought not to pass in its then form and in its present form. That is a matter of opinion, but it is not a matter of opinion whether a commitee having information about a bill fails to give the information to the House because it does not agree with the opinion of the committee. It is a matter of good faith to the House.

Mr. McARTHUR. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is, Is there objection?

Mr. ELSTON. Reserving the right to object——

Mr. McARTHUR. I demand the regular order.

Mr. ELSTON. I should like to ask the gentleman——

The SPEAKER. The question is, Is there objection?

Mr. McLAUGHLIN of Michigan. If the gentleman will consent to the amendment which I suggest, then I will not object; otherwise, I will.

Mr. MANN. I object.

The SPEAKER. Objection is made. The bill is stricken from the calendar.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. CAREW, for one day, to attend the funeral of Hon. Edward J. Gilmore, of New York City.

BRIDGE ACROSS PERDIDO RIVER, NUNEZ FERRY, ALA.

The next business on the Calendar for Unanimous Consent was the bill (S. 1362) to authorize Hiram I. Sage, a citizen of Baldwin County, Ala., to construct and maintain a bridge across the Perdido River at or near Nunez Ferry.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARD. Reserving the right to object, I wish to ask why it is that the bill authorizes the maintaining of a toll bridge? What is the necessity for that?

Mr. ESCH. The general bridge act of March, 1906, which gives the consent of Congress to the construction of bridges, does not designate the character of the bridge. It may be a railway bridge, a highway bridge, or a bridge on which tolls are exacted. I do not know the local situation with reference to this particular bridge, but it is not unique in that respect. The committee heretofore has reported bills authorizing the construction of bridges of this character.

Mr. GARD. I was asking more immediately about the particulars of this bridge. Can the gentleman advise me about the Perdido River and the necessity for allowing a toll bridge to be constructed at this point?

Mr. ESCH. If there is any gentleman from Alabama or Louisiana present, he can give that information better than I. I sent word to Gov. SANDERS, of Louisiana, that this bill was coming up, but I understand he is not on the floor.

Mr. GARD. I ask that the bill be passed without prejudice.

Mr. ESCH. It can be passed temporarily, until Gov. SANDERS comes in.

Mr. GARD. I ask that the bill be laid aside until the author of the report [Mr. SANDERS of Louisiana] is present.

The SPEAKER. The gentleman asks unanimous consent that the bill be passed without prejudice. Is there objection?

There was no objection.

POSTAL SERVICE IN HAWAII.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 7972) to improve the administration of the postal service in the Territory of Hawaii.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. STEENERSON. I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the Postmaster General is hereby directed to establish in the Islands of Hawaii, under appropriate regulations to be prescribed by him, such branch offices, nonaccounting offices, or stations of Honolulu as in his judgment may be necessary to improve the service and as may be required for the convenience of the public: *Provided, however*, That such branches, nonaccounting offices, and stations shall be conducted under the name of the existing post offices affected so as to maintain the identity of the offices concerned.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. STEENERSON. Mr. Speaker, this bill is approved by the Post Office Department as one which will facilitate the improvement of post-office service in Hawaii. Existing law requires that every post office must make its report to Washington. The distance is so great to Hawaii that it is believed by the Post Office Department that it will greatly facilitate the transaction of business to have Hawaii report to Honolulu, the capital of Hawaii. If there are any questions to be asked about it, I would yield to the author of the bill, the gentleman from Hawaii [Mr. KALANIANAOLE]. If not, I ask for a vote.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. STEENERSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

DRAINAGE OF CERTAIN LANDS IN ARKANSAS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 3175) authorizing local drainage districts to drain certain public lands in the State of Arkansas, counties of Mississippi and Poinsett, and subjecting said lands to taxation.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARD. Mr. Speaker, reserving the right to object, I would ask the author of the bill or those having charge of it to advise the House of the necessity for a change in existing law, so far as this particular bill is concerned.

Mr. CARAWAY. Mr. Speaker, this bill seeks to make subject to the provisions of the law of the State of Arkansas certain unpatented lands in the counties of Mississippi and Poinsett. All these lands lie along either the Little River or the St. Francis River. They are wet and unsuited to cultivation. The drainage districts have been established in that State and they seek to reclaim all of these lands and make them suitable for cultivation. Quite a large body of land lies in Mississippi County and in Poinsett County, next to the lake and near the river. The people who have gone upon these lands for the purpose of making homestead entries have asked that this bill be passed. If it is passed their lands will be included within the drainage districts and reclaimed. If the bill is not passed their lands will be left outside the improvement district and will be perfectly worthless. Therefore, at the request of the people who are to be affected, the bill was introduced and has been approved by the Secretary of the Interior, and so far as I know no objection of any sort has been urged to the passage of the bill.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. CARAWAY. Yes.

Mr. GARD. I notice that in the communication from the acting Secretary of the Interior, of date May 25, 1918, he suggests a redraft of the bill.

Mr. CARAWAY. Yes; and this bill is the redraft. This is the bill that the Department of the Interior wishes. I introduced a bill following very closely after the reclamation act affecting lands in Minnesota. The department said there had been some administrative features of that bill that had proved not satisfactory, and it wrote this bill and sent it down and the committee accepted it.

Mr. GARD. Has there been any report on the bill since May 25, 1918?

Mr. CARAWAY. Yes. The report is of date July 29, 1919.

Mr. BARBOUR. Mr. Speaker, will the gentleman yield?

Mr. CARAWAY. Yes.

Mr. BARBOUR. Have entries been made upon these public lands?

Mr. CARAWAY. Practically on all of them. On part of the lands no entry has been made. Most of the lands, however, are in the possession of entrymen?

Mr. BARBOUR. To what extent are the lands not in possession of entrymen?

Mr. CARAWAY. I shall have to guess at that—possibly 1,000 acres, maybe 1,500, and it might not be more than five or six hundred.

Mr. BARBOUR. How would the drainage district seek to collect that tax from the Federal Government if the Federal Government did not pay it? Would it sell the land?

Mr. CARAWAY. The bill itself provides that the lands may be sold as lands are sold where they are under private ownership because of failure to pay the betterments.

The only restriction affecting these lands is that the land must be sold to some one who is qualified to make an entry and in tracts not larger than 160 acres.

Mr. BARBOUR. Has the Secretary of the Interior approved this bill?

Mr. CARAWAY. Yes.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. CARAWAY. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Arkansas asks unanimous consent that the bill may be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That all of those unentered, unreserved public lands, and all of those entered lands for which no final certificates have been issued, within the areas hereinafter described, are hereby made and declared to be subject to the laws of the State of Arkansas relating to the organization, government, and regulation of drainage districts to the same etxent and in the same manner, except as hereinafter provided, in which lands held under private ownership are or may be subject to said laws: *Provided*, That the United States and all persons legally holding unpatented lands under entries made under the public-land laws of the United States shall be accorded all the rights, privileges, and benefits given by said laws to persons holding lands in private ownership, said lands being those public lands in Mississippi County, Ark., in townships 14, 15, and 16 north, range 9 east, and townships 15 and 16 north, range 10 east, fifth principal meridian, according to the official surveys thereof approved October 12, 1915, and all of those unentered public lands, and all of those entered lands for which no final certificates have been issued in Poinsett County, Ark., in townships 11 and 12 north, range 6 east, fifth principal meridian, according to the official surveys thereof approved July 30, 1913.

SEC. 2. That the construction and maintenance of canals, ditches, levees, and other drainage works upon and across the lands subject to the operation of this act are hereby authorized, subject to the same conditions as are imposed by the laws of the State of Arkansas upon lands held in private ownership, and that the cost of construction and maintenance of canals, ditches, levees, and other drainage works incurred in connection with any drainage project under said laws shall be equitably apportioned among all lands held in private ownership, all unentered public lands, and all lands embraced in unpatented entries affected by such project. Officially certified lists showing the amount of charges assessed against each smallest legal subdivision of such lands shall be furnished to the register and receiver of the United States land office of the district in which the lands affected are situated as soon as said charges would become a lien if the lands were held in private ownership.

SEC. 3. That all charges legally assessed pursuant to the drainage laws of the State of Arkansas by a drainage district against any unentered public lands, or against any lands embraced in unpatented entries, subject to the provisions of this act, shall be a lien upon said lands, which may be enforced by sale in the same manner and subject to the same conditions, except as hereinafter set forth, under which said charges shall be enforced against lands held in private ownership, and whenever any of said lands shall be sold for nonpayment of such charges, inclusive of lands bid in for a drainage district, a statement showing the name of the purchaser, the price at which each legal subdivision was sold, the amount assessed against it, together with penalties and interest, if any, and the cost of the sale, and the amount of excess, if any, over and above all lawful assessment charges and the cost of sale, shall be officially certified to the register and receiver of the United States land office of the district in which the lands are situated immediately after the completion of such sale, but nothing in this act shall be construed as creating any obligation on the United States to pay any of said charges.

SEC. 4. That all moneys received from the sale of entered or unentered lands subject to the operation of this act which shall be in excess of assessments due thereon, together with penalties and interest and the costs of the sales, shall be paid by the proper county officer to the receiver of the United States land office of the district in which the lands are situated, and such excess moneys shall be covered into the United States Treasury as proceeds from the sales of public lands.

SEC. 5. That at any time within 90 days after the sale of unentered public lands and at any time within 90 days after the expiration of the period of redemption provided for in the drainage laws under which the lands are sold, no redemption having been made, after the sale of lands embraced within unpatented entries, the purchaser at such sale, a drainage district being herein expressly excepted from the operation of this provision, shall, upon the filing of an application therefor and an affidavit containing proof of necessary qualifications with the register and receiver of the United States land office, and upon payment to the receiver of the price of $5 per acre, together with the usual fees and commissions charged in entry of lands under the homestead laws, be entitled to receive a patent: *Provided*, That such purchaser shall have the qualifications required in making entry of lands under the homestead laws, and any such purchase shall exhaust any further homestead right of the purchaser to the extent of the amount of lands thus purchased by him. Not more than 160 acres of such lands shall be sold and patented to any one purchaser under the provisions of this act. This limitation shall not apply to lands subject to the operation of this act which may be bid in for a drainage district, but no patent shall be issued to a drainage district or to any one bidding in said lands for a drainage district. The proceeds derived by the Government shall be covered into the United States Treasury and applied as provided by law for the disposal of the proceeds from the sale of public lands.

SEC. 6. That unless the purchaser shall, within the time specified in section 5 of this act, file with the register and receiver of the United States land office an application for a patent, together with the required affidavit, and make payment of the purchase price, fees, and commissions as provided in said section 5, any person having the qualifications of an entryman under the homestead laws may file an application for a patent, together with the required affidavit, and upon payment to the receiver of the purchase price of $5 per acre, fees, and commissions, and in addition thereto an amount equal to the drainage charges, penalties, interest, and costs for which the lands were sold, and if the lands were bid in for the drainage district, an additional amount equal to 6 per cent per annum on the sum for which the lands were sold from the date of such sale, said applicant shall become subrogated to the rights of such purchaser and shall be entitled to receive a patent for not more than 160 acres of said lands. When payment is made to effect subrogation as herein provided, the register and receiver of the United States land office shall serve notice upon the purchaser that an application for patent for the lands purchased by him has been filed, and that the amount of the drainage charges, penalties, interests, and costs of the sale will be paid to him upon submission of proof of purchase and payment by him of said sums. The receiver shall make such payment as soon as said requirement shall have been fulfilled. If the lands were bid in for a drainage district, the receiver will pay to the proper county officers the amount of the drainage charges, penalties, and interests and costs of sale, together with the additional sum of 6 per cent per annum, to which said drainage district is entitled. All remaining moneys to which the United States may be entitled shall be covered into

the United States Treasury and applied as provided by law for the disposal of the proceeds from the sale of public lands.

SEC. 7. That a copy of all notices required by the drainage laws of the State of Arkansas to be given to the owners and occupants of lands held in private ownership shall, as soon as such notice is issued, be delivered to the register and receiver of the United States land office of the district in which the lands are situated where any of the lands subject to the operation of this act are affected, and the United States and the entryman claiming under the public land laws of the United States shall be accorded the same rights to be heard by petition, answer, remonstrance, appeal, or otherwise, as are given to persons holding lands in private ownership, and all entrymen shall be given the same rights of redemption as are given to the owners of land held in private ownership.

SEC. 8. That this act shall not be effective as to any lands involved in suits instituted on behalf of the United States with a view to quieting title in the Government to such lands until and unless such suits shall be finally determined in favor of the United States.

With the following committee amendments:

Page 1, line 8, after the word "drainage," insert the words "and road."

Mr. CARAWAY. Mr. Speaker, I should like to call the attention of the House to the fact that it was the intention to amend this bill so as to make all of its provisions applicable to road improvements as well as to drainage improvements, and I would suggest the amendment "and road" be inserted after the word "drainage" throughout the bill. I move to amend, on page 2, line 22, by inserting the words "and road" after the word "drainage."

The SPEAKER. The gentleman from Arkansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CARAWAY: On page 2, line 22, after the word "drainage," insert the words "and road."

The SPEAKER. The question is on agreeing to the amendment.

Mr. MANN. Mr. Speaker, we could not hear the amendment read, and we could not hear a word that the gentleman from Arkansas stated in reference to it.

The Clerk read as follows:

Amendment offered by Mr. CARAWAY: On page 2, line 22, after the word "drainage," insert the words "and road."

Mr. CARAWAY. Will the gentleman from Illinois permit me to remake my statement? On page 1, line 8, after the word "drainage," the committee inserted the words "and road," to make it read "drainage and road districts."

Mr. MANN. May I ask the gentleman this?

Mr. CARAWAY. Yes.

Mr. MANN. Are drainage and road districts distinct, or is there a drainage and road district?

Mr. CARAWAY. They are distinct districts. If the gentleman will pardon me, I will state there is a general law in Arkansas under which people may organize improvement districts for the purpose of draining the land or for building public highways. And the purpose of this act is to make these lands subject to the betterment charges for both road and drainage districts.

Mr. MANN. Well, we have heretofore passed laws relating to lands in Minnesota, and possibly elsewhere, giving the right to make assessment charges against the property owned by the district for drainage purposes. Have we heretofore anywhere, so far as the gentleman knows, given such a right for road purposes?

Mr. CARAWAY. I am sure we have not, sir.

Mr. MANN. Well, this is a distinct departure?

Mr. CARAWAY. It is, sir, if the gentleman will permit me. Our State has recently made provision for about $80,000,000 worth of highway improvements, and, what is strange, the people who are to pay this assessment to build these roads seem to be willing to be taxed for that purpose, and these lands that are to be reclaimed would be denied the right to go into improvement districts that seek to build hard surface roads.

Mr. MANN. Mr. Speaker, I do not think it is very strange. People often seek the right to organize districts and issue bonds for public improvements, but I think it would be very strange if the people with pleasure pay the taxes for these bonds issued for these roads long after the roads are worn out. That is what they will be doing. However, the people of Arkansas at the present time will feel good but when they finally pay for these improvements they will cuss the men who authorized them.

Mr. CARAWAY. Well, anyway, they have not the improvements and until they get them they believe they want them.

Mr. GARD. Will the gentleman yield?

Mr. CARAWAY. Yes.

Mr. GARD. Is not the amendment proposed by the gentleman from Arkansas rather inconsistent with the purpose of the bill since the amendment provides for the cost of construction and maintenance of roads, whereas the language of the bill in section 1 and section 2 provides merely for the construction and maintenance of canals, ditches, levees, and other drainage work?

Mr. CARAWAY. Oh, no; in section 1 it says in line 8, "and roads."

Mr. GARD. Drainage and road districts, not roads. I would suggest that the gentleman proceed with the bill as it is rather than seek to incorporate the cost of construction of roads in this bill when manifestly it was not intended so to be done.

Mr. CARAWAY. Well, of course, I have explained to the gentleman the bill as originally drawn provided merely for drainage reclamation.

Mr. GARD. I do not desire to object to the consideration of the bill, but I shall object to a vote upon the bill unless the gentleman will withdraw his amendment.

Mr. CARAWAY. If I remember, the time for the gentleman to object is gone. He can vote the amendment down if he can.

Mr. McLAUGHLIN of Michigan. It is too late to object to the consideration of the bill.

Mr. ROMJUE. Does not the gentleman think, in section 2, that if this amendment is adopted the amendment also should follow after "drainage," in line 17, section 2?

Mr. CARAWAY. I have marked the places where is should go in.

Mr. ROMJUE. If the gentleman will read that section——

Mr. CARAWAY (reading)—

That the construction and maintenance of canals, districts, levees, and other drainage work upon and across the land subject to the operations of this act are hereby authorized.

And so forth.

It would have to be so amended. I want to say this to the House: Primarily the bill, as I have said over and over again, is to get reclamation for the purpose of drainage alone. At the request of the people who were interested I undertook to have it amended. I am vitally interested that it shall pass with reference to the drainage, and I should very much like to see it pass with roads included. If there are any gentlemen on the floor who are certain they know more about what the people down there in Mississippi and Poinsett Counties need and want than I know, where I was raised, why, God bless their souls, they can amend the bill. I have no earthly interest in it except to try to record the wishes of the people there and to give them a chance to develop lands that are absolutely useless now, and will be entirely useless especially if they are not included in the present reclamation projects that are now going on, because they are in such narrow strips it would be impossible after the levees have been constructed and the ditches dug to make another drainage district to include them. They could not carry the cost.

Mr. MANN. Mr. Speaker——

The SPEAKER. The time of the gentleman has expired. The Chair will recognize the gentleman from Illinois.

Mr. MANN. I rise in opposition to the gentleman's amendment.

I think this bill is very similar to the bill that passed in relation to lands in Minnesota, introduced, I think, by the gentleman from Minnesota [Mr. VOLSTEAD].

Mr. CARAWAY. It was called to my attention, and the department said there were certain administrative features of law that did not work well, and it was changed in that respect.

Mr. MANN. The gentleman from Minnesota tells me that this situation arose in Minnesota, that where the ditches were dug spoil was thrown over to one side, where it could be used for making a road. But in some cases I think the assessment was defeated because they smoothed down the spoil and made a road. It may be the purpose of inserting "road" here is not to organize a separate road district as stated by my distinguished friend from Arkansas [Mr. CARAWAY], but to authorize the drainage district to construct a road out of the spoil, which would seem a very desirable thing to do.

Mr. CARAWAY. That was not the object of the legislation, because that soil is so soft you can not build the road that way. I wish it were possible, but you can not do it.

Mr. MONDELL. Mr. Speaker, what is purposed under this bill in the matter of drainage is provided for by the act approved August 11, 1916, in connection with lands requiring reclamation by irrigation. And I wondered why some of the provisions of that bill of August 11, 1916, were not followed in this bill, and particularly in the matter of the laying of obligations on the public lands, and, second, of the disposition of the public lands after the levy has been made and the lands have been sold. Under the irrigation act I have referred to no public lands may be subjected to liens contemplated until the Secretary of the Interior has approved the plans of reclamation and has satisfied himself that the work is feasible, and that the public lands that it proposes to place the lien upon are lands that may be properly brought within the area of reclamation. There are very good reasons for that provision, because without

a provision of that kind there is a temptation, even if everyone connected with the enterprise is very conscientious and very conservative, to include in the area public lands the reclamation of which is questionable and by including them spread the cost over a larger area and make it to appear to be less than it actually is per acre of the lands that can be actually reclaimed.

Mr. CARAWAY. Will the gentleman permit me?

Mr. MONDELL. Yes.

Mr. CARAWAY. In the first place, I am frank to say that I was ignorant of the provisions of the law to which the gentleman refers. In the next place, there is no temptation to do that in this case, because it costs money to include these lands, and unless they are subject to be reclaimed they will be absolutely worthless after being included, as they are worthless now, and therefore the people who are to pay the expense of this reclamation—every dollar of it—would be throwing their money away by including land that could not be reclaimed.

Mr. MONDELL. Not necessarily. If people were not entirely conscientious, or if they were over-optimistic, they would be tempted to spread their contemplated or proposed or suggested reclamation over a large area, with a view of appearing to make the cost per acre low.

Now, if a part of the burden could be permanently attached to lands that are not actually reclaimable, that would be a relief to the people who own the lands that can be reclaimed, or if that were not possible, and I realize that it would not be an easy thing to do, there is at least a temptation to make the project appear to be feasible and inviting, when, as a matter of fact, the facts may be otherwise.

Mr. CARAWAY. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. CARAWAY. To start in with, these projects are already established. The assessments have been made. It is a question of whether these lands shall be included or not. Therefore that temptation is gone. The next provision of the bill is that the Government does not have to pay one cent. The only way it could get anything would be to sell the lands; and if the lands were not reclaimed, it could not sell them for 5 cents an acre. And, therefore, if the people who are to pay for the reclamation, whose lands are to be charged with the betterments, would go out and spread this betterment or this apparent reclamation over lands that were entirely worthless, they ought to be in a home for the feeble-minded, because they would be fooling nobody but themselves and laying no burden on anyone but themselves.

Mr. MONDELL. Well, now, that may be true in this particular case.

Mr. CARAWAY. In this case it is.

Mr. MONDELL. It is not true by and large, and it is because it is not true that the committee having to do with the law that provided for the levying of the cost of irrigation reclamation on public lands was very careful not to place any such temptation in the way of irrigation promoters.

One thing more: I am fairly well satisfied, although not entirely so, with the statement made in regard to the situation in this particular case. But I want to make one other suggestion to him. He may be entirely right. I do not clearly understand the purpose of the provision of section 5, page 4, which lays a flat charge of $5 per acre on the public lands when entered.

On what theory was any charge placed on the public land more than their proportionate share of the burden? And, assuming that it be wise and proper to place a sale price on those lands over and above their burden of reclamation, why was the price fixed at $5 per acre?

The SPEAKER. The time of the gentleman from Wyoming has expired.

Mr. CARAWAY. Mr. Speaker, will the gentlemen permit me to ask him another question?

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to proceed for five minutes more.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. CARAWAY. If the gentleman will permit, the net charge of $5 an acre was put on it by the department here. The provisions of the bill, if the gentleman will read it, provide that where the lands have been reclaimed and they are not entered they may be sold for the cost of reclamation. The department said that the Government ought to have something out of it, and so it arbitrarily said that as a condition of your getting a patent, after you pay the betterment charges, the Government shall have $5 an acre out of it. It is not worth a cent, and never has been, for any purpose in the world except to hold the earth together, and the department said that after you had gone in and paid all the betterment charges, before you get a patent you must pay the Government $5 an acre. I do not think it ought to have been, but rather than argue with the department I accepted the department's view.

Mr. ELSTON. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. ELSTON. These lands affected by the bill are confined to one county in the State of Arkansas?

Mr. CARAWAY. No. They are in two counties—Mississippi County and Poinsett County.

Mr. ELSTON. What is the total acreage of the lands?

Mr. CARAWAY. If the gentleman will read the description he will get that. I do not recall it.

Mr. ELSTON. Now, in general the land lies in swamp areas along a river?

Mr. CARAWAY. Yes, sir.

Mr. ELSTON. So that the reclamation and drainage contemplated are intended to take the water off the land, which is probably alluvial land of good quality, so that it may be cultivated?

Mr. CARAWAY. Yes.

Mr. ELSTON. Does the gentleman contend that after all the reclamation and drainage are done, and the land made fit for cultivation, it is worth only $5 in addition to the drainage or reclamation cost?

Mr. CARAWAY. Well, now, I do not know. I am not going to assert that or to deny it. I do not know what it will be worth after it is reclaimed, and I do not know what it will cost to reclaim it.

Mr. ELSTON. In general, what will be the figure for its reclamation, if the gentleman knows?

Mr. CARAWAY. I do not know. It requires the building of a high levee and innumerable ditches; how many I do not know.

Mr. ELSTON. Twenty-five or thirty dollars an acre?

Mr. CARAWAY. Oh, I am sure it will be that much.

Mr. ELSTON. Then $5 in addition to that would probably make good rich valley soil purchasable by this preferred applicant at $30 an acre. Does the gentleman think that is fair?

Mr. MONDELL. Will the gentleman from Arkansas allow me to use just a moment of my time now?

Mr. CARAWAY. Certainly.

Mr. SMITH of Idaho. Mr. Speaker, will the gentleman permit just a question?

Mr. MONDELL. The ordinary price of public land is $1.25. Here one is supposed to give $4 additional.

Mr. CARAWAY. Yes; this land has lain there for nearly a hundred years, and nobody has been found silly enough to take it.

Mr. MONDELL. What the gentleman from Arkansas says, I think, answers the inquiry of the gentleman from California [Mr. ELSTON] to a certain extent at least. This land has been subject to acquisition by anyone desirous of utilizing it since the morning stars sang together, and it has been subject to the homestead law since the year 1864, and no one has seen fit to take it; and I think it may be a fair assumption that the land is probably worth a little more than the cost of reclamation, if it is worth the cost of reclamation; and that is why I inquired why the charge is $5 an acre rather than the usual $1.25 per acre, where a title is granted without full compliance with the homestead law. I assume that it is upon the theory there may be some little unearned increment there which the Government ought to have, and it may be partly on the theory that under the law the purchaser, while he must be a qualified homestead entryman and exhaust his homestead rights by using it on this land, receives a patent immediately upon the purchase and without the necessity of the usual homestead residence, and that is a privilege for a release from an obligation which has some cash value. It is possible on that theory that the price is fixed at $5, an arbitrary price of $5, rather than $1.25.

Mr. CARAWAY. That is possibly true.

Mr. ELSTON. Mr. Speaker, will the gentleman answer another question?

Mr. CARAWAY. Yes.

Mr. ELSTON. I understand from this colloquy that the land is now subject to entry to anyone who wants to go on it and take it. Is that true?

Mr. CARAWAY. Yes.

Mr. ELSTON. It is not reserved or withdrawn?

Mr. CARAWAY. No.

Mr. ELSTON. Would the gentleman be willing to accept an amendment to the effect that the price shall be fixed by the Secretary of the Interior, substituting for the price of $5 an acre a price to be fixed by the Secretary of the Interior?

Mr. CARAWAY. Oh, I tell you, if you are going to reclaim this land and try to sell it, there ought to be no strings tied to it.

When the purchaser goes in and pays the betterment charges, he ought to know for what price he will get it.

Mr. ELSTON. The Secretary might fix a price.

Mr. CARAWAY. Yes; and possibly it might be prohibitive.

Mr. SMITH of Idaho. Why was not the price fixed at $1.25 an acre, the same as arid land, when reclaimed under the desert-land law?

Mr. McPHERSON. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. McPHERSON. In the absence of some safeguard, such as is contained in the previous legislation, what would hinder the owners in this case from including within these boundaries public land that did not need reclamation?

Mr. CARAWAY. Because, to start in with, there are no such lands in that country. That would be a complete answer.

Mr. McPHERSON. The gentleman admits that Congress has not prevented the possibility of fraud that would include other lands?

Mr. CARAWAY. I only answered the gentleman's question halfway. I said there are no such lands, and therefore it is an impossibility. In the next place, the drainage promoters, as the gentleman calls them, have absolutely no interest in it.

Mr. McPHERSON. Who lays out the boundaries of the drainage district?

Mr. CARAWAY. That is what I am going to tell you. The people who are to be affected, whose lands are to be reclaimed, get together and form a drainage association and go before the court and have a drainage district established. There is not a dollar of profit in it to anybody. It is just simply a question of reclamation. There are no public funds for anybody to handle, nothing for anybody to get, no issuing of stock or paying of dividends. They all go in and pay whatever it costs to reclaim their lands and assess it among themselves.

Mr. McPHERSON. One more question.

Mr. CARAWAY. Yes.

Mr. McPHERSON. Does the gentleman mean to say it is true that under the drainage law no lands can be included within this district except such as are petitioned by the owners to be included?

Mr. CARAWAY. I never intended to say that. If I said it, I did not intend to. I said that the districts are established by landowners. Nobody else has a right to participate in this organization, because it costs nobody else anything. They get together and file a petition in court and give notice that they are going to ask for an order of the court to create a drainage district; and when the hearing comes on the owners of all the lands that are sought to be included are notified. If they are included in the district, they can appeal that question if they want to. Then, if they are included, when the assessments of betterments are made by assessors, who are appointed by the court, notice is given, and they have a right to contest the amount of their assessment. But what I did try to say was that it was not a profit-creating concern. There is no reason why lands that can not be reclaimed and can not be valuable should be included, because if they can not be reclaimed and can not be made to yield revenue you would be enlarging your district at an expense and getting back nothing out of it.

The SPEAKER. The time of the gentleman has expired.

Mr. BARBOUR. Mr. Speaker, I move to strike out the last two words. I have had some experience in reclamation districts, and I am somewhat concerned as to what may happen to the Federal Government if it goes into this district, if this district is like some others with which I have had experience. Will the Federal Government have a right to vote upon district matters?

Mr. CARAWAY. Oh, no.

Mr. BARBOUR. Do the landowners within the district have the right to elect the trustees of the district?

Mr. CARAWAY. No.

Mr. BARBOUR. Who governs or controls that?

Mr. CARAWAY. The court appoints the commissioners, and after the commissioners are appointed to fix the boundaries of the district then assessors are appointed who assess the benefits.

Mr. BARBOUR. Are the assessors appointed by the court?

Mr. CARAWAY. Yes.

Mr. BARBOUR. Has the landowner a right to appear before the court and object?

Mr. CARAWAY. Oh, yes.

Mr. BARBOUR. Object to any assessor?

Mr. CARAWAY. He has a right to object to everything. He has no right to go before the court and say, "I want John Smith instead of Bill Jones to assess the betterment"; but if there is any reason why the court should not appoint any man as an assessor, anybody would have the right to object to him, to show that he was not competent, or that he was not honest, or that he was interested in the result, or anything of that kind.

Mr. BARBOUR. Then, as I understand, the district is organized or founded by an order of the court?

Mr. CARAWAY. That is it.

Mr. BARBOUR. And I notice here that the bill provides that the maintenance of the reclamation work shall be paid for by the lands public and private within the district?

Mr. CARAWAY. That is true. The assessments for that purpose are referred to the court.

Mr. BARBOUR. And the benefits received by the owners of the various tracts of land are determined.

Mr. CARAWAY. That is it. The assessors divide the lands into 40-acre tracts, or smaller as the case may be if they are city lots, and then they assess the betterments against them. The owners of the land are notified that their assessments have been made, and that they may come into court and show that they have been overassessed if they can.

Mr. BARBOUR. And the United States Government would have the right to come before the court the same as the owner of any private tract?

Mr. CARAWAY. Yes.

Mr. BARBOUR. And to show that the assessment placed on the Government land is excessive?

Mr. CARAWAY. Of course; but if you will look at the provisions of the bill you will see that the bill provides that the ownership shall pass out of the Government as soon as the district is created, because whenever the betterments are assessed the Government lands are sold for the payment of these betterments, plus $5 an acre, which goes into the Federal Treasury.

Mr. BARBOUR. These questions occurred to me after hearing the suggestion of the gentleman from Wyoming [Mr. MONDELL] that some power or control over these should be reserved in the Secretary of the Interior.

Mr. CARAWAY. The Secretary of the Interior is to have no interest in it, because so soon as the betterments are assessed——

Mr. BARBOUR. The lands are to be sold.

Mr. CARAWAY. The lands are to be sold and will pass into private ownership.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. CARAWAY. Yes.

Mr. MONDELL. I understood the gentleman to say earlier in the discussion that these lands in the main had been entered.

Mr. CARAWAY. Most of them have.

Mr. MONDELL. And, as a matter of fact, entrymen would then appear on their own behalf as any other owner would.

Mr. CARAWAY. Yes.

Mr. MONDELL. And the only case in which the provision to which the gentleman has referred would apply would be a case where the land was not entered up to the time that the assessments were levied—and there are not likely to be many cases of that sort—or cases where the entryman, for some reason or other, fails to perfect his entry.

Mr. CARAWAY. That is true.

Mr. MONDELL. If the situation is a fairly reasonable and favorable one, I assume there will be very few of those cases.

Mr. CARAWAY. If the land has any value at all, I am sure some one will enter upon it, because he can do it up to the day of sale.

Mr. MONDELL. And the entryman that now occupies the land will, of course, protect himself, as any other owner would, and would proceed to pay his share of the assessments as any other owner would?

Mr. CARAWAY. Yes. I would like to say this: I was asked to introduce this bill by the commissioners who were to establish the district. I declined to do that until every man living upot it had requested that it should be done.

The SPEAKER. The time of the gentleman from California has expired.

Mr. MANN. Mr. Speaker, I think the gentleman from Arkansas [Mr. CARAWAY] stated that he did not know how much acreage owned by the Government was covered by this bill. It does not seem to be in any of the letters in the report. As I understand, these are a part of the so-called "sunk" lands of Arkansas.

Mr. CARAWAY. That is correct.

Mr. MANN. They are very valuable if they can be drained.

Mr. CARAWAY. Yes; extremely so; and absolutely worthless unless they can be.

Mr. MANN. Mr. Speaker, of course these lands are in connection with private lands. Private lands can not very well be drained without the draining of the Government lands, and the

Government lands can not be well drained without the drainage of the private lands. It is perfectly proper that the two should be combined in forming a drainage district. The letter from the Assistant Secretary of the Interior states, quoting, I think, from the language of the petition that was filed—

that the lands in their present condition are unfit for cultivation and will remain so until drained; that they will be very valuable for agricultural purposes when drained and their value will be greatly enhanced.

Even in my short time I can remember when lands down in Illinois before they were drained sold for $15 or $20 an acre after I became a voting citizen. Those lands are now worth four or five hundred dollars an acre. These lands when they are drained will be extremely valuable. They are bottom lands and are very rich. The cost of drainage is fairly high, but I take it it will be far less than the value of the lands when drained. I think it is a good scheme for the Government to join with the other owners in Arkansas in the drainage of the lands, but I question very much whether the Government ought to give the lands away. That is what is being done by this bill. Of course, a few people will be benefited. They will get lands worth $50 to $100 an acre, or perhaps more, at an expense of $25 or $30 an acre or perhaps less, perhaps more; I do not know. The lands will be worth a great deal more, and it is idle to say that these lands have been there since day first dawned and that no one has cultivated them. Since they sank, a good many years ago, they have not been subject to cultivation and are not now and will not be until they are drained. But I suppose the Government will go on and make the lands especially valuable by some particular act of Government and then give them away.

Mr. MONDELL rose.

Mr. BLANTON. Mr. Speaker, I think we ought to have more than 60 men here when doing public business, and I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count.

Mr. BLANTON (interrupting the count). Mr. Speaker, I withdraw the point. If the gentleman from Wyoming [Mr. MONDELL] wants to conduct business with 60 men present, it is his affair.

Mr. MONDELL. Mr. Speaker, I think 60 intelligent gentlemen in the examination of the details of a bill constitute a fair average attendance in the House under the circumstances.

Mr. CLARK of Missouri. I suggest that the gentleman from Texas has withdrawn his point of order.

Mr. MONDELL. As I look over the assemblage and see the leader of the minority here——

Mr. BLANTON. He is always here.

Mr. MONDELL. And the gentleman from Texas [Mr. BLANTON] present, as well as other distinguished gentlemen, I am sure that the gentlemen who are here are fully qualified to transact the business before the House in an intelligent way.

I want to take the time of the House for only a moment in regard to some suggestions made by the gentleman from Illinois [Mr. MANN], who has just taken his seat. These lands have had a curious history. At one time a large portion of them was granted to the State of Arkansas as swamp lands, and the State sold them. Then a claim was made by the Federal Government that the survey under which the grant to Arkansas was made was erroneous. We had a resurvey of the lands and they were taken from the original claimants under the State and opened to homestead settlement. Since the beginning of settlements in that particular part of the world these lands have been open to entry, freely open to entry. We tried to get rid of them by giving them to the State of Arkansas. Up to this good hour they have been of very little use to the world except to occupy a portion of the surface of the earth and to hold mother earth together.

It is proposed to reclaim them. Nobody knows whether or not the lands when reclaimed will be worth very much more than the cost of reclamation. In any event, they are in the main now held by settlers who could get a patent to them without the payment of a dollar to the Government. But this bill enables the State of Arkansas to bring these areas within its drainage laws. The only fear I have in a case of this kind is not that the people of the country as a whole may not get a few dollars of the earned or unearned increment, but that by no possibility no obligation shall be placed on the Federal Government with reference to these lands. And that seems to be guarded against in the bill; and that being done, I think that we ought to favor a piece of legislation which simply places the unpatented lands on the same basis as the patented lands; and in addition to that lays an obligation on the purchaser that he shall have the qualifications of a homestead settler and shall pay $5 an acre. I think it is a very fair proposition.

Mr. GARD. Will the gentleman yield for a question?

Mr. MONDELL. I will.

Mr. GARD. Does the gentleman favor the amendment of the gentleman from Arkansas to include the construction of roads in addition to canals, ditches, levees, and so forth?

Mr. CARAWAY. If the gentleman will pardon me, I am going to strike out that in deference to the gentleman from Ohio, who knows so much more about it than I do. And I now, Mr. Speaker, move, on page 1, line 8, to strike out the committee amendment, "and road," and leave it purely a drainage proposition.

The SPEAKER. The question is on agreeing to the committee amendment. The Chair understands the gentleman from Arkansas means that he does not desire that it shall be adopted?

Mr. CARAWAY. Yes, sir.

The SPEAKER. The question is on agreeing to the committee amendment.

The question was taken, and the amendment was rejected.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Arkansas.

Mr. CARAWAY. Mr. Speaker, I desire to withdraw that amendment.

The SPEAKER. The gentleman asks unanimous consent to withdraw his amendment. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. CARAWAY, a motion to reconsider the vote by which the bill was passed was laid on the table.

FRATERNAL SANITARIUMS ON PUBLIC LANDS.

Mr. RAKER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. RAKER. In regard to the bill that was up some time ago pertaining to national sanitariums. I ask unanimous consent that the bill remain on the calendar and go to the foot, not to be considered until the next regular calendar day.

The SPEAKER. Which bill is that?

Mr. RAKER. The bill is H. R. 1125, No. 31 on the Unanimous Consent Calendar.

The SPEAKER. The gentleman from California asks unanimous consent that the bill referred to on the Unanimous Consent Calendar, which was stricken off the calendar, be allowed to remain upon the calendar and go to the foot. Is there objection?

Mr. GOLDFOGLE. Mr. Speaker, reserving the right to object, may I call the attention of the gentleman from California—I do not know what line it is, but on the upper part of page 2 of the bill, where it speaks of societies, institutions that may avail themselves of the benefit of the bill having the right to have sanitariums on the land referred to being organized for no profit, would not the gentleman accept an amendment there so as to provide that these societies not only shall not be organized for profit but shall be maintained and conducted without profit?

Mr. RAKER. That particular amendment was placed by the Senate Committee on Public Lands at the request of Senator Works, and when the bill comes up the matter can be discussed then. Of course, it can not come up now.

Mr. GOLDFOGLE. The gentleman will appreciate that the bill does not provide against the society that notwithstanding its being organized for no profit it may be maintained and conducted at a profit.

Mr. RAKER. I shall be pleased to take up that question with the gentleman when we come to the consideration of the bill.

The SPEAKER. Is there objection?

Mr. GARD. Mr. Speaker, I think the bill should have a complete report, and I therefore object.

The SPEAKER. Objection is made.

BRIDGE ACROSS SUSQUEHANNA RIVER, PA.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 8117) for the construction of a bridge across the Susquehanna River at Falls, Wyoming County, Pa.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania to construct within the Commonwealth of Pennsylvania a bridge, with approaches thereto, across the Susquehanna River at Falls, Wyoming County, Pa., at a point suitable to the interests of navigation, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The committee amendments were read, as follows:

Page 1, lines 4 and 5, strike out the words "within the Commonwealth of Pennsylvania" and insert "maintain, and operate"; page 1, line 6, strike out the word "with" and insert the word "and";

page 1, line 7, after the word "at," insert the words "a point suitable to the interests of navigation, and at or near"; page 1, line 8, after the word "Pennsylvania," strike out the words "at a point suitable to the interests of navigation."

The question was taken, and the committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the construction of a bridge across the Susquehanna River at or near Falls, Wyoming County, Pa."

On motion of Mr. WATSON of Pennsylvania, a motion to reconsider the vote by which the bill was passed was laid on the table.

CHANGE OF REFERENCE.

Mr. KELLER. Mr. Speaker, I ask unanimous consent of the House for a change of reference of the bill H. R. 8423, providing additional compensation to certain employees of the Post Office Department for overtime service, and the bill H. R. 8424, for increased compensation for postal employees during the current fiscal year, from the Committee on Expenditures in the Post Office Department to the Committee on Post Offices and Post Roads. I have conferred with the chairmen of both committees and it is agreeable to them to have that transfer made.

The SPEAKER. The gentleman asks unanimous consent for a change of reference as stated. Is there objection?

Mr. GARD. I think we should proceed with the Unanimous Consent Calendar, and I object.

The SPEAKER. Objection is made.

BRIDGE ACROSS CUMBERLAND RIVER, TENN.

The SPEAKER. The Clerk will report the next bill.

The next bill on the Calendar for Unanimous Consent was the bill (H. R. 8076) authorizing the county of Montgomery, Tenn., to construct a bridge across the Cumberland River within 7 miles of Clarksville, Tenn.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. GARD. Reserving the right to object, Mr. Speaker, I desire to ask the gentleman from Tennessee [Mr. BYRNS] the character of this bill, as to whether or not it is to be a toll bridge and what is the general necessity for the building of it?

Mr. BYRNS of Tennessee. I will state to the gentleman that this is to be a free bridge, constructed by the county and for the people of the county. They have already voted $500,000 to build it. There is no bridge there now at or near the city of Clarksville. The Cumberland River runs through the county, and it is very important to have this bridge. It is a matter that has been agitated for many years there to have a bridge across the Cumberland River, so that the people on the south side can reach the city of Clarksville.

Mr. BLANTON. Reserving the right to object for the purpose of asking a question, is this bridge to be built by any $55,000 Clemenceau roosters?

Mr. BYRNS of Tennessee. No. This bridge is to be paid for by the money that has been appropriated by the people of Montgomery County, and it is to come out of the county treasury.

The SPEAKER. Is there objection to the consideration of the bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 8076) authorizing the county of Montgomery, Tenn., to construct a bridge across the Cumberland River within 7 miles of Clarksville, Tenn.

Be it enacted, etc., That the county of Montgomery, Tenn., be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Cumberland River at a point suitable to the interests of navigation and within a distance of 7 miles from Clarksville, Tenn., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," and approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. BYRNS of Tennessee, a motion to reconsider the vote by which the bill was passed was laid on the table.

INCREASED PRICE OF SHOES, SUGAR, CLOTHING, AND COFFEE.

The next business on the Calendar for Unanimous Consent was House resolution 217, directing the Federal Trade Commission to inquire into the proposed increase in price of shoes, sugar, clothing, and coffee.

The SPEAKER. Is there objection to the immediate consideration of this resolution?

Mr. MONDELL. Mr. Speaker, reserving the right to object, the Federal Trade Commission very recently reported, after what was, I suppose, a very careful and painstaking investigation relative to the cost of shoes, the shoe trade, shoe business, shoe prices, and I imagine that most Members have received copies of that report. Evidently the Federal Trade Commission was busily engaged in that sort of an inquiry some time before this resolution was first introduced.

It occurred to me as a little peculiar that those who had to do with the inquiry—the committee that considered it—do not seem, so far as we are informed, to have sought information from the Federal Trade Commission as to whether they were conducting any inquiries along those lines. About the time that the matter was here for consideration, a few days ago, the Federal Trade Commission suddenly burst upon us with a preliminary report on shoes. There can, of course, be no possible objection to securing all the information that is obtainable in regard to the price of shoes, leathers, and all those things that enter into the cost of shoes. It is a tremendously important subject, a subject that affects us all in these days. One of the most trying of the increases in the cost of living has related to shoes and other footwear. There has been a greater increase in that character of commodities than in almost any other. Many of us have believed that there was no justification for all that increase, and the report of the commission would seem to indicate that that is true and would seem to further indicate that the Government ought to get busy and punish those who are responsible unlawfully for these increases in cost all along the line.

Mr. DYER. Will the gentleman yield for a question?

Mr. MONDELL. Yes.

Mr. DYER. The report the gentleman refers to only covers shoes. It does not cover the other articles mentioned in the resolution.

Mr. MONDELL. The Committee on Interstate and Foreign Commerce has amended the resolution as it is now before the House. The report of the committee will leave the resolution applying only to shoes, and I assume that those who are supporting the resolution are in favor of the adoption of the committee amendment, and I suppose the committee desires the resolution adopted in that way, and undoubtedly the committee has a purpose in so amending the resolution. The committee has, as a matter of fact, since this resolution was reported, reported another resolution relative to inquiries into sugar.

Mr. IGOE. Will the gentleman yield for a question?

Mr. MONDELL. So I assume that it is the purpose of the gentleman who introduced the bill and the gentleman who reported it to support the resolution in its amended form.

Mr. IGOE. Will the gentleman yield for a question?

Mr. MONDELL. Yes.

Mr. IGOE. The gentleman referred to the report of the Federal Trade Commission. That report as presented is a preliminary report, or, rather, a summary of the report. If the gentleman has read it, he will learn that as to the manufacturers' cost and the financial end of the business, the investigation brings it down to include 1917 and some of the retailers' costs for 1918. The purpose of this resolution as originally introduced was to get at what is proposed for the future as well as what had already taken place, but now the report submitted does not include the increased costs for the last year and a half, which have been very great.

Mr. MONDELL. I did read the preliminary report very carefully, and I noted that while the conclusions were assumed to be based on present conditions, the facts referred to were mostly facts of a year or more ago. And I have assumed that the Federal Trade Commission is not engaging in so useless and profitless an undertaking as to make an examination and a report to Congress without bringing the examination as nearly down to date as possible. If that was not the object of the Federal Trade Commission, what was their object and purpose in giving us this preliminary and proposing this final report?

Mr. IGOE. I do not know what the object of the commission was, but the object of this resolution is to get the facts now and get them promptly if they are to be of any value.

Mr. MONDELL. I do hope and trust that out of the resolution there will come some real definite information based on facts. It will be a welcome novelty to many of us to have a Government agency thoroughly examine into and fully and fairly and intelligently report down to date the facts with regard to a situation.

Mr. MCARTHUR. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. McARTHUR. Does the gentleman think the Federal Trade Commission can fully and fairly and intelligently report anything?

Mr. MONDELL. I am willing to give the Federal Trade Commission an opportunity to demonstrate their ability to do that.

Mr. GOLDFOGLE. Reserving the right to object, I observe that as originally introduced the Federal Trade Commission is called upon by this bill to inquire into the increased price of sugar, clothing, and coffee, and report to the House at the earliest moment the cause and necessity for the increase. The committee reporting the bill strike out that provision. I desire to ask the introducer of the measure the reason for the elimination of that clause?

Mr. IGOE. Well, the gentleman in charge of the bill [Mr. DENISON] can probably explain that better than I can.

Mr. GOLDFOGLE. I hope he will.

Mr. IGOE. I have been anxious to get a quick report on some one article the price of which has gone up enormously, and I hoped that out of it we might be able to frame some legislation. That was the reason why the resolution was framed as it is, to get a report on shoes by September 9, and the other report at any later date, as soon as convenient.

Mr. GOLDFOGLE. Well, the inclusion of the inquiry as to the reason for the increased price of the other commodities would not have prevented the Federal Trade Commission from reporting upon shoes, and so I would like the gentleman reporting the measure to explain why that clause relating to clothing and sugar and the other commodities was eliminated.

Mr. DENISON. Mr. Speaker, of course it is very desirable for us to have information on the prevailing prices of everything. But the committee that considered this resolution, of course, had to take into consideration the limitations that surround the Federal Trade Commission in the performance of its work, and our information was that the Federal Trade Commission is now engaged in investigations that are tremendous and far reaching, and that those investigations would so completely absorb its time that if we wanted to get anything definite and specific we had to limit the requests we were making of them.

Now, there was a resolution pending before our committee which the committee had at that time already considered asking for an investigation and report as to the prevailing prices of sugar. The committee had already had hearings upon that resolution and acted favorably upon it, and it is now pending before the House, so that that covers the question of sugar.

Mr. GOLDFOGLE. The gentleman says that is pending?

Mr. DENISON. Yes.

Mr. GOLDFOGLE. Why is it not included here? Why does it not come up?

Mr. IGOE. I may say that the Senate has passed a resolution on sugar, and the Federal Trade Commission is now investigating that question.

Mr. ESCH. The Committee on Interstate and Foreign Commerce has already reported out the Tinkham resolution, providing for an inquiry on sugar and the cost thereof.

Mr. GOLDFOGLE. How about clothing?

Mr. ESCH. It is not included in that.

Mr. GOLDFOGLE. Why not include that?

Mr. ESCH. I think this would be amply broad to engage the attention of the Federal Trade Commission for some time.

Mr. DENISON. What we want to get at is a report as early as possible. We can not expect too much from the Federal Trade Commission, so that in order to get something definite we limited this to the price of shoes.

Mr. GOLDFOGLE. For the life of me I can not understand why you should confine the attention of the Federal Trade Commission solely to shoes at this time, when the whole country is crying out against the increased cost of sugar and clothing and other commodities that enter into the necessities of life. I can not understand why some explanation is not offered now, when the opportunity is at hand, for the Committee on Interstate and Foreign Commerce, eliminating this provision, that should go hand in hand with the inquiry concerning shoes.

Mr. DENISON. Well, I will say to the gentleman from New York that if he can not understand the very plain and simple statement I have made that is the misfortune of the gentleman.

Mr. GOLDFOGLE. No. The gentleman has not made any statement that would give any reason for the elimination of that.

Mr. DENISON. I intended to.

Mr. GOLDFOGLE. The gentleman says the Federal Trade Commission is engaged with other matters. There is nothing so important at this moment, while the mind of the community is in such a state of awful unrest, as to bring to a head something that will result in the lowering of the cost of living, in the lowering of the cost of footwear, in the lowering of the cost of clothing and sugar, and other things that go into the necessities for life.

Mr. DENISON. Of course, we all understand the facts that the gentleman from New York states, but I thought I had a moment ago stated that we had already reported a resolution to investigate the prevailing price of sugar, and we had information to the effect that the Federal Trade Commission was so busily engaged that we could not expect it to make an investigation of the cost of everything, and, therefore, in order to get some tangible result, and get it quickly, we limited this resolution to an investigation and report on the price of shoes.

Mr. DYER. Can the gentleman tell how long it will take them to report on shoes?

Mr. DENISON. I do not know. They have already made a preliminary investigation, particularly as to the price of leather, and I did hope that they could supplement that inquiry and make a definite report at an early date as to the price of shoes. In the press of the country, particularly in the trade journals, there has been made public a prediction that the price of shoes is going to be enormously increased in the near future, and the committee thought that on account of the extraordinary price of shoes at present and the great importance of shoes to the people of the country we should call the attention of the Federal Trade Commission to that inquiry particularly and have a report on that subject as early as possible, and in order to do that we limited the resolution to the question of shoes.

Mr. DYER. Mr. Speaker, I think the gentleman is right on that. I do not think there should be an objection to the inquiry. I ask for the regular order.

Mr. EMERSON. Reserving the right to object, Mr. Speaker——

Mr. McARTHUR. Mr. Speaker, a point of order. The gentleman from Missouri asked for the regular order.

Mr. DYER. The gentleman from Ohio will have an opportunity to discuss the resolution.

The SPEAKER. The regular order is, Is there objection to the immediate consideration of this resolution?

Mr. GOLDFOGLE. Reserving the right to object, I have no objection to the inquiry, because the inquiry is proper; but——

Mr. DYER. The gentleman can offer an amendment.

The SPEAKER. The regular order is, Is there objection to the present consideration of the resolution?

There was no objection.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 217.

Resolved, That the Federal Trade Commission is hereby directed to inquire into the proposed increase in the price of shoes; to ascertain the cause and necessity for the proposed increase; to ascertain the manufacturers' cost price and selling price and the retailers' cost price and selling price for the years 1918 and 1919, and to report to the House not later than September 9, 1919, the result of the investigation.

Resolved, That the Federal Trade Commission is further directed to inquire into the increased price of sugar, clothing, and coffee, and to report to the House at the earliest date possible the cause of and necessity for the increase.

With the following committee amendments:

In line 2 strike out the word "proposed."

In line 3 strike out the word "proposed."

On line 6 strike out the word "not," and on line 7 strike out the words "later than September 9, 1919," and insert "at the earliest convenient date."

Strike out all of lines 9 to 12, inclusive, so that the resolution will read:

"*Resolved*, That the Federal Trade Commission is hereby directed to inquire into the increase in the price of shoes; to ascertain the cause and necessity for the increase; to ascertain the manufacturers' cost price and selling price and the retailers' cost price and selling price for the years 1918 and 1919, and to report to the House at the earliest convenient date the result of the investigation."

Mr. EMERSON. Mr. Speaker——

The SPEAKER. The gentleman from Illinois [Mr. DENISON] is entitled to recognition if he desires it.

Mr. DENISON. I think I have said all that is necessary. I will be glad to answer any questions.

Mr. EMERSON. Mr. Speaker and gentlemen of the House, I move to amend the resolution by adding in line 3, after the word "shoes," "clothing and food products."

Gentlemen may recall that three weeks ago to-day I made some suggestions that we should do something to reduce the cost of living. I was unmercifully abused for saying that. Since that time I have been back in my district and in consultation with the people there; and while shoes are very high, and I am in favor of an investigation of shoes, the people, just as the gentleman from New York has stated, are overwhelmingly in favor of this Congress doing something to reduce the high cost of living. It is up to this Congress to do so. We should enact some legislation along that line. If under this resolution the Federal Trade Commission can investigate nothing but

shoes, let us eliminate shoes for the present and take up the food question. It is not a question of sugar alone; it is a question of meat and a question of potatoes. The executive branch of the Government is doing everything it can to dispose of surplus supplies of food to help the situation. Butter, eggs, cheese, meat, potatoes, and all food supplies are away up beyond reason, and there is a great outcry for either an increase of wages or a reduction in the prices of food products.

Mr. DYER. Will the gentleman yield for a question?

Mr. EMERSON. I yield to the gentleman from Missouri.

Mr. DYER. What does the gentleman suggest as a remedy to reduce the high cost of living? Does he think an investigation will do any good? How will we accomplish it?

Mr. EMERSON. I think an investigation will help.

Mr. DYER. We have had a good many of them.

Mr. EMERSON. I am in favor of anything. As I said three weeks ago to-day, I am in favor of taking the tax off of food products. I am in favor of taking the tax off of the freight rates upon food products. I am in favor of the parcel-post system of distribution of food products. I am in favor of anything that will assist in any way in the reduction of the high cost of living; and if this investigation will assist in any way, I am in favor of it; but I would amend this resolution by including food and clothing as well as shoes, with the instruction that if a preference is to be given in any investigation it shall be given in favor of food, and that the Federal Trade Commission should first investigate the cause of the high cost of living and report to this Congress some legislation or some method whereby it can be reduced. It is up to us to do that.

Mr. GOLDFOGLE. Mr. Speaker, I rise to support the amendment that has just been proposed. The country is in a state of unrest. The people generally insist upon the Congress doing something real, something actual, something tangible toward stopping the profiteering that has been going on, as well as it can be stopped by legislation and lowering the high cost of living. The press has been proclaiming loudly against the profiteering and against the ever-increasing cost of food and clothing and shoes and other articles which are necessary for men, women, and children.

Mr. DYER. Will the gentleman yield for a question?

Mr. GOLDFOGLE. Not now, but in a moment I will. We have gone through expensive investigations by the Senate, House, commissions, departments, and bureaus, and the time has come when the people want something real done. I am glad this resolution now before the House is up for consideration. As I indicated before, I would have liked to have the Committee on Interstate and Foreign Commerce report the resolution as it was introduced by Mr. IGOE. I realize that the Federal Trade Commission has much work to do, but it could report at one time as to shoes, at another time as to clothing, and at another time as to food, if it was expedient and proper to do so. I can see no earthly reason why the Federal Trade Commission should not be now instructed by the House to report as to the increase in the cost of clothing and food products. Why limit the inquiry to shoes? It is true that shoes are going up outrageously in price every day, until the price has become practically prohibitive. In fact in my city the price has risen to such an enormous figure that the people are sorely tiring of the condition, and the mind of the public has become so aggravated that no man can tell what may happen in the next hour.

Mr. DYER. Will the gentleman yield for a question?

Mr. GOLDFOGLE. I will.

Mr. DYER. The gentleman says the people are clamoring that Congress do something.

Mr. GOLDFOGLE. Certainly. I am sure the gentleman knows that.

Mr. DYER. Will the gentleman state to the House whether the people are clamoring that the President do something?

Mr. GOLDFOGLE. The people want the Congress to do something. Congress is invested with the power to legislate.

Mr. DYER. Will the gentleman yield for one more question?

Mr. GOLDFOGLE. Certainly.

Mr. DYER. Can the gentleman suggest any legislation that is needed to authorize the President to proceed against all profiteers and the people who are responsible for the high cost of living?

Mr. GOLDFOGLE. That embraces a variety of things the discussion of which I can not enter into at the present. I agree with the gentleman who addressed the House just before I rose as to the things that may possibly go to help out the situation; but I am sure that some committee composed of the wise men of this House can formulate some legislation, and that, together with the reports that will come to us from the various bureaus and commissions, will enable us to pass practical legislation that will go to relieve the serious situation that now confronts the American people.

Mr. BLANTON. Will the gentleman yield?

Mr. GOLDFOGLE. Certainly.

Mr. BLANTON. I will state that while our good friends from New York, during the past few weeks, have been enjoying their vacations——

Mr. GOLDFOGLE. I have not been enjoying any vacation.

Mr. BLANTON. Who have lately come back here in order to be present on the question of the daylight law, I presume, the President of the United States has addressed Congress in the absence of some of our good friends from New York, and the administration has been at work for two weeks nearly on this very question.

Mr. GOLDFOGLE. The administration is entitled to credit for what it has done. The gentleman is mistaken about the gentleman from New York having enjoyed a vacation. So far as I am concerned, I have worked.

Mr. TINCHER. Mr. Speaker, will the gentleman yield?

Mr. GOLDFOGLE. Yes.

Mr. TINCHER. Is the gentleman familiar with the report filed in the last week by the Federal Trade Commission concerning the price of shoes?

Mr. DYER. Has the gentleman read the report?

Mr. GOLDFOGLE. I have read the substance.

Mr. TINCHER. Is the gentleman aware of the fact that the Federal Trade Commission, in June, 1918, made exhaustive reports after extensive hearings upon the subject of the high cost of living, and recommended that the Department of Justice prosecute the five great packers in the United States for profiteering?

Mr. GOLDFOGLE. I understand that the Department of Justice is working to prosecute and punish the profiteers.

Mr. TINCHER. This report that I am talking about was filed in May, 1918. Is it upon that report that the gentleman understands the Department of Justice is now working?

Mr. GOLDFOGLE. What the specific foundation is I do not know. I trust that the amendment that has been offered will pass.

Mr. SIEGEL. Mr. Speaker, I have been listening with keen interest to the discussion here of the proposed investigation of the cost of clothing, and I have some figures here of what it cost to manufacture an overcoat during the past two years which I desire to put into the RECORD. During the past two years the cost of manufacturing an overcoat has jumped from $10.85 to $22.62. The cost of tailoring an overcoat in 1917 was $3, the cost of tailoring in 1918 was $3.75. The cost of tailoring up to last Friday was $8. The cost of trimmings for an overcoat in 1917 was $2.85; in 1918, $3.82; in 1919, up to last week, $7.12. The cost of the cloth in 1917, taking 2¼ yards to make an overcoat, was $5; in 1918, $10; up to last week, 1919, $7.50; making a total cost for the overcoat in 1917 of $10.85, in 1918 of $17.57, up to last week of 1919, of $22.62. The itemized account is as follows:

Cost of manufacturing an overcoat.

Cost of making overcoat in 1917	$3.00
Cost of making overcoat in 1918	3.75
Cost of making overcoat in 1919	8.00

Trimming an overcoat.

1917.

Satin	$1.60
Buttons	.25
Canvas	.40
Silesia	.05
Collar canvas	.05
Underyoke	.05
Buckram	.05
Plush pockets	.25
Undercollar	.15
Total	2.85

1918.

Satin	2.00
Buttons	.40
Canvas	.50
Silesia	.08
Collar canvas	.08
Underyoke	.08
Buckram	.08
Plush pockets	.40
Undercollar	.20
Total	3.82

1919.

Satin	4.70
Buttons	.70
Canvas	.55
Silesia	.10
Collar canvas	.10
Underyoke	.12
Buckram	.10
Plush pockets	.50
Undercollar	.25
Total	7.12

Cost of cloth.

1917.

2½ yards to an overcoat at $2 per yard	$5.00

1918.

2½ yards to an overcoat at $4 per yard	10.00

1919.

2½ yards to an overcoat at $3 per yard	7.50

Net cost of overcoat.

1917.

Making	$3.00
Trimming	2.85
Cloth	5.00
Total	10.85

1918.

Making	3.75
Trimming	3.82
Cloth	10.00
Total	17.57

1919.

Making	8.00
Trimming	7.12
Cloth	7.50
Total	22.62

It will be observed from the figures that I have read that the greatest increase has been in the amount paid for labor.

Mr. WINGO. Mr. Speaker, will the gentleman yield?

Mr. SIEGEL. Certainly.

Mr. WINGO. The gentleman does not mean that those are the union figures? He does not mean to say that the union scale of tailoring on an overcoat was under $5 any time in the last 10 years?

Mr. SIEGEL. Oh, yes; it has been. I gave the union scale in 1917.

Mr. WINGO. The union scale prior to the war was $5 minimum for tailoring on an overcoat or a coat.

Mr. SIEGEL. That may be in the gentleman's district.

Mr. WINGO. And these are the union figures that the gentleman is giving?

Mr. SIEGEL. Yes; they are. I will say for the gentleman's information that at a meeting held on Friday night in New York City the wages of these tailors were increased to the extent of $6 per week, and an agreement was made that there would be a further increase of $5 on the 1st of December.

Mr. WINGO. I know it was stated publicly since I became a Member of Congress, and I asked a tailor in Washington to verify it at that time. That was before the war. It was stated then that the minimum union scale of wages for tailoring was $5.

Mr. SIEGEL. I will say to the gentleman that the gentleman who gave him the information——

Mr. WINGO. That was a public statement. I did not believe it, and I asked a tailor in Washington, who told me that it was true.

Mr. SIEGEL. Oh, many people in Washington have always been in the habit of asking somebody to pass it out to them from time immemorial.

Mr. BARBOUR. Mr. Speaker, will the gentleman inform the House what percentage of profit the retailer has added on to the cost of manufacture in 1919, as compared with the percentage of profit added on to the cost of manufacture in 1917 and 1918?

Mr. SIEGEL. An overcoat manufactured for $22.62 up to last week will be sold at retail for between $50 and $60.

Mr. BARBOUR. Who gets the profit?

Mr. SIEGEL. There are three people getting it.

Mr. BARBOUR. In the neck.

Mr. SIEGEL. Three people are getting the profit.

Mr. BARBOUR. Oh, I thought the gentleman said "we people."

Mr. SIEGEL. I admit that we people are getting it in the neck as a rule.

Mr. WINGO. I understood the gentleman to be giving the cost of hand tailoring.

Mr. SIEGEL. Oh, no; this is the cost of manufacturing.

Mr. WINGO. Oh, that is different.

Mr. BARBOUR. Has the gentleman made any investigation as to the percentage of profit made by the retailers in clothing lines? I assume he made some investigation along the manufacturing line.

Mr. SIEGEL. The gentleman will find that the profit is at least 50 per cent, and in many cases 100 per cent, from the manufacturer through the jobber and retailer to the consumer.

Mr. BARBOUR. Is it not a fact that the retailer has added a much higher percentage of profit on the cost of manufacture in 1919 than he did in 1917 and 1918?

Mr. SIEGEL. He has to do it, because he is confronted with a complicated situation. The people demand the latest styles, and if the style of a garment is a few months old it will not be sold unless sold at a big sacrifice. Then he is confronted with the question of overhead charges in whatever place he happens to have his place of business, depending upon locality, and so forth.

Mr. EMERSON. Does not the gentleman think we ought to include clothing and food products in this resolution?

Mr. SIEGEL. Personally, I feel that if an investigation can be made quickly and results obtained quickly they should be included; but I have no particular faith in investigations merely as investigations. Personally, I think that a bill which I offered—some call it a drastic bill—providing that the cost price of each article be stamped on the article from the manufacturer and jobber and wholesaler down to the retailer, if passed, probably will correct the situation more promptly than would a lot of investigations at big expense. I have sufficient faith in the American people to believe that they are always ready and willing to allow every merchant a fair profit.

Mr. ESCH. Will the gentleman yield?

Mr. SIEGEL. Certainly I do.

Mr. ESCH. The bill that the gentleman introduced does not limit the operations to interstate commerce. What authority has Congress got over that subject matter unless it enters into interstate commerce?

Mr. SIEGEL. I assume that if we have authority to tax them in order to get a license, incidentally, too, we have authority to require them to state thereon the price of the article. We have exercised that power when we passed the drug act and the pure-food act.

Mr. EMERSON. I would say I would be in favor of the gentleman's bill if it was before the House; but this happens to be the only one that is before the House.

Mr. SIEGEL. This will only give an investigation, and that investigation will last a year or two. I want results, not more talk.

Mr. EMERSON. We can limit them.

Mr. GOLDFOGLE. There is no time set in this resolution, and it will drag along and we will probably be in the same bad situation. However, I trust that the resolution as amended will pass.

Mr. KING. Will the gentleman yield?

Mr. SIEGEL. I do.

Mr. KING. The gentleman is an authority upon matters of this kind, and I would like to ask him if he does not think it would be a good plan for awhile to open up some of the Army commissaries for the sale of shoes and other articles to the people? I notice the price of blankets has been reduced by Goldstein up here from $1.50 to $2 after the sale here by the Government the other day.

Mr. SIEGEL. Yes; and I would like to see the Government commence to sell direct to the consumer every one of the articles in its possession throughout the whole country, and then you will see an immediate reduction in the prices.

Mr. REAVIS. Will the gentleman yield?

Mr. SIEGEL. I do.

Mr. REAVIS. Does the gentleman think this Government can consistently proceed against an individual or a firm for hoarding when we have been hoarding for nine months since the armistice was declared great food supplies, clothing, blankets, shoes, and so forth?

Mr. SIEGEL. I will answer the gentleman by saying that what occurred in the past is forgotten history. What we are confronted with at the present time is this, that the people of this country demand relief, and we have got to give them that relief swiftly. I do not contend for a moment that the Government's policy of a few months ago of meeting large manufacturers of foodstuffs privately and agreeing at that time to withhold those foodstuffs from the markets was an ideal thing for the average American citizen. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. SIEGEL. I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore (Mr. GREEN of Iowa). The gentleman from New York asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. HUDDLESTON. Mr. Speaker——

The SPEAKER pro tempore. The gentleman from Alabama.

Mr. HUDDLESTON. Mr. Speaker, I wish to address myself to this resolution, particularly to the matter of freight rates and the basis of the freight rates, which enter into the cost of shoes as well as all the other necessaries of life. I will not have time

to do it in the few minutes which I desire to consume at this time, so I ask leave to extend my remarks.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. HUDDLESTON. Mr. Speaker, an important element of the cost of shoes and all other necessaries of life is the transportation cost. We have got, first, the cost of transporting cattle from the farm to the packing house, or when they are not carried directly from the farm to the packing house, the transporting of the cattle from the ranches where they are grazed to the feeding farms and from thence to the packing house. Then, when the cattle are butchered, we have the transporting of the hides to the tanner, and when the tanner gets through with them, then the transporting of the leather to the shoe manufacturer, and then of the shoes to the jobber and from the jobber to the retailer. So that the cost of transportation affects largely the cost of shoes, as well as of other necessaries, three or four times between the beginning of the raw material and the man who actually uses the shoes. No more important question is now before the American people than the settlement of the railroad question, which is now being considered by the House Committee on Interstate and Foreign Commerce.

Mr. Speaker, the entire country was greatly shocked last week by the sensational charges made by the representatives of the railroad employees of gigantic frauds perpetrated in the capitalization of our railroads. The charges voiced by Mr. Plumb, attorney for the railway labor organizations, were so sensational and far-reaching as to cause amazement from one end of the Nation to the other.

The charges made against the railroads involve not merely fraudulent capitalization but almost every form of common stealing. It was charged that not only has the capital of railroads been ballooned by false issues of stock and securities, but the railroads have been robbed of their assets through every form of big and little graft.

This is a matter of momentous concern to the people. Upon the capitalization of railroads are the people required to pay a "fair return" through transportation charges. Every dollar of fraudulent addition to railroad assets or debts means that a tax through rates must be levied upon the people to make that dollar good. Every dollar stolen from the railroads is a dollar stolen from the people of the United States.

The charges made against the railroads have the greatest significance, especially at this time, when the railroad owners are seeking to have Congress validate their capitalization and their debts by legislation. They are demanding of Congress a guaranty of an income upon their capital and debts. If Congress yields to their demands, the burden of all the frauds and stealing will be securely placed upon the shoulders of the people. There will be no hope for them to unload it in future. This is the big stake that the railroads are playing for. This is why they have carried on the most expensive propaganda in the history of our Nation, why they have bought newspapers and have poisoned all the springs of public information.

If the charges made by the labor representatives are true, Congress and the country ought to know it. If they are false, the welfare of the railroads themselves demands that they should be exposed. Congress can not legislate intelligently upon the railroad question without fuller knowledge on these subjects. If the charges are true, Congress must legislate having that fact before it. If they are false, we must shape our action accordingly.

For these reasons it is of the highest importance that a thorough investigation of the charges be made at once. The investigation must be made before any action is taken by Congress upon the pending railroad measures. We must either turn back the railroads to their owners without attempting to deal with the railroad question in any permanent way—turn the railroads back as near as may be as we received them—or we must know the facts upon these charges. It will be the greatest blunder in the history of Congress if we attempt to legislate upon the railroad issue without knowledge of the truth of these charges.

Now, I am not disposed to treat these charges lightly. We have been hearing rumors of these frauds for many years. Suspicion of dishonesty in connection with railroad management exists very generally in the minds of the people. Besides this is the fact that representatives of over 2,000,000 railroad employees, comprising some of the most conservative labor organizations in the world, have made the charges. These labor officials assert that the charges are true. They are demanding an investigation of them. Representing more than 2,000,000 citizens of our country, come these charges and this demand for an investigation. More than one-tenth of the entire population of the United States may be said to be back of these charges. The people back of them are railroad employees, many of whom have an inside knowledge of the facts. Outside of the railroad managers no class of our citizens has so much knowledge of this subject. The charges, therefore, are to be taken with the greatest seriousness. They are worthy of the attention of Congress. We can not afford to do less than give the full investigation which is demanded.

Mr. Speaker, the 4 railway brotherhoods and 10 affiliated railway labor organizations of the American Federation of Labor, who prefer these charges, have for the last 25 years been recognized as the most conservative and responsible labor unions of America. They declare that they are "prepared during the investigation which we invoke to substantiate each and every one of these charges." They charge the fraudulent doubling of the property investment accounts of the railways above their cost of reproduction, new; and that the railway executives are conspiring through banking houses and interlocking directorates and the United States Chamber of Commerce to fasten this fraudulent capitalization upon the public as a legal basis for taxing the transportation of goods. They specify hundreds of millions of stock bonuses representing not one dollar of investment in the public highways on which, nevertheless, the railroads ask the public to pay dividends. They specify millions of acres of lands given by State and Federal Governments to the railroads that go to swell their investment accounts on which returns are demanded; they charge hundreds of millions of excessive earnings above dividend requirements, plowed into the properties and made the basis for rate exactions.

They charge that President Underwood, of the Erie Railroad, states that pay rolls of employees have been enormously padded by the Railroad Administration, and that if this has been done it has been by collusion of railway managers, at the instance of Wall Street, in order to make it appear that Government control is wasteful and extravagant.

They charge that by like collusion immense quantities of railway supplies have been bought beyond present needs and at Government expense under war prices in order that these supplies may be used when the roads go back to private control.

If these charges so responsibly made are true, then there is a barefaced attempt to defraud the American public of billions of dollars at a time when they are staggering under the burden of living costs. It would be a disgrace to Congress if this demand for an orderly and lawful investigation should be denied or smothered in committee. The railway labor organizations declare that the evidence which they will adduce bears directly on legislation involving the possible return of the railroads to the alleged looters and plunderers of the public highways. If, as they say, they have in their hands the evidence of such gigantic plundering and looting, or can point out where it can be obtained, what reasonable objection can be raised to granting an investigation?

Mr. Speaker, we can not properly refuse the lawful requests of labor leaders who seek a constitutional means of allaying the unrest that is rising to the danger point. The moment the millions of men of the labor organizations become convinced that Congress will not heed the reasonable requests of their leaders, we may look out for trouble. The moment the people of the country become convinced that an attempt is being made—mind, I am not charging that such an attempt is being made, but I urge upon this House speedy action—the moment they think they see an attempt to smother or delay investigation into charges of such magnitude and gravity, then forces will be let loose in this Republic that might eventually become ungovernable. The warning of the leaders of the American railway labor movement should not be lightly disregarded. They have been repeatedly uttered, accompanied by these charges. Shall we ignore them now?

Mr. DENISON. Mr. Speaker, I was going to express surprise that the gentleman from Alabama [Mr. HUDDLESTON], coming from a great industrial center, as he does, from Birmingham, should state that the people of this country were shocked by these charges. Charges similar to these have been made in this country for the last 5 or 10 years, and there is not anything new about them. I was going to state that the Interstate Commerce Commission has been investigating that question for five years.

Mr. HUDDLESTON. Mr. Speaker, we have been hearing vague rumors of these matters for years. They have been charged in newspapers and elsewhere, but nobody heretofore has come forward and said, "I make that charge; I have the proofs; I demand an investigation; I offer to prove what I say." For the first time in the history of this question in this country have we a responsible body of men coming forward and saying, "We stand ready to prove the truth of these charges."

Meanwhile the representatives of the employees continue to reiterate their far-reaching charges. Only to-day their attorney and spokesman, Mr. Plumb, wrote the chairman of the committee a letter formally repeating the charges and demanding an investigation of them. I extend this letter in the RECORD, as follows:

WASHINGTON, D. C., *August 18, 1919.*

Hon. JOHN J. ESCH,
Chairman Committee on Interstate and Foreign Commerce, House of Representatives.

DEAR MR. CHAIRMAN: My attention is called to a report in the Washington Post to the effect that you intend to confer with officials of the Interstate Commerce Commission in order to learn whether it will be practicable for that body to conduct the investigation of railroad financiering which I have requested on behalf of the organized railway employees of America.

May I say, with reference to this report and with reference to your questions of like purport put to me when I preferred the charges of the railway brotherhoods and their 10 affiliated railway labor organizations of the American Federation of Labor, that I fear you have missed the intent which actuated the preferment of those charges at this time. The investigation should be made and reported upon before Congress acts.

Congress needs enlightenment. If a political conspiracy exists, as responsibly charged by labor organizations generally acknowledged to be the most conservative in America, to seek validation by Congress of billions of fictitious railroad securities, prompt investigation is needed by a committee of the House or Senate, or preferably by a joint committee of both Houses, of evidence which we are prepared to make available. Congress has now the railroad problem before it. Neither Congress nor the American people can pass intelligently upon this problem without the information which we have and are prepared to submit.

Now, if Congress wishes to designate the Interstate Commerce Commission as the instrument of the investigation demanded, well and good. But it should be expressly provided that the investigation be prompt, in order that the report of the commission upon the catalogue of charges may be placed before Congress and the public before the enactment of any measure looking to the restoration of the railroads to hands which we denounce as unclean.

With all deference to you and to the great committee of the House on Interstate and Foreign Commerce, of which you are the honored chairman, permit me to reiterate these charges, which have been made with the utmost deliberation and care, with a full sense of their gravity, and sustained by the weighty and conservative forces of American labor unions with the offer at once to substantiate each and every of them:

We charge that the railroads of the United States seek of Congress legalization of a fraudulent property investment account, fraudulent by billions of dollars and built up in violation of the constitutions of the separate States and of the United States. On the basis of these fraudulent billions they seek to fasten, through act of Congress, a charge upon the cost of living of the entire Nation by exacting a return of at least 6 per cent from excessive transportation rates.

We charge that the men who are pushing this conspiracy through the United States Chamber of Commerce and other bodies are controlled in whole or in part by the Morgan interests, the Rockefeller interests, and the Gould interests. Through the interlocking directorates of banks and trust companies these three financial groups control the 254,000 miles of railway of the United States. We will submit complete charts showing these interlocking directorates and financial interests in their relation to the railroads.

We charge that the five railway valuations first completed and published by the Interstate Commerce Commission show the aggregate property investment accounts of the railways named therein to be double their estimated actual cost of reproduction, new. We charge that, so far as the valuation division of the Interstate Commerce Commission has valued railroads, after nearly completing its survey of the entire transportation area of the United States, this ratio of double the estimated actual cost of reconstruction, new, holds constant with respect to the aggregate property investment account as submitted by the railroads. It is upon this fraudulent investment account which the United States Chamber of Commerce and the financial interests behind it ask Congress to compel the American people to pay over 6 per cent in yearly returns.

We charge that wherever the Valuation Division of the Interstate Commerce Commission has found the investment account, as stated by the carrier, equal to its estimated cost of reproduction, new, it is due to surplus and excessive earnings after ample dividends have been declared to stockholders and bondholders, and that these excessive earnings extorted from the public have been ploughed into the property and made the basis for corresponding and unwarranted transportation charges.

We demand investigation of the statement made by President Underwood, of the Erie Railroad—and, since these charges were made, reaffirmed by him—that the railroad employment pay rolls have been padded under Government control in order to build a political machine. We charge that if it is found that the pay rolls have been so padded, the railway managers have padded them to make the expense account under Government control seem extravagant and wasteful.

We charge that when the Government took control it found the railroads systematically starved in the interest of the financial groups named. It found their roadbeds and rolling stock depleted. It spent hundreds of millions of dollars to put them in condition. We charge that managers under the control of these financial groups have diverted vast sums of the Government's money for upkeep and supplies, not only for present needs, but anticipating the long future after the railroads should be returned to their private looters and despoilers. They have piled up these supplies for a long period of operation ahead, paid for out of the people's money at exorbitant war prices.

We charge that the Interstate Commerce Commission was six years ago directed by Congress, in the provisions of the valuation act, to find and report upon the value of all aids, gifts, and grants made to railway corporations, the value of those grants at the time made, and the value of the portions of the grants still in the possession of the carriers at the time of valuation. This work has not been done.

We charge that an area of land larger than the combined areas of the New England States, New York, Delaware, New Jersey, Pennsylvania, Maryland, Ohio, Indiana, and Illinois has been given by the United States and by State governments to the railroads without compensation and in order to help them build the Nation's highways. We charge that of these grants, making allowance for the 115,000,000 acres patented and the 35,000,000 acres forfeited prior to June 30, 1910, the greater part of over 40,000,000 acres remains available. The values of these grants have been sequestered by railway promoters or capitalized as part of the book values of the railway properties on which the railroad corporations directed by the financial groups named herein now ask Congress to permit them to extort fraudulent returns from the public.

We charge that the property investment accounts of the railroads have been fraudulently doubled above their estimated cost of reproduction, new, by such means as these: The $250,000,000 in bonuses given away to their stockholders from 1900 to 1910 by the Chicago, Burlington & Quincy Railroad; by the Chicago, Milwaukee & St. Paul; the Chicago & North Western; the Great Northern; the Illinois Central; and the Southern Pacific. On this $250,000,000 of excess capital in 1913 alone the public was compelled to pay more than $11,000,000. The public had to pay in that year $4,317,000 on stock fraudulently issued by eight eastern railroads during 1900 to 1910 for $101,000,000 less than the market value. During the same period 18 representative railroads running through all parts of the country gave away stock bonuses aggregating $450,000,000. On these the public has had to pay—now pays.

We wish gravely and responsibly to point out that these gigantic frauds, of which we have given only instances, now work to overburden the people with charges on their cost of living.

We wish to show that the people have given gifts to the railroads, and that the railroads are taxing them upon those gifts for the sake of their private owners. We wish to show that they have perpetrated fraud after fraud upon the public, looted the vast railroad systems of the Nation, and that they now bring the record of their loot and plunder to Congress, saying: "Make it lawful and let us exact a toll of 6 per cent upon these billions that we have filched. That will restore our credit."

They ask further that the livelihood of over 2,000,000 railway employees and their families shall be placed again at their tender mercies. Lawless and irresponsible, they accuse the responsible leaders of the American labor movement of attempting to foment revolution. Instead, we show that we are law-abiding. We appeal to the people, to Congress, and the courts. We ask that the constitution of the States and of the United States be vindicated. We ask for an immediate and peaceable hearing of our charges, responsibly made.

You will recall the earnest warning uttered to your committee by Mr. Garretson, in which he said that it is largely within the power of Congress to allay the unrest which is taxing to the utmost the energies of the labor leaders to restrain. In this law-abiding course we ask your aid. We ask that our charges be respected and heeded, that this hearing be had, that the investigation prayed for be made, and that a report upon the findings be laid before Congress before it acts to restore the veins and arteries of the Nation to the private financial groups that have drained them of their life-giving properties.

Very sincerely, yours,

GLENN E. PLUMB,
Counsel for the Organized Railway Employees of America.

Now, Mr. Speaker, I have introduced a resolution asking for an investigation of these charges. It has been referred to the Committee on Rules. The resolution provides for the appointment of an investigating committee. I think that is the way to get at this matter. It will not answer to refer it to the Interstate Commerce Commission. They have been dealing with various aspects of this question and have some facts, it is true, but they have not had this identical question put upon them, decision has not been asked of them, and many of its aspects are beyond the scope of the investigation that they could carry on. The commission is loaded down with work; it is not possible for them to make promptly an investigation, as it ought to be made. The work should be carried forward by a committee of the House, as it seems to me. The full facts should be brought out before the Committee on Interstate and Foreign Commerce reports on the measures proposed by the railroads, which would validate their securities and make good the capitalization and debts of these great corporations. We ought to know the true facts before it is put out of the power of the people to ever get relief from such a situation. This is not an issue in which merely the railroad companies and the employees are concerned; it concerns the whole people of the United States. They should not be required during all the years of the future to pay tribute to the railroads upon a fictitious capitalization.

Mr. EMERSON. This being the only resolution before the House to take up this matter, does not the gentleman think we should pass this and include in it food and clothing, as well as shoes?

Mr. HUDDLESTON. If the gentleman refers to the particular resolution before the House now, I think it should be adopted. But I say to the gentleman that we ought also to go into the question of transportation and the capitalization of the railroads, which will form the basis of freight and passenger charges in future. That question will remain with us long after we get through with the present acute stage of the cost of living.

Mr. EMERSON. I suggest to the gentleman that could be done in conjunction with the legislation as to the high cost of living.

Mr. HUDDLESTON. Not at all. To tack on the railroad investigation to the investigation of shoe prices will simply load the latter down, delay action which should be immediate, and perhaps in the end defeat the very purpose we are trying to accomplish.

For information of the House I attach my resolution calling for an investigation of the charges made by the representatives of the railroad employees, House resolution 243:

House resolution 243.

Whereas sensational charges have been made before the Committee on Interstate and Foreign Commerce by the responsible representatives of 2,200,000 railroad employees, that the railroads of the United States are now seeking to validate billions of fraudulent capitalization, thereby burdening the American people in their cost of living with unjust and oppressive charges for transportation; and

Whereas if this gigantic fraud has been perpetrated the American people are entitled to know it and the full extent thereof: Now, therefore, be it

Resolved, That the Speaker of the House of Representatives be, and he is hereby, directed and empowered to appoint a committee of six Representatives in Congress, which committee shall be charged with the duty to investigate and ascertain and report upon the truth of said charges, to wit:

1. Whether it is true, as charged, that the railroads have fraudulently issued vast sums in securities in excess of the consideration paid therefor, and, if so, the extent of such usurpation.

2. Whether it is true, as charged, that such railroads have expended on their properties out of excess earnings large amounts received by them as payment for such service, and, if so, to what extent and amount, and how far such expenditures are now represented in their investment accounts.

3. Whether it is true, as charged, that gifts, grants, aids, and donations of great value made to said corporations in aid of the construction of their railways have been appropriated to the private benefit of promoters or capitalized against the public in property investment accounts, and, if so, to what extent.

4. Whether it is true, as charged, that the pay rolls of the railroads while under Government control have been padded for political purposes, and, if so, on whose responsibility such expenditures have been made and the extent thereof.

5. Whether it is true, as charged, that while under Government control the managers of the railroads have spent large and unnecessary sums for the maintenance and renewals of their properties, and for overcoming past depreciation, and, if so, to what extent, and on whom rests the responsibility therefor.

SEC. 2. That for the purpose of said inquiry the said committee shall have power to send for persons and papers, administer oaths and affirmations, take testimony, to sit during the sessions of the House or during any recess of the House, and may hold its sessions at such places as the committee may determine. Said committee shall have the right at any time to report to the House in one or more reports the result of its inquiries, with such recommendations as it may deem advisable. The Speaker is hereby empowered to issue subpœnas upon the request of the chairman of said committee at any time, and during any recess of the House throughout the inquiry of the committee, and the Sergeant at Arms is hereby empowered and directed to serve all subpœnas and other process transmitted to him by said committee. Said committee is hereby authorized to employ such attorneys, counsel, auditors, statisticians, investigators, clerks, and other agents as it may deem fit for the purposes of such investigation.

SEC. 3. That the sum of $100,000 is hereby appropriated to carry out the provisions of this resolution.

The SPEAKER pro tempore. The gentleman from Michigan [Mr. FORDNEY] is recognized.

Mr. FORDNEY. Mr. Speaker and gentlemen, I will occupy but very little time, and I wish to say to the House that for Congress to investigate the high cost of living and to reduce the high cost of living quickly is a very difficult problem, one not so easy as it may appear to be on the surface. In the first place, prices are always high when there is a shortage of supply. When the demand is greater than the supply you may look for high prices.

I am old enough to remember the Civil War. And after that war the prices were very high for some years. I can remember that flour sold at $30 a barrel in the United States and sugar at 50 cents a pound. It is not quite that high now. Meat is selling at a very high price.

Mr. CLARK of Missouri. Will the gentleman yield?

Mr. FORDNEY. Yes, sir.

Mr. CLARK of Missouri. Well, the circulating medium in this country at that time was only about 40 or 50 or 60 cents on the dollar, was it not?

Mr. FORDNEY. Yes; that is right—paper money, greenbacks, worth about 50 cents on the dollar.

Mr. CLARK of Missouri. And every dollar in the United States is a dollar now.

Mr. MADDEN. Mr. Speaker, I want to say in reply to the gentleman from Missouri that there is not a dollar in the United States that is worth a hundred cents on the dollar.

Mr. CLARK of Missouri. When?

Mr. MADDEN. Now.

Mr. CLARK of Missouri. What is it worth?

Mr. MADDEN. About 48 cents. That is the purchasing power of the dollar.

Mr. CLARK of Missouri. It is no such case as it was after the Civil War.

Mr. MADDEN. If the gentleman will permit me, of course we have already expanded the currency about $13,000,000,000 by making loans to people who had to buy Government bonds and who had not any money otherwise with which to buy them.

The banks and the Government encouraged these people to buy. More than 90 per cent of the 30,000,000 people who bought bonds did not have a dollar with which to pay. The banks had to loan to them. The banks did not have the money to loan them. They had to take these bonds and put them up as collateral security with their own notes and get them rediscounted by the Federal reserve banks. The Federal reserve banks did not have any money to loan, and they had to issue Federal reserve note currency—$13,000,000,000 of expansion.

Mr. WINGO. The gentleman does not mean to say that there has been issued $13,000,000,000 of Federal reserve notes?

Mr. MADDEN. I mean there has been that expansion by loans.

Mr. WINGO. You mean of credits?

Mr. MADDEN. Yes; of credits. It has reduced the purchasing power of the dollar to-day to 48 cents, notwithstanding what the gentleman from Missouri [Mr. CLARK] says.

Mr. CLARK of Missouri. I do not want to use up the time of the gentleman from Michigan, but——

Mr. MADDEN. The gentleman can get all the time he wants.

Mr. CLARK of Missouri. But the gentleman from Illinois [Mr. MADDEN] is clearly off his box.

Mr. MADDEN. I do not think so.

Mr. CLARK of Missouri. The proposition that the gentleman from Michigan [Mr. FORDNEY] was talking about was paper money.

Mr. MADDEN. This is paper money.

Mr. CLARK of Missouri. After the Civil War a dollar of paper money was worth somewhere from 40 cents to 60 cents. Now a paper dollar is worth just as much as the gold dollar.

Mr. MADDEN. We had no gold or silver in circulation at that time.

Mr. CLARK of Missouri. If the gold dollar is not the standard now, what is it?

Mr. MADDEN. The gold dollar is the standard, but it is not circulating. It is the Federal reserve notes that are in circulation.

Mr. CLARK of Missouri. The Federal reserve note is just as good as the dollar. If you think it is not, go down and try it. The truth about the whole thing is that the whole world is on a paper basis.

Mr. MADDEN. Yes; the whole world is on a paper basis, and the gentleman is mistaken when he says that we are on a better basis than any other country in the world.

Mr. CLARK of Missouri. I never said a word to that effect.

Mr. FORDNEY. If the gentlemen will permit me, I will say that there is a shortage of supply in this country at the present time. I have a statement here issued by the Department of Commerce a few days ago, to which I wish to call the attention of gentlemen, as to the exports of food supply. In the first place let me say that for four and one-half years the whole world has been engaged in destroying human life and property, and not producing food articles or anything else of use, producing nothing but distress and misery, and there is a shortage of supply all over the world, and a great demand for these articles right now. But in the last 12 months ending with June we exported, in round numbers, $1,000,000,000 worth of breadstuffs and nearly $1,250,000,000 worth of meat. Had we been able to keep that supply at home, our people would now have plenty to supply all demands at home. But there is a shortage at home and abroad, which adds very much to the cost of living all over the world.

But to talk about Congress right now quickly reducing the cost of living without reducing the cost of production is demagogy. It does not mean anything else. [Applause.] It can not be done. How can we increase the cost of production and at the same time lower the cost of the things produced by that man's labor? It is silly to talk about it. Gentlemen, the cost of production the world over is inflated—on the crest of the wave at the present time. Everything that enters into the cost of production is high, and labor is at least 90 per cent of the cost of the production of anything that we produce, either upon the farm or in the factory. If we increase men's pay can we at the same time lower the cost of living? No sensible, sane business man will make that statement and mean what he says.

I notice that this resolution strikes out sugar. Let me say to the gentlemen of the House that the Food Administration at about the beginning of this year, in January, entered into an agreement with Cuban sugar producers to the effect that our Government would purchase all the sugar produced for export by Cuba. I have a copy of that contract. An upset price was set forth in that contract at which our Government would take that sugar f. o. b. Habana or f. o. b. New York, duty paid. In addition to that the Food Administration entered into a contract with the sugar refiners of this country to the effect that the refiners would take that sugar from the Government of the United States, through the Food Administration, at a certain price, and the Food Administration, under powers vested in them, fixed the

wholesale price not only of that sugar but sugar produced in this country from beets and cane at $8.65 per 100 pounds.

That is the law now in force and enforceable by the Food Administration. The price has been fixed at $10 per ton for sugar beets to the beet-sugar manufacturers of this country, and they are paying that price for the farmer's crop to-day for all the beets produced in this country, and to the manufacturers the price of sugar was fixed by the Food Administration at $8.65 per 100 pounds.

The thing to investigate is what are the retailers selling that sugar for, and what are their profits, and whether it is an unreasonable profit. The manufacturer is completely bound by these contracts and under the supervision of the Food Administration, and therefore it was wise to strike sugar from this resolution, because nothing can be done or should be done there, because the Government now controls the manufacturer's price absolutely.

If you will take into consideration these questions, the cost of production and the amount of those articles that we are exporting to other parts of the world, you will find that no great bugaboo is going to be found in this investigation, though some men may think there will be.

It is true, undoubtedly, that profiteers have gone beyond that which is reasonable and are exacting from the people more profits than they should, but in every instance it will be found that the cost of production is high. I have just returned from my home State, Michigan, and while there I made inquiry and found that farm labor is receiving board and washing and $60 a month. Do you believe that the farmer can produce food cheaply and sell it at a low price when it is costing him a high price to produce it? No; if there is profiteering, it is in the cold storages and in the high prices exacted by the wholesalers, middlemen, and retailers, in my opinion. I do not believe the farmers to-day are getting any more than a fair price for their farm products. Investigation might show it; but let us go at this matter sanely. Let men be sensible. Let them be reasonable. Let them investigate and find where the trouble is and there remedy the trouble. I was talking to a barber the other day. He said that we ought to lower the cost of living. When I asked him if he thought it could be done without lowering the cost of production, he said it could. I said, "My friend, you now are working how many hours a day?" He said, "Ten hours." "You are shaving men at 20 cents and cutting hair for 40 cents?" He replied, "Yes." I asked him, "Can you reduce your working hours to six hours a day and reduce the price you get for shaving to 10 or 15 cents and increase your income? If so, tell me how you are going to do it." He said he did not think it was a fair illustration. I said, "Sir, you know more about your own business than you know about anybody else's business. How can you shorten your hours of labor and lower the price of your product and increase your income at the same time?" Oh, gentlemen, it is silly to talk about lowering the cost of living without first lowering the cost of production.

Mr. REAVIS. Will the gentleman yield?

Mr. FORDNEY. I yield to the gentleman from Nebraska.

Mr. REAVIS. The high cost of living is merely the result of several contributing causes.

Mr. FORDNEY. Many contributing causes.

Mr. REAVIS. And the only way to reduce it is to reduce the cause.

Mr. FORDNEY. Yes; absolutely.

Mr. REAVIS. One contributing cause is the cost of production.

Mr. FORDNEY. Yes.

Mr. REAVIS. We understand from the press that the President is considering the raising of the wages of railroad labor to reduce the high cost of living. Do you know how you can decrease the result by increasing the cause which produces that result?

Mr. FORDNEY. I said a few moments ago that any man who advocated such a thing was a demagogue, and I have nothing to take back on that subject.

Mr. FITZGERALD. Will the gentleman yield?

Mr. FORDNEY. I yield to the gentleman from Massachusetts.

Mr. FITZGERALD. The United Fruit Co., which has headquarters in Boston, New York, and other big cities, according to its own statement is making 40 per cent; that is, $40 on every $100 of capital invested. Its profits have been so huge in the last few years that it has paid off millions of dollars of bonded indebtedness which would not ordinarily expire for years. In fact, the other day that company called in bonds because its profits were so huge. That company is now charging from $5.75 to $6.50 for bananas that before the war were sold for from $1.75 to $3 per hundred. It was a common thing in the big cities of the country to find bananas, which are a food as well as a fruit, selling for from 15 to 20 cents a dozen, and now they are 40 to 50 cents a dozen. This company practically controls this particular trade, and I want to ask the gentleman, in all fairness, if he does not think that 40 per cent profit in these times is an unconscionable profit?

Mr. FORDNEY. Let me say to the gentleman from Massachusetts that under existing law the administration has power under war legislation to regulate those things.

Mr. FITZGERALD. I hope that is so.

Mr. FORDNEY. We passed these laws and they remain upon our statute books until we receive notice from the President that peace has been declared between our Government and the Government of Germany. No such notice has been given by our President. Therefore this power rests in the administration.

What is the Department of Justice doing to correct the very thing that the gentleman is complaining about? The power rests there. It is not necessary for Congress to go any further than it has gone in the way of giving the Government greater power, because we have given them all the power they need, all that we can give them. Why are they not correcting these injustices now?

Mr. FITZGERALD. Mr. Speaker, I just wanted to bring out the point that the gentleman was developing here, that there are some big interests in the country to-day—and I name the United Fruit Co. as one—that are getting unconscionable profits from the people. If the Department of Justice has the power and has not exercised it, then the responsibility rests with that department; it does not make any difference what administration it is.

Mr. FORDNEY. If they have not the power under existing laws, which are war measures, they should come to Congress and ask for that power.

Mr. FITZGERALD. I agree to that.

Mr. FORDNEY. Because under such circumstances, if that corporation or any other great corporation or set of individuals in the country is exacting too much profit from the people, that condition ought to be corrected, and the power rests in the administration, or it can be given by the Congress of the United States, if asked for.

Mr. DENISON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DENISON. I understand the resolution has been read and is now being read for amendment.

The SPEAKER. Amendments are in order.

Mr. DENISON. When do we vote upon these various amendments that have been offered?

The SPEAKER. At any time when debate is finished.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. DENISON. In just a moment. How much time is there? Is the time unlimited?

The SPEAKER. Yes.

Mr. CLARK of Missouri. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Missouri. Under what rule are we proceeding? Who has charge of the time, and how much time is there?

The SPEAKER. There is no limit to the time. We are proceeding under the general rules of the House.

Mr. CLARK of Missouri. And every man who gets recognition is entitled to an hour?

The SPEAKER. Yes.

Mr. MONDELL. Mr. Speaker, I rise in opposition to the amendment of the gentleman from Ohio.

The SPEAKER. The Chair recognizes the gentleman from Wyoming.

Mr. EMERSON. Mr. Speaker, I would like to speak in opposition to the amendment of the gentleman from Michigan.

The SPEAKER. The gentleman from Ohio has already spoken once. The Chair recognizes the gentleman from Wyoming.

Mr. CALDWELL. Mr. Speaker, when the Speaker was out of the chair a moment ago, temporarily, I asked the then occupant of the chair for recognition when the gentleman from Michigan [Mr. FORDNEY] had finished. The then occupant of the chair said that he would recognize me. Of course, if the gentleman from Wyoming [Mr. MONDELL] wants to speak, I shall gladly give way to him, but I would like to be recognized after that.

The SPEAKER. Does the gentleman from Wyoming prefer to speak now or after the gentleman from New York?

Mr. MONDELL. That depends upon how long the gentleman from New York intends to occupy the floor.

Mr. CALDWELL. For only a few moments.

Mr. MONDELL. I merely want to move the previous question.

The SPEAKER. The Chair would like to carry out the agreement made by the former occupant of the chair.

Mr. MONDELL. Of course, I do not want to unduly limit debate, but I think we ought to get through some time with this discussion.

Mr. CALDWELL. I will not take more than 10 minutes.

Mr. MONDELL. I yield the gentleman five minutes.

Mr. CALDWELL. I would like to have 10 minutes. I do not think I will take more than five.

Mr. MONDELL. I yield the gentleman five minutes, and if he needs more I shall yield more.

[Mr. CALDWELL addressed the House. See Appendix.]

Mr. MONDELL. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. IGOE].

Mr. IGOE. Mr. Speaker, this resolution was introduced at a time when it was thought the House was going to take a recess, and so it was framed that it would have the Federal Trade Commission make a report on one commodity by the time we returned from the proposed recess. Other items were included, and the resolution was framed as to them so that the report might be made at a subsequent time. After the resolution was referred to the committee, in consultation with some members of the committee, it was thought that in order to get quick action it would be better to confine it to one commodity, and that one was shoes, the first one mentioned in the resolution. That suggestion was acceptable to me, although I would like to have an investigation of all of these matters. But the prime purpose of the resolution is to secure promptly for Congress the facts in the case, and if it is to be of any benefit at all, either to Congress or the country, those facts must be ascertained promptly, so that if legislation is needed we can legislate; and if legislation can not reach the evils, then, at least, let the country know that Congress is helpless or that nothing can be done in the way of legislation to correct the situation.

Mr. EMERSON. Will the gentleman yield?

Mr. IGOE. Yes.

Mr. EMERSON. If a preference is to be given to any commodity that is to be investigated right now does not the gentleman think food should be given that preference?

Mr. IGOE. My personal preference would be food. But let me say to the gentleman by taking the whole subject of food it would take a long time to reach that. What item of food would you have them undertake to investigate?

Mr. EMERSON. The same principle that increases the cost of potatoes, apples, meats, cheese, and eggs increases the cost of other articles. Is not that true? Is it not a matter of principle? All foods are up, and the same reason that would make meat high would make cheese and eggs high.

Mr. IGOE. Not necessarily. If there are business practices that can be reached by law we can reach them through this particular item. Now, let me say to the gentleman and the House that when the Federal Trade Commission subsequently made this report on shoes I went to the Trade Commission, after it was impossible to get this resolution immediately considered by the House, and discussed the report made. I have not seen the full report but the summary indicates that it has not been brought down fully to cover the last two years, the period I think it is essential to cover not only on shoes but these other commodities, and I was told that the commission has been ordered to investigate a number of things by the Senate, including agricultural implements and a half dozen other things, and that with the money now appropriated by Congress it would take possibly two years, with the small force that they have, to complete those investigations; that this investigation, bringing it down to date, would take probably five or six months, unless an additional appropriation was made by Congress, which would enable them to go at it quickly. Now, the Federal Trade Commission has asked for additional funds, and I suppose the Congress will be reasonable with them and give them a reasonable additional appropriation. But if this House ordered this investigation, with the facts already in hand regarding the manufacture of shoes, regarding the labor cost, and with a force which can be quickly put to work upon it, I see no reason why this report can not be back within five or six weeks, and then the country will know the facts, not as they existed a year and a half or two years ago, but they will know the facts as of to-day. And if Congress can legislate, if there are new laws that can be passed, then let us get to work, and I believe that the great benefit will be not only in regard to the price of shoes, but in regard to everything else, as the publicity that is given to the facts will in a way correct the other evils that now exist.

Mr. KNUTSON. Will the gentleman yield?

Mr. IGOE. I will.

Mr. KNUTSON. Does not the gentleman from Missouri think that the Sherman Antitrust Act and the Lever Act are sufficient to handle the situation that everyone is complaining about?

Mr. IGOE. I do not; and I will tell you why——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MONDELL. I yield to the gentleman three minutes more.

Mr. IGOE. I am not a political economist, and I am not prepared to give to the House all the reasons for high prices. I have heard about the inflation of the currency, and it is true that has something to do with it as far as I am able to figure. There is also a world's shortage of production; that is true. There is profiteering; that is true. But under the Sherman law you must prove combinations; you must prove restraints of trade, and where you have a shortage of production and a great demand they do not have to enter into combinations. They can exact almost any price until they reach that price where the man who needs an article has not the means whereby to purchase it. I have a resolution pending, I will say to the gentleman, which seeks to have this House, through the Ways and Means Committee, find out if it is true, as I believe it is, that the taxes that we have levied are being passed on. I have heard of instances, for example, where landlords have had to pay $10,000 additional taxes under our war-tax laws and which they paid on last year's income; but this year they passed them on to the man who pays the rent. I would like to see the revenue act amended so as to catch these people who pass these heavy taxes on down the line. The salaried man and wage earner can not pass on their taxes, and I am afraid the other people are passing their tax burdens on to the wage earners and salaried people by raising prices.

Mr. KNUTSON. Will the gentleman yield further?

Mr. IGOE. Yes.

Mr. KNUTSON. Where millions of dozens of eggs are held in cold storage and large quantities of meats and other foods and leather are piled up in warehouses to the value of millions of dollars, is that not in restraint of trade?

Mr. IGOE. No. You can——

Mr. KNUTSON. Under what authority are they proceeding against the so-called hoarders?

Mr. IGOE. Under the Lever Act.

Mr. KNUTSON. Why did not they proceed a year ago?

Mr. IGOE. I presume then they were then regulating it by the system of licenses. But the cry went up all over after the armistice was signed, and especially, I think, from the gentlemen on the Republican side, that the Government ought to let business alone, should let it be free. Now they are free and are going ahead and raising the prices all over.

Mr. KNUTSON. The gentleman is mistaken.

Mr. IGOE. I hope they will confine this resolution to one thing that we can get a report quickly on, and if the facts justify legislation let us legislate. At least, let the country know what the facts are. [Applause.]

Mr. CALDWELL. Mr. Speaker, I would like to ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. GOOD].

Mr. GOOD. Mr. Speaker, the appropriation for the work of the Federal Trade Commission is a lump sum in addition to that appropriated for the salaries of the commissioners, and amounts to $1,000,000 for the year. Only about $100,000 of that has been expended for the month of July. The Federal Trade Commission has already commenced work to investigate with regard to the matters of the high cost of living, and that investigation is confined not only to shoes but also embraces the other necessaries of life. But I want to call the attention of the House to the fact that this resolution is not worth the paper it is written on. It provides:

> That the Federal Trade Commission is hereby directed to inquire into the increase in the price of shoes, to ascertain the cause and necessity for the increase; to ascertain the manufacturers' cost price and selling price and the retailers' cost price and selling price for the years 1918 and 1919, and report to the House at the earliest convenient date the result of the investigation.

It will be noted that this resolution is a House resolution. When passed it is not an act of Congress. Now, what does the Federal Trade Commission law provide for in regard to in-

vestigations required by either House? Section 6 provides that the commission shall have power to investigate; that on the direction of the President or either House of Congress to investigate and report facts relating to any alleged violation of the antitrust act of any corporation the act gives the commission power to investigate on its own motion. Those powers are broad.

Mr. IGOE. Will the gentleman yield?

Mr. GOOD. Certainly.

Mr. IGOE. If the commission may of its own motion make an investigation, it can make this?

Mr. GOOD. It can of its own motion, and it is doing it of its own motion. It is making an investigation on its own motion broader than here proposed and including the requirements of the resolution.

Mr. IGOE. If it may do it of its own motion, can it not do it when the House requests it?

Mr. GOOD. When the House requests information, it can only furnish information if the information desired is of the facts concerning an alleged violation of antitrust laws by any corporation.

Mr. IGOE. I think the gentleman does not mean to say——

Mr. GOOD. That is the law, and the commission has no authority to expend a single dollar to make any investigation under that law which is requested by the President or by either branch of Congress unless the resolution comes within the express provision of that act.

Now, the President has additional power. During the war we gave the President very unusual power; and not under this Federal Trade Commission act, but under the act that gave the President those unusual war powers he has requested the Federal Trade Commission to make the investigation as to the high cost of living.

But I say to the gentleman from Missouri that if he will read the law that is upon the statute books he will find that neither House of Congress can expect the Federal Trade Commission to respond to a resolution, and, what is more the fact, ought not to have the power without the consent of the other House to permit or to require the expenditure of maybe millions of dollars simply by passing a resolution through one branch of Congress. Broad investigation should be made only when Congress requests it. The only power that Congress gave the Federal Trade Commission to investigate under such resolutions of either House was the alleged violation of the antitrust law by any corporation. It did not even give the Federal Trade Commission the power to investigate, on the request of one House alone, where an individual or a copartnership was violating the antitrust law; and even if that kind of an investigation were ordered, if a resolution requiring it is passed by the House or the Senate, it would not confer upon the Federal Trade Commission the power to make an investigation unless the commission does have the power to make such investigation on its own initiative and is exercising it.

Mr. IGOE. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Just for a question.

Mr. IGOE. Do I understand the gentleman to say that while the commission itself may spend millions of dollars in doing a thing, the House can not authorize it to do the same thing?

Mr. GOOD. They have to get an appropriation, which requires the joint action of both Houses. I have read the law. The gentleman is a good lawyer, and——

Mr. IGOE. I have read the law, too——

Mr. GOOD. The gentleman is a good lawyer, and if he will read that provision he will come to the same conclusion that I have arrived at and that anyone else will arrive at, that when the law provides what investigation the commission can make upon the request of the President or either branch of Congress it can not go beyond that.

Mr. DENISON. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. DENISON. Is not the Federal Trade Commission making an investigation in response to a Senate resolution alone?

Mr. GOOD. Yes; they are making some investigation, and they are having a good deal of trouble with regard to that provision of the law, and they may have trouble later on if they violate the law in this regard.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. MONDELL. Mr. Speaker, I yield to the gentleman five minutes more.

The SPEAKER. The gentleman from Iowa is recognized for five minutes more.

Mr. GOOD. There is no use, it seems to me, for the legislative branch of the Government to attempt to do very much at this time in the way of reducing the high cost of living. I did not realize that there was any possible power we could give the President that we had not given by legislation. Gentlemen have stated several very good reasons why living is high. Another reason will be found in our exports. We are exporting as we never exported before. Take boots and shoes. For the month of June, 1914, we exported only a little over $1,000,000 worth, and for the month of June of this present year we exported $8,000,000 worth. Take leather and skins. In June, 1914, we exported $3,400,000 worth, but in the last month of June we exported almost $32,000,000 worth. Take breadstuffs. In the month of June, 1914, we exported $14,000,000 worth of breadstuffs, and in June, 1919, we exported $118,000,000 worth of breadstuffs. Take meat and dairy products. For the year 1914 we exported $146,000,000 worth in round numbers, and in the year ended June 30, 1919, we exported $1,167,000,000 worth.

And what is more, out of the Treasury of the United States we are furnishing the money to buy our own products to send to Europe. And when you have the United States bidding against itself for all the necessaries of life you are going to have high prices, irrespective of the laws that we might pass. We furnish the produce and the money to buy it with. Many of these countries are bankrupt and will never repay, so why should they worry so long as we stint ourselves to furnish both produce and the money with which to buy it. Europe does not care what it costs, so long as we furnish both produce and the money that pays for it. If we are honestly working to reduce the high cost of living, if we want to bring down the cost of shoes to the wearers of shoes in America, all that it is necessary to do is for the Secretary of the Treasury to stop loaning money and for the President to put an embargo upon shoes and leather temporarily. If you want to put down the price of meat and meat products for America, all the President has to do is to put an embargo upon meats and meat products for a short time, and you will see the stores of these products go upon the market at such a rate that the price of these things will be forced down here.

But as long as we are engaged upon this plan of feeding the world and clothing the world and furnishing all the money to the outside world with which to buy the necessaries, high prices will continue. I realize that we are living in an altruistic age. We are to police the world; we are to perform the mandatories because we are best able; we are to feed the world because we are peaceable and industrious; we are to furnish the money because our people will lend their credit; so now we are just getting a little taste of the cost of internationalism. It may be only a forerunner of what will follow. We have advanced almost a billion dollars since the 1st of March to these countries to buy this product, and they do not care what price is paid for it as long as we furnish the materials and furnish the money with which to buy it. How can you prevent high prices under such conditions? I doubt if investigation will reduce them.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. GARNER. Would the gentleman be in favor of putting an embargo upon meats and shoes at this time?

Mr. GOOD. I would, temporarily.

Mr. GARNER. Would the gentleman be in favor of putting an embargo on the exportation of corn and wheat and cotton?

Mr. GOOD. I would, temporarily, and upon cotton and cotton goods if necessary to reduce the price.

Mr. GARNER. The gentleman's position, then, is that we do not need any additional legislation, such as was suggested by the President?

Mr. GOOD. There may be something in the President's suggestion with regard to a penalty, with regard to one of the provisions of the food-control act. I have not investigated that.

Mr. GARNER. That is the only suggestion that the President made that meets the gentleman's approval?

Mr. GOOD. That is about the only suggestion that the President made that will get anywhere, and that will not get very far, because no other provision of the law has been enforced, and the other provisions carry penalties, and I think it is now admitted that the President was in error in his discussion as to penalties. That law has been on the statute books for 24 months, and only on Saturday last did the Attorney General, under flaming headlines, announce that the first violator of that law had been fined. No; I want to see penalties placed on that provision of the law if they are not there. I want to give the Attorney General all the power needed to put the violators of the law into the penitentiary, where they belong. [Applause.] But I want the Attorney General to enforce the law and to enforce the penalties which are now in the law, and which he admits are in the law, and which have not been enforced. [Applause.] That will do something. But if you want to reduce living costs let the President act. He has the power. [Applause.]

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. MONDELL. Mr. Speaker, I yield 10 minutes to the gentleman from Louisiana [Mr. SANDERS]

The SPEAKER. The gentleman from Louisiana is recognized for 10 minutes.

Mr. SANDERS of Louisiana. Mr. Speaker, the entire question of the high cost of living, in my opinion, can be divided into two concrete propositions. We must approach the discussion of it, it strikes me, from the standpoint, first, that we have to-day in America more money than any people ever had in all the annals of time. The whole world has for the last four or five years been engaged in the destruction of property, but in this entire conflict there has not been one dollar destroyed. Property has been destroyed, lives have been lost, but the dollar has not been destroyed. Whenever money is plentiful commodities go up, and whenever money is scarce commodities go down. That has always been so and always will be so. I think the most striking piece of philosophy that I have heard on this question came to me not long since from the lips of my yardman. When I was leaving I told him good-by and gave him a dollar, and I said to him jokingly, "Now, Garrett, don't spend that in riotous living." He said, "Boss, there ain't nothin' cheap now but a dollar." And he was right. There is nothing in the world to-day that is cheap except the dollar. We here in America are trying, with the products of field and farm and factory, to feed a world that is starving and to clothe the nations that are naked. There is no doubt in the world, gentlemen, that the only people on earth who have enough to eat and enough to wear to-day are on this side of the Atlantic. People talk about a return to normal times. They forget that the entire human race has had high fever for between four and five years, suffering from the fever of war. Now war has ceased to be, and it is just as unreasonable to expect conditions to become normal at once as it would be unreasonable to expect a man who has had typhoid fever for seven weeks to get up and go to work the minute the doctor says that he no longer has fever. The patient has to go through the convalescent period, and the world must also go through a convalescent period. Prices are high for one reason because money is plentiful. The gentleman who has just preceded me on this floor [Mr. GOOD] made some remarks about an embargo. I agree with him fully that, perchance, a prohibition against our trading with the world might result in some decline of prices here in America; but at what a cost!

The cost staggers the human imagination, and I do not believe that any man, either in this Chamber or out of it, would advocate the remedy proposed by the gentleman from Iowa [Mr. GOOD]. [Applause.] I can not conceive it. The effect of it would be too horrible. Therefore my first contention is that the high price of commodities to-day is directly traceable in large part to the tremendous volume of money that we have in America. But then there is another side of the question. When you want to find out why the individual consumer is paying a price you want to investigate whether that price is a fair price in relation to what the producer gets. I think to-day it is manifest that a mere statement of the prices themselves carries with it the irresistible conclusion that the consumer in practically every instance is paying more than he should pay, considering what the producer gets. Take sugar for instance. Down in my State we raise a great deal of sugar. Now, the price that a man gets for his sugar is fixed by law. It is well that that fact should be known, so that you gentlemen, when you go to the grocery store, when the housewife from Maine to California and from Minnesota to Florida buys sugar, she may know whether the price quoted to her is fair. We in Louisiana get $8.82 per hundred pounds for granulated table sugar. That is what the manufacturer gets for it. Therefore it is an easy matter to add the freight rate to that cost and to add a legitimate percentage to that cost, and then for the individuals to determine whether or not he is paying more than he should pay for his sugar.

Take the question of cotton. We raise a great deal of cotton in my country——

Mr. EMERSON. Will the gentleman yield?

Mr. SANDERS of Louisiana. I yield to the gentleman from Ohio.

Mr. EMERSON. When I was home my grocer would sell me only 5 pounds of sugar at a time, and at another time only 2 pounds.

Mr. SANDERS of Louisiana. Yes.

Mr. EMERSON. He said they were sending it abroad and getting more money for it. I think we should keep enough sugar at home to supply our own needs.

Mr. SANDERS of Louisiana. There is no reason to-day why any grocer in this city or in any other city should not sell you 10 pounds of sugar just as quickly as he will sell you 1 pound, unless the local market is dominated and controlled by the American Sugar Trust. There is no reason in the world except that.

Mr. EMERSON. I will say that in my town you can not get sugar except in very small amounts.

Mr. SANDERS of Louisiana. The beet-sugar people of the West are getting 8 cents and a fraction for their sugar and we in the South are getting 8 cents and a fraction for our sugar. The Cuban crop was bought by the Food Administration under an agreed price; and I state here without fear of successful contradiction that if it had not been so bought and if the price had not been so fixed sugar would have been retailing in America for from 15 to 20 cents a pound for the last 12 months.

Mr. GOOD. Then the gentleman would advocate an embargo on sugar, would he not?

Mr. SANDERS of Louisiana. I would not.

Mr. GOOD. You would permit them to keep on sending it abroad and holding up the American consumer?

Mr. SANDERS of Louisiana. I would not. I state that there is plenty of American sugar right here in America now.

Mr. TEMPLE. How are we going to get it?

Mr. SANDERS of Louisiana. It is here in this country. Every bit of the Cuban sugar crop was bought by us in conjunction with the royal commission of England, and that sugar was divided on a basis which gave to every man in America a sufficient supply of sugar. Remember, we are the greatest consumers of sugar on earth. The reason that sugar is scarce to-day is not because there is an actual scarcity, but because of an artificial scarcity made by the manipulation of the American Sugar Trust.

The SPEAKER. The time of the gentleman has expired.

Mr. SANDERS of Louisiana. Will the gentleman from Wyoming yield me some more time?

Mr. MONDELL. I should like to yield, but the time is all promised.

Mr. SANDERS of Louisiana. I do not speak very often. I am on the committee that considered this bill, and I should like to say something more about it.

Mr. MONDELL. The gentleman has had 10 minutes already.

Mr. SANDERS of Louisiana. Mr. Speaker, I ask unanimous consent that I may proceed for five minutes, that time not to be taken out of the hour of the gentleman from Wyoming [Mr. MONDELL].

The SPEAKER. Is there objection?

There was no objection.

Mr. TEMPLE. Mr. Speaker, will the gentleman yield?

Mr. SANDERS of Louisiana. I stated the question of sugar, and if any gentleman will investigate he will find that I am right. I yield to the gentleman from Pennsylvania.

Mr. TEMPLE. Mr. Speaker, is it not true that further exportation was forbidden three or four weeks ago, except for sugar already under contract?

Mr. SANDERS of Louisiana. I so understand it. There is no question about that. The sugar crop of the West, the sugar crop of Louisiana and of the islands comes in this fall, and while sugar will not be plentiful, there will be enough to go around.

Mr. ROSE. Mr. Speaker, will the gentleman yield?

Mr. SANDERS of Louisiana. I want to discuss one other question, and if I can get more time I will yield very gladly. Let us take the question of cotton. I have heard a lot of discussion in regard to the price that the man who raises the cotton is getting for his cotton. As a matter of fact the manufacturer of cotton goods, based on his prices of last Saturday, could well afford to pay a basic price of 50 cents per pound and still make better than a fair profit upon the goods that the American people are clothing themselves with. You must find out what the producer is getting for the product before you condemn the producer. To-day every buyer and every merchant who goes to the great cities to lay in his supply of goods will tell you that it is not a question of the jobber trying to sell the goods to them, but it is a question of whether or not they can get the jobber to accept their orders. The world has gone mad with buying. The world is buying everything that is offered at any price, and the manufacturer of goods and the jobber and the wholesaler has taken advantage of the situation and are wringing from the people a tremendous profit. Take the question of leather. There is no relation whatsoever between the cost of the hide and the cost of the shoe. The man who makes the shoe is able to get any price he asks, and therefore he asks a price, and the price of shoes is going up and up and up, and as long as the people will pay these prices the manufacturer of shoes will exact them. Therefore, in the final analysis it comes down to this question, that the producer on the farm, the man who raises

the farm products, must not be confused with the profiteer. I am in favor of this resolution. I am in favor of an investigation, because I believe that when the American people see the enormous difference between what the producer is getting for his product and what the consumer has to pay for the same product, that publicity itself, if nothing else, will do good. I say further than that, that this resolution ought to pass. If the Federal Trade Commission refuses to take knowledge of the fact that we have asked them for this investigation it will be easy for us to pass another resolution ordering them to do so, but I do not believe that the Federal Trade Commission will treat the House of Representatives with contempt and refuse to investigate and report.

I am sorry that I have not more time, in order that I might show how the unscrupulous are taking advantage of the situation to their benefit and to the hurt of the great mass of the people.

Mr. MONDELL. Mr. Speaker, I yield five minutes to the gentleman from Arkansas [Mr. WINGO].

Mr. GRIFFIN. Mr. Speaker, will the gentleman yield for a moment? I would like to have the opportunity of making a preferential amendment.

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. GRIFFIN. I want to ask the consent of the gentleman from Wyoming to offer a preferential amendment to improve the text of the resolution.

The SPEAKER. The gentleman can do that privately with the gentleman from Wyoming.

Mr. WINGO. Mr. Speaker, I do not intend to discuss the high cost of living. I have some very decided views as to what factors enter into it, including profiteering.

I rose to call attention to a statement made by the gentleman from Illinois [Mr. MADDEN] to the effect that the Federal reserve note had back of it only commercial paper. I think the gentleman is as much in error in that statement as he was in his first statement that $13,000,000,000 of paper money had been issued during the war, which statement he subsequently corrected when his statement was challenged by me. He said he meant bank credits as well as paper money. There is something else besides commercial paper back of the Federal reserve note. I shall not correct the gentleman's statement out of any desire to engage in controversy, but because it is a fact that in some parts of the country the bankers are having trouble to get the people to take Federal reserve notes across the counter. That is because similar erroneous statements have been repeatedly made, and when it comes from a gentleman of the standing of the gentleman from Illinois it is calculated to do harm. I make the assertion, and challenge contradiction, that there is not a piece of paper money in existence in the world to-day that is better than the Federal reserve note. It has something else back of it besides commercial paper. It has the Government, the banks, and ample gold back of it. The Federal reserve note is not on a par with the greenback that depreciated after the Civil War, to which the gentleman refers.

Let us see what is back of the Federal reserve note. First of all, there are back of it the assets of the Federal reserve bank. There is back of it 100 per cent of short-time commercial paper, and there is back of it in each individual instance a minimum of 40 per cent of gold reserve, and, finally, there is back of it the pledge to redeem it in gold by the United States Treasury. The statement that we are on a paper basis is not correct. The Nation is not on a paper basis. This Nation and Spain are the two large nations of the earth that are on a gold basis at this time and have the gold with which to maintain their paper currency.

Let us take the Federal reserve note, for example. I have not seen a statement of the banks since July 1, and what I say is based on conditions July 1, 1919. There is a little over $2,000,000,000 of Federal reserve notes outstanding, and I want to say to the House that the Federal reserve banks have in their vaults at this hour gold available for the redemption of all these notes. If you take the statements of the banks on July 1, they have 49 per cent, I think it is, reserve against their note obligation and their deposit obligation combined. In other words, the Federal reserve banks have a reserve of gold in their vaults, back of all their obligations, deposits, and everything else, amounting to 49 per cent.

Therefore the uneasiness of some people about Federal reserve notes, caused by erroneous statements like that of the gentleman from Illinois, is not justified. I would as soon have it as any piece of money on the face of the earth, and this Nation is the only great Nation on the face of the earth that is in position at this hour to redeem its pledges and redeem every piece of its paper currency if presented to-day, and redeem it in gold.

Now, I want to say there has been an inflation of credit, but there is no inflation of Federal reserve issue, and I want to direct the attention of the House to this fact, and it is a significant fact, that every Federal reserve note to-day, theoretically, will be automatically retired within less than 15 days, because the commercial paper deposited with the Federal reserve bank as a basis for their issue has an average maturity of less than 15 days, so there can be no danger from that source. [Applause.]

Mr. MADDEN. If those notes are canceled at the end of 15 days, if they are canceled at the end of that time, there would have to be further rediscounts for the national banks, which would cause a reissue of the notes.

Mr. WINGO. But back of the new issues will be gilt-edge commercial paper, maturing, on an average, in less than 15 days, and in addition there will be at least a 40 per cent reserve of gold. As a matter of fact, there will be practically a 100 per cent of gold back of them. And each new rediscount will represent a bona fide, not a speculative, transaction, so there will be no inflation. As a matter of fact, the Federal Reserve Board in the first six months this year reduced the volume of notes at least $300,000,000.

Mr. MONDELL. I yield five minutes to the gentleman from New York [Mr. GRIFFIN].

Mr. GRIFFIN. Mr. Speaker and gentleman, I do not like the rôle of appearing here as a prophet, but those of you who were in this Chamber last year may have recalled that in the discussion on the proposal to fix the price of wheat I gave a very homely illustration which showed what would happen and what has happened. I referred to an incident on the Plaza of the Capitol, where a vast concourse of people were assembled on the 4th of July to witness the war procession. When the head of the procession reached the crowd, who were all comfortably seated—if everyone had been content and mannerly they could have seen the spectacle without difficulty—a few people started to rise. Then they were followed by others who rose until the entire assemblage was on its feet, leaving their chairs to stand on the ground. In a few moments they found the last state was no better than the first, and a few proceeded to jump on the chairs. In a short while nearly everybody in that vast assemblage were standing on chairs. Now, that is what you have here precisely as the result of your first false start on the path of trying to fix the price of anything contrary to the laws of nature and nature's God. You can not do it. You made a mistake then by attempting to interfere with economic laws by saying that there shall be a minimum price, which was then far in excess of what it should have been, and the ramifications of commerce and of industry are such that everyone was bound to feel that increase. The Steel Trust were also recognized as having the right to war profits—to get more for their rails and for their steel than they were entitled to before, and so it passed along from one industry to the other. All the implements that entered into the processes of production were raised in price, and so on all along the line. There is where the mistake was made, and now we have to devolve that only which we ourselves started on its course—evolution.

Mr. BAER. Will the gentleman yield?

Mr. GRIFFIN. I have only a minute or so left.

Mr. BAER. The gentleman bases his argument on wheat. I want to state that the price was $3.07 and it reduced it to $2.20, so there has been a reduction of about 30 per cent in the price instead of a rise.

Mr. GRIFFIN. That is very true, but it does not answer my contention that we should not meddle with the economic price of wheat or any other product. If wheat went to $3.07 a bushel, I would have let it go, and not put the sanction or the seal of the Government upon it. It was obviously a fraud; it was obviously profiteering. We should have driven at this at the start, and we should have driven also at the Steel Trust when they began their operations.

The SPEAKER. The time of the gentleman has expired.

Mr. MONDELL. Mr. Speaker, after this very interesting discussion of some 40 minutes, which has taken a wide, wide range and has been instructive and helpful, I hope the House will bear with me for a few minutes to discuss the matter now before us. The resolution offered by the gentleman from Missouri [Mr. IGOE] went to the Committee on Interstate and Foreign Commerce, one of the strong, capable committees of the House, and after careful consideration that committee considered that the inquiry proposed and the information sought should be confined to one class of products, a class of products which has advanced in price very greatly and in the future prices of which we are all tremendously interested as the leaves begin to fall and we begin to think about our fall and winter footwear. The committee had excellent reasons for suggesting that this inquiry and the information sought be confined to shoes rather than be extended to other articles. The gentle-

man from Missouri acquiesced in the judgment of the committee in that behalf. He, like the balance of us, is anxious to get information as soon as possible on that important subject. Now, the gentleman from Iowa has very properly said that it is very questionable whether the Federal Trade Commission would be justified in making expenditures to make further investigations of this sort under a simple House resolution. He is entirely right about that. But so long as the House resolution is confined to shoes, and the Federal Trade Commission has been investigating shoes, I think we may assume that they have information on this subject already gathered that they can give us, and whether they make further investigation or not—which I believe they would be justified in doing on their own motion—I think we may very properly request of them the information they now have and such as they can quickly obtain. The country is tremendously interested just at this time in every phase of the high cost of living, and it is the duty of the Congress, the duty of the executive departments, and of all good citizens to do everything they can toward reducing the high cost of living, but I submit that the Congress would clearly fail in its duty in the matter if it were to so broaden a resolution such as we now have before us to cover a lot of inquiries that could not be carried on by the Federal Trade Commission in the next six months, which the Federal Trade Commission would not be justified in carrying on under a House resolution, and information relative to which we could not obtain from them if the commission did take up the inquiry until long after the period when we hope that the high cost of living will be largely overcome.

I am sure gentlemen will not attempt to appeal to their constituencies through seeming to be in favor of the reduction of the high cost of living by proposing to load on the Federal Trade Commission a lot of examinations that the House acting alone has no authority to ask them to make, and which they can not make, if we did ask them in the proper way, within time to do any good. This is not the time, I submit, to demagogue in regard to this or any other matter related to the high cost of living. We have a specific matter before us. We can secure promptly, let us hope, some further information in regard to one important subject. We can later, and after proper consideration, take up other matters, but for the time our duty is to pass this resolution and get some information in regard to shoes and the facts and factors relative to their cost. And, therefore, as I see it, it is the duty of the House to adopt the committee amendments, to vote down all other amendments, and to adopt the resolution.

Mr. GRIFFIN. Will the gentleman yield?

Mr. MONDELL. I will yield.

Mr. GRIFFIN. Does not the gentleman think if we confine this resolution solely to the matter of shoes that the public would be likely to say, "What is the matter with the cost of food and clothing, and why pick on shoes?"

Mr. MONDELL. Mr. Speaker, I do not know the gentleman's constituency, but I do know mine. I assume that they realize that when I act that I am attempting to do my duty. My opinion of the constituency of the gentleman who has just spoken is that they will much more highly regard him if he sticks to the text and votes to accomplish something that can be immediately accomplished, rather than to so broaden and scatter and load down the proposed investigation that the Federal Trade Commission will never get anywhere with it within any reasonable time. You can not fool the American people. They are pretty intelligent folks, and they understand situations quite as well as we do, and nobody will be fooled because some gentlemen attempt to load down a resolution that we may reasonably hope will accomplish something helpful if passed unamended, with a lot of propositions that will complicate the situation, lead nowhere in the early ascertainment of facts, and therefore accomplish no good in the reduction of the high cost of living.

Mr. Speaker, I move the previous question on the resolution and the amendments.

The SPEAKER. The gentleman from Wyoming moves the previous question on the resolution and amendments.

The previous question was ordered.

The SPEAKER. The question is on the committee amendments.

Mr. GRIFFIN. Mr. Speaker, I want to offer a preferential amendment.

The SPEAKER. The gentleman can not do it, of course, after the previous question is ordered.

Mr. GRIFFIN. The Speaker is going to put the amendments to the House, is he not?

The SPEAKER. Certainly; but the previous question has been ordered and no amendment can be offered now.

Mr. GRIFFIN. Is it possible one can not offer a preferential amendment to perfect the text?

The SPEAKER. The gentleman could have done it before the previous question was ordered. The gentleman is sufficiently familiar with parliamentary law to know that the adoption of the previous question precludes the offering of an amendment.

Mr. GRIFFIN. I think I understand the meaning of the previous question, but I do not imagine now that it prohibits me from offering an amendment to perfect the text. I ask unanimous consent, Mr. Speaker——

Mr. GOLDFOGLE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GOLDFOGLE. Am I right that there are two amendments pending, a committee amendment and an amendment that was offered to include an inquiry as to clothing and food?

The SPEAKER. There is no amendment offered except the committee amendments.

Mr. GOLDFOGLE. Oh, yes.

The SPEAKER. The Chair will inquire of the Clerk whether any other amendment has been offered except the committee amendments. The Clerk informs the Chair that there has not been.

Mr. GARD. Mr. Speaker, there was an amendment offered by the gentleman from Ohio [Mr. EMERSON].

Mr. GOLDFOGLE. The gentleman from Ohio, as I understood it, offered an amendment and clearly stated his amendment. After the gentleman had concluded his remarks I rose, and the first thing I said was, "I rise to support the amendment offered by the gentleman from Ohio"; so that my memory is clear as to the offering of the amendment by the gentleman from Ohio.

Mr. CLARK of Missouri. The gentleman from Ohio never offered any amendment. He said he was going to offer one.

Mr. EMERSON. I said that I moved, in line 3, after the word "shoes," to add "clothing and food products."

Mr. CLARK of Missouri. Notwithstanding he said that he was going to offer the amendment, he never did offer it, and the gentleman from New York was advocating a thing that had never been offered.

The SPEAKER. The Chair is clear, and his opinion coincides with that of the gentleman from Missouri. The Clerk also makes the same statement.

Mr. EMERSON. The gentleman from Wyoming [Mr. MONDELL] rose and talked in opposition to the amendment.

The SPEAKER. The gentleman may have discussed the proposition, but never formally offered the amendment.

Mr. EMERSON. I certainly did.

Mr. GARNER. It is true that he may have made a motion, but unless the amendment was reported from the desk it is not before the House.

The SPEAKER. Of course not. The question is on the committee amendments.

The question was taken, and the amendments were agreed to.

Mr. EMERSON. Mr. Speaker, a parliamentary inquiry. May I make a motion to recommit?

The SPEAKER. The Chair thinks so.

Mr. EMERSON. At what time?

Mr. KNUTSON. Mr. Speaker, the gentleman would have to be opposed to the resolution to offer the motion to recommit.

The SPEAKER. The Chair thinks he would recognize the gentleman. The gentleman can make the motion.

Mr. EMERSON. Mr. Speaker, I move to recommit the bill to the Committee on Interstate and Foreign Commerce, with the request that they report it back immediately with the following amendment:

After the word "shoes," in line 3, add "clothing and food products."

Mr. MONDELL. Mr. Speaker, on that I move the previous question.

Mr. GRIFFIN. One moment. And on line 4, after the word "manufacturers," insert the words "or producers."

Mr. EMERSON. I accept that.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. EMERSON offers a motion to recommit the resolution to the Committee on Interstate and Foreign Commerce, with instructions to that committee to report the resolution back forthwith, with the following amendments:

Page 1, line 3, after the word "shoes," insert the words "clothing and food products," and on page 1, line 4, after the word "manufacturers," insert the words "or producers."

The SPEAKER. The gentleman from Wyoming moves the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Ohio [Mr. EMERSON] to recommit the resolution.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. KING. Mr. Speaker, I demand a division.

The SPEAKER. The gentleman from Illinois demands a division.

The House divided; and there were—ayes 7, noes 79.

Mr. KING. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from Illinois makes the point of no quorum. The Chair will count. [After counting.] Eighty-eight Members are present, not a quorum.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock p. m.) the House adjourned until to-morrow, Tuesday, August 19, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the chairman of the Interstate Commerce Commission, transmitting a report of the commission in response to resolution No. 71 of the House of Representatives, dated June 5, 1919 (H. Doc. No. 190); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of Commerce, submitting a supplemental estimate of appropriation required by the Coast and Geodetic Survey of that department, together with an alternative estimate to provide for increase in compensation of certain employees of that bureau (H. Doc. No. 191); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting a supplemental estimate of appropriation required by the office of the Treasurer of the United States, national currency, reimbursable, this amount to be reimbursed by the National and Federal reserve banks (H. Doc. No. 192); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CURRY of California, from the Committee on the Territories, to which was referred the bill (H. R. 7417) to amend an act of Congress approved March 12, 1914, authorizing the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes, reported the same without amendment, accompanied by a report (No. 231), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 5976) granting an increase of pension to Thomas D. O'Shea, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. WHITE of Maine: A bill (H. R. 8477) authorizing the Secretary of War to donate to the town of Rumford, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8478) authorizing the Secretary of War to donate to the town of Camden, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DYER: A bill (H. R. 8479) to establish a division for the investigation of mentally handicapped children in the schools; to the Committee on Appropriations.

By Mr. SIEGEL: A bill (H. R. 8480) to dissolve and distribute the assets of the Colored Union Benevolent Association and settle its affairs; to the Committee on the Judiciary.

By Mr. KENDALL: A bill (H. R. 8481) authorizing the Secretary of War to donate a captured cannon or field gun for decorative purposes to the town of South Connellsville, Fayette County, Pa.; to the Committee on Military Affairs.

By Mr. FOSTER: A bill (H. R. 8482) to imprison persons guilty of profiteering in foodstuffs and other necessaries of life; to the Committee on the Judiciary.

By Mr. KIESS: A bill (H. R. 8483) authorizing the Secretary of War to donate to the borough of Hughesville, Pa., one captured German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. POU: A bill (H. R. 8484) granting to certain members of the military or naval service in the war with the central European powers additional pay; to the Committee on Military Affairs.

By Mr. RAKER: A bill (H. R. 8485) to encourage the reclamation of certain arid lands, and for other purposes; to the Committee on Irrigation of Arid Lands.

By Mr. McPHERSON: A bill (H. R. 8486) to authorize the Secretary of War to furnish a cannon, with carriage and shells, to the city of Webb City, Mo.; to the Committee on Military Affairs.

By Mr. NEELY (by request): A bill (H. R. 8487) establishing rules for the interstate transportation of dead human bodies within the United States and the Territories and possessions thereof; to the Committee on Interstate and Foreign Commerce.

Also (by request), a bill (H. R. 8488) prescribing prohibition of burials of the human dead at sea, and providing for proper care and disposal of same; to the Committee on Interstate and Foreign Commerce.

Also (by request), a bill (H. R. 8489) amending the act of June 3, 1916, entitled "the national defense act," adding section 16½ thereto, and for other purposes; to the Committee on Military Affairs.

Also (by request), a bill (H. R. 8490) amending the act of June 3, 1916, entitled "the national defense act," adding section 15½ thereto, and for other purposes; to the Committee on Military Affairs.

By Mr. HERSEY: A bill (H. R. 8491) authorizing the Secretary of War to donate to the town of Fort Fairfield, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. JOHNSON of Kentucky: A bill (H. R. 8492) permitting certain employees of the Government to purchase supplies from the commissary stores of the Army and Navy; to the Committee on the District of Columbia.

By Mr. KAHN: A bill (H. R. 8493) to repeal sections 800, 906, and 1001, subsection 5, of the revenue act of 1918, approved February 24, 1919; to the Committee on Ways and Means.

By Mr. MAPES (by request): A bill (H. R. 8494) to prevent profiteering in food, fuel, and wearing apparel in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. SMITHWICK: A bill (H. R. 8495) for the relief of occupants of certain premises within the naval station at Pensacola, Fla.; to the Committee on Claims.

By Mr. FULLER of Illinois: A bill (H. R. 8496) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, to certain widows and former widows, and certain helpless and dependent children of such soldiers and sailors, and to certain Army nurses; to the Committee on Invalid Pensions.

By Mr. O'CONNOR: A bill (H. R. 8497) to reduce night work in post offices; to the Committee on the Post Office and Post Roads.

By Mr. KAHN: A bill (H. R. 8498) authorizing a military merit badge and additional pay based thereon; to the Committee on Military Affairs.

Also, a bill (H. R. 8499) to authorize the Secretary of War to produce and to sell duplicate negatives and prints of motion pictures and prints, lantern slides, and enlargements of still pictures in the possession and control of the War Department; to the Committee on Military Affairs.

By Mr. SIEGEL: Resolution (H. Res. 244) providing for an inquiry by the Federal Trade Commission into the proposed increase in the price on men's collars; to the Committee on Interstate and Foreign Commerce.

By Mr. VAILE: Resolution (H. Res. 245) providing for investigation and report by the Select Committee on Expenditures in the War Department, or its appropriate subcommittee, as to the general conditions, treatment, and care of soldiers who are now or who have been patients at the United States General Hospital No. 21, Denver, Colo.; to the Committee on Rules.

By Mr. NELSON of Wisconsin: Memorial from the Legislature of Wisconsin urging the Congress of the United States to enact legislation providing adequate compensation for soldiers, sailors, and marines who served in the war against Germany, Austria, and their allies; to the Committee on Military Affairs.

Also, memorial from the Legislature of Wisconsin, urging the Congress of the United States to work for vocational rehabilitation among our wounded and disabled soldiers, sailors, and marines; to the Committee on Military Affairs.

Also, memorial from the Legislature of Wisconsin, urging the Congress of the United States to pass the bill introduced by the Hon. MARVIN JONES relating to recognition of the services of soldiers, sailors, and marines; to the Committee on Military Affairs.

By Mr. LAMPERT: Memorial from the Legislature of Wisconsin, urging the Congress of the United States to continue the work of vocational rehabilitation among our wounded and disabled soldiers, sailors, and marines; to the Committee on Military Affairs.

By Mr. ESCH: Memorial from the Legislature of Wisconsin, urging the Congress of the United States to continue the work of vocational rehabilitation among our wounded and disabled soldiers, sailors, and marines; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 8500) granting an increase of pension to Nathaniel Haycock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8501) granting an increase of pension to Isaac Hawk; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8502) granting an increase of pension to Leonard Tressel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8503) granting an increase of pension to Arthur Orwig; to the Committee on Invalid Pensions.

By Mr. BARKLEY: A bill (H. R. 8504) granting an increase of pension to James King; to the Committee on Invalid Pensions.

By Mr. BLACKMON: A bill (H. R. 8505) granting an increase of pension to Herbert S. Coheley; to the Committee on Pensions.

By Mr. CANNON: A bill (H. R. 8506) granting a pension to Mina Bechtold; to the Committee on Invalid Pensions.

By Mr. CROWTHER: A bill (H. R. 8507) granting a pension to Mathilda M. Martin; to the Committee on Pensions.

By Mr. FESS: A bill (H. R. 8508) granting an increase of pension to Patrick Whalen; to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 8509) granting a pension to Alice Harvey; to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 8510) granting a pension to John Beahen; to the Committee on Invalid Pensions.

By Mr. HAYDEN: A bill (H. R. 8511) for the relief of the estate of Fritz Contzen; to the Committee on Claims.

By Mr. HILL: A bill (H. R. 8512) granting an increase of pension to Mary L. Boyce; to the Committee on Invalid Pensions.

By Mr. HULINGS: A bill (H. R. 8513) granting an increase of pension to Thomas H. Birnley; to the Committee on Invalid Pensions.

By Mr. KELLEY of Michigan: A bill (H. R. 8514) granting a pension to Lillie May Fifield; to the Committee on Invalid Pensions.

By Mr. KENDALL: A bill (H. R. 8515) granting an increase of pension to William Newell; to the Committee on Invalid Pensions.

By Mr. KING: A bill (H. R. 8516) granting an increase of pension to Andrew Pea; to the Committee on Invalid Pensions.

By Mr. McPHERSON: A bill (H. R. 8517) granting a pension to Albert Yoder; to the Committee on Pensions.

By Mr. MORGAN: A bill (H. R. 8518) granting an increase of pension to Jennie Turner; to the Committee on Invalid Pensions.

By Mr. O'CONNELL: A bill (H. R. 8519) granting an increase of pension to Thomas J. Sullivan; to the Committee on Pensions.

Also, a bill (H. R. 8520) to remove the charge of desertion from the military record of John J. Waterkeyn; to the Committee on Military Affairs.

By Mr. OGDEN: A bill (H. R. 8521) granting a permanent disability allowance to Capt. Wallace M. Coulson; to the Committee on Military Affairs.

By Mr. PURNELL: A bill (H. R. 8522) granting a pension to Amanda C. Osborn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8523) granting an increase of pension to Baker A. Bannon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8524) granting a pension to Alice Benham; to the Committee on Invalid Pensions.

By Mr. ROWAN: A bill (H. R. 8525) for the relief of First Lieut. Frank J. Simmons, Quartermaster Corps, United States Army; to the Committee on War Claims.

By Mr. SANDERS of Indiana: A bill (H. R. 8526) granting a pension to Fannie Gilbert; to the Committee on Invalid Pensions.

By Mr. THOMPSON of Ohio: A bill (H. R. 8527) authorizing the Secretary of the Treasury to pay war-risk insurance to the foster parents of William Arthur Henry Dempsey; to the Committee on Interstate and Foreign Commerce.

By Mr. TILLMAN: A bill (H. R. 8528) granting an increase of pension to John J. Jeffries; to the Committee on Invalid Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 8529) granting an increase of pension to Jerome A. Butts; to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 8530) granting a pension to Nancy C. Henderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8531) granting an increase of pension to James H. Hodges; to the Committee on Invalid Pensions.

By Mr. WOODYARD: A bill (H. R. 8532) granting a pension to Edna May Williamson; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the Council of the city of Portland, Oreg., that the other cities in the Northwest be requested to join in petitioning Congress to adopt measures to release the present store of food supplies and to make impossible the future hoarding of food by speculators; to the Committee on Agriculture.

By Mr. BACHARACH: Petition of the Board of Trade of Newark, N. J., protesting against Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

Also, resolutions adopted by the conference of first-class postmasters of New Jersey, with reference to increased salaries for first-class postmasters, etc.; to the Committee on the Post Office and Post Roads.

By Mr. CROWTHER: Petition of 36 veterans of the Civil War, advocating legislation providing for the increase of pensions of veterans of the Civil War and increase of pensions of widows of veterans; to the Committee on Invalid Pensions.

By Mr. DYER: Petition of S. K. Urquhart, of St. Louis, Mo., inclosing clipping from the St. Louis Globe-Democrat regarding the high cost of living; to the Committee on Agriculture.

Also, petition of Merchants' Exchange, of St. Louis, Mo., opposing S. 810, a bill to provide for the establishment of an interstate market system, and for other purposes; to the Committee on Agriculture.

Also, petition of Rosenthal-Sloan Millinery Co., of St. Louis, Mo., opposing attempt to withdraw privilege of carrying 150 pounds of baggage with first-class passage on railroad; to the Committee on Interstate and Foreign Commerce.

Also, petition of National Federation of Postal Employees, St. Louis, Mo., Local No. 8, opposing House resolution 151; to the Committee on the Post Office and Post Roads.

Also, petition of Rotary Club of St. Louis, favoring the Townsend bill, S. 1309, which has for its purpose the creation of a Federal highway commission; to the Committee on Roads.

Also, petition of A. J. Child & Sons, St. Louis, Mo., favoring legislation to prevent profiteering; to the Committee on Agriculture.

Also, petition of Henry O'Neil Lumber & Land Co., St. Louis, Mo., opposing repeal of the zone advances on advertising pages of magazines; to the Committee on the Post Office and Post Roads.

Also, petition of Schreiner Grain Co., St. Louis, Mo., inclosing letter regarding the high cost of living; to the Committee on Agriculture.

Also, petition of Kiwanis Club of St. Louis, urging speedy relief from profiteering; to the Committee on Agriculture.

Also, petition of St. Louis Chamber of Commerce, concerning Senate resolution 57 and House resolution 121; to the Committee on Agriculture.

By Mr. EMERSON: Petition of Railway Mail Association, Cleveland Branch, Cleveland, Ohio, favoring a 75 per cent increase in salaries of railway mail clerks; to the Committee on Reform in the Civil Service.

Also, petition of Charles J. Hatfield, of New York City, managing director of the National Tuberculosis Association, protesting against the repeal of the daylight-saving law; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Traffic Club, of Cleveland, Ohio, opposing the Poindexter "long-and-short haul" bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of patrons of the National League Baseball Grounds, at Chicago, Ill., believing in human liberty and the principle of self-determination, urge upon the Congress of the United States to recognize the Irish Republic as now established; to the Committee on Foreign Affairs.

By Mr. ESCH: Petition of National Board of Farm Organizations, Washington, D. C., concerning antitrust laws as affecting farmers; to the Committee on Agriculture.

Also, petition of National Board of Farm Organizations, Washington, D. C., concerning antitrust laws as affecting farmers; to the Committee on the Judiciary.

By Mr. FULLER of Illinois: Petition of the Illinois Manufacturers' Association and sundry citizens of Illinois, opposing the enactment of the Kenyon bill (S. 2202), the Kendrick bill (S. 2199), and the Anderson bill (H. R. 6492), relating to the live-stock and meat-packing industries; to the Committee on Agriculture.

Also, petition of the Illinois Agricultural Association and sundry citizens of Illinois, favoring repeal of the daylight-saving law; to the Committee on Agriculture.

Also, petition of George A. Custer Post, No. 1, Department of Alabama, Grand Army of the Republic, favoring House bill 7022 increasing Civil War pensions; to the Committee on Invalid Pensions.

Also, petition of the Polish Alma Mater Society, opposing Senate bill 2099 to prohibit admission to the mails of publications printed in a foreign language; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of Belvidere, Ill., praying for the speedy return of the Twenty-seventh and Thirty-first Infantry from Siberia; to the Committee on Military Affairs.

Also, petition of the Illinois Association of Postmasters and of sundry post-office officials and employees for increased compensation; to the Committee on the Post Office and Post Roads.

By Mr. GOULD: Petition of the Weedsport (N. Y.) Branch of the Railway Mail Association, for the adoption of legislation to increase the salaries of railway mail clerks; to the Committee on the Post Office and Post Roads.

By Mr. KENNEDY of Iowa: Petition of the City Council of the city of Keokuk, urging the Committee on the Post Office and Post Roads to make a favorable report on Senate joint resolution No. 48; to the Committee on the Post Office and Post Roads.

By Mr. McGLENNON: Petition of the Board of Commissioners of Bayonne, urging the adoption by the Congress of the United States of a resolution providing for recognition of the republic of Ireland; to the Committee on Foreign Affairs.

Also, petition of the Board of Trade of the city of Newark, N. J., protesting against Government ownership of the railways; to the Committee on Interstate and Foreign Commerce.

By NEELY (by request): Resolution adopted by the Logan Coal Operators' Association in re Plumb plan for nationalization of railroads; to the Committee on Mines and Mining.

By Mr. RAKER: Telegrams from the Madera Sugar Pine Co., Madera, Calif., and the California White & Sugar Pine Manufacturers' Association; letters from the California Sugar & White Pine Co., of San Francisco, and the Riverside Chamber of Commerce, Riverside, Calif.; telegram from the Bayside Lumber Co., of San Francisco; and letter from the California Sugar & White Pine Manufacturers' Association, of San Francisco, Calif., urging support of the Cummins bill, which provides for the return to the Interstate Commerce Commission of the power to suspend rates; to the Committee on Interstate and Foreign Commerce.

Also, telegram from the California Associated Raisin Co., Fresno, Calif., protesting against any legislation prohibiting the export of foodstuffs that would apply to raisins; to the Committee on Interstate and Foreign Commerce.

Also, letter from the Sisson Headlight, Sisson, Calif., protesting against any repeal of the zone postal law; to the Committee on the Post Office and Post Roads.

By Mr. RAMSEYER: Petition of post office clerks of Newton, Iowa, urging an increase of salary; to the Committee on the Post Office and Post Roads.

By Mr. ROWAN: Petition of sundry employees of the United States Government, members of the Navy Yard Retirement Association, Navy Yard, New York, favoring Sterling-Lehlbach retirement bill; to the Committee on Reform in the Civil Service.

Also, petition of Institute for Public Service, William H. Allen, director, regarding budget plan; to the Committee on Rules.

By Mr. TIMBERLAKE: Petition of the Colorado Canners' Association, by P. H. Troutman, president, protesting against the Kenyon bill, Senate bill 2202; to the Committee on Agriculture.

By Mr. WHITE of Maine: Petition of Mount Sugar Loaf Grange No. 111, of Dixfield, Me., protesting against the so-called Lane reclamation plan; to the Committee on the Public Lands.

Also, petition of Citizens of Wiscasset, Me., protesting against the so-called "luxury taxes"; to the Committee on Ways and Means.

Also, petition of the Pleasant Valley Grange of Rockland, Me., protesting against the Lane reclamation plan; to the Committee on the Public Lands.

By Mr. YATES: Petition of Hon. Walter A. Shaw, member of the public utilities commission, Springfield, Ill., urging increase in the wages of postal employees; to the Committee on the Post Office and Post Roads.

Also, petition of the Chicago Railway Equipment Co., by E. B. Leigh, president, Chicago, Ill., containing protest against the Kenyon bill; to the Committee on Agriculture.

Also, petition of Charles E. Ward, Chicago, Ill., containing protest against the Kenyon and Kendrick bills; to the Committee on Agriculture.

Also, petition of George Schern, editor and manager of the Journal, Peoria, Ill., urging 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, petition of the Inderrieden Canning Co., Chicago, Ill., protesting against the repeal of the daylight-saving law; to the Committee on Interstate and Foreign Commerce.

Also, petition of Seymour & Peck Co., by C. E. Warren, president, Chicago, Ill., containing protests against the Kenyon bill and the Nolan-Kenyon bill; to the Committee on Agriculture.

Also, petition of Illinois Manufacturers' Association, by John M. Glenn, secretary, Chicago, Ill., containing protest against policy of board of contract adjustment in following legal precedents and Court of Claims decisions in adjusting informal contracts; to the Committee on the Judiciary.

Also, petition of chamber of commerce, East St. Louis, Ill., protesting against Senate bill No. 2202; to the Committee on Agriculture.

Also, petition of postmaster of Ottawa, Ill., Mr. James J. Dougherty, favoring the increase of salaries of postal employees to cope with the high cost of living; to the Committee on the Post Office and Post Roads.

Also, petition of L. W. Meckstroth, president Woodstock Typewriter Co., Chicago, Ill., containing protest against the Nolan-Kenyon bill; to the Committee on Agriculture.

Also, petition of Julius E. Weil, of Rosenwald & Weil, Chicago, Ill., urging unbiased consideration of House joint resolution 121 and Senate joint resolution 57; to the Committee on Labor.

Also, petition of J. C. Belden, president Belden Manufacturing Co., Chicago, Ill., urging unbiased consideration of the House joint resolution 121 and Senate joint resolution 57, concerning conference in the interests of capital and labor; to the Committee on Labor.

Also, petition of Chicago Federation of Labor, 166 West Washington Street, Chicago, Ill., protesting against denial of the right of asylum; to the Committee on Public Buildings and Grounds.

Also, petition of Thomas James, Springfield, Ill., urging the passage of the bill for increase in the wages of postal employees; to the Committee on the Post Office and Post Roads.

Also, petition of Paul R. Lisher, Joliet, Ill., containing protest against the Kenyon and Kendrick bills; to the Committee on Agriculture.

Also, petition of George A. Wood, United States yards, Chicago, Ill., containing protest against the Kenyon and Kendrick bills; to the Committee on Agriculture.

HOUSE OF REPRESENTATIVES.

TUESDAY, *August 19, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We invoke Thy blessing, O God our Heavenly Father, upon all the deliberations of this House to-day, that they may be in consonance with our highest conceptions of right and duty, that the onward march of civilization may be accelerated, and Thy kingdom come, and that right speedily, and Thy will be done in all the earth, under the divine leadership of the world's Great Exemplar. Amen.

The SPEAKER. The Clerk will read the Journal of the proceedings of yesterday.

Mr. SEARS. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Florida makes the point of order that no quorum is present. Obviously no quorum is present.

Mr. CAMPBELL of Kansas. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from Kansas moves a call of the House.

A call of the House was ordered.

Mr. BLANTON. Mr. Speaker, are we to vote on the amendment of yesterday?

The SPEAKER. No; this is simply a call of the House. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Alexander	Dunn	Lea, Calif.	Rouse
Andrews, Md.	Echols	Linthicum	Sabath
Babka	Evans, Mont.	Longworth	Saunders, Va.
Begg	Evans, Nebr.	Luce	Scully
Benham	Fairfield	Luhring	Shreve
Bland, Ind.	Flood	McAndrews	Sisson
Bland, Mo.	Foster	McKenzie	Slemp
Boies	Frear	Magee	Smith, Ill.
Booher	Freeman	Mann	Snell
Brand	Gallivan	Mead	Stedman
Britten	Gandy	Monahan, Wis.	Stephens, Miss.
Brooks, Ill.	Goodykoontz	Moon	Sullivan
Browne	Graham, Pa.	Moore, Pa.	Summers, Wash.
Brumbaugh	Greene, Mass.	Morin	Sumners, Tex.
Buchanan	Griest	Mott	Taylor, Ark.
Burke	Hadley	Mudd	Tilson
Candler	Hamill	Nicholls, S. C.	Towner
Cannon	Hardy, Colo.	Nolan	Vare
Carter	Hersey	Osborne	Walsh
Casey	Hicks	Paige	Walters
Christopherson	Hill	Parker	Ward
Classon	Humphreys	Peters	Wason
Copley	Jefferis	Purnell	Whaley
Costello	Johnson, S. Dak.	Rainey, J. W.	Wilson, Pa.
Cramton	Kelley, Mich.	Randall, Calif.	Wise
Crowther	Kennedy, Iowa.	Randall, Wis.	Woodyard
Dempsey	Kettner	Rogers	Wright
Dickinson, Iowa	Kiess	Rose	Zihlman

The SPEAKER. On this roll call 317 Members have answered to their names. A quorum is present.

Mr. CAMPBELL of Kansas. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 1289. An act for the relief of Simon M. Preston;

S. 1004. An act for the relief of the owners of the steam lighter *Cornelia;*

S. 1005. An act for the relief of the owner of the steamship *Matoa;*

S. 1670. An act for the relief of the Arundel Sand & Gravel Co.;

S. 629. An act for the relief of the Alaska Steamship Co.;

S. 608. An act for the relief of Orion Mathews;

S. 609. An act for the relief of James Duffy;

S. 2676. An act to amend section 56 of an act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916;

S. 1546. An act for the relief of Katie Norvall;

S. 2677. An act to provide for further educational facilities by authorizing the Secretary of War to sell at reduced rates certain machine tools not in use for Government purposes to trade and technical schools and universities, other recognized educational institutions, and for other purposes;

S. 696. An act to carry out the findings of the Court of Claims in the case of Frank S. Bowker;

S. 2257. An act for the relief of George B. Hughes;

S. 2496. An act authorizing the retirement of members of the Army Nurse Corps (female);

S. 562. An act for the relief of occupants of certain premises within the naval station at Pensacola, Fla.;

S. 2700. An act granting the consent of Congress to the D. E. Hewit Co. to construct and maintain a bridge across Tug River connecting Martin County, Ky., and Mingo County, W. Va.;

S. 1222. An act for the relief of the owners of the schooner *Henry O. Barrett;* and

S. 1006. An act for the relief of the owners of the schooner *Horatio G. Foss.*

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 6323. An act for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 2257. An act for the relief of George B. Hughes; to the Committee on Claims.

S. 2700. An act granting the consent of Congress to the D. E. Hewit Lumber Co. to construct and maintain a bridge across Tug River connecting Martin County, Ky., and Mingo County, W. Va.; to the Committee on Interstate and Foreign Commerce.

S. 2496. An act authorizing the retirement of members of the Army Nurse Corps (female); to the Committee on Military Affairs.

S. 2676. An act to amend section 56 of an act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916; to the Committee on Military Affairs.

S. 2677. An act to provide for further educational facilities by authorizing the Secretary of War to sell at reduced rates certain machine tools not in use for Government purposes to trade and technical schools and universities, other recognized educational institutions, and for other purposes; to the Committee on Military Affairs.

S. 609. An act for the relief of James Duffy; to the Committee on Military Affairs.

S. 608. An act for the relief of Orion Mathews; to the Committee on Military Affairs.

S. 1670. An act for the relief of the Arundel Sand & Gravel Co.; to the Committee on Claims.

S. 1546. An act for the relief of Katie Norvall; to the Committee on Claims.

S. 1289. An act for the relief of Simon M. Preston; to the Committee on Claims.

S. 1222. An act for the relief of the owners of the schooner *Henry O. Barrett;* to the Committee on Claims.

S. 1006. An act for the relief of the owners of the schooner *Horatio G. Foss;* to the Committee on Claims.

S. 1005. An act for the relief of the owner of the steamship *Matoa;* to the Committee on Claims.

S. 1004. An act for the relief of the owner of the steam lighter *Cornelia;* to the Committee on Claims.

S. 696. An act to carry out the findings of the Court of Claims in the case of Frank S. Bowker; to the Committee on Claims.

S. 629. An act for the relief of the Alaska Steamship Co.; to the Committee on Claims.

S. 562. An act for the relief of occupants of certain premises within the naval station at Pensacola, Fla.; to the Committee on Claims.

ORDER OF BUSINESS.

Mr. BLANTON. Mr. Speaker, I desire to offer a privileged motion.

The SPEAKER. For what purpose does the gentleman rise?

Mr. BLANTON. I desire to offer a privileged motion.

The SPEAKER. What is the gentleman's motion?

Mr. BLANTON. Is there anything of higher privilege than the veto message of the President of the United States before Congress? I notice from the roll call that the gang are all here from New York, Philadelphia, and Boston; but they are not here from the forks of the creek. I move that the President's veto be deferred until next Monday.

The SPEAKER. The Chair thinks that is not in order at present, inasmuch as the previous question has been ordered on the motion of yesterday.

Mr. BLANTON. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Is not a veto message from the President of the United States concerning certain legislation pending before Congress of the highest privilege?

SEVERAL MEMBERS. Regular order!

The SPEAKER. The regular order is demanded.

Mr. BLANTON. I ask recognition to offer a motion concerning that veto message.

The SPEAKER. The Chair thinks the gentleman is out of order.

PRICE OF SHOES, SUGAR, CLOTHING, AND COFFEE.

The SPEAKER. The regular order is the unfinished business, House resolution 217, which was pending when the House adjourned last night, on which the previous question was ordered. The Clerk will report the resolution by title.

The Clerk read the title of House resolution 217, directing the Federal Trade Commission to inquire into the proposed increase in the price of shoes and the increased price of sugar, clothing, and coffee.

The SPEAKER. When the House adjourned last night a motion to recommit was pending, and on that the previous question had been ordered, as well as on the resolution. So the first question is on the motion to recommit. The Chair thinks that considering the circumstances the motion to recommit should be reported, and unless there is objection the motion to recommit will be reported.

The Clerk read as follows:

Mr. EMERSON moves to recommit the resolution to the Committee on Interstate and Foreign Commerce, with instructions to that committee to report the resolution back forthwith, with the following amendments: Page 1, line 3, after the word "shoes," insert the words "clothing and food products," and on page 1, line 4, after the word "manufacturers," insert the words "or producers."

The SPEAKER. The question is on the motion to recommit.

The question being taken, the motion to recommit was rejected.

The SPEAKER. The question is on the adoption of the resolution.

The resolution was agreed to.

Mr. IGOE. Mr. Speaker, I ask unanimous consent that the title may be amended to conform to the text.

The SPEAKER. Without objection, it will be so ordered.

On motion of Mr. IGOE, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

SWEARING IN OF A MEMBER.

Mr. LANGLEY. Mr. Speaker, I have been assigned the pleasant duty of announcing to the House that the Hon. KING SWOPE, Member elect from the eighth Kentucky district, successor to our late lamented colleague, Hon. Harvey Helm, is present. I ask unanimous consent that he be permitted to take the oath of office. His credentials have not yet arrived because under the law of Kentucky our State board of election commissioners could not meet until yesterday to canvass the vote, but his majority was over 1,700 and there is no question about his election. [Applause.]

The SPEAKER. The gentleman from Kentucky asks unanimous consent that his colleague elect, Mr. SWOPE, be sworn in, although his credentials have not yet arrived. Is there objection?

There was no objection.

Mr. SWOPE appeared at the bar of the House and took the oath of office. [Great applause on the Republican side.]

EXTENSION OF REMARKS.

Mr. GRIFFIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks made yesterday on House resolution 217, which has just been passed.

The SPEAKER. Is there objection?

There was no objection.

DAYLIGHT-SAVING LAW—VETO MESSAGE.

The SPEAKER. The Chair lays before the House the following message from the President of the United States, which the Clerk will report.

The Clerk read as follows:

To the House of Representatives:

I return this bill, H. R. 3854, "An act for the repeal of the daylight-saving law," without my signature, but do so with the utmost reluctance. I realize the very considerable and in some respects very serious inconveniences to which the daylight-saving law subjects the farmers of the country, to whom we owe the greatest consideration and who have distinguished themselves during these recent years of war and want by patriotic endeavors worthy of all praise. But I have been obliged to balance one set of disadvantages against another and to venture a judgment as to which were the more serious for the country. The immediate and pressing need of the country is production, increased and increasing production, in all lines of industry. The disorganization and dislocation caused by the war have told nowhere so heavily as at the industrial centers—in manufacture and in the many industries to which the country and the whole world must look to supply needs which can not be ignored or postponed. It is to these that the daylight-saving law is of most service. It ministers to economy and to efficiency. And the interest of the farmer is not in all respects separated from these interests. He needs what the factories produce along with the rest of the world. He is profited by the prosperity which their success brings about. His own life and methods are more easily adjusted, I venture to think, than are those of the manufacturer and the merchant.

These are the considerations which have led me to withhold my signature from this repeal. I hope that they are considerations which will appeal to the thoughtful judgment of the House and in the long run to the thoughtful judgment of the farmers of the country, who have always shown an admirable public spirit.

WOODROW WILSON.

THE WHITE HOUSE,
15 August, 1919.

Mr. BLANTON. Mr. Speaker, I offer a privileged motion——

Mr. ESCH. Mr. Speaker——

The SPEAKER. The gentleman from Wisconsin is recognized.

Mr. ESCH. Mr. Speaker, I do not know whether any extended debate is desired, in fact necessary, on the veto message—— [Cries of "Vote!"]

Mr. BLANTON. Mr. Speaker, a point of order.

Mr. ESCH. Mr. Speaker, I move the previous question on the message.

Mr. BLANTON. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Where a Member seeks to make a privileged motion concerning a veto message of the President of the United States, is he not entitled to recognition by the Chair?

The SPEAKER. Yes.

Mr. BLANTON. I ask for recognition to make a privileged motion.

The SPEAKER. What is the gentleman's motion?

Mr. BLANTON. My motion is to defer action on the veto message of the President of the United States until Monday.

Mr. ESCH. Mr. Speaker, that is not a privileged motion.

Mr. BLANTON. I understand that any motion to defer action is privileged.

The SPEAKER. That is a privileged motion, but the gentleman can not take a Member off the floor in order to make that motion.

Mr. BLANTON. But the Member was not on the floor when I asked for recognition of the Chair. [Cries of "Regular order!"] I asked recognition and made the privileged motion before the gentleman rose from his seat.

The SPEAKER. The Chair thinks the gentleman is entitled to make his motion.

Mr. BLANTON. For instance, the daylight savers, some of whom are night wasters, are all here, and we want all of our Members here who believe in protecting the interests of the farmers, who are the real producers of our Nation.

Mr. BAER. Mr. Speaker, I make the point of order that the gentleman is not in order.

The SPEAKER. The gentleman can not debate his motion.

Mr. BLANTON. I make the motion to defer action on the President's veto message until next Monday, and upon that I move the previous question.

Mr. WINGO. Mr. Speaker, I desire to offer an amendment.

Mr. MONDELL. Mr. Speaker, the gentleman from Wisconsin was recognized and had moved the previous question.

The SPEAKER. The Chair in the confusion did not hear the gentleman move the previous question.

Mr. MONDELL. The gentleman from Wisconsin [Mr. ESCH] began a statement about the message and then moved the previous question.

The SPEAKER. The House will be in order. The situation is this: The Chair laid before the House the veto message of the President, and, of course, upon that the question was pending, Shall the House consider the bill? There are three motions which are privileged, one of which is the motion the gentleman from Texas [Mr. BLANTON] made. Of course, if the gentleman from Wisconsin [Mr. ESCH] had moved the previous question, that was in order and would take precedence.

Mr. BLANTON. Mr. Speaker, I was clamoring for recognition to make a privileged motion.

The SPEAKER. The gentleman from Texas will suspend.

Mr. MONDELL. Mr. Speaker, the gentleman from Wisconsin [Mr. ESCH] after having suggested that there might be debate, if it was desired, in response to clamorous calls of "Vote," made the motion for the previous question.

Mr. BLANTON. And I raised the point of order.

The SPEAKER. If that is so, the Chair was not aware of it at the time, owing to the confusion.

Mr. MONDELL. Everyone about the gentleman from Wisconsin heard him make the motion.

The SPEAKER. If that is true, the gentleman from Wisconsin is entitled to recognition.

Mr. BLANTON. Mr. Speaker, I raised the point of order before the gentleman ever made his motion and asked for recognition on the previous question.

Mr. HAMILTON. I ask for a reading of the reporter's notes, which will show the fact.

The SPEAKER. The gentleman, of course, would be entitled to recognition if the Chair recognized him; but the Chair preferred to recognize the gentleman from Wisconsin, as he had the right, and if the gentleman from Wisconsin made, as he states, which the Chair did not hear, the motion for the previous question, it was in order.

Mr. BLANTON. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. A veto message is received by the House from the President of the United States and submitted to the House, and where the Speaker's attention is directed to the fact that a Member of the House seeks to make a privileged motion, namely, to defer action thereon, before any Member is recognized by the Chair, and that is brought home to the attention of the Speaker, is not the Member who intends to make the privileged motion entitled to recognition before a Member can move the previous question on the adoption of the resolution?

The SPEAKER. He certainly is not. The gentleman in charge of the bill is entitled to prior recognition [applause], and if he moves the previous question that comes first.

Mr. ESCH. Mr. Speaker, I renew my motion for the previous question on the veto message of the President for reconsideration of the bill.

Mr. BLANTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. If the House sees fit, or if, in other words, the proponents of the repeal of the daylight-saving law see fit, in order to save the repeal, to vote down the previous question, they can do it. I believe that we have a sufficient vote here now to pass this repeal over the President's veto, but it is such an important matter we can not afford to take chances. Three of our Texas Members and numerous other proponents of repeal are absent at this time.

The SPEAKER. That is not a parliamentary question. The gentleman will take his seat.

Mr. BAER. Mr. Speaker, I make the point of order the gentleman is not speaking——

Mr. KING. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. KING. I rise for the purpose of making a privileged motion to postpone action upon this message until next Tuesday, and upon the ground, Mr. Speaker, that the consideration of a President's message is privileged, and under the rules of this House a motion to postpone to a day certain is privileged.

The SPEAKER. Certainly it is. Also a motion for the previous question is privileged, and if the House wishes to vote down the previous question, then, of course, other privileged motions can come up; but if the House adopts the previous question——

Mr. RUBEY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. RUBEY. Mr. Speaker, I was on my feet a moment ago for the purpose of interrogating the gentleman from Wisconsin.

The SPEAKER. That is not now in order.

Mr. RUBEY. I would like to ask for one minute in order that I may interrogate the gentleman from Wisconsin.

The SPEAKER. The gentleman from Missouri asks unanimous consent to address the House for one minute. Is there objection?

Mr. KING. Mr. Speaker, reserving the right to object——

Mr. GOOD. Mr. Speaker, I object.

The SPEAKER. Objection is made.

Mr. RUBEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RUBEY. Did I understand the gentleman was recognized to make a motion that this be postponed?

The SPEAKER. He is not recognized for that purpose. The question before the House is, Will the House on reconsideration pass the bill, the objection of the President to the contrary notwithstanding?—and on that the gentleman from Wisconsin moves the previous question.

The question was taken, and the Speaker announced the ayes seemed to have it.

On a division (demanded by Mr. BLANTON and Mr. KING) there were—ayes 225, noes 34.

Mr. BLANTON. Upon that I demand the yeas and nays.

The SPEAKER. The gentleman from Texas demands the yeas and nays. Six gentlemen have arisen, not a sufficient number.

So the previous question was ordered.

The SPEAKER. On that the gentleman from Wisconsin is entitled to 20 minutes if he so desires—— [Cries of "Vote!"]

Mr. CAMPBELL of Kansas. No; there was debate before moving the previous question, which cuts off further debate.

Mr. WINGO. Mr. Speaker, I move to commit the bill and message to the Committee on Interstate and Foreign Commerce. That is in order after the previous question.

The SPEAKER. After the previous question has been ordered that would not be in order.

Mr. WINGO. Mr. Speaker, that is the only motion that is in order—to recommit. Why, it is a recommittal; that is what it is, certainly.

The SPEAKER. Why, the President's veto has never been in the committee.

Mr. WINGO. The bill has been in the committee, and the bill carries with it the accompanying papers and the veto. The bill is the substantive proposition before the House. We are reconsidering a bill, and I am moving to recommit the bill to the Committee on Interstate and Foreign Commerce under Rule XVII, which says a motion to commit may be made on any question either before or after the previous question is ordered.

The SPEAKER. The Chair thinks that clearly is not in order. A motion to commit was in order, but——

Mr. WINGO. I am not moving to commit the President's message; his message is not before the House now. The House is reconsidering a bill, and the rules plainly provide that after the previous question is ordered you can move to recommit a bill, and I am moving to recommit the bill to a committee, which the rules plainly provide may be made after the previous question has been ordered.

Mr. CLARK of Florida. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The Chair will hear the gentleman.

Mr. CLARK of Florida. Mr. Speaker, is it not a fact that the question before the House and upon which the previous question has been ordered is the question of the veto of the President? The previous question is not ordered on the bill, but it has been ordered upon the proposition of the President's veto.

The SPEAKER. On reconsidering the bill, the President's veto to the contrary notwithstanding. The Chair thinks the gentleman's motion is not in order. [Cries of "Vote!" "Vote!"]

Mr. WINGO. Mr. Speaker, the veto has nothing to do with the parliamentary situation. The veto has served its purpose, and, as one Speaker has ruled, is now history. We are proceeding, as the Constitution provides we shall, to reconsider a bill. Now, the rule plainly provides that after the previous question is ordered one motion to recommit shall be in order. I am not talking about the veto. I am not asking that the veto go to the committee, because it is not necessary. We are considering a bill, and the rule plainly provides that one motion to recommit a bill may be made even after the previous question is ordered. And I am sure if the Chair will examine the rule he will find that that is true.

The SPEAKER. The Chair will be very glad if the gentleman will refer him to any precedent.

Mr. WINGO. Read Rule XVII. The Chair is confusing this proceeding with the disposition of a veto message. My motion does not go to the veto message, but to the pending question, which is the passage of a bill on reconsideration.

The SPEAKER. The Chair thinks the precedents——

Mr. WINGO. The effect of the President's veto is to put the bill back to where it was immediately when the bill first came up for the consideration of the House. In other words, the veto of the President, under the Constitution, puts the bill back in the House for consideration. Now, the veto has served its office. It is dead, so far as the parliamentary situation is concerned, and is now history. And when the House took up the consideration of the bill the parliamentary status was the very same as it was the day the House originally considered the bill when it came from the committee, except it can not be amended. In other words, the House is proceeding to the consideration of a bill. Now, the President's veto does not affect the parliamentary status. It has served its office—that is, to force the House to take up, de novo, the bill as vetoed, and that is what we have done. No one will seriously contend if this were the first time we were considering the bill that we would not have the right to make a motion to recommit.

The SPEAKER. The Chair will state to the gentleman, inasmuch as the gentleman referred to the precedents, that in the Manual, page 32, it says:

> While the ordinary motion to refer may be applied to a vetoed bill, it is not in order to move to recommit it pending the demand for the previous question or after it is ordered.

Mr. WINGO. The decision cited does not bear out the syllabus. I move, then, to refer the bill, Mr. Speaker, to the Committee on Interstate and Foreign Commerce.

The SPEAKER. The Chair does not think a motion to refer is in order after the previous question is ordered.

Mr. WINGO. I respectfully appeal from the decision of the Chair.

The SPEAKER. The Chair rules it is not in order to move to refer a bill after the previous question is ordered, and the gentleman from Arkansas appeals from the decision of the Chair.

Mr. ANDERSON. Mr. Speaker, I move to lay the appeal on the table.

The SPEAKER. The gentleman from Minnesota moves to lay the appeal on the table.

Mr. WINGO. And on that I ask for the yeas and nays.

The SPEAKER. On that motion the gentleman from Arkansas [Mr. WINGO] demands the yeas and nays. Those in favor of demanding the yeas and nays will rise and be counted. [After counting.] Four gentlemen have risen, not a sufficient number. The question is on the motion of the gentleman from Minnesota [Mr. ANDERSON] to lay the appeal on the table.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. WINGO. Division, Mr. Speaker.

The House divided; and there were—ayes 214, noes 5.

Mr. WINGO. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. DYER. Mr. Speaker, I make the point of order that that motion is dilatory.

The SPEAKER. A quorum was counted on the last vote. The ayes were 214 and the noes 5.

Mr. WINGO. I understood the Chair to say 142. Of course, with the vote as stated there is a quorum present.

The SPEAKER. The question is, Will the House on reconsideration agree to pass the bill, the veto of the President to the contrary notwithstanding? That vote, under the Constitution, will have to be taken by the yeas and nays. Those who are in favor of passing the bill over the President's veto will, as their names are called, answer "yea," and those opposed will answer "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 223, nays 101, answered "present" 1, not voting 106, as follows:

YEAS—223.

Almon	Emerson	Kraus	Robsion, Ky.
Anderson	Esch	Kreider	Rodenberg
Andrews, Md.	Evans, Nev.	Lampert	Romjue
Andrews, Nebr.	Ferris	Langley	Rubey
Anthony	Fess	Lanham	Rucker
Ashbrook	Fields	Lankford	Sanders, Ind.
Aswell	Fisher	Larsen	Sanders, La.
Ayres	Focht	Layton	Sanders, N. Y.
Babka	Fordney	Lazaro	Schall
Baer	French	Lee, Ga.	Sears
Bankhead	Fuller, Ill.	Little	Sells
Barbour	Garner	McArthur	Sinclair
Barkley	Garrett	McClintic	Sinnott
Bee	Godwin, N. C.	McCulloch	Small
Bell	Good	McDuffie	Smith, Idaho
Benham	Goodwin, Ark.	McFadden	Smithwick
Blackmon	Goodykoontz	McKeown	Snyder
Bland, Va.	Gould	McKinley	Steagall
Blanton	Graham, Ill.	McLaughlin, Mich.	Steenerson
Bowers	Green, Iowa	McLaughlin, Nebr.	Stevenson
Box	Greene, Vt.	McPherson	Strong, Kans.
Briggs	Hamilton	Major	Strong, Pa.
Brinson	Hardy, Tex.	Mansfield	Sweet
Brooks, Pa.	Harrison	Martin	Swope
Burroughs	Hastings	Mason	Taylor, Colo.
Butler	Haugen	Mondell	Taylor, Tenn.
Byrnes, S. C.	Hawley	Montague	Temple
Byrns, Tenn.	Hayden	Mooney	Thomas
Campbell, Kans.	Hays	Moore, Ohio	Thompson, Ohio
Cantrill	Heflin	Moore, Va.	Thompson, Okla.
Caraway	Hernandez	Morgan	Tillman
Carss	Hickey	Murphy	Timberlake
Clark, Fla.	Hoch	Neely	Tincher
Clark, Mo.	Holland	Nelson, Mo.	Upshaw
Cole	Houghton	Nelson, Wis.	Venable
Collier	Howard	Newton, Mo.	Vestal
Connally	Huddleston	O'Connor	Vinson
Cooper	Hudspeth	Oldfield	Voight
Crisp	Hulings	Oliver	Volstead
Curry, Calif.	Hull, Iowa	Overstreet	Watson, Pa.
Dale	Hull, Tenn.	Padgett	Watson, Va.
Davey	Ireland	Park	Weaver
Davis, Minn.	Jacoway	Parrish	Welling
Davis, Tenn.	Johnson, Ky.	Pou	Wheeler
Denison	Johnson, Miss.	Purnell	White, Kans.
Dent	Johnson, Wash.	Quin	Williams
Dickinson, Mo.	Jones, Pa.	Rainey, H. T.	Wilson, Ill.
Dominick	Jones, Tex.	Ramseyer	Wilson, La.
Doughton	Juul	Rayburn	Wingo
Dowell	Kearns	Reavis	Wood, Ind.
Drane	Kendall	Reed, N. Y.	Woods, Va.
Dunbar	Kincheloe	Reed, W. Va.	Yates
Dyer	King	Rhodes	Young, N. Dak.
Eagle	Kinkaid	Ricketts	Young, Tex.
Elliott	Kitchin	Riddick	Zihlman
Ellsworth	Knutson	Robinson, N. C.	

NAYS—101.

Ackerman	Caldwell	Coady	Dallinger
Bacharach	Campbell, Pa.	Crago	Darrow
Benson	Carew	Crowther	Dewalt
Browning	Chindblom	Cullen	Donovan
Burdick	Cleary	Currie, Mich.	Dooling
Doremus	Kahn	Michener	Scott
Dupré	Keller	Miller	Sherwood
Eagan	Kelly, Pa.	Minahan, N. J.	Siegel
Edmonds	Kennedy, R. I.	Moores, Ind.	Sims
Elston	Kleczka	Newton, Minn.	Smith, Mich.
Fitzgerald	LaGuardia	Nichols, Mich.	Smith, N. Y.
Fuller, Mass.	Lehlbach	O'Connell	Steele
Gallagher	Lesher	Ogden	Stephens, Ohio
Ganly	Lonergan	Olney	Stiness
Gard	Lufkin	Pell	Tinkham
Garland	McGlennon	Phelan	Treadway
Glynn	McKinlry	Platt	Valle
Goldfogle	McLane	Porter	Watkins
Goodall	MacCrate	Radcliffe	Webb
Griffin	MacGregor	Raker	Webster
Haskell	Madden	Ramsey	Welty
Hersman	Maher	Reber	White, Mo.
Husted	Mapes	Riordan	Winslow
Hutchinson	Mays	Rowan	
James,	Mead	Rowe	
Johnston, N. Y.	Merritt	Sanford	

ANSWERED "PRESENT"—1.

Igoe

NOT VOTING—106.

Alexander	Evans, Mont.	Longworth	Scully
Begg	Evans, Nebr.	Luce	Shreve
Black	Fairfield	Luhring	Sisson
Bland, Ind.	Flood	McAndrews	Slemp
Bland, Mo.	Foster	McKenzie	Smith, Ill.
Boies	Frear	Magee	Snell
Booher	Freeman	Mann	Stedman
Brand	Gallivan	Monahan, Wis.	Stephens, Miss.
Britten	Gandy	Moon	Sullivan
Brooks, Ill.	Graham, Pa.	Moore, Pa.	Summers, Wash.
Browne	Greene, Mass.	Morin	Sumners, Tex.
Brumbaugh	Griest	Mott	Taylor, Ark.
Buchanan	Hadley	Mudd	Tilson
Burke	Hamill	Nicholls, S. C.	Towner
Candler	Hardy, Colo.	Nolan	Vare
Cannon	Hersey	Osborne	Walsh
Carter	Hicks	Paige	Walters
Casey	Hill	Parker	Ward
Christopherson	Humphreys	Peters	Wason
Classon	Jefferis	Rainey, J. W.	Whaley
Copley	Johnson, S. Dak.	Randall, Calif.	Wilson, Pa.
Costello	Kelley, Mich.	Randall, Wis.	Wise
Cramton	Kennedy, Iowa	Rogers	Woodyard
Dempsey	Kettner	Rose	Wright
Dickinson, Iowa	Kiess	Rouse	
Dunn	Lea, Calif.	Sabath	
Echols	Linthicum	Saunders, Va.	

So, two-thirds having voted in the affirmative, the House decided to pass the bill, the objection of the President to the contrary notwithstanding.

The Clerk announced the following pairs:

On the vote:

Mr. MOTT and Mr. DEMPSEY (for) with Mr. HAMILL (against).

Mr. SHREVE and Mr. RANDALL of Wisconsin (for) with Mr. DUNN (against).

Mr. GANDY and Mr. BROOKS of Illinois (for) with Mr. TILSON (against).

Mr. COPLEY and Mr. BEGG (for) with Mr. BURKE (against).

Mr. BLACK and Mr. HILL (for) with Mr. MORIN (against).

Mr. BUCHANAN and Mr. SAUNDERS of Virginia (for) with Mr. GALLIVAN (against).

Mr. BOIES and Mr. HERSEY (for) with Mr. PETERS (against).

Mr. MCKENZIE and Mr. CRAMTON (for) with Mr. COSTELLO (against).

Mr. WASON and Mr. WARD (for) with Mr. ROSE (against).

Mr. SMITH of Illinois and Mr. SNELL (for) with Mr. GRAHAM of Pennsylvania (against).

Mr. FOSTER and Mr. LEA of California (for) with Mr. JOHN W. RAINEY (against).

Mr. WHALEY with Mr. DICKINSON of Iowa (for) with Mr. SABATH (against).

Mr. WILSON of Pennsylvania and Mr. NICHOLLS of South Carolina (for) with Mr. SULLIVAN (against).

Mr. FREAR and Mr. MUDD (for) with Mr. MAGEE (against).

Mr. EVANS of Nebraska and Mr. JEFFERIS (for) with Mr. MOORE of Pennsylvania (against).

Mr. MONAHAN of Wisconsin and Mr. CLASSON (for) with Mr. NOLAN (against).

Mr. TOWNER and Mr. CARTER (for) with Mr. MCANDREWS (against).

Mr. KENNEDY of Iowa and Mr. BOOHER (for) with Mr. RANDALL of California (against).

Mr. ALEXANDER and Mr. CANDLER (for) with Mr. WALTERS (against).

Mr. CANNON and Mr. LUHRING (for) with Mr. VARE (against).

Mr. BRAND and Mr. WISE (for) with Mr. LUCE (against).

Mr. JOHNSON of South Dakota and Mr. FLOOD (for) with Mr. GREENE of Massachusetts (against).

Mr. BLAND of Indiana and Mr. BROWNE (for) with Mr. WALSH (against).

Mr. HADLEY and Mr. CHRISTOPHERSON (for) with Mr. PAIGE (against).

Mr. IGOE and Mr. WRIGHT (for) with Mr. SCULLY (against).

Mr. HUMPHREYS and Mr. SISSON (for) with Mr. CASEY (against).

The result of the vote was announced as above recorded and was greeted with applause.

Mr. BLANTON. Mr. Speaker, I move that the vote whereby the bill was passed over the President's veto be reconsidered, and I move to lay that motion on the table.

The SPEAKER. The gentleman's motion is not in order.

Mr. SEARS. I make the point of order, Mr. Speaker, that that motion is not in order.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BLACK, at the request of Mr. JONES of Texas, for five days, on account of sickness in his family;

To Mr. SUMNERS of Texas, at the request of Mr. JONES of Texas, for five days, on account of sickness in his family;

To Mr. JOHN W. RAINEY, at the request of Mr. HENRY T. RAINEY, for the remainder of this week, on account of the death of his mother; and

To Mr. WRIGHT, at the request of Mr. CRISP, for one week, on account of sickness in his family.

POTATO FLOUR AND STARCH.

Mr. FORDNEY. Mr. Speaker, by direction of the Committee on Ways and Means, I submit the following privileged report.

The SPEAKER. The gentleman from Michigan submits a privileged report, which the Clerk will report by title.

The Clerk read as follows:

The Committee on Ways and Means has made the following report to accompany the bill (H. R. 6814) to provide revenue for the Government and to promote the production of potato flour and potato starch in the United States.

The SPEAKER. Referred to the Committee of the Whole House on the state of the Union and ordered printed.

TUNGSTEN ORES IN THE UNITED STATES.

Mr. FORDNEY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4437; and, pending that motion, I wish to arrange as to general debate with the gentleman from North Carolina [Mr. KITCHIN].

The SPEAKER. The gentleman from Michigan moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4437; and, pending that——

Mr. FORDNEY. I want to see what length of general debate the gentleman from North Carolina desires.

Mr. KITCHIN. One gentleman on this side desires 40 minutes, and others desire about an hour.

Mr. FORDNEY. I do not believe that we want to consume that much time over here. I ask unanimous consent, Mr. Speaker, that we have an hour and 20 minutes on this side and debate for 3 hours, 1 hour and 20 minutes to be controlled by myself and 1 hour and 40 minutes to be controlled by the gentleman from North Carolina [Mr. KITCHIN].

Mr. KITCHIN. That is satisfactory.

The SPEAKER. And, pending that motion, the gentleman from Michigan asks unanimous consent that the general debate be limited to 3 hours—1 hour and 20 minutes to be controlled by himself and 1 hour and 40 minutes to be controlled by the gentleman from North Carolina [Mr. KITCHIN]. Is there objection?

Mr. GARNER. Reserving the right to object, Mr. Speaker, I want to ask the gentleman from Michigan when was the bill ordered reported out from committee that he reported a moment ago? I was not here when the report was submitted.

Mr. FORDNEY. It was reported out and authorized by the committee before we recessed—that is, 10 days or 2 weeks ago. I then offered a report, but it was shut out by some motion. We did not file the report until now.

Mr. GARNER. I did not happen to be in the Chamber at the time, so that I did not know.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Michigan moves that the House resolve itself in Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 4437) to provide revenue for the Government and to promote the production of tungsten ores and manufactures thereof in the United States. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The gentleman from Iowa [Mr. GOOD] will please take the chair.

Accordingly the House resolved itself in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4437, with Mr. GOOD in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4437, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 4437) to provide revenue for the Government and to promote the production of tungsten ores and manufactures thereof in the United States.

The CHAIRMAN. Under the special order the gentleman from Michigan [Mr. FORDNEY] has 1 hour and 20 minutes and the gentleman from North Carolina [Mr. KITCHEN] has 1 hour and 40 minutes. The gentleman from Michigan is recognized.

Mr. FORDNEY. Mr. Chairman, I yield one minute to the gentleman from Illinois [Mr. MASON].

The CHAIRMAN. The gentleman from Illinois is recognized for one minute.

Mr. MASON. Mr. Chairman, I ask unanimous consent to withdraw a petition filed some weeks ago in the House, addressed to the Congress and to the President, relating to the return of our troops from Siberia. There is a committee from the State of Illinois coming to Washington to-night who hope to see the President within a day or two, and I ask unanimous consent to withdraw this petition in order that they may have it to present to the President.

Mr. CAMPBELL of Kansas. Mr. Chairman, I think that will have to be done in the House.

The CHAIRMAN. The Chair thinks that can not be done in Committee of the Whole. That action will have to be taken by the House.

Mr. FORDNEY. Mr. Chairman, I ask the gentleman from North Carolina [Mr. KITCHIN] to occupy some of his time.

Mr. KITCHIN. I yield 40 minutes to the gentleman from Louisiana [Mr. MARTIN].

Mr. MARTIN. Mr. Chairman, I ask that I be not interrupted until I have completed my remarks.

The CHAIRMAN. The gentleman from Louisiana asks that he be not interrupted until he has concluded his remarks.

Mr. MARTIN. Mr. Chairman, in view of the many resolutions that have been offered in this body asking for an investigation, both as to the scarcity and price of sugar, I shall ask the indulgence of the House while I give a few facts and figures which may throw some light upon existing conditions in the sugar market.

That there has been profiteering in sugar, just as there has been in other foods and commodities during the late war and since the signing of the armistice, no one will deny, but the record will show that the public has been fleeced not by the sugar producer but by the wholesale and retail dealers in sugar.

During the fall of 1918 the cane and beet sugar producers of this country entered into a written agreement with the United States Food Administration, by the terms of which the producers agreed to sell their sugar at a price to be fixed and determined by the Food Administration. At the time that this contract was signed no price had been agreed upon and it was left to the Food Administration to fix a price which would, in its opinion, be fair both to the producers and the consumers. The producers also agreed to sell and distribute their sugar in such manner as the Food Administration might direct.

In other words, the sugar producers of this country voluntarily placed themselves absolutely in the hands of the Food Administration, agreeing and binding themselves to sell their sugars for such price and at such time and place as might be designated by the Food Administration.

Subsequently the Food Administration fixed a basic maximum price of 9 cents a pound for fine granulated sugars and provided for a differential on all sugars of an inferior grade—nearly all of which are manufactured in Louisiana—of from 20 cents to $1.20 a hundred pounds. These prices were f. o. b. seaboard points, with the customary discount of 2 per cent for cash, thus making the price of refined and plantation granulated sugars 8.82 cents per pound. Other direct-consumption sugars made in Louisiana were marketed at from 8.20 to 8.70 cents per pound, while second and third sugars sold at from 6.5 to 7.2 cents per pound.

The differentials on the various grades of sugar made in Louisiana will be found in the written agreement made with the Louisiana producers, which I shall ask leave to print in connection with my remarks.

It is provided that this agreement shall remain in full force and effect from October 1, 1918, until the final disposition of the crop of the season of 1918–19 and for each succeeding year thereafter until the existing state of war between this country and Germany shall have terminated, as evidenced by the proclamation of the President, provided that either party may withdraw from the contract after the disposition of the crop of 1918–19 by giving 30 days' written notice to that effect before October 1, 1919.

This agreement was signed by every sugar producer in the State of Louisiana and has been patriotically lived up to both in letter and in spirit, even though its fulfillment in many instances demanded additional equipment and was followed up by so many rules and regulations emanating from the Food Administration relative to the shipping, marketing, and distribution of the sugars that the sugar producers of this country will breathe a sigh of relief when the provisions of this control are no longer in force and effect.

Under authority given in the Lever food-control act the United States Food Administration, on July 3, 1918, fixed the profit of the wholesale dealer in sugar at 0.25 cent per pound and that of the retailer at 1 cent per pound, but this was amended later on so as to permit the wholesaler to realize from 0.15 to 0.35 cent per pound and the retailer to realize a profit of 1½ cents per pound. By adding these prices to the maximum price fixed under contract for the refined article—that is to say, 9 cents less 2 per cent for cash—it will be found that the maximum price which the consumers of this country were called on to pay for their sugar was from 10 to 11 cents per pound, and the Department of Justice has recently held that 11 cents is a fair retail price for sugar and that all dealers charging more will be investigated.

And, as a matter of fact, sugar was sold to the consumer at these prices until January 14, 1919, when for some unaccountable reason the rule issued by the Food Administration regulating the profits of the wholesale and retail dealers in sugar was canceled and annulled.

It will therefore appear that after January 14, 1919, the wholesale and retail dealers were permitted to fix the price at which they would dispose of their sugars, while the producers were under contract with the Government not to sell any of their product at a price exceeding 9 cents per pound.

With a scarcity of sugar prevailing, is it any wonder that dealers in sugar have taken advantage of the fact that the rule regulating the price at which sugar should be sold at wholesale and retail had been canceled, thereby giving them a free hand to profiteer in sugar as well as in other commodities and necessities of life?

If press reports are to be believed, dealers in sugar have not been slow to take advantage of this situation.

A few weeks ago sugar was sold by some grocers in Washington at 13½ cents per pound, or 2 pounds for 27 cents, and a press report from Pittsburgh appearing in the Washington Post on August 7 states that three wholesale sugar dealers had been arrested by agents of the Department of Justice for selling sugar at wholesale for 14 cents per pound, while in Chicago it was retailing for as high as 16 cents per pound.

This is profiteering with a vengeance, and it is to be hoped that these parties can be held, convicted, and severely punished for having thus imposed upon the public.

Think of it, Mr. Chairman, the sugar producers and refiners of this country are under contract with this Government to dispose of their entire output during the year 1919 for the maximum price of 9 cents per pound, less 2 per cent for cash, and yet some dealers in this country, taking advantage of the scarcity of sugar, are holding up the public and making the enormous profit of more than 5 cents per pound, or $5 per hundred pounds and $17.50 per barrel.

It takes the sugar farmer of this country 12 months to grow and harvest his cane or beets and manufacture the same into sugar. He has an enormous investment of capital and takes the risk of freezes, overflows, and unfavorable seasons, which are often followed by large financial losses. And yet when the dealers of this country sell sugar at 14 cents per pound, thereby making a profit of more than 5 cents per pound, they are making from five to ten times as much profit as the farmer, who has produced the sugar at great risk and by the sweat of his brow.

But this is not all, Mr. Chairman. When the housewife goes to the grocer to buy her sugar and she is made to pay an exorbitant price for it, her wrath and criticism is visited not upon the grocer but upon the producer, whom she is lead to believe is responsible for the high price of the sugar.

That some Members of Congress are laboring under the same hallucination as the housewife is shown by the fact that some bills have been introduced looking to the repeal of the present duty on sugar.

I feel sure, however, that these bills are meant merely for home consumption, as any thoughtful man knows that to now remove the duty on sugar and thereby discourage its production in this country would not relieve the present situation either as to quantity or price.

That the price of sugar has not increased in the same proportion as other commodities was brought out in the hearings before the Senate Committee on Manufactures when it was investigating the shortage of sugar and coal last winter.

At that hearing, Mr. Claus Spreckels, a refiner, produced a letter written by Mr. George M. Rolph in December, 1917, at which time Mr. Rolph was at the head of the Sugar Division of the Food Administration, in which he makes this statement:

> Taking the value of other products and comparing the prewar prices with the present to ascertain what price should obtain for raw sugars on the same ratio, the showing would be as follows:
>
> Cotton at 25 cents per pound, sugar should be worth 11½ cents per pound.
>
> Cottonseed meal at $67 per ton, sugar should be worth 10 cents per pound.
>
> Cowpeas at $3.25 per bushel, sugar should be worth 12.7 cents per pound.
>
> Wheat at $2.20 per bushel, sugar should be worth 10 cents per pound.

It is important to note that in making his comparisons, Mr. Rolph takes raw sugar instead of the refined article. The price of raw sugar as fixed by the Food Administration is 7.28 cents, while that of refined sugar is 9 cents, less 2 per cent, the difference between the two representing the cost of refining. So that to the average comparative prices given on sugar by Mr. Rolph, 11.03 cents, must be added 1.54 cents, which would put the price of refined sugars at 12.57 cents f. o. b. seaboard points. To this would have to be added the profits of the wholesaler and retailer, amounting to from 1.5 to 2 cents per pound, which would mean, according to Mr. Rolph, that in comparison to the prices of the products cited by him in his letter, sugar should retail at between 14 and 15 cents per pound.

It should also be noted that the prices of most of the articles selected by Mr. Rolph for comparison with sugar have increased considerably in price since his letter was written.

SCARCITY OF SUGAR.

There is now pending on the House Calendar a resolution offered by the gentleman from Massachusetts [Mr. TINKHAM], directing the Federal Trade Commission to institute an immediate investigation and report to the House its findings on the cause of the present scarcity of sugar and the reasonableness of the wholesale and retail prices of that article.

This resolution was taken up for consideration before the Committee on Interstate and Foreign Commerce on July 14 and was favorably reported to the House on August 5.

While I regret that I did not know when this resolution would be taken up by the committee for consideration, as I would have been pleased to have been in attendance, yet, Mr. Chairman, I wish to say as a representative of a sugar-producing district, that an investigation will be welcomed by the sugar producers of this country.

The facts will show that they are in no way responsible for the present apparent scarcity of sugar, and that they voluntarily and patriotically accepted for their sugars a price which was fixed and determined by this Government as being reasonable and fair and which did not yield excessive profits.

Several factors have contributed to the present scarcity of sugar in this country, but as a matter of fact there is a sufficient amount of sugar in sight to supply the demands of this country.

The domestic supply of sugar has long since been sold and distributed in accordance with the rules and regulations of the Food Administration, but the Cuban crop is by no means exhausted.

On the 24th day of October, 1918, the United States Sugar Equalization Board (Inc.), a corporation which was financed by the President for the purpose of acting as an agency of this Government in equalizing the distribution and selling price of sugar, purchased the entire crop of raw sugar made on the island of Cuba during the crop season of 1918–19. This crop, it is estimated by the Equalization Board, will exceed 4,100,000 tons. One third, or 1,300,000 tons, was alloted and sold by the Equalization Board to Great Britain, thus leaving 2,700,000 tons to be distributed in the United States. Of this, 1,700,000 tons had already been taken or shipped to the United States on July 1, leaving 1,000,000 tons of raw sugar in Cuba, which is the property of this Government and which is available for distribution in this country just as fast as it can be shipped and refined.

The factors which have contributed to the scarcity of sugar in this country are:

First, the simultaneous and sudden demand made for sugar by the big fruit canneries and confectionery factories, who failed to anticipate their normal demands and postponed ordering their usual supply of sugar with the hope that the price would be lowered. They knew that the refiners under their contract could not sell above the fixed price of 9 cents, and believing that the control and price of sugar by the Government would be discontinued now that the emergency is over, they held off from purchasing their necessary supplies, and then deluged the refiners with orders that it was impossible to meet.

Second, the limited capacity of the sugar refineries. The combined capacity of the 22 refineries in this country is 4,800,000 tons, while the consumption is approximately 4,250,000 tons. In addition to supplying the domestic trade, the refineries have

been called upon to supply our Allies, and large quantities of sugar have been refined in this country and shipped to Great Britain and other European countries, so that when the canners and confectioners made their sudden demand for sugar the stock of the refineries was soon exhausted and a shortage followed.

Third, the strike by the marine unions of New York City, which held Cuban and Porto Rican sugar carriers at Atlantic and Gulf ports for three weeks. Happily, this strike was settled on July 30, but not before it had materially affected the receipts and output of sugar at many of the refineries, some of which were forced to reduce their meltings for several days from 25 to 50 per cent.

There does not appear to be any disposition to hoard sugar to any extent, but this is now being investigated by the Department of Justice.

In justice to the Sugar Equalization Board, permit me to say that they have done everything possible to meet the situation and relieve the sugar shortage.

An embargo on exports of sugar to European countries was declared, and the combined output of all the refineries is now being put into domestic channels of trade.

In addition to this the Sugar Equalization Board has recently distributed for the War Department some 37,000,000 pounds of sugar, and has distributed the same where it will give greatest relief, and has sold it to the trade at the fixed price of 9 cents per pound, less 2 per cent for cash.

The situation brought about by the marine strike was met as far as possible by pressing into service all vessels that could be reached by radio and diverting them to Cuba to bring back raw sugar.

It takes a vessel three weeks to make the round trip from New York to Cuba, so that the effect of the marine strike will have disappeared by the last of August, and we should then be receiving Cuban raw sugars at the rate of 300,000 tons per month, which will relieve the shortage until our domestic product is placed on the market.

The resolution introduced in the House by my colleague from Ohio [Mr. EMERSON] to repeal all duty upon sugar would accomplish no good purpose and would neither affect the price of sugar nor increase the amount of sugar we are now receiving in this country. It is evident that Mr. EMERSON was under the impression that the removal of the customs duty would result in the importation of foreign-grown sugars.

The fact of the matter is that every other sugar-consuming nation is suffering from the scarcity of sugar much more than the United States. Aside from that which the United States and Great Britain control by the purchase of the entire Cuban crop there is but a small surplus of sugar in other countries, and where a surplus does exist exorbitant prices are being demanded.

The important thing to be accomplished at this time is to hold on to what sugars we have, and the Sugar Equalization Board has met this situation by placing an embargo on further shipments of sugar abroad.

In an Associated Press dispatch from Paris appearing in the Washington Star on July 18 the sugar situation in France is summed up as follows:

French food officials, it was explained, were given an option last fall on as large a proportion of the Cuban sugar crop as they wished. The French, however, took only about 31 per cent of the crop, although American officials warned them of an impending world sugar shortage. Now that the French face a serious sugar deficit they are seeking an American supply, where prices are lower than elsewhere. Sugar is available in Czechoslovakia, but the Czechs are asking 25 cents a pound. Stocks are available elsewhere, but at prices far higher than in the United States.

It would seem, therefore, that the French are seeking this market not so much because sugar can not be found elsewhere but because sugar is selling in this country for less than one-half the price that it can be purchased from any other source.

As a matter of fact, sugar is selling cheaper in this country than in any other part of the world, due alone to the fact that the domestic and Cuban producers and refiners are under contract with this Government. Strike these contracts out of existence and the price of sugar on the market to-day would be more than double that fixed by the Food Administration.

In testifying before the subcommittee of the Committee on Manufactures of the United States Senate last winter, when that body was holding hearings on Senate resolution 163, relative to the shortage of sugar and coal, the Hon. Herbert Hoover, United States Food Administrator, made this statement in regard to the agreements and contracts made with the sugar producers of this country:

Supposing that we had made no agreement with him, during this shortage he would probably have sold his sugar at 25 to 30 cents a pound.

Those of you who remember the sugar shortage of last winter, when the consumption of sugar was limited to 2 and 3 pounds per capita, will not doubt the statement of Mr. Hoover.

It was at this time that the sugar and beet crops were being marketed and the producers were receiving less than 9 cents a pound for their sugars.

Taking the lesser figure given by Mr. Hoover, and say that sugar would have sold at 25 cents a pound without Government control, it will be found that the amount saved to the consumers of this country and lost to the producers is almost staggering.

The difference between the price fixed by the Food Administration—9 cents—and that for which Mr. Hoover said sugar would have sold without his control—25 cents—shows a difference of 16 cents a pound, or a difference of $320 per ton of 2,000 pounds.

Louisiana and Texas produced 284,000 tons of sugar, while the beet-sugar farmers produced approximately 800,000 tons, so that the cane-sugar producers lost by reason of their contracts and the resulting control of price by the Food Administration $90,880,000, while the beet-sugar producers lost $256,000,000, or a total loss to the sugar producers of this country of $346,880,000.

It does seem to me, Mr. Chairman, that in the face of these figures the consumers of this country are without reason to complain as to the price of sugar as fixed by the Food Administration, but that if complaint there be it should come from the sugar producers of this country who voluntarily sacrificed millions of dollars to aid their country in the winning of the war.

I say "voluntarily," because the control of sugar was not contemplated by the Lever food bill, as this act specifically states that its provisions shall not apply to any farmer or gardener or other person with respect to the products of any farm or garden or other land owned, leased, or cultivated by him.

SUGAR OUTLOOK AS TO SUPPLY AND PRICES.

A careful analysis of the threatened world shortage discloses the following facts: The sugar production of the world for the season of 1918–1919 amounted to 16,350,400 long tons, of which 12,010,644 tons is cane sugars and 4,339,856 beet sugars. This shows an estimated decrease in the world's production of 982,555 tons.

There is no question but that the world is now short of sugar and has been short all of the present year. It follows, therefore, that with the restrictions removed as to the consumption of sugar in this and other countries, this shortage will be accentuated another year, unless there is a considerable increase in production.

The English colonies will undoubtedly produce more sugar than they have done since prewar times. The British West Indies last year produced 210,000 tons, but this is far short of England's needs, and during the coming year she will again rely largely upon Cuban and American sugars for her necessary supply.

The sugar-producing colonies of Great Britain have recently been called upon by that Government for a statement as to their relative capacity for sugar production, and the colonists are insisting that the British Government shall so adjust any scheme of sugar duties that it may put in force as to give a preference to the British colonies. Canada has for some years had a preferential arrangement with the West Indian colonies to the extent of 15 per cent of the duties, and the colonies are now demanding similar treatment at the hands of the British Government. England usually takes care of her own, and I believe it safe to say that the production of sugar in the British colonies will be materially increased during the coming year.

The French colonies only produce some 60,000 tons of sugar, and are a very small factor in meeting the demands of that country.

Previous to the war the French were extensive producers of beet sugars, but their beet fields were overrun by the Huns in the late war and all of their factories were destroyed, and it will take several years before France can reestablish this industry. France, like England, is looking to Cuba and the American refiners for her sugar supply.

The same may be said of Italy and Belgium, but the fact that these countries will be called upon to pay for their sugars in American money or securities will deter them from buying any large quantity of sugar, and they will probably remain on a restricted basis for the next year or two.

Germany before the war was a large producer and exporter of beet sugar, and, in fact, took care of most of the European demands, and while her sugar output during the war was reduced to a point where it only took care of local consumption, yet her fields and her factories are still intact and my information is that she will have some sugars for export the coming season.

Russia was likewise a large producer and exporter of beet sugars, but she is now cut off from the rest of the world and her internal troubles have demoralized the industry and she will not be an important factor in supplying the world with sugar.

While Mexico and some of the South American countries produce cane sugar, it is mostly consumed locally and will play no part in rendering much-needed assistance to those countries suffering from a sugar famine.

On the other hand, with few exceptions, those sugar-producing countries that were not affected by the ravages of war have increased their production by leaps and bounds.

The great demand for sugar and the increased price have stimulated production in Cuba more than 33 per cent in two years. For the season of 1916–17 the tonnage production was slightly over three million, in 1917–18 it was nearly three and one-half million, and in 1918–19 it exceeded 4,000,000 tons. If this same percentage of increase continues Cuba will produce four and one-half million tons for the season of 1919–20.

Java produced last year 1,333,613 tons, of which 430,000 tons went to Europe and the balance was distributed chiefly in the Orient. Previous to the outbreak of the war much of the Java sugar came to this country, but importation stopped on the outbreak of the war and we have received little, if any, Java sugar since 1914. Java's production for 1919–20 is expected to reach 1,600,000 tons.

Formosa produced 400,000 tons in 1918, with the promise of a material increase this year. These sugars are refined in Japan and are consumed in that country and in China.

The Dominican Republic produced a banner crop last year of 165,000 tons, and promises to increase her output this season.

In the United States the prospects are not so encouraging. Both the cane and beet sugar crops have suffered from shortage of labor and unfavorable weather conditions.

The latest Government report on the Louisiana crop, dated August 8, estimated the coming crop of sugar at 152,463 tons, as against 280,900 tons last season, a decrease of more than 40 per cent. The best information obtainable as to the beet-sugar production is that it will not exceed 700,000 tons, which is a decrease of about 100,000 tons. Reports from our insular possessions are to the effect that next year's crop will equal if not exceed the crop of this year.

The total sugar supply of the United States and its insular possessions may therefore be estimated as follows:

Louisiana cane sugars	152,463
Texas cane sugars	4,000
Porto Rico	400,000
Hawaiian Islands	576,000
Philippine Islands	150,000
Beet sugars	700,000
Total	1,982,463

The total supply of the United States and its insular possessions will therefore be about 1,982,463 tons.

The per capita consumption of sugar last year was 77 pounds, and was highest in 1914, when it reached 89 pounds. It would be safe to say, therefore, that our consumption next year will not exceed 85 pounds.

Estimating our population at 105,000,000, it will be found that the probable consumption of sugar next year will be 4,400,000 short tons.

Adopting the estimate made on the Cuban crop (4,500,000 tons) and that of the United States and its possessions (1,982,463 tons), we have 6,482,463 tons of sugar that will either be made or refined in this country, or a surplus over and above our own needs of 2,082,463 tons, which can be shipped to Europe and absorbed by the countries now suffering from a sugar shortage.

I do not, therefore, anticipate such a world shortage in sugar as is being predicted by the press throughout this country, and if the European countries continue to limit and restrict the use of sugar there will be no shortage at all.

In any event, there is no danger of such a world shortage as will necessitate the enactment of any further laws looking to the control of sugar either as to price or distribution.

FUTURE PRICE OF SUGAR.

It is not practical at this time to predict what the price of sugar will be next year. But we do know that the sugar producers of this country can not afford to sell their sugars at the price fixed by the Food Administration for the crop of last season.

The scarcity and high price of labor, the increased cost of mules, agricultural implements, fertilizer, and every article that goes into the cultivation and manufacture of sugar, coupled with the extreme wet weather that has prevailed for more than a year, will make the Louisiana crop the most expensive one ever grown in that State.

While the prices of last year yielded a fair margin of profit to most of the sugar producers, there were yet some who actually lost money, and for any sugar farmers to show a profit this season they must have a considerable advance in the price of sugar. This would not necessarily mean any material increase to the consumer, if the wholesaler and retailer are held down to legitimate profits.

Some idea of the rise in cost of producing sugar in this country may be gained from a study of the following table quoted from Tariff Information, series No. 9, of the United States Tariff Commission, entitled "Cost of production in sugar industry," published in 1919.

TABLE XV.—*Wages and prices of sundry items used in the production of sugar for the years indicated, together with the percentage rates of increase.*

	1913–14	1917–18		1918–19		
	Amount.	Amount.	Increase per cent over 1913–14.	Amount.	Increase per cent over 1917–18.	Increase per cent over prewar.
Wages per day:						
Mill laborers	$2.24	$3.24	45	$4.24	31	89
Sugar boilers	4.22	5.27	25	6.36	21	51
Prices:						
Beets, per ton	6.47	9.12	41	11.99	31	85
Coal, per ton	2.49	3.71	49	4.08	10	64
Coke, per ton	6.86	9.82	43	13.49	37	97
Fuel oil, per barrel	.77	.94	22	1.67	78	117
Lime rock, per ton	2.32	2.82	22	3.51	25	51
Sugar bags, each	.13	.16	23	.43	169	231
Sugar barrels, each	.46	.60	30	.99	65	115
Filter cloth, per yard	.16	.18	12	.57	217	256

The above table does not cover all of the cost items in the manufacture of beet sugar, but it is sufficient to show the general increase in the cost of production brought about by war conditions.

This table of cost of production refers particularly to beet sugars, but the report of the Tariff Commission shows that the increase in the cost of production of cane sugars was in about the same proportion.

The price of refined sugar for the 1917–18 crop was fixed at 7.45 cents per pound and was increased to 9 cents, less 2 per cent for cash, for the crop of 1918–19. It will therefore be seen that this increase of 20 per cent was not at all unreasonable in view of the large increases in cost of the various items entering into the manufacture of the domestic product.

But as the cost of production and material has further increased since 1918, it follows that the domestic producer must receive an increased price for his sugar if the industry is to remain on a paying basis.

A recent press dispatch from Cuba indicates that the producers will demand a higher price for their sugars, and to this end are preparing to form a controlling committee of their own. The Cubans are disposed to give the United States first call on the coming crop, but they very justly feel that in view of the fact that other nations are willing to pay any price to secure a supply of sugar the United States should, in recognition of this fact, pay an increased price in the event that the purchase of the entire crop is again contemplated.

There is no question but what the Cubans hold the whip hand and that they are in a position to dictate prices, but at the same time they are not forgetful of the fact that their present position as the largest sugar-producing country of the world is due to the tariff preference given by the United States as against the duty collected on sugar from other foreign countries.

If the negotiations now in progress should result in this country again purchasing the entire Cuban crop, which would have the effect of fixing the price in this country, whether our domestic sugars are controlled or not, then, in marketing the Cuban crop, due regard should be given the fact that Cuban sugars are produced for approximately 2 cents per pound less than the domestic article.

CUBAN AND REFINERS' CONTRACTS.

As I have frequently referred to the contracts entered into by the Cuban producers by which they sold their entire output to the United States and to the contract which this Government, through the United States Sugar Equalization Board, also entered into with the refiners, fixing the refiners' margin and providing for the method of distributing sugars, it may not be out of place to review briefly the important provisions of these contracts. I shall, however, ask the consent of the House to print these contracts in full as a part of my remarks.

The purpose of both contracts was to provide for the equitable distribution of sugar to the American people, the Army, the Navy, as well as to protect the consumers against excessive prices for the same.

In the Cuban contract the basic price for 96° raw sugar was fixed at 5.50 cents per pound, plus 0.0385 freight, 0.02 insurance, and tariff 1.0048, making the delivered cost of sugar to the Sugar Equalization Board $6.90 per 100 pounds, to which was added 38 cents profit for the Equalization Board, making the sugar 7.28 cents per pound.

In the contract with the refiners it was determined that a differential of $1.54 per 100 pounds to the refiner to cover cost of refining, cooperage, distribution, and profit would be fair, thus making the price at the refinery 9 cents, less 2 per cent, or 8.82 cents net. This is the price at which the wholesaler receives his sugar f. o. b. refinery.

These two provisions construed together fix the price for American sugars, which price is in effect to-day just as it was in October last year and all succeeding months. It is definitely stated that the United States Sugar Equalization Board (Inc.) was created and is acting as agency for the United States for the purpose of equalizing the distribution and selling price of sugar.

Their contract as to distribution with the Cubans is that their entire crop shall be sold exclusively to the Sugar Equalization Board, and that it should be delivered at the rate of 2 per cent of the crop in December, 1918, and the entire balance in approximately equal monthly shipments from January to November, 1918, inclusive.

Article 4 of the refiners' contract makes provision for the distribution of the Cuban sugars and provides that the Equalization Board shall distribute the sugar among the refiners so as to meet their requirements in the proportions set forth in "Exhibit B," which is the proportionate refining capacity of the several refiners, thus making an equitable allotment of the sugar to the refiners, the refineries being situated geographically so that this could be done, there being refineries in New York, Boston, Philadelphia, Savannah, New Orleans, and in California. The refiners agreed to accept the allotments as made and make equitable distribution of the sugar as refined. Ample protection was given to the requirements of the refiners relative to the supply of domestic, Hawaiian, Philippine, and Porto Rican raw sugars, so that the effect of the Cuban contract could be carried out in full, covering the other sugars named.

Provision was made in the Cuban contract for the handling of such sugars as were allotted to the royal commission of Great Britain, France, and Italy. Similar agreements were had with the refiners for the refining and delivery of such sugars to our Allies.

Under article 4 of the Cuban contract it was agreed that whatever the crop might be in volume, none of the 1918–19 crop should be exported from Cuba except under the contract, and that Cuba would enact such laws and promulgate such orders and decrees as were necessary to faithfully fulfill the stipulations and conditions aforesaid, fixing penalties for failure so to do.

In turn the contract with the refiners stipulates that they should purchase no raw sugars except from the Sugar Equilization Board, the board agreeing to sell them their entire requirements of raw sugars from the date of the contract to December 31, 1919, for the operation of their several refineries for such time as the respective refiners in their judgment determine.

All of the above stipulations are well and fully protected in minute details as to the operation of the contract between the Equilization Board and Cuban producers and the Equilization Board and the American refiners. Thus the supply of sugar was as nearly as could be anticipated fixed at a level flow, and a price to protect the consumer, which was fixed at the time of the signing of the contract, is in effect without change to-day.

FUTURE OF SUGAR IN THE UNITED STATES.

Stimulated by high prices, countries that were not engaged in the World War have greatly increased their production of sugar in order to meet the demands of those countries whose industries were either hampered or destroyed as a result of the war.

But a day of reckoning is coming.

When the peace treaty has been signed, when normal conditions have been restored, when the devastated and abandoned fields in France, Germany, Austria, and Russia are again brought under cultivation and are producing their normal amount of beet sugars, what, then, is to become of the domestic industry?

When the European countries have resumed their normal production of sugar there will be a tremendous surplus, and the Cuban sugar will have no market other than the United States.

I have already shown that with the Cuban crop of four and one-half million tons, there would be a surplus in this country of over 2,000,000 tons, and with Europe producing her own sugars the United States will be the dumping ground of the entire Cuban crop.

Unless our tariff laws are revised, these sugars will enter this country by the payment of a duty just a fraction over 1 cent per pound, and yet they are produced for 2 cents less per pound than domestic sugars.

If the domestic industry is to continue to exist and thrive in the United States, then there must be an increase of tariff for this industry, as well as for many others in this country.

This Great War and the resulting control of sugar prices has established the fact that the two great parties are at one as to the necessity and amount of protection which should be accorded domestic sugars.

Schedule E of the Payne-Aldrich bill fixes the tariff on Cuban 96° test sugars, after deducting the 20 per cent preferential, at 1.348 per pound, while the Underwood bill fixes the duty on the same sugars at 1.0048.

When conditions became such during the war as to make it necessary for this Democratic administration to control the distribution and price of food products in this country, a sugar division of the Food Administration was created and a committee selected which undertook to fix such a price on domestic sugars as would yield a fair margin of profit, and at the same time encourage the production of domestic sugars.

Mr. GALLAGHER. Mr. Chairman, will the gentleman from Louisiana yield?

Mr. MARTIN. I yield to the gentleman from Illinois.

Mr. GALLAGHER. What has the gentleman to say regarding the assertion that has been frequently made here that the raising of sugar in Louisiana is a hothouse industry, like the raising of oranges in Maine?

Mr. MARTIN. It is no more a hothouse industry than the raising of beet sugar in the North. We now produce about one-half of the amount of sugar that is consumed in this country. To strike down the cane-sugar and beet-sugar industries would mean that we would be absolutely at the mercy of foreign producers, both as to price and supply.

After a thorough investigation as to the cost of production both in this country and Cuba, it was concluded that 5.50 for Cuban sugars would be a fair price, and this being acceptable to the Cubans the entire crop of that island was purchased by the United States Sugar Equalization Board for this Government.

Adding to this figure the existing duty of 1.0048 plus freight and insurance, amounting to 0.405 cent per pound, it will be found that under the contract of purchase made with the Cubans their sugars are delivered in New York at 6.90 cents per pound.

But an investigation of the domestic industry disclosed the fact that sugar could not be grown and manufactured in this country at this price, and that it would be necessary to give an increased price to the domestic producers. The difference arrived at by this committee after a full and fair investigation as to the cost of production was 0.38 cent per pound, and this was accordingly added to the Cuban price of 6.90, thus fixing the price of domestic raw sugars at 7.28 cents per pound.

This 0.38 cent is, in effect, an additional duty exacted from the Cubans, made necessary in order to protect the domestic industry.

This additional duty added to 1.0048 fixed in the Underwood bill places the protection which this administration deems fair and adequate as against Cuban sugars at 1.3848, while the Payne-Aldrich bill fixes the duty at 1.348, or at practically the same figure.

Thus I repeat that the Democrats and Republicans are now at one as to the necessity of further protection against foreign sugars.

Let us hope that when the next tariff bill is framed the two parties will be in as thorough accord as they are to-day. [Applause.]

Mr. LAZARO. Has not this war demonstrated the fact that every country should have its own sugar industry in order to be safe?

Mr. MARTIN. There is no question about that.

Mr. LAZARO. Will the gentleman yield for a question?

Mr. MARTIN. Yes.

Mr. LAZARO. Is it not my friend's judgment that it is time for Members to stop quarreling with the producers, not only of sugar but of all agricultural products, and to go after certain profiteers who stand between the producer and the consumer?

Mr. MARTIN. They are the ones who are doing all the profiteering.

Mr. WILSON of Louisiana. Will the gentleman yield for a question?

Mr. MARTIN. I do.

Mr. WILSON of Louisiana. Can the gentleman give the comparative cost of producing cane sugar and beet sugar in this country?

Mr. MARTIN. I will state to the gentleman that I have a table showing the increased cost of production, which I will print in my remarks. I did not want to take the time to read it.

Mr. WILSON of Louisiana. I am speaking about the comparative cost of the production of cane sugar and beet sugar.

Mr. MARTIN. There is very little difference at this time.

Mr. WILSON of Louisiana. So they are both in the same boat.

Mr. MARTIN. Both in the same boat.

Mr. O'CONNOR. With reference to the suggestion that sugar is a sort of exotic or desert rose, will the gentleman kindly state for the information of Members how many acres are devoted to the raising of sugar down in Louisiana, the number of people dependent on the sugar industry, and the great number of thriving towns scattered all through that famous Teche country?

Mr. MARTIN. There are more than 350,000 acres of land cultivated in cane in Louisiana, and with factories and buildings represent an investment of at least $120,000,000. There are some 60,000 laborers employed at an annual outlay of more than $30,000,000.

In the beet-sugar industry there is an investment of more than $150,000,000, and some 200,000 farmers are engaged in cultivating 800,000 acres of beets.

Mr. O'CONNOR. The Teche country has been truthfully described as the paradise of this earth, where the skies are bluer and the grass greener than anywhere else. [Applause.]

Mr. SANDERS of Louisiana. Will the gentleman yield?

Mr. MARTIN. I yield to my colleague.

Mr. SANDERS of Louisiana. As a matter of fact, is not practically one entire congressional district and a large part of three other congressional districts in Louisiana given over very largely, if not wholly, to the production of sugar?

Mr. MARTIN. Yes; most of the third congressional district is cultivated in sugar.

Mr. SANDERS of Louisiana. And a large part of the sixth?

Mr. MARTIN. Yes.

Mr. SANDERS of Louisiana. And a large part of the seventh and a good part of the first and second.

Mr. MARTIN. That is correct.

Mr. OLIVER. Has the gentleman any information as to whether the domestic crop of sugar, which he states has already been sold, has been sold to parties who are now hoarding it?

Mr. MARTIN. No, sir. As I stated in my remarks, there is no hoarding in this country at all so far as sugar is concerned. The distribution of all raw sugars is absolutely in the hands of the Government, and they designate where it shall go.

Mr. OLIVER. Has the gentleman any information as to the amount of sugar that candy manufacturers now have on hand?

Mr. MARTIN. I have not.

Mr. OLIVER. Does the gentleman know whether the amount they have on hand is more than sufficient to meet their ordinary needs for some months?

Mr. MARTIN. I think not. As I said in my remarks, the canners put off buying their sugar, believing that the Government control would stop and that the price would be reduced.

Mr. OLIVER. On yesterday, as I recall, the gentleman from Louisiana [Mr. SANDERS] stated that if there was in fact a sugar shortage it was due in a large measure to manipulations of the Sugar Trust. Is the gentleman sufficiently informed to give us in detail what those manipulations are?

Mr. MARTIN. No, sir. I agree with Gov. SANDERS that previous to the war there was considerable manipulation of sugar, but I do not believe there is any manipulation now, by reason of the fact their output is absolutely under the control of the Government. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MARTIN. I ask unanimous consent to print in connection with my remarks the various contracts to which I referred in my speech.

The CHAIRMAN. The gentleman asks unanimous consent to extend his remarks by inserting the contracts referred to. Is there objection?

There was no objection.

The documents referred to are as follows:

CERTIFICATE OF INCORPORATION OF UNITED STATES SUGAR EQUALIZATION BOARD (INC.).

First. The name of this corporation is United States Sugar Equalization Board (Inc.).

Second. The location of its pricipal office in the State of Delaware is in the city of Wilmington, county of New Castle. The name of the resident agent therein and in charge thereof is the Delaware Charter Co. The street and number of said principal office, and the address by street and number of said resident agent, is 900–904 Market Street.

Third. The objects and purposes for which, and for any of which, this corporation is formed are to do any or all of the things herein set forth to the same extent as natural persons might or could do, viz, to purchase or otherwise acquire, manufacture, sell or otherwise dispose of, store, handle and otherwise deal in, and with raw and refined cane and beet sugar, sirups, molasses, and other commodities, and to do all acts and things necessary, expedient, or incidental to the efficient conduct of said business within or without the State of Delaware.

To exercise all powers which may be delegated to it by the President of the United States.

The foregoing clauses shall be construed both as objects and powers, and it is hereby expressly provided that the foregoing enumeration of specific powers shall not be held to limit or restrict in any manner the powers of this corporation.

In general, to have and to exercise all the powers conferred by the laws of Delaware upon corporations formed under the act hereinafter referred to.

Fourth. The total authorized capital stock of this corporation is $5,000,000, divided into 50,000 shares of $100 each.

The amount of capital stock with which this corporation will commence business is the sum of $1,000, being 10 shares of $100 each.

Fifth. The names and places of residence of each of the original subscribers to the capital stock and the number of shares subscribed for by each are as follows:

Name.	Residence.	Number of shares.
George M. Rolph	San Francisco, Cal.	4
Theodore F. Whitmarsh	New York, N. Y.	3
George A. Zabriskie	do	3

Sixth. This corporation is not to have perpetual existence. Its existence is to commence on the 15th day of July, 1918, and is to cease on the 14th day of July, 1923, unless it is sooner dissolved in the manner provided by law.

Seventh. The property of the stockholders shall not be subject to the payment of corporate debts to any extent whatever.

Eighth. The directors of this corporation shall hold office for one year from the date of their election and until their successors are elected and qualified unless sooner removed. The holder or holders of two-thirds of the outstanding capital stock may call a special meeting of stockholders at any time upon mailing notice to the other stockholders of the time and place of said meeting, three days prior to said appointed time, which notice may be waived by unanimous consent or by the presence of all stockholders at said special meeting; and the stockholders present may by a majority vote remove any director or directors from office and elect a successor or successors to hold office for the remainder of the unexpired term.

In furtherance, and not in limitation, of the powers conferred by statute the board of directors are expressly authorized to make, alter, amend, and rescind the by-laws of this corporation and to authorize and cause to be executed mortgages and liens upon the personal property of this corporation, and to authorize the borrowing of such sums of money from time to time and the making and execution of such notes, mortgages, pledges, and liens on the personal property of this corporation as they may deem advisable.

This corporation reserves the right to amend, alter, change, or repeal any provision contained in this certificate of incorporation in the manner now or hereafter prescribed by statute, and all rights conferred on stockholders herein are granted subject to this reservation.

We, the undersigned, being each of the original subscribers to the capital stock hereinbefore named for the purpose of forming a corporation to do business both within and without the State of Delaware, and in pursuance of any act of the Legislature of the State of Delaware entitled "An act providing a general corporation law," approved March 10, 1899, and the acts amendatory thereof and supplemental thereto, do make and file this certificate, hereby declaring and certifying that the facts herein stated are true, and to respectively agree to take the number of shares of stock hereinbefore set forth, and accordingly have hereunto set our hands and seals this — day of July, 1918.

In presence of—

——— ——— [SEAL.]
——— ——— [SEAL.]
——— ——— [SEAL.]

AGREEMENT WITH UNITED STATES FOOD ADMINISTRATION AS TO LOUISIANA SUGARS.

This agreement, entered into this — day of ———, 1918, between Herbert Hoover, United States Food Administrator, acting in this behalf for the President of the United States, and ——— ——— of ———, hereinafter called the producer, witnesseth that—

Whereas the United States Food Administrator, pursuant to the act of Congress approved August 10, 1917, known as the "food-control act," has issued regulations for the conduct of the business of all persons importing, manufacturing, storing, or distributing sugar, and desires under said act to secure an equitable distribution of the cane-sugar crop of the season of 1918–19 and to prevent unjust, unreasonable, unfair, and wasteful commissions, profits, and practices; and

Whereas the United States Food Administrator has requested all producers of cane sugar in the State of Louisiana to enter into an agreement with him covering the sale and distribution of all cane sugar produced in the State of Louisiana and manufactured for direct consumption; and

Whereas the United States Food Administrator has appointed a committee of the United States Food Administration to be called the Louisiana sugar committee, and, subject to his approval, to superintend the distribution of Louisiana sugar and carry out the provisions of this contract. A majority of said committee shall constitute a quorum, and the assent of four members of said committee at a meeting duly called shall be considered the action of the committee. The committee shall be composed of the following persons, and in the event of vacancies occurring the United States Food Administrator shall appoint successors to all such vacancies:

R. E. Milling (chairman), C. D. Kemper, E. J. Gay, J. C. LeBourgeois, W. J. Barkley, E. A. Pharr, and E. A. Burguieres.

Whereas the undersigned, ——— ———, is a producer of cane sugar and is desirous of aiding and promoting the efficient administration of said act and of securing the purpose contemplated by said act by agreement as authorized by section 2 of the aforesaid act of Congress.

Now, therefore, in consideration of the premises and the agreements of the United States Food Administrator hereafter set forth the producer hereby agrees:

(1) That in selling and distributing Louisiana cane sugar he will observe and respect and be governed by any and all orders and regulations which said United States Food Administrator, through the said sugar

committee, may from time to time make or prescribe, or any general or special regulations issued under the provisions of said act.

(2) That the "basic price" of fine granulated sugar at any time for the purposes of this contract shall be that price which is then determined by the United States Food Administrator under the provisions of his uniform contracts with the sugar refiners of the United States dated October 1, 1917, as the maximum price which may be charged by such refiners for fine granulated in barrels or 100-pound bags f. o. b. seaboard points with the customary discounts, terms, and conditions, which contract is on file with the United States Food Administrator and made part hereof by reference, and the basic price of Louisiana sugars shall be such basic price less the following differentials:

	Per hundredweight.
Plantation granulated	None.
White clarified	$0.10
Off plantation granulated	0.10
Off white	0.15
Choice yellow clarified	0.15
Prime yellow clarified	0.20
Kettle	0.20
Off yellow clarified	0.30
Seconds and thirds (first group)	0.80
Seconds and thirds (second group)	0.90
Seconds and thirds (third group)	1.00
Seconds and thirds (fourth group)	1.10
Seconds and thirds (fifth group)	1.20

(Differential later reduced on clarifieds.)

The differential on all grades of semirefined, direct-consumption sugars not listed above shall be the differential indicated for sugars of equal grade, or, if of an intermediate grade, at the differential of the listed grade next below; and the differential on sugars the grade and price of which can not be thus determined shall be fixed by the said sugar committee.

The above grades shall be determined with reference to the standard samples thereof as fixed by the New Orleans Sugar and Rice Exchange, with the approval of the United States Food Administration, and now on file with said exchange. In case of dispute regarding the grade, the final decision shall be made by the Louisiana Sugar Committee.

(3) That unless the aforesaid Louisiana Sugar Committee permits the sale at a lower price by reason of deterioration, or sets a lower price for any or all grades under the provisions of section 4 hereof, the producer will sell direct consumption sugars manufactured by him at not more than such price as is found to be just and fair by the United States Food Administrator, hereafter called the "maximum price." The said United States Food Administrator agrees that he will not name a price less than the basic price mentioned in section 2 hereof for sugar in barrels or 100-pound bags f. o. b. New Orleans or point of origin carrying the same freight rate as New Orleans. *Provided, however*, That if domestic beet sugar is generally selling at a higher price than the basic price of fine cane granulated sugar, the United States Food Administrator will not name a price less than the price of domestic beet sugar less the differentials named in paragraph 2, provided that if there is a sale to the United States or any of its agencies such price shall not necessarily govern.

That he will sell raw sugar at a price delivered at customary Louisiana refining points not greater than the price which may be found to be just and fair by the United States Food Administrator and not less than the price of duty paid 96° Cuban raw sugar delivered at such refining points.

That he will sell washed sugar (which is defined as any first sugar above the grade of raw sugar, and below the grade of off yellow clarified, and having a color test of not less than 22 Dutch standard) at a price 40 cents above the price of raw sugar as determined by the foregoing paragraph and paragraph 4, with an addition of one-sixteenth of a cent per pound for each degree or fraction thereof above 96°, and a deduction of one-tenth of a cent per pound for each degree or fraction thereof below 96°.

(4) The producer further agrees that the said sugar committee with the approval of the United States Food Administrator may name a price for any grade or grades of Louisiana sugar from time to time at any figure not greater than the price for such grade or grades which may be fixed as the "maximum price" therefor by the United States Food Administration under paragraph 3 hereof, and that after the prices thus fixed are posted at the New Orleans Sugar and Rice Exchange he will sell the sugar at the price named until changed under the provisions of this contract.

(5) In the event that the producer is required by the United States Food Administrator directly or through said committee to ship sugar to a point carrying a freight rate higher from point of origin to point of destination than that from New Orleans to point of destination the producer may add to the price prescribed under paragraphs 3 and 4 hereof the extra freight, provided that the selling price to the retailer shall not be greater than the maximum authorized selling price of similar sugars at such point to retailers.

(6) a. The producer further agrees that he will ship sugar at such time, to such places, and in such quantities as may be directed by the United States Food Administrator through the said sugar committee; that he will route all sugars as directed by said committee; and that he will promptly comply with all orders for change of destination and route and for reconsignment.

Provided, That if no instructions or directions are given by the said Food Administrator or the sugar committee he may continue to distribute his sugar in the customary manner heretofore existing for the distribution of such sugars, subject to the price provisions of this contract.

Provided further, That nothing in this contract shall require the producer to ship or dispose of his sugar when prices lower than the "maximum price" named under paragraph 3, less the differentials stated in paragraph 2, are named by the sugar committee under paragraph 4.

b. The producer, unless notified to the contrary, will keep the committee constantly informed of the quantity and grade of sugar that is being produced daily and the disposition of the same.

(7) In consideration of the foregoing agreement, the United States Food Administrator agrees:

a. That he will cause the said sugar committee to direct the disposition of direct consumption sugars in the most economical and efficient method consistent with equitable distribution and the needs of the country.

b. That he will use his best efforts to secure preference in the distribution and sale to local refiners of Louisiana raw sugars manufactured by the producer herein, if the producer is desirous of selling to such refiners.

c. That he will use his best efforts with the proper authorities to secure an adequate supply of railroad cars for the distribution of all Louisiana sugars covered by this contract.

(8) Sugar shall be delivered to the United States Government for Army and Navy uses when and in such amount as the Government may require at prices to be fixed by the United States Food Administrator.

(9) It is understood and agreed by the producer that a willful violation of any of the terms of this agreement may result in and be cause for revocation of his license.

(10) This agreement shall remain in full force and effect from October 1, 1918, and until the final disposition of the crop of the season 1918–19, and for each succeeding year thereafter until the existing state of war between the United States Government and Germany shall have terminated and the fact of such termination shall have been proclaimed by the President of the United States; provided, that either party hereto may withdraw from the contract after the disposition of the crop of 1918–19 by giving a 30 days' written notice to that effect before October 1, 1919; or may withdraw for any subsequent crop year by giving such notice on or before October 1 of that year.

(11) The word "he" wherever used in this contract to indicate the producer shall refer to such producer, whether an individual, partnership, or corporation, as the case may be.

In witness whereof, the parties hereto have subscribed this agreement on the day and year first above written.

UNITED STATES FOOD ADMINISTRATOR,

By _____ _____,
_____ _____,
_____ _____,
_____ _____,

Producer.

_____
(Post-office address.)

CONTRACT COVERING PURCHASE OF FULL CUBAN CROP BY SUGAR EQUALIZATION BOARD FINALLY RATIFIED.

TEXT OF AGREEMENT.

Agreement entered into this 24th day of October, 1918, in the city and State of New York by and between United States Equalization Board (Inc.), a corporation of the State of Delaware, a party of the first part; Carlos Manuel de Cespedes, Robert B. Hawley, and Manuel Rionda, a Cuban commission, parties of the second part; and agents of various Cuban producers acting severally for the producers of sugar in the island of Cuba, parties of the third part, witnesseth:

Whereas the United States Sugar Equalization Board (Inc.), was created and is acting as an agency of the United States for the purpose in part of equalizing the distribution and selling price of sugar, and to that end has power and authority to purchase domestic or foreign raw sugar in such quantities, at such prices, and upon such terms and conditions as it may deem advisable, and to resell said sugar in its discretion at, below or above cost, and upon the same or other and additional terms and conditions; and

Whereas the President of the Republic of Cuba, by Executive order, has appointed Carlos Manuel de Cespedes, Robert B. Hawley, and Manuel Rionda a Cuban commission to arrange for the sale of sugar produced in the island of Cuba during the crop season 1918–19, and to pledge the Republic of Cuba to the terms and conditions provided herein to be performed by said Republic; and

Whereas the said Cuban commission has represented there is power and purpose in the Government of the Republic of Cuba to cooperate in the establishment of a stabilized price for the whole of the Cuban crop 1918–19, and also to control by license the export of any Cuban sugar to any person, entity, or country under specified terms and conditions, including price; and

Whereas the said United States Sugar Equalization Board (Inc.) and the said Cuban commission have arranged for the purchase and sale of sugar produced in the island of Cuba during the crop season 1918–19, upon the terms and conditions hereinafter stated:

WHOLE OUTPUT PURCHASED.

Now, therefore, the parties hereto each for its or himself for the part to be performed by it or him, or in behalf of others herein described, agree as follows:

I.

The said Cuban commission agrees that it will immediately arrange that each and every producer of sugar in Cuba shall duly authorize an agent in the city of New York, one of the parties hereto (hereinafter severally or collectively called the seller), to contract for and sell to the United States Sugar Equalization Board (Inc.) (hereafter called the buyer) the whole of his or their output of sugar deliverable at the option and upon the direction of the buyer for shipment to the United States, United Kingdom, Canada, France, or Italy, or to any other country upon the terms and conditions hereinafter stated; said authorization shall be in writing and filed with the buyer, and shall state the name and location of the factory or factories of each of the said producers and the estimated production of each during the crop season 1918–19.

II.

Pursuant to the said authorization the seller, on behalf of himself and his principals, agrees to sell and to deliver to the buyer all the raw sugar produced by him or his principals in the island of Cuba during the crop season of 1918–1919 (except that actually used for local consumption in Cuba) and the buyer agrees to purchase and receive the same on the following terms:

SHIPMENTS TO UNITED STATES.

For shipments to the United States at the price of 5.88 cents per pound c. and f. to New York-Philadelphia, basis 96° average outturn polarization, net landed weights, based on a freight rate of 38½ cents per 100 pounds from north side ports west of and including Caibarien, subject to United States raw sugar contract terms, a copy of which is hereto annexed marked "Schedule A" and made a part hereof;

For shipment to the United Kingdom, France, and Italy at the price of 5.50 cents per pound f. o. b northern ports, or 5.45 cents per pound f. o. b. south side ports, basis for 96° centrifugal sugar, subject to all the conditions of the usual contract form for shipments to these countries, a copy of which is hereby annexed marked "Schedule B" and made a part hereof;

For shipment to Canada, if shipped direct to a Canadian port, at the same prices and upon the same terms as are provided for shipments to the United Kingdom, but if shipped via New York at the same prices and upon the same terms as are provided for shipments to the United States.

SHIPMENTS TO OTHER COUNTRIES.

For shipments to all countries other than the United States, the United Kingdom, Canada, France, and Italy, at the same prices and upon the same terms as are provided for shipments to the United Kingdom, except, however, that net shipping weights, less 1 per cent, and Cuban tests shall be accepted by the buyer and the seller (weight to be calculated on United States standard), and that payment for such sugar shall be made by the buyer in cash in New York in 10 days after presentation of shipping documents, or, at seller's option, by 10 days' sight draft drawn on buyer with shipping documents attached, and except that all matters of disagreement shall be determined pursuant to the provisions of article 6 hereof.

The freight rates from various Cuban ports to various United States ports and the minimum amount of sugar to be loaded per day at each Cuban port are and will be as set forth in Schedule C annexed hereto and made a part hereof, except as the same may be hereafter changed by the United States Shipping Board or other agency of the United States Government having jurisdiction in the premises.

Shipments are to be made as soon as possible after grinding commences, and not less than 2 per cent of the amount shall be shipped during December, 1918, the balance in approximate equal monthly shipments from January to November, 1919, both inclusive.

Sugar shall be shipped in sound jute bags containing approximately 325 pounds each. In all cases where shipment is made in second-hand bags there shall be deducted not less than 15 cents for each second-hand bag.

The buyer will notify the seller from time to time of proposed allocations of sugar for shipment as between the United States and other countries, and shipments shall be made as directed.

The seller undertakes to pay all lighterage charges and all shipping expenses and also all Cuban taxes, both domestic and export.

The seller also undertakes to pay all necessary expenses at the port of discharge to effect delivery to buyer on such safe wharf or refinery dock as may be designated by buyer.

The seller agrees to pay to the buyer a commission of one-half of 1 per cent on the sugar allocated for shipment to countries other than the United States and Canada.

SELLER TO PAY BROKERAGE.

The seller agrees to pay on the sugar allocated for shipment to the United States and Canada a brokerage to be calculated on the average tons of Cuban sugar handled by brokers in the United States heretofore acting in their legitimate capacity as brokers in the three-year period of 1915, 1916, and 1917, but the total disbursement for this purpose shall not exceed $350,000. The concurrent decision of the buyer and the Cuban commission shall be final and conclusive on any question or dispute arising under this clause.

In the event of any steamer being lost its cargo shall be settled on the bill of lading net weights and Cuban tests as soon as possible, but not later than 30 days after proof of loss.

The parties obligated thereto will use due diligence and every effort to provide tonnage, but are released from responsibility by acts or circumstances beyond their control.

Marine insurance to be covered by the buyer from shore to shore including the risk of lighterage to and from the vessel at ports of loading and discharge. Sugar shall not be loaded on any steamers or other vessels not acceptable to the insurers under buyers' average rate policy, unless specific directions to load an unacceptable vessel are given by either the buyer or the seller. When such specific directions are given the excess insurance over an average rate of 31 cents per $100 shall be paid by the party ordering the vessel loaded. All war risk is for account of buyer.

III.

The buyer shall have the right from time to time to assign this contract, without recourse, in respect to any part of the sugar contracted for herein, to the Governments of the United Kingdom, Canada, France, or Italy, or to any duly constituted agency representing all or either of said Governments, or to any sugar refiner of the United States. The buyer, upon making any such assignment, shall give notice thereof to the seller.

IV.

The purchase of the sugar crop of 1918–19 by the buyer, as herein provided, is made in reliance upon the representation and agreement of the Cuban Government that it will effectually prohibit any sugars of the 1918–19 crop from being shipped or exported from the Island of Cuba except under this contract, and that it will enact such laws and promulgate such orders and decrees as are necessary to faithfully fulfill and observe the stipulation and condition aforesaid.

In the event of failure on the part of the Cuban Government to take the action above provided, or to faithfully fulfill and observe said stipulation and condition, or in the event of inoperation, rescission, or suspension thereof, the buyer shall have the option, upon notice in writing to the seller, to cancel this contract in respect to any undelivered portion of the said sugar crop of 1918–19.

If the seller fails to deliver the sugar required to be delivered to the buyer under this contract or if any sugar is directly or indirectly shipped or exported from the Island of Cuba by the seller or his principal to any consignee other than the buyer or its assigns, the buyer shall have the right, either in law or in equity, to sue for and recover all damages resulting therefrom, whether or not the above option of cancellation is exercised.

V.

This contract is also made in reliance upon the representation and agreement of the Cuban Government that it will place no restrictions or embargoes on the export of molasses to the United States.

VI.

All matters of disagreement arising under this contract between the buyer and the seller which can not be adjusted by them to their mutual satisfaction, shall be left to arbitration in Washington. But before any arbitration can be called by the seller the matter in dispute shall be submitted by it or him to the Cuban Commission, and its approval of and consent to the arbitration obtained in writing. For the purposes of the arbitration the buyer and the seller shall each select one arbitrator, and the two so selected shall select a third, and the decision of any two of said arbitrators shall be final and conclusive upon the parties thereto. Any expenses attached to such arbitration shall be divided equally between said parties. It is agreed, however, that as to disputes arising on shipments to the United Kingdom, France, or Italy the arbitration clause in Schedule B shall apply.

VII.

The Cuban commission is acting hereunder solely in a representative capacity as an administrative agency of the Cuban Government under the express authority of said Government, and its members do not assume nor shall they be charged with any personal liability. Upon the execution of this contract the Cuban Government will promptly take such governmental action as is necessary on its part to carry out its terms. It is understood and agreed by the parties hereto that the obligations of the buyer hereunder are conditioned upon the undertakings of the Cuban Government herein expressed and upon the faithful fulfillment and observance thereof.

VIII.

It is contemplated by the buyer and seller that the greater part of the sugar delivered for shipment to the United States will be resold, directly or indirectly, to the Atlantic and Gulf sugar refiners of the United States, who will be made the consignee of such sugar. For the convenience of the parties in all such cases it is agreed that before departure of vessel from loading port the seller, upon request of the buyer, will execute with the consignee a confirmation in the form of Schedule A hereto annexed, and will settle with such consignee in accordance with this contract, and it is further agreed that the buyer will guarantee performance by the consignee. All such consignments shall be by negotiable bill of lading.

IX.

It is agreed that the seller or his principals shall not export from the island of Cuba during the terms of this contract any edible sirups fit for human consumption from which sugar may be commercially extracted without the consent of the buyer.

X.

Should any unforeseen circumstances such as war, rebellion, insurrection, political disturbances, strikes, lack of fuel, riots, or civil disturbances in the island of Cuba prevent the making of the sugar covered by this contract, the seller shall so advise the buyer immediately and thereupon shall be released from delivery of such portion of the crop as can not be made or delivered, but the seller agrees to use due diligence to carry out this contract in its entirety, notwithstanding the circumstances mentioned.

Should any unforeseen circumstances such as war, fire, explosion, acts of God and the public enemy, strikes, riots, car shortage, lack of fuel, or disturbances in the United States prevent the buyer from receiving or delivering, or the refiners of the United States from refining the sugar purchased under this contract the buyer shall immediately give notice of such conditions to the seller and thereupon the buyer shall be released from any damages by reason of nonacceptance of raw sugar (except sugars afloat) during the time that the above conditions continue, but the buyer will use all due diligence, notwithstanding the unforeseen circumstances, to carry out this contract as far as possible in its entirety.

In witness whereof, the parties hereto being duly authorized, have executed this agreement as of the day and year first above written.

UNITED STATES SUGAR EQUALIZATION BOARD (INC.),
By ——— ———, *President.*
——— ———, *Secretary.*

CUBAN COMMISSION,
By ——— ———,
Agents of various Cuban producers acting severally for the producers of sugar in the island of Cuba under authorizations dated October 24, 1918, and filed with the buyer.

RAW SUGAR CONTRACT—SCHEDULE A—CONFIRMATION—UNITED STATES RAW SUGAR CONTRACT—CUBAS—COST AND FREIGHT.

NEW YORK, ———, *191–.*

To ——— ——— Refining Co. (hereinafter called consignee).

At the request of the United States Sugar Equalization Board (Inc.) we hereby confirm the sale to you for its account under the terms of the agreement as to Cuban sugars, 1918–19 crop, dated October 24, 1918, of about —— long tons of Cuba centrifugal sugar. Delivery of 5 per cent, more or less than this amount, to be settled for on same basis. Shipment to be made by negotiable bill of lading per s/s ——— expected to be loaded at ——— about ——, 191–, for port of ——— via steamer (or steamers) or by car ferry via Key West. The consignee must give notice of destination at least two days before steamer finishes loading at the last loading port. The consignee can order steamers to New York, Philadelphia, Boston, Savannah, New Orleans, or Galveston, but to only one port for each trip.

At a price of 5.88 cents a pound, cost and freight, basis 96 degree average outturn polarization, net landed weights, and is based on a freight rate of 38½ cents from north side ports west of and including Caibarien to New York or/and Philadelphia. In case the rate of freight to Boston, Savannah, New Orleans, or Galveston is lower/higher than the rate to New York or/and Philadelphia from said north side ports, the amount of the reduction/increase shall be deducted from/added to the above price. In case the rate of freight from said north side ports to new York or/and Philadelphia is increased/decreased, the above price shall be increased/decreased by the amount of such increase/decrease.

Discharge of the sugar in the United States to be made at a customary safe wharf or refinery, as directed by the consignee. Demurrage and dispatch money at port of destination to be for account of consignee and at port of loading to be for account of seller. Consignee not to be responsible for demurrage or other loss caused by reason of the failure of seller to furnish all necessary Cuban papers. Documents required to effect a prompt entry and discharge of cargo in the United States to be furnished by the seller. Party in default in producing necessary papers for entry of sugar shall be liable for demurrage of the vessel and for actual expense incurred.

TERMS OF PAYMENT.

Payment by the consignee to ——— ——— either in cash on presentation of all necessary shipping documents or at buyer's option by one-day sight draft attached to the shipping documents for 95 per cent of the invoice, based on net shipping weights and tests less interest for nine days at the rate of 6 per cent per annum. Any balance to be paid after final settlement of weights and tests, with interest on balance at the rate of 6 per cent per annum from 10 days after date of entry of steamer. If sugar is shipped in sailing vessel, payment to be made in cash on presentation of documents after entry of vessel at customhouse for 95 per cent of the invoice, based on net shipping weights and tests with interest on said balance as above. All payments to be made in New York or New York exchange.

Samples to be drawn mutually by consignee and seller. Three tests to be made of each sample of sugar—one by seller's public chemist, one by consignee's public chemist, and one by the New York Sugar Trade Laboratory. The average of the two nearest polarizations to be taken as the final test. Settlement on each shipment to be made on the final test, with the allowance of one-twentieth of 1 cent per pound for each degree above the selling basis up to 98 degrees and one-tenth of 1 cent per pound for each degree below the selling basis down to 94 degrees, fractions in proportion. Any marks below 94-degree test three-twentieths of 1 cent per pound per degree down, fractions in proportion, but no sugar to be delivered below 93 degrees, unless on discount terms mutually satisfactory to consignee and seller.

Marine and war-risk insurance arranged by the United States Sugar Equalization Board (Inc.).

Accepted:

——— ———, *Seller.*
——— ———, *Refining Co., Consignee.*

SCHEDULE B.

CONDITIONS OF THE USUAL CONTRACT FORM FOR SHIPMENT TO THE UNITED KINGDOM, FRANCE, AND ITALY.

——— tons (of 2,240 lbs. net each) of Cuba, centrifugal sugar, fair average quality of the crop.

For shipment ——— ——— free on board steamers at one or two customary ——— safe north side Cuban ports for each cargo.

Basis 96 per cent average outturn polarization. For any excess above 96 per cent one-twentieth of 1 cent per pound per degree to be added to contract price; for any deficiency below 96 per cent, one-tenth of 1 cent per pound per degree to be deducted from contract price down to 94 per cent polarization. If any mark or marks polarize below 94 per cent, an allowance of three-twentieths of 1 cent per pound per degree to be deducted in addition to the aforesaid allowance from 96 per cent to 94 per cent, but no sugar to be delivered below 93 per cent.

FRACTIONS IN ALL CASES IN PROPORTION.

Net landed weights and outturn polarization at ports of discharge in United Kingdom, but at ports in France and Italy net shipping weights less 1 per cent and Cuban tests to govern. Shipping weights to be calculated on United States standard.

USUAL CONDITIONS OF SAMPLING AND POLARIZING.

Sellers have the option of delivering at one or two customary safe south side Cuban ports. Vessels are to receive sugar as fast as possible, and the sellers are to supply the cargoes at not less than 6,000 bags per working day at north side ports and Cienfuegos, and 4,500 bags per day at all other south side ports, in default of which demurrage is to be paid by sellers at the same rate as heretofore.

Sugar is to be shipped in vessels to be provided by buyers to load as above. Buyers to give sellers reasonable notice of expected readiness.

Payment to be made by buyers in cash in New York in exchange for complete sets of bills of lading and certificates of origin (old and new forms) immediately upon receipt of cable from ——— to ——— saying that the documents are in their possession in New York.

Marine insurance from shore to shore, including craft risk loading and discharging, on usual full Lloyd's conditions to be for buyer's account.

WAR RISK, IF ANY, TO BE FOR BUYER'S ACCOUNT.

Any dispute arising out of this contract to be settled by arbitration under the rules of the Sugar Association of London (cane-sugar section), buyers being considered as a refiner.

If sugar shipped to Europe, buyers to give sellers at once copies of such documents as are required by and on forms acceptable to the customs at port of destination, including full details of such consular certificates as are needful. Sellers to have shipping documents made on similar forms as soon as shipment is complete, but they are not to be held responsible for any delays owing to absence of or distant locations of consuls from port of shipment.

In the event of buyers failing to provide tonnage as above they are to reimburse sellers for the actual cost and proved loss of holding over the sugar, including interest at 5 per cent per annum. The provisions of tonnage not to be unduly delayed.

SCHEDULE C.

FREIGHT RATES FROM CUBA TO THE UNITED STATES PER 100 POUNDS.

(Basic rate, 38½ cents.)

	Cents.
North-side ports, taking basic rate to New York, and/or Philadelphia—Habana or Matanzas or Cardenas or Sagua or Caibarien, one or two ports (6,000 bags loading)	38½
Other north-side ports to New York and/or Philadelphia—Manati or Chaparra, loading at one port only (6,000 bags loading)	39½
Other ports east of Caibarien, loading at one port only	41
Two ports (5,000 bags loading)	43
South-side ports to New York and/or Philadelphia—Cienfuegos (6,000 bags loading)	45½
Santiago (4,500 bags loading)	48
Guantanamo (4,500 bags loading)	48
Trinidad (3,500 bags loading)	51½
Guayabal (4,500 bags loading)	50
Jucaro, Zaza, or Manzanillo, loading at one port only (3,500 bags loading)	51½
Manzanillo and a second port to the east	53½
Jucaro, and a second port to the west	53½
To New Orleans, above rates less	6
To Savannah or Galveston, above rates less	2½
To Boston, above rates plus	6

All freights quoted on gross landed United States Government weights.

REFINERS' AGREEMENT.

Agreement entered into this 24th day of October, 1918, in the city and State of New York, between the United States Sugar Equalization Board (Inc.), a corporation of the State of Delaware, hereinafter described as the "Equalization Board," and the refiners of sugar in the United States, acting severally, signatory hereto, hereinafter described as the "refiners," and Herbert Hoover, as United States Food Administrator, hereinafter described as the "Food Administrator," witnesseth:

Whereas the Equalization Board has been created and is acting as an agency of the United States for the purpose in part of equalizing the distribution and selling price of sugar, and contemporaneously with the execution of this agreement has entered into an agreement bearing even date herewith for the purchase of raw sugar produced in the island of Cuba during the crop season 1918–19, which agreement, described as the "Cuban agreement," is hereto annexed and marked "Exhibit A"; and

Whereas, with a view to securing regular and sufficient supplies of sugar to the American people and the Army and Navy at a reasonable price, even during the disorganized period of world trade, the Equalization Board has, in the interest of the American people and the Allies, purchased the Cuban crop of 1918–19 for distribution to the American people, their Allies, and others; and

Whereas the Food Administrator and the Equalization Board are desirous of securing an equality of distribution of said sugars according to requirements or to secure such exports from said sugar as may be in surplus and may be determined by the agencies of the Government as necessary to meet its international obligations; and

Whereas it is necessary and advisable, in order to secure an equitable distribution of sugar throughout the United States, to apportion Cuban and other sugars among the refiners for their requirements, and to that end to continue the American refiners' committee; and

Whereas the American refiners are desirous of fully cooperating with the agencies of the Government in the purposes above set forth:

Now, therefore, the parties hereto, in consideration of the premises and the mutual covenants herein contained, each for itself and himself, for the part or proportion of this agreement to be performed by it or him, severally and not jointly, agree as follows:

1. The Food Administrator and said refiners agree that the agreement of October 1, 1917, between the refiners and the Food Administrator shall be, and same is hereby, canceled and annuled so far as the rights and obligations of the parties hereto to each other are concerned, except as to such sugars of 1917–18 crop as have not been delivered.

2. Such of the following-named persons as are officers of companies signatory hereto are hereby appointed by the Food Administrator for the period of this agreement and shall constitute the American refiners' committee, with the powers and duties hereinafter set forth: James H. Post (chairman), Claus A. Spreckels, Charles M. Warner, George H. Earle, jr., Robert M. Parker; and the following-named persons who are representatives of companies signatory hereto are appointed as alternates on said committee, who shall have the privilege of being present at all meetings and serving in place of any absent member or filling any vacancies in said committee in the order named: Dwight P. Thomas, W. J. McCahan, jr., Benjamin A. Oxnard, M. E. Goetzinger, John Farr, William Henderson, W. T. Eldredge, E. L. Wemple.

3. Until the 31st day of December, 1919, the refiners will not purchase any sugar except from the Equalization Board, other than such sugars as are provided under the said agreement of October 1, 1917, and Hawaiian sugars hereinafter referred to: *Provided, however,* That refiners may purchase sugars other than the crop of 1918–19, for delivery after December 31, 1919.

4. The sugar provided by the Equalization Board shall be distributed among the refiners who enter into this agreement to meet their requirements in the proportions set forth in "Exhibit B," which is made a part hereof, and in case there is a disagreement between a refiner and the American Refiners' committee as to apportionment the matter shall be submitted to the United States Food Administrator and his decision shall be final, and any sugar received by a refiner from any source shall be charged against his pro rata amount under such distribution. The Hawaiian sugar that may be deliverable under any contract to any refiner, party hereto, shall be taken over in rotation in an order to be determined by lot, to be drawn by the chairman of the American Refiners' committee and upon the terms provided for in such contract for account of the New York and Philadelphia refiners, parties hereto, and the rights and obligations of the purchaser under said contract are to be assumed by said refiners.

5. The American Refiners' committee is, under the direction, supervision, and control of the Equalization Board, hereby charged with the duty and responsibility on behalf of the refiners hereto, of arranging, routing, and distributing to the several refiners the sugar to be purchased as hereinafter set forth from the Equalization Board, and such duties shall, so far as possible, be carried out in accordance with the requirements and conveniences of the several refiners.

6. The several refiners, not in any way limiting their ordinary power or business discretion to determine to what extent they may severally operate their refineries, agree to and do hereby purchase from the Equalization Board, and the Equalization Board agree, subject to its committments from time to time to Governments or persons outside the United States and to the requirements of the United States Government, and buyers in the United States other than refiners, to sell to the refiners their entire requirements of raw sugar for the operation of their several refineries for such time as the respective refiners in their respective judgments determine to operate their respective refineries, for the period beginning with the date of this agreement and ending on December 31, 1919 (except for such raw sugars as are purchased by the refiners under the agreement of October 1, 1917, and the Hawaiian contracts herein referred to); and they severally agree not to purchase any sugar from any person, country, or source of supply during said period other than from the Equalization Board.

For all such purchases of sugar from Cuba the several refiners agree to pay the price of 7.28 cents per pound, 96° average outturn polarization (duty, if any, paid). (For sugar polarizing over 96° there shall be added to the price 7 cents per 100 pounds per degree up to 98°. For sugar polarizing under 96° there shall be deducted from the price 12 cents per 100 pounds per degree down to 94°. For sugar polarizing between 94° down to 93° there shall be deducted from the price 17 cents per 100 pounds per degree, fractions in proportion.)

All sugar furnished the refiners from Cuba shall be settled for by each refiner on the same terms and conditions under which said sugar was purchased by the Equalization Board under the Cuban agreement. The refiners severally agree for their proportions of the Cuban sugar hereby purchased by them to pay the amounts required to be paid by the Equalization Board, under, by, and in accordance with the terms of the Cuban agreement and in addition thereto to pay the Equalization Board the difference between the amount per pound they are required to pay under the Cuban agreement for sugar delivered and 7.28 cents per pound for 96° test.

The Equalization Board states that the amount so paid to it may be used by it for the liquidation of any losses it may incur on excess stocks of sugar purchased by it or in equalizing the distribution or price of sugar to the American people. Any balance in the treasury of the Equalization Board, after the discharge of its obligations hereunder, and other liabilities, belongs to its only stockholder, the United States.

7. The refiners severally agree to receive, accept, and pay for any sugar other than Cuba which may be purchased by the Equalization Board from time to time for the requirements of such refiners, respectively, as stated in paragraph VI, at a price of 7.28

cents per pound, 96 degree test, average outturn polarization (duty, if any, paid) delivered at the refinery, with allowances for differences in test, as specified in paragraph VI, provided that the Sugar Equalization Board is not required to deliver sugar under this and the preceding paragraph VI unless due notice of the requirements of such refiner is given to the said board and the sugars are reasonably obtainable at a delivered duty-paid price of 7.28 cents per pound or less.

8. Marine insurance on sugar purchased by the Equalization Board on a cost and freight basis shall be arranged by the American Refiners' Committee, under direction of the Equalization Board, from shore to shore, including the risk of lighterage to and from the vessel at ports of loading and discharge, the cost thereof to be paid by the refiners severally and charged against the price of the sugar delivered hereunder.

9. The Equalization Board, however, reserves the right in its sole discretion, from time to time, to change the price to the refiners as to any sugar to be delivered under this agreement upon giving 15 days previous notice of such change of price, and in case of any such change in price settlement by the refiners for their purchases of all sugar shall thereafter be upon the basis of such changed price instead of the 7.28 cents per pound 96 degree test above mentioned. Due regard to be given allowances up and down from 96 degrees.

10. In making settlement for sugars purchased by them hereunder, the Colonial Sugar Co. and the Leon Godchaux Co. (Ltd.) shall each be entitled to charge against any sum or sums to be severally paid by them, to cover inland freight to refining points when paid by such refiners, the sum of 3½ cents per 100 pounds of sugar purchased by them from the Sugar Equalization Board aforesaid. These charges, however, may be canceled or changed from time to time at the option of the Equalization Board.

11. Each of the undersigned refiners agrees that it will sell all sugar refined by it at a price not more than $1.54 net per 100 pounds wholesale of refined sugar, on the basis of fine granulated sugar in barrels or in 100-pound bags, when used as the standard basis, f. o. b. refinery above the price for 96-degree centrifugal sugar paid to the Equalization Board provided for in this agreement, with such differentials as are now shown on its official price list, same being subject to change from time to time on consent and approval of the Equalization Board. Said net margin shall be exclusive of the 2 per cent cash discount, payment in 10 days to the trade. This margin is determined on a delivered duty paid price of from 7.10 to 7.35 cents per pound for 96-degree test raw sugar, and in case the price provided for in this agreement goes below 7.10 cents per pound the margin aforesaid shall be decreased in such a manner as to return substantially the same profit to the refiner. In case the basic price goes above 7.35 cents per pound, said margin shall be increased to accomplish the same purpose. It is mutually agreed between the parties hereto the said margin shall be promptly revised by the parties hereto from time to time in case of changes in cost of refining and of wholesale distribution, or in the event of an excise or similar tax.

It is further understood that the margin upon any sugar purchased under the Hawaiian contracts above referred to may be increased by the amount of the differential under which sugar is purchased.

12. It is further understood that inasmuch as this agreement has been entered into at the request of the Food Administration and the Equalization Board for the purposes above recited, in view of the limitation on the price to be secured by the refiner for its refined product, it is mutually agreed between the Equalization Board and the refiners that in case of an advance or decline in the price of sugar from 7.28 cents per pound for 96° test, raw basis, due to any action of the Equalization Board, the Equalization Board will pay to each of the refiners in the event of a decline in price, and each of the refiners will pay to the Equalization Board in the event of a raise in price, a sum equivalent to the change in price multiplied by the number of pounds of raw or refined sugar, raw basis (refined sugar shall be reduced to raw basis by adding 7 per cent to its weight), which each of the refiners may have purchased hereunder and which is undelivered or on hand or in transit on the date when such change takes place.

13. Each refiner signatory hereto agrees to conduct his or its export business under the direction of the Equalization Board and to export or distribute to the domestic trade such proportion of its refined sugar as the Equalization Board may direct, upon prices and terms which will yield the refiner the same margin as is specified in paragraph XI, and in the event of sales for export at a higher price the excess over the refiners' margin is to be for the account of the Equalization Board.

The Equalization Board furthermore agrees, in conducting its export business, that it will endeavor, where conditions permit, to provide (in case the refiners desire) additional quantities of dutiable raw sugar after giving due consideration to the requests and requirements of other nations or buyers.

14. So long as raw sugars are available for refiners' requirements the said Food Administrator and the said Equalization Board will not restrict the sale and distribution of refined sugar made from raw sugar purchased under this agreement. The Food Administrator or the Equalization Board shall have the right to supervise the domestic distribution of sugar during the life of this contract. No restrictions shall be placed upon domestic consumption until after the refiners have been consulted.

15. In the event that any refiner named in Exhibit B does not enter into this agreement its pro rata proportion of sugar shall be allotted to the refiners signatory hereto, if they desire, in the proportion and at the price and upon the terms and conditions herein provided as to the sugar purchased hereunder.

16. From October 1, 1919, to December 31, 1919, if requested so to do by the Equalization Board, the refiners agree to refine any raw sugar the Equalization Board may have purchased and not sold to the refiners at the refiners' margin then in effect, to be ascertained as provided in paragraph XI, less 3 cents per 100 pounds. The refiners agree to offer said sugar for sale and distribution, if requested so to do, at such price and on such terms as the Equalization Board may direct for a commission of 3 cents per 100 pounds.

17. Should any unforeseen circumstances, such as war, rebellion, insurrection, political disturbances, strikes, lack of fuel, marine loss, fire, explosion, riots or civil disturbances, embargoes, prohibitions, or other causes, either in the United States, Cuba, or elsewhere, prevent the Equalization Board from making delivery of the sugar according to the terms hereof, it shall so advise the refiners' committee immediately and be released from delivery of such portion of the sugar as can not be delivered, but the Equalization Board agrees to use due diligence to carry out this agreement in its entirety, notwithstanding the circumstances mentioned.

18. All matters of disagreement arising under this agreement between the Equalization Board and any other party hereto which can not be adjusted by them to their mutual satisfaction shall be left to arbitration in Washington. The Equalization Board and the American refiners' committee shall each select one arbitrator and the two so selected shall select a third and the decision of any two of said arbitrators shall be final and conclusive upon the parties thereto. In case the disagreement is between only one refiner and the Equalization Board the arbitrator provided to be appointed by the American refiners' committee shall be appointed by such one refiner. Any expense attached to such arbitration shall be divided equally among the parties to the arbitration.

19. It is agreed by all parties hereto that said Equalization Board may earn a profit on any sugar it may purchase and resell to said refiners or on any sugar it may purchase from said refiners and resell for export.

20. It is further understood that the individual members of the said American refiners' committee are acting herein as volunteers, in a purely administrative capacity, and accordingly the parties hereto agree that said members of the said committee shall not incur any personal liability, individually or collectively, under the terms of this contract, nor be responsible for any damage of whatever kind connected with any matter or thing relating to this contract; nor shall they be responsible or liable for any act, fault, or misconduct of any agents or persons employed by them, and the parties hereto hereby further release and discharge the same individual members of the said committee from any and all claims of whatever kind for personal responsibility or liability as aforesaid.

21. The refiners severally agree to pay their pro rata share on the basis of sugar purchased of any expenses incurred by the American refiners' committee in carrying out this agreement.

22. This agreement shall remain in full force and effect up to and including December 31, 1919, and shall cover all sugar shipped or in transit prior to that date.

EXHIBIT B.

Basis of proportionate distribution as fixed on November 4, 1918, at a meeting of the American refiners' committee of the United States Food Administration:

	Per cent.
American Sugar Refining Co	38.001
Arbuckle Bros	6.613
California & Hawaiian Sugar Refining Co	6.945
Colonial Sugar Co	2.185
Federal Sugar Refining Co	9.645
William Henderson	1.220
Imperial Sugar Refining Co	1.122
The W. J. McCahan Sugar Refining Co	2.489
National Sugar Refining Co	11.940
Pennsylvania Sugar Co	4.537
Revere Sugar Refining Co	2.985
Savannah Sugar Refining Corporation	2.149
Warner Sugar Refining Co	6.187
Western Sugar Refining Co	3.549
The Leon Godchaux Co. (Ltd.)	1.433

Mr. FORDNEY. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. REBER].

Mr. REBER. Mr. Chairman, I hope the House will pardon me for transgressing upon its valuable time, but I feel it my duty to make suggestions at this time that to me seem very timely and important.

The President of the United States, in his address to the Congress August 8, touched upon the subject I have in mind, but disappointed my expectations in that he did not go far enough, did not dwell fully, and did not give the subject I have in mind the prominence it deserved.

He placed this subject near the end of his address, whereas he should have put it at the beginning.

He said—I quote in part only:

> The world must pay for the appalling destruction wrought by the Great War, and we are part of the world. We must pay our share. For five years now the industry of all Europe has been slack and disordered. The normal crops have not been produced; the normal quantity of manufactured goods has not been turned out. For the present it is manifest we must quicken, not slacken, our own production.
>
> All will address themselves to the task of peace with the same devotion and the same stalwart preference for what is right that they displayed to the admiration of the whole world in the midst of war.

For a period of over four years the mad world has danced a mad dance, and now it must pay the fiddler. During that time the world took an immense number—possibly 100,000,000 people—out of the productive industries and put them into war, the most destructive occupation known to man. And a large number of these people have not been returned into the productive industries.

Every means of destruction that the genius of man knew or could devise was brought into play, and the destruction of life, health, and wealth was indeed appalling.

Yesterday the Hon. David Lloyd-George, the British prime minister, stated to the House of Commons that the late war cost Great Britain alone $200,000,000,000. If his figures for Great Britain are correct, what must have been the cost to the entire world? Who can estimate it correctly? Continuing, he said:

> In every direction we are spending more and are earning less. We are consuming more and producing less. These are facts. It can not last.

The premier declared that Great Britain would never improve economic matters until there came an increase in production.

> The world is suffering from shell shock on a big scale, but all of this will pass away.

One of the arguments in favor of reducing the working hours, the premier said, was that the reduction in time would not involve a reduction in output. There has, he said, been a substan-

tial reduction in the hours of labor and the output has been reduced almost in the same mathematical proportion. Labor has made tremendous gains in the last two or three years, the premier added, but he said these could not be maintained if production did not increase.

The lives that were sacrificed we can not restore, but the wealth that we destroyed can be replaced by toil and saving, but by toil and saving only. We can create new wealth to take the place of what we destroyed, but it will require many years of hard, steady work. We must produce more than we consume. [Applause.]

We have danced and danced, and this is the price we must pay the fiddler. The enormous loss of wealth can not be replaced overnight, nor can it be restored by legislation. It is futile to attempt it. Many panaceas will be suggested, many nostrums may be tried, but they will not avail. They are simply subterfuges to side-step the natural consequences of war—to avoid paying the fiddler. Legislation can not substitute for labor and economy. It never has and never will. If the newspapers are giving us the correct news, and I presume they are, we see therein that in nearly all countries men are frantically appealing to their legislative bodies for laws to relieve the universal distress and unrest.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. REBER. Yes.

Mr. GREEN of Iowa. The gentleman is aware, doubtless, that there have been various efforts to regulate prices from the time of the Roman Empire down. Does the gentleman know of any time when any distinguished success was made in the process?

Mr. REBER. Never any very great success.

Mr. EMERSON. Mr. Chairman, will the gentleman yield?

Mr. REBER. Yes.

Mr. EMERSON. It would not be a bad idea if we would try to do something, would it? There is no need to say, "Here is the wolf, and we can not do anything." We can try, can we not?

Mr. REBER. I shall cover that a little later.

They are appealing in vain, for legislation can no more restore the wealth that was destroyed than it can restore the lives that were sacrificed to the greed of men. That wealth is gone forever. New wealth can be created, but it can be created in only two ways, either by decreased consumption or increased production, or both; it is up to mankind to decide which it will be—decreased consumption or increased production, and possibly both. Lloyd-George said it meant both for England.

A condition plainly stares the world in the face. It is this: We must either get along without the wealth we formerly had, and which we destroyed ruthlessly, or we must get down to hard work and create new wealth to take its place. [Applause.]

We can not increase production by shortening working hours, by strikes, and by lockouts; nor will these methods reduce the cost of living. They will increase the cost of living by shutting off production, making a shortage of the product, thus making it scarce, and thereby increasing its cost and its selling price. Work and save should be our slogan until we regain the material conditions we formerly enjoyed. The gentleman from Ohio [Mr. FESS] said in his able and instructive address on the high cost of living that all of Paris is aglow with placards of "To work; to work." They have realized there what we must realize here sooner or later.

The paying of higher wages to the wage earners and immediately taking it from them again by increased cost of living will not solve our problem.

The regulating of the prices of commodities is only a makeshift. You dare not regulate the price below the cost of production, plus the cost of unavoidable waste, plus the cost of transportation, distribution, and a reasonable profit. To go beyond this is confiscatory, a policy that I hope this body would never think of adopting. Shall we place an embargo on food and shoes and clothing and thereby starve and freeze millions? Is it not more humane to suffer a little longer, suffer a few privations, than to withhold food and clothing from a naked, starving world, thereby committing wholesale murder?

That there has been profiteering is beyond a question of doubt, and it should be severely dealt with when and where found, but from what I have been able to see the profiteering has been general, and is not confined to any particular class. What profiteering there is starts at the source of supply and goes all along the line to final consumption.

The idea of all seems to be, "Get it now, get all you can while the getting is good, and the devil take the hindmost."

It is the duty of the administration, and I hope it is its purpose, to try to stop this profiteering by enforcing the adequate laws we now have. I wish to show, by reading from the Washington Star of August 12, what England is trying to do along this line:

COMMONS FAVOR BILL TO PUNISH PROFITEERS—SIR AUCKLAND GEDDES DECLARES PRACTICE CAUSES UNREST—LABOR GIVES SUPPORT TO MEASURE.

LONDON, *Monday, August 11, 1919.*

The House of Commons, after hearing Sir Auckland Geddes, minister for national service and reconstruction, declare that profiteering in foodstuffs was responsible for social unrest and discontent, passed tonight on second reading the Government bill providing for prosecution and penalties for persons guilty of profiteering. The bill was supported on second reading by the labor party and the vote on passage was 251 to 8.

Sir Auckland, who is in charge of the bill for the Government, said the measure would have a bad effect upon profiteering. The minister said that a manufacturer in northern England had told him he was "ashamed" of the profits he was making. He added that shoes that sold at wholesale at from 15 to 25 shillings retailed at from 50 to 60 shillings.

He explained that the Government had rejected the idea of internal control of trade and also the idea suggested in America of stamping goods with factory prices and establishing a system for fixing prices. He admitted that the Government had no alternative but to confess it was powerless under the laws as they stand at present.

Sir Auckland declared that the pending bill had not been hastily introduced, but had been long and carefully considered. The bill now is in the hands of a committee of the whole house preparatory to bringing it up on final passage.

The profiteering bill before the House of Commons provides for the establishment of a central authority to deal with those speculating in the necessities of life. Local and county tribunals would be associated with the central authority. These tribunals would be empowered to inflict penalties up to 200 pounds or six months' imprisonment. The bill would apply to England, Scotland, and Wales, but not to Ireland.

The suppression of this great evil will be a step in the right direction and will show our people that our administration is not ignorant of the conditions that exist nor negligent of its duty. However, this suppression of profiteering is only a drop in the bucket in the solving of the problem of getting back to where we were before the holocaust.

By your kind permission I will read you a part of an editorial in the Philadelphia Ledger of August 12, entitled "Is America 'jazzing' when she should saw wood?":

If we eliminate for the moment all questions of hoarding and profiteering and combining in restraint of trade—with which the Government is now pledged to act promptly and fearlessly—there are just two ways left in which a rising cost of living can be met: We can increase the supply of things by making more, and we can decrease the demand by buying only what we need. The man with more money than he requires for the present can not only assure himself and his family against future want by saving his surplus, but he can help the Nation through a crisis by giving it his capital to work with and by releasing goods and labor to the service of real needs. The correlative of this is to work harder. This is not a facetious remark, but a sound philosophic maxim. If a farmer found his woodpile depleted by an accidental fire as winter approaches, he would not seek to cure the trouble by going out on strike. He would settle down and cut wood. He would think it the poorest possible time to choose for working shorter hours or ceasing work altogether. Yet this is the present position of the American people. Any time any man stops work now he increases the cost of living, he reduces the value of his own pay, he flings a stone into the pond of this pressing problem, which sends out widening circles of disturbance that rock all manner of "boats" most disquietingly."

It has been charged that the farmer has been profiteering. Possibly he has, but it is a long lane that has no turn. He has suffered a long time. His turn has come. He is coming into his own.

The urban population has exploited the farmer for years, and he is getting wise. He has decided that if the urban population is entitled to a living on an 8-hour day he is entitled to more than a mere bare living on a 16-hour day.

Mr. Chairman and gentlemen, can you realize what it would mean to us city people if the farmer and his entire family went on a six-hour or an eight-hour day? What would become of us? It is as plain to me as anything can be that we would have to do one of two things. We would get back to the land or we would starve. I have heard it said on the floor of this House, and no man cared to refute it, that we are all in favor of an eight-hour day.

Is it true that we are in favor of an eight-hour day for all classes? Is it true that we are in favor of an eight-hour day for the farmer? Is it not more correct to say that we are in favor of an eight-hour day for all except the farmer, the man who keeps our souls and bodies together—the man who toils from sunup to sundown; whose wife and children do likewise? Is not he and his thrifty family entitled to more than a bare, lonely existence? God help us when he wakes up and puts himself or his products on a six-hour or an eight-hour basis.

I hope no hasty, ill-considered legislative nostrums will go out from this House to return later to curse us. Would we not be doing our constituents a greater benefit by showing them that the great patriotism and loyalty they showed in war must not cease now; that a more trying patriotism—more trying

because free from passion, hatred, and excitement, and one harder to endure—must be practiced and sustained for years?

The press and the pulpit can aid very materially in bringing to the attention of our people the fact that the wealth which we had before the war, and which we all miss so much now, was destroyed, and we must all endure its loss and get along without it until by toil and saving we can replace it, and that it can not be replaced by legislation.

In conclusion let me repeat that our slogan should be and must be "Work and save." [Applause.]

Mr. KITCHIN. Mr. Chairman, I yield now to the gentleman from Illinois [Mr. HENRY T. RAINEY].

Mr. HENRY T. RAINEY. Mr. Chairman, I have always voted at every opportunity against the daylight-saving law. I have always voted at every opportunity in favor of its repeal, and I expect to vote now to pass the bill repealing this law over the veto of the President of the United States. The farmers are unanimously opposed to this law, and the farmers and the small communities which depend entirely upon them comprise over one-third of the population of the United States. The very large vote cast in this body when this proposition was up before to pass over the veto of the President the Agricultural bill which contained an item repealing the daylight-saving law shows the strong preponderance of the sentiment of the country in favor of repealing this obnoxious law. I predict that to-day enough votes will be obtained to pass the repealing measure over the veto of the President.

While the rural population of the country is unanimous in its opposition to this alleged war measure, organized labor, on whose behalf, it is said, the law was enacted, has not asked for its retention. In fact at the great labor convention held recently in Atlantic City, at which all sections of organized labor were represented, a resolution protesting against the repeal of the law failed by a very large majority to pass.

This law was adopted as a war-time measure. The farmers submitted to the inconvenience caused by it and increased largely the food production of the country in spite of the fact that the daylight-saving law made food production enormously more difficult. Now that the war is over, they have the right to demand that this law be repealed. The farmer is the only man who works by the sun. Turning the clock up an hour does not get the dew off the grass an hour earlier in the morning. The farmer wants the old time back in order to work. The golf players and the motorists want the new time extended indefinitely into the future in order to have more time in which to play. This is a contest between the golf stick and the hoe. Agriculture is our most important industry and the interests of the farmers have been too long treated with indifference. What we need in the present crisis in our history is the fullest possible production of farm products. Only in this way can we bring down the high cost of living, and the reduction of the high cost of living is most strenuously demanded by those who live in the cities of the land.

PROPAGANDA.

Members of Congress have been flooded with letters written by heads of manufacturing firms in cities, all drafted in substantially the same language. I have two of them before me now. A letter written by the vice president of Lamont, Corliss & Co., of New York City, advocating the retention of the daylight-saving law, contains this clause:

> We think the farmer's opposition is due more to propaganda emanating from interests in favor of repeal than to any real inability on his part to adjust himself to the change in time.

The letter is dated July 28, 1919. On the same day I received a letter from the Peter Cailler Kohler Swiss Chocolate Co., of New York City, which contains the following language:

> In our opinion the opposition to the law is due more to propaganda emanating from interests who would be benefited by repeal than to any real inability on the part of the farmer to adjust himself to the change in time.

I wrote to both of these firms, asking them for evidence of propaganda, and each firm wrote back saying that the reference was merely a matter of opinion and they had no evidence. The singular thing, however, is that all these firms, including the two to which I have called attention, in addressing letters to Members of Congress and to Senators, used practically the identical language I have quoted, thus showing that somewhere there is a propaganda, promoted by some interest, inspiring these letters, and the propaganda is in favor of retaining the law. Not long ago I received a letter from the head of a tuberculosis cure establishment somewhere up in the Adirondacks. He advised me that he stood for the daylight-saving law, for the reason that an abundance of light and fresh air was needed in effecting a cure for people afflicted with tuberculosis. I wrote back to him and asked how turning the clocks up an hour would increase the amount of sunlight and the amount of fresh air in the Adirondack sections of New York State, and up to the present time he has not favored me with an answer to my inquiry.

During the World War the farmers made tremendous sacrifices. Their boys were not considered skilled laborers, although they were able to handle the complicated farm machinery in use at the present time, and they were refused exemption—those who applied—from military service, for the reason that they were not skilled laborers. A boy, however, who had spent three weeks in a boiler factory assisting in driving rivets—and an easier, less complicated work could not be imagined—was considered a skilled laborer and was exempted from military service. The farmers submitted to these rulings, and after their boys had gone to war—the boys who had assisted them in producing crops—they responded to the demands made upon them for increased production. The women of the rural communities went to work on the farms. Gray-headed farmers who had accumulated a competency, small but sufficient for them with their simple habits of life, went back to the farm to resume the strenuous labors of their younger days, and the result of all this sacrifice was the greatest crops any nation ever produced in the history of the world. The farmers now demand a repeal of this obnoxious law, and if this Congress does not repeal it, they will elect a Congress next year which will repeal it.

Mr. KITCHIN. Mr. Chairman, I yield three minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, I have an item here to which I want to call the especial attention of my good friend from Pennsylvania, Mr. BURKE; my good friend from Minnesota, Mr. CARSS; and my good friend from Ohio, Mr. COOPER, all of whom are members of the four great brotherhoods. It is a letter from the general manager of the Pennsylvania Railroad, dated Philadelphia, August 16, 1919. It is as follows:

UNITED STATES RAILROAD ADMINISTRATION,
PENNSYLVANIA RAILROAD, EASTERN LINES,
OFFICE OF GENERAL MANAGER,
Philadelphia, August 16, 1919.

Hon. THOMAS L. BLANTON,
House of Representatives,
Committee on Education, Washington, D. C.

DEAR SIR: In accordance with your request of the 14th instant we show below the highest maximum wages paid to any freight engineer, passenger engineer, passenger conductor, and freight conductor during the month of July, 1919, in the service of the Pennsylvania Railroad, eastern lines:

Freight engineer	$392.35
Passenger engineer	376.85
Passenger conductor	313.90
Freight conductor	308.55

Yours, very truly,
R. L. O'DONNEL,
General Manager.

Mr. CARSS. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Not now. I am sorry I have not the time. I have only three minutes. Let me show my friends what some of the Army officers are getting, and what the governor of Texas gets. Draw a comparison between these salaries, those fixed by the people and the railroad salaries fixed by threats, strikes, and force. The governor of Texas now receives a salary of only $333.33 per month, which is $59.02 per month less than the maximum a freight engineer receives. The following United States officers in our Army now receive the following salaries:

A colonel in the United States Army gets $333.33 per month, which is $59.02 a month less than the maximum a freight engineer receives on the Pennsylvania Railroad. A lieutenant colonel gets $291.66 a month. A major receives $250 per month. A captain receives $208.33 per month. In other words, a passenger conductor who works six days a week on a safe, comfortable passenger train, eating his meals at reduced rates on lavish dining cars, and having Negro porters to wait on him, and auditors to take up his tickets for him, who receives this maximum salary on the great Pennsylvania system, gets $22.24 per month more than a lieutenant colonel, and he gets $63.90 per month more than a major in charge of a whole battalion of soldiers in the United States Army. A member of the four great brotherhoods is an expert engineer or conductor through mechanical training, during the acquiring of which he never ceases to be a wage earner, while men in the professions and even Army men of high rank need to be highly educated, and during the acquiring of which technical training they often devote many years of hard study and spend every dollar of their earthly possessions.

Mr. CARSS. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Not now. I am sorry, but my three minutes are almost up. I had only three minutes altogether. I have an item here from the Dallas News referring to the circuit judge who succeeded me in Texas when I left the bench there. It is an account of the fact that he has sent in his resignation to the governor of Texas, and he says that he resigns his office for the reason that the office is paying him only about $10 a day, while common laborers in many cases are earning fully that much. I

held this office eight years on even less salary than Judge Burkett receives, and while you may agree with me that he should not have been a "quitter," after getting the people to elect him, until his term expired, still you can not escape the force of his complaint that ordinary laborers should not be paid more than circuit judges.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. I want the press of the country to state to the people of the country what the maximum is that the railroad brotherhoods are now receiving. [General applause in gallery.]

Mr. FORDNEY. Mr. Chairman, I yield 10 minutes to the gentleman from West Virginia [Mr. GOODYKOONTZ].

Mr. GOODYKOONTZ. Mr. Chairman, in an address made in this Chamber on August 13 by the distinguished gentleman from Alabama [Mr. HUDDLESTON] animadverting upon the prospect of a coal shortage this winter, and, incidentally, high prices for coal, he stated (RECORD, p. 3851):

> There is neither a car shortage nor is there a labor shortage, but there is a shortage in common humanity and honesty on the part of the coal operators of this country.

I challenge the statement of the gentleman as being unfounded and utterly at variance with the facts in the case.

There is no industry that is subject to more trials and misfortunes, disappointments, and vicissitudes than that of the coal-mining industry. There is no business that requires higher technical skill and greater business ability than that of producing coal. There is no business enterprise that is as harrowing and exasperating as that of conducting a coal-mining operation. The establishing of an efficient coal-mining plant calls for a very considerable investment. There is a very large financial risk coupled with the development of a coal mine, and the man who enters upon it engages in a business venture that may cause the entire loss of his investment. A coal-mining plant is either an asset or a liability. The United States have half of the coal supply of the world. Coal mining is West Virginia's greatest industry. It is the second State in the Union in the production of coal. Coal is shipped from eight of the nine counties in the congressional district which I represent. In this great coal region there are over 400 mines. The district includes the greater portion of the Pocahontas coal field, producing the very highest grade of smokeless and coking coal, used by the Navy, and famous throughout the world. The district also covers the Logan and Williamson fields, whose high volatile and steaming and domestic coals are celebrated throughout the country.

For 25 years I have had opportunity to hear discussed and to observe at first hand the coal-mining industry in all its phases. It has come to my knowledge that there is a vast amount of misinformation on the subject of coal and coal mining. There are thousands who believe, and thousands who profess to believe, that to own a coal mine is the very end of all earthly ambition.

That some great fortunes have been made out of coal, just as out of oil, there can be no doubt. But it is probably true that in the coal business, as in the case of the oil business, more money has been lost than was ever made. It is therefore for the purpose of correcting what I conceive to be a wrong impression concerning this business that I crave your kind indulgence for a little while.

I have referred to the ups and downs of the business. These are almost too numerous to catalogue. But, to begin with, a coal-mining plant must be a going concern. It can not stand still. The overhead is going on whether coal is mined or not. If it be a lessee, the rent is accruing, and the landlord's hand is ever out to receive. It is either a strike or a car shortage, want of orders, a breakdown, or low prices. Let a foreign miner die, and all of that nationality at the camp must lay off until their fellow countryman is laid under the sod, and, again, the foreigner not only celebrates our own holidays, State and National, but his own holidays as well. If the railroad company shall be late in placing empty cars on the siding there is no run for that day. If an explosion takes place, the mine is wrecked. If the railroad men strike, the mine, in consequence, is shut down. If the railroads declare an embargo on a given point, and the operators' coal is destined for that point, the mines are shut down. If an epidemic of disease enters the camp, all employees will be afflicted. When pay day comes—and it comes twice a month in West Virginia—quite a few of the men, following a time-honored custom, lay off for a day or so. The average coal mine, notwithstanding the most heroic efforts upon the part of the operator, works not to exceed 20 days in the month. If the mine is shut down for an indefinite time a force of men must keep the pumps going and clean up the slate falls. In the summer time orders are scarce. When winter comes there may be a big demand for coal, but generally the railways can not furnish the empty cars on account of congested terminals and for other reasons caused by operating difficulties due to conditions of winter.

With the approach of next winter there will be a sharp increase in the demand for coal. There is already a great shortage throughout Europe. To save foreigners from freezing America will be expected to divide her coal supply with them. It was in order to give employment to men at the mines during the summer time, to keep our mills and factories going next winter, and in order to keep the people of the world from freezing that the National Coal Association appropriated $50,000 for newspaper advertising warning the people to buy early and thereby fill their coal bins while a supply was available.

The praiseworthy efforts of the coal operators of the country to relieve, as far as possible, national and international shortage of coal next winter, and the distress that would be occasioned by such shortage, has been met by the charge made here on the floor of this House that the activities referred to were, in effect, due alone to ignoble designs and sordid purposes.

One who invests his capital in farm lands located, say, in the Mississippi Valley or elsewhere in our country will, by cultivation, see his land increase in value from year to year; one who buys property located in most any growing town or city, or in the suburbs thereof, will realize a steady increase in the value of that investment; but one who invests in coal lands undergoing development has an experience just to the contrary. The operator may buy a tract of coal land containing, we will say, 3,000 acres, at a price of $100 per acre, and totaling $300,000. He will then install a plant thereon to cost $700,000, making a total investment of $1,000,000. Let us assume that it would take the operator 40 years to remove the coal from this land. It will thereupon be perceived that the operator must before he takes any profit recover from the sale of his coal his capital of $1,000,000, plus interest and taxes. The interest alone on $1,000,000 is $60,000, the average of the entire term being $30,000 annually. When the last ton of coal shall have been mined the mine will be worthless—the plant the same. The plant will not be worth the cost of dismantling. The cost of mining the coal has nearly trebled, due to the increased cost of labor, electrical machinery, mine cars, steel rails, copper wire, powder, and other supplies. There never will be a return to the old prices. The mines are loaded down with expensive equipment purchased during the war and at war prices, and the cost of which, due to the Government prices as fixed by Dr. Garfield, the operator has never been able to write off. At a time when we were selling coal under Government prices to France and Italy at $2.25 per ton, Great Britain was charging these countries in the neighborhood of $50 per ton to carry that coal across the sea. Again, we had a chance to build up a trade in South America, but the State Department required our operators to consign their coal to British agents. Before these British agents would allow the consumers of South America to have the coal which they so badly needed they required the consumer to sign a five-year contract whereby the consumer agreed to buy all their coal within that period from the British agent. These contracts are still in force and are controlled solely by the British agent, and British coals are used so far as they are procurable for the fulfillment of those contracts.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. GOODYKOONTZ. I will.

Mr. GREEN of Iowa. In that connection I noticed an item in the newspapers to the effect that Great Britain would export next year only about one-half the coal it usually did. Can the gentleman inform me whether that is correct?

Mr. GOODYKOONTZ. Undoubtedly the English mines are greatly disorganized. Their labor is certainly dissatisfied. They are not in a position to fill the markets of the Eastern and Western Hemispheres at all, and the world is looking to the United States for its supply of coal. Now, we have a considerable car shortage in this country and it is getting worse all the time. I have in my hand here 26 telegrams from West Virginia operators, directing my attention to car-shortage conditions. A gentleman here from the Logan field in West Virginia, Mr. George M. Jones, was to see me to-day. He is managing director of the Amherst Fuel Co., that has an investment of about $3,000,000 in Logan County, and he tells me that his books show that so far this year his company has lost money by reason of the fact that he has not had the cars upon which to ship the coal that is produced at his mines. There are on the sidings of this country 40,000 new cars—I am speaking of coal cars—bought by the Railroad Administration of the Government. Those cars ought to be put into service. There are 2,400 of those cars on the sidings at Huntington and in the Logan field alone. It is

true that the Railroad Administration has given orders that those cars be stenciled and they are stenciling them at the rate of from 15 to 20 a day, but at that rate it will be along toward January before those 40,000 new cars that this Government has bought will be put into commission. It is in order to obviate the possibility of a coal shortage and as a warning to the administration that I am speaking this afternoon, urging that they use every effort toward getting those cars into commission and that they repair the "shopped" cars—those that have already been set aside needing repair. Otherwise, when winter comes on, the people in the cities will be freezing. Then there will be a clamor throughout the whole country. During the whole summer these mines have been practically idle, men out of employment, because, forsooth, consumers wanted to wait until the price of coal went down. One operator told me the other day that he had started up his mine and he had sold 40 cars at $2.24. The price of coal has been low, so low that the operators have been unable to produce it.

Mr. EMERSON. Mr. Chairman, will the gentleman yield?

Mr. GOODYKOONTZ. I will.

Mr. EMERSON. The gentleman stated something about some proposition Great Britain had slipped over on us about selling coal in South America?

Mr. GOODYKOONTZ. I presume they were exercising the war power. They had plenary power during the war, although their exercise of that power was to the distinct disadvantage of the American people.

Due to a long and intimate acquaintance with the coal operators, I am competent to speak of them, and it affords me pleasure to say to you and to the American people that for patriotism and common honesty the coal operators as a group stand second to no other class of business men in this country. The coal mines of West Virginia are chiefly owned by outside people—men living in New York, Philadelphia, Baltimore, Washington, Norfolk, Richmond, Lynchburg, Roanoke, Cincinnati, Chicago, Detroit, Toledo, Sandusky, Columbus, Cleveland, and Pittsburgh. It is true West Virginians are also largely interested; there are men who were once trapper boys and later diggers and afterwards mine bosses who, by reason of their brawn and brain, have risen to the top and are now their own proprietors; but they have lived in a mine camp all their lives and have seen very little pleasure. This man and the good wife who has shared his trials have lived in hope that some day they would be able to get the company out of debt and on a dividend-paying basis, so that they could move out to some college town, in Virginia or elsewhere, and educate their children. If you ask them if they are making money, they will optimistically tell you yes. If you ask them if their company is going to declare a dividend, they will tell you no; that they are putting the earnings back into the plant.

The experience of the coal operator is not unlike the case of a tobacco raiser in Virginia that I knew years ago. Meeting the tobacco planter one day on the road driving his team with a hogshead of tobacco in his wagon, I inquired where he was going. He replied: "I am taking my tobacco to town to sell in order to buy some more fertilizer to raise some more tobacco to buy some more fertilizer with."

The ancients found good in everything, and believed that even a toad had a jewel in his head. And so, from the war and the taxing laws the operators have been held to a system of uniform accounting, with the result that they have discovered what they never before seemed to have realized, that they, under the old system of prices, had been losing money every day they operated the mine. Expert accounting showed them that every ton of coal taken from the mine reduced their capital expenditure just that much, and that when exhaustion was complete the entire investment was extinguished, so that coal must be sold at a price sufficient to cover the original cost of the coal and the plant, with interest, taxes, and other fixed charges, and also to cover the cost of mining.

The cost of coal is bound to steadily increase from year to year. To illustrate, I give you this example: Assuming that an investor in undeveloped coal land is entitled to a return of 6 per cent on his investment and that the cost of the land is $100 per acre and that the taxes will be 2 per cent; the land, in order to carry this charge, must increase 8 per cent annually. Eight per cent compounded annually on $100 will double the principal in nine years. So that the land will increase in value per acre as follows: At 9 years, $200; at 18 years, $400; at 27 years, $800; at 36 years, $1,600; at 45 years, $3,200 per acre.

Let us take, for example, an acre of Pocahontas coal land, for which a low price, according to existing values, would be $500 per acre, and applying the above rate, we have: At 9 years, $1,000; at 18 years, $2,000; at 27 years, $4,000; at 36 years, $8,000; at 45 years, $16,000, as the price of the acre of land.

The man who is only getting 6 per cent is not a profiteer. Very few of us are satisfied with an investment that only pays 6 per cent.

The gentleman from Alabama, in his remarks above referred to, read a letter from Hon. J. B. Densmore, Director General of the United States Employment Service. In this letter Mr. Densmore admitted that thousands of miners had been idle ever since the armistice was signed, and said, furthermore:

> This is due to the fact that coal mines have been shut down, and thousands of men have been forced out of employment. The coal operators allege that this idleness is caused because there has been no market for the coal. Unemployment in certain sections of Indiana, Illinois, and Ohio is such as to create distress and want among a large number of miners and their families.

It is usual for coal mines to be idle in summer time for lack of orders. It was for the purpose of keeping the mines at work and giving employment to the men and saving the population from suffering during the approaching winter weather, and in order to keep our mills and factories and furnaces going, that the National Coal Association appropriated the sum of $50,000 to warn the people. This patriotic action upon the part of the coal operators has been held up to public view as only the indication of lack of "common humanity and honesty on the part of the coal operators of this country." A more unfair statement and unjust allegation was never made, and the man who assumes to advise a domestic consumer in this country not to lay in a supply of coal for the coming winter assumes a terrible responsibility.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOODYKOONTZ. Mr. Chairman and gentlemen, I thank you. [Applause.]

Mr. FORDNEY. Mr. Chairman, I yield 15 minutes to the gentleman from Colorado [Mr. TIMBERLAKE].

Mr. TIMBERLAKE. Mr. Chairman and gentlemen of the committee, I did not expect to occupy any more time in general debate upon this bill after having occupied some time on Thursday last, when it was up for consideration in the House, but since that time my attention has been called to a few things by some Members who seem to have an erroneous idea with reference to some features of the bill and some products which it affects.

In the first place, I want to correct the statement that I made in reply to an inquiry on last Thursday, when the matter was being considered. The gentleman from West Virginia [Mr. REED] asked me if they shipped ore here from China. I answered, "No; not in that form." I had in mind crude ore, in which there is only a very small per cent of WO_3, or concentrated tungsten; but my answer should have been "Yes." They ship in the concentrated ore. And in that connection I showed the other day this sample, which is a sample of concentrate placer ore from the China field. This [exhibiting] is as it is found there. It has not been concentrated by machinery, as it is in this country, but it is picked up by the Chinese or gouged out of the rock and shipped to this country almost in this shape.

Mr. VAILE. Will the gentleman yield?

Mr. TIMBERLAKE. I will.

Mr. VAILE. Can the gentleman state whether the piece he now holds in his hand is found in fields where there is extensive blasting, or removal, or where it is not necessary?

Mr. TIMBERLAKE. My understanding is that there is no removal of any considerable amount of rock where this is produced. It is virtually on top, gathered by shovels, picked up by hand, in a concentrated form. It is a very rich piece. It does not often contain that per cent of WO_3. This contains 70 per cent of tungstic trioxide, and it is that grade of ore upon which there is no tariff. It comes in free of duty, although it is in its full strength of 60 per cent of concentrates. It requires a milling process to bring to that form the ore that is found in our mines in this country. This sample [exhibiting] is one taken from the Boulder field. Many tons of rock have to be displaced to secure this ore, and then it has to be crushed and concentrated.

Mr. VAILE. Will the gentleman yield?

Mr. TIMBERLAKE. I will.

Mr. VAILE. Can the gentleman state whether the United States produces all the supply of tungstic trioxide which is necessary for our arts and industries here?

Mr. TIMBERLAKE. I stated the other day, if the gentleman will recall, that it does not. About from 50 to 60 per cent of our needs is mined in this country.

Mr. VAILE. And then, notwithstanding some stimulation of our industry, which might arise from further development of our mines, it would still be necessary to import some from China, Burma, and other places?

Mr. TIMBERLAKE. According to the statistics that are available it is thought that we will for the next three years at least have to import into this country to supply our needs from 3,000 to 4,000 tons.

Mr. VAILE. Then, if the tariff duty was collected on that we would now be receiving a revenue at the same time we are stimulating our industries, whereas we receive no revenue at all now. Is that correct?

Mr. TIMBERLAKE. The gentleman is correct. And in this connection, it was demonstrated at the hearing, in the judgment of the people who testified there, among whom were those interested in the use of the metal in the hardening of steel, and who testified to the very great necessity of having a dependable supply of that in this country, that with the stimulation such as this tariff would give there would be new fields discovered in this country and other fields developed, so that within two or three or four years the industry would be so extended in this country as to provide for our needs. Until that time, of course, a large quantity would be shipped in and pay this duty and have the effect of stabilizing the price.

I hope you have all read the testimony and report on this bill of the interests that appeared at this hearing. First permit me to say that there were no objections, except from one party from Pennsylvania, who is interested in the South American mines. The Tariff Commission was represented there; and while it is not their province, as we all know, and as they disclaimed at that hearing, to determine the rate of duty, but rather to present the facts before the committee and the people of the country as to the conditions, on question by members of the committee to the parties who represented the Tariff Commission it was developed that in the judgment of these parties, after having made a careful investigation, which they did on the ground in California and Colorado, this amount of duty was actually necessary if the industry was to be developed in this country. However, as I stated the other day, there has not been a mine operating in this country since a few days after the armistice was signed, because of the importation of the Chinese and the Burma ores at a price against which our people could not compete.

Mr. EMERSON. Will the gentleman yield?

Mr. TIMBERLAKE. I will.

Mr. EMERSON. I am in favor of putting tariff on anything we can produce in this country in sufficient quantities and do not produce—I do not care how high it is. With that statement, I would like to ask the gentleman from Colorado if this duty of $10 per unit, or whatever you call it, is sufficient to encourage and stimulate an American production in such quantities as will supply our own demands?

Mr. TIMBERLAKE. It is thought that will be true. The hearings developed, in the judgment of those who had given the subject careful thought, that it would be true. And this tariff of $10 per unit is absolutely necessary if our mines here are to operate at all. As I showed the other day, it was coming to the New York market from China and Burma, and selling at $6.50 to $7.50 per unit, and the hearings showed, according to the report of the Tariff Commission after investigation on the ground, that with the price paid for labor in this country, WO_3 could not be produced at a less figure, varying according to the condition in which it is found in the different fields, than from $17 to $22 a ton. So you see this tariff is not going to prevent the coming in of this cheap ore from these other countries. It will still come in until such time as we have developed our industry in this country so as to supply all our needs, when this probably will not be the case.

I know that each Member of the House was furnished this publication in his mail this morning, gotten out by the American Mining Congress, which is most significant, indeed. We all know that nothing appeals so forcibly to anyone as a cartoon or a picture such as this, and in this are graphically portrayed the conditions of the tungsten industry at this time. If there are any members of the committee that have not received a copy of this publication, I will ask a page to put copies in their hands.

First is shown the man producing the raw ore, illustrating the product raw ore. "Tariff, $10 per unit of tungsten. No burden at this point on ultimate consumer."

The second cartoon is the mill; product, tungsten concentrates. "Tariff, $10 per unit of tungsten. No burden at this point on ultimate consumer."

The next one is the electric furnace product, ferrotungsten. The electric furnace is where this product, ferrotungsten [showing sample], is made through heating in an electric furnace and then grinding into this shape. "Tariff $1 per pound for tungsten contained. No burden at this point on ultimate consumer."

The fourth illustration is of the tool manufacturer product, tungsten tool steel. "Tariff $1 per pound for tungsten contained. No burden at this point on ultimate consumer."

Many of you have a vague idea, probably, of the uses to which tungsten is applied, and I have here some very interesting pictures showing the very manifold and various uses to which tungsten in applied, delineating a set of hardened tools manufactured from this product and the very complex machinery into which the use of this metal enters, which is so vitally necessary to the industries of this country. And especially if we should ever be at war again and be at the mercy of the foreign countries we can see how indispensably necessary it will be for us to have developed our resources here to such an extent as to be able to furnish our entire demand.

Now, No. 5, the machine shop where tungsten tool steel is consumed: "The tariff of $1 per pound for tungsten contained is here distributed upon 1 ton of machined steel parts produced by 1 pound of tungsten contained in tungsten steel tools."

Now, there is where the $1 per pound affects the ultimate consumer, and you can see how very small that would be, in view of the extent to which $1 of tungsten would go in the preparation of this steel.

In the sixth picture is shown machined steel, the article of ultimate consumption. "This theoretically carries a tariff burden of $1 per ton on a finished product of a value of $500 to $2,500 per ton," so that you can see the cost to the ultimate consumer from this is so small as to be almost entirely negligible.

Now, when you come to see the advantages and see why the steel men of this country are supporting this bill, you will find that they helped in the preparation of the bill, because they saw the necessity for a suitable production of this article in this country, and for that reason they were perfectly willing to bear this added burden of $1 per pound for the product they used in order to encourage the production and development of this industry in this country. There is in fact no such burden on the ultimate consumer, because one man operating with these tools hardened by this process is capable of doing the work of five. The cause there is thus very apparent to you all. [Applause.]

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. BLANTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. Mr. Chairman, I think we ought to have more than 40 men present. There are just 40 men in the committee now. I make the point of no quorum.

The CHAIRMAN. The point of no quorum is made. The Chair will count.

Mr. TIMBERLAKE. Mr. Chairman, has my time expired?

The CHAIRMAN. The gentleman's time has expired. The Chair will count. Fifty Members are present, not a quorum.

Mr. FORDNEY. Mr. Chairman, I demand tellers.

The CHAIRMAN. Tellers can not be had on a point of no quorum.

Mr. FORDNEY. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Michigan moves that the committee do now rise. The question is on agreeing to that motion.

The question was taken, and the Chair announced that the noes appeared to have it.

Mr. FORDNEY. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 21, noes 22.

Mr. BLANTON. Mr. Chairman, I make the point of no quorum.

Mr. FORDNEY. Mr. Chairman, I ask for tellers.

The CHAIRMAN. It is not necessary to have a quorum for the committee to rise. The gentleman from Michigan asks for tellers. Those in favor of ordering tellers will rise and stand until they are counted. [After counting.] Twenty-nine Members have risen, a sufficient number. The gentleman from Michigan [Mr. FORDNEY] and the gentleman from North Carolina [Mr. KITCHIN] will take their places as tellers. Those in favor of the motion that the committee rise will pass between the tellers and be counted.

The committee again divided; and the tellers reported—ayes 1, noes 58.

Mr. BLANTON. Mr. Chairman, I make the point of order against this camouflage on the Republican side. [Laughter.]

The CHAIRMAN. The point of order is overruled.

Mr. KNUTSON. Mr. Chairman, I wish to say that whatever is going on is by unanimous consent.

Mr. BLANTON. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. Fifty-eight gentlemen have risen in the negative.

Mr. BLANTON. I make the point of no quorum.

The CHAIRMAN. On this question the ayes are 1 and the noes are 58. The point of no quorum is made. The Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Anderson	Ferris	Little	Sanders, Ind.
Anthony	Flood	Longworth	Sanders, N. Y.
Bee	Foster	Luce	Saunders, Va.
Begg	Frear	McAndrews	Scully
Benham	Freeman	McCulloch	Shreve
Black	Gallivan	McKenzie	Sims
Bland, Ind.	Gandy	McLaughlin, Mich.	Sisson
Bland, Mo.	Gard	MacGregor	Slemp
Boies	Godwin, N. C.	Magee	Small
Booher	Goodall	Maher	Smith, Ill.
Brand	Goodwin, Ark.	Mann	Smith, N. Y.
Britten	Gould	Martin	Snell
Brooks, Ill.	Graham, Pa.	Mead	Stedman
Browne	Graham, Ill.	Merritt	Steenerson
Brumbaugh	Greene, Mass.	Monahan, Wis.	Stephens, Miss.
Burke	Greene, Vt.	Montague	Stevenson
Byrnes, S. C.	Griest	Moon	Stiness
Candler	Hadley	Moore, Pa.	Sullivan
Cannon	Hamill	Moore, Va.	Summers, Wash.
Cantrill	Hardy, Colo.	Morin	Sumners, Tex.
Carter	Harrison	Mott	Swope
Casey	Haugen	Mudd	Taylor, Ark.
Christopherson	Hersey	Neely	Taylor, Colo.
Cleary	Hicks	Nolan	Thomas
Copley	Hill	Osborne	Tilson
Costello	Humphreys	Paige	Towner
Crago	Husted	Parker	Upshaw
Cramton	Hutchinson	Peters	Vare
Dempsey	Jefferis	Porter	Venable
Denison	Johnson, S. Dak.	Pou	Voigt
Dewalt	Johnson, Wash.	Rainey, John W.	Volstead
Dickinson, Iowa	Jones, Tex.	Randall, Calif.	Walsh
Donovan	Kahn	Randall, Wis.	Walters
Dooling	Kelley, Mich.	Rayburn	Ward
Doremus	Kelly, Pa.	Reavis	Wason
Drane	Kennedy, Iowa	Reed, N. Y.	Watson, Pa.
Dunn	Kettner	Riddick	Whaley
Dyer	Kiess	Riordan	Wilson, Pa.
Echols	Langley	Rogers	Winslow
Elliott	Lea, Cal.	Rose	Wise
Esch	Lee, Ga.	Rouse	Woodyard
Evans, Mont.	Lesher	Rowan	Wright
Evans, Nebr.	Linthicum	Sabath	

The committee rose; and the Speaker having resumed the chair, Mr. GOOD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 4437) to provide revenue for the Government and to promote the production of tungsten ores and manufactures thereof in the United States, found itself without a quorum; whereupon he caused the roll to be called, when 259 Members, a quorum, answered to their names, and he handed in the names of the absentees to be printed in the Journal and RECORD.

The SPEAKER. A quorum is present. The committee will resume its session.

Accordingly the committee resumed its session, with Mr. GOOD in the chair.

Mr. FORDNEY. Mr. Chairman, I will ask the gentleman from North Carolina to use his time.

The CHAIRMAN. The gentleman from North Carolina has 57 minutes remaining.

Mr. KITCHIN took the floor amid applause.

Mr. KITCHIN. Mr. Chairman, this bill is protection run mad. It froths all over with protection hydrophobia. [Applause and laughter.] In fact, Mr. Chairman, the most decent thing about this bill, the only respectable thing about it, is its nominal author, who did not prepare it. [Laughter.]

It is conceived, proposed, and written just like every tariff bill that has been presented to the House in the last 50 years by the Republicans. There is not a Republican in this House, not even the chairman of the committee or the gentleman who on its face is designated as author of the bill, who understands or can analyze its provisions, as I shall show later. And why should the Republican Members of the committee or of the House know what is in the bill? Why should they understand the operation of its provisions? It is no concern of theirs to know or understand. They care only to know what rates and what provisions the manufacturers and producers want in the bill. [Applause on the Democratic side.]

The Republicans on the Ways and Means Committee may know the amount of the specific rates, because the beneficiaries of this bill told them what the rates in the bill should be. [Laughter.] Not one of them can tell you a line or word of evidence from anybody to show the cost of production at home or abroad of any article contained in this bill. I want to know how you can write an intelligent tariff bill from a Republican standpoint or from a Democratic standpoint without knowing something about the cost of producing the article here and the cost of producing the article abroad. Every Republican platform that has been made since the Civil War, every Republican speech on the tariff made here and on the stump for the last half of a century, has declared that the Republican tariff principle and policy is to write such rates in a bill as will equalize the difference in the cost of production abroad and the cost of production at home. That is the Republican theory. As I said some days ago in discussing the chemical schedule, that has not been the practice, but that is their professed principle. Now, there is not a Republican on the Ways and Means Committee or a Republican in this House who can tell this House what is the cost of production of a ton of tungsten ore, or of a ton of tungsten or ferrotungsten even, here in this country.

Mr. TIMBERLAKE. Will the gentleman yield?

Mr. KITCHIN. Certainly.

Mr. TIMBERLAKE. I should like to say to the gentleman that I think it was thoroughly developed in the hearing that the cost of production was between $17 and $22 per unit, and that after the price reached $17 a unit every mine in this country was closed down, showing that that was the lowest figure at which it could be sold without loss.

Mr. KITCHIN. That is not the evidence. The evidence on that point was that they could not produce and sell it at as much profit as they wanted for less than from $17 to $25. [Applause on the Democratic side.] There was not a line or word of evidence that it cost that to produce it. I again challenge any Republican on the committee or in the House to tell me what is the cost of production of a ton of tungsten ore or a ton of ferrotungsten in this country. I challenge them to point to the page in the hearings or in the Tariff Commission's report where such cost is shown or where foreign cost of production is stated. No answer. But Mr. Riddell, of the Tariff Commission, did read before us from a report of the commission that one company—

> The Atolia Mining Co. alone could doubtless supply one-third of the total domestic output at a price of $10 or less a unit and compete successfully in the American market with any important foreign producer even with tungsten ore on the free list.

This is not a "cost of production at from $17 to $22 per tons." Here is one corporation, the head and front of the "big four" monopoly, that can produce and sell at a profit ore for $10 a unit in competition with the world—even if ore was on the free list—and yet this Republican bill gives to that corporation and to the three other corporations of the big four a tariff of $10 a unit—an increase of 100 per cent on a profiting selling price! Was there ever such a monstrous proposition in a tariff bill? The Republican members of the committee did not read all the testimony. They did not read all the report of the Tariff Commission. They did not have to. They did not care to know the facts. They had no need for any knowledge except the knowledge of the desire and demand of these corporations. With such knowledge they felt they were armed with sufficient data and information to prepare and report a Republican tariff bill. And they were. And we have the pending bill. And it will pass this Republican House. But before I conclude I want to show to the House, and especially the new Republican Members, and to the country exactly how this bill and other tariff bills are framed and proposed by Republican committees—how rates are fixed and who fixes them.

Mr. VAILE. Mr. Chairman, I am one of these new Republicans that the gentleman is talking about——

Mr. KITCHIN. Oh, the gentleman does not look like one. He looks more sprightly than that. [Laughter.]

Mr. VAILE. I would like to ask the gentleman whether his strictures apply to tariff bills emanating from the other side of the Chamber, as, for instance, that coming from the gentleman from Alabama on amorphous graphite?

Mr. KITCHIN. We on this side do not write tariff bills in that way. We write tariff bills in the interest of the Government and of the people. [Applause on the Democratic side.]

Mr. VAILE. And of the particular community?

Mr. KITCHIN. While the gentleman's party writes bills solely in the interest of special manufacturing and producing corporations, who by such seek to get their hands into the pockets of all of the people for the purpose of filling their own pockets. [Applause and laughter on the Democratic side.]

I have said that no Republican here knows anything about the cost of production at home and abroad. Although in my friend Mr. TIMBERLAKE's district and in my friend Mr. VAILE's district they produce in large quantities this tungsten ore, they do not know anything more about the cost of it than the man in the moon. They and the Republican members of the committee know what tariff rate the manufacturers and producers told them they want. And this bill is exactly letter for letter and word for word what they said they wanted. [Applause on the Democratic side.] Let us see about the evidence as to the cost of production here and abroad. I do not believe any

Republican on that committee or in the House is any wiser as to such costs than Mr. Holmes, who is stockholder, secretary, and treasurer of one of the "big four" corporations, which corporations produce more than 75 per cent of the total production in this country. The real beneficiaries of the bill are these four companies. One of these companies is the Tungsten Products Co. This is Mr. Holmes's corporation. Of course, Mr. Holmes knew the cost of the product of his own company, but he kept it from these gentlemen, and especially from us Democratic members of the committee. He says in his testimony before the Committee on Ways and Means that it is impossible for him or anybody else to tell the cost of production even in this country. He could not or did not tell us even the cost in his own company. Here is his testimony. Remember, Mr. Holmes is the secretary and treasurer of one of the "big four" corporations that are going to monopolize all of the production of tungsten ore when this bill passes. The Tariff Commission shows that these four companies have now a practical monopoly in the ore production. Mr. Holmes was asked by Mr. GARNER:

What is the average cost of producing a ton of tungsten ore in this country?

Of course, Mr. Holmes knew, but he also knew that if he told the cost of production, even with his own company, the conscience of even so hardened a Republican protectionist as Mr. FORDNEY, the chairman of the committee, could not stand such an outrage as this bill. [Applause and laughter on the Democratic side.] Mr. Holmes said:

It varies so greatly that it would be utterly impossible to state or to estimate what the average cost would be.

Yet Mr. TIMBERLAKE and these gentlemen who are interested here said they could tell, but Holmes could not tell—and they have not told the House yet. The same thing was true of Mr. McKenna and other manufacturers and their representatives. Not one informed us of the cost, even in their own companies. They did tell the committee that they wanted $10 tariff on a unit of tungsten ore, or $600 a ton, and a tariff of $1 a pound, or $2,000 a ton, on tungsten or ferrotungsten. The Republican Members know, and know only, that because the representatives of these corporations had told them that so often that they have learned it by heart, and they can tell you right away what the specific rates in the bill are. [Laughter.] But the main thing, the very basis and foundation upon which a Republican tariff can be written, according to the Republican theory, the difference in the cost of production at home and abroad, not a Republican Member knows. No one told us of the cost of production at home. No one told us of the cost of production abroad. No Republican here can tell us now. How can you write an intelligent Republican tariff rate in a bill unless you know something about the cost of production at home and abroad? I repeat, there is not a word or line of evidence as to either.

But we do not need to leave the question of cost here and abroad to Mr. Holmes. Here is the report of the Tariff Commission. The manufacturers and producers would not or did not even tell the Tariff Commission what it cost them to produce the ore or the ferrotungsten from the ore. On page 30 of the Tariff Commission report, made to the Committee on Ways and Means on June 14, 1919, we find the following:

Any accurate estimate of the average cost of producing tungsten ore in this country is impossible.

Why? Because the experts of the Tariff Commission could not dig it out of these four or five big manufacturers and producers of tungsten ore and ferrotungsten and tungsten. They kept it from them. And the commission failed to send an expert accountant to look over their books. Its agents simply took their word for everything. It is impossible to find out, they say. Of course, no Republican over there knows the cost of production even at home. This is admitted. I have read you what the Tariff Commission said about the home cost. Here is what it says about the foreign cost:

Foreign costs are much more difficult to ascertain.

I do not see how foreign cost could be much more difficult to ascertain than the home cost, when it says that the home cost is utterly impossible to ascertain. [Laughter.]

I want to ask the gentlemen on the Republican side who reported out this bill to tell me and to tell their colleagues on the Republican side and tell the country what human being in this country came before the committee, either in person or by letter or by brief or by attorney, and asked for this bill except the representatives of these corporations, who will have, if this bill passes, an absolute monopoly on one of the essential war minerals. [Applause on the Democratic side.]

I pause for a reply. Mr. Chairman of the Committee, Mr. Author of the Bill, where is the evidence? Refer me to the page in either the hearings or the commission's report.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. GREEN of Iowa. Will the gentleman tell what party objects to the bill?

Mr. KITCHIN. What party?

Mr. GREEN of Iowa. Yes.

Mr. KITCHIN. The greatest party in this country, the most patriotic party in this country, and the only party in this country that represents the general interests as against the special interests. [Applause.]

Mr. VAILE. And that is the only objection to it?

Mr. KITCHIN. A few weeks ago—on August 2—this House passed a bill placing a high and exorbitant tariff on chemical and optical glass, surgical and dental instruments. I reminded this House during its consideration that the tariff rate in that bill on chemical glass alone levied a tax of at least $13.33 annually, not upon the colleges but upon each of the hard-working, struggling students taking a scientific or chemical course. [Applause on the Democratic side.] I showed, too, that the optical-glass tariff put an annual tax of $300,000 upon the colleges and universities of this country. I further showed that by the surgical-dental instrument tariff in that bill the doctors, the surgeons, the dentists, the hospitals, private and charitable, in this country were taxed, not for the benefit of the Government but for the benefit of three or four surgical-instrument manufacturers, a yearly sum of $5,000,000. [Applause on the Democratic side.] I asked the Republicans of the House then to tell me, tell the House, tell the country, what college or university, what student, what doctor, what dentist, what hospital representative, of this country came before our committee and asked that we put that burdensome tax upon them. Not one of them. [Applause on the Democratic side.]

Mr. TIMBERLAKE. Will the gentleman yield?

Mr. KITCHIN. Wait one second. I said then with respect to that tariff, as I say now with respect to this, that the people who must bear the burden imposed by the bill were not and have not been heard, and the only representation the people who must pay these taxes and bear these burdens had or have on the Ways and Means Committee and in this House was and is the Democratic membership of the Ways and Means Committee and the Democratic Membership of this House. [Applause on the Democratic side.]

Mr. TIMBERLAKE. The gentleman stated that only certain interests appeared for this bill?

Mr. KITCHIN. Yes, sir; they and their representatives.

Mr. TIMBERLAKE. He also stated that the only objection appearing in the name of any party was the Democratic Party.

Mr. KITCHIN. I said the only patriotic party of this country, but that is the same thing. [Applause on the Democratic side.]

Mr. TIMBERLAKE. Is it not true that we should consider the Tariff Commission, and did it not appear——

Mr. KITCHIN. What?

Mr. TIMBERLAKE. The Tariff Commission.

Mr. KITCHIN. No, sir; not the Tariff Commission; no member of it.

Mr. TIMBERLAKE (continuing). That Mr. Riddell, a member of the Tariff Commission, in reply to a question by Mr. COPLEY, stated that in his judgment—he gave this as his own opinion—from his experience as an engineer and from investigations made by the Tariff Commission, which he accompanied to Colorado and California for that purpose, that it was his judgment—not speaking for the Tariff Commission, recognizing the Tariff Commission was not there for the purpose of discussing rates of tariff but to give the exact facts to the committee—his judgment as an engineer was that 100 per cent tariff was necessary in order to develop and stabilize the industry in this country?

Mr. KITCHIN. Yes, sir. I regret the gentleman has called attention to Mr. Riddell, expert metallurgist of the Tariff Commission but not a member of it. I would not have referred to him, but since the gentleman has, I will here make some observations about him and the Tariff Commission. At the time the bill creating a Tariff Commission was being considered in the House I said on the floor that it made no difference what class of men were appointed on a tariff commission, whether all protectionists or all absolute free traders, that it would sooner or later turn out to be an annex of a high protective tariff policy, and Mr. Riddell's testimony and his report to the commission illustrate it. I said then, and I repeat now, a tariff commission will prove, in the very nature of things, even starting out with free traders, an instrument or agency, whether so intended or not, in the hands of high protective tariff advocates. Why? The commission, its members, its experts, its agents, and clerks, and employees hear nothing except protection. Every lawyer who ap-

pears before the board represents a protectionist. Every claimant, every complainant, before the commission is a protectionist and asks for protection. Every witness who appears before it or before its agents is a protectionist. Every plant they go to investigate is a protective-tariff plant. Every expert that they send out to investigate a factory or an industry is a dyed-in-the-wool Republican protectionist. For day in and day out, year in and year out, the commission hears nothing but protection, it sees nothing but protection, it breathes nothing but protection. Who do you suppose recommends or gets others to recommend to the commission this man or that man or this professor or that one as an expert to make investigations into this or that industry? I would stake my last dollar that a diligent investigation would disclose that back behind—perhaps out of sight at the time—such recommendations stands some protective-tariff beneficiary or advocate. Let us see about this gentleman, Mr. Riddell.

Mr. SNYDER. Will the gentleman yield?

Mr. KITCHIN. Let me get through with this. Mr. Riddell did come before our committee, and said that while he prepared that report—that is, got up the data for the Tariff Commission—he did not speak for the Tariff Commission in an official capacity, because it was against its policy to suggest rates, but personally he was testifying, and that, in his opinion, the industry needed a tariff of $10 a unit on tungsten ore and $1 per pound on ferrotungsten in order to exist. Now, listen. Here is his testimony, on page 72 of the hearings, stating that these tungsten-ore producers could not produce tungsten ore unless they could get a selling price of from $25 to $30 a unit. To show you what a run-mad, hydrophobia tariff expert and advocate he is, he even makes it $6.50 a unit or $390 a ton more than the manufacturers and producers who came down here proposed to the committee. [Applause on the Democratic side.]

The manufacturers and producers themselves, on page 68 of the hearings, stated that they only needed a selling price of "between $17 and $25 a unit," but this "expert" of the Tariff Commission says they need a selling price of from $25 to $30 a unit. And to get this price he says they need a tariff of $10 a unit! He wants them to get a price of $390 a ton more than the producers were willing to take!

Mr. SNYDER. Will the gentleman yield now?

Mr. KITCHIN. No; I am going to get through with Mr. Riddell, and then I will yield to everybody.

He went before the committee. The Tariff Commission, through its members, could not appear, because they could not take any position on the rates. But Mr. Riddell, who prepared all the data for commission's report, could and did. Let me tell you about the data. He did not get any data by examining the plants, by examining the invested capital account, or by examining the cost accounts, or the depletion accounts, or the profit-and-loss accounts. Neither did he nor the commission have an expert accountant to examine the books of any of the producers. If so, it nowhere appears in the evidence. He simply took as facts—and it seems the commission did likewise—what the producers, the tariff beneficiaries, said as to capital and profits and costs of production whenever they would proffer such information and such other statements they would make as to their industry. Mr. Riddell did not know any more about the actual facts than the man in the moon. Nor did he adopt any proper method to find out. He took their word. The only thing he knows from personal investigation is what kind of a tariff and what rates the producers want—not what they need but what they want. And he comes before our committee and peddles off to us, as his personal opinion of the tariff, their wants.

When we come to the magnesite tariff bill I will show you that he went the magnesite producers—the beneficiaries of that bill—one better and declared for a higher tariff than they said they wanted. Is he an expert on tariff rates or cost accounts? No. He is an expert metallurgist. All he knows about the tariff is what the beneficiaries told him they wanted.

I would not be a bit surprised if it would not come to pass one of these days, if we may judge from the avarice of the proposed tariff beneficiaries, that the electric-light producers, the owners of the electric plants that furnish light for our cities and towns will ask the Republicans—and they will get it—to put a prohibitive protective tariff on moonshine and the twinkling of the stars. [Laughter.] They will first go to the Tariff Commission, as the beneficiaries of this and other bills before the House and the committee did; and I will bet my last dollar it will send Riddell out to make "investigation and report," and Riddell will go out and come back with a statement of facts from the owners of electric-light plants and tell the commission and the Republicans how to frame a tariff bill that will protect them against the competition of God's moonlight and gleam of the stars. [Applause on the Democratic side.] Let me tell you——

Mr. SNYDER. Will the gentleman yield?

Mr. KITCHIN. Not right now.

Gentlemen, I am halfway serious about this. Riddell is not going to read what I say. He is too busy hearing and reading statements of what these tariff beneficiaries throughout the country want. [Laughter.] He will not catch on. See whether or not I am correct. Introduce a bill to protect the producers of electric light for the cities and towns, putting a high tariff on moonshine, and ask the Tariff Commission to send out an expert to make a report on it, and see if they do not send out Riddell, and see if he does not make a report favoring such a tariff or a higher one. [Laughter.]

Mr. SNYDER. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. SNYDER. A few moments ago the gentleman stated that the Tariff Commission said it was impossible to get information as to the cost of production of tungsten in this country and it was much more difficult to get it abroad; then he followed that up by saying that it was because the manufacturers would not give the information——

Mr. KITCHIN. The gentleman misunderstood. I did not say that. I said they did not give it.

Mr. SNYDER. I wanted to know whether that was the statement of the Tariff Commission or was his own observation?

Mr. KITCHIN. Oh, no. The Tariff Commission made no such statement. Neither the commission nor Riddell has ascertained the cost of production here or abroad, nor have the producers here given us the cost even in their own plants.

Mr. SNYDER. I happen to be a manufacturer myself——

Mr. KITCHIN. What? Are you a manufacturer of tungsten?

Mr. SNYDER. No; I am not.

Mr. KITCHIN. If you were, you would not stand such an unconscionable tariff as this? [Laughter.]

Mr. SNYDER. I am not saying about that, but I want to know whether the Tariff Commission stated they would not go because the manufacturers would not tell them.

Mr. KITCHIN. Oh, no.

Mr. BLANTON. Mr. Chairman, I want to suggest to the gentleman that in revising his remarks he use the term "moonlight" instead of "moonshine," so that it will not be misunderstood.

Mr. KITCHIN. I do not know but they would want to protect that "moonshine" if they could find a way to do it, and no doubt Mr. Riddell, the metallurgist, could go out and "report" a way. [Laughter.]

Mr. PLATT. Will the gentleman yield?

Mr. KITCHIN. I will yield.

Mr. PLATT. I wanted to ask the gentleman whether he did not vote to-day in favor of moonlight against daylight?

Mr. KITCHIN. No; I voted for God's daylight [applause on the Democratic side], not for this man-made statutory daylight. [Applause.]

Now, gentlemen, I have shown you that the Republicans on the committee did not know anything about the cost at home or abroad, but they did know what the manufacturers wanted; that this bill is not framed in accordance with the proposed tariff policy of the Republicans. I told you in the beginning that this bill was written in exact accordance with the demand of the four corporations that have a monopoly now and will have a complete fixed monopoly when this bill passes.

Do you gentlemen know of a man by the name of Roy C. McKenna? The Republicans on the committee may know him. He is president of the Vanadium Alloy Steel Co. in Pennsylvania. He has an interest in the production of tungsten ore, as well as in the manufacture of ferrotungsten. He was a star witness before a committee. It is very pitiable, gentlemen, to see how things happen there. [Laughter.] I have been on that committee with the Republicans in charge for a few months, since they got the House, and it is really pitiable to see one of these big, strapping, manufacturing tariff overlords take the stand before that committee and to see the Republicans begin to tremble. [Laughter and applause on the Democratic side.]

When one of these manufacturers appears before the committee, after throwing a few bouquets to the majority members, and begins argument for his demands, Mr. FORDNEY, our able chairman, begins to shake—he gets so nervous that he can not wait for him to state his demands, but breaks in and asks, "How much tariff do you want to protect your industry?" [Laughter on the Democratic side.] You see this is the main thing the chairman and the Republicans want to know. This is the essential in the preparation of a tariff bill. He is just "scared to death." [Laughter.] For instance, here is McKenna,

a big manufacturer, a star protection witness, and he asks him, "Mr. McKenna, how much do you want?" [Laughter.] Not how much do you need? I really did not know he had asked this question of this particular man, although I knew he had asked it of others, and I knew it was time that he would ask it again. [Laughter.] But here it is in the hearings, page 41. Let me read it to you:

The Chairman (Mr. FORDNEY) asked:

I do not quite understand that. How much duty do you want on tungsten ore?

[Laughter.]

Mr. McKenna, looking right square at Mr. FORDNEY, answered:

We want, sir, a duty of $10 a unit on tungsten ore.

[Applause on the Democratic side.]

And Mr. FORDNEY and his Republican colleagues straightway put into the bill a duty of $10 a unit on tungsten ore. [Laughter and applause on the Democratic side.]

Now, Mr. McKenna was also a manufacturer of ferrotungsten, and they wanted to know how much duty he wanted on that. He answered:

The manufacturers of ferrotungsten want a duty of 15 per cent ad valorem, which is now the law, plus a duty of $1 per pound on the tungsten contents of the refined products.

That is $2,000 a ton on ferrotungsten, plus the present 15 per cent ad valorem. Before the war you could buy all you wanted for $1,100 or $1,200 a ton, but he wants a specific duty of $2,000 a ton in addition to the existing ad valorem duty. The Republican members of the Committee on Ways and Means had been waiting almost all day to know what was wanted, and just as soon as this protective-tariff overlord walked in and looked them square in the face and told them, "We want $10 a unit on tungsten ore; we want $1 a pound, or $2,000 a ton, on ferrotungsten or tungsten powder," and so forth, the Republicans straightway, over the protest of the Democrats, wrote into the bill their exact wants and demands. [Laughter and applause on the Democratic side.] Ten dollars a unit on tungsten ore and $1 a pound on ferrotungsten, or $2,000 a ton! This is the Republican ideal way of fixing rates in tariff bills.

They have reported this bill out for Republicans in the House to swallow, and you are going to gulp it down like a duck does a June bug. [Laughter.] But before you do swallow it I am going to let you know what it is. It increases the Payne-Aldrich tariff on tungsten ore 1,100 per cent! The Payne-Aldrich tariff on tungsten ore was 10 per cent, and at the import price then and at the import price that these producers and manufacturers say now prevails such a duty amounted to $50 a ton. They write into this bill a tariff of $600 a ton—twelve times as much as the Payne-Aldrich Act carried! It is adroitly written "$10 a unit," but this amounts to $600 a ton.

Mr. TIMBERLAKE. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Give me 10 minutes more.

Mr. TIMBERLAKE. I want to ask what the additional cost to the consumer is?

Mr. KITCHIN. I will not yield unless Mr. FORDNEY will give me five or ten minutes more.

Mr. FORDNEY. I can not do it.

Mr. KITCHIN. All right. Remember that the tariff they are putting on tungsten ore in this bill is twelve times higher than the protective tariff of the Payne-Aldrich Act, under which, and also under the Underwood Act, 75 per cent, according to the Tariff Commission's report, of all the tungsten ore we used in this country was produced in this country in competition with all the world. Yet, with those facts staring them in the face, these intelligent patriotic Republican members of the committee were shaken "out of their boots" by these tariff overlords and were forced by them to put in the bill the tariff and the rates they wanted—forced by them to increase that tariff to twelve times what it was under the Payne-Aldrich Act. They put the tariff up from $50 a ton to $600 a ton. Then, on ferrotungsten the duty is increased in this bill more that nine times over that of the Payne-Aldrich Act! The Payne-Aldrich Act had 20 per cent ad valorem; the existing tariff act has 15 per cent. This bill upon an ad valorem basis at normal prices is 196 per cent ad valorem! It is over nine times higher than the Payne-Aldrich Act and over thirteen times higher than the present Underwood Act!

Under each of those two acts we were producing 75 per cent of the ore that we were using in this country in competition with the world. Yet the Republicans are going to gulp this bill down because the masters of these industries want it and demand that this Republican House shall give them what they want.

I am going to expose now a joker in this bill that I know not a Republican on this committee or on this floor knew was in it. The beneficiaries of the joker only knew it. I want to ask the chairman of the committee, and I want to ask the author of the bill, and I want to ask the gentleman from Iowa [Mr. GREEN], who is one of the most alert, intelligent, studious, and best informed Republican members of the committee—I want to ask any of them—how many pounds of 60 per cent tungsten ore will it take to make a ton of ferrotungsten or tungsten? If you will answer that, I will give you all my time. You do not know, not one of you. I want you all to pay attention to this. Their inability to answer shows how the manufacturers come down here and make this Republican committee do their bidding without question. Now, are you going to answer? I will wait.

Mr. TIMBERLAKE. What is the question? [Laughter.]

Mr. KITCHIN. The question is this. Before I ask that question I want to tell the clerk of the committee, who is one of the best clerks I ever saw, Mr. Camp, not to whisper to either one of them. [Laughter.] I asked how many pounds of 60 per cent tungsten ore does it take to make a ton of ferrotungsten, on which you put a duty of $2,000? They do not know.

Mr. TIMBERLAKE. Is it 60 per cent ore?

Mr. KITCHIN. Yes. Now answer, if you can, how many pounds it will take to make a ton of ferrotungsten.

Mr. TIMBERLAKE. A ton of ore which is a 60 per cent concentrate means that it will take that amount in the preparation of a ton of finished product.

Mr. KITCHIN. Oh, no; that will make only 960 or 1,000 pounds. I will tell you, because not one of you know. It takes 4,000 pounds, or 2 tons, to make it. I asked that question in order to show that they do not know why they put that $1 a pound duty on it, except that the manufacturers told them to do it. [Applause on the Democratic side.]

Mr. GREEN of Iowa rose.

Mr. KITCHIN. Now, sit down. [Laughter.] You would not answer me when I asked you. I will not yield now. I have not the time. I gave you a chance, and you do not know.

Mr. GREEN of Iowa. Are you afraid of my question?

Mr. KITCHIN. No; I am not, any more than I was afraid of your answer. [Laughter.]

Mr. GREEN of Iowa. Do you know that tungsten powder varies and that it depends entirely on the amount of tungsten in the powder?

Mr. KITCHIN. Your question is just as sensible as your implied answer. [Laughter.] When I said "60 per cent tungsten ore," why it could not have more or less than 60 per cent of tungsten. They do not know—not one of them—how much 60 per cent ore is required to make a ton of ferrotungsten, yet it is absolutely necessary to know this in order to explain or justify why $1 a pound or $2,000 a ton on ferro was put in the bill or how much per pound or ton should be put in.

Mr. McKenna, the manufacturers' star witness, says that this $1 a pound, or $2,000 a ton, is put in there as a compensatory duty in order to compensate the manufacturers of ferro and metallic tungsten for the duty levied in the bill on the ore. He testified that if no duty was levied on the ore no additional duty would be required on the ferro or metallic tungsten; that the 15 per cent ad valorem in the Underwood Act would be sufficient.

The bill levies $600 a ton on tungsten ore. For the information of the House I will here state that the standard commercial ton of tungsten ore contains 1,200 pounds of tungsten or tungstic trioxide; that is, 60 per cent of the ton of ore is tungstic trioxide or tungsten. There are therefore 60 units in a ton of ore. At $10 a unit tariff, the duty on a ton of ore would be $600. It takes—what no Republican could tell—two tons of such ore, 60 per cent ore, to make a ton of ferrotungsten, so that on the two tons of ore that is required to make one ton of ferro the duty in the bill would amount to $1,200. This is every dollar to which the manufacturers of ferro or metallic tungsten are entitled as compensatory duty under this bill. One thousand two hundred dollars a ton, or 60 cents a pound, is the exact compensatory duty for the duty of $10 a unit, or $600 a ton, levied in the bill on the ore. Yet these manufacturers have the Republicans to write in the bill $1 a pound, or $2,000 a ton. No bill ever contained a more infamous joker. By putting this across the Republicans on the committee, who will put it across the Republicans in the House, these manufacturers are given $800 a ton protection more than they pretended to ask. This is a clear gratuity to them. That joker gives them $800 more than any Republican on the committee intended to give them. In common honesty and decency the Republicans on the committee ought to move to strike it out. If not, I shall offer such an amendment, and give the Republicans on the committee and in the House a chance to do the honest thing. [Applause on the Democratic side.]

Mr. CAMPBELL of Kansas. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. CAMPBELL of Kansas. I have a distinct recollection——

Mr. KITCHIN. How much more time have I, Mr. Chairman?

The CHAIRMAN. Two minutes.

Mr. KITCHIN. Oh, let me have two minutes more, so that I can answer the gentleman.

Mr. VAILE. I ask unanimous consent that the gentleman may have two minutes additional, not to be counted in the time of the gentleman from Michigan.

Mr. FORDNEY. Oh, the time is fixed and the gentleman has more time than I have. It is unreasonable to ask for any more time.

Mr. CAMPBELL of Kansas. I wanted to ask a question that the gentleman has not touched.

Mr. KITCHIN. I have only two minutes and I can not yield now. If as chairman of the Committee on Rules he will get the chairman of the Committee on Ways and Means——

Mr. CAMPBELL of Kansas. Oh, I learned as a member of the Rules Committee that we took about a million and a half out of the Treasury to develop tungsten——

Mr. KITCHIN. The gentleman learned no such a thing. Not a dollar was taken out or used by the Government to develop tungsten.

Mr. BLANTON. Mr. Chairman, I make the point of order. The gentleman from Kansas should obey the rules of the House.

Mr. KITCHIN. Oh, sit down! [Laughter.] In my two minutes I want to refer to one thing more. Dr. Hess, of the Geological Survey, testified that in New York there were three or four firms who had on hand and stored away 4,500 tons of tungsten ore imported from China and other foreign countries. If this bill passes it will increase the price or value of that ore $600 a ton; that is, $2,700,000 on the whole 4,500. He further testified that the producers have on hand and stored 1,500 tons.

If this bill passes it will put directly into the pockets of the producers, by increasing the price of the 1,500 tons held by them, $900,000; that is, by this bill the people will have to pay an extra tribute on the ore now held and stored by these four importers and the producers of $3,600,000. This bill is worth that much extra to them if they never import or produce another ton.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. KITCHIN. Mr. Chairman, I ask for just one minute, to make a statement.

Mr. FORDNEY. I yield one minute to the gentleman, although I have less time than he.

Mr. KITCHIN. I regret that my time has expired. If gentlemen will be here when we reach the five-minute-rule debate I will enlighten the Republicans on many other phases of this bill and of the industry it seeks to protect. [Applause on the Democratic side.]

Mr. FORDNEY. Mr. Chairman, I want to ask the gentleman from North Carolina if during the war he had taken the position on this bill he now takes could he say to the country that he was sustaining his own Government? If he will answer that question, he will say no.

Mr. KITCHIN. If the gentleman wants an answer to it, I will say that last year the foreign importations for the calendar year were about 11,000 tons and the fiscal year over 10,000 tons, and that we produced 3,000 tons, and that we got along very well.

Mr. FORDNEY. That does not answer my question. The gentleman from North Carolina stated that this bill would give a monopoly to the producers of tungsten in this country. I ask him whether he would rather have a monopoly in a foreign country upon this important article or such a monopoly in this country? [Applause on the Republican side.]

Mr. KITCHIN. We would not have a monopoly of foreigners in this country.

Mr. FORDNEY. You did have it on dyestuff until the war came on, when our Government took over alien property, and you will have it again unless the Republicans save you from disgrace. [Applause on the Republican side.] The gentleman says that the manufacturers of this country came before the Ways and Means Committee and the Republicans yielded to their requests in fixing the import duties upon tungsten produced in this country. I call the gentleman's attention to the time when the Underwood tariff bill was being prepared. A committee came to this country from Bermuda, called upon the Committee on Ways and Means, and asked for a reduction of duty on farm products, and among other things on Bermuda onions. The duty on onions under the Payne law was 40 cents a bushel.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. In just a moment. The Democrats yielded to the request of the foreigners and reduced the duty on that important farm product to 20 cents per bushel. The Democrats listened to the foreigners and the importers and not to the American manufacturers, the farmers, and the American laborers. That is the difference between the Democrats and the Republicans in seeking tariff information. [Applause on the Republican side.]

When this war came on the Government appealed to American capital and American labor to produce tungsten in this country, because it could not be obtained from abroad and because it was one of the most important war essentials.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. MADDEN. The gentleman from North Carolina made the statement before he closed his argument that upon tungsten in this country now imported from China and other places the present owners under the provisions of this bill would make about $3,000,000. What truth is there in that statement?

Mr. FORDNEY. I will give the gentleman that information a little later.

I will state it now. Under the rates proposed in this bill, if the importation of tungsten continues in proportion to the importations of last year, import duties amounting to some $3,000,000 per year would be collected on imported tungsten ores. Practically nothing was collected on any tungsten imported last year or since 1913, for there is no duty on the kind of tungsten that is imported, and my friend the gentleman from North Carolina knew that well when he just now made his grandstand play.

Mr. MADDEN. I thank the gentleman, but that is not quite an answer to the question I asked. The gentleman from North Carolina made the statement that the present owners of tungsten already imported and now in this country, under the provisions of this bill, will be given some $3,000,000. What truth is there in that statement?

Mr. FORDNEY. I do not know and the gentleman from North Carolina does not know who imported, and can not say what tungsten came into the country last year, nor can he correctly state how much tungsten is now in store in the United States. I call attention to the fact that he did not say from whence this tungsten came and where it is now stored. But I have less time than the gentleman from North Carolina had, and I will ask the gentleman not to take up too much of my time.

Mr. KITCHIN. I merely want to set the gentleman right.

Mr. FORDNEY. I yield briefly to the gentleman.

Mr. KITCHIN. I said that Dr. Hess, of the Geological Survey, not a manufacturer, testified that 4,500 tons of tungsten ore imported from China and other places by four firms are now stored in New York; that the producers had on hand 1,500 tons, making 6,000 tons; that a duty of $600 a ton—it bears no duty now—would make it the value of $3,600,000, and that the fellows in New York would make a profit of $2,700,000, because it could not come in competition until it paid that $600.

Mr. FORDNEY. I will ask the gentleman not to take up all of my time; he is consuming too much of my time.

Mr. KITCHIN. Dr. Hess testified that.

Mr. FORDNEY. We will add a paragraph to this bill which we now have here that prevents any such profiteering. When the Democrats legislated in 1913, when you dealt a death blow to this institution, you had the votes and you had the power in the White House and in both branches of Congress. Did you ask American capital and American labor what effect the reduction you gave on tungsten would have upon American labor and American capital? No. You listened to the foreigner and the importer, sir, and you lent a deaf ear to your own people, who sent you here to legislate for Americans. [Applause on the Republican side.] You cared nothing about the difference in the cost here and abroad when you cut duties in half which were provided for in the Payne tariff law. You lent a deaf ear to that side of the question. You used your pruning knife, and you went as near free trade as you dared. You know under existing law the ad valorem rates collected on imports average about 5 per cent, the lowest in any tariff law ever written upon our statute books, and yet every time the Republicans suggest an increased duty of any kind on an imported article you have a pain. [Applause on the Republican side.]

The gentleman from North Carolina said that if we were to place a Democrat on the Tariff Commission, in a little while he would be a protectionist. Why, of course, every man who gives intelligent study to the question of protection to American labor becomes intelligent. [Applause on the Republican side.] He develops some common sense [applause on the Republican side] and goes to the Republican Party. Why, just recently a gentleman from North Carolina, the editor of a magazine, published, I believe, in the interest of the glassware industry

of this country, a lifelong Democrat, came before the Committee on Ways and Means and admitted in a most humble manner that in 1916, when he said an increased duty would injure the industry, he was in error. He wants the duty now put so high that no foreigner can bring anything into this country. [Applause on the Republican side.] That is what he said. [Laughter.]

Mr. KITCHIN. Name him. There is no Democrat in North Carolina who made such a fool statement. Name him. If there is one outside of an insane asylum, name him.

Mr. FORDNEY. The gentleman says only the producer of tungsten was heard by the Ways and Means Committee, that the people have not been heard from. Heavens above, man, can not you remember a few months back, when the people were heard from in November of last year [laughter and applause on the Republican side], and they put your party out and put the Republicans in power? Just as soon as we hear from the voters, after they study the question intelligently, why, of course, they vote right and act right. They become educated and well informed. I may say to the gentleman that the difference between your party, the Democrats, and the Republicans of this country is that you never have—you never will until you become better informed—listened to the American people in the fixing of a tariff rate on any article imported into this country. You know, and you know the people of this country know, that the United States always has prospered, sir, under a protective tariff, and you know that we had—putting it plainly—hard times under free trade. You know free trade increases imports to the detriment of American labor and American capital. The difference between your party and the Republican Party in this: In 1913, as shown by this book of hearings, foreigners came here and asked you to reduce, as I have stated, the duty on an important agricultural product, and you listened to them, and you cut the duty in two. This morning I received a letter through our Secretary of State from the Belgian Government to our Government asking the Government of the United States to reduce the duty on leather goods coming into this country from Belgium. That letter was transmitted by the American consul located in Belgium to our Secretary of State and was received by me from Mr. Lansing this morning. When that letter receives due consideration by the Ways and Means Committee, the Republicans on that committee will give earnest consideration to our people at home before we legislate for Belgium or any other foreign country. [Applause on the Republican side.]

The gentleman's argument on this bill is just about as elusive as the provision in the treaty of peace with reference to Shantung, China. [Applause on the Republican side.] According to the terms of that treaty as it is now written, we are evidently legislating for the Japanese and not dealing fair with the Chinamen or our own people.

Now, my friends, the gentleman spoke a little while ago about the cost of production of tungsten. Let me say to the gentlemen of the House that tungsten is a peculiar metal. It is used chiefly in the hardening of steel.

USES AND IMPORTANCE OF TUNGSTEN.

Ninety to ninety-five per cent of tungsten consumed in the United States is used to harden tool steel. The addition of tungsten to steel gives it the property of holding its temper at a much higher heat than that at which carbon steel becomes soft and worthless. This property of "red hardness," as it is called, is most important in cutting tools, as it allows speeding up the work to five or six times the cutting speed allowable with carbon-steel tools.

Probably the use of tungsten second in importance to its use in high-speed steel is in making tungsten wire for incandescent lamp filaments. The quantity used is negligible, but the product is of considerable importance.

A small amount of tungsten is used in electric contact points as a substitute for platinum, and steel containing 2 or 3 per cent of tungsten is in general use for saw blades.

Tungsten is an essential war metal. The use of tungsten steel for tools speeds up machine work to five or six times the output per man with the old-style carbon tool steel. Since most munitions and military supplies are dependent upon efficient and quick machine-shop work, the importance of tungsten as a war material is apparent. In the event of blockade, the domestic tungsten industry would be of inestimable value.

The following statement is contained in a report by the Tariff Commission recently printed for use of the Committee on Ways and Means:

No satisfactory substitute for tungsten has been found for alloying with steel for high-speed cutting tools.

And in the time of war, when it is necessary to speed up all industry in the manufacture of steel and iron of every description, tungsten is a most important alloy for making tool steel. Before this war we did not produce in this country sufficient tungsten to supply our needs, and neither do we right now. But the industry is growing. The greatest production in this country is in southern California and in Colorado, and the ore is of the highest grade. Our importations to-day largely come from Chile and Peru. Last year we imported $2,800,000 worth from those two Republics, while from China and Japan we imported $1,800,000 worth, and the balance of our imports, which were about $11,000,000 all told, came from various other countries of the world.

In China tungsten has been discovered by placer mining, as gold was discovered in this country years ago in the California gold fields out West; and it is gathered there largely from the surface. As yet they have not gone down into the earth for ore in China. We do. Our cost of production is greater than theirs. According to the common-sense view of any man who is familiar with the question, our cost of production is twice that of any foreign country. Such was the case before the war, and such must be the case after the war, when we settle down to normal conditions. In this very important mineral, so much needed in this country and used to a greater extent here than in any other country, this question arises right now since the industry is being developed in America, Is it possible that you are not going to encourage the industry here but encourage it abroad, so in the event of another Great War we must look to the foreigner for our supply? Oh, no. That is not what you advocated, my Democratic friends, during war time. You then recognized the value of home production.

Our Government appealed to men engaged in the industry to increase their output, and the sum of $50,000,000 was appropriated to sustain those industries and guarantee to the owners no loss in their efforts. But the Secretary of the Interior refused to use any portion of that $50,000,000 fund in sustaining the tungsten market, and not one penny of benefit from that $50,000,000 was given the industry.

A gentleman calls my attention to the title of the act——

Mr. KITCHIN. We did not appropriate $50,000,000 to that purpose.

Mr. FORDNEY. Well, the title of the act reads:

CHAP. 181. An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of those ores, metals, and minerals which have formerly been largely imported, or of which there is or may be an inadequate supply.

That was the title of the act. What did it mean? It meant that our Government offered encouragement to the capital and labor engaged in the production of tungsten and other war minerals. Now the war is over, and do we want another war in order to beat into your heads that it is necessary to sustain that industry at home, so that in times of great peril, such as we have just gone through, we will not have to depend on the enemy for the supply of an article so necessary in time of war as tungsten?

Oh, the gentleman speaks about the duty being too high, and that nobody knows what it costs to produce tungsten here and abroad. I am not really particular as to just what it costs here and abroad so long as we give encouragement to the industry at home. I am looking to my people at home first, instead of the people abroad. [Applause on the Republican side.]

It is true, gentlemen, that members of the Tariff Commission came before the Ways and Means Committee and expressed in a personal opinion the necessity for increased duties upon those products in this country. They have a right when they are off duty to speak their minds, their actual opinions. While officiating as a member of the Tariff Commission, dominated by the administration, a free-trade body, of course that man dare not speak his candid opinion, his own mind. He would lose his job if he did. But you let one of those men have an opportunity and he will tell you what is right. He has studied the question and advocates protection. He has become well informed and knows what he is talking about, and then he talks protection to American capital and American labor. [Applause on the Republican side.]

Now, permit me to quote from a statement of importations of tungsten ores:

Importations of tungsten ores and value per ton (1910 to 1918).

	Fiscal year.	Long tons.	Value.	Value per ton.
10 per cent	1910	.....	$272,311.00	.....
10 per cent	1911	.....	241,795.00	.....
10 per cent	1912	381	184,518.00	$484.30
10 per cent	1913	766	386,629.00	504.50
	1914	238	129,291.00	542.86
Free	1915	439	215,152.02	490.10
Free	1916	3,012	5,453,632.00	1,810.30
Free	1917	3,733	4,999,498.00	1,339.30
Free	1918	5,471	5,889,473.00	1,024.30

Mr. SNYDER. Will the gentleman yield right there?

Mr. FORDNEY. Yes, sir.

Mr. SNYDER. Of course, the gentleman understands that during that period the price of tools in which the tungsten was used went up several hundred per cent?

Mr. FORDNEY. Oh, yes.

Mr. SNYDER. While the amount increased tremendously in dollars and cents, the number of pounds it brought in was not greatly in excess of the needs he spoke of?

Mr. FORDNEY. I want to say to the gentleman from North Carolina [Mr. KITCHIN] that tungsten paid 10 per cent ad valorem under the Payne tariff. Did the price go down in the United States because of the free-trade provision in the Underwood tariff law? No; but he will answer that war conditions prevailed, of course. Surely they did, but we must not forget that we depend upon foreign countries for much of our supply. From 95 to 96 per cent of our entire consumption in the United States is used for steel tools.

Mr. REED of West Virginia. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. REED of West Virginia. The distinguished leader on the Democratic side [Mr. KITCHIN] drew a dark picture of the burden that will be placed upon the American people, the consumers, by reason of the tariff proposed. Can the gentleman from Michigan tell me how much the average man—the farmer or business man or the man at home—will be required to pay on account of the duty on tungsten which enters into the things we use?

Mr. FORDNEY. Yes. Here is the testimony of a gentleman who appeared before our committee. It will be found in the hearings. He says it is variously estimated by the users of tungsten tool steel that approximately one-fifth of a pound of tungsten is used in the manufacture of 1 pound of high-grade tool steel. The duty provided for in this bill—$10 per unit of 20 pounds of tungstic trioxid—if added to the price of tungsten metal, would amount to 74 cents per pound of the tungsten-metal powder. The duty on the tungsten in a pound of tool steel would be approximately 15 cents. On an average 1 pound of tungsten tool steel will be used in the manufacturing of 2,000 pounds of finished forms of manufactured steel, such as shells, crank shafts, and so forth. Even though the entire duty on tungsten is added to the price of tungsten steel the added cost of production in machine shops using high-speed tungsten tools would be infinitesimal. Extending this increased cost into finished steel we arrive at the ratio of 15 cents per ton, or seventy-five one-thousandths of 1 cent per pound of finished steel—a very, very expensive tariff on the people of the country; one-thousandth of 1 cent in a pound of steel! Oh, my, what an awful tax on the American people! [Laughter on the Republican side.] But that is about as near as my friend from North Carolina, Mr. KITCHIN, can come in illustrating to the people what an awful burden upon them a Republican protective tariff means. One-thousandth part of 1 cent per pound—nonsense!

Mr. SNYDER. Mr. Chairman, will the gentleman yield for a question?

Mr. FORDNEY. Yes.

Mr. SNYDER. The gentleman will also note, in regard to that 1 pound that produces the 2,000 pounds of steel, that without it, if we had to use a tool without the tungsten in it, instead of producing 2,000 pounds we would produce about 100 pounds, making just that ratio of difference in the cost of production between what 1 pound of tool steel would do without tungsten and what it would produce with tungsten in it.

Mr. FORDNEY. Yes. I received a circular—and I presume every other Member of the House has received a copy of it—which shows that a steel tool made with tungsten will do five times as much work as a tool for the same purpose made of high-grade carbon steel; and in time of war, when wages are high and laboring men are scarce, and when it is necessary to speed up to the extreme the production of all articles in use in time of war, I ask the gentleman, Can we afford to quibble over one-thousandth part of 1 cent per pound when by using tungsten high-speed steel the laboring man can do five times as much work as he can with a tool made from high-grade carbon steel, which was formerly used? Oh, it is so insignificant that the gentleman's whole argument goes by the way of the wind.

Mr. Chairman, how much time have I?

The CHAIRMAN. The gentleman has 10 minutes remaining.

Mr. FORDNEY. Does the gentleman from Iowa [Mr. GREEN] wish that I yield to him now?

Mr. GREEN of Iowa. No; I think the gentleman from Michigan had better finish.

Mr. DAVIS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. DAVIS of Tennessee. The gentleman a while ago was discussing the cost. I understand the gentleman's argument is that the tariff is justified because the burden falls upon all the people instead of a few. Is that correct?

Mr. FORDNEY. To be candid with the gentleman, I do not know just what proportion of the entire population that burden would fall upon. It falls on all the people when it comes down to war, because the tools in which it is used make an article of defense against the enemy so much needed by the American soldier. And, again, let me say to the gentleman that in the cost of production in this country if we can reduce the cost of production of an article by employing tungsten steel it means a lowering of the cost to the consumer; and when it is true that a workman can produce five times as much work with a steel tool made with tungsten as he can with a tool made with any other metal, we must admit that that helps to lower the cost of production.

And if in every article of use we could lower the cost of production in equal proportion, then, my friends, we would in a sensible way begin to realize that we can lower the cost of living. The cost of living is high, and it is attributable to many causes. Many things lead to the high cost of living, and we are not going to get away from it, no matter how much we talk through the press and to the galleries; we are not going to get away from the high cost of living for some time. The cost of production must come down before we can lower the cost of living. Let us be reasonable and sensible about that matter.

As to the production of this article, I will show you the amount that we produce in this country. I will show to the gentlemen of the House our production of tungsten in this country last year. In 1918 we produced 4,505 tons and imported 10,491 tons. We produced 30 per cent of our supply. Now that the war is over, the matter of consumption, perhaps, will not be as great this year as last year, but our percentage of production in this country will increase, and I am in favor, if it is possible without going to an extreme, of producing all the tungsten in this country we consume, so that we may keep that money at home and establish an industry of such great importance in time of war.

I will show the gentleman where tungsten came from last year, in 1918 and in 1917. We imported none from Germany; from Portugal, $82,000 worth; from Canada, $36,000 worth; from the Straits Settlements no figures are given; from Chile we imported $1,364,000 worth; and from Peru, $1,456,000 worth; but from Japan, $1,157,000 worth; and from China, $723,900 worth, or a total of $5,993,000 from all countries. It is stated in the report, which I do not have the time to read, that the production in China is rapidly increasing, and the whole world knows that the cheapest labor in the world is found in China and Japan. We must guard against that foreign competition and protect our home institutions and our home capital against that cheapest labor in the world. That is where the major portion of our future imports will come from——

Mr. KEARNS. Will the gentleman yield?

Mr. FORDNEY. I yield to the gentleman from Ohio.

Mr. KEARNS. If this mining industry were highly developed, how many men would be employed in the mining of tungsten?

Mr. FORDNEY. I have not those figures before me. I believe that was stated in the hearings, however.

Mr. KEARNS. I see it is stated here at from 3,000 to 5,000 men. Is that all who are employed in the United States? You say in the report that from 3,000 to 5,000 miners would be employed. Is that all that would be employed if this mineral should be protected?

Mr. FORDNEY. That is all that are being employed in our production of from 12 to 25 per cent of our consumption. But you must remember that this industry has sprung up since the war and will gradually increase if protected.

Mr. KEARNS. Suppose this should be protected and developed highly, so that it would get to the highest point in the development of tungsten mining in this country. How many miners would be employed?

Mr. FORDNEY. If 5,000 are employed now, at a reasonable estimate I would say from 20,000 to 25,000 would be employed, and each one represents something over 4 people. If 5,000 are employed and we produce 25 per cent of our consumption, multiply the number by 4 and it would give you 20,000 miners. Each laborer represents a little more than 4 people, or an average family.

Mr. KEARNS. Yes; I understand that.

Mr. FORDNEY. Therefore from 80,000 to 100,000 people would be sustained and get their bread and butter in this industry if we produce in this country all the tungsten that we consume.

Mr. KEARNS. Your report says that—

Domestic tungsten properly encouraged will furnish employment at fair wages to from 3,000 to 5,000 miners and homes for from 12,000 to 15,000 dependents.

Mr. FORDNEY. If the gentleman will permit me, I thought he stated that there were 5,000 miners employed now.

Mr. KEARNS. No.

Mr. FORDNEY. Then my calculation was erroneous. I based it upon 5,000 now employed. If the number is less than that, you can figure it out yourself. If we are producing 25 per cent of the tungsten that we use, multiply the number by 4, and it will give the number who would be required to produce all the tungsten we use.

Mr. KEARNS. I am only reading from the report.

Mr. FORDNEY. What report?

Mr. KEARNS. From your report filed here.

Mr. VAILE. But the industry is practically wiped out now, and there are no proper figures on which to base an estimate.

Mr. KEARNS. I am talking about the statement that if this business should be properly encouraged it would furnish employment to from 3,000 to 5,000 miners.

Mr. CURRY of California. Mr. Chairman, I suppose the gentleman understands that the number of men employed in this industry cuts very little figure. This is a key industry.

Mr. FORDNEY. Oh, yes.

Mr. CURRY of California. And it should be protected for the benefit of the United States. During the war it was found that Germany, on account, among other things, of having protected her key industries, had a wonderful manufacturing business and military organization, which made 65,000,000 people fit to cope with the world. That was due to her organization and to her protection to her key industries. Now, this tungsten is a key industry the same as dyestuffs. But very little is used in the production of a ton of steel. But the manufacturers of rifles and cannon and men-of-war and the merchant marine and the railroads depend upon the use of a small amount of tungsten in steel. It is for the protection of the American steel industry, which amounts to thousands of millions of dollars a year of steel and tools, that this industry should be protected. Although it is but a small industry, we ought not to depend upon foreign countries for our supply. The national defense requires the production of our supply of tungsten in our own country. I have received a number of letters from people at home asking me to vote against this bill because they are interested in a Mexican tungsten mine. They ought to invest their money in California, where there is plenty of tungsten to be mined, although it needs a protective tariff to make the mining of tungsten profitable in the United States.

Mr. FORDNEY. The gentleman is correct. I wish to read the following from the report:

The telegram is signed by 22 formerly producing companies (p. 10 of hearings) and sets forth that $2,000,000 invested in tungsten mines and $1,000,000 in 21 concentrating mills will be a total loss unless the market is protected against cheap ores. An average of 1,500 men have been employed, and 6,000 people are directly dependent upon the Colorado tungsten mines alone. In 1918 the average wage was $4.85 per day.

However, the real importance of the tungsten industry to a nation is not in the number of wage earners directly employed. Tungsten is essential to the successful operation of the entire steel and iron industry in general, with its armies of employees. Tungsten is a key industry, and a dependable supply in a crisis would be of incalculable value. To me urgency of this legislation and its prime importance is not the labor directly employed, but the magnitude of the possibilities of its effect on the industrial dependence of the Nation.

The CHAIRMAN. The time of the gentleman from Michigan has expired. All time has expired.

Mr. FORDNEY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GOOD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 4437 and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, indefinite leave of absence was granted to Mr. CLASSON, on account of illness in his family, at the request of Mr. VOIGT.

EXTENSION OF REMARKS.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD upon this bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. LANKFORD. Mr. Speaker, I make the same request in respect to myself on the daylight-saving bill.

The SPEAKER. Is there objection?

There was no objection.

WITHDRAWAL OF A PETITION.

Mr. MASON. Mr. Speaker, I ask unanimous consent to withdraw from the files of the House a petition which I presented in regard to the withdrawal of our troops from Siberia.

The SPEAKER. The gentleman from Illinois asks unanimous consent to withdraw from the records of the House a petition which he presented in regard to the withdrawal of troops from Siberia. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. FORDNEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 7 minutes p. m.) the House adjourned until to-morrow, Wednesday, August 20, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting copy of a communication from the Attorney General submitting supplemental estimate of appropriations required by the Department of Justice for the current fiscal year and the fiscal year ending June 30, 1919 (H. Doc. No. 193), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. FORDNEY, from the Committee on Ways and Means, to which was referred the bill (H. R. 6814) to provide revenue for the Government and promote the production of potato flour and potato starch in the United States, reported the same with amendment, accompanied by a report (No. 241), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. ROSE, from the Committee on Claims, to which was referred the bill (H. R. 5345) for the relief of the Arundel Sand & Gravel Co., reported the same without amendment, accompanied by a report (No. 232), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 1275) for the relief of W. L. Rose, reported the same without amendment, accompanied by a report (No. 233), which said bill and report were referred to the Private Calendar.

Mr. KELLY of Pennsylvania, from the Committee on Claims, to which was referred the bill (H. R. 6773) for the relief of Albert C. Burgess, reported the same with amendment, accompanied by a report (No. 234), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 1789) for the relief of Thomas P. Darr, reported the same without amendment, accompanied by a report (No. 235), which said bill and report were referred to the Private Calendar.

Mr. MACGREGOR, from the Committee on Claims, to which was referred the bill (H. R. 7900) for the relief of Rudolph L. Desdunes, reported the same without amendment, accompanied by a report (No. 236), which said bill and report were referred to the Private Calendar.

Mr. O'CONNOR, from the Committee on Claims, to which was referred the bill (H. R. 3210) for the relief of Joseph A. Prat, reported the same without amendment, accompanied by a report (No. 237), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 6291) for the relief of E. Willard, reported the same with amendment, accompanied by a report (No. 238), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (S. 577) for the relief of the Southern States Lumber Co., reported the same without amendment, accompanied by a report (No. 239), which said bill and report were referred to the Private Calendar.

Mr. FULLER of Illinois, from the Committee on Invalid Pensions, to which was referred sundry bills of the House, reported in lieu thereof the bill H. R. 8536, accompanied by a report (No. 240), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 2990) granting a pension to Charles T. Durand; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8468) for the relief of Otis C. Mooney; Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 1808) granting an increase of pension to David Dixon; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 5886) granting an increase of pension to Jacob W. Cline; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7853) granting an increase of pension to Charles A. Bills; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 2440) granting an increase of pension to James C. Burwell; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 4967) granting an increase of pension to John L. Dick; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7067) granting a pension to Marianne H. D'Arcy; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 2416) granting a pension to Peter C. Deardorff; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3570) granting an increase of pension to Henry Lang; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 4904) granting a pension to Jacob Gish; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7848) granting a pension to William Seybold; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LAMPERT: A bill (H. R. 8533) for the erection of a Federal building at Waupun, Wis.; to the Committee on Public Buildings and Grounds.

By Mr. JOHNSON of Kentucky: A bill (H. R. 8534) permitting all honorably discharged soldiers and sailors to purchase supplies from the commissary stores of the Army and Navy; to the Committee on Military Affairs.

Also, a bill (H. R. 8535) to provide for the redistribution of general taxes and special assessments due and payable on real estate in the District of Columbia in cases of subdivision or sales of land therein; to the Committee on the District of Columbia.

By Mr. FULLER of Illinois: A bill (H. R. 8536) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; to the Committee on Invalid Pensions.

By Mr. ZIHLMAN: A bill (H. R. 8537) to provide increased compensation for postal employees; to the Committee on the Post Office and Post Roads.

By Mr. NEWTON of Missouri: A bill (H. R. 8538) to amend sections 4874 and 4875 of the Revised Statutes, to provide a compensation for superintendents of national cemeteries; to the Committee on Military Affairs.

By Mr. JONES of Texas: A bill (H. R. 8539) establishing a marketing system for the purpose of facilitating the distribution of farm products and the promoting of the economic distribution and sale of the same; to the Committee on Agriculture.

By Mr. CURRY of California: A bill (H. R. 8540) authorizing the Secretary of the Treasury to create an antidepreciation fund with which to purchase at par certain war loan or Liberty loan or Victory loan bonds that may be offered for sale below par, and to prohibit brokers or bankers from buying or offering to buy or from selling or offering to sell said war loan or Liberty loan or Victory loan bonds at less than par, making such action a felony and providing punishment therefor; to the Committee on the Judiciary.

By Mr. KAHN: A bill (H. R. 8541) relating to compensation and war-risk insurance for members of the Philippine Scouts under the provisions of "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, as amended; to the Committee on Military Affairs.

By Mr. SEARS: A bill (H. R. 8542) providing for a site and public building for a post office at Daytona, Volusia County, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8543) providing for a site and public building at Fort Pierce, St. Lucie County, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8544) providing for a site and public building for a post office at West Palm Beach, Palm Beach County, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8545) to provide for the disposition of abandoned lighthouse and life-saving stations; to the Committee on the Public Lands.

By Mr. DENISON: A bill (H. R. 8546) to amend section 1 of the act entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, Calif., and for other purposes"; to the Committee on Flood Control.

By Mr. DYER: A bill (H. R. 8547) to punish thefts of motor vehicles, and for other purposes; to the Committee on the Judiciary.

By Mr. LAGUARDIA: Resolution (H. Res. 246) directing the Secretary of State to furnish information to the House of Representatives relative to affairs in Mexico; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES: A bill (H. R. 8548) granting a pension to Clarance E. West; to the Committee on Invalid Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 8549) granting an increase of pension to Aaron Ready; to the Committee on Invalid Pensions.

By Mr. COADY: A bill (H. R. 8550) for the appointment of Lieut. R. Gordon Williams to the permanent Supply Corps of the Navy; to the Committee on Naval Affairs.

By Mr. COSTELLO: A bill (H. R. 8551) for the relief of Edward McDevitt; to the Committee on Claims.

By Mr. DENISON: A bill (H. R. 8552) granting a pension to Mary Jane Graham; to the Committee on Pensions.

Also, a bill (H. R. 8553) granting a pension to Mary M. Hancock; to the Committee on Invalid Pensions.

By Mr. KAHN: A bill (H. R. 8554) granting an increase of pension to John B. Jeffery; to the Committee on Pensions.

By Mr. LITTLE: A bill (H. R. 8555) granting a pension to Mary E. Harding; to the Committee on Invalid Pensions.

By Mr. MACGREGOR: A bill (H. R. 8556) granting an increase of pension to William Speckhardt; to the Committee on Pensions.

Also, a bill (H. R. 8557) granting an increase of pension to Hattie A. Grant; to the Committee on Invalid Pensions.

By Mr. McFADDEN: A bill (H. R. 8558) for the relief of Archibald Nurss; to the Committee on Military Affairs.

By Mr. McPHERSON: A bill (H. R. 8559) granting a pension to William Kelly; to the Committee on Invalid Pensions.

By Mr. NEWTON of Missouri: A bill (H. R. 8560) for the relief of Lena Schmeider; to the Committee on Claims.

By Mr. SHREVE: A bill (H. R. 8561) granting an increase of pension to Joseph F. Stove; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8562) granting a pension to William McKim; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8563) granting a pension to Michael W. Hurley; to the Committee on Pensions.

By Mr. SMITH of Michigan: A bill (H. R. 8564) granting an increase of pension to John R. Roe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8565) granting a pension to George Zederbaum; to the Committee on Pensions.

By Mr. THOMPSON of Ohio: A bill (H. R. 8566) for the relief of William L. Wiles; to the Committee on Military Affairs.

By Mr. TILSON: A bill (H. R. 8567) for the relief of the heirs of Paul Noyes; to the Committee on War Claims.

By Mr. VOIGT: A bill (H. R. 8568) granting an increase of pension to Cyrus T. Reed; to the Committee on Invalid Pensions.

By Mr. WEBB: A bill (H. R. 8569) granting a pension to Jacob Hicks; to the Committee on Pensions.

By Mr. WILLIAMS: A bill (H. R. 8570) granting a pension to Dow Edwards; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8571) granting a pension to Leroy Dunn; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BACHARACH: Petition of sundry citizens of Egg Harbor, N. J., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

Also, petition of city commission of Atlantic City, N. J., requesting the awarding of Fiume to Italy in the settlement of the peace treaty; to the Committee on Foreign Affairs.

By Mr. BROOKS of Pennsylvania: Petition of the Gettysburg Chamber of Commerce, Gettysburg, Pa., against the Sims bill for Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. CRAMTON: Petition of George A. Bowles, of Croswell; Hartley Cansfield, of Mount Clemens; and George B. March, of Romeo, all in the State of Michigan; Mrs. Ellis A. Yost, of Washington, D. C.; Mrs. N. G. Moore, of Mellington, Mich.; G. E. Cooper and others, of Utica, Mich.; Mrs. Priscilla Reid, of Lum, Mich.; William Nelson and others; S. J. Osquith, of Memphis, Mich.; John Austin, of Michigan; C. J. Reid and others, of the seventh district of Michigan; Bertha Kilgore and others, of the seventh district of Michigan, all protesting against the repeal of the war-time prohibition law; to the Committee on the Judiciary.

Also, petition of postal employees of the Mount Clemens post office, of Mount Clemens, Mich., favoring an increase of $500 per annum for each regular employee and an increase of 35 cents an hour for all temporary employees; to the Committee on the Post Office and Post Roads.

Also, petition of A. N. Hamlin and others, of Port Huron, Mich., favoring an increase in salary for post-office clerks; to the Committee on the Post Office and Post Roads.

Also, petition of Lapeer Commercial Club, of Lapeer, Mich., favoring a Federal highway commission to work in conjunction with the State highway department in pushing forward as fast as possible an adequate highway system; to the Committee on Roads.

Also, petition of Michigan State Grange, strongly objecting to any legislation presuming to remove the ban upon wine and beer until the national prohibition laws shall be made and are in effect; to the Committee on the Judiciary.

By Mr. FOSTER: Petition of the Chamber of Commerce of Athens, Ohio, entering vigorous protest against the so-called Plumb plan of ownership and operation of the railroads and against any similar plan that does not provide for the earliest possible return of the railroads to their owners; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER of Illinois: Petition of the Chicago Railway Equipment Co., opposing the Kenyon bill (S. 2202) for Government control of the packing industry; to the Committee on Interstate and Foreign Commerce.

Also, petition of the National Graphite Co., of San Francisco, Calif., protesting against the enactment of the Heflin bill (H. R. 5941) levying a duty on Mexican graphite; to the Committee on Ways and Means.

Also, petition of the James B. McPherson Post, No. 87, Department of Kansas, Grand Army of the Republic, for increase of Civil War pensions; to the Committee on Invalid Pensions.

Also, petition of the Polish Publishing Co., of Chicago, Ill., opposing enactment of the bill (S. 1919) to prohibit admission to the mails of publications printed in a foreign language; to the Committee on the Post Office and Post Roads.

Also, petition of the Indianapolis Live Stock Exchange, opposing enactment of the Kenyon bill (S. 2202), the Kendrick bill (S. 2199), and the Lever bill (H. R. 5310); to the Committee on Agriculture.

Also, petition of the employees of the post office at Rockford, Ill., favoring reclassification of salaries of post office employees in three grades at $1,800, $2,000, and $2,400, instead of the six grades as at present; to the Committee on the Post Office and Post Roads.

By Mr. HERNANDEZ: Petition of sundry grocery merchants, favoring passage of the Kenyon bill; to the Committee on Agriculture.

By Mr. HUDSPETH: Petition of Cattle Raisers' Association of Texas, urging both producers and consumers to unite in vigorous support of the prompt enactment of appropriate legislation in line with the proposed Kendrick bill (S. 5305); to the Committee on Agriculture.

By Mr. LONERGAN: Petition of the White Eagle Club (Inc.) of Stamford, Conn., favoring league of nations; to the Committee on Foreign Affairs.

By Mr. NEWTON of Missouri: Petition of Local No. 8 of the National Federation of Postal Employees, signed by over 400 postal employees at St. Louis, Mo., protesting against House bill 151, introduced by Mr. Madden of Illinois, and praying for an increase in wages of not less than 50 per cent; to the Committee on the Post Office and Post Roads.

By Mr. O'CONNELL: Petition of Greek community of Brooklyn, N. Y., concerning the question of Thrace; to the Committee on Foreign Affairs.

By Mr. SINCLAIR: Petition of the Dogden Journal, Dogden, N. Dak., opposing the repeal of the postal zone system; to the Committee on the Post Office and Post Roads.

By Mr. YATES: Petition of Air Reduction Sales Co., Chicago, Ill., by B. N. Law, urging the passage of House bills 5011 and 5012; to the Committee on Patents.

Also, petition of Dan A. Brown, Chicago, Ill., urging increase in postal employees' wages, Senate joint resolution 84; to the Committee on the Post Office and Post Roads.

Also, petition of J. Ira Boyd, Springfield, Ill., urging increase in salaries of postal employees, Senate joint resolution 84; to the Committee on the Post Office and Post Roads.

SENATE.

WEDNESDAY, *August 20, 1919.*

Rev. John Paul Tyler, of the city of Washington, offered the following prayer:

Almighty God, Thou King immortal, eternal, invisible, Thou Judge of all the earth, command upon us, we beseech Thee, this morning Thy holy spirit of wisdom, that with open eyes, seeing Thy love and knowing Thy law, with unselfish devotion, we may give ourselves to the tasks before us, that Thy righteousness may be exalted in the earth, that our Nation may be exalted and be made even stronger and greater in Thy righteous judgment. Command Thy blessing upon the President of the United States, upon all our soldiers and sailors wherever they are, upon every home of this land, that peace and righteousness may prevail, that Thy kingdom may come, and that Thy will may be done in the earth. This we ask for Jesus' sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of Monday last, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the President of the United States having returned to the House of Representatives, in which it originated, the bill (H. R. 3854) for the repeal of the daylight-saving law, with his objections thereto, the House proceeded, in pursuance to the Constitution, to reconsider the same, and

Resolved, That the said bill pass, two-thirds of the House of Representatives agreeing to the same.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 3175. An act authorizing local drainage districts to drain certain public lands in the State of Arkansas, counties of Mississippi and Poinsett, and subjecting said lands to taxation;

H. R. 7972. An act to improve the administration of the postal service of the Territory of Hawaii;

H. R. 8076. An act authorizing the county of Montgomery, Tenn., to construct a bridge across the Cumberland River within 7 miles of Clarksville, Tenn.; and

H. R. 8117. An act for the construction of a bridge across the Susquehanna River at or near Falls, Wyoming County, Pa.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 6323) for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes, and it was thereupon signed by the Vice President.

CALLING OF THE ROLL.

Mr. BRANDEGEE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gerry	Lodge	Reed
Ball	Hale	McCormick	Robinson
Bankhead	Harding	McKellar	Sheppard
Brandegee	Harris	McNary	Smith, Ariz.
Calder	Harrison	Moses	Smoot
Chamberlain	Henderson	Myers	Spencer
Colt	Hitchcock	Nelson	Sterling
Culberson	Johnson, S. Dak.	New	Swanson
Cummins	Jones, N. Mex.	Nugent	Thomas
Curtis	Jones, Wash.	Overman	Townsend
Dial	Kellogg	Owen	Trammell
Edge	Kendrick	Page	Walsh, Mass.
Elkins	King	Phelan	Walsh, Mont.
Fall	Kirby	Phipps	Watson
Fernald	Knox	Pittman	Williams
Fletcher	La Follette	Poindexter	Wolcott
Gay	Lenroot	Pomerene	

Mr. TOWNSEND. I desire to announce that my colleague [Mr. NEWBERRY] is necessarily absent, and that he has a general pair with the senior Senator from Virginia [Mr. MARTIN.]

The VICE PRESIDENT. Sixty-seven Senators have answered to their names. There is a quorum present.

DAYLIGHT SAVING—VETO MESSAGE.

The VICE PRESIDENT. In order that the Senator from Iowa [Mr. CUMMINS] may make a request for a unanimous-consent agreement, the record showing a quorum present, the Chair lays the message just received from the House of Representatives before the Senate. It will be read.

The Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
August 19, 1919.

The President of the United States having returned to the House of Representatives, in which it originated, the bill (H. R. 3854) for the repeal of the daylight-saving law, with his objections thereto, the House proceeded, in pursuance of the Constitution, to reconsider the same; and

Resolved, That the said bill pass, two-thirds of the House of Representatives agreeing to pass the same.

Mr. CUMMINS. I ask unanimous consent for an agreement to vote on Friday afternoon at half past 2 o'clock upon the measure just presented to the Senate.

The VICE PRESIDENT. The Senator from Iowa asks unanimous consent that on Friday at half past 2 o'clock the Senate shall vote upon the question of the passage of the bill, notwithstanding the veto of the President.

Mr. THOMAS. Mr. President, I think the Senate has discussed the measure as fully as it cares to do, and I suggest that we take a vote on it now.

Mr. LODGE. Let us vote now.

The VICE PRESIDENT. The Senator from Iowa requests unanimous consent to the effect that on Friday at the hour of half past 2 o'clock the Senate will proceed to vote upon the question of the so-called daylight-saving bill, the veto of the President of the United States to the contrary notwithstanding.

Mr. THOMAS. If the Senator from Iowa insists on his request, I suggest to him that he change it to 3 o'clock on that afternoon. I think we could take it up now and dispose of it, but I will state to the Senator my reason for making the suggestion is that I expect to inflict a speech upon the Senate on Friday, and I do not want this vote to interfere with it.

Mr. CUMMINS. I have no objection to modifying my request at the suggestion of the Senator from Colorado. The only reason why I have asked for a time certain is to accommodate those who are not here now and who want to vote on the proposition. As far as I am concerned I desire no debate. I do not expect that there will be any debate.

The VICE PRESIDENT. It is proposed to change the hour to 3 o'clock. Is there any objection?

Mr. ROBINSON. To 3 o'clock on Friday?

The VICE PRESIDENT. To 3 o'clock on Friday.

Mr. BRANDEGEE. Mr. President, I wish to ask the Senator from Iowa a question to inform myself as to whether I ought to object or not. I understood the Senator to say that he has no objection himself to agreeing to the suggestion of the Senator from Colorado that we vote now.

Mr. CUMMINS. No; I did not say that.

Mr. BRANDEGEE. I beg the Senator's pardon.

Mr. CUMMINS. I said that I had no objection to the suggestion of the Senator from Colorado to changing the time on Friday to 3 o'clock.

Mr. BRANDEGEE. Would the Senator object to voting now if we can get unanimous consent to that effect?

Mr. LODGE. It is a privileged question.

Mr. CUMMINS. I have desired that all Senators who are interested in the matter may have an opportunity to vote. Like other Senators, I am very anxious that we shall pass the bill, notwithstanding the veto of the President, and if those who are interested in the bill as I am feel that now is the time to vote upon it, that course can easily be adopted by objecting to my request for unanimous consent.

Mr. BRANDEGEE. Following up my inquiry of the Senator from Iowa, as he has named Friday afternoon at 3 o'clock, I suggest to him that many Members go away over the week end, and would not the Senator be willing to make it to-morrow at 3 o'clock?

Mr. CUMMINS. In view of the differences of opinion about it, I withdraw the request for unanimous consent and ask that we may vote now.

The VICE PRESIDENT. Is there objection to voting now on the passage of the bill, notwithstanding the veto of the President of the United States?

Mr. TOWNSEND. I have no objection to it, but I should like to submit a remark or two before the vote is taken. I do not think it requires unanimous consent—at least I do not understand that it does—to vote now, because I understand that to be the order of business; but if the Senator from Iowa desires to have the request for unanimous consent submitted I do not object.

The VICE PRESIDENT. Is there objection to voting now? The Chair hears none.

Mr. TOWNSEND. Mr. President, I was not here when this matter was discussed before, and I am not going to detain the Senate now with any extended remarks on the subject. I have had much correspondence during the last year or two relative to the daylight-saving matter, and I confess I have felt that it was largely an academic question which could readily be adjusted by the business interests of the country without any law on the subject. It looked to me like a question of fixing by their own motion the hour in which men should go to work and at which they should quit, and that it did not have any influence whatever upon the hours of labor. I have always had difficulty in determining to my own satisfaction how artificial time could be made to improve natural or sun time.

I wish, however, to relate a little experience which I had while I was away from the Senate. I was out in the country and became somewhat familiar at first hand with the way matters are conducted on the farm. At 5 o'clock, when dinner was announced, the help came in from the field and went immediately to their rooms in the home and cleaned up for dinner. After dinner these men left, and the farmer had to do his chores alone, which were very numerous. He said he was helpless to fix the hours of his employees. I inquired about it, and the farmer said the same rule which governed city labor as to hours of beginning and quitting work controlled farm labor, and he had nothing to do about it.

I have had, as I said, much correspondence and have written letters to the effect that I was very indifferent to the subject, and that I could see no particular reason for changing the existing order. I am satisfied now, however, from my own experience that this new scheme is inflicting a real hardship upon the farmers which is beyond their control.

Therefore I am constrained to vote to override the veto on this occasion.

Mr. WILLIAMS. Mr. President, may I suggest to the Senator from Michigan before he takes his seat that it is also inflicting great hardship upon housewives and mothers of families who must get their children off earlier to school. It seems to me that this is a sort of legislation run crazy. If a factory man and his labor agree to begin work an hour earlier or to quit an hour earlier, they can do so without calling upon the Government of the United States to pass a law to change God's time, which is 12 o'clock when the sun is just above meridian.

Mr. NELSON. Mr. President, I want to correct a very erroneous statement of the Senator from Michigan [Mr. TOWNSEND]. There is no such thing as 5 o'clock dinner among the farmers. It is supper.

Mr. TOWNSEND. Mr. President, I can not consent to the correction of the senior Senator from Minnesota, because it was dinner that I attended, and it was so announced.

The VICE PRESIDENT. The question is, Shall the bill pass, the veto of the President of the United States to the contrary notwithstanding? The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. HARDING (when his name was called). I have a general pair with the junior Senator from Alabama [Mr. UNDERWOOD]. I am informed, however, that if he were present he would vote

as I shall on this measure, and I therefore am at liberty to vote. I vote "yea."

Mr. MYERS (when his name was called). I have a pair with the Senator from Connecticut [Mr. McLEAN], who is absent. I transfer that pair to the Senator from Alabama [Mr. UNDERWOOD] and vote "yea."

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the senior Senator from Oklahoma [Mr. GORE] and vote "yea."

Mr. STERLING (when his name was called). I have a general pair with the Senator from South Carolina [Mr. SMITH], who is absent. I understand that Senator, if present, would vote the same way as I shall vote on this question. I therefore am at liberty to vote. I vote "yea."

Mr. BANKHEAD (when Mr. UNDERWOOD's name was called). My colleague [Mr. UNDERWOOD] is unavoidably absent from the Chamber. If he were present he would vote "yea."

Mr. WILLIAMS (when his name was called). I have a standing pair with the senior Senator from Pennsylvania [Mr. PENROSE]. I transfer that pair to the senior Senator from South Carolina [Mr. SMITH] and vote "yea."

The roll call was concluded.

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX]. In his absence I transfer that pair to the junior Senator from Kentucky [Mr. STANLEY] and vote "yea."

Mr. McKELLAR. I desire to announce the unavoidable absence of my colleague the senior Senator from Tennessee [Mr. SHIELDS].

Mr. TOWNSEND. I announce the absence of my colleague [Mr. NEWBERRY] and his pair with the senior Senator from Virginia [Mr. MARTIN]. If present, my colleague would vote "nay."

Mr. CURTIS. I desire to announce the absence of the Senator from New Hampshire [Mr. KEYES], the Senator from Nebraska [Mr. NORRIS], the Senator from Illinois [Mr. SHERMAN], and the Senator from Connecticut [Mr. McLEAN], each of whom would vote "yea" if present.

Mr. WALSH of Montana (after having voted in the affirmative). I voted without noting the absence of my pair, the Senator from New Jersey [Mr. FRELINGHUYSEN]. I transfer that pair to the senior Senator from Tennessee [Mr. SHIELDS], and will allow my vote to stand.

Mr. GERRY. The Senator from Maryland [Mr. SMITH] and the Senator from Kentucky [Mr. STANLEY] are necessarily detained on official business.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from Michigan [Mr. NEWBERRY] with the Senator from Virginia [Mr. MARTIN]; and

The Senator from West Virginia [Mr. SUTHERLAND] with the Senator from Kentucky [Mr. BECKHAM].

The roll call resulted—yeas 57, nays, 19, as follows:

YEAS—57.

Ashurst	Gronna	McCumber	Smith, Ga.
Ball	Harding	McKellar	Smoot
Bankhead	Harris	Moses	Spencer
Borah	Harrison	Myers	Sterling
Brandegee	Johnson, S. Dak.	Nelson	Swanson
Capper	Jones, N. Mex.	New	Townsend
Chamberlain	Jones, Wash.	Nugent	Trammell
Cummins	Kellogg	Overman	Wadsworth
Curtis	Kendrick	Poindexter	Walsh, Mont.
Dial	Kenyon	Pomerene	Watson
Fall	King	Ransdell	Williams
Fernald	Kirby	Reed	Wolcott
Fletcher	La Follette	Sheppard	
France	Lenroot	Simmons	
Gay	McCormick	Smith, Ariz.	

NAYS—19.

Calder	Hale	McNary	Pittman
Colt	Henderson	Owen	Robinson
Edge	Hitchcock	Page	Thomas
Elkins	Johnson, Calif.	Phelan	Walsh, Mass.
Gerry	Lodge	Phipps	

NOT VOTING—20.

Beckham	Keyes	Norris	Smith, S. C.
Culberson	Knox	Penrose	Stanley
Dillingham	McLean	Sherman	Sutherland
Frelinghuysen	Martin	Shields	Underwood
Gore	Newberry	Smith, Md.	Warren

The VICE PRESIDENT. On the question, Shall the bill pass, the veto of the President of the United States to the contrary notwithstanding, the yeas are 57 and the nays are 19. More than a majority of the Senate having voted and more than two-thirds thereof having voted in the affirmative, the bill is passed and thus becomes a law.

PETITIONS AND MEMORIALS.

Mr. CURTIS presented a petition of the representatives of the highway department of Kansas, Nebraska, Iowa, Missouri, Oklahoma, Arkansas, and Texas, who met at Kansas City, Mo., praying for an adequate construction of national highways, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Coffeyville, Kans., praying for Government ownership and control of railroads, which was referred to the Committee on Interstate Commerce.

He also presented a memorial of sundry citizens of Great Bend, Kans., remonstrating against the enactment of the so-called Kenyon-Kendrick bills providing for Federal control of the meat-packing industry, which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of sundry citizens of Hillsboro, Kans., remonstrating against universal military training, which was referred to the Committee on Military Affairs.

He also presented a petition of sundry postal employees of Emporia, Kans., and a petition of sundry postal employees of Eldorado, Kans., praying for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of the St. Joseph's Catholic Society of Leavenworth, Kans., remonstrating against the establishment of a department of education, which was referred to the Committee on Education and Labor.

He also presented petitions of sundry citizens of Concordia, Kansas City, Augusta, and Salina, all in the State of Kansas, praying for the repeal of the so-called "luxury" tax, which were referred to the Committee on Finance.

He also presented a petition of the Central Labor Union of Arkansas City, Kans., praying for the adoption of the so-called Plumb plan for the operation of railroads, which was referred to the Committee on Interstate Commerce.

Mr. CURTIS (for Mr. KEYES) presented a petition of sundry citizens of Amherst, N. H., and a petition of sundry citizens of Wentworth Location, N. H., remonstrating against the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. STERLING presented petitions of sundry citizens of Deadwood, Lead, and Bellefourche, all in the State of South Dakota, praying for the passage of the so-called Kenyon-Kendrick bill, providing for Federal control of the meat-packing industry, which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Clark County, S. Dak., praying for the repeal of the so-called "luxury" tax, which was referred to the Committee on Finance.

Mr. NELSON presented petitions of sundry citizens of St. Paul, Willmar, and Blue Earth, all in the State of Minnesota, praying for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

He also presented a resolution adopted by the Minnesota State Association of the National Association of Stationary Engineers, favoring an investigation into the present high cost of living and for the enactment of legislation to remedy the situation, which was referred to the Committee on the Judiciary.

Mr. TOWNSEND presented petitions of sundry citizens of Detroit, Flint, Morenci, Pittsford, South Lowell, Lansing, and St. Louis, all in the State of Michigan, praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Owosso, Mich., and a petition of sundry citizens of Greensboro, N. C., praying for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Bay City, Mich., praying for the repeal of the so-called "luxury" tax, which was referred to the Committee on Finance.

Mr. MOSES presented petitions of sundry citizens of Wentworth Location, Brookline, Amherst, and Newmarket, all in the State of New Hampshire, praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of Lebanon, N. H., remonstrating against the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. PAGE presented a memorial of members of St. Peter's Parish, of Vergennes, Vt., remonstrating against the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. ROBINSON presented a petition of sundry citizens of Warren, Ark., praying for the repeal of the so-called "luxury" tax, which was referred to the Committee on Finance.

Mr. PHELAN presented a petition of the Board of Supervisors of Ventura County, Calif., and a petition of Local Division No. 887, Brotherhood of Locomotive Engineers, of Los Angeles, Calif., praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. JONES of Washington presented a telegram in the nature of a memorial from the chairman of the National Affairs Committee of the Chamber of Commerce of Seattle, Wash., remonstrating against the placing of Alaskan coastwise ships under the jurisdiction of the Interstate Commerce Commission, which was referred to the Committee on Commerce.

Mr. JOHNSON of South Dakota. I present a petition signed by a large number of voters in the township of Peoria, S. Dak., which I ask to have printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the petition was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

JULY 4, 1919.

Resolved, That we, voters in Peoria Township, Hughes County, S. Dak., assembled at our Fourth of July picnic, hereby respectfully petition the honorable Senate of the United States to ratify as soon as possible, without reservation, the treaty of peace with the Republic of Germany, including the covenant of the league of nations.

C. W. Huffman, Mrs. H. C. Sorensen, Mrs. P. G. Robinson, Helen Sorensen, Mrs. C. W. Huffman, Anna L. Huffman, Anna Sorensen, J. B. Irvine, Lawrence H. Riggs, Eva L. Pitlick, M. L. Riggs, L. S. Riggs.

The residence of all of these signers is Oahe, Hughes County, S. Dak.

I hereby certify that the preceding resolution was adopted at said picnic by a motion duly made, seconded, and carried unanimously; and that the signatures attached are those of voters in said township who voted for said resolution.

J. B. IRVINE.

AFFAIRS IN MEXICO.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 163, submitted by Mr. FALL on the 15th instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the subcommittee on Foreign Relations appointed under authority of Senate resolution No. 106, to investigate Mexican affairs, be, and it is hereby, authorized to send for persons, books, and papers; to compel the attendance and testimony of witnesses; to administer oaths; to conduct hearings; to travel to and from any points where a sitting of the committee may be necessary; to employ interpreters, stenographers, clerks, and any other necessary assistants; and to provide for the care and preservation of testimony, papers, and documents.

The expenses of said subcommittee and its necessary assistants in discharging its duties under the provisions of said resolution No. 106 and of this present resolution to be paid out of the contingent fund of the Senate, upon vouchers to be approved by the chairman of the subcommittee.

EMPLOYEES OF RAILROAD ADMINISTRATION.

Mr. CUMMINS. The Committee on Interstate Commerce has directed me to ask for the immediate consideration of the following resolution which I report from that committee.

The PRESIDING OFFICER (Mr. KING in the chair). The resolution will be read.

The resolution (S. Res. 170) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Director General of Railroads be directed to furnish, as soon as practicable, to the Senate the following information:

The number of employees of each class engaged on the class I railroads under Federal control in the United States for each month from January to July, 1919, and also for the month of December, 1917; the amount of their compensation; the number of hours or days work; and the compensation per hour or per day for each of said months and for each class of employees, such as engineers, firemen, conductors, brakemen, shopmen, and each of the other classes as shown by the records of the Railroad Administration; also the percentage of change between December, 1917, and the last month of 1919 for which there are available records, both in the unit of compensation and in the average compensation per employee of each class; also to attach to the report on this resolution copies of all orders making advances in wages and of all schedules explanatory thereof.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WADSWORTH:

A bill (S. 2809) relating to compensation and war-risk insurance for members of the Philippine Scouts under the provisions of "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, as amended; to the Committee on Military Affairs.

By Mr. DIAL:

A bill (S. 2810) granting an increase of pension to Elizabeth Teague; to the Committee on Pensions.

By Mr. HALE:

A bill (S. 2811) for the relief of the York County Savings Bank of Biddeford, Me.; to the Committee on Banking and Currency.

By Mr. CURTIS:

A bill (S. 2812) to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and for other purposes; to the Committee on Finance.

A bill (S. 2813) granting a pension to Emma Rowland (with accompanying papers);

A bill (S. 2814) granting an increase of pension to William H. Scott (with accompanying papers);

A bill (S. 2815) granting a pension to William Buck (with accompanying papers);

A bill (S. 2816) granting a pension to Sarah J. Brown (with accompanying papers);

A bill (S. 2817) granting an increase of pension to John A. Poston (with accompanying papers); and

A bill (S. 2818) granting a pension to Mary E. Marshall (with accompanying papers); to the Committee on Pensions.

By Mr. JONES of Washington:

A bill (S. 2819) to provide for the redistribution of general taxes and special assessments due and payable on real estate in the District of Columbia, in cases of subdivision or sales of land therein; to the Committee on the District of Columbia.

A bill (S. 2822) making available additional moneys for the reclamation fund, and for other purposes; to the Committee on Irrigation and Reclamation of Arid Lands.

A bill (S. 2823) granting an increase of pension to Richard A. Leavell (with accompanying papers); to the Committee on Pensions.

By Mr. PHIPPS:

A bill (S. 2824) granting an increase of pension to John Doughty;

A bill (S. 2825) granting an increase of pension to John R. Bare, alias John R. Barrett;

A bill (S. 2826) granting an increase of pension to Luke Cahill;

A bill (S. 2827) granting a pension to Michael Keavy;

A bill (S. 2828) granting a pension to Betty Ann Perry;

A bill (S. 2829) granting an increase of pension to Francis S. Prouty;

A bill (S. 2830) granting an increase of pension to Emmett Fitzsimmons; and

A bill (S. 2831) granting an increase of pension to Joseph Addison Funk; to the Committee on Pensions.

By Mr. CALDER:

A bill (S. 2832) granting an increase of pension to William H. Alder; to the Committee on Pensions.

By Mr. ROBINSON:

A bill (S. 2833) authorizing the Secretary of War to donate to the town of Helena, Ark., two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. MOSES:

A bill (S. 2834) for the relief of Edith B. Macon; and

(By request) a bill (S. 2835) to amend section 3 of the act of Congress approved June 11, 1878, in relation to taxable property in the District of Columbia; to the Committee on the District of Columbia.

By Mr. NEW:

A bill (S. 2836) granting a pension to Watson D. Smith; and

A bill (S. 2837) granting a pension to Mollie W. Springer (with accompanying papers); to the Committee on Pensions.

By Mr. LENROOT:

A bill (S. 2838) for the relief of Philip S. Everest; to the Committee on Claims.

By Mr. POMERENE:

A bill (S. 2839) granting a pension to Martha M. Child (with accompanying papers); to the Committee on Pensions.

By Mr. REED:

A bill (S 2840) to reimburse Capt. W. B. Finney, ex-captain Company A, Seventieth Infantry, Camp Funston, Kans., for moneys lost by him in the performance of his duties (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 2841) to erect a Federal building in the city of Lamar, Mo., on the site now owned by the United States Government; to the Committee on Public Buildings and Grounds.

A bill (S. 2842) granting a pension to Fannie Wagner;

A bill (S. 2843) granting a pension to Daniel Donohoe;

A bill (S. 2844) granting a pension to Joseph F. Shoemaker (with accompanying paper);

A bill (S. 2845) granting a pension to J. H. Martin (with accompanying paper);

A bill (S. 2846) granting a pension to Lucinda Boos;

A bill (S. 2847) granting a pension to Z. H. Golden; and

A bill (S. 2848) granting an increase of pension to Leonidas Recob; to the Committee on Pensions.

By Mr. KING:

A bill (S. 2849) providing for the enlargement, extension, and remodeling of the post office and courthouse at Salt Lake City, Utah; to the Committee on Public Buildings and Grounds.

By Mr. CURTIS:

A joint resolution (S. J. Res. 89) authorizing the Secretary of War to loan certain Army equipment to the city of Salina, Kans., for use in victory celebration for returned soldiers, sailors, and marines (with accompanying papers); to the Committee on Military Affairs.

By Mr. CAPPER:

A joint resolution (S. J. Res. 90) to readmit Frances Scoville-Mumm to the character and privileges of a citizen of the United States (with accompanying papers); to the Committee on Immigration.

Mr. OWEN. I introduce a joint resolution, which I ask to have read twice and lie on the table.

The joint resolution (S. J. Res. 92) for the appointment of a select committee of five on the high cost of living was read twice by its title and ordered to lie on the table.

THE MERCHANT MARINE.

Mr. JONES of Washington. Mr. President, during my absence the Shipping Board sent to me, as chairman of the Committee on Commerce, two bills. One of them relates to the recording of mortgages on vessels, and the other represents the views of the Shipping Board as to the policy that we should follow in connection with the American merchant marine. As chairman of the committee I desire to introduce these bills and have them referred to the Committee on Commerce.

The bill (S. 2820) providing for the recording of mortgages on vessels and notation thereof on certificates of registry or enrollment and license; creating jurisdiction in the district courts of the United States for foreclosure of such mortgages, and providing procedure in connection therewith; also providing for maritime liens upon vessels for necessaries, etc., and their enforcement, and subordinating the same to the liens of mortgages; repealing all conflicting acts, and for other purposes, was read twice by its title and referred to the Committee on Commerce.

The bill (S. 2821) authorizing the United States Shipping Board to operate or dispose of its emergency merchant vessels and thereby stimulating the friendly intercourse between nations and further developing the merchant marine, and for other purposes, was read twice by its title and referred to the Committee on Commerce.

Mr. JONES of Washington. In connection with the bill relating to the policy I ask that the letter from the chairman of the committee, together with the standard form of offer and form of note submitted by the Shipping Board, may be printed in the RECORD and referred to the Committee on Commerce.

The VICE PRESIDENT. That order will be made.

The matter referred to is as follows:

UNITED STATES SHIPPING BOARD,
Washington, July 11, 1919.

Hon. WESLEY L. JONES,
Chairman Committee on Commerce,
United States Senate.

MY DEAR SENATOR: Some explanation is due to you for the delay in submitting a bill, as you requested, to carry out my plan of June 11, 1919. As I promised, I immediately set one of our staff of attorneys to work on drafting such proposed legislation. Shortly after this was completed our new general counsel was appointed, and he asked permission to consider the proposed bill, with specific reference to a sales plan, which I had asked our law department to consider. The view then expressed by our law department was that the proposed bill was not specifically designed to meet the specific sales plan upon which we were working. The preliminary agreement under this plan was just completed yesterday, and our first transaction was closed thereunder yesterday evening, so that until the present moment it seemed unwise to submit proposed legislation which might not be appropriate to our sales plan as finally developed.

From the fact that our sales plan is so new and only one transaction has taken place thereunder, I hesitate even now to submit a proposed bill; but I believe the one handed you herewith will be appropriate to any plan that may ultimately be worked out. Of course, you understand that I may want to submit amendments to this proposed bill while it is in process of consideration by your committee.

We hold ourselves in readiness at all times to appear before you and keep you informed of the development of our plans. I am inclosing herewith our first draft of the bill, to be known as the marine-development act, 1919, and also a copy of our sales agreement as developed to date.

With assurances of esteem, I am,
Respectfully, yours,

EDWARD N. HURLEY,
Chairman.

UNITED STATES SHIPPING BOARD, *July 11, 1919.*

STANDARD FORM OF OFFER.

[Series M. H., A. R. C., July 9, 1919.]

Offer of ——— ——— (herein called the charterer).
Address ———.
Paid-in capital and surplus ———.
Incorporated under laws of ———.
To the United States Shipping Board (herein called the board).

1. The undersigned hereby offers to purchase or to hire with the option to purchase the following vessel of the board ———, and accompanies this offer with a certified check for $50,000. For the purposes of this offer the dead-weight tonnage of the vessel is hereby taken as ——— tons, which figure is accepted by both parties as being more or less, subject to ascertainment by due certificate of American Bureau of Shipping (or, at the option of the board, of Lloyd's chief surveyor for the United States and Canada), such certificate to be established upon and to Lloyd's summer freeboard mark, and to be final, conclusive, and binding as to the tonnage, in respect of which the amounts of the option price, sinking-fund payments, and charter-hire notes herein mentioned shall be computed; and such dead-weight tonnage shall be inclusive of bunkers, stores, spares, water ballast, fresh water, crew and effects, and spare gear.

2. The agreed value of said vessel is $——— per dead-weight ton, which shall either be paid in full to the board within 10 days after mailing by the board of notice of acceptance of this offer or, at the option of the charterer, and within the like number of days, such value shall be secured to the board by the deposit with the board of 20 per cent of such value in funds current in New York City (credit, however, to be allowed for the $50,000 payment accompanying this offer) and by simultaneously executing an indenture in the board's standard form for ship charter and purchase agreement (or in case such standard form has not then been adopted by the board, by then agreeing in writing to execute an indenture in such standard form as the board may later adopt and to protect the board satisfactorily in the meantime in respect to insurance and other matters affecting the security afforded by the board's retention of title to the vessel). At the time of making payment of said agreed value, or of depositing 20 per cent thereof, as the case may be, and as a further condition to the delivery of the vessel, the undersigned will also pay to the board the value of all engine room and steward's and other stores aboard said vessel, including fuel, oil, paints, water, and similar stores, and all deck supplies, such value to be based upon the captain's or master's inventory and on the prices of such stores prevailing at the port of delivery.

3. Said indenture shall be in substance a bare boat charter for three years, with an option to purchase at the end thereof, and shall contain such reservations of title to the board, such remedies in case of default, and such covenants and conditions regarding insurance, repairs, replacements, and other security as are contained in approved forms of equipment lease agreements and in marine trust indentures or ship mortgages and deeds of trust and such other provisions as the board deems appropriate for its protection. Such indenture shall forbid the creation by the charterer of liens on the vessel. This agreement and said indenture, when executed, shall be carried as part of the ship's papers.

4. Under said indenture, upon the basis of $200 a ton dead-weight value, the charterer shall pay for three years for each such ton the sum of $3 monthly in advance, to be evidenced by charter-hire notes, which shall bear no interest until their respective maturities, and at the end of three years shall have the option to purchase at $110 for each such ton, payable, after crediting the amount of the sinking fund hereinafter provided, in full at that time, or, at the option of the charterer, in four equal semiannual installments, evidenced by conditional sale notes secured by the reservation of title in vessel in the manner provided in the indenture, and bearing interest at the rate of 6 per cent per annum. If the agreed value is more or less than $200 per dead-weight ton the charter hire and option price provided in the indenture shall be proportionately more or less than the amounts above specified.

5. As additional security to the board the 20 per cent deposited under paragraph 2 and the following payments:

Payment No. 1, due 6 months after the date of the indenture, 3½ per cent of agreed value;

Payment No. 2, due 12 months after the date of the indenture, 3½ per cent of agreed value;

Payment No. 3, due 18 months after the date of the indenture, 2½ per cent of agreed value;

Payment No. 4, due 24 months after the date of the indenture, 2½ per cent of agreed value;

Payment No. 5, due 30 months after the date of the indenture, 2½ per cent of agreed value;

Total, 15 per cent of agreed value;

shall constitute a sinking fund to indemnify the board from and against all loss or damage from any cause, including default on the charter, hire notes, or loss incident to the retaking of the vessel during the term of the lease or at the expiration thereof or otherwise. The sinking fund, including the net amount of interest which may be allowed thereon pursuant to the provisions of the indenture, shall be applied upon the option price if the purchase option is exercised; otherwise so much thereof will be returned to the charterer as exceeds the full amount required to indemnify the board, when and as such amount is determined.

6. If within one year the charterer shall desire to purchase said vessel, then he may do so by paying, in funds current in New York City, a sum equal to the agreed value of said vessel as herein stated, less a deduction at the rate of 15 per cent per annum for the period of time during which said vessel was held under charter as aforesaid, and upon exercising such option he may apply on such purchase price all sums then credited to the sinking fund, with interest accumulated thereon as in the indenture provided, whereupon the board shall simultaneously return to him all charter-hire notes for charter hire after the date of the exercise of such option, the object hereof being to put the parties in the same position as if the charterer had paid said agreed value of said vessel in cash at the date of the signing hereof.

7. This offer shall remain for 30 days for written acceptance by the board, but may be sooner accepted. If the offer is not accepted, the amount accompanying this offer shall be returned. If the undersigned shall fail within the 10 days allowed therefor either to pay in full the agreed value of said vessel or to deposit 20 per cent thereof, as herein provided, or shall fail, in case of such deposit, to execute duly the documents required in such case pursuant to paragraph 2 hereof, or

shall in any other wise depart from the terms of this offer, then the deposit mentioned in paragraph 1 hereof shall be held and retained by the board as liquidated damages sustained in the cost and expense of having said vessel surveyed and prepared for delivery and otherwise, but without prejudice to the board's recourse against the undersigned for any excess of the actual damages so sustained over the amount of said deposit.

Dated ———.
Witness:

Signature ——— ———,
Address ——— ———.

Above offer received for action of the board this — day of ———, 1919.

———— ————,
Of Ship Sales Division.

Accepted.

UNITED STATES SHIPPING BOARD,
By ——— ———, *Chairman.*

FOR THE BOARD.

Recommendation of Ship Sales Division:
(a) Credit.
(b) Business reputation and experience.
(c) Moral risk.
Action of the board:
Date ———.
Declined and deposit returned.
Accepted.
Accepted with following conditions.

$16,541.60. No. —.

WASHINGTON, D. C., *July 11, 1919.*

On the 11th day of ———, 19—, without grace, the undersigned corporation, for value received, promises to pay to bearer at offices of the United States Shipping Board, Washington, D. C., the sum of $16,541.60, in gold coin of the United States, of or equal to the present standard in weight and fineness, without deduction for any tax which the undersigned may be required to retain or deduct therefrom under any present or future law of any nation, State, or other taxing authority.

This note is one of a series of 36 notes, numbered 1 to 36, of like amount and tenor, except as to date of maturity, all given in payment of charter hire of a vessel in accordance with the terms of an indenture of even date herewith between the United States Shipping Board and the undersigned corporation, and lodged with said board; and this note is issued, negotiated, and received by any holder hereof subject to all the terms and conditions of said indenture and secured thereby to the same extent as though said indenture were set out herein in full.

In witness whereof the undersigned has caused its corporate name to be subscribed hereto on its behalf by its treasurer or assistant treasurer and its president or vice president thereunto duly authorized.

AMERICAN STEAMSHIP CORPORATION,
By ——— ———, *President.*

DR. JAMES HARRIS ROGERS.

Mr. FRANCE. I send to the desk a joint resolution, which I ask to have printed in the RECORD and referred to the Committee on Naval Affairs.

The joint resolution (S. J. Res. 91) conveying the thanks of Congress to Dr. James Harris Rogers, of Hyattsville, Md., the discoverer of underground and underwater radio, was referred to the Committee on Naval Affairs and ordered to be printed in the RECORD, as follows:

Whereas James Harris Rogers, of Hyattsville, Md., has marked an epoch in scientific achievement in radio by the discovery of the underground and underwater system of radio communication; and

Whereas the Navy Department of the United States expedited the issuance of patents to James Harris Rogers by direct request to the Department of the Interior, and used effectively the Rogers system throughout the participation of the United States in the World War, when submarines menaced the ocean, when cables were being cut, and when statics interfered with raised aerials; and

Whereas the Rogers system is being installed in various parts of the world by the Navy Department of the United States; and

Whereas James Harris Rogers, both in peace and in war, has rendered a distinctive service to the republic of science and discovered a vital aid to the Government of the United States: Therefore be it

Resolved, etc., That the thanks of the Congress be, and the same are hereby, presented to James Harris Rogers for his notable scientific achievement.

SEC. 2. That the President of the United States is hereby authorized and requested to cause to be made and presented to James Harris Rogers a suitable gold medal, appropriately inscribed, which shall express the high estimation in which the Congress holds the services of this scientist.

SEC. 3. That the sum of $1,000, or so much thereof as may be necessary for the purchase or manufacture of said medal, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

FEDERAL POWER COMMISSION.

Mr. PHIPPS submitted two amendments intended to be proposed by him to the bill (H. R. 3184) to create a Federal power commission and to define its powers and duties, to provide for the improvement of navigation, for the development of water power, for the use of lands of the United States in relation thereto, and for other purposes, which were referred to the Committee on Commerce and ordered to be printed.

NEWSPRINT PAPER INDUSTRY.

Mr. REED. I send to the desk a resolution and ask unanimous consent for its present consideration.

The VICE PRESIDENT. The Secretary will read the resolution.

The resolution (S. Res. 164) was read, as follows:

Resolved, That the Committee on Manufactures or any subcommittee thereof is hereby authorized and directed to investigate the newsprint paper industry and to ascertain whether it is now or has been engaged in discriminatory, unjust, or illegal practice, and whether the prices now being charged for newsprint paper, or similar products, are excessive and the causes for existing prices.

The committee shall report to the Senate the result of its investigation together with such findings and recommendations as it may deem proper to make.

Mr. WALSH of Montana. Mr. President, I desire to inquire of the Senator from Missouri whether the Federal Trade Commission has not recently conducted such an investigation as the resolution submitted by the Senator from Missouri calls for?

Mr. REED. There has been an investigation by the Federal Trade Commission, but, in my opinion, the investigation of the Federal Trade Commission is not complete and does not cover everything that it is sought by the resolution to cover. I will say to the Senator that if I am a member of the committee to investigate this subject it is not my purpose to duplicate the work of the Federal Trade Commission.

The VICE PRESIDENT. The question is on agreeing to the resolution submitted by the Senator from Missouri.

The resolution was agreed to.

THE BOTANIC GARDEN.

Mr. PHELAN. I offer a resolution and ask its reference to the Committee on the District of Columbia.

The VICE PRESIDENT. The resolution will be read.

The Secretary read the resolution (S. Res. 165), as follows:

Resolved, That the Committee on the District of Columbia be, and it is hereby, directed to consider and report to the Senate plans for the location and development, in or near the District of Columbia, of a botanic garden of a size and excellence comparable with the best existing botanic gardens.

For the purpose of preparing such plans the committee may secure the services of such experts as may be necessary for a proper consideration of the subject. The expenses of such investigation, not exceeding $3,000, shall be paid from the contingent fund of the Senate.

Mr. BRANDEGEE. Will the Secretary read the resolution again? I did not hear it clearly.

The Secretary again read the resolution.

Mr. BRANDEGEE. I wish to ask the Senator from California what committee has usually had jurisdiction of the Botanic Garden?

Mr. PHELAN. I assume, Mr. President, that as it involves the possible acquisition of land the resolution should be referred to the Committee on the District of Columbia. It is not a matter, I think, involving the management of the Botanic Garden.

Mr. BRANDEGEE. Mr. President, I simply want to say to the Senator that I have just become the chairman of the Committee on the Library, and I understand that the Botanic Garden has been under the control of that committee; but I am ignorant as to whether the distinction sought to be drawn by the Senator between the acquisition of sites and the management of them is well taken or not. I desire to ask the Senator, therefore, if he is willing to defer the reference of the resolution until we can ascertain which committee ought to have jurisdiction of it. I would not like to ask that the committee be discharged if it should be erroneously referred.

The VICE PRESIDENT. It will eventually have to go to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. BRANDEGEE. Of course; but it has to come from some other committee, I suppose, before it goes to the Committee on Contingent Expenses, and I should like to be certain of the jurisdiction of the committee. I say this simply in behalf of the Committee on the Library. I am not seeking any jurisdiction to which we are not entitled.

Mr. PHELAN. Very well, Mr. President, I ask that the resolution lie on the table until the next legislative day, when I shall call it up for proper reference.

The VICE PRESIDENT. The resolution will lie on the table and be printed.

ORIENTAL AND DOMESTIC BEANS.

Mr. PHELAN. I offer a resolution asking the Secretary of Commerce for information, and I ask for its immediate consideration.

The resolution (S. Res. 166) was read, considered by unanimous consent, and agreed to, as follows:

Whereas, due to the importation of oriental beans into the United States during the war and since and to the overproduction of beans in the United States, there is now a large quantity of beans on hand for which there is apparently no market: Therefore be it

Resolved by the Senate of the United States, That the Secretary of Commerce be, and he is hereby, directed to send to the Senate all available information concerning the bean situation as it exists in the United States to-day, what market has been or is being created for the beans

now on hand, and also a statement as to the importation of oriental beans during the year 1918 and during the year 1919, and any other information which might be helpful to the Senate in connection with the consideration of this subject.

REAL ESTATE IN THE DISTRICT OF COLUMBIA.

Mr. MOSES submitted the following resolution (S. Res. 167), which was referred to the Committee on the District of Columbia:

Resolved, That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to furnish the Senate a complete list of all realty in said District of Columbia exempt from taxation as of the date of the passage of this resolution.

PURPOSES OF THE LEAGUE OF NATIONS.

Mr. OWEN. I submit a resolution which I ask to have referred to the Committee on Foreign Relations.

The resolution (S. Res. 169) was referred to the Committee on Foreign Relations, as follows:

Resolved, That the Senate of the United States in ratifying the treaty of peace with Germany has done so with the understanding that the meaning and purpose of this instrument is as follows:

1. That there is nothing in the covenant establishing the league of nations capable of being interpreted as permitting the league of nations to interfere with any of the domestic affairs of the United States, or of any other nation, such as matters relative to immigration, emigration, imports or exports, coastwise traffic, or sovereignty within the 3-mile limit of its seacoast.

2. That nothing in the covenant can be construed as requiring the United States to use its military or naval forces except when the Congress of the United States, within its own discretion, may authorize it.

3. That if any member nation should see fit to withdraw from the league, it would not be precluded from doing so on the ground that it had not complied with its obligations.

4. That the covenant of the league will not in any degree impair the Monroe doctrine as heretofore interpreted by the Government of the United States.

5. That the league of nations is not authorized to interfere with the internal revolution of any nation, except in respect to the backward nations under a mandatory, nor to interfere with the readjustment of boundaries by agreement.

6. It is the opinion of the Senate that the reduction of armament should proceed as rapidly as the safety of the world shall permit.

7. It is the opinion of the Senate that the pledge contained in article 23 (b) that the members of the league "undertake to secure just treatment of the native inhabitants under their control" is a moral pledge of the highest international character made in pursuance of the principles enunciated by the President of the United States January 8, 1917, and in his subsequent addresses which were accepted by the Allied Governments on November 5, 1918, in arranging a basis for a treaty of peace with the Government of Germany.

8. The Senate has ratified the treaty upon the express understanding that the Japanese Government will fully and speedily carry out the pledge made to the Chinese Government in May, 1915, with regard to the Shantung Peninsula, and has every confidence of the faithful and early compliance with this pledge.

BUREAU OF IMMIGRATION.

Mr. JONES of Washington. Mr. President, I have a telegram from John A. Wallman, of Spokane, Wash., with reference to the Immigration Service. I desire to read the telegram to the Senate, as that is about the only way the matter can be called to the attention of Congress unless the department shall act. The telegram is as follows:

BLAINE, WASH., *August 17, 1919.*

Hon. W. L. JONES,
United States Senate, Washington, D. C.:

Bureau Immigration discharging employees outright. Inspectors Canadian border working Sundays, holidays, nights, and overtime without additional compensation. Not enough inspectors now to safeguard border from surreptitious entry of Orientals and other undesirables. Policy of bureau inimical to best interests of country. If more money needed special appropriation should be passed.

JOHN A. WALLMAN.

I simply wish to suggest that if this is being done because of the lack of appropriations and if the facts are as set out in this telegram, then it seems to me it is the duty of the department to call the situation to the attention of Congress and to ask for a special appropriation. If the facts are as set out, I think Congress will respond.

THE WHITE HOUSE CONFERENCE (S. DOC. 76).

Mr. LODGE. Mr. President, I ask leave to have printed in the RECORD, and also as a Senate document, the stenographic report of the conference which occurred yesterday at the White House between Members of the Committee on Foreign Relations and the President of the United States.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

TREATY OF PEACE WITH GERMANY.

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, D. C., Tuesday, August 19, 1919.

The committee met at 10 o'clock a. m., pursuant to the invitation of the President, and proceeded to the East Room, where the conference was held.

Present: Hon. Woodrow Wilson, President of the United States, and the following members of the committee: Senators LODGE (chairman), MCCUMBER, BORAH, BRANDEGEE, FALL, KNOX, HARDING, JOHNSON of California, NEW, MOSES, HITCHCOCK, WILLIAMS, SWANSON, POMERENE, SMITH, and PITTMAN.

STATEMENT OF THE PRESIDENT.

The PRESIDENT. Mr. Chairman, I have taken the liberty of writing out a little statement in the hope that it might facilitate discussion by speaking directly on some points that I know have been points of controversy and upon which I thought an expression of opinion would not be unwelcome.

I am absolutely glad that the committee should have responded in this way to my intimation that I would like to be of service to it. I welcome the opportunity for a frank and full interchange of views.

I hope, too, that this conference will serve to expedite your consideration of the treaty of peace. I beg that you will pardon and indulge me if I again urge that practically the whole task of bringing the country back to normal conditions of life and industry waits upon the decision of the Senate with regard to the terms of the peace.

I venture thus again to urge my advice that the action of the Senate with regard to the treaty be taken at the earliest practicable moment because the problems with which we are face to face in the readjustment of our national life are of the most pressing and critical character, will require for their proper solution the most intimate and disinterested cooperation of all parties and all interests, and can not be postponed without manifest peril to our people and to all the national advantages we hold most dear. May I mention a few of the matters which can not be handled with intelligence until the country knows the character of the peace it is to have? I do so only by a very few samples.

The copper mines of Montana, Arizona, and Alaska, for example, are being kept open and in operation only at a great cost and loss, in part upon borrowed money; the zinc mines of Missouri, Tennessee, and Wisconsin are being operated at about one-half their capacity; the lead of Idaho, Illinois, and Missouri reaches only a portion of its former market; there is an immediate need for cotton belting, and also for lubricating oil, which can not be met—all because the channels of trade are barred by war when there is no war. The same is true of raw cotton, of which the Central Empires alone formerly purchased nearly 4,000,000 bales. And these are only examples. There is hardly a single raw material, a single important foodstuff, a single class of manufactured goods which is not in the same case. Our full, normal profitable production waits on peace.

Our military plans, of course, wait upon it. We can not intelligently or wisely decide how large a naval or military force we shall maintain or what our policy with regard to military training is to be until we have peace not only, but also until we know how peace is to be sustained, whether by the arms of single nations or by the concert of all the great peoples. And there is more than that difficulty involved. The vast surplus properties of the Army include not food and clothing merely, whose sale will affect normal production, but great manufacturing establishments also which should be restored to their former uses, great stores of machine tools, and all sorts of merchandise which must lie idle until peace and military policy are definitely determined. By the same token there can be no properly studied national budget until then.

The nations that ratify the treaty, such as Great Britain, Belgium, and France, will be in a position to lay their plans for controlling the markets of central Europe without competition from us if we do not presently act. We have no consular agents, no trade representatives there to look after our interests.

There are large areas of Europe whose future will lie uncertain and questionable until their people know the final settlements of peace and the forces which are to administer and sustain it. Without determinate markets our production can not proceed with intelligence or confidence. There can be no stabilization of wages because there can be no settled conditions of employment. There can be no easy or normal industrial credits because there can be no confident or permanent revival of business.

But I will not weary you with obvious examples. I will only venture to repeat that every element of normal life amongst us depends upon and awaits the ratification of the treaty of peace; and also that we can not afford to lose a single summer's day by not doing all that we can to mitigate the winter's suffering, which, unless we find means to prevent it, may prove disastrous to a large portion of the world, and may, at its worst, bring upon Europe conditions even more terrible than those wrought by the war itself.

Nothing, I am led to believe, stands in the way of the ratification of the treaty except certain doubts with regard to the meaning and implication of certain articles of the covenant of the league of nations; and I must frankly say that I am unable to understand why such doubts should be entertained. You will recall that when I had the pleasure of a conference with your committee and with the Committee of the House of Representatives on Foreign Affairs at the White House in March last the questions now most frequently asked about the league of nations were all canvassed with a view to their immediate clarification. The covenant of the league was then in its first draft and subject to revision. It was pointed out that no express recognition was given to the Monroe doctrine; that it was not expressly provided that the league should have no authority to act or to express a judgment on matters of domestic policy; that the right to withdraw from the league was not expressly recognized; and that the constitutional right of the Congress to determine all questions of peace and war was not sufficiently safeguarded. On my return to Paris all these matters were taken up again by the commission on the league of nations and every suggestion of the United States was accepted.

The views of the United States with regard to the questions I have mentioned had, in fact, already been accepted by the commission and there was supposed to be nothing inconsistent with them in the draft of the covenant first adopted—the draft which was the subject of our discussion in March—but no objection was made to saying explicitly in the text what all had supposed to be implicit in it. There was absolutely no doubt as to the meaning of any one of the resulting provisions of the covenant in the minds of those who participated in drafting them, and I respectfully submit that there is nothing vague or doubtful in their wording.

The Monroe doctrine is expressly mentioned as an understanding which is in no way to be impaired or interfered with by anything contained in the covenant and the expression "regional understandings like the Monroe doctrine" was used, not because any one of the conferees thought there was any comparable agreement anywhere else in existence or in contemplation, but only because it was thought best to avoid the appearance of dealing in such a document with the policy of a single nation. Absolutely nothing is concealed in the phrase.

With regard to domestic questions article 16 of the covenant expressly provides that, if in case of any dispute arising between members of the league the matter involved is claimed by one of the parties "and is found by the council to arise out of a matter which by international law is solely within the domestic jurisdiction of that party, the council shall so report, and shall make no recommendation as to its settlement." The United States was by no means the only Government interested in the explicit adoption of this provision, and there is no doubt in the mind of any authoritative student of internatonal law that such matters as immigration, tariffs, and naturalization are incontestably domestic questions with which no international body could deal without express authority to do so. No enumeration of domestic questions was undertaken because to undertake it, even by sample, would have involved the danger of seeming to exclude those not mentioned.

The right of any sovereign State to withdraw had been taken for granted, but no objection was made to making it explicit. Indeed, so soon as the views expressed at the White House conference were laid before the commission it was at once conceded that it was best not to leave the answer to so important a question to inference. No proposal was made to set up any tribunal to pass judgment upon the question whether a withdrawing nation had in fact fulfilled "all its international obligations and all its obligations under the covenant." It was recognized that that question must be left to be resolved by the conscience of the nation proposing to withdraw; and I must say that it did not seem to me worth while to propose that the article be made more explicit, because I knew that the United States would never itself propose to withdraw from the league if its conscience was not entirely clear as to the fulfillment of all its international obligations. It has never failed to fulfill them and never will.

Article 10 is in no respect of doubtful meaning when read in the light of the covenant as a whole. The council of the league can only "advise upon" the means by which the obligations of that great article are to be given effect to. Unless the United States is a party to the policy or action in question, her own affirmative vote in the council is necessary before any advice can be given, for a unanimous vote of the council is required. If she is a party, the trouble is hers anyhow. And the unanimous vote of the council is only advice in any case. Each Government is free to reject it if it pleases. Nothing could have been made more clear to the conference than the right of our Congress under our Constitution to exercise its independent judgment in all matters of peace and war. No attempt was made to question or limit that right. The United States will, indeed, undertake under article 10 to "respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league," and that engagement constitutes a very grave and solemn moral obligation. But it is a moral, not a legal, obligation, and leaves our Congress absolutely free to put its own interpretation upon it in all cases that call for action. It is binding in conscience only, not in law.

Article 10 seems to me to constitute the very backbone of the whole covenant. Without it the league would be hardly more than an influential debating society.

It has several times been suggested, in public debate and in private conference, that interpretations of the sense in which the United States accepts the engagements of the covenant should be embodied in the instrument of ratification. There can be no reasonable objection to such interpretations accompanying the act of ratification provided they do not form a part of the formal ratification itself. Most of the interpretations which have been suggested to me embody what seems to me the plain meaning of the instrument itself. But if such interpretations should constitute a part of the formal resolution of ratification, long delays would be the inevitable consequence, inasmuch as all the many governments concerned would have to accept, in effect, the language of the Senate as the language of the treaty before ratification would be complete. The assent of the German Assembly at Weimar would have to be obtained, among the rest, and I must frankly say that I could only with the greatest reluctance approach that assembly for permission to read the treaty as we understand it and as those who framed it quite certainly understood it. If the United States were to qualify the document in any way, moreover, I am confident from what I know of the many conferences and debates which accompanied the formulation of the treaty that our example would immediately be followed in many quarters, in some instances with very serious reservations, and that the meaning and operative force of the treaty would presently be clouded from one end of its clauses to the other.

Pardon me, Mr. Chairman, if I have been entirely unreserved and plain-spoken in speaking of the great matters we all have so much at heart. If excuse is needed, I trust that the critical situation of affairs may serve as my justification. The issues that manifestly hang upon the conclusions of the Senate with regard to peace and upon the time of its action are so grave and so clearly insusceptible of being thrust on one side or postponed that I have felt it necessary in the public interest to make this urgent plea, and to make it as simply and as unreservedly as possible.

I thought that the simplest way, Mr. Chairman, to cover the points that I knew to be points of interest.

The CHAIRMAN. Mr. President, so far as I am personally concerned—and I think I represent perhaps the majority of the committee in that respect—we have no thought of entering upon argument as to interpretations or points of that character; but the committee is very desirous of getting information on certain points which seem not clear and on which they thought information would be of value to them in the consideration of the treaty which they, I think I may say for myself and others, desire to hasten in every possible way.

Your reference to the necessity of action leads me to ask one question. If we have to restore peace to the world it is necessary, I assume, that there should be treaties with Austria, Hungary, Turkey, and Bulgaria. Those treaties are all more or less connected with the treaty with Germany. The question I should like to ask is, what the prospect is of our receiving those treaties for action.

The PRESIDENT. I think it is very good, sir, and, so far as I can judge from the contents of the dispatches from my colleagues on the other side of the water, the chief delay is due to the uncertainty as to what is going to happen to this treaty. This treaty is the model for the others. I saw enough of the others before I left Paris to know that they are being framed upon the same set of principles and that the treaty with Germany is the model. I think that is the chief element of delay, sir.

The CHAIRMAN. They are not regarded as essential to the consideration of this treaty?

The PRESIDENT. They are not regarded as such; no, sir; they follow this treaty.

The CHAIRMAN. I do not know about the other treaties, but the treaty with Poland, for example, has been completed?

The PRESIDENT. Yes, and signed; but it is dependent on this treaty. My thought was to submit it upon the action of this treaty.

The CHAIRMAN. I should like, if I may, to ask a question in regard to the plans submitted to the commission on the league of nations, if that is the right phrase.

The PRESIDENT. Yes, sir.

The CHAIRMAN. You were kind enough to send us the draft of the American plan. When we were here in February, if I understood you rightly—I may be incorrect but I understood you to say that there were other drafts or plans submitted by Great Britain, by France, and by Italy. Would it be possible for us to see those other tentative plans?

The PRESIDENT. I would have sent them to the committee with pleasure, Senator, if I had found that I had them. I took it for granted that I had them, but the papers that remain in my hands remain there in a haphazard way. I can tell you the character of the other drafts. The British draft was the only one, as I remember, that was in the form of a definite constitution of a league. The French and Italian drafts were in the form of a series of propositions laying down general rules and assuming that the commission, or whatever body made the final formulation, would build upon those principles if they were adopted. They were principles quite consistent with the final action.

I remember saying to the committee when I was here in March—I have forgotten the expression I used—something to the effect that the British draft had constituted the basis. I thought afterwards that that was misleading, and I am very glad to tell the committee just what I meant.

Some months before the conference assembled, a plan for the league of nations had been drawn up by a British committee, at the head of which was Mr. Phillimore—I believe the Mr. Phillimore who was known as an authority on international law. A copy of that document was sent to me, and I built upon that a redraft. I will not now say whether I thought it was better or not an improvement; but I built on that a draft which was quite different, inasmuch as it put definiteness where there had been what seemed indefiniteness in the Phillimore suggestion. Then, between that time and the time of the formation of the commission on the league of nations, I had the advantage of seeing a paper by Gen. Smuts, of South Africa, who seemed to me to have done some very clear thinking, particularly with regard to what was to be done with the pieces of the dismembered empires. After I got to Paris, therefore, I rewrote the document to which I have alluded, and you may have noticed that it consists of a series of articles and then supplementary agreements. It was in the supplementary agreements that I embodied the additional ideas that had come to me not only from Gen. Smuts's paper but from other discussions. That is the full story of how the plan which I sent to the committee was built up.

The CHAIRMAN. Of course, it is obvious that the Gen. Smuts plan has been used. That appears on the face of the document.

The PRESIDENT. Yes.

The CHAIRMAN. Then there was a previous draft in addition to the one you have sent to us? You spoke of a redraft. The original draft was not submitted to the committee?

The PRESIDENT. No; that was privately, my own.

The CHAIRMAN. Was it before our commission?

The PRESIDENT. No; it was not before our commission.

The CHAIRMAN. The one that was sent to us was a redraft of that?

The PRESIDENT. Yes. I was reading some of the discussion before the committee, and some one, I think Senator BORAH, if I remember correctly, quoted an early version of article 10.

Senator BORAH. That was Senator JOHNSON.

Senator JOHNSON of California. I took it from the Independent.

The PRESIDENT. I do not know how that was obtained, but that was part of the draft which preceded the draft which I sent to you.

Senator JOHNSON of California. It was first published by Mr. Hamilton Holt in the Independent; it was again subsequently published in the New Republic, and from one of those publications I read it when examining, I think, the Secretary of State.

The PRESIDENT. I read it with the greatest interest, because I had forgotten it, to tell the truth, but I recognized it as soon as I read it.

Senator JOHNSON of California. It was the original plan?

The PRESIDENT. It was the original form of article 10; yes.

The CHAIRMAN. I was about to ask in regard to article 10, as the essence of it appears in article 2 of the draft which you sent, whether that was in the British plan—the Smuts plan—or the other plans?

Of course if there are no drafts of these other plans, we can not get them.

The PRESIDENT. I am very sorry, Senator. I thought I had them, but I have not.

The CHAIRMAN. Mr. Lansing, the Secretary of State, testified before us the other day that he had prepared a set of resolutions covering the points in the league, which was submitted to the American commission. You saw that draft?

The PRESIDENT. Yes.

The CHAIRMAN. No specific action was taken upon it?

The PRESIDENT. Not in a formal way.

The CHAIRMAN. Mr. President, I have no prepared set of questions, but there are one or two that I wish to ask, and will go to an entirely different subject in my next question. I desire to ask purely for information. Is it intended that the United States shall receive any part of the reparation fund which is in the hands of the reparation commission?

The PRESIDENT. I left that question open, Senator, because I did not feel that I had any final right to decide it. Upon the basis that was set up in the reparation clauses the portion that the United States would receive would be very small at best, and my own judgment was frequently expressed, not as a decision but as a judgment, that we should claim nothing under those general clauses. I did not because I coveted the moral advantage that that would give us in the counsels of the world.

Senator MCCUMBER. Did that mean we would claim nothing for the sinking of the *Lusitania?*

The PRESIDENT. Oh, no. That did not cover questions of that sort at all.

The CHAIRMAN. I understood that prewar claims were not covered by that reparation clause.

The PRESIDENT. That is correct.

The CHAIRMAN. I asked that question because I desired to know whether under the reparation commission there was anything expected to come to us.

The PRESIDENT. As I say, that remains to be decided.

The CHAIRMAN. By the commission?

The PRESIDENT. By the commission.

The CHAIRMAN. Going now onto another question, as I understand the treaty the overseas possessions of Germany are all made over to the five principal allied and associated powers, who apparently, as far as the treaty goes, have power to make disposition of them, I suppose by way of mandate or otherwise. Among those overseas possessions are the Ladrone Islands, except Guam, the Carolines, and, I think, the Marshall Islands. Has there been any recommendation made by our naval authorities in regard to the importance of our having one island there, not for territorial purposes, but for naval purposes?

The PRESIDENT. There was a paper on that subject, Senator, which has been published. I only partially remember it. It was a paper laying out the general necessities of our naval policy in the Pacific, and the necessity of having some base for communication upon those islands was mentioned, just in what form, I do not remember. But let me say this, there is a little island which I must admit I had not heard of before.

Senator WILLIAMS. The island of Yap?

The PRESIDENT. Yap. It is one of the bases and centers of cable and radio communication on the Pacific, and I made the point that the disposition, or rather the control, of that island should be reserved for the general conference which is to be held in regard to the ownership and operation of the cables. That subject is mentioned and disposed of in this treaty and that general cable conference is to be held.

The CHAIRMAN. I had understood, or I had heard the report, that our General Board of the Navy Department and our Chief of Operations, had recommended that we should have a footing there, primarily in order to secure cable communications.

The PRESIDENT. I think you are right, sir.

The CHAIRMAN. That we were likely to be cut off from cable communication—that is, that the cables were likely to pass entirely into other hands—unless we had some station there, and it seemed to me a matter of such importance that I asked the question.

I wish to ask this further question: There was a secret treaty between England and Japan in regard to Shantung; and in the correspondence with the British ambassador at Tokyo, when announcing the acquiesence of Great Britain in Japan's having the German rights in Shantung, the British ambassador added:

It is, of course, understood that we are to have the islands south of the Equator and Japan to have the islands north of the Equator.

If it should seem necessary for the safety of communication for this country that we should have a cable station there, would that secret treaty interfere with it?

The PRESIDENT. I think not, sir, in view of the stipulation that I made with regard to the question of construction by this cable convention. That note of the British ambassador was a part of the diplomatic correspondence covering that subject.

The CHAIRMAN. That was what I understood.

Senator MOSES. Was the stipulation that that should be reserved for the consideration of the cable conference a formally signed protocol?

The PRESIDENT. No; it was not a formally signed protocol, but we had a prolonged and interesting discussion on the subject, and nobody has any doubt as to what was agreed upon.

The CHAIRMAN. I asked the question because it seemed to me a matter of great importance.

The PRESIDENT. Yes; it is.

The CHAIRMAN. As a matter of self-protection, it seemed on the face of it that the treaty would give the five principal allied and associated powers the authority to make such disposition as they saw fit of those islands, but I did not know whether the secret treaty would thwart that purpose. I have no further questions to ask, Mr. President.

Senator BORAH. Mr. President, if no one else desires to ask a question, I want, so far as I am individually concerned, to get a little clearer information with reference to the withdrawal clause in the league covenant. Who passes upon the question of the fulfillment of our international obligations, upon the question whether a nation has fulfilled its international obligations?

The PRESIDENT. Nobody.

Senator BORAH. Does the council have anything to say about it?

The PRESIDENT. Nothing whatever.

Senator BORAH. Then if a country should give notice of withdrawal, it would be the sole judge of whether or not it had fulfilled its international obligations—its covenants—to the league?

The PRESIDENT. That is as I understand it. The only restraining influence would be the public opinion of the world.

Senator BORAH. Precisely; but if the United States should conceive that it had fulfilled its obligations, that question could not be referred to the council in any way, or the council could not be called into action.

The PRESIDENT. No.

Senator BORAH. Then, as I understand, when the notice is given, the right to withdraw is unconditional?

The PRESIDENT. Well, when the notice is given it is conditional on the faith of the conscience of the withdrawing nation at the close of the two-year period.

Senator BORAH. Precisely; but it is unconditional so far as the legal right or the moral right is concerned.

The PRESIDENT. That is my interpretation.

Senator BORAH. There is no moral obligation on the part of the United States to observe any suggestion made by the council?

The PRESIDENT. Oh, no.

Senator BORAH. With reference to withdrawing?

The PRESIDENT. There might be a moral obligation if that suggestion had weight, Senator, but there is no other obligation.

Senator BORAH. Any moral obligation which the United States would feel, would be one arising from its own sense of obligation?

The PRESIDENT. Oh, certainly.

Senator BORAH. And not by reason of any suggestion by the council?

The PRESIDENT. Certainly.

Senator BORAH. Then the idea which has prevailed in some quarters that the council would pass upon such obligation is an erroneous one, from your standpoint?

The PRESIDENT. Yes; entirely.

Senator BORAH. And as I understand, of course, you are expressing the view which was entertained by the commission which drew the league?

The PRESIDENT. I am confident that that was the view. That view was not formulated, you understand, but I am confident that that was the view.

Senator MCCUMBER. May I ask a question right here? Would there be any objection, then, to a reservation declaring that to be the understanding of the force of this section?

The PRESIDENT. Senator, as I indicated at the opening of our conference, this is my judgment about that: Only we can interpret a moral obligation. The legal obligation can be enforced by such machinery as there is to enforce it. We are therefore at liberty to interpret the sense in which we undertake a moral obligation. What I feel very earnestly is that it would be a mistake to embody that interpretation in the resolution of ratification, because then it would be necessary for other governments to act upon it.

Senator MCCUMBER. If they all recognized at the time that this was the understanding and the construction that should be given to that portion of the treaty, would it be necessary for them to act on it again?

The PRESIDENT. I think it would, Senator.

Senator MCCUMBER. Could they not accept it merely by acquiesence?

The PRESIDENT. My experience as a lawyer was not very long; but that experience would teach me that the language of a contract is always part of the debatable matter, and I can testify that in our discussions in the commission on the league of nations we did not discuss ideas half as much as we discussed phraseologies.

Senator MCCUMBER. But suppose, Mr. President, we should make a declaration of that kind, which would be in entire accord with your view of the understanding of all of the nations, and without further comment or action the nations should proceed to appoint their commissions, and to act under this treaty, would not that be a clear acquiescence in our construction?

The PRESIDENT. Oh, it might be, Senator, but we would not know for a good many months whether they were going to act in that sense or not. There would have to be either explicit acquiescense, or the elapsing of a long enough time for us to know whether they were implicitly acquiescing or not.

Senator MCCUMBER. I should suppose that when the treaty was signed, under present world conditions, all nations would proceed to act immediately under it.

The PRESIDENT. In some matters; yes.

Senator HARDING. Mr. President, assuming that your construction of the withdrawal clause is the understanding of the formulating commission, why is the language making the proviso for the fulfillment of covenants put into the article?

The PRESIDENT. Merely as an argument to the conscience of the nations. In other words, it is a notice served on them that their colleagues will expect that at the time they withdraw they will have fulfilled their obligations.

Senator HARDING. The language hardly seems to make that implication, because it expressly says, "Provided it has fulfilled its obligations."

The PRESIDENT. Yes.

Senator HARDING. If it were a matter for the nation itself to judge, that is rather a far-fetched provision, is it not?

The PRESIDENT. Well, you are illustrating my recent remark, Senator, that the phraseology is your difficulty, not the idea. The idea is undoubtedly what I have expressed.

Senator PITTMAN. Mr. President, Senator MCCUMBER has drawn out that it is your impression that the allied and associated powers have the same opinion of the construction of these so-called indefinite articles that you have. Is that construction also known and held by Germany?

The PRESIDENT. I have no means of knowing.

Senator PITTMAN. Germany, then, has not expressed herself to the commission with regard to these mooted questions?

The PRESIDENT. No; we have no expression from Germany about the league, except the expression of her very strong desire to be admitted to it.

Senator PITTMAN. And is it your opinion that if the language of the treaty were changed in the resolution of ratification, the consent of Germany to the change would also be essential?

The PRESIDENT. Oh, undoubtedly.

The CHAIRMAN. Mr. President, in that connection—I did not mean to ask another question—I take it there is no question whatever, under international law and practice, that an amendment to the text of a treaty must be submitted to every signatory, and must receive either their assent or their dissent. I had supposed it had been the general diplomatic practice with regard to reservations—which apply only to the reserving power, and not to all the signatories, of course—that with regard to reservations it had been the general practice that silence was regarded as acceptance and acquiescence; that there was that distinction between a textual amendment, which changed the treaty for every signatory, and a reservation, which changed it only for the reserving power. In that I may be mistaken, however.

The PRESIDENT. There is some difference of opinion among the authorities, I am informed. I have not had time to look them up myself about that; but it is clear to me that in a treaty which involves so many signatories, a series of reservations—which would ensue, undoubtedly—would very much obscure our confident opinion as to how the treaty was going to work.

Senator WILLIAMS. Mr. President, suppose for example that we adopted a reservation, as the Senator from Massachusetts calls it, and that Germany did nothing about it at all, and after-

wards contended that so far as that was concerned it was new matter, to which she was never a party: Could her position be justifiably disputed?

The PRESIDENT. No.

Senator BORAH. Mr. President, with reference to article 10—you will observe that I am more interested in the league than any other feature of this discussion—in listening to the reading of your statement I got the impression that your view was that the first obligation of article 10, to wit—

> The members of the league undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league—

was simply a moral obligation.

The PRESIDENT. Yes, sir; inasmuch as there is no sanction in the treaty.

Senator BORAH. But that would be a legal obligation so far as the United States was concerned if it should enter into it; would it not?

The PRESIDENT. I would not interpret it in that way, Senator, because there is involved the element of judgment as to whether the territorial integrity or existing political independence is invaded or impaired. In other words, it is an attitude of comradeship and protection among the members of the league, which in its very nature is moral and not legal.

Senator BORAH. If, however, the actual fact of invasion were beyond dispute, then the legal obligation, it seems to me, would immediately arise. I am simply throwing this out in order to get a full expression of views. The legal obligation would immediately arise if the fact of actual invasion were undisputed?

The PRESIDENT. The legal obligation to apply the automatic punishments of the covenant, undoubtedly; but not the legal obligation to go to arms and actually to make war. Not the legal obligation. There might be a very strong moral obligation.

Senator MCCUMBER. Just so that I may understand definitely what your view is on that subject, Mr. President, do I understand you to mean that while we have two different remedies, and possibly others, we would be the sole judge of the remedy we would apply, but the obligation would still rest upon us to apply some remedy to bring about the result?

The PRESIDENT. Yes. I can not quite accept the full wording that you used, sir. We would have complete freedom of choice as to the application of force.

Senator MCCUMBER. Would we not have the same freedom of choice as to whether we would apply a commercial boycott? Are they not both under the same language, so that we would be bound by them in the same way?

The PRESIDENT. Only in regard to certain articles. The breach of certain articles of the covenant does bring on what I have designated as an automatic boycott, and in that we would have no choice.

Senator KNOX. Mr. President, allow me to ask this question: Suppose that it is perfectly obvious and accepted that there is an external aggression against some power, and suppose it is perfectly obvious and accepted that it can not be repelled except by force of arms, would we be under any legal obligation to participate?

The PRESIDENT. No, sir; but we would be under an absolutely compelling moral obligation.

Senator KNOX. But no legal obligation?

The PRESIDENT. Not as I contemplate it.

Senator WILLIAMS. Mr. President, each nation, if I understand it, is, of course, left to judge the applicability of the principles stated to the facts in the case, whether there is or is not external aggression?

The PRESIDENT. Yes.

Senator WILLIAMS. And if any country should conclude that there was not external aggression, but that France or some other country had started the trouble indirectly, we would have the same right, if I understand it, that Italy had to declare that her alliance with Germany and Austria was purely defensive, and that she did not see anything defensive in it; so when you come to judgment of the facts, outside of the international law involved, each nation must determine, if I understand, whether or not there has been external aggression?

The PRESIDENT. I think you are right, sir. Senator [addressing Senator KNOX], you were about to ask something?

Senator KNOX. I only wanted to tell you that I asked that question because I was a little confused by the language of your message transmitting the proposed Franco-American treaty to the Senate, in which you said, in substance, and, I think, practically in these terms, that this is only binding us to do immediately what we otherwise would have been bound to do under the league of nations?

The PRESIDENT. Yes.

Senator KNOX. Perhaps I am mistaken with respect to its having been in that message. I am sure I am mistaken; it was not in that message; it was in the message that Mr. Tumulty gave out——

The CHAIRMAN. May 10.

Senator KNOX. Yes.

The PRESIDENT. Yes.

Senator KNOX. That it was merely binding us to do immediately, without waiting for any other power, that which we would otherwise have been bound to do under the terms of the league of nations.

The PRESIDENT. I did not use the word "bound," but "morally bound." Let me say that you are repeating what I said to the other representatives. I said, "Of course, it is understood we would have to be convinced that it was an unprovoked movement of aggression," and they at once acquiesced in that.

Senator MCCUMBER. Mr. President, there are a number of Senators who sincerely believe that under the construction of article 10, taken in connection with other clauses and other articles in the treaty, the council can suggest what we should do, and of course, while they admit the council can only advise and suggest, that it is nevertheless our moral duty to immediately obey the council, without exercising our own judgment as to whether we shall go to war or otherwise. Now, the public, the American people, a great proportion of them, have that same conviction, which is contrary to your view. Do you not think, therefore, that it would be well to have a reservation inserted in our resolution that shall so construe that section as to make it clear, not only to the American people but to the world, that Congress may use its own judgment as to what it will do, and that its failure to follow the judgment of the council will not be considered a breach of the agreement?

The PRESIDENT. We differ, Senator, only as to the form of action. I think it would be a very serious practical mistake to put it in the resolution of ratification; but I do hope that we are at liberty, contemporaneously with our acceptance of the treaty, to interpret our moral obligation under that article.

Senator PITTMAN. Mr. President, I understand that, under the former method, in your opinion, it would have to go back to Germany and the other countries; while under the latter method it would not be required to go back for ratification.

The PRESIDENT. Yes, sir; that is my judgment.

Senator KNOX. Mr. President, is it not true that such matters are ordinarily covered by a mere exchange of notes between powers, stating that they understand in this or that sense, or do not so understand?

The PRESIDENT. Yes, sir; ordinarily.

Senator KNOX. That would be a matter that would require very little time to consummate it, if these constructions have already been placed upon it in their conversations with you.

The PRESIDENT. But an exchange of notes is quite a different matter from having it embodied in the resolution of ratification.

Senator KNOX. If we embody in our resolution of ratification a statement that we understand section 10 or section 16 or section something else in a particular sense, and this Government, through its foreign department, transmits the proposed form of ratification to the chancellors of the other nations that are concerned in this treaty, and if those interpretations are the same as you have agreed upon with them in your conversations, I do not see how we would need anything more than a mere reply to that effect.

The PRESIDENT. It would need confirmation.

Senator KNOX. Yes; it would need confirmation in that sense.

The PRESIDENT. My judgment is that the embodying of that in the terms of the resolution of ratification would be acquiescence not only in the interpretation but in the very phraseology of the interpretation, because it would form a part of the contract.

Senator KNOX. It might with us, because we have so much machinery for dealing with treaties, but in other countries where it is much more simple I should think it would not be.

The PRESIDENT. It is simple legally, Senator; but, for example, this treaty has been submitted to legislatures to which the Government was not, by law, obliged to submit it, and it is everywhere being treated as a legislative matter—I mean, so far as the ratification is concerned.

Senator KNOX. You mean in countries where, under their constitutions, there are provisions that treaties ordinarily are not submitted to the legislative branch of the government, this treaty is being so submitted?

The PRESIDENT. So I understand.

Senator KNOX. Where there are two branches of the legislative department, an upper and a lower branch, do you know whether it is being submitted to both?

The PRESIDENT. I think not, sir. I am not certain about that; but my memory is it is not.

Senator FALL. Mr. President, the idea has struck me and I have entertained the view, since reading the treaty and the league, that Germany having signed the treaty but not being yet a member of the league, any reservations which we might make here would be met by Germany's either joining the league or refusing to join the league. It would not be submitted to her at all now, because she is not a member of the league? You catch the point?

The PRESIDENT. Yes. I differ with you there, Senator. One of the reasons for putting the league in the treaty was that Germany was not going to be admitted to the league immediately, and we felt that it was very necessary that we should get her acknowledgment—acceptance—of the league as an international authority, partly because we were excluding her, so that she would thereafter have no ground for questioning such authority as the league might exercise under its covenant.

Senator FALL. Precisely.

The PRESIDENT. Therefore, I think it would be necessary for her to acquiesce in a league the powers of which were differently construed.

Senator FALL. Precisely; but her acquiescence would be by her accepting the invitation, when extended, either to join the league or not to join the league. In other words, upon ratification by three of the powers a status of peace is established, and as to those three powers and Germany all the rules and regulations contained in the treaty of peace become operative. As to the other nations which have not ratified, the status of peace exists; that is, war has terminated. Now, that being the case, and Germany being out of the league—not having been invited to join the league—if in ratifying the treaty we ratify it with certain explanations or reservations, even in the ratifying resolution, when the time comes and Germany is invited to become a member of the league, or when she applies, under the admission clause of the league, for membership therein, if she enters she of course accepts our reservations. If she makes a qualified application, then it is for the league itself to consider whether she will be admitted?

The PRESIDENT. I do not follow your reasoning in the matter, Senator, because this is not merely a question of either membership or nonmembership. The covenant is a part of the treaty, it is a part of the treaty which she has signed, and we are not at liberty to change any part of that treaty without the acquiescence of the other contracting party.

Senator FALL. Well, Mr. President, of course it is not my purpose to enter into an argument, but we are here for information. There are provisions for the amendment of the articles. Germany is out of the league. Any amendment proposed by the other members of the league prior to her coming into the league would not be submitted to her, would it, she not being a member?

The PRESIDENT. I will admit that that point had not occurred to me. No, she would not.

Senator FALL. Then so far as we are concerned we could make a recommendation in the nature of an amendment.

Senator PITTMAN. She has already agreed by this treaty that she has signed that the members may amend it.

The PRESIDENT. Yes.

Senator FALL. Precisely, and we could come in with an amendment.

Senator HITCHCOCK. Did I understand your first reply to Senator FALL to be that Germany under this treaty already had a relationship to the league by reason of its international character, and its participation in a number of questions that Germany was interested in?

The PRESIDENT. Yes.

Senator HITCHCOCK. So that it has a relationship to the league of nations even before the time that it may apply for membership.

The PRESIDENT. Yes.

Senator MCCUMBER. Mr. President, you answered one question that I think possibly may need a little elucidation. If I remember rightly, in reference to reparation your statement was that the commission would have to decide whether the United States should claim her proportion of the reparation.

The PRESIDENT. That the commission would have to do it? No; we decide whether we claim it or not.

Senator MCCUMBER. That is what I want to make clear. I think the question was asked if the commission was to decide that, and I thought your answer said yes. That is the reason I asked the question.

The PRESIDENT. The claim would have to come from us, of course.

Senator MCCUMBER. It would have to be through an act of Congress, would it not?

The PRESIDENT. I would have to be instructed about that, Senator. I do not know.

Senator MCCUMBER. Whatever right the United States would receive under the treaty for reparation or indemnity is one that runs to the United States, and therefore to divest ourselves of that right would require an act of Congress.

The PRESIDENT. To divest ourselves of it? I suppose so.

Senator KNOX. In the question of the Japanese indemnity, that was done by a joint resolution.

Senator MCCUMBER. I thought the President said it would have to be decided by the constituted authority.

Senator KNOX. I did not understand that he said that.

Senator SWANSON. I understand that the reparation is to be decided upon a representation made by the associated powers. It would seem that the President under that agreement with France, Great Britain, and other nations would have to submit it to the Senate for ratification, and the agreement would have to be reported.

Senator MCCUMBER. In each case it would have the force of law.

Senator SWANSON. If the Senate wanted to ratify it, it would take an act of Congress.

Senator WILLIAMS. This question of reparation does not in any way affect our rights to prewar indemnities.

The PRESIDENT. That is expressly stated.

Senator WILLIAMS. That is expressly stated. Now, then, one other question. Germany has signed this treaty with the covenant of the league in it, and she is subject to be dealt with as a nonmember under the treaty, and has very much fewer privileges than a member?

The PRESIDENT. Yes.

Senator NEW. Mr. President, may I ask a question there? What effort was made by the delegates there to prevent the proceedings of the reparations committee being required to be secret?

The PRESIDENT. I beg your pardon, Senator.

Senator NEW. What effort, if any, was made by the American delegates to prevent the proceedings of the reparation commission from being required to be secret, and did the American delegates protest that America be omitted from this commission on account of that thing?

The PRESIDENT. Nothing was said about it, that I remember.

Senator BORAH. Mr. President, coming back for a moment to the subject from which we were diverted a moment ago, and coupling with article 10 article 11, in order that we may have the construction of the committee which framed the league as to both of those articles, as I understand it from your statement, the committee's view was that the obligations under articles 10 and 11, whatever they are, are moral obligations.

The PRESIDENT. Remind me of the eleventh. I do not remember that by number.

Senator BORAH (reading):

> Any war or threat of war, whether immediately affecting any of the members of the league or not, is hereby declared a matter of concern to the whole league, and the league shall take any action that may be deemed wise and effectual to safeguard the peace of nations.

What I am particularly anxious to know is whether or not the construction which was placed upon these two articles by the committee which framed the league was that it was a binding obligation from a legal standpoint, or merely a moral obligation.

The PRESIDENT. Senator, I tried to answer with regard to article 10.

Senator BORAH. Yes; exactly.

The PRESIDENT. I would apply it equally with regard to article 11, though I ought to hasten to say that we did not formulate these interpretations. I can only speak from my confident impression from the debates that accompanied the formulation of the covenant.

Senator BORAH. Yes; I understand; and your construction of article 11 is the same as that of article 10?

The PRESIDENT. Yes.

Senator BORAH. As to the question of legal obligation. That is all I desire to ask at present.

Senator HARDING. Right there, Mr. President, if there is nothing more than a moral obligation on the part of any member of the league, what avail articles 10 and 11?

The PRESIDENT. Why, Senator, it is surprising that that question should be asked. If we undertake an obligation, we are bound in the most solemn way to carry it out.

Senator HARDING. If you believe there is nothing more to this than a moral obligation, any nation will assume a moral obligation on its own account. Is it a moral obligation? The point I am trying to get at is, Suppose something arises affecting the peace of the world, and the council takes steps as provided here

to conserve or preserve, and announces its decision, and every nation in the league takes advantage of the construction that you place upon these articles and says, "Well, this is only a moral obligation, and we assume that the nation involved does not deserve our participation or protection," and the whole thing amounts to nothing but an expression of the league council.

The PRESIDENT. There is a national good conscience in such a matter. I should think that was one of the most serious things that could possibly happen. When I speak of a legal obligation, I mean one that specifically binds you to do a particular thing under certain sanctions. That is a legal obligation. Now a moral obligation is of course superior to a legal obligation, and, if I may say so, has a greater binding force; only there always remains in the moral obligation the right to exercise one's judgment as to whether it is indeed incumbent upon one in those circumstances to do that thing. In every moral obligation there is an element of judgment. In a legal obligation there is no element of judgment.

Senator JOHNSON of California. But, Mr. President, when a moral obligation is undoubted it will impel action more readily than a legal obligation.

The PRESIDENT. If it is undoubted, yes; but that involves the circumstances of the particular case, Senator.

Senator JOHNSON of California. Yes; necessarily.

Senator HARDING. In answering Senator KNOX a moment ago you spoke of a compelling moral obligation. Would you think that any less binding than a specific legal obligation?

The PRESIDENT. Not less binding, but operative in a different way because of the element of judgment.

Senator HARDING. But not less likely to involve us in armed participation?

The PRESIDENT. In trifling matters very much less likely.

Senator HARDING. To clear my slow mind, let me take a specific case. Suppose the allotted territory which comes under the control of Italy should in some way be assailed from the Balkan States and the council of the league should immediately look upon that as a threat of war involving other nations and should say that the nations of the league should immediately contribute an armed force to stop that war or to bring the attacking nation to terms, would we be a perfidious people, if I may use that term, or would we violate our obligations, if we failed to participate in the defense of Italy?

The PRESIDENT. We would be our own judges as to whether we were obliged in those circumstances to act in that way or not.

Senator HITCHCOCK. In such a case the council would only act unanimously, and our representative on the council of course would have to concur in any advice given.

The PRESIDENT. Certainly; we would always in such case advise ourselves.

Senator WILLIAMS. But if in such case, Mr. President, we concluded that the case provided for and prescribed had arisen and that the extraneous attack existed and that it fell within the terms of the treaty, then we would be untrue if we did not keep our word?

The PRESIDENT. Certainly.

Senator BORAH. In other words, then, that transfers the power to decide whether we should act from the Congress of the United States to one individual who sits on the council.

Senator WILLIAMS. No, it does not; it merely provides that when the council acts in accordance with the prescribed terms and we see that it has acted, then Congress will, as a matter of faith-keeping, act itself; and, if Congress does not, Congress will do a dishonorable thing.

Senator BORAH. Precisely so; so that the matter gets back to the point where one individual has bound Congress.

Senator HITCHCOCK. I hope my question to the President will not be interpreted in that way. My question to the President was whether the matter would even come before this country as the advice of the council until the American representative had concurred with the other eight members of the council. After he had concurred it would then be up to Congress to decide.

The PRESIDENT. You are quite right, Senator. And let me suggest that I find nothing was more clearly in the consciousness of the men who were discussing these very important matters than that most of the nations concerned had popular governments. They were all the time aware of the fact that it would depend upon the approving or disapproving state of opinion of their countries how their representatives in the council would vote in matters of this sort; and it is inconceivable to me that, unless the opinion of the United States, the moral and practical judgment of the people of the United States, approved, the representative of the United States on the council should vote any such advice as would lead us into war.

Senator BORAH. Mr. President, does the special alliance treaty with France which has been submitted to us rest upon any other basis as to legal and moral obligation than that of article 10 and article 11 which you have just described?

The PRESIDENT. No, sir.

Senator BORAH. That is also, as you understand it, simply our moral obligations which we enter into with France?

The PRESIDENT. Yes.

Senator WILLIAMS. All international obligations are moral ones.

Senator PITTMAN. There is one thing I do not understand about Senator BORAH's question. He has stated that he gathers from what you said that it all rests with our representative on the council. Even if our representative on the council advises as a member of the council, and the council is unanimous, is it not then still up to Congress either to accept or reject that advice?

The PRESIDENT. Oh, yes; but I understood the Senator to mean that it would be dependent on our representative.

Senator JOHNSON of California. May I take the example that was just suggested concerning the Balkan States and a possible attack upon the new territories of Italy. Assuming that that is a case of external aggression by the Balkan States concerning the new territory that Italy has acquired by the peace treaty, upon us rests a compelling moral obligation to do our part in preventing that, does there not?

The PRESIDENT. Yes.

Senator JOHNSON of California. And that compelling moral obligation would require us to use such means as would seem appropriate, either economic or force? Is not that correct?

The PRESIDENT. Deemed appropriate by whom? That is really the point.

Senator JOHNSON of California. Of course, deemed appropriate for the purpose of preventing and frustrating the aggression.

The PRESIDENT. Deemed by us appropriate?

Senator JOHNSON of California. I assume of necessity it would have to be deemed by us to bind us as a compelling moral obligation to prevent the aggression in the case named.

The PRESIDENT. Yes.

Senator MCCUMBER. Mr. President, I think, due to my own fault, I do not fully comprehend your distinction between a moral and a legal obligation in a treaty. If we enter into a treaty with France to defend her against aggression from Germany for any length of time, that is a legal obligation, is it not?

The PRESIDENT. Legal in the sense that a treaty is of binding force; yes.

Senator MCCUMBER. Yes; that is what I meant. It is as legal as any treaty could be made legal, and there is also a moral obligation to keep that treaty, is there not?

The PRESIDENT. Yes, sir. I happened to hear Senator KNOX say what I am glad to adopt. It is a legal obligation with a moral sanction.

Senator BORAH. That is true generally, is it not?

The PRESIDENT. Yes, Senator; but I have already defined in what special sense I use the word "legal."

Senator MCCUMBER. To my mind those two articles are legal obligations to be carried out by the moral conscience of the American people if the conditions justify it.

The PRESIDENT. You see we are speaking of two different fields, and therefore the language does not fit. In international law the word "legal" does not mean the same as in national law, and the word hardly applies.

Senator BORAH. I wish to ask some questions in regard to the secret treaties. I do not feel as free about those matters as I do about the league, because there are certain things that I recognize may not be entirely open for public consideration; but, nevertheless, in so far as we can, I should like to know when the first knowledge came to this Government with reference to the secret treaties between Japan, Great Britain, Italy, and France concerning the German possessions in Shantung?

The PRESIDENT. I thought that Secretary Lansing had looked that up and told you. I can only reply from my own knowledge, and my own knowledge came after I reached Paris.

Senator BORAH. We did get a reply from Mr. Lansing to the same effect so far as he was concerned. When did the secret treaties between Great Britain, France, and the other nations of Europe with reference to certain adjustments in Europe first come to your knowledge? Was that after you had reached Paris also?

The PRESIDENT. Yes; the whole series of understandings were disclosed to me for the first time then.

Senator BORAH. Then we had no knowledge of these secret treaties, as far as our Government was concerned, until you reached Paris?

The PRESIDENT. Not unless there was information at the State Department of which I knew nothing.

Senator BORAH. Do you know when the secret treaties between Japan, Great Britain, and the other countries were first made known to China?

The PRESIDENT. No, sir; I do not. I remember a meeting of what was popularly called the council of ten, after our reaching Paris, in which it was first suggested that all these understandings should be laid upon the table of the conference. That was some time after we reached there, and I do not know whether that was China's first knowledge of these matters or not.

Senator BORAH. Would it be proper for me to ask if Great Britain and France insisted upon maintaining these secret treaties at the peace conference as they were made?

The PRESIDENT. I think it is proper for me to answer that question, sir. I will put it in this way: They felt that they could not recede from them, that is to say, that they were bound by them, but when they involved general interests such as they realized were involved, they were quite willing, and indeed I think desirous, that they should be reconsidered with the consent of the other parties. I mean with the consent, so far as they were concerned, of the other parties.

Senator MOSES. Were all those treaties then produced, Mr. President?

The PRESIDENT. Oh, yes.

Senator MOSES. Did that include the secret arrangement with reference to Avlona?

The PRESIDENT. I do not recall that agreement, Senator. You mean with regard to Italy having Avlona?

Senator MOSES. Yes.

The PRESIDENT. If it did, I did not see it. I heard of it, but I can not say confidently that the terms were laid before us.

Senator MOSES. I recall in some statements you made in connection with Fiume that you referred to Italy receiving Avlona under some agreement previously arrived at, and in that statement you held that to be part compensation at least for any loss she might sustain in not having Fiume.

The PRESIDENT. I was referring to what I understood to be the agreement. I am simply now answering your question that I did not see that agreement in written terms.

Senator MOSES. Then, they were not produced in textual form?

The PRESIDENT. I do not know; they may have been and I may not have picked them up in the great mass of papers before me.

Senator MOSES. The purpose of my inquiry was to ascertain whether there was laid before the council of ten any textual agreements which transferred parts of the territory of one independent nation to another.

The PRESIDENT. Only those that have been spoken of.

Senator MOSES. That is to say, Shantung and Avlona?

The PRESIDENT. I say only those that we have had under general discussion. I can not enumerate them, but there are none that have not been produced so far as I know. That answers the question.

Senator MCCUMBER. The secret treaties to which you refer are those treaties which were made from time to time as the exigencies of the war required during the period of the war?

The PRESIDENT. Yes.

Senator MCCUMBER. And not treaties that were made prior to the war?

The PRESIDENT. Yes.

Senator WILLIAMS. Mr. President, I wish to ask you a question in order to see if the facts are clear in my own mind. As I understand the situation—and I should like to have you correct me if I am wrong—France and Great Britain both have stated that they were bound by certain treaties with Japan and they were perfectly willing, with Japan's consent, to reconsider those treaties, but that they were themselves bound if the other party to the treaty did not consent to reconsider. Is that about it?

The PRESIDENT. Yes.

Senator WILLIAMS. That is what I thought. Bound in honor is the only way a nation is bound in international affairs.

Senator SWANSON. Can you tell us, or would it be proper to do so, of your understanding with Japan as to the return of Shantung? That is a question which has been very much discussed.

The PRESIDENT. I have published the wording of the understanding, Senator. I can not be confident that I quote it literally, but I know that I quote it in substance. It was that Japan should return to China in full sovereignty the old Province of Shantung so far as Germany had had any claims upon it, preserving to herself the right to establish a residential district at Tsingtao, which is the town of Kiaochow Bay; that with regard to the railways and mines she should retain only the rights of an economic concession there, with the right, however, to maintain a special body of police on the railway, the personnel of which should be Chinese under Japanese instructors nominated by the managers of the company and appointed by the Chinese Government. I think that is the whole of it.

Senator POMERENE. That is, that the instructors should be confirmed by the Chinese Government?

The PRESIDENT. No; not exactly that. The language, as I remember it, was that they should be nominated by the managers of the railway company, and appointed by the Chinese Government.

Senator BORAH. Was that understanding oral?

Senator WILLIAMS. This rather curious question presents itself to my mind: As I understand, Japan has retained sovereignty for the 99 years of the lease only at Kiaochow, and 5 kilometers, or some such distance, back from the bay.

The PRESIDENT. She has not retained sovereignty over anything.

Senator WILLIAMS. She has not?

The PRESIDENT. I mean, she has promised not to.

Senator WILLIAMS. During the period of the lease?

The PRESIDENT. No; she has promised not to retain sovereignty at all. Senator BORAH asked whether this understanding was oral or otherwise. I do not like to describe the operation exactly if it is not perfectly discreet, but as a matter of fact this was technically oral, but literally written and formulated, and the formulation agreed upon.

Senator JOHNSON of California. When, Mr. President, is the return to be made?

The PRESIDENT. That was left undecided, Senator, but we were assured at the time that it would be soon as possible.

Senator JOHNSON of California. Did not the Japanese decline to fix any date?

The PRESIDENT. They did at that time, yes; but I think it is fair to them to say not in the spirit of those who wished it be within their choice, but simply that they could not at that time say when it would be.

Senator JOHNSON of California. The economic privileges that they would retain would give them a fair mastery over the Province, would they not, or at least the Chinese think so? Let me put it in that fashion, please.

The PRESIDENT. I believe they do, Senator. I do not feel qualified to judge. I should say that that was an exaggerated view.

Senator JOHNSON of California. But the Chinese feel that way about it, and have so expressed themselves?

The PRESIDENT. They have so expressed themselves.

Senator KNOX. Mr. President, the economic privileges that they originally acquired in Korea, and subsequently in inner and outer Mongolia, and in northern and southern Manchuria, have almost developed into a complete sovereignty over those countries, have they not?

The PRESIDENT. Yes, Senator; in the absence of a league of nations they have.

Senator KNOX. You think the league of nations would have prevented that, do you?

The PRESIDENT. I am confident it would.

Senator NEW. Mr. President, does not this indefinite promise of Japan's suggest the somewhat analogous case of England's occupation of Malta? She has occupied Malta for something like a century, I believe, under a very similar promise.

The PRESIDENT. Well, Senator, I hope you will pardon me if I do not answer that question.

Senator FALL. Mr. President, speaking of the duty of defense in reference to sovereignty, and of aggression with reference to sovereignty, in construing these different articles of the league, I have been curious to know who will defend the mandate territories or colonies if there should be external aggression.

The PRESIDENT. Primarily, the mandatory power.

Senator FALL. The mandatory power would have that character of sovereignty over the possession which would compel it as a duty to defend the mandate province?

The PRESIDENT. Yes.

Senator FALL. Then a qualified sovereignty would in that instance, at any rate, compel the mandatory of the league first to defend the colony?

The PRESIDENT. I should put it this way, Senator: We had in mind throughout the whole discussion of the mandate idea the analogy of trustees. The States taking those under mandates would be in the nature of trustees, and of course it is part of the trustee's duty to preserve intact the trust estate?

Senator FALL. But out of the funds of the trust estate?

The PRESIDENT. Oh, yes.

Senator FALL. Mr. President, I will not pursue that line at this time. I will say very frankly that I have prepared some questions which I wanted, for my own purposes, to put down in writing, and I had expected to ask them in sequence of you

after the other Senators had concluded. It will, however, evidently take quite a long while if we pursue the line which we are now pursuing, and particularly if the Senators themselves argue their own interpretations of the different clauses in the treaty.

Senator McCUMBER. Mr. President, I should like to get as definite an understanding as I can, at least, of how these promises of Japan to return Shantung are evidenced to-day. In what form do they appear?

The PRESIDENT. They are evidenced in a procès-verbal of the so-called council of four—the name that we ourselves used was very much more pretentious; we called ourselves the council of the principal allied and associated powers—but the four who used to confer, or rather the five, because Japan was there of course at that time.

Senator McCUMBER. The principal points were taken down in writing and read over and compared and preserved, were they?

The PRESIDENT. Not read over and compared, but preserved. The process each day was this, Senator: The matters discussed were summarized, and the conclusions reached were recorded in a procès-verbal, copies of which were distributed within 24 hours; and of course it was open to any one of the conferees to correct anything they might contain. Only in that sense were they corrected.

Senator McCUMBER. Where are those records kept now?

The PRESIDENT. They are in Paris, sir.

Senator McCUMBER. Is there any objection to their being produced for the committee?

The PRESIDENT. I think there is a very serious objection, Senator. The reason we constituted that very small conference was so that we could speak with the utmost absence of restraint, and I think it would be a mistake to make use of those discussions outside. I do not remember any blazing indiscretion of my own, but there may be some.

Senator McCUMBER. In those conversations it was fully understood that Japan was to return Shantung as soon as possible?

The PRESIDENT. Yes, sir.

Senator McCUMBER. Was there anything stated as to what was meant by "as soon as possible"—that is, to place it within any definite period at all?

The PRESIDENT. No, sir; no. We relied on Japan's good faith in fulfilling that promise.

Senator McCUMBER. Was there anything outside? If I go too far in my question you can signify it, Mr. President.

The PRESIDENT. How do you mean outside, Senator?

Senator McCUMBER. Was there anything said by Japan as to anything that she would want to do before she turned the territory over to China?

The PRESIDENT. No; nothing was mentioned.

Senator McCUMBER. Then, "as soon as possible" would naturally mean, would it not, as soon as the treaty has been signed under which she accepts the transfer from Germany?

The PRESIDENT. Well, I should say that it would mean that the process would begin then. Of course there would be many practical considerations of which I know nothing that might prolong the process.

Senator McCUMBER. And all that Japan reserves is the same that other great nations have reserved—certain concessions?

The PRESIDENT. A residential concession and economic concessions; yes, sir.

Senator McCUMBER. The same as Great Britain and France and other countries have retained there?

The PRESIDENT. Yes; and I ought to say that the representatives of Japan showed every evidence of wishing to put the matter upon just the same basis that the dealings of other nations with China have rested upon for some time.

Senator McCUMBER. The whole purpose of my question, Mr. President, is to satisfy my mind, if I can, that Japan will in good faith carry out her agreement.

The PRESIDENT. I have every confidence that she will, sir.

Senator POMERENE. Mr. President, if I may, I should like to ask a question or two along that same line. If this treaty should fail of ratification, then would not the opportunity be open to Japan to treat the Shantung question just as she has treated the Manchurian situation?

The PRESIDENT. I think so; yes.

Senator POMERENE. So that if the treaty should fail of ratification, China, so far as Shantung is concerned, would be practically at the mercy of Japan; whereas if the treaty is ratified, then at least she will have the benefit of the moral assistance of all the other signatory powers to the treaty to aid in the protection of Chinese rights?

The PRESIDENT. Senator, I conceive one of the chief benefits of the whole arrangement that centers in the league of nations to be just what you have indicated—that it brings to bear the opinion of the world and the controlling action of the world on all relationships of that hazardous sort, particularly those relationships which involve the rights of the weaker nations. After all, the wars that are likely to come are most likely to come by aggression against the weaker nations. Without the league of nations they have no buttress or protection. With it, they have the united protection of the world; and inasmuch as it is the universal opinion that the great tragedy through which we have just passed never would have occurred if the Central Powers had dreamed that a number of nations would be combined against them, so I have the utmost confidence that this notice beforehand that the strong nations of the world will in every case be united will make war extremely unlikely.

Senator MOSES. Mr. President, are these procès-verbaux to be deposited anywhere as a matter of public record?

The PRESIDENT. That had not been decided, Senator. Of course, if they were deposited as a matter of public record, there would be certain very great disadvantages.

Senator MOSES. Are they to be deposited with the secretariat of the league of nations?

The PRESIDENT. No, sir.

Senator MOSES. Without some such depository, how otherwise would this engagement of Japan, as embodied in the procès-verbal, be brought forward for enforcement?

The PRESIDENT. There would be as many copies of the procès-verbal as there were members of the conference in existence much longer than the time within which we shall learn whether Japan will fulfill her obligations or not.

Senator MOSES. You mean in the private papers of the personnel of the council of four?

The PRESIDENT. I would not call them private papers. I have a copy, Senator. I regard them as a public trust, not private papers, and I can assure you that they will not be destroyed.

Senator MOSES. Suppose that each member of the council of four had passed out of office, out of any position of power, at a time when it became evident that Japan was not keeping the engagement as it was embodied in the procès-verbal on the day when this record was made, in what manner would you expect that engagement to be brought forward for enforcement?

The PRESIDENT. I should deem it my duty—I can not speak for the others—to leave those papers where they could be made accessible.

Senator POMERENE. Mr. President, I have another question or two on the Shantung proposition that I should like to ask, if I may.

Assuming for the sake of the argument that there were to be some undue delay on the part of Japan in turning back to China her rights in Shantung, and that China were to make complaint to the council provided for in the league of nations, have you any doubt but that it would be taken up promptly by all the members of that council for their consideration and determination?

The PRESIDENT. No, sir; I have not any doubt of it.

Senator POMERENE. Another question: On yesterday Dr. Millard was before the committee, and he made the statement that there were 20 regional understandings similar to the Monroe doctrine. I desire to say, however, that in answer to a question——

The PRESIDENT. Did he name any of them?

Senator POMERENE. I asked him some questions afterwards, and in explanation he qualified that statement by saying that these were written agreements somewhat akin to the Lansing-Ishii agreement, so-called, and as to these with relation to China a part of them were as between Japan and China, and a part as between Great Britain and China; and he instanced the secret agreement with Japan respecting Shantung. What I desired to ask was this: Did any information come to the commission indicating that there were any regional understandings similar to the Monroe doctrine?

The PRESIDENT. None, whatever. The only agreements that I can imagine he was referring to are contained in the exchanges of notes which occurred between the Japanese and Chinese Governments in 1915 and 1918 with regard to the method and conditions of the return of Shantung Province to China.

Senator HITCHCOCK. Mr. President, I think it should be said also that later on in his testimony, either in answer to a question by Senator POMERENE, or perhaps in response to a question by Senator SWANSON, while the witness, Dr. Millard, stated that he deemed them regional understandings—those that he had in mind—he said very emphatically that they were totally unlike the Monroe doctrine, and would not come under that category.

The PRESIDENT. And in his sense every treaty that concerns territory anywhere affects a region, and is a regional understanding; but that is a very broad and vague meaning to attach to the word.

Senator JOHNSON of California. Mr. President, I am quite hesitant about asking certain questions which I wish to ask. I apologize in advance for asking them, and I trust you will stop me at once if they are questions which you deem inappropriate, or that ought not to be asked.

The PRESIDENT. Thank you.

Senator JOHNSON of California. First, we have pending now treaties of peace with Austria, with Hungary, with Bulgaria, and with the Ottoman Empire, all of which involve tremendous new territorial adjustments; and under those new territorial adjustments we will have our obligations, moral or otherwise, under the league of nations, of course. The new territorial adjustments about to be determined upon in these various treaties are really greater in extent, or quite as important, at least, as those that are provided for by the German treaty; are they not?

The PRESIDENT. I should say so; yes.

Senator JOHNSON of California. They will deal not only with the creation of the boundaries of new nations, but possibly with the subject of mandatories, too?

The PRESIDENT. Well, the treaties will not themselves deal with the mandatories. That is a matter that will be decided by the league.

Senator JOHNSON of California. Oh, yes.

The PRESIDENT. But the treaties will no doubt create certain territories which fall under the trusteeship which will lead to mandatories.

Senator JOHNSON of California. So that there is a very important—in fact, the most important—part of the territorial world settlement yet to be made?

The PRESIDENT. Well, in extent, yes, Senator; so far as the amount of territory covered is concerned, yes.

Senator JOHNSON of California. Not only in extent, but in their character, and in the numbers of peoples involved, too, Mr. President. Is not that accurate?

The PRESIDENT. Well, you may be right, Senator; I do not know.

Senator JOHNSON of California. I think you answered to Senator BORAH the question I am about to ask, so pardon me if it is repetitive. It is this: Was the United States Government officially informed, at any time between the rupture of diplomatic relations with Germany and the signing of the armistice, of agreements made by the allied Governments in regard to the settlement of the war?

The PRESIDENT. No; not so far as I know.

Senator JOHNSON of California. So far as you are aware, was it unofficially informed during that period?

The PRESIDENT. I would be more clear in my answer, Senator, if I knew just what you were referring to.

Senator JOHNSON of California. I am referring to the so-called secret treaties which disposed of territory among the belligerents.

The PRESIDENT. You mean like the treaty of London?

Senator JOHNSON of California. Yes; like the London pact.

The PRESIDENT. No; no, sir.

Senator JOHNSON of California. Could you state whether or not any official investigation was made by our Government to ascertain whether or not there were any such treaties of territorial disposition?

The PRESIDENT. There was no such investigation.

Senator JOHNSON of California. These specific treaties, then—the treaty of London, on the basis of which Italy entered the war; the agreement with Roumania, in August, 1916; the various agreements in respect to Asia Minor and the agreements consummated in the winter of 1917 between France and Russia relative to the frontiers of Germany, and particularly in relation to the Saar Valley and the left bank of the Rhine—none of these did we (and when I say "we" I mean you, Mr. President) have any knowledge of prior to the conference at Paris?

The PRESIDENT. No, sir. I can confidently answer that "No," in regard to myself.

Senator MCCUMBER. Senator JOHNSON, may I ask the President right here whether or not after we entered into the war any treaties were made between any of our cobelligerents that were not given to us?

The PRESIDENT. No, sir; I do not know of any.

Senator MCCUMBER. Then the secret treaties that you have reference to were made prior to the time we entered into the war?

The PRESIDENT. Yes, sir.

Senator MCCUMBER. After that, our cobelligerents withheld nothing from us; did they?

The PRESIDENT. They entered into no agreements.

Senator BORAH. Well, you asked, Senator, if they withheld anything from us. They withheld all that they had had previously?

The PRESIDENT. No, no; but he means, Did they withhold any agreement that they made after we entered the war?

Senator MCCUMBER. That is just what I meant.

Senator JOHNSON of California. We do not know of any engagements which have been made subsequent to our entering into the war?

The PRESIDENT. No, sir.

Senator JOHNSON of California. Those that I have referred to—and I say this, Senator, so that you will have no error in respect to it—I referred wholly, I think, to the treaties that were prior to our entry into the war.

The PRESIDENT. Yes.

Senator JOHNSON of California. Were you familiar, Mr. President, please, with any agreements that were made by the allied Governments with the Czecho-Slovak National Council, the Polish National Council, and the Jugo-Slav National Committee?

The PRESIDENT. I was aware of arrangements similar to those that we had ourselves made recognizing those national committees as provisional representatives of the people.

Senator JOHNSON of California. But merely as recognizing governments, and that these committees represented the peoples of the various countries?

The PRESIDENT. Yes; and the recognition was purely informal. It was not an international recognition, but an agreement to deal with them as representatives.

Senator JOHNSON of California. When our Government through you, Mr. President, in January, 1918, made the 14 points as the basis for peace, were those points made with the knowledge of the existence of the secret agreements?

The PRESIDENT. No; oh, no.

Senator JOHNSON of California. It was not intended, then, by the expression of these 14 points, to supplant the aims contained in the secret treaties?

The PRESIDENT. Since I knew nothing of them, necessarily not.

Senator JOHNSON of California. Yes; quite so. Do you know, Mr. President, or is it permissible for us to be told, whether France has special military agreements with Poland and Czecho-Slovakia?

The PRESIDENT. I know of none, sir.

Senator JOHNSON of California. Did China enter the war upon our advice—the advice of the United States?

The PRESIDENT. I can not tell, sir. We advised her to enter, and she soon after did. She had sought our advice. Whether that was the persuasive advice or not, I do not know.

Senator JOHNSON of California. Do you recall, Mr. President, that preceding that advice we had asked China, as one of the neutral nations, to sever diplomatic relations with Germany?

The PRESIDENT. Whether we had asked her?

Senator JOHNSON of California. Yes, sir.

The PRESIDENT. I do not recall, Senator. I am sure Mr. Lansing can tell, though, from the records of the department.

Senator JOHNSON of California. Do you know, Mr. President, whether or not our Government stated to China that if China would enter the war we would protect her interests at the peace conference?

The PRESIDENT. We made no promises.

Senator JOHNSON of California. No representations of that sort?

The PRESIDENT. No. She knew that we would as well as we could. She had every reason to know that.

Senator JOHNSON of California. Pardon me a further question: You did make the attempt to do it, too; did you not?

The PRESIDENT. Oh, indeed I did; very seriously.

Senator JOHNSON of California. And the decision ultimately reached at the peace conference was a disappointment to you?

The PRESIDENT. Yes, sir; I may frankly say that it was.

Senator JOHNSON of California. You would have preferred, as I think most of us would, that there had been a different conclusion of the Shantung provision, or the Shantung difficulty or controversy, at the Paris peace conference?

The PRESIDENT. Yes; I frankly intimated that.

Senator JOHNSON of California. Did it require the unanimous consent of the members of the peace conference to reach a decision like the Shantung decision?

The PRESIDENT. Every decision; yes, sir.

Senator JOHNSON of California. Do you recall, Mr. President, prior to the decision on the territorial question of Shantung, or of German rights in Shantung, the racial equality question coming before the peace conference?

The PRESIDENT. I remember that at one of the sessions called plenary sessions a resolution regarding that matter was in-

troduced by the Japanese representatives, but rather as an expression of opinion or hope, and it was not pressed for action.

Senator JOHNSON of California. Mr. President, the press at that time stated that it had gone to a vote—and I trust some one will correct me if I am in error—and that the vote was 11 to 6 upon the proposition. The dispatches at that time were to that effect.

The PRESIDENT. I was misled, Senator. You are referring to the commission on a league of nations?

Senator JOHNSON of California. Yes.

The PRESIDENT. There was a vote there. There never was a vote on any subject in the peace conference.

Senator JOHNSON of California. I confounded the two.

The PRESIDENT. Yes.

Senator JOHNSON of California. May I ask, if permissible, how the representatives of the United States voted upon that particular proposition?

The PRESIDENT. Senator, I think it is very natural you should ask that. I am not sure that I am at liberty to answer, because that touches the intimacy of a great many controversies that occurred in that conference, and I think it is best, in the interest of international good understanding, that I should not answer.

Senator JOHNSON of California. Do you know, Mr. President, whether or not the American commission at Paris urged that a definite sum of reparation be fixed in the treaty?

The PRESIDENT. It did.

Senator JOHNSON of California. Will you state, if appropriate, why that view did not prevail?

The PRESIDENT. No, Senator, I can not; and yet I dislike to decline, because it may create a misapprehension on your part. Let me see if I can explain it, without indiscretion: I would be very glad, gentlemen, to tell you all about it, if you will leave it out of the notes. May I do that?—because I do not wish to leave any wrong impression on your minds. The explanation is perfectly simple.

Senator BRANDEGEE. What is the question, please?

The PRESIDENT. The question is, Why was the policy urged by the United States, that we fix a definite sum of reparation in the treaty, not adopted?

Senator BORAH. I would be content to have it left out of the notes upon your request; but I am afraid it would still get to the public, and that would put us in an embarrassing position.

The PRESIDENT. It is not an explanation discreditable to anybody, but it is an international secret. I am quite at liberty to say that the United States financial representatives—who, by the way, made an admirable impression upon everybody over there—did advocate the fixing of a definite sum for reparation.

Senator FALL. Mr. President, may I ask, to clear up a difficulty in my own mind, whether you regard the answering of these questions as an indiscretion because of the fact that there are other negotiations pending which might be affected?

The PRESIDENT. Oh, no, sir; simply because they affect the internal political affairs of other countries.

Senator FALL. Then, in your judgment, these matters should never be given publicity?

The PRESIDENT. Matters of this sort.

Senator FALL. I say, matters of this sort that have been referred to, should, in your judgment, never be given publicity; and it is not because of pending or other negotiations?

The PRESIDENT. Oh, no; I think they should not be given publicity.

Senator JOHNSON of California. I thank you very much, Mr. President. That is all I desire to ask.

The PRESIDENT. You have been very considerate in putting your questions.

Senator FALL. Mr. President, as I suggested, I have prepared several written questions, for the purpose of concentrating my own ideas, and several of them, I may say, are somewhat in sequence, and I feel that if we are going to hold hearings all day—that is, if we are all going to have the time and do not get into arguments among ourselves—possibly it might be just to you to submit these questions, as I have prepared them, to you first, and allow you to look them over before I pursue the line of inquiry. However, that is, of course, entirely with you. They do not all refer directly to provisions of the treaty nor to the construction of the treaty, but to other matters relating to the treaty.

Senator JOHNSON of California. Before you do that, Senator, with the President's permission may I ask one or two more questions concerning Shantung which I omitted or forgot?

The PRESIDENT. Certainly, Senator.

Senator JOHNSON of California. First, did Japan decline to sign the award as made or provided in the peace treaty?

The PRESIDENT. Her representatives informed us, Senator, that they were instructed not to sign in that event.

Senator JOHNSON of California. Was the determination finally reached a balancing of the difficulties or the disadvantages that might arise because of the balancing of those advantages or disadvantages?

The PRESIDENT. I do not know that I could answer that either "yes" or "no," Senator. It was a matter of many conversations and of many arguments and persuasions.

Senator JOHNSON of California. Was the decision reached—if you will pardon the perfectly blunt question—because Japan declined to sign unless that decision was reached in that way?

The PRESIDENT. No; I do not think it would be true to say "yes" to that question. It was reached because we thought it was the best that could be got, in view of the definite engagements of Great Britain and France, and the necessity of a unanimous decision, which we held to be necessary in every case we have decided.

Senator JOHNSON of California. Great Britain and France adhered to their original engagements, did they not?

The PRESIDENT. They said that they did not feel at liberty to disregard them.

Senator JOHNSON of California. And you, Mr. President, were the one who was endeavoring to determine—I gather this from the news dispatches—the question upon its merits and its justice.

The PRESIDENT. Our Government was the only Government free under the circumstances; yes.

Senator JOHNSON of California. Yes, sir. Do you mind stating, or would you prefer not, what it was that caused you ultimately to accede to the decision that was demanded by Japan?

The PRESIDENT. Only the conclusion that I thought that it was the best that could be got under the circumstances.

Senator BRANDEGEE. May I interpolate there without disturbing you, Senator JOHNSON?

Senator JOHNSON of California. Yes, sir.

Senator BRANDEGEE. In Part 6 of the hearings before our committee, on page 182, Senator JOHNSON of California questioned Secretary Lansing. [Reading:]

> Senator JOHNSON of California. Was the Shantung decision made in order to have the Japanese signatures to the league of nations?
> Secretary LANSING. That I can not say.
> Senator JOHNSON of California. In your opinion, was it?
> Secretary LANSING. I would not want to say that, because I really have not the facts on which to form an opinion along that line.
> Senator JOHNSON of California. Would the Japanese signatures to the league of nations have been obtained if you had not made the Shantung agreement?
> Secretary LANSING. I think so.
> Senator JOHNSON of California. You do?
> Secretary LANSING. I think so.
> Senator JOHNSON of California. So that even though Shantung had not been delivered to Japan, the league of nations would not have been injured?
> Secretary LANSING. I do not think so.
> Senator JOHNSON of California. And you would have had the same signatories that you have now?
> Secretary LANSING. Yes; one more, China.
> Senator JOHNSON of California. One more, China. So that the result of the Shantung decision was simply to lose China's signature rather than to gain Japan's?
> Secretary LANSING. That is my personal view, but I may be wrong about it.
> Senator JOHNSON of California. Why did you yield on a question on which you thought you ought not to yield and that you thought was a principle?
> Secretary LANSING. Because naturally we were subject to the direction of the President of the United States.
> Senator JOHNSON of California. And it was solely because you felt that you were subject to the decision of the President of the United States that you yielded?
> Secretary LANSING. Yes.
> Senator JOHNSON of California. The decision is his?
> Secretary LANSING. Necessarily.

Now, I wondered whether Secretary Lansing was well informed about this question or not?

The PRESIDENT. Well, my conclusion is different from his, sir.

Senator BRANDEGEE. You could not have got the signature of Japan if you had not given Shantung to Japan?

The PRESIDENT. That is my judgment.

Senator BRANDEGEE. You say you were notified to that effect?

The PRESIDENT. Yes, sir.

Senator SWANSON. As I understand, you were notified that they had instructions not to sign unless this was included.

The PRESIDENT. Yes.

Senator BORAH. And was it your judgment that after the treaty had been ratified, China's rights would be protected and Japan would surrender to China what she said she would?

The PRESIDENT. Yes.

Senator SWANSON. As I understand it, you consider this verbal agreement effective as relating to Shantung and you understood that this conveyance would be followed by a conveyance to China.

The PRESIDENT. Not to supersede it, but the action by Japan is to follow.

Senator JOHNSON of California. I beg your pardon, what was your question?

Senator SWANSON. The conveyance or retransfer of the German possessions in Shantung is to be followed by Japan's conveyance of this back to China, according to this agreement. One is as effective as the other.

Senator JOHNSON of California. Yes; but, Mr. President, you would have much preferred to have a different disposition, notwithstanding the promise of Japan, in the treaty, would you not?

The PRESIDENT. Yes, sir.

Senator FALL, would this be a practical suggestion? I have no objection to sitting here all day. Indeed, I have taken the liberty of having lunch prepared, if the gentlemen of the committee would be kind enough to join me. But since your questions are written, perhaps you might leave them with me and let me give such answers as I feel I can.

Senator FALL. Precisely, Mr. President. I can say to you, sir, that I prepared the questions with some care for the purpose of informing myself, and I think that it might not be entirely fair to you to answer offhand a series of questions, when I have the theory in mind along which I am propounding the questions—that is, one may lead to another—and I think it would be only fair to you that you might have the questions so you can read them and follow it.

The PRESIDENT. Will you state the theory at the top? [Laughter.]

Senator FALL. There are two or three theories. The first question that I would like to ask is, "In your judgment have you not the authority by proclamation to declare in words that peace exists, and thus restore the status of peace between the Government and the people of this country and those with whom we declared war?" If you choose, I will read the following question.

The PRESIDENT. That sets the key to them, I suppose.

Senator FALL. To several of them. Then there are others along other lines, one of which leads to another.

The PRESIDENT. I would be happy to answer them as far as I can.

Senator FALL. That can be done later or now, just as you please.

Senator WILLIAMS. Suppose we take a recess.

The CHAIRMAN. I do not know whether there are any more questions.

The PRESIDENT. I had thought that I would send you in the replies.

Senator FALL. That would certainly be satisfactory to me. You would have no objection to the same publicity that is being given now?

The PRESIDENT. No.

Senator FALL. There are two or three different lines of questions.

Senator MCCUMBER. You would probably get more clear information if you take that method.

Senator FALL. I think so. They are not in any sense, Mr. President, prepared as catch questions, otherwise I would not submit them to you. If you were on the stand, and I were cross-examining you as a witness, I would prefer not to let you see the whole series of questions. But I think that is fair, and so far as I am concerned if it is satisfactory to you it would be more satisfactory to me.

Senator BRANDEGEE. In reply to Senator LODGE's inquiry I jotted down a few questions at random with the idea of asking some if they had not been touched upon by other members of the committee. I have some that I would like to ask, but I want to conform to the convenience of the President and the committee as to when it shall be done. I do not mean to delay you on your luncheon hour or anything of that kind.

The PRESIDENT. The luncheon hour is 1 o'clock, and I was in hopes that you gentlemen would remain for lunch.

Senator BRANDEGEE. I do not want to absorb the remaining time if other Senators want to go on now. I am perfectly willing to wait until they are finished.

Senator HARDING. I would like to hear your questions.

Senator BRANDEGEE. I am not sure what questions I will ask except I made some notes.

Senator WILLIAMS. I would rather come back to-morrow morning at half-past 10.

Senator HITCHCOCK. We have an engagement to-morrow morning for the committee.

The CHAIRMAN. I think we must have some consideration for the President's time.

Senator HARDING. I just want to reserve one question.

Senator BRANDEGEE. Do you not want to ask it now?

The CHAIRMAN. We have until 1 o'clock.

Senator BRANDEGEE. I have here the President's statement which he read to us when we met here this morning, and in it he states:

> Nothing, I am led to believe, stands in the way of the ratification of the treaty except certain doubts with regard to the meaning and implication of certain articles of the covenant of the league of nations; and I must frankly say that I am unable to understand why such doubts should be entertained.

Now, I do not believe the President is correctly informed as to the situation if he believes that. There are things in the treaty itself which militate against the ratification, in my opinion, of the treaty without amendment. Did you have in mind, Mr. President, when you read that to us, the Shantung provision of the treaty?

The PRESIDENT. I certainly had that in mind, Senator, but I did not understand that that stood in the way of ratification. I am, of course, acting only upon such information as I have received.

Senator BRANDEGEE. I understand—and that is the reason of taking the liberty of suggesting to you that you may not be well informed in this respect. Of course there is opposition by a great many Senators to the entire covenant of the league of nations, which I have no doubt you know, that is, article 1 of the treaty of Versailles. Then there is opposition to the various parts of the covenants of the league and not to the whole league, by other Senators. Then there is a great opposition, fundamental and sincere, to the Shantung provision, which is in the body of the treaty itself, and which can only be cured by an amendment. As I understand it, no reservation that we could make in the resolution of ratification would be effective to strike out the Shantung provision. It must be cured, if it is cured, by a straight out-and-out amendment, striking that from the treaty. That, of course, would necessitate the resubmission of the treaty to the signatories who have already signed it.

Now, you state later on that every suggestion of the United States was accepted, that is after you went back, after you had your conference with us last March, and having obtained our views as to the necessity for certain changes in the first draft of the covenant, you state [reading]:

> The view of the United States with regard to the questions I have mentioned had, in fact, already been accepted by the commission and there was supposed to be nothing inconsistent with them in the draft of the covenent first adopted.

And omitting a few lines which do not apply to that you say [reading]:

> There was absolutely no doubt as to the meaning of any one of the resulting provisions of the covenant in the minds of those who participated in drafting them, and I respectfully submit that there is nothing vague or doubtful in their wording.

Of course that is your opinion, if I may say so.

The PRESIDENT. Yes, sir.

Senator BRANDEGEE. But you are familiar with the statements, I have no doubt, that ex-Senator Root, Chief Justice Hughes, Mr. Taft, and other able lawyers of the country have made with respect to the necessity for reservations if we are to ratify the treaty, are you not?

The PRESIDENT. Yes, sir.

Senator BRANDEGEE. That is, you admit that there are grave doubts among the ablest lawyers of the country as to the necessity for reservations or the alternative between reservations and ratifying the whole treaty, as it is expressed in the vernacular, without the dotting of an "i" or the crossing of a "t."

The PRESIDENT. I admit that there are those difficulties in a great many minds.

Senator BRANDEGEE. Now, of course, it is true, is it not, that if difficulties arise as to the construction of any provision of the treaty after we have passed from the scene, what we thought the provisions of the treaty or of the covenant meant, will not be very powerful in the construction that may be placed upon it by those who then have to determine what it means, will it?

The PRESIDENT. The vote of the United States will be essential.

Senator BRANDEGEE. I do not mean that. The fact that you think now that everything in the treaty is plain and that there is no doubt about the meaning of any provisions, and the fact that I think there is grave doubt about many of the provisions, will not seriously affect the opinion of the council or of the arbitrator that finally passes upon the true meaning of the treaty when dispute arises.

The PRESIDENT. No, Senator; but the plain wording of the treaty will have a great deal to do, and the meaning of the wording is plain.

Senator BRANDEGEE. That is simply another way of stating, is it not, that you are clear in your opinion that the provisions of the treaty are plain? But I am suggesting that there will be

a dispute between nations as to what the treaty means after we have passed from the scene.

The PRESIDENT. No, sir; it is a question of being confident of what language means, not confident of an opinion.

Senator BRANDEGEE. I mean, we derive our opinions as to the meanings of the treaty from the language of the treaty, do we not?

The PRESIDENT. Yes.

Senator BRANDEGEE. Now they would derive their construction of what the treaty means from the language of it, we not being there?

The PRESIDENT. Yes.

Senator BRANDEGEE. So that what we think about it now will not be determinative in an international court or before an arbitrator 20 years hence in case of a dispute between two nations as to the meaning of the treaty?

The PRESIDENT. Certainly not, but the language will.

Senator BRANDEGEE. Of course they will have the language before them, but the language which determines it is now in dispute between you and certain lawyers of the country and certain Senators as to its meaning. Now what provision is there in the treaty for the determination of a dispute as to the interpretation of a clause of the treaty if such dispute arises?

The PRESIDENT. The covenant states that there are certain questions which are acknowledged as being especially suitable for submission to arbitration. One of those is the meaning of the treaty.

Senator BRANDEGEE. What does the treaty provide about that?

The PRESIDENT. You have it there, sir.

Senator BRANDEGEE. Yes, sir; I wondered if you remembered it.

The PRESIDENT. I think I do so, but you have the language.

Senator BRANDEGEE. Yes. Article 12 of the league provides [reading]:

> The members of the league agree that if there should arise between them any dispute likely to lead to a rupture, they will submit the matter either to arbitration or to inquiry by the council, and they agree in no case to resort to war until three months after the award by the arbitrators or the report by the council.

That is, if there is a dispute, as I construe this, between members of the league as to the meaning of the covenant or any article thereof, it shall be referred to the arbitrators.

The PRESIDENT. Only if the parties agree.

Senator BRANDEGEE. Or to the council?

The PRESIDENT. Or to the council; yes.

Senator BRANDEGEE. That is, the council is to determine the meaning of the covenant?

The PRESIDENT. No, Senator; I beg your pardon. There are two processes. If the parties agree to submit to arbitration, of course it is submitted to arbitration, and the decision is final. If they think it is a question that they are not willing to submit to arbitration, then they must submit it to the council for an expression of opinion and a recommendation, but that opinion and recommendation do not bind.

Senator BRANDEGEE. Is there any possible way authoritatively of determining without war what the treaty means?

The PRESIDENT. That is true of every treaty, Senator. If you re-express it in the language of the Senators to whom you refer and there is a dispute about the meaning of that, the same would apply. You can not use any language, I assume, which could not possibly give rise to some sort of dispute.

Senator BRANDEGEE. I assume that if it provided that if there should arise between the members of the league any dispute in relation to the construction of any article of the covenant of the league of nations, such dispute should be referred to an arbitrator, and the members would agree to be bound by its decision; that would be an agreement for an authoritative determination of what the treaty meant.

The PRESIDENT. Yes.

Senator BRANDEGEE. Now, as it is they will submit the matter either to arbitration or to inquiry by the council, and so forth. Now, you say that the opinion of the council to which the dispute has been submitted is only advisory?

The PRESIDENT. Yes, sir.

Senator BRANDEGEE. Then suppose one party to the dispute against whom the council decides declines to abide by it?

The PRESIDENT. Then there is war, but not within three months of the opinion of the council.

Senator BRANDEGEE. Under article 10 the members of the league undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league. That is a contract between the signatories. We say: "We undertake to preserve the territorial integrity of the members against external aggression," which means that we contract to do it, does it not?

The PRESIDENT. We engage to do it.

Senator BRANDEGEE. It means an international contract, does it not, a compact, an agreement?

The PRESIDENT. Yes.

Senator BRANDEGEE. Whether that is a moral or legal obligation, it is an obligation?

The PRESIDENT. Yes.

Senator BRANDEGEE. Of course, it is a moral duty to keep a promise, and this is an international promise; so that the distinction between a moral obligation and a legal one seems to me to be not of great importance, because we are obligated in any event.

The PRESIDENT. Pardon me; I think it is of the greatest importance, because the element of judgment enters into it as it does not in the other.

Senator BRANDEGEE. You mean the judgment as to whether or not it is a moral obligation?

The PRESIDENT. No. For example, a question is submitted to arbitration and it is agreed that the decision shall be final. The judgment of one of the parties to the controversy may be that the decision is a very bad one, but it has to accept it; the element of judgment is excluded altogether; but, with regard to the method of fulfilling the obligations of a covenant like that under consideration there is freedom of judgment on the part of the individual members of the league. It seems to me that makes a very considerable difference.

Senator HARDING. Will the Senator permit me to interrupt right there?

Senator BRANDEGEE. I will.

Senator HARDING. I dislike to interrupt the Senator.

Senator BRANDEGEE. I yield to the Senator.

Senator HARDING. The President expressed awhile ago surprise that I raised a question as to the value of this compact because of the moral obligation feature. Let me premise by the statement that I look upon a moral obligation as that which the conscience of the contracting party impels. The conscience of any nation in Europe, for example, may be warped by its prejudices, racial, geographical, and otherwise. If that be true and any nation may put aside or exercise its judgment as to the moral obligation in accepting any recommendation of the league, really what do we get out of this international compact in the enforcement of any decree?

The PRESIDENT. We get the centering upon it generally of the definite opinion of the world, expressed through the authoritative organs of the responsible governments.

Senator HARDING. Another question: That is surrendering the suggestion of a moral obligation for this Republic to the prejudices or necessities of the nations of the Old World, is it not?

The PRESIDENT. I do not understand that we make such a surrender.

Senator HARDING. Would you not understand a decree by the council to be a suggestion of this moral obligation?

The PRESIDENT. Certainly I would, but we would have to concur in that before it had any force of any kind.

Senator HARDING. Would it not be quite as moral for this Republic itself to determine its moral obligations?

The PRESIDENT. Undoubtedly, Senator; but in the meantime the world would not have the knowledge before it that there will be concerted action by all the responsible governments of the world in the protection of the peace of the world. The minute you do away with that assurance to the world you have reached the situation which produced the German war.

Senator HARDING. What becomes of our standing among nations if the council fixes a moral obligation upon us and we reject the judgment of the council as to the moral obligation?

The PRESIDENT. Pardon me if I remind you that we always have to concur in that.

Senator HARDING. Precisely; but the council state what constitutes the moral obligation, if we agree; but if we do not agree, then, in the eyes of the world we have rejected its judgment as to a moral obligation.

The PRESIDENT. Certainly; and I hold that we are at liberty to do that, if our moral judgment honestly differs from the moral judgment of the world.

Senator HARDING. Then, let us go back to the original inquiry. What permanent value is there, then, to this compact?

The PRESIDENT. The greatest permanent value, Senator, is the point that I have raised. We are assuming that the United States will not concur in the general moral judgment of the world. In my opinion, she generally will. If it had been known that this war was coming on, her moral judgment would have concurred with that of the other Governments of the world, with that of the other peoples of the world; and if Germany had known that there was a possibility of that sort of concurrence, she never would have dared to do what she did. Without such notice served on the powers that may wish to repeat

the folly that Germany commenced, there is no assurance to the world that there will be peace even for a generation, whereas if they know beforehand that there will be that concert of judgment, there is the most tremendous guaranty.

Senator HARDING. But, Mr. President, nobody expressed for us our moral obligation to enter into this war. That was our own expression, was it not?

The PRESIDENT. Certainly; it was our concurrence in the judgment of the world.

Senator HARDING. One of the points I am getting at, if I can make it clear, is the necessity of a written compact for this Republic to fulfill its moral obligations to civilization.

The PRESIDENT. Senator, this Republic, if I interpret it rightly, does not need a suggestion from any quarter to fulfill its moral obligations.

Senator HARDING. I quite agree with that.

The PRESIDENT. But it steadies the whole world by its promise beforehand that it will stand with other nations of similar judgment to maintain right in the world.

Senator FALL. Mr. President, then if the commissioner of the United States on the council were to join with the other members of the council in fixing a moral obligation upon the United States, and the Congress and the President, acting as part of the legislative branch of the Government, were to reject that judgment, would it not have a very disastrous effect upon the league, throw the world into chaos, and undo all that has been done?

The PRESIDENT. It might; but you are assuming a case——

Senator FALL. Certainly; we have to assume cases.

The PRESIDENT. Where we would have to assume that responsibility, because, being part of the Government, we would in every case really express the judgment of the American people, and if the unhappy time should ever come when that judgment is against the judgment of the rest of the world we would have to express it.

Senator FALL. Certainly, Mr. President, I am possibly looking, as Bacon said, at a distance.

Senator MCCUMBER. Would our moral conviction of the unrighteousness of the German war have brought us into this war if Germany had not committed any acts against us, without the league of nations, as, of course, we had no league of nations at that time?

The PRESIDENT. I hope it would eventually, Senator, as things developed.

Senator MCCUMBER. Do you think if Germany had committed no act of war or no act of injustice against our citizens that we would have gotten into this war?

The PRESIDENT. I do think so.

Senator MCCUMBER. You think we would have gotten in anyway?

The PRESIDENT. I do.

Senator BRANDEGEE. If I may be allowed to resume, for I kept still all morning——

Senator FALL. If the Senator will pardon me a moment, I am going to ask the President to excuse me, as I have an engagement.

The PRESIDENT. I am sorry, Senator, that you are obliged to leave.

Senator FALL. I regret, sir, that I have an engagement with my wife, who is not in very good health.

Senator BRANDEGEE. Now, if I may proceed without interruption, which breaks the continuity of my thought and uses a great deal of time, I will be through in a very few minutes. As I understand the President, his construction of article 10 is that if the council considers the question of external aggression upon a member of the league, we, having signed this treaty with article 10 in it, in which we undertake to preserve against external aggression the territorial integrity of all members of the league, can then say, it is a moral question into which the element of judgment enters and we, considering our judgment binding at the time, do not care to agree to the recommendation of the council. If every member of the league is at liberty to take that view of its moral and legal obligations under article 10, and declines to do what the council recommends, and if it is known in advance that that is the construction placed upon article 10 by those who framed it, it does not seem to me—and this is merely my opinion—that the terror to wrongdoers by what is hoped to be the united, concerted action of the members of the league in the concentration of its powers to suppress the wrongdoer will have the effect that the President thinks it will. In other words, I do not think that Germany would have refrained from war if she had known that article 10 was in existence.

Article 10 says:

> In case of any such aggression, or in case of any threat or danger of such aggression, the council shall advise upon the means by which this obligation shall be fulfilled.

There is no doubt that that is an obligation in a contract, and I know of but one way to perform an obligation that you have contracted to perform, and that is to perform it. I do not think that it admits of any qualifications after you sign the treaty. I want to call attention also to the fact that the external aggression which we undertake, if we sign this treaty, to repel or guarantee against is not stated in the treaty at all to be an unwarranted aggression. I wish to ask the President if the league were in existence and Hungary and Roumania were members of it, and Roumania were in the position she now is, having raided the territorial integrity of Hungary and marched through its capital and occupied it, and the council, as its duty would be under the covenant, considered what was best to be done and advised us to send immediately to cooperate with them 100,000 men, whether we would be at liberty to discuss whether we were morally bound by article 10 of the covenant and decline to send the men, and, if we were, could we do it without risking being called an "international slacker" by the other members of the league?

The PRESIDENT. Senator, since you have made the case a concrete one I am afraid I ought not to answer it, because it involves a judgment as between Roumania and Hungary.

Senator BRANDEGEE. I withdraw the names of the two countries, and assume the circumstances.

The PRESIDENT. Let me say that I take it for granted that in practically every case the United States would respond; but that does not seem to be the question. I quite agree with you that a moral obligation is to be fulfilled, and I am confident that our Nation will fulfill it, but that does not remove from each individual case the element of judgment which we are free to exercise in two stages: We are, first, free to exercise it in the vote of our representative on the council, who will of course act under instructions from the home Government; and, in the second place, we are to exercise it when the President, acting upon the action of the council, makes his recommendation to Congress. Then, Congress is to exercise its judgment as to whether or not the instructions of the Executive to our member of the council were well-founded, and whether the case is one of distinct moral obligation.

Senator BRANDEGEE. Suppose that each member of the council, as you say, acting under instructions from its home Government, including our representative on the council, should think, for instance, that Roumania was entirely right in some invasion of Hungary, and public sentiment was that way, but that our Government instructed our representative to vote with the foreign members of the council to support Hungary—suppose the public sentiment of the other members and of the people of this country were in favor of Roumania, what sort of a position would we be in to fulfill our guaranty?

The PRESIDENT. In order to answer that question I must go a little bit afield. In the first place, I understand that article to mean that no nation is at liberty to invade the territorial integrity of another. That does not mean to invade for purposes of warfare, but to impair the territorial integrity of another nation. Its territorial integrity is not destroyed by armed intervention; it is destroyed by the retention of territory, by taking territory away from it; that impairs its territorial integrity. I understand the covenant to mean that that is in no case permissible by the action of a single nation against another; that there is only one permissible method and that is, if territorial arrangements are unsatisfactory, that they should be brought to the attention of the world through the league and that then the league should exercise such rights as it may be able to exercise for a readjustment of boundaries.

I believe that territorial aggression, in the sense of territorial capture, is, by the wording of the act, made illegitimate.

Senator BRANDEGEE. The words are not "territorial aggression," but "external aggression."

The PRESIDENT. But it says the preservation of its territorial integrity against external aggression.

Senator BRANDEGEE. Suppose the external aggressor, having gotten within the territory of the aggressee, stays there?

The PRESIDENT. Then that impairs the territorial integrity.

Senator BRANDEGEE. Certainly; and then on a call by the council for us to perform our international contract under article 10, if Congress does not favor performing it you think we would not be subject to criticism by the other members of the league?

The PRESIDENT. Oh, we might be subject to criticism; but I think Congress would be at liberty to form its own judgment as to the circumstances.

Senator BRANDEGEE. I agree with you entirely, and under our Constitution Congress would have to do so.

The PRESIDENT. Yes; that is understood by all.

Senator BRANDEGEE. Of course; but I am assuming if the council should advise us to do a certain thing, and Congress re-

fused to do it, and if every nation's representative assembly can do the same thing, it seems to me like a rope of sand and not an effective tribunal which would result in promoting peace.

The PRESIDENT. The reason I do not agree with you, Senator, is that I do not think such a refusal would likely often occur. I believe it would be only upon the gravest grounds—and in case Congress is right, I am indifferent to foreign criticism.

Senator BRANDEGEE. Of course, we would always think we were right, I assume. Now, I wish to call your attention to article 15. I do this simply because you think all these provisions are clear, and I want to say in that connection that we had Mr. Miller, who described himself as the technical expert or adviser to the American Peace Commission, especially, I think, on questions of international law.

The PRESIDENT. The League of Nations.

Senator BRANDEGEE. We had him before our committee, and he answered this question, that I am about to ask, in three different ways and we could not, of course, get much information from him; and he promised to take it under advisement and to give us his considered opinion, but he has not done so. Now, article 15, in the last two paragraphs provides:

> The council may in any case under this article refer the dispute to the assembly. The dispute shall be so referred at the request of either party to the dispute, provided that such request be made within 14 days after the submission of the dispute to the council.
>
> In any case referred to the assembly, all the provisions of this article and of article 12 relating to the action and powers of the council shall apply to the action and powers of the assembly, provided that a report made by the assembly, if concurred in by the representatives of those members of the league represented on the council and of a majority of the other members of the league, exclusive in each case of the representatives of the parties to the dispute, shall have the same force as a report by the council concurred in by all the members thereof other than the representatives of one or more of the parties to the dispute.

Now, in the first place, it says "represented on the council and of a majority of the other members of the league." Does that mean that the various members of the league have got to act upon that as separate Governments, or does it mean the representatives of the other members of the league?

The PRESIDENT. I do not quite understand that question.

Senator BRANDEGEE. It says:

> A report made by the assembly, if concurred in by the representatives of those members of the league represented on the council and of a majority of the other members of the league.

Does that mean there "and a majority of the other representatives of members of the league in the assembly"?

The PRESIDENT. Yes; I assume so.

Senator BRANDEGEE. But it does not say so. It leaves it as though the members of the league could act independently of their representatives and the assembly.

The PRESIDENT. Oh, no.

Senator BRANDEGEE. I assume it means what you say.

The PRESIDENT. Yes; I assume that.

Senator BRANDEGEE. Very well. Now, the question: Supposing there were a dispute between the United States and that portion of the British Empire known as the United Kingdom—England, Ireland, Scotland, and Wales—as to some right of one of our ships to enter an English port, for instance, and that dispute should come before the council, and, upon the request of Great Britain, it should be removed to the assembly. The article I have just read provides for a report concurred in "exclusive in each case of the representatives of the parties to the dispute."

The PRESIDENT. Yes.

Senator BRANDEGEE. Now, all the self-governing colonies of England, or at least five of them, have a vote in the assembly, and the British Empire also has a vote. I assume in the case of the dispute which I have supposed, of course, the United States would be excluded from voting, as being a party to the dispute; and I assume the British Empire would be excluded, but I am not sure.

The PRESIDENT. Yes, sir; that is what I assume.

Senator BRANDEGEE. Do you assume also that Australia, New Zealand, Canada, and India would be excluded?

The PRESIDENT. They are parts of the British Empire.

Senator BRANDEGEE. They are parts of the British Empire, but are they parties to the dispute which I have supposed to have arisen between us and England?

The PRESIDENT. I admit, Senator, that that is a complicated question; but my judgment about it is quite clear. I think I can give one instead of three answers.

Senator BRANDEGEE. Yes.

The PRESIDENT. Disputes can arise only through the Governments which have international representation. In other words, diplomatically speaking, there is only one "British Empire." The parts of it are but pieces of the whole. The dispute, therefore, in the case you have supposed, would be between the United States as a diplomatic unit and the British Empire as a diplomatic unit. That is the only ground upon which the two nations could deal with one another, whether by way of dispute or agreement. Therefore, I have assumed, and confidently assumed, that the representatives of all parts of the British Empire would be excluded.

Senator BRANDEGEE. I should think that would be only fair, and I would assume that; but Mr. Miller answered that question by saying first that he was in doubt; secondly, that the self-governing colonies of Great Britain or of the British Empire would not be excluded, because they were not parties to the dispute; and then, third, that they would be excluded because they were parts of the British Empire; and if the legal adviser of the commission was that much confused, I feel that I need not apologize for being confused myself.

The PRESIDENT. No; but the commission was not confused.

Senator KNOX. May I say this: I was not present at the meeting when Mr. Miller testified. The fact is that while it is technically true, as the President says, that the British self-governing colonies deal diplomatically through the British foreign office, it is only true in a most technical sense. They are absolutely autonomous, even in their diplomatic dealings, as to matters that affect them. For instance, I remember when the Canadian reciprocity agreement was negotiated in 1911, the delegates sent to negotiate the agreement were from Canada. Great Britain did not appear at the hearings or conferences at all, and in every sense Canada was just as autonomous in conducting her international negotiations as she would have been if she had been an absolutely independent government.

The PRESIDENT. Yes; but this, you see, Senator, is a combination of definite Governments that have definite international relations with each other.

Senator KNOX. But the fact that you give representation to Canada and Australia and New Zealand and other autonomous self-governing British colonies rather contradicts the idea, does it not, that they are one Government?

The PRESIDENT. I think not, sir; because in making up the constitution of the council it was provided, to speak with technical accuracy, that the five principal allied or associated Governments should each have one representative in the league; and in the opening paragraph of the treaty itself those powers are enumerated, and among others is the British Empire. "The Empire of Great Britain," I think, is the technical term. Therefore, their unity is established by their representation in the council.

Senator BRANDEGEE. Mr. President, I read from the treaty——

The CHAIRMAN. I was going to ask, if I may, what function do these five dominions of the British Empire have in the assembly?

The PRESIDENT. None, except the general powers of the assembly itself.

The CHAIRMAN. They have votes in the assembly?

The PRESIDENT. They have votes, but in a matter involving the British Empire, they would have but one vote among them.

The CHAIRMAN. But on all other matters, they would each have one vote?

The PRESIDENT. Yes.

Senator BRANDEGEE. I want to call the President's attention to the first page of the treaty with Germany, which says, after the preamble setting forth the desirability of the condition existing being replaced by a just and durable peace, "For this purpose, the high contracting parties represented as follows," and then it names them, and in the list is "His Majesty, the King of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the seas, Emperor of India, by his duly accredited officials, and the Dominion of Canada, the Commonwealth of Australia, the Dominion of South Africa, the Dominion of New Zealand," etc. Now, they are "high contracting parties"?

The PRESIDENT. Yes.

Senator BRANDEGEE. And if one of those high contracting parties has a dispute with another of the high contracting parties, by what inference are other high contracting parties made parties to the dispute?

The PRESIDENT. I think by the inference that I thought I established, sir——

Senator BRANDEGEE. But, if you will allow me to say so, it does not say that these parties, the self-governing British colonies, shall be excluded from participating in the deliberations because they may have some interest in the controversy.

The PRESIDENT. No.

Senator BRANDEGEE. They must be parties to the dispute. Now, if we have a dispute with England about the right of an

American ship to enter an English port, how can it be said that New Zealand or Australia is a party to that dispute?

The PRESIDENT. Because, Senator, in case of the worst coming to the worst, and war ensuing, we would be at war with all of them.

Senator BRANDEGEE. It may be that a blunder has been made in creating such a situation. It would not be determinative, in my opinion.

Now, on page 7 of the print that I have, which is Senate Document No. 49, Sixty-sixth Congress, first session, the last thing in the treaty is this statement:

> From the coming into force of the present treaty the state of war will terminate. From that moment and subject to the provisions of this treaty, official relations with Germany, and with any of the German States, will be resumed by the allied and associated powers.

The treaty itself provides that when Germany and three of the allied and associated powers have ratified the treaty it has come into force.

The PRESIDENT. As between those parties.

Senator BRANDEGEE. It does not say so.

The PRESIDENT. I beg your pardon, I think it does.

Senator BRANDEGEE. Here it is, Mr. President. [Handing pamphlet to the President.] I have read it, and there is no such language in it that I can discover.

The PRESIDENT. No; not the part that you read; I did not mean that; but in the part where the provision is referred to about ratification by Germany and three of the principal allied and associated powers.

Senator BRANDEGEE. I have read that with some care, and I have not seen it.

Senator KNOX. The language to which the President refers is the concluding paragraph of the treaty, and it provides that when the process of ratification shall have been completed by Germany and any three powers, the treaty shall come into force.

The PRESIDENT. As between them.

Senator KNOX. No; I beg your pardon, Mr. President. In a subsequent clause dealing with what I think is an entirely different matter—that is, the adjustments as between the nations, not adjustments as between the allied and associated powers and Germany—it comes into force whenever the ratifications are made; but if you will take the body of the treaty you will find that everything that Germany is to do is to be done within a certain number of days after the ratification has been made; and a certain number of months afterwards she is to demobilize, give up her ships, and do all things that will make her practically a noncombatant, within a number of days after ratification by three of the powers; so she is either at peace with the world, or she is only partially at peace with the world; and as the requirements of the treaty are specific that she is to go out of the war business altogether, there is a conclusive inference in my mind that she is at peace with the world when those three ratifications have been made.

The PRESIDENT. I can not agree with you there. You see, the theory is this: That when three of the principal allied and associated powers ratify this treaty, Germany having ratified it, then the treaty is in force; that is to say, she has then engaged to do the things provided in the treaty, and her engagement is with those three powers, among the rest, and she must then proceed to do what she has promised; but it does not establish peace between her and other countries.

Senator KNOX. I think that language shows that it establishes peace and provides for a resumption of diplomatic and all other relations with Germany. I intend, within a short time, to try to make my views upon that clear.

The PRESIDENT. Yes.

Senator BRANDEGEE. I went into that question rather thoroughly—"from the coming into force of the present treaty the state of war will terminate." Then it says, "From that moment, and subject to the provisions of this treaty, official relations with Germany and with any of the German States will be resumed by the allied and associated powers," which I assume means all of them.

Now, to revert to another point, Mr. President, have you any knowledge—and I ask all these questions, of course, subject to your determination as to whether it is proper for you to answer them, or to make any statement about them——

The PRESIDENT. Yes.

Senator BRANDEGEE. Are the Austrian, Bulgarian, and Turkish treaties, which I assume are in process of being made——

The PRESIDENT. Yes.

Senator BRANDEGEE (continuing). Intertwined with the covenant of the league of nations as is the treaty with Germany?

The PRESIDENT. The covenant of the league constitutes a part of each of those treaties.

Senator BRANDEGEE. Would you feel at liberty to state what percentage of progress they have made up to the present time, or how nearly completed they are?

The PRESIDENT. I think they are all practically completed, Senator, with the exception of some debatable questions of territorial boundaries.

Senator BRANDEGEE. Inasmuch as our Constitution provides that treaties shall be made by the President by and with the advice and consent of two-thirds of the Senators present, do you think that it is constitutional for us to approve the Franco-American treaty which provides that before it goes into operation—or substantially, I would say, before it goes into operation—it must secure the approval of the council of the league of nations?

The PRESIDENT. Why, yes; we can consent. We have the sovereign right to consent to any process that we choose, surely.

Senator BRANDEGEE. We have the right to consent, but of course the Senate has the constitutional right to ratify the treaty, negotiated and presented by the Executive, but my point is, have we a right to provide that in addition to the constitutional requirements for the making of a valid treaty there shall also be required the consent of the council of the league of nations, which the Constitution was not aware of?

The PRESIDENT. If that is a part of the treaty; yes, I think we have.

Senator BRANDEGEE. But you do not think that the treaty can in any way amend the Constitution or the constitutional requirements for executing a treaty?

The PRESIDENT. No.

Senator BRANDEGEE. Then by what process of ratiocination do you assume that the treaty can compel the consent of the council before this covenant is approved?

The PRESIDENT. Suppose you would determine that when any group of nations adopted a treaty then we could adopt the treaty that contained certain provisions that we wished to put in, and to make the operation of the treaty contingent upon its acceptance by the other nations in the group. It seems to me that that is an entirely analogous case. In other words, I am assuming that we adopt the treaty with Germany. In that case we will be members of the league. We are in effect saying that we have become members of the league. If the council of the league accepts this we agree to put it in force. It is a means of being consistent with the thing that we have already done in becoming a member of the league.

Senator BRANDEGEE. I get your viewpoint about that. Now, do you think it is wise for us to adopt the Franco-American treaty, which in substance provides that we can not denounce it until the council of the league of nations gives us permission to do so or agrees to denounce it?

The PRESIDENT. I do, Senator. I have a very strong feeling with regard to our historical relations with France, and also a very keen appreciation of her own sense of danger, and I think it would be one of the handsomest acts of history to enter into that.

Senator BRANDEGEE. I feel just as cordially toward her heroic conduct as anybody can. But that was not the question. The question was whether it was wise to so tie ourselves to any foreign nation as that we never could repudiate—I will not use the word "repudiate"—can never cancel our treaties without due notice, without the consent of a body not yet created.

The PRESIDENT. Of course I am assuming that body will be created before we adopt the Franco-American treaty, and in that case that provision that you are alluding to is only a completion of the idea of the treaty, namely, as I have been quoted as saying, this is an agreement on our part to anticipate the advice of the council of the league, as we shall take such and such measures to defend France. Inasmuch as we are anticipating that, we are assuming the action of the league, and therefore it is with the league and its action that the whole matter is bound up, and I think that the provision you allude to, therefore, is consistent and almost logically necessary.

Senator BRANDEGEE. Well, now, inasmuch as you have stated in your message—and I have of course agreed to it and have no doubt that it is true—that the Franco-American treaty is only designed for temporary purposes, the defense of France until the league says that it is competent to do it, or words to that effect——

The PRESIDENT. Yes.

Senator BRANDEGEE. Would it not be the part of prudence for us to include in the Franco-American treaty, if it should be ratified, a provision that it shall have some time limit put upon it, that it shall exist for not more than 10 years, say? I assume if the league is ever going to be effective to preserve the territorial integrity and political independence of its various members, it

will be in the course of 10 years, and there is no objection to having some time limit on the treaty.

The PRESIDENT. Only a psychological objection, the sentiment between the two countries.

Senator BRANDEGEE. The other alternative is to guarantee it forever or until the council of the league loosens us from it, is it not?

The PRESIDENT. Yes; when the council of the league will exist, among other uses should be that the whole international influence that could be brought to bear for the management of all these things will be present there to bring about this rearrangement.

Senator BRANDEGEE. Yes; I understand that. But the fact that we have a vote to loose ourselves does not help us, as unanimous action is required by nine gentlemen, any one of whom can prevent us.

The PRESIDENT. No, Senator; but the diplomatic relations of the different countries in that council will be such, if I may judge, that those things may be accomplished.

Senator BRANDEGEE. That is an optimistic view to take, if you will pardon my opinion about it.

The PRESIDENT. Perhaps it is.

Senator BRANDEGEE. I want to call your attention to the fact that this era of good feeling which exists between the allied and associated powers after their common experience and suffering in this great war may not always exist, in view of future commercial contests and separate interests of different nationalities which may occur in the future, and what some of us feel is that we ought to be careful in making these definite international engagements, which we are wisely determined to carry out in good faith if we should make them, and we feel that now is the time to understand exactly the obligations we are to be held to before we affix our signature, and I have no doubt that you agree to that.

The PRESIDENT. Yes.

Senator BRANDEGEE. I want to ask you a word or two about this so-called American draft. The American draft of the league which was sent to us in response to Senate resolution was the draft which was submitted by the American commission to the conference abroad?

The PRESIDENT. No.

Senator BRANDEGEE. It was the draft which was submitted by you as the head of the American commission to the American commission. Is that correct?

The PRESIDENT. Why, Senator, it was done as all other things of this sort were done over there. We circulated the draft among the representatives of the 14 States who were represented in the general league of nations, and they had 10 days or more to examine it. I also submitted it to my colleagues, not for any formal discussion but in order to have their opinion if they chose to express it. Then when the commission got down to its real work they appointed a committee.

Senator BRANDEGEE. Of the commission?

The PRESIDENT. No; of two officers of the commission. Well, they did form a committee, but that committee employed the services of two technical advisers. Mr. Miller was one of them and Mr. Hurst—not the Mr. Hurst that Mr. Miller mentioned.

Senator BRANDEGEE. He gave his initials as C. J. B.

The PRESIDENT. I have forgotten the initials.

Senator BRANDEGEE. He said he was an employee of the British State Department.

The PRESIDENT. Yes; he is a very able man. He was on the general drafting committee of the treaty, and Mr. Miller took the various documents that we have been reading and discussing and made a combined draft and it was that combined draft which was the subject of formal discussion and amendment and addition by the committee.

Senator BRANDEGEE. And that was the combined draft, the one that you sent to us the other day?

The PRESIDENT. No; Secretary Lansing was asked for it.

The CHAIRMAN. It was a composite draft. It came in yesterday.

Senator BRANDEGEE. I beg your pardon, I did not know about it. Was there any draft, no matter how incomplete, any skeleton draft or enumeration or substance for a draft for the so-called American plan for the covenant of the league of nations which you took with you from this country or was prepared over there by you?

The PRESIDENT. Only the one that I referred to earlier in this conference, Senator, when I had taken the Phillimore report as more or less of a basis of my work.

Senator BRANDEGEE. That was the only thing that you had in the nature of a skeleton draft when you left the country?

The PRESIDENT. Yes.

Senator BRANDEGEE. Did the Phillimore draft or report, whatever the proper term may be, contain anything like what is now article 10 of the covenant of the league?

The PRESIDENT. I do not remember.

Senator BRANDEGEE. You do not remember whether there was anything like that in that?

The PRESIDENT. Let me say this in regard to article 10. I believe this to be a part of the history of it. It is so far as I am concerned. Early in my administration, as I think many of the members know, I tried to get the American States, the States of Central and South America, to join with us in an arrangement in which a phrase like this constituted the kernel, that we guaranteed to each other territorial integrity and political independence. "Under a republican form of government" was added in that case. But that is another matter. As I represented to them at that time, it was a desire on my part, at any rate, to show the way to them of keeping things steady and preventing the kind of aggression they have had.

The CHAIRMAN. That was the subject of the Niagara conference?

Senator BRANDEGEE. The A. B. C. powers.

The PRESIDENT. I do not think it was discussed there, Senator. We discussed it diplomatically.

The CHAIRMAN. It was taken up at that time?

The PRESIDENT. It was taken up at that time.

Senator BRANDEGEE. Who was the author of article 10?

The PRESIDENT. I suppose I was as much as anybody.

Senator BRANDEGEE. And you recommended it to your fellow American commissioners?

The PRESIDENT. Yes.

Senator BRANDEGEE. How many Americans were on the commission which framed the covenant for the league of nations?

The PRESIDENT. Two—Col. House and myself.

Senator BRANDEGEE. The total membership was what? Fifteen, was it not?

The PRESIDENT. Fourteen nations, and five principal nations had two members, which would make 19, would it not? Yes, 19 members.

Senator BRANDEGEE. Did they have the unit rule, so to speak, casting one vote for each member?

The PRESIDENT. In only one or two instances did we vote at all. I presided and the final form was this, "If there are no objections we will regard that as accepted."

Senator BRANDEGEE. As we say in the Senate, "without objection it is agreed to."

The PRESIDENT. Yes; and that is the way the whole thing was agreed to.

Senator BRANDEGEE. Did these commissions to which the plenary conference delegated certain subjects to prepare reports upon have any coordination with each other? Did each commission know what the other commissions were doing?

The PRESIDENT. No; the subjects were too unlike.

Senator BRANDEGEE. Was there any debate on the completed draft of the covenant of the league of nations when it was submitted to the plenary council just before you came over in March?

The PRESIDENT. Yes; there were speeches.

Senator BRANDEGEE. I do not call those debates. I read that there were no debates as to what each particular government demanded.

The PRESIDENT. No; because there were so many of those represented, and they had all been canvassed in the process of formulation.

Senator BRANDEGEE. You replied to a resolution of the Senate requesting a copy of a letter of Gen. Tasker H. Bliss, which was also signed by Secretary Lansing——

The PRESIDENT. And Mr. White.

Senator BRANDEGEE. And Mr. White. You stated, if I recollect, in substance, that you would be glad to furnish us with a copy of it but for the fact that Gen. Bliss had mentioned the names of certain Governments and you thought it was a matter of delicacy not to make it public. Would it not be possible to furnish us with the general drift of the arguments, leaving out the names of the Governments, etc.?

The PRESIDENT. There was not any argument. He said flatly that it was unjust. It was not a reason.

Senator BRANDEGEE. It was an opinion.

The PRESIDENT. An opinion.

Senator BRANDEGEE. A conclusion.

Senator JOHNSON of California. With that, you agreed, Mr. President, did you not?

The PRESIDENT. Senator, I do not think I ought to say any more than I have said.

Senator BRANDEGEE. I do not think I care to ask anything more.

Senator HITCHCOCK. Will you permit me to read into the record these two paragraphs from the conclusion of the treaty and ask whether they are what you refer to when you express the

opinion that the treaty would go into effect when Germany and three of the contracting parties had signed it, and only as to them?

The CHAIRMAN. That is explicitly stated.

Senator HITCHCOCK. I thought it was left in some doubt. I would like to read them into the record [reading]:

A first procès-verbal of the deposit of ratifications will be drawn up as soon as the treaty has been ratified by Germany on the one hand and by three of the principal allied and associated powers on the other hand.

From the date of this first procès-verbal the treaty will come into force between the high contracting parties who have ratified it. For the determination of all periods of time provided for in the present treaty this date will be the date of the coming into force of the treaty.

I just wanted to make it clear that the treaty is not in effect except as to those that have ratified it.

The PRESIDENT. I could not put my hand on it, but I was sure.

Senator MCCUMBER. Mr. President, just one question on this French treaty. If we should adopt this present treaty with the league of nations and with section 10 in it, which brings all of the great nations of the league to the protection of France, if war should be made against her by Germany, what necessity is there for any other special treaty with France?

The PRESIDENT. To meet the possibility of delay in action on the part of the council of the league.

Senator MCCUMBER. But the agreement of section 10 comes into effect, does it not, the moment we adopt the treaty?

The PRESIDENT. Yes; but the council has to act and formulate its advice, and then the several governments have to act and form their judgment upon that advice.

Senator MCCUMBER. Do you not think under the present situation that that could be done as quickly as Germany could get ready for a second war on France?

The PRESIDENT. Oh, as quickly as she could get ready, yes; but not as quickly as she could act after she got ready.

Senator BRANDEGEE. Mr. President, the situation is this: If Germany has surrendered her navy, demobilized her army, and been shorn of large portions of her territory; if we have no demand for reparation or indemnity against her; if, as you stated in your addresses to the Congress, the war is over; if there is no fighting going on; if Germany has signed the peace treaty, and you have signed the peace treaty; if, in fact, there is a condition of peace, and only the joint resolution of Congress that a state of war existed a year ago—if that is all so, is there no way by which the condition of peace which actually exists can be made legally effective except by the adoption of the proposed treaty?

The PRESIDENT. Senator, I would say that there is no way which we ought to be willing to adopt which separates us, in dealing with Germany, from those with whom we were associated during the war.

Senator BRANDEGEE. Why?

The PRESIDENT. Because I think that is a moral union which we are not at liberty to break.

Senator BRANDEGEE. If we have rescued our fellow belligerents from the German peril voluntarily and without any charge, and if we prefer not to have any entanglements or connections with European powers, but to pursue our course as we did before the war, where is the moral obligation to merge ourselves with Europe forever?

The PRESIDENT. I do not construe it as merging ourselves, but I do think we are under the plainest moral obligation to join with our associates in imposing certain conditions of peace on Germany.

Senator BRANDEGEE. Even if we ratify the German so-called peace treaty, with or without the Shantung provision in it, and strike out article 1 of the peace treaty, the covenant of the league of nations, we still join with those with whom we have cooperated in establishing peace with Germany, do we not, and are at liberty to trade with her?

The PRESIDENT. An unworkable peace, because the league is necessary to the working of it.

Senator BRANDEGEE. Well, suppose they have a league, and we ratify the treaty with the reservation that we are not bound by article 1, which is the covenant of the league—then they have a league of nations covenant.

The PRESIDENT. Yes, and we are tied into every other part of the treaty by reason of the fact that we are supposed to be members of the league of nations.

Senator BRANDEGEE. Suppose we also adopt the 21 amendments that Senator FALL has pending before the Committee on Foreign Relations, striking us out of these commissions to which we are tied, and just cutting the Gordian knot which ties us to the covenant: We establish peace with Germany just the same, I fancy. The other powers could accept our amendments to the treaty or not, as they chose. In either case Germany would be at peace, and they would be in the league, and we would be out of it. We could have peace and resume all our business in relation to copper mines and zinc mines, etc., and we could export to Germany, and reestablish the consular service, could we not?

The PRESIDENT. We could, sir; but I hope the people of the United States will never consent to do it.

Senator BRANDEGEE. There is no way by which the people can vote on it.

The CHAIRMAN. Are we not trading with Germany now, as a matter of fact?

The PRESIDENT. Not so far as I know, sir.

The CHAIRMAN. Licenses certainly have been issued. It is advertised in all the New York papers.

The PRESIDENT. We removed the restrictions that were formerly placed upon shipments to neutral countries which we thought were going through to Germany.

The CHAIRMAN. Yes; I see them advertised broadly in the New York papers.

Senator JOHNSON of California. Mr. President, does the moral obligations to which you have alluded compel us to maintain American troops in Europe?

The PRESIDENT. Which moral obligation, Senator?

Senator JOHNSON of California. You referred to the moral obligation resting upon us to carry out the peace terms and the like in conjunction with our associates, and felt that it would be, as I understood you, a breaking, a denial of that moral obligation to make a separate peace or to act by ourselves.

The PRESIDENT. Yes.

Senator JOHNSON of California. Does that obligation go to the extent of compelling us to maintain American troops in Europe?

The PRESIDENT. Such small bodies as are necessary to the carrying out of the treaty, I think; yes.

Senator JOHNSON of California. And will those troops have to be maintained under the various treaties of peace until the ultimate consummation of the terms of those treaties?

The PRESIDENT. Yes, Senator; but that is not long. In no case, as I remember, does that exceed 18 months.

Senator JOHNSON of California. I was rather under the impression that the occupation of Germany was to be for 15 years.

The PRESIDENT. Oh, I beg your pardon.

The CHAIRMAN. Along the Rhine.

The PRESIDENT. Along the Rhine; yes. I was thinking of Upper Silesia, and the other places where plebiscites are created, or to be carried out. It is the understanding with the other Governments that we are to retain only enough troops there to keep our flag there.

Senator JOHNSON of California. The idea in my mind was this: Will we be maintaining American troops upon the Rhine for the next 15 years?

The PRESIDENT. That is entirely within our choice, Senator; but I suppose we will.

Senator JOHNSON of California. Do you know, Mr. President, whether or not we have American troops in Budapest at present?

The PRESIDENT. We have not. There are some American officers there, Senator, sent with a military commission, but no American troops.

Senator JOHNSON of California. Returning, if you do not mind, Mr. President, to one last question about Shantung, do you recall the American experts reporting that the Japanese promise, the verbal promise, which has been referred to, to return Shantung, meant in reality the returning of the shell but retaining the kernel of the nut?

The PRESIDENT. I remember their saying that; yes, sir.

Senator JOHNSON of California. That is all.

The PRESIDENT. But I do not agree with them.

Senator NEW. Mr. President, if no one else has any questions to ask, I have a few.

The PRESIDENT. Proceed, Senator, if you will.

Senator NEW. These questions, Mr. President, are more or less general and haphazard, referring to no particular feature of the treaty, but to all of them.

First, was it the policy of the American delegates to avoid participation by the United States in strictly European questions and their settlement; and, if so, what were the matters in which America refused to participate, or endeavored to avoid participation?

The PRESIDENT. I could not give you a list in answer to the last part of your question, sir; but it certainly was our endeavor to keep free from European affairs.

Senator NEW. What did the American delegates say or do to secure nonparticipation by the United States in the cessions of Danzig, Memel, and in the various boundary commissions, reparations commissions, and other agencies set up in the treaty

for the disposition of questions in which America has no national interest?

The PRESIDENT. I did not get that, Senator, it is so long.

Senator NEW. I will divide it. What did the American delegates say or do to secure nonparticipation by the United States in the cessions of Danzig and Memel?

The PRESIDENT. Why, Senator, the process of the whole peace was this: Each nation had associated with it certain expert advisers, college professors and bankers and men who were familiar with ethnical and geographical and financial and business questions. Each question was referred to a joint commission consisting of the specialists in that field representing the principal allied and associated powers. They made a report to this smaller council, and in every instance the American representatives were under instructions to keep out of actual participation in these processes so far as it was honorably possible to do so.

Senator NEW. The second half of the question is this: What did the American delegates do to secure nonparticipation by the United States in the reparations commission?

The PRESIDENT. Why, we were disinclined to join in that, but yielded to the urgent request of the other nations that we should, because they wanted our advice and counsel.

Senator NEW. What agreement, written or verbal, has been entered into by the American delegates touching the assignment to various States of mandatories under the provisions of article 22?

The PRESIDENT. None whatever.

Senator NEW. If it be understood that Great Britain or her dominions will act as mandatories of the territory in Africa lately held by Germany, what advantage of a practical nature is expected to accrue, and whom will it benefit, from subjecting the British or dominion administration to the mandatories of such nations as Liberia, Italy, or any others?

The PRESIDENT. Mandatories of Liberia?

Senator NEW. Yes.

The PRESIDENT. I do not understand, Senator. The whole system of mandates is intended for the development and protection of the territories to which they apply—that is to say, to protect their inhabitants, to assist their development under the operation of the opinion of the world, and to lead to their ultimate independent existence.

Senator NEW. Mr. President, it seems that there is more than a suspicion; there is a general conviction in the world, I think, that Germany is promoting the dissemination of Bolshevist propaganda in the countries of the Allies, including the United States. That being the case, I am prompted to ask what provision in the treaty obligates Germany to prohibit Bolshevik propaganda from German sources in the United States and allied countries?

The PRESIDENT. None.

Senator NEW. No provision? Was any proposal considered by the peace conference directed toward securing the names of German propaganda agents in the United States and the allied countries, or to obtain the records of the disbursements made in support of Bolshevik or other propaganda intended to weaken or disrupt the United States?

The PRESIDENT. We made every effort to trace everything that we got rumor of, Senator; and traced everything that we could; but no provisions were feasible in the treaty itself touching that.

Senator NEW. Did not France yield under pressure at least partly exerted by the American delegates to abandon certain guaranties of the security of her German frontiers which she had been advised by Marshal Foch were indispensable; and is not the present frontier, in French military opinion, less secure than the one which France was induced to abandon?

The PRESIDENT. Senator, do you think I ought to redebate here the fundamental questions that we debated at Paris? I think that would be a mistake, sir.

Senator JOHNSON of California. Mr. President, it is on that very theory that I refrained from asking many of those things, the thoughts of which crowd one's mind, and which one would like to ask.

The PRESIDENT. Of course. You see, you are going into the method by which the treaty was negotiated. Now, with all respect, sir, I think that is a territory that we ought not to enter.

Senator NEW. Of course, if there is any reason why it should not be answered, I will withdraw it. Is there objection to answering this, Mr. President: What was France's solution proposed for administration of the Saar Basin?

The PRESIDENT. I do not think I ought to answer those questions, Senator, because of course they affect the policy and urgency of other Governments. I am not at liberty to go into that.

Senator NEW. Mr. President, would our position in the War of 1812 and the Spanish-American War have been secure under the league covenant?

The PRESIDENT. Oh, Senator, you can judge of that as well as I could. I have tried to be a historical student, but I could not quite get the league back into those days clearly enough in my mind to form a judgment.

Senator NEW. What would have been the procedure under the covenant in those two cases, in your opinion?

The PRESIDENT. Why, Senator, I could figure that out if you gave me half a day, because I would have to refresh my mind as to the circumstances that brought on the wars; but that has not been regarded as a profitable historical exercise—hypothetically to reconstruct history.

Senator NEW. Well, I do not want to press for answers, then.

Senator MOSES. Mr. President, under the terms of the treaty, Germany cedes to the principal allied and associated powers all of her overseas possessions?

The PRESIDENT. Yes.

Senator MOSES. We thereby, as I view it, become possessed in fee of an undivided fifth part of those possessions.

The PRESIDENT. Only as one of five trustees, Senator. There is no thought in any mind of sovereignty.

Senator MOSES. Such possession as we acquire by means of that cession would have to be disposed of by congressional action.

The PRESIDENT. I have not thought about that at all.

Senator MOSES. You have no plan to suggest or recommendation to make to Congress?

The PRESIDENT. Not yet, sir; I am waiting until the treaty is disposed of.

The CHAIRMAN. Mr. President, I do not wish to interfere in any way, but the conference has now lasted about three hours and a half, and it is half an hour after the lunch hour.

The PRESIDENT. Will not you gentlemen take luncheon with me? It will be very delightful.

(Thereupon, at 1 o'clock and 35 minutes p. m., the conference adjourned.)

DRAFT OF "COMPOSITE COVENANT" (S. DOC. NO. 74).

Mr. LODGE. I desire also to have printed in the RECORD and as a Senate document a covenant described to the committee by witnesses as a composite covenant. The President has sent in the draft of the American plan submitted to the commission on the league, and this is another draft, as I understand, made up by the legal advisers of the commission on the league. Mr. Millard, who represented the United States there, referred to it in his testimony. I ask that this draft of the covenant may be printed in the RECORD and as a document.

The VICE PRESIDENT. In the absence of objection, it is so ordered.

The matter referred to is as follows:

"PREAMBLE.

"In order to secure international peace and security by the acceptance of obligations not to resort to the use of armed force, by the prescription of open, just, and honorable relations between nations, by the firm establishment of the understandings of international law as the actual rule of conduct among governments, and by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organized peoples with one another, and in order to promote international cooperation, the powers signatory to this covenant adopt this constitution of the league of nations.

"ARTICLE 1.

"The action of the high contracting parties under the terms of this covenant shall be effected through the instrumentality of meetings of delegates representing the high contracting parties, of meetings at more frequent intervals of an executive council representing the States more immediately concerned in the matters under discussion, and of a permanent international secretariat to be established at the capital of the league.

"ARTICLE 2.

"Meetings of the body of delegates shall be held from time to time as occasion may require for the purpose of dealing with matters within the sphere of action of the league.

"Meetings of the body of delegates shall be held at the capital of the league or at such other place as may be found convenient and shall consist of not more than two representatives of each of the high contracting parties.

"An ambassador or minister of one of the high contracting parties shall be competent to act as its representative.

"All matters of procedure at meetings of the body of delegates, including the appointment of committees to investigate particular matters, shall be regulated by the body of delegates and may be decided by a majority of those present at the meeting.

"ARTICLE 3.

"The representatives of the States members of the league directly affected by matters within the sphere of action of the league will meet as an executive council from time to time, as occasion may require.

"The United States of America, Great Britain, France, Italy, and Japan shall be deemed to be directly affected by all matters within the sphere of action of the league. Invitations will be sent to any power whose interests are directely affected, and no decision taken at any meeting will be binding on a State which was not invited to be represented at the meeting.

"Such meetings will be held at whatever place may be decided on, or, failing any such decision, at the capital of the league, and any matter affecting the interests of the league or relating to matters within its sphere of action or likely to affect the peace of the world may be dealt with.

"ARTICLE 4.

"The permanent secretariat of the league shall be established at ———, which shall constitute the capital of the league. The secretariat shall comprise such secretaries and staff as may be required, under the general direction and control of a chancellor of the league, by whom they shall be appointed.

"The chancellor shall act as secretary at all meetings of the body of delegates or of the executive council.

"The expenses of the secretariat shall be borne by the States members of the league in accordance with the distribution among members of the Postal Union of the expenses of the International Postal Union.

"ARTICLE 5.

"Representatives of the high contracting parties and officials of the league, when engaged on the business of the league, shall enjoy diplomatic privileges and immunities, and the buildings occupied by the league or its officials or by representatives attending its meetings shall enjoy the benefits of extraterritoriality.

"ARTICLE 6.

"Admission to the league of States who are not signatories of this covenant requires the assent of not less than two-thirds of the body of delegates.

"No State shall be admitted to the league except on condition that its military and naval forces and armaments shall conform to standards prescribed by the league in respect of it from time to time.

"ARTICLE 7.

"The high contracting parties undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all States members of the league.

"ARTICLE 8.

"The high contracting parties recognize the principle that the maintenance of peace will require the reduction of national armaments to the lowest point consistent with domestic safety and the enforcement by common action of international obligations; and the executive council shall formulate plans for effecting such reduction. It shall also inquire into the feasibility of abolishing compulsory military service and the substitution therefor of forces enrolled upon a voluntary basis and into the military and naval equipment which it is reasonable to maintain.

"The high contracting parties further agree that there shall be full and frank publicity as to all national armaments and military or naval programs.

"ARTICLE 9.

"Any war or threat of war, whether immediately affecting any of the high contracting parties or not, is hereby declared a matter of concern to the league, and the high contracting parties reserve the right to take any action that may be deemed wise and effectual to safeguard the peace of nations.

"It is hereby also declared and agreed to be the friendly right of each of the high contracting parties to draw the attention of the body of delegates or of the executive council to any circumstances anywhere which threaten to disturb international peace or the good understanding between nations upon which peace depends.

"ARTICLE 10.

"The high contracting parties agree that should disputes arise between them which can not be adjusted by the ordinary processes of diplomacy they will in no case resort to armed force without previously submitting the questions and matters involved either to arbitration or to inquiry by the executive council and until three months after the award by the arbitrators or a recommendation by the executive council; and that they will not even then resort to armed force as against a member of the league which complies with the award of the arbitrators or the recommendation of the executive council.

"ARTICLE 11.

"The high contracting parties agree that whenever any dispute or difficulty shall arise between them which they recognize to be suitable for submission to arbitration and which can not be satisfactorily settled by diplomacy, they will submit the whole subject matter to arbitration and will carry out in full good faith any award or decision that may be rendered.

"ARTICLE 12.

"The executive council will formulate plans for the establishment of a permanent court of international justice and this court will be competent to hear and determine any matter which the parties recognize as suitable for submission to it for arbitration under the foregoing article.

"ARTICLE 13.

"If there should arise between States members of the league any dispute likely to lead to a rupture, which is not submitted to arbitration as above, the high contracting parties agree that they will refer the matter to the executive council. Either party to the dispute may give notice to the chancellor of the existence of the dispute, and the chancellor will make all necessary arrangements for a full investigation and consideration thereof. For this purpose the parties agree to communicate to the chancellor statements of their case, with all the relevant facts and papers.

"Where the efforts of the council lead to the settlement of the dispute, a statement shall be prepared for publication indicating the nature of the dispute and the terms of settlement, together with such explanations as may be appropriate. If the dispute has not been settled, a report by the council shall be published setting forth with all necessary facts and explanations the recommendations which the council think just and proper for the settlement of the dispute. If the report is unanimously agreed to by the members of the council other than the parties to the dispute, the high contracting parties agree that none of them will go to war with any party which complies with its recommendations. If no such unanimous report can be made, it shall be the duty of the majority to issue a statement indicating what they believe to be the facts and containing the recommendations which they consider to be just and proper.

"The executive council may in any case under this article refer the dispute to the body of delegates. The dispute shall be so referred at the request of either party to the dispute. In any case referred to the body of delegates all the provisions of this article relating to the action and powers of the executive council shall apply to the action and powers of the body of delegates.

"ARTICLE 14.

"Should any of the high contracting parties be found by the league to have broken or disregarded its covenants under article 10, it shall thereby ipso facto be deemed to have committed an act of war against all the other members of the league, which shall immediately subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, and the prevention, so far as possible, of all financial, commercial, or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a member of the league or not.

"It shall be the duty of the executive council in such a case to recommend what effective military or naval force the members of the league shall severally contribute to the armed forces to be used to protect the covenants of the league.

"The high contracting parties agree, further, that they will mutually support one another in the financial and economic measures which are taken under this article in order to minimize the loss and inconvenience resulting from the above measures, and that they will mutually support one another in resisting any special measures aimed at one of their number by the covenant-breaking State, and that they will afford passage through their territory to the forces of any of the high contracting parties who are cooperating to protect the covenants of the league.

"ARTICLE 15.

"In the event of disputes between one State member of the league and another State which is not a member of the league, or between States not members of the league, the high contracting parties agree that the State or States not members of the league shall be invited to become ad hoc members of the league, and upon acceptance of any such invitation the above provisions shall be applied with such modifications as may be deemed necessary by the league.

"Upon such invitation being given the executive council shall immediately institute an inquiry into the circumstances and merits of the dispute and recommend such action as may seem best and most effectual in the circumstances.

"In the event of a power so invited refusing to become ad hoc a member of the league, and taking any action against a State member of the league which in the case of a State member of the league would constitute a breach of article 10, the provisions of article 14 shall be applicable as against the State taking such action.

"If both parties to the dispute when so invited refuse to become ad hoc members of the league, the executive council may take such action and make such recommendations as will prevent hostilities and will result in the settlement of the dispute.

"ARTICLE 16.

"The high contracting parties entrust to the league the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest.

"ARTICLE 17.

"The high contracting parties agree that in respect of territories which formerly belonged to the German Empire or to Turkey and which are inhabited by peoples unable at present to secure for themselves the benefits of a stable administration, the well-being of these peoples constitutes a sacred trust for civilization, and imposes upon the States members of the league the obligation to render help and guidance in the development of the administration. They recognize that all policies of administration or economic development should be based primarily upon the well-considered interests of the peoples themselves, upon the maintenance of the policy of the open door, and of equal opportunity for all the high contracting parties in respect of the use and development of the economic resources of the territory. No military or naval forces shall be formed among the inhabitants of the territories in excess of those required for purposes of defense and of internal police.

"ARTICLE 18.

"The high contracting parties will work to establish and maintain fair hours and humane conditions of labor for all those within their several jurisdictions, and they will exert their influence in favor of the adoption and maintenance of a similar policy and like safeguards wherever their industrial and commercial relations extend. Also they will appoint commissions to study conditions of industry and labor in their international aspects and to make recommendations thereon, including the extension and improvement of existing conventions.

"ARTICLE 19.

"The high contracting parties agree that they will make no law prohibiting or interfering with the free exercise of religion, and that they will in no way discriminate, either in law or in fact, against those who practice any particular creed, religion, or belief whose practices are not inconsistent with public order or public morals.

"ARTICLE 20.

"The high contracting parties will agree upon provisions intended to secure and maintain freedom of transit and just treatment for the commerce of all States members of the league.

"ARTICLE 21.

"The high contracting parties agree that any treaty or international engagement entered into between States, members of the league, shall be forthwith registered with the chancellor, and as soon as possible published by him.

"ARTICLE 22.

"The high contracting parties severally agree that the present covenant is accepted as abrogating all obligations inter se which are inconsistent with the terms hereof, and solemnly engage that they will not hereafter enter into any engagements inconsistent with the terms hereof.

"In case any of the powers signatory hereto or subsequently admitted to the league shall, before becoming a party to this covenant, have undertaken any obligations which are inconsistent with the terms of this covenant, it shall be the duty of such power to take immediate steps to procure its release from such obligations."

MILITARY OCCUPATION OF THE RHINE (S. DOC. NO. 75).

Mr. LODGE. Mr. President, I have in my hand an agreement between the United States of America, Belgium, the British Empire, and France and Germany with regard to the military occupation of the territories of the Rhine, signed at Versailles on June 28, 1919. It may have appeared in the newspapers, but it has not caught my eye, and has never been sent to the Senate so far as I am aware. It is a part of the treaty with Germany now pending. I have here a photostat copy of the British print, which was submitted to the House of Commons, and as this seems to be the only way of obtaining it, and as it really forms an integral part of the treaty with Germany, I ask to have it printed in the RECORD and also as a document. It contains 13 articles relating to the Rhine Provinces. I am aware that American interests in those Provinces may not be very immedite; but as under the treaty with Germany we shall keep troops there for 15 years, I think, perhaps, it is well that we should have the protocol before us while we are considering the treaty with Germany.

The VICE PRESIDENT. Does the Senator desire it printed as a Senate document or as a public document?

Mr. LODGE. I wish to have it printed in the RECORD and also as a Senate document.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

"AGREEMENT BETWEEN THE UNITED STATES OF AMERICA, BELGIUM, THE BRITISH EMPIRE, AND FRANCE, OF THE ONE PART, AND GERMANY, OF THE OTHER PART, WITH REGARD TO THE MILITARY OCCUPATION OF THE TERRITORIES OF THE RHINE.

"The undersigned, acting under the powers conferred upon them by their respective Governments, have come to the following agreement as provided for in article 432 of the treaty of peace of even date:

"ARTICLE 1.

"In accordance with article 428 and the following articles of the treaty of even date, the armed forces of the allied and associated powers will continue in occupation of German territory (as such occupation is defined by article 5 of the armistice convention of November 11, 1918, as extended by article 7 of the additional convention of January 16, 1919) as a guaranty of the execution by Germany of the treaty.

"No German troops, except prisoners of war in process of repatriation, shall be admitted to the occupied territories, even in transit; but police forces of a strength to be determined by the allied and associated powers may be maintained in these territories for the purpose of insuring order.

"ARTICLE 2.

"There shall be constituted a civilian body styled the inter-allied Rhineland high commission, and hereinafter called the high commission, which, except in so far as the treaty may otherwise provide, shall be the supreme representative of the allied and associated powers within the occupied territory. It shall consist of four members representing Belgium, France, Great Britain, and the United States.

"ARTICLE 3.

"(a) The high commission shall have the power to issue ordinances so far as may be necessary for securing the maintenance, safety, and requirements of the allied and associated forces. Such ordinances shall be published under the authority of the high commission, and copies thereof shall be sent to each of the allied and associated Governments and also to the German Government.

"When so published they shall have the force of law and shall be recognized as such by all the allied and associated military authorities and by the German civil authorities.

"(b) The members of the high commission shall enjoy diplomatic privileges and immunities.

"(c) The German courts shall continue to exercise civil and criminal jurisdiction subject to the exceptions contained in paragraphs (d) and (e) below.

"(d) The armed forces of the allied and associated powers and the persons accompanying them, to whom the general officers commanding the armies of occupation shall have issued a revocable pass, and any persons employed by or in the service of such troops shall be exclusively subject to the military law and jurisdiction of such forces.

"(e) Any person who commits any offense against the persons or property of the armed forces of the allied and associated powers may be made amenable to the military jurisdiction of the said forces.

"ARTICLE 4.

"The German authorities, both in the occupied and in the unoccupied territories, shall, on the demand of any duly authorized military officer of the occupying forces, arrest and hand over to the nearest commander of the allied or associated troops any person charged with an offense who is amenable under paragraph (d) or paragraph (e) of article 3 above to the military jurisdiction of the allied or associated forces.

"ARTICLE 5.

"The civil administration of the provinces (Provinzen), Government departments (Regierungsbezirke), urban circles (Stadtkreise), rural circles (Landkreise), and communes (Gemeinde), shall remain in the hands of the German authorities, and the civil administration of these areas shall continue under German law and under the authority of the central German Government, except in so far as it may be necessary for the high commission

by ordinance under article 3 to adapt that administration to the needs and circumstances of military occupation. It is understood that the German authorities shall be obliged, under penalty of removal, to conform to the ordinances issued in virtue of article 3 above.

"ARTICLE 6.

"The right to requisition in kind and to demand services in the manner laid down in The Hague convention, 1907, shall be exercised by the allied and associated armies of occupation.

"The charges for the requisitions effected in the zone of each allied and associated army and the estimate of damage caused by the troops of occupation shall be determined by local commissions composed in equal representation of German civilians appointed by the German civil authorities and allied or associated military officers, and presided over by some person appointed by the high commission.

"The German Government shall continue to be responsible for the cost of maintenance of the troops of occupation under the conditions fixed by the treaty. The German Government shall also be responsible for the costs and expenses of the high commission and for its housing. Suitable premises for the housing of the high commission shall be selected after consultation with the German Government.

"ARTICLE 7.

"The allied and associated troops shall continue undisturbed in possession of any premises at present occupied by them, subject to the provision of article 8 (b) below.

"ARTICLE 8.

"(a) The German Government shall undertake, moreover, to place at the disposal of the allied and associated troops and to maintain in good state of repair all the military establishments required for the said troops, with the necessary furniture, heating and lighting, in accordance with the regulations concerning these matters in force in the various armies concerned. These shall include accommodation for officers and men, guard rooms, offices, administrative, regimental, and staff headquarters, workshops, storerooms, hospitals, laundries, regimental schools, riding schools, stables, training grounds, and rifle and artillery ranges, aviation grounds, grazing grounds, warehouses for supplies and grounds for military maneuvers, also theater and cinema premises, and reasonable facilities for sport and for recreation grounds for the troops.

"(b) Private soldiers and noncommissioned officers shall be accommodated in barracks, and shall not be billeted on the inhabitants, except in cases of exceptional emergency.

"In the event of the existing military establishments being insufficient or not being considered suitable, the allied and associated troops may take possession of any other public or private establishment, with its personnel, suitable for those purposes, or if there are no such suitable premises, they may require the construction of new barracks.

"Civilian and military officers and their families may be billeted on the inhabitants in accordance with the billeting regulations in force in each army.

"ARTICLE 9.

"No German direct taxes or duties will be payable by the high commission, the allied and associated armies, or their personnel.

"Food supplies, arms, clothing, equipment, and provisions of all kinds for the use of the allied and associated armies, or addressed to the military authorities, or to the high commission, or to canteens and officers' messes shall be transported free of charge and free of all import duties of any kind.

"ARTICLE 10.

"The personnel employed on all means of communication (railways, railroads, and tramways of all kinds, waterways (including the Rhine), roads and rivers), shall obey any orders given by or on behalf of the commander in chief of the allied and associated armies for military purposes.

"All the material and all the civil personnel necessary for the maintenance and working of all means of communication must be kept intact on all such means of communication in the occupied territory.

"The transport on the railways of troops or individual soldiers or officers on duty or furnished with a warrant will be effected without payment.

"ARTICLE 11.

"The armies of occupation may continue to use for military purposes all existing telegraphic and telephonic installations.

"The armies of occupation shall also have the right to continue to install and use military telegraph and telephone lines, wireless stations and all other similar means of communication which may appear to them expedient. For this purpose, subject to the approval of the high commission, they may enter upon and occupy any land, whether public or private.

"The personnel of the public telegraph and telephone services shall continue to obey the orders of the commander in chief of the allied and associated armies given for military purposes.

"Telegrams and messages to or from the allied and associated authorities and the high commission and of an official nature shall be entitled to priority over all other communications and shall be dispatched free of charge. The allied and associated military authorities shall have the right to supervise the order in which such communications are transmitted.

"No wireless telegraphy installations shall be allowed to be erected by the authorities or by the inhabitants of the occupied territory without previous authorization by the allied and associated military authorities.

"ARTICLE 12.

"The personnel of the postal services shall obey any orders given by or on behalf of the commander in chief of the allied and associated armies for military purposes. The public postal service shall continue to be carried out by the German authorities, but this shall not in any way affect the retention of the military postal services organized by the armies of occupation, who shall have the right to use all existing postal routes for military requirements.

"The said armies shall have the right to run postal wagons with all necessary personnel on all existing postal routes.

"The German Government shall transmit free of charge and without examination letters and parcels which may be entrusted to its post offices by or for the armies of occupation or by or for the high commission; and shall be responsible for the value of any letters or parcels lost.

"ARTICLE 13.

"The high commission shall have the power, whenever they think it necessary, to declare a state of siege in any part of the territory or in the whole of it. Upon such declaration the military authorities shall have the powers provided in the German Imperial law of May 30, 1892.

"In case of emergency, where public order is disturbed or threatened in any district, the local military authorities shall have the power to take such temporary measures as may be necessary for restoring order. In such case the military authorities shall report the facts to the high commission.

"Done at Versailles, the 28th day of June, 1919."

LETTER FROM CHARLES F. TUTTLE.

Mr. CALDER. Mr. President, I have received a communication from Charles F. Tuttle, of Brooklyn, N. Y., which I ask to have printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

BROOKLYN, N. Y., *August 9, 1919.*

MY DEAR SENATOR: The statement of Senator KENYON, recently reported in the public press, to the effect that the packers were opposing his bill through propaganda, impels me to call the subject to your attention.

When such revolutionary legislation is proposed in the United States Senate, affecting any large industry, is it to be expected that because it includes a few industries only our business world will regard the matter as wholly unimportant? With the result of governmental operation of our transportation and wire lines prominently before us how can business men in all walks refrain from urging their representatives in Congress to go no further along such lines.

The legislation under which the rail and wire lines have been operated for a period by the Government, related to those utilities only, but the legislation touched every branch of business and every consumer. It reached us directly in two important ways; in poor service and in greatly increased expense. To now propose that the meat industry of this Nation shall be in any degree directed by governmental authority is of immediate concern to every employer of labor and to every consumer.

Employers are now struggling with the wage problem and considering every possible means to reduce costs all along the line in a safe and proper manner with a minimum of disturbance. It seems to be now universally conceded that the promised economies of governmental operation of rails and wires are not to be had, for reasons that were foretold by some of us and which are now apparent to all.

One glance at comparative operating costs has shown the business world the frightful expense of the experiment. Instead of the savings that theorists promised us we find a staggering, almost unbelievable, cost increase. There is no escape from the conclusion that the consumer is now paying heavily for legislation which, on its face, did not include him.

To now propose similar experiments with such an industry as meat, naturally produces thousands of protests. In the light of recent experiences it is small wonder that our citizens protest to their Congressmen against such legislation.

Senator KENYON'S bill, and the recommendations of the Federal Trade Commission, respecting the packing industry are so fundamentally wrong that if carried out would inevitably lead to markedly increased operating costs and hence to higher meat prices. More than this, such legislation is wholly unnecessary.

Noticing in the newspapers accounts of the activities of Mr. Francis J. Heney, as counsel for the Federal Trade Commission in its inquiry into the packing industry, I procured the first and second volumes of the Trade Commission's report of those proceedings, and have written

for the third volume, which the newspapers state has recently come from the press.

Upon carefully reading this report I am impressed with the marked difference between the general statements of the report, in which the packers are charged with unlawful acts, and the testimony or evidence in support of such charges.

Such differences are so many in number as to preclude specifically pointing them out in this letter, but I can not resist calling your attention to one instance; the commission repeatedly charges that there has been no time since 1885 when the packers were not illegally combined in some way, and yet by the same report we are informed that the packers were brought to the bar of a Federal criminal court of justice and the verdict of the jury was "not guilty."

In the absence of explanation, such as that the trial judge rebuked the jury because their verdict was contrary to the evidence or that the verdict should be set aside because of newly discovered evidence, I feel very strongly that the defendants in that case are entitled to the verdict of the jury.

Further, the Federal Trade Commission in its report repeatedly states, in one form or another, that the incontrovertible proofs of the numerous illegal acts of the packers are in the hands of the commission and are set forth in the report.

In view of the powers granted to the Federal Trade Commission by the act creating it, the inquiry naturally arises why the commission does not cite one or all of the packers in a proceeding before it on behalf of the public. The testimony could be quickly taken and the aggrieved party could take the cause to the circuit court of appeals, where it could be speedily determined.

We are further told that in proceedings on a bill in equity brought by the Federal Government against the chief packers an injunction was issued which is as broad as the Sherman Antitrust Act. The Federal Trade Commission can present all its testimony and evidence of wrongdoing on the part of the packers to that Federal court in an application to punish the packers for contempt, and the full and real value of all the facts in the possession of the Federal Trade Commission can be speedily determined The power of that Federal court to punish for contempt is broader than its power to sentence under any of the so-called antitrust acts.

From the commission's report I further learn that the packers are charged with using a "uniform method of cost accounting." I stand aghast, because I have before me a pamphlet dated January, 1916, issued by the Federal Trade Commission, entitled "Helpful Activities to Strengthen American Business."

I also have before me the printed address of Mr. Edward N. Hurley before the Boston Commercial Club on March 28, 1916. The address was printed and distributed by the Washington Government Printing Office and was inserted in the CONGRESSIONAL RECORD of May 20, 1916, by Hon. JAMES A. GALLIVAN, of Massachusetts. It would unduly extend this letter to quote copiously from these pamphlets.

One of the outstanding points in both pamphlets is that the Federal Trade Commission indorses standard systems of cost accounting, and that the commission offers to assist in devising standard systems, either at the request of individual merchants and manufacturers or through associations that represent any particular industry. The commission points out that it has for this work an adequate force of experienced accountants and tenders their service to various lines of industry.

Moreover, in the public press numerous accounts have appeared of similar addresses made by representatives of the Federal Trade Commission to gatherings of manufacturers engaged in one line of production, notably before the manufacturers of bathtubs and pottery, a year or so ago, in Washington, D. C., and it should here be noted that the bathtub people, not so many years earlier, were indicted under the Sherman Antitrust Act.

I recall reading in the public press accounts of public addresses by President Wilson, in which the work of the Federal Trade Commission in this particular matter was approved of, and I also read in the press a letter purporting to be from President Wilson to Mr. Hurley, the then chairman of the Federal Trade Commission, applauding the work he was doing along this very line.

Applying the "deadly parallel," we find in one column the Federal Trade Commission, the chairman of that commission, and the President of the United States pointing out the benefits, not only to the producer, but to the consumer, to be had from uniform systems of cost accounting, and tendering the services of that commission in devising for various lines of industry such uniform methods of cost accounting, and in the other column charging the use of same to be a crime and punishable under the law.

I fully appreciate that we are passing through a most trying period, but our passage will not be made easier by giving to the Federal Trade Commission, or any other governmental authority, any powers of direct or indirect interference with the actual management of any large business undertaking, and particularly of one so large as the meat industry.

If our National Government desires to be parental to the small meat packer, let is assist him by furnishing him with refrigeration cars, and with refrigeration storage in large centers of population. In point of fact, he would not be so helped, but the experiment has one great advantage, namely, it would not appreciably add to the cost of our previous experiments in such matters.

My letter is already a long one, but I can not refrain from calling your attention to one angle of this charge of uniform method of cost accounting. The newspapers tell us that the packers, under rules of the United States Food Administration, were required to so conduct their meat food business that their profits therefrom should amount to not more than 9 per cent on the capital employed, or not in excess of 2½ cents for each dollar's worth of goods sold.

In view of the enormous volume of the meat food business during the war, how could any class of manufacturers follow such a rule of the United States Food Administration without having some form of cost accounting that would enable our National Government to check up the results? Could such method of accountings be otherwise than standardized? Would that not be one of the very first and most important matters to be carefully standardized so as to prevent misunderstandings and to make the results easily understandable?

I assume that the Government has been active in this very particular, because from the annual report Food Administration, for the year ended November 2, 1918, I take the following statement of the volume, investments, and results from operations in the meat departments of the so-called "Big Five," viz, Armour, Cudahy, Morris, Swift, and Wilson:

For year ended Nov. 2, 1918.

Total profit	$40,594,935
Investment	$714,187,204
Profit percentage on investment	5.6
Sales	$2,434,113,430
Profit percentage on sales	1.6

Parenthetically, are the per cents just named to be classed as profiteering? I know of no successful line of business activity which did not earn much larger returns.

It is claimed that evidence of agreements as to wholesale meat selling prices is found in the fact that Armour's prices do not vary greatly from Cudahy's, etc. In view of the very small margin of profit shown in the above-mentioned report, how can wholesale prices vary greatly, unless some one is willing to sell at a loss?

Let me add that if we strike from the report of the Federal Trade Commission on the packing industry the adverbs, adjectives, and expletives, we will find nothing unlawful.

We need no further laws respecting this matter; all we need is intelligent enforcement of the laws already on the statute books.

Respectfully, yours,

CHAS. F. TUTTLE.

EFFECT OF TREATY RESERVATIONS.

Mr. PITTMAN. Mr. President, I submit a resolution and ask that it be read and lie on the table. I understand that the Senator from Oklahoma [Mr. OWEN], who gave notice that he was going to address the Senate to-day, has postponed his address; and as I gave notice several days ago that, with the permission of the Senate, I would discuss the resolution that I have now offered, I will, if there is no objection, follow the Senator from Illinois [Mr. MCCORMICK], who, I understand, intends to speak this morning.

The VICE PRESIDENT. The Secretary will read the resolution.

The resolution (S. Res. 168) was read, as follows:

Resolved, That when the Senate of the United States shall advise and consent to the ratification of the treaty of peace with Germany, signed at Versailles on the 28th day of June, 1919, now pending in the Senate, that it be done with and in consideration of the following understanding as to the present and future construction and interpretation to be given to the treaty:

1. That whenever the two years' notice of withdrawal from the league of nations shall have been given by any member of the league, as provided in article 1, the Government giving such notice shall be the sole judge whether all its international obligations and all its obligations under the covenant shall have been fulfilled at the time of withdrawal.

2. That the suggestions of the council of the league of nations as to the means of carrying into effect the obligations of article 10, the execution of which may require the use of military or naval forces or economic measures, can only be carried out through the voluntary separate action of each of the respective Governments, members of the league, and that the failure of any such Government to adopt the suggestions of the council of the league or to provide such military or naval forces or economic measures shall not constitute a moral or legal violation of the treaty.

3. That all domestic and political questions relating to the internal affairs of a Government which is a member of the league, including immigration, coastwise traffic, the tariff, and commerce are solely within the jurisdiction of such Government, and are not by the covenant of the league of nations submitted in any way either to arbitration or to the consideration of the council or assembly or the league of nations, or to the decision or recommendation of any other power. If a dispute arises between parties with regard to a question other than those which are herein specifically exempted as domestic questions, and it is claimed by one of the parties that such question is a domestic and political question, relating to its internal affairs, then the council shall not consider or make recommendations thereon, except upon the unanimous vote of the council other than the representatives of the disputants.

4. There shall not be submitted to arbitration or inquiry by the assembly or the council any question which, in the judgment of the United States, depends upon or involves its long-established policy, commonly known as the Monroe doctrine, and it is preserved unaffected by any provision of the said treaty.

Mr. BRANDEGEE. Mr. President, I should like to ask the Senator from Nevada whether he proposes those clauses which the Secretary has just read to the Senate to be incorporated in the resolution of ratification or not?

Mr. PITTMAN. I do not. My purpose is to have the resolution considered as soon as possible, and passed, if possible, in advance of action on the treaty, so that the other nations that will have representation upon the council of the league of nations may have an opportunity to pass the identical resolution or one with the same purport. I intended to discuss that question and will discuss it after the Senator from Illinois has concluded his address.

Mr. BRANDEGEE. The reason why I asked the question was because, as nearly as I could follow the language as the Secretary read it, it provided that when the Senate acted upon the ratification of the treaty of Versailles these things should be understood.

Mr. PITTMAN. Yes, sir.

Mr. BRANDEGEE. And I did not know whether or not the Senator meant that these things were to be incorporated and passed by the Senate in a separate resolution from the resolution of ratification of the treaty. I understand that his plan is to have a separate resolution of the Senate passed after the treaty is ratified?

Mr. PITTMAN. I have been urging for some time, as the Senator knows, the incorporation in a separate resolution of such reservations as the Senate might desire or might think proper to make. I suggested once before that the resolution be contemporaneous with the ratification of the treaty, but not a part of it, for the reasons that I then stated.

Mr. BRANDEGEE. What does the Senator mean by "contemporaneous, but not a part of it"? Before or after the action upon the resolution of ratification?

Mr. PITTMAN. I do not consider that that makes any legal difference.

Mr. BRANDEGEE. I know; but whether it makes a difference or not, what does the Senator propose about it—that we shall act upon the resolution of ratification before adopting the resolution which has just been read?

Mr. PITTMAN. It is my suggestion that we adopt this resolution now, and I intend to state the reasons why I favor that plan.

Mr. BRANDEGEE. Yes; I understand that. I mean, after this resolution has been adopted, if it should be adopted, by the Senate, then in what resolution does the Senator propose to embody the instructions carried in this resolution?

Mr. PITTMAN. It is the opinion of the Senator from Nevada that if the plan which he has in mind is carried out, there will be nothing else required except the regular form of resolution for ratifying treaties.

Mr. BRANDEGEE. I understand the Senator.

Mr. POINDEXTER. Mr. President, I should like to inquire of the Senator from Nevada, in regard to the resolution which he has just introduced, if he is of the opinion that the passage of a resolution by the Senate would have the effect of canceling or repealing or amending the covenant of the league of nations once it had been adopted? In order to explain——

Mr. PITTMAN. I may answer that by "no."

Mr. POINDEXTER. Then, I will ask the Senator further what effect he would claim the passage of the resolution which he has proposed would have, for this reason: It presupposes that there is a covenant of the league of nations, and that it has been ratified. The covenant of the league of nations expressly provides, in article 16, that every international dispute shall be decided first by the council, and then by the body of delegates. "Every international dispute" includes disputes about the tariff, it includes disputes about immigration, it includes disputes about everything. Now, the Senator's resolution provides that the council and the assembly of the league of nations shall not have jurisdiction to pass on certain kinds of disputes. In other words, he suggests that we should ratify the league of nations, which provides that they shall have jurisdiction; and after it has been ratified the Senator would pass a resolution that they shall not have jurisdiction. If it is to have any effect at all, it must be by way of an amendment or repeal of the league of nations.

There is this further consideration in that connection: Article 23 of the covenant of the league of nations expressly provides that the league of nations shall have supervision of the foreign trade of the United States in arms and ammunition. The Senator's resolution would seek to take away from the league of nations supervision of the foreign trade of the United States in arms and ammunition, or any dispute between this country and another country relating to that. If it has that effect, it must be by way of amendment of the league of nations; and yet I understand the Senator to admit that it could not have that effect.

Mr. PITTMAN. Mr. President, I do not desire to take up the time of the Senator from Illinois [Mr. McCORMICK], because he gave notice that he would speak to-day; and yet the Senator requires me to answer briefly.

There are two kinds of questions involved in the treaty. One kind involves a moral obligation, and the other kind involves a legal obligation. A moral obligation is one that is left solely to the determination of the party to be bound by it. A legal obligation may be determined in accordance with the covenant by the members of the council or the other body provided.

As far as our moral obligations are concerned, we may protect ourselves against any complaint or any cause of complaint as to the manner in which we act in determining our moral obligations by simply giving notice in advance of the construction that we are going to place upon the treaty and how we are going to act.

As to the legal obligations under the treaty, such as the Senator has suggested, dealing with domestic questions and the Monroe doctrine, I propose that a resolution identical with that which we pass be passed by Great Britain, France, Italy, and Japan, who, with the United States, will constitute a permanent majority of the council, to which all these matters are to be and will be submitted, if they are subject to submission. If those countries do adopt the same resolution that we do, pledging themselves in advance to the same construction that we do, then we know that that construction will be given by the council whenever the question arises. It constitutes a moral understanding among the Governments that will control the league and avoids the necessity for us to renew negotiations of our contract relations with Germany and other countries.

Mr. POINDEXTER. Mr. President, the covenant of the league of nations in article 23 pledges the United States—obligates the United States, I believe the word is—to provide for the free transit of the commerce of all members of the league. I presume that that is a development of the declaration of the President in the third point of his famous 14 points of peace, in which he laid down as one of the bases of peace that the nations associating themselves together for peace will agree to the removal of economic barriers. Does the Senator from Nevada claim that when the United States by the ratification of this covenant obligates itself, in compact with the other nations, in setting up the constitution for the league to provide for the free transit of the commerce of the other members of the league, it is what he calls only a moral obligation?

Mr. PITTMAN. No; for the purpose of distinction I call that a legal obligation, and that will not be reached by a separate resolution except in the manner I have described; that is, by the majority of the council adopting a construction that we desire, and when they adopt that construction then it will have the same effect as if an amendment were made to the treaty, and avoid all the long delays that are consequent upon the amendment of a treaty.

Mr. POINDEXTER. Then, as I understand the Senator from Nevada, some of the obligations which we assume under this covenant are moral obligations and some of them are legal obligations.

Mr. PITTMAN. I think the Senator probably has grasped my idea.

Mr. POINDEXTER. Article 10 obligates the United States to preserve the political independence and territorial integrity of the other members of the league.

Mr. PITTMAN. Which is a moral obligation.

Mr. POINDEXTER. That is a moral obligation?

Mr. PITTMAN. Undoubtedly.

Mr. POINDEXTER. How does the Senator draw a distinction between the moral obligation of article 10 and the legal obligation of article 23 when they are expressed in practically the same language?

Mr. PITTMAN. The distinction is this, as I take it: In article 10 we undertake to do certain things when certain conditions arise. There is no power granted to any instrumentality to assist us in forming our judgment or interfering with our judgment when it is formed. What we find there is that when we determine that an external aggression is being committed against the territorial integrity of a country, then we have a moral obligation to do something. If we find, however, that in our judgment there is no such aggression against the territorial integrity of a country, that judgment of ours is not reviewable by any other power under the covenant of the league. Therefore it is a moral obligation, because there is no legal power to determine the cause or enforce it, but it partakes of the nature of a legal obligation when the determination is participated in, under fixed rules, by another body than the country to be bound by the decision.

Mr. POINDEXTER. That is not a distinction between two kinds of obligations, moral and legal. That is a matter of the interpretation of the meaning of the article of the covenant, and when it has been interpreted in its application to mean that there has been an infringement upon the territorial integrity of one member of the league, then the Senator would be compelled to admit that the obligation of the United States to intervene to protect the territorial integrity was legal as well moral.

Mr. PITTMAN. If our Government determined the obligation to exist it would then be its duty to fulfill the obligation in such manner as it might determine proper.

Mr. OWEN. Mr. President——

Mr. PITTMAN. Just a second, please. Undoubtedly if article 10 provided that when it was determined by the council that there was an external aggression against territory, then each of the Governments should be compelled to do certain things, it would transfer it from a moral obligation to a legal obligation, because the judgment then would rest in a court or a body of decision. But the way the article is now drawn it does not rest in the council; it does not rest in the assembly of the league of nations or any other Government; it rests solely in the judgment of our Government, and when a thing rests in the judgment of the person who is charged with the wrong, then it must be a moral obligation instead of a legal obligation.

Mr. POINDEXTER. I notice that the Senator from Nevada adopts the language, to a large extent, and the attitude that were adopted by the President as reported in the conference of yesterday.

Mr. PITTMAN. I know of no higher authority.

Mr. POINDEXTER. It is very high authority, especially as indicating the intention of the representatives of the United States in the framing of the covenant of the league of nations.

In that connection I would say that it seems to me the statement of the Senator from Nevada and the statement of the President, that the element of judgment is to be involved in the enforcement of the obligations of this covenant, does not affect the nature of the obligation, but simply is a question of the determination of a fact as to whether or not the condition had arisen when the obligation would come into effect.

Mr. OWEN. Mr. President——

The VICE PRESIDENT. The Senator from Nevada [Mr. PITTMAN] has the floor.

Mr. PITTMAN. I would like to yield the floor, but not because I do not want to debate this matter. I am going to debate it in about an hour, as soon as the Senator from Illinois [Mr. McCORMICK] gets through with his address, and I shall then be very glad to debate it all the afternoon if no one stops the debate.

Mr. POINDEXTER. There is just one other question I would like to ask the Senator from Nevada before he takes his seat, and then I will conclude. The Senator and the President being agreed that the putting into effect of article 10 and, as I understood the President's statement, of other articles of the league of nations rests entirely within the judgment of the United States, which is equivalent to saying within the discretion of the United States, that it is a mere moral obligation, which is equivalent to saying that the covenant of the league of nations shall have no effect upon the United States unless the United States in its judgment, when the particular occasion arises, should agree to it, is the Senator from Nevada willing that that declaration shall be incorporated in the resolution of ratification of the covenant?

Mr. PITTMAN. I am unwilling for the Senator from Washington to make a statement with regard to what the President said which is inaccurate, and then proceed afterwards to answer another question. I know the Senator does not intend to have me construed that way, but it is only his peculiar way of asking questions. As a matter of fact, the record is here, now, of what the President said with regard to these resolutions. In discussing article 1, with regard to withdrawals, he attempted to sustain the position, and I think he did sustain it very clearly, that there was only a moral obligation upon us to satisfy our obligations before leaving the league. I think he satisfied nearly all that they could find no legal, as distinguished from moral, obligation in article 10. Now, in discussing particular articles I do not remember that he differentiated with regard to any other article than article 1 and article 10. I do know that he said that as far as the article regarding the Monroe doctrine is concerned and the article covering our domestic affairs is concerned, the other Governments who participated in the framing of the treaty hold the same view that he holds with regard to the interpretation.

Mr. POINDEXTER. Mr. President——

Mr. PITTMAN. And that is that domestic questions that are now recognized as domestic, and internal questions under international law, are outside of the jurisdiction of the league.

Mr. OWEN. Mr. President——

Mr. POINDEXTER. Does the Senator from Nevada——

Mr. OWEN. I ask the Senator from Nevada whether he will permit me to interrupt him.

Mr. PITTMAN. I will, although I did not know that I had the floor.

The VICE PRESIDENT. The Senator from Nevada has the floor.

Mr. OWEN. The Chair announced that the Senator from Nevada has the floor.

The VICE PRESIDENT. The Senator from Nevada has had the floor right along.

Mr. POINDEXTER. I should like to complete this question.

Mr. PITTMAN. I will let the question be asked and then yield to the Senator from Oklahoma.

Mr. OWEN. I will no longer make the effort.

Mr. PITTMAN. I did not know I had the floor, and I beg the Senator's pardon.

Mr. POINDEXTER. I notice in the report of the conference yesterday a very interesting statement from the President, who, as the Senator says, is very high authority, that when it comes to the question of determining the mandatories under the covenant—that is, the question of determining what mandate shall be given to the members of the league, and particularly, of interest to us, what mandate shall be given to the United States, as to what part of the world the United States shall become a trustee or guardian of in the character of a mandatory—the President says that the league of nations will decide that question. Is that the understanding of the Senator from Nevada of it?

Mr. PITTMAN. No; I did not understand the President to say that, and there are a great many things the President said which I think, if you will read carefully, there might be a chance for you to make an error on. I think it would be far better if, instead of attempting to quote the President with regard to a matter which the Senator did not hear personally, he would read from the record those statements. I did not understand the President to take, and I am perfectly confident that he did not take the position that the council of the league of nations could determine the mandatories. In fact, I am perfectly positive the President realized that a mandatory can not be forced upon any nation but that its acceptance of it is entirely voluntary.

Mr. POINDEXTER. The question was asked the President of what country the United States would be mandatory, and the answer of the President was that the league of nations would determine that. There were some very skillful stenographers there, and their report seems to be accurate. Of course, I may be entirely mistaken, but——

Mr. PITTMAN. I know it is not correct.

Mr. POINDEXTER. It is quite interesting to know whether or not that is the purpose and plan of those who have been principally connected with the framing of this document, that the burdens of government in distant parts of the world, such as Constantinople and Armenia, are to be placed upon the United States by edict of the league of nations and not by the American Government nor the American people.

Mr. PITTMAN. The Senator need not be uneasy. There is no such provision in the treaty, and no one except those who are opposed to the treaty and the league of nations have ever urged any such construction.

Mr. REED. Mr. President, before the Senator takes his seat I want to ask a question, not for the purpose of getting into an argument, but for the purpose of getting the Senator's view on one question.

Mr. PITTMAN. I thought I had yielded the floor, and the Senator from Oklahoma having risen to ask me a question after I had been seated, I am afraid he may have thought I treated him with discourtesy. I certainly want him to be assured that I did not, and I would rather yield to him first and have him take the floor.

Mr. REED. I thought the Senator from Oklahoma had some other matter to present.

Mr. OWEN. I thank the Senator from Nevada for the explanation. I wanted to call his attention to what the phraseology, legal and moral, in our language refers to. Where you can under a contract enforce it by a court, you have a legal obligation and an enforcible one, and where it is a moral obligation there is no tribunal with authority to dispose of it.

The Supreme Court of the United States have found that all treaties were subject to repeal by a succeeding Congress or by the same Congress. Therefore all treaties in their obligations are of a moral character and should be so regarded. There is no power in the world that could coerce the United States to make it carry out a legal obligation. If the United States became an outlaw nation, all the nations of the world might coerce it.

Mr. POINDEXTER. Mr. President——

Mr. PITTMAN. I have yielded to the Senator from Missouri.

Mr. POINDEXTER. I would like to say to the Senator from Nevada just one word. The Constitution of the United States provides that a treaty of the United States, instead of being a mere moral obligation, is the supreme law of the land.

Mr. NELSON. Mr. President——

Mr. PITTMAN. I have yielded to the Senator from Missouri.

Mr. NELSON. I want to call the attention of the Senator from Washington to one fact in connection with this discussion. The Supreme Court of the United States have time and again decided that a treaty can be repealed by an act of Congress. If that is the case, if an act of Congress can repeal any treaty, what is left but the moral obligation of the treaty?

Mr. REED. Mr. President, I want to ask the Senator from Nevada a question, not to get into a debate. The Senator has been very patient. I understand the Senator's position to be that as now drawn certain of the clauses of the league covenant are moral obligations only because there is no court or tribunal created to decide questions of fact or to enter any kind of a decree of enforcement. Am I correct in that?

Mr. PITTMAN. Those are part of the essentials of legal responsibility. There are other elements that go to the definition of legal responsibility.

Mr. REED. They are moral thus far. The President spoke of some change that would refer these questions to a tribunal to be decided, and said that when that was done they would then be legal, because there would be a court to decide them. I understood him to say that, but I was not sure that I did so understand him.

Mr. PITTMAN. I do not have any recollection of that.

Mr. REED. How does the Senator propose to raise these questions from a moral obligation to a legal one?

Mr. PITTMAN. There are certain matters that may be determined by the unanimous vote of the council, by which nation members of the league agree to be bound. For instance, one of the legal obligations is that if the council, in the case of a dispute, makes a unanimous recommendation and one of the nations accepts the recommendation, then the other will not go to war; that, in my opinion, may be differentiated from a moral obligation.

Mr. REED. Because there has been a deciding body.

Mr. PITTMAN. Because it is not left solely to the judgment and conscience of the individual, but is left in the judgment of a body created by a contract.

Mr. REED. Then the decision rendered by that body becomes binding, and hence the Senator says it then becomes a legal obligation——

Mr. PITTMAN. It may become binding.

Mr. REED. Whereas before it was a moral obligation.

Mr. PITTMAN. No; it may become binding or it may not become binding, but——

Mr. REED. If it is a matter that is left for decision.

Mr. PITTMAN. As far as the obligation is concerned, it is a legal obligation.

Mr. REED. Exactly. Now——

Mr. PITTMAN. I am not saying whether a legal obligation becomes binding or not binding. That may be one of the elements in drawing a distinction between a moral and a legal obligation. But the distinction, again have in mind, is where a person agrees to a specific thing and agrees that that specific thing may be determined by a court or a particular body. Then its individual judgment in the matter is disposed of, and it has granted to a body other than itself some authority and power of determination and enforcement of the decree under the determination. However, in a case where a government simply volunteers to do something under certain conditions and there is no body created to determine when the conditions arise, then it can not be determined except by the individual, and whenever there remains in the individual the right to determine when a cause of action has arisen against him, it is no more than a moral obligation.

Mr. REED. Getting that down to a few words—and I am greatly interested in this question and think it is quite important—it amounts to this: If the United States agrees by the signing of this document that in case one of the members of the league is externally attacked, we will defend it against external attack, the Senator is of the opinion that as that matter now stands it is a moral obligation, because the United States determines for itself whether there has been an external attack?

Mr. PITTMAN. That is one of the reasons. The other is that if it does determine that there has been an external aggression, it still has the further individual judgment, which may be unaffected by anyone else, of determining what method it will use in assisting in carrying out its obligatons.

Mr. REED. That, of course, may be necessary to the clarity of the Senator's view; but, substantially, we determine for ourselves the question of fact, Was the Empire of Great Britain externally attacked? There is no tribunal to determine that; and so we say that it has not been raised to the point of a legal obligation, but it is a question that rests upon our honor, and we call it a "moral obligation." Now, is the Senator proposing to change any of these obligations from moral to legal obligations? Has the Senator submitted any plan for that?

Mr. PITTMAN. The plan that I have submitted does not propose to change any moral obligation to a legal obligation, but it simply intends to satisfy those who may be uneasy with regard to that question—and, of course, there are able men who are uneasy with regard to it—that our construction will be continued in force by the league of nations.

Mr. REED. I understood the Senator to say in the colloquy—and I may have misunderstood him; indeed, that was the real reason for my taking the floor—that he was in favor of deciding certain questions by unanimous vote of the league, leaving out the contesting parties, and that in those circumstances it was a legal obligation.

Mr. PITTMAN. The resolution provides in section 3 that all domestic and political questions affecting the internal affairs of one of the governments is exempt from the jurisdiction of the league of nations. That is a positive statement.

There is another positive statement in section 3, and that is that questions concerning the tariff, commerce, immigration, and other matters that are mentioned shall specifically be agreed to be domestic and political affairs.

There is then a third part to that section, which provides that if a disputant claims that any other question involves any domestic matter, then that matter shall not be considered unless there be a unanimous vote declaring it not to be a domestic question.

Mr. REED. As to that unanimous vote, does the Senator propose to have the contesting parties or disputants vote?

Mr. PITTMAN. No; I do not.

Mr. REED. Then that would leave us in this shape: If a question involving the tariff or immigration or the other subjects the Senator has mentioned were to come up, we could say, "Those are clearly domestic, and you can not touch them."

But now a fifth question arises, which the United States contends is a domestic question and which our antagonist—we will say Japan—says is not a domestic question. Then that would go to decision by the council, and neither Japan nor the United States would sit. If there were a unanimous vote against us we would have a binding legal duty imposed upon us?

Mr. PITTMAN. We would.

Mr. REED. So that there we get the distinction between the moral obligation and what the Senator calls the "legal obligation"?

Mr. PITTMAN. That is the distinction.

Mr. REED. Now, what about the enforcement of that legal obligation? That would be enforced by the powers of the league?

Mr. PITTMAN. The enforcement of it, as I remember, is by a prevention of the country against whom a decision is made, when it is accepted by the other party, from going to war. That, as I recollect, is as far as the enforcement in the matter goes.

Mr. REED. But if they do not obey, is there not a provision for economic pressure?

Mr. PITTMAN. There is a provision for economic pressure as presently interpreted; but section 2 of the resolution I have introduced expressly provides that each Government may determine for itself whether or not it will even bring economic pressure to bear.

Mr. REED. Yes; but suppose the Government does conclude that it is going to bring economic pressure, and does it, then the league is back of that Government, provided there has been a unanimous decision of the council barring from the decision the disputants?

Mr. PITTMAN. That is my understanding of it now; yes, sir.

Mr. REED. Of course, economic pressure can amount to the blockading of ports, the seizing of commerce upon the high seas, and the barring of intercourse with the nationals of the power under condemnation. In short, it can be pressed to the point of starvation, can it not?

Mr. PITTMAN. I think that is undoubtedly true.

Mr. REED. The Senator does not really think that starving babies at home is any better than killing men on the field of battle, does he?

Mr. PITTMAN. Mr. President, the league of nations as it is construed by the President—and he is convinced, so he says, that the other framers agree with him—is hardly more to-day than a meeting place where the concensus of opinion of the civilized world may be obtained and its moral force brought to bear.

Mr. REED. Is the Senator willing to write that sentence into the league—that their jurisdiction shall be so limited? If that should be written into the league we shall not have any trouble about it.

Mr. PITTMAN. I will write it into the league; I would write anything into the league that might please the Senator from Missouri if it does not destroy it.

Mr. REED. I think if there can be written into the league that it is nothing but a meeting place where the representatives of the nations of the earth meet for consultation, without the power of coercion or of compulsion, there will not be much difficulty.

Mr. PITTMAN. That is not what the Senator from Nevada says.

Mr. REED. He came very near saying it, if I understood him aright.

Mr. PITTMAN. If the Senator had walked away at the time, he probably would have insisted that I said it.

Mr. REED. I will let the RECORD speak for itself.

Mr. PITTMAN. I did not say that. I said as it has now been construed it is hardly—I used the word "hardly"—more than that; but what I have done in the resolution is to attempt to save the teeth of the covenant of the league of nations so that after exempting immigration, after exempting the tariff, after exempting commerce, after exempting everything on earth we can think of exempting from the jurisdiction of the league, it shall be made plain that a nation may not then exempt itself from all jurisdiction of the league by simply a bare assertion that a question involves some of its internal affairs. If that were permitted, of course, no nation that feels itself in the wrong will ever submit its cause to the league of nations. Why? For the simple reason that it would say, "This is a question that involves our internal affairs or our domestic relations, and you have no power by which you can consider this claim. Therefore we are out of it." In other words, we would be in the same miserable position that we were with regard to our arbitration treaties, and that we are with our arbitration treaties to-day. They provided the whole machinery for arbitration, but in the very last clause of the treaty it was stated that no nation need submit to arbitration questions that affected its vital interests or its honor; and whenever an important question comes up before one of those arbitration boards—I do not care what it is—the nation involved simply bows and says, "I consider it affects my vital interests."

Mr. REED. Is the Senator willing to submit the vital interests or the honor of the United States to any tribunal on earth?

Mr. PITTMAN. No; I am not; and this resolution does not do so. We can, however, go to work and designate the questions that may be submitted; and not only that, but in this whole agreement the Government is protected under article 1 in its right of withdrawal, and is protected under article 10, because there is no power provided, and no attempt to provide a power, to compel it to exercise any force in any war that may arise in Europe.

Mr. REED. We might differ about that, and we do most radically differ about that; but the Senator, as I understand, now means to say that no question involving the vital interest or the honor of the United States shall be submitted to any tribunal whatsoever. Of course, that withdraws all such questions from the league, and the Senator would be willing to have the league amended so that it would clearly reserve all such questions to the United States for its own decision?

Mr. PITTMAN. There is only one distinction. I would not be willing to put it within the power of the Senator from Missouri, nor anyone else who believes in national isolation to the extent that he does, to determine what constitutes a vital question.

Mr. REED. Exactly; but would the Senator submit the question whether a question was vital to the United States to a foreign tribunal on which the United States would not even be permitted to sit?

Mr. PITTMAN. No; I would not. I would state what constituted the vital interests of this country.

Mr. REED. But the Senator would leave it for decision to a tribunal composed of foreigners, only one of whom probably can speak the English language?

Mr. PITTMAN. That is the same old speech, and I do not want to take up the time of the Senate replying to it.

Mr. REED. It is the same old speech, but I am waiting patiently for somebody to answer it.

Mr. PITTMAN. The trouble about the Senator is that he talks so long that no one else has much of a chance to answer.

Mr. REED. I do not know as to that; I have not made a speech in the Senate on the league of nations for six weeks.

Mr. PITTMAN. But every time the Senator ceases to speak here he goes to New York or to some other place to speak.

Mr. REED. It is true that I have made speeches elsewhere, and I invite any Senator to divide time with me.

The VICE PRESIDENT. The Chair understood that the colloquy was simply to be a series of questions and answers.

Mr. REED. I thank the Senator from Nevada very much.

Mr. PITTMAN. I apologize to the Senator from Missouri.

FOREIGN FINANCE CORPORATION.

Mr. EDGE. Mr. President, I thoroughly appreciate the great and crowning importance of the league of nations. I am not sure that I might not be somewhat confused in deciding as between a moral and legal obligation, but I do not feel the slightest hesitancy in trying to have the Senate decide as to a business obligation. Last Monday I gave notice that at the first opportunity I would move, under Rule VIII, to proceed to the consideration of Senate bill 2472, which is known as the bill to provide for export financing. I hope that we realize the absolute importance of enacting into law some of the constructive measures which the business interests of our country greatly need and are eagerly waiting for. With the bill ready for consideration before the Senate, it having been reported some five or six weeks ago, I hope I may have the acquiescence of the Senate at least that debate may commence, if debate is necessary on this bill.

I appreciate that at 2 o'clock the unfinished business will come before the Senate, but I can not conceive that there will be any real opposition to the enactment of this bill into law after it is briefly explained. Some suggestions have been made by other Senators and amendments have been prepared to be offered to meet those objections.

I will read from last night's newspaper expressions from Lloyd-George and his appeal to the House of Commons on the economic situation abroad, and if that is not enough to convince us of the absolute necessity of providing a means for our manufacturers throughout this country to fill the orders they are getting from abroad, and to enable them to be paid for those orders, then it would be difficult for me to make it clearer. Lloyd-George, in his remarks, gives voice to this expression:

> We can not prosper—

Said Mr. Lloyd-George—

> we can not even exist without recovering and maintaining our international trade. We must bring up the trade balance, adding to our exports and lessening our imports.

That, of course, means exports to us.

> In every direction we are spending more and are earning less. We are consuming more and we are producing less. These are facts. It can not last.

Again he says:

> We must forget prewar conditions and deal with actualities.

He declared that he regarded the adverse American exchange rate as in itself protection against the importation of manufactured goods. To deal with the vagaries arising from the fluctuations in exchange the premier said the board of trade would be equipped with an emergency power to check sudden and undue importations of goods at prices below the cost of production of goods in Great Britain due to the collapse of exchange.

We have constructed a merchant marine of which we are very proud; but that merchant marine, in my judgment, might just as well be scrapped if we do not provide a way whereby it can transport American-made goods for which payment can be made abroad.

This bill has been prepared by the Federal Reserve Board and has the unqualified approval of the Secretary of the Treasury, Mr. Glass, who says:

> * * * feel confident that its prompt enactment into law will afford an effective and altogether desirable means of greatly improving our foreign banking facilities and expanding the market for our export trade.

I read to the Senate when I last spoke on this subject—and I will not take the time to go over them again—extracts from Gov. Harding, of the Federal Reserve Board.

Mr. GRONNA. Mr. President——

Mr. EDGE. I yield to the Senator.

Mr. GRONNA. I should like to have the letter read. I did not have time to read it in the RECORD.

Mr. EDGE. The Senator refers to the letter of the Secretary of the Treasury?

Mr. GRONNA. Yes.

Mr. EDGE. I just read an extract from it, but I will be very glad to read the entire letter if the Senator desires.

Mr. GRONNA. I do.

Mr. EDGE. The letter of the Secretary of the Treasury is as follows:

> THE SECRETARY OF THE TREASURY,
> *Washington, August 16, 1919.*
>
> Hon. WALTER E. EDGE,
> *United States Senate.*
>
> MY DEAR SENATOR: Responding to your note asking an expression of my views on S. 2472, to amend the Federal reserve act with a view to providing better facilities for financing the foreign trade of the United States, I beg to say that it is my considered judgment that the bill, with a few minor modifications, should be enacted into law. The amendments which I have in mind are those suggested in the letter of Gov. Harding to the chairman of the Banking and Currency Committee of the Senate under date of July 21, 1919, submitting the views of the Federal Reserve Board on the bill—

Those amendments have been incorporated in the bill under consideration—

> As chairman of the board, I fully concur with the expression of opinion made in the governor's letter. I entertain none of the misgivings of those who hesitate to support the measure, but, on the contrary, feel confident that its prompt enactment into law will afford an effective and altogether desirable means of greatly improving our foreign banking facilities and expanding the markets for our export trade.
>
> Sincerely, yours,
>
> CARTER GLASS.

Two paragraphs from the letter of the president of the American Manufacturers' Export Association, it seems to me, should appeal to every Member of this body:

> The critical period is at hand when the artificial post-war stimulus will cease and Europe will stop buying even necessities.
> The need, therefore, is urgent for immediate action by Congress and by bankers to tide over this critical period until Europe can get going once more.

I think we all agree, Mr. President, whatever our individual views may be on banking and exchange, that we must increase production, we must get as near 100 per cent production as possible. Around production centers everything, including national prosperity and the employment of men; and certainly we can not encourage production if we are not prepared to furnish the means by which the production can be marketed. We can not consume it all ourselves. I thoroughly appreciate that there may be certain types of production, food, for instance, on which temporary embargoes should be laid because of domestic conditions, but I am talking about the general, broad policy of trying to open up the markets of the world to American producers and to those who raise crops or whatever they may produce.

I had intended simply making a motion, and not attempting to discuss the bill. There is much that I can say for the bill if it is necessary; but it was my intention simply to make a motion under Rule VIII that the bill be taken up for consideration and amendment at this time. I have an amendment to offer myself, and I think the Senator from Oklahoma [Mr. OWEN] has an amendment.

Mr. GRONNA. Mr. President——

Mr. EDGE. I yield to the Senator.

The PRESIDING OFFICER (Mr. THOMAS in the chair). Unanimous consent is asked for the consideration of the bill. Is there objection?

Mr. GRONNA. I shall not grant unanimous consent. I shall object to that.

Mr. REED. Mr. President, I want to know what is in this bill?

The PRESIDING OFFICER. Objection is made. Therefore it can not be considered.

Mr. EDGE. Mr. President, if the motion is agreed to I have a word to say. I am, of course, prepared to discuss the bill fully, but, as I understand, it is not subject to debate on a motion to consider the bill.

The PRESIDING OFFICER. Will the Senator permit an inquiry?

Mr. EDGE. Certainly.

The PRESIDING OFFICER. The present occupant of the chair has just taken it. Has the Senator made a motion to consider this bill now, notwithstanding unanimous consent is not given?

Mr. EDGE. I did not ask unanimous consent, Mr. President. I simply made the motion under Rule VIII.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. GRONNA. May I ask if that motion is debatable at this hour?

The PRESIDING OFFICER. It is.

Mr. GRONNA. Mr. President, unfortunately I am not prepared to discuss this bill to-day. I did not know that it was the intention of the Senator of New Jersey to call the bill up to-day.

Mr. EDGE. May I interrupt the Senator from North Dakota?

Mr. GRONNA. Yes.

Mr. EDGE. I think the Senator from North Dakota will agree that I spoke to him on Monday, stating that I was going to endeavor to bring the bill up this week, and would discuss the question of amendments with the Senator from Oklahoma, which I have done.

Mr. GRONNA. Certainly; that is correct. I repeat, however, that I was not aware of the fact that there was any intention of calling it up this morning. I am a member of the Committee on Banking and Currency, and, fortunately or unfortunately, I suppose I am about the only member who has made any objection to this bill. I want to say for the information of the Senate that it is perhaps one of the most far-reaching measures that has ever been presented to this body. I have no objection to the passage of any measure which will enable the people of this country who are possessed of great wealth to go into business in foreign lands. I think, however, the time has about come when we ought to try to take care of America first. The committee of which I have the honor of being chairman, the Committee on Agriculture and Forestry, is considering bills providing for the regulation of some of these corporations in the United States, and I assume that it will take us from 30 to 60 days to hear the witnesses who have indicated their willingness to be heard.

The PRESIDING OFFICER. Just a moment. The Senator will pardon the Chair for announcing that the Chair has made an erroneous ruling regarding the character of this motion—as the Secretary suggests, being erroneously advised. Rule VIII provides that motions made before 2 o'clock to proceed to the consideration of any matter shall be determined without debate. The Chair therefore will be compelled to reverse his ruling, and hold that this motion is not debatable.

Mr. GRONNA. The Senator from North Dakota, of course, will gladly submit to the new ruling of the Chair.

Mr. EDGE. Mr. President, may I make a suggestion to the Senator from North Dakota in this connection?

Mr. GRONNA. Yes.

Mr. EDGE. All I desire in the matter is to get some action. I am perfectly ready and want to hear objections to bills and suggested amendments, and see if we can not solve this great problem. As I understand the rules of the Senate—I am not particularly familiar with them, because of the short time I have been a Member—we now have under the head of unfinished business the so-called oil-leasing bill?

Mr. GRONNA. Yes, sir.

Mr. EDGE. Would the Senator from North Dakota, if there is no further objection, be satisfied to join with the Senator from New Jersey to make this bill the unfinished business following the disposal of the oil-leasing bill? That may be weeks; I do not know; but it will give it a place on the calendar so that we can at least discuss it.

Mr. GRONNA. Of course the Senator from North Dakota has very little to say about making any bill the unfinished business.

Mr. EDGE. I think if he will join the Senator from New Jersey in this case, the Senate probably would not object to it, after this bill has been up three or four times, as it has.

Mr. GRONNA. I will simply say, Mr. President, if I may be permitted, that I propose, if I am able to do so, to state some of the reasons why I am opposed to this bill, and I think every Member of the Senate ought to know something about the provisions of the bill, because they are more far-reaching than is generally understood by the Members of this body. Of course the Senator can not hope to pass his bill before 2 o'clock.

Mr. EDGE. I simply want to get the bill in a position where I can meet any such suggestion as the Senator from North Dakota has made. I can not do it when it is not debatable, but I am endeavoring to place the bill in a position where it can be discussed. Certainly that is what we are here for.

Mr. GRONNA. Mr. President, I understand that the Senator from Illinois [Mr. MCCORMICK] wishes to address the Senate on another question. So far as I am concerned, of course, I am perfectly willing to yield the floor, and the Senator has the same right to-morrow or some day in the future to move to take up his bill. It would be a waste of time to do so to-day.

The PRESIDING OFFICER. The Chair understands that the motion of the Senator from New Jersey is before the Senate.

Mr. REED. What is the motion?

The PRESIDING OFFICER. To proceed to the consideration of Senate bill 2472. Unless it is withdrawn, the Chair will have to put the question.

Mr. FERNALD. I demand the regular order.

The PRESIDING OFFICER. The regular order is called for. The motion will go over.

Mr. EDGE. In view of the very few moments left before the time for the unfinished business to come before the Senate, of course I will not press my motion. I withdraw my motion.

The PRESIDING OFFICER. The motion is withdrawn.

Mr. EDGE. And again I give notice that I will renew the motion at the first opportunity.

INTERNATIONAL POLICY IN THE LEVANT AND THE FAR EAST.

Mr. MCCORMICK obtained the floor.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from South Dakota?

Mr. MCCORMICK. I do.

Mr. STERLING. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Colt	Edge	Gay
Ball	Cummins	Elkins	Gronna
Capper	Curtis	Fernald	Hale
Chamberlain	Dial	Fletcher	Harding

Harris	Kirby	Page	Townsend
Henderson	Knox	Pittman	Trammell
Johnson, Calif.	La Follette	Reed	Walsh, Mass.
Johnson, S. Dak.	McCormick	Sheppard	Walsh, Mont.
Jones, N. Mex.	McCumber	Smith, Ariz.	Watson
Jones, Wash.	McKellar	Smoot	Williams
Kellogg	New	Spencer	Wolcott
Kendrick	Nugent	Stanley	
Kenyon	Overman	Sterling	
King	Owen	Thomas	

The PRESIDING OFFICER. Fifty-three Senators having answered to their names, there is a quorum present.

Mr. McCORMICK. Mr. President, in order that I may present a review of the perfidy and aggression which has been the basis of the establishment of empire in Africa and Asia as intelligently and as briefly as possible, I must ask, and very earnestly, that Senators will not interrupt me during the course of this review. If by any chance anything which I may suggest should give rise to a question, I ask that that question may await the conclusion of what I have to say.

The junior Senator from Nebraska [Mr. NORRIS] addressed the Senate a month ago on the treaty of peace, in so far as it touched the subject of Shantung. A little later the Senator from Colorado submitted to Senators a consideration of the bases of an enduring peace in an address notable alike for its elevation of spirit and its calm candor. It was a deadly commentary upon the treaty before us. The influence of those speeches was felt in the country not less than in this Chamber. Senators turned to a renewed study, not only of the covenant of the league but of the terms of the treaty, to search for evidence of that enduring peace, for proof of that abiding justice, which certain supporters of the treaty have found in its text. We knew that China refused to be a party to the "world settlement" because of the wrongs she suffered under it. We could hear, in spite of the censor in France, the voice of reprobation, the audible remonstrances, of the French masses against the new imperialism which promises new wars. The cables brought us from England the indisputable evidence of by-election after by-election that the current of public opinion was moving irresistibly against the Lloyd-George government. British liberalism and British labor joined their protest to that of Jan Smuts against the terms of the treaty. Opinion in America began to change. Perhaps I ought to say more exactly that Americans began to study and to test by their own judgment and conscience the terms of the treaty, which had been withheld from them.

At first some of us had not been concerned with the disputes or agreements between the four principal Asiatic powers—France, Japan, Britain, and China—or with the doubtful issues of a European settlement which did not seem to touch us. Such disagreement as arose among us was over our future contractual relations with Europe and with Asia rather than over the terms which might be imposed on the vanquished or over the boundaries and economic privileges which might be established in central Europe or farther Asia. Then we were startled to realize that, acting in his own name and by his own proper authority, the President of the United States had put his name to an agreement which betrayed an ally and friend who had come into the war at our instance; which kept from the Chinese that which was his, and of which he had been robbed with equal hypocrisy and violence. When the junior Senator from Nebraska spoke the amicable dismemberment of lower Asia Minor by Greece and Italy had not begun; we were not very well aware of differences between France and England and the Hedjaz over Syria; news of the bickering over Thrace had not reached us; the Anglo-Persian treaty had not animated our faint memories of the history of that European conquest and empire in Asia which draws France and Britain to Japan, and which this treaty plans that we shall guarantee to the conquerors.

Thus it was that we began to examine the "world settlement." Ours was a peculiar position. Our continental domain had been extended, not over territories inhabited by old and dense populations, but over vast empty spaces which awaited the coming of civilization. From the beginning our institutions had been democratic, republican, and unmilitarist. No pressure of population, no urge for economic expansion, had tempted us to bring ancient civilizations under our economic or political control or to break our plighted word. I will not say that we were more virtuous than other peoples, but that, more happily circumstanced than they, we have not been tempted in the past to do that which other powers have done and against which the enlightened conscience of to-day revolts. More than that, we had not had to battle for our very lives during the first years of the Great War. The Government of the United States, through the President, had announced to the world that "the United States must be neutral in fact as well as in name during these days that are to try men's souls. We must be impartial in thought as well as in action; must put a curb upon our sentiments." As late as May, 1916, he had said, speaking of the war, "with its causes and its objects we are not concerned. The obscure fountains from which this stupendous flood has burst forth we are not interested to search for or explore."

It was during these years that other powers made desperate bargains for help, and entered into sordid engagements with the Russian autocracy for the division of the spoils among the victors.

Mr. President, while America, with increased anxiety, began to examine the terms of the treaty, the echoes of the speech of the Senator from Nebraska were heard in Asia and in Europe. The Senator from Nebraska spoke on the floor of this Chamber. Aye, but he spoke, too, on the soil where "the embattl'd farmers stood and fired the shot heard 'round the world."

The truth, the plain, the simple, the elemental truth, spoken out of the heart and conscience of America, led exalted Japanese and a no less exalted American to explanations. Baron Uchida and Mr. Hara spoke of the conditions—the conditions, mark you—under which some certain Chinese rights would be restored to China. The restoration, after all, is not to be unconditional. Nothing which Japan does in China is unconditional. The explanation in behalf of the American Government indicated that although we were ready to guarantee to Japan privileges of which Germany had robbed China, yet we refused to acknowledge the negotiations between China and Japan to that same end. In brief, the Government of the United States wishes to assent to the wrong done China in Shantung upon the verbal assurance of Baron Makino that presently the wrong will be undone. At the same time we virtuously eschew public acknowledgment of the collateral facts. Ostrichlike, our Government has declined to recognize that the promises of the great Asiatic military power fronting our Pacific coast are to be measured by her performances in the past. By that measurement the promises are worthless.

Although "enlightened expediency" may stop the ears of the American peace delegates, the Senate can not be deaf to the truth. For 35 years Japanese foreign policy in Asia has been one of consistent perfidy and aggression. I defy anyone to make candid answer to that charge. The wonderful material advance of Japan was contemporaneous with that of modern Prussia, and in close imitation of it. Japanese society, the Japanese constitution, the Japanese junkerthum, the Japanese monarchy, the Japanese Army, all have been molded in Prussian lines. The diplomacy of Japan has been patterned after that of Frederick the Great in its disregard of truth, solemn pledges, and human rights. If anyone doubts this, let him review his own memory of Japan's relations with China and Korea, her secret and now discovered violation of the pledges exchanged with the Government of the United States.

It was in 1884, after half a dozen years of covert intermeddling in Korea, that Japan landed troops in that country on the score of certain domestic disturbances. China, then the nominal suzerain of Korea, did likewise. In 1885 the troops were withdrawn under a Sino-Japanese treaty which, by implication at least, recognized the independent status of Korea. Ten years later, in the spring of 1894, another uprising—that of the Tong-Chaks—led to renewed military intervention by Japan and China. The Japanese kidnapped the Empress, who opposed them, made a palace revolution, placed a regent of their own choice on the throne of the Emperor, and began war on China—began war to assert the independence of Korea. The Japanese victory was complete. The Pescadores and Formosa were ceded to Japan. China agreed to pay a great indemnity and to cede to Japan the now famous Liao-Tung Peninsula "in perpetuity and full sovereignty." Although the treaty recognized the full and complete independence and autonomy of Korea, the Japanese resumed their policy of penetration. Japanese swarmed over the country interfering in its feeble administration and terrorizing its people. Finally their most resolute opponent, the Empress, was murdered by Japanese bravos.

It is unnecessary to rehearse the circumstances under which the European powers in 1895 required the re-cession of the Liao-Tung to China or of the history of its lease by Russia in 1898 for a period of 25 years. Russia began her railway building in Manchuria, and there followed the politico-economic rivalry between czaristic Russia and imperial Japan which led to the Anglo-Japanese treaty in 1902 and to the Russo-Japanese War in 1904.

Now, mark the successive steps by which Japan seized upon the body of prostrate and defenseless Korea, and with what gratuitous perfidy the Japanese Government, by treaty or through the utterances of her statesmen, disclaimed her sinister intentions almost at the moment when they were to be carried

out. Japan had formally recognized Korean independence in 1895. In February of 1904 Japan, again by treaty, recognized and guaranteed the independence and territorial integrity of Korea; in August of 1904 it was provided by treaty that Japan should appoint a financial adviser to the Korean Government; provision was made by the agreement of April, 1905, that the administration of Korean posts and telegraphs be transferred to Japan. In June of that year the first open hint of a Japanese protectorate was heard. In November, 1905, Korea confided the control of her foreign relations to the Japanese Government, which gave formal and public pledge that this control of foreign relations would be restored to Korea as soon as she might be able to resume the responsibility for their conduct. A Japanese protectorate now existed in fact; but it was not until July of 1907 that the protectorate over Korea was at last proclaimed. In the following year Marquis Ito categorically declared that Japan had no intention of annexing Korea. Two years later—15 years after Japan had fought China to assure Korean independence—in the year of our Lord 1910, there were published to the world the abdication of the Korean Emperor and the annexation of Korea to Japan.

It may be said in extenuation of Japan's aggression upon Korea that she only followed the example of Great Britain, which went to war with China in order to force her to permit the importation of opium, and, as an additional reward of victory, wrung from her the cession of Hongkong. It may be said that in Korea Japan did only that which France had done in Indo-China, and that subsequently she mended her ways. But not so. During the course of the Great War Japan twice broke her solemn understanding with the United States and, in deliberate secret violation of her other international engagements, sought to reduce China to the state of vassalage in which Britain holds Egypt and into which she is drawing Persia.

I shall not tax Senators with a long review of Japanese aggressions upon China, or, indeed, of the injuries done her by the great Christian powers subsequently allied in the war against Germany. I merely ask leave to print in this context a chronology of events which involves France and Britain, as well as Germany and Russia, in the complicity of aggression against China. In March, 1898, there were signed the treaties under which China was compelled to part with sovereign rights in Shantung to Germany, and at Port Arthur and in the Liao-Tung to Russia—treaties by which China yielded up to foreign Governments the right to build and to guard with military police railroads, which struck at her very power of self-defense. France and Britain (which had joined Russia and Germany to compel Japan to re-cede the Liao-Tung in 1895) now seized Wei-hai-wei and Kwang Chow Wang. If the Russian and German autocrats were to rob China, the great European democracies must vindicate their power and prestige by becoming thieves too!

It was in the following year that Mr. Secretary Hay vainly endeavored to establish a concert among the great powers to protect the sovereignty and integrity of China and to assure the open door. Then, during the year of 1900, the outraged Chinese made futile resistance against aggression in the Boxer uprising. You remember, sir, with what painful anxiety we waited for news of the missionaries and the diplomats besieged in the British Legation at Peking. That uprising, that siege, are ominous of the years to come, when either the 400,000,000 Chinese, once subjected to Japan, may be marshaled against the Republic which betrayed them, or, resisting subjugation, may rise to join the Koreans to drive the invaders from the eastern shores of continental Asia. Then, as the Senator from Montana has boldly and honestly said, then under the terrible tenth article of the covenant of the league we shall be bound in honor to levy our legions, to send forth our young men by the million in defense of the Japanese dominions on the farther shores of the Yellow Sea.

But I am running ahead of the necessary review of the moral abasement which characterized the conduct of the great Christian powers in Asia before and during the Great War. In 1904 Japan took from Russia the very Liao-Tung which Russia and the rest of Europe had once denied her. Fifteen years ago the Mikado in Manchuria succeeded to the spoils of the brigand Czar as to-day in Shantung he has seized those of the brigand Kaiser. Under the first Anglo-Japanese alliance Japan was able to fight Russia.

Under the third and fourth articles of the second Anglo-Japanese alliance Japan exchanged the privilege to work her will upon Korea for the privilege accorded Britain to work her will upon China in those high plains which touch the Indian frontier. The two great Asiatic autocrats—the Emperor of India and the Emperor of Japan—had entered into mutual bonds for the defense of their domains and the expansion of their influence. Now there joined Japan a third Asiatic power—France. Ah, yes; dauntless and democratic France; imperishable and glorious France, whose sons under those almost legendary Kings, Merovius and Charles Martel, flung themselves into the bloody breach at Chalons and at Tours as they did under their citizen marshal at the Marne and Verdun; France, who thus thrice held the field while laggard civilization made ready in her own defense. France in Europe, sir, is a democracy, but in Asia she governs through oriental satrapies. In 1907 France and Japan entered into a convention for the securing of their conquests upon the Continent of Asia. Was this an unnatural alliance? I will not say; but I will recall that at the foundation of French dominion over Indo-China lie the corpses of murdered Christians, sad and sardonic brothers of those other lowly servants of the Crucified whose violent end was the signal for the violent beginning of German rule in Shantung. The martyrdom of Christian missionaries was the signal for conquest.

The Root-Takahira agreement of 1908 was hailed as an omen of a better understanding, a more straightforward policy by all the powers in the Far East. It was pacific, unmilitary, and unselfish in its terms. But, as soon as Europe was securely locked in the death grapple and Kiaochow was in Japanese hands, the Imperial Japanese Government made the boldest and most perfidious attempt it had ever made upon the sovereignty of China. In January of 1915, secretly and with threats of reprisal if they should be published or refused, Japan presented twenty-one demands to China. I shall not recite them here, but at the proper moment I shall ask that they be included, with other notes; treaties, public and secret, which I shall ask the consent of the Senate to have published in this connection. If China had acceded in full to the demands—the control of her military forces, her internal administration, and her revenues in good measure—all would have passed into Japanese hands. China would have become a mere subject and vassal State, like Egypt. But China, in part, rejected the twenty-one demands. Then in 1916 Japan, having failed to have her way in China, joined with Russia in a secret treaty aimed at the United States. Its text, first published by the Russian revolutionists, is included among the papers which I shall append to this sorry review.

Japan sought to keep China out of the war. After China broke off diplomatic relations with Germany, under the urging of the United States, Japan for six months delayed her joining the belligerents. Japan demanded of France and Britain—and Britain and France granted her, in their necessity—promises to support her claims to Shantung. It was in ignorance of these promises that Mr. Lansing joined in the Lansing-Ishii agreement.

The Russian minister at Tokyo sent his Government a confidential report on the Japanese view of the agreement. That was also published by the Russian revolutionaries, and in part is as follows:

> To my question whether he (the Japanese minister of foreign affairs) did not fear that in the future misunderstandings might arise from the different interpretations by Japan and the United States of the meaning of the terms, "special position" and "special interests" of Japan in China, Viscount Motono replied by saying that—[a gap in the original]. Nevertheless, I gain the impression from the words of the minister that he is conscious of the possibility of misunderstandings also in the future, but is of the opinion that in such a case Japan would have better means at her disposal for carrying into effect her interpretation than the United States.

This is the Japan to whose easily spoken and easily broken word we are asked to confide the rights of millions of Chinamen. We are asked to remand the guardianship of Chinese rights, through the council of the league, to those other Governments whose records in Asia must shame thousands of Englishmen and Frenchmen, whose faith in democracy and whose stout hearts helped overthrow the Hohenzollern autocrat. Look at the map. Trace the boundaries and the history of the European invasion of Africa and of Asia and see upon what exemplars Japan has patterned her policy. Mark the confines of the dominions, mark the extending spheres of influence of France, Britain, and Japan, the three imperial powers remaining in the world. Their dominion now extends over a third of the habitable surface of the globe, and under their sway live well-nigh 500,000,000 sullen subject peoples, brought under this governance by force, and by force kept under its subjection.

The covenant and the treaty which we are asked to approve "consolidates the interests," as the diplomats say, and guarantees with our blood the territorial acquisitions of the three principal powers holding dominion over subject peoples—Britain, Japan, and France.

The method of acquisition differed, although the end was always the same. International exigency, great diplomatic occasions, the sudden necessities of defeated powers, the peril

of those actually at war, all have been seized upon from time to time to regularize, to make respectable, to confirm legally, what by degrees had become established, as the long period of British penetration in Persia has become a protectorate de facto by the treaty just made.

Algiers was conquered after 14 years of cruel warfare, begun when a punitive expedition was sent merely to chastise the insolent Bey of that country.

In Madagascar French interest led to a French protectorate, and then to conquest by France—planned, unblushing, deliberate, calculated conquest.

Thus it was in India, but upon a vast, an imperial, plan—India, where British rule rests upon the divisions among the Indian peoples, upon the presence of British troops, upon the bayonets of those native mercenaries with whom the Frenchman, Dupleix, taught the British to conquer native dynasties and to overawe native populations.

Mr. President, this is not the charge of an Indian miscreant, a rebel against the British imperial Raj, or of a wild Irish Sinn Feiner. It is not the testimony of a Tilak or a De Valera. It is not the view of an American theorist, but of Seeley, the English historian of the "Expansion of England."

In India—

The Government does not rest—

He says—

as in England upon the consent of the people or upon some native constituency * * *. The Government is in every respect—race, religion, habits—foreign to the people. There is only one body of persons of which we can positively affirm that without its support the Government could not stand; this is the army. Of this army, one part is English * * *, but it is less than a third part of the whole. The other two-thirds are bound to us by nothing but their pay and the feeling of honor which impels a good soldier to be true to his flag.

Lord Wellesley, as governor general in 1798, * * * first laid down the theory of intervention and annexation. Later again it was adopted with a kind of fanaticism by the last of the governors general who ruled in the time of the company, Lord Dalhousie.

Lord Dalhousie in particular stands out in history as a ruler of the type of Frederick the Great, and did deeds which are almost as difficult to justify as the seizure of Silesia or the partition of Poland.

The Senator from Idaho and Joseph Folk, of Missouri, have made Senators familiar with the record of the British occupation of Egypt. That occupation began when an army was landed, nominally in support of the Turkish viceroy, the Khedive, and actually to insure the collection of the debt due British bondholders. The early years of its indefinite continuance were punctuated by promises of evacuation. There were deliberate undertakings that Britain would leave Egypt, by Lord Granville and Lord Dufferin, and, most notably, by Lord Salisbury and Mr. Gladstone. In reply to a proposal made in the House of Lords that the British occupation should become permanent, Lord Salisbury said:

My noble friend pays an insufficient regard to the sanctity of the obligations which the Government of the Queen have undertaken, and by which they are bound to abide.

Mr. Gladstone, as prime minister, was no less explicit when, in the House of Commons, in 1883 he said:

We are against it [annexation] on the ground of the specific and solemn pledges given to the world in the most solemn manner and under the most critical circumstances—pledges which have earned for us the confidence of Europe at large during the course of difficult and delicate operations, and which, if one pledge can be more sacred and solemn than another, special sacredness in this case binds us to observe.

That was 35 years before the British Cabinet, in the name of His Britannic Majesty, deposed the Khedive who, in theory, reigned by the consent of the Egyptians and the firman of the Turk, and appointed in his stead, and as of right, a sultan.

Now we have news of a convention between Persia and Great Britain. It seems that the Persians, like the Egyptians, have been refused a hearing and help at the peace conference in Paris. As Disraeli, who represented the British Empire at the congress of Berlin, secretly from the other conferees bartered the support of British arms for the Grand Turk in exchange for Cyprus, now, so secretly that even the Persian delegation in Paris knew nothing of it, Britain has negotiated this far-reaching convention with Persia.

I submit to Senators a statement embodied in a cable dispatch published this morning:

The delegation—

That is, the Persian delegation—

had no knowledge of the agreement until it was published last week, although rumors that the British were attempting to bring it about reached here last March.

"Whoever controls the finances, railroads, and army of a nation controls that nation, and Persia's independence, therefore, is a thing of the past," said the secretary. "We saw President Wilson several times, and he told us Persia would be invited to join the league and that article 10 would guarantee its complete independence in the future. He also agreed to support our claims when the Ottoman question was taken up here.

"Does the President intend to insist that the American Senate adopt article 10 without change and yet allow Great Britain to defy its most important principle in Persia's case? If so, the league is a sham."

I have no comment to make upon that statement; it is complete in itself. With it the news comes that the cold embers of France's age-old hate for England have flamed up in sudden indignation. The French press is bitter. The Socialist organ, Le Populaire, says:

The Persians now understand why Lloyd-George gave up China to Japan.

A cable dispatch published yesterday in New York summarizes a long editorial in the leading conservative newspaper of France, in part, as follows:

Le Temps declares the agreement with Britain is a distinct violation of the league of nations covenant. It asserts the presence of British troops makes it impossible for the people of Persia properly to express their views and wishes.

To the newspaper, the Persian promise virtually to hand over the Persian Army to British officers and Persian finances to British specialists means practically the elimination of Persia's independence.

L'Echo de Paris, which in the past has been reputed to be the mouthpiece of the French prime minister, says:

If the above stipulations do not constitute a most complete protectorate, then words have lost their meaning. Doubtless nowhere is a formal protectorate mentioned, and doubtless a clause announces the independence and full integrity of Persia, but the substance of the agreement will fool no one.

The British Manchester Guardian, one of the two principal organs of British liberalism, says:

If these things had been done by any other power we should say that they amounted to a veiled protectorate.

The Tory London Post writes in the same vein.

We learn that the statement has been made by Frank L. Polk, in charge of American interests at the peace conference, that the American Government knew nothing officially of the Persian negotiations. It would appear, Mr. President, that Mr. Polk's lack of information is as abysmal as that of Mr. Lansing.

Nevertheless, the cables carry the statement of Cecil Harmsworth, undersecretary for foreign affairs, in the House of Commons, of which I read a part:

The policy of His Majesty's Government is to assist Persia to reestablish herself on a sound basis. There is not the slightest foundation for a suspicion that the Government proposed, or that the Persian Government would have consented, to create anything in the nature of a protectorate.

Mr. Harmsworth hardly will be surprised if we recall the circumstances under which Lord Beaconsfield "leased" Cyprus from the Turk, secretly from his colleagues at the congress of Berlin. The "lease" held until Britain asserted sovereignty and later transferred the island to Greece. Mr. Harmsworth will not be surprised if, contemplating what seems to some of us to be the ignorance and ineptitude of some of our representatives, we recall the asseverations of Lord Salisbury and Mr. Gladstone in regard to Egypt:

Persicos odi, puer, apparatus.

Roman Horace may have loathed the riches of Persia, but not so the British statesmen, who see in Mesopotamia the equal rivals of our cotton fields, and who have found in Persia one of the great oil basins of the world.

The pax Britannica, which to see is to admire, is the handmaiden of plenty. We may see written on yonder map the time when the looms of Leeds and the mills of Manchester will spin yarns and weave cloths without recourse to the cotton markets of Memphis or Charleston or New Orleans.

By the conquest of German East Africa the British Empire completed the "all-red" route from the Cape to Cairo. Now by the consummation of the Persian treaty and by the addition of two other newly subject or vassal States to her Empire, Britain has completed the "all-red" route from Cairo to Calcutta.

I do not decry the service to civilization of the British Empire. It has carried highways into the wilderness. It has made two blades to grow where one grew before. It has abolished suttee and slavery. It has brought peace to millions. But that has been a policeman's peace. Through the long generations which have witnessed the growth of that splendid Empire in India, more splendid than any from that of Greek Alexander to that of Aurungzebe, there has been no broadening base of government, no effort to bring schools to the people and the people to the schools. The general illiteracy of Egypt to-day is as great as it was when, nearly 40 years ago, Arabi Pasha fell before the British armies.

What is true of the British is true of the French and the Japanese dominions over subject peoples. They have brought material prosperity, but no democratic progress. Almost wherever you go among those myriad millions in Asia and Africa

you find sedition and rebellion. You would have found, even this year and last, imprisonment without trial and summary deportation of political agitators. You would have found, in greater proportion to-day than for generations, British troops. You would have found, in India, British garrisons which had replaced Indian troops. Look at the long borders of those subject peoples; count the thousands of miles they march with those of China and Russia. They touch upon the Russian Pamirs and the Russian Caucasus. If ever those subject peoples rise, and the Chinese or the Russians strike hands with them for freedom, that will constitute "external aggression" under the covenant. Then our young men must march by thousands to drive the invader back from the Yalu, the Ganges, the Tigris, or the Euphrates.

Happily, Mr. President, there is no longer any difference among Senators over the meaning of article 10. We owe very largely to the candor and courage of the senior Senator from Montana the agreement here—that for each of the nations which may subscribe to it the obligation is one of honor and unqualified. If the United States become a party to it, although our frontiers require no guarantors, although there are no possible enemies against whom we must summon help, America, the great reservoir of treasure and of man power, becomes the guarantor of all the frontiers of the world, including those of the far-flung autocracies of France and Britain.

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER (Mr. FERNALD in the chair). Does the Senator from Illinois yield to the Senator from Montana?

Mr. McCORMICK. Will the Senator let me conclude? I am nearly through with my remarks.

Mr. WALSH of Montana. Certainly.

Mr. McCORMICK. Surely the British statesmen who penned the text of the covenant knew when they wrote articles 4 and 11 that smoldering revolution among those subject millions must break out in the future.

> The council may deal * * * with any matter * * * affecting the peace of the world. (Art. 4.)
>
> Any threat of war * * * is declared a matter of concern to the whole league, and the league shall take any action that may be deemed wise and effectual to safeguard the peace of nations. (Art. 11.)
>
> It is also declared to be the fundamental right of each member of the league to bring to the attention of the assembly or of the council any circumstance whatever affecting international relations which threatens to disturb either the peace or the good understanding between nations upon which peace depends. (Art. 11.)

Ponder these provisions in connection with a paragraph buried in the midst of the long fifteenth article of the covenant, and which did not appear in the first published draft.

> If the council fails to reach a report which is unanimously agreed to by the members thereof other than the representatives of one or more of the parties to the dispute, the members of the league reserve to themselves the right to take such action as they shall consider necessary for the maintenance of right and justice.

It is not a pleasant task to review the conquests, the pledges broken or forgotten, which are an inseparable part of the history of the eighteenth and nineteenth centuries, but unless it be done we can not understand how the European democracies are caught in the chains of the very peoples whom they hold in subjection. It is only thus that we can understand how the present terms of the covenant may call us to war to keep those subject peoples in bondage.

There was a time, Mr. President, when the language of France was as common to my ears and to my lips as that in which we speak. It was in her tongue that I was taught to ask for Guidance which we should implore to-day. As two natures struggle in the breast of man, so are there two in France. There is the France whose sons died for liberty with a heroism beyond compare, and a France whose conquering armies carried her eagles from Moscow almost to Gibraltar. In the lifetime of men in this chamber, she has followed the third Napoleon and Boulanger, as well as Thiers and Gambetta.

Like forces are at work against one another in England—the England which has spoken through the lips of Hampden and Gladstone, no less than through those of Lord North and Disraeli; great England, stout of heart, reverent of the law, who held out to the world the first example of representative government! But the seat of the mother of parliaments is the capital of an empire over hundreds of subject millions. If we subscribe to the imperialist obligations and the reactionary purposes of the tenth and eleventh articles of the covenant, if we join in the spoil of China, we shall give new life to the spirit of imperialism which has been born of the victory; we shall fall the men in Europe who have dared to protest against this treaty.

> Woe unto the world because of offenses; for it must be that offenses come; but woe unto that man by whom the offense cometh.

Great powers, political and financial, are eager to frighten and to coerce, to drive Senators to subordinate judgment to expediency. During the long months which followed the armistice, was anything done to reduce the costs of living for the people of this land? They were heavy in January and February, as well as in July and August. No process was invoked and no appeal was made to lighten the burden then, but now we must haste.

In our haste let us not forget that in the awakening Orient, in China, and in those conquered empires yonder, there are twice as many millions as there were in all the countries of western Europe which were engaged in the war. If we shrink from our duty, if we consent to the guaranty of territories, if we consent that America shall be an instrument to repress revolution, we shall not only consecrate the wrongs of the past, but by our act we shall pledge America against conscience and judgment to take part in the great war which this treaty promises. Our young men will go forth to defend cities of which they never heard. In the high places of Asia, the snow will cover the frozen bodies of Americans perhaps now unborn, and American mothers—little girls to-day, mayhap, playing in the summer air about the dooryards—will mourn their sons fallen in the desert wastes of Syria and Egypt.

CHRONOLOGY OF JAPANESE AGGRESSION IN CHINA.

Sino-German "lease" of Shantung, March 6, 1898.
Sino-Russian "lease" of Port Arthur and the Liao-Tung, March 27, 1898.
Hay "open door" proposals, September 6, 1899.
Boxer uprising, January to December, 1900.
First Anglo-Japanese alliance, January, 1902.
Russo-Japanese War, 1904.
Cession of the Liao-Tung and half of the Manchurian Railroad to Japan, 1905.
Second Anglo-Japanese alliance, August, 1905.
Franco-Japanese treaty, 1907.
Root-Takahira agreement, 1908.
Annexation of Korea, 1910.
Third Anglo-Japanese alliance, 1911.
Great War and surrender of Kiaochow to the Japanese, 1914.
The twenty-one demands upon China, January to May, 1915.
Russo-Japanese secret treaty, July 3, 1916.
China breaks relations with Germany, February, 1917.
British and French promises to support Japan in Shantung, February, 1917.
China declares war on Germany, August, 1917.
Lansing-Ishii agreement, November 2, 1917.

—

CONVENTION BETWEEN CHINA AND JAPAN FOR THE WITHDRAWAL OF CHINESE AND JAPANESE TROOPS FROM KOREA, APRIL 18, 1885.

It is hereby agreed that China shall withdraw her troops now stationed in Korea, and that Japan shall withdraw hers stationed therein for the protection of her legation. The specific term for effecting the same shall be four months, commencing from the date of the signing and sealing of this convention, within which term they shall respectively accomplish the withdrawal of the whole number of each of their troops, in order to avoid effectively any complications between the respective countries; the Chinese troops shall embark from Masan-Po and the Japanese from the port of Ninsen.

The said respective powers mutually agree to invite the King of Korea to instruct and drill a sufficient armed force, that she may herself assure her public security, and to invite him to engage into his service an officer or officers from amongst those of a third power, who shall be intrusted with the instruction of the said force. The respective powers also bind themselves, each to the other, henceforth not to send any of their own officers to Korea for the purpose of giving said instruction.

In case of any disturbance of a grave nature occurring in Korea which necessitates the respective countries, or either of them, to send troops to Korea it is hereby understood that they shall give, each to the other, previous notice in writing of their intention so to do, and that after the matter is settled they shall withdraw their troops and not further station them there.

—

TREATY OF PEACE BETWEEN CHINA AND JAPAN, APRIL, 1895.

ARTICLE I. China recognizes definitely the full and complete independence and autonomy of Korea, and in consequence the payment of tribute and the performance of ceremonies and formalities by Korea, in derogation of such independence and autonomy, shall wholly cease for the future.

—

THE "OPEN-DOOR" PROPOSALS OF SECRETARY OF STATE HAY.

SEPTEMBER 6, 1899.

To the AMERICAN AMBASSADOR TO GERMANY:

At the time when the Government of the United States was informed by that of Germany that it had leased from His Majesty the Emperor of China the port of Kiaochow and the adjacent territory in the Province of Shantung assurances were given to the ambassador of the United States at Berlin by the imperial German minister for foreign affairs that the rights and privileges insured by treaties with China to citizens of the United States would not thereby suffer or be in any wise impaired within the area over which Germany had thus obtained control.

More recently, however, the British Government recognized by a formal agreement with Germany the exclusive right of the latter country to enjoy in said leased area and the contiguous "sphere of influence or interest" certain privileges, more especially those relating to railroads and mining enterprises, but as the exact nature and extent of the rights thus recognized have not beeen clearly defined it is possible that serious conflicts of interests may at any time arise not only between the British and German subjects within said area but that the interests of our citizens may also be jeopardized thereby.

Earnestly desirous to remove any cause of irritation and to insure at the same time to the commerce of all nations in China the un-

doubted benefits which should accrue from a formal recognition by the various powers claiming "spheres of interest" that they shall enjoy perfect equality of treatment for their commerce and navigation within such "spheres," the Government of the United States would be pleased to see His German Majesty's Government give formal assurances and lend its cooperation in securing like assurances from the other interested powers, that each within its respective sphere of whatever influence—

First. Will in no way interfere with any treaty port or any vested interest within any so-called "sphere of interest" or leased territory it may have in China.

Second. That the Chinese treaty tariff of the time being shall apply to all merchandise landed or shipped to all such ports as are within said "sphere of interest" (unless they be "free ports"), no matter to what nationality it may belong, and that duties so leviable shall be collected by the Chinese Government.

Third. That it will levy no higher harbor dues on vessels of another nationality frequenting any port in such "sphere" than shall be levied on vessels of its own nationality and no higher railroad charges over lines built, controlled, or operated within its "sphere" on merchandise belonging to citizens or subjects of other nationalities transported through such "sphere" than shall be levied on similar merchandise belonging to its own nationals transported over equal distances.

The liberal policy pursued by His Imperial German Majesty in declaring Kiaochow a free port and in aiding the Chinese Government in the establishment there of a customhouse are so clearly in line with the propositions which this Government is anxious to see recognized that it entertains the strongest hope that Germany will give its acceptance and hearty support.

The recent ukase of His Majesty the Emperor of Russia declaring the port of Ta-lien-wan open during the whole of the lease under which it is held from China to the merchant ships of all nations, coupled with the categorical assurances made to this Government by His Imperial Majesty's representative at this capital at the time, and since repeated to me by the present Russian ambassador, seem to insure support of the Emperor to the proposed measure. Our ambassador at the Court of St. Petersburg has in consequence been instructed to submit it to the Russian Government and to request their early consideration of it. A copy of my instruction on the subject to Mr. Tower is herewith inclosed for your confidential information.

The commercial interests of Great Britain and Japan will be so clearly served by the desired declaration of intentions and the views of the Governments of these countries as to the desirability of the adoption of measures insuring the benefits of equality of treatment of all foreign trade throughout China are so similar to those entertained by the United States that their acceptance of the proposition herein outlined and their cooperation in advocating their adoption by the other powers can be confidently expected.

—

FIRST ANGLO-JAPANESE ALLIANCE, 1902.

ARTICLE 1. The high contracting parties, having mutually recognized the independence of China and Korea, declare themselves to be entirely uninfluenced by any aggressive tendencies in either country. Having in view, however, their special interests, of which those of Great Britain relate principally to China, while Japan, in addition to the interests which she possesses in China, is interested in a peculiar degree politically, as well as commercially and industrially, in Korea, the high contracting parties recognize that it will be admissible for either of them to take such measures as may be indispensable in order to safeguard those interests if threatened either by the aggressive action of any other power, or by disturbances arising in China or Korea, and necessitating the intervention of either of the high contracting parties for the protection of the lives and property of its subjects.

ART. 2. If either Great Britain or Japan, in the defense of their respective interests as above described, should become involved in war with another power the other high contracting power will maintain a strict neutrality, and use its efforts to prevent others from joining in hostilities against its ally.

ART. 3. If, in the above event, any other power or powers should join in hostilities against that ally, the other high contracting party will come to its assistance, and will conduct the war in common, and will make peace in mutual agreement with it.

PROTOCOL BETWEEN JAPAN AND KOREA, FEBRUARY, 1904.

ART. 2. The Imperial Government of Japan shall in a spirit of firm friendship insure the safety and repose of the Imperial House of Korea.

ART. 3. The Imperial Government of Japan unconditionally guarantee the independence and territorial integrity of the Korean Empire.

—

SECOND ANGLO-JAPANESE ALLIANCE, 1905.

ARTICLE 1. It is agreed that whenever, in the opinion of either Great Britain or Japan, any of the rights and interests referred to in the preamble of this agreement are in jeopardy, the two Governments will communicate with one another fully and frankly, and will consider in common the measures which should be taken to safeguard those menaced rights or interests.

ART. 2. If by reason of unprovoked attack or aggressive action, wherever arising, on the part of any other power or powers either contracting party should be involved in war in defense of its territorial rights or special interests mentioned in the preamble of this agreement, the other contracting party will at once come to the assistance of its ally, and will conduct the war in common, and make peace in mutual agreement with it.

ART. 3. Japan possessing paramount political, military, and economic interests in Korea, Great Britain recognizes the right of Japan to take such measures of guidance, control, and protection in Korea as she may deem proper and necessary to safeguard and advance those interests, provided always that such measures are not contrary to the principle of equal opportunities for the commerce and industry of all nations.

ART. 4. Great Britain having a special interest in all that concerns the security of the Indian frontier, Japan recognizes her right to take such measures in the proximity of that frontier as she may find necessary for safeguarding her Indian possessions.

—

FRANCO-JAPANESE TREATY, 1907.

The Governments of Japan and France, being agreed to respect the independence and integrity of China, as well as the principle of equal treatment in that country for the commerce and subjects or citizens of all nations, and having a special interest to have the order and pacific state of things preserved, especially in the regions of the Chinese Empire adjacent to the territories where they have the rights of sovereignty, protection, or occupation, engage to support each other for assuring the peace and security in those regions, with a view to maintain the respective situation and the territorial rights of the two high contracting parties in the Continent of Asia.

—

ROOT-TAKAHIRA AGREEMENT, 1908.

ART. 4. They (the United States and Japan) are also determined to preserve the common interests of all powers in China by supporting by all pacific means at their disposal the independence and integrity of China and the principle of equal opportunity for commerce and industry of all nations in the Empire.

ART. 5. Should any event occur threatening the status quo as above described or the principle of equal opportunity as above defined, it remains for the two Governments to communicate with each other in order to arrive at an understanding as to what measures they may consider it useful to take.

—

DECLARATION OF ANNEXATION OF KOREA BY JAPAN, SIGNED ON AUGUST 22, 1910, AND PROMULGATED ON THE 29TH OF AUGUST.

ARTICLE 1. His Majesty, the Emperor of Korea, makes complete and permanent cession to His Majesty, the Emperor of Japan, of all rights of sovereignty over the whole of Korea.

ART. 2. His Majesty, the Emperor of Japan, accepts the cession mentioned in the preceding article, and consents to the complete annexation of Korea to the Empire of Japan.

ART. 3. His Majesty, the Emperor of Japan, will accord to their majesties the Emperor and ex-Emperor and his Imperial Highness, the Crown Prince of Korea, and their consorts and heirs such titles, dignity, and honor as are appropriate to their respective ranks, and sufficient annual grants will be made for the maintenance of such titles, dignity, and honor.

ART. 4. His Majesty the Emperor of Japan will also accord appropriate honor and treatment to the members of the Imperial House of Korea and their heirs, other than those mentioned in the preceding article, and the funds necessary for the maintenance of such honor and treatment will be granted.

ART. 5. His Majesty the Emperor of Japan will confer peerages and monetary grants upon those Koreans who, on account of meritorious services, are regarded as deserving such special recognition.

ART. 6. In consequence of the aforesaid annexation, the Government of Japan assumes the entire government and administration of Korea and undertakes to afford full protection for the persons and property of Koreans obeying the laws there in force, and to promote the welfare of all such Koreans.

ART. 7. The Government of Japan will, so far as circumstances permit, employ in the public service of Japan in Korea those Koreans who accept the new régime loyally and in good faith and who are duly qualified for such service.

ART. 8. This treaty, having been approved by His Majesty the Emperor of Japan and His Majesty the Emperor of Korea, shall take effect from the date of its promulgation.

—

JAPAN'S ORIGINAL 21 DEMANDS, JANUARY 18, 1915.

GROUP I.

The Japanese Government and the Chinese Government being desirous of maintaining the general peace in eastern Asia, and further strengthening the friendly relations and good neighborhood existing between the two nations, agree to the following articles:

ARTICLE 1. The Chinese Government engages to give full assent to all matters upon which the Japanese Government may hereafter agree with the German Government relating to the disposition of all rights, interests, and concessions which Germany, by virture of treaties, or otherwise, possesses in relation to the Province of Shantung.

ART. 2. The Chinese Government engages that within the Province of Shantung and along its coast no territory or island will be ceded or leased to a third power under any pretext.

ART. 3. The Chinese Government consents to Japan's building a railway from Chefoo, or Lungkow, to join the Kiaochow-Tsinanfu Railway.

ART. 4. The Chinese Government engages, in the interest of trade and for the residence of foreigners, to open by herself as soon as possible certain important cities and towns in the Province of Shantung as commercial ports. What places are to be opened are to be jointly decided upon in a separate agreement.

GROUP II.

The Japanese Government and the Chinese Government, since the Chinese Government has always acknowledged the special position enjoyed by Japan in South Manchuria and Eastern Inner Mongolia, agree to the following articles:

ARTICLE 1. The two contracting powers mutually agree that the term of lease of Port Arthur and Dalny and the term of lease of the South Manchurian Railway and the Antung-Mukden Railway shall be extended to the period of 99 years.

ART. 2. Japanese subjects in South Manchuria and Eastern Inner Mongolia shall have the right to lease or own land required either for erecting suitable buildings for trade and manufacture or for farming.

ART. 3. Japanese subjects shall be free to reside and travel in South Manchuria and Eastern Inner Mongolia and to engage in business and in manufacture of any kind whatsoever.

ART. 4. The Chinese Government agrees to grant to Japanese subjects the right of opening mines in South Manchuria and Eastern Inner Mongolia. As regards what mines shall be opened they shall be decided upon jointly.

ART. 5. The Chinese Government agrees that in respect of the (two) cases mentioned herein below the Japanese Government's consent shall be first obtained before action is taken:

(a) Whenever permission is granted to the subject of a third power to build a railway or to make a loan with a third power for the purpose of building a railway in South Manchuria and Eastern Inner Mongolia.

(b) Whenever a loan is to be made with a third power pledging the local taxes of South Manchuria and Eastern Inner Mongolia as security.

ART. 6. The Chinese Government agrees that if the Chinese Government employs political, financial, or military advisers or instructors in South Manchuria or Eastern Inner Mongolia the Japanese Government shall first be consulted.

ART. 7. The Chinese Government agrees that the control and management of the Kirin-Changchun Railway shall be handed over to the Japanese Government for a term of 99 years dating from the signing of this agreement.

GROUP III.

The Japanese Government and the Chinese Government, seeing that Japanese financiers and the Hanyehping Co. have close relations with each other at present, and desiring that the common interests of the two nations shall be advanced, agree to the following articles:

ARTICLE 1. The two contracting parties mutually agree that when the opportune moment arrives the Hanyehping Co. shall be made a joint concern of the two nations, and they further agree that without the previous consent of Japan China shall not by her own act dispose of the rights and property of whatsoever nature of the said company nor cause the said company to dispose freely of the same.

ART. 2. The Chinese Government agrees that all mines in the neighborhood of those owned by the Hanyehping Co. shall not be permitted, without the consent of the said company, to be worked by other persons outside of the said company; and further agrees that if it is desired to carry out any undertaking which it is apprehended may directly or indirectly affect the interests of the said company the consent of the said company shall first be obtained.

GROUP IV.

The Japanese Government and the Chinese Government with the object of effectively preserving the territorial integrity of China agree to the following special article:

The Chinese Government engages not to cede or lease to a third power any harbor or bay or island along the coast of China.

GROUP V.

ARTICLE 1. The Chinese Central Government shall employ influential Japanese as advisers in political, financial, and military affairs.

ART. 2. Japanese hospitals, churches, and schools in the interior of China shall be granted the right of owning land.

ART. 3. Inasmuch as the Japanese Government and the Chinese Government have had many cases of dispute between Japanese and Chinese police to settle, cases which caused no little misunderstanding, it is for this reason necessary that the police departments of important places (in China) shall be jointly administered by Japanese and Chinese, or that the police departments of these places shall employ numerous Japanese, so that they may at the same time help to plan for the improvement of the Chinese police service.

ART. 4. China shall purchase from Japan a fixed amount of munitions of war (say 50 per cent or more of what is needed by the Chinese Government) or there shall be established in China a Sino-Japanese jointly worked arsenal. Japanese technical experts to be employed and Japanese material to be purchased.

ART. 5. China agrees to grant to Japan the right of constructing a railway connecting Wuchang with Kiukiang and Nanchang, another line between Nanchang and Hangchow, and another between Nanchang and Chaochou

ART. 6. If China needs foreign capital to work mines, build railways, and construct harbor work (including dock yard) in the Province of Fukien, Japan shall first be consulted.

ART. 7. China agrees that Japanese subjects shall have the right to propagate Buddhism in China.

SECRET RUSSO-JAPANESE TREATY, JULY 3, 1916.

ARTICLE 1. The two high contracting parties acknowledge that the vital interests of both require the safeguarding of China against the political domination by any third power entertaining hostile designs toward Russia or Japan, and therefore mutually pledge themselves, each time when circumstances demand it, to enter into frank relations based on complete mutual trust with one another with a view to taking joint measures for the prevention of the possibility of the advent of such a state of affairs (in China).

* * * * * * *

ART. 6. The present convention shall be kept in complete secrecy from everybody except the two high contracting parties.

NOTE FROM THE AMERICAN MINISTER AT PEKING TO THE CHINESE MINISTER OF FOREIGN AFFAIRS.

PEKING, *February 4, 1917.*

I have the honor to advise your excellency that I have been instructed by my Government to make to you the following notification in its behalf:

This Government, in view of the recent announcement by the German Government of its intention to renew indiscriminate submarine warfare, has no alternative but to pursue the course laid down in its note to the German Government on April 18, 1916. It will therefore recall the American ambassador and his suite at Berlin and will forthwith deliver to the German ambassador in Washington passports for himself and his suite.

I am further instructed to say that the President is reluctant to believe that Germany will actually carry out the threats made against neutral commerce, but, if it is done, the President will ask from Congress authority to use the national power to protect American citizens engaged in peaceful and lawful errands on the high seas. The course taken is, in the view of the President, in entire conformity with the principles enunciated by him in his address to the Senate on January 22, and he therefore believes that it will make for the peace of the world if the other neutral powers can find it possible to take action similar to that taken by the Government of the United States.

APPENDIX C OF "THE SECRET TREATIES."

[By F. Seymour Cocks.]

DIPLOMATIC DOCUMENTS RELATING TO JAPAN.

The following diplomatic documents from the archives of the Russian foreign office have appeared in the Petrograd press. The translations were published in the Manchester Guardian on February 7 and 22, 1918. The first three relate to Japan's territorial war aims, the last three to Japan's relations with China and to the interpretation of the term "special interests" in the Japanese-American agreement (Mr. LANSING's note of Nov. 2, 1917), quoted on page 64:

I.

[From M. Krupensky, the former Russian ambassador at Tokyo. Dispatch dated February 8, 1917.]

I never omit an opportunity for representing to the minister for foreign affairs the desirability, in the interests of Japan herself, of China's intervention in the war, and only last week I had a conversation with him on the subject. To-day I again pointed out to him that the present moment was particularly favorable, in view of the position taken up by the United States and the proposal made by them to the neutral powers to follow their example, and, more particularly, in view of the recent speeches of the American minister at Peking. Viscount Motono replied that he would be the first to welcome a rupture between China and Germany, and would not hesitate to take steps in this direction at Peking if he were sure that the Chinese Government would go in that direction. So far, however, he had no such assurance, and he feared lest unsuccessful representations at Peking might do harm to the Allies. He promised me to sound the attitude of Peking without delay, and, in case of some hope of success, to propose to the cabinet to take a decision in the desired direction.

On the other hand, the minister pointed out the necessity for him, in view of the attitude of Japanese public opinion on the subject, as well as with a view to safeguard Japan's position at the future peace conference, if China should be admitted to it, of securing the support of the allied powers to the desires of Japan in respect of Shantung and the Pacific islands. These desires are for the succession to all the rights and privileges hitherto possessed by Germany in the Shantung Province and for the acquisition of the islands to the north of the Equator which are now occupied by the Japanese. Motono plainly told me that the Japanese Government would like to receive at once the promise of the Imperial (Russian) Government to support the above desires of Japan. In order to give a push to the highly important question of a break between China and Germany, I regard it as very desirable that the Japanese should be given the promise they ask—this the more as, so far as can be seen here, the relations between Great Britain and Japan have of late been such as to justify a surmise that the Japanese aspirations would not meet with any objections on the part of the London cabinet.

II.

[Dispatch dated Mar. 1, 1917.]

The minister for foreign affairs asked me to-day whether I had received a reply from the Imperial (Russian) Government relating to Japan's desires on the question of Shantung and the Pacific islands, and told me that the Japanese Government would very much like to have at the earliest a promise from us on the subject.

III.

[Dispatch dated Mar. 21, 1917.]

I communicated to-day to the minister for foreign affairs the contents of your high excellency's telegram, and gave him a copy. Viscount Motono confined himself to the observation that he took note of my communication, and would report it to the council of ministers and the Emperor. The attitude of public opinion and the press here toward the revolution in Russia is, on the whole, sympathetic. It is regarded as a pledge of a successful prosecution of the war until complete victory has been obtained, and the end of the rule of the bureaucracy is welcomed. While paying due tribute to the Emperor's and the Grand Duke Michael Alexandrovitch's patriotic acts of abdication, public opinion here expresses the hope that the new Government and the popular representatives to be summoned would not be inclined toward extreme decisions. The same attitude toward the events in Russia could be perceived in the few general words which I heard in this connection from the minister of foreign affairs.

IV.

[Dispatch from the Russian ambassador at Tokyo, dated Oct. 16, 1917.]

In reply to my question as to the credibility of the rumors alleging that Japan is prepared to sell to the Chinese Government a considerable quantity of arms and munitions, Viscount Motono confirmed them, and added that the Peking Government had promised not to use the arms against the southerners. It was evident from the minister's words, however, that this promise possessed only the value of a formal justification of this sale, infringing as the latter does the principle of non-intervention in the internal Chinese feuds, proclaimed by Japan herself, and that the Japanese Government was in this instance deliberately assisting the Tuan-tse-shua cabinet in the hope of receiving from it in return substantial privileges. It is most likely that the Japanese are aiming principally at obtaining the privilege of rearming the entire Chinese Army, and at making China dependent in the future on Japanese arsenals and the supply of munitions from Japan. The arms to be supplied to China are estimated at 30,000,000 yen. At the same time Japan intends establishing an arsenal in China for the manufacture of war material.

V.

[Dispatch dated Oct. 22, 1917.]

Referring to Bakhmetyeff's (Russian ambassador at Washington) N 598, if the United States thinks, as it appeared to our ambassador—from conversation with Lansing—that the recognition of Japan's special position in China is of no practical consequence, such a view will inevitably lead in the future to serious misunderstandings between us and Japan. The Japanese are manifesting more and more clearly a tendency to interpret the special position of Japan in China, inter alia, in the sense that other powers must not undertake in China any political steps without previously exchanging views with Japan on the subject, a condition that would to some extent establish a Japanese control over the foreign affairs of China. On the other hand, the Japanese Government does not attach great importance to its recognition of the principle of the open door and the integrity of China, regarding it as merely a repetition of the assurances repeatedly given by it earlier to other powers and implying no new restrictions for the Japanese policy in China. It is therefore quite possible that at some future time there may arise in this connection misunderstandings between the United States and Japan. The minister of foreign affairs again confirmed to-day in conversation with me that in the negotiations by Viscount Ishii the question at issue is not some special concession to Japan in these or other parts of China, but Japan's special position in China as a whole.

VI.

[Dispatch dated Nov. 1, 1917.]

The minister for foreign affairs asked me to call on him to-day and communicated to me confidentially, but quite officially, the text of the notes transmitted in my telegram N 2, which are to be exchanged at Washington on November 2 or 3 between the American State Secretary and Viscount Ishii. A similar communication was made to-day to the British ambassador here. The French and Italian ambassadors will receive the text of the notes in a day or two, privately, for their information. The publication of the notes will probably take place on November 7; until then the minister asks the powers to keep his communication secret.

When handing me the above-mentioned text of the notes, Viscount Motono added that he had only received it in final form yesterday by

wire from Washington, and since Viscount Ishii was to leave (Washington) the night after next, the signature of the notes could not have been postponed, in spite of the Japanese Government's desire to ascertain the views of the Russian Government on the subject prior to it. The minister hoped that he would not be blamed for that at Petrograd, especially as the present agreement between America and Japan could not arouse any objection on our part. Viscount Motono mentioned that when concluding (gap in the original), one of the objects was to put an end to the German intrigues intended to sow discord between Japan and the United States and to prove thereby to the Chinese that there was between the two powers a complete agreement of view with regard to China, who, therefore, must not reckon on the possibility of extracting any profit from playing off one against the other.

To my question whether he did not fear that in the future misunderstandings might arise from the different interpretations by Japan and the United States of the meaning of the terms "special position" and "special interests" of Japan in China, Viscount Motono replied by saying that (a gap in the original). Nevertheless, I gain the impression from the words of the minister that he is conscious of the possibility of misunderstandings also in the future, but is of the opinion that in such a case Japan would have better means at her disposal for carrying into effect her interpretation than the United States.

—

CORRESPONDENCE (IN PART) CONCLUDING THE AGREEMENT BY FRANCE AND GREAT BRITAIN TO SUPPORT JAPAN IN SHANTUNG.

FEBRUARY 16, 1917.

To the JAPANESE MINISTER OF FOREIGN AFFAIRS:

With reference to the subject of our conversation of the 27th ultimo, His Britannic Majesty's Government accedes with pleasure to request of the Japanese Government for an assurance that they will support Japan's claims in regard to the disposal of Germany's rights in Shantung and possession of the islands north of the Equator on the occasion of the peace conference, it being understood that the Japanese Government will in the eventual peace settlement treat in the same spirit Great Britain's claim to the German islands south of the Equator.

CONYNGHAM GREENE,
His Britannic Majesty's Ambassador.

—

FEBRUARY 21, 1917.

To the BRITISH AMBASSADOR:

The Japanese Government is deeply appreciative of the friendly spirit in which your Government has given assurance, and happy to note it as fresh proof of the close ties that unite the two allied powers. I take pleasure in stating that the Japanese Government on its part is fully prepared to support in the same spirit the claims which may be put forward at the peace conference in regard to the German possessions in the islands south of the Equator.

———,
Japanese Minister of Foreign Affairs.

—

To the FRENCH AMBASSADOR:

The Imperial Japanese Government proposes to demand from Germany at the time of the peace negotiations the surrender of the territorial rights and special interests Germany possessed before the war in Shantung and the islands situated north of the Equator in the Pacific Ocean.

The Imperial Japanese Government confidently hopes the Government of the French Republic, realizing the legitimacy of these demands, will give assurance that, her case being proved, Japan may count upon its full support in this question.

———,
Japanese Minister of Foreign Affairs.

—

To the JAPANESE MINISTER OF FOREIGN AFFAIRS:

The Government of the French Republic is disposed to give the Japanese Government its accord in regulating at the time of the peace negotiations questions vital to Japan concerning Shantung and the German islands in the Pacific north of the Equator. It also agrees to support the demands of the Imperial Japanese Government for the surrender of the rights Germany possessed before the war in this Chinese Province and these islands.

———,
French Ambassador.

—

THE LANSING-ISHII AGREEMENT.

NOVEMBER 2, 1917.

To the AMBASSADOR OF JAPAN:

I have the honor to communicate herein my understanding of the agreement reached by us in our recent conversations touching the questions of mutual interest to our Governments relating to the Republic of China.

In order to silence mischievous reports that have from time to time been circulated, it is believed by us that a public announcement once more of the desires and intentions shared by our two Governments with regard to China is advisable.

The Governments of the United States and Japan recognize that territorial propinquity creates special relations between countries, and, consequently, the Government of the United States recognizes that Japan has special interests in China, particularly in the part to which her possessions are contiguous.

The territorial sovereignty of China, nevertheless, remains unimpaired and the Government of the United States has every confidence in the repeated assurances of the Imperial Japanese Government that while geographical position gives Japan such special interests they have no desire to discriminate against the trade of other nations or to disregard the commercial rights heretofore granted by China in treaties with other powers.

The Governments of the United States and Japan deny that they have any purpose to infringe in any way the independence or territorial integrity of China and they declare, furthermore, that they always adhere to the principle of the so-called "open door" or equal opportunity for commerce and industry in China.

Moreover, they mutually declare that they are opposed to the acquisition by any Government of any special rights or privileges that would affect the independence or territorial integrity of China or that would deny to the subjects or citizens of any country the full enjoyment of equal opportunity in the commerce and industry of China.

I shall be glad to have Your Excellency confirm this understanding of the agreement reached by us.

Accept, Excellency, the renewed assurance of my highest consideration.

(Signed) ROBERT LANSING.

—

NOVEMBER 2, 1917.

To the SECRETARY OF STATE:

I have the honor to acknowledge the receipt of your note of to-day, communicating to me your understanding of the agreement reached by us in our recent conversations touching the questions of mutual interest to our Governments relating to the Republic of China.

I am happy to be able to confirm to you, under authorization of my Government, the understanding in question set forth in the following terms:

In order to silence mischievous reports that have from time to time been circulated, it is believed by us that a public announcement once more of the desires and intentions shared by our two Governments with regard to China is advisable.

The Governments of Japan and the United States recognize that territorial propinquity creates special relations between countries, and, consequently, the Government of the United States recognizes that Japan has special interests in China, particularly in the part to which her possessions are contiguous.

The territorial sovereignty of China, nevertheless, remains unimpaired and the Government of the United States has every confidence in the repeated assurances of the Imperial Japanese Government that while geographical position gives Japan such special interests they have no desire to discriminate against the trade of other nations or to disregard the commercial rights heretofore granted by China in treaties with other powers.

The Governments of Japan and the United States deny that they have any purpose to infringe in any way the independence or territorial integrity of China and they declare, furthermore, that they always adhere to the principle of the so-called "open door" or equal opportunity for commerce and industry in China.

Moreover, they mutually declare that they are opposed to the acquisition by any Government of any special rights or privileges that would affect the independence or territorial integrity of China or that would deny to the subjects or citizens of any country the full enjoyment of equal opportunity in the commerce and industry of China.

I take this opportunity to convey to you, sir, the assurances of my highest consideration.

(Signed) K. ISHII,
Ambassador Extraordinary and Plenipotentiary of Japan on Special Mission.

LEASING OF OIL LANDS.

During the delivery of Mr. MCCORMICK's speech,

The PRESIDING OFFICER (Mr. THOMAS in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 2775) to promote the mining of coal, phosphate, oil, gas, and sodium on the public domain.

The PRESIDING OFFICER. The Senator from Illinois will proceed.

After the conclusion of Mr. MCCORMICK's speech,

Mr. PITTMAN and Mr. WILLIAMS addressed the Chair.

The PRESIDING OFFICER (Mr. FERNALD in the chair). The Senator from Nevada.

EFFECT OF TREATY RESERVATIONS.

Mr. PITTMAN addressed the Senate. After having spoken for some time,

Mr. WALSH of Montana. Mr. President, the subject under discussion by the Senator from Nevada [Mr. PITTMAN] is one of very great importance. I therefore suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KING in the chair). The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Harding	McKellar	Smoot
Borah	Harris	McNary	Spencer
Calder	Henderson	Nelson	Stanley
Chamberlain	Hitchcock	New	Sterling
Colt	Johnson, Calif.	Nugent	Swanson
Curtis	Johnson, S. Dak.	Overman	Thomas
Dial	Kendrick	Owen	Townsend
Elkins	King	Page	Trammell
Fall	Knox	Phipps	Walsh, Mass.
Fletcher	La Follette	Pittman	Walsh, Mont.
France	Lenroot	Reed	Watson
Gerry	Lodge	Sheppard	Williams
Hale	McCormick	Smith, Ariz.	Wolcott

Mr. GERRY. The Senator from Arizona [Mr. ASHURST], the Senator from Arkansas [Mr. ROBINSON], the senior Senator from Louisiana [Mr. RANSDELL], the junior Senator from Louisiana [Mr. GAY], the Senator from Ohio [Mr. POMERENE], the Senator from Mississippi [Mr. HARRISON], the Senator from New Mexico [Mr. JONES], the Senator from Arkansas [Mr. KIRBY], and the Senator from California [Mr. PHELAN] are detained on official business.

Mr. SHEPPARD. I desire to announce that the Senator from Delaware [Mr. BALL] is absent on official business.

The PRESIDING OFFICER. Fifty-two Senators having answered to their names, the Chair announces that a quorum is present. The Senator from Nevada will proceed.

Mr. PITTMAN. Mr. President, I offered this morning a resolution providing for reservations in a separate resolution. I desire to discuss that resolution briefly.

The conference held yesterday at the White House between the President of the United States and the Foreign Relations Committee, upon the intimation of the President that he would be pleased to hold such conference, has, in my opinion, assured the early ratification of the treaty. The meeting was marked by a splendid spirit of sincere endeavor to arrive at definite conclusions. The courtesy and frankness which characterized the interview induced a most calm and complete consideration of the law and the facts bearing upon the involved questions now under consideration by the Senate. The atmosphere has been clarified. Many obstacles have been removed. The issues have been limited.

The President has suggested a plan that should make it easily possible for all those who desire a league of nations to join their efforts and ratify the treaty. He has met the reservationist more than half way. Whilst personally satisfied that the terms of the treaty are not subject to misconstruction, in his intense desire for harmony and the early accomplishment of peace he has given his approval of the substance of the reservations urged by Senator McCUMBER and Senator KELLOGG, and other reservationist supporters of the league of nations. Let me be careful lest I misrepresent the President's position. Whilst he has given his approval of such reservations he is opposed to the plan of inserting these reservations in the resolution of ratification. He favors the adoption by the Senate of a separate and contemporaneous resolution, setting forth the construction and interpretation of the treaty as understood by our Government. He contends that the same result will be accomplished, as far as the protection of our Government is concerned, by either plan. He holds, however, that if the reservations are included in the resolution of ratification that it necessitates the return of the treaty for further consideration and approval, not only by all of our friends who are parties to the treaty but by Germany, while a separate resolution, not being a part of the treaty, would not require further consideration by the other parties thereto or their consent or approval. Let me quote the President's own language in this behalf. While article 1 of the covenant of the league of nations, dealing with the right of a member to withdraw upon two years' notice, was under discussion, the following colloquy took place between the President and Senator BORAH:

Senator BORAH. Then if a country should give notice of withdrawal it would be the sole judge of whether or not it had fulfilled its international obligations—its covenants to the league?

The PRESIDENT. That is as I understand it. The only restraining influence would be the public opinion of the world.

Thereupon Senator McCUMBER propounded to the President the following inquiry:

Would there be any objection, then, to a reservation declaring that to be the understanding of the force of this section?

To which the President replied:

Senator, as I indicated at the opening of our conference, this is my judgment about that. Only we can interpret a moral obligation. The legal obligation can be enforced by such machinery as there is to enforce it. We are therefore at liberty to interpret the sense in which we undertake a moral obligation. What I feel very earnestly is that it would be a mistake to embody that interpretation in the resolution of ratification, because then it would be necessary for other Governments to act upon it.

Again, later in the interview, when Senator McCUMBER was urging the President's approval of a reservation in the resolution of ratification interpreting article 10 as the President understands it, the President replied:

We differ, Senator, only as to the form of action. I think it would be a very serious practical mistake to put it in the resolution of ratification, but I do hope that we are at liberty, contemporaneously with our acceptance of the treaty, to interpret our moral obligation under that article.

So that there might not be any doubt with regard to the President's position I then asked him this question:

Mr. President, I understand that under the former method, in your opinion, it would have to go back to Germany and the other countries, while under the latter method it would not be required to go back for ratification.

To which the President replied:

Yes, sir; that is my judgment.

So the position of the President is definite in this regard.

Let us frankly consider what are the merits and demerits of the respective plans.

Mr. BORAH. Mr. President, would the Senator prefer to have questions submitted at the close of his remarks?

Mr. PITTMAN. I think probably it would be better. My address will take only about 30 minutes, and then I shall be very glad to answer any questions.

Mr. BORAH. I simply wanted to get a definite idea of the Senator's position, and I will be glad to wait until he concludes.

Mr. PITTMAN. Very well.

The resolution of ratification admittedly becomes a part of the treaty. It is as much a part of the treaty as the signature of the President. It is a part of the execution of the treaty. Under the decisions of the Supreme Court of the United States the language of the resolution of ratification is construed with the body of the treaty.

If there are any reservations or qualifications or interpretative clauses in the resolution of ratification, then these things must be taken into consideration in construing the meaning of the treaty. The entire treaty may be changed by reservations, qualifications, or interpretations included therein; at least, I have so construed the plain language of the Supreme Court of the United States. I take it that this will not be disputed by lawyers.

Senator KELLOGG, one of the able proponents of reservations in the resolution of ratification, in his speech in the Senate on August 7, in response to a question which I propounded to him, said:

Certainly; if the reservation I propose as to domestic questions changes the substance of the contract, it must be accepted by the other parties either by ratification, exchange of notes, or in some other manner.

Every party to the treaty has the right to determine for itself whether or not language added to the treaty changes the substance of the contract. How could it make this determination unless the treaty with the reservations were resubmitted to it for consideration and determination?

This colloquy between the President and Senator McCUMBER upon this subject gives a very clear exposition of what I am attempting to express. It is as follows:

Senator McCUMBER. If they all recognized at the time that this was the understanding and the construction that should be given to that portion of the treaty, would it be necessary for them to act on it again?

The PRESIDENT. I think it would, Senator.

Senator McCUMBER. Could they not accept it merely by acquiescence?

The PRESIDENT. My experience as a lawyer was not very long; but that experience would teach me that the language of a contract is always part of the debatable matter, and I can testify that in our discussions in the commission on the league of nations we did not discuss ideas half as much as we discussed phraseologies.

At this point Mr. WALSH of Montana raised the question of a quorum and the roll was called.

Mr. PITTMAN. Mr. President, at the time I was interrupted I was discussing the necessity of the return of the treaty to the signatory powers in the event that there were any reservations included in the resolution of ratification.

It is true that the President stated that he was confident from the discussions that took place at the time of the adoption of the covenant of the league of nations that all of the framers of the covenant place upon it the same construction that he does; but the treaty, if reservations be contained in the resolution of ratification, must go back to Germany, and Germany has expressed no opinion upon the construction to be given to the covenant of the league of nations. We do not know whether she would accept our construction or not. We do know that Germany is longing for an opportunity to attach to the treaty hundreds of reservations which she urged upon the peace conference and which were denied.

Mr. THOMAS. Mr. President, will it interrupt the Senator if I ask him a question now?

Mr. PITTMAN. I think not.

Mr. THOMAS. The report of the proceedings at the White House yesterday shows a question asked the President by the Senator from New Mexico [Mr. FALL], the purport of the question being, inasmuch as Germany is not a member of the league, and probably will not be for some time, whether it was necessary for her to consider amendments or reservations to the league part of the treaty. Although perhaps I am anticipating the Senator in the matter just referred to, I wish to inquire whether the President answered that the subject had not occurred to him, but that he agreed with the Senator from New Mexico that such amendments or reservations need not be submitted to Germany?

Mr. PITTMAN. I will state that the report that the President agreed with any such suggestion is not founded on fact, and I will now read from the record of the conference on yesterday to prove that my statement is true.

Mr. WALSH of Montana. I did not quite understand the Senator from Colorado. Did he assert that the newspaper report indicated that the President agreed with the Senator from New Mexico?

Mr. BORAH. Mr. President, we can not hear on this side.

Mr. THOMAS. The Star of yesterday and the Post of this morning so stated.

Mr. PITTMAN. I yield to the Senator from Idaho.

Mr. BORAH. I did not rise to interrupt the Senator from Nevada, but I could not hear the colloquy, and I was interested to know what was being said.

Mr. PITTMAN. A part of the question of the Senator from New Mexico, to which the Senator has referred, reads as follows, referring to the covenant, or rather the treaty, with reservations upon it:

It would not be submitted to her—

Meaning Germany—

at all now, because she is not a member of the league? You catch the point?

The PRESIDENT. Yes. I differ with you there, Senator. One of the reasons for putting the league in the treaty was that Germany was not going to be admitted to the league immediately, and we felt that it was very necessary that we should get her acknowledgment, acceptance of the league as an international authority, partly because we were excluding her, so that she would thereafter have no ground for questioning such authority as the league might exercise under its covenant.

Senator FALL. Precisely.

The PRESIDENT. Therefore I think it would be necessary for her to acquiesce in a league the powers of which were differently construed.

But let us go on further, so that we may be entirely fair with the Senator from New Mexico. The Senator from New Mexico went on further and said:

Senator FALL. Well, Mr. President, of course, it is not my purpose to enter into an argument, but we are here for information. There are provisions for the amendment of the articles. Germany is out of the league. Any amendment proposed by the other members of the league prior to her coming into the league would not be submitted to her, would it, she not being a member?

The PRESIDENT. I will admit that that point had not occurred to me. No; she would not.

Senator FALL. Then, so far as we are concerned, we could make a recommendation in the nature of an amendment.

Senator PITTMAN. She has already agreed by this treaty that she has signed that the members may amend it.

The PRESIDENT. Yes.

Mr. President, probably the confusion in the minds of some of the newspapers comes from misconstruing the word "members." Germany, in signing the treaty, agreed that the members of the league might amend the league covenant. How did she agree to it? Not in any specific language, not in any specific terms, but by signing the treaty containing the covenant, and the covenant of the league itself provides how it may be amended. Germany was forced in signing the treaty, as the President has stated, to indorse the league of nations. In indorsing the league of nations it is true that she recognized that the covenant of the league of nations may be changed by the members of the league, not changed by all those governments who have signed the treaty, but changed by the members of the league after it is created. How changed? Changed in accordance with the provision of the covenant itself, which provides how it may be amended. The impression has gotten out from Senator FALL's question that Germany in some way in signing the treaty admitted that other nations signing the treaty of peace might change it in any way at any time. There is absolutely no such clause in the treaty nor in the covenant of the league of nations. There is nothing there except the adoption of the covenant. Germany, in signing the treaty, agreed to article 26, which is as follows:

Amendments to this covenant will take effect when ratified by the members of the league whose representatives compose the council and by a majority of the members of the league whose representatives compose the assembly.

No such amendment shall bind any member of the league which signifies its dissent therefrom, but in that case it shall cease to be a member of the league.

The President did not agree with the Senator from New Mexico, and expressly stated that he did not.

Mr. FALL. I will not interrupt the Senator from Nevada at this time, but I shall certainly not allow that statement to go unchallenged at this or any other time.

Mr. PITTMAN. Very well. I have read the statement from the record upon which I base my assertion.

Mr. FALL. I will state to the Senator, if he does not care to read any further at this time, that I will read a little further.

Mr. PITTMAN. Mr. President, it was asserted by the Senator, as I understand it from this record, which I have just read, and, of course, if I misstate his position in any way I hope the Senator from New Mexico will correct me instantly, that Germany is not interested in any change that we make in the covenant of the league of nations, because she is not to be a member of the league of nations upon its organization. That is the way I understand the Senator.

Mr. FALL. Mr. President——

The PRESIDING OFFICER (Mr. HARRIS in the chair). Does the Senator from Nevada yield to the Senator from New Mexico?

Mr. PITTMAN. Certainly.

Mr. FALL. The Senator used the expression that he hoped I would correct him instantly, but as I have already stated, I do not care to interrupt the Senator in the course of his argument. I shall undertake to point out later where he is mistaken. Of course if he prefers it, I will do so now.

Mr. PITTMAN. I want to get this correct. The Senator from New Mexico contends and did contend, I think, at the conference that the treaty, if changed by us with reference to the league of nations, did not have to go back to Germany because Germany is not, upon the organization, to become a member of the league and no definite time is set when she shall become a league member. I think I have possibly covered it in that way.

To make that position sound you have got to hold that a government which is a party to a treaty is not interested in any commission of which it is not a member. In other words, you have to hold that the only possible interest that Germany could have in the league of nations would be as a member, that Germany would have no interest in what the league of nations did to her so long as she was not a member of it. As a matter of fact, the constitution and operation of the league of nations is of vital importance to Germany. Why? Because in the first place Germany surrenders in trust to the council of the league of nations the Saar Basin. And under that trust which she surrenders to the council of the league of nations she depends upon the league of nations to protect her subjects in that basin for 15 years and until a plebiscite is had and it is then determined whether that district shall be under German sovereignty or under French sovereignty.

Mr. OWEN. And also in 60 other cases.

Mr. PITTMAN. And, as suggested by the Senator from Oklahoma, there are 60 other cases in which the league of nations has a direct and positive bearing upon the welfare of the German Government. We will take, for instance, Germany's relation to Austria. Article 80 reads:

Germany acknowledges and will respect strictly the independence of Austria within the frontiers which may be fixed in a treaty between that State and the Principal Allied and Associated Powers; she agrees that this independence shall be inalienable, except with the consent of the council of the league of nations.

We turn to another section and we find that absolute control over the armament of Germany is granted to the league of nations. The control of the armament of no other country is granted to the league of nations. Is it possible that in these considerations Germany can be said to have no interest in a change in the covenant of the league of nations? Why, as was said by the Senator from Oklahoma, Germany has signed a treaty containing in its body the covenant of the league of nations; it has signed a treaty granting to that league of nations tremendous and frequently arbitrary power over the welfare of the present German subjects. Is it possible that the covenant in the form in which it was presented was not of interest to Germany? Is it possible that Germany is not interested in any changes that may be made in the covenant of the league of nations that so directly affects her interests? I think to argue that is arguing an absurdity. The fact remains that the covenant of the league of nations is a part of the treaty that Germany has signed and which we are asked to ratify. It is indivisible, so far as Germany is concerned. She has ratified it; she is interested in every line of that treaty. If a change made in the treaty in the process of ratification will send it back to France and to England and to Italy and to Japan, because it constitutes a change in the treaty with those Governments which must be approved, then the same reasoning forces the treaty back to Germany. I can not conceive how anyone can draw any different conclusion.

Germany was then forced, under an armistice and under war conditions, to accept the treaty as it was; Germany has signed the treaty which was forced upon her; but if it is now returned to her for approval of changes, then, under international law, she has the same right with regard to reservations as have we. It is conclusively evident that the inclusion of reservations in the resolution of ratification would long delay peace, and it might result in the abandonment of the league of nations.

I am aware that this latter result would not be displeasing to some of the Senators here. If, then, the interest of our Government, that some believe is jeopardized by indefinite articles in the covenant, can be protected in a resolution of interpretation which will not bring about results that must accrue if placed in the resolution of ratification, there will be no hesitation, in my opinion, upon the part of two-thirds of the United States Senate. I believe that such a resolution will accomplish such a result.

Let us see what may be the effectiveness of interpretative clauses in a separate resolution as to establishing a construction desired by the United States as to articles 1 and 10.

Mr. BORAH. Mr. President, may I ask a question of the Senator there, simply in order that I may follow him?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Idaho?

Mr. PITTMAN. With pleasure.

Mr. BORAH. I have not clearly in my mind whether the Senator expects this interpretative resolution to be formally adopted by the other nations.

Mr. PITTMAN. I expect it to be adopted by Great Britain, France, Italy, Japan, Brazil, and, probably, by all of the nations having members upon the council of the league of nations.

Mr. BORAH. Then the Senator does not contend that the interpretative resolution would amount to anything unless these powers did adopt it?

Mr. PITTMAN. I can not answer that question without making an explanation. It would have no force or effect as to any question in the decision of which other nations had a right to take part unless they adopted it. It would, however, have the effect of exonerating us from any cause of complaint with regard to questions that under the league of nations are within the sole judgment and determination of this country.

Therefore, there being two characters of obligations, it simplifies matters to include the interpretation of both in the resolution to be adopted by Great Britain, France, Italy, and Japan.

Mr. BORAH. May I be permitted to again interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Nevada further yield to the Senator from Idaho?

Mr. PITTMAN. Certainly.

Mr. BORAH. As I understand, the Senator's position is that resolutions of the character referred to would not be binding upon any nation that did not adopt them; that they would be binding, as I understand, only upon ourselves; that is to say, they would be a contemporaneous construction which would be helpful in the future when we ourselves come to construe any clause which had reference solely to our individual action; but if the other nations are to be bound by our construction, they must, as I understand the Senator, in some form accept our construction.

Mr. PITTMAN. If the other nations are to be legally bound by our construction, then they must approve it. If, however, our construction is the final construction with regard to which they have no power of interference, then, if they do not approve it, it serves solely as a notice to them, carrying with it whatever moral force a notice of intended construction and intended future action would have.

I contend that if the obligation upon our part is purely a moral obligation, which we have a right to determine for ourselves without interference from the council or any other body, or without any authority on their part, then our resolution with regard to such questions not only serves as notice to them but estops them afterwards from complaining with regard to the commission of any act that we have notified them we will perform. But this discussion is academic, because these nations will undoubtedly adopt a similar resolution of interpretation. If they are unwilling, however, to adopt such interpretations in a separate resolution, then, of course, they would refuse to approve and ratify the treaty with such interpretations made a part of the treaty by being placed in the resolution of ratification. We may quickly ascertain the attitude of these nations toward these interpretations by passing the resolution now.

The President, in his address to the conference on yesterday, set forth not only his understanding of the construction to be given to these articles, but the construction, as he understands it, that was intended by the other governments who participated in the framing of the covenant of the league of nations. He said:

> The right of any sovereign state to withdraw had been taken for granted, but no objection was made to making it explicit. Indeed, so soon as the views expressed at the White House conference were laid before the commission it was at once conceded that it was best not to leave the answer to so important a question to inference. No proposal was made to set up any tribunal to pass judgment upon the question whether a withdrawing nation had in fact fulfilled "all its international obligations and all its obligations under the covenant." It was recognized that that question must be left to be resolved by the conscience of the nation proposing to withdraw; and I must say that it did not seem to me worth while to propose that the article be made more explicit, because I knew that the United States would never itself propose to withdraw from the league if its conscience was not entirely clear as to the fulfillment of all its international obligations. It has never failed to fulfill them and never will.
>
> Article 10 is in no respect of doubtful meaning when read in the light of the covenant as a whole. The council of the league can only "advise upon" the means by which the obligations of that great article are to be given effect to. Unless the United States is a party to the policy or action in question, her own affirmative vote in the council is necessary before any advice can be given, for a unanimous vote of the council is required. If she is a party, the trouble is hers anyhow. And the unanimous vote of the council is only advice in any case. Each government is free to reject it if it pleases.
>
> Nothing could have been made more clear to the conference than the right of our Congress under our Constitution to exercise its independent judgment in all matters of peace and war. No attempt was made to question or limit that right. The United States will, indeed, undertake under article 10 to "respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league," and that engagement constitutes a very grave and solemn moral obligation. But it is a moral, not a legal, obligation, and leaves our Congress absolutely free to put its own interpretation upon it in all cases that call for action. It is binding in conscience only, not in law.

The President contends that these articles place upon the United States no legal obligation; that the only obligation that arises is a moral obligation. At the conference he very clearly stated his understanding of the distinction between a legal and a moral obligation in these words:

> When I speak of a legal obligation, I mean one that specifically binds you to do a particular thing under certain sanctions. That is a legal obligation. Now, a moral obligation is, of course, superior to a legal obligation, and, if I may say so, has a greater binding force. Only there always remains in the moral obligation the right to exercise one's judgment as to whether it is indeed incumbent upon one in those circumstances to do that thing. In every moral obligation there is an element of judgment; in a legal obligation there is no element of judgment.

But it is contended that other governments might become offended should the United States, in the exercise of its judgment with regard to its moral obligations, withdraw from the league when other governments might not consider that it had fulfilled its obligations. Certainly there would be no grounds for such offense, if all of these governments were notified in advance of our Government entering into the pact, as to the manner in which it would determine its own moral obligations. If our Government now says that it construes article 1 to permit it to withdraw upon two years' notice without regard to the views of other nations as to our obligations under the covenant, then there can be no surprise or cause for complaint when such action be taken.

Exactly the same situation exists with regard to article 10. If we now notify the other parties to the treaty that we will not hold ourselves morally bound by any advice or determination of the council or the assembly of the league of nations, or any other government, then other governments will understand, and will deal with us under this understanding, and there will be no cause for future complaint.

We do not have to ask the other nations to agree to permit us to use our own judgment as to our moral obligations. A moral obligation is a matter of individual judgment. We simply give the other nations notice, so that they may not be surprised and may have no grounds for misunderstanding or complaint. This may all be accomplished in a resolution of the Senate, for which no approval or ratification is required by any other nation.

But it may be contended that the articles of the covenant dealing with domestic affairs and the Monroe doctrine involve legal obligations that must be determined by the council or the assembly, and that no interpretation placed upon such articles by us would have any binding force or effect unless agreed to by the other parties to the treaty. Even if such contention is well founded, I still believe that it would be much simpler to insure our construction of the articles through a separate resolution than through reservations in the resolution of ratification of the treaty.

The Senate could pass in a separate resolution such reservations as were proposed by the Senator from Minnesota [Mr. KELLOGG] in his speech delivered in the Senate on the 7th of August. This resolution could then be presented to the Governments of Great Britain, France, Italy, Japan, Brazil, and, possibly, the other nations who will be represented upon the council of the league of nations for their consideration and with the request that each of them, through their proper bodies, adopt the identical resolution or a resolution of similar import.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Idaho?

Mr. PITTMAN. I yield.

Mr. BORAH. Suppose we pass an interpretative resolution and then proceed to the ratification of the treaty, and the other nations do not see fit to pass the resolution or to accept it, we would be in the same position so far as binding them is concerned, I take it, as though we had not passed it at all.

Mr. PITTMAN. I do not gather exactly what the Senator means.

Mr. BORAH. As I understood the Senator a moment ago, in order that other nations may be bound by the construction which we place upon these particular articles it will be necessary for them to adopt the resolution or accede to it. Now, suppose they do not do so—it is a separate instrument—suppose they do not act upon it at all, or suppose only one acts upon

where will that leave the United States? The covenant, then, will have no construction except a construction which, I take it from the Senator's argument, will simply be helpful to us in the future as a contemporaneous construction by the body which ratified the treaty.

Mr. PITTMAN. If the other Governments, or a sufficient number of them who will be represented upon the council of the league of nations, decline to pass a resolution of this purport, then they would not be bound, of course, by our interpretation under the resolution with regard to any matters over which they now have jurisdiction. I have always contended that and am not attempting to change my position. But in saying that, I am compelled to repeat that, so far as article 1 is concerned, relating to the right of withdrawal, and so far as article 10 is concerned, which contains our promise to protect other nations members of the league against external aggression against their territorial integrity, I still think the resolution would be just as effective whether it were adopted by the other countries or not, because they have nothing to do with our moral obligations. There is hardly any doubt, however, that the other controlling nations, consisting of Great Britain, France, Italy, and Japan, would each pass a separate resolution pledging its Government to the same interpretation. But if they would not approve of such interpretations in a separate resolution, they certainly would not approve of such interpretations when made a part of the treaty by being included in the resolution of ratification. By passing the separate resolution now we may immediately ascertain the position of these other countries. If we adopt the interpretations as a part of the treaty in the resolution of ratification we may not know what position these countries are going to take for several months. Of course, in addition to this last objection, through the inclusion of the interpretations in the resolution of ratification, is the further objection that under this latter method it would cause the return of the treaty also to Germany for Germany's approval of the reservations.

Mr. BORAH. Mr. President, as I have understood the position of the supporters of the league, article 10 is the very heart of the covenant, and every nation is deeply interested in that article, for the reason that upon it the stability of the whole structure rests. For instance, England and France are so completely interested that they want it supported by a special alliance which covers the same principle. Could it be said, if we pass an interpretative resolution to the effect that we would not regard article 10 as binding upon us except under certain specified conditions, that they would not be interested in that construction? I think if they are interested in any part of the league at all they are interested in article 10, and certainly every nation is interested in article 1, because if every nation can unconditionally withdraw, can fix its own conditions, and, by an interpretative resolution, relieve itself of any moral obligation to remain in the league, the interest which all nations feel in the covenant as a whole is centered right there, because that would destroy the entire structure.

Mr. PITTMAN. Mr. President, there is not any doubt but that it is the heart of the covenant—at least, as far as I am concerned it is the heart of the covenant—and I think it is of interest to all countries; but there is quite a distinction as to whether a country is interested in an article or whether it has the power of construing the obligations of another country under that article. The article does not provide any machinery for the determination or the enforcement of the obligations that may arise thereunder.

Mr. BORAH. And that obligation is specific and direct. The only uncertainty arises out of the method of doing it.

Mr. PITTMAN. No; the Senator is in error, and he is very rarely in error, and I think he will find out in a minute that he would not state it that way. It is not only in the method, but it is in the determination of the basic fact as to when the cause arises—that is, when is there an external aggression against the integrity of the territory?

Mr. BORAH. Of course the fact of an external aggression, as a fact, might be a subject of dispute; but the contract itself is that when that fact is established our obligation is specific and direct, that we will protect.

In the very able presentation of this matter by the Senator from Montana [Mr. WALSH] a few days ago—and we all pay tribute to the Senator's legal ability—he stated, as I recall, that the first clause of article 10, to wit, guaranteeing the territorial integrity and political independence of the members of the league as against external aggression, was a legal obligation, specific and direct; that the question of how it should be carried out was a matter of honor, a moral obligation, concerning which we could select or choose our way, but that the fact that we had to perform the obligation under the first section did not admit of debate; that it had to be met as there written in the bond.

Mr. PITTMAN. Does the Senator from Idaho agree with the Senator from Montana?

Mr. BORAH. I did agree at that time.

Mr. PITTMAN. Does the Senator agree now?

Mr. BORAH. Yes; I agree now.

Mr. PITTMAN. Then, if that is the case—if there is only a moral obligation, or if it is left to the judgment of this country as to what methods it shall utilize in going to the assistance of another country—then there is not any danger that we may be forced by the council or anyone else into using our armies or our navies.

Mr. BORAH. I have never contended at any time, Mr. President, that you could take away from Congress the constitutional right to declare war. I have not entertained that view at any time, and do not now; but, as I understood the argument of the Senator from Montana—and I stated at the time that I agreed with him, and I have had no reason to disagree since—he produced a number of instances in which we had guaranteed the territorial integrity of certain countries, Panama and New Granada, and so forth, and then cited decisions which showed that that was a legal, binding obligation, and that we had a right to make this a binding obligation, and that it was a contractual, legal obligation—that is, the guaranteeing of the territorial integrity. Then, secondly, as to the method in which we should do it—whether we should send 100,000 or 500,000 men, or whether we should blockade, or exert economic pressure—that would be a matter about which we could exercise our discretion; but we could not exercise our discretion as to the fact of guaranteeing the integrity in case it was assailed.

Mr. PITTMAN. Mr. President, I do not consider it exceedingly material as to whether it is called a legal or a moral obligation by different Senators; and I will state that it is a very difficult proposition for any lawyer to draw a clear distinction between the moral and the legal obligation. I use these designations to describe the distinction I am making. Nevertheless, the section very plainly leaves it to our own judgment to determine whether or not a cause arises; and after it leaves it to our own individual judgment as to whether the cause arises, it again leaves it to our own individual judgment as to the method in which we shall fulfill any obligation that we may determine to exist.

I want to say to the Senator that I would consider that contract very hard of enforcement in a court of law by reason of indefiniteness.

If I went into a court of law to enforce a contract written in any such way, I would not know how to prove my facts to substantiate the agreement. In other words, it does not carry the essentials of a contract. It is not a distinct, definite understanding. It is nothing on earth but a moral obligation undertaken by each of the governments which say that "when we believe that this aggression is being committed against the territorial integrity of a country, we will come to its aid, but we will not say how we are coming to its aid, but we are coming to its aid in a way that our judgment indicates."

There is not a nation that is a member of this league that can complain if four years or one year from now a cause arises and our Government then says that the case does not in our judgment constitute an external aggression against the territory or political independence of the country involved. Every other member of the league may say "We think it is," but they have no ground of complaint against us if we say we do not believe it. Why? Because they have not provided any means of determining, except the conscience of each government, and they have intended it in that way. That is the way they have left it. It is the same way with article 1. It is the same way with regard to withdrawal. They have not provided any method of determination in the matter. You could not take it into a court of law and find any method or means by which the obligations could be determined and enforced. To the conscience of the party on whom rested the alleged obligations must be left the determination. That is what I mean by the statement that it is not a legal question that we must submit to their approval. We state that when the time arrives we will determine for ourselves as to whether or not there has been an aggression committed; we will determine for ourselves what method we shall utilize; and when we do that there is no ground of complaint throughout the world. We state that when we give the two years' notice we will leave the league, and if the question of whether or not we have satisfied our obligations shall arise, we will determine that question for ourselves.

There will be no ground of complaint, because there is no provision to-day in the treaty for anyone else to determine any of those questions. A contract must be definite and certain and

subject to interpretation if you are going to try to put it on the purely legal ground.

Mr. BORAH. Mr. President, I think if I had a contract with my neighbor to the effect that I would protect a third neighbor's house against attack, there would come a time when that contract would become a legal, binding obligation. There would come a time when my discretion would no longer be permitted to have play. For instance, if the house were actually under assailment, I could not any longer contend that the contract was unenforceable for the reason that my judgment as yet was not convinced. When Germany got into France——

Mr. PITTMAN. Just let me answer that, if the Senator pleases. Illustration makes my distinction clearer. In the case referred to the obligation would be legal because there would be courts to determine and enforce such obligations. There are no courts or instrumentalities to determine and enforce the obligations either under article 1 or article 10.

Mr. BORAH. Just to follow out my illustration——

Mr. PITTMAN. The Senator is giving two illustrations.

Mr. BORAH. When the German Army actually invaded France and the fighting was actually going on upon the soil of France, if article 10 of this covenant had been in existence it seems to me we would not have had any discretion left. We would have had to move when that fact appeared.

Mr. PITTMAN. It would have been submitted to the Congress of the United States, and I think the Congress of the United States would have said that we should move.

Mr. BORAH. Yes; I think so, too.

Mr. PITTMAN. And it would have been a godsend to the world if we had moved then. Without this league of nations we could not move any more than we could move in the past. That is one of the things we want it for.

Mr. BORAH. I agree with both the argument and the appeal; but I think the Senator and I agree, then, that when that kind of a condition of affairs has been submitted to Congress, Congress would have had no discretion in the matter at all if it was going to carry out its contract.

Mr. PITTMAN. But Congress is bound to have discretion if Congress votes.

Mr. BORAH. No.

Mr. PITTMAN. And Congress would have to vote, unless the Senator means to say that Congress is not a body capable of having discretion.

Mr. BORAH. The Senator and I have been here too long to contend that Congress is not capable of discretion; but the Congress would have no discretion in that condition of affairs. It could not say to the world, "We do not believe that the territorial integrity of France has been assailed."

Mr. PITTMAN. It could say it, though not in that particular case; but if it had been different Congress could have said differently.

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Montana?

Mr. PITTMAN. I do.

Mr. WALSH of Montana. The matter in controversy here can be very well illustrated by a case put by a correspondent of mine in a letter. Of course the Senator puts a case in relation to which there can be no doubt. He says: "When Germany actually invaded France, undoubtedly our obligation would arise, and we could not escape it. Congress, as said by the Senator from Nevada, undoubtedly would make the necessary declaration of war." But my correspondent says to me: "Suppose that Mexico should make war upon Canada. Would we not be obliged to go to the aid of Canada in order to protect her against the invasion of Mexico?"

The very answer is that if Mexico declared war on Canada and prepared to establish an armada to go up through the Gulf of Mexico and the Atlantic Ocean and the Gulf of St. Lawrence to make war upon Canada, the Government of the United States would probably say, "Why, that does not call for any intervention on our part. The British Navy will take care of their little armada all right enough. It is not necessary for us to declare war on Mexico in fulfillment of our obligation to preserve and protect the integrity of all nations."

Mr. BORAH. As I understand the Senator from Montana, he agrees with the Senator from Idaho and disagrees with his correspondent?

Mr. WALSH of Montana. Not at all; not at all. I perfectly agree with the correspondent, but I insist that we are obligated, it is true, to preserve and protect the integrity of Canada; but when the question arises: "What shall we do? Shall we engage in war with Mexico? Shall we send a fleet to intercept theirs?"—when that question arises, the Congress of the United States may very properly say, "Why, there is no occasion to do that. We do not violate our obligation at all by not doing that. The conditions do not call for any action whatever upon our part, and nobody can complain because we do not." In all reasonable probability Great Britain would never make any suggestion that we ought to come to her aid. She would say, "Thank you; we will take care of the situation ourselves."

Mr. BORAH. Oh, I understand that situation; but I remember the time when Great Britain's representatives stood in this Chamber and begged for assistance.

Mr. WALSH of Montana. I remember it perfectly well; and if the territory of Great Britain should ever be assailed by any other nation with any reasonable probability whatever that any progress was to be made, it would then undoubtedly be the duty of Congress to declare war against the invader; but the question as to whether the occasion calls for action upon the part of this Government is to be determined in every instance by Congress.

Mr. BORAH. Precisely so; but conditions very readily present themselves to the mind where there is no discretion left to Congress.

Mr. WALSH of Montana. Why, that undoubtedly could be the case.

Mr. BORAH. Then the Senator and I have no controversy.

Mr. WALSH of Montana. If Great Britain or France, for instance, should come over to this continent and actually land an army upon the soil of Mexico or upon the soil of Brazil, there is not any doubt as to what our duty would be. Does the Senator doubt that Congress would discharge its obligation by declaring war?

Mr. BORAH. I have not any doubt about it at all.

Mr. WALSH of Montana. Neither have I.

Mr. BORAH. And I have not any doubt that in discharging that duty it would merely perfunctorily cast its vote, because of the fact that you can not actually take away the power of Congress to do so; but Congress would have no discretion about it. It would be compelled to act if it was going to carry out its contract.

Mr. WALSH of Montana. Why, Mr. President, if the conditions were such as to take away from Congress any discretion to do anything more than the one thing, of course practically there would be no discretion.

Mr. PITTMAN. Mr. President, the Senator from Idaho would seem to indicate that there is no chance for a difference of opinion as to whether a thing is external aggression or not.

Mr. BORAH. No; I do not.

Mr. PITTMAN. For instance, we have troops chasing into Mexico to-day after bandits. There might be a difference of opinion as to whether or not that is external aggression. The Mexicans might say that that is external aggression, because we are entering their territory. The United States says: "It is not external aggression, because we are chasing bandits on a hot trail." Nevertheless, we are in the country. That same condition might arise in Europe. Some nation might have another army within its borders, and it might call out with its hands up and say: "They are guilty of external aggression against our territory," and the country whose army entered that territory might say, as we are saying to-day: "We are following a hot trail after bandits, and we intend to come out"; and then there would be a question before our Congress as to whether or not that was external aggression. Some of the Senators would vote that it was a case of external aggression, and others of them would vote that it was not a case of external aggression.

Mr. BORAH. I can readily understand that fact.

Mr. PITTMAN. And that being the case, we would assume that the Senators on that side, at least, would use discretion.

Mr. BORAH. I hope so; and I hope they will use it in this particular case.

Of course, you can easily imagine cases like the one just mentioned by the able Senator from Montana and the able Senator from Nevada, where there would be a subject for debate as to what the facts disclosed and whether or not there was external aggression. I agree to that. Then the discretion of the Congress would have full play and it could either reject or support with honor. But what I am contending is that there are just as likely to be cases where there is no discretion left at all. We must act perfunctorily and comply with the obligation of the contract which we have made.

Mr. FALL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from New Mexico?

Mr. PITTMAN. I yield.

Mr. FALL. In the case which the Senator suggested, that there was a difference between Mexico and the United States of America as to whether the Eighth Cavalry of the United

States Army being now in Mexico was an act of external aggression, the basis of such difference of opinion would be for the league to determine if those articles were enforced?

Mr. PITTMAN. The Congress of the United States, the Senate of the United States.

Mr. FALL. Then what is the purpose of your league, when you are holding out to the people of the United States that it is to take possession of and to decide such questions as will prevent war between two nations?

Mr. PITTMAN. Because I think the Congress of the United States would be perfectly patriotic and would use great discretion in protecting other nations where they deserve it.

Mr. FALL. Mr. President, I have been listening with very great interest, but I am yet unable to understand what the Senator from Nevada is attempting to do with reference to illustrating or expounding or laying down any rule or definition or differentiation as to a legal and a moral obligation under international law, whether it is the unwritten international law, the customary rule among nations, or whether it is written into a treaty. What is the difference between the legality or the force of a moral obligation, whether written in a treaty prescribing even a penalty for a violation of it, or whether simply acknowledged as a rule of customary international law observed and enforced among all the civilized nations as ordinary rules of international law are, and not providing a penalty for its violation? What is the distinction?

Mr. PITTMAN. I have really gone over the distinction four or five times and tried to make it clear.

Mr. FALL. So has the Supreme Court of the United States, and it has never found any.

Mr. PITTMAN. I can see now why the Senator does not get my answer. He will not let me finish. I was going on to explain, and I have tried several times to explain. Naturally it broadens a little bit as we go, with other Senators desiring to ask questions, and it has broadened; but nevertheless, if there is an article in the covenant under which we can do what we please, then we do not have to ask any consent about anything we will do under the article. We can do anything we please under it, because it is left to our judgment. But, mind you, there may be a difference of opinion between nations as to whether we should listen to their advice or take our own advice; and if we did not listen to their advice when trouble arose they might become offended; so that by resolution we simply say to them under this article we can do what we please, and we warn you ahead of time that that is what we are going to do.

Mr. FALL. Mr. President, I am just as much at sea now as I was before the explanation.

Mr. PITTMAN. Henry Ward Beecher told a story once which would explain the situation, but I have not the time now to tell it.

Mr. FALL. Possibly it may be that I could impress the Senator with the difference as I see it. As I see the matter, it is a difference without a distinction which he attempts to draw from it, and another distinction with a very great deal of difference which he sedulously avoids, or else he does not see it, in my judgment. The French treaty has been referred to here. If you will exclude the article with reference to the league of nations from the proposed French and English treaty, based upon the question as to whether it shall be a treaty or not, and treat the French treaty by itself, as one within our power to enter into, I unhesitatingly say that it is within the constitutional power of the Senate of the United States to ratify it, and I answer exactly as the Senator has been attempting to explain to the Senate, that the question, then, as to whether the act of aggression spoken of in the treaty and against which we propose to defend France, is clearly one for the Congress of the United States to define, first, whether there is such an act of aggression as they have agreed to repel, and, second, that it is within the discretion of the Congress of the United States as to what method or by what means she will proceed to carry out her obligation to defend France. As to the French treaty, there is no question in my mind of these two propositions. As to article 11 and article 10 there is all the distinction imaginable and which, in my judgment, the Senator is laboring to make as between a moral obligation and a legal obligation. In article 11, which follows article 10 and which measures practically every other article in this treaty, the discretion as to whether it is aggression or not is taken from the Congress of the United States. The question as to the most effectual means to carry out the provision of the article is taken from the Congress of the United States and left to the council of the league of nations.

Mr. PITTMAN. In what article?

Mr. FALL. Articles 10 and 11.

Mr. PITTMAN. There is no use to argue that, Mr. President.

Mr. FALL. No; I think not.

Mr. PITTMAN. I do not agree with the Senator at all. I know his position.

Mr. FALL. Then I will ask the Senator a question upon the law with which possibly we are both more familiar than this broad international law. Will the Senator kindly tell me what power and by what force of power vested in either the Congress or the United States Government are the laws of Congress under section 8, article 1, of our Constitution enforced?

Mr. PITTMAN. If the Senator will put his question short and not make a speech on it, I will endeavor to follow him.

Mr. FALL. By what power expressed in the Constitution of the United States, in any article or amendment, are the laws which Congress is invested with power to enact to be put into effect in the State of Nevada?

Mr. PITTMAN. I think the Senator from Montana [Mr. WALSH] discussed that so ably here the other day that I would hesitate to go any further into that. It is entirely foreign to the subject I am discussing.

Mr. FALL. I am glad to be referred to some one who pretends to know something about it.

Mr. PITTMAN. Yes; I am very glad of it. The subject I am discussing is entirely foreign to that.

Mr. FALL. I think so, Mr. President.

Mr. PITTMAN. Having listened to the speeches of the Senators, I will proceed, with their permission.

If Great Britain, France, Italy, and Japan should adopt a resolution of similar import then our Government would have absolute assurance that such would always be the construction of the treaty. Why? Because those Governments, with the United States, will always constitute a majority of the council of the league of nations, and it would even require a unanimous vote of the league of nations to decide any of the involved questions contrary to the construction agreed upon in the resolution.

Mr. President, I take it that there is no doubt with regard to that assertion. The President has stated that the construction sought by the reservationists is the construction that those great countries give the covenant, and if such is their construction they would unhesitatingly assert it in a separate resolution, if the Senate should adopt such a resolution and then our Government should bring the matter to their attention.

Undoubtedly the very reasons that make these reservations of interest to our Government must make them of equal interest to the other Governments who will have representatives upon the council of the league of nations. If that is true, then do they not simply wait for the example to be set by the United States? And if these reservations which are now urged by Senators on the other side, but which they insist be in the resolution of ratification and be made a part of the treaty, are placed in a separate resolution and adopted by more than two-thirds of this body and by the Parliaments of Great Britain, France, Italy, and Japan, who, with the United States, constitute a majority of the council, will not the resolution constitute a permanent assurance by the council of the league of nations that they will always interpret this treaty in accordance with that resolution?

I have prepared a proposed resolution, in a form to be adopted immediately, if it meets with the approval of the Senate, so that the other Governments who will be represented upon the council of the league of nations will have an early opportunity to pass a similar resolution. I have conformed as nearly as practicable to the reservations presented by Senator KELLOGG on the 7th of August. I have not felt justified in following the construction of section 3 of Senator KELLOGG's reservations, because under a construction that may be placed upon it any nation, by declaring a question in dispute to be a domestic question involving domestic or internal matters, may avoid the whole jurisdiction of the league of nations.

I may say that I do not believe that any of the great nations would attempt to claim that a question which, under international law was recognized as a domestic question, was not a domestic question.

But there are numerous small powers; there are powers where governmental honor is not highly developed, and if placed within the power of these nations to evade the jurisdiction of the league of nations by simply claiming that the question is one that affects domestic affairs, then they, the ones that we seek to control most in their disorderly lives, will escape the entire jurisdiction of the league of nations.

I have attempted to fully protect, however, our own Government against any violation of its rights in such regard. I have formulated the resolution so that it will apply to all Governments who are members of the league, in the hope and belief that it will be adopted by such Governments.

Mr. President, I believe there are 46 Democratic Senators who will support a separate resolution such as I have suggested, and I am convinced that if those on the other side, who have been supporting reservations to be contained in the resolution of ratification and who I know to be sincerely in favor of the league of nations, will join with us, the ratification will soon be accomplished. Legislation is all a matter of compromise. The President at the conference made concessions. I am satisfied that the Democrats are ready to compromise along the same lines, and I confidently hope that the reservationists upon the other side of the Chamber will meet us in the same spirit.

APPENDIX.

DRAFT OF THE RESERVATIONS.

That when the Senate of the United States shall advise and consent to the ratification of the treaty of peace with Germany signed at Versailles on the 28th day of June, 1919, now pending in the Senate, that it be done with and in consideration of the following understanding as to the present and future construction and interpretation to be given to the treaty:

1. That whenever the two years' notice of withdrawal from the league of nations shall have been given by any member of the league, as provided in article 1, the Government giving such notice shall be the sole judge whether all its international obligations and all its obligations under the covenant shall have been fulfilled at the time of withdrawal.

2. That the suggestions of the council of the league of nations as to the means of carrying into effect the obligations of article 10, the execution of which may require the use of military or naval forces or economical measures, can only be carried out through the voluntary separate action of each of the respective governments members of the league, and that the failure of any such government to adopt the suggestions of the council of the league or to provide such military or naval forces or economical measures shall not constitute a moral or legal violation of the treaty.

3. That all domestic and political questions relating to the internal affairs of a government which is a member of the league, including immigration, coastwise traffic, the tariff, and commerce, are solely within the jurisdiction of such government and are not by the covenant of the league of nations submitted in any way either to arbitration or to the consideration of the council or assembly or the league of nations or to the decision or recommendation of any other power. If a dispute arises between parties with regard to a question other than those which are herein specifically exempted as domestic questions, and it is claimed by one of the parties that such question is a domestic and political question relating to its internal affairs, then the council shall not consider or make recommendations thereon, except upon the unanimous vote of the council other than the representatives of the disputants.

4. There shall not be submitted to arbitration or inquiry by the assembly or the council any question which, in the judgment of the United States, depends upon or involves its long-established policy, commonly known as the Monroe doctrine, and it is preserved unaffected by any provision of the said treaty.

LEASING OF OIL LANDS.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2775) to promote the mining of coal, phosphate, oil, gas, and sodium on the public domain.

Mr. SMOOT. I ask that the bill may be read.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Secretary will read the bill.

Mr. KING. Is it the purpose of the Senator from Utah having the bill in charge to try to secure its passage to-day?

Mr. SMOOT. Oh, not at all. I wish to have the formal reading of the bill take place, and after it is read there are three committee amendments which have been authorized which I desire to present. They are merely formal amendments. After that is done, I understand it is the desire of a number of Senators that a short executive session shall be held.

The Secretary read the bill, as follows:

Be it enacted, etc., That deposits of coal, phosphate, sodium, oil, oil shale, or gas, and lands containing such deposits owned by the United States, including those in national forests, but excluding those in national parks, and in lands withdrawn or reserved for military or naval uses or purposes, except as hereinafter provided, shall be subject to disposition in the form and manner provided by this act to citizens of the United States, or to any association of such persons, or to any corporation organized under the laws of the United States, or of any State or Territory thereof, and in the case of coal, oil, oil shale, or gas, to municipalities: *Provided*, That no alien shall, by stock ownership or otherwise, own any interest in a lease acquired under the provisions of this act, except as hereinafter provided, and all certificates for stock hereafter issued in any corporation having such a lease, shall specifically and clearly show this provision on the face thereof.

COAL.

SEC. 2. That the Secretary of the Interior is authorized to, and upon the petition of any qualified applicant shall, divide any of the coal lands or the deposits of coal, classified and unclassified, owned by the United States, outside of the Territory of Alaska into leasing tracts of 40 acres each, or multiples thereof, and in such form as, in the opinion of the Secretary of the Interior, will permit the most economical mining of the coal in such tracts, but in no case exceeding 2,560 acres in any one leasing tract, and thereafter the Secretary of the Interior shall, in his discretion, upon the request of any qualified applicant or on his own motion, from time to time, offer such lands or deposits of coal for leasing, and shall award leases thereon, as hereinafter provided, with preference right of lease to qualified applicants in the order of application: *Provided*, That no company or corporation operating a common carrier railroad shall be given or hold a permit or lease under the provisions of this act for any coal deposits except for its own use for railroad purposes; and such limitations of use shall be expressed in all permits and leases issued to such companies or corporations, and no such company or corporation shall receive or hold more than one permit or lease for each 200 miles of its railroad line, exclusive of spurs or switches and exclusive of branch lines built to connect the leased coal with the railroad, and also exclusive of parts of the railroad operated mainly by power produced otherwise than by steam.

SEC. 3. That any person, association, or corporation holding a lease of coal lands or coal deposits under this act may, with the approval of the Secretary of the Interior, upon a finding by him that it will be for the advantage of the lessee and the United States, secure modifications of his or its original lease by including additional coal lands or coal deposits contiguous to those embraced in such lease, but in no event shall the total area embraced in such modified lease exceed in the aggregate 2,560 acres.

SEC. 4. That upon satisfactory showing by any lessee to the Secretary of the Interior that all of the workable deposits of coal within a tract covered by his or its lease will be exhausted, worked out, or removed within three years thereafter, the Secretary of the Interior may, within his discretion, lease to such lessee an additional tract of land or coal deposits, which, including the coal area remaining in the existing lease, shall not exceed 2,560 acres, through the same procedure and under the same conditions as in case of an original lease.

SEC. 5. That if, in the judgment of the Secretary of the Interior, the public interest will be subserved thereby, lessees holding under lease areas not exceeding the maximum permitted under this act may consolidate their leases or holdings through the surrender of the original lease of holdings and the inclusion of such areas in a new lease of not to exceed 2,560 acres of contiguous lands.

SEC. 6. That where coal lands aggregating 2,560 acres and subject to lease hereunder do not exist as contiguous areas, the Secretary of the Interior is authorized, if, in his opinion, the interests of the public and of the lessee will be thereby subserved, to embrace in a single lease noncontiguous tracts which can be operated as a single mine or unit.

SEC. 7. That for the privilege of mining or extracting the coal in the lands covered by the lease the lessee shall pay to the United States such royalties as may be specified in the lease, which shall be fixed in advance of offering the same, and which shall be not less than 5 cents nor more than 20 cents per ton of 2,000 pounds, due and payable at the end of each third month succeeding that of the extraction of the coal from the mine, and an annual rental, payable at the date of such lease and annually thereafter, on the lands or coal deposits covered by such lease, at such rate as may be fixed by the Secretary of the Interior prior to offering the same, which shall be not less than 25 cents per acre for the first year thereafter, not less than 50 cents per acre for the second, third, fourth, and fifth years, respectively, and not less than $1 per acre for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year. Leases shall be for indeterminate periods upon condition of diligent development and continued operation of the mine or mines, except when such operation shall be interrupted by strikes, the elements, or casualties not attributable to the lessee, and upon the further condition that at the end of each 20-year period succeeding the date of the lease such readjustment of terms and conditions may be made as the Secretary of the Interior may determine, unless otherwise provided by law at the time of the expiration of such periods: *Provided*, That the Secretary of the Interior may, if in his judgment the public interest will be subserved thereby, in lieu of the provision herein contained requiring continuous operation of the mine or mines, provide in the lease for the payment of an annual advance royalty upon a minimum number of tons of coal, which in no case shall aggregate less than the amount of rentals herein provided for.

SEC. 8. That in order to provide for the supply of strictly local domestic needs for fuel, the Secretary of the Interior may, under such rules and regulations as he may prescribe in advance, issue limited licenses or permits to individuals or associations of individuals to prospect for, mine, and take for their use but not for sale, coal from the public lands without payment of royalty for the coal mined or the land occupied, on such conditions not inconsistent with this act as in his opinion will safeguard the public interest: *Provided*, That this privilege shall not extend to any corporations: *And provided further*, That in the case of municipal corporations the Secretary of the Interior may issue such limited license or permit, for not to exceed 320 acres, upon condition that such municipal corporations will mine the coal therein under proper conditions and dispose of the same without profit: *And provided further*, That the acquisition or holding of a lease under the preceding sections of this act shall be no bar to the holding of such tract or operation of such mine under said limited license.

PHOSPHATES.

SEC. 9. That the Secretary of the Interior is hereby authorized to lease to any person qualified under this act any lands belonging to the United States containing deposits of phosphates, under such restrictions and upon such terms as are herein specified, through advertisement, competitive bidding, or such other methods as the Secretary of the Interior may by general regulation adopt.

SEC. 10. That each lease shall be for not to exceed 2,560 acres of land to be described by the legal subdivisions of the public-land surveys, if surveyed; if unsurveyed, to be surveyed by the Government at the expense of the applicant for lease, in accordance with rules and regulations prescribed by the Secretary of the Interior for the survey of public lands, and the lands leased shall be conformed to and taken in accordance with the legal subdivisions of such survey; deposits

made to cover expense of surveys shall be deemed appropriated for that purpose; and any excess deposits shall be repaid to the person, association, or corporation making such deposits or their legal representatives: *Provided*, That the land embraced in any one lease shall be in compact form, the length of which shall not exceed two and one-half times its width.

SEC. 11. That for the privilege of mining or extracting the phosphates or phosphate rock covered by the lease the lessee shall pay to the United States such royalties as may be specified in the lease, which shall be fixed by the Secretary of the Interior in advance of offering the same, which shall be not less than 2 per cent of the gross value of the output of phosphates or phosphate rock at the mine, due and payable at the end of each third month succeeding that of the sale or other disposition of the phosphates or phosphate rock, and an annual rental payable at the date of such lease and annually thereafter on the area covered by such lease at such rate as may be fixed by the Secretary of the Interior prior to offering the lease, which shall be not less than 25 cents per acre for the first year thereafter, 50 cents per acre for the second, third, fourth, and fifth years, respectively, and $1 per acre for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year. Leases shall be for indeterminate periods upon condition of a minimum annual production, except when operation shall be interrupted by strikes, the elements, or casualties not attributable to the lessee, and upon the further condition that at the end of each 20-year period succeeding the date of the lease such readjustment of forms and conditions may be made as the Secretary of the Interior shall determine unless otherwise provided by law at the time of the expiration of such periods: *Provided*, That the Secretary of the Interior may permit suspension of operation under such lease when market conditions are such that the lease can not be operated except at a loss.

SEC. 12. That any qualified applicant to whom the Secretary of the Interior may grant a lease to develop and extract phosphates, or phosphate rock, under the provisions of this act shall have the right to use so much of the surface of unappropriated and unentered lands, not exceeding 40 acres, as may be determined by the Secretary of the Interior to be necessary for the proper prospecting for or development, extraction, treatment, and removal of such mineral deposits.

OIL AND GAS.

SEC. 13. That the Secretary of the Interior is hereby authorized, under such necessary and proper rules and regulations as he may prescribe, to grant to any applicant qualified under this act a prospecting permit, which shall give the exclusive right, for a period not exceeding two years, to prospect for oil or gas upon not to exceed 2,560 acres of land wherein such deposits belong to the United States and are not within any known geological structure of a producing oil or gas field upon condition that the permittee shall begin drilling operations within six months from the date of the permit, and shall, within one year from and after the date of permit, drill one or more wells for oil or gas to a depth of not less than 500 feet each, unless valuable deposits of oil or gas shall be sooner discovered, and shall, within two years from date of the permit, drill for oil or gas to an aggregate depth of not less than 2,000 feet unless valuable deposits of oil or gas shall be sooner discovered. The Secretary of the Interior may, if he shall find that the permittee has been unable with the exercise of diligence to test the land in the time granted by the permit, extend any such permit for such time, not exceeding two years, and upon such conditions as he shall prescribe. Whether the lands sought in any such application and permit are surveyed or unsurveyed the applicant shall, prior to filing his application for permit, locate such lands in a reasonably compact form and according to the legal subdivisions of the public land surveys if the land be surveyed; and in an approximately square or rectangular tract if the land be an unsurveyed tract, the length of which shall not exceed two and one-half times its width, and if he shall cause to be erected upon the land for which a permit is sought a monument not less than 4 feet high, at some conspicuous place thereon, and shall post a notice in writing on or near said monument, stating that an application for permit will be made within 30 days after date of said notice, the name of the applicant, the date of the notice, and such a general description of the land to be covered by such permit by reference to courses and distances from such monument and such other natural objects and permanent monuments as will reasonably identify the land, stating the amount thereof in acres, he shall during the period of 30 days following such marking and posting be entitled to a preference right over others to a permit for the land so identified. The applicant shall, within 90 days after receiving a permit, mark each of the corners of the tract described in the permit upon the ground with substantial monuments, so that the boundaries can be readily traced on the ground, and shall post in a conspicuous place upon the lands a notice that such permit has been granted and a description of the lands covered thereby: *Provided*, That in the Territory of Alaska prospecting permits may be granted to any qualified applicant for periods not exceeding four years, actual drilling operations shall begin within two years from date of permit, and oil and gas wells shall be drilled to a depth of not less than 500 feet, unless valuable deposits of oil or gas shall be sooner discovered, within three years from date of the permit and to an aggregate depth of not less than 2,000 feet unless valuable deposits of oil or gas shall be sooner discovered, within four years from date of permit: *And provided further*, That in said Territory the applicant shall have a preference right over others to a permit for land identified by temporary monuments and notice posted on or near the same for six months following such marking and posting, and upon receiving a permit he shall mark the corners of the tract described in the permit upon the ground with substantial monuments within one year after receiving such permit.

SEC. 14. That upon establishing to the satisfaction of the Secretary of the Interior that valuable deposits of oil or gas have been discovered within the limits of the land embraced in any permit, the permittee shall be entitled to a lease for one-fourth of the land embraced in the prospecting permit, such area to be selected by the permittee in compact form and, if surveyed, to be described by the legal subdivisions of the public-land surveys; if unsurveyed, to be surveyed by the Government at the expense of the applicant for lease in accordance with rules and regulations to be prescribed by the Secretary of the Interior, and the lands leased shall be conformed to and taken in accordance with the legal subdivisions of such surveys; deposits made to cover expense of surveys shall be deemed appropriated for that purpose, and any excess deposits may be repaid to the person or persons making such deposit or their legal representatives. Such leases shall be for a term of 20 years with the right of renewal as prescribed in section 17 hereof upon a royalty of 5 per cent in amount or value of the production and the annual payment in advance of a rental of $1 per acre, the rental paid for any one year to be credited against the royalties as they accrue for that year. The permittee shall also be entitled to a preference right for six months from notice to a lease for the remainder of the land in the prospecting permit at such royalty, not less than 12½ per cent nor more than 25 per cent, as may be fixed by the Secretary of the Interior, for such periods and under such other conditions as are fixed for oil or gas leases in this act.

SEC. 15. That until the permittee shall apply for lease to the one-quarter of the permit area heretofore provided for he shall pay to the United States 20 per cent of the gross value of all oil or gas secured by him from the lands embraced within his permit and sold or otherwise disposed of or held by him for sale or other disposition.

SEC. 16. That all permits and leases of lands containing oil or gas, made or issued under the provisions of this act, shall be subject to the condition that no wells shall be drilled within 200 feet of any of the outer boundaries of the lands so permitted or leased, unless the adjoining lands have been patented or the title thereto otherwise vested in private owners, and to the further condition that the permittee or lessee will, in conducting his explorations and mining operations, use all reasonable precautions to prevent waste of oil and gas developed in the land, or the entrance of water through wells drilled by him to the oil sands or oil-bearing strata, to the destruction or injury of the oil deposits. Violations of the provisions of this section shall constitute grounds for the forfeiture of the permit or lease, to be enforced through appropriate proceedings in courts of competent jurisdiction.

SEC. 17. That all unappropriated deposits of oil or gas situated within the known geologic structure of a producing oil or gas field and the unentered lands containing the same, not subject to preferential lease, may be leased by the Secretary of the Interior to the highest responsible bidder by competitive bidding under general regulations to qualified applicants in areas not exceeding 640 acres and in tracts which shall not exceed in length two and one-half times their width, such leases to be conditioned upon the payment by the lessee of such bonus as may be accepted and of such royalty as may be fixed in the lease, which shall not be less than 12½ per cent in amount of value of the production, and the payment in advance of a rental of not less than $1 per acre per annum thereafter during the continuance of the lease, the rental paid for any one year to be credited against the royalties as they accrue for that year. Leases shall be for a period of 20 years, with the preferential right in the lessee to renew the same for successive periods of 10 years upon such reasonable terms and conditions as may be prescribed by the Secretary of the Interior, unless otherwise provided by law at the time of the expiration of such periods.

Whenever the average daily production of any oil well shall not exceed 10 barrels per day, the Secretary of the Interior is authorized to reduce the royalty on future production when in his judgment the wells can not be successfully operated upon the royalty fixed in the lease. The provisions of this paragraph shall apply to all oil and gas leases made under this act.

SEC. 18. That upon relinquishment to the United States, filed in the General Land Office within six months after the approval of this act, of all right, title, and interest claimed and possessed since prior to July 3, 1910, by the claimant or his predecessor in interest under the pre-existing placer mining law to any oil or gas bearing land upon which there has been drilled one or more oil or gas wells embraced in the Executive order of withdrawal issued September 27, 1909, and not within any naval petroleum reserve, and upon payment to the United States of an amount equal to the value at the time of production of one-eighth of all the oil or gas already produced and saved from such land, the claimant, or his successor, if in possession of such land, undisputed by any other claimant prior to July 1, 1919, shall be entitled to a lease thereon from the United States for a period of 20 years, at a royalty of not less than 12½ per cent nor more than 25 per cent of all the oil or gas produced and saved: *Provided*, That not more than one-half of the area within the geologic oil or gas structure of a producing oil or gas field shall be leased to any one claimant under the provisions of this section when the area of such geological oil structure exceeds 640 acres. Any claimant or his successor, subject to this limitation, shall, however, have the right to select and receive the lease as in this section provided for that portion of his claim or claims equal to, but not in excess of, said one-half of the area of such geologic oil structure.

All such leases shall be made and the amount of royalty to be paid for oil and gas produced and saved after the execution of such lease shall be fixed by the Secretary of the Interior under appropriate rules and regulations: *Provided, however*, That as to all like claims situate within any naval petroleum reserve the producing wells thereon only shall be leased, together with an area of land sufficient for the operation thereof, upon the terms and payment of royalties for past and future production as herein provided for in the leasing of claims. No wells shall be drilled in the land subject to this provision within 660 feet of any such leased well without the consent of the lessee: *Provided, however*, That the President may, in his discretion, lease the remainder of any such claim upon which such wells have been drilled, and in the event of such leasing said claimant or his successor shall have a preference right to such lease: *And provided further*, That he may permit the drilling of additional wells by the claimant or his successor within the limited area of 660 feet theretofore provided for upon such terms and conditions as he may prescribe.

No claimant for a lease who has been guilty of any fraud or who had knowledge or reasonable grounds to know of any fraud, or who has not acted honestly and in good faith, shall be entitled to any of the benefits of this section.

Upon the delivery and acceptance of the lease, as in this section provided, all suits brought by the Government affecting such lands may be settled and adjusted in accordance herewith and all moneys impounded in such suits or under the act of August 25, 1914 (38th Stat. L., p. 708), shall be paid over to the parties entitled thereto. In case of conflicting claimants for leases under this section, the Secretary of the Interior is authorized to grant leases to one or more of them as shall be deemed just. All leases hereunder shall inure to the benefit of the claimant and all persons claiming through or under him by lease, contract, or otherwise, as their interests may appear.

SEC. 19. That any person who, at the time of any withdrawal order, or who on January 1, 1919, was a bona fide occupant or claimant of oil or gas lands not withdrawn from entry, and who had previously performed all acts under then existing laws necessary to valid locations thereof except to make discovery, and upon which discovery had not been made prior to the passage of this act, and who has performed work or expended on or for the benefit of such locations an amount equal in the aggregate of $250 for each location if application there-

for shall be made within six months from the passage of this act, shall be entitled to prospecting permits thereon upon the same terms and conditions as other permits provided for in this act, or where any such person has heretofore made such discovery, he shall be entitled to a lease thereon under such terms as the Secretary of the Interior may prescribe unless otherwise provided for in section 18 hereof: *Provided*, That such lands are not reserved for the use of the Navy: *Provided, however*, That no claimant for a permit or lease who has been guilty of any fraud or who had knowledge or reasonable grounds to know of any fraud or who has not acted honestly and in good faith shall be entitled to any of the benefits of this section: *And provided further*, That within one year after the passage of this act where any land has been included within an oil withdrawal or classification heretofore made after bona fide entry upon the same by a qualified homestead or desert-land entryman and where said entryman has complied with the requirements of the law relating to such entries up to the time when said withdrawal was made, said entryman or the patentee under such entry shall be given a preference right to a prospecting permit for the same under the same terms and conditions as prescribed in this act.

OIL SHALE.

SEC. 20. That the Secretary of the Interior is hereby authorized to lease to any person or corporation qualified under this act any deposits of oil shale belonging to the United States and the surface of so much of the public lands containing such deposits, or land adjacent thereto, as may be required for the extraction and reduction of the leased minerals, under such rules and regulations, not inconsistent with this act, as he may prescribe; that no lease hereunder shall exceed 5,120 acres of land, to be described by the legal subdivisions of the public-land surveys, or if unsurveyed, to be surveyed by the United States, at the expense of the applicant, in accordance with regulations to be prescribed by the Secretary of the Interior. Leases may be for indeterminate periods, upon such conditions as may be imposed by the Secretary of the Interior, including covenants relative to methods of mining, prevention of waste, and productive development. For the privilege of mining, extracting, and disposing of the oil or other minerals covered by a lease under this section the lessee shall pay to the United States such royalties as shall be specified in the lease—not less than 5 per cent nor more than 25 per cent—and an annual rental, payable at the beginning of each year, at the rate of 50 cents per acre per annum, for the lands included in the lease, the rental paid for any one year to be credited against the royalties accruing for that year; such royalties to be subject to readjustment at the end of each 20-year period by the Secretary of the Interior: *Provided*, That for the purpose of encouraging the production of petroleum products from shales the Secretary may, in his discretion, waive the payment of any royalty and rental during the first five years of any lease: *Provided*, That any person having a valid claim to such minerals under existing laws on January 1, 1919, shall, upon the relinquishment of such claim, be entitled to a lease under the provisions of this section, for such area of the land relinquished as shall not exceed the maximum area authorized by this section to be leased to an individual or corporation: *Provided, however*, That no claimant for a lease who has been guilty of any fraud or who had knowledge or reasonable grounds to know of any fraud or who has not acted honestly and in good faith shall be entitled to any of the benefits of this section: *Provided further*, That not more than one lease shall be granted under this section to any one person, association, or corporation.

ALASKA OIL PROVISO.

SEC. 21. That any bona fide occupant or claimant of oil or gas bearing lands in the Territory of Alaska, or his successors or assigns, who prior to withdrawal had complied otherwise with the requirements of the mining laws, but had made no discovery of oil or gas in wells and who prior to withdrawal had made substantial improvements for the discovery of oil or gas on or for each location or had prior to the passage of this act expended not less than $250 in improvements on or for each location shall be entitled, upon relinquishment or surrender to the United States within one year from the date of this act, or within six months after final denial or withdrawal of application for patent to a prospecting permit or permits, lease or leases, under this act covering such lands, not exceeding five permits or leases in number and not exceeding an aggregate of 1,280 acres in each: *Provided*, That leases in Alaska under this act whether as a result of prospecting permits or otherwise shall be upon such rental and royalties as shall be fixed by the Secretary of the Interior and specified in the lease, and be subject to readjustment at the end of each 20-year period of the lease: *Provided further*, That for the purpose of encouraging the production of petroleum products in Alaska the Secretary may, in his discretion, waive the payment of any rental or royalty not exceeding the first five years of any lease.

No claimant for a lease who has been guilty of any fraud or who had knowledge or reasonable grounds to know of any fraud or who has not acted honestly and in good faith shall be entitled to any of the benefits of this section.

SODIUM.

SEC. 22. That the Secretary of the Interior is hereby authorized and directed, under such rules and regulations as he may prescribe, to grant to any qualified applicant a prospecting permit which shall give the exclusive right to prospect for chlorides, sulphates, carbonates, borates, silicates, or nitrates of sodium dissolved in and soluble in water, and accumulated by concentration in lands belonging to the United States for a period of not exceeding two years: *Provided*, That the area to be included in such a permit shall be not exceeding 2,560 acres of land in reasonably compact form: *Provided further*, That the provisions of this section shall not apply to lands in San Bernardino County, Calif.

SEC. 23. That upon showing to the satisfaction of the Secretary of the Interior that valuable deposits of one of the substances enumerated in section 22 hereof has been discovered by the permittee within the area covered by his permit and that such land is chiefly valuable therefor the permittee shall be entitled to a lease for one-half of the land embraced in the prospecting permit, at a royalty of one-eighth of the amount or value of the production, to be taken and described by legal subdivisions of the public-land surveys, or if the land be not surveyed by survey executed at the cost of the permittee in accordance with rules and regulations to be prescribed by the Secretary of the Interior. The permittee shall also have the preference right to lease the remainder of the lands embraced within the limits of his permit at a royalty to be fixed by the Secretary of the Interior. Lands known to contain such valuable deposits as are enumerated in section 22 hereof and not covered by permits or leases, except such lands as are situated in said county of San Bernardino, shall be held subject to lease, and may be leased by the Secretary of the Interior through advertisement, competitive bidding, or such other methods as he may by general regulations adopt, and in such areas as he shall fix, not exceeding 2,560 acres; all leases to be conditioned upon the payment by the lessee of such royalty as may be fixed in the lease, and the payment in advance of a rental of 50 cents per acre for the first calendar year or fraction thereof and $1 per acre per annum thereafter during the continuance of the lease, the rental paid for any one year to be credited on the royalty for that year. Leases may be for indeterminate periods upon such conditions not inconsistent herewith as may be incorporated in each lease or prescribed in general regulation theretofore issued by the Secretary of the Interior, including covenants relative to mining methods, waste, period of preliminary development, and minimum production, and a lessee under this section may be lessee of the remaining lands in his permit.

SEC. 24. That in addition to areas of such mineral land which may be included in any such prospecting permits or leases, the Secretary of the Interior, in his discretion, may grant to a permittee or lessee of lands containing sodium deposits, and subject to the payment of an annual rental of not less than 25 cents per acre, the exclusive right to use, during the life of the permit or lease, a tract of unoccupied nonmineral public land, not exceeding 40 acres in area, for camp sites, refining works, and other purposes connected with and necessary to the proper development and use of the deposits covered by the permit or lease.

GENERAL PROVISIONS APPLICABLE TO COAL, PHOSPHATE, SODIUM, OIL, OIL SHALE, AND GAS LEASES.

SEC. 25. That the Secretary of the Interior shall reserve and may exercise the authority to cancel any prospecting permit upon failure by the permittee to exercise due diligence in the prosecution of the prospecting work in accordance with the terms and conditions stated in the permit, and shall insert in every such permit issued under the provisions of this act appropriate provisions for its cancellation by him.

SEC. 26. That no person, association, or corporation, except as herein provided, shall take or hold more than one coal, phosphate, or sodium lease during the life of such lease in any one State; no person, association, or corporation shall take or hold at one time more than three oil or gas leases granted hereunder in any one State, and not more than one lease within the geologic structure of the same producing oil or gas field; no corporation shall hold any interest as a stockholder of another corporation in more than such number of leases; and no person or corporation shall take or hold any interest or interests as a member of an association or associations or as a stockholder of a corporation or corporations holding a lease under the provisions hereof which, together with the area embraced in any direct holding of a lease under this act, or which, together with any other interest or interests as a member of an association or associations or as a stockholder of a corporation or corporations holding a lease under the provisions hereof, for any kind of mineral leased hereunder, exceeds in the aggregate an amount equivalent to the maximum number of acres of the respective kinds of minerals allowed to any one lessee under this act. Any interests held in violation of this act shall be forfeited to the United States by appropriate proceedings instituted by the Attorney General for that purpose in the proper United States district court, except that any ownership or interest forbidden in this act which may be aquired by descent, will, judgment, or decree may be held for two years and not longer after its acquisition: *Provided*, That nothing herein contained shall be construed to limit sections 18 and 19 or to prevent any number of lessees under the provisions of this act from combining their several interests so far as may be necessary for the purposes of constructing and carrying on the business of a refinery, or of establishing and constructing as a common carrier a pipe line or lines or railroads to be operated and used by them jointly in the transportation of oil from their several wells, or from the wells of other lessees under this act, or the transportation of coal: *Provided further*, That any combination for such purpose or purposes shall be subject to the approval of the Secretary of the Interior on application to him for permission to form the same.

SEC. 27. That rights of way through the public lands, including the forest reserves, of the United States are hereby granted for pipe-line purposes for the transportation of oil or natural gas to any applicant possessing the qualifications provided in section 1 of this act to the extent of the ground occupied by the said pipe line and 25 feet on each side of the same under such regulations as to survey, location, application, and use as may be prescribed by the Secretary of the Interior for such rights of way through the public lands, and the Secretary of Agriculture for such rights of way through national forests, and upon the express condition that such pipe lines shall be constructed, operated, and maintained as common carriers: *Provided*, That no right of way shall hereafter be granted over said lands for the transportation of oil or natural gas except under and subject to the provisions, limitations, and conditions of this section. Failure to comply with the provisions of this section or the regulations prescribed by the Secretary of the Interior shall be ground for forfeiture of the grant by the United States district court for the district in which the property, or some part thereof, is located in an appropriate proceeding.

SEC. 28. That any permit, lease, occupation, or use permitted under this act shall reserve to the Secretary of the Interior the right to permit, upon such terms as he may determine to be just, for joint or several use, such easements or rights of way, including easements in tunnels upon, through, or in the lands leased, occupied, or used as may be necessary or appropriate to the working of the same, or of other lands containing the deposits described in this act, and the treatment and shipment of the products thereof by or under authority of the Government, its lessees, or permittees, and for other public purposes: *Provided*, That said Secretary, in his discretion, in making any lease under this act, may reserve to the United States the right to lease, sell, or otherwise dispose of the surface of the lands embraced within such lease under existing law or laws hereafter enacted, in so far as said surface is not necessary for use of the lessee in extracting and removing the deposits therein: *Provided further*, That if such reservation is made it shall be so determined before the offering of such lease: *And provided further*, That the said Secretary, during the life of the lease, is authorized to issue such permits for easements herein provided to be reserved.

SEC. 29. That no lease issued under the authority of this act shall be assigned or sublet, except with the consent of the Secretary of the Interior. The lessee may, in the discretion of the Secretary of the Interior, be permitted at any time to make written relinquishment of all rights under such a lease, and upon acceptance thereof be thereby relieved of all future obligations under said lease, and may with like consent surrender any legal subdivision of the area included within the lease. Each lease shall contain provisions for the purpose of insuring the exercise of reasonable diligence, skill, and care in the operation of said property; a provision that such rules for the safety and welfare of the miners and for the prevention of undue waste as may be prescribed by said Secretary shall be observed, including a restriction of the workday to not exceeding eight hours in any one day for underground workers, except in cases of emergency, provisions securing the workmen complete freedom of purchase, requiring the payment of wages

at least twice a month in lawful money of the United States, and providing proper rules and regulations to insure the fair and just weighing or measurement of the coal mined by each miner, and such other provisions as he may deem necessary for the protection of the interests of the United States, for the prevention of monopoly, and for the safeguarding of the public welfare: *Provided*, That none of such provisions shall be in conflict with the laws of the State in which the leased property is situated.

SEC. 30. That any lease issued under the provisions of this act may be forfeited and canceled by an appropriate proceeding in the United States district court for the district in which the property, or some part thereof, is located whenever the lessee fails to comply with any of the provisions of this act, of the lease, or of the general regulations promulgated under this act and in force at the date of the lease; and the lease may provide for resort to appropriate methods for the settlement of disputes or for remedies for breach of specified conditions thereof.

SEC. 31. That the Secretary of the Interior is authorized to prescribe necessary and proper rules and regulations and to do any and all things necessary to carry out and accomplish the purposes of this act: *Provided*, That nothing in this act shall be construed or held to affect the rights of the States or other local authority to exercise any rights which they may have, including the right to levy and collect taxes upon improvements, output of mines, or other rights, property, or assets of any lessee of the United States.

SEC. 32. That all statements, representations, or reports required by the Secretary of the Interior under this act shall be upon oath, unless otherwise specified by him, and in such form and upon such blanks as the Secretary of the Interior may require.

SEC. 33. That the provisions of this act shall also apply to all deposits of coal, phosphate, sodium, oil, oil shale, or gas in the lands of the United States, which lands may have been or may be disposed of under laws reserving to the United States such deposits, with the right to prospect for, mine, and remove the same, subject to such conditions as are or may hereafter be provided by such laws reserving such deposits.

SEC. 34. That 10 per cent of all money received from sales, royalties, and rentals under the provisions of this act, excepting those from Alaska, shall be paid into the Treasury of the United States and credited to miscellaneous receipts, 45 per cent of the amounts derived from such royalties and rentals shall be paid into, reserved, and appropriated as a part of the reclamation fund created by the act of Congress approved June 17, 1902, known as the reclamation act, and 45 per cent of the amounts derived from such royalties and rentals shall be paid by the Secretary of the Treasury after the expiration of each fiscal year to the State within the boundaries of which the leased lands or deposits are or were located, said moneys to be used by such State or subdivisions thereof for the construction and maintenance of public roads or for the support of public schools or other public educational institutions, as the legislature of the State may direct: *Provided*, That any moneys which may accrue to the United States under the provisions of this act from lands within the naval petroleum reserves shall be deposited in the Treasury as "miscellaneous receipts."

SEC. 35. That all royalty accruing to the United States under any oil or gas lease or permit under this act on demand of the Secretary of the Interior shall be paid in oil or gas.

Upon granting any oil or gas lease under this act and at the beginning of each five-year period thereafter during said lease, the Secretary of the Interior shall offer for sale, upon notice and advertisement on sealed bids or at public auction, all royalty oil and gas accruing or reserved to the United States under such lease. Such advertisement and sale shall reserve to the Secretary of the Interior the right to reject all bids and the right to require redelivery of the actual oil or gas or any refined product thereof whenever within his judgment the interest of the United States demands; and in cases where no satisfactory bid is received or where the accepted bidder fails to complete the purchase, the Secretary of the Interior within his discretion may readvertise such royalty for sale, or sell at private sale for such period, or accept the value thereof from the lessee, in each case reserving the right to require redelivery of the oil or gas or any product being refined therefrom by such purchaser or lessee: *Provided, however*, That advertisement or sale as herein required may be dispensed with in specific cases upon a finding by the Secretary of the Interior that such course is in the interest of the public good.

SEC. 36. That the deposits of coal, phosphate, sodium, oil, oil shale, and gas, herein referred to, in lands valuable for such minerals shall be subject to disposition only in the form and manner provided in this act, except as to valid claims existent at date of the passage of this act and thereafter maintained in compliance with the laws under which initiated, which claims may be perfected under such laws.

Mr. SMOOT. In section 7, page 6, line 2, after the words "tons of," I move to strike out the word "coals" and to insert the word "coal."

The amendment was agreed to.

Mr. SMOOT. In section 16, page 13, line 23, after the word "his," I move to strike out "exporations" and to insert "explorations."

The amendment was agreed to.

Mr. SMOOT. In section 17, page 14, line 18, after the word "amount," I move to strike out "of" and to insert "or," so as to read:

Which shall not be less than 12½ per cent in amount or value of the production.

The amendment was agreed to.

Mr. SMOOT. I offer the amendment which I send to the desk to be inserted in section 19, page 18, after the word "hereof," in line 17.

The PRESIDING OFFICER (Mr. KING in the chair). The amendment proposed by the Senator from Utah will be stated.

The SECRETARY. In section 19, page 18, line 17, after the word "hereof," it is proposed to insert:

Provided, That where such prospecting permit is granted upon land within any known geological structure of a producing oil or gas field, the royalty to be fixed in any lease thereafter granted thereon or any portion thereof shall not be less than 12½ per cent nor more than 25 per cent of all the oil or gas produced and saved.

The amendment was agreed to.

Mr. SMOOT. In section 19, page 18, after the word "*Provided*," I move to insert the word "however."

The PRESIDING OFFICER. The amendment proposed by the Senator from Utah will be stated.

The SECRETARY. In section 19, page 18, line 17, after the word "*Provided*," it is proposed to insert the word "however," so as to read:

Provided, however, That such lands are not reserved for the use of the Navy.

The amendment was agreed to.

The PRESIDING OFFICER. If the Senator from Utah will pardon the Chair, the Chair observes on page 16 of the bill that the word "geologic" is used in line 4, and "geological" in line 7, and "geologic" in line 12. Does the Senator from Utah prefer either of those words, and if so, which? The Secretary will state the places where the words occur.

The SECRETARY. On page 16, line 4, the word "geologic" is used before the words "oil or gas structure"; the word "geological" on line 7 before the words "oil structure," and the word "geologic" on line 12 before the words "oil structure."

Mr. SMOOT. Mr. President, I think that ought to be "geologic" in each place; so wherever there is a difference I will ask the Secretary to make the amendment, so as to read "geologic structure."

The PRESIDING OFFICER. Then the Senator desires the amendment which he has just tendered to conform to that change?

Mr. SMOOT. Yes; so as to use the same word all through the bill.

The PRESIDING OFFICER. Without objection, the change will be made in the reported bill.

Mr. SMOOT. Mr. President, I move to strike out beginning on line 1, page 32, all of lines 1, 2, 3, and the first word on line 4, and to insert:

The Secretary of the Interior shall have the right to offer for sale, for periods of not exceeding five years.

The PRESIDING OFFICER. The Senator from Utah offers an amendment, which will be stated.

The SECRETARY. On page 32, strike out lines 1, 2, 3, and the word "sale" in line 4, and insert:

The Secretary of the Interior shall have the right to offer for sale, for periods of not exceeding five years.

The amendment was agreed to.

EFFECT OF TREATY RESERVATIONS.

Mr. FALL. Mr. President, I desire to call the attention of the Senate for a moment to a matter which has been referred to here this afternoon, and which up to the present time I have had no opportunity to refer to specifically.

I stated to the Senator from Nevada [Mr. PITTMAN] that I would, a little later on, answer some of the propositions advanced by him with reference to the conference between some of the Senators and the President of the United States on yesterday, and particularly with reference to a certain colloquy between the President of the United States and myself, as the Senator from Nevada referred specifically to this colloquy, and undertook to place his construction upon the words of the President of the United States.

I was reminded, Mr. President, of the fact that when the President of the United States came into this Chamber to address the Senate on the occasion when he laid before this body the treaties that are now under discussion, he made reference to some of the bitter fruits of the attempted grafting of the new system proposed to be adopted by the President upon the old system which had prevailed prior to the conference at Paris and Versailles. I commented at that time upon the fact that there were to be found in this Chamber Senators whose intense loyalty to the President urged them heroically to rush to his relief, and at that time expressed the view which I have since had confirmed, sir, that the President of the United States in expressing himself needs no assistance from his loyal colleagues and heroic would-be defenders in this body.

The President of the United States upon yesterday was, I think, frank and open and manly in his treatment of the Senators; he was patient, and endeavored to give them information such as he thought he could give them. Much to my regret he seemed to be impressed with the view that there were some things about which he was not at liberty to speak openly. Some of the Senators went to the White House with the understanding that there should be nothing communicated in confidence. That being the understanding, to which the President agreed, the President refrained from discussing certain matters which I would have been glad to have discussed openly. In so far as we did have a discussion, it was perfectly frank upon both sides, and I thought perfectly understood at that time;

and I think the President of the United States understood, as he generally understands, what he was saying.

Now, with reference to the particular point at issue:

The President had stated in his opening statement, read to the committee, among other things—I am not attempting to quote him—that he would find difficulty in undertaking to approach Weimar, the German capital, if reservations were embodied in the ratifying resolution accompanying the ratification of the treaty. In answer to certain questions propounded by different Senators he practically reiterated that statement, and it appeared to be the desire of certain Senators to impress the great importance of this fact upon the record then being made—that aside from the possible necessity of approaching three or four other powers and securing their acquiescence in the reservations as drawn by this body, in the event such were made, there was the overwhelming difficulty in reopening negotiations with Germany. I have heard that same difficulty voiced here, and I have noticed in many of the interviews which are so prolific with various Senators, as they appear in the daily press from day to day, that great importance and stress has been laid upon this proposition—that Germany had been forced by duress, by the presence of a victorious army, to sign this treaty; that now, large numbers of the military forces having been demobilized, it would be extremely difficult, if not practically impossible, to obtain Germany's agreement to any change whatsoever being made in the treaty or the league articles, which are a portion of the treaty, as written and as they existed when the instrument was signed by her.

These were the circumstances under which the questions were propounded by myself, rather in the nature of suggestions, and the answers of the President to those questions were brought out.

The President very frankly stated his reasons, or one of the principal reasons, for combining the league of nations with the treaty. As he says in answering my first question, where he was not agreeing with me:

> One of the reasons for putting the league in the treaty was that Germany was not going to be admitted to the league immediately, and we felt that it was very necessary that we should get her acknowledgment—acceptance—of the league as an international authority.

The words speak for themselves. They need no interpretation. The purpose of securing the signature of Germany to this peace treaty with the league article in it was that Germany might be forced or compelled by her signature and her agreement to acknowledge the international authority of the league. That purpose was achieved. That purpose, I may say in passing, will in no sense be lost or weakened by any amendments which the Senate of the United States may write into the league articles, aside from the question as to our authority so to rewrite the league articles. The purpose in view was to require of Germany her recognition of the international authority of the league of nations.

Mr. KING. Mr. President, will the Senator yield?

Mr. FALL. With pleasure.

Mr. KING. Does not the Senator think that there was an additional purpose, namely, that there are many provisions of the league relating to Germany, to the administrative affairs of Germany, at least for an indefinite period, which would require some instrumentality in order to carry out, and the league was the instrumentality which had been selected?

Mr. FALL. Upon what international mind does the Senator from Utah conceive that that purpose operated?

Mr. KING. I do not know that I quite apprehend the Senator's interrogatory.

Mr. FALL. If I understand the Senator's question, he asked if Germany's signature would not be required to the treaty or the league articles, because in the treaty itself there are certain provisions with reference to the operations of the council of the league.

Mr. KING. As I had intended to propound the question, it was this: Was there not an additional reason for requiring Germany's signature?

Mr. FALL. Additional reason upon whom?

Mr. KING. An additional reason for Germany to insist upon the league, namely, that there were provisions of the treaty which related to Germany which could not be carried into effect except that there was an agency created that could carry into effect the provisions.

Mr. FALL. That is the question I am asking the Senator. He says "additional reasons." Operating upon what international mind, or emanating from what international mind, are those reasons? Does the Senator mean to say that Germany signed it because of the fact that under the provisions of the treaty certain commissions to be appointed by the league should operate? Was that the reason why Germany signed it?

Mr. KING. I do not know that that was one of the reasons which impelled Germany to sign it, but that was one of the things required of Germany by those who proposed the treaty to her.

Mr. FALL. Then the Senator's answer is that the reason emanated from those requiring Germany to sign the league articles?

Mr. KING. Absolutely. I agree with the Senator.

Mr. FALL. Not upon the mind of Germany, because Germany was forced under duress to sign the treaty.

Mr. KING. I do not know that I subscribe to the view that she was forced under duress. Germany signed the treaty that was tendered to her. Of course, her delegates protested against it, but she signed the treaty, and the allied Governments, or associated powers tendering the treaty, required as one of the provisions of the treaty that there should be a league-of-nations covenant in the treaty, and that this league should be used as an instrumentality for carrying into effect many of the provisions of the league which related to Germany.

Mr. FALL. Not at all, because in one of the league articles there is a provision by which the very requirements in the treaty may be changed at any time that the league sees fit to change them, and without consultation with Germany.

Mr. President, of course this divergence was not material to the matter I had in mind in undertaking to explain to the Senate the attitude of the President of the United States and the Senator from New Mexico yesterday during the colloquy; that is, the question which the Senator from Utah [Mr. KING] asked me is not material to that subject.

The President expressed clearly the purpose he had in mind by himself and others in requiring the signature of Germany to the treaty with the league articles in it for the purpose of demanding of Germany recognition of the league authority in international affairs. In answer to that suggestion of the President, I will read the colloquy just as it took place:

> The PRESIDENT. Therefore, I think it would be necessary for her to acquiesce in a league the powers of which were differently construed.
>
> Senator FALL. Precisely; but the method of her acquiescing would be by her accepting the invitation, when extended, either to join the league or not to join the league. In other words, upon ratification by three of the powers a status of peace is established, and as to those three powers and Germany all the rules and regulations contained in the treaty of peace become operative. As to the other nations which have not ratified it, the status of peace exists; that is, war has terminated. Now, that being the case, and Germany being out of the league—not having been invited to join the league—if in ratifying the treaty we ratify it with certain explanations and reservations, even in the ratifying resolution, when the time comes and Germany is invited to become a member of the league, or when she applies, under the admission clause of the league, for membership therein, if she enters she, of course, accepts our reservations. If she makes a qualified application, then it is for the league itself to consider whether she will be admitted with any qualifications.
>
> The PRESIDENT. I do not accept your reasoning in the matter, Senator, because it is not merely a question of either membership or nonmembership. The covenant is a part of the treaty. It is a part of the treaty which she has signed, and we are not at liberty to change any part of that treaty without the acquiescence of the other contracting parties.

Mr. President, it was evidently the President's view that Germany having signed the treaty, we were not at liberty to change any part of it at all without Germany's consent. While he did not use the word "Germany," he said "the other contracting parties." Let me say to you that this matter had been very clear in my mind for some time, and to impress my point of view upon the President I used an illustration:

> Senator FALL. Well, Mr. President, of course it is not my purpose to enter into an argument, but we are here for information. There are provisions for the amendment of the articles. Germany is out of the league. Any amendment proposed by the other members of the league prior to her coming into the league would not be submitted to her, would it, she not being a member?
>
> The PRESIDENT. I will admit that that point had not occurred to me. No; she would not.

The provision to which I referred and to which I desired to call the attention of the President, and with which the other Senators here are of course familiar, as was the President, was article 26:

> Amendments to this covenant will take effect when ratified by the members of the league whose representatives composed the council and by a majority of the members of the league whose representatives compose the assembly.

My purpose, I think I may say without undertaking to interpret the President's mind, was to call his attention to the provisions of the league itself as showing that his previous conception of the terms was erroneous. I think the President acquiesced in my view as clearly as language can be made to express such acquiescence, and that openly, manfully, and honestly he said that this question had not occurred to him, and that I was right. That was all there was to it, unless you want my judgment confirmed by reading a little further.

Again this "plumed knight" rushed to the assistance of the President. The Senate may realize that it was rather an ex-

change of diplomatic notes, where, the minds having agreed, the notes issued by one party are repeated by the other to evidence their mutual understanding, not, of course, that I place myself upon the same diplomatic plane as the President, but in this particular matter I was one of the negotiating parties. I repeat:

The PRESIDENT. I will admit that that point had not occurred to me. No; she would not.

Senator FALL. Then, so far as we are concerned, we could make a recommendation in the nature of an amendment.

The President did not answer that. He was not allowed to do so—

Senator PITTMAN. She has already agreed by this treaty that she has signed that the members may amend it.

The PRESIDENT. Yes.

Senator FALL. Precisely; and we could come in with an amendment.

This is the end of it. This is all there is to it. To my mind the proposition has been perfectly clear, and when the President's attention was called to the point of view which I had taken some time since his mind seemed to clear up instantly, and I thought that his agreement with me was perfect.

Mr. President, again this reminds me of something that I have heard before, an attempt to translate the words and interpret the meaning of the President of the United States. I wonder if sometimes, when he happens not to have the madding crowds around him, he may not say, "God, deliver me from my friends; I can take care of my enemies myself."

FOREIGN EXCHANGE.

Mr. OWEN. Mr. President, I have felt some disappointment that the Senate has not acted upon the matter of furnishing the people of the United States with the means of putting the dollar at par throughout the world, as well as within our own borders, by passing S. 2472 and S. 2767, the Edge bill to create a Federal reserve foreign bank. The dollar exchange is at par in New York, San Francisco, and Chicago to-day, but the international exchanges are so upset that in London merchants engaging a million dollars of credit in New York would pay a flat bonus of $137,000 to the bankers or to whoever extended the credit of $1,000,000. In France the condition is much worse. The French merchant who buys a million dollars' worth of American goods—wheat, copper, cotton, manufactured products—would pay $570,000 bonus for $1,000,000 of credit when he sells 8.13 francs for a dollar. There is real usury, if the world ever saw it. Italy on an exchange of 9.49 lire, the exchange quoted yesterday, which I took from the morning Times, would pay a flat bonus of $851,000 for $1,000,000 of credit in this country. At 5.18 lire for a dollar, there is a profit of 4.31 lire when exchange reaches 9.49, or a profit of 85 per cent when par of exchange returns, as it must.

The British and the French and the Italians were willing to lay down their lives for liberty and civilization side by side with us. We fought for them and with them in a common cause on the battle field, and I now show in plain terms what we are giving them in the way of commercial and financial accommodation.

I put in the RECORD the market quotations from the Times on this international exchange.

The matter referred to is as follows:

Yesterday's closing rates.

Normal rates of exchange:		Demand or checks.
4.8665	London	$4.18¾
5.1813	Paris	8.13
5.1813	Belgium	8.27
40.20	Holland	36.375
19.30	Greece	10.00
5.1813	Italy	9.49
32.44	India—	
	Bombay	41.00
	Calcutta	41.00
49.85	Japan—	
	Kobe	50.50
	Yokohama	50.50
19.40	Spain	19.12
50.00	Philippine Islands—	
	Manila	49.50
26.80	Scandinavia—	
	Copenhagen	21.375
	South America—	
42.44	Buenos Aires	42.25
32.44	Rio	25.75
5.1813	Switzerland	5.74
51.46	Russia (currency), bid—	
	100 rubles	6.45
	500 rubles	6.15

The following exchange rates are quoted in the open market (in cents per kronen):

Normal rates of exchange:		Checks.
23.83	Germany (cents per mark)	4.875
23.83	Poland (cents per mark)	6.40
20.26	Austria	2.75
20.26	Jugoslavia	3.30
20.26	Czechoslovakia	5.00
19.30	Finland (finmark)	7.00
10.30	Roumania (lei)	6.50

Domestic exchanges.

Rates on New York at domestic centers: Boston, par; Chicago, par; San Francisco, par.

Mr. President, the bankers deal with this question as merchants deal with commodities. They buy and sell credits. They make their money in that way. When these exchanges react—and they must react in a comparatively short time—they will cash in these enormous bonuses which are being charged now—either they or their friends to whom they sell these balances.

I call the attention of the Senate to it; I call the attention of the country to it; and if the Congress and the Government of the United States afford no relief to our commerce and no justice to our recent allies they will justly deserve the condemnation of all the world.

I can honestly wipe my hands of the responsibility, for I have offered the legislative remedies and have appealed strenuously and many times to the Treasury Department officials to use their power, and I have appealed to the President.

The break in international exchange is, in my opinion, largely due to short selling; that is, the banks and trust companies handling foreign bills of exchange are selling credits in terms of lire, francs, sterling, and so forth, which they intend to cover by buying bills drawn on London, Paris, and Rome for wheat, steel, copper, machinery, and American goods at a still lower price in the immediate future, and thus make a commission.

People are buying such exchange futures because of the huge bonus that sometime will be paid when exchange reacts to par.

There should be made a thorough investigation of these speculations and exchange stabilized. What is urgently needed is credit from the American investing public to cover the immediate crying necessities of Europe while reacting from war. A Federal reserve foreign bank would serve magnificently, if Congress would pass the bill I presented in February, 1918, and August 12, 1919, as S. 2767.

The Edge bill would help greatly—S. 2472, Calendar No. 100, reported July 25, 1919. It provides for the organization of foreign banking corporations with liberal provisions under Federal charter and under supervision of the Federal Reserve Board. These banks could sell debentures against European credits at a good interest rate to American investors and furnish the credit so vitally needed by Europe at a decent rate, and thus afford a market for our surplus goods.

The amendments I proposed—S. J. Res. 88—to the War Finance Corporation act would release for use large credits which the corporation is permitting to lie idle on the ground that the statute does not give sufficient power and that bankers and exporters can not or will not avail themselves of the provisions they regard as hazardous.

Congress must act or neglect a most serious duty to our national commerce and industries.

The power and obligation lie with the Republican majority, who ought not to need urging from this side of the Chamber, but, for one, I will cooperate gladly with those who have the vision and the will to serve our common country. Let us forget partisanship for a while until the high cost of living is abated both at home and abroad.

HOUSE BILLS REFERRED.

H. R. 8076. An act authorizing the county of Montgomery, Tenn., to construct a bridge across the Cumberland River within 7 miles of Clarksville, Tenn.; and

H. R. 8117. An act for the construction of a bridge across the Susquehanna River at or near Falls, Wyoming County, Pa., were read twice by their titles and referred to the Committee on Commerce.

H. R. 3175. An act authorizing local drainage districts to drain certain public lands in the State of Arkansas, counties of Mississippi and Poinsett, and subjecting said lands to taxation, was read twice by its title and referred to the Committee on Public Lands.

H. R. 7972. An act to improve the administration of the Postal Service in the Territory of Hawaii was read twice by its title.

The PRESIDING OFFICER (Mr. KING in the chair). The bill will be referred to the Committee on Pacific Islands and Porto Rico.

Mr. SMOOT. It ought to be referred to the Committee on Post Offices and Post Roads.

The PRESIDING OFFICER. That was the opinion of the Chair, but the Chair's advisers suggested the other committee.

Mr. SMOOT. I think similar bills have always been handled by the Committee on Post Offices and Post Roads.

The PRESIDING OFFICER. Without objection, the bill will be referred to the Committee on Post Offices and Post Roads.

ENFORCEMENT OF PROHIBITION.

Mr. STERLING. Mr. President, I desire to give notice that immediately on the disposition of the oil-land-leasing bill I shall move that the Senate take up for consideration Order of Business 129, House bill 6810, the prohibition bill.

EXECUTIVE SESSION.

Mr. SMOOT. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 25 minutes p. m.) the Senate adjourned until tomorrow, Thursday, August 21, 1919, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate August 20, 1919.

COLLECTOR OF CUSTOMS.

William H. Clare to be collector of customs for customs collection district No. 39, with headquarters at Chicago, Ill., to fill an existing vacancy.

COLLECTORS OF INTERNAL REVENUE.

George F. O'Shaunessy, of Providence, R. I., to be collector of internal revenue for the district of Rhode Island. New office.

David C. Dunbar, of Salt Lake City, Utah, to be collector of internal revenue for the district of Utah. New office.

UNITED STATES ATTORNEY.

LeRoy W. Ross, of New York, to be United States attorney, eastern district of New York, vice James D. Bell, appointed by court.

UNITED STATES MARSHAL.

William R. Palmer, of Oxford, Conn., to be United States marshal, district of Connecticut, vice Chesterfield C. Middlebrooks, term expired.

PROMOTIONS IN THE REGULAR ARMY.

CHAPLAIN.

Chaplain James M. Webb, Infantry, to be chaplain with the rank of captain from April 26, 1919, after seven years' service.

CORPS OF ENGINEERS.

Capt. Robert S. A. Dougherty, Corps of Engineers, to be major with rank from August 5, 1919.

QUARTERMASTER CORPS.

To be colonels.

Lieut. Col. Hugh J. Gallagher, Quartermaster Corps, from August 12, 1919.

Lieut. Col. James Canby, Quartermaster Corps, from August 13, 1919.

MISSISSIPPI RIVER COMMISSION.

Col. Mason M. Patrick, Corps of Engineers, United States Army, for appointment as member of the Mississippi River Commission provided for by the act of Congress approved June 28, 1879, entitled "An act to provide for the appointment of a 'Mississippi River Commission' for the improvement of said river from the Head of the Passes near its mouth to its headwaters," vice Col. James G. Warren, Corps of Engineers, United States Army, to be relieved.

ASSISTANT APPRAISER OF MERCHANDISE.

Thomas J. Burns, of Jersey City, N. J., to be assistant appraiser of merchandise in customs collection district No. 10, with headquarters at New York, N. Y., in place of Frederick Kuenzli, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate August 20, 1919.

CONSUL GENERAL.

CLASS 4.

Ransford S. Miller, to be a consul general of class 4.

PROMOTIONS IN THE REGULAR ARMY.

CAVALRY ARM.

To be captains.

First Lieut. Leslie B. C. Jones.
First Lieut. Kramer Thomas.
First Lieut. James R. Finley.
First Lieut. Willard S. Wadelton.

FIELD ARTILLERY ARM.

To be lieutenant colonel.

Maj. Harry C. Williams.

To be captains.

First Lieut. Clifford H. Tate.
First Lieut. Ottomar O'Donnell.
First Lieut. Oliver P. Echols.
First Lieut. Clement Ripley.
First Lieut. Edward M. Smith.

COAST ARTILLERY CORPS.

To be captains.

First Lieut. Edward A. Murphy.
First Lieut. Jep C. Hardigg.
First Lieut. Dale D. Hinman.
First Lieut. George D. Davidson.
First Lieut. Robert E. Turley.
First Lieut. Richard B. Webb.
First Lieut. Moses Goodman.
First Lieut. Kenneth S. Purdie.

UNITED STATES ATTORNEY.

Edward Lowry Humes, to be United States attorney for the western district of Pennsylvania.

REGISTER OF THE LAND OFFICE.

Alexander Sweek, to be register of the land office at Portland, Oreg.

POSTMASTERS.

COLORADO.

Lester T. Britton, Cripple Creek.
Walstien N. Haas, Silverton.
Milas N. Johnson, Calhan.
George J. W. Longmore, Louisville.
Marion R. McCauley, La Junta.
Frederick C. Tighe, New Raymer.
Homer L. Woodbury, Nederland.

GEORGIA.

Loyd W. English, Pelham.

IDAHO.

Richard L. Baker, Ashton.
Ross D. Bothwell, Weiser.
Grant A. Bristol, Lava Hot Springs.
James Campbell, Hope.
Helga M. Cook, McCall.
Franklin B. Fiss, Kuna.
Walter A. Fiscus, Potlatch.
Samuel R. Gwin, Hagerman.
Elsie Harrell, Cambridge.
Robert B. Haskell, Burley.
Sarah A. Jones, Cascade.
Austin A. Lambert, Hailey.
Everett Noble, Shoshone.
William T. Roberts, Bellevue.
Thomas J. Russell, Post Falls.
Oliver F. Vose, Salmon.
William F. Winkler, Council.
Alva A. White, Mountain Home.
John E. Wood, Harrison.

KENTUCKY.

Leslie C. Adams, Berea.
Robert H. Anderson, Georgetown.
William H. Atteberry, Munfordville.
Len Beshear, Dawson Springs.
Charles E. Beeler, Calhoun.
Charles B. Burke, Beattyville.
Mattie E. Carter, Barlow.
Lawrence T. Doty, Owenton.
Andrew M. Edwards, New Castle.
James S. Glenn, Hartford.
Helen L. Gurney, Erlanger.
Otis W. Jackson, Clinton.
Virgie H. Lytle, Augusta.
Nathaniel T. Mercer, Columbia.
Joseph E. Moseley, Hopkinsville.
Moses F. Moore, Central City.
Ernie M. Peniston, Wilmore.
George L. Penny, Stanford.
Burnett M. Powell, Corydon.
Otho C. Quirey, Sturgis.
James N. Rule, Falmouth.
Allie Reid, Brandenburg (late Brandenberg).
Anna M. Sisk, Allensville.
Latt W. Springfield, Sebree.
John W. Taylor, Stone.
Richard B. Thurman, Hodgenville.
Orie S. Ware, Covington.

Fannie G. Wilson, Campbellsville.
Mary Wilson, Crab Orchard.
Jesse B. Wise, Stithton.
Edward F. Yelton, Butler.
Willis G. Bandy, Irvington.
Ephriam P. Brown, Lancaster.
Edward F. Coffman, Russellville.
Charles E. Cooke, Middlesboro.
William L. Hale, Mayfield.
Moses Kaufman, Lexington.
John B. Wathen, Lebanon.

MAINE.

Charles E. Perry, Kittery Point.

MASSACHUSETTS.

Edmond H. Bowler, Dedham.
Anthony J. Crean, Turners Falls.
John M. Hayes, North Abingdon.
John F. Meehan, Lowell.

MINNESOTA.

Millie Berkman, Chisholm.
William P. Cody, Graceville.
Verge Kenison, Alden.
Levi M. Peterson, Cambridge.
Albert J. Rynda, New Prague.

MISSISSIPPI.

Robert Burns, Brandon.
McCreight Dansby, Decatur.
Patricia Dougherty, Tunica.
Elon M. Gardner, Moorehead.
Finley B. Hewes, Gulfport.
Pink H. Morrison, Heidelberg.
Nannie Stuart, Morton.

NORTH CAROLINA.

Samuel S. Gay, Nashville.
James M. Peterson, Spruce Pine.

NORTH DAKOTA.

Thomas G. Kellington, New Rockford.
Seth E. Garland, Tioga.
Joseph H. Huseby, Leeds.
Elick O. Kleve, McClusky.
John H. McLain, Inkster.
William D. Sinclair, Hannaford.

OHIO.

Orville C. Ryan, Peebles.

OKLAHOMA.

Joseph C. Baker, Fairland.

PENNSYLVANIA.

George Althouse, Radnor.
James P. Andreas, Walnutport.
Harry E. Barndt, Sellersville.
Thomas J. Barry, Jenkintown.
Elmer D. Buckey, Littlestown.
Lula Buffle, Lock No. 4.
William F. Burr, Zelienople.
Ray J. Crowthers, West Elizabeth.
Lillian W. Davidson, Carmichaels.
Charles E. Dusenberry, Newell.
Harry L. Edinger, Delaware Water Gap.
Joseph J. Ellison, Darby.
Michael J. Fleming, Tremont.
Charles W. Gibbs, Burnham.
Delos M. Graham, Starjunction.
Gertrude Griffith, Heilwood.
Abner I. Hartman, Lebanon.
Jerome A. Hartman, Phoenixville.
Guy L. Horn, Fredericktown.
J. Edwin McCanna, Paoli.
Emma McNamee, Imperial.
Harry L. Moon, Tullytown.
Mabel E. Nye, Enon Valley.
James N. Palmer, Woodland.
Emma C. Roseboro, Pomeroy.
Stephen B. Ryder, Renovo.
Mary L. Simons, Harmony.
Mariquitta M. Smelker, Newton Hamilton.
Albert J. Vernon, Donora.
Charles F. Wenrich, Wernersville.
George B. Wilcox, Portland.
Frank B. Whoolery, Smithfield.
Andrew J. Young, Pen Argyl.
Raymond K. Zechman, Sinking Springs.
Alfred A. Ziegenfus, Palmerton.
Pearl C. Zittle, East Downingtown.

SOUTH DAKOTA.

George M. Barnett, Carthage.
James M. Holm, Pierre.
Charles S. Kingsbury, Dallas.
William Spencer, Onida.

UTAH.

James F. Day, Fillmore.
Furnessia A. LeCheminant, Garfield.

VERMONT.

Prentiss C. Dodge, Randolph.
Gary S. Heath, Derby Line.
George E. Wilber, Williamstown.

WYOMING.

Justus J. Champlin, Powell.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *August 20, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty Father, impress upon our minds indelibly that each day is a day of judgment, and the sum of each man's days is the final judgment.

Hence it behooves us as individuals to live day by day to the high-water mark of Christian manhood. It is not so much what a man does as it is the motive he puts behind it.

"Be not deceived; God is not mocked: for whatsoever a man soweth, that shall he also reap."

"For he that soweth to his flesh shall of the flesh reap corruption; but he that soweth to the Spirit shall of the Spirit reap life everlasting."

O Lord and Master of us all,
Whate'er our name or sign;
We own Thy sway, we hear Thy call,
We test our lives by Thine.

Lead us, we beseech Thee, to the life eternal. Amen.

The Journal of the proceedings of yesterday was read and approved.

FILING OF A PETITION.

Mr. EMERSON. Mr. Speaker, I would like to make a parliamentary inquiry. I have a petition that has been sent me, signed by 33,000 discharged soldiers, sailors, marines, and citizens of northern Ohio, in favor of my bill giving a year's pay to discharged soldiers, sailors, and marines as a bonus. I would like to have that petition referred to the Committee on Military Affairs. Do I have to get unanimous consent or can the Speaker direct that that be done?

The SPEAKER. Has the gentleman put the bill in the basket?

Mr. EMERSON. I filed my bill the first day of the session. Now I have this petition.

The SPEAKER. Has the bill been referred?

Mr. EMERSON. It has.

The SPEAKER. The Chair thinks the time of the House ought not to be consumed by such question, which will readily be answered by the filing clerk in private. The gentleman can indicate where his petition shall be filed.

EXTENSION OF REMARKS.

Mr. GARNER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting two letters from Secretary Glass on the question of the financial condition of the Treasury.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD by filing letters from the Secretary of the Treasury. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by placing in the RECORD an editorial from the May number of the American Federationist by Samuel Gompers, and a recent editorial from the New York Times, both of which relate to the soldier settlement bill now before the House.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection? [After a pause.] The Chair hears none. To-day is Calendar Wednesday——

Mr. BLANTON. Mr. Speaker, I think we ought to have a quorum present, and I make the point that there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point of no quorum. Evidently no quorum is present——

Mr. CAMPBELL of Kansas. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Eagle	Kettner	Rogers
Ayres	Echols	Kiess	Rose
Benson	Evans, Mont.	Larsen	Rouse
Black	Evans, Nebr.	Lea, Calif.	Rowan
Bland, Ind.	Fairfield	Lesher	Sabath
Bland, Mo.	Flood	Linthicum	Sanders, N. Y.
Boies	Foster	Longworth	Saunders, Va.
Booher	Frear	Luce	Scully
Brand	Freeman	McAndrews	Shreve
Britten	Gallivan	McGlennon	Sisson
Brooks, Ill.	Gandy	McKenzie	Slemp
Browne	Ganly	McKinley	Smith, N. Y.
Brumbaugh	Garland	MacGregor	Stedman
Burke	Goldfogle	Magee	Stephens, Miss.
Candler	Graham, Pa.	Maher	Stephens, Ohio
Cannon	Graham, Ill.	Mann	Sullivan
Carter	Greene, Mass.	Monahan, Wis.	Summers, Wash.
Casey	Griest	Moon	Sumners, Tex.
Christopherson	Hadley	Moore, Pa.	Taylor, Ark.
Classon	Hamill	Morin	Taylor, Tenn.
Copley	Hardy, Colo.	Mott	Tilson
Costello	Haugen	Mudd	Voigt
Cramton	Hersey	Newton, Minn.	Walsh
Curry, Calif.	Hicks	Nolan	Ward
Dempsey	Hill	Osborne	Wason
Dewalt	Humphreys	Paige	Whaley
Dickinson, Iowa	Jefferis	Parker	Wilson, Pa.
Donovan	Johnson, S. Dak.	Peters	Wise
Dooling	Johnston, N. Y.	Rainey, J. W.	Woodyard
Doremus	Kahn	Randall, Calif.	Wright
Dunbar	Kelley, Mich.	Rayburn	
Dunn	Kendall	Reavis	
Eagan	Kennedy, Iowa	Riordan	

The SPEAKER. Three hundred and eight Members have answered to their names; a quorum is present.

Mr. CAMPBELL of Kansas. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors. Today is Calendar Wednesday, and the Clerk will call the roll of committees.

The Clerk called the roll of committees.

THE AMERICAN LEGION.

Mr. VOLSTEAD (when the Committee on the Judiciary was reached). Mr. Speaker, I call up the bill (H. R. 6808) to incorporate the American Legion.

The SPEAKER. The chairman of the Committee on the Judiciary calls up the bill H. R. 6808, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 6808) to incorporate the American Legion.

Mr. GARRETT. Mr. Speaker, I raise the question of consideration.

The SPEAKER. For what purpose does the gentleman rise?

Mr. GARRETT. I raise the question of consideration on this bill.

The SPEAKER. The gentleman from Tennessee raises the question of consideration. Those who are in favor now of considering the bill will say "aye"; as many as are opposed will say "no."

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. GARRETT. Mr. Speaker, is this a bill to incorporate——

Mr. VOLSTEAD. To incorporate the soldiers of this war.

Mr. GARRETT. To incorporate what?

Mr. VOLSTEAD. The soldiers, sailors, and marines of this war.

Mr. GARRETT. I withdraw the demand.

Mr. VOLSTEAD. Mr. Speaker, I would like, if possible, to agree upon time.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Whereas on March 17, 1919, a caucus of delegates representing the various organizations of the American Expeditionary Forces was held, under official authority, at Paris, in the Republic of France, for the purpose of forming an organization of veterans of the military and naval forces of the United States in the War of 1917–18; and

Whereas a caucus for similar purposes was held in St. Louis, Mo., May 8 to 10, 1919; and

Whereas the said caucuses adopted declarations of principles, and as a result of said caucuses an organization has been formed, under the name of the American Legion, to carry out the principles and purposes adopted by said caucuses; and

Whereas the scope and importance of the principles and work of the American Legion require its incorporation by the Congress of the United States: Now, therefore,

Be it enacted, etc., That William S. Bean, of North Carolina; Charles H. Brent, of New York; William H. Brown, of Connecticut; G. Edward Buxton, jr., of Rhode Island; Bennett C. Clark, of Missouri; Richard Derby, of New York; L. H. Everidge, of Texas; Milton Foreman, of Illinois; Ruby Garrett, of Missouri; Fred A. Griffith, of Oklahoma; Roy C. Haines, of Maine; J. F. J. Herbert, of Massachusetts; Roy Hoffman, of Oklahoma; Fred B. Humphrey, of New Mexico; John W. Inzer, of Alabama; Stuart S. Janney, of Maryland; Luke Lea, of Tennessee; Henry Leonard, of Colorado; Henry D. Lindsley, of Texas; Ogden L. Mills, of New York; Thomas W. Miller, of Delaware; Edward Myers, of Pennsylvania; Franklin D'Olier, of Pennsylvania; W. G. Price, jr., of Pennsylvania; S. A. Ritchie, of New York; Theodore Roosevelt, jr., of New York; Albert A. Sprague, of Illinois; John J. Sullivan, of Washington; Dale Shaw, of Iowa; Daniel G. Stivers, of Montana; H. J. Turney, of Ohio; George A. White, of Oregon; Eric Fisher Wood, of Pennsylvania; George H. Wood, of Ohio, their associates and their successors, are hereby created a body corporate and politic in the District of Columbia.

SEC. 2. That the name of this corporation shall be "The American Legion," and by that name it shall have perpetual succession with power to sue and be sued in courts of law and equity within the jurisdiction of the United States; to hold such real and personal estate as shall be necessary for corporate purposes and receive real and personal property by gift, devise, or bequest; to adopt a seal and the same to alter or destroy at pleasure; to have the right to have and to use in carrying out the purposes hereinafter designated such emblems or badges as may be adopted by the duly constituted governing body of the corporation; to have offices and conduct its business and affairs within and without the District of Columbia, and in the several States, Territories, and possessions of the United States; to establish and maintain State and Territorial organizations and local chapter or post organizations; to make and adopt a constitution and by-laws and regulations not inconsistent with the laws of the United States of America, or of any State thereof; to publish a magazine and other publications, and generally to do all such acts and things as may be necessary to carry into effect the provisions of this act and promote the purposes and principles of said corporation.

SEC. 3. That the purposes of this corporation shall be to uphold and defend the Constitution of the United States of America; to safeguard and transmit to posterity the principles of justice, freedom, and democracy for which the members of the military and naval services of the United States contended in the War of 1917–18; to maintain law and order; to foster and perpetuate a 100 per cent Americanism; to inculcate the duty and obligation of the citizen to the community, State, and Nation; to preserve and develop equality of right and opportunity in the United States; to promote the social and industrial welfare of the citizens of the United States; to make right the master of might both in domestic and international affairs; and to promote peace and good will among the people of the United States and the nations of the earth; to cement the ties of comradeship formed in service; to preserve the memories and incidents of the Great War, and to consecrate the comradeship of its members by their devotion to mutual helpfulness and service to the Nation.

SEC. 4. That all persons shall be eligible to membership in the American Legion who were in the naval or military service of the United States during the period between April 6, 1917, and November 11, 1918, both dates inclusive, and all persons who served in the military or naval services of any of the Governments associated with the United States during the Great War, provided that they were citizens of the United States at the time of their enlistment and who are again citizens at the time of application, except such persons as were separated from the service under terms amounting to dishonorable discharge, and also those persons who refused to perform their military duties on the ground of conscientious objection.

SEC. 5. That while requiring that every member of the American Legion perform his full duty as a citizen, according to his own conscience and understanding, the organization shall be absolutely nonpartisan and shall not be used for the dissemination of partisan principles or for the promotion of the candidacy of any person seeking public office or preferment.

SEC. 6. That said corporation may acquire by way of gift all the assets of the existing national organization known as the American Legion after defraying or providing for any debts or liabilities to the discharge of which such assets shall be applicable; that said corporation shall have no power to issue stock or declare or pay dividends; its objects and purposes being solely of a patriotic and benevolent character, and not for pecuniary profit of its members, no member or employee thereof shall receive profit or compensation of any kind except such as shall represent reasonable compensation for services rendered.

SEC. 7. That said corporation and its State and local subdivisions shall have the sole and exclusive right to have and to use in carrying out its purposes the name "The American Legion" and all emblems and badges, description, or designating marks and words or phrases now or heretofore used by the American Legion, it being understood that nothing in this act shall interfere or conflict with established or vested rights.

SEC. 8. That the said the American Legion shall as soon as possible after the 1st day of January in each year hereafter make and transmit to the Secretary of War a report of its proceedings for the preceding calendar year, including a full, complete, and itemized report of receipts and expenditures of its national organization of whatever kind, which report shall be duly audited by the War Department, and a copy of said report shall be transmitted to Congress by the War Department.

SEC. 9. That Congress shall have the right to repeal, alter, or amend this act at any time.

The following committee amendment was read:

Strike out all after the title of the bill, on page 1, and insert in lieu thereof the following:

"That the following persons, to-wit: William S. Bean, of North Carolina; Charles H. Brent, of New York; William H. Brown, of Connecticut; G. Edward Buxton, jr., of Rhode Island; Bennett C. Clark, of Missouri; Richard Derby, of New York; L. H. Everidge, of Texas; Milton Foreman, of Illinois; Ruby D. Garrett, of Missouri; Fred J. Griffith, of Oklahoma; Roy C. Haines, of Maine; J. F. J. Herbert, of Massachusetts;

Roy Hoffman, of Oklahoma; Fred B. Humphreys, of New Mexico; John W. Inzer, of Alabama; Stuart S. Janney, of Maryland; Luke Lea, of Tennessee; Henry Leonard, of Colorado; Henry D. Lindsley, of Texas; Ogden L. Mills, of New York; Thomas W. Miller, of Delaware; Edward Myers, of Pennsylvania; Franklin D'Olier, of Pennsylvania; W. G. Price, jr., of Pennsylvania; S. A. Ritchie, of New York; Theodore Roosevelt, jr., of New York; Albert A. Sprague, of Illinois; John J. Sullivan, of Washington; Dale Shaw, of Iowa; Daniel G. Stivers, of Montana; H. J. Turney, of Ohio; George A. White, of Oregon; Eric Fisher Wood, of Pennsylvania; George H. Wood, of Ohio, and such persons as may be chosen who are members of the 'American Legion,' an unincorporated patriotic society of the soldiers, sailors, and marines of the Great War, 1917–18, known as the 'American Legion,' are hereby created and declared to be a body corporate. The name of this corporation shall be the 'American Legion.'

"SEC. 2. Said persons named in section 1 and such other persons as may be selected are hereby authorized to meet to complete the organization of said corporation by the selection of officers, the adoption of a constitution and by-laws, and by the doing of all other things necessary to carry into effect the provisions of this act, at which meeting any person duly accredited as a delegate from any local or State organization of the existing unincorporated organization known as the 'American Legion' shall be permitted to participate in the proceedings thereof.

"SEC. 3. The purpose of this corporation shall be: To promote peace and good will among the peoples of the United States and all the nations of the earth; to preserve the memories and incidents of the Great War of 1917–18; to cement the ties of love and comradeship born of service; and to consecrate the efforts of its members to mutual helpfulness and service to their country.

"SEC. 4. The corporation created by this act shall have the following powers: To have perpetual succession with power to sue and be sued in courts of law and equity; to receive, hold, own, use, and dispose of such real estate and personal property as shall be necessary for its corporate purposes; to adopt a corporate seal and alter the same at pleasure; to adopt a constitution, by-laws, and regulations to carry out its purposes, not inconsistent with the laws of the United States or of any State; to use in carrying out the purposes of the corporation such emblems and badges as it may adopt; to establish and maintain offices for the conduct of its business; to establish State and Territorial organizations and local chapter or post organizations; to publish a magazine or other publications; and generally to do any and all such acts and things as may be necessary and proper in carrying into effect the purposes of the corporation.

"SEC. 5. No person shall be a member of this corporation unless he served in the naval or military service of the United States at some time during the period between April 6, 1917, and November 11, 1918, both dates inclusive, or served in the military or naval services of any of the Governments associated with the United States during the Great War, who were citizens of the United States at the time of enlistment.

"SEC. 6. The organization shall be nonpolitical and, as an organization, shall not promote the candidacy of any person seeking public office.

"SEC. 7. Said corporation may acquire any or all the assets of the existing unincorporated national organization known as the American Legion upon discharging or satisfactorily providing for the payment and discharge of all its liabilities.

"SEC. 8. Said corporation and its State and local subdivisions shall have the sole and exclusive right to have and to use in carrying out its purposes, the name the 'American Legion': *Provided*, That nothing in this act shall interfere or conflict with established or vested rights.

"SEC. 9. The said corporation shall, on or before the 1st day of January in each year, make and transmit to the Congress a report of its proceedings for the preceding calendar year, including a full and complete report of its receipts and expenditures: *Provided, however*, That said report shall not be printed as public documents.

"SEC. 10. The right to repeal, alter, or amend this act at any time is hereby expressly reserved."

Mr. VOLSTEAD. Mr. Speaker, I yield 15 minutes to the gentleman from Oklahoma [Mr. MORGAN].

Mr. MORGAN. Mr. Speaker, this bill is H. R. 6808, introduced by the gentleman from South Dakota [Mr. JOHNSON]. It is entitled "A bill to incorporate the American Legion." This is a unanimous report from the committee. In the consideration of the bill by the committee there was no opposition to the bill. All were in favor of the passage of the bill. Many amendments were proposed. Most of them made no material change in the measure. But the amendments changed the phraseology or verbiage of the bill; so much so that we concluded to strike out all in the bill after the enacting clause and insert a new one entirely. And yet we did not materially change the bill. It contains all the main features of the original bill.

All of you know something about the American Legion, an organization of the American soldiers who fought in the Great World War. A meeting was held in France at which the organization was first instituted. Subsequently, after very general advertisement throughout the entire United States, a meeting was held in St. Louis which was largely attended, and there a temporary organization was formed. And under that temporary national organization State organizations have been formed, I think, in all of the States of the Union.

The one question that arose at the beginning was this: Ordinarily organizations incorporated by acts of Congress are made corporations of the District of Columbia. This kind of a provision was in the original bill. We decided we would make this a national corporation with its headquarters at any place it chose to have them. We therefore omitted the words declaring it should be a corporation of the District of Columbia. Some question arose as to the object and purpose of this organization as set forth in the original bill.

It seemed to the committee that the object and purpose, as expressed in the bill as it was introduced, were too broad and comprehensive. The committee bill very much restricts the object and purpose of the bill as was originally proposed. Under the original bill certain persons named in the bill were made a corporate body. We concluded that under the terms of the original bill those persons would be the corporation and would have absolute power to name their successors. We thought that would not be right; so under the form as we have presented it we authorized the delegates to the next national convention, which is to be held at Minneapolis on November 11, to participate in the permanent organization of the body.

Mr. DYER. Will the gentleman yield right there?

Mr. MORGAN. I will be glad to yield.

Mr. DYER. Mr. Speaker, I want to call the attention of the gentleman from Oklahoma to the bill with reference to the statement which he has just made. He says that all members will be permitted to participate in the convention, to be held, I think, in November, and I think he said at Minneapolis.

Mr. MORGAN. On November 11.

Mr. DYER. I want to call the gentleman's attention to page 7, and see whether or not he does not agree with me that there should be an amendment there. At the end of the names on page 7, where appears the name of George H. Wood, of Ohio, a well-known soldier and a well-known politician, these words appear:

And such persons as may be chosen.

Now, if the gentleman understands the English language, as I think he does, and I am sure he does, he would agree with me that no one can participate in the organization or be governor, or whatever you may call them, unless they are chosen, and by whom? By the gentlemen whose names are mentioned in this bill.

Mr. MORGAN. Now, if the gentleman will observe, it says "and such persons as may be chosen."

Mr. DYER. Who is going to choose them?

Mr. MORGAN. It says further:

Who are members of the "American Legion," an unincorporated patriotic society of the soldiers, sailors, and marines.

And so forth.

Now, then, in section 2 it says:

That said persons named in section 1 and such other persons——

Mr. DYER. "As may be selected."

Mr. MORGAN. Please let me get through—

as may be selected, are hereby authorized to meet to complete the organization of said corporation by the selection of officers, the adoption of a constitution and by-laws, and by the doing of all other things necessary to carry into effect the provisions of this act, at which meeting any person duly accredited as a delegate from any local or State organization of the existing unincorporated organization known as the "American Legion" shall be permitted to participate in the proceedings thereof.

The committee has tried so far as it could to incorporate language there so that not only every State organization but every local post in the United States is authorized to send a delegate to this national convention. All these delegates may participate in perfecting the organization.

Mr. DYER. Will the gentleman yield again?

Mr. MORGAN. For a short question.

Mr. DYER. It is upon this very point that I think the House wants information, if we can get it to them.

Mr. MORGAN. Certainly.

Mr. DYER. Now, the words on page 7 to which I have invited the gentleman's attention, "and such persons as may be chosen," and then further down, in section 2, "and such other persons as may be selected," have no other purpose in this bill than to put into the hands of a few men and a few others whom they choose the right to perpetuate and to run and to handle the organization without regard to the membership at large.

I know something about this kind of organization. I have been a member and at one time the head of a war organization composed of soldiers of the Spanish War. I know something about such organizations, and I know there is a tendency on the part of those sometimes who start these organizations to so arrange it that they can continuously perpetuate it and control it regardless of the membership at large. If it stays in the bill, gentlemen, this organization will not be what it ought to be, an organization for all the men who served in this war, but will have for its purpose, I am afraid, the keeping of certain men in office permanently.

Mr. MORGAN. I can not yield further.

Mr. DYER. The gentleman wanted information, and that is the fact.

Mr. MORGAN. I will say, so far as the committee is concerned, we have endeavored to broaden this language and put in language which will clearly give every post, every State organization, the right to send delegates to participate in the permanent organization. The committee, I am sure, of which

my friend from Missouri is a very honorable, active, and able member, will be glad if he can substitute some phraseology that will make that point clear. I am sure the committee and the House will be glad to accept it.

Mr. HOWARD and Mr. MILLER rose.

Mr. MORGAN. I will yield first to the gentleman from Oklahoma [Mr. HOWARD].

Mr. HOWARD. I would like to inquire how these original incorporators were selected. Were they appointed by somebody representing the great mass of American soldiers to ask for this corporation, or are they just voluntary?

Mr. MORGAN. The meeting at St. Louis appointed a committee which consisted, I think, of 34 members and authorized them to secure, if possible, the passage of a bill through the Congress incorporating the organization.

Mr. HOWARD. And this list of names includes that committee?

Mr. MORGAN. I think so.

Mr. HOWARD. And they represent the legion?

Mr. MORGAN. They do.

Mr. MILLER. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I will.

Mr. MILLER. I think we all are in favor of this bill or some similar bill; but I would like to ask the gentleman if he knows of any other corporations of this same general class and with this same general purpose, that are national in character, that will probably subsequently appeal to the committee and to this House for a similar incorporation?

Mr. MORGAN. I will say that there is one bill pending before the Committee on the Judiciary providing for the incorporation of an organization, I think, under the name of "World War Veterans."

Mr. MILLER. Mr. Speaker, will the gentleman yield further?

Mr. MORGAN. Yes.

Mr. MILLER. Is it the disposition of the committee to likewise incorporate that corporation and all subsequent ones that may be organized? If not, I can see very clearly the advantage of being early in the contest here for the obtaining of these articles of incorporation.

Mr. MORGAN. I am not authorized to speak from that standpoint, but the gentleman from Ohio appeared before the committee yesterday and we discussed the bill to which I refer, which I believe he introduced by request. We found that the members of that organization were confined largely to northern Ohio. But we did not pass upon that proposition. We will have to pass upon these propositions as they come.

Mr. CLARK of Missouri. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. Yes.

Mr. CLARK of Missouri. If the gentleman will permit a suggestion, it seems to me the difficulty that the gentleman from Missouri [Mr. DYER] raises might be obviated very easily by pointing out how the Grand Army of the Republic and the Confederate Veterans' Association keep up their organizations, because they have succeeded, both of them.

Mr. MORGAN. Well, I will state to the gentleman that the Grand Army of the Republic——

Mr. DYER. If the gentleman will yield for a moment, I want to answer the question which the gentleman from Missouri [Mr. CLARK] referred to.

Mr. MORGAN. One minute. I will state that the Grand Army of the Republic has never been incorporated. I have heard statements made here this morning to the effect that Congress refused to incorporate the Grand Army of the Republic. But I have read carefully the RECORD, and I have a copy of it here, and I find that Congress did not refuse to incorporate the Grand Army of the Republic. A bill for that purpose passed the Senate and came to the House and was referred to the Committee on the Judiciary, and the Committee on the Judiciary reported it favorably to the House.

It came up on a unanimous-consent day, and was discussed somewhat, and after a somewhat lengthy discussion, as usual on account of various reasons, the gentleman from Illinois [Mr. MANN] objected to the consideration of the bill at that time. It was nearly at the close of a session, and the bill was never passed by the House. But it was passed by the Senate; it was reported favorably by the Committee on the Judiciary of the House, but it never was acted upon by the House.

Now I yield to the gentleman from Missouri [Mr. CLARK].

Mr. CLARK of Missouri. All I was interested in was to get rid of this difficulty that the gentleman from Missouri [Mr. DYER] raised—how this corporation is to be perpetuated.

Mr. MORGAN. I will yield now to the gentleman from Missouri [Mr. DYER], and I ask the gentleman from Missouri to take heed to what he says.

Mr. DYER. I will say that no other organizations of soldiers and sailors and marines of any war in which we have been engaged has ever been incorporated by the Congress of the United States. This is the first attempt, and no doubt if we set the precedent we will not only be requested by these other organizations to grant incorporations, but out of the war just ended there may be 12 or 15 such organizations growing up in addition to this one, and we shall be called upon, gentlemen, to incorporate these others. If we are going to set a precedent, let us write it in such a way that there will be no complaint in the future, because this bill ought not to pass as it is written. There should be some material change.

The SPEAKER. The time of the gentleman from Oklahoma has expired.

Mr. KING. Mr. Speaker, I ask unanimous consent that the gentleman have two minutes more.

Mr. VOLSTEAD. I yield to the gentleman five minutes more.

Mr. MORGAN. Give me 10 minutes.

Mr. VOLSTEAD. There are quite a number of others who want time.

Mr. MORGAN. All right.

The SPEAKER. The gentleman from Oklahoma is recognized for five minutes more.

Mr. KING. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. Yes.

Mr. KING. I am in favor of a bill of this kind. I was very much interested in the statement the gentleman made when he took the floor, to the effect that the purpose here is not to incorporate this organization as a District of Columbia corporation, but to incorporate it as an organization of national character. How under the Constitution do you manage to make it a national corporation?

Mr. CLARK of Missouri. That is the way all of these corporations by Congress are made.

Mr. KING. I thought they were organizations within the District of Columbia.

Mr. CLARK of Missouri. They are generally incorporated as incorporations in the District of Columbia.

Mr. KING. What did the gentleman mean when he said he was making it a national corporation?

Mr. MORGAN. It would not be a corporation of the District of Columbia and maintain offices here. It could have its headquarters and chief office in New York or San Francisco, or anywhere else within the United States. It would be national in the sense that it would not be a State, Territorial, or District corporation.

Mr. KING. Would not this be setting a precedent for a lot of other corporations that are desiring to organize on a national basis?

Mr. MORGAN. It may be setting a precedent, but the members of the committee believe that this organization, composed of the men who constituted the Army and Navy of the United States in the great World War, is of such a character——

Mr. KING. I agreed to that——

Mr. MORGAN. And would have such an influence upon the future welfare of this country, in the advancement of the character of its citizenship and the preservation of the ideals of this Nation, that Congress could well afford to give it an incorporation of a national character.

Mr. CRAGO. It has refused to do that with respect to the veterans of every other war.

Mr. MORGAN. I do not think so. As I have pointed out, Congress did not refuse to incorporate the Grand Army of the Republic.

Mr. DAVIS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. Yes.

Mr. DAVIS of Tennessee. What percentage of these incorporators are commissioned officers and what percentage are privates?

Mr. MORGAN. The hearings show just what positions these men occupied. A good percentage of them are privates. Perhaps the majority of them are officers. But we have a list showing just what position in the Army each one occupied. It is fairly well divided up, as I remember it.

Mr. GREENE of Vermont. What particular benefit would this institution get from being incorporated, inasmuch as all these other societies following other wars seem to have accomplished their object without it?

Mr. MORGAN. Well, I do not know that I could enumerate those benefits. The Grand Army of the Republic applied for national incorporation. I understand from some members of the Spanish-American veterans that they would have applied for a national incorporation long ago if they had thought that

Congress would incorporate them. The American Legion desires to incorporate.

The members of the organization have good reasons for wanting to incorporate. They want to publish a paper or a magazine. They have funds, and it is a proper thing that their property should have some organization that could hold it legally.

Mr. GREENE of Vermont. Well, but all these other institutions of the same kind—the Grand Army of the Republic, the United Confederate Veterans, the United Spanish War Veterans, and similar patriotic bodies—have been able to conduct their business during periods of time ranging from half a century down to twenty-odd years without any such legal protection.

Mr. MORGAN. That is true.

Mr. GREENE of Vermont. How do we apply a national charter of incorporation in jurisdictions which under the Constitution are under the control of the different States? We have jurisdiction over the District of Columbia, and very likely over any Territory, but how are we going to enter a State and grant jurisdiction to corporations within a State when the State laws provide the way in which incorporation may be had in that State?

Mr. MORGAN. I do not understand the purport of the gentleman's question.

Mr. GREENE of Vermont. How can we create a national incorporation in a place where we have no territorial jurisdiction in which that corporation can work? We have no such jurisdiction except in the District of Columbia and in the Territories, which are under the jurisdiction of Congress.

Mr. MORGAN. It can work wherever the laws of the United States are in force.

Mr. GREENE of Vermont. Yes; but that presumes that the law is a constitutional law. Where in the Constitution do we get authority?

Mr. MORGAN. I have a decision here from the Supreme Court of the United States which, I think, shows that we have that authority, but I have not the time now to read it.

Mr. CLARK of Missouri. Congress has been incorporating things here for the last 10 years.

Mr. GREENE of Vermont. But they are localized to the District of Columbia, are they not?

Mr. MORGAN. The Judiciary Committee has given the bill careful consideration. Congress has frequently incorporated societies, organizations, and institutions for various objects and purposes. None of them has been more worthy than the American Legion. This organization is composed of soldiers, sailors, and marines who comprised our Army and Navy in the great World War. It is highly appropriate that Congress should grant this national charter to these men in recognition of the great service they have already rendered and to aid them in the good work of future years.

The SPEAKER. The time of the gentleman has expired.

Mr. VOLSTEAD. I yield 10 minutes to the gentleman from Missouri [Mr. DYER].

Mr. DYER. Mr. Speaker, every Member of this Congress is anxious to do any and every thing that is right and reasonable in honor of the men who fought and won the Great War with Germany. We want to do what is right; we want to be kind and considerate and generous to those men. But here we have a proposition providing for the incorporation, not of the American soldiers, sailors, and marines who fought that war, but we have a proposition here to incorporate certain men into what is known as the American Legion. Their names are set out here, probably two dozen or so men whose names are set out as the incorporators of the American Legion. And mark you, it does not say "and all other soldiers, sailors, and marines of the Great War who are or who may become members of the American Legion." It does not say that. It does not provide in this bill that all the soldiers, sailors, and marines who become members of the American Legion are to be a part of this incorporation by the Congress of the United States. It says, on page 7, that these men whose names are written here, some of them active politicians in some of the States, "and such other persons as may be selected" are authorized to meet and complete the organization. Gentlemen of the House, I ask you how these other men are to be selected? Shall they be chosen in a national encampment where delegates assemble from all parts of the United States, or shall they be chosen by the men whose names are set out here? I say to you that from my experience in organizations of this kind, the men who are chosen to sit with these gentlemen whose names are mentioned will be chosen by them, and they will manage the affairs of the American Legion. They will be the corporation.

Mr. HULINGS. Mr. Speaker, will the gentleman yield?

Mr. DYER. No; not now. There will be delegates coming to the encampment from all over the United States, but the part that they shall play in the encampment, the part that they shall play in the management of this organization, will be determined by the men whose names are written here as the incorporators. It is plain and evident that it is not intended that the American Legion which we are proposing to incorporate shall consist of all honorably discharged soldiers, sailors, and marines of the Great War, and that they shall have equal consideration and an equal right and an equal voice in this organization. No; it is intended by this organization as written here to permit a few men to control this organization and to perpetuate themselves in office, whoever they may be, for all time to come if they wish; because in section 2, in order to show that the words in section 1 are not an oversight, it goes on and says further that the persons named in section 1 and such other persons as may be selected are hereby authorized to meet and complete the organization. It does not say that all honorably discharged soldiers, sailors, and marines who are elected members of the American Legion shall meet in Minneapolis and perfect the organization. You may send delegates from Tennessee or Ohio or Missouri up there, but when they go to Minneapolis and attempt to participate in the perfection of this organization they will find that these incorporators and such other men as they have selected will do the work.

Now, gentlemen, the Congress of the United States has never in its history passed any legislation of this kind before affecting men who have fought for their country.

I am not making that as a point, but if we are to do it, if we are to establish here a precedent, if we are to permit the incorporation under the Constitution of the United States of an organization of this kind, let us not have it said afterwards that we were responsible in permitting a few men to perpetuate and control the American Legion for their own benefit or for any other improper motive. I do not charge that it would be done, but there is danger in it. Let us stand up now and protect the rights of all the soldiers who become members of the American Legion.

Mr. GARRETT. Mr. Speaker, will the gentleman yield?

Mr. DYER. Yes.

Mr. GARRETT. Mr. Speaker, I desire to ask the gentleman from Missouri as to the location of this corporation. What is its situs?

Mr. DYER. Where its place of business is?

Mr. GARRETT. No. I am not making myself clear. A corporation in certain ways is a citizen either of a State or of the District of Columbia. This bill does not provide a situs. It may sue and be sued, but where—in a Federal court or in a State court?

Mr. DYER. There is no provision in this bill touching that. It does not say where. In the past corporations having a national charter have been incorporated under the laws of the District of Columbia largely, so that they would have their headquarters here, so that they might be reached.

Mr. GARRETT. The distinction is very clear. You must give a corporation situs, a residence, unless you intend to make it a corporation above all law—that is, all State law or all District law.

Mr. DYER. The gentleman's point, of course, is well taken, because this bill does not fix any place where it can be sued. There is nothing in the bill to that effect. It goes on and says the organization can own, use, dispose of such real estate and personal property, and so forth. I do not know of any organization that we have incorporated in the past that is just like this. The powers given under this proposed article are very broad, and if we were giving the privilege equally to all the men and women who become members of the American Legion I would not be here entering a protest, but you are proposing to put this organization into the hands of a few men who may perpetuate themselves.

Mr. GARRETT. Section 6 provides that the organization shall be nonpolitical, and as an organization shall not promote the candidacy of any person seeking public office. Can the gentleman tell me what the Judiciary Committee had in mind when it put that provision in?

Mr. DYER. I will say to the gentleman that this bill was not written by the Judiciary Committee in the first instance. It was prepared and sent to the Judiciary Committee, and a subcommittee of which the gentleman from Oklahoma [Mr. MORGAN] is chairman reported the bill as it is here now on the calendar of the House.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. GARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARD. I desire to inquire of the Speaker and the chairman of the committee in respect to the apportionment of the time.

The SPEAKER. The Chair will recognize the gentleman from Minnesota [Mr. VOLSTEAD] for one hour and some member of the minority of the Judiciary Committee for another hour.

Mr. GARD. Does the gentleman from Minnesota intend to use his entire hour consecutively?

Mr. VOLSTEAD. No; if anyone desires to take time on the other side, I would be very glad to have him do it. I am willing to yield now to anyone.

Mr. GARD. I desire to be heard upon the bill and would like to know when I may be heard.

The SPEAKER. The Chair will recognize the gentleman now.

Mr. GARD. Mr. Speaker and gentlemen of the House, it is a matter of entire indifference to me, and I suspect it is a matter of equal indifference to the Members of the House, who are named as the incorporators of what is called the American Legion, but it is a matter of most supreme importance for us to know that this organization, an organization of soldiers, sailors, and marines of the Great War, is absolutely open in its enrollment to every honorably discharged soldier, sailor, and marine. [Applause.] If the United States of America is to abandon its traditional policy of not incorporating assemblies of this kind, then the Congress should know and the people of the United States should know that this is not a selected or hand-picked assembly, but that it is absolutely open to every man who saw honorable service as a soldier, sailor, or marine in the Great War. With that understanding, I am sure there will be no opposition to this bill.

In discussing the bill a statement was made a moment ago that the Committee on the Judiciary did not write the bill. I am compelled to contend that that statement is erroneous. The bill was entirely rewritten by a subcommittee of the Committee on the Judiciary and when reported to the full committee changed in a very great many respects, so that the bill as it is now written contains the sentiment of the Judiciary Committee as expressed by the striking out of the entire original bill and the substituting of that which the Committee on the Judiciary did. In so saying I am entirely sensible that the collective minds of the Members of this House may be more valuable in expression than the minds of the members of the Judiciary Committee, and therefore I for one, as a member of the committee, would welcome the suggestion of any Member of this House toward the enlargement in a legal way of carrying out what the House wants to do, and that is to afford high honor to every honorably discharged American soldier, sailor, and marine in the so-called Great War.

Mr. HULINGS and Mr. SANDERS of Louisiana rose.

Mr. GARD. I yield first to the gentleman from Pennsylvania.

Mr. HULINGS. Mr. Speaker, I think the gentleman's sentiments are entirely correct, but would not all that he mentions be accomplished and at the same time meet the objection of the gentleman from Missouri [Mr. DYER] if, on the eighth page, in line 3, there were inserted the words "shall be a member of such corporation and entitled to participate in the proceedings thereof"?

Mr. GARD. I have certain amendments which I desire to speak of in a moment, and I would be very glad to consider the suggestion of the gentleman from Pennsylvania. I yield now to the gentleman from Louisiana [Mr. SANDERS].

Mr. SANDERS of Louisiana. Mr. Speaker, I would like to ask the gentleman from Ohio [Mr. GARD], a member of the Committee on the Judiciary, what is the necessity for this measure in any way? Have we not now in this country organizations of various kinds of men who fought in other wars who have associated themselves together in their own way and by their own methods? Have any of them come to Congress and asked for a charter or asked to be incorporated? I refer specifically to the Grand Army of the Republic, to the United Confederate Veterans, to the Veterans of the Spanish-American War, and so forth. Have they ever asked for such an incorporation as this?

Mr. GARD. Mr. Speaker, my understanding is that some of the organizations which the gentleman has referred to did ask for articles of incorporation. I believe there is now a Federal incorporation known as the Society de Santiago, which includes some members of the Spanish-American War. There is no general incorporation of the Spanish-American War Veterans. There was some time ago, many years after the close of the Civil War, an effort made to incorporate the Grand Army of the Republic, but this incorporation never was carried out. But the splendid and honorable purpose of the Grand Army of the Republic, the purpose of every kindred military organization which has gallantly borne American arms to victory, has been substantially carried out by the existing law, and as I look at it myself I think that everything which this American Legion could do can be done without this Federal incorporation. But, as I say, if we do decide, and the Congress has a right to decide, to give this organization a corporate status, then we should do it well knowing what we do and incorporate it in such a way that we do not select a body of individuals who may act to the discouragement of other bodies of individuals who have had service in this Great War. My own apprehension about this matter is, and it is a sincere apprehension based upon what I assume to be the law of the United States, that the correct policy of the Congress is not to assume the powers of the States by giving incorporation. I am opposed, except in extraordinary cases, to the granting of Federal incorporation of those things belonging to the States or in the United States. When the United States wants incorporation it does not come to Congress to get it but goes to the State of Kentucky or some other State and gets a State incorporation to do a national work. Now, we may be confronted with other military organizations coming here. For instance, there is a bill to incorporate the American World War Veterans or some similarly named organization. We know also of other organizations of different names coming here asking to be incorporated. If this organization is to be incorporated, then we should play fair. We should incorporate, as we do this, other honest associations of honorably discharged soldiers, sailors, and marines to which the Federal incorporation is necessary.

Mr. DYER. Will the gentleman yield for a question?

Mr. GARD. I yield to my colleague.

Mr. DYER. The gentleman, of course, knows from the hearings, and so forth, that this organization has not as yet held a national encampment or convention. They are to hold one this fall. Does not the gentleman think at any rate that it would be better for us to wait and act upon this bill after they have had a regular delegated meeting and taken action touching such things?

Mr. GARD. I think the legal status of the matter is this: Under the law we are compelled in the establishment of a corporation to do what the State does, what the individual State does, to select a certain number of persons to act as incorporators.

These are the persons who arrange the preliminary steps of incorporation. It is at best a technical thing to make necessary compliance with the law to have a selection of incorporators. Therefore I say it is a matter of indifference to me who are selected so long as when they are selected they are representative of the body.

Mr. STEVENSON. Will the gentleman yield? I want to ask a question on that point.

Mr. DYER. My point was these men are not properly representative of the great body of the members who served in the war, because they have not had a convention to which they were delegated.

The SPEAKER. Does the gentleman yield?

Mr. GARD. I do not yield just now. I desire to be courteous to all Members; I will yield in a moment.

Mr. STEVENSON. It was in reference to the matter the gentleman is now discussing.

Mr. GARD. The first thing, therefore, in the creation of a corporation is the creation of a number of incorporators. Now, there may be 5, 10, or 100, or more, so that it matters little who they are or what they are so long as they are fairly representative of their class. Now, the next thing we have to do is to select a place of residence. I agree with the statement of the gentleman from Tennessee [Mr. GARRETT] that this bill should be limited to an incorporation in and for the District of Columbia, because I assume that the Congress of the United States has unlimited power to legislate for the District of Columbia, and I do not believe that we are above the law or above anything which we have heretofore guaranteed to the States, nor can we assume to ourselves the entire sweeping of the decks, so far as State action is concerned, in a matter of any of these incorporations.

Mr. MILLER. Will the gentleman yield for a question?

Mr. GARD. I do not yield at this time; pardon me. Therefore I shall offer an amendment to include, on page 7, line 17, after the words "body corporate," the words "within or of the District of Columbia." I do that for the purpose of establishing a proper residence, and I think it is necessary. It was in the original bill. It was so recognized by those who had the original bill in charge at the time it came to the Committee on the Judiciary. It was in the bill when presented by Representative JOHNSON of South Dakota, and I think it is a proper matter to be contained in a bill considered by this body.

Mr. MORGAN. Will the gentleman yield?

Mr. GARD. I will for a question.

Mr. MORGAN. I would like to state just briefly——

Mr. GARD. I yield for a question; I do not yield for a statement, because the gentleman has plenty of time.

Mr. MORGAN. I should like the gentleman to state his reasons why he thinks it ought to be done. I did not get the reasons why he wanted to confine it to the District of Columbia.

Mr. GARD. My reason is this, namely, that I contend that under the Constitution of the United States there are certain delegated powers to the States. Among them is the creation of corporations, and when the United States incorporates it should take the territory over which it has unquestioned authority, to wit, the District of Columbia, and incorporate within that territory. If this is incorporated in the District of Columbia, you will have an office here, you will have a central place, you will have every reason for the identification of the corporation here in the Capital City and every right which can possibly be extended to the American Legion.

Mr. MORGAN. Does the gentleman think the Congress has the authority or constitutional power to create a corporation except in that way? Is that his position?

Mr. GARD. No; I do not say that.

Mr. GARRETT. Will the gentleman yield?

Mr. GARD. I yield for a question upon that point.

Mr. GARRETT. It is upon that same point. However, it is not in the form of a question. It seems to me that the Congress has power to create a Federal corporation when that corporation is to do for the Government that which the Government can do directly. But beyond that it can not go. There is not involved in the bill before the House a proposition to perform governmental functions. Therefore if this should pass without giving to the corporation a situs in the District of Columbia and it should be questioned in the courts the incorporators would have the trouble for their pains, because it could not stand the test of judicial decision.

Mr. GARD. I desire to yield now to the gentleman from South Carolina [Mr. STEVENSON].

Mr. STEVENSON. I desire to make an inquiry as to the question that the gentleman was discussing a moment ago as to the selection of the incorporators. The selection of the incorporators is by name, and they add on "and such persons who may be chosen who are members of the 'American Legion,' an unincorporated patriotic society of the soldiers, sailors, and marines," and so forth. Now, who are to choose them? There is not a provision as to who is to choose those additional members. Has the gentleman any information on that?

Mr. GARD. Yes; I have. I am glad the gentleman asked about that. In addition to what I have said about my own idea as to the propriety of limiting this to a corporation in and for the District of Columbia—and I am convinced that it should be done legally that way—certain questions are asked by gentlemen concerning the personnel of the incorporators and the extent of the membership. I have framed an amendment to which I would like the Members of the House to give heed, because in my examination of the bill, which I saw for the first time to-day after it came from the committee, it seems to me there should be some change in section 2. Section 2 provides:

That said persons named in section 1 and such other persons as may be selected are hereby authorized to meet to complete the organization of said corporation by the selection of officers, the adoption of a constitution—

And so forth. The word "selected," as it appears on page 7, line 20, is not connected with any clause or qualification or explanation, but stands alone by itself—"persons as may be selected." The amendment which I have in mind, and which I submit for the respectful consideration of the membership of the House, is that after the word "selected" there should be this language:

From among the membership of the American Legion, an unincorporated patriotic society of the soldiers and sailors and marines of the Great War of 1917–18.

In other words, what I would add would be that all persons who are members of this present unincorporated society known as the "American Legion" should be permitted to assemble at Minneapolis on November 11, 1919, the calendar year following the signing of the armistice in the Great War, and they should all meet there on a basis of equal representation.

In other words, whether a man be selected as an incorporator or whether he be the most humble member of this so-called "American Legion," he would have the right to appear there at this convention and cast his vote, have his voice heard in the matter of the organization of the corporation, the selection of officers, the adoption of a constitution and by-laws, and in doing the other things necessary to the creation of this organization.

Mr. MORGAN. Will the gentleman yield on that point?

Mr. GARD. Yes; I yield.

Mr. MORGAN. Do you mean that any individual soldier could appear at that convention and participate in that organization? That is what you suggest?

Mr. GARD. I did not suggest it. I said my amendment was that persons that might be selected from among the membership of the American Legion could participate.

Mr. MORGAN. Does the gentleman mean as delegates or as plain members?

Mr. GARD. Delegates to this convention to be held in Minneapolis.

Mr. MORGAN. That is all right.

Mr. GARD. It is apparent—and I am sure the gentleman will agree with me—that there are two propositions, one the way the incorporation would be followed by the selection of delegates to this convention in Minneapolis. The convention in Minneapolis, composed of delegates, as all conventions are, then must act toward the formation of this organization known as the "American Legion." They make by-laws, rules, and regulations, and they provide for the elements of admission and continuance of the membership of this organization known as the "American Legion," and what I want to do is to make this big enough and broad enough to not be limited in any way, but to afford entrance, if anybody wants to enter it, and the protection that may accrue, to all honorably discharged soldiers, sailors, and marines.

Mr. MORGAN. I think that is right. I thought the gentleman was contending for persons who were not delegates.

Mr. GARD. There is a provision, I take it, for the selection of delegates and to provide for the organization and the carrying out of the organization after it is made, and section 2 provides for the selection of delegates, but I think that word "selected" should be qualified so that the members who are selected should be among the membership of the American Legion.

Mr. MILLER. Will the gentleman yield for a question?

Mr. GARD. Yes.

Mr. MILLER. I would like to inquire of the gentleman as to the purport of section 9, which provides that this corporation is to make a full and complete report to Congress and provides that the report shall not be printed as a public document. What did the committee have in view?

Mr. GARD. I will be frank and say to the gentleman that there was some apprehension, in which I did not share, that this report, if printed, would be circulated in such a way as to impede the office of the Public Printer. And it was therefore thought that by making the report to Congress, and by putting in the words that it should not be printed as a public document, it would not be entitled to the franking privilege and therefore not sent broadcast over the country.

Mr. MILLER. Will the gentleman yield for another question?

Mr. GARD. I do not share in the apprehension of those. I do not think it is necessary.

Mr. MILLER. What general purpose did the committee have in mind by the compelling of this organization to report to Congress?

Mr. GARD. The committee did not seek to compel the report of this organization. The organization itself, as represented by the proponents of it, said they desired to make a report. And I myself think that every time the United States of America vests a corporate capacity in a number of persons it should have a yearly report of its officers.

Mr. MILLER. One question further.

Mr. GARD. Surely.

Mr. MILLER. I believe that the original bill provides that the report shall be made to the War Department, and then the auditors pass upon it, and then they transmit that to Congress.

Mr. GARD. Well, I think that is an entirely unnecessary provision. I think if the report is made to Congress, and it comes here to Congress, so that the people of the United States may see what it is, then the necessary safeguard which the Congress of the United States should impose is placed upon this bill.

Mr. WINGO. Mr. Speaker, this is a very important matter, and I think we ought to have more Members present, especially certain gentlemen who generally insist on the rest of us staying here; and therefore I make the point of no quorum.

The SPEAKER pro tempore. It is obvious that there is no quorum present.

Mr. VOLSTEAD. Mr. Speaker, I move a call of the House.

The SPEAKER pro tempore. The gentleman from Minnesota moves a call of the House.

A call of the House was ordered.

The SPEAKER pro tempore. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Barkley	Eagle	Kennedy, Iowa	Rogers
Bell	Echols	Kennedy, R. I.	Rose
Benson	Evans, Mont.	Kettner	Rouse
Black	Evans, Nebr.	Kiess	Rowan
Blackmon	Flood	Lazaro	Sabath
Bland, Ind.	Focht	Lea, Calif.	Sanders, Ind.
Bland, Mo.	Foster	Linthicum	Saunders, Va.
Boies	Frear	Longworth	Shreve
Booher	Freeman	Luce	Sims
Britten	Gallivan	McAndrews	Sinnott
Brooks, Ill.	Gandy	McKenzie	Sisson
Browne	Ganly	McKinley	Slemp
Brumbaugh	Garland	MacGregor	Smith, N. Y.
Burke	Goldfogle	Magee	Snell
Campbell, Kans.	Goodall	Maher	Stedman
Candler	Graham, Pa.	Mann	Stephens, Miss.
Cannon	Graham, Ill.	Monahan, Wis.	Stephens, Ohio
Cantrill	Greene, Mass.	Montague	Sullivan
Carter	Griest	Moon	Sumners, Tex.
Casey	Hadley	Moore, Pa.	Taylor, Ark.
Chindblom	Hamill	Morin	Taylor, Colo.
Christopherson	Hardy, Colo.	Mott	Tilson
Classon	Haugen	Mudd	Vare
Collier	Herscy	Newton, Mo.	Voigt
Cooper	Hicks	Nichols, Mich.	Walsh
Copley	Hill	Nolan	Walters
Costello	Hulings	Oliver	Ward
Cramton	Humphreys	Osborne	Wason
Davis, Minn.	Husted	Paige	Watson, Va.
Dempsey	Jefferis	Parker	Webb
Denison	Johnson, S. Dak.	Peters	Whaley
Dent	Johnson, Wash.	Rainey, J. W.	Wilson, Pa.
Dickinson, Iowa	Johnston, N. Y.	Randall, Calif.	Wise
Donovan	Jones, Pa.	Rayburn	Woodyard
Dooling	Kelley, Mich.	Reavis	Wright
Dunn	Kendall	Riordan	

The SPEAKER pro tempore. On this call 285 Members have answered to their names, a quorum.

Mr. VOLSTEAD. Mr. Speaker, I move to suspend further proceedings under the call.

The SPEAKER pro tempore. The gentleman from Minnesota moves to suspend further proceedings under the call. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER pro tempore. The Doorkeeper will open the doors. The gentleman from Ohio [Mr. GARD] had the floor.

Mr. HASTINGS. Mr. Speaker, will the gentleman yield?

Mr. GARD. I yield.

Mr. HASTINGS. I was going to ask the gentleman from Ohio what he thought of an amendment on lines 12, 13, and 14, in the first section of the amendment on page 7, which would strike out the lines after the word "Ohio" down to the word "soldiers" and insert in lieu thereof "and all other honorably discharged soldiers, sailors, and marines of the Great War, 1917–18, known as the 'American Legion,' are hereby created and declared to be a body corporate." In other words, that would incorporate not only those persons whose names are especially mentioned, but it would also add the names of every other honorably discharged soldier, sailor, or marine.

I want to invite attention to the fact that the representation in this meeting is provided for in section 2, and all of those who are added to the corporation, of course, would not be permitted to attend the meeting on November 11, but the delegates of that meeting would be selected as provided in subsequent sections.

Mr. GARD. Mr. Speaker, I am sensible of the good purpose that the gentleman seeks to effect by his amendment, but I do not think it a proper amendment as suggested, for this reason: The names, beginning with "William S. Beam" and ending with "George H. Wood," are names of persons selected as incorporators, and I do not think it advisable or wise in the making of legislation to add the extremity of the membership of that which may be called the "American Legion." In other words, when we make the incorporation, it is necessary to name a number of persons as incorporators. The usual way is to say, "John Smith, John Jones, John Robinson, and their successors"; but in this case it was thought proper by the committee to possibly include in the incorporators such other named persons as might be selected from the membership of this American Legion. But I would not think it necessary or proper as a legislative proposition to include in the list of incorporators all members of the so-called American Legion. It would be too cumbersome for its own proper procedure.

Mr. HASTINGS. Mr. Speaker, will the gentleman yield further?

Mr. GARD. Yes.

Mr. HASTINGS. In the end does it not contemplate that all the soldiers, sailors, and marines who join local posts will be members of this corporation?

Mr. GARD. I suppose it does. That is a matter for the organization of the American Legion.

Mr. HASTINGS. If the gentleman will further yield, my suggested amendment did not contemplate the elimination of these names, but it meant the addition of other soldiers, sailors, and marines.

Mr. GARD. I think the addition is too great to be incorporated as a legislative proposition.

Mr. HASTINGS. The gentleman will see that you add other names to the list, but those other names are of such persons as may be selected, whereas the amendment which I have suggested would simply make all honorably discharged soldiers, sailors, and marines at once, without any selection, members of this corporation, without any distinction.

Mr. GARD. Mr. Speaker, I had about concluded what I wanted to say on this subject. I have no desire to consume a great deal of time except to explain.

Mr. HASTINGS. Mr. Speaker, will the gentleman yield to one more question?

Mr. REED of West Virginia rose.

Mr. GARD. Does the chairman of the committee desire me to yield to him?

Mr. VOLSTEAD. No.

Mr. GARD. I yield, if I may, to the gentleman from West Virginia [Mr. REED].

Mr. REED of West Virginia. On this subject of the incorporators, since this is to be a national incorporation and we want to carry its enthusiasm to every State in the Union, why should we not at least be permitted to add an incorporator from each State in the Union? In this list of incorporators some States have four or five and some none.

Mr. GARD. You may do that; certainly.

Mr. REED of West Virginia. Do you object to it?

Mr. GARD. I have no objection; and I am free to say that the gentleman from Arizona [Mr. HAYDEN] has an amendment which seeks to carry that purpose, or some part of it, into effect. As I have already explained, it is a matter of indifference to me who the incorporators are to be, except that I want them to express fairly their representation as a class.

Mr. REED of West Virginia. I agree with the gentleman on that.

Mr. GARD. In other words, to represent properly the body of soldiers, sailors, and marines.

Mr. Speaker, during the calling of the roll the gentleman from Virginia [Mr. MOORE], who is a very good lawyer, called my attention to the constitutional debates in which Mr. Madison contended that Congress should have the power to grant charters of incorporation in cases where the public good may require them or where a single State may be incompetent. Mr. Pinckney contended that Congress should have power to grant charters of incorporation. These two propositions were submitted to what was called at that time the committee on detail, and were never afterwards heard of; so that it is apparent that in the consideration of the Constitution and the formation of those elements which the fathers of the Constitution deemed should belong to the Federal Government the power of incorporation was not considered to be a strictly Federal power. In other words, you might go to this extreme: If we say here that we eliminate the District of Columbia as a residence of the corporation, and say that we grant this to the whole United States, then we might equally say that Congress could have the power to grant an article of incorporation in the State of Illinois, or the State of Mississippi, and no other State; and everybody knows that that would not only be futile but entirely not in accord with the principles of our Constitution. Then, too, if something should arise in a Federal corporation whereby the Congress of the United States should desire to take issue with the management of the corporation, it is entirely in the interest of good legislation to have a permanent residence and not have a roaming residence all over the United States of America, since a possible defense might be made to misconduct in the corporate body that the Congress not having mentioned the place where the corporation lived, not having given it a local residence, it did so without any power, and therefore there would be none of the controlling power of Congress left in the law,

I venture these observations in support of the amendment I have offered, that there should be a limitation of this to the District of Columbia. I have other amendments, one of which I read, regarding the selection of delegates, intended to carry out what I think everybody wants to carry out, and that is to give to every man who saw honorable service in the Great War which resulted in the overthrow of autocracy in the world—we hope for all time to come—to give to every such man who marched forth to victory under the American flag an opportunity to enroll in this patriotic organization.

Mr. DYER. Before the gentleman sits down, will he yield for one question?

Mr. GARD. Yes; I do not desire to use any more time, but I yield to the gentleman.

Mr. DYER. I just want to ask this question: If the Congress should grant this incorporation, would the incorporators then be permitted to adopt by-laws, and in their by-laws could they discriminate as to the membership? In other words, could they do what I understand it is their intention to do—prevent negro soldiers from becoming members? Would they be permitted in their by-laws to do that?

Mr. GARD. I can not answer that, except to say that section 2 provides that this organization may adopt a constitution and by-laws.

Mr. DYER. The gentleman is a very good lawyer, and I would be very glad to have his opinion on that, whether or not they could in their by-laws say that only white soldiers, sailors, and marines should become members.

Mr. GARD. That is entirely a question which should be addressed to the organization and not to Congress.

Mr. Speaker, how much time have I occupied?

The SPEAKER. The gentleman has 25 minutes remaining.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate, having proceeded in pursuance of the Constitution to reconsider the bill (H. R. 3854) entitled "An act for the repeal of the daylight-saving law," returned to the House of Representatives by the President of the United States, with his objections, and sent by the House of Representatives to the Senate with the message of the President returning the bill—

Resolved, That the bill do pass, two-thirds of the Senate agreeing to pass the same.

TO INCORPORATE THE AMERICAN LEGION.

Mr. VOLSTEAD. I yield 10 minutes to the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Chairman and gentlemen, I happen to be a member of this organization, and I can give you what experience I have had as a simple member. I did not know that this bill was pending nor do I know how these incorporators were selected. As to the doubt expressed by the gentleman from Missouri [Mr. DYER], I want to say that it is absolutely open to all who served in the Army or Navy during the recent war. I also want to say that it is open to all soldiers regardless of color, and right here in Washington there is a camp called "Europe Camp," I think, named in honor of a colored soldier, which is composed of colored ex-soldiers.

Mr. DYER. Will the gentleman state whether or not the gentlemen who are seeking this incorporation have adopted any by-laws so far?

Mr. LAGUARDIA. That I do not know. I belong to George Washington Post. I think we are working under some sort of temporary by-laws. I am not an officer. I do not expect to be an officer as long as I am in Congress, and I am just one in the ranks.

Mr. JONES of Texas. The gentleman used the words "all people of whatever race they may be." Did the gentleman get that from the bill or from the form of the organization?

Mr. LAGUARDIA. I am stating as to existing facts now.

Mr. JONES of Texas. This bill does not say that.

Mr. LAGUARDIA. No.

Mr. JONES of Texas. It says that no one shall be eligible who has not served in the naval or military service. It does not say anyone shall be privileged.

Mr. LAGUARDIA. Right there, in order that there may be no doubt, I may propose the following amendment, if it is necessary. On page 9, after the word "enlistment," in line 11, add:

Provided, That any person who served in the naval or military services of the United States as herein provided shall be entitled to membership of said corporation.

I feel that there will be no discrimination, and perhaps the amendment may not be necessary.

Mr. JONES of Texas. Then under the gentleman's amendment if adopted a negro or a member of any other race who served in the naval or military forces could become a member of this organization regardless of the desire of the local camp?

Mr. LAGUARDIA. Exactly.

Mr. JONES of Texas. In other words, no local camp can keep them from joining that local camp regardless of what race they belong to?

Mr. LAGUARDIA. I have not taken an active part in reference to this organization, but I know of no case where an honorably discharged soldier or sailor has been denied admission. Now, in reference to the fears of the gentleman from Ohio [Mr. GARD] as to these incorporators perpetuating themselves in office, I can submit that this organization is composed of the best blood of this country, live wires, every one of them, and there is not any group of men who will ever be able to get complete control of this organization and keep it, not unless all the rest of us are dopes, and I assure you we are not. No group of men will be able to control this organization for their own interest and no matter who the incorporators are they will not be able to perpetuate themselves in office.

Mr. SEARS. Will the gentleman yield?

Mr. LAGUARDIA. I will.

Mr. SEARS. As I understand the bill, certain men are named to be at the head of this organization?

Mr. LAGUARDIA. Who are at the head?

Mr. SEARS. These men are to select such other men as they want.

Mr. LAGUARDIA. Simply as incorporators.

Mr. SEARS. As incorporators, and then in section 5 these men selected can blackball so as to keep out any other——

Mr. LAGUARDIA. Oh, no.

Mr. SEARS. They can.

Mr. DYER. The language is plain.

Mr. SEARS. "No person shall be a member of this organization unless he served in the naval or military service." It does not say he shall be a member——

Mr. LAGUARDIA. That can be provided for. I assure the gentleman the present spirit of the organization would tolerate no discrimination.

Mr. SEARS. You are going to provide for that?

Mr. LAGUARDIA. I am willing to offer an amendment. I am willing to make any change that leaves this open to all soldiers and sailors who served in this last war.

Mr. JONES of Texas. Does not the gentleman think that it would be much better to leave that question with the local camp, rather than bind the organization by an amendment which required them to accept any man who served, regardless of whether they desired him in that local camp or not?

Mr. LAGUARDIA. Under ordinary circumstances it would, but when they come in here and ask for a national charter, then they must leave it open to everybody.

Mr. DYER. That is it.

Mr. CLARK of Missouri. All of this talk about the original incorporators perpetuating themselves is absolutely futile. All this bill does is that you have to have some names to found a corporation on, and this bill provides that they shall adopt a constitution and by-laws. Well, now, it is absurd to assume that four and a half millions of soldiers have not got strength enough and sense enough to change these incorporators whenever they desire to do so.

Mr. LAGUARDIA. We will take care of that; there is no danger of that at all.

Mr. BEE. Will the gentleman yield for a question?

Mr. LAGUARDIA. Certainly.

Mr. BEE. Is there not another organization called a legion, composed entirely of privates, noncommissioned men, enlisted men, and not officers?

Mr. LAGUARDIA. This organization is not limited——

Mr. BEE. Is there not now one in existence?

Mr. LAGUARDIA. I understand there is one called the World War Veterans.

Mr. BEE. Will they come here asking for a charter also?

Mr. LAGUARDIA. Well, they have a right to ask it at any time.

Mr. BEE. How many more are coming to ask for a charter?

Mr. LAGUARDIA. I am in favor of making this sufficiently broad to embrace all.

Mr. BEE. Suppose these other people want to maintain their own organization, will they not have the right to ask Congress to incorporate them?

Mr. LAGUARDIA. Everybody has a right to ask Congress. I hope we will not be making more acts of incorporation, because personally I do not like them.

Mr. DYER. I would like to say myself that out of the few men and the short service in the Spanish-American War there were six or seven organizations.

Mr. LAGUARDIA. Finally they got all together.

Mr. DYER. No.

Mr. LAGUARDIA. Are they not finally all together?

Mr. DYER. No; there are several organizations now.

Mr. LAGUARDIA. I thought they were united under the Spanish War Veterans.

Mr. LITTLE. I belong to two of them myself.

Mr. LAGUARDIA. I did not know that. What we are trying to do, what the rank and file is trying to do, is to embrace all ex soldiers, sailors, and marines in this one corporation.

Why the necessity of this particular corporation I do not know. I did not know that it was proposed.

Mr. DYER. Is it the intention to include privates in this organization?

Mr. LAGUARDIA. Why, we have more privates than officers.

Mr. DYER. I call attention to the names in the bill who seek incorporation. I find but two privates among them.

Mr. LAGUARDIA. Is the gentleman personally acquainted with all of these men?

Mr. DYER. I have the hearings here.

Mr. LAGUARDIA. I did not know that.

Mr. DYER. Most of them are brigadier generals and colonels, lieutenant colonels, majors, and captains, and so on.

Mr. LAGUARDIA. I guess there are not many generals. In this organization we have no title; everyone is known as comrade; we wear no uniform at the meetings, and it is absolutely democratic in every way.

Mr. CLARK of Missouri. At the initial meeting held in St. Louis there was not the slightest attempt to bar out privates.

Mr. LAGUARDIA. I know that.

Mr. CLARK of Missouri. There were more privates in that convention than officers.

Mr. DYER. I was present, and I doubt the correctness of my colleague's impression.

Mr. CLARK of Missouri. I was not present, but I know all about what happened.

Mr. DYER. I was there.

Mr. LAGUARDIA. I will invite any gentleman to the next meeting of the George Washington Post, and he will then see that the enlisted men outnumber the officers five to one, as they naturally would. There is no intention to make this exclusively an officers' organization. It would be absurd to do that.

Mr. BEE. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. Yes,

Mr. BEE. Did the convention that the gentleman from Missouri [Mr. CLARK] refers to at St. Louis recommend this incorporation? Did this grow out of that convention?

Mr. CLARK of Missouri. Yes; that is exactly what was done. That was the first meeting in the United States taking place toward the organization of the soldiers of the Great War. They appointed committees there, and they afterwards met in New York, and they had to have some kind of machinery to start with, and they picked out sufficient names for the foundation for a corporation.

Mr. BEE. Did this incorporation here grow from a St. Louis meeting?

Mr. CLARK of Missouri. Yes; directly out of it.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. GARD. Mr. Speaker, I yield 10 minutes to the gentleman from Arkansas [Mr. CARAWAY].

Mr. CARAWAY. Mr. Speaker and gentlemen of the House, I was a member of the subcommittee appointed to redraft this bill. The bill as it now comes on the floor is not the bill the subcommittee wrote. It has been changed by the whole committee. I was not present at that meeting and therefore am not familiar with some of the new provisions of the bill.

I am not enthusiastic about granting national charters. I think it a mistake to incorporate political parties, religious associations, patriotic or social societies. To incorporate is to rob the association of sentiment. The soldiers who are pushing this act are making a mistake. However, I am not authorized to speak for them. They possibly know better than I, but I feel that the legal machinery which is embodied necessarily in an act creating a corporation destroys very largely the sentiment that ought to hold it together. Some men will become officers in it with the right to control. A board of men will be selected who will have the right to fix its policies, and inevitably the business side must supplant entirely the sentimental.

I totally disagree and the subcommittee totally disagreed with some of the conclusions of the whole committee. I do not know what counsels prevailed in the committee which induced it to change the provisions of the draft of the subcommittee and hereby seek to incorporate certain men. As a matter of fact you incorporate activities. This undertakes to say that certain men are a corporation, which they are not. There seems to be a bad precedent established in granting national corporations by saying that "Bill Jones" and "John Smith" and their sons-in-law are hereby declared to be a corporation. This ought to be amended, and I shall suggest it again, because I know it was the idea of the subcommittee when it rewrote the bill that the nonpolitical patriotic society known as the American Legion "is hereby created a body politic and corporate," and that all men who belong to the society shall participate in its organization by the election of officers and the adoption of its constitution and by-laws. There is no sense in saying that these men constitute this corporation. I am not criticizing them. They are very excellent people. I remember among them Mr. Bennett Clark, and we all love him. No one connected with the House organization had more friends or has more friends than he. I do not believe they want to or will abuse their position as corporators, and I am not suggesting that, but I say it is absolutely foolish and silly to say that we incorporate Bennett Clark and Luke Lea and these other people, because it is not the men that we are incorporating, but it is the activities of the society known as the American Legion. The bill ought to be amended to show that. While I know that it is not the intention of it, yet if this charter be granted as it is now written in this bill, we all know that those men who now hold membership in the organization are the only ones who ever can be chosen as members of the corporation unless it be amended. After naming these people it provides that such persons as may be chosen who are members of the American Legion, an unincorporated society of soldiers, sailors, and marines of the Great War of 1917–18, known as the American Legion, and so forth. Unless they are now members of an unincorporated society known as the American Legion they will not be eligible to be chosen as members of this corporation.

As I said, I am going to vote for this measure, but I am going to do so with great reluctance. I do not believe it bespeaks the sentiment of the great majority of soldiers, sailors, and marines who won this war, because I fear a corporation robs the whole organization of the sentiment that makes it sacred to the members of this society.

I want to answer the suggestion of my friend from Missouri [Mr. DYER], who seems to be overafraid that some one is attempting to discriminate against the negro in this country. To say that every man who is an honorably discharged soldier, sailor, or marine of this Great War has by that right alone an absolute right to be a member would be an outrage on the membership of this society. To say that no one except he be an honorably discharged soldier, sailor, or marine is eligible goes as far as we ought to go. It is entirely possible and probable, and will happen, that some honorably discharged soldier, sailor, or marine, even though he is not a negro, that my friend is so much concerned about, but at this time an honest white man, may become an outlaw, a common horse thief, and yet under the terms of the amendment proposed by the gentleman from New York [Mr. LAGUARDIA] he would have an absolute legal right to demand membership in this society, and if the local post were to deny him membership he could go into court and force his membership upon honest, decent men.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. CARAWAY. I will.

Mr. GREENE of Vermont. You refer to a condition of membership in this organization being based upon having an honorable discharge.

Mr. CARAWAY. Yes.

Mr. GREENE of Vermont. I do not read section 5, page 9, in that way. It says:

> That no person shall be a member of this corporation unless he served in the naval or military service of the United States.

That is very broad and sweeping. It does not limit it to men who were discharged honorably from that service.

Mr. CARAWAY. I think the gentleman is entirely right. The bill has been rewritten and that section had not been called to my attention. But the incorporation ought to say that all soldiers, sailors, and marines of the Great War who have been honorably discharged, and none except those, shall be eligible.

Mr. GREENE of Vermont. If you put in the words "honorably discharged," then you bar those soldiers who would otherwise be eligible to membership in this organization who are at present in the service of the United States Army and may continue there for a lifetime.

Mr. CARAWAY. I understood that was the intention of it.

Mr. GREENE of Vermont. Does the gentleman want to bar out the Regulars?

Mr. CARAWAY. Oh, no. That was the language that the proponents of the measure brought to Congress.

The SPEAKER pro tempore. The time of the gentleman from Arkansas has expired.

Mr. CARAWAY. Will the gentleman from Ohio give me five minutes more?

Mr. GARD. Yes.

Mr. MORGAN. Will the gentleman yield for a question?

Mr. CARAWAY. I will.

Mr. MORGAN. As I understood the meaning of section 5, it was that we would say that we would limit the membership to officers and the men who served. The constitution itself and

the by-laws would prescribe the other membership. For instance, some men who are honorably discharged——

Mr. CARAWAY. I hope the gentleman will not take my time. He has time of his own.

Mr. MORGAN. There are men who are honorably discharged, and yet it was supposed they were conscientious objectors, and we leave that entirely to the constitution and by-laws.

Mr. CARAWAY. I want to say this in conclusion, if the gentleman is through, that if a man on this floor has such little confidence in the membership of this society that is to be formed that he is unwilling to trust to the patriotism and the good judgment and the sense of fair dealing of the boys that are to constitute this organization that he wants to write into the organic act itself who shall be its members, he has less confidence in the patriotism and sense of fairness and intelligence of the membership of the organization than I. The gentleman from New York [Mr. LAGUARDIA] is not willing to trust the boys who are to constitute the local posts to say who shall be members of their own local organization, but he wants Congress to say, inasmuch as he is not willing to trust them, that these whom he shall designate shall be eligible members and that the soldiers can not exclude them.

Mr. BEE. Is not that the result of a national incorporation? Do you not, in other words, put the matter in the hands of the National Government where a member is refused admission, and he can go to the courts?

Mr. CARAWAY. That is what the gentleman would do by his amendment. It would make the courts the arbiters as to who should be or should not be members of this society. It would force upon these the association of men who in other walks of life they would refuse to recognize.

Mr. LAGUARDIA. That is exactly what we are trying to do.

Mr. CARAWAY. I know that. The gentleman has no confidence in the boys who are to compose the organization, and thinks he alone possesses the knowledge and patriotism that would qualify him to say who shall be members of the organization.

Mr. LAGUARDIA. The negro soldiers fought alongside of us, did they not?

Mr. CARAWAY. Not alongside the gentleman from New York, if I know anything about his military record.

Mr. BEE. He was in the air, was he not?

Mr. CARAWAY. Who said so?

Mr. SANDERS of Louisiana. Will the gentleman yield?

Mr. CARAWAY. I will.

Mr. SANDERS of Louisiana. As it has not been found necessary by the men who fought the great Civil War on either side to ask for a national incorporation, and the Grand Army of the Republic worked out its organization and the United Confederate Veterans worked out its organization, why could we not permit the veterans of the World War to work out their organization?

Mr. CARAWAY. The gentleman from Louisiana knows that that question answers itself. I am satisfied that the rank and file of this society would like to work out its own destiny. I am satisfied that those who have no voice in this movement would be glad to do it. But I am not, as I said in the beginning, willing to put my judgment against theirs. They come here believing they represent the sentiment of the boys who won the war, and I am going to vote for the bill, but I will do so with a great deal of hesitancy. But I never am going to say to any body of men who are so thoroughly trusted and honored as these, "We are willing to risk our fate and future in your keeping, but are not willing to risk you in saying who shall and who shall not be your comrades and associates in this organization."

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GARD. How much time remains, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has five minutes.

Mr. GARD. I yield five minutes to the gentleman from Arizona [Mr. HAYDEN].

The SPEAKER pro tempore. The gentleman from Arizona is recognized for five minutes.

Mr. HAYDEN. Mr. Speaker, a few moments ago the gentleman from Missouri [Mr. DYER] stated what seemed to be the prevailing opinion of the House, that the list of names of incorporators of the American Legion as set out in this bill was not representative of the entire country. I am inclined to agree with him, because I find that the States of Arizona, Arkansas, California, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Nebraska, New Hampshire, New Jersey, North Dakota, South Carolina, South Dakota, Utah, Virginia, Vermont, West Virginia, Wisconsin, and Wyoming are not represented in the list of incorporators. The persons named in the bill as reported to the House are beyond question 34 most excellent and patriotic gentlemen. I understand they comprise 17 representatives of the American Legion as originally formed in France, and 17 others who served during the war on this side of the water.

It is my purpose, when the proper time comes, to offer an amendment to this bill, striking out the names of the incorporators therein listed and substituting in lieu thereof the name of each one of the chairmen who have been selected in the several States and Territories by the returned soldiers, sailors, and marines, since they were discharged from the service, as heads of the State organizations of the American Legion. The best way to determine who they are is to read the list from the roster of State officers which appears in the last issue of the American Legion Weekly. I read:

Alabama: Bibb Graves, of Montgomery.
Arizona: Andrew P. Martin, of Tucson.
Arkansas: J. J. Harrison, of Little Rock.
California: Henry G. Mathewson, of San Francisco.
Colorado: H. A. Saidy, of Colorado Springs.
Connecticut: Alfred A. Phillips, of Stamford.
Delaware: George N. Davis, of Wilmington.
District of Columbia: E. Lester Jones, of Washington.
Florida: S. L. Lowry, jr., of Tampa.
Georgia: Walter Harris, of Macon.
Hawaii: Lawrence Judd, of Honolulu.
Idaho: E. C. Boom, of Moscow.
Illinois: George G. Seaman, of Taylorville.
Indiana: Raymon S. Springer, of Connersville.
Iowa: Matthew A. Tinley, of Council Bluffs.
Kansas: W. A. Phares, of Wichita.
Kentucky: Attilla Cox, of Louisville.
Louisiana: T. Semmes Walmsley, of New Orleans.
Maine: A. L. Robinson, of Portland.
Maryland: James A. Gary, of Baltimore.
Massachusetts: John F. J. Herbert, of Worcester.
Michigan: George C. Waldo, of Detroit.
Minnesota: Harrison Fuller, of St. Paul.
Mississippi: Alexander Fitzhugh, of Vicksburg.
Missouri: H. C. Clark, of Jefferson City.
Montana: Charles E. Pew, of Helena.
Nebraska: John G. Maher, of Lincoln.
Nevada: E. L. Malsbary, of Reno.
New Hampshire: Frank Knox, of Manchester.
New Jersey: Hobart Brown, of Newark.
New Mexico: Charles M. DeBremon, of Roswell.
New York: Ogden L. Mills, of New York City.
North Carolina: C. K. Burgess, of Raleigh.
North Dakota: Julius Baker, of Fargo.
Ohio: F. C. Galbraith, of Columbus.
Oklahoma: Ross N. Lillard, of Oklahoma City.
Oregon: E. L. Eivers, of Portland
Philippine Islands: Robert R. Landon, of Manila.
Pennsylvania: George F. Tyler, of Philadelphia.
Rhode Island: Alexander H. Johnson, of Providence.
South Carolina: Julius H. Walker, of Columbia.
South Dakota: T. R. Johnson, of Sioux Falls.
Tennessee: Roan Waring, of Memphis.
Texas: Claude B. Birkhead, of San Antonio.
Utah: Wesley E. King, of Salt Lake City.
Virginia: Francis Cocke, of Roanoke.
Vermont: H. Nelson Jackson, of Burlington.
Washington: Harvey J. Moss, of Seattle.
West Virginia: Jackson Arnold, of Charleston.
Wisconsin: E. F. Ackley, of Milwaukee.
Wyoming: A. H. Beach, of Lusk.

All of these State chairmen have been selected by the returned soldiers, sailors, and marines since they were discharged from the service at fair and free elections. They represent the rank and file of the American Legion, and it seems to me, if Congress wants to make this organization nation wide and fully representative of all of those who served in the World War, we should substitute these names.

Mr. ELLIOTT. Mr. Speaker, will the gentleman yield?

Mr. HAYDEN. Yes.

Mr. ELLIOTT. I notice in this list of incorporators the names of Bennett C. Clark, of Missouri, and Theodore Roosevelt, jr., of New York. Now, these gentlemen are both representative of the soldiery of this country, and both went to France and fought and distinguished themselves there. Why would you cut them out?

Mr. HAYDEN. I am aware that Mr. Roosevelt and Mr. Clark had more to do with the organization of the American Legion than any other two men when it was originally formed in France, and if the gentleman from Indiana desires to amend my list by adding their names I shall offer no objection. But aside from their names I believe that we should limit the list of incorporators to the State chairmen selected by the returned soldiers themselves, so that it can never be said that Congress has incorporated a hand-picked organization.

Mr. WOOD of Indiana. Mr. Speaker, will the gentleman yield?

Mr. HAYDEN. Certainly.

Mr. WOOD of Indiana. Would not the gentleman think that, for the purpose of avoiding any invidious criticism which might be made of that action, it would be infinitely better to strike out all the names? They are not necessary.

Mr. HAYDEN. There is undoubtedly much force in the gentleman's suggestion; but if names are to be mentioned I insist

that we adopt a list that is representative of the entire membership of the American Legion in all parts of the United States. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Arizona has expired.

Mr. GARD. Mr. Speaker, I do not desire to use further time.

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. HULINGS].

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for five minutes.

Mr. HULINGS. Mr. Speaker, I think there is a great deal of unnecessary talk about the gentlemen who are named as incorporators. It is the common custom when a corporation is created that the persons named shall be the incorporators, not with the idea that they are going to run the machine, but simply that they are a corporation inchoate until meetings for the election of officers, adoption of by-laws, and so forth, can be held to give the corporation full legal existence.

Now, when the time comes I hope to have an opportunity of offering an amendment, and that amendment shall be to strike out, after the names in this first section, line 12, all down to the word "Legion," in the sixteenth line, and then add so that the section would read as follows: "Eric Fisher Wood, of Pennsylvania, George H. Wood, of Ohio, and the others named are hereby created and declared to be a body politic. The name of this corporation shall be the 'American Legion.'" And then insert "And the incorporators above named and such other persons as may be duly accredited as delegates from any local or State organization of the American Legion are hereby authorized to meet and complete the organization of such corporation by the election of officers, the adoption of a constitution, by-laws." and so on. And then the second section I would strike out entirely and insert the following: "All members who are or who may hereafter become members in good standing of the organization known as the 'American Legion,' unincorporated, shall, upon application, become members of the corporation."

It seems to me that that would absolutely obviate all the objections that have been offered here and make a plain, clear statement of the whole situation.

Mr. Speaker, I yield back the balance of my time.

Mr. VOLSTEAD. Mr. Speaker, I want to devote just a few minutes to a question or two in connection with this proposed charter.

It has been suggested that Congress has no power to make this organization a national incorporation. As this bill was originally drafted it would if passed have created a corporation of the District of Columbia. If there ever was an organization that was national in character, that would help to build up a national spirit, it is this sort of an organization.

It seemed to the committee that it had a right to put this upon an entirely different basis from that of the ordinary incorporations that we have been granting by making this a national and not a District charter. There is, as I take it, power to do what this bill proposes. Many years ago this Government sought to create a park at Gettysburg, where that great battle was fought for the preservation of the Union. The question was raised whether we as a National Government could take that battle field and make it into a park. The question went to the Supreme Court of the United States and was very carefully discussed there, and the Supreme Court unhesitatingly expressed the opinion that as the object was national in its character, designed to preserve the memory of that struggle and encourage and foster devotion to the country and its institutions, we could take that land and make of it a public park. It seems to me that this is on all fours with that doctrine. If Members will take the pains to read that case, I believe they will have no doubt whatever that we have the power to make this a national incorporation. Otherwise it never ought to le incorporated.

Mr. GARD. Does the gentleman maintain that a decision concerning the right to acquire property throws any light on the question of the propriety of Congress granting this incorporation?

Mr. VOLSTEAD. The question in that case was whether the creation of such a park was a public purpose in aid of any power granted to Congress. It was predicated upon the idea that it would help the Government in creating and maintaining a national spirit. It would seem to me that the very same thing may be said in favor of this bill. I am sure this movement is national in spirit, that it will encourage devotion to the flag and help stir a spirit of patriotism.

Another objection has been made that we do not give this incorporation a location, so that a person can know where to sue it. We do not need to do that. This corporation could be sued at any place where an officer of it can be found. We ought not to confine it to the District of Columbia. If you make it a corporation of the District of Columbia it will be subject in all probability to the laws of the District of Columbia, and you will have an unworkable charter, unless you include provisions in the bill under which it can maintain organizations outside of the District. For that reason I should be very much opposed to the amendment suggested by the gentleman from Ohio [Mr. GARD].

Mr. MADDEN. Will the gentleman yield for a question not quite in line with what he is saying?

Mr. VOLSTEAD. I yield to the gentleman from Illinois.

Mr. MADDEN. Section 8 provides that they shall have the exclusive right to the name of the American Legion. Now, suppose any considerable number of the discharged soldiers who fought in this war should organize a separate society of veterans. Is there any reason why we should foreclose their right to use the name American Legion?

Mr. VOLSTEAD. I think we ought to, if you will pardon me. This organization had its inception in France. Some 1,200 men, selected from the various organizations then in France, met at Paris for the purpose of creating an organization. Later on this organization arranged a meeting at St. Louis. My recollection is that it was stated in the hearings that something like 1,200 men met at St. Louis, representing a very large number of people from various sections, not confined to any particular State or any special locality. Those men selected a committee of 100 and instructed that committee to seek incorporation from the National Government. That committee of 100 selected 17 men as a sort of executive committee to carry on the business during the interval between the meeting at St. Louis and the meeting to be held at Minneapolis, Minn., November 11, on the anniversary of the armistice, for the purpose of more thoroughly organizing the society. The committee of 100 finally selected the men whose names appear in this bill as the ones to make the application for this charter.

It seems to me that the objections that have been raised to the selection of these men as incorporators should disappear when the facts are understood. Here is the situation: When this organization meets at Minneapolis there will in all probability be several thousand men from various sections of the country belonging to it, because the work of organizing these soldiers and sailors has been constantly going on. The men sent as delegates will have the right to participate in framing the constitution and by-laws, electing the officers, and will have a right to act as members of this corporation. So it seems to me that the fear expressed that the few men named as incorporators will monopolize this organization is utterly without any foundation whatever. Just stop and think. What sense would there be, what earthly use would this incorporation be to these few men unless they can get the others with them? The main object of this incorporation is to help them to get every soldier and sailor to join with them so as to make the organization as strong as possible. It would be ridiculous for these men to undertake to exclude anyone who is eligible to become a member.

Mr. GREENE of Vermont. Right in line with the suggestion that it seems to be necessary to incorporate this society in order to inculcate and encourage a patriotic interest in it, that has not been the experience of all the great societies of a similar kind that have preceded it. On the contrary, if the gentleman will allow me, the very fact that the Grand Army of the Republic, the United Confederate Veterans, and the United Spanish War Veterans were bound together by a comradeship and a fellowship that no law could substitute or supply made their organization far more vital, sentimental, and enduring than anything that could be enacted by statute by a disinterested body like Congress, and it was elastic enough so that it would suit itself to changing conditions.

Mr. VOLSTEAD. I grant you that no corporation that we can form will hold these men together. They will fall to pieces if the spirit is not there. There is no doubt about that; but I do believe that this organization will help them stay together, and I am in favor of granting them this charter.

Mr. GREENE of Vermont. Mr. Speaker, will the gentleman yield further?

Mr. VOLSTEAD. Yes.

Mr. GREENE of Vermont. Does not the gentleman think that in the exuberance of the freshness of this opportunity some one has advised these young citizens that they would be advantaged by having an incorporation under law, but that they will learn in the course of years, and a very few years at that, that they would have been very much better off without it; that the rigidity of a contract entered into with the United States Government in the form of a charter of incorporation will tend to make their society less elastic and less progressive, because they constantly must be confined so to

conform to the hard and fast letter of the statute that they will be like some commercial institution that has to be accountable for sums of money and trust property?

Mr. VOLSTEAD. They will only have to be accountable for common honesty.

Mr. GREENE of Vermont. Do they need to incorporate for that?

Mr. VOLSTEAD. They do not need it for that. This charter will assist them in keeping up their organization. There is no restriction in it—no limit—and even common honesty is not required of them under the charter. We know they need no such obligation written into it.

Mr. GREENE of Vermont. Precisely, and my object in making these suggestions is not by any means to run counter to a very proper sentiment of these faithful and gallant young men. We all sympathize with them, and we are all interested, and as a matter of sentiment alone we will be glad to do any reasonable thing for them; but does not the gentleman, as a man of experience, who has watched the progress of these other patriotic societies nearly since the inception of the Grand Army of the Republic, which is now half a century, think that their experience is sufficient admonition to these young men that in a very short time to come they will wish they had not incorporated?

Mr. VOLSTEAD. I do not think so.

Mr. GREENE of Vermont. And they will wish they had the elastic, open, flowing fellowship of a free patriotic organization to hold them together.

Mr. VOLSTEAD. I did not yield to the gentleman to make a speech, but it seems to me there is nothing in that contention at all. We do not take away from them any rights. We confer certain rights upon them. We do not in this charter specify anything in the way of limitations, but on the contrary practically give them power to do anything they see fit. We furnish them a form of incorporation. The Grand Army sought it, but for some reason or other it was not granted. The Spanish veterans asked for it, but they did not get it, and we have constant appeals of this kind. Organizations of this kind are anxious for charters, and no one doubts their value.

Mr. GREENE of Vermont. Will the gentleman permit me to ask him another question before he leaves the floor? Will the gentleman say that a body of men, who are honest, who are faithful unto death, who have served together on the battle fields of France or in the camps or anywhere else where their duty called them without a charter of incorporation to make them mutually accountable when it was a matter of life and death, now need a charter from the United States of America in order that they may account for their petty one-cent money affairs for the purpose of preserving their fellowship?

Mr. VOLSTEAD. They ask it.

Mr. GREENE of Vermont. How many of them ask it? That is the point. Has there been anything like a canvass of these 4,000,000 men?

Mr. VOLSTEAD. We have organizations in every State of the Union, and there is no question but that to-day a very large proportion of these men are inside of these organizations. We have not heard a single protest. The only protest comes from this floor. Everyone so far as I know has asked for it.

Mr. GREENE of Vermont. The gentleman is trying to prove a negative.

Mr. VOLSTEAD. The gentleman is asking me to prove a negative.

Mr. GREENE of Vermont. Oh, no; I have more respect for the gentleman's intelligence than that. The point is simply that because there has been no protest coming up from States where they were not all warned perhaps that a certain thing is to be done is no evidence that they approve that the thing shall be done. As a matter of fact, if I may be permitted in this way to make an inquiry, for I have not had any opportunity of getting time, instead of their being a living organization which is recognized throughout these various States, a personal canvass among these soldiers, I undertake to say, will indicate that they have not yet made up their minds whether they want to join anything or not.

Mr. VOLSTEAD. We have had considerable experience in regard to granting articles of incorporation. Many bills have been introduced for charters, and almost every time when a bill of that kind comes in some one protests because the granting of a charter will conflict with the interests of certain other organizations.

Mr. GREENE of Vermont. I do not distrust these men and I do not want to be misunderstood.

Mr. VOLSTEAD. Just a minute. Here is the situation. If these soldiers did not want this incorporation, if there were any independent organizations opposed to this bill we would have heard from them long ago, we would have had any number of letters protesting, but not a single letter has come to me of that kind. Everything that has come to the committee, everything that has come to me as a Member has been in favor of the bill, and if the gentleman has a single one in protest I would like to have him produce it.

Mr. GREENE of Vermont. I am not trying to prove any negative. My suggestion is that what you can fairly construe to be perhaps relative indifference on the part of the men who neither protest or affirm——

Mr. VOLSTEAD. Oh, the gentleman simply assumes that somebody is opposed to it without any proof.

Mr. GREENE of Vermont. I am not opposed to anything I think is reasonable, and I am not seeking to cast any reflection on the men who seek this charter. I have no idea but that their purpose is altogether disinterested and loyal and to be approved. I am speaking about the proposition whether when this body does finally get on its feet, when the 4,000,000 men are actually represented in some living organization, not a preliminary attempt at one, they will themselves believe that it was a wise thing to crystallize themselves into a hard and fast contract with the Government of the United States for the preservation of their fellowship.

Mr. VOLSTEAD. They do not crystallize themselves or make any such contracts.

Mr. REED of West Virginia. Will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. REED of West Virginia. The original draft seems to be the one the soldiers want. Section 4, page 4, defines eligibility. Why did the committee weaken that clause by changing it?

Mr. VOLSTEAD. The original bill was not presented as the result of any careful study on the part of the members of the organization. When it was presented it was freely admitted that it needed amendment, and the reason why we made the change was that we did not want to determine who should be members. We proposed to leave that to the members themselves. We did not want to do as the gentleman has just suggested, tie them up.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. VOLSTEAD. Mr. Speaker, I move the previous question on the bill.

Mr. LaGUARDIA. Mr. Speaker, a parliamentary inquiry.

Mr. GARD. I desire to make an inquiry of the chairman of the committee. Is it the purpose of the chairman of the committee to shut off the consideration of amendments?

Mr. VOLSTEAD. I just wanted to move the previous question on the bill. I would like, since this is considered in the House, very much to arrive at some arrangement in reference to amendments.

Mr. GARD. I am willing to accede to any arrangement, but surely Members should have the right to present amendments.

Mr. GOOD. If the gentleman moves the previous question, it will cut off all amendments.

Mr. VOLSTEAD. I understand that amendments have not been offered. I withdraw the motion for the time being with the understanding that amendments be offered and then the previous question may be ordered.

The SPEAKER pro tempore. The question is on the committee amendments.

Mr. CLARK of Missouri. Mr. Speaker, did the gentleman withdraw his motion for the previous question?

The SPEAKER pro tempore. He did.

Mr. DYER. Should not the bill be read by sections for amendment?

The SPEAKER pro tempore. We are not in the committee; we are in the House. The bill has been read the second time.

Mr. VOLSTEAD. I ask unanimous consent that the bill may be read as under the five-minute rule.

Mr. CLARK of Missouri. That is all right.

The SPEAKER pro tempore. The gentleman from Minnesota asks unanimous consent that the bill be read as under the five-minute rule. Is there objection? [After a pause.] The Chair hears none.

Mr. GREENE of Vermont. Mr. Speaker, a parliamentary inquiry?

The SPEAKER pro tempore. The gentleman will state it.

Mr. GREENE of Vermont. Under this arrangement is the bill now being read by sections for amendment?

The SPEAKER pro tempore. The request was that it be considered as under the five-minute rule. The Chair assumed that that would be to read it by sections.

Mr. DYER. The Clerk should proceed to read the bill now.

The SPEAKER pro tempore. The Clerk will read the bill for amendment.

Mr. GARD. I ask unanimous consent that the reading begin on page 6, line 17, with the committee amendment.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent that the reading begin on page 6 with the committee amendment. Is there objection?

Mr. MADDEN. Mr. Speaker, in order to read this bill under the five-minute rule we have to read it all. Of course, the stump speech in the form of whereases is no part of the bill and that might be stricken out.

Mr. FERRIS. The gentleman does not want to strike out that.

Mr. MADDEN. It ought to be stricken out.

Mr. DYER. I ask for the regular order, which is the reading of the bill. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DYER. The bill has been amended by striking out all of the original bill and the rewriting of the bill complete. It occurs to me that the proper thing to do is to adopt the committee amendment and then proceed to amend the committee bill. That would clarify the parliamentary situation.

Mr. CLARK of Missouri. Mr. Speaker, the proper thing to do, it seems to me, is to consider the committee amendment as the bill itself and read it, and then proceed to add amendments or not, as you choose, and when you get through and this House committee amendment has been amended, then vote on that as amended and then vote on the original bill, with this as a substitute.

The SPEAKER pro tempore. It perfects the text of the committee amendment first.

Mr. CLARK of Missouri. That is right.

The SPEAKER pro tempore. Then consider the question of whether this is to be substituted for the bill.

Mr. GREENE of Vermont. Mr. Speaker, a parliamentary inquiry?

The SPEAKER pro tempore. The gentleman will state it.

Mr. GREENE of Vermont. If we proceed, then, to perfect the text of the committee amendment, that will mean that a proposed amendment is in the nature of an amendment to the amendment, and the only second degree is a substitute, and there can not be the other elasticity of an amendment, and then another amendment to the amendment and a substitute; it would cut off one.

The SPEAKER pro tempore. The committee amendment and an amendment to that would be, of course, an amendment to an amendment.

Mr. GREENE of Vermont. So the other one will have to be a substitute.

The SPEAKER pro tempore. It will be in the third degree.

Mr. MADDEN. Mr. Speaker, I object to the consideration of the bill, except in the manner provided by the rules of the House. That means you have to read the bill—that part of it stricken out as well as the part which is attempted to be substituted for that which is stricken out. The whole of it has to be read.

The SPEAKER pro tempore. The gentleman from Minnesota asks unanimous consent that the bill be read as under the five-minute rule.

Mr. MADDEN. That includes the reading of the bill from the beginning.

Mr. CLARK of Missouri. Mr. Speaker, there is not a particle of sense in reading that original matter in there, because the committee amendment is substituted for it.

Mr. MADDEN. There may not be any sense in it, but that is in accordance with the rules of the House. I do not know whether the rules of the House have any sense or not, but that is the provision.

Mr. CLARK of Missouri. Sometimes they have not.

Mr. MADDEN. The request of the gentleman from Minnesota was to read the bill under the rules.

Mr. CLARK of Missouri. I ask unanimous consent, Mr. Speaker, that this House amendment as reported in here and printed in the bill be considered as the bill itself, that the committee amendment be considered as the bill, and that will open up the privileges of amendment by two amendments and a substitute and an amendment to the substitute.

Mr. MADDEN. I would not object to that.

Mr. CLARK of Missouri. I ask that that be done, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Missouri asks unanimous consent that the committee amendment be considered as the bill.

Mr. CLARK of Missouri. Yes.

Mr. DOWELL. Mr. Speaker, the proper parliamentary procedure would be to adopt this amendment first.

Mr. CLARK of Missouri. Oh, no. That would carry with it all these amendments to be added to it.

Mr. DOWELL. It does not. It merely substitutes the committee amendment for the original, and then it is before the House for consideration.

Mr. CLARK of Missouri. If you adopted the committee amendment as the whole thing, you could not amend.

Mr. DOWELL. By unanimous consent.

Mr. CLARK of Missouri. You could not do it.

The SPEAKER pro tempore. The gentleman from Missouri asks unanimous consent that the committee amendment be considered as the bill. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the following persons, to wit: William S. Beam, of North Carolina; Charles H. Brent, of New York; William H. Brown, of Connecticut; G. Edward Buxton, jr., of Rhode Island; Bennett C. Clark, of Missouri; Richard Derby, of New York; L. H. Evridge, of Texas; Milton Foreman, of Illinois; Ruby D. Garrett, of Missouri; Fred J. Griffith, of Oklahoma; Roy C. Haines, of Maine; J. F. J. Herbert, of Massachusetts; Roy Hoffman, of Oklahoma; Fred B. Humphreys, of New Mexico; John W. Inzer, of Alabama; Stuart S. Janney, of Maryland; Luke Lea, of Tennessee; Henry Leonard, of Colorado; Henry D. Lindsley, of Texas; Ogden L. Mills, of New York; Thomas W. Miller, of Delaware; Edward Myers, of Pennsylvania; Franklin D'Olier, of Pennsylvania; W. G. Price, jr., of Pennsylvania; S. A. Ritchie, of New York; Theodore Roosevelt, jr., of New York; Albert A. Sprague, of Illinois; John J. Sullivan, of Washington; Dale Shaw, of Iowa; Daniel G. Strivers, of Montana; H. J. Turney, of Ohio; George A. White, of Oregon; Eric Fisher Wood, of Pennsylvania; George H. Wood, of Ohio; and such persons as may be chosen who are members of the "American Legion," an unincorporated patriotic society of the soldiers, sailors, and marines of the Great War, 1917–18, known as the "American Legion," are hereby created and declared to be a body corporate. The name of this corporation shall be the "American Legion."

Mr. HAYDEN. Mr. Speaker——

Mr. MADDEN. Mr. Speaker, I would like to offer an amendment to correct a name.

Mr. HAYDEN. My amendment is to strike out all the names.

Mr. GARD. Mr. Speaker, as a member of the committee, I desire to offer an amendment.

The SPEAKER pro tempore. The gentleman from Ohio [Mr. GARD], a member of the committee, is entitled to prior recognition.

Mr. GARD. I desire to submit an amendment, and I also ask unanimous consent that the Clerk report therewith an amendment I propose to offer as a new section.

Mr. MADDEN. Mr. Speaker, I want to offer an amendment to correct a name of one of the incorporators. It reads "Milton Foreman." It should be "Milton J. Foreman." I want to put the letter "J." in there.

The SPEAKER pro tempore. Without objection, the correction will be made.

There was no objection.

The SPEAKER pro tempore. The Clerk will report the amendment offered by the gentleman from Ohio [Mr. GARD].

The Clerk read as follows:

Page 7, line 17, after the word "corporate," strike out the period and insert "of the District of Columbia."

On page 10, line 6, insert a new section as follows:

"SEC. 9½. The principal office of the corporation shall be located in the District of Columbia, and offices may be maintained and meetings of the corporation or of the trustees and committees may be held in other places such as the by-laws may from time to time fix."

Mr. GARD. Mr. Speaker, I do not desire to make any further argument upon the question of limitation of power. I think that I explained that as fully as I could in my previous statement of this matter, and I have asked that section 9½ be read as explanatory of my idea in giving this American Legion the power to have its main office in the District of Columbia, and to have its places of meeting, either as an incorporate body or through its officers or trustees, at any place in the United States.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Ohio [Mr. GARD].

Mr. VOLSTEAD. Mr. Speaker, I wish to oppose this amendment. I do not see any good reason why we should make this an incorporation of the District of Columbia, or why we should provide for its having its main office in the city of Washington. There is no question, it seems to me, in view of the decisions I have called attention to, of our power to give these people an incorporation that is national, and if we propose to give them anything, let us give them an act that shows that we recognize their object as patriotic and an aid to the national spirit that it will foster. It seems to me we ought to be willing to give them a national incorporation instead of granting them a measly District of Columbia charter.

Mr. GOOD. Mr. Speaker, a parliamentary inquiry. What is the amendment pending—the amendment that has just been read?

The SPEAKER pro tempore. Two amendments have been offered.

Mr. GARD. The amendment that was read was the first amendment that I offered, and I asked unanimous consent that the other be read as explanatory.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Ohio [Mr. GARD].

The question was taken, and the Speaker pro tempore announced that the ayes seemed to have it.

Mr. VOLSTEAD. Division, Mr. Speaker.

The House divided; and there were—ayes 39, noes 47.

So the amendment was rejected.

Mr. HULINGS. Mr. Speaker, I desire to offer an amendment.

Mr. HAYDEN. I offered an amendment, but withheld it on account of the gentleman from Ohio [Mr. GARD].

Mr. DYER. Mr. Speaker, I desire to offer an amendment to perfect the text.

Mr. HAYDEN. I will yield to the gentleman, who is a member of the committee.

Mr. DYER. The gentleman has a substitute for the whole section?

Mr. HAYDEN. I have a substitute for the list of names. There is more to the section than that.

Mr. DYER. The gentleman has no objection to my offering an amendment to perfect the bill?

Mr. HAYDEN. I have no objection, inasmuch as the gentleman is a member of the committee.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. DYER: Page 7, lines 12 and 13, after the word "Ohio," strike out "and such persons as may be chosen who are" and insert "such other persons as are or may become," so that it will read: "and such other persons as are or may become members of the American Legion," etc.

Mr. DYER. Now, Mr. Speaker, that is only to correct the text, and I believe that is what is desired by the House, because these gentlemen whose names are mentioned and all other members of the American Legion who are not now members, but who may become members under the by-laws, will have a right to be members of this corporation.

Mr. GARD. Will the gentleman yield? The purpose of the gentleman's amendment is to make every man in the American Legion an incorporator?

Mr. DYER. Every one who is a member of it.

Mr. GARD. The gentleman does not desire that.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I hope the amendment of the gentleman from Missouri will not prevail. The language in the bill as reported is perfectly clear and needs no amendment to better it. The language which is offered as a substitute is calculated to create confusion. Read again these words—

and such persons who may be chosen who are members of the American Legion.

This language——

Mr. DYER. I want to ask the gentleman a question.

Mr. GRAHAM of Pennsylvania. Pardon me for a second. This language was carefully considered when the committee of the American Legion was before the Committee on the Judiciary, and it was considered then that it clearly defined what was intended to be granted by the provisions of this bill. It means any persons who may be chosen who are at the time the choice is made members of the American Legion. Nothing could be clearer.

Mr. DYER. Mr. Speaker, will the gentleman yield?

Mr. GRAHAM of Pennsylvania. While the language that is offered as a substitute might be construed to mean any person who is a member of the American Legion, or who may at some future time become a member of the American Legion, that is not what is intended by the section.

Mr. DYER. Mr. Speaker, will the gentleman yield to a question?

Mr. GRAHAM of Pennsylvania. Surely.

Mr. DYER. I wanted to ask the gentleman how he understands the others are to be chosen. Who is to choose them?

Mr. GRAHAM of Pennsylvania. The American Legion. Section 2 provides for that.

Mr. DYER. How does that provide?

Mr. GRAHAM of Pennsylvania. If you will read it you will see. I do not want to read it in answer to a question.

Mr. DYER. The gentleman gives his opinion. I will read it to him. He has just arrived on the scene. Section 2 provides:

That said persons named in section 1 and such other persons as may be selected.

Now, the gentleman refuses to answer a question when I ask him, although he refers to a hearing and says it was freely discussed by the committee, when the hearing consisted of but one gentleman who testified before the committee.

But the point I am trying to make, Mr. Speaker, is that there is no provision in these two sections that authorizes the members of the American Legion to select these men, but that they will be selected by those whose names are printed in the bill. That is not what we want to do if we intend to make this organization open to all those who are eligible to membership.

Mr. CLARK of Missouri. Mr. Speaker, I desire to antagonize this amendment. The trouble about this amendment is that if it is adopted it will work absolute confusion.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. CLARK of Missouri. Yes.

Mr. MADDEN. If it is adopted, of course it will prevent anybody from joining the American Legion who is not now a member of the unincorporated legion?

Mr. CLARK of Missouri. Yes; certainly. It would make every member of the legion an incorporator, and it would be impossible to get them together to transact business. You could not tell what a quorum was.

But I do not want to talk about the amendment very much. I wanted to say a word or two to straighten out three or four matters of confusion that are in the minds of the Members. The genesis of this legion is this: Gen. Pershing asked the various commands in France to send delegates and representatives to a meeting of the soldiers in Paris at a certain date. Of course, they had all been talking in camp there after the armistice about organizing something of this sort. I think there were 3,000 at that meeting in Paris. Anyhow, my son, Col. Bennett C. Clark, was president or chairman of the meeting. Then he and Col. Roosevelt were appointed by this meeting in Paris to call a meeting in the United States as a preliminary meeting for organization, and Col. Roosevelt came back to this country before my son did. Col. Roosevelt issued the call and signed both the names to it, and invited all the soldiers, both privates and officers, that were in this army during the World War to send representatives to this meeting in St. Louis, and there was a very large attendance there. They elected my son temporary chairman. They elected Col. Lindsley, of Texas, as chairman or president of this preliminary committee that they appointed, and Col. Lindsley is the president of it yet.

Mr. MADDEN. Ad interim president?

Mr. CLARK of Missouri. Yes; ad interim president. All these steps have been taken simply as preliminaries. They are not trying to gobble up the whole thing. You must presume on men's common sense.

Now, if this charter is amended what is going to happen is this: They have already called a meeting at Minneapolis for November 11, and these incorporators undoubtedly will prepare some kind of a scheme to have a representative body there, and our part of it ceases, and they will adopt a constitution and by-laws and proceed like any other set of good citizens in the United States. That is all there is to it. [Applause.]

Mr. HUDDLESTON. Mr. Speaker, will the gentleman yield?

Mr. CLARK of Missouri. Yes.

Mr. HUDDLESTON. Will the gentleman inform us whether Gen. Pershing called this conference in Paris by direction of the War Department or merely on his own initiative?

Mr. CLARK of Missouri. I do not know that happened. I am not certain that Gen. Pershing actually called it. But evidently after the armistice it was perfectly natural. They did not have anything to do, and in their camps they talked this thing over, and agreed that it would be a good thing to form a social organization, and patriotic, for the soldiers, sailors, and marines and all the rest who were in this great war. There was no official business about it, and there will not be.

It is absolute nonsense to talk about these incorporators who happen to be named here—I do not care a straw who is named—holding onto the organization. They could not do it to save their lives. The other fellows would take it away from them the very first minute they undertook to do it, and if you pass this bill I am not certain that it will be a great blessing, whichever way you fix it. Ordinarily I am not much in favor of incorporating organizations by Congress. But I do not see how this will do anybody any harm. They declare in this charter that it is a nonpolitical organization, and of course it is nonreligious. That is absolutely unnecessary anyway. There is no use in paying attention to that. I do not see any harm it will do and it may do much good.

Mr. SANDERS of Louisiana. Mr. Speaker, has the gentleman finished?

Mr. CLARK of Missouri. Yes.

Mr. DYER. Mr. Speaker, I ask unanimous consent to withdraw the amendment that I offered.

Mr. HULINGS. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from Missouri [Mr. DYER] asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

The SPEAKER pro tempore. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HULINGS: Page 7, line 12, after the word "Ohio," strike out all down to the word "Legion," in line 16, and after the word "Legion," in line 18, insert "and the incorporators above named and such other persons as may be duly accredited as delegates from any State or local organization of the existing unincorporated organization known as the 'American Legion' are hereby authorized to meet and complete the organization of said corporation by the election of officers, the adoption of a constitution and by-laws, and the doing of all other things necessary to carry into effect the provisions of this act."

Mr. HULINGS. Mr. Speaker, I think this amendment obviates all the objections that have been made. It simply makes these men who are named here the incorporators of a body corporate, and then it goes on to provide that they, together with such delegates as may be sent from the local organizations, shall be authorized to make by-laws and complete the organization.

Mr. TOWNER. I will ask the gentleman from Pennsylvania if his object would not be better accomplished by striking out the language after the word "Ohio"?—

And such persons as may be chosen who are members of the "American Legion," an unincorporated patriotic society of the soldiers, sailors, and marines of the Great War, 1917–18, known as the American Legion.

With that language stricken out it will accomplish everything that the gentleman has in mind, because section 2 provides for the organization of the corporation, for the framing of the constitution, and the making of by-laws.

Mr. HULINGS. No; I do not understand that it does any such thing. Section 2 provides that the persons named in section 1, and such other persons as may be selected, presumably by them, shall hold this meeting to make the by-laws and effect an organization, and persons who are duly accredited delegates shall be permitted to participate. It does not make them members of the corporation at all.

Mr. TOWNER. The words—

And such other persons as may be selected—

do not refer to the corporate organization at all.

Mr. HULINGS. Who is going to select them?

Mr. TOWNER. This is merely for the purpose of arranging the meeting. This section 2 is merely for the purpose of effecting an organization. The first section is entirely a section for the purpose of forming the corporation. It names the persons who are to form the corporation. Then it provides properly, in section 2, that the organization under this charter shall be made at a certain meeting, and provides the method by which the delegates to this meeting shall be duly accredited, saying that they must be members of this existing organization.

Mr. HULINGS. Yes; but it does not say that they shall become members of the corporation.

Mr. TOWNER. Why, certainly not; and they ought not to be members of the corporation.

Mr. HULINGS. That is just precisely what I want to have my amendment provide, so that every man who has been in the service, who chooses to do so, may become a member of this corporation.

Mr. TOWNER. Mr. Speaker, the fact is that the organization of a corporation is entirely separate and distinct from the formation of the corporation. The organization is perfected when they meet under the powers that are stated in the corporate act. That ought to be clear, at least to every lawyer. The corporate act is what we are now adopting. The organization of the corporation will come when the persons meet who are authorized to meet and form their constitution and adopt their by-laws. They then, of course, become members of the corporation; but the act itself merely incorporates them by making these gentlemen the incorporators; that is all. The persons who are selected by this meeting as the officers will presumably hold their offices for only a certain specified time, during which time they will be members of the corporation, and then their successors will be members of the corporation. So that all that is necessary is to perfect the machinery for the addition of names to those persons who are named in the act of incorporation, and that ought to be done.

Mr. HULINGS. Will the gentleman yield?

Mr. TOWNER. Yes.

The SPEAKER. The time of the gentleman has expired.

Mr. HULINGS. Was that the gentleman's time or mine?

The SPEAKER. The time of the gentleman from Iowa.

Mr. HULINGS. I ask that the gentleman have two minutes, so that I can ask him a question.

Mr. TOWNER. I ask for an extension of my time, and will then yield to the gentleman.

The SPEAKER. The gentleman from Iowa asks unanimous consent that his time be extended two minutes. Is there objection?

There was no objection.

Mr. HULINGS. I do not know whether the gentleman was in the Hall or not, but the strongest objection to the bill as presented here was to the words—

and such persons as may be chosen.

Mr. TOWNER. Yes.

Mr. HULINGS. I think I understand the process of the incorporation of a corporation; but in order to obviate the objection that the incorporators might hand-pick the delegates, I have suggested in my amendment, besides the striking out of the words that you recommend, that the incorporators "and such delegates as may be selected by the local camps shall be authorized to hold the meeting," and so forth, and perfect the organization. Now, it may be that the same thing could be accomplished by calling that section 2, but I have another amendment for section 2, striking out all of the section and inserting in lieu thereof the words—

All persons who are or who may hereafter become members in good standing of any State or local organization of the unincorporated American Legion shall upon application become members of the corporation.

Mr. GREENE of Vermont. Mr. Speaker, I rise in opposition to the amendment. I have improved this parliamentary subterfuge to give me an opportunity to say something as to the general merits of the proposition before us.

I think the very example we have just witnessed of men expert in the law undertaking to satisfy themselves and this House how the machinery which they propose to set up to operate this American Legion will work is a very good evidence of the undesirability of passing any such law at all. If we were engaged in the serious business of making a charter for the establishment and maintenance of a business proposition, a commercial, industrial, or financial corporation, then, of course, all these refinements of the law, all this safeguarding and the precise texts of statutes, what they mean and how they shall be construed, would be serious matters to be deliberated upon here, and solemn matters to be carried into effect by those to whom the corporation is intrusted. But that supposes that the incorporation is to apply to a business undertaking, with some financial or economic responsibility, to which other people might perhaps intrust their funds or their own obligations and contracts.

The very purpose, however, of this organization which seeks incorporation is nothing of that kind whatever. It is simply a glorious, a noble, sentimental organization. It does not propose to do business. It expressly stipulates that it shall not be organized for any political or material purpose whatsoever. It is an organization to afford a vehicle for the perpetuation and enjoyment of that beautiful sentiment of comradeship and fellowship that has come up among the men who dared and braved death together through this horrible war that this Nation might endure. [Applause.] This sentimental association is an association of fellowship for the perpetuation of the national ideals that these men hope to inspire by their good citizenship. It is in the very nature of its existence an intangible expression of such a lofty sentiment of citizenship and has no need of incorporation, has no need of all these refinements and subtleties of law about which we even now, when we seek to give it expression, do not agree among ourselves.

If there be anything in the world less calculated to stimulate the noble object of these splendid citizens of ours, it is the very idea of tying their idealistic undertaking to the hard and fast terms of a statute law. The very purpose of its existence is fellowship and sentiment; not to do business, not to be held to strict account by ledger books and auditors, nothing that they are going to be responsible for to the citizens of the United States under the stipulations of a charter party; and if we do not now find ourselves able to agree on terms by which they shall organize in the letter of the law, how are they going to live up to it afterwards with any opportunity to enjoy the advantage of that freedom which fellowship only needs in order to perpetuate itself?

I speak this with all deference. While I would not presume to elect myself the spokesman of you gentlemen, yet I have enjoyed your society long enough here to know that I reflect at least a part of your minds in this, that not one of us here wants to put himself on record, much less to wish in his own mind, to do anything to the disadvantage of these brave young men

who have come here for this purpose, and not one of us wants to put himself in the attitude of being anything but grateful, helpful, and encouraging. There is no question about that. But I think we ought not to allow ourselves to be betrayed into the thought that possibly if we scrutinize and criticize this undertaking as it has expressed itself here to us we may be suspected of being hostile to the soldier and his sentiment. No one here is hostile to the soldier or to his sentiment. Every one of us is proud of it. But the question is whether we are consulting in the end not merely the inclination of the soldier himself, as he has hastily presented it here to us, but whether we are consulting his own best interests in the days to come when these young soldiers will be older——

The SPEAKER. The time of the gentleman from Vermont has expired.

Mr. GREENE of Vermont. Mr. Speaker, I ask unanimous consent to proceed for three minutes more.

The SPEAKER. Is there objection?

There was no objection.

Mr. GREENE of Vermont. When these brave young men will be older, when the great majority of them not now seniors will be more mature and experienced in the ways of the world, and perhaps will then have turned to contemplate what you and I in our advantage or disadvantage of age more clearly see—that institutions of that kind which are to perpetuate fellowship, a fellowship that was born on the battle fields where men trusted each other even unto death, do not afterwards need a charter or a contract under seal in order to be perpetuated to the grave. [Applause.]

When they come to understand that they are asking us to set aside an ancient tradition and a splendid rock-bottomed policy of this Government not to lend its charter and seal to undertakings of this character generally, when they come to realize that it puts them in an attitude entirely distinct and more or less opposite in form of operation to the Grand Army of the Republic, to the United Confederate Veterans, to the United Spanish War Veterans, and to other similar institutions that for half a century, and part of them for a quarter of a century nearly, have perpetuated themselves nobly and with most honorable usefulness among their fellow citizens without any of this gear and machinery, I doubt if they will thank us for what some gentlemen seek here to do for them to-day.

When these young men come to realize that they can do all they want to do without this help, and that by and by, perhaps, there will be more things they would like to do but can not do because this help has turned into a limitation, then they will wish they had not been chartered.

The only personally disturbing thought that you and I have of this thing may be, perhaps, based upon envy, a wholesome, healthy, admiring envy that we ourselves are not young and have not their soldier record and are not able to join their institution. But not one of us is hostile to the beautiful sentiment behind it, and it seems to me, as the Nation's lawmakers, that we ought wisely, prudently, and deliberately to consider whether it is, first, consistent with our own theory of lawmaking and national policy; and, second, whether in the long run it is in the interest of these young men themselves. [Applause.]

Mr. GRAHAM of Pennsylvania. Mr. Speaker, the sentiments expressed by the gentleman from Vermont [Mr. GREENE] are certainly such as we can all agree with. I am sure I, for one, join in what he said in reference to having a feeling perhaps of envy, regret, that we were not able, that I was not able, to participate with these men in the splendid work which they accomplished. We give them all the meed of praise which they justly deserve. We smother our regrets and give them our applause as they come marching back to mingle again with the citizenship of their own country. They have formed an organization for the purpose of good fellowship and promoting patriotism. They are cemented together by what they have passed through, and the granting of a charter can not diminish this feeling or abate their ardor or fervor. These men are now asking us to give them a corporate existence; it is their request, and it is presented by them to the Halls of Congress; and we are to respond to that request. Shall we say to these men we know better than you do what you want; we will deny you incorporation, because we think you can get together and accomplish this just as well without it? I say that if they ask for it, it is a mark of honor and respect for this Congress to grant to them not grudgingly but whole-heartedly the whole measure of their request.

Mr. BAER. Will the gentleman yield now?

Mr. GRAHAM of Pennsylvania. I will.

Mr. BAER. Why not give it to them the way they wanted it in the first bill they presented?

Mr. GRAHAM of Pennsylvania. The gentleman's facetious inquiry brings with it a very just answer. This bill puts before the House what after conference and discussion of all the measures they themselves agreed to and now ask for.

Mr. GREENE of Vermont. Will the gentleman yield to a question?

Mr. GRAHAM of Pennsylvania. I will.

Mr. GREENE of Vermont. One of the things these young men fought for was that the Congress, which finally passes upon the advisability of all laws and of all charters, should be preserved; not preserved simply to adopt all propositions submitted to it, but that they should be the final judges. Now, does it follow by the gentleman's logic that men who fought to maintain the Congress shall afterwards have every law passed for which they ask?

Mr. GRAHAM of Pennsylvania. The gentleman professes to ask me a question and instead has made a reply to part of what I have said. No, we are not to grant every law that these men may ask for, but the fact that they may ask for the passage of any law would be a potential factor with me in considering that law and trying to grant it if they wanted it. But when they have asked for something that is not general legislation, but something connected solely with the question of their society organization, I say in heaven's name let us give it to them as they ask for it. Let me now say a word in reference to the amendment. The language which is used here covers the question of the organization, at least in the thought of the committee, fully and perfectly and, as the representative of the American Legion thought, sufficiently. It is as follows——

Mr. BEE. Will the gentleman yield?

Mr. GRAHAM of Pennsylvania. In just a moment.

"And such persons as may be chosen who are members of the American Legion," and so forth, shall in cooperation with the names of those who are mentioned as incorporators as directed in section 2, where they are named as being duly accredited delegates from any local or State organization, shall perfect the society and set it forth upon its course of usefulness and patriotism.

The SPEAKER. The time of the gentleman has expired.

Mr. VOLSTEAD. Mr. Speaker, I move that all debate upon this amendment may now close.

The question was taken, and the motion was agreed to.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. HAYDEN. Mr. Speaker, I have an amendment pending.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. HAYDEN: Page 6, line 17, after the words "to wit," strike out all of the remainder of page 6 down to and including the word "Ohio" in line 12 on page 7, and insert in lieu thereof the following:

Alabama: Bibb Graves.
Arizona: Andrew P. Martin.
Arkansas: J. J. Harrison.
California: Henry G. Mathewson.
Colorado: H. A. Saidy.
Connecticut: Alfred A. Phillips.
District of Columbia: E. Lester Jones.
Georgia: Walter Harris.
Hawaii: Lawrence Judd.
Idaho: E. C. Boom.
Illinois: George G. Seaman.
Indiana: Raymon S. Springer.
Iowa: Mathew A. Tinley.
Kansas: W. A. Phares.
Kentucky: Attilla Cox.
Louisiana: T. Semmes Walmsley.
Maine: A. L. Robinson.
Maryland: James A. Gary.
Massachusetts: John F. L. Herbert.
Michigan: George C. Waldo.
Minnesota: Harrison Fuller.
Mississippi: Alexander Fitzhugh.
Missouri: H. C. Clark.
Montana: Charles E. Pew.
Nebraska: John G. Maher.
Nevada: E. L. Malsbary.
New Jersey: Hobart Brown.
New Mexico: Charles M. De Bremon.
New York: Ogden L. Mills.
North Carolina: C. K. Burgess.
North Dakota: Julius Baker.
Ohio: F. C. Galbraith.
Oklahoma: Ross N. Lillard.
Oregon: E. L. Eivers.
Philippine Islands: Robert R. Landon.
Pennsylvania: George F. Tyler.
Rhode Island: Alexander H. Johnson.
South Carolina: Julius H. Walker.
South Dakota: T. R. Johnson.
Tennessee: Roan Waring.
Texas: Claude B. Birkhead.
Utah: Wesley E. King.
Virginia: Francis Cocke.
Vermont: H. Nelson Jackson.
Washington: Harvey J. Moss.
West Virginia: Jackson Arnold.
Wisconsin: E. F. Ackley.
Wyoming: A. H. Beach.

Mr. HAYDEN. Mr. Speaker, as I explained when discussing this amendment under general debate, I have offered as a substitute for the names listed in the bill those persons who have been selected as chairmen of the American Legion in the different States of the Union, in the Hawaiian Islands, the Philippines, and the District of Columbia—51 in all. We will have a much more representative list of incorporators if we select as the incorporators of this organization men who have been chosen by the returned soldiers without guidance or restraint. By accepting my amendment every State in the Union will be represented, which is not now the case.

Mr. SNYDER. Will the gentleman yield for a question, for information?

Mr. HAYDEN. I will yield to my good friend from New York.

Mr. SNYDER. I want to ask the gentleman, for information, if each of the names he has presented has been a duly elected representative of the American Legion of that State?

Mr. HAYDEN. I obtained the list from the last issue of the American Legion Weekly, published by that organization. It is headed "State officers," and contains a roster of the chairmen who have been elected in the several States.

Mr. SNYDER. Can the gentleman tell me whether the New York State chairman is in that list?

Mr. HAYDEN. Yes, sir; Ogden L. Mills.

Mr. SNYDER. I was unable to hear it when the names were read. The reason I ask that question is that I know in my own State that many councils have not been formed as yet, and I did not understand that they were in all of the States. I wondered how it was possible that a list of representatives from each State, regularly elected, could be printed.

Mr. HAYDEN. What the gentleman from New York says is true as to local organizations in the States. I know that is true in my own State, where posts have not yet been established in all of the towns, but a State organization has been perfected in every State in the Union, as is shown by this published list.

Mr. ALMON. Will the gentleman call the names of those States not represented in the bill as incorporators? Will he give that?

Mr. HAYDEN. I have but five minutes.

Mr. CALDWELL. If the gentleman will permit, I can answer the other question of the gentleman from New York, that the men now mentioned and named in the amendment were actually elected by as many of the men who are qualified to join the American Legion as they were able to get out at the time the election was held.

Mr. HAYDEN. There is no question about that.

Mr. CALDWELL. There was a general public open request for every man who was eligible; that is, who had been a member of the armed forces of the United States and desired to belong, if they were qualified as having been a member of the armed forces of the United States during the war they were accepted in membership.

Mr. SNYDER. Will the gentleman yield again?

Mr. HAYDEN. I yield.

Mr. SNYDER. I would like to say that I have not been in this debate at all, but I believe that your scheme is the right one just the same and ought to be adopted.

Mr. SEARS. Mr. Speaker, I ask for recognition.

Mr. ELLIOTT. I want to be recognized to offer an amendment to this amendment, Mr. Speaker.

The SPEAKER. The Chair will recognize the gentleman from Florida [Mr. SEARS] first.

Mr. SEARS. Mr. Speaker, I sincerely trust the amendment offered by the gentleman from Arizona [Mr. HAYDEN], or some similar amendment, will be adopted. I would not reflect on the great State of Pennsylvania. Her soldiers fought well, and I doubt if the soldiers of any State suffered more severely than did her brave boys. But in after years, Mr. Speaker, 50 years from now, when people read of the action of Congress to-day, should this bill pass, they will find that Pennsylvania has four representatives among the original charter members of the American Legion, while many States have none.

The State that I have the honor to represent has not a single member, and yet beneath the sod of far-away France lie the bodies of many boys from the "land of flowers" and whose families now reside in Florida, and yet we have no representative in this list. The gentleman from Arizona has called attention to the fact that the boys there have named as their representative Mr. Lowry. This gentleman does not reside in my district, but I know him, and he is a clean, fearless, honest young man, and he resides at Tampa, in the first congressional district. I sincerely trust that this House, in fairness and in justice, will not leave Florida and the other States without representation, should the bill finally be enacted into law.

Mr. ELLIOTT. Mr. Speaker, I move to amend the amendment of the gentleman from Arizona [Mr. HAYDEN] by adding to the list the names of Bennett C. Clark, of Missouri, and Theodore Roosevelt, jr., of New York. [Applause.]

Now, gentlemen, I do that for this reason——

Mr. REED of West Virginia. At large?

Mr. ELLIOTT. There are no members at large; but I offer their names as members of this corporation. I do that for this reason: Both of these young men served with distinction and honor in France. After they served their country they came back and were the originators of this movement to incorporate this great organization. I believe their names should be included in the corporation for that reason, if for no other. With that addition to the amendment of the gentleman from Arizona [Mr. HAYDEN], I think the amendment is all right.

The representative in my State is Raymond S. Springer, who is a young man 35 years old, judge of the circuit court. He went into a training camp and came out at the head of a class of 300 with the rank of captain. He had the highest rank of any man of that class. I presume if you will look through this list of men who have been selected as incorporators from the various States, you will find that every one of them is a representative citizen and soldier of the State which he represents. If you adopt this amendment in the form I have suggested, you will get a representative class incorporating this great movement and it will add a great impetus to the progress of the institution.

Mr. HAYDEN. If the gentleman will yield to me, I will state that I will be glad to accept his amendment.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Indiana [Mr. ELLIOTT].

The Clerk read as follows:

Amendment offered by Mr. ELLIOTT to the amendment of Mr. HAYDEN: Add the names of Bennett C. Clark, of Missouri, and Theodore Roosevelt, jr., of New York.

Mr. MORGAN. Mr. Speaker, as I understand the amendment offered by the gentleman from Arizona [Mr. HAYDEN], it proposes to strike out all the names mentioned in the bill as incorporators and insert a new list, composed of the chairmen of the State organizations of the American Legion. Now, it seems to me that would be very unwise. I would have no objection personally to adding to these names a list of the State chairmen; but for us to strike out these names that come to us indorsed by this organization would be, in my opinion, a reflection upon the organization that has recommended these men and authorized them to incorporate the society.

The organization began in France. It held a national meeting afterwards at St. Louis. Those meetings were representative in character. They were largely attended. A temporary organization was perfected. A resolution was passed asking for a national charter from Congress. Certain men were instructed to secure this incorporation. It follows that when we strike out the names of these men we reflect upon the entire organization and everything that has been done. Furthermore, we indicate a lack of confidence in these men. Such actions would be not only a reflection upon the organization but a reflection upon the name of every man we strike from this list; and I hope that the Members of this House will not take action here that will be a reflection both upon the men and upon the organization. Every one of them has served his country with great distinction and honor, and I protest against this proposed reflection upon them. I do not believe this House will do that kind of a thing. If you do anything, add the other names to this list.

Mr. LITTLE. Is that the gentleman's motion?

Mr. MORGAN. I have not made any motion.

Mr. ALMON. Mr. Speaker, I want to call the attention of the House to the fact that in the list of incorporators named in the bill as reported by the committee are about 34 persons from about 17 States, some of the States having as many as 3. And I want to further call the attention of the House to the names of the States which have no representation in the bill. They are Arizona, Arkansas, California, the District of Columbia, Florida, Georgia, Indiana, Kansas, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, Mississippi, Nebraska, New Hampshire, New Jersey, North Dakota, South Carolina, South Dakota, Utah, Virginia, Vermont, West Virginia, Wisconsin, and Wyoming.

Now, in answer to the argument made by the gentleman from Oklahoma [Mr. MORGAN], that it would be a distinct reflection on the gentlemen whose names are enumerated here to have them stricken out, I do not agree with him. Those gentlemen, I take it for granted, are patriotic, brave soldiers of the World War, and they will fully appreciate and recognize the motives that prompted Congress to adopt this amendment, if it shall

be adopted. I believe it will be in the interest of this organization, I believe it will tend to strengthen the usefulness and purposes of this organization, if we are going to have incorporators, to put in one from each of the States, those who have been selected by the soldiers of the respective States. If Congress is going to grant a charter, I think the amendment should be adopted which was offered by the gentleman from Indiana [Mr. ELLIOTT], adding the names of the two gallant young Americans who not only served so bravely during the war but who have taken so much interest in the organization of American Legion, namely, Col. Theodore Roosevelt, jr., and Col. Bennett C. Clark. [Applause.]

Mr. GALLAGHER. Mr. Speaker, will the gentleman yield?

Mr. ALMON. Yes.

Mr. GALLAGHER. Does not the gentleman think it would be fair to add all those names that are suggested by the organization?

Mr. ALMON. I believe it would be best to give all the States representation, so that no one will have any cause to criticize Congress, so that there will be no partiality shown to any section of the country or any of the States. I believe that each of the States should be represented on the board of incorporators, if any incorporators are to be named. I believe it will give more general satisfaction.

Mr. MADDEN. Does the gentleman think it would be entirely proper to have the same representation from a State furnishing 2,000 men as from a State that furnished 600,000 men?

Mr. ALMON. Well, Delaware, Arizona, New Mexico, and some other States each have one Congressman and two Senators, and we can not regulate that. I do not think it is proper for some States to have 3 and about 25 States have no representative.

Mr. MADDEN. You can regulate it in the Army.

Mr. ALMON. I have no objection to allowing the names in the bill to remain and adding the State chairmen, as provided in the amendment of the gentleman from Arizona [Mr. HAYDEN], but it seems to me that if you are going to incorporate, this is the best solution, so far as the personnel of the incorporators is concerned.

Mr. MADDEN. If it had not been for the big States we would not have won the war.

Mr. ALMON. And it is equally true if it had not been for the little States we would not have won the war.

Mr. KNUTSON. It took the little ones to encourage the big ones. [Laughter.]

Mr. ALMON. The soldiers from the little States were just as brave and rendered just as effective service as those from the big States, and are entitled to as much honor and credit, and no more.

Mr. VOLSTEAD. Mr. Speaker, it has been urged against this section that all of the States are not represented in this list of incorporators. Nearly all the States were represented at the meeting held at St. Louis. That meeting selected 100 men to represent them. They selected the incorporators. It seems to me we ought not to disregard their selection.

I can readily imagine that in case you selected all the people now suggested many of them may not have the leisure to give to this subject, and they might not be able to meet at Minneapolis when it comes time for perfecting this organization. It seems to me it would be better to carry out the wishes of this organization of 100. In reporting this bill we have acted at their suggestion, at their request. Certainly if there is to be a change in this list of names, it ought not to be by striking out the ones that have been selected. If there is to be a change, it ought to be by adding the new names and not by striking out the names of the men the organization wants.

Mr. HAYDEN. Mr. Speaker, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. HAYDEN. Is it the gentleman's suggestion that instead of striking out the names in the bill and moving to substitute others instead of them, that we should add to the names now in the bill the names of the State chairmen?

Mr. VOLSTEAD. I do not believe we should do either. I believe we ought to leave it to these men to organize their own association.

Mr. REED of West Virginia. The smallest State in the Union, Delaware, has one delegate. Several of the largest States have more than one. Why should we not all have representatives?

Mr. VOLSTEAD. There is no reason why a State should necessarily have any representation among the incorporators. This is not the permanent organization, but only the agency by which the men seek to perfect an organization.

Mr. LEHLBACH rose.

Mr. REED of West Virginia. Does my colleague recognize the fact that this is a national organization, national in its scope?

Mr. VOLSTEAD. Yes.

Mr. REED of West Virginia. Then let it name every unit in it.

Mr. VOLSTEAD. You can not have a president or a secretary from every State. You can not have officers from every State. The organization had to select some one or a few to represent them. They have selected these men, and it seems to me as no one is complaining because he is not represented we might as well comply with their wishes in this matter.

Mr. Speaker, I move that the debate on this amendment be now closed.

The SPEAKER. The gentleman from Minnesota moves that the debate on this amendment be now closed. The question is on agreeing to that motion.

The question was taken, and the motion was rejected.

Mr. CARAWAY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CARAWAY. I want to propound a parliamentary inquiry to the Speaker. Is this amendment now pending a substitute for the section?

The SPEAKER. The Chair understood it was a substitute for the names.

Mr. CARAWAY. Then it is merely an amendment to the section?

The SPEAKER. Yes.

Mr. CARAWAY. Very well.

Mr. HAYDEN. Mr. Speaker, I would like to ask unanimous consent to modify my amendment to this effect, that instead of striking out the names that now appear in the bill the names I have submitted in this list of State chairmen be added to the list in the bill. [Applause.]

The SPEAKER. The Chair will state the request. The gentleman from Arizona asks unanimous consent to modify his amendment so that instead of striking out the names now in the bill they be left there and his list be added thereto. Is there objection to that request?

Mr. HASTINGS. Mr. Speaker, I want to make the suggestion to the gentleman that that would put in the names of some of them twice.

The SPEAKER. Is there objection?

Mr. CAMPBELL of Pennsylvania. Reserving the right to object, Mr. Speaker, will the gentleman accept an amendment that those States that are not represented now be represented by names supplied from his list?

The SPEAKER. Is there objection to the request?

Mr. ELLIOTT. Mr. Speaker, I have offered an amendment that I suppose will have to be withdrawn.

The SPEAKER. The Chair thinks it will still be pending.

Mr. ELLIOTT. There is nothing for it to be appended to, and I withdraw it.

The SPEAKER. Is there objection to the request?

There was no objection.

Mr. CAMPBELL of Pennsylvania. I offer an amendment.

The SPEAKER. There is an amendment pending.

Mr. ELLIOTT. I desire to withdraw my amendment, so that the gentleman from Arizona [Mr. HAYDEN] can offer his substitute.

The SPEAKER. The gentleman from Indiana asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

Mr. HAYDEN. I should like to perfect my amendment further in this, that the name of Ogden Mills, of New York, appears in the bill and also appears in my list as the New York chairman. I should like to have the name of Ogden Mills stricken from my list.

Mr. GALLAGHER. Or wherever there is a duplicate name.

Mr. CLARK of Missouri. Or wherever there is a duplicate name.

The SPEAKER. The request is that wherever there is a duplicate name it be stricken out. Is there objection?

There was no objection.

The SPEAKER. The question is on the amendment offered by the gentleman from Arizona [Mr. HAYDEN].

The amendment was agreed to.

Mr. GARD. Mr. Speaker, there is pending an amendment to section 1, which I think should be adopted for the purpose of perfecting the text. I will ask the Clerk to read it.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 7, line 16, after the word "Legion," strike out the comma and insert the words "and their successors."

Mr. GARD. I ask that that be inserted, because it seems to me that in the framing of legislation authorizing a corporation these words ought to be used.

The SPEAKER. The question is on the amendment of the gentleman from Ohio [Mr. GARD].

The amendment was agreed to.

The Clerk read as follows:

SEC. 2. That said persons named in section 1 and such other persons as may be selected are hereby authorized to meet to complete the organization of said corporation by the selection of officers, the adoption of a constitution and by-laws, and by the doing of all other things necessary to carry into effect the provisions of this act, at which meeting any person duly accredited as a delegate from any local or State organization of the existing unincorporated organization known as the "American Legion" shall be permitted to participate in the proceedings thereof.

Mr. GARD. Mr. Speaker, I ask that the Clerk now report the amendment I have offered to page 7, line 20.

The SPEAKER. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 7, line 20, after the word "selected," insert the words "from among the membership of the American Legion, an unincorporated society of the soldiers, sailors, and marines of the Great War, 1917–18.

The SPEAKER. The question is on the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

Mr. DRANE. Mr. Speaker, in the Great World War, to which every State sent her gallant sons, there was no State which sent a more valiant band than the southernmost of the sisterhood—Florida.

No body of men ever responded more cheerfully and none conducted themselves more gallantly.

Many of these men now sleep in the soil of France, of Belgium, of Italy. Many others gave up their lives to the ravages of disease before they reached the battle front, and many others are asleep in the deep.

Hundreds of the sons of Florida bear the honorable scars of battle—decorations more honorable than any decoration conferred by government, prince, or potentate. Among those who fought a good fight and by the providence of God was privileged to return to the home of his fathers, with no mark of the conflict upon him except the mark of duty well performed, is Sumter L. Lowry, jr., of Tampa, Fla., a captain in the Second Florida Regiment, National Guard, who saw service on the Mexican border in 1916, and who led his company again to the service of his country in the great World War and to the battle fields of France. It affords me unusual pleasure to propose his name as one of the incorporators of the American Legion, knowing, as I do, that this will meet the approbation of his comrades in arms, who have officially indorsed him, as well as his fellow citizens in civil life. He was a brave soldier; he is a splendid citizen, a gallant gentleman.

Mr. GARD. Mr. Speaker, there is another amendment at the Clerk's desk, designed to perfect the English of section 2.

The SPEAKER. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 7, line 23, after the word "and," strike out "by the doing of" and insert in lieu thereof the words "to do."

The amendment was agreed to.

The Clerk read as follows:

SEC. 5. That no person shall be a member of this corporation unless he served in the naval or military service of the United States at some time during the period between April 6, 1917, and November 11, 1918, both dates inclusive, or served in the military or naval services of any of the governments associated with the United States during the Great War, who were citizens of the United States at the time of enlistment.

Mr. GARD. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 9, line 7, after the word "and," strike out "November 11, 1918," and insert in lieu thereof the following: "The date of the conclusion of the Great War, to be evidenced by the proclamation of the President of the United States."

Mr. GARD. Mr. Speaker, the existing language in section 5 limits the opportunity of membership in this organization to those who were in the service between the date when the United States entered the so-called Great War and November 11, 1918, the date of the signing of the armistice. I think we should extend that to include especially those who have been sent overseas in the capacity of physicians or nurses to help those of the American Army who theretofore had gone to France and the countries overseas. Under the limitations of the present language of the bill nobody could become a member of this organization unless he served within the limits of time between April 6, 1917, and November 11, 1918. Many men and many women have gone abroad since November 11, 1918, and are ministering in the highest and best sense of the word to the success of American arms and civilization throughout the world by helping the boys who have been there for a year or more. I think that a man or a woman who has gone abroad since November 11, 1918, as a physician, as a hospital attendant, or as a nurse in the service of the United States, duly enlisted, and given honorable mention and award in the service of the United States, should be eligible to admission into this patriotic organization, and that to refuse them is drawing the limit in too narrow a degree. Therefore I have asked that the words "November 11, 1918," be stricken out and in their stead be placed "the date when the war shall have been concluded, to be evidenced by the proclamation of the President of the United States." I trust the amendment will be adopted.

Mr. LEHLBACH. Will the gentleman yield for a question?

Mr. GARD. Yes.

Mr. LEHLBACH. Would not that let in anybody who has enlisted in the Army or Navy since the signing of the armistice?

Mr. GARD. Yes; it would, and properly so.

Mr. HAYDEN. What risk of any bodily injury, or what wartime risk, has anyone run who entered the service since November 11? Were there any submarines in the ocean?

Mr. GARD. There are hundreds of men who sat at desks within the safe precincts of the city of Washington during the whole war, or who sat amid social surroundings in the city of Paris, who did not run half as much risk as a little nurse who went from the United States on the 1st of December, 1918, and gave her life in order that the lives of others in fever-infected hospitals might be saved.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. GARD) there were—ayes 51, noes 34.

So the amendment was agreed to.

Mr. SIEGEL. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment by Mr. SIEGEL: Page 9, line 10, after the word "war" strike out the comma, insert a period, and strike out the balance of the paragraph.

Mr. SIEGEL. Mr. Speaker, the reasons which have led me to offer the amendment just read is that if the language in section 5 remains as it is now there will be some doubt as to whether the two hundred and some odd thousand aliens who entered the Army, and who were naturalized under the act of Congress, could become members of this legion, because we use in the section the following language, "who were citizens of the United States at the time of enlistment."

I think it is only fair to those two hundred and odd thousand men, who were made citizens under the act of Congress, that they should be permitted to become a part of this legion.

Mr. BAER. Is it not true that many of these men enlisted who were not citizens had already made application for their citizenship papers?

Mr. SIEGEL. There is no doubt about that.

Mr. BAER. And is it not a fact that after they became citizens, even though they were not citizens when they enlisted, they should have a right to joint the organization?

Mr. SIEGEL. There can be no dispute about that. We passed an act of Congress permitting them to become citizens and encouraged them to serve our country.

Mr. LAGUARDIA. And the gentleman is also aware of the fact that one of the purposes of this great organization is that of Americanization, and we want to take these boys who were drafted and who fought in our Army, but who were not citizens, and make them loyal American citizens. It is not the purpose of the American Legion to limit it to citizenship, and I urge the acceptance of the amendment of the gentleman from New York.

Mr. SIEGEL. My colleague expresses the facts as they are.

Mr. BEE. Mr. Speaker, will the gentleman yield?

Mr. SIEGEL. Yes.

Mr. BEE. Is it not the object of this section to provide that the language "who were citizens of the United States at the time of enlistment" is applicable to those who served in armies of Governments associated with the United States?

Mr. SIEGEL. In view of the fact that the sentence applies to the whole section, I think it includes the others as well.

Mr. BEE. If it does, then I think the gentleman's amendment ought to be accepted.

Mr. BAER. If we substitute "residents" for "citizens" would that not fix it?

Mr. SIEGEL. No; some men were in other armies. Take the Czecho-Slovaks, for instance. At the special request of our Government they were sent to Siberia and other places.

Mr. TAYLOR of Colorado. Would not this amendment answer the purpose: In line 10, after the word "were," add the words "or have since become" and strike out the last words, "at the time of enlistment"?

Mr. SIEGEL. The reason why I think that would not reach the point is that the Naturalization Bureau is behind at the present time in getting out final papers for thousands of these men who are becoming citizens. There are many men who have not secured their final papers from the Bureau of Naturalization on account of lack of adequate force.

Mr. EMERSON. Several thousand Americans served in the Canadian Army, and they would come in under this language.

Mr. SIEGEL. There is no doubt about that. We passed two acts here—one to give back their citizenship to those who had gone abroad and fought, and we passed a second act providing that the alien who entered the Army should be made a citizen by virtue of his service.

Mr. BEE. I would suggest to the gentleman that if he will read carefully in section 5 he will find that it carries the suggestion that any person who served in the military or naval service of the United States between April, 1917, and November, 1918, or the proclamation of peace as amended, is eligible to membership, regardless of citizenship, but that the words "who were citizens of the United States at the time of enlistment" applies to those who fought in the associated armies.

Mr. SIEGEL. I want to say to the gentleman that if that is the proper interpretation, then my amendment can do no harm, and if it is not, then we should not be engaged here in incorporating an organization which would apparently be giving certain men who fought in the war greater rights than the others.

Mr. BEE. I think the gentleman is confusing it.

Mr. SIEGEL. No. I am not. My idea is that every man who fought in this war who became a citizen should be permitted to enter this legion.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. SIEGEL. Yes.

Mr. GRAHAM of Pennsylvania. The gentleman's motion, as I understand it, is to strike out, in line 10, after the word "war," the words "who were citizens of the United States at the time of enlistment." If that is stricken out and nothing else put in, then you are going to make every person who served in the army of any nation associated with the United States eligible to membership in this order. I am in sympathy with the gentleman's idea, and would suggest this, if he will adopt it: In line 8, after the word "or," insert the words "who being citizens of the United States at the time of enlistment," so that it would read "or, who being citizens of the United States at the time of enlistment, served in the military or naval services of any of the governments associated with the United States during the Great War."

Mr. SIEGEL. I accept that.

Mr. GRAHAM of Pennsylvania. And strike out the words in lines 10 and 11 that the gentleman has already moved to strike out.

Mr. SIEGEL. I ask unanimous consent to modify my amendment in that respect.

The SPEAKER. The gentleman from New York asks unanimous consent to modify his amendment by substituting the words which the Clerk will report.

The Clerk read as follows:

Page 9, line 8, after the first word "or," insert the words "who, being citizens of the United States at the time of enlistment."

Mr. GRAHAM of Pennsylvania. I would suggest that the gentleman wants to make a motion to strike out all after the word "War," in lines 10 and 11, because you are simply taking those words and putting them after the word "or" in the eighth line. That makes it perfectly clear. You transpose that sentence up into line 8.

The SPEAKER. Is there objection to the gentleman's request? [After a pause.] The Chair hears none.

Mr. SIEGEL. I would ask the Clerk to report section 5 as it would read with the amendment in.

The Clerk read as follows:

That no person shall be a member of this incorporation unless he served in the naval or military service of the United States at some time during the period between April 6, 1917, and November 11, 1918, both dates inclusive, or who, being a citizen of the United States at the time of enlistment, served in the military or naval services of any of the Governments associated with the United States during the Great War."

Mr. SIEGEL. Mr. Speaker, the comma in line 7 ought to be made a semicolon. That would carry out our intention.

The SPEAKER. The gentleman asks unanimous consent that the comma be changed to a semicolon.

Mr. TREADWAY. Mr. Speaker, the Clerk in reading the revised amendment did not include the Gard amendment. Was not the amendment offered by the gentleman from Ohio adopted? That should have been read instead of the date as read by the Clerk.

The SPEAKER. That has been adopted. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I move to strike out the comma after the word "War" and insert a period.

Mr. SIEGEL. That is included in my amendment.

The SPEAKER. The gentleman asks unanimous consent to change the comma after the word "War" to a period. Is there objection? [After a pause.] The Chair hears none.

Mr. EMERSON. Mr. Speaker, I move, on page 9, line 5, to strike out the word "he" and insert "such person."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. EMERSON: On page 9, line 5, strike out the word "he" and insert in lieu thereof the words "such person."

Mr. EMERSON. Mr. Speaker, I think from what my colleague from Ohio [Mr. GARD] said this is to be an organization in which the women and men both join, and if that be true the word "he" should be stricken out and the words "such person" placed in.

Mr. LAGUARDIA. Does it not imply women?

Mr. GARD. I think it is intended that those who were women who had seen service by enlistment in the Army or Navy should be entitled to membership in this organization, and I think it is the intention of the organization that they should be accorded membership. I believe the word "he" as used here includes the feminine expression.

Mr. EMERSON. I agree that the women ought to be permitted to join. There is no constructive section and oftentimes in the law——

Mr. GARD. I think there is no doubt of that.

Mr. EMERSON. I know; but there is no part of this law that provides that the word "he" shall mean "she."

Mr. LAGUARDIA. They are in the organization now.

Mr. EMERSON. Why should——

Mr. LAGUARDIA. Because the masculine embraces the feminine.

The SPEAKER. The question is on the amendment offered by the gentleman from Ohio.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 6. That the organization shall be nonpolitical and, as an organization, shall not promote the candidacy of any person seeking public office.

Mr. BAER. Mr. Speaker, I move to strike out the last word in order to ask the chairman of the committee a question. If one man were running for office and he defeated another man and it was brought out after election that this organization supported the man who was elected, might this man who was defeated bring suit against this organization because they were compelled to stay out of politics? [Laughter.]

Mr. VOLSTEAD. No; there will be no danger of that.

The Clerk read as follows:

SEC. 7. That said corporation may acquire any or all the assets of the existing unincorporated national organization known as the "American Legion" upon discharging or satisfactorily providing for the payment and discharge of all its liabilities.

Mr. BROOKS of Pennsylvania. Mr. Speaker, I would like to suggest an amendment to the amendment which was offered by the gentleman from New York [Mr. SIEGEL]. Every man who served in the Army or the Navy of the United States should be entitled to membership in this organization. Many good men served in the Army or Navy of the United States who were not citizens of this country who have become citizens since, possibly, or will become citizens of the United States, and it seems to me that those men are also entitled to membership in this organization, and the bill should plainly state it.

Mr. LAGUARDIA. They are entitled under the law. This only refers to Americans who served in other armies, boys who served in the English and French Army, like the Lafayette Escadrille.

Mr. BROOKS of Pennsylvania. Yes; but it states here men who are citizens of the United States——

Mr. LAGUARDIA. In other armies. Everybody in our own Army.

The Clerk read as follows:

SEC. 8. That said corporation and its State and local subdivisions shall have the sole and exclusive right to have and to use in carrying out its purposes the name the "American Legion": *Provided*, That nothing in this act shall interfere or conflict with established or vested rights.

Mr. GARD. Mr. Speaker, I ask the Clerk to report the amendment which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 9, line 23, after the word "Legion," strike out the balance of the section.

Mr. GARD. Mr. Speaker, it seems to me that the words "*Provided*, That nothing in this act shall interfere or conflict with established or vested rights" are meaningless. There are no established or vested rights.

Mr. VOLSTEAD. There is no objection.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 9. That the said corporation shall, on or before the 1st day of January in each year, make and transmit to the Congress a report of its proceedings for the preceding calendar year, including a full and complete report of its receipts and expenditures: *Provided, however*, That said report shall not be printed as public documents.

Mr. LAGUARDIA. Mr. Speaker, I move to strike out everything on line 5 after the word "expenditures," and all of line 6.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 10, line 5, after the word "expenditures," strike out the remainder of the section.

Mr. BEE. Will the gentleman from New York yield?

Mr. LAGUARDIA. Certainly.

Mr. BEE. In the first place, what is the necessity for section 9 at all? These gentlemen are patriots and have their own organization. Why should Congress want them to make a report to Congress as to what they have been doing with their own money and their own affairs; and, in the next place, if they do make that report to Congress, why should we make them public documents that will be frankable through the mails? What is the purpose?

Mr. LAGUARDIA. I will answer the gentleman frankly.

Mr. BEE. It occurs to me, if the gentleman will permit me, that section 9 ought to go out altogether and let this patriotic organization conduct its own business and not be running to Congress and telling Congress what it has done.

Mr. LAGUARDIA. I do not know what the purpose of this section 9 is. I had nothing to do with the drawing of the bill. But if Congress desires an annual report, I think Congress should have it. And I am frank to say that I am trying to get for this organization the privilege of franking such report. I state it frankly.

Mr. BEE. Mr. Speaker, I move to strike out section 9.

The SPEAKER. The amendment to perfect the paragraph must be acted upon first.

Mr. VOLSTEAD. Mr. Speaker, I move that all debate on this section be now closed.

The SPEAKER. The gentleman from Minnesota moves that all debate on this section be now closed.

Mr. GARD. Mr. Speaker, I desire to speak for three minutes in support of the amendment of the gentleman from New York [Mr. LAGUARDIA] and in opposition to the amendment of the gentleman from Texas [Mr. BEE].

Mr. BEE. Do I understand that the gentleman from Minnesota in charge of the bill moves to close all debate on section 9 and have no debate whatever on section 9, under the gentleman's will?

Mr. GARD. The gentleman from New York [Mr. LAGUARDIA] moved to strike out the proviso.

Mr. VOLSTEAD. Mr. Speaker, I move that all debate on this section close in 10 minutes.

The SPEAKER. The gentleman from Minnesota moves that all debate on this section close in 10 minutes. The question is on agreeing to that motion.

The question was taken, and the motion was rejected.

Mr. GARD. Mr. Speaker, I rise to speak in favor of the amendment offered by the gentleman from New York [Mr. LAGUARDIA] and in opposition to the amendment offered by the gentleman from Texas [Mr. BEE].

Section 9 provides for the transmission to Congress of a report of the proceedings and expenses of this organization for the year. When the proponents of this organization were before the Committee on the Judiciary, they said they, of course, supposed they were to file a report, and they wanted to file a report. They did not care to file a report with the Secretary of War, because they assumed that was rather an indirect method of getting the report to Congress; but when the suggestion was made that they file a report directly with Congress, they accepted that suggestion, and they not alone were willing to file a report with Congress but they wanted Congress to be advised yearly of what they were doing.

Now, it seems to me that when the Congress of the United States goes so far afield, as it is going afield, as to grant a Federal incorporation—because it is an unusual grant—then the Congress of the United States should at least exercise supervision over the organization to the extent that the report should be made to it, and the report should come every year.

Only a few weeks ago we granted a charter of incorporation to the Society of the Near East, an assemblage of men who are spending in charity in the Near East sums of money secured entirely by voluntary contributions. Not a cent of the money of the United States Government is used in the charitable work of the Society of the Near East. It will do a wonderful work among those stricken people. And yet we required them, as we do in section 8 of this bill, to transmit to the Congress each year a report of their proceedings for the year ending December 31 preceding, including in such report the names and residences of the officers and a full and itemized account of all receipts and expenditures. It is the proper thing for Congress to do when it invests any corporation with the sanctity of the approval of the whole United States of America, and I think it should be retained in this bill; and the people who want the bill as an entirety want to make the report for their own protection, and you can not successfully curry favor with or have the approval of the gentlemen who are back of this bill by striking out the proviso about requiring the report, because they themselves want to make the report.

Now, as to the amendment of the gentleman from New York [Mr. LAGUARDIA], this language about providing that it shall not be used as a public document was put in because it was thought that the documents might be franked too indiscriminately and promiscuously, to the impediment of the office of the Public Printer. I do not share in that view. I think if this document comes in, in the interest of all those concerned it is but fair to say that this report might go out under the honored frank of the Representatives in the Congress of the United States and the Senators of the United States to their constituents or those who might be interested.

Mr. CALDWELL. Mr. Speaker, I listened with interest to the remarks of the gentleman from Texas [Mr. CONNALLY], a man who knows no fear in danger's dark and storm. Much that he said is of great weight, but the idea of this incorporation is to solidify all of the various branches of the American armed force. If we do not do this there will spring up all over the country organizations of volunteers who served overseas, organizations of National Guardsmen who served overseas, organizations of the Regular Army who served overseas, organizations of marines who served overseas, and organizations of marines who went to Russia, and organizations of each of these who stayed in the United States; and the result will be that instead of solidifying sentiment among that great body of men, that instead of having every man who wore the uniform of his country at the time of its greatest peril standing before the world and saying, "This man was my buddy and was ready to die with me," we will have a division of sentiment and we will tear down that great thing that has come to us, because all American men, women, and children went to battle for the liberty of the world and by their valor and by their united efforts they won this victory which is so great that even the angels in heaven sing their praises, and I would not under any circumstances deny these men this great opportunity to coordinate and cooperate on an equal footing. [Applause.]

The SPEAKER. The time of the gentleman from New York has expired.

Mr. BEE and Mr. SANDERS of Louisiana rose.

Mr. BEE. Mr. Speaker, I have an amendment which I wish to offer, to strike out section 9, but I understood the Speaker to say it was not in order at this time.

The SPEAKER. It is not now in order.

Mr. BEE. Then I assume I will be permitted to offer it later?

The SPEAKER. The Chair makes no promises.

Mr. SANDERS of Louisiana. Mr. Speaker, I intend to vote against this bill, no matter how it may be amended. I think we are undertaking in this bill to organize the veterans of the Great War. I am rather inclined to believe that the veterans can take care of themselves and organize themselves as they see fit and proper.

I do not take the same gloomy view of the situation as was taken by the gentleman from New York [Mr. CALDWELL] who has just preceded me. I learn from history, sir, that after the great Civil War there sprang up, North and South, a great number of organizations of men who had worn the blue and men who

had worn the gray, and after several years had passed these various organizations, North and South, met in their own way, and out of their deliberations grew the Grand Army of the Republic of the North, representing those who had fought on the northern side, and the United Confederate Veterans, representing those who had fought under the flag of the Confederacy. Mr. Speaker, it appears to me that we have absolutely no right, not in a legal way, but we have no moral right, to undertake to say how the veterans of the World War are to organize themselves. There is not a single power conferred in this bill upon the gentlemen named that they have not already at hand. They can meet in Indianapolis, New Orleans, Minneapolis, or anywhere they want to, and they can organize an American Legion and they can ask every man who fought to join it if he sees fit, and other gentlemen can meet at other places to organize other societies and associations, and in the final analysis you will never force by congressional action 4,000,000 men to go into this organization unless they want to go. This is a legislative attempt to force the men who wore the uniform of their country to go into one organization by giving it the stamp of approval of the American Congress. Let the men in the various counties organize their posts, let the men in the States organize, and after a while we will have a great national organization that has grown up from the heartbeat and the sentiment surrounding the men who fought in this war. It will be a spontaneous organization and will not look as if it had been forced upon them. I have talked to men who have fought across the seas, men who do not believe in being thus organized, men who will resent such action by Congress. We can not force the men who stopped the Germans to join any society or association unless they wish so to do.

Mr. GOODYKOONTZ. Mr. Speaker, the measure before the House was not inspired by Members of Congress, but was and is the bill of the soldiers themselves. This bill is the voluntary production of the soldiers of the Great War. The soldiers held their initial meeting in Paris, and then when they had come home they held at St. Louis a great convention, constituted of delegates and representatives from every section of the country, from the North and the South, the eastern country and the western country. They assembled there and after a memorable meeting, that all of you must have heard of through the public press, they resolved themselves into an organization with a specific name and purpose. They appointed men whose business it was to go before a committee of the House of Representatives and present their claims.

They have asked us for a charter. They have requested that they be created into a body corporate, in order that there might be the responsibility and in order that there might be the prestige and the dignity given by a charter issued by act of the Federal Congress to men who have rendered conspicuous and distinguished service in the greatest war of all time. These soldiers came before our committee as volunteers. Their organization had prepared the measure and they themselves advocated it, and the Committee on the Judiciary heard them patiently day after day and after conference revised their bill, and then these soldiers in every particular approved the form in which the measure was ultimately cast by the committee. So that the measure now before you is the bill of the war veterans who ask to be organized into an incorporation under grant of the Congress of the United States; and any man who opposes that measure is opposing a bill that the soldiers themselves have dictated and which they ask to be crystallized into law.

Mr. LEHLBACH. Mr. Speaker, will the gentleman yield?

Mr. GOODYKOONTZ. Yes.

Mr. LEHLBACH. Is it the wish of the veterans that there be included in their membership the men who are now being recruited into the Army and the Navy, as provided for by the Gard amendment?

Mr. GOODYKOONTZ. No. The bill was only intended to cover the cases of men of all classes—regardless of race—from every section and of every branch of the Army, who rendered patriotic service to this Government during the Great War. It was intended only to include the men who rendered service in the war just concluded. There is no reason why those who may engage in future wars shall not effect a similar organization and be incorporated by Federal enactments under some other name, but this corporation is supposed to cover and to include only the men who rendered a service to our Government in this World War through which we have just passed. In the selection of the charter members of this corporation, as designated in section 1—and I presume as amended—they took men from every branch of the service, without distinction as to rank—officer and private alike—so that this organization will be a popular body—a group of men who will act as charter members to supervise and superintend the initial meeting, the first meeting of the stockholders, when all may attend and be heard, when all shall participate and have a voice and a vote in the proceedings, to the end that they may erect one great organization of which all of the units of the combined forces will be members.

For these brave and valiant soldiers I have the profoundest respect and admiration. I wish them Godspeed and good luck. I say "all hail" to the American veterans of the great World War. There is nothing too good for them.

Mr. BEE. Mr. Speaker, I want to present in a few moments my reasons for offering to strike out section 9 of the bill. I am not going to debate the bill itself. The authority of Congress to grant a charter of this kind is at least in serious doubt, but I am not going into that question. It is provided in section 6 that this organization shall be nonpolitical and shall not promote the candidacy of anyone seeking public office. The Sons of the Revolution, the Sons of the War of 1812, the Sons of the Mexican War, the Grand Army of the Republic, the Spanish War Veterans have never had corporate powers granted to them. Section 9 for the first time in the history of this country contemplates that a purely patriotic organization, composed of gallant men who put their lives in the balance that this Government and civilization might live, shall be required, in order for them to secure a concession from Congress, to report to Congress what they have done with the money that they have collected, from whom they have collected it, and how they have distributed it. The gentleman from Ohio [Mr. GARD], in opposition to this amendment, suggests that a man need not think that he is currying favor with these soldiers by trying to move to strike out section 9. I want to say that any man in this House who votes for or against this bill or any section thereof in order to court the favor of any man in this country is unfit to be a Member of the American Congress. Are you going to incorporate a nonpolitical patriotic organization and require them to report to Congress the money that they have collected and what they have done with it, and under the amendment of the gentleman from New York make that report frankable in order that it may be sent throughout the country by Members of Congress? Shall Members of Congress then be able to obtain from the Public Printer bound volumes of reports of this patriotic organization and send them broadcast to admiring constituents, who will see the name of the Member written in the upper right-hand corner and be impressed with the solicitude that that particular Congressman has for them?

The gentleman from Mississippi, who has been the father of garden seed, had best retire hereafter and let the gentleman from New York take his place, because there will be sent out millions of documents under a frank.

But, aside from that, I think this organization is what it is proposed to be—a nonpolitical patriotic organization of the splendid men and women who constituted the armed forces of the United States. Why should Congress require this organization year after year to file a report to this Congress of the money that they have collected, of their proceedings, who made speeches, who did not, and what they have done with the money and from whom they got it? I submit that not only should it not be frankable, but that there is no place in this bill for such a provision. This bill is going to pass, and I expect ought to pass in spite of the doubt as to the right of Congress to grant this charter. There is no reason why you should make Congress the receptacle of the proceedings of this or any other purely social and patriotic organization. I hope that the amendment of the gentleman from New York that makes their proceedings frankable as public documents will be rejected, and I appeal to the Congress of the United States not to break the precedents of a century and require a purely patriotic, social organization, whether they want to or not, to render a report to Congress as to what they have done and why inside of their organization. [Applause.]

Mr. VOLSTEAD. I move that all debate on the bill and all amendments thereto be now closed.

The SPEAKER. The gentleman moves that all debate on the bill and all amendments thereto be now closed.

The motion was agreed to.

The SPEAKER. The question is on the amendment offered by the gentleman from New York [Mr. LAGUARDIA].

Mr. HEFLIN. What is that amendment?

The SPEAKER. Without objection, the Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 10, line 5, after the word "expenditures" strike out the balance of section.

The question was taken; and on a division (demanded by Mr. LAGUARDIA) there were—ayes 16, noes 110.

Accordingly the amendment was rejected.

Mr. BEE. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BEE: Page 10, strike out all of section 9.

The question was taken; and on a division (demanded by Mr. BEE) there were—ayes 48, noes 73.

Accordingly the amendment was rejected.

Mr. GARD. Mr. Speaker, I desire to offer an amendment.

The SPEAKER. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 10, line 6, insert a new section, as follows:

"SEC. 9½. The principal office of the corporation shall be located in the District of Columbia, but offices may be maintained and meetings of the corporation or of the trustees and committees may be held in other places, such as their by-laws may from time to time fix."

The SPEAKER. The question is on the amendment offered by the gentleman from Ohio.

The amendment was rejected.

Mr. BANKHEAD. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD: Page 10, after line 6, insert a new section, as follows:

"SEC. 9½. That, as a condition precedent to the exercise of any power or privilege herein granted or conferred, the American Legion shall file in the office of the secretary of state of each State the name and post-office address of an authorized agent in such State upon whom legal process or demand against the American Legion may be served."

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent that I may address the House for five minutes to explain this amendment.

The SPEAKER. The gentleman from Alabama asks unanimous consent to address the House for five minutes.

Mr. MADDEN. I object.

Mr. WINGO. Mr. Speaker, a parliamentary inquiry. Has the House the right to cut off debate on a section before it is reached under the five-minute rule?

The SPEAKER. The House voted to cut off debate.

Mr. WINGO. But we are operating under the five-minute rule.

The SPEAKER. The House, by unanimous consent, is operating under the five-minute rule; but we are not in Committee of the Whole. We are in the House.

Mr. WINGO. But we are operating under the five-minute rule. How can we cut off debate before we reach a section?

The SPEAKER. The Chair thinks the House can do that. The question is on agreeing to the amendment offered by the gentleman from Alabama [Mr. BANKHEAD].

The question being taken, on a division (demanded by Mr. VOLSTEAD) there were—ayes 77, noes 42.

Accordingly the amendment was agreed to.

The Clerk read as follows:

SEC. 10. That the right to repeal, alter, or amend this act at any time is hereby expressly reserved.

Mr. BAER. Mr. Speaker——

Mr. VOLSTEAD. I desire to move the previous question on the bill and all amendments thereto.

Mr. BAER. Will the gentleman reserve that for a moment? I want to offer a motion which I think will greatly help untangle the bill. Mr. Speaker, I move to reconsider the vote by which the amendment of the gentleman from Ohio [Mr. GARD] was agreed to. It is on page 9, line 7, and strikes out the words "November 11, 1918," and inserts the date of the conclusion of the war, to be evidenced by the proclamation of the President of the United States.

The SPEAKER. The gentleman from North Dakota moves to reconsider the vote by which the House adopted the amendment stated.

Mr. GARD. A point of order, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. GARD. We can not reconsider an amendment which has been agreed to under the five-minute rule.

Mr. BAER. We are in the House now.

The SPEAKER. The Chair is disposed to think that as we are operating under the five-minute rule we can not return to a section that has been passed, except by unanimous consent.

Mr. WINGO. We can reconsider any vote on the bill before it is finally passed.

The SPEAKER. On the bill.

Mr. WINGO. Upon any question under consideration during the consideration of the bill. To refuse to do so would cut off the right of reconsideration absolutely, which is a very fundamental right. The Chair will remember that we are in the House.

The SPEAKER. The Chair is disposed to think the gentleman is correct.

Mr. BAER. I ask unanimous consent to address the House for one minute.

The SPEAKER. The gentleman asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. BAER. Mr. Speaker, I do not think it would be right to permit the men who are now enlisting in the Army to join the American Legion, which is an organization composed of the soldiers who served during the time that we were actually at war with the Central Powers.

For example, under the Gard amendment I could resign from Congress to-morrow, enlist in the Army, and before another legislative body of this country will have ratified the peace treaty I would have the right to join the American Legion.

Mr. GARD. Would the gentleman exclude the men in Siberia, who have been there for the last two or three months, some who are there——

Mr. BAER. If it is legal for them to be there, Congress should declare another war. Then there could be a legion of the Russian war veterans. I do not think anybody under the Constitution has a right to keep them there, as we have not officially made a declaration of war. Every man who served in Russia was also in the service before November 11, 1918, and thus will be eligible to the American Legion.

The SPEAKER. The question is on the motion of the gentleman to reconsider the vote whereby the amendment of the gentleman from Ohio was agreed to.

The question was taken, and the Speaker announced that the ayes appeared to have it.

On a division (demanded by Mr. VOLSTEAD) there were—ayes 91, noes 37.

So the motion was agreed to.

The SPEAKER. The question is on the amendment——

Mr. SANDERS of Louisiana. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Louisiana makes the point of order that there is no quorum present. The Chair will count.

Mr. WINGO. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Arkansas moves that the House do now adjourn.

The question was taken, and the Speaker announced that the ayes seemed to have it.

On a division (demanded by Mr. VOLSTEAD) there were—ayes 84, noes 49.

ADJOURNMENT.

Accordingly the House (at 5 o'clock and 43 minutes p. m.) adjourned to meet to-morrow, Thursday, August 21, 1919, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the calendar and committee therein named, as follows:

Mr. BARKLEY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 2700) granting the consent of Congress to the D. E. Hewit Lumber Co. to construct and maintain a bridge across Tug River, connecting Martin County, Ky., and Mingo County, W. Va., reported the same without amendment, accompanied by a report (No. 242), which said bill and report were referred to the House Calendar.

Mr. SMITH of Idaho, from the Committee on the Public Lands, to which was referred the bill (H. R. 5000) to allow credit for husbands' military service in case of homestead entries by widows, and for other purposes, reported the same with amendment, accompanied by a report (No. 243), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. SMITH of Idaho, from the Committee on the Public Lands, to which was referred the bill (H. R. 6772) authorizing and directing the transfer of 10 acres of land to rural high school district No. 1, Lapwai, Idaho, reported the same with amendment, accompanied by a report (No. 244), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 8134) granting an increase of pension to Samuel T. Pate; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (S. 767) for the relief of the heirs of W. H. Sneed; Committee on Claims discharged, and referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. JOHNSON of Washington: A bill (H. R. 8572) to provide for the protection of the citizens of the United States by the suspension of immigration, for the deportation of additional classes of aliens, for the registration of aliens, for the admission by passport of certain aliens, for the admission of certain aliens on the signing of a preliminary admission statement, to further regulate the residence of aliens in the United States, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. CANNON: A bill (H. R. 8573) authorizing the Secretary of War to donate to the city of Milford, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 8574) to amend section 231 of the act of February 24, 1919, entitled "An act to provide revenue, and for other purposes"; to the Committee on Ways and Means.

By Mr. SMITH of Michigan: A bill (H. R. 8575) to provide that in the construction and application of the pension laws a soldier, sailor, or marine shall be considered in sound condition when examined, accepted, and enrolled for service; to the Committee on Pensions.

By Mr. CRAGO: A bill (H. R. 8576) to incorporate the Veterans of Foreign Wars; to the Committee on the Judiciary.

By Mr. KAHN: A bill (H. R. 8577) to amend an act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916; to the Committee on Military Affairs.

Also, a bill (H. R. 8578) to amend section 11 of act 314, approved March 1, 1919, entitled "An act making appropriation for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes"; to the Committee on Printing.

By Mr. STEVENSON: A bill (H. R. 8579) providing for the erection of a monument at Cowpens battle ground, Cherokee County, S. C., commemorative of Gen. Daniel Morgan and those who participated in the Battle of Cowpens on the 17th day of January, 1781; to the Committee on the Library.

By Mr. SINNOTT: A bill (H. R. 8580) to authorize the reservation of the lands needed for the protection of municipal water supply; to the Committee on the Public Lands.

By Mr. MADDEN: A bill (H. R. 8581) for the reduction of postage on first-class mail matter; to the Committee on the Post Office and Post Roads.

By Mr. SEARS: A bill (H. R. 8582) for the erection of a Federal building at Kissimmee, Oceola County, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8583) for the erection of a Federal building at St. Augustine, St. Johns County, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8584) for the erection of a Federal building at Key West, Monroe County, Fla.; to the Committee on Public Buildings and Grounds.

By Mr. NEWTON of Missouri: A bill (H. R. 8585) to amend paragraph A, section 628, of the revenue act of 1918, approved February 24, 1919; to the Committee on Ways and Means.

By Mr. PLATT: A bill (H. R. 8586) to amend sections 3, 8, 10, 20, and 21 of the act approved July 17, 1916, known as the Federal farm loan act; to the Committee on Banking and Currency.

By Mr. DALLINGER: A bill (H. R. 8587) to restore to the colors and granting amnesty to soldiers, sailors, and marines, and to certain other persons, and for other purposes; to the Committee on Military Affairs.

By Mr. GOLDFOGLE: Joint resolution (H. J. Res. 181) to provide additional compensation for employees in the Postal Service; to the Committee on the Post Office and Post Roads.

By Mr. NEWTON of Minnesota: Resolution (H. Res. 247) requesting the State Department to furnish the House of Representatives certain information regarding the kidnapping of Lieuts. Paul H. Davis and Harold G. Peterson in Mexico; to the Committee on Foreign Affairs.

By Mr. MACCRATE: Resolution (H. Res. 248) requesting the Attorney General to furnish forthwith to the House of Representatives information; to the Committee on the Judiciary.

By Mr. CURRY of California: Resolution (H. Res. 249) to provide for the immediate consideration of House bill 7417; to the Committee on Rules.

By Mr. RHODES: Resolution (H. Res. 250) requesting the Secretary of State to inform the House of Representatives how long United States soldiers are to be kept in Siberia, how many Italian and Japanese soldiers are now in Siberia, and what the Siberian policy of Great Britain, France, Italy, and Japan is; to the Committee on Foreign Affairs.

Also, a resolution (H. Res. 251) requesting the President to direct the War Department to withdraw all United States soldiers from Siberia immediately; to the Committee on Military Affairs.

By Mr. McFADDEN: Resolution (H. Res. 252) to provide for compensation for certain employees in the document room; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARBOUR: A bill (H. R. 8588) for the relief of A. M. Simons; to the Committee on War Claims.

By Mr. BEGG: A bill (H. R. 8589) granting a pension to Margaret A. Davis; to the Committee on Invalid Pensions.

By Mr. BOWERS: A bill (H. R. 8590) granting a pension to Charles Way; to the Committee on Invalid Pensions.

By Mr. CURRIE of Michigan: A bill (H. R. 8591) granting a pension to William Buckwheat, jr.; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8592) granting a pension to Charlotte I. Mallory; to the Committee on Pensions.

Also, a bill (H. R. 8593) granting an increase of pension to Anna Duplanta; to the Committee on Invalid Pensions.

By Mr. FOCHT: A bill (H. R. 8594) granting a pension to Susan Hixson; to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 8595) granting an increase of pension to James F. M. Thompson; to the Committee on Invalid Pensions.

By Mr. GOODALL: A bill (H. R. 8596) granting an increase of pensions to Etta F. Dickens; to the Committee on Pensions.

By Mr. GOOD: A bill (H. R. 8597) granting an increase of pension to Mary L. Lake; to the Committee on Invalid Pensions.

By Mr. HAWLEY (by request): A bill (H. R. 8598) restoring to Amy E. Hall her homestead rights and providing that on any homestead entry made by her she shall be given credit for all compliance with the law on her original homestead entry and for all payments made on same; to the Committee on the Public Lands.

By Mr. HULL of Tennessee: A bill (H. R. 8599) authorizing the President to appoint Alvin Cullom York a second lieutenant and place his name on the retired list with the pay and allowances of a second lieutenant of the Regular Army; to the Committee on Military Affairs.

By Mr. HUSTED: A bill (H. R. 8600) to authorize the appointment of John McClintock a major of Cavalry in the United States Army; to the Committee on Military Affairs.

By Mr. HENRY T. RAINEY: A bill (H. R. 8601) granting an increase of pension to Watson Goodrich; to the Committee on Invalid Pensions.

By Mr. ROMJUE: A bill (H. R. 8602) granting a pension to Benjamin F. Lamkin; to the Committee on Pensions.

By Mr. RUCKER: A bill (H. R. 8603) granting an increase of pension to David Huffman; to the Committee on Invalid Pensions.

By Mr. SANDERS of Louisiana: A bill (H. R. 8604) for the relief of the heirs of Francis Griffing, deceased; to the Committee on War Claims.

By Mr. VAILE: A bill (H. R. 8605) for the relief of Richard A. Schwab; to the Committee on Claims.

By Mr. WATSON of Pennsylvania: A bill (H. R. 8606) granting an increase of pension to Henry C. Livezey; to the Committee on Invalid Pensions.

By Mr. WILSON of Pennsylvania: A bill (H. R. 8607) granting a pension to Lucretia A. Crum; to the Committee on Invalid Pensions.

By Mr. WILSON of Illinois: A bill (H. R. 8608) granting an increase of pension to Samuel E. Rumsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8609) granting a pension to Marguerite B. Fitzgerald; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Petition of 16 employees of Shelby, Ohio, in favor of the Moses bill to increase the pay of postal employees; to the Committee on the Post Office and Post Roads.

By Mr. BYRNS of Tennessee: Papers to accompany H. R. 8549, granting increase of pension to Aaron Ready; to the Committee on Invalid Pensions.

By Mr. COLE: Petition of Orange Township Grange, Hancock County, Ohio, protesting against the passage of the Mondell bill, known as the Lane reclamation plan; to the Committee on the Public Lands.

Also, petition of 18 voters of North Milwaukee, Wis., demanding that Victor L. Berger be seated as a Member of Congress from the fifth district of Wisconsin; to the Committee on Elections No. 1.

By Mr. ELSTON: Petition of Berkeley Post, No. 7, American Legion, urging adequate appropriation for the United States Air Service; to the Committee on Appropriations.

By Mr. EMERSON: Petition of 33,000 names, signed by soldiers, sailors, and marines of Cleveland, Ohio, favoring the Emerson bill to give additional sum of $300 bonus; to the Committee on Military Affairs.

By Mr. LINTHICUM: Petition of N. J. Coben, of Baltimore, Md., favoring House bill 7702; to the Committee on Military Affairs.

Also petition of Clarence H. Witt, of Baltimore, Md., favoring the one-year payment plan; to the Committee on Military Affairs.

Also petition of H. B. Wilcox, of Baltimore, Md., protesting against the Kenyon bill, Senate bill 2202; to the Committee on Agriculture.

Also, petition of Charles A. Gareis, of Baltimore, Md., and George A. Durst, of Baltimore, Md., favoring the Moses resolution, Senate joint resolution No. 84, for increasing the salaries of post-office clerks and carriers 35 per cent; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of Baltimore, Md., asking for the repeal of the revenue bill of 1918, H. R. 12863, known as the admission tax, increased seating tax, and the 5 per cent rental tax; to the Committee on Ways and Means.

By Mr. LUFKIN: Resolution adopted by Pilgrim's Congregational Church of Merrimac, Mass., in favor of enforcement of the prohibition law; to the Committee on the Judiciary.

By Mr. MACGREGOR: Petition of John Bilsky and others, of New York, protesting against the Smith and Towner educational bills; to the Committee on Education.

By Mr. MURPHY: Petition of members of the Newgarden Monthly Meeting of Friends, of Winona, Ohio, asking that the bill before the House providing for compulsory military training be referred to a committee that is not identified with militarism; to the Committee on Military Affairs.

By Mr. ROWAN: Petition of the Rite Form Corset Co., of New York, favoring the program of railroad legislation advocated by the Chamber of Commerce of the United States; to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany House bill 8525 in support of the claim of Frank J. Simmons; to the Committee on War Claims.

Also, petition of Illinois Association of Postmasters, of Taylorville, Ill., asking increase in salaries to all branches; to the Committee on the Post Office and Post Roads.

Also, petition of Harold R. Young and 250 others, of New York, requesting the repeal of section 904 of the revenue act of 1918; to the Committee on Ways and Means.

Also, petition of Rome Chamber of Commerce, by Lester C. Bush, of Rome, N. Y., protesting against the Plumb plan or any other plan which would tend to muddle up the railroad situation any further; to the Committee on Interstate and Foreign Commerce.

Also, petition of Elbert Miller, of New York, protesting against any bill to reduce the guaranteed price of wheat; to the Committee on Agriculture.

By Mr. TAYLOR of Tennessee: Petition of Knoxville Iron Co., manufacturers of iron and steel bars and chains, by W. P. Davis, of Knoxville, Tenn., favoring tariff protection, especially on chains; to the Committee on Ways and Means.

SENATE.

THURSDAY, *August 21, 1919.*

Rev. John Paul Tyler, of the city of Washington, offered the following prayer:

O Lord God of our fathers, command, we beseech Thee, this day Thy blessing, Thy grace and wisdom, that in all that shall be said and done this day Thy name may be glorified, that justice and righteousness may prevail in our land and throughout and among the nations of the world, that the day of peace and good will may soon come to bless the sons of men. To this end bless us, keep us, guide us. Bless our President; bless our Nation and every home in it. We ask it in Jesus' name. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

DISPOSITION OF USELESS PAPERS.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of the Treasury, transmitting schedules and list of papers, documents, and so forth, on the files of the Treasury Department which are not needed in the transaction of public business and which are devoid of historic interest or value, and requesting action looking to their disposition. The communication and accompanying papers will be referred to the Joint Select Committee on the Disposition of Useless Papers in the Executive Departments, and the Chair appoints the Senator from Montana [Mr. WALSH] and the Senator from Maryland [Mr. FRANCE] the committee on the part of the Senate. The Secretary will notify the House of Representatives thereof.

PETITIONS AND MEMORIALS.

Mr. WARREN presented memorials of Local Union No. 2312, United Mine Workers of America, of Dietz; of the Sheridan County Trades and Labor Council; and of Local Union No. 1384, United Brotherhood of Carpenters and Joiners of America, of Sheridan, all in the State of Wyoming, remonstrating against universal military training, which were referred to the Committee on Military Affairs.

He also presented a memorial of the Slovenic National Benefit Society No. 26, of Cumberland, Wyo., remonstrating against the enactment of legislation prohibiting the admission to the mails of any matter printed in a foreign language, which was referred to the Committee on the Judiciary.

He also presented a resolution adopted by the executive board of the New Mexico Cattle and Horse Growers' Association, favoring the extension of the Federal farm-loan act for the benefit of stockmen, which was referred to the Committee on Banking and Currency.

Mr. PHELAN presented a petition of Carpenters' Local Union No. 35, of San Rafael, Calif., and a petition of Typographical Union No. 21, of San Francisco, Calif., praying for the ratification of the proposed league of nations treaty, which were referred to the Commitee on Foreign Relations.

Mr. JONES of Washington presented a telegram in the nature of a petition from Local Branch, Polish National Alliance of the United States of America, of Bremerton, Wash., praying for the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

He also presented a telegram in the nature of a petition from the secretary of the Joint Postal Association, of Spokane, Wash., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

Mr. CAPPER presented a petition of sundry citizens of Manhattan, Kans., and a petition of sundry citizens of Emporia, Kans., praying for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

Mr. PAGE presented a memorial of sundry members of St. Mary's Parish, of Brandon, Vt., remonstrating against the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. SMITH of Maryland presented a petition of sundry citizens of Baltimore and Oakland, in the State of Maryland, praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of the congregation of the Methodist Episcopal Church of Woodfield; of Lodge No. 320 of Daisy, of Lodge No. 323 of Long Corner, and of Lodge No. 334 of Mount Airy, International Order of Good Templars; and

of sundry citizens of Woodbine, Lisbon, Union Ridge, Waterville, Hoods Mill, Mount Airy, and New Windsor, all in the State of Maryland, praying for the enactment of legislation providing for the enforcement of prohibition, which were ordered to lie on the table.

Mr. JOHNSON of South Dakota. I present resolutions adopted by Gold Run Camp, No. 1217, Modern Woodmen of America, of Lead, S. Dak., which I ask to have printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

LEAD, S. DAK., *July 9, 1919.*

Whereas the war now brought to a victorious close by the associated powers of the free nations of the world was above all else a war to end war and protect human rights: Therefore be it

Resolved, That we advocate the establishment of a league of nations. We believe that such a league should aim at promoting the liberty, progress, and orderly development of the world; be it further

Resolved, That we favor the entrance of the United States into such a league as may be adequate to safeguard the peace that has been won by the joint forces of the allied nations; be it further

Resolved, That copies of this resolution be sent to the President of the United States, the Senators representing the State of South Dakota, at Washington, and to the Hon. William H. Taft, president of the League to Enforce Peace, 130 West Forty-second Street, New York.

GOLD RUN CAMP, 1217, MODERN WOODMEN OF AMERICA.
W. J. HARVEY, *Clerk.*

Mr. HALE presented a petition of Local Grange No. 95, Patrons of Husbandry, of Buxton, Me., praying for the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

He also presented a memorial of the Waterville-Winslow Chamber of Commerce, of Waterville, Me., remonstrating against the enactment of "class" legislation and coercive methods in the railroad situation, and also against Government ownership and control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. KING. I present a resolution passed by the Legislature of the State of Utah, which I ask to have printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

STATE OF UTAH, EXECUTIVE DEPARTMENT,
SECRETARY OF STATE'S OFFICE.

I, Harden Bennion, secretary of state of the State of Utah, do hereby certify that the attached is a full, true, and correct copy of senate joint resolution 2 as appears on file in my office.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of Utah this 16th day of August, 1919.

[SEAL.] HARDEN BENNION,
Secretary of State.
By JERROLD R. LETCHER,
Deputy.

Senate joint resolution 2, favoring the establishment of a league of nations to enforce peace and promote the liberty, progress, and orderly development of the world.

Whereas the war now brought to a victorious close by the associated powers of the free nations of the world was above all else a war to end war and protect human rights: Therefore be it

Resolved by the Legislature of the State of Utah (both houses concurring), That we favor the establishment of a league of nations of which the United States shall be a member. We believe that such a league should aim at promoting the liberty, progress, and orderly development of the world; that it should clinch the victory won at such terrible sacrifice by having the united potential force of all its members as a standing menace against any nation that seeks to upset the peace of the world; be it further

Resolved, That we indorse the course taken by the President of the United States as the recognized leader of this movement, and as the internationally acclaimed spokesman for the aspirations and ideals of the masses of mankind in personally attending the peace conference; be it further

Resolved, That certified copies of this resolution be sent by the secretary of state to the President of the United States and to the presiding officers of both branches of Congress and to each of the United States Senators and Representatives from the State of Utah.

(Passed Jan. 17, 1919. Approved Jan. 27, 1919. In effect Jan. 27, 1919.)

Mr. KING. I present a resolution passed by the Legislature of the State of Utah, which I ask to have printed in the RECORD and referred to the Committee on Post Offices and Post Roads.

There being no objection, the resolution was referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

STATE OF UTAH, EXECUTIVE DEPARTMENT,
SECRETARY OF STATE'S OFFICE.

I, Harden Bennion, secretary of state of the State of Utah, do hereby certify that the attached is a full, true, and correct copy of house joint memorial 2 as appears on file in my office.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of Utah this 16th day of August, 1919.

[SEAL.] HARDEN BENNION,
Secretary of State.
By JERROLD R. LETCHER,
Deputy.

House joint memorial 2, memorializing the Congress of the United States for the passage of an amendment to the bill introduced by Senator BANKHEAD in the United States Senate on December 4, 1918, known as S. 5088, also the same amendment to a bill introduced in the United States Senate by Senator SWANSON on December 5, 1919, known as S. 5098, also the same amendment to a bill introduced by Mr. SHACKLEFORD in the House of Representatives of the United States on December 12, 1918, known as H. R. 13354, and also to any other similar bills introduced in Congress, in order to provide a more equitable application of Federal aid for post roads in the sparsely settled States, and to provide a more reasonable time limit for the availability of such Federal aid.

We, your memorialists, the House of Representatives and the Senate of the State of Utah, respectfully represent that:

Whereas there are pending in the Congress of the United States bills known as S. 5088 and S. 5098 and H. R. 13354, all of which provide for additional Federal aid for post roads under the terms of the act of Congress approved July 11, 1916, and commonly known as the Federal aid road act; and

Whereas section 6 of said Federal aid road act provides that the United States shall not cooperate in any road project in an amount greater than 50 per cent of the total estimated cost thereof; and

Whereas, although additional Federal aid for road building at the present time is highly desirable, nevertheless those States having large areas and relatively small population will be unable to avail themselves of the benefits of this act as amended to provide additional Federal aid without a disproportionate burden of taxation;

Now, therefore, your memorialists urgently request that the said bills, and any other similar bills which may be introduced in the Congress of the United States, be so amended that section 6 of the said Federal aid road act will provide that in those States where the average population per square mile of area is 100 persons or more, based upon the census of 1910, the United States shall not cooperate in any road project in an amount greater than 50 per cent of the total estimated cost thereof; and that in those States where the average population per square mile of area, based on the census of 1910, is less than 100 persons, the share of the United States shall be increased one-fourth of 1 per cent for each person, or major fraction thereof, less than 100 per square mile; and furthermore

Whereas section 3 of said Federal aid road act provides that so much of the appropriation apportioned to any State for any fiscal year as remains unexpended at the close thereof shall be available to such State only until the close of the succeeding fiscal year; and

Whereas on account of the said provision of section 3 of said act local conditions existing in some States render it practically impossible to comply with the terms of the act;

Now, therefore, your memorialists also request that said bills now pending in Congress, and any other similar bills which may be introduced, be amended so that section 3 of the said Federal aid road act will provide that so much of the appropriation to any State for any fiscal year as remains unexpended at the close thereof shall be available to such State until the close of the second succeeding fiscal year; and be it

Resolved, That a copy of this memorial be sent to each of the members of the congressional delegation from the State of Utah to the Congress of the United States and to each body of said Congress.

(Passed Jan. 31, 1919. Approved Feb. 6, 1919. In effect Feb. 6, 1919.)

Mr. KING. I present a resolution passed by the Legislature of the State of Utah, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection, the resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

STATE OF UTAH, EXECUTIVE DEPARTMENT,
SECRETARY OF STATE'S OFFICE.

I, Harden Bennion, secretary of state of the State of Utah, do hereby certify that the attached is a full, true, and correct copy of house joint resolution 8 as appears on file in my office.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of Utah this 16th day of August, 1919.

[SEAL.] HARDEN BENNION,
Secretary of State.
By JERROLD R. LETCHER,
Deputy.

House joint resolution 8, petitioning the War Department of the United States Government to designate the Utah Agricultural College as a permanent site for a summer training camp of the Reserve Officers' Training Corps.

Whereas the policy of the War Department of the United States of America is to encourage the participation of its citizens in the movement for the defense of the Nation and especially to encourage the development of military training in the colleges of America in such a way as not to interfere with the training and efficiency of the students in the various professions and vocations of civilian life; and

Whereas one of the measures looking toward this end is the establishment of summer training camps for the college students of America looking toward the preparing of these students for military and technical leadership in time of war, it being the object in these training camps to concentrate into a short period of time, in order not to seriously interfere with the civilian responsibilities of the students, the military and scientific training necessary for proficiency in time of war; and

Whereas the Utah Agricultural College is recognized as possessing advantages necessary for the proper feeding and housing of men and for the supervision of the men in a moral and social way, and it is recognized that the location of the college in the center of the intermountain region makes it a convenient site for the purposes mentioned herein: Now, therefore, be it

Resolved by the House of Representatives of the State of Utah (the Senate concurring therein), That the State Legislature of Utah hereby petition the United States War Department to designate the Utah Agricultural College, at Logan, Utah, as one of the permanent sites for the location of a summer training camp of the Reserve Officers' Training Corps, and the board of trustees of the Utah Agricultural College is

hereby authorized to enter into cooperative agreements with the War Department or such other departments of the Federal Government as are necessary for the establishment and operation of the military training herein mentioned.

(Passed Mar. 13, 1919. Approved Mar. 18, 1919. In effect Mar. 18, 1919.)

Mr. KING. I present a resolution passed by the Legislature of the State of Utah, which I ask to have printed in the RECORD and referred to the Committee on Indian Affairs.

There being no objection, the resolution was referred to the Committee on Indian Affairs and ordered to be printed in the RECORD, as follows:

STATE OF UTAH, EXECUTIVE DEPARTMENT,
SECRETARY OF STATE'S OFFICE.

I, Harden Bennion, secretary of state of the State of Utah, do hereby certify that the attached is a full, true, and correct copy of house joint memorial 5 as appears on file in my office.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of Utah this 16th day of August, 1919.

[SEAL.] HARDEN BENNION,
Secretary of State.
By JERROLD R. LETCHER,
Deputy.

House joint memorial 5, petitioning the Congress of the United States to provide for the proper restraint, control, employment, and education of certain renegade Indians in the San Juan region of Utah.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the governor and the Legislature of the State of Utah, respectfully represent:

Whereas there is now and ever since the settlement of San Juan County, State of Utah, has been roaming over said county a renegade band of Ute Indians, which lawless Indians have never been confined to any reservation or governed by any law.

Nor have they been under supervision or restraint of any Indian agency, but at all times have been allowed to roam at will over said county, occasionally going to the agency at Navajo Springs, Colo., to receive their annuities, but returning immediately to San Juan County, where for many years and up to the present time they have indulged in the nefarious practice of killing cattle and sheep, the property of white settlers; breaking into and robbing sheep camps and the cabins of cattlemen maintained for the storing of provisions and other necessaries for the protection and welfare of cattle and the range. They break into and rob sheep camps maintained by sheepmen; break into and pasture their horses on the farms of settlers, regardless of the destruction wrought. These lawless Indians kill and rob white settlers to the extent that in the last 25 years at least 30 people have been killed while engaged in pursuit of Indians to recover stolen property. None of those Indians have ever been brought to justice and they rob and murder among themselves without fear of punishment by the civil authorities.

They are constantly armed with high-powered rifles and supplied with plenty of ammunition. While so armed in February of 1915, when the arrest of one of their number was attempted, an encounter took place which resulted in the death of one white man, the wounding of a second, and the death of two Indians; and

Whereas at the present time there is very great danger of an outbreak between said lawless Indian band and the white settlers of that locality, which will inevitably result in the needless loss of life, both to the Indians and to the authorities who undertake to deal with them; and

Whereas the children of said Indians have never been trained according to the methods now employed by the Interior Department of the United States for the education of Indian children, and the children of said Indians can not be schooled according to such methods so long as they are permitted to roam without restraint of any nature, but, on the other hand, they continue to grow more defiant of law and more bold in the commission of crime, both among themselves and against the white settlers:

Therefore your memorialists, in the name of the people of the State of Utah, and particularly on behalf of the people of San Juan County, hereby petition your honorable body that these lawless Indians be taken in charge by the Government of the United States pursuant to laws and statutes regulating the Indian population; that they be confined to the Ute Reservation, or such other reservation as may be available for the purpose; that they be restrained from roaming at large as they have heretofore done and are now doing; that they be provided with such educational advantages and such employment as will fit them for proper living; and that such other necessary action be taken by the United States Government to control said Indians as will give relief to the people of San Juan County from further menace of the unlawful acts.

(Passed Feb. 21, 1919. Approved Feb. 24, 1919. In effect Feb. 24, 1919.)

Mr. KING. I present a resolution passed by the Legislature of the State of Utah, which I ask to have printed in the RECORD and referred to the Committee on Irrigation and Reclamation of Arid Lands.

There being no objection, the resolution was referred to the Committee on Irrigation and Reclamation of Arid Lands and ordered to be printed in the RECORD, as follows:

STATE OF UTAH, EXECUTIVE DEPARTMENT,
SECRETARY OF STATE'S OFFICE.

I, Harden Bennion, secretary of state of the State of Utah, do hereby certify that the attached is a full, true, and correct copy of senate joint memorial No. 3 as appears on file in my office.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of Utah this 16th day of August, 1919.

[SEAL.] HARDEN BENNION,
Secretary of State.
By JERROLD R. LETCHER,
Deputy.

Senate joint memorial 3, urging the passage of a bill relating to reclamation projects for benefit of returning soldiers and sailors.

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the Senate and House of Representatives of the State of Utah, respectfully represent that—

Whereas the Honorable Secretary of the Interior has requested the immediate passage of a bill appropriating the sum of $100,000,000, to be employed on reclamation projects for the benefit of returning soldiers and sailors; and

Whereas such an undertaking is not only commendable as a practicable recognition of a patriotic service rendered, but alike meritorious in that it would place unproductive land in the productive lists, a distinctively governmental function: Now, therefore,

Your memorialists do advise, recommend, and request that the measure herein referred to be passed by your honorable body with the celerity that its merit justifies, and thus meet a situation that has already arisen, the importance of which is being daily emphasized at every American port of debarkation.

It is directed that this memorial be enrolled and one copy sent to the President of the United States, one copy to the President of the Senate, and one copy to the Speaker of the House, one copy to the honorable Secretary of the Interior, one copy to the House chairman of the Committee on Irrigation of Arid Lands, one copy to the Senate chairman of the Committee on Irrigation and Reclamation of Arid Lands, and one copy to the Senators and Congressmen representing the State of Utah.

(Passed Feb. 18, 1919. Approved Feb. 28, 1919. In effect Feb. 28, 1919.)

CUMBERLAND RIVER BRIDGE.

Mr. CALDER. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 8076) authorizing the county of Montgomery, Tenn., to construct a bridge across the Cumberland River within 7 miles of Clarksville, Tenn., and I submit a report (No. 154) thereon. I ask unanimous consent that the bill may be considered at this time.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the county of Montgomery, Tenn., be and is hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Cumberland River at a point suitable to the interests of navigation, and within a distance of 7 miles from Clarksville, Tenn., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," and approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SUSQUEHANNA RIVER BRIDGE.

Mr. CALDER. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 8117) for the construction of a bridge across the Susquehanna River at or near Falls, Wyoming County, Pa., and I submit a report (No. 155) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania to construct, maintain, and operate a bridge and approaches thereto across the Susquehanna River at a point suitable to the interests of navigation, and at or near Falls, Wyoming County, Pa., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HENDERSON:

A bill (S. 2850) to authorize the addition of certain lands to the Humboldt National Forest, in the State of Nevada; to the Committee on Public Lands.

By Mr. HARRIS:

A bill (S. 2851) for the relief of Seth J. Harris;

A bill (S. 2852) for the relief of Mary Holloman;

A bill (S. 2853) for the relief of Jimmie Lou Martin; and

A bill (S. 2854) for the relief of William Henry Coleman; to the Committee on Claims.

By Mr. SUTHERLAND:

A bill (S. 2855) granting an increase of pension to James Ross; to the Committee on Pensions.

By Mr. CALDER:

A bill (S. 2856) to encourage bank deposits by nonresident foreign corporations and nonresident alien individuals; to the Committee on Finance.

By Mr. HARDING:

A bill (S. 2857) to amend an act entitled "An act to prevent the extermination of fur-bearing animals in Alaska," etc.; to the Committee on Commerce.

By Mr. CAPPER:

A bill (S. 2858) permitting certain employees of the Government to purchase supplies from the commissary stores of the Army and Navy; to the Committee on the District of Columbia.

By Mr. McCUMBER:

A bill (S. 2859) granting a pension to Grace S. Zane (with accompanying papers); and

A bill (S. 2860) granting a pension to Nellie McCarten (with accompanying papers); to the Committee on Pensions.

By Mr. SMITH of Maryland:

A bill (S. 2861) for the relief of the Davis Construction Co.; and

A bill (S. 2862) for the relief of the Sanford & Brooks Co. (Inc.); to the Committee on Claims.

By Mr. WATSON:

A bill (S. 2863) for the relief of the heirs of Stephen G. Burbridge, deceased; to the Committee on Claims.

By Mr. OWEN:

A bill (S. 2864) granting a pension to Clint T. Littlefield;

A bill (S. 2865) granting an increase of pension to Jacob T. Martin; and

A bill (S. 2866) granting an increase of pension to Bowman R. Butcher (with accompanying papers); to the Committee on Pensions.

PROHIBITION OF INTOXICATING LIQUORS.

Mr. McNARY submitted an amendment intended to be proposed by him to the bill (H. R. 6810) to prohibit intoxicating beverages, and to regulate the manufacture, production, use, and sale of high-proof spirits for other than beverage purposes, and to insure an ample supply of alcohol and promote its use in scientific research and in the development of fuel, dye, and other lawful industries, which was ordered to lie on the table and be printed.

PROFITEERING IN FOODSTUFFS AND WAR CONTRACTS.

Mr. WALSH of Massachusetts. I submit a resolution proposing an amendment to Senate resolution 159 and Senate joint resolution 92, which I ask to have read.

The VICE PRESIDENT. The Secretary will read the resolution.

The resolution (S. Res. 171) was read, as follows:

Whereas there is widespread discontent due to the general belief that since our country declared war against Germany on April 6, 1917, there has been profiteering carried on by American citizens on an extensive scale; and

Whereas there is a very general belief throughout the country that the profiteering in foodstuffs and the necessities of life is in part responsible for the present excessive cost of living prevailing in this country and for the growth of un-American theories; and

Whereas there is a general demand throughout the country that the persons, partnerships, and corporations engaged in making excessive profits at a time when millions of American families were sacrificing and suffering for the cause of our country, and millions of American youths were serving in the Army and Navy of the United States, all of whom were ready to make every necessary sacrifice—and, in fact, many thousands of them did sacrific their health, their limbs, and their lives for the preservation and protection of America's honor—should be known to the public in order that the people of this country may have in their possession the names of the persons, partnerships, and corporations who took advantage of the distressed condition of their country during the war to amass wealth, as well as by such publicity to prevent a repetition of profiteering in any future crisis in the history of our country; and

Whereas the obtaining of evidence of profiteering is most difficult because such testimony must come in great part from those charged with such unpatriotic practices, but, nevertheless, there is in the possession of the Government such evidence, only obtainable by an order of the President of the United States, that would assist in detecting where and by whom excessive profits were made: Therefore be it

Resolved, That Senate resolution 159 and Senate joint resolution 92, providing for the appointment of a committee to investigate the high cost of living, be amended by adding the following:

"*Resolved further*, That the President of the United States is hereby requested to issue, under the authority conferred on him by subsection (b) of section 14 of Public Statute No. 271 of the Sixty-fourth Congress, entitled 'An act to increase the revenue, and for other purposes,' an order giving said committee full access to the income-tax returns of all corporations, partnerships, and individuals engaged in the large-scale production or distribution of food products or having contracts with the Government for the furnishing of military or other supplies.

"*Resolved further*, That said committee be authorized to annex to its report a list of all persons who were employed since April 6, 1917, by the Government either under a regular salary or on a one-dollar-a-year basis, to whom Government contracts were issued either as individuals or to any partnership or corporation with which said individuals were connected either as members, directors, or stockholders, showing also who, if any, of said individuals were connected with any governmental department having contractual relations with the partnerships or corporations of which they were members, shareholders, or directors, and, further, what profits the income-tax returns of said individuals, partnerships, or corporations having contractual relations with the Government or other evidence may disclose as to the extent of their profits; and

"*Resolved further*, That said committee annex to its report a list of all other persons, partnerships, and corporations who have had contractual relations with the Government since April 6, 1917, or who have been engaged in the large-scale production or distribution of food products, with the information hereinbefore requested regarding the profits derived by them from such contracts or in said production or distribution."

Mr. WALSH of Mssachusetts. I request that the resolution be printed and lie on the table.

The VICE PRESIDENT. It will be so ordered.

AMERICAN BOLSHEVISM.

Mr. POINDEXTER. Mr. President, I ask to have printed in the RECORD two brief editorials on the spread of American Bolshevism in the United States.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

BOLSHEVISM HERE.

WASHINGTON, *August* —.

The Republican Publicity Association, through its president, Hon. Jonathan Bourne, jr., to-day gave out the following statement from its Washington headquarters:

"Bolshevism has at last reared its hydra heads in the United States in an organized and declared purpose to subvert government, expropriate private property, and seize economic control of the Nation. Bolshevism has stalked into the open, financed and accoutered for a war on republican institutions, and flying under its red flag the blue banner of the President of the United States, which it wrested from weakling hands in September, 1916. Bolshevism selects for its shock troops the four brotherhoods of railroad employees. Euphemize it as they may, the demands, the attitude, the plan of campaign, the purposes, the means, the ends, the revolution threatened by the leaders of these four brotherhoods are each and all identical with the program laid down by the Bolsheviki of Russia for the overthrow of orderly government and a final resort to anarchy. The 'Text of labor's demand to operate the railroads of the United States' might well have been formulated by a Lenin or a Trotski, and the language of the text exhibits a surprising familiarity with the Bolshevik creed. B. M. Jewell, one of the signers of the brotherhoods' ultimatum, is reported in an interview to have 'made it plain that the railroad workers mean business. He said that the wage-board program proposed in Congress could not be accepted,' and he boasted that 'the railroads will be tied up so tight they will never run again if that legislation is passed.' This is an open defy to the Government of the United States that unless the insolent demands of the brotherhoods are accepted as laid down there will speedily follow an economic revolution which can not but end in riot and bloodshed and famine in congested centers of population. Such is the fruit of the surrender of 1916.

"Through what instrumentality are the American people to function in accepting the challenge of the railroad brotherhoods? The administration has long been permeated with socialism and internationalism. In its perverted scheme of things nationalism is renounced and individualism is marked for destruction. Democracy is anathema, and free government is passing into oblivion. Since its accession to power March 4, 1913, the administration has consistently and indefatigably worked to array brother against brother, class against class, section against section, to the end, apparently, that out of the perplexities and confusion thus fomented all parties would turn to him who was the author of their distress as the persecuted children of Israel turned unto Moses. And this man would lead them not out of the land of bondage, but into the world of foreign entanglements and the straight jacket of a Nation gone mad.

"In the words of Marshal Joffre, 'The retreat must end. We must go forward.' The administration no longer yields to the forces of Bolshevism. It has become identified with that movement. Congress alone can turn the tide of battle for the restoration of a Government republican in form, of, by, and for the whole people. If the demands of the railroad brotherhoods are granted, then it follows as the night the day that the demands of some leaders of organized labor for the nationalization of every private industry will be affixed to the panel of every legislative door with a poniard.

"But whatever action the Chief Executive may take, be it inspired by the expediency of the hour, a belated attempt to redeem himself, or a wholesale abdication in favor of and to encourage Bolshevism, the Republican Congress will stand like Belgium against the Hun in this first onslaught against free government in America. It is this Republican rampart behind which the American people must mobilize their entire force to rid the land of socialism and internationalism in 1921. If we fail in that, government by law is at an end, and the European prophecy that the United States as a Republic can not long survive will have been fulfilled in something like a century and a half. Americans, rally to your Congress!"

—

REAP THE WHIRLWIND.

WASHINGTON, *August 2*.

The Republican Publicity Association, through its president, Hon. Jonathan Bourne, jr., to-day gave out the following statement from its Washington headquarters:

"Having sown to the winds, through the class favoritism, partisanship, and socialism of the President, it seems that the American people are now about to reap the whirlwind. On the eve of the election in 1916 a portion of the organized employees of the railroads demanded an increase in compensation under threat of tying up the transportation systems of the country in the midst of a critical period in our history. President Wilson surrendered under such circumstances and invited a similar movement on the eve of the election of 1920. By numerous acts he has catered to the Bolshevik element in our population, notably in his intercession in behalf of the Utah murderer, Holstrom, and the California convict, Mooney, both cases within State and beyond Federal jurisdiction. Partisanship he pursued to the extent of avoiding Republican assistance until national extremity forced its acceptance. Socialists have found favor in appointments and their theories have been placed in practice whenever opportunity would permit.

"The right of labor to organize and the right of labor to bargain collectively no one will deny, but there is a vast and vital difference between collective bargaining and collective dictation. The manner in which the four railroad brotherhoods demanded an increase of wages in 1916 was not collective bargaining. There were no two sides to the

discussion. There was not even allowed time for discussion. The Nation was threatened with disaster of inconceivable extent unless the demands were met within a specified time, and the President's single-track mind, forsaken by the boasted 'fighting blood,' yielded the dignity of the Nation to the demonstration of power—surrendered the rights of all to the demands of a few.

"Unfortunately time and circumstances did not permit a popular expression upon the President's policy of surrender to the organized few in 1916. Unfortunately there is in effect no practical form of national referendum under which the people of the Nation could express their views upon such vital questions as surrender of national sovereignty to the league of nations and surrender of national dignity to the demands of organized labor under threats of national disaster.

"But it is to be hoped in the elections of 1920 a means will be found of securing a popular expression. This can be done if a sufficient number of candidates for Congress will make the surrender policy the paramount issue in their campaigns. The Democrats must, of course, stand by the record they have made. If Republicans in the primaries and the general elections will denounce that policy and stand for orderly procedure, with due consideration of the rights of the unorganized producer as well as the organized transportation employee—the rights of the shipper as well as the carrier—then we shall have an issue upon which the people of the country may express themselves in unmistakable tones.

"If we are to have dictatorship by the heads of the four brotherhoods, if we must submit to each new demand when it is made and adjust all other business to the wishes of the one class, then the sooner we know it the better. Until such determination shall be reached, the country waits with anxious interest each new move made by the President and the only power to which he bends the knee."

LEAGUE OF NATIONS.

Mr. NUGENT. Mr. President, I give notice that on Monday next at the close of the routine morning business I shall submit some remarks upon the league of nations.

AMERICA'S PARTICIPATION IN THE WAR.

Mr. KIRBY. Mr. President, I give notice that on Tuesday next, after the morning business has been concluded, I shall submit a few remarks on our participation in the war and the conduct of it.

METEOROLOGICAL CONFERENCE AT PARIS (H. DOC. NO. 197).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying paper, referred to the Committee on Appropriations and ordered to be printed:

To the Senate and House of Representatives:

In view of the provision contained in the deficiency act approved March 4, 1913, that "hereafter the Executive shall not extend or accept any invitation to participate in any international Congress, conference, or like event without first having specific authority of law to do so," I transmit herewith for the consideration of the Congress and for its determination whether it will authorize the acceptance of the invitation and the appropriation necessary to defray the expenses incident thereto, a report from the Secretary of State with accompanying papers, being an invitation from the Government of the French Republic to that of the United States to send delegates to a proposed conference to be held at Paris on September 30, 1919, to consider questions relating to the reorganization of the service of the exchange of meteorological information, and for other purposes, and a letter from the Secretary of Agriculture showing the favor with which he views the proposed gathering and recommending an appropriation of $1,500 to defray the expenses of participation by at least two delegates.

WOODROW WILSON.

THE WHITE HOUSE,
21 August, 1919.

AFFAIRS IN COSTA RICA (S. DOC. NO. 71).

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read, and, on motion of Mr. LA FOLLETTE, was, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Senate of the United States:

In response to the resolution of the Senate of the 2d instant, requesting that the President inform the Senate whether Nicaragua has been and is now permitted, with armed forces, to invade and to threaten with invasion the territory of Costa Rica, or has permitted armed bands to organize or rendezvous within her territory for such purposes; and for what reason Costa Rica, a belligerent with the Allies in the war just ended, was not permitted to sign the treaty of peace at Versailles, I transmit herewith a report of the Secretary of State, answering the inquiries contained in the resolution.

WOODROW WILSON.

THE WHITE HOUSE,
21 August, 1919.

LEASING OF OIL LANDS.

The VICE PRESIDENT. The morning business is closed.

Mr. SMOOT. I ask unanimous consent that the Senate proceed to the consideration of Senate bill 2775, known as the leasing bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2775) to promote the mining of coal, phosphate, oil, gas, and sodium on the public domain.

Mr. FERNALD obtained the floor.

Mr. McNARY. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harding	McKellar	Smith, Ga.
Bankhead	Harris	McNary	Smith, Md.
Borah	Harrison	Moses	Smoot
Brandegee	Henderson	Nelson	Spencer
Calder	Hitchcock	New	Sterling
Capper	Johnson, Calif.	Norris	Sutherland
Colt	Johnson, S. Dak.	Nugent	Swanson
Culberson	Jones, N. Mex.	Overman	Thomas
Cummins	Jones, Wash.	Page	Townsend
Curtis	Kellogg	Phelan	Trammell
Dial	Kendrick	Phipps	Wadsworth
Elkins	Kenyon	Pittman	Walsh, Mass.
Fall	King	Poindexter	Walsh, Mont.
Fernald	Kirby	Pomerene	Warren
France	Knox	Ransdell	Watson
Gay	Lenroot	Reed	Wolcott
Gronna	Lodge	Robinson	
Hale	McCumber	Sheppard	

The VICE PRESIDENT. Seventy Senators have answered to the roll call. There is a quorum present.

FEDERAL CONTROL OF INDUSTRIES.

Mr. FERNALD. Mr. President, that my remarks may not seem to be disconnected, I hope that I may be able to conclude them without interruption.

Mr. President, problems of such stupendous importance are pressing for consideration and solution by this Congress—matters of such vital interest to our people and to the perpetuity of our Republic—that I deem it proper and imperative that each Member of the Senate contribute to the discussion of these questions all the light and knowledge he may possess.

The world seems to be in a state of hysteria. And unless the United States is to be drawn into the vortex, it is essential that this Senate refrain from hasty or impulsive action, and that it deliberate calmly and carefully on the issues of the hour. For weeks we have been discussing the league of nations and the treaty of peace with Germany—mighty problems, fraught with great responsibility, which may affect the peace, happiness, and safety of the Nation. It is not to this question, however, that I address myself, but rather to matters of a domestic nature, which I believe to be of far greater importance and of more vital interest to our citizens at this time.

Whatever the cause, we all must, and do, agree that the cost of living has mounted to an almost unprecedented height. People from every section and from every walk and station of life are clamoring for higher wages to keep body and soul together. Wages have been increased time and time again to a degree and standard higher than ever before known. And yet the cost of living keeps abreast and often a little ahead of the wage increase, so that no relief is given.

In this trying period of transition from a war to a peace basis the minds of men are full of uneasiness and distress. And in this mood of dissatisfaction they are ready to listen to any arguments or suggestions for relief, and are willing to accept theories and remedies that under normal conditions they would vigorously ignore and reject. I wish it were in my power to solve this great problem, so troublesome to the American people and the American Congress at this time. But it is beyond the conception of man to change these conditions in a moment or to visualize just what can be done by this Congress to bring relief. People are prone to forget that we have just passed through the greatest war in history; that we have taken 2,000,000 men for nearly two years from the farm, the factory, and desk and made them consumers in a large way instead of producers; that we have been destroying property of all kinds instead of preserving it; and that we have been using all the food material in this country not only for our own people but in attempting to supply the Allies and the peoples of the other nations of the world. And in returning to a normal peace basis naturally the country is in a state of great industrial upheaval.

Always, criticisms are first aimed at the Government and its officials. From many sources we hear unjust and unfair remarks about the administration, both military and civil, during

the period of the war. It is not my intention to join this army of critics, because we have the great satisfaction of knowing that whatever may have been done, whatever the errors that have been made, we have been the one Nation of the earth to do more than any other in bringing the World War to a successful conclusion. That success is sufficient warrant for the outlay and sacrifice.

After faultfinding with the Government and its officials we are apt to take the greatest industry of the country and find fault with that. So there was stirred up in this country the feeling that the railroad owners were going to take charge of the country. And this aroused the belief that the railroads should be taken over by the Government and come under the Government control. This feeling became universal, so much so that the Government was given control, with most disastrous results. Now, I do not wish it understood that I am criticizing the Director General of the Railroads. I assume that the Secretary of the Treasury and those in control of the railroads did as well as could be done by any Government officials. But it is a shining example of the inefficiency that attends anything controlled or operated by the Government. And now there is a loud demand by the people of the country that the railroads be returned to private management. And this I assume will be done at the most opportune time.

After the railroads, critics began their attack on other large industries. And now it seems very popular to complain against the packing industry—or the packers, to be more explicit—because it has grown to be an industry of gigantic size. It is not my desire to defend the packers of this country except so far as I deem them in the right. I realize that it is perhaps somewhat unpopular to stand here in the defense of any large business of this country, because we are told that profiteering is going on to such an extent that men in all lines of business should be taken from their usual vocation and dragged into court, there to be sentenced for unlawful profiteering. I wish it to be understood at the start that wherever there is any unjust or unlawful transaction I desire every man sentenced to the extent of the law. I shield no man, nor attempt to, who is hoarding or who is juggling the business affairs of this country. But any man who is carrying on a lawful business—I care not how large nor whether it is big or little—I stand ready to defend. It matters little to me whether that man is a millionaire or a peanut vender; if he is in the right, I am his friend, and ready to stand by him.

In this spirit, knowing something, as I do, about the packing business of this country, I propose to lay before this Senate some facts which, perhaps, have not before been made public; to open the book and tell the story, so far as I know it, of the development of the meat-packing industry.

On June 23 the Senator from Wyoming [Mr. KENDRICK] introduced a bill "to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes." On the same date the Senator from Iowa [Mr. KENYON] introduced a bill with the same title. These bills applied to the Government control of the meat-packing business and the packers, and I assume were designed to control the business for the so-called "Big Five." I do not know why these 5 should be singled out any more than the 10 large packers, because there are many packing concerns, of course not so large as the 5 first mentioned, but in reality there are nearly 100 which could be mentioned among the large business concerns of the country.

A little later the Senator from New Hampshire [Mr. MOSES] introduced an amendment to the Kenyon bill, making the proposed license system apply to any business. And this amendment is quite consistent and in line with the proposed legislation in the other bills. Certainly if one line of industry is to be under Government control and subject to the dictates of the head of a department, all business should be treated alike. And we might go even further. We might undertake to control not only all of the business interests of the country, and every business man be told by some clerk of the Government what he should do, but surely some of the professional men should be under the same control, because certain professions are now so closely affiliated with the business interests of the country and the fees charged are so exorbitant, that it would seem to me that they, too, should be placed under the same restrictions.

However, I do not believe that this is to be the policy of this Government. I can not believe that the Senate of the United States feels, after the experience we have had with the Government control of the railroads and telegraph and telephone lines, that that policy should be continued. It would certainly lead to chaos and commercial bankruptcy.

I have referred to two bills—the so-called Kendrick and Kenyon bills. And before proceeding I wish to state that there is little difference between the two, except that the Kenyon bill covers a little broader field, and it increases the salary of the commissioner of foodstuffs from $6,000, as proposed in the Kendrick bill, to $10,000. Also, as I stated, the Moses amendment proposes a license for any and all business. I believe I have fairly stated the import of these bills. And while I shall discuss the measure in general I shall endeavor to confine my argument as closely as possible to the meat-packing industry.

I have been associated with the packing business for a third of a century. And while I do not profess to know the details of the meat-packing business, my own business—the packing of vegetables—is so similar that I realize the significance of the published statements of the large packers and the explanations they have given of their business before the congressional committees. I know that this vast industry which Congress has singled out for drastic legislation is no different from other large industries; and if the license is to be applied to them it should in all fairness be applied to every other business in the country.

I believe that the meat-packing industry as carried on by the great packers is the most efficient, economic method of turning live stock into meat and of getting meat into the hands of the consumers. A comparison of the present situation with the conditions that obtained 50 years ago gives some idea of the remarkable benefit that the modern method of meat handling has been to the country. I believe in discussing this particular branch of the packing business the people are entitled to know the truth and the whole truth, and that in bringing the matter to their attention it will clear up some very erroneous ideas that possibly may be in the minds of the Senators even at this time.

No business has experienced a greater evolution than that of the meat industry. Every man in this Chamber recalls the old days of meat slaughtering, when every butcher did his own work. There was no division of labor, only a few animals were handled at a time, and the conditions under which meat was dressed were not of the best. The meat was inferior in quality and the by-products were thrown away. Before the development of live-stock raising in the Middle West each community was supplied with animals raised within a short distance. And since cattle were raised more for milk than for beef, a large part of the beef supply under the local system was composed of dairy cattle, which furnished an inferior grade of meat. Corn feeding was pratically impossible before the agricultural development of the Middle West. But with the development of the great Mississippi Valley and the Western States and the raising of cattle and hogs in large numbers, they could be produced more economically than in the East because of cheap land covered with excellent grazing material, and, finally, of much better quality because of the development of corn culture. In those days live stock had to be shipped to eastern centers of consumption in stock cars of the railroads. This meant that freight on whole animals had to be paid; and in the case of cattle only a little over half of the animal was meat. This also resulted in deterioration of animals, shrinkage in weight, and deaths of large numbers in transit. It required many days in the sixties for a freight train to make the trip from the Middle West or West to the Eastern States. It also meant that those parts of animals which could not be used for food were thrown away, because of the inability to make use of by-products.

But the beginning of the modern packing industry took place in Chicago about a half century ago. Mr. G. H. Hammond, Mr. G. F. Swift, and Mr. P. D. Armour were among the first to realize the possibilities in the slaughtering of animals in or near the producing sections and the shipping of dressed meat to eastern markets. They were men of great vision, and wrought much better than they knew. They were men of insight, and foresaw the great possibilities for the packing industry. They realized that the great plains and ranches of the West would be the sections where the live stock would be produced, and that it would be more economical to establish the modern packing houses near these producing centers and ship the dressed meat to the large eastern sections rather than to ship the live animal. But there were great difficulties in the way; insurmountable obstacles confronted them. The modern refrigerator cars were unknown, and there was a prejudice among eastern people against western beef. The railroads had live-stock cars and refused to lend any assistance to aid the development of the refrigerator cars. They preferred to carry on business in the same old way, make no change, and refused to alter their cars to give to the industry the development which the first founders saw and predicted. So it was left to these men not only to perfect suitable cars for the carrying of meats, but they were

compelled to actually build, own, and operate the cars. It is not realized, I am sure, how much perseverance and courage was necessary to overcome such difficulties. But as a result of that determination, genius, shrewdness, ability, and efficiency which is and has been characteristic of American business men we have to-day one of the greatest industries in the world—in fact, a business so large that it is the marvel of the nations of the earth.

From a small investment of a few dollars, with no equipment and insanitary methods, they now have hundreds of millions of capital invested, the most modernly equipped plants, where many thousands of people are employed, and where the meat and other products are handled in the most sanitary and scientific manner. This is another result of American initiative, American genius, and American thrift.

But the great development of this industry has brought with it tremendous responsibilities. The packer has his troubles, and his path has not been strewn with roses. And what I have to say of the meat industry applies to the packing of vegetables and every other product on the face of the earth. The packer to-day occupies an unenviable position between the producer, who wants his prices high, and the consumer, equally anxious to buy his products cheap. To serve and to satisfy both is in itself a problem.

One of the greatest achievements of the packing industry has been the utilization of by-products. It was several years after modern packing houses were established before it was learned by scientific investigation that the unused parts of the animal, which were at that time hauled away and discarded, could be used for various purposes. And it was not until the eighties that the utilization of by-products began, so that to-day there is very little waste. I do not know exactly how many by-products result from the packing of meat, but from some investigations which I have made there are more than 40 by-products from cattle, 25 from hogs, and about 20 from sheep. And there are scores of minor by-products which are used as raw material in making hundreds of articles by hundreds of industries.

A good description of the early development of by-products utilization is found in the testimony of J. Ogden Armour before the Senate Committee on Agriculture in February, 1919. His statement is as follows (p. 12):

> During the decade from 1880 to 1890 Armour & Co. continued to expand rapidly as new fields of endeavor opened up. It was during this period that the utilization of by-products began, and the development of that part of our business more than any other factor accounts for our being engaged in so many industries which at first glance seem unrelated to meat packing.
>
> In 1880 the firm found a satisfactory outlet for beef suet by beginning the manufacture of oleomargarine. Two years later methods were found for using blood, bones, and meat scrap. In 1884 the firm engaged in the glue business, so as to have an outlet for great quantities of animal material that in the past had been wasted. The following year the firm was able to put a high-grade pepsin and a beef extract on the market, and in the years that followed ways and means were found to utilize everything in or on a meat animal.
>
> I assume that you know the economic aspects of this by-product development, how it has enabled the producer to get more for his meat animal and the consumer to pay less, proportionately, for his meat. The big packers are to be credited with this development, for without their quantity production the by-products industry could not have been developed. For example, 5,000 steers must be killed before we can produce 1 pound of posterior pituitary substance, from which is made pituitary liquid, a drug valuable to prevent shock after a wound is sustained. Needless to say, small packers could not produce many pounds of pituitary liquid, because by the time they have killed any considerable number of animals the pituitary glands from the first animals killed have ceased to be usable.

Permit me to say here that this drug was used to great advantage by the medical fraternity in the World War, and probably saved thousands of lives. And it could have been produced in no other way except by these packers slaughtering such enormous quantities of cattle that they were able to manufacture this valuable liquid.

Referring again to Mr. Armour's statement, he says:

> From 1890 to 1900 the firm continued growing and expanding. We entered into the manufacture of dry sausage largely for export in order to better utilize coarser cuts of meat, which while perfectly good and wholesome in every way did not lend themselves to sale to best advantage on the market. We went into the fertilizer business primarily to utilize the great quantity of packing-house waste. A similar reason caused us to enter into soap-making industry. Both of these latter businesses have long since ceased to depend upon packing-house waste for raw material, but for all that we regard them as important phases of our business.

One of the most notable results of by-product utilization in the case of cattle, for example, is the fact that all the meat from a steer can be sold by the packer for much less than he pays for the live animal. According to the statement of Swift & Co. for 1919—and they are among the largest packers in the country—they paid an average of $92.70 per head for cattle in the year 1918, but sold the meat for $81 per head. In addition to this $22.06 was received for by-products—total receipts $103.51 per head, as compared with $92.70, the amount paid for the live animal. This left $10.81 for expense and profit, and the statement shows that only $1.02 per head for profit was allowed. I understand that that is equal to about ¼ cent per pound. That seems an unbelievably small sum to charge as profit. I understand that it has been claimed that the packers do not correctly credit the by-products to their beef business; but it seems to me that even if their profit were several times that much, it would be a very small item in the family meat bill.

The by-product business alone has become one of great proportions in this country. Many edible foods are manufactured, and this means that meats can be sold at lower prices as compared to the cost of live animals than would otherwise be possible. It means more than this; it means development of new industries, the employment for more labor, and the satisfying of more wants. To my way of thinking the discovery made by packers that by-products that were thrown away could be utilized for splendid food is one of the greatest achievements of modern times. But these by-products can not be utilized effectively unless the packing industry is organized on a large scale, or when it is concentrated in large markets. If it were not for the big volume of business done the packer could not sell the meat as cheaply as he does to-day; because volume permits him to utilize all by-products, and the packer makes his profit on these by-products alone and not out of the dressed meat. The small packer, especially if he is in the country districts, is at a disadvantage in this respect, as he can not utilize to the same extent the by-products as the big packer can, because he does not have sufficient volume of business to justify it. But the small packer in a large city does not suffer to such disadvantage as he formerly did, for there is a fairly good market for by-products that he himself can not utilize.

In the development and growth of this business no one appreciates more than I the advantage of producing in a large way, because I have had the experience. I started in the packing business in a very small way, with one small factory producing but a few thousand cans per day, and by economy, hard work, and patience my business has grown to the operation and management of eight canneries, handling the products of many towns, and with little extra expense in office work or what might be termed overhead charges.

And while I am discussing this phase of the subject, Mr. President, I want to consider the large packing business. Some complain that the companies are too large. I understand that the author of one of the bills, Senator KENDRICK, bases his argument for Government regulation on the fact that they are national and international in scope and therefore ought to be curbed by the Government. I think the most important fact of this matter is that the packing business has to be conducted by large establishments. As I have already suggested, a very large part of the live stock is raised in the Middle West and a majority of the consumers are located in the East. This makes it necessary in this particular line to assemble the live stock for slaughter on a large scale near where the cattle are raised and for the packer to provide a distributing organization for getting the meat and by-products in the hands of distant consumers.

I have heard it said that the small packer can not provide a selling organization which will distribute fresh meat all over the country in carload lots. I do not see why a small packing business should be expected to maintain branch distributing houses in all cities of the country. It must take a large output to maintain a lot of branches. As a matter of fact, small packers are by their size limited very largely to a local business. Only large packers can take care of long-distance business that requires much organization and equipment. I do not see that it will be any benefit to try to boost small, poorly equipped firms into a large-scale way of doing business for which they are not fitted.

So that when this proposition is viewed in its proper light I think it will be found that the present organization of the packing industry really meets the needs of the situation in this country and results in efficiency. It also remains to be proved whether the large packers are not in active competition. I am inclined to believe their statement that they have no agreements, especially as there is no positive evidence to the contrary. I believe this because in my own State, where we pack a particular style of goods that can not be produced in any other section to compete with us, there have never been any gentleman's agreements nor combinations to control that business, and the packers in the State of Maine are in sharp competition with each other. I can not understand how the packers would dare to make these statements if they were not true. I can not understand how they would dare to have any agreements, even if they wanted to, in view of the constant investigations and surveillance of their industry. Common sense tells me that

they would not be foolish enough to run the risk that would be involved in agreements.

The so-called Big Five packers, I am advised by the investigation I have made, handle less than 40 per cent of the total meat production of the country, and only about 70 per cent of the output of the inspected packing houses, which ship goods in interstate commerce. The largest packer handles only about 12 per cent of the total meat supply and only 22 per cent of the output of inspected houses. In 1918 there were 884 packing houses having Federal inspection outside of those owned by the five largest packers. This number does not include hundreds of packing houses doing an intrastate business which are not under Government inspection.

I understand that the smaller packers are fairly prosperous; that they are not only making money but steadily increasing their volume of business. Some of the so-called small packers are very large size, as, for example, Kingan, Dold, Hermel, and many others, who do a large interstate and foreign business.

Those who criticize the five largest packers on account of their size should remember that in many important industries there is one single corporation that handles a much larger percentage of the total output than is the case in the packing industry. For example, I refer to the United States Steel Co. (Inc.), the Standard Oil Co., the International Harvester Co., the Continental Wall Paper Co., the American Woolen Co., and so forth.

There are some who declare that the packing industry should be composed of small units instead of large. The small packer is not in a position to render the same service that the large packers do. The large packers undertake the expense not only of slaughtering and dressing animals but they pay freight on goods to all parts of the country, operate branch houses, have their own salesmen, accountants, expert meat cutters and handlers, and so forth, and even deliver considerable into the hands of retailers with their delivery trucks.

Instead of restraining packers and undertaking to tell them what they should do, in my judgment, they should have more liberty; and if they were permitted to divide territory, it would save a great expense which is now incurred. For instance, in small cities of thirty or forty thousand inhabitants we find from 5 to 10 packing houses who have warehouses, offices, clerks, bookkeepers, managers, handlers of beef, stock drivers, and so forth, that could all be readily handled by one concern; and 5 or 6 men could easily do the business that is carried on by 30 or 40. This, of course, can not be done, because it would be said that they were in restraint of trade, and so they are obliged to keep this large force of employees to satisfy the law. Possibly this is best. In fact, probably it is best; because combinations might be made that would be detrimental to the interest of the consumer. But from the standpoint of economy great expense could be saved; and if this expense could be used for the benefit of the consumer, millions of dollars might be turned his way.

The small packer has to pay relatively little for freight and selling expense, because he sells his goods locally or buys through a wholesale dealer in a distant market. In other words, large packers perform a much more extensive service and a very necessary one, and consequently you can not safely compare their expense with the expense of the smaller packer who performs a lesser service.

I feel that there is room, and a great need, for both the small and large packer. From testimony given before the House and Senate committees last winter the small packers are not complaining; for at those hearings they said that they had been prosperous; that they had not suffered from the competition of the large packers; and that they were opposed to legislation regulating the packing industry. And I want to say that I have received letters from very many of the smaller packers of my State opposing these bills. Even the Federal Trade Commission in its report on profiteering made the following statement with regard to the small packers:

> The independent packers, as measured by results compiled for 65 of the largest of them, earned during 1914, 1915, and 1916 a rate of profit as high or slightly higher than that earned by the big packers in those years.

One of the best illustrations that I know of, which demonstrates the efficiency of large business units, is the splendid service the packers rendered during the war. They did a big job, and they did it in a big way. I doubt, Mr. President, if many realize what a vital part the packers played during the war in keeping the Allies and our own countrymen fed, which was one of the necessary services in winning that contest.

I believe the records will show that there is no industry in the country that performed a greater service. They had such a perfect machinery, organized on a national and an international basis, that they were able to take care of war demands perhaps more promptly and efficiently than any other industry in the country. Their efficiency in this respect alone is one of the best arguments that can be found for the present organization of the packing industry on a large scale.

The following export figures in round numbers give some idea of the tremendous quantity of beef and pork products sent abroad as a result of the war:

Beef products.	Pounds.
In 1914	148,000,000
In 1918	590,000,000
Pork products.	Pounds.
In 1914	921,000,000
In 1918	1,600,000,000

In this connection I want to speak a word with reference to the National Canners' Association, which was called upon and used in a great many capacities by the different Government offices. Because of the fact that perishable food could not be taken to foreign cantonments in any other manner than in tin cans or cold storage, it can readily be seen that the canning industry had to put forth its utmost efforts throughout the war to meet the Government requirements. This is evidenced in the report of Mr. Benedict Crowell, Assistant Secretary of War and Director of Munitions, in which he says:

> We literally paved the way to Berlin with tin cans. We used more than 1,000,000,000 cans. Enough, standing on end, to make a road wide enough and long enough for a force of men marching in columns of four to go from Hoboken, N. J., to the heart of Germany.

Yet these men who produced this quantity of canned food have been declared in this Senate a menace to the country. As between them and their accusers I shall leave you to judge.

Early in 1918 representatives of the Army and Navy attended the annual convention of the National Canners' Association, which was held in Boston, and urged maximum production of canned foods in every possible way. The industry was strained to its utmost. And owing to the officially established price of wheat, which automatically established in the minds of farmers a minimum expectation of acreage return, it was forced to pay the farmers a largely increased price for all of its raw products.

The Army and Navy, fearing that the price to be paid farmers for raw tomatoes could not be controlled, issued a bulletin February 28, 1918, through the Food Administration, stating that they would be unwarranted in making any award for canned tomatoes, or tomato products, based on raw material prices in excess of certain amounts.

This bulletin brought forth earnest protests from farmers, and the matter was taken up by the United States Senate, with the result that the bulletin was withdrawn.

In 1918 the requirements for the Army and Navy were placed through the Food Administration direct with individual canners. The authority for the Food Administration placing these commandeered orders was through the direction of the Food Purchase Board. The individual canners were required to readjust their plans from time to time as the needs of the Government became apparent.

In April, 1918, the canners were instructed to hold for the Government 15 per cent of their season's production of peas, corn, and tomatoes. On July 30 these percentages were increased to 25 per cent of the peas and corn and 33⅓ per cent of the tomatoes. On September 27 the new percentage of tomatoes was increased to 45 per cent. The original commandeer of string beans was 25 per cent, and this was later increased to 40 per cent of the entire pack.

One of the Big Five packers alone shipped 760,000,000 pounds of meat and meat products during the year ending November 1, 1918, to the American Army and Navy at home and abroad and to allied nations and their armies and civilians. This amounts to 25,000 carloads of meat, which would make a single train 200 miles long. This same company shipped as many as 1,000 cars for Army at home and for overseas shipment in a single week.

What might have happened to ourselves and to our allies during the war had it not been for this wonderfully well organized and efficient industry? What if the Big Five had been divided into three, four, or five thousand units? Does anyone believe they would have had the organization and equipment to have rendered such service? It is difficult to imagine how many millions of troops in Europe could have been adequately fed without the organization of the packers. We know that in many wars in the past armies supplied themselves by foraging in the country through which they were passing. But during the European war millions of men had to be supplied with meat from points thousands of miles away. This was all done quickly and efficiently, and there were no complaints as to the wholesomeness, the cleanliness of the food, or of the service rendered, and not a single death has been reported from this source. If there had not been an efficient machinery in operation at the beginning of the war, the accomplishments in this direction would never have been possible.

I want to dwell at some length on the subject of the profits made by packers, because I think that that is one of the controlling facts of this industry that you have to consider in connection with the proposed legislation.

The history of the agitation which has culminated in these bills is that the live-stock producer has complained from time to time that his economic condition has been injuriously affected by fluctuations in prices of live stock, resulting in severe losses. It has been repeatedly, in fact continually, charged that the losses which the live-stock raiser has at times suffered have been due to extortionate profits taken by the large packers. It is the hope of those back of the proposed legislation that Government control will so regulate the profits of the packers that these losses in the raising of live stock will be avoided.

It therefore appears that there is expected from this legislation a reduction in the difference between the price of the live animal and the price of meat and by-products; so that the live-stock raiser will be enabled to get more for his live stock, and the consumer to get his meat at a lower price.

I believe that it has been generally conceded that the packers handle their business in an efficient manner, and with a proper economy of expense.

Our experience with Government control of railroads and telephones certainly gives no hope that under Government regulation the expense of conducting the business would be reduced. The only hope, therefore, is that there can be a substantial improvement made in the economic status of the producer and consumer through a reduction in the profit made by the packers. That is in the minds of those who are urging this legislation as being the cure to be applied to the situation. The Federal Trade Commission has laid great emphasis on what they call extortionate profits taken by the packers and, in my opinion, have gone to great lengths to mislead the country as to the real situation, with the result that after more than two years of investigation the general public is yet without reliable information presented so as to disclose the effect of the packers' profits on the producer and consumer. The general public have been misled by the quotation of large figures of total profits into the belief that the packers have made extortionate profits and have, in fact, seriously affected prices of live animals and meat by reason of excessive profits.

There is, however, no lack of evidence to show that that is not true and that the real facts show profits so small as not to affect prices appreciably. For one year ending November 2, 1918, the packers were under the supervision of the Food Administration, their profits during this time being covered by certain profit restrictions. Their books and records were also under the close supervision of the Federal Trade Commission, who had a force of men located in Chicago in daily touch with the books and records of the packers, which books and records were subject to their inspection.

The Food Administration has made an annual report as to the operations of the five large packers during this year, from which I quote the following figures:

Total profit	$40,594,935
Investment	$714,187,204
Profit percentage on investment	5.6
Sales	$2,434,113,430
Profit percentage on sales	1.6

Is there any other business of like size and like investment in this country that shows so small a percentage of profits allowed on the investment or on sales as does the five large meat packers of the country? These figures cover the operations in the slaughtering of live animals and the distribution of meat and by-products therefrom, and, under the Food Administration rules, include all profits that legitimately belong to the meat industry.

I want particularly to call your attention to the fact that the profit on the investment was only 5.6 per cent and on the sales 1.6 per cent; that is to say, 1.6 cents profit on each dollar of sales.

Mr. REED. Mr. President——

Mr. FERNALD. I yield to the Senator from Missouri.

Mr. REED. I think for the sake of accuracy or clarity it ought to be stated that this profit realized by the packers of 5.6 per cent is not the profit upon the capital of the packing companies, but represents a profit upon every dollar invested or employed in the business. That is to say, if a packing company has a capital of $10,000,000, and then borrows $100.000,000, the profit represents 5.6 per cent on all the money thus employed. So the packer first pays the interest on his borrowed money and charges that as expense. That capital has once borne an interest burden. Then upon the money he thus borrows he makes a net return of 5.6 per cent. So money which he borrowed at 6 per cent has to bear the ultimate burden of 11.6 per cent.

I am not saying for the present that that may not be proper, but I would not want it to appear that a packing company had made only 5.6 per cent upon the capital stock of the company.

Mr. FERNALD. I thank the Senator for his observation.

Mr. GRONNA. Will it disturb the Senator to be further interrupted?

Mr. FERNALD. No; I yield gladly to the Senator from North Dakota.

Mr. GRONNA. I think it is generally understood by everyone who has investigated this matter that under the regulations made by the Government the packers were allowed to make a profit of 2½ per cent on their turnover, and that they made a profit as stated by the Senator from Maine. Is that correct?

Mr. FERNALD. I think that is correct.

Mr. SMOOT. It is also true that they did not make the 2½ per cent allowed by the Government.

Mr. FERNALD. No; they did not.

Mr. REED. That is to say, the Government regulation was so high that the packer could not reach it.

Mr. FERNALD. I will come to that later.

Mr. REED. So Government regulation does not seem to promise much in that respect.

Mr. FERNALD. In 1918 the packers were under a great many restrictions imposed by the Food Administration, and it might therefore be claimed that the profit resulting from operations in that year did not reflect the normal conditions of the industry.

I have had prepared a statement which I would like to introduce covering the sales and profits of the four large packers—Wilson & Co. figures not being available—for the last 10 years.

FOUR LARGE PACKERS.

Statement showing sales, profits, and per cent earned.

Year.	Armour.			Cudahy.			Morris.		
	Sales.	Profits.	Per cent profit on sales.	Sales.	Profits.	Per cent profit on sales.	Sales.	Profits.	Per cent profit on sales.
1909	$225,000,000	$7,127,925	3.17	$84,420,765	$1,464,952	1.74	$160,000,000	$2,071,339	1.29
1910	250,000,000	5,817,720	2.33	93,315,696	494,117	.05	140,000,000	1,627,994	1.16
1911	250,000,000	5,510,053	1.00	87,903,855	379,307	.04	140,000,000	1,036,746	.74
1912	285,000,000	5,701,646	2.00	90,443,970	1,129,465	1.25	160,000,000	1,812,653	1.13
1913	350,000,000	6,028,197	1.72	104,408,789	1,329,178	1.27	175,000,000	1,916,997	1.10
Total, 5 years	1,360,000,000	27,185,541	2.00	460,393,075	4,797,019	1.04	775,000,000	8,465,729	1.09
1914	375,000,000	7,509,908	2.00	109,121,449	1,402,016	1.28	150,000,000	2,205,673	1.47
1915	425,000,000	11,000,000	2.59	116,162,156	609,242	.53	160,000,000	2,321,415	1.45
1916	525,000,000	20,100,000	3 83	133,960,966	3,011,415	2.25	250,000,000	3,632,212	1.45
1917	575,000,000	21,293,562	3.70	184,811,000	3,851,994	2.08	300,000,000	5,301,071	1.77
1918	861,000,000	15,247,837	1.77	286,660,971	3,376,808	1.18	372,000,000	4,217,858	1.13
Total, 5 years	2,761,000,000	75,151,307	2.72	830,716,542	12,251,475	1.47	1,232,000,000	17,678,229	1.43
Total, 10 years	4,121,000,000	102,336,848	2.48	1,291,109,617	17,048,494	1.32	2,007,000,000	26,143,958	1.30

FOUR LARGE PACKERS—continued.

Statement showing sales, profits, and per cent earned—Continued.

Year.	Swift.			Total four large packers.		
	Sales.	Profits.	Per cent profit on sales.	Sales.	Profit.	Per cent profit on sales.
1909	$250,000,000	$8,025,000	3.21	$719,420,765	$18,689,216	2.60
1910	250,000,000	7,050,000	2.82	733,315,096	14,989,831	2.04
1911	275,000,000	6,137,500	2.23	752,803,855	10,063,606	1.34
1912	300,000,000	8,250,000	2.75	835,443,970	16,893,764	2.02
1913	400,000,000	9,250,000	2.31	1,029,408,789	18,524,372	1.80
Total, 5 years	1,475,000,000	38,712,500	2.62	4,070,393,075	79,160,789	1.94
1914	425,000,000	9,450,000	2.22	1,059,121,449	20,567,597	1.94
1915	500,000,000	14,087,500	2.82	1,201,162,156	28,018,157	2.33
1916	575,000,000	20,465,000	3.56	1,483,960,966	47,208,627	3.18
1917	875,000,000	34,650,000	3.96	1,934,811,000	65,096,627	3.36
1918	1,200,000,000	21,157,277	1.76	2,719,660,971	43,999,780	1.62
Total, 5 years	3,575,000,000	99,809,777	2.79	8,398,716,542	204,890,788	2.44
Total, 10 years	5,050,000,000	138,522,277	2.74	12,469,109,617	284,051,577	2.28

I want particularly to call your attention to the fact that for the first five-year period their sales were $4,070,000,000, the profits $79,000,000, or 1.94 cents per dollar of sales. For the second five-year period—the war period—their sales were $8,399,000,000; profits, in round numbers, $204,000,000, or 2.44 cents per dollar of sales. The lowest rate per dollar sales was 1.34 cents, the highest 3.36 cents. It is true that the total amount of the packers' profits has increased from $79,000,000 for the first five-year period to $204,000,000, but their volume of business has more than doubled.

I have to confess that I can not see how the packers can have injuriously affected the economic status of producer and consumer by taking such extremely small profits.

I doubt if there is any large industry in the country which does business on such a narrow margin of profit. To me these facts absolutely show that packers' profits have little effect in keeping meat prices high or in keeping live-stock prices low. The difference paid these two would seem to me to be as low as is possible. Only large volume of business makes it possible to operate on such a small margin of profit.

We all realize that the price of all commodities at present is higher than ever before experienced. I can not find that meat prices are in proportion any higher than the prices of other commodities. It would be interesting to consider how the economic status of the producers of live stock is to be benefited by the proposed legislation. It has been shown by some of the packers—Swift, I think, more particularly—that 85 cents out of each dollar of sales is paid for the live animal; 13 cents for labor, freight, and other expenses, and only 2 cents was profit. You will note that 13 cents went for freight, labor, and other expenses. It is undoubtedly true that the packer is paying regular rates for transportation of his meats. A reduction of these rates is a matter that can not be affected by the proposed legislation. The packers' expenditures for labor and other expenses can be reduced only by greater efficiency.

Keeping in mind our experience with railroads and telephones, I think you will have very grave doubts as to any saving being made out of the packer's expenditures for labor and other expenses by this legislation. This leaves only 2 cents, which the packer retains as his profit. This 2 cents is less than one-half cent per pound, and amounts to about 90 cents per capita, based on the average consumption of 182 pounds of meat per capita of production per annum.

I do not believe that the consumers of this country or the producers want to try the radical experiment of governmental control of industries if that is all the saving that can possibly be made. If you can not reduce materially the packer's expenses or his profits, then the only way you can get lower-priced meats is to pay the producer less for his live stock.

At this point I want to show the other side—that the economic condition of the producer and consumer has been tremendously helped by the initiative, energy, and efficiency of the packers in keeping abreast of an expanding industry by preparing the products of live stock with the highest degree of skill and energetically finding a market for them throughout the world and in this country, so that in every village and town, and even in country districts, it is possible for the consumer to secure full supplies and wide varieties of all kinds of meat products, delivered to him in the very best of condition.

This widespread market for products has made possible the present vast size of the live-stock industry. There is no country in the world that has such an efficient and energetic instrumentality in getting live-stock products to market as the packers have furnished the live-stock raisers of this country.

I think, Mr. President, that the principal reason for this legislation and the agitation that is going on in some quarters against the packers is due in some respect to an investigation conducted by the Federal Trade Commission, and I want to go into that question for a little while.

The investigation of the packing industry was started by the Federal Trade Commission in the summer of 1917. It was started on instructions from President Wilson:

> To investigate and report the facts relating to production, ownership, manufacture, storage, and distribution of foodstuffs, and the product or by-products arising from or in connection with their preparation and manufacture.

The letter from the President containing these instructions was dated February 7, 1917. But what has the Federal Trade Commission done since the President gave these instructions nearly two and one-half years ago? The fact is, the commission has investigated meat industries only, and only that part with which the packers are concerned. No attempt has been made to investigate live-stock prices or the cost of live-stock production, and no study has been made, so far as I know, of retail distribution.

When the investigation began it bid fair to be an impartial one. But all of the packers declare that it soon developed that the Trade Commission was seeking only such information as it could use, by distorting facts and by adroit interpretation, to make out a case against the packing industry. The investigation was a one-sided affair. It was an ex parte proceeding. To start with, the commission employed an attorney who was at that time a candidate for office, and who sought throughout his employment with the commission to gain all the publicity and notoriety possible. He had gained his reputation as a prosecuting attorney and he began to perform in that capacity for the commission.

The packers insist that prejudiced witnesses were sought out to testify against them. They were not permitted, however, through legal counsel, to cross-examine these witnesses. They could not produce witnesses who, through cross-examination, would controvert the evidence of prejudiced witnesses, nor were they permitted to cross-examine witnesses of their own, to substantiate the facts which they might have produced. It is true that representatives of the packers might have appeared at these hearings, but since they would have been subject to cross-examination by a hostile attorney, and since they had no right of cross-examining witnesses themselves, or through counsel, they naturally did not care to submit to any unjust procedure.

In further support of my contention that these hearings were unfair, I call your attention to the significant fact that Mr. Colver, of the Federal Trade Commission, admitted to the House Committee on Interstate and Foreign Commerce, December 19, 1918, that the hearings had been ex parte in character.

The packers further assert that other questionable methods of procedure were used by the commission, when their agents went through the private files of the packers and selected only such parts of correspondence as might appear to make a case against the packers. They say a letter here and a letter there,

scraps of paper, were taken from the files while the hearings were being held, and these read into the record, not only without adequate explanation but with misleading insinuation and wrong interpretation. All of these were given at once to the newspapers, which resulted in sensational items being printed which inflamed the public, and is responsible more than anything else for the prejudice in the minds of the people against the packing industry.

This report of the Federal Trade Commission, as far as I have been able to investigate it, contains no evidence of monopoly. I am reliably informed, Mr. President, that the commission in some instances actually used only such parts of telegrams taken from the files of the packers as appeared to bear out its case, omitting items from the same telegrams which were not useful evidence to the commission.

So here we have an agency of the Government, constituting itself mainly as a prosecuting body, losing sight very largely of its function in the aid and guidance of business. The Federal Trade Commission, in place of cooperating and being of some assistance, has, and is now, badgering, harrying, and heckling American business interests.

Mr. President, instead of interfering with the business affairs of the country every Senator on this floor ought to be trying to encourage business, and in those splendid States of the South there ought to be erected this year more than 100 canneries to take care of their products. Instead of that, however, no development is being made along these lines.

I want to call the attention of the Senate to some statements contained in the summary of the report of the Federal Trade Commission, wherein monopoly and collusion is charged. These statements are made in a letter to President Wilson, written by W. B. Colver, then chairman of the commission. The report is dated July 3, 1918. Here are some of the statements Mr. Colver makes:

> First. It appears that five great packing concerns of the country—Swift, Armour, Morris, Cudahy, and Wilson—have attained such a dominant position that they control at will "the market in which they buy their supplies, the market in which they sell their products, and hold the fortune of their competitors in their hands."

A little further on in this letter Mr. Colver further states:

> Some independent packers exist by sufferance of the five, and a few hardy ones have survived in real competition. Around such few of these as remain the lines are drawing in.

On last Monday, August 18—and I am glad the chairman of the Committee on Agriculture and Forestry is present—Mr. Colver went before the Senate Committee on Agriculture and Forestry and practically reiterated the charge to the committee contained in his letter to the President. He declared:

> We have found that there are five great meat-packing corporations in this country, which, independently and collectively, control the meat-packing industry of the country. There are many independents, some of considerable size, many smaller ones. We find that these independents, in so far as they do exist, exist at sufferance, and as you become more familiar with these reports I think that that will be as clear to you as it seems to be clear to us.

But now let us see, Mr. President, whether that is the truth or not. Only yesterday a number of independent packers appeared before the Senate Committee on Agriculture, and these men's testimony discredits absolutely the report of the Federal Trade Commission as well as the statement made by Mr. Colver no longer ago than last Monday. There were eight or nine prosperous and independent packers who appeared before the Senate committee yesterday protesting against the enactment of the Kendrick and Kenyon bills. Their resolutions, or letter, to the chairman of the committee is as follows:

> The undersigned, being beef and pork packers in the city of Baltimore, hereby strongly oppose the two bills known as the Kendrick bill, No. 2202, and the Kenyon bill, No. 2199, introduced in the Senate of the United States on June 23, 1919, for the following reasons:
>
> First. Because the bill states "it is to stimulate the production as well as the distribution of live stock, live-stock products, and for other purposes," which, in our opinion, it can not possibly do.
>
> Second. Because we are opposed to placing the live stock and live-stock products industry in the hands of any one person, being sure that no man living has the ability or capacity to discharge the duties of such a position fairly and without hardship to some packers. And our experience has been that power has been used arbitrarily on many occasions, and this would seriously hamper the proper conduct of the business.
>
> Third. We believe that there are sufficient laws upon the statute books to prevent meat packers from making any unreasonable profits.
>
> Fourth. It is not possible to hamper or reduce the efficiency of the meat packers without injuring the live-stock producers and limiting their output, which in turn decreases the amount of food products for the consumer and increases the price
>
> Fifth. Because it is a long step toward Government ownership, thereby taking away ambition and initiative.
>
> Sixth. If the packing industry is handicapped, it will be difficult, if not impossible, for the packer to secure sufficient loans at the banks throughout the country during the packing season, when the producer wants a ready market for all of his live stock.
>
> Finally, because of alleged misdoings of the large packers, hundreds of smaller packers who have labored for many years to build up their business this bill injures and tends to destroy.
>
> T. Davis Hill, of Cochran, Hill & Co.; Howard R. Smith, of Jones & Lamb Co.; Joseph Kurdle, of the Thos. J. Kurdle Co.; Fred Shafer, of Jacob C. Shafer Co.; Sol. Greenewald, of Greenewald & Co.; C. F. Kurrle, of Kurrle Packing Co.; W. F. Schluderberg, of the Wm. Schluderberg & Son Co.; C. F. Hohman, of C. Hohman & Sons; H. C. Bertram, of D. B. Martin Co.

Then a number of these gentlemen went on the witness stand and in their testimony declared that the so-called Big Five had not and were not trying to crush them—they had been treated fairly—and opposed this legislation. I wish to call your attention to the testimony of Mr. T. Davis Hill, of Cochran, Hill & Co. (Inc.), beef and pork packers, of Baltimore, Md. This company has just completed a new million-dollar plant and expanded its business. Until a few months ago they were in the pork-packing business, but with their new plant they are slaughtering cattle, sheep, and other animals. Reading from the record of yesterday, we find as follows:

> Senator WADSWORTH. Has your business—if you do not mind saying so—been growing the last 10 years?
> Mr. HILL. Yes.
> Senator WADSWORTH. Has it been subject to any undue interferences by any other corporation?
> Mr. HILL. Nothing except what competition brings.
> Senator WADSWORTH. And you are expanding?
> Mr. HILL. Yes, sir; very much so.

Mr. Hill further testified that his company went out into the open market and bought their live stock. He said they bought it at Louisville, Indianapolis, Cincinnati, St. Louis, and as far west of Kansas City. Along this line, Senator WADSWORTH asked Mr. Hill this question:

> Senator WADSWORTH. Have any of the men who have been buying for you made any complaint to your company that their operations as buyers were hampered in any way in the stockyards?
> Mr. HILL. Never; I have not any idea they are.

A little further we read from the record:

> Senator WADSWORTH. Has any question arisen in your experience that would lead you to believe the packers control the market?
> Mr. HILL. They can not do it.
> Senator WADSWORTH. You mean they can not do it?
> Mr. HILL. They can not do it.
> Senator WADSWORTH. Why not?
> Mr. HILL. There are too many small buyers.
> Senator WADSWORTH. Too many small buyers?
> Mr. HILL. Too many outside packers. You look into the Drover's Magazine and you will see that outside buyers purchase in Chicago some days more than all the large packers put together. In other words, there are so many orders coming into a market like Chicago some days, for instance, that the smaller packers frequently make the market for the big packers.

Senator WADSWORTH then asked Mr. Hill about his profits. This is also very interesting, Mr. President:

> Senator WADSWORTH. How does your margin of profit compare with that of your most powerful competitor, if you can make the comparison?
> Mr. HILL. According to their statements, ours was a little better last year. If you will remember, the Government limited the packing industry to 2½ per cent profit on the volume of business. I see by the statements of the large packers that they did not make it.
> Senator WADSWORTH. It ran about neck and neck—you did a little better than they did?
> Mr. HILL. I believe in 10 years we have done a little better than the larger packers.

So, Mr. President, that would not indicate that the independent packers are existing by sufferance. The testimony yesterday was very interesting, and I want to go a little further:

> Senator FRANCE. Mr. Hill, you have built up your business by buying in competition with big packers and in selling in competition with them in the markets?
> Mr. HILL. Yes, sir.
> Senator FRANCE. Can you cite any instance of unfair competition against you?
> Mr. HILL. None whatever. Their competition is just the same as we meet all over the country.
> Senator FRANCE. Have they never tried to undersell you for the purpose of driving you out of business?
> Mr. HILL. I have never seen that disposition. Their competition is exactly the same as we meet everywhere else. There are many branch houses in the business, as you know, and we are in constant competition with smaller and larger packers.
> Senator WADSWORTH. How many independent packers are there in Baltimore?
> Mr. HILL. Ten or twelve.
> Senator WADSWORTH. Ten or twelve small packers?
> Mr. HILL. Yes.

As a further evidence of there being competition, in reply to a question by Senator CAPPER, "Is not the market practically the same in respect to the independent packers and 'Big Five' packers; that is, you are not attempting to make a better price than the five big packers at any time?" Mr. Hill says:

> As I say, that is not our policy. Our policy is to go out and sell these goods at a profit when we can do it. I venture to say that there is 4 or 5 cents a pound difference between the highest and lowest price on hams in Baltimore to-day.

Mr. President, I understand these other packers from Baltimore testified practically the same things as Mr. Hill. Besides

the Cochran, Hill & Co. expanding, Jones & Lamb, of Baltimore, have, I understand, awarded contracts for $1,000,000 worth of improvements; that D. B. Martin & Co., another independent packer of Baltimore, is spending $500,000 on improvements; and that William Schluderberg & Sons have awarded a contract for an addition to their plant costing $600,000.

Mr. President, does this look like "the lines are drawing in"? All of these gentlemen who testified yesterday, I understand, are among the leading citizens of Baltimore, men of character and standing in their community, and yet we have an agency of the Government giving out reports which are evidently untrue. In addition to the testimony of Mr. Hill, Mr. Howard R. Smith, president of the Jones & Lamb Co., Baltimore, in a statement said:

> The impression seems to be abroad with some people that large packers are just simply monopolizing everything and driving the smaller packer out of business. I want to say that we have been in the packing business for 15 years, and we have large and smaller packers as competitors. They have not put us out of business. We have grown right along; in fact, we are now erecting a new plant at Baltimore.

As I have said, Mr. President, this company is building a million-dollar plant.

Mr. Sol. Greenewald, president of the Greenewald Packing Co., Baltimore, when asked if the big packers interfered with them in any way in their business, said: "No, sir; not at all." Mr. Greenewald told the committee that they went into other markets in Kansas City and Chicago, went into competition in stockyards of these places, and bought their live stock. He also denied that the big packers controlled competition. He said the yards were open to anyone.

On July 11, 1919, in a summary, the Federal Trade Commission in its report said:

> The packers are also important factors in condensed milk, and are rapidly increasing their proportion. Wisconsin is covered by their creameries, condenseries, and buying stations, and a similar process and control is already evident in the other principal dairy States.

Now, let us see about that statement. Yesterday Mr. William T. Nardin, vice president of the Helvetia Milk Condensing Co., whom I know very well, appeared before the Agriculture Committee of the Senate, and when asked what percentage of the milk business was controlled by the packers, replied:

> There was last year produced in the United States about 33,000,000 cases condensed and evaporated milk. * * * The packers produced of that, I should say, not more than 3,000,000 cases.

This, you realize, is not 10 per cent of the milk business of the country.

Chairman GRONNA asked Mr. Nardin this question:

> The CHAIRMAN. How do you find them as competitors? It has been complained, of course, that they are unfair and that when they begin to operate in a new industry they will make prices lower to make it impossible for people with smaller capital to carry on the business and make a profit.
>
> Mr. NARDIN. Speaking for my own company, the company with which I am connected, we have found no difficulty in packer competition in the milk business.

So here we have the testimony of one of the leading milk manufacturers of the country saying the packers controlled less than 10 per cent of the milk business and that they are not unfair in competition.

I desire to call your attention, Mr. President, to another phase of the Federal Trade Commission's report. That is the retail business. Yesterday Mr. Emanuel Wasserman, of Louis Wasserman & Sons, retailers and jobbers of fresh and smoked meats, of Norfolk, Va., gave testimony before the Senate committee against the Kenyon bill. Here is a portion of his testimony. Mr. Wasserman said:

> My firm is 47 years old. We handled fresh meats before the packers came into Norfolk and since the packers came into Norfolk. And I want to say that I have personally had 26 years of experience, and all of the dealings I have ever had with the packers themselves they have been absolutely fair and square, and I have prospered since I have dealt with them.

Mr. Wasserman told the committee that before the packers went to Norfolk the butchers got their cattle the best way they could; that the meats were inferior in quality; but since the packers went to Norfolk he said that "meat was delivered to us in better condition; the quality was much better than we could get around home in the country."

Chairman GRONNA asked the witness this question:

> Your experience with the packers, then, leads you to believe that the packers are not taking undue advantage of their customers or of the public?
>
> Mr. WASSERMAN. I have had no trouble in any shape or form. I have always been able to buy from them. I have bought also from independent concerns, but I have usually been able to do better buying from the packers. There are two independent concerns in Baltimore that I deal with, and very often I can buy a great deal cheaper right at home from the packers, and save their freight charge, than I can from these independent people.

So, Mr. President, here we have testimony from the independent packers, who are prospering, expanding, defending the "Big Five" from charges made by the Federal Trade Commission, and who are against this bill.

I wish to say that I have some letters which I shall place in the RECORD, without reading, from many other small, independent packers of the country.

SIOUX CITY, IOWA, *August 15, 1919.*

Hon. BERT M. FERNALD,
United States Senate, Washington, D. C.

DEAR SIR: Inclosed please find printed copies of resolutions passed by the Sioux City Live Stock Exchange on August 8, opposing the Kenyon bill, which we feel is most detrimental not only to the farmer and producer but also to the entire live-stock industry.

We trust you will give these resolutions your careful consideration as the Live Stock Exchange is thoroughly familiar with all phases of the live-stock industry and speaks from actual knowledge.

Respectfully, yours,

PAUL H. CALDWELL,
Secretary Sioux City Live Stock Exchange.

OPPOSED TO THE KENYON BILL—SIOUX CITY LIVE STOCK EXCHANGE SETS FORTH REASONS FOR LACK OF FAITH IN PROPOSED LEGISLATION.

At a meeting of the Sioux City Live Stock Exchange, held yesterday afternoon, the following resolutions were adopted:

"Whereas there is now pending in the Senate of the United States a bill, Senate file No. 2202, introduced by Senator KENYON, of Iowa; and

"Whereas said bill proposes to delegate autocratic power to an appointee of the Secretary of Agriculture in that it provides that the person so appointed under the provisions of this act shall have sole control, direction, and supervision of the entire live stock, meat foods, and dairy business of the United States, subject only to the Secretary of Agriculture, in whom is vested power to make any such rules, regulations, or restrictions as he may see fit to impose upon those engaged in any of the varied branches of these industries; and

"Whereas the Sioux City Live Stock Exchange was organized for the purpose of protecting and promoting the interests of the live-stock producer and shipper and has ever been quick to oppose any proposed legislation detrimental to such interests; and

"Whereas it is proposed that live-stock commission firms in the conduct of their business shall be compelled by said bill to conduct their businesses only according to the direction of a political appointee, who may or may not have the interests of the live-stock producer at heart; and

"Whereas after a careful study of this bill and having had the benefit of observation of administration of the rail, telegraph, and telephone lines of our country by bureaus and political appointees, we believe that the passage of such a law would throw the live-stock industry of our country into a state of demoralization beyond all precedent in history; and

"Whereas we believe that any such legislation would delegate to an individual autocratic power, that such control if extended to the live-stock industry would soon be demanded for other branches of industry in our country, and that such control would result in equal demoralization in other lines of commerce; and

"Whereas we contend we have a constitutional right to advise our national legislators of our approval of and our opposition to any law, legislation, or regulation which it is proposed to enforce; and

"Whereas we do not accept dictation or direction from any person, corporation, or organization as to our acts in such matters: Be it now

"*Resolved by the Sioux City Live Stock Exchange, organized for the purpose of protection to the interest of patrons of the public markets of the United States,* That we do now register our most emphatic protest against the passage of the Kenyon bill or any bill of a similar nature; that we propose at all times and in all places to voice our opposition to such measures, believing them to be undemocratic, unfair, discriminatory, and confiscatory, and request our representatives in Congress to vigorously oppose any such measure; and be it further

"*Resolved,* That the secretary of this exchange is instructed to forward at once to our representatives in both branches of the Congress of the United States and to representatives in Nebraska, South Dakota, North Dakota, and Minnesota a certified copy of this preamble and resolution."

AUBURN, ME., *July 30, 1919.*

To the Hon. BERT M. FERNALD,
Washington, D. C.:

We, the undersigned slaughterers and meat packers of Lewiston and Auburn, desire to put ourselves on record with you as being strongly opposed to the enactment of such legislation as is proposed in the Kenyon bill (S. 2202), the Kendrick bill (S. 2199), or bills similar thereto.

This is by far the largest slaughtering and packing center in the State of Maine. We handle Maine live stock practically exclusively. We sell our meat food products almost wholly to the State of Maine consumers. Our several businesses are solely owned by ourselves; hence are absolutely independent of any of the larger interests in the same line of business. Yet we honestly believe that such legislation as is above referred to is extremely prejudicial to the best interests of Maine live-stock producers, Maine consumers, and ourselves. Therefore, we hereby and over our signatures hereto most seriously and earnestly implore you to do everything possible to prevent the passage of such bills as are hereinbefore mentioned.

Very sincerely, yours,

E. W. PENLEY.
J. P. SUTTON CO.
THE MERRON PACKING CO.
MARTIN HAAS.
LITTLEFIELD & SONS CO.

We have testimony from a milk manufacturer, and also from a retailer, denying in each case that the packers are unfair in competition.

Some time ago the Chamber of Commerce of the United States appointed a committee of nine leading citizens without political, industrial, or personal bias, who followed closely the Federal Trade Commission's work for three years. It presented its findings a few months ago with annotated evidence from the commission's own formal statement. The report of this committee

of nine citizens is set forth in seven specific specifications and printed in The Nation's Business, the official magazine of the chamber of commerce. These specifications are as follows:

First. The commission has undertaken the exercise of function beyond its own jurisdiction to the detriment of its proper usefulness.

Second. The commission has begun the study of important situations, but because of vacillating interests or for other reasons not apparent has left its work incomplete.

Third. The commission's procedure, originally orderly and appropriate, has changed without public notice or notice to Congress.

Fourth. The commission has abused its powers of publicity.

Fifth. Prominent features of the commission's recent food investigations were subversive of common justice.

Sixth. In presenting information to Congress and the public the commission has been heedless of the accuracy and frankness which its position and the circumstances required.

Seventh. The commission has departed from the fundamental purpose for which it was established.

With reference to specification 5, which has to do with the Federal Trade Commission's investigation of the packers, I want to submit as a part of my remarks the full report made by the committee from the Chamber of Commerce:

PROMINENT FEATURES OF THE COMMISSION'S RECENT FOOD INVESTIGATION WERE SUBVERSIVE OF COMMON JUSTICE.

On February 7, 1917, the President informed the commission it was "of the highest public concern to ascertain the truth or falsity" of allegations that "the course of trade in important food products is not free, but is restricted and controlled by artificial means," and directed the commission to investigate. Hiring a special counsel at a rate of $30,000 a year and expenses, although it had stated to a committee of Congress the salary would be at the rate of $5,000, it proceeded not in the spirit of the President's letter but with the apparent purpose of creating in advance a public impression that the allegations were true. It selected documents already in its possession and had them presented to it at public sessions by its special counsel, refusing to permit concerns that were mentioned in the documents to offer any testimony or produce other documents. It held public sessions at Boston, Philadelphia, St. Paul, and other cities, examined witnesses of its own choosing, and prevented cross-examination by the concerns at which it was made clear the proceedings were directed. At each city the special counsel or other members of the staff let it be known that the Government contemplated taking over and operating the industry. This strange spectacle ended at Chicago in February, 1918, when application was made on behalf of the commission for a search warrant under a section of the espionage act, and the circuit court of appeals quashed the warrant. The result of the commission's course was not to give information to the public, but to place the commission in the position of seeking to create prejudice which would support an apparently preconceived purpose to inaugurate Government operation of the business. In other words, before completing the investigation which the President directed, the commission appeared in the guise of attempting to force adoption of a legislative policy in a matter as to which it had not reported the facts. Another result was to prevent such a determination as the President requested and which he declared was of the highest public concern.

The seriousness of the consequences of the commission's course is apparent from the circumstance that the commission's representative took oath that crimes had been committed. If there was crime on the part of any person, the public welfare demands its immediate prosecution by the properly constituted authorities. It equally demands that the commission, which has no criminal jurisdiction, should sedulously refrain from alleging the perpetration of felonies which have not been proved in accordance with established legal procedure.

Although the commission stated in February, 1917, that its report of this investigation would be completed and published within eight months, and the services of its special counsel terminated on March 31, 1918, so much as a summary of a report regarding meat-packing, which the commission said would be the first food industry it would investigate, was not published until August 8 of this year. This summary of 47 pages the commission states is to be followed by seven reports in support of its conclusions and recommendations. In other words, the commission follows a method of publicity which causes its allegations to obtain wide circulation without opportunity for the public to know the grounds on which these allegations are made. Regarding the facts of the industry in question this committee, of course, is without information. It is in no sense in a position to express an opinion as to the merits of the commission's charges.

So here we have the judgment of a committee of the largest business organizations in the United States upon the character and efficiency of the Federal Trade Commission.

I want to call the attention of the Senate to the personnel of the Federal Trade Commission. As I said a few moments ago, the commission was established with the idea of assisting the business interests of our country. But who compose the present commission? Is there a business man of recognized standing on it? I do not want to appear to discredit the Interstate Commerce Commission, for it has been helpful and has rendered excellent service in some instances. But have you ever stopped to think of the class of men who have controlled the policy of the Interstate Commerce Commission? In all these years of its existence it has been controlled mostly by lawyers, men of one profession. Very seldom has there been on the commission a business man, a manufacturer, a farmer, a shipper, or a railroad man trained in the business, except one. I believe there is one railroad man on the commission now, namely, Mr. Clark, who makes a good commissioner. Outside of Mr. Clark the present commission is made up of lawyers and teachers. If we are going to have a commission of this sort, I submit it is only fair to business that men who have some knowledge of the things with which these commissions deal should be represented on the commission. Many times the Interstate Commerce Commission has harassed and interfered with railroad management and development. This has been shown, I think, to the satisfaction of everyone since the war and after Government operation of the railroads.

And now, Mr. President, I come to the important question before the Senate, the Kenyon, Kendrick, and Moses bills, which I desire briefly to discuss.

First of all, and I think the most important feature of these bills, is the licensing provision. All packing companies, stockyard companies, commission firms, and dealers in poultry and dairy products must take out a license and submit to regulations by the Secretary of Agriculture through a commissioner of foodstuffs. The Kenyon bill also includes those companies that gather market information and publish price quotations.

Mr. WADSWORTH. Would the Senator be willing to interpret that last sentence?

Mr. FERNALD. I am just coming to what the Senator has in mind, I think.

Mr. WADSWORTH. Does it include every publication in the United States?

Mr. FERNALD. I so understand.

Mr. WADSWORTH. Practically every newspaper prints market reports.

Mr. FERNALD. I think so.

Mr. WADSWORTH. Then, all must take out Government licenses?

Mr. FERNALD. I think so.

Mr. KENYON. Mr. President, the Senator from Maine asked not to be interrupted, but I feel that the statement made by the Senator from New York should not go unchallenged. The bill does nothing of the kind. The words used in the bill are "in connections with the stockyards," and such papers are the only ones to be affected.

Mr. FERNALD. But reports in the newspapers would be in connection with the stockyards.

Mr. KENYON. Certainly not. The language relates to stockyard papers and stockyard reports that are issued. There is no attempt, of course, to regulate what should be published in the newspapers, and the language can not be distorted to mean any such thing.

Mr. FERNALD. I think there might be some question as to the interpretation of the language.

Mr. KENYON. If there is, I will say very frankly there is no such intention; but, of course, I realize that those who are opposing the legislation can draw any kind of inference from the language that suits their biased minds.

Mr. FERNALD. I think the Senator knows that I would not undertake to be unfair in the matter.

Mr. KENYON. I understand that, and that is why I think the Senator has not sufficiently studied that provision of the bill.

Mr. FERNALD. The Kenyon bill also makes an exception of concerns engaged in the manufacture and preparation of poultry and dairy products who do a business of less than $500,000 a year.

The license-provision gives the Secretary of Agriculture power to suspend or revoke licenses. The Kenyon bill provides for the appointment of a receiver to run a business, or to close up its affairs in the case of revocation.

The Kenyon bill specifically gives the Secretary of Agriculture power to decide what products in addition to meats the packers may or may not handle.

These bills provide that the packers must get rid of their interest in stockyards.

The railroads must provide refrigerator cars, thus depriving the packers of their present equipment.

Mr. President, this proposed legislation opens up the whole question of Government regulation of private business. It is the opening wedge for the regulation and licensing of every business in this country. If the Federal Trade Commission has been quoted correctly, it plans to recommend and try to enforce a licensing system on all corporations. In the Washington Post of Friday, August 1, there appeared a news story, from which I take the following:

As a remedy the Federal Trade Commission generally is understood to favor a licensing system for a corporation doing an interstate business, the system to be applied first in those cases where the mulcting of the public has been most flagrant.

So here we have a Government body which is supposed to be helpful to business committed to a licensing system. This is socialistic. It is un-American, and means a blow to American initiative and to American genius.

I am opposed to this whole proposition; and there is no more reason, except for prejudice and misunderstanding, why the packing industry should be singled out for such legislation than the oil business, or the steel business, or any other interstate business. Once this principle is established with the packing industry and with butter and egg dealers, as provided in this bill, there is no reason at all why the same principle should not be extended so as to take in wholesale grocers and other classes of dealers. Because if it is big business and development that is to be under control of the Government certainly the wholesale grocers, some of whom have as many as four hundred retail stores under their control and continuously growing, would fall under the class of big business which needs to be told what it should do. But I am irrevocably opposed to the principle for any business.

Government interference will undoubtedly reduce the efficiency of the present organization of the packers, and thereby increase their expenses, and make them less able to take care of their business at the lowest possible operating cost and at the narrowest possible margin of profit.

The packing business is really a delicate mechanism. Expert skill and judgment are necessary at every step, from the purchase of live animals in the stockyard to the delivery of meat in prime condition to retailers hundreds of miles away. Even with the most expert skill available, and with constant attention to details, the whole complex process is accomplished at only a fraction of a cent a pound for products sold. The least derangement of this machinery on the part of inexperienced Government officials, whose appointment probably would be the result of political consideration, would without question have a serious effect not only on the packers themselves but on producers of live stock and consumers of meat.

The supply of live stock at the large markets varies from day to day and week to week, and can not be controlled by anyone, while in other lines of business most manufacturers can order such quantities of raw materials as they desire and have them delivered at convenient dates. But this is impossible in the packing industry, as live stock comes to market in a constant but unsteady stream. Manufacturers in other lines are in position to set a price for their products, and also regulate the purchase of material and the output of goods in accordance with the quantity that can be sold at the set price. But the packer is unable to control the demand for meats or the supply of live stock; nor has he anything to say about the production of live stock. Another point I wish to make is that the products of most all of the manufacturers are nonperishable and can be held over for an indefinite period. But the packer not only deals with live animals, but his manufactured products are very perishable, and he is compelled to sell the meat before it deteriorates, regardless of price. So he has two sets of fluctuating prices to contend with, those of live stock and those of dressed meat. One of the packer's most serious problems is to know market conditions so thoroughly that he can buy live stock and sell meats a week or two later in such a way as to average his quarter of a cent net profit, notwithstanding the fluctuations in prices of both factors.

Another thing, price fluctuations represent a high degree of competition. Take, for example, the markets for other commodities. Where competition is continuous and severe, as in an organized wheat market, the price oscillates continuously, but only an eighth of a cent at a time. In the potato market, which is not so highly organized and where competition is not so keen, the price remains about the same for days at a time, and jumps or falls a few cents a bushel. Steel rails, as you all remember, remained for years at $28 a ton. As a general rule, therefore, the less severe the competition the less frequent the fluctuation in price.

Recent experience with the railroads ought to be a sufficient object lesson to keep the Government from trying to interfere with the packing business. The railroad business is performed practically on constant rates. No bargaining ability and no expert judgment of day-to-day commercial conditions is necessary. The packing business deals with highly perishable products that fluctuate in value from day to day, and in which the purchase and sale require the highest degree of business sense and judgment. Interference with such a splendid machine would be much more disastrous than similar interference with the railroads.

The powers of control given under the license provision are too sweeping and too vague. Licensees are prohibited from doing certain specific things, such as to engage in unfair or discriminatory practices, or to sell to each other with a purpose of influencing prices, or to participate in the purchase or sale of commodities so as to substantially lessen competition, or to conspire or to combine or agree in any other way to suppress competition. The Secretary of Agriculture is given power to make such rules and regulations as may be necessary to carry out the purposes of this act, and there is grave danger, Mr. President, because of the vague character of the bill, that the Secretary of Agriculture may be able to say when and in what quantity the packers shall buy live stock, how long they may hold goods before offered for sale, etc. The bill gives specific power to control prices of poultry and various products, and there is a question whether this power may not even be exercised in regard to meat products.

Mr. President, to give an official of the Government any such powers over private business, and especially to have the bill so worded that it is impossible to tell how far such an official may go, is unthinkable in this country.

Power to suspend or revoke a license is in itself too drastic, and even the right of appeal to the courts is restricted. The power to suspend or revoke a license might well be used as a club to force licensees to submit to unfair and discriminatory regulations. The Kenyon bill says that the circuit court of appeals may not modify or set aside an order of the Secretary of Agriculture to suspend or revoke a license unless it can be shown that the order was unsupported by evidence, or was issued without due notice and reasonable opportunity to the licensee for a hearing, or infringes the Constitution, or is beyond the jurisdiction of the Secretary of Agriculture. In other words, right of appeal is so restricted that the circuit court of appeals is restrained from viewing the facts in the case if it can be shown that the Secretary of Agriculture gave a fair hearing and collected evidence. The appeal to the Supreme Court can be made only on a writ of certiorari, which the Supreme Court can grant or not, as it sees fit.

Senators, I submit this proposed legislation is unnecessary. There are ample laws on our statute books already to prevent any combination in restraint of trade and any unfair methods. But is there any combination or monopoly among the packers? Each of these Big Five packers affirmed before the Senate committee last winter that there was no form of agreement with other packers or among themselves to affect the price of live stock or meats. The Federal Trade Commission failed to get any evidence of combination in its report. It is only by unfair methods, by misinterpretation and misstatement of facts, that it is able to come to the conclusion that there is combination in restraint of trade.

There is proof in plenty of actual competition, as shown by the evidence submitted at the hearings last winter. The live stock is bought in the open market, where there are hundreds of buyers representing big and little packers, butchers, feeders, and speculators. The shipment of live stock from one market to another by speculators, thus keeping the markets in line with each other and making it impossible to manipulate the price, even if an attempt were made to do so; the fact that packers' profits are so small and vary from week to week, often becoming losses; the fact that fresh meat is perishable and has to be sold within a few days for what it will bring; the fact that the different packers have branch houses in the same city and solicit trade from the retailers; the fact that retail butchers shop around from the branch house of one packer to the branch house of the other, finding differences in prices and buying where prices are most favorable—these and many other things are unmistakable proofs of competition to the man who actually gets out in the market and who studies conditions first hand.

If there is any unfair competition or monopoly or any practices in trading that are not on the square, the Clayton antitrust law and the Federal Trade Commission law give ample power to suppress such illegal operations. It is significant, Mr. President, that the Federal Trade Commission has discovered no such practices, in spite of its combing of the country for prejudiced witnesses and dissatisfied competitors and customers of the packing industry.

Another complaint against the packers is made by the wholesale grocers. Let me say that there are more wholesale grocers in the country who are doing a packing business than there are packers who are in the grocery business. I am quite as well acquainted with the wholesale grocers of the country as I am with the packers. They are my customers and friends, and if I had any prejudice at all it would naturally be in their favor. They complain that the packers have gone far afield in the handling of other perishable products and products handled by the grocers themselves. This, I believe, is entirely unfounded.

I believe that by selling other products the packers have been a real benefit to the country. I believe that their reason for handling the other products is sound. I understand, however, that they handle such small quantities of these products that there is no ground for the complaint that they are getting control of the food supply of the Nation. The same argument made

by the wholesale grocers could be used against them for handling drugs, hardware, automobile supplies, and many other goods entirely out of their line.

The packers explain that they have engaged in the produce business for the reason that they can utilize their magnificent selling organization, including refrigerator cars, branch houses, and salesmen, to better advantage, thereby decreasing unit selling costs both for meat, poultry, eggs, and butter. This argument sounds plausible, and I can not see why it has not been a good thing for the country.

Mr. President, to me it is unthinkable that Congress should give the Government power to say what products a concern may or may not handle. If this principle is established for the packers, it might as well be established for a mail-order business or a department store, which handles nearly everything. Are we going to put a limit in this country upon a man's endeavor? Are we going to say to the manufacturer, or the merchant, or the banker, or to any other kind of business in this country, "You can only do so much business; you may engage in only certain kinds of business; and when you have accomplished certain things you must stop"? That, Mr. President, is what this proposed legislation will bring about.

These bills before the Senate would take away from the packers their refrigerator cars, which would mean poorer service and higher costs. The very reason packers own their refrigerator cars is because the railroads refused to furnish this equipment. If they had not built their own cars they would not have been able to develop their own business, and neither would the country at large have been served so well with fresh meat and other foods. Through long years of experience they have developed a transportation department that routes the cars and watches their movements, sees that they lose no time in transit, and keeps them clean and properly repaired. As a result the packers' cars cover more miles in a year than any other class of freight cars.

The Interstate Commerce Commission made an exhaustive study of private car lines, and in its report of July 31, 1918, came to the following conclusion, which seems to bear out the packers' argument——

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER (Mr. MCNARY in the chair). Does the Senator from Maine yield to the Senator from North Dakota?

Mr. FERNALD. I do.

Mr. GRONNA. I do not want to interrupt the Senator, but in connection with the packing business I think it is necessary to discuss not only the meat products but all the by-products. I am just saying this to get the Senator's view. It is charged, of course, that the packers handle some 562 other products besides meat. It is also charged that the packers control certain by-products, such as hides, for instance. I think the Federal Trade Commission has submitted a report which shows that the Big Five packers really control the hide industry. I am simply stating that the report shows that. I think the last report made by the Federal Trade Commission—which I had not read and did not know what it contained until the Senator from Iowa [Mr. KENYON] called my attention to it to-day—shows that these Big Five packers really control the meat industry in a large percentage—between 70 and 80 per cent.

Mr. FERNALD. Excuse me; I think the Senator was out when I took up that matter. I showed just what per cent they did control. I think the Senator from North Dakota was absent at the time.

Mr. GRONNA. I am just coming to that. I heard the Senator's statement. I had an idea that they controlled only 40 per cent, but I think the 40 per cent has reference to all the meat—meat slaughtered on farms and in local butcher shops, and all that.

Mr. FERNALD. The inspected meat.

Mr. GRONNA. That is the question I should like to ask the Senator.

Mr. KENYON. Mr. President, there has been a good deal of confusion about that. Is not this the situation: As to the meat that goes into commerce, they control about 73 per cent and a fraction. Taking all the meat in the country, killed on the farm, in local butcher shops, and so forth, the figures are those that the Senator gave—some forty-odd per cent. I think that is the difference.

Mr. GRONNA. That may be.

Mr. FERNALD. I should like to finish the discussion of this car business, if the Senator will permit me.

Mr. GRONNA. There was just one other question, if the Senator will yield further. I was very much confused about two things.

Mr. FERNALD. I should like to answer the question which the Senator has just suggested in regard to the control of the grocery business.

Mr. GRONNA. Yes.

Mr. FERNALD. I assume that the complaint of the wholesale grocers, if they have any complaint, is for the reason that the packers are underselling them. Certainly if the packers asked more for their goods than the wholesale grocers, they would not have any serious competition. The very thing we are trying to do by this proposed legislation, as I understand, is to lower the high cost of living. If that can be done without the middlemen that we hear so much about, and if it is true that the packer can produce his goods and deliver them to the consumer at a lower price than the wholesale grocer, I can not see why the Congress of the United States or the consumers should find any fault with the packers. I think that answers that question.

Mr. GRONNA. That partly answers it; but I think the wholesale grocers also charge discrimination. The big packers, of course, have refrigerator cars. They get out what they call these peddler cars.

Mr. FERNALD. They have their cars because that is the only way in which they can ship their goods. The railroad companies failed to furnish cars, and in order that they might have them they had to build them themselves.

Mr. GRONNA. I am very sorry that I am taking up so much of the time of the Senator, but there is another question I should like to ask.

Mr. FERNALD. Go on, Senator; I yield.

Mr. GRONNA. In fact, I did not quite complete the first question. The large packers and the small packers all agree that they made more profit during the control by the Federal Government than they had ever made.

Mr. FERNALD. Does not that apply to everybody?

Mr. GRONNA. I ask the question then, "Why do you oppose Government control?"

Mr. FERNALD. For the same reason that the Senator would not like to have this Government control the wheat situation.

Mr. GRONNA. I was about to state that that question was answered in a way that satisfied me that it was because of the fear which the business entertained.

Mr. FERNALD. Exactly.

Mr. GRONNA. But there is another question which I think is fundamental, and that is this: "We say that the Big Five packers have reached the very apex of efficiency, but in the face of that it is admitted by the small packers that the Big Five are not driving them out of business. They are permitted to make not only reasonable but large profits. That is a matter, I think, which has never been explained. I know the Senator is well informed, and I wish he would explain it.

Mr. FERNALD. I think that the small packer, the man who can efficiently and economically manage his own business a little better than another man, will always succeed. We have near by this city, in Baltimore, some of the most enterprising packing concerns in this country, all of them prosperous. There is always a great demand for foodstuffs; and the packing business is a little different from anything else, because the population of the country is continually increasing and making a demand for the packers' products, and I am frank to say that in the past few years there has not been enough encouragement to the packers so that there have been many new establishments. As I said a little while ago, we ought to have building in this country to-day more than 100 large canneries, and yet there have been very few built in the last five years.

Now, I am on this private-car business, Senator.

This is from the report of the Interstate Commerce Commission and is found on page 763 of their report:

> The system of the use and supply of private cars that now exists can not be at once and radically changed without serious consequences to shippers, carriers, and the public.

On page 683 the Interstate Commerce Commission says:

> As a rule, carriers have never furnished these cars, and it has come to be mutually understood that they should not do so. The oil refiner and meat packer demand an adequate supply of cars at all times. It is conceded by shippers that neither an adequate supply nor an efficient distribution can be afforded by carriers. The requirements have been that there shall be the most efficient use of tank and refrigerator cars, which has been one of the results of private ownership. While this has undoubtedly been of benefit to carriers, it has been of incalculable benefit to shippers as well.

Again on page 691 the Interstate Commerce Commission also reports:

> These great shippers of perishable articles have been used to the fullest extent of their splendidly effective organizations to secure prompt service for their cars used in shipments of their products.

There are too few meat refrigerator cars now in the United States, and it is only with the most careful following up of

their cars that the packers make them serve their purpose. If the railroads were required to furnish all the cars it would be necessary to have many more cars than are now in operation, because the railroads could not handle them as efficiently and expeditiously as do the transportation departments of the packers. It would also be a tremendous expense to the railroads, who have already been starved by Government restrictions for the past 10 years, and who are not in a position to undertake this additional expense. Nothing could be gained by taking the refrigerator cars away from the packers and extending their use. The reason that the proponents of this legislation want the cars taken from the packers is that they feel that many smaller shippers need more cars than they can get at present. If this is the case the logical remedy is to require the railroads to furnish enough cars to satisfy smaller shippers who can not afford to own them, rather than to cripple the service of the large packers and the country generally by doing away with the present splendid organization.

The proposed bills would force the packers to sell their interests in stockyards on the theory that their ownership gives them power over prices and also the control of the market. The packers, at the hearings before the Senate committee, vigorously denied this charge, and declared that the markets are free and open to all buyers of live stock, and that their ownership in the stockyards has no control over prices or in trading whatsoever.

The packers assert that they became interested in the stockyards principally to insure adequate facilities for taking care of live animals and for rendering proper service. If we are to believe these gentlemen, their ownership has nothing to do with the control over prices and if in other hands would probably mean poorer facilities and poorer service, and this would react to the detriment of the live-stock shippers as much, if not more, than to the packers.

But I believe, in their testimony before the Senate committee, they declare they were willing to surrender their interests in the stockyards if they were compensated for their investments.

So, Mr. President, I am unalterably opposed to these bills. I am not personally interested in any of the so-called big packers. I do not know a single one of them. But I am greatly interested in and deeply concerned about the success and welfare of American business men. I am a business man myself, and I know how the business men of the country feel about this sort of legislation.

Mr. President, I wonder sometimes where we are drifting. We are living in an uncertain age. Conditions have changed. The World War has turned things upside down. Some good-meaning gentlemen would steer our good old ship out into new channels and run us into new harbors—or maybe upon the rocks. I sometimes think our whole civilization is in danger, a civilization that has required ages to build and at a great sacrifice. In these days of uncertainty and unrest we hear new and strange voices—voices which speak a language foreign to American traditions and American teachings. If there ever was a time in the history of this Republic when we should stand firmly and squarely upon our feet, that time is now. Let us not be led away into new fields and untrodden paths, but let us hold fast to those things that have made us the great Nation we are to-day. Let business alone. Why heckle and harass it? History will show, Mr. President, that in all past trials of this country our business men have stood like a rock for their country. It has been so in the past, and I venture to say that the business men of to-day will be the last to embrace these strange theories of government that we hear discussed. The American business man is the bulwark of our institutions, and if this country escapes the hysteria, the new innovations, that some would throw upon us, it will be through the calm common sense of the American business man. If the torch of commerce is to be lighted again in this country of ours and to shine on as in the past, the guiding light of the nations of the world, it is the hand of the American business man that must hold it aloft.

So, Mr. President, in behalf of the business men of this country, in behalf of those who have had as much to do in making our country great as any other class of citizens, I want to protest here and now against this proposed legislation. It is filled with danger to our institutions and our system of government. It is socialistic, it is un-American, and should be defeated.

The stifling, throttling legislation which has been applied to the railroads has stamped out all the initiative and ambition of railroad men. But if we again enact laws of reasonable fairness and justice to the railroad systems of the country there will be new development and greater progress, and we shall achieve a transportation system adequate to mobilize the economic resources of our Nation in a manner to excite the admiration and the wonder of mankind.

And in similar manner, if those men who are constantly pointing to the owners of the big business enterprises and criticizing oftentimes the men and motives rather than the methods will desist from attempting to dictate to the big industries of the country, again the opportunity will present itself to our young business men of ambition and initiative and genius. Remove the shackles that some men are attempting to place upon the business interests of this country. Give them a fair field. Open the avenues of commerce, stimulate trade. Let each in his way work out the great industrial problems before us.

Then will follow, in my judgment, a peace and prosperity to our Government such as the world has never known. And instead of attempting to make big business little, let us all pull together to make little business big. Where industry creates and justice protects, prosperity dwells.

HIGH COST OF LIVING.

Mr. McKELLAR. Mr. President, a few days ago the Senator from Missouri [Mr. REED] introduced some figures on the question of the high cost of living. In reply thereto I wish to introduce a statement of the Bureau of Markets, Department of Agriculture. I ask unanimous consent that it may be inserted in the RECORD.

The PRESIDING OFFICER (Mr. HALE in the chair). Without objection, it is so ordered.

The statement referred to is as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF MARKETS,
WASHINGTON, D. C., *August 18, 1919.*

Storage report for Aug. 1, 1919.

Commodity.	Reported for Aug. 1, 1919.		Estimated holdings—storages not reporting.		Total holdings Aug. 1, 1919.
	Storages.	Quantity.	Storages.	Quantity.	
Butter:					
Creamery	334	122,771,843	22	2,067,949	124,839,792
Packing stock	133	2,925,189	4	7,786	2,932,975
Cheese:					
American	420	61,998,676	29	481,486	62,480,162
Swiss, including block	109	2,008,262	4	2,309	2,010,571
Brick and Munster	152	816,852	10	20,766	837,618
Limburger	106	828,268	9	4,231	832,499
Cottage, pot and bakers'	74	6,863,122	1	2,670	6,865,792
Cream and Neufchatel	28	249,614	1	59,604	309,218
All other	78	3,470,706	3	19,053	3,489,759
Eggs:					
Case	392	7,784,452	28	68,836	7,853,288
Frozen	191	18,979,788	6	26,919	19,006,707
Frozen poultry:					
Broilers	178	6,073,802	6	85,352	6,159,154
Roasters	171	7,234,762	4	15,757	7,250,519
Fowls	188	7,089,488	8	347,590	7,437,078
Turkeys	192	4,349,343	6	44,003	4,393,346
Miscellaneous	236	15,333,541	11	101,764	15,435,305
Meat products:					
Frozen beef	324	158,967,326	16	721,099	159,688,425
Frozen pork	327	132,310,040	14	2,385,548	134,695,588
Frozen lamb and mutton	204	7,157,205	11	144,115	7,301,320
Cured beef	330	30,343,883	17	577,330	30,921,213
Dry salt pork	447	363,761,024	21	2,366,483	366,127,507
Pickled pork	515	376,490,421	21	5,953,221	382,443,642
Lard	553	96,719,266	26	2,195,827	98,915,093
Miscellaneous meats	368	81,100,842	50	4,795,767	85,896,609

Comparison of holdings of Aug. 1, 1919, with those of other months.
(Holdings include estimates of stocks of storages not reporting.)

Commodity.	Total holdings Aug. 1, 1918. (pounds)	Increase or decrease, 1918-19.		Total holdings July 1, 1919. (pounds)	Increase or decrease during July, 1919.	
		Pounds.	Per cent.		Pounds.	Per cent.
Butter:						
Creamery	88,786,243	+35,053,549	+ 40.6	90,158,103	+34,681,689	+ 38.5
Packing stock	5,631,900	− 2,698,925	− 47.9	1,908,473	+ 1,024,502	+ 53.7
Cheese:						
American	42,456,557	+20,023,605	+ 47.2	37,501,294	+24,978,868	+ 66.6
Swiss, including block	439,143	+ 1,571,428	+357.8	1,002,707	+ 1,007,864	+100.5
Brick and Munster	530,927	+ 306,691	+ 57.8	879,735	− 42,117	− 4.8
Limburger	438,725	+ 393,774	+ 89.8	689,905	+ 142,594	+ 20.7
Cottage, pot and bakers'	2,402,068	+ 4,463,724	+185.8	6,601,431	+ 264,361	+ 4.0
Cream and Neufchatel	220,004	+ 89,214	+ 40.6	227,992	+ 81,226	+ 35.6
All other	3,957,148	− 467,389	− 11.8	3,304,446	+ 185,313	+ 5.6
Eggs:						
Case	6,523942	+ 1,329,346	+ 20.4	7,658,841	+ 194,447	+ 2.5
Frozen	15,166,623	+ 3,840,084	+ 25.3	16,471,920	+ 2,534,787	+ 15.4

Comparison of holdings of Aug. 1, 1919, with those of other months—Con.

Commodity.	Total holdings Aug. 1, 1918. (pounds)	Increase or decrease, 1918-19.		Total holdings July 1, 1919 (pounds).	Increase or decrease during July, 1919.	
		Pounds.	Per cent.		Pounds.	Per cent.
Frozen poultry:						
Broilers	1,598,847	+ 4,560,307	+285.2	7,409,029	— 1,249,875	— 16.9
Roasters	1,463,159	+ 5,787,360	+395.5	10,293,711	— 3,043,192	— 29.6
Fowls	5,783,261	+ 1,653,817	+ 28.6	9,571,682	— 2,134,604	— 22.3
Turkeys	3,084,166	+ 1,309,180	+ 42.4	5,378,098	— 984,752	— 18.3
Miscellaneous	6,414,822	+ 9,020,483	+140.6	16,559,020	— 1,123,715	— 6.8
Meat products:						
Frozen beef	172,321,920	—12,633,495	— 7.3	162,638,789	— 2,950,364	— 1.8
Frozen pork	87,034,543	+47,661,045	+ 54.8	155,263,362	—20,567,774	— 13.2
Frozen lamb and mutton	3,057,493	+ 4,243,627	+138.8	7,278,826	+ 22,494	+ 0.3
Cured beef	28,128,221	+ 2,792,992	+ 9.9	229,244,319	+ 1,676,894	+ 5.7
Dry salt pork	370,255,601	— 4,128,094	— 1.1	381,736,178	—15,608,671	— 4.1
Pickled pork	366,177,387	+16,266,255	+ 4.4	422,387,012	—39,943,370	— 9.5
Lard	102,298,512	— 3,383,419	— 3.3	92,131,516	+ 6,783,577	+ 7.4
Miscellaneous meats	77,591,505	+ 8,305,104	+ 10.7	89,641,671	— 3,745,062	— 4.2

Storage holdings of Aug. 1, 1919, segregated by sections.

Commodity.	New England.	Middle Atlantic.	South Atlantic.	North, central, east.
Butter:				
Creamery	23,923,975	42,673,554	1,951,362	34,820,067
Packing stock		242,003	294,679	1,103,031
Cheese:				
American	6,057,166	22,488,265	2,979,077	22,323,780
Swiss, including block	3,473	706,537	11,672	997,896
Brick and Munster	1,164	103,248	1,210	512,482
Limburger		163,386		571,347
Cottage, pot and bakers'	237,804	3,617,259	109,819	2,592,792
Cream and Neufchatel	41,983	128,326	933	22,663
All other	5,244	1,138,437	2,540	1,973,875
Eggs:				
Case	797,510	2,383,613	126,329	2,380,777
Frozen	659,523	4,935,184	647,877	6,486,713
Frozen poultry:				
Broilers	570,734	1,549,349	92,558	2,709,994
Roasters	574,755	3,424,200	171,169	2,368,782
Fowls	709,741	1,917,153	296,695	2,866,646
Turkeys	831,632	2,234,155	114,159	623,873
Miscellaneous	1,131,064	6,855,421	71,566	4,776,173
Meat products:				
Frozen beef	7,357,579	61,012,496	1,239,143	74,362,894
Frozen pork	22,492,251	19,511,432	2,125,058	39,712,125
Frozen lamb and mutton	1,137,389	4,459,136	123,272	644,984
Cured beef	2,035,451	11,375,709	570,083	11,792,658
Dry salt pork	14,262,441	26,233,821	6,254,881	144,891,869
Pickled pork	25,923,155	28,775,600	8,176,215	142,783,504
Lard	8,409,861	8,941,909	1,649,532	47,603,226
Miscellaneous meats	3,188,190	8,422,372	1,603,426	32,812,095

Commodity.	North, central, west.	South, central.	Western, north.	Western, south.
Butter:				
Creamery	9,726,229	1,843,910	3,200,114	4,632,641
Packing stock	705,765	240,527	301,446	37,738
Cheese:				
American	1,286,518	1,583,534	911,810	4,368,526
Swiss, including block	25,941	7,158	18,243	237,342
Brick and Munster	64,256	20,713	19,921	93,858
Limburger	26,709	2,554	866	63,406
Cottage, pot and bakers'	206,307	609	57,493	41,039
Cream and Neufchatel	27,687	2,904	25,118	
All other	205,271	63,429	28,916	52,994
Eggs:				
Case	1,289,500	326,855	115,648	364,220
Frozen	3,319,947	368,782	2,033,055	528,707
Frozen poultry:				
Broilers	281,798	242,618	66,913	559,838
Roasters	479,027	38,864	86,244	91,721
Fowls	691,050	125,690	153,241	269,272
Turkeys	159,713	125,856	17,307	242,648
Miscellaneous	1,977,247	153,947	56,486	311,637
Meat products:				
Frozen beef	8,453,567	3,071,624	730,816	2,739,207
Frozen pork	36,638,701	4,665,052	2,259,810	4,905,611
Frozen lamb and mutton	458,246	134,212	16,099	183,867
Cured beef	3,181,971	565,329	189,433	633,249
Dry salt pork	159,122,276	9,295,516	1,001,546	2,698,674
Pickled pork	143,075,275	13,537,968	6,161,462	8,057,242
Lard	24,878,301	1,920,517	1,199,533	2,116,387
Miscellaneous meats	26,163,924	5,659,357	436,884	2,814,594

NOTE.—All commodities are given in terms of pounds except case eggs, which are given in terms of cases.

Comparison of holdings of Aug. 1, 1918, with those of Aug. 1, 1917.

Commodity.	Storages.	Aug. 1, 1917 (quantity).	Aug. 1, 1918 (quantity).	Increase or decrease (quantity).	Increase or decrease (per cent).
Butter:					
Creamery	380	79,203,492	81,384,643	+ 2,181,151	+ 2.8
Packing stock	108	3,446,703	5,409,682	+ 1,962,979	+57.0
Cheese:					
American	444	67,595,147	47,752,854	— 19,842,293	—29.4
Swiss, including block					
Brick and Munster					
Limburger					
Cottage, pot, and bakers'					
Cream and Neufchatel					
All other					
Eggs:					
Case	447	6,838,100	6,486,571	— 351,529	— 5.1
Frozen	166	15,384,461	13,458,420	— 1,926,041	—12.5
Frozen poultry:					
Broilers	142	4,273,635	505,665	— 3,767,970	—88.2
Roasters	140	6,110,333	461,267	— 5,649,066	—92.5
Fowls	153	3,481,934	2,092,300	— 1,389,634	—39.9
Turkeys	147	4,077,952	815,729	— 3,262,223	—80.0
Miscellaneous	187	9,815,927	3,439,804	— 6,376,123	—65.0
Meat products:					
Frozen beef	323	108,728,886	182,486,446	+ 73,757,560	+67.8
Frozen pork	313	96,648,335	102,889,405	+ 6,241,070	+ 6.5
Frozen lamb and mutton	179	3,912,194	3,728,697	— 183,497	— 4.7
Cured beef	330	32,401,017	28,773,872	— 3,627,145	—11.2
Dry salt pork	437	231,905,289	364,349,447	+132,444,158	+57.1
Pickled pork	523	403,704,023	367,987,377	— 35,716,646	— 8.8
Lard	543	112,248,614	98,745,935	— 13,502,679	—12.0
Miscellaneous meats	137	16,172,614	27,400,750	+ 11,228,136	+69.4

Comparison of holdings of July 1, 1918, with those of Aug. 1, 1918.

Commodity.	Storages.	July 1, 1918 (quantity).	Aug. 1, 1918 (quantity).	Increase or decrease (quantity).	Increase or decrease (per cent).
Butter:					
Creamery	396	48,922,955	87,303,310	+38,380,355	+78.5
Packing stock	122	4,699,120	6,626,287	+ 1,927,167	+41.0
Cheese:					
American	468	32,449,731	50,771,440	+18,321,709	+56.5
Swiss, including block					
Brick and Munster					
Limberger					
Cottage, pot, and bakers'					
Cream and Neufchatel					
All other					
Eggs:					
Case	456	6,486,249	6,502,588	+ 16,339	+ .3
Frozen	189	12,575,215	14,727,667	+ 2,152,452	+17.1
Frozen poultry:					
Broilers	183	1,310,113	1,564,438	+ 254,325	+19.4
Roasters	177	2,313,742	1,449,221	— 864,521	—37.4
Fowls	200	4,251,035	5,785,774	+ 1,534,739	+36.1
Turkeys	193	4,231,769	3,084,071	— 1,147,698	—27.1
Miscellaneous	229	5,675,510	6,958,274	+ 1,282,764	+22.6
Meat products:					
Frozen beef	349	168,976,288	195,954,246	+26,977,958	+16.0
Frozen pork	339	117,327,752	107,321,039	—10,006,713	— 8.5
Frozen lamb and mutton	198	3,489,465	4,084,018	+ 594,553	+17.0
Cured beef	354	23,507,174	29,381,024	+ 5,873,850	+25.0
Dry salt pork	461	394,269,402	367,733,275	—26,536,127	— 6.7
Pickled pork	540	376,411,618	373,357,401	— 3,054,217	— .8
Lard	581	105,838,972	101,108,267	— 4,730,705	— 4.5
Miscellaneous meats					

Report of cold-storage holdings of cheese July 1, 1919.

Varieties.	Reported for July 1, 1919.		Estimated holdings, storages not reported.		Reported for June 1, 1919.	
	Storages.	Pounds.	Storages.	Pounds.	Storages.	Pounds.
American	435	36,394,631	16	805,021	467	12,477,707
Swiss, including block	116	937,075	9	109,957	139	866,882
Brick and Munster	161	772,701	11	91,205	183	417,000
Limburger	110	605,797	10	30,970	126	418,061
Cottage, pot, bakers'	73	6,599,127	1	24,210	72	5,294,229
Cream and Neufchatel	27	168,375	4	91,472	31	114,189
All other	79	3,249,495	4	7,196	84	2,363,000

Comparison of holdings of July 1, 1919, with those of July 1, 1918.
[Includes totals for all storages reporting for both dates.]

Varieties.	Storages.	July 1, 1918 (pounds).	July 1, 1919 (pounds).	Increase or decrease (pounds).	Increase or decrease (percent).
American	376	24,119,682	30,070,644	+5,950,962	+24.7
Swiss, including block	58	205,254	314,158	+ 108,904	+53.1
Brick and Munster	82	416,253	270,091	− 146,162	−35.1
Limburger	65	233,414	161,082	− 72,332	−31.0
Cottage, pot, bakers'	33	2,116,686	2,898,371	+ 781,685	+36.9
Cream and Neufchatel	13	218,737	85,307	− 133,430	−61.0
All other	48	1,980,957	1,915,050	− 65,907	− 3.3

Comparison of holdings of July 1, 1919, with those of June 1, 1919.
[Includes totals for all storages reporting for both dates.]

Varieties.	Storages.	June 1, 1919 (pounds).	July 1, 1919 (pounds).	Increase or decrease (pounds).	Increase or decrease (per cent).
American	411	11,656,148	36,005,410	+24,349,262	+208.9
Swiss, including block	110	761,439	898,235	+ 136,796	+ 18.0
Brick and Munster	152	348,387	768,078	+ 419,694	+120.5
Limburger	106	380,956	604,739	+ 223,783	+ 58.7
Cottage, pot, bakers	69	5,274,799	6,570,145	+ 1,295,346	+ 24.6
Cream and Neufchatel	23	112,567	168,215	+ 55,648	+ 49.4
All other	74	2,357,905	3,247,372	+ 889,467	+ 37.7

Comparison of holdings of July 1, 1918, with those of June 1, 1918.
[Includes totals for all storages reporting for both dates.]

Varieties.	Storages.	June 1, 1918 (pounds).	July 1, 1918 (pounds).	Increase or decrease (pounds).	Increase or decrease (per cent).
American	342	15,239,702	22,135,883	+6,896,181	+ 45.3
Swiss, including block	46	142,563	176,487	+ 33,924	+ 23.8
Brick and Munster	66	362,864	365,654	+ 2,790	+ 0.8
Limburger	49	146,658	192,924	+ 46,266	+ 31.5
Cottage, pot, bakers	21	484,122	1,192,840	+ 708,718	+146.4
Cream and Neufchatel	8	28,566	216,767	+ 188,201	+658.8
All other	35	798,870	819,445	+ 20,575	+ 2.6

Cold-storage holdings of cheese on July 1, 1919, with comparisons of the holdings July 1, 1919, and July 1, 1918, by sections.

AMERICAN.

Sections.	Reported for July 1, 1919.		Comparison of holdings.[1]			
	Storages.	Pounds.	Storages.	July 1, 1918 (pounds).	July 1, 1919 (pounds).	Increase or decrease (per cent).
New England	75	3,393,306	24	2,680,108	3,303,750	+ 23.3
Middle Atlantic	98	14,314,177	81	6,893,854	11,481,143	+ 66.5
South Atlantic	32	1,151,945	30	872,313	1,149,905	+ 31.8
North Central (E.)	92	11,782,429	78	8,878,513	9,241,747	+ 4.1
North Central (W.)	71	865,938	58	1,098,073	755,217	− 31.2
South Central	54	1,231,248	48	1,257,411	1,149,696	− 8.6
Western (North)	22	662,016	19	287,612	607,743	+111.3
Western (South)	41	2,993,572	38	2,151,798	2,381,443	+ 10.7
Totals	435	36,394,631	376	24,119,682	30,070,644	+ 24.7

SWISS, INCLUDING BLOCK.

New England	3	3,951	2	2,563	3,951	+ 54.2
Middle Atlantic	33	318,558	13	69,487	134,049	+ 92.9
South Atlantic	4	7,013				
North Central (E.)	31	437,324	13	80,104	88,571	+ 10.6
North Central (W.)	13	18,243	9	3,443	12,006	+248.7
South Central	7	9,634	6	6,581	6,054	− 8.0
Western (North)	8	19,290	4	2,872	1,952	− 32.0
Western (South)	17	123,062	11	40,204	67,575	+ 68.1
Total	116	937,075	58	205,254	314,158	+ 53.1

BRICK AND MUNSTER.

New England	2	840	1	125	840	+572.0
Middle Atlantic	19	63,164	12	18,861	20,011	+ 6.1
South Atlantic	1	145				
North Central (E.)	54	479,601	25	299,154	114,791	− 61.6
North Central (W.)	40	108,501	24	33,882	81,974	+141.9
South Central	13	24,219	7	8,416	12,690	+ 50.8
Western (North)	9	20,219	5	15,154	13,484	− 11.0
Western (South)	13	76,012	8	40,661	26,301	− 35.3
Total	161	772,701	82	416,253	270,091	− 35.1

[1] Includes totals for those storages reporting for both dates.

Cold-storage holdings of cheese on July 1, 1919, etc.—Continued.

LIMBURGER.

Sections.	Reported for July 1, 1918.		Comparison of holdings.[1]			
	Storages.	Pounds.	Storages.	July 1, 1918 (pounds).	July 1, 1919 (pounds).	Increase or decrease (per cent).
New England						
Middle Atlantic	17	53,633	10	45,979	37,271	− 18.9
South Atlantic	1					
North Central (E.)	41	492,381	22	143,758	95,411	− 33.6
North Central (W.)	25	11,716	17	8,818	6,987	− 20.8
South Central	9	5,310	5	1,621	4,109	+153.5
Western (North)	7	6,836	5	8,004	298	− 96.3
Western (South)	10	35,921	6	25,234	17,006	− 32.6
Total	110	605,797	65	233,414	161,082	− 31.0

COTTAGE, POT, AND BAKERS.

New England	3	245,499	1	8,611	13,363	+55.2
Middle Atlantic	30	3,449,522	19	1,166,115	1,620,790	+39.0
South Atlantic	3	123,763	1	19,800	6,000	−69.7
North Central (E.)	20	2,456,902	7	855,852	1,232,877	+44.1
North Central (W.)	10	220,024	3	2,841	395	−86.1
South Central	1	818				
Western (N.)	4	63,542	1		2,670	
Western (S.)	2	39,057	1	63,467	22,276	−64.9
Total	73	6,599,127	33	2,116,685	2,898,371	+36.9

CREAM AND NEUFCHATEL.

New England	2	45,562	1			
Middle Atlantic	5	67,316	3	208,858	65,756	− 68.5
South Atlantic	1	1,408				
North Central (E.)	8	13,950	4	2,129	6,633	+211.6
North Central (W.)	7	14,712	4	7,250	12,918	+ 78.2
South Central	2	3,993				
Western (N.)	2	21,434	1	500		−100.0
Western (S.)						
Total	27	168,375	13	218,737	85,307	− 61.0

ALL OTHER VARIETIES.

New England	2	6,476	1	4,582	4,800	+ 4.8
Middle Atlantic	16	1,114,275	12	1,649,834	1,056,832	− 35.9
South Atlantic	1	2,540	1	17,000	2,540	− 85.1
North Central (E.)	24	1,865,619	12	189,033	794,238	+320.2
North Central (W.)	16	117,547	9	1,718	9,516	+453.9
South Central	7	44,614	7	118,580	44,614	− 62.4
Western (N.)	4	18,736	2		1,594	
Western (S.)	9	79,688	4	210	916	+336.2
Total	79	3,249,495	48	1,980,957	1,915,050	− 3.3

[1] Includes totals for those storages reporting for both dates.

New England: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut.

Middle Atlantic: New York, New Jersey, Pennsylvania.

South Atlantic: Delaware, Maryland, District of Columbia, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida.

North Central (east of Mississippi River): Ohio, Indiana, Illinois, Michigan, Wisconsin; (west of Mississippi River), Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas.

South Central: Kentucky, Tennessee, Alabama, Mississippi, Louisiana, Oklahoma, Arkansas.

Western (north): Montana, Wyoming, Idaho, Washington, Oregon; (south), Colorado, New Mexico, Arizona, Utah, Nevada, California.

A summary of this report was released by wire on July 14, 1919. Upon request any or all of the information contained in these reports will be telegraphed immediately upon its release. The reports are free, except for the telegrams, which are sent charges collect.

Report of cold-storage holdings of butter and eggs, July 1, 1919.

Commodity.	Reported for July 1, 1919.		Estimated holdings, storage not reported.		Reported for June 1, 1919.	
	Storages.	Quantity.	Storages.	Quantity.	Storages.	Quantity.
Case eggs	408	7,508,530	21	97,883	466	6,098,448
Frozen eggs	188	16,076,461	8	204,694	207	11,567,804
Creamery butter	342	87,851,371	16	1,372,831	371	29,434,782
Packing stock butter	134	1,853,276	5	34,119	145	887,796

Comparison of holdings of July 1, 1919, with those of July 1, 1918.
[Includes totals for those storages reporting for both years.]

Commodity.	Storages.	July 1, 1919 (quantity).	July 1, 1919 (quantity).	Increase or decrease (quantity).	Increase or decrease (per cent).
Case eggs	388	6,410,384	7,488,752	+ 1,078,368	+16.8
Frozen eggs	173	12,156,921	15,796,917	+ 3,639.996	+29.9
Creamery butter	325	47,919,035	87,720,486	+39,801,451	+83.1
Packing stock butter	115	4,511,326	1,703,476	− 2,807,850	−62.2

Comparison of holdings of July 1, 1919, with those of June 1, 1919.
[Includes totals for those storages reporting for both months.]

Commodity.	Storages.	June 1, 1919 (quantity).	July 1, 1919 (quantity).	Increase or decrease (quantity).	Increase or decrease (per cent).
Case eggs	399	5,911,991	7,507,570	+ 1,595,579	+ 27.0
Frozen eggs	182	11,386,408	16,043,060	+ 4,656,652	+ 40.9
Creamery butter	329	28,553,564	87,831,499	+59,277,935	+207.6
Packing stock butter	120	878,815	1,847,651	+ 968,836	+110.2

Comparison of holdings of July 1, 1918, with those of June 1, 1918.
[Includes totals for those storages reporting for both months.]

Commodity.	Storages.	June 1, 1918 (quantity).	July 1, 1918 (quantity).	Increase or decrease (quantity).	Increase or decrease (per cent).
Case eggs	448	5,453,280	6,497,861	+ 1,044,581	+ 19.2
Frozen eggs	193	11,530,043	12,996,559	+ 1,466,516	+ 12.7
Creamery butter	372	13,035,677	48,324,023	+35,288,346	+270.7
Packing stock butter	122	3,216,695	4,621,249	+ 1,404,554	+ 43.7

Comparison of holdings of July 1, 1918, with those of July 1, 1917.
[Includes totals for those storages reporting for both years.]

Commodity.	Storages.	July 1, 1917 (quantity).	July 1, 1918 (quantity).	Increase or decrease (quantity).	Increase or decrease (per cent).
Case eggs	462	6,560,268	6,501,860	− 58,403	− 0.9
Frozen eggs	176	13,397,699	12,054,533	−1,343,166	− 10.0
Creamery butter	386	49,981,732	47,436,912	−2,544,820	− 5.1
Packing stock butter	104	1,161,399	3,343,680	+2,182,281	+187.9

NOTE.—All commodities are given in terms of pounds, except case eggs, which are given in terms of cases.

Cold-storage holdings of butter and eggs on July 1, 1919, with comparisons of holdings of July 1, 1919, and July 1, 1918, by sections.

CASE EGGS.

Section.	Reported for July 1, 1919.		Comparison of holdings.[1]			
	Storages.	Quantity.	Storages.	July 1, 1918 (quantity).	July 1, 1919 (quantity).	Increase or decrease (per cent).
New England	30	813,838	28	808,048	812,104	+ 0.5
Middle Atlantic	83	2,312,647	77	1,839,860	2,306,655	+ 25.4
South Atlantic	21	106,357	19	75,245	106,257	+ 41.2
North Central (E.)	74	2,261,718	70	1,955,413	2,255,898	+ 15.4
North Central (W.)	76	1,233,644	74	1,023,449	1,231,609	+ 19.6
South Central	47	311,929	45	258,292	308,224	+ 19.3
Western (N.)	36	119,092	34	103,218	118,690	+ 15.0
Western (S.)	41	349,305	41	340,868	349,305	+ 2.5
Total	408	7,508,530	388	6,410,384	7,488,752	+ 16.8

FROZEN EGGS.

New England	16	538,864	14	563,049	523,824	− 7.0
Middle Atlantic	36	4,416,232	35	4,031,661	4,415,782	+ 9.5
South Atlantic	8	527,574	8	366,377	527,574	+ 44.0
North Central (E.)	38	4,392,458	36	4,038,034	4,383,805	+ 8.6
North Central (W.)	48	2,693,293	44	2,017,281	2,650,542	+ 31.4
South Central	14	281,966	11	218,360	251,746	+ 15.3
Western (N.)	11	2,715,993	10	371,940	2,582,433	+594.3
Western (S.)	17	510,081	15	550,219	461,211	− 16.2
Total	188	16,076,461	173	12,156,921	15,796,917	+ 29.9

[1] Includes totals for those storages reporting for both dates.

Cold-storage holdings of butter and eggs on July 1, 1919, etc.—Continued.

Section.	Reported for July 1, 1919.		Comparison of holdings.			
	Storages.	Quantity.	Storages.	July 1, 1918 (quantity).	July 1, 1919 (quantity).	Increase or decrease (per cent).
New England	30	15,170,522	28	9,836,885	15,138,988	+ 53.4
Middle Atlantic	80	32,146,683	78	16,576,714	32,128,329	+ 93.8
South Atlantic	26	1,191,374	24	1,151,604	1,189,856	+ 3.3
North Central (E.)	54	25,357,099	52	10,383,570	25,356,714	+144.2
North Central (W.)	53	6,242,679	52	4,060,787	6,185,624	+ 52.3
South Central	38	1,094,600	34	565,085	1,088,299	+ 92.6
Western (N.)	28	3,051,434	26	1,674,898	3,036,924	+ 81.3
Western (S.)	33	3,596,980	31	3,639,492	3,595,752	− 1.2
Total	342	87,851,371	325	47,919,035	87,720,486	+ 83.1

PACKING STOCK BUTTER.

New England	2	.....	1	50	.....	−100.0
Middle Atlantic	15	155,337	11	128,489	42,008	− 67.3
South Atlantic	9	169,839	5	172,981	154,089	− 10.9
North Central (E.)	37	1,039,755	32	2,283,275	1,032,158	− 54.8
North Central (W.)	41	218,571	40	1,602,247	216,619	− 86.5
South Central	16	196,307	15	213,160	195,457	− 8.3
Western (N.)	6	40,897	4	20,160	30,675	+ 52.2
Western (S.)	8	32,570	7	90,964	32,470	− 64.3
Total	134	1,853,276	115	4,511,326	1,703,476	− 62.2

New England: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut.
Middle Atlantic: New York, New Jersey, Pennsylvania.
South Atlantic: Delaware, Maryland, District of Columbia, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida.
North Central (east of Mississippi River): Ohio, Indiana, Illinois, Michigan, Wisconsin; (west of Mississippi River), Minnesota, Iowa, Missouri, South Dakota, North Dakota, Nebraska, Kansas.
South Central: Kentucky, Tennessee, Alabama, Mississippi, Louisiana, Texas, Oklahoma, Arkansas.
Western (north): Montana, Wyoming, Idaho, Washington, Oregon; (south), Colorado, New Mexico, Arizona, Utah, Nevada, California.

A summary of this report was released by wire on July 14. Upon request any or all of the information contained in the cold-storage reports will be telegraphed immediately upon its release. These reports are free, except for the telegrams, which are sent charges collect.

Report of stocks of frozen and cured meats July 1, 1919.

Product.	Reported for July 1, 1919.		Estimated holdings, storage not reported.		Reported for June 1, 1919.	
	Storages.	Pounds.	Storages.	Pounds.	Storages.	Pounds.
Frozen beef	344	162,386,570	6	448,525	370	164,021,733
Cured beef	353	29,217,585	6	101,057	366	27,167,565
Frozen lamb and mutton	212	7,273,201	6	66,153	222	7,762,944
Frozen pork	333	153,894,023	7	1,339,339	354	145,200,539
Dry salt pork	474	380,462,828	15	570,757	494	401,904,438
Pickled pork	536	421,507,966	16	1,181,982	554	439,833,417
Lard	508	91,944,462	18	258,938	600	83,205,484
Miscellaneous meats	372	86,932,797	40	10,607,103	412	96,513,455

Comparison of stocks of July 1, 1919, with those of July 1, 1918.

[Includes totals for those storages reporting for both dates.]

Product.	Storages.	July 1, 1918 (pounds).	July 1, 1919 (pounds).	Increase or decrease (pounds).	Increase or decrease (per cent).
Frozen beef	330	146,672,220	160,062,203	+13,389,983	+ 9.1
Cured beef	339	21,527,827	28,325,161	+ 6,797,334	+ 31.6
Frozen lamb and mutton	196	2,359,359	7,076,201	+ 4,716,842	+199.9
Frozen pork	316	94,332,361	148,302,814	+53,970,453	+ 57.2
Dry salt pork	455	400,764,197	378,590,606	−22,173,591	− 5.5
Pickled pork	517	361,568,840	417,888,822	+56,319,982	+ 15.6
Lard	555	107,160,464	91,835,505	−15,324,959	− 14.3
Miscellaneous meats	212	62,675,638	64,734,810	+ 2,059,172	+ 3.3

Comparison of stocks of July 1, 1919, with those of June 1, 1919.

[Includes totals for those storages reporting for both dates.]

Product	Storages.	June 1, 1919 (pounds).	July 1, 1919 (pounds).	Increase or decrease (pounds).	Increase or decrease (per cent).
Frozen beef	339	163,500,809	162,373,205	− 1,127,604	− 0.7
Cured beef	344	26,962,128	29,190,532	+ 2,228,404	+ 8.3
Frozen lamb and mutton	200	7,650,854	7,210,274	− 440,580	− 5.8
Frozen pork	327	143,908,998	153,835,459	+ 9,926,461	+ 6.9
Dry salt pork	461	400,876,289	384,592,473	−16,283,816	− 4.1
Pickled pork	523	438,325,298	421,467,941	−16,858,357	− 3.8
Lard	555	82,943,488	91,919,133	+ 8,975,645	+10.8
Miscellaneous meats	348	85,980,086	86,552,110	+ 572,024	+ .7

Comparison of stocks of July 1, 1918, with those of June 1, 1918.

[Includes totals for those storages reporting for both dates.]

Product.	Storages.	June 1, 1918 (pounds).	July 1, 1918 (pounds).	Increase or decrease (pounds).	Increase or decrease (per cent).
Frozen beef	339	177,593,064	147,614,563	−29,978,501	−16.9
Cured beef	356	24,743,789	21,854,875	− 2,888,914	−11.7
Frozen lamb and mutton	197	3,830,287	2,386,188	− 1,444,099	−37.7
Frozen pork	331	116,235,685	95,128,310	−21,107,375	−18.2
Dry salt pork	488	492,967,551	400,743,779	−92,223,772	−18.7
Pickled pork	546	393,513,961	348,775,915	−44,738,046	−11.4
Lard	591	107,089,142	107,461,952	+ 372,810	+ 0.3
Miscellaneous meats	190	61,605,181	67,169,282	+ 5,564,101	+ 9.0

Quantities cured or frozen and quantities delivered during June, 1919.

[Includes totals for those storages reporting for both dates.]

Product.	Storages.	June 1, 1919 (pounds).	Cured and frozen during June.	Deliveries during June.	July 1, 1919 (pounds).
Frozen beef	290	157,132,179	32,654,715	33,306,782	156,480,112
Cured beef	298	24,402,096	12,055,539	9,645,049	26,812,556
Frozen lamb and mutton	160	7,130,018	899,946	1,301,631	6,698,333
Frozen pork	289	137,739,672	31,125,193	22,164,850	146,700,015
Dry salt pork	398	379,569,352	158,418,846	173,847,724	364,140,474
Pickled pork	467	401,675,496	148,115,806	161,894,138	387,897,164
Lard	488	76,451,269	94,462,899	85,811,182	85,102,896

NOTE.—Stocks of cured meats include meats in process of curing as well as the cured product. For lard the data show the production during the month instead of the quantity placed in storage.

Stocks of frozen and cured meats on July 1, 1919, with comparisons of the stocks of July 1, 1919, and July 1, 1918, by sections.

FROZEN BEEF.

Section.	Reported for July 1, 1919.		Comparison of stocks (includes totals of all storages reporting for both dates).			
	Storages.	Pounds.	Storages.	July 1, 1918 (pounds).	July 1, 1919 (pounds).	Increase or decrease (per cent).
New England	31	10,609,050	30	13,903,431	10,606,430	−23.7
Middle Atlantic	82	56,443,931	81	57,329,414	56,408,407	− 1.6
South Atlantic	15	1,137,544	14	3,272,254	1,126,419	−65.6
North Central (E.)	69	76,357,342	63	50,018,386	74,727,052	+49.4
North Central (W.)	61	11,363,919	60	16,213,414	10,759,490	−33.6
South Central	28	2,728,353	27	1,474,628	2,689,841	+82.4
Western (N.)	24	661,274	24	714,980	661,274	− 7.5
Western (S.)	34	3,084,957	31	3,745,713	3,083,290	−17.7
Total	344	162,386,570	330	146,672,220	160,062,203	+ 9.1

CURED BEEF.

New England	17	1,799,572	17	1,465,007	1,799,572	+ 22.8
Middle Atlantic	100	9,890,245	96	4,516,637	9,754,393	+116.0
South Atlantic	26	426,458	25	683,215	412,461	− 39.6
North Central (E.)	90	11,993,614	87	8,089,100	11,258,848	+ 39.2
North Central (W.)	52	3,383,479	50	5,024,650	3,383,279	− 32.7
South Central	15	621,885	15	436,311	621,885	+ 42.5
Western (N.)	23	317,534	21	244,363	316,534	+ 29.5
Western (S.)	30	781,799	28	1,068,544	778,189	− 27.2
Total	353	29,217,586	339	21,527,827	28,325,161	+ 31.6

Stocks of frozen and cured meats on July 1, 1919, etc.—Continued.

FROZEN LAMB AND MUTTON.

Section.	Reported for July 1, 1919.		Comparison of stocks.			
	Storages.	Pounds.	Storages.	July 1, 1918 (pounds).	July 1, 1919 (pounds).	Increase or decrease (per cent).
New England	19	1,136,307	18	366,917	1,134,207	+209.1
Middle Atlantic	55	4,386,719	52	870,653	4,261,475	+389.5
South Atlantic	10	120,510	9	137,064	118,917	− 13.2
North Central (E.)	39	769,170	34	467,422	761,204	+ 62.9
North Central (W.)	34	505,936	31	125,995	458,527	+263.9
South Central	17	147,202	16	44,391	146,070	+229.1
Western (N.)	19	68,869	18	34,843	68,369	+ 96.2
Western (S.)	19	138,488	18	312,074	127,432	− 59.2
Total	212	7,273,201	196	2,359,359	7,076,201	+199.9

FROZEN PORK.

New England	29	24,294,932	27	12,367,183	24,228,689	+ 95.9
Middle Atlantic	76	17,476,011	72	15,399,523	17,440,477	+ 13.3
South Atlantic	17	1,807,884	16	1,387,721	1,807,884	+ 30.3
North Central (E.)	66	49,664,157	61	32,486,438	48,573,643	+ 49.5
North Central (W.)	64	45,029,252	62	22,394,344	40,983,309	+ 83.0
South Central	27	4,805,452	25	2,714,745	4,452,827	+ 64.0
Western (N.)	24	2,909,886	24	2,904,754	2,909,886	− 2.8
Western (S.)	30	7,905,449	29	4,587,653	7,906,099	+ 72.3
Total	333	153,894,023	316	94,332,361	148,302,814	+ 57.2

DRY SALT PORK.

New England	20	13,751,360	18	14,796,372	13,751,228	− 7.1
Middle Atlantic	93	29,827,704	89	24,419,868	28,041,621	+14.8
South Atlantic	53	7,016,898	50	5,875,491	6,985,439	+18.9
N. Central (E.)	122	143,211,609	118	162,990,076	143,200,170	−12.1
N. Central (W.)	79	170,969,427	77	170,283,536	170,968,202	+ 0.4
South Central	41	10,799,896	39	15,802,758	10,761,121	−31.9
Western (N.)	31	2,024,341	29	2,159,721	2,021,432	− 6.4
Western (S.)	35	2,881,393	35	4,436,375	2,861,393	−35.5
Total	474	380,462,828	455	400,764,197	378,590,606	− 5.5

PICKLED PORK.

New England	31	31,150,292	29	23,214,832	31,120,050	+34.1
Middle Atlantic	133	31,374,256	130	41,633,800	31,279,914	−24.9
South Atlantic	41	8,641,570	40	6,377,761	8,381,043	+31.4
N. Central (E.)	148	158,899,191	141	134,153,313	155,747,636	+16.1
N. Central (W.)	79	157,773,334	78	132,949,679	157,761,084	+18.7
South Central	29	15,653,605	27	8,488,106	15,603,194	+83.8
Western (N.)	35	8,071,090	34	5,508,918	8,061,508	+46.3
Western (S.)	40	9,944,628	38	9,242,431	9,934,393	+ 7.5
Total	536	421,507,966	517	361,568,840	417,888,822	+15.6

LARD.

New England	31	7,392,812	31	17,474,534	7,392,812	−57.7
Middle Atlantic	126	8,672,307	121	9,437,608	8,604,847	− 8.8
South Atlantic	48	1,584,542	45	1,863,659	1,574,642	−15.5
North Central (E.)	156	42,117,355	155	41,559,206	42,117,090	+ 1.3
North Central (W.)	85	25,709,700	84	28,016,450	25,704,500	− 8.3
South Central	48	2,109,032	47	2,337,568	2,107,092	− 9.9
Western (N.)	34	1,220,872	32	2,760,825	1,196,680	−56.7
Western (S.)	40	3,137,842	40	3,710,614	3,137,842	−15.4
Total	568	91,944,462	555	107,160,464	91,835,505	−14.3

MISCELLANEOUS MEATS.

New England	25	3,138,722	15	2,780,518	2,869,522	+ 3.2
Middle Atlantic	79	8,281,096	33	2,473,330	5,177,216	+109.3
South Atlantic	25	1,680,668	10	497,292	798,798	+ 60.6
North Central (E.)	99	41,640,105	64	29,804,132	31,552,324	+ 5.9
North Central (W.)	63	24,518,623	46	22,230,286	18,633,020	− 16.2
South Central	29	4,825,714	15	3,665,137	4,076,758	+ 11.2
Western (N.)	22	1,178,067	12	113,719	650,524	+472.0
Western (S.)	30	1,669,802	16	1,111,224	976,648	− 12.1
Total	372	86,932,797	212	62,675,638	64,734,810	+ 13.3

New England: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut.

Middle Atlantic: New York, New Jersey, Pennsylvania.

South Atlantic: Delaware, Maryland, District of Columbia, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida.

North Central (east of Mississippi River): Ohio, Indiana, Illinois, Michigan, Wisconsin; (west of Mississippi River), Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas.

South Central: Kentucky, Tennessee, Alabama, Mississippi, Louisiana, Texas, Oklahoma, Arkansas.

Western (north): Montana, Wyoming, Idaho, Washington, Oregon; (south), Colorado, New Mexico, Arizona, Utah, Nevada, California.

A summary of this report was released by wire on July 14. Upon request any or all the information contained in the storage reports will be telegraphed immediately upon its release. These reports are free, except for the telegrams, which are sent charges collect.

Report of holdings of frozen poultry July 1, 1919.

Product.	Reported for July 1, 1919.		Estimated holdings, firms not reported.		Reported for June 1, 1919.	
	Storages.	Pounds.	Storages.	Pounds.	Storages.	Pounds.
Broilers	178	7,383,808	9	53,984	197	8,704,960
Roasters	176	10,281,954	7	62,295	199	14,176,396
Fowls	193	9,419,332	10	143,293	213	11,114,408
Turkeys	200	5,340,278	9	47,453	216	6,351,635
Miscellaneous	242	16,470,332	12	60,677	262	15,243,946
Total	275	48,895,704	17	387,736	315	55,591,255

Comparison of holdings of July 1, 1919, with those of July 1, 1918.

[Includes totals for those storages reporting for both dates.]

Product.	Storages.	July 1, 1918 (pounds).	July 1, 1919 (pounds).	Increase or decrease (pounds).	Increase or decrease (per cent).
Broilers	165	1,291,075	7,330,369	+ 6,039,294	+467.8
Roasters	163	2,305,312	10,185,972	+ 7,880,160	+341.8
Fowls	174	4,204,390	9,047,925	+ 4,843,535	+115.2
Turkeys	182	4,209,648	5,282,660	+ 1,073,012	+ 25.5
Miscellaneous	218	4,973,959	15,884,502	+10,910,563	+219.4
Total	239	16,984,864	47,731,428	+30,746,564	+181.0

Comparison of holdings of July 1, 1919, with those of June 1, 1919.

[Includes totals for those storages reporting for both dates.]

Product.	Storages.	June 1, 1919 (pounds).	July 1, 1919 (pounds).	Increase or decrease (pounds).	Increase or decrease (per cent).
Broilers	174	8,641,747	7,379,702	−1,262,045	−14.6
Roasters	175	14,090,853	10,275,719	−3,815,134	−27.1
Fowls	186	10,947,788	9,410,241	−1,537,547	−14.0
Turkeys	195	6,295,610	5,333,998	− 961,612	−15.3
Miscellaneous	235	15,177,632	16,466,422	+1,288,790	+ 8.5
Total	266	55,153,630	48,866,082	−6,287,548	−11.4

Comparison of holdings of July 1, 1918, with those of June 1, 1918.

[Includes totals for those storages reporting for both dates.]

Product.	Storages.	June 1, 1918 (pounds).	July 1, 1918 (pounds).	Increase or decrease (pounds).	Increase or decrease (per cent).
Broilers	187	1,717,404	1,311,800	− 405,604	−23.6
Roasters	186	3,922,071	2,320,322	−1,601,749	−40.8
Fowls	205	2,708,272	4,233,976	+1,525,704	+56.3
Turkeys	197	5,906,699	4,233,456	−1,673,243	−28.3
Miscellaneous	235	4,611,548	5,781,039	+1,169,491	+25.4
Total	284	18,865,994	17,880,593	− 985,401	− 5.2

Holdings of frozen poultry on July 1, 1919, with comparisons of the holdings of July 1, 1918, and July 1, 1918, by sections.

TOTAL FROZEN POULTRY.

Section.	Reported for July 1, 1919.		Comparison of holdings.[1]			
	Storages.	Pounds.	Storages.	July 1, 1918 (pounds).	July 1, 1919 (pounds).	Increase or decrease (per cent).
New England	27	5,231,705	23	2,079,872	5,210,155	+150.5
Middle Atlantic	66	18,978,193	57	7,850,595	18,411,552	+134.5
South Atlantic	17	776,675	14	466,944	723,632	+ 55.0
North Central (E.)	45	16,525,073	43	3,856,116	16,255,466	+321.6
North Central (W.)	52	4,651,203	46	980,425	4,444,101	+353.3
South Central	23	747,061	21	468,043	721,496	+ 54.2
Western (N.)	18	527,536	16	79,252	525,746	+563.4
Western (S.)	27	1,458,258	19	1,203,617	1,439,280	+ 19.6
Total	275	48,895,704	239	16,984,864	47,731,428	+181.0

[1] Includes totals of all storages reporting for both dates.

Holdings of frozen poultry on July 1, 1919, etc.—Continued.

BROILERS.

Section.	Reported for July 1, 1919.		Comparison of holdings.			
	Storages.	Pounds.	Storages.	July 1, 1918 (pounds).	July 1, 1919 (pounds).	Increase or decrease (per cent).
New England	15	652,314	14	127,350	651,514	+ 411.6
Middle Atlantic	45	2,256,276	40	451,525	2,219,225	+ 391.5
South Atlantic	8	87,442	8	26,154	87,442	+ 234.3
North Central (E.)	34	3,364,653	31	292,724	3,353,319	+1,045.6
North Central (W.)	32	394,905	29	42,420	393,144	+ 826.8
South Central	15	189,791	14	12,893	187,298	+1,352.4
Western (N.)	10	46,442	10	8,828	46,442	+ 426.1
Western (S.)	19	391,985	19	329,178	391,985	+ 19.1
Total	178	7,383,808	165	1,291,075	7,330,369	+ 467.8

ROASTERS.

New England	20	1,177,192	20	381,622	1,177,192	+208.5
Middle Atlantic	49	4,757,640	44	1,059,936	4,734,048	+346.6
South Atlantic	9	158,350	7	93,881	127,947	+ 35.3
North Central (E.)	30	3,231,840	26	616,946	3,206,664	+419.8
North Central (W.)	31	647,166	30	25,580	635,590	.....
South Central	10	56,942	9	2,178	50,707	.....
Western (N.)	11	130,473	11	535	130,473	.....
Western (S.)	16	122,351	16	125,134	122,351	− 2.2
Total	176	10,281,954	163	2,305,812	10,185,972	+341.8

FOWLS.

New England	22	1,137,212	21	444,957	1,135,712	+155.2
Middle Atlantic	51	2,465,251	45	1,847,658	2,210,334	+ 19.6
South Atlantic	10	324,359	8	68,821	302,281	+339.2
North Central (E.)	30	3,733,974	26	1,014,090	3,663,244	+261.3
North Central (W.)	37	1,102,280	33	369,482	1,089,189	+194.8
South Central	14	149,249	13	165,930	141,214	− 14.9
Western (N.)	10	152,250	9	26,851	151,194	+463.1
Western (S.)	19	354,757	19	266,601	354,757	+ 33.1
Total	193	9,419,332	174	4,204,890	9,047,925	+115.2

TURKEYS.

New England	24	976,004	20	555,656	961,354	+ 73.0
Middle Atlantic	54	2,487,771	48	2,019,967	2,468,431	+ 22.2
South Atlantic	9	148,460	8	79,615	148,460	+ 86.5
North Central (E.)	33	920,523	30	902,015	915,868	+ 1.5
North Central (W.)	31	197,838	29	92,602	188,600	+103.7
South Central	17	196,810	16	149,571	190,500	+ 27.4
Western (N.)	12	50,642	12	29,100	50,642	+ 74.0
Western (S.)	20	362,230	19	381,122	358,745	− 5.9
Total	200	5,340,278	182	4,209,648	5,282,660	+ 25.5

MISCELLANEOUS POULTRY.

New England	21	1,288,983	20	570,287	1,284,383	+125.2
Middle Atlantic	58	7,011,255	49	2,471,509	6,779,514	+174.3
South Atlantic	12	58,064	11	198,473	57,502	− 71.0
North Central (E.)	40	5,274,083	36	1,030,341	5,116,371	+396.6
North Central (W.)	49	2,309,014	44	450,341	2,135,578	+374.4
South Central	22	154,269	21	137,468	151,717	+ 10.4
Western (N.)	18	147,729	16	13,938	146,995	+954.6
Western (S.)	22	226,935	21	101,582	211,442	+108.1
Total	242	16,470,332	218	4,973,939	15,884,502	+219.4

New England: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut.

Middle Atlantic: New York, New Jersey, Pennsylvania.

South Atlantic: Delaware, Maryland, District of Columbia, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida.

North Central (east of Mississippi River): Ohio, Indiana, Illinois, Michigan, Wisconsin; (west of Mississippi River), Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas.

South Central: Kentucky, Tennessee, Alabama, Mississippi, Louisiana, Texas, Oklahoma, Arkansas.

Western (north): Montana, Wyoming, Idaho, Washington, Oregon; (south), Colorado, New Mexico, Arizona, Utah, Nevada, California.

A summary of this report was released by wire on July 14. Upon request any or all the information contained in the storage reports will be telegraphed immediately upon its release. These reports are free, except for the telegrams, which are sent charges collect.

Mr. McKELLAR. I also desire to introduce a statement from the same source of the exports of domestic merchandise. I ask unanimous consent that it be inserted in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The statement referred to is as follows:

Exports of domestic merchandise.
(12 months ending June 30.)

Article.	1914	1915	1916	1917	1918	1919
Barley.....bushels..	6,644,747	26,754,522	27,473,160	16,381,077	26,285,378	20,457,781
Corn.....do....	9,380,855	48,786,291	38,217,012	64,720,842	40,997,827	16,687,538
Corn meal.....barrels..	336,241	470,503	419,979	508,113	2,018,859	1,583,327
Oatmeal.....pounds..	15,998,286	68,394,979	54,748,747	110,903,344	346,559,435	227,587,679
Oats.....bushels..	1,859,949	96,809,551	95,918,884	88,944,401	105,837,309	96,360,974
Wheat.....do....	92,393,775	259,642,533	173,274,015	149,831,427	34,118,853	178,582,673
Wheat flour.....barrels..	11,821,461	16,182,765	15,520,669	11,942,778	21,879,951	24,190,092
Beef, canned.....pounds..	3,464,733	75,243,261	50,803,765	67,535,125	97,343,283	108,489,472
Beef, fresh.....do....	6,394,404	170,440,934	231,214,000	197,177,101	370,032,900	332,205,176
Beef, pickled.....do....	23,235,974	31,874,743	38,114,682	58,053,667	54,467,910	45,067,861
Oleo oil.....do....	97,017,065	80,481,946	102,645,914	67,110,111	56,603,388	59,092,322
Bacon.....do....	193,964,252	46,718,227	579,808,786	667,151,972	815,294,424	1,239,540,973
Ham and shoulders.....do....	165,881,791	203,701,114	282,208,611	266,656,581	419,571,869	667,848,010
Lard.....do....	481,457,792	475,531,908	427,011,338	444,769,540	392,505,355	725,577,868
Neutral lard.....do....	29,323,786	26,021,054	34,426,590	17,576,240	4,258,529	17,395,888
Pork, canned.....do....	3,074,303	4,644,418	9,610,732	5,896,126	5,194,468	5,273,508
Pork, fresh.....do....	2,668,020	3,908,193	63,005,524	50,435,615	21,390,288	19,644,388
Pork, pickled.....do....	45,543,085	45,655,574	63,460,713	46,992,721	33,221,502	31,[illegible],497
Butter.....do....	3,693,597	9,850,704	13,487,481	26,835,092	17,735,966	33,739,960
Cheese.....do....	2,427,577	55,362,917	44,394,301	66,050,013	44,303,076	18,794,853
Milk, condensed.....do....	16,209,082	37,235,627	159,577,620	259,141,231	528,759,232	728,740,509
Cottonseed oil.....do....	192,963,079	318,366,525	266,512,057	158,911,767	100,779,981	178,709,833

Mr. McKELLAR. Mr. President, in my judgment these figures absolutely refute the position taken by Senator REED in a recent speech made by him on the subject of cold storage and the high cost of living generally.

It will be noted that no eggs have been exported at all, and while there is a greater supply of eggs in this country than ever before, the prices have gone up this year over last.

It will also be noted in the case of butter that in 1918 there were, in round numbers, 17,000,000 pounds of butter exported, and in 1919, 33,000,000 pounds, a difference of 16,000,000 pounds. This would seem to uphold a contention of Senator REED, but when we look at the butter on hand this year and that on hand in 1918, it will be seen how misleading Senator REED's figures are. The 16,000,000 pounds additional exports for 1919 is inconsiderable when considered in connection with the enormous increase of the holding of butter on August 1, 1919. There was a holding of butter of 124,839,792 pounds on August 1, 1919. On August 1, 1918, there were 88,786,243 pounds of butter, an increase of 40 per cent. The increase in pounds, in round numbers, is 36,000,000 pounds. You could subtract from this 36,000,000 pounds the 16,000,000 pounds exported and we still would have 20,000,000 pounds more of butter in 1919 than we had in 1918.

Again, take the figures for cheese. In round numbers there were 26,000,000 pounds less of cheese exported in 1919 than in 1918, and yet in 1919, in round numbers, there were 75,000,000 pounds on hand, while in 1918 there were about 26,000,000 pounds on hand, and still cheese has gone up.

Take beef. There were 370,000,000 pounds exported in 1918 and 332,000,000 pounds in 1919, while there was on hand in 1919 159,000,000 pounds and in 1918 172,000,000 pounds, and yet beef has gone up.

In other words, there were 38,000,000 pounds less exported, which, added to the 159,000,000 pounds on hand in 1919, would make more than there was on hand in 1918, including the exports, and yet prices have gone up.

POULTRY.

Again, take the matter of poultry. In round numbers there were 40,000,000 pounds of poultry on August 1, 1919, as against 18,000,000 pounds in 1918. Apparently we exported more poultry, and yet the price has gone up 4½ cents per pound. These figures are irrefutable and no amount of mathematical legerdemain can disprove them.

Mr. President, I also ask unanimous consent to insert in the RECORD an advertisement of the Sanitary Grocery Co. (Inc.), of Washington, D. C., as it appeared in the Evening Star of Monday, August 18, 1919. The advertisement is headed:

Passing the buck. It is a great national pastime, but we refuse to let anyone pass it to us.

The advertisement, among other things, says:

We are going to show just how much truth there is in the statement made by Mr. L. B. H. Weld before the House Agricultural Committee, as reported in the Star and which we reproduce herewith. Mr. Weld is quoted as saying that eggs which represent the cost to the retailer of 45 cents per dozen were sold to the consumer at 75 and 80 cents per dozen. We challenge Mr. Weld or anyone else to produce evidence that anyone ever sold cold-storage eggs in Washington at such a price.

It appears that the next day Mr. Weld denied that he had made such a statement as attributed to him in the Star, and the Star admitted that he had made no such statement, and thereupon there appeared another advertisement from the Sanitary Grocery Co. to the effect that inasmuch as Mr. Weld did not charge that the Washington retailers had sold eggs at 75 to 80 cents per dozen, they considered the matter ended, and I believe apologized to Mr. Weld.

Mr. President, that is all right so far as the Washington retailers are concerned, but the figures submitted by Mr. Weld and the figures given in this advertisement were conclusive that Mr. Weld had, either intentionally or unintentionally, misrepresented the facts and had misrepresented the profits received by the packers on eggs.

From page 267 of the hearings of the Committee on Agriculture, cold-storage legislation, part 6, I quote as follows from Mr. Weld's testimony:

Approximate average marketing cost of eggs, Iowa to Washington, D. C., 1918.

Price paid farmer in Iowa	$0.33
Expense of handling, grading, and freight	.03½
Cost net storage in Chicago	.36½
Storage expense (storage, insurance, and interest)	.03
Freight to Washington	.01½
Selling, candling, and grading, including spoilage	.03
Total profit storage and selling	.01
Price delivered retail in Washington	.45

Now, it may be true that Weld was misquoted as to what the retailer sold the eggs for in Washington, but he is not misquoted as to what the packer sold the eggs for, delivered to the retailers in Washington. Mr. Weld says that they were delivered to the retailer in Washington for 45 cents, and the packers made a total profit of 1 cent per dozen. The figures submitted by the Sanitary Grocery Co. show that this statement is not true, but that the eggs were delivered from the packers at an average of about 50 cents per dozen, or about 4 cents to 5 cents more profit per dozen on eggs than Mr. Weld testified. In other words, Mr. Weld may have made his peace with the retailers in Washington, but he has simply "passed the buck" to the people.

The argument was made that because of our increased exportation of poultry prices of poultry are higher. As a matter of fact, we do not export poultry, and there is three times as much poultry on hand this year as there was last year. If the law of supply and demand is in force, of course the price ought to be cheaper, but as a matter of fact it is 4½ cents a pound higher. So it is with cheese, with beef, with lambs and mutton and almost all articles of food. The stocks on hand in this country are enormously increased over those on hand last year, and at the same time the prices have increased, and I say have increased largely over what we have exported as well, taking those figures into consideration.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Utah?

Mr. McKELLAR. I yield to the Senator.

Mr. SMOOT. Does not the Senator really believe it is a splendid thing to have more poultry, butter, and meat on hand in cold-storage plants to-day than there was a year ago?

Mr. McKELLAR. I am delighted to know that there is, and it ought to be correspondingly cheaper to the people. It is not a good thing unless the people get the advantage of it. What good is it to the people of the United States if it is held in cold storage waiting for higher prices?

Mr. SMOOT. I wish to call the Senator's attention to the fact that last year the exports were so heavy that they could not get the usual quantity of poultry and food products into the cold-storage plants.

Mr. McKELLAR. Not exportations of poultry, because poultry is not exported.

Mr. SMOOT. I saw only yesterday a statement that the Government now has in cold-storage plants in New York nearly 2,000,000 pounds of poultry.

Mr. McKELLAR. That is for our Army.

Mr. SMOOT. Certainly; but it is for exportation.

Mr. McKELLAR. It is exportation in one sense, and in another sense it is not. As a matter of fact, that does not mean exportation. Sending it to our troops abroad is not exporting it. I have here a report from the Department of Agriculture which shows that there is no exportation of poultry.

Mr. SMOOT. I am only speaking of the exportation of poultry that went to our Army, because our Army was fed poultry, I think, two days a week. I know that the Government has millions of pounds of poultry in cold-storage plants in this country. This is what I want to have borne in mind. It must be conceded by everyone that now is the time that the greatest quantities of butter and poultry should be found in cold storage, as the time of year for the greatest production has passed, and unless there is more in cold-storage plants in the country than there was a year ago at this time the prices during the coming winter will be even higher, if possible, than they were last winter. The Senator knows that poultry was sold at 90 cents a pound, and it was sold less than a month ago at 75 cents a pound here in the District.

So, Mr. President, I think where cold storage is regulated as to the length of time products may remain there, it is a godsend to the American people that there is a cold-storage system in the country.

Mr. McKELLAR. No one disputes that; and if the Senator means to say that he is in favor of regulation so as to make the packers and other cold-storage men do right, so as to make them obey the law of supply and demand, I agree with him entirely. What I have asked for is the just regulation of cold storage. Nothing more. Of course, any man on earth with any sense knows that cold storage is one of the greatest benefactions to the human race. Nobody is against cold storage.

Mr. SMOOT. I understood that the Senator was complaining of the amount of butter in cold storage and the amount of poultry in cold-storage plants to-day.

Mr. McKELLAR. Oh, no; the Senator misunderstood me entirely. What I say is that under the cold-storage system now, unregulated, those who are engaged in the cold-storage business or the food business, and who use cold storage, can withhold the products from market at will or put them on the market at will, thus controlling the prices of food to the people; that the law of supply and demand is not in force as to them, because, practically without cost after having gone into cold storage, they can withhold products or put them on the market at will. That ought not to be the case. They ought to be regulated and forced to do what cold storage was intended for, to carry over from the season of plenty to the season of scarcity and give the people food during all seasons at reasonable prices.

Mr. SMOOT. I think that is absolutely true, and I think, generally speaking, that is done. I know if we had no cold storage for eggs, for instance, the price of eggs last winter would have been $2 a dozen. The Senator knows that there is a propaganda all over the United States to try to make the American people believe that the cause of high prices to-day is the cold-storage system. For instance, I notice that the papers report 5,000,000 eggs on hand in a cold-storage plant in the South. Never before was the quantity reported except in cases. To state to-day to the American people that there were 3,000 cases of eggs on hand does not sound like very many eggs, but multiplied by the number of eggs that there are in a case it seems quite a number.

There should be in the United States cold storage of all necessaries of life sufficient to carry the supply over during the season in which there is little or no production.

Mr. McKELLAR. I agree with the Senator entirely about that. There is no difference between us on that point.

Mr. SMOOT. Any legislation that interferes with such a course will be most expensive legislation to the American people.

Mr. McKELLAR. I agree with the Senator entirely in his last statement that there should be no interference with cold storage itself. The proper uses of cold storage should be encouraged rather than hindered. The bill which I have introduced and which is now before the Committee on Interstate Commerce does not in the slightest degree affect the proper use of cold storage or the institution of cold storage. The only thing it does is to reinstate the law of supply and demand as to food products kept in cold storage so that those who use cold storage can not use it for the purpose of boosting prices at will or controlling prices. That is the substance of what is provided for in the bill.

Now, let us see how it works, Senators, about propaganda. There is propaganda on both sides. On last Monday afternoon there was an advertisement printed in the Washington Star called "Passing the buck," and I desire to insert that advertisement in the RECORD. Mr. President, I ask unanimous consent that it may be inserted in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

[From the Evening Star, Monday, Aug. 18, 1919.]

"PASSING THE BUCK"—IT'S THE GREAT NATIONAL PASTIME, BUT WE REFUSE TO LET ANYONE PASS IT TO US.

We are going to show just how much truth there is in the statement made by Mr. L. B. H. Weld before the House Agriculture Committee as reported in the Star and which we reproduce herewith. Mr. Weld is quoted as saying that eggs which represented a cost to the retailer of 45 cents per dozen were sold to consumers for 75 cents and 80 cents per dozen. We challenge Mr. Weld or anyone else to produce evidence for the statement that anyone ever sold cold-storage eggs in Washington at such a price.

In the first place he is speaking of cold-storage eggs—that is, eggs which were carried from the spring until fall in cold-storage warehouses. We handle a few eggs ourselves, and the accusation of profiteering rests upon us as well as all other retailers. We feel that the public is fair-minded, and we are going to present a few figures. You can then judge for yourself as to who, if anyone, profiteered, especially as Mr. Weld says that 45 cents was the price at which the retailer should have bought these eggs.

If 45 cents per dozen was the price, why were we compelled to pay Swift & Co. the figures as shown on the immediate right?

Recapitulation of purchases.

	Dozens.	Cost.
Swift & Co.	9,450	$4,656.75
Armour & Co.	12,000	5,640.00
Morris & Co.	24,750	12,420.00
Cudahy Packing Co.	29,910	14,437.60
Other purchases	6,750	3,465.00
Total	82,860	40,618.75

Eighty-two thousand eight hundred and sixty dozen cold storage—or, as the newspaper reporters write it, nearly 1,000,000 eggs; to be exact it figures 994,320. Merely to show you that our egg distribution is a vital factor when considering a matter of this kind.

We do not mention any purchases after January 1, 1919, as shortly thereafter we began handling fresh eggs only. Compare these figures with our cost prices on same date.

Evidence in black and white as to what these eggs retailed for in our store.

These prices taken from our advertisements which appeared in the Evening Star:

	Cents per dozen.
Quoted Oct. 21, 1918 (cold-storage eggs)	50
Quoted Nov. 7, 1918 (cold-storage eggs)	50
Quoted Nov. 11, 1918 (cold-storage eggs)	52
Quoted Nov. 21, 1918 (cold-storage eggs)	55
Quoted Nov. 25, 1918 (cold-storage eggs)	57

See any 75-cent or 80-cent prices here?

For the month of December no advertised prices were shown, but our records show that notwithstanding increased cost to us our price on cold-storage eggs never exceeded 57 cents. Also remember that the District Food Administration was in full swing until after January 1, 1919. Let us quote from the fair price list in the Evening Star of December 6, 1918:

"Cold-storage eggs—dealer pays 50 cents to 55 cents, sells 57 cents to 63 cents."

Shortly after January 1 we discontinued the sale of storage eggs, as it is usual for us to do each year.

Prices following were quoted by us in the Evening Star on each date indicated:

Our selling price on fresh eggs was

(See any 75-cent or 80-cent eggs here?)

1919.

	Cents.
Jan. 6	72
Jan. 9	72
Jan. 13	72
Jan. 16	65
Jan. 20	65
Jan. 23	65
Jan. 27	65
Jan. 30	65
Feb. 3	55
Feb. 6	45
Feb. 10	45
Feb. 13	45
Feb. 17	45
Feb. 20	45
Feb. 24	45
Feb. 27	45
Mar. 3	45
Mar. 6	45
Mar. 10	45
Mar. 13	45
Mar. 17	43
Mar. 20	43
Mar. 26	43
Mar. 27	43

EGG PURCHASES FROM SWIFT & CO.

[Cold-storage eggs.]

All purchases were made by the John C. Letts Grocery Co. (Inc.), and delivered to our various stores from warehouse at 52 O Street NW. to be retailed. All other purchases indicated in this advertisement were made in the same manner.

	Dozens.	Cost per dozen.	Value.
1918.		*Cents.*	
Purchased Nov. 15	3,000	47	$1,410.00
Purchased Nov. 16	750	47	352.50
Purchased Nov. 25	1,500	51½	772.50
Purchased Nov. 27	750	51½	386.25
Purchased Nov. 29	1,350	51½	695.25
Purchased Nov. 30	600	51½	309.00
Purchased Dec. 4	1,500	48¾	731.25
Total	9,450	.....	4,656.75

Evidently none of Mr. Weld's 45-cent eggs from Swift & Co.

Here are a few more purchases—all cold-storage stock:

From Armour & Co.—cold-storage eggs, 1918.

(Find any 45-cent eggs here?)

Nov. 4, 3,000 dozen at 46 cents	$1,380.00
Nov. 5, 3,000 dozen at 46 cents	1,380.00
Nov. 7, 3,000 dozen at 46 cents	1,380.00
Dec. 5, 1,500 dozen at 50 cents	750.00
Dec. 5, 1,500 dozen at 50 cents	750.00
Total (12,000 dozen)	5,640.00

From Morris & Co.—cold-storage eggs, 1918.

(Or here?)

Nov. 7, 750 dozen at 48 cents	$360.00
Nov. 21, 750 dozen at 49 cents	367.50
Nov. 22, 120 dozen at 49 cents	58.80
Nov. 22, 150 dozen at 49 cents	73.50
Nov. 23, 480 dozen at 49 cents	235.20
Nov. 25, 1,500 dozen at 49 cents	735.00
Nov. 25, 750 dozen at 49 cents	367.50
Nov. 27, 750 dozen at 49 cents	367.50
Nov. 30, 750 dozen at 49 cents	367.50
Dec. 2, 750 dozen at 49 cents	367.50
Dec. 10, 1,500 dozen at 49 cents	735.00
Dec. 13, 600 dozen at 49 cents	294.00
Dec. 13, 13,500 dozen at 51 cents	6,885.00
Dec. 20, 450 dozen at 49 cents	220.50
Dec. 23, 450 dozen at 49 cents	220.50
Dec. 23, 1,500 dozen at 51 cents	765.00
Total (24,750 dozen)	12,420.00

From Cudahy Packing Co.—Cold-storage eggs, 1918.

(Yes, here, but why didn't they stay there?)

Nov. 4, 750 dozen, at 44½ cents	$333.75
Nov. 8, 3,000 dozen, at 44½ cents	1,335.00
Nov. 9, 750 dozen, at 44½ cents	333.75
Nov. 11, 1,500 dozen, at 46 cents	690.00
Nov. 12, 1,200 dozen, at 46 cents	552.00
Nov. 12, 1,500 dozen, at 46 cents	690.00
Nov. 14, 1,860 dozen, at 46 cents	855.60
Nov. 18, 1,500 dozen, at 47 cents	712.50
Nov. 19, 1,500 dozen, at 47½ cents	712.50
Nov. 20, 1,500 dozen, at 48½ cents	727.50
Nov. 21, 1,500 dozen, at 48½ cents	727.50
Nov. 22, 1,500 dozen, at 48 cents	727.50
Nov. 26, 2,250 dozen, at 49 cents	1,102.50
Nov. 27, 2,250 dozen, at 49 cents	1,102.50
Nov. 30, 1,500 dozen, at 49 cents	735.00
Dec. 20, 1,500 dozen, at 53 cents	795.00
Dec. 21, 2,100 dozen, at 53 cents	1,113.00
Dec. 23, 750 dozen, at 53 cents	397.50
Dec. 23, 1,500 dozen, at 53 cents	795.00
Total (29,910 dozen)	14,437.60

Other purchases cold-storage eggs, 1918.

Nov. 18, 1,500 dozen, at 50 cents	$750.00
Nov. 19, 1,500 dozen, at 50 cents	750.00
Nov. 23, 1,500 dozen, at 52 cents	780.00
Nov. 26, 1,500 dozen, at 52 cents	780.00
Dec. 13, 750 dozen, at 54 cents	405.00
Total (6,750 dozen)	3,465.00

[From the Evening Star, Aug. 16.]

RETAILER'S PROFIT ON EGGS INDICATED—L. B. H. WELD COMPARES PRICE CHARGED WITH COST OF DELIVERY ON MARKET.

While consumers in Washington were paying 75 and 80 cents a dozen for eggs last winter they represented an investment of 33 cents to the farmer and 45 cents delivered to the retailer, according to testimony by L. B. H. Weld, manager of commercial research for Swift & Co., before the House Agricultural Committee, which is investigating the high price of cold-storage products.

The price paid for the eggs to a farmer in Iowa, according to Mr. Weld, was 33 cents a dozen. Expense of handling, grading, and freight was 3½ cents, making a total cost of 36½ cents in the cold storage in Chicago. Storage expense is 3 cents, freight to Washington, 1½ cents; selling, candling, grading, and spoilage, 3 cents; and profits of storage and selling is 1 cent. This brings the total to 45 cents a dozen, when the eggs reach the Washington retailers.

Mr. Weld estimated that 62 to 66 per cent of the retail price goes to the farmer if eggs are sold at 50 or 53 cents.

Mr. Weld told the committee that profit of the packers on beef and veal in storage is about one-half cent a pound. He said that the beef brought to Washington has been killed only two weeks.

[From the Sunday Star, Aug. 17, 1919. First page, column 8.]

BELIEVE RETAILERS PROFITEER.

While the packers and other big corporate interests may be responsible for a general boosting of prices throughout the country, the members of the District committees have been told that retail dealers here have been profiteering. The Federal Trade Commission report on the high prices of shoes made it plain that the commission had found the retail dealers making exorbitant profits. The testimony of a commercial expert for one of the packers before the House Committee on Agriculture showed exactly what it cost to buy eggs from farmers in Iowa and to deliver them to the retailer in Washington—45 cents at a time that the consumer was being charged 75 and 80 cents.

These two instances are a matter of record before Congress, and Members of the House committee say they can produce similar testimony along other lines.

—

Why let an outsider come into Washington and bring an accusation of this kind against hundreds of reputable merchants of this city? Ask him to prove it with figures.

We are in hopes the House Agricultural Committee will recall Mr. Weld and have him tell them what became of all the 45-cent eggs that Washington dealers were not able to buy even from the firm he "researches" for.

We have researched several times ourselves—and haven't found many.

When you read testimony of this character about how the retail grocer has been gouging you

Call on us. Perhaps we can pull the facts and figures and prove to you that

You have been misinformed.

Mr. McKELLAR. I desire to read from that advertisement these words:

"Passing the buck."

It's the great national pastime. But we refuse to let anyone pass it to us.

We are going to show just how much truth there is in the statement made by Mr. L. B. H. Weld before the House Agricultural Committee as reported in the Star and which we reproduce herewith. Mr. Weld is quoted as saying that eggs which represented a cost to the retailer of 45 cents per dozen were sold to consumers for 75 cents and 80 cents per dozen. We challenge Mr. Weld or anyone else to produce evidence for the statement that anyone ever sold cold-storage eggs in Washington at such a price.

That advertisement is signed by the Sanitary Grocery Co., of Washington, D. C. It is rather a remarkable fact that on the next day another advertisement came out in the Star about this matter, in which the Sanitary Grocery Co. admitted that they had misquoted Mr. Weld in reference to certain matters contained in that report. The advertisement was to the effect that Mr. Weld had brought proof to them that he had not said that the retailers of Washington had retailed those eggs at 75 cents a dozen, but had said they were sold at some 50-odd cents a dozen, and they therefore made Mr. Weld an apology for having advertised the matter in the way they did. But, unfortunately for Mr. Weld and for those whom he represents, when he got the Sanitary Grocery Co.'s apology he was simply "passing the buck" to the American people.

I want to read to the Senate just what Mr. Weld did say, for it is very short. I read from his testimony before the House Committee on Agriculture. I desire to call the especial attention of the Senate to these figures submitted by Mr. Weld:

Approximate average marketing cost of eggs, Iowa to Washington, D. C., 1818, price paid to farmer in Iowa, 33 cents.

The Senator from Iowa [Mr. KENYON] is present and can tell what the farmers of his State got for eggs last year.

Expense of handling, grading, and freight, 3½ cents.
Making total of 36½ cents in Iowa.
Cost into storage in Chicago, 36½ cents.

To that Mr. Weld adds:

Storage expense (storage, insurance, and interest), 3 cents.
Freight to Washington, 1½ cents.
Selling, candling, and grading (including spoilage), 3 cents.
Total profit (storage and selling), 1 cent.

That is the total profit to the packer.

Price delivered to retailer in Washington, 45 cents.

In other words, Mr. Weld's testimony is to the effect the packers were not profiteering but were making only 1 cent a dozen upon eggs. That is the reasonable inference from his testimony. I take it that there can not be any dispute about that.

The advertisement that the Sanitary Grocery Co. published on Monday last produces the bills and the amounts of money paid by it to the packers. Senators can read the advertisement in the RECORD. There are in it to be found quite a number of bills mounting into the thousands of dozens of eggs and thousands of dollars. The average price is a little less than 50 cents a dozen to retailers here in Washington. In other words, instead of the packers, according to Mr. Weld's testimony and according to these paid bills for eggs bought by the Sanitary Grocery Co., being delivered to the retailers in Washington at a cent profit to the packers, they were delivered according to this proof, at between 5 and 6 cents profit to the packers per dozen. Of course, a little difference of 4 or 5 cents Mr. Weld may not think material, but considering the millions of dozens of eggs that are sold in this country the difference will be very great. Mr.

Weld evidently desired to submit to the committee that the packers' profit was only 1 cent per dozen. He evidently believed that was a reasonable profit. He thought that would appeal to anyone as reasonable. The figures of this advertisement show that the packers made, in round numbers, 5 cents additional on the very eggs Mr. Weld was talking about. Five cents a dozen would mean a great saving to many families buying eggs.

Mr. TOWNSEND. Mr. President——

Mr. McKELLAR. I yield to the Senator from Michigan.

Mr. TOWNSEND. Were any of the eggs sold here to dealers at the prices suggested by Mr. Weld?

Mr. McKELLAR. I will give the prices to the Senator. The grocery company bought, it seems, from several cold-storage houses, several packing companies. On November 4, 3,000 dozen at 46 cents; on November 5, 3,000 dozen at 46 cents; on November 7, 3,000 dozen at 46 cents; on December 5, 1,500 dozen at 50 cents; and on December 5, 1,500 dozen at 50 cents.

From Morris & Co.—all of these are cold-storage eggs—they bought on November 7, 750 dozen at 48 cents; November 21, 750 dozen at 49 cents; November 22, 120 dozen at 49 cents.

Mr. Weld testified they were all delivered here at 45 cents.

Mr. TOWNSEND. That they were all delivered at 45 cents?

Mr. McKELLAR. He figured that they were all delivered at 45 cents.

Now, so that the Senate may have the figures showing that the price goes considerably above this amount, I read the following:

150 dozen, at 49 cents.
480 dozen, at 49 cents.
1,500 dozen, at 49 cents.
750 dozen, at 49 cents.
750 dozen, at 49 cents.
750 dozen, at 49 cents.
750 dozen, at 49 cents.
1,500 dozen, at 49 cents.
600 dozen, at 49 cents.
13,500 dozen, at 51 cents.
410 dozen, at 49 cents.
450 dozen, at 49 cents.
1,500 dozen, at 51 cents.

From the Cudahy Packing Co. the prices were on November 4, 44½ cents per dozen, and on December 23, 53 cents. Other prices run for other cold-storage eggs bought from other companies from 50 cents to 54 cents. In other words, the lowest price was 44½ cents a dozen and the highest price was 54 cents—an average of between 49 and 50 cents.

Mr. TOWNSEND. The testimony shows, then, that in some cases eggs were sold here at a price less than the price testified to by Mr. Weld.

Mr. McKELLAR. In only a few cases.

Mr. TOWNSEND. In only a few cases.

Mr. McKELLAR. Only as to 4,500 dozen.

Mr. TOWNSEND. The Senator from Tennessee is basing this all on Iowa eggs.

Mr. McKELLAR. On Iowa eggs; yes.

Mr. TOWNSEND. Has the price of Iowa eggs remained the same during all of the period covered by these shipments?

Mr. McKELLAR. It is not explained whether it has or not. Are Iowa eggs, for instance, different from Michigan eggs? I do not know that there is any difference between them.

Mr. TOWNSEND. I am thinking about Michigan eggs.

Mr. McKELLAR. Are Michigan eggs better than Iowa eggs?

Mr. TOWNSEND. No.

Mr. McKELLAR. I know something about eggs, but I did not know that there was that difference between eggs coming from Iowa and those coming from Michigan.

Mr. TOWNSEND. Of course, there are no better eggs in the world than Michigan eggs; but what I desire to get at is that the price of eggs in Michigan, as I suppose in every other place, differs from week to week, and sometimes from day to day.

Mr. McKELLAR. Of course it does.

Mr. TOWNSEND. I was wondering how the Senator could fix the price at 33 cents, or whatever the Senator did fix it at, and say that he is comparing that with the selling price for that whole period, without knowing what the eggs actually cost.

Mr. McKELLAR. The Senator will remember that I am not fixing these prices or this method of arriving at prices at all; but what I am doing is what the Senator is doing—criticizing what the agent of the packers has done when he undertakes to fix the price at which the retailers in Washington receive their eggs at 45 cents a dozen. Of course that is not correct; anybody in the world would know that it was not correct.

Mr. TOWNSEND. Mr. President, I am very much in favor of the object the Senator from Tennessee has in getting exact information, for unless we do have all the facts and all the circumstances surrounding them, statements will be misleading and of no value to us at all.

Mr. McKELLAR. Of course.

Mr. TOWNSEND. If we could find a particular shipment of eggs and could trace that shipment from the farmer to the consumer, we would obtain some information that would be exceedingly valuable to us in determining whether or not there has been profiteering.

Mr. McKELLAR. I will say to the Senator, in answer to his suggestion, that the set of figures in this advertisement is as perfect proof as any I have seen. Evidently the Sanitary Grocery Co., of Washington, felt that it had not been profiteering, and according to its figures it surely had not; and evidently the Sanitary Grocery Co., of Washington, to use its own language, wanted to "pass the buck" to some one else. I am using simply the language employed by it. It does give the exact prices that it paid, and also gives the exact prices that it received. According to its figures, there was no profiteering, but the profiteering was done by the packers.

Mr. TOWNSEND. May I ask the Senator who is Mr. Weld?

Mr. McKELLAR. Mr. Weld is the agent of one of the packers, so I am informed—I forget which; perhaps all of them, but I think primarily of Swift & Co. I do not know, of course, just how his salary is paid; I do not know anything about that. Mr. Swift has not answered my question on that subject yet. I am merely calling attention to the very marked difference between his testimony and the unquestioned facts as submitted in this advertisement, and showing why Mr. Weld might have thought that when the Sanitary Grocery Co. apologized for having put into his mouth the statement that the Sanitary Grocery Co. and other retailers here in Washington had been selling eggs at 75 and 80 cents a dozen that that cleaned the slate; but the potent fact in these disclosures is that Mr. Weld was trying to show to the Agricultural Committee of the House that the company only received 1 cent profit, when, according to the facts stated in the first advertisement, that are undisputed in the second advertisement—and of course they would have been disputed if they had not been true—and the facts shown by the bills on which payment was made, they received between 5 and 6 cents profit on some eggs. Whether that is an unusual profit, whether that is profiteering, I am not prepared to say, though I think it is, and evidently Mr. Weld thought such a figure was, as he testified the packers only made 1 cent; but I agree with the Senator from Michigan about the desirability of having other facts. We ought to have the packers show us what they are paying the producers for the eggs. If they are wrong about what they sell them for—if they are 4 or 5 cents wrong about what they sell them for, as shown in the facts herein published—it is reasonable to suppose that they may be mistaken as to the amount they paid to the producers of the eggs, and the real facts might double the amount of their profits. The producers should be protected as well as the consumers.

Those are the things that I wish to call to the attention of the Senate to-day. I put these statistics in the RECORD so that Senators may read them and see how fallacious the argument is that it is because of our exports prices are going up this year. The exports have little influence on prices, as these figures show, and can not have an influence on the prices so long as unrestricted, unregulated cold storage is permitted in this country.

Mr. PAGE. Mr. President, I have just listened to the remarks of the Senator from Tennessee [Mr. McKELLAR] on the high cost of living. I have in my hand a letter from E. S. Brigham, Commissioner of Agriculture of Vermont, a man of recognized ability, and it seems to me so pertinent to the remarks that have just been made by the Senator from Tennessee that I am going to send it to the desk and ask that it be read. It is only about 20 lines in length.

The PRESIDING OFFICER. The Secretary will read the communication.

The Secretary read as follows:

STATE OF VERMONT,
DEPARTMENT OF AGRICULTURE,
Montpelier, August 13, 1919.

Hon. C. S. PAGE,
Washington, D. C.

MY DEAR SENATOR: I was somewhat surprised to read the President's address on the high cost of living and to see his announcement that credits and facilities for shipping our wheat abroad would be so controlled that the price of wheat here would be held down.

When the guaranteed minimum price of $2.26, Chicago basis, was fixed September 2, 1918, the President promised to appoint a commission to investigate the fairness of this price in the spring of 1919 and to make adjustment if conditions warranted. Now that the war is closed, it seems to me an imposition upon the American wheat raiser for the Government to use its powers of manipulating credit and shipping facilities so that the President's guaranteed minimum will become in effect a maximum, and this without any investigation as to whether the present price of wheat yields to the producer a fair return.

I noted also that the President asked Congress for a continuation of the food-control act in time of peace. I served in the Food Administration long enough to secure evidence that the food-control act was used to the great disadvantage of the producer in manipulating prices

in ways which are unknown to the public. It seems to me that the best remedy for the high cost of living is to allow prices of food commodities to rise to the point where farmers can hire labor to produce these commodities in competition with the railroads and other classes of industry. When this is done we may have an increased production, which will solve our problem. On the other hand, if we make conditions such that wages and profits for food producers are below those in any other line of business, we must expect a continuing decreased production, which will eventually result in hunger.

I presume that the administration leaders will present a bill in Congress which will continue the food-control act into peace times, and I believe that if any such measure is passed it should be very carefully drawn, so that a commission of men will not have power to manipulate prices as their fancy may dictate.

Very truly, yours,

E. S. BRIGHAM,
Commissioner of Agriculture.

Mr. KING. Mr. President, the Senator from Vermont has vouched for the ability and integrity of the writer of this letter. The writer strongly arraigns the Food Administration, with which, as I understood the letter, he was for some time associated. In view of his charges, I think this letter should be referred to the Committee on Agriculture and Forestry, which is now investigating this subject; and I venture the suggestion that the committee should subpœna this gentleman as a witness, in order that he may give testimony as to the maladministration, if such there was, of the Food Administration and furnish information to aid in determining the important question which is now receiving attention at the hands of the committee.

I therefore move, if a motion is necessary, that the letter be referred to the Committee on Agriculture and Forestry.

The PRESIDING OFFICER. Without objection, that course will be pursued.

LEASING OF OIL LANDS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2775) to promote the mining of coal, phosphate, oil, gas, and sodium on the public domain.

Mr. SMOOT. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CALDER in the chair). The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ball	Gay	Nelson	Spencer
Bankhead	Hale	New	Sterling
Brandegee	Harris	Norris	Sutherland
Calder	Henderson	Nugent	Swanson
Capper	Hitchcock	Overman	Thomas
Colt	Johnson, S. Dak.	Owen	Townsend
Culberson	Jones, Wash.	Page	Trammell
Curtis	Kendrick	Phelan	Walsh, Mass.
Dial	King	Phipps	Walsh, Mont.
Elkins	Kirby	Poindexter	Warren
Fall	La Follette	Ransdell	Watson
Fernald	Lenroot	Sheppard	Wolcott
Fletcher	McKellar	Simmons	
France	McNary	Smith, Ariz.	
Frelinghuysen	Myers	Smoot	

The PRESIDING OFFICER. Fifty-seven Senators have answered to their names. A quorum is present.

Mr. SMOOT. Mr. President, about 12 years ago there was an agitation started in the United States to lease the public lands containing oil, gas, phosphate, sodium, and coal. There has not been a Congress since that time that bills have not been introduced in Congress for the purpose of leasing such public lands.

In the first place, Mr. President, I wish to say that I have been in the past opposed to a leasing system. I have been honest in my opposition to it, because of the fact that I thought that such a policy would not be the best way of developing an increased production of such minerals. I still have that feeling; but, notwithstanding that and knowing the situation as it exists in the United States to-day which has been brought so forcibly to the attention of the country by the recent war, I realize that there must be some change in the policy of our Government respecting public lands that has been in force for the past 12 years.

There are hundreds of millions of acres of the public domain withdrawn from entry of all kinds, and through those withdrawals new development of the natural resources in the western States has practically ceased, and something must be done to change present conditions. Various compromises have been suggested. Bills have been introduced incorporating in them not only the leasing system, but also a system of private ownership in connection with a leasing system. I never have been in favor of that double-headed system. I do not believe it ever would be a success. If we are to develop the public lands of the West, and if we are to begin the exploration and the discovery of these minerals so necessary for the prosperity of our country, legislation must be had, and had at an early date.

It was for that purpose that I introduced, on June 2, 1919, Senate bill 1269, to promote the mining of coal, phosphate, oil, gas, and sodium on the public domain. I have noticed in the press numbers of references to the bill, all stating that it was a bill following the conference report on the leasing bill that was before this body at the last session of Congress. All such reports, Mr. President, are untrue. The conference report on the bill that was before the Senate at the last session of Congress not only had the leasing system incorporated in it, but it contained a provision that a certain percentage of oil lands obtained through a prospecting permit should be patented to the permittee, and in coal lands it was left discretionary with the Secretary of the Interior whether they were sold outright in case a satisfactory lease could not be obtained. Senate bill 2775 has no such provisions.

Senate bill 1269, introduced by myself, was a bill that was taken up by the Committee on Public Lands for consideration. Amendments were offered to that bill, and when finally completed by the adoption of a number of amendments it was ordered to be reintroduced, which was done by me on August 15, and that print now before the Senate shows the original bill with the amendments agreed to by the committee.

Mr. KING. Mr. President, will my colleague yield?

The PRESIDING OFFICER (Mr. CALDER in the chair). Does the Senator from Utah yield to his colleague?

Mr. SMOOT. I do.

Mr. KING. I did not quite understand the statement of my colleague with respect to the bill first introduced and which became the basis of the bill under consideration. Was that bill introduced at this session?

Mr. SMOOT. It was introduced by me on June 2, 1919. I will say to the Senator that there were a number of amendments to that bill adopted by the committee, and they are incorporated in Senate bill 2775.

Mr. KING. As I recall, there was a measure agreed upon at the last session of Congress by the conferees after it had been held in conference for a number of months. I have had no opportunity to compare the present measure with the one which was then agreed upon. Is there any substantial difference between this bill and that one?

Mr. SMOOT. The difference is that Senate bill 2775 is purely a leasing measure, while——

Mr. KING. If my colleague will still pardon me, the bill agreed upon at the last session was a leasing bill; but there was a provision in it that title could be acquired to a portion of the lands that were covered by the permits or by the leases.

Mr. SMOOT. That is true, and I thought I had made that plain in the statement I made a few moments ago. There is no title under the pending bill acquired to any portion of the public lands containing the numerals named in the bill. A lease only can be obtained.

Mr. KING. Would it interrupt my colleague if I should make a further inquiry?

Mr. SMOOT. Not in the least.

Mr. KING. I regret very much that this bill does not contain the provision to which reference has just been made. While I am opposed to this bill, and while I was opposed to the bill which was agreed upon at the last session, because I am absolutely opposed to the leasing system, the paternalism, the bureaucracy, the autocracy, the un-American system that the leasing system entails, nevertheless there was a provision in that bill that permitted the acquisition of title to a portion of the leased ground. Was there any good reason why that provision, which was a sort of a cure for some of the follies of the bill, and vindicated it somewhat, should not be included in this bill?

Mr. SMOOT. The only reasons I know of are that members of the committee thought that double-headed system of handling the public lands would prove a failure, and others believed that the public lands containing the minerals covered in this bill should never pass out of the control and ownership of the Government. As far as I am concerned, as I stated, I would prefer either one system or the other, and I will say to my colleague that that is the reason why I introduced the bill as a straight leasing proposition.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. SMOOT. Yes; I yield.

Mr. LENROOT. One very good reason, among many others, why title should not be conveyed is that with a full title conveyed there could be no supervision over the operation of the wells. A single well in a producing oil field, if not properly cared for so as to prevent water from getting into the oil sands, may destroy an entire field; and with full title granted there could be no way of preventing that kind of a catastrophe in a field.

Mr. KING. If my colleague will permit me, of course the argument the Senator has just made is an argument against the alienation of any oil lands by the Government.

Mr. LENROOT. Certainly.

Mr. KING. And I do not think that argument is one which is sound; I do not think it is one which ought to prevail in determining the policy of the Government with respect to its public lands. As I said, I believe in the alienation of the public lands. I think they ought to be gotten out into the hands of individuals. Private ownership is the basis of the prosperity of the American people. The other system is alien to democratic institutions and to our form of Government. I think it is pernicious.

Mr. McKELLAR. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Tennessee?

Mr. SMOOT. Just a moment. In a letter dated July 29, 1919, from the Secretary of the Interior to me upon this subject the Secretary makes the following statement:

Senate bill 1269 is purely a leasing measure, containing no provision for patents except upon valid claims initiated prior to withdrawal and maintained in full compliance with existing law. Although I originally suggested the giving of a patent to prospectors of a part of the land upon which discoveries have been made, thinking it would be an incentive to exploration, I am now convinced, after mature consideration, that a straight leasing measure should be enacted, and I find that is the desire of people interested in mineral development generally.

Mr. President, I have lived with this legislation, as it were, for nearly 10 years. I am in close touch, not only with the men producing oil to-day, but I have been in close touch with the men who desire to go upon the public domain and prospect for oil and take their chances in discovering oil; but all known oil lands have been tied up by withdrawals for many years past and prospecting upon public lands has been limited indeed. I think now without a moment's hesitation I can truthfully state that there are at least 95 per cent of all the men who have been interested in this subject and who are bitterly opposed to the leasing system, as I was and as I am, are to-day saying that under the situation as it exists in the country the best thing to do is to try a leasing system, and the best plan is to prepare a bill along the line that will best meet the situation; and that is what I have tried to do.

Mr. THOMAS. Does not the Senator think it is the only thing to do in view of the later decisions of the Supreme Court?

Mr. SMOOT. I think so, Mr. President, and particularly with the power, I was going to say, of the Secretary of the Interior or the Secretaries of the different departments to prevent action upon any kind of bill that may be presented to Congress unless it provides a leasing system and to their liking.

Mr. WALSH of Montana. Mr. President——

Mr. SMOOT. I yield to the Senator.

Mr. WALSH of Montana. By the kindness of the Senator from Utah, I wish to say a word with reference to a remark made just a moment ago by the junior Senator from Utah [Mr. KING]. I desire to say to the Senator from Utah that there are quite a number of Senators here on both sides of the Chamber who sympathize very keenly with the feeling he has expressed, and they have repeatedly expressed themselves similarly during the course of a long struggle extending now over a period of six years to my knowledge, with this matter now before the Senate. But I desire to remind the Senator from Utah that there is growing up a sentiment, embryonic as yet I hope, that no disposition whatever should be made of the public lands containing these valuable mineral deposits, either by alienation or by lease; that they ought to be reserved altogether and be prospected and developed and operated by the Government, a plan of disposition which I apprehend would be even more objectionable to the Senator from Utah, if I have correctly estimated his views.

A great many of us have felt compelled, with reference to this legislation, to yield something of our own views concerning what ought to be done in order to secure some development of these lands, and I suggest to the Senator that by opposing this measure he is serving the purpose of those who do not want any legislation on this subject at all, in the hope that the sentiment of which I have spoken will grow and develop until it will be impossible to get legislation of this character or of the character which he thinks ought to be enacted.

Mr. SMOOT. In this connection I wish to say, if the reports that come to me are true, it would not surprise me to have this administration make, before this bill becomes a law, a recommendation that all coal upon the public domain and the operation of oil wells, including those that are in operation to-day and those that are yet to be discovered, be operated by the Government.

Mr. McKELLAR. Mr. President——

Mr. SMOOT. I yield to the Senator from Tennessee.

Mr. McKELLAR. I desire to ask the Senator from Utah about section 1 of the bill. It is limited apparently to citizens of the United States, and the statement is made that no alien shall ever be permited to own any interest. Merely by way of suggestion, I should like to know from the Senator what effect he thinks that would have on our citizens in certain South American countries and in Mexico, and ought there not to be some limitation on that matter? I simply throw it out as a suggestion. I have not thought it out myself.

Mr. SMOOT. If the Senator from Tennessee will allow me to proceed, I assure him that that provision of the bill will be discussed at some length, and I prefer to discuss it later. I might state that I agree with the Senator that there is great apprehension expressed by Senators, and the committee had some misgiving as to just what effect that provision of the bill is going to have upon foreign countries. It is a question as to what is the best policy to pursue.

The committee decided ultimately that it is the best policy to follow the course as outlined in the last paragraph of section 1. But, as I said, that will be discussed later when we reach it.

Mr. President, there are withdrawn from all development 6,500,000 acres of the public domain supposed to contain oil, or, in other words, designated as oil lands. There are 2,700,000 acres of phosphate lands withdrawn in the same way. There are 3,500,000 acres of oil-shale lands that have already been classified. There are 43,700,000 acres of coal lands withdrawn, and of those 43,700,000 acres the Government up to the present time has classified as coal lands only 27,300,000 acres. That vast acreage of the public domain, all situated in the western part of our country, has been tied up for years, preventing any form of development. No development upon these lands can be made to-day. The time has come, in the opinion of the Committee on Public Lands, that legislation must be passed in order that these great undeveloped resources of our country shall be made use of by the American people.

When I was told 12 years ago that such withdrawals would be made, and that no development upon these lands should be allowed until the western Senators had agreed to a leasing system, I doubted at that time whether the program would be carried out. It has been carried out, and to-day we find that there is an actual scarcity of some of the minerals enumerated in the pending bill. I say now that unless there is a change in policy and the development of the lands for the minerals begins at an early time it will cost the American people millions of dollars and perhaps the loss of a great portion of their foreign commerce.

In all of the other leasing bills that have been reported favorably to the Senate by the Committee on Public Lands, the provisions of the bill applied to the Grand Canyon National Park and to the Mount Olympus National Monument. The committee thought that the park and the monument ought to be eliminated from the bill. There was opposition to such action, but the reason given that appealed to the committee was that the initiation of mineral claims had been used as a cloak to interfere with the full and free use of the park by the public. That has reference more particularly to the Grand Canyon National Park. Your committee thought that if coal indications were such in the Grand Canyon National Park as to justify prospecting for it, legislation could be passed covering that particular park, and so with the Mount Olympus Monument. It was for those reasons, Mr. President, that the committee decided to strike them out from Senate bill 1269.

There is a provision in section 1 of the bill referred to by the Senator from Tennessee [Mr. McKELLAR], found on page 2 of the bill, that has never yet appeared in any leasing bill offered in the Senate or reported out from a committee of the Senate or voted on by either House. That provision is as follows:

Provided, That no alien shall, by stock ownership or otherwise, own any interest in a lease acquired under the provisions of this act, except as hereinafter provided, and all certificates for stock hereafter issued in any corporation having such a lease shall specifically and clearly show this provision on the face thereof.

There are very few Senators in the Chamber at the present time, Mr. President, and I know a number of the members of the Committee on Foreign Relations are interested in this provision of the bill, so I would prefer now to pass it over until they are present and then discuss the question when there is a motion to strike it out or the question is brought up by one of the members of the Foreign Relations Committee. That will save a discussion of the provision twice.

I will say, however, in passing, that this proviso was not put in the bill without the most serious consideration. It was not incorporated in the measure without knowing the seriousness of it, and also without knowing that unless it is incorporated in the law the result will be serious to our own country and its control of the oil produced in it. All men know

that the control of the oil in a country means a control of the commerce of that country.

Mr. NUGENT. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Idaho?

Mr. SMOOT. I yield to the Senator.

Mr. NUGENT. If that be true, I should like to have the Senator explain why it is not possible for the Government itself to retain control of what remains of the oil lands of the country, in order that the oil of the Nation of the future may not be controlled by the representatives of other Governments.

Mr. SMOOT. I am not in favor of any such a system or policy. It may become necessary when the country can consume all the oil produced, but even then it would be unwise, in my opinion. I will say to the Senate that the provision under discussion ought to be made immediately, in order that the oils that are left remaining in the public lands owned by the United States should be controlled by the Government of the United States in case of necessity.

I take it for granted, Mr. President, that the greatest interest in this legislation revolves around the oil and gas lands of our country. In all the bills that have been reported in the past there has been a provision that would allow permits for the exploration for oil within a known geologic structure, and in most of the bills that have been reported heretofore the royalties have been the same whether the permittee developed the oil outside of a known geologic structure or within one. Your committee thought that that was unfair. The wildcatter, so called, is generally the man who goes out and discovers a new oil field. He is the one who, in many cases, goes outside of the known geologic structure, spends all the money he has and all he can borrow or beg in order to drive a well to a depth where he thinks oil will be found. He is the pioneer, as it were. Your committee thought the royalty that would be charged to him should be less than the royalty that would be charged to the man who under the original bill would be allowed and permitted to prospect for oil within a known geologic structure.

So, Mr. President, we decided to strike out from Senate bill 1269 all rights for permits within a known geologic structure, because within that structure, and they are generally small in area, the man who gets a permit knows that within such a structure oil is being produced, and if he wants to go within one of those structures he ought to take a lease and not a permit, and that is what the pending bill provides for, with a different rate of royalty.

In other words, if a person desires a permit to prospect for oil on 2,560 acres of the public domain outside of a geologic structure, he has the right to claim one-quarter of 2,560 acres, if he discovers oil, at a royalty of 5 per cent instead of 12½ per cent. Then he is given a preference right to the other three-fourths of that amount, if he so desires, at the regular royalty of not less than 12½ per cent or more than 25 per cent.

Unless there is some misunderstanding as to the provisions of the bill or some Senator desires to ask questions in reference to it, I am not going into a discussion of each section of the bill, but I do desire to call attention to section 35, on page 31, which reads:

> That all royalty accruing to the United States under any oil or gas lease or permit under this act on demand of the Secretary of the Interior shall be paid in oil or gas.

Then follows, on page 33, beginning with line 1 and ending with line 21, a provision that has for its object the granting to the Secretary of the Interior the power to sell the royalty oil collected within a district or within any number of districts to the highest bidder; but all of the bidding is to be in his hands and bids may be rejected or accepted. I desire briefly to say that the purpose of this portion of the bill is to assist the independent operation of refineries; in other words, small producers, within a known geologic structure or in a known oil or gas field may combine, if it is thought best, and bid for the royalty oil, and the Secretary of the Interior will have it within his power to dispose of all of the royalty oil, not only that from the individual producers of oil, but, for example, from the Mid-West Oil Co., the large producer in the Wyoming field, or from the large producer in any oil field who has sufficient capital to erect a refinery and has it in operation. The small operators, unless they can purchase sufficient oil, no matter whether they could get money to put up a refinery or not, would find themselves short of oil to successfully operate a refinery and make the operation profitable.

Under this provision of the bill the Secretary of the Interior can see that the small producer has a chance at all of the royalty oil of the district, thus insuring oil sufficient to operate an independent refinery. There will be opposition in bidding for the oil between the owners of the refinery operating to-day and a refinery that can be operated under the provisions of this bill. As the bill was reported to the Senate it read as follows:

> Upon granting any oil or gas lease under this act and at the beginning of each five-year period thereafter during said lease, the Secretary of the Interior shall offer for sale, upon notice and advertisement on sealed bids or at public auction, all royalty oil and gas accruing or reserved to the United States under such lease.

It was brought to the attention of the committee after they adopted that provision that it was unworkable. In fact, Mr. Mr. President, it is somewhat strange that members of the committee did not see that it was unworkable before they adopted the provision; but I will state that it was the last day we had the bill under consideration; and it was about 20 minutes to 12 o'clock, at which hour the Senate met, when we took up the question for consideration. We were all in favor of the principle and we did not study the effect of the provision as we should have done. So, on yesterday, I moved to strike out lines 1, 2, 3, and the first word in line 4, and to insert in lieu thereof the following:

> The Secretary of the Interior shall have the right to offer for sale, for periods of not exceeding five years—

So as to read:

> The Secretary of the Interior shall have the right to offer for sale, for periods of not exceeding five years, upon notice and advertisement—

And so forth.

Mr. WARREN. From what page is the Senator reading?

Mr. SMOOT. The amendment is on page 32.

The original wording required the Secretary of the Interior to advertise for the sale of oil for a period of five years.

There is no product of which I am aware that has fluctuated in value as has oil, for within the last five years the price of oil per barrel has run all the way from 26 cents a barrel up to $2.25, which is the price to-day. It would be unjust to the Government, and it would also be unjust to the man who bid upon the oil to compel either to make a bid or accept one that would cover a period of five years.

Mr. President, with oil at $2.25 per barrel to-day, what set of men who undertook to build a refining plant would like to offer $2.25 a barrel for oil—the highest price known—and be compelled to pay that price during the whole term of five years? Of course it is apparent upon its face that no such provision could work satisfactorily either to the Government or to the individual.

On the other hand, if oil were 26 cents a barrel to-day, how unfair it would be to the Government of the United States to ask for bids, which perhaps, when received, might be 2 cents or 5 cents or 10 cents a barrel higher than the market price. It would be very unfair for the Government of the United States to tie up its product for the full period of five years. The amendment that has been made to the bill simply states that—

> The Secretary of the Interior shall have the right to offer for sale for periods of not exceeding five years.

I admit that this grants to the Secretary of the Interior the power to sell the oil for a period of 4 years 11 months and 29 days, but I do not believe there will ever be a Secretary of the Interior who will tie up the oil royalty which belongs to the Government of the United States for any such period.

Mr. KENDRICK. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Wyoming?

Mr. SMOOT. Yes; I yield to the Senator.

Mr. KENDRICK. Does the Senator from Utah not see in that amendment a weakening of the mandatory power to sell the royalty oil?

Mr. SMOOT. The only difference is that this amendment provides that the Secretary of the Interior shall have the right to offer it for sale, while the provision as drawn by Mr. Swartz says:

> The Secretary of the Interior shall offer for sale.

Mr. KENDRICK. Would the Senator not accept this as a substitute for the amendment already adopted:

> The Secretary of the Interior is authorized to sell for periods of not more than five years?

Mr. SMOOT. No; that is nearly what the original provision proposed to do. The original provision read:

> Upon granting any oil or gas lease under this act, and at the beginning of each five-year period thereafter during said lease—

The wording of the amendment suggested by the Senator is not exactly the same, because his proposed amendment says "not more than five years." The Senator does not change by his suggestion, however, the objections to the provision as it was originally reported to the Senate.

Mr. KENDRICK. The difficulty about the amendment which has been made, as I see it, is that it leaves it discretionary with the Secretary of the Interior as to whether or not he shall sell the royalty oil at all.

Mr. SMOOT. That is true; and not only that, but the original provision reads:

> Such advertisement and sale shall reserve to the Secretary of the Interior the right to reject all bids and the right to require redelivery of the actual oil or gas or any refined product thereof whenever within his judgment the interest of the United States demands.

That same provision remains in the bill under the amendment which was accepted yesterday.

Mr. WALSH of Montana. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Montana?

Mr. SMOOT. I yield.

Mr. WALSH of Montana. If the Senator from Wyoming will permit me, I should like to inquire of the Senator from Utah what the purpose was in changing the language of the bill which required the Secretary of the Interior to sell the royalty oil, making the duty imperative upon him, to a provision that he shall have the right to sell, leaving in him a discretion as to whether he shall sell or not?

Mr. SMOOT. The committee thought after reading the criticism of Mr. Phelan, of the Shipping Board, that it ought to be left discretionary with the Secretary.

Mr. WALSH of Montana. That is what I want to know—if that is the purpose?

Mr. SMOOT. If the Senator will wait for just a moment, I will read what Mr. Phelan said. I have his statement here. Referring to lines 1 to 21—that is the whole of the provision—Mr. Phelan says:

> This part of section 35 is preposterous, and by no system of reasoning can it be made workable. Probably no commodity in the world fluctuates as much in price as crude petroleum. Taking the mid-continent field as an illustration, it appears that the price of crude petroleum has fluctuated during the past five years from 40 cents to $2.25 per barrel. The maximum price is being paid at present, and the average price has been less than $1.25 per barrel. In 1914–15, when the Cushing field was at its height, the market price of crude petroleum was 40 cents per barrel, while contracts were made as low as 26 cents. To expect the purchaser of oil to bind himself to pay a fixed price for crude oil for a five-year period is unthinkable, and to expect the producer to bind himself to sell oil for the same period of time at a contract price is just as unreasonable.

Mr. WALSH of Montana. I thoroughly appreciate that, and therefore I can appreciate very well an amendment which would permit the Secretary to sell the royalty oil for a period of five years or for some less period, leaving it to him to fix the period, but that is not the change made.

Mr. SMOOT. I understand it is not.

Mr. WALSH of Montana. The change authorizes him to sell or not to sell as he sees fit. Let me inquire of the Senator if the Secretary concludes not to sell, what would he do with the oil?

Mr. SMOOT. No Secretary of the Interior will conclude not to sell unless it is to the advantage of the Government of the United States that he should do so. It might result in great disadvantage to the United States if the Secretary were compelled to sell. The Senator from Wyoming will admit that even in the Wyoming fields whenever there has been talk of beginning the construction and the operation of a refinery something has happened somehow which has prevented carrying out the project.

I think I know what did happen, and I think the Senator from Wyoming knows what happened, and I wish to say that the Secretary of the Interior, whoever he may be, ought to have the right to say whether he shall sell the oil produced as royalty or whether it shall be taken by the Government for its own use. Mind you, that is one thing which it is desired to bring about. Suppose the Navy wanted the royalty oil that is produced in the Wyoming district, and suppose the law said that the Secretary should sell it through bidding. In that case the Government would lose the royalty oil from that district.

Mr. WALSH of Montana. If the Senator will permit me, I am not speaking in criticism of the change made at all.

Mr. SMOOT. I recognize that.

Mr. WALSH of Montana. I merely want to understand the significance of it. It gives the Secretary the right to sell or not to sell as he sees fit.

Mr. SMOOT. That is correct.

Mr. WALSH of Montana. So I inquire of the Senator if the Secretary of the Interior does not make provision for sale, what will he do with the oil? He can now offer to sell the royalty oil—and I think the bill ought to give him permission to sell the royalty oil for the entire period of five years or for a less period if he desires to do so, for a year, for instance, and leave it for disposition again at the end of the year—but suppose he concludes not to sell, has provision been made for the storage of the royalty oil?

Mr. SMOOT. Mr. President, the Navy Department might want to store the oil, and the Secretary of the Interior is granted the right to demand the royalty shall be paid either in oil or money. The royalty as fixed is 12½ per cent of the value or of the oil. If the Government of the United States wants the oil, it will take the oil as provided in section 35, which reads in part:

> That all royalty accruing to the United States under any oil or gas lease or permit under this act on demand of the Secretary of the Interior shall be paid in oil or gas.

The Secretary of the Navy thinks there will be a time—and no doubt there will be—and the Shipping Board particularly believes that the time is now at hand when the Secretary of the Interior ought to say, "I do not want the money; I want the oil." In that event, of course, the Government would take the oil and provide storage for it.

Mr. WALSH of Montana. I am in full accord with that idea.

Mr. SMOOT. Under the amendment suggested by the Senator from Wyoming [Mr. KENDRICK] the Secretary will be compelled to sell the oil. We do not want that; we want him to have the privilege of selling or of keeping the oil.

Mr. WALSH of Montana. Of course I am in entire accord with that idea, but what troubled me was that the language does not seem to meet the case. It seems to me it should provide that he shall have the right to sell the royalty oil for a period of five years or less than five years, in his discretion, and then it should provide what disposition should be made of the royalty oil in case he concludes not to sell it.

Mr. SMOOT. It will all be sold, Mr. President, unless the Government wishes to store it, and the Government itself will make provision for the storage—there is no doubt about that—if they wish to retain the oil.

Mr. KENDRICK. Mr. President, I wish to say to the Senator from Utah that I understand very well the conditions which have prevailed in my State, to which he has referred. The experience we have had there is what prompts me now to seek to place in this bill such a provision as will compel action along different lines from those which have been followed in the past. I am perfectly willing to see incorporated in the bill a limitation or restriction that, in case the oil is not required by the United States Government, it shall be sold from time to time in periods not to exceed five years.

Mr. SMOOT. Mr. President, the situation in Wyoming after this bill goes into operation will be quite different than it ever has been in the past. The Government will take at least 12½ per cent, and it would not surprise me at all if it took 20 per cent, of the oil produced in the whole State, and it has the disposition of that oil. Now, I have no doubt that if the independent producers of Wyoming want to erect a refinery, the Secretary of the Interior—I do not care who he may be—would prefer to sell the royalty oil to them rather than to anybody else, and that would encourage them at least to the extent that they would have a reasonable chance of securing the oil that is paid as royalty to the Government of the United States within the district.

Mr. KENDRICK. Assuming that that is so, I see no reason why we should not provide in the bill that he shall follow the course that we clearly intend him to take.

Mr. SMOOT. Well, if we make it that he shall sell it, then suppose the Government wanted to take the oil and ship it out of Wyoming?

Mr. KENDRICK. As I said a moment ago, I am perfectly willing to leave that provision.

Mr. SMOOT. I think the whole provision covers it, because, as the Senator will see if he will read the whole of the provision, I think it is left in the discretion of the Secretary.

Mr. KENDRICK. I have read it carefully, Mr. President, and I will say this about it: There has been a really serious condition in my State for many years. Our oil has been bringing one-half the price that has obtained in other sections of the country. The plan of this amendemnt—to sell this royalty oil—is clearly to correct that condition. I agree to the necessary change in so far as a limitation of time is concerned; but we ought not to leave in the law any obscure language that would leave the duty of the Secretary of the Interior in doubt.

Mr. SMOOT. That is why I do not want to leave it. I want it distinctly understood that the Secretary of the Interior shall have the discretion as to whether it shall be sold, or wheher it shall be paid in oil and the Government retain that oil. We can not do otherwise than that.

Mr. KENDRICK. Mr. President——

Mr. SMOOT. If the Senator will bear with me just a moment, this question was brought to the attention of the committee by Mr. Swartz, the representative of the independent oil producers of Wyoming. As it was reported to the Senate, it was as agreed to by Mr. Swartz; but I need not go over the

same ground again, because it is unworkable in its original form. It did say there that "the Secretary of the Interior shall offer for sale," but it also continued by giving him the discretionary power as to whether he would accept the bid or reject it. All we say now is this: Instead of compelling him to sell all of the oil for a five-year period, because it was to be sold in five-year periods, we simply say: "The Secretary of the Interior shall have the right to offer for sale, for periods of not exceeding five years," and it does not change a word in the balance of the provision.

Mr. KING. Mr. President, if my colleague will yield——

Mr. SMOOT. Yes.

Mr. KING. It seems to me that the point for which the committee and the chairman of the committee are contending—namely, that there ought to be discretion, because if you make it mandatory it might preclude the disposition of the oil to the Government—is not quite sound. If the Government desires to purchase—that is, the Navy Department or the Shipping Board—for governmental use, the sale could be effectuated just the same. It is a question of bookkeeping. One department of the Government sells to another agency or department of the Government; and if there is a provision that the Secretary shall sell, he may sell to the Navy Department; he may sell to the Government; he may sell upon a sliding scale; the sale may be for five years, graduated upon the market price—5 per cent below, or 1 per cent below, or the market price—and in that way the Government could get it, and it would be a sale. So that if the contention of the Senator is that if you have this mandatory provision in the bill it will inhibit the Government from purchasing it, it does not seem to me that that is quite correct.

Mr. SMOOT. I think my colleague has not really thought how that would be brought about. The Government of the United States under the law has to ask for bids for everything that it purchases, and each bidder has to submit his bids; and the lowest bid, if it is a reliable party, is generally taken. I do not see how they can go to work under this provision and have the Government offer to sell the Government so much oil. Not only that, but this oil when it is produced has to be handled quickly or else there has to be a storage capacity for it.

Take the production, for instance, of last month in the United States. The production in the month of June was 31,239,000 barrels. There was a daily production of 1,041,300 barrels. Now, there has to be some way of handling it, and handling it quickly. You can not stop its flow and you have to take the oil as it comes and handle it as best you can. I think the provision that we have here now will take care of the Wyoming situation and any other great oil field that may be developed on the public lands of the United States.

Mr. KING. If the Senator will pardon me for just a moment, I appreciate the statute to which the Senator refers, and of course if the policy I suggested were carried out there would have to be a proper amendment permitting the purchase by some agency of the Government other than by advertising or under the general advertising provisions of the statute, but I am very much averse to the pursuit of any policy that will entail upon the Interior Department the obligation or the duty or the necessity of erecting immense storage reservoirs for the conservation of the oil. The cost will be enormous—indeed, perhaps prohibitive. I think the Secretary ought to have discretion to sell, but there ought to be, perhaps, some limitation concerning the exercise of that discretion.

Mr. SMOOT. I will say to the Senator that that never will happen with any Secretary of the Initerior, unless it becomes absolutely necessary in order to store the oil for our Navy or the shipping that we may operate in the future.

Mr. KING. I would prefer that the Navy Department or the Shipping Board provide the storage rather than the Interior Department.

Mr. SMOOT. That will be taken care of, of course, by the Secretary of the Interior. If the Navy Department makes a demand upon the Secretary of the Interior for this oil there is not any question but that the Secretary of the Interior will deliver it and at the place that the Secretary of the Navy may designate, and the Secretary of the Navy will have to provide storage capacity for it.

Mr. KENDRICK. Mr. President, I ask the Senator's pardon for interrupting him again.

Mr. SMOOT. Certainly.

Mr. KENDRICK. I want to say that I am apprehensive for an entirely different reason than that expressed by the Senator from Utah. We have had a condition in our State, which has already been referred to, in regard to the way the refining has been done, and I am apprehensive lest this oil will continue to pass into the hands of refineries without being sold to the highest bidder.

Mr. SMOOT. Oh, well, this bill provides that it shall be sold to the highest bidder.

Mr. KENDRICK. I am concerned to see that neither the Secretary nor any one else in authority has any discretion as to that.

Mr. SMOOT. I will say to the Senator that this bill provides that the oil shall be sold to the highest bidder. We could not get through Congress in a thousand years a law saying that the Secretary of the Interior should sell it to John Smith or any particular person. The only form in which we could ever get it through Congress is that it should be sold to the highest bidder, and the independent refiners will have to take their chances on that; but it does give them a chance of getting the oil in order to run an independent refinery.

Mr. KENDRICK. But, as I read the bill, it grants authority to the Secretary of the Interior to sell; it gives him the right to sell, but does not provide that he shall sell. Therein lies the only difference between the Senator from Utah and myself.

Mr. SMOOT. Yes; I understand that, and I have tried in my simple way of speaking to indicate that I think the Secretary ought to be given that discretion. I think if we compel him to sell it, the oil may be forced upon the market at a time when it would be against the interests of the Government of the United States to sell it. It would either be that way, or else they would have to provide some method of storage. Now, we are not sure that these independent people will build refineries. We can not say as to that. I hope they will, and I will say to the Senator now that this provision never would be in this bill at all if it were not with the hope that the independent refiners will build a plant there and refine their own oil.

Mr. KENDRICK. There is no doubt that that was the spirit in which it was put in.

I will ask the Senator from Utah whether he expects to conclude the consideration of this bill this afternoon?

Mr. SMOOT. Oh, no; I do not think it can pass this evening. I have no intention of forcing it through this evening. I should like to get as far along with the consideration of the bill as possible; but if the Senator desires to have it go over until to-morrow, and consider that question again, I am perfectly willing that it should. I do want to give notice, however, that unless there is some good reason to the contrary, I should like to see the bill passed to-morrow. I do not think there are very many Senators who desire to speak upon it.

I want to say that I never expected to get out of the Public Lands Committee, with a unanimous report, a leasing bill. I never expected to vote, as a member of that committee, for a straight leasing bill with the provisions that are in this bill; but I have stated why I did so, and I am perfectly willing to rest upon that statement.

In order that it may hasten the passage of the bill I am going to say nothing more about its provisions unless somebody desires to ask some question.

Mr. WALSH of Montana. Mr. President, before the Senator quits this particular provision which has been the subject of consideration, I should like to make a few suggestions in the hope that the idea we all entertain may be clearly expressed in it. I suppose probably the matter has had serious consideration from the committee; but I venture the opinion that the last proviso at the end of section 35, on page 32, is of the most questionable nature.

Touching this matter of the disposition of the royalty oil, evidently the idea is that the Secretary of the Interior ought to have the right to offer the royalty oil for sale, and for sale for periods of five years or less than five years, as in his discretion may seem wise; that he ought to have liberty in that direction; likewise, Mr. President, that he ought to have the right in his discretion not to sell the royalty oil at all, but to keep it for the use of the United States. With some circumlocution the idea might be expressed more briefly; but that, I think, is the idea that is in the minds of the framers of the legislation, and it meets my entire approval. I am very sure, however, that the language suggested here by way of amendment does not answer that purpose at all.

I suggest, for the consideration of the chairman of the committee, that he take out in line 2 the language "at the beginning of each five-year period," and insert in lieu thereof "from time to time," and after the word "shall" in line 3 insert "except whenever in his judgment it is desirable to retain the same for the use of the United States," so that it would read—

> Upon granting any oil or gas lease under this act and from time to time thereafter during said lease, the Secretary of the Interior shall, except whenever in his judgment it is desirable to retain the same for the use of the United States, offer for sale, upon notice and advertisement—

And so forth.

Mr. SMOOT. If the Senator will submit that amendment, I shall be very glad to think it over during the evening.

Mr. WALSH of Montana. I shall be glad to do that. If the Senator will give attention now to the concluding proviso, that section provides, as will be noticed——

Mr. LENROOT. Will the Senator yield at that point? Has the Senator from Montana the amendment before him that was adopted yesterday?

Mr. WALSH of Montana. I have.

Mr. LENROOT. The Senator was reading, it seemed to me, from the bill as it was reported.

Mr. WALSH of Montana. I did read from the bill as reported, but I have in mind the amendment that was offered yesterday. However, I was endeavoring to convey to the Senate the idea that the amendment which was offered yesterday does not, at least clearly, express the idea that apparently everyone has in mind.

Section 35 provides very properly that the Secretary should offer the royalty oil for sale unless in his judgment and discretion it seemed to be desirable to keep it for the use of the United States, and very appropriate provisions are put in that he may reject any and all bids, and so on. But now comes the provision as follows:

Provided, however, That advertisement or sale as herein required may be dispensed with in specific cases upon a finding by the Secretary of the Interior that such course is in the interest of the public good.

In other words, whenever the Secretary of the Interior finds that it is in the interest of the public good, he does not need to advertise at all. The representative of the Standard Oil Co. may go down to the office of the Secretary of the Interior, and they will have a private confab about it, and the Secretary of the Interior will reach the conclusion that it is for the public good to make a private arrangement with the representatives of the Standard Oil Co. by which they would take this royalty oil. I am sure the committee did not intend to leave open opportunities of that character.

I have been advised by a gentleman of my neighboring State of Wyoming, in whom I have the very greatest confidence, that the provision was inserted at his suggestion and for a very commendable purpose. He said he had in mind that there would be some small independent refiners or a group of producers who would establish a refinery, and adjacent to their property there would be other property that would be leased by the Government of the United States, and they would thus be able, perhaps, to make an arrangement with the Secretary of the Interior by which they could get the royalty oil which, together with their own, would enable them to carry on a small refining establishment. Of course, that is a very good purpose to be subserved, but I submit that it is too dangerous a power to put in the hands of the Secretary of the Interior to dispose of the enormous quantity of royalty oil, which as we hope will come into his hands, without even giving competitors an opportunity to bid on it, not even advertising it for sale. I think that the provision ought to come out.

The VICE PRESIDENT. May the Chair make inquiry of the Senator from Utah as to the wording of the bill in the proviso to which the Senator from Montana just called attention. Did the committee intend to report it out to read as it does in lines 18 and 19, page 32, "advertisement or sale"? Is it "or" or "for"?

Mr. SMOOT. It should be "for."

I want to say at this point, Mr. President, that I do not want to unduly criticize the Government Printing Office for the many typographical errors in the bill. I introduced the bill one morning, and I told the Government Printing Office that I wanted it back here in half an hour, as I was instructed by the Committee on Public Lands to make a report from that committee upon the bill that day. Really, I want to apologize. This is not the only error; there are quite a number of them in the bill; but it is perhaps my fault, because I gave the Public Printer only a half hour to get the bill from the press to the Senate.

Mr. WALSH of Montana. The word "or," as suggested by the Chair should be "for"?

Mr. SMOOT. Yes.

Mr. WALSH of Montana. Of course that makes no difference in my argument. The proviso authorizes the Secretary of the Interior, practically in his discretion, to dispense with advertisement altogether.

Mr. SMOOT. What the Senator from Montana says is absolutely correct. All the apprehension that he has about this provision could be realized; but, Mr. President, I think it would be better to be very frank in this matter and simply say why this was done. That is the only way I know of discussing the question.

There might be a case like this: A lease to a citizen of a well that was producing, say, after three months or six months not to exceed five barrels a day. The royalty on that at not more than 12½ per cent would be so small that if it were all put together for five months it would amount to such a small quantity of oil that it would hardly be just for him to go to the expense of advertising, and so forth. That is one instance.

Let me state another. The provision is written with the distinct understanding that it is for the advantage of the small producers in an oil field who might desire to construct a refinery. They felt that if they undertook to erect a refinery and the present refiners decided that they would bid on the oil more than it was actually worth in order to prevent these individuals from receiving the necessary oil to run or operate their refinery, they could do it. This simply says to the Secretary of the Interior that if such a condition arises you need not advertise, but you know what the value of this oil is and you may sell it to those individuals and let them operate that refinery without advertising. I want to say frankly to the Senator that is what the people of Wyoming had in mind and that is what the committee had in mind when they allowed that provision to go in. Every word the Senator from Montana says is true. Legislation of that kind is not satisfactory legislation.

Mr. WALSH of Montana. Let me suggest to the Senator from Utah that we see if we can not meet the expectations of these people, so far as they are just, without exposing the administration of the bill to the worst kind of scandals and the Government of the United States to the most egregious frauds. The reason first——

Mr. SMOOT. May I say to the Senator that I would like very much if he would, this afternoon or evening some time, draw up what he thinks would be a proper provision to cover as nearly as possible the case as I have outlined it. There is no pride in the wording of the bill on the part of any member of the committee. What they want to do, now that they have made up their minds to a leasing bill, is to get the best measure possible and to hamper the development of the western country just as little as possible.

Mr. WALSH of Montana. I will be very glad to be helpful in any way I can.

I desire to suggest in this connection that the reason assigned in the first place, that it would be expensive and perhaps unprofitable to advertise where the production was small, could be overcome by a provision that in all cases where the production does not exceed five barrels per day advertisement may be dispensed with. But with respect to the second suggestion, I think it will not be necessary for me to do anything because the bill, as it reads, provides that—

In cases where no satisfactory bid is received or where the accepted bidder fails to complete the purchase, the Secretary of the Interior within his discretion may readvertise such royalty for sale or sell at private sale.

And so forth.

So the Secretary of the Interior becomes the absolute judge as to whether the bid is satisfactory. I apprehend that that would include the bidder, and if he finds the bidder to be one who has a practical monopoly in the field, or if it becomes desirable to shut out a large producer and give an opportunity to the lesser bidders he could reject the one bid and thus give the preference which it is proposed to give by the proviso.

Mr. LENROOT. What would the Senator suggest should be done in the case of a discovery of a very large production where the Secretary does not care to take the oil? Under the provisions of the bill without the proviso he would not be permitted to sell without advertisement. It would be very essential that he should be permitted to sell at private sale until advertisement can be had and bids received.

Mr. WALSH of Montana. Undoubtedly provision should be made for that.

Mr. LENROOT. Without the proviso he would not have that right under the terms of the bill.

Mr. WALSH of Montana. That, it seems to me, is the case under the bill as it stands.

Mr. LENROOT. No; the proviso would permit him to sell in that kind of a case.

Mr. SMOOT. The balance of the provision requires advertisement, but after advertisement, then, of course, he can sell at private sale.

Mr. WALSH of Montana. I did not have any idea that the proviso referred to the interim between the bringing in of the well and the completion of the advertisement.

Mr. LENROOT. It covers that kind of a case.

Mr. WALSH of Montana. Undoubtedly, that should be taken care of.

Mr. SMOOT. Mr. President, I think this is all I have to say in relation to the bill at the present time.

On the conclusion of Mr. SMOOT's speech,

Mr. SMOOT. I do not know whether there is any other Senator who desires to speak upon the bill to-night or not. Does the Senator from Nevada [Mr. PITTMAN] desire to speak on the bill to-night?

Mr. PITTMAN. I do not. I do not intend to speak on the bill.

Mr. SMOOT. If there is no other Senator who desires to speak on the bill at this time, I shall move an adjournment.

INTERNATIONAL BANKING SITUATION.

Mr. OWEN. Mr. President, I wish to have placed in the RECORD a letter which I wrote to the President on July 16 and also one which I wrote August 18 relative to the international banking situation.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JULY 16, 1919.

The PRESIDENT,
The White House.

MY DEAR MR. PRESIDENT: Europe needs supplies from the United States to restore the productive powers of Europe to prewar conditions, to enable Europe to pay its debts to America, to stop the growing discontent of unemployed men, and to check the growth of Bolshevism.

America has the supplies abundantly available.

Europe requires credit to buy these things.

The Secretary of the Treasury does not approve the extension of further credits by the United States Government to cover European purchases. I believe that the American people would approve the extension of these credits properly safeguarded if it were explained to them—that the credits would open a way to market their goods at satisfactory prices.

I understand that Holland, for instance, is now extending governmental credits to France for such peace purposes; that Sweden is also doing the same thing; and that some of the South American Republics have the same matter under advisement. The urgency is great, and this policy would be of benefit to both buyer and seller.

We have an investing public in America, however, well suited to extend these credits to Europe by buying European securities. There is needed a mechanism qualified to pass upon the validity of European securities offered for sale to the investing public. These securities consist of "promises to pay" of private merchants, of syndicates, of underwriting banks, and of bonds of European municipalities and nations and of combinations of such securities.

Against these securities, properly selected, debentures could be issued by American corporations and sold to the American investing public on a 6 per cent basis, provided the Government of the United States would lend its good offices in granting a suitable charter or charters to such institutions, with governmental supervision, the charter rights to be exercised under governmental patronage and favor.

Unless immediate steps are taken to accomplish these results, I fear a serious business reaction will take place in the United States by cutting off a large part of our foreign market for our surplus products, throwing these products back on the United States and causing a very serious recession of prices due to overproduction. I agree that prices should come down, but the reduction should be by the elimination of excess profits artificially placed upon goods, and they should not come down by cutting down the wages paid to labor. There is a natural increase in prices in the United States due to the expansion of our currency by excess gold imports and by the development of Federal reserve notes against commodities which have taken the place of gold as a basis of note issue.

With a view to providing a mechanism for accomplishing these purposes, I introduced on February 20, 1918, a bill (S. 3928) to establish a Federal reserve foreign bank. (Copy inclosed.)

You referred this bill to the Comptroller of the Currency for a report and he made you a favorable report, but you took no action upon it, as far as I know, and I was unable to get the support of the Treasury Department for the bill, and it died with the Sixty-fifth Congress, to my great regret.

I drew up a bill some months ago providing for the organization of a large corporation, with a billion dollars of capital, to handle these European securities, issue debenture bonds, and provide the means of marketing European securities in America with the investing public, a copy of which I enclose.

The virtue of this bill consisted in the Government of the United States having a very substantial interest in it, and therefore being in a position, from the standpoint of the public, to protect the interests of the public as well as the interest of the stockholders, who might otherwise deal too largely from a selfish standpoint.

The New York banks dealing in foreign exchange have been hostile to both of the above bills, since they regard such measures as having a tendency to deprive them of the monopoly of foreign exchange and to deprive them of the opportunity of speculating in foreign exchange. I am opposed to their speculation to the injury of our industries and commerce, and I allege that they have made millions out of speculation in foreign exchange, to the disadvantage of American commerce and to the disadvantage of the American producers and the American consumers alike. I allege their interest is a private interest, and that they are not concerned to deal with the matter from the public standpoint. I do not intend this comment as any reproach to them in their natural attitude to deal with the subject matter from the standpoint of their private interest. I merely call your attention to it and to what I assume should be our attitude as public servants to protect the public against private monopolies in international exchange.

Senator EDGE introduced on July 15, 1919, Senate bill 2472, authorizing the organization of corporations to deal in foreign banking, a copy of which is inclosed, and which I understand meets the views of the Federal Reserve Board and of the Secretary of the Treasury. I believe the banks dealing in international exchange would make no objection to this latter bill, for the reason that it simply gives a Federal charter to corporations to engage in international banking. While I should greatly prefer a Federal reserve foreign bank that would be a medium through which all American banks could function with assurance of equitable treatment, it will probably be better to pass Senate bill 2472 rather than take no action at all, for at least it would expand the facilities in the international banking field, and the Federal reserve foreign bank might be developed later. Indeed, I think under your authority the Federal Reserve Board could establish a division handling international exchange in the public interest rather than for private interests to do so, and which would function as a Federal reserve foreign bank without the name, and this might be acceptable to the Federal Reserve Board.

The Federal reserve act authorizes the Federal reserve banks to transact international banking business and authorizes the Federal Reserve Board to require them to do this, so that you have the power now to direct the Federal reserve banks to immediately open up foreign branches and transact foreign business for the protection of the public. If you do not support a Federal reserve foreign bank, then I appeal to you to compel the Federal reserve banks to open up foreign branches and transact the business which the Federal reserve act contemplates and in respect to which they have not discharged their full functions.

I venture to remind you that under the act of June 15, 1917, known as the espionage act, you directed the Secretary of the Treasury to administer the regulations relative to the export of coin, bullion, and currency by Executive order of September 7, 1917, and under the act known as "Trading with the enemy act," by Executive order of October 12, 1917, you further vested in the Secretary of the Treasury the authority to supervise the foreign-exchange operations, etc.

You have recently, by proper orders, vacated this machinery, but you have not canceled the original Executive orders. I respectfully suggest that these Executive orders should be canceled so as to leave the field open for the supervision and action of the Federal Reserve Board to the extent of their existing powers under the Federal reserve act in relation to foreign-exchange business free from a possible technical complication.

Mr. President, the suggestions of this letter would be valueless if I had no concrete proposal to make.

I make a concrete proposal.

I request that you submit this entire subject matter to the Secretary of the Treasury, to the Federal Reserve Board, and to the Secretary of Commerce, and require of each of them an immediate written report upon these several bills, and direct them to submit recommendations as to what shall be done to protect the foreign commerce of the United States and stabilize international exchange, with a view to submitting such reports and recommendations to Congress.

Very respectfully, ——— ———.

AUGUST 18, 1919.

The PRESIDENT,
The White House.

MY DEAR MR. PRESIDENT: I take the liberty of submitting herewith a memorandum on the present condition of our foreign exchange and the need for administrative and legislative action thereon.

Last Saturday the exchange rates went down to the following low points, lower than ever before in the history of the world:

Sterling, $4.26; premium, 60 cents per pound.
Francs, $7.86; premium, 2.68 francs per dollar.
Lire, $9.26; premium, 4.08 lire per dollar.

This means that on a credit to English buyers of American goods at 60 cents a pound our bankers are charging a premium of $140,000 on $1,000,000.

That they are charging a premium of $519,000 on $1,000,000 credit to French buyers of American goods, and $768,000 premium for $1,000,000 credit to Italian buyers of American goods, no part of which premium reaches American producers. The same bankers at one time during the war charged American importers for pesetas necessary to pay for importations from Spain, when pesetas went up to 30 cents, $502,000 premium per $1,000,000 of credit. These transactions go into hundreds of millions of dollars. The Spanish credits, of course, have now come below par, and the banks extending the credits made this profit, outside of interest and commissions. The Spanish banks got rich out of this harvest, and the American banks that used their credits in Spain have profited in the same way at the expense of the consumers in the United States. This was one of the factors which added to the high cost of living. These banks are now selling exchange short in New York on a very large scale, which means that they are selling sterling, francs, and lire (which they have not) with the expectation of buying them back in the future at a lower price, making good their contracts and profiting thereby. They have an interest, therefore, in depressing the price of sterling, francs, and lire, against the public interest and to the great harm of the consumers of Great Britain, France, and Italy, who were our allies in the Great War, faithful to death.

In like manner this is operating against our exporters and against the producers of America by interfering with their reasonable foreign market and exercising a depressing effect upon the values which they should receive for their goods and making their business unstable and extra hazardous.

These banks have no public function to serve from their point of view. They are engaged purely in dealing with exchange as a commodity and speculating on it. If you would instruct the governor of the Federal Reserve Board to make a confidential inquiry of the trust companies and the Comptroller of the Currency to make a like inquiry into the national banks engaged in this business, I am sure that you would find most abundant verification of the fact.

Such usury and profiteering is full of disastrous consequences and will inevitably react on the United States. You advised Congress wisely in your recent message on this subject, but it will take the full power of your administration and the cooperation of Congress to correct this condition.

I want to emphasize upon your attention that these dollars are being sold by somebody and that somebody is making these usurious profits to the injury of our national commerce going abroad.

On July 16, 1919, a month ago, I wrote you with regard to this, and I inclose a copy of that letter, together with the three bills therein referred to, the so-called Edge bill (S. 2472), the foreign finance corporation bill (S. 2590), the bill to establish a Federal reserve foreign bank (S. 2767), and the amendment to the War Finance Corporation (S. J. Res. 88). (Copies inclosed.)

The volume of these credits is so large that there is no danger whatever of overdoing the matter. The Federal reserve foreign bank ought to be established as a permanency. The amendment to the War Finance Corporation bill and the Edge bill will serve a present purpose, and both are approved by the Federal Reserve Board and, I believe, by the Secretary of the Treasury.

The foreign finance corporation bill (S. 2590) is opposed by the New York banks, and I do not believe can be passed. The other bills can be passed with your active support.

Very cordially and faithfully, yours,

Mr. OWEN. Mr. President, I submit these letters because they explain in a compact form certain facts and principles which I wish the Senate to have before it, so that, as far as I can, I may contribute to the proper protection of our foreign commerce and prevent the serious consequences which may ensue if the Congress and the executive department fail to act.

To-day's papers announce the still further depreciation of exchange.

Those buying sterling, francs, and lire have no competition. The foreign exchange is controlled by a close monopoly of interests, which is moved alone by profits in handling foreign bills as a commodity under no governmental control or supervision of any kind. The end will be injurious to our commerce and industries.

Mr. President, it is impossible for me to doubt the solvency of Great Britain or France or Italy. These great nations have shown their great powers of production and recuperation in the past. With the increased use of machinery, of organization, of modern methods, tremendously stimulated by the war, and with the very great addition of women in the industrial life of these nations, there should be no difficulty on the part of these countries in meeting every obligation. Their history in the past has always been honorable.

It should be remembered that in the case of France, for example, while issuing a large volume of bonds, these bonds, comprising a national obligation, are held by her own citizens almost exclusively, so that the national debit is offset by the citizen credit, and neither adds to nor takes from the productive power of the people of France.

The destruction of property by the war in France occurred on about 5 per cent of the lands of France, and amounted to a destruction equal to about 40 per cent of the values on this limited area, a total of about 2 per cent of the values of France, which is offset by the tremendous expenditures of the nations of the world on French soil, such as the improvement of the harbors of France by the United States, the building of railroads, the furnishing of machinery, and the construction of warehouses. The warehouses built by the United States in France, if put end to end, would make a warehouse over 400 miles long. The inventive genius of the world has been greatly stimulated by war. The French people are a thrifty people. They are small landowners and holders. The distribution of the lands of France is so great that it comprises a basis of great stability economically, industrially, and politically.

It is to be assumed that France will correct the financial blunders made during the war by inflating the currency instead of selling bonds. France must retire her inflated currency by putting on a drive to sell French bonds to the French people and to sell French bonds to the people of the world. The French statesmen should make a plain statement of account, showing that France can and will meet her obligations to the world, and the French Government should have the resolution to require those who have profited by the war to contribute as substantially as Great Britain and the United States did through excess-profits taxes and progressive income and inheritance taxes. Undoubtedly France has the intelligence to do this; and now that the terrible excitement and confusion of war has passed, the world may and will expect France to live up to the high ideals which the past has demonstrated.

The same thing is true of Italy, and, of course, is still more obvious in the case of Great Britain. Nobody can doubt the solvency of Great Britain, and yet the pound sterling is selling at a discount in the United States of 14 per cent, the French franc at a discount of 55 per cent, and the Italian lire at a discount of 85 per cent. I should rather have said that the American dollar was selling at a premium of 15 per cent in Great Britain, 55 per cent in France, and 85 per cent in Italy. But the people of the United States can afford to extend credit to the merchants of Great Britain, France, and Italy at a fair rate. The credit of these merchants, backed by the British, French, and Italian banks, and backed in addition by the Government bonds of Great Britain, of France, and of Italy, comprises as sound a security as the world can afford and is entitled to credit at a reasonable rate. To charge a premium of 15 per cent or 55 per cent or 85 per cent in dealing with these nations is contrary to sound moral and ethical principles and contrary to sound banking principles.

The lack of justification is shown by our own experience with Spain, where the Spanish bankers sold pesetas at 30 cents, or at a premium so great that 66 cents of gold in Spain would buy a dollar of gold in New York. Spain was selling our merchants credit at a premium of 55 per cent, which our consumers paid plus a merchants' profit, and olive oil went to $8 a gallon. No one could justify this on the ground that the United States was not solvent, yet it actually occurred. Now the peseta is down below par, which, of course, has taken place since Spain ceased to ship commodities to the world in excess of what the world shipped to Spain.

The best way in which to balance these exchanges and put the international credit system on a sound foundation is to

extend credits on a fair basis to counterbalance the excess of commodity shipments which is taking place from the United States to Europe and to the world. It is essential, to maintain our own markets, that we do this. A failure to do this has resulted in breaking down international exchange and has resulted in causing a powerful reaction in the stock market. It will result in lowering the price of commodities which are being shipped from the United States to Europe, and with the reaction in prices we may have a serious industrial reaction in the United States.

These matters require action by Congress and by the Executive Department in order to have the prosperity of the United States continue unabated. All patriotic men should cooperate to this end, and will do so if they understand the problem.

EXECUTIVE SESSION.

Mr. SMOOT. I move that the Senate proceed to the consideration of executive business.

Mr. PHELAN. Do I understand from the Senator in charge of the bill, which is the unfinished business, that there is to be no prolonged discussion of the bill to-morrow?

Mr. SMOOT. Not that I know of, I will say to the Senator.

Mr. PHELAN. There are no speeches announced on any subject for to-morrow?

Mr. SMOOT. I understand the Senator from Colorado [Mr. THOMAS] is to speak to-morrow, but I have reference to the oil-leasing bill.

Mr. PHELAN. I was wondering why the Senator did not proceed with the bill at this time.

Mr. SMOOT. I will say frankly to the Senator that there are one or two Senators who desire to speak on the bill who do not want to proceed to-night, but they will be ready to speak to-morrow.

Mr. PHELAN. Very well.

The VICE PRESIDENT. The Senator from Utah moves that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 4 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Friday, August 22, 1919, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate August 21, 1919.

REGISTER OF THE LAND OFFICE.

Frank A. Boyle to be register of the land office, Juneau, Alaska.

MISSISSIPPI RIVER COMMISSION.

Robert L. Faris, member Mississippi River Commission.

COLLECTORS OF INTERNAL REVENUE.

Leon O. Tebbetts to be collector of internal revenue for the district of Maine.

George F. O'Shaunessy to be collector of internal revenue for the district of Rhode Island.

David C. Dunbar to be collector of internal revenue for the district of Utah.

POSTMASTERS.

FLORIDA.

Louis J. Cowan, Daytona.
Gustavus M. Rhoden, Macclenny.

MONTANA.

Lucy B. Cullen, Wibaux.

PORTO RICO.

Nicolas Ortiz Lebron, Aibonito.
Jose E. Guenard, Mayaguez.
Teodoro M. Lopez, Vega Baja.
L. Castro Gelpi, Vieques.

HOUSE OF REPRESENTATIVES.

THURSDAY, *August 21, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Sometimes, dear Lord, in our quest for the transients, we overlook the eternal values of life, and dire consequences follow as a natural sequence.

Eternal vigilance, it has been said, is the price of liberty, and history confirms it.

If the wise counsels of the Mohonk Conferences had been heeded 20 years ago we would have been spared the terrible war through which we have just passed and the dire consequences to life and property which followed in its wake.

Give us the courage of our convictions and lead us onward and upward to the eternal values—life, liberty, truth, justice, righteousness. In His name. Amen.

Mr. BLANTON. Mr. Speaker, I think we ought to have more Members present, and I make the point of order——

The SPEAKER. The Chair will state that when the gentleman makes a point of no quorum he should so state it and not make any other statement. If the gentleman wishes to make a point of no quorum, he should do so.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

Mr. BLANTON. I withdraw it until the Journal is read.

The Journal of the proceedings of yesterday was read and approved.

CHANGE OF REFERENCE.

Mr. KELLER. Mr. Speaker, I ask unanimous consent of the House for a change of reference of the bill H. R. 8423, providing additional compensation to certain employees of the Post Office Department for overtime service, and also the bill H. R. 8424, for increased compensation for postal employees during the current fiscal year, from the Committee on Expenditures in the Post Office Department to the Committee on the Post Office and Post Roads.

Mr. CLARK of Missouri. Mr. Speaker, what is it the gentleman wants?

The SPEAKER. The gentleman from Minnesota [Mr. KELLER] asks unanimous consent for change of reference of a bill relating to the salaries of post-office employees from the Committee on Expenditures in the Post Office Department to the Committee on the Post Office and Post Roads.

Mr. KELLER. Two bills, Mr. Speaker.

The SPEAKER. Two bills. Is there objection? [After a pause.] The Chair hears none.

TUNGSTEN ORES.

Mr. FORDNEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4437.

The SPEAKER. The gentleman from Michigan moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4437.

Mr. CLARK of Missouri. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Missouri. What became of the Igoe resolution? Was that voted on?

The SPEAKER. That was passed day before yesterday. The question is on the House resolving itself into the Committee of the Whole House on the state of the Union.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4437, with Mr. GOOD in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 4437) to provide revenue for the Government and to promote the production of tungsten ores and manufactures thereof in the United States.

The CHAIRMAN. General debate upon this bill has been concluded, and the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That on and after the day following the passage of this act there shall be levied, collected, and paid upon the articles named herein, when imported from any foreign country into the United States or into any of its possessions, the rates of duties which are herein prescribed, namely:

Mr. KITCHIN. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. KITCHIN. Mr. Chairman, on day before yesterday, before my time expired——

Mr. BLANTON. Mr. Chairman, I think we should have a quorum present, and I make the point of no quorum.

The CHAIRMAN. The gentleman from Texas makes the point of no quorum, and the Chair will count. [After counting.] One hundred and five Members are present, a quorum. The gentleman from North Carolina will proceed.

Mr. KITCHIN. Mr. Chairman, in discussing the bill day before yesterday, I stated that there was a monopoly in this country on tungsten ore and ferrotungsten. That has not been denied, and can not be denied. I stated that one corporation in California was producing over one-third of the tungsten ore and that that corporation and three other corporations produced over 75 per cent of the tungsten ore that is produced in this country. That has not been denied and can not be denied. I

stated that this bill if passed would take at least $5,000,000 annually out of the pockets of the people and put it into the pockets of these four corporations. I stated that this bill if passed would absolutely fix this monopoly in this country and would finally give it a monopoly of all of the production. That has not been denied, and can not be denied. I stated that this bill was conceived, prepared, and written by the beneficiaries of the tariff proposed in the bill. That has not been denied, and it can not be denied. I stated that the rates which the beneficiaries of the tariff demanded of the Ways and Means Committee have been put into this bill without the dotting of an "i" or the crossing of a "t." That has not been denied, and it can not be denied. I stated that this bill if passed would at once give four firms of importers in New York who now have, according to the evidence, 4,500 tons of imported ore stored there, $2,700,000 as a clear bonus by enhancing the value of such ore that amount, and would give the producers here, who have stored 1,500 tons, a clear bonus of $900,000 by advancing their price to that extent, or a total gift to those who are hoarding these 6,000 tons of ore of $3,600,000. That was denied by the gentleman from Michigan [Mr. FORDNEY], who simply brushed it aside by saying, "That is not so," without proposing a scintilla of evidence to support his denial. The evidence in the hearing, which the committee has before it, shows exactly what I stated, and I state it now, and it can not be denied.

I stated that the rate in this bill on tungsten ore increases the rate of the Payne-Aldrich Act over 1,100 per cent; that it is over twelve times more than the Payne-Aldrich rate. That has not been denied, and that can not be denied in truth on this floor. I just dare one of them to deny it. They will have all of to-day to do it under the five-minute rule.

I stated that on tungsten and ferrotungsten the rate put into this bill by the Republican Ways and Means Committee, at the demand of the beneficiaries of this bill, was an increase of the rate in the Payne-Aldrich Act of over 800 per cent; that it was over nine times as high as the rate of the Payne-Aldrich Act. That has not been denied and can not be denied.

I stated that in this bill, with the $1 per pound on tungsten and ferrotungsten and ferrotungsten powders, while they claim that this $1 is only needed as a compensatory duty to offset the duty which is levied on the ore, it amounts to $750 a ton more than is necessary to cover every cent of such compensatory duty. That has not been denied, and it can not be denied in truth. We have been and will continue all day discussing this bill. I challenge the author of the bill or any Republican member of the Ways and Means Committee or any Republican in the House to deny the truth of any one of these statements. You will have all day to do it in, but not one of you will be bold enough to deny any one of them. Gentlemen know that I have the proof before me of each statement I made, and now repeat. Mr. Chairman, I shall at the proper time move an amendment to reduce the rates in this bill down to the rate of the Payne-Aldrich Act, under which we were producing 75 per cent of the ore that we used in this country. But I know it will fail, because the Republican machine of this House will make it fail, as every Republican in this House has been ordered to vote for this bill just as it is. I am glad that you are going to repudiate the Payne Tariff Act to that extent. If you repudiate it by voting down my motion to restore the Payne-Aldrich tariff rates on tungsten ore and ferrotungsten, I shall then propose an amendment increasing the Payne tariff rates 100 per cent, making the rates on these products twice as high as the Payne-Aldrich rate.

Even that will be five times better than the bill you have now. I expect to see every Republican in this House, at the dictates of the machine, vote against that, and I shall expect to see every man on that side in this House, by his own confession and vote, repudiate and doubly repudiate the Payne-Aldrich Tariff Act with respect to these products. I expect to see every Republican here throw away their convictions, their judgment, their very consciences almost, and vote just as the manufacturers and the beneficiaries of this plundering tariff demands that they shall vote, through the machine in control of this House. [Applause on the Democratic side.]

I want to bring something else to the attention of this committee, and I challenge any man on that side to deny it, that of all the profiteers during this war, of all the thousands of industries in this country that made immense profits out of the people and out of the Government during this war, this tungsten industry stands in a class by itself. I say it has made 100 per cent more profit than any other industry in this country during this war. I make the statement and challenge any gentleman here to deny it, that in 1916, before we actually got into the war, these tungsten-ore producers that are demanding this excessive, unparalleled tariff, after paying every cent of the operating expenses, including overhead charges, taxes, and insurance, and even allowance for depreciation, made enough profit to take every cent of the capital that they put into the business and put it back into their pockets, and then, after getting back their capital had remaining as further profits over $10,000,000, or 150 per cent more than the total capital put in, with the capital already in their pockets. Let me give the figures taken from the report of the Tariff Commission. They produced, in 1916, 5,900 tons.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. KITCHIN. Mr. Chairman, I ask unanimous consent for five minutes more to finish this, so that I need not get it by moving to strike out the last word in the next section.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. KITCHIN. They produced 5,900 tons in 1916 and they sold it for $24,780,000. This is found on page 9 of the report. At that time they had a capital of only $5,000,000 invested in it. They claim now that they have $8,000,000 invested in it. There is not a word of evidence from any man that produced ore who has said it cost him in that year to produce it as much as $800 a ton. I am going to say it cost them $1,000 a ton, $200 more than the evidence shows that it cost them. I am going to give them 6,000 tons, when they only produced 5,900 tons. They had only $5,000,000 of capital at that time, but I will give them $8,000,000.

Mr. CAMPBELL of Kansas. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. CAMPBELL of Kansas. If that is true, why was it necessary for the last Congress to offer a bonus to these people for the production of this ore for war purposes only?

Mr. KITCHIN. The act to which the gentleman refers authorized the Secretary of the Interior practically to offer bonuses for the discovery or production of war minerals. But he never did so. He never offered any to the producers of tungsten ore.

Mr. CAMPBELL of Kansas. Tungsten was particularly mentioned.

Mr. KITCHEN. No. No bonus was ever offered to any tungsten-ore producer. And they did not discover or produce as much ore after that act was passed as in 1916. The act was passed only about a month before the armistice.

Mr. CAMPBELL of Kansas. That was in itself an admission of the necessity of producing more of this ore than we were then producing.

Mr. KITCHIN. There is no such admission in it. The producers of the ore were producing all they could and making unheard-of profits. Let us get back to the immense profits of 1916. I am allowing them $2,000,000 more than all the capital they had, or $8,000,000. I am allowing them as operating and producing expense $200 a ton more than the evidence shows it cost them to produce. Six thousand tons at an operating cost per ton of $1,000 amounts to $6,000,000 as total cost to produce. That added to the $8,000,000 I allow them as capital is $14,000,000. They got $24,780,000 for it, so after paying every dollar of expense in the production, and after having returned all their capital and $2,000,000 more in one year's operations, they have cleaned up a clear net profit of $10,780,000, over 125 per cent; and counting the capital which they were able to put back into their pockets, 225 per cent clear net profit in the one year 1916. The figures of the Tariff Commission—their own figures—according to their own evidence show that in addition to this in 1917 and 1918 they made over $6,000,000 clear profit, with their $8,000,000 capital already returned to them. I want to tell you now that the man, whether he is a Republican or a Democrat, who votes for this bill will be voting for downright, stark-naked plunder and robbery. [Applause.] I want to hear somebody deny these figures that I have given. The distinguished chairman of the Ways and Means Committee [Mr. FORDNEY] yesterday—let me show just how much these gentlemen know about this bill and about this subject. Mr. FORDNEY yesterday said, "Oh, what is Mr. KITCHIN making all this fuss about this for when this little tariff—when you figure it down—will not make an additional cost of tungsten steel of more than one one-thousandth of 1 cent a pound." That is, you take a cent and cut it up into a thousand pieces, and take one of those pieces, and that is all it is going to add to the cost per pound of tungsten steel. Now, the fact is that the additional cost in a pound of tungsten steel by virtue of this bill if passed is 18 cents, and in a ton it is going to cost 2,000 times that, or $360. This is shown by the testimony of their star witness, Mr. McKenna, on page 41 of the hearings.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KITCHIN. I ask unanimous consent for five more minutes.

Mr. FORDNEY. If you will tell the truth I will not object, but now you have made a statement which is not correct.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that he may proceed for five minutes. Is there objection?

Mr. FORDNEY. I will object unless he confines himself to the facts as to what I said.

Mr. KITCHIN. I will take the stenographic notes of what you said. They will show that I stated exactly what you said.

The CHAIRMAN. Is there objection? The Chair hears none.

Mr. KITCHIN. I do not want to misstate what the gentleman said.

Mr. FORDNEY. I read from the record of what an expert said, and you know it.

Mr. KITCHIN. And I repeated what you read, did I not?

Mr. FORDNEY. No; you did not. Read it from the record and you will get it right.

Mr. KITCHIN. Have you got your notes here, unrevised?

Mr. FORDNEY. Yes.

Mr. KITCHIN. Hand them to me and if you did not say what I said, I will give up. [Laughter.] Hand them to me. Read them again and they will show I quoted you correctly.

Mr. CAMPBELL of Kansas. Mr. Chairman, I suggest that the leaders of the House ought to use parliamentary language in addressing each other. [Laughter.]

Mr. KITCHIN. The gentleman is certainly right.

The CHAIRMAN. The point is well taken. Gentlemen should not address each other in the second person.

Mr. KITCHIN. If the gentleman from Michigan will kindly furnish me with the shorthand notes of his speech, which he has in his possession, I will read from those notes and will show him that I quoted him correctly and I will show that he is as far out of the way as 1 cent is from 18,000. [Laughter.] That is all the difference; because the evidence is that in a pound of tungsten steel this tariff rate alone will make an extra cost of 18 cents, because 18 per cent of a pound of tungsten steel is tungsten. This tariff bill puts a dollar a pound on tungsten, and that makes 18 cents in one pound of tungsten steel. So instead of being one one-thousandth of 1 per cent, as the gentleman put it, it is eighteen thousand times that much, or 18 cents. [Applause.] So, with all due respect to the gentleman, he is just as wide apart from an accurate knowledge of it as 1 is from 18,000. [Laughter.] And further, with all due deference, the gentleman has just as much accurate knowledge about that as he has about the provisions of this bill. [Applause.]

Now, another thing I want to say: The Republicans urge the passage of this bill on the ground that the articles upon which it places the tariff are absolute war essentials. Are you honest in that? Do you think we ought to treat them as war essential minerals and metals? I admit that tungsten ore and tungsten are war essentials. They are absolutely necessary. Now, gentlemen, that being so, if you can just conquer your prejudices for a minute, if you can put aside your prejudices in favor of a protective tariff for "American industries" and look at this calmly in the spirit of real patriotism, then you can not vote for this bill.

The gentleman from North Dakota [Mr. YOUNG] in one question went to the vitals of this matter as a war essential. Gentlemen remember that Dr. Hess, of the Geological Survey, who Hon. George Otis Smith, the head of that survey, said had been giving 13 years of special study to these and other minerals, testified before our committee that so far as he could see or anyone could see now, the total available amount in sight of tungsten ore in this country was 9,000 tons, and with a production of 3,000 tons a year would only last three years, and yet we need in this country from 5,000 to 7,000 tons a year. All in sight, says this expert, is 9,000 tons, which would give us 3,000 tons a year for only three years.

Mr. YOUNG went right to the heart of it. He asked Dr. Hess:

A good deal has been said here about the desirability of bracing ourselves for the next war, if we have one. Now, if we use up all the tungsten we have in the United States during this period of peace following the war, and another war comes on and ties up the ocean transportation, in what position are we going to be to get our supply of tungsten ore to carry us through the next war?

To this Dr. Hess replied as follows:

Well, sir, we are going to be like a man in a boat on the wide ocean; there is plenty of water, but you can not drink.

I say that it is far better, far wiser to let this war essential ore remain untouched in the earth, to serve our country in the stress of war, if another should ever come, and let our people in peace times buy and use for commercial purposes the cheaper foreign ore than to pass this outrageous bill to gratify the avarice of the monopoly of four corporations. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last two words. The day before yesterday the gentleman from North Carolina [Mr. KITCHIN] made one of his characteristic speeches. He has continued it to-day. Brilliant and able as the gentleman is—and I do not know anyone in the House more brilliant and able—the speech that he made was chiefly remarkable for the amount of misinformation that it conveyed to the House. I have known the gentleman since I came into Congress some eight years ago. When I first heard him deliver one of his tariff speeches I wondered that a gentleman of so much ability could be so obsessed on a subject, but I finally discovered that a large number of gentlemen on the Democratic side of the House were afflicted with what might be called "tariffphobia," a very dangerous disease, which renders the victim unable to see the facts with reference to any tariff matter, and also renders him utterly unable to state what they are. The gentleman from North Carolina has had this disease in the most violent form ever since I have known him. I have hoped at times that he might show some signs of recovery, but I have seen none, and have therefore concluded that he is beyond recovery.

The gentleman was more than usually entertaining the other day in making his speech. He had the jokes and I have the facts, and I want you to hear some of them. Permit me to let out some of the hot air from the balloons that were raised the other day and that have been inflated again this morning. It will be remembered that one of the subjects upon which the gentleman addressed the House so earnestly and in regard to which he received such great applause from the Democratic side was the fact that there was a manufacturer called before the Ways and Means Committee who testified with relation to what the tariff on tungsten ought to be. The gentleman spoke of the fact that the Republicans were always calling manufacturers, and indeed they do, because they allow them to state their side of the case. I fear very much, however, that some deluded gentleman on the Democratic side of the House thought the manufacturer called was one who was interested in having a high tariff. As a matter of fact a manufacturer of tungsten-steel tools, as this man was—and as I believe everyone in the House must know—is a man interested in keeping the tariff down. Who was this man, McKenna, this man who got up before the committee and to whom, according to the gentleman from North Carolina, the committee weakly yielded? He made the statement that the miners ought to have a tariff of $10 a unit on tungstic trioxide.

Mr. McKenna is the president of the Vanadium Alloys Steel Co., which manufactures cutting tools, in which tungsten is used, and is one of the largest consumers of tungsten in this country. He is also an importer. That is the kind of men who came before us and said that the miners ought to have a tariff of $10 a unit on tungstic trioxide.

Mr. KITCHIN. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Oh, yes.

Mr. KITCHIN. Why, Mr. McKenna said that they owned ore mines and were interested in that way, too.

Mr. GREEN of Iowa. Yes; they once had a mine.

Mr. KITCHIN. And Mr. Holmes, who was secretary and treasurer of one of the big companies——

Mr. GREEN of Iowa. Oh, hold on. You can not make a speech in my time. Let me show how unfair your statement is.

Mr. KITCHIN. He says——

Mr. GREEN of Iowa. I decline to yield further.

Mr. KITCHIN. And Mr. Bailey, who said he represented the miners, said that he wanted a tariff of $10 a ton.

Mr. GREEN of Iowa. Oh, the gentleman has talked for an hour. I have not been speaking for three minutes, and yet he will not let me talk. Will my friend allow me to proceed?

Mr. KITCHIN. Oh, I permitted the gentleman to interrupt me, to correct me. Will not the gentleman accord me the same privilege?

Mr. GREEN of Iowa. Oh, no; I did not interrupt the gentleman at all. The gentleman from North Carolina says that this man was interested in a mine. He was interested in a mine which he tried to operate at a time when tungsten was high and lost money on it.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. BUTLER. Mr. Chairman, I ask unanimous consent that his time be extended for 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GREEN of Iowa. There was an affiliated company with the company which he owned, which at one time had an interest in a mine, and perhaps has the mine yet, worthless as it is, because they found they could not operate it at a profit during a time when tungsten was high. That is the situation with reference to this matter.

I asked the gentleman who there was who objected to the bill. That was the one solitary interruption that the gentleman from North Carolina talks about. I asked him that brief question, and what was his answer?

I said, "What party objected to this bill that came before the committee?" and he said, "The Democratic Party." The poor, old, decrepit Democratic Party is the only one that objected to this bill. Everybody else was satisfied.

As a matter of fact, on whom did the committee call? The most disinterested witnesses they could get. They called a man from the Tariff Commission, and the gentleman from Texas [Mr. GARNER], in commenting upon his testimony before the committee, said we would be likely to get the most disinterested testimony possible from somebody on that commission. Who else was called? A man from the Geological Survey, Mr. Hess. Can anyone be more disinterested than he? Who else talked before them? Importers? Yes; men who naturally did not want a tariff, and yet these importers said that this tariff ought to be granted. They were patriotic enough to support the bill, although it was not in their interest. They came in and said so. The firm of Gilchrist & Predmore sent a letter to us saying this tariff ought to be granted, although they are probably the largest importers. There was really only one person——

Mr. JUUL. Will the gentleman yield for a question?

Mr. GREEN of Iowa. Just for a question; yes.

Mr. JUUL. Am I correct in understanding this levies a tariff of 50 cents per pound on this metal?

Mr. GREEN of Iowa. No. It is a tariff of a dollar a pound upon the pure metal content.

Mr. JUUL. The unit is here described as 20 pounds.

Mr. GREEN of Iowa. The gentleman is getting me off my line of thought. He means a unit of tungstic trioxide.

Mr. JUUL. The gentleman said he was going to state a number of facts, and this is one fact I would like to ascertain correctly.

Mr. GREEN of Iowa. It is all given in the hearing. A unit is 20 pounds of tungstic trioxide. The gentleman understands that that is not the pure metal at all.

Mr. JUUL. That is exactly what I want to get at.

Mr. GREEN of Iowa. Tungstic trioxide is not the pure metal. It takes about 2½ or 2¼ pounds of tungstic trioxide to make a pound of the pure metal.

Mr. JUUL. I am glad to get these facts.

Mr. GREEN of Iowa. But I want to show the House that the committee heard men who were absolutely disinterested for the most part.

Mr. BUTLER. Will the gentleman yield?

Mr. GREEN of Iowa. I will.

Mr. BUTLER. Did these men of whom you speak give an opinion as to the amount of protection that should be placed upon this tungsten?

Mr. GREEN of Iowa. They did, and they were absolutely disinterested in the matter of giving information on the subject.

Mr. BUTLER. This rate is consistent with the views of the gentlemen of whom the gentleman spoke?

Mr. GREEN of Iowa. It is in accordance with the views of those gentlemen, or the figures given by them.

Mr. KITCHIN. Did I understand the gentleman to say the tariff commission? There was so much talk going on. Did I understand the gentleman to say the tariff commission recommended these rates?

Mr. GREEN of Iowa. No; he did not; but he gave facts and figures from which those rates would have to be inferred. He showed that in his personal opinion—for it was easy to read between the lines—but not speaking for the commission, this tariff ought to be granted. Now, that shows how far astray the gentleman has been in the statement that he has made, leading you to believe that we followed the opinion of interested parties when in fact we took the opinion of parties whose natural interest would be in the other direction, and still they said this tariff ought to be the amount given.

Mr. LAYTON. Will the gentleman yield for one question?

Mr. GREEN of Iowa. Yes.

Mr. LAYTON. Are the parties in interest—those who use the tungsten, who actively mine and develop it and use it in the industrialism of the country—have they made any objection against this tariff rate?

Mr. GREEN of Iowa. There was not a particle of objection from anybody. We have the testimony of consumers. We have the testimony of the men who use tungsten in manufacturing. We took the testimony of men who had interest in the other direction, and there was not a particle of objection from anybody. Well, I will correct that in one respect: There was a man who came before us—and we gave him a careful hearing—who had a mine over in South America, and he objected to this rate and said it was too much. He was the only man out of all the witnesses who came here who made a particle of objection to it.

Mr. TIMBERLAKE. Will the gentleman yield?

Mr. GREEN of Iowa. I will.

Mr. TIMBERLAKE. I would like to ask the gentleman if the same gentleman did not acknowledge from the information he had that that rate was necessary for the mills of this country and the mines to operate?

Mr. GREEN of Iowa. He did, and he said he was paying $1.25 a day wages in his mine as against $4 and $6 a day paid in the mines here.

Mr. SEARS. Will the gentleman yield?

Mr. GREEN of Iowa. I do.

Mr. SEARS. The gentleman said the consumers' representatives appeared before the committee. Will the gentleman name some consumer who appeared?

Mr. GREEN of Iowa. The manufacturer of vanadium steel tools was a consumer.

Mr. SEARS. But I understand, though, he is a manufacturer and sold it and also is interested in mines. I mean the real consumer.

Mr. GREEN of Iowa. He was not interested in mines, except he had lost a lot of money in a mine which he had tried to operate.

Mr. SEARS. And now he wants to get it back?

Mr. GREEN of Iowa. He had no way of getting it back; he could not get it back under the high price that prevailed, so he can not get it back now.

Mr. BLANTON. Will the gentleman yield?

Mr. GREEN of Iowa. I can not.

Mr. BLANTON. Just for one question.

Mr. GREEN of Iowa. Go ahead.

Mr. BLANTON. The American people are the consumers, and if they have to pay three and a half million dollars by reason of this bill because of 6,000 tons now being stored, we want to know what they say about the bill.

Mr. GREEN of Iowa. I will tell you what they would say about the bill. I will dispose of that matter. The gentleman from North Carolina said that by reason of there being some five or six thousand tons of ore stored at New York somebody was going to make $3,000,000 out of it. What did that ore cost? It cost somewhere from $17.50 to $30 per unit of tungstic trioxide, and that was what ore cost. Now, if this bill goes into effect it is not expected and there is no reason to believe that it will sell in excess of $17.50 on the market; so that instead of these men making this great sum the gentleman from North Carolina talks about there is merely a possibility they may recoup what they invested in war time in the hope of supplying the needs of the Government for tungsten. And I want to say further, in order to take care of any of this cheap ore that may come in before the bill becomes a law, I have an amendment which I shall offer to the bill which I have not time to discuss now. So much for that matter which was harped upon by the gentleman from North Carolina.

Now, there was another matter which the gentleman spoke of, and that was the question that he said he propounded to us. I wonder if the gentleman from North Carolina [Mr. KITCHIN] can state that question now. I wonder if he could get it the same way. I was not listening when he propounded it, and do not know what it was. My friend from Colorado, who asked him a question about the question, said the inquiry was as to how much ore would be required to make a ton of pure tungsten. So that the question——

Mr. KITCHIN. I will ask the question, which you could not answer day before yesterday, and I suppose that you have taken the last 48 hours to find out the right answer to it. It is, How much 60 per cent WO_3 standard tungsten ore will be required to make a ton of ferrotungsten?

Mr. GREEN of Iowa. Well, now, the gentleman can not answer that himself, nor can anybody else. That is one of those "foolish questions, No. 999999."

Mr. KITCHIN. I have the answer here, from the Geological Survey and the Tariff Commission.

Mr. GREEN of Iowa. The gentleman knows, and he ought to know, if he has studied this subject, even by taking this 60 per

cent ore, it depends on the kind of ore as to how much you get out of it.

Mr. KITCHIN. If the gentleman will pardon me, I said 60 per cent ore.

Mr. GREEN of Iowa. You can not always refine 60 per cent out of it, even if it is classed as 60 per cent ore.

Mr. KITCHIN. That is in the bill. That is how the report defines it.

Mr. GREEN of Iowa. If that is true, it is a simple matter of computation of figures.

Mr. KITCHIN. Which you can not do and concerning which you do not know.

Mr. GREEN of Iowa. I did not know what your question was. You were not sure of it.

Mr. KITCHIN. If the gentleman will permit it, I will leave it now and ask him to answer——

Mr. GREEN of Iowa. I will answer it as quickly as you can ask it.

Mr. TIMBERLAKE. Will the gentleman from Iowa yield?

Mr. GREEN of Iowa. Yes.

Mr. TIMBERLAKE. I want to answer the question for the gentleman from North Carolina [Mr. KITCHIN]. He remembers the question this morning. He answered it the other day in his speech, but he has not printed that speech yet, and we can not see what his answer was. He answered his own question after I answered it, that there was about a ton and a fourth entering into a ton of pure product. But here is the answer, if the gentleman wants it. From 1 ton of tungsten ore of 60 per cent——

The CHAIRMAN. The time of the gentleman has expired.

Mr. TIMBERLAKE. I ask unanimous consent that the time of the gentleman from Iowa [Mr. GREEN] be extended 10 minutes.

Mr. GREEN of Iowa. Make it two minutes. I am taking time from the gentleman from Michigan, who wants to be heard.

The CHAIRMAN. The gentleman asks unanimous consent that the time of the gentleman from Iowa be extended two minutes.

Mr. JUUL. Make it five minutes.

Mr. TIMBERLAKE. I dislike to take the gentleman's time to answer this question.

Mr. GREEN of Iowa. I want you to do so.

Mr. TIMBERLAKE. I want to answer this and get it into the RECORD. There is recovered as pure tungsten out of a ton of tungstic ore of the richness of 60 per cent WO_3 758 pounds. That is, 1 ton of 2,000 pounds tungsten ore equals 758 pounds pure tungsten. That enters into the tungsten steel and ferrotungsten in various percentages, in accordance with the nature of the alloy. As the gentleman from Iowa [Mr. GREEN] stated, the tariff on this amount to be covered is $1 per pound of pure tungsten, or $758, instead of the amount quoted by the gentleman.

Mr. KITCHIN. Mr. Chairman——

Mr. GREEN of Iowa. I can not yield to the gentleman. I just want to say it is perfectly plain, if the gentleman has given the question now as he wants it, that 60 per cent ore, if it is made to yield 60 per cent, will bring 1,200 pounds of tungstic trioxide, and it takes, as I said before, 2½ tons of tungstic trioxide to make a ton of pure ore, and that will give you the amount required if anybody wants to fix it. Therefore the answer of the gentleman from North Carolina was entirely wrong.

Mr. GARNER. Will the gentleman yield for a different question?

Mr. GREEN of Iowa. Yes.

Mr. GARNER. I want the gentleman from Iowa [Mr. GREEN], and I know he is a conscientious man, to answer a question. The whole dispute between the Republican and Democratic members of the House and the Ways and Means Committee is as to the rate to be levied. Does the gentleman from Iowa say he does not believe that twice the amount of the tariff in the Payne bill is sufficient when under that bill they were producing 75 per cent of the product? Will the gentleman say that?

Mr. GREEN of Iowa. Yes; I will say it when we come to the bill and when your amendment is offered. I do not care to take the time now, because I am taking the time which the gentleman from Michigan [Mr. FORDNEY] ought to have.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. GREEN] has expired.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. MADDEN having taken the chair as Speaker pro tempore, a message in writing from the President of the United States, by Mr. Sharkey, one of his secretaries, informed the House of Representatives that the President had approved and signed joint resolutions and bill of the following titles:

On August 15, 1919:

H. J. Res. 150. Joint resolution to suspend the requirements of annual assessment work on certain mining claims during the year 1919;

H. J. Res. 163. Joint resolution authorizing the Secretary of Labor to lease the Charleston immigration station and dock connected therewith; and

H. R. 7110. An act extending the time for the construction of a bridge across Flint River, in the State of Georgia.

TUNGSTEN ORES IN THE UNITED STATES.

The committee resumed its session.

Mr. FORDNEY. Mr. Chairman, I ask unanimous consent to proceed for 20 minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that he may proceed for 20 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FORDNEY. Mr. Chairman and gentlemen of the committee, when the gentleman from North Carolina [Mr. KITCHIN] a little while ago referred to a statement that I made on the floor of the House day before yesterday he was unfair. I want to repeat exactly what I did say. I read from the hearings before the Committee on Ways and Means, and from a statement furnished by William Loach, chairman of the tungsten committee of the Boulder County Metal Mining Association.

He said:

> Extending this increase of cost into the finished steel, we arrive at the ratio of 15 cents per ton, or seventy-five one-thousandths of 1 cent per pound finished steel.

That testimony is in the record. Whether it is correct or not I do not know. I am not an expert on the manufacture or use of tungsten. Neither is there a man on this floor who is an expert and who knows all about the manufacture of tungsten. We must rely upon information given by experts that appeared before the Committee on Ways and Means, and that is the information that I rely upon.

Mr. VAILE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Michigan yield to the gentleman from Colorado?

Mr. FORDNEY. I will, if you will be very brief.

Mr. VAILE. I wish to suggest to the gentleman that the consumer of finished steel is the consumer that the gentleman from Texas [Mr. GARNER] is so concerned about—the ultimate consumer.

Mr. FORDNEY. Yes. Gentlemen, the gentleman from North Carolina [Mr. KITCHIN] said yesterday that "when the manufacturers of this country came before the Committee on Ways and Means Mr. FORDNEY sat there in fear and trembling." [Laughter.] He said that when the manufacturer said "I want 60 cents duty," Mr. FORDNEY immediately wroté down 60 cents and gave it to him. [Laughter.]

Mr. KITCHIN. If the gentleman will permit me, I never said that.

Mr. FORDNEY. That is the substance of the gentleman's statement. Whether those were the correct words or not, that is the substance of your statement. You never saw me in fear and trembling when any man was testifying before the committee, did you? [Laughter and applause.]

Mr. KITCHIN. Will the gentleman permit me to make a correction? Both of us want to be fair to each other. Will the gentleman permit me there?

The CHAIRMAN. Does the gentleman yield?

Mr. FORDNEY. Yes; I will yield, but I will ask the gentleman to be brief, if he please.

Mr. KITCHIN. I never said that when the manufacturer said "I want $10 a unit" Mr. FORDNEY wrote it down. I said Mr. FORDNEY said, "What rate do you want?" He says, "$10 a unit." Then I took up the bill and read from the bill. Everybody knows what you did. [Applause on the Democratic side.]

Mr. FORDNEY. In his very entertaining speech on Tuesday the gentleman from North Carolina implied that Republicans accepted information from American producers as the basis for the rates of duty provided for in this bill. I might add that in the recent hearings before the committee we listened to some very sound testimony from representatives of American laboring men favorable to tariff protection. Further, we heard representatives of the Geological Survey, the American Mining Congress, and the Tariff Commission, and were quite convinced that in the interest of industrial independence for America prompt tariff protection should be afforded the tungsten industry.

In reply to the gentleman from North Carolina [Mr. KITCHIN], and by way of contrast, permit me to offer a bit of evidence that

came to light in 1916 indicating the caliber of people whom the Democrats seemed to have blindly followed and catered to in the preparation of the tariff act of October 3, 1913. Truth will come to light. It took this information two years to come to the surface, but when it did come out it bubbled forth in an altogether unique and convincing manner. Silician fruit producers, it appears, together with some Italian importers, employed an attorney by the name of Beer, with offices at 71 Broadway, New York City, to lobby for a reduction on the import duty on lemons. The major portion of the fee was contingent upon results obtained, and on November 15, 1915, Mr. Beer filed a suit to collect the balance of the fee, which he claimed had not been paid as provided for by contract.

A very interesting report of the suit appeared in the New York Sun in March, 1916, and the following are significant extracts from the statement published in that paper. I referred to this matter once before on the floor of the House:

"It was provided," Beer said, "by the terms of the said agreement that the defendants were to pay the plaintiff and the said Osborne the sum of $15,000 as a retainer, together with all expenses incurred by the plaintiff, and the said Osborne is endeavoring to obtain the aforesaid revision and general reduction of the said duty, and an additional sum of $60,000 in the event that the duty on Italian lemons, either through act of Congress or any other function or instrumentality of the United States Government, was reduced to the rate equal to the rate of duty provided in the so-called Wilson Tariff Act."

Mention is made in the affidavit of a supplementary agreement that in case the tariff was cut from $1.20 a box to 35 cents they were to have the $60,000.

They went to work. The affidavit describing their labors says that they frequently appeared before the Ways and Means Committee and the Senate Committee on Finance, hired speakers, and sent out millions of pieces of "literature."

"We can only say about this suit of Mr. Beer that we are surprised," said S. Amoroso, second vice president of the Importers' Union, yesterday. "Why should we be sued for $75,000 or $110,000? Why has it not been paid?

"We did raise a fund, amounting in all to about $140,000, to have the tariff on Sicilian lemons reduced, and we did hire Mr. Beer to have it done. In the United States the importers, by paying 5 cents a box on lemons imported, raised $105,000, and the Sicilian societies raised $35,000 more. Now that is all over, we are asked for $75,000 more.

"What has become of the $140,000? We do not know. We have repeatedly asked for an accounting and have not received it. We have demanded it and it has not been given to us. We are told to keep quiet, not to raise a row."

Mr. Beer presented his interpretation of the situation last night. His suit, he said, will soon be settled by the Sicilian societies of Palermo. "And I will be glad to get out of it," said Mr. Beer. "I do not want any more trouble like this. I do not mind saying that beginning with 1910 we accomplished some mighty effective work."

There are 2,000,000 voters of Italian blood in this country, he explained, and his first work was to get every one of them stirred up. Documents were sent to them favoring the Italian fruit growers, and letters, papers, "missionaries," speakers, and postal cards were used.

"In 1910," he said, "the effect of this movement was shown in the votes of close districts. All the Italians voted for the Democrats, and the Democrats realized it." In the presidential campaign of 1912 Mr. Beer said the Italians were in full swing for Woodrow Wilson. "We organized the Italian Democratic League," he said, "and had branches all over the country. We did nothing but preach democracy to them. I am a Republican except where my client's interests are concerned, and I want to say that the effectiveness of our work was well known and recognized."

[Laughter on the Republican side.]

The Fruit Importers' Union, through President Zito, has submitted the following statement * * * of the receipts and disbursements in connection with the campaign and general office and labor expenses:

Cash received from July, 1910, to Aug., 1913.

PER TAX OF 5 CENTS PER BOX COLLECTED BY AUCTIONEERS, SICILIAN LEMONS.

Brown & Seccomb, from July, 1910, to Mar., 1911	$12,854.55
Connolly Auction Co., from July, 1910, to Mar., 1911	27,557.79
H. Harris & Co., from July, 1910, to Mar., 1911	663.29
Philadelphia Auction Co., from July, 1910, to Mar., 1911	1,583.08
N. O. Fruit Auction Co., from July, 1910, to Mar., 1911	1,494.54
	44,153.25

PER TAX OF 2 PENCE PER BOX FROM AGENZIE E LEGA, SICILY.

Lega Agrumaria, from May, 1911, to Sept., 1912	$20,206.60
Simp. Spence & Y., from May, 1911, to Sept., 1912	3,502.94
Hirzel, Feltman & Co., from May, 1911, to Sept., 1912	8,195.46
Lloyd Sabudo, from May, 1911, to Sept., 1912	2,104.58
Hamburg-American Line, from May, 1911, to Sept., 1912	488.17
White Star Line (Boston) from Feb., 1911, to Sept., 1912	697.40
White Star Line (New York), from May, 1911, to Sept., 1912	703.90
N. Y. Fruit Exchange, one half expense tel., from May, 1910, to July, 1913	303.27
Tax on boxes from several of Messina	1,284.38
	37,846.70

PER TAX SEVEN-EIGHTHS OUT OF 100 FROM AUCTIONEERS AND IMPORTERS, SICILIAN LEMONS.

Connolly Auction Co., Nov., 1912, to Aug., 1913	$5,243.99
Fruit Auction Co., Nov., 1912, to Aug., 1913	2,213.49
Brown & Seccomb, Nov., 1912, to Aug., 1913	5,968.23
Connolly Auction Co., night permits	407.38
Brown & Seccomb, night permits	445.48
Fruit Auction Co., night permits	395.14
From importers: seven-eighths cent paid us directly	348.05
	15,021.76
Total	96,661.71

Cash received in general		$96,661.71
Campaign expenses	$77,622.23	
General expenses of Fruit Importers' Union, Aug. 13, 1913	15,076.87	
		92,699.10
Balance in bank		3,963.61

We, the undersigned, members of the finance committee, have examined the books of the Fruit Importers' Union and have found accounting correct and to our entire satisfaction.

GIUSEPPE CAPPADONIA.
FRANK ZITO.
S. AMOROSO.

They also submit the following letter, dated September 15, 1913:

"Members of the general assembly of the Fruit Importers' Union, in their meeting of to-day, have voted on the motion of Mr. Fortunato Marciano D'Arsi as follows:

"'Mr. D'Arsi moves that the members of the assembly give a vote of confidence to the board of trustees of the Fruit Importers' Union for having so wisely conducted the difficult negotiations for the reduction of the tariff on imported lemons, and at the same time to authorize them, the said board of trustees, to complete the possibility of the collection to pay the obligations assumed (at their own convenience) to the lawyers, collaborators who assumed to obtain the reduction of the tax on imported lemons.'"

The duty on lemons under the Payne tariff law was 1½ cents per pound. On the crate in general use this duty amounted to $1.20. It is interesting to note that the tariff act of October 3, 1913, reduced the duty on lemons in packages—exceeding 1¼ and not exceeding 2½ cubic feet—to 35 cents per package. On lemons in bulk the duty was reduced to 1½ cents per pound. This rate—35 cents per crate—is what Mr. Beer contracted to secure. In the suit and in statements concerning the controversy he claimed he did effective work for the Democratic Party and that his efforts were recognized.

Now, I ask, to whom did the Democrats listen when they were framing the Underwood tariff law? The producers of lemons in Florida and California were here protesting against a reduction of the duty on lemons, and at the same time the importers and foreigners maintained a highly paid lobby to work for a reduction. The duty was reduced and the paid lawyers of the importers claim they did effective work and were recognized. Gentlemen on the Democratic side, I do not make accusations of dishonesty, but I do say, however, that you gave your whole time and attention to, and permitted yourselves to be influenced by, the importer and the foreigner, absolutely to the detriment of your own people. [Applause.] Now, when Republicans come before Congress and offer a bill to increase the duty on tungsten, a very important metal, a metal absolutely necessary to industry in time of peace and war, you rise up in horror with accusations of bad faith. You accuse Republicans of being influenced by monopoly and not considering the laboring people of the Nation. No matter who makes it, that statement is far from true. We believe in America first, and we value industrial independence for the Nation. In framing tariff laws, the Republicans take into consideration all the people of every State in the Union without prejudice in favor of one industry or one State against another. [Applause.]

While alluding to the statements of the gentleman from North Carolina I want to state his general assumption "that the entire import duty is added to the price of all articles in this country" is erroneous and can not be substantiated. Upon this fallacious assumption he bases his tariff arguments. If his reasoning is sound, why do you think the people interested in Sicilian lemons were so willing to gamble $140,000 in an effort to secure a reduction of duties on their products? Will anyone contend they did not know they could add a sufficient sum to their selling price to reimburse themselves? It was worth many times $140,000 to get the reduction on citrus fruits.

Please listen to this testimony of Dr. Herty, formerly the head of the chemistry department of the University of North Carolina, relative to the effect of certain increased tariff rates contained in the act of 1916. I am reading from page 152 of hearings before the Ways and Means Committee on June 19 and 20 of this year:

Mr. MOORE. Then, the inference is that there was such competition in the manufacture in the United States following the passage of the act of 1916 that the prices were reduced?

Dr. HERTY. That was the point.

Mr. MOORE. The manufacture increased and the prices came down despite the fact that we levied a tariff in 1916?

Dr. HERTY. Yes, sir.

Mr. MOORE. That is what you intend to illustrate?

Dr. HERTY. That bears out the situation.

Mr. HULL. You do not intend to convey the idea that competition would hold prices down under any kind of a tariff that might be necessary to protect the dyestuff industry?

Dr. HERTY. I can only judge by the results as shown here. The prices are coming down and there is competition.

Mr. MOORE. You came here from North Carolina, where you had been at the head of a college?

Dr. HERTY. The head of the chemistry department.

Mr. MOORE. Dr. Herty had become, by reason of his experience and knowledge of chemistry, one of the leading chemists in the United States and came here, despite all traditions, to support a protective tariff with regard to dyestuffs, and in spite of the fact that a tariff was levied which was supposed to be a high tariff and which according to the

theories of some gentlemen increases the cost of the product to the consumer in the United States. He comes here now to state that the operation of the law has been to so stimulate the industry in the United States as to encourage chemists to go to work and increase the manufacture, and that the prices have gone down by reason of the competition within the United States. That is what the doctor shows. Am I right about that?

Dr. HERTY. Yes, sir.

Mr. MOORE. The price has gone steadily down in the United States and production has increased, so that we have been able to supply the consumer cheaper than ever before, despite the fact that a high tariff was levied. That is the fact?

Dr. HERTY. Yes, sir.

Does not this lead you to believe that the foreigner does not give the consumer in America the benefit of every tariff reduction? In 1909 an increased duty imposed upon hosiery transferred the major portion of the industry to this country, and domestic competition resulted in lower prices. Likewise, the duty was increased on post cards, with a corresponding result. Prior to 1909 over 90 per cent of the post cards were "made in Germany," and the universal price was 5 cents a card. Soon after a substantial import duty was levied 95 per cent of our post cards were made in America, and the popular retail price was 1 cent a card. This price resulted from healthy competition at home. I could show you how sugar prices have advanced during the season and the domestic crop is off the market. I could give any number of instances to prove that the basic assumption upon which the gentleman from North Carolina founds his arguments is ridiculous and unbusinesslike.

The gentleman from North Carolina [Mr. KITCHIN] said that this rate is a 900 per cent increase over the Payne tariff rate on tungsten. Why, you can fix any percentage of increase you care to think up, from nothing to everything, and that is just what you are doing. There is no imported tungsten which under existing law pays any duty. It comes in free. The only duty paid is on such tungsten as comes in in the form of metal, and not in the form of ore, therefore a per cent of duty may be rated very many hundred per cent when counted from nothing to something.

Mr. GARNER. Will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. GARNER. There was a duty in the Payne-Aldrich law on tungsten ore and on pure tungsten.

Mr. FORDNEY. Ten per cent ad valorem.

Mr. GARNER. Ten per cent ad valorem on the ore and 20 per cent ad valorem on the tungsten.

Mr. FORDNEY. Depending on the value of the article.

Mr. GARNER. The value of the article.

Mr. FORDNEY. When valued at less than $200 a ton the duty was 10 per cent ad valorem, and when valued at more than $200 a ton the duty was 20 per cent ad valorem.

Mr. GARNER. Yes. Now let me ask the gentleman this question: The Payne-Aldrich law having had that duty, the question here is not so much as to whether you are letting somebody dictate the rate of duty. The question is as to the rate. I think that is the main question that every man in this House wants to consider.

Mr. FORDNEY. I agree with the gentleman. That is fair.

Mr. GARNER. Why are you not willing to say that twice the amount of the Payne-Aldrich duty should be sufficient to maintain this industry when you consider the fact that 75 per cent of the tungsten used in this country was produced in this country under the Payne-Aldrich tariff? Will the gentleman answer that one question?

Mr. FORDNEY. The duty in the Payne-Aldrich law was ad valorem, and this duty is specific.

Mr. GARNER. Just a moment——

Mr. FORDNEY. Let me answer you.

Mr. GARNER. All right.

Mr. FORDNEY. Tungsten is selling now for $7.50 a unit in this country. The ore in this country that the gentleman from North Carolina [Mr. KITCHIN] referred to as being stored here was imported, as the evidence from a Government authority shows, at from $20 to $30 a unit. That is what the ore cost the importer. During the war, when we must have tungsten and must depend on imported tungsten, we paid as high as $90 a unit. Now, if you will base the ad valorem rate on $90 a unit, you will have $9,000 a ton duty, or if based on $10 a unit, the duty would be $1,000. You can not measure an ad valorem duty fairly in comparison with a specific duty when the value fluctuates from $7.50 a unit to $90 a unit. It is no fair comparison, sir. [Applause.]

Mr. GARNER. Will the gentleman yield?

Mr. FORDNEY. I yield to the gentleman.

Mr. GARNER. I believe the gentleman from Michigan will admit that it is nearly impossible, if not quite impossible, to get at the cost of production in this country and the cost of production abroad. Therefore it is difficult to levy any rate from that standpoint. Now, I am putting this concrete situation to the gentleman: Under the Payne Act we produced 75 per cent of the tungsten used in this country. If we double the rate, ought not that to be sufficient to enable us to continue to produce 75 per cent of the tungsten used in this country?

Mr. FORDNEY. No; I do not think so.

Mr. GARNER. Tell me why.

Mr. FORDNEY. I will tell you why as nearly as I can. It is a very difficult question to answer under present conditions, but the gentleman is fair and his question is fair. My good friend, it does not depend so much upon the justness of the duty as it does upon sustaining an industry that we must have when we need it badly. What difference does it make to you whether the rate is high or low, if the question is whether we can be sure of getting the metal to fight the enemy when we need it? That is the point.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARNER. I ask unanimous consent that the gentleman may have two minutes more in order that he may answer my question.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that the time of the gentleman from Michigan be extended two minutes. Is there objection?

There was no objection.

Mr. GARNER. I am just as anxious as the gentleman from Michigan is to maintain this industry in this country and have it so that in case of war we may have this metal.

Mr. FORDNEY. I had not quite concluded my answer.

Mr. GARNER. As I say, I am just as anxious to maintain this industry in this country as the gentleman is, so that we may have a sufficiency of it in case of war. The only question here is as to the rate, and I submit that when under the Payne-Aldrich Act we produced in this country 75 per cent of the metal necessary to run the Government, on a 10 per cent duty, now that we propose on this side to double that amount it does seem to me that that rate should be sufficient to maintain the industry in this country.

Mr. FORDNEY. I have not time to read from the record, but the gentleman is fair about it and I have a statement before our committee which shows that the major portion of the tungsten ore of the world is controlled by the British, and in Asia where the ore is controlled by the British they are mining it and bringing it to England for $1.92 a unit, tungsten ore of 60 per cent purity. When the price of tungsten declined to $17 a unit after the armistice our mines were compelled to close down, and they have been closed ever since. We can not produce it for less than $17 per unit. That is the testimony before the committee. Other testimony is that China can produce tungsten and lay it down in this country at $7 and $8 a unit.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. SNYDER. The gentleman from Texas [Mr. GARNER] seems to be harping upon the fact that under the Payne-Aldrich Act we produced 75 per cent of tungsten used in this country.

Mr. FORDNEY. We used a very small amount at that time.

Mr. SNYDER. At that period the use of tungsten in self-hardening steel was hardly known, and the quantity which we produced then, which may have been 75 per cent, is less than 10 per cent of what we are using to-day.

Mr. FORDNEY. Yes. Out of our total annual consumption of some 7,500 tons to-day we are producing but 25 per cent, which is more than 100 per cent of our consumption at the time the gentleman referred to. [Applause on the Republican side.]

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. A Bourbon has been described as a man who forgets nothing and who learns nothing. The world moves and constantly changes and wise men change with it, but your Bourbon never does. He is the only finite thing on this mundane sphere to whom may be ascribed those attributes of the infinite—the same yesterday, to-day, and forever. Other men learn, he never does. Experience means nothing to him. It is true that his virtues do not change, but neither do his vices. He has so very few virtues, however, that that does not matter much.

Some Democrats have objected to the appellation of the name "Bourbon" to their party, and I am frank to say that in the recent past, at times, the party has made just a little progress; at least some of its members have in getting away from Bourbonism, but so far as certain gentlemen in command of the party are concerned, we have had the strongest kind of proof in the last day or two that their Bourbonism continues unchanging as of yore.

We have had a great war, and the Great War has taught most of the people of the world many things. It has emphasized—aye, it has burned into the minds and consciences of all

wise men—the fact that nations to grow and prosper and hold their place on the world and be mighty and influential for good in the world must in the main be self-supporting. The war has proven to wise men the utter folly of depending upon others for those vital and essential things which you may and can produce yourself. The war brought us face to face with a situation in which this, the greatest Nation on earth, the most powerful people in the world, the land of the greatest resources, was at the mercy of foreigners and of the enemy. We lacked the materials necessary for the manufacture of powder needed to hurl the instruments of destruction. We lacked the minerals that were essential to put a cutting edge on the tools necessary to make the implements and instruments of destruction. We propose to see that such a condition does not exist in the future.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. VAILE. Mr. Chairman, I ask unanimous consent that the gentleman's time may be extended for five minutes.

The CHAIRMAN Is there objection?

There was no objection.

Mr. MONDELL. Strong and forceful, powerful though we were, we were almost helpless in the face of a foreign monopoly on certain essential products. Most of the American people took an oath deep down in their hearts that this condition should not exist in a future emergency. [Applause.] Yes, and the people who pledged themselves to that proposition do not all of them vote the Republican ticket, and they have not all of them heretofore subscribed themselves as protectionists, for there is some wisdom even among bourbons, among the forward looking of the party. We have looked forward to the time when we should be able to place America in a position of independence in the matter of essential materials. We have looked forward to that time in the hope and expectation that we would have some little support at least from the Democratic side of the aisle, and I think we will have some such support. I am certain we will have it, but it is very evident that we are not to have any support, any comfort, in establishing the economic independence of America from some of the leaders on that side. [Applause on Republican side.]

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. The very first effort that is made to establish the independence of this country in a product that is essential instead of finding the kind of support and assistance that we gave gentlemen on that side during the war we are met with unfair criticisms and misstatements of the facts.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. I have only a couple of minutes.

Mr. GARNER. I shall get the gentleman some more time if I can. The gentleman is now discussing essentials. I ask the gentleman to consider the question of rates to be levied in this bill. That was the only difference between this side and the Republican side, at least so far as I am concerned. I want to fix this industry so that it will maintain itself in this country, but I do not want to levy a rate that is absolutely ridiculous, as I think the rate in this bill is. For instance, under the Payne law we had a certain rate under which we produced in this country 75 per cent of the products that we are putting the rate on. If we were able to do that under that rate, it does seem to me that if we double the rate we could continue to do the same thing.

Mr. HAMILTON. May I ask the gentleman from Texas if he is speaking for the Democratic Party in making that statement?

Mr. GARNER. I am speaking for myself.

Mr. HAMILTON. That is the way I understood it.

Mr. MONDELL. I am glad to have the statement of the gentleman from Texas that he desires to put this industry on its feet.

The CHAIRMAN. The time of the gentleman from Wyoming has again expired.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent that I may have three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MONDELL. I am glad to have the gentleman's statement to that effect. I am inclined to believe that there are many gentlemen on that side who feel that way; but the way to accomplish that, I want to say to my friend from Texas and others, is not by relying on his judgment, for, while he is a very wise man in many ways, I assume he does not know much more about tungsten than I do. The way to accomplish that is to depend upon the judgment of men who know. The remarkable fact in connection with this bill is this, that while it is to the interest of men mining tungsten in foreign lands to have the duty low, and while it is to the selfish interest of many manufacturers to have the duty low, practically all of those who came before the committee, importer and manufacturer alike, the men representing interests that were selfishly interested in keeping the price of tungsten low, were in agreement in the main on the rates proposed by the committee. And I intend in this as in all other matters to take the judgment of the committee, to take the judgment of the men who know, to take the judgment of the men who have studied the matter and who have arrived at an agreement as to the rate. It is barely possible that the tungsten industry in America could be developed with a rate somewhat lower than that proposed. It is possible. I doubt it; but I do know this, that a rate now placed on tungsten such as is proposed will make America in a short time largely independent of foreign nations as to tungsten, and I do know that as soon as it is demonstrated that American tungsten can be produced at a rate lower than the price that will be established by competition under this law the Congress will reduce the tariff rate. [Applause.] That is the history of Republican legislation. Gentlemen, the important thing is to make us largely independent of all the world in the matter of tungsten. This rate will do it. It is doubtful if a lower rate would. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLARK of Missouri. Mr. Chairman, I would like to have five minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to speak for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CLARK of Missouri. Mr. Chairman and gentlemen, the discourse of the gentleman from Wyoming [Mr. MONDELL] in describing the Bourbon is the best description of the Republican Party that has ever been given since the morning stars first sang together. [Applause on the Democratic side.] It fits his party like a glove, for in truth it never learns anything and never forgets. The gentleman from Wyoming knows, and no one knows better, that the Republicans were driven out of this House in 1910 more on account of the Payne tariff bill than any other one operating cause. [Applause on the Democratic side.]

Now, this strange thing happened: When the first Underwood bill was introduced here the Hon. JAMES R. MANN, who was the Republican leader then—and he was as able a Republican leader as has ever been in this House, I will say that much for him, it is my honest opinion—every time that a rate was changed from the Payne bill in the Underwood bill, he arose in his place and offered to amend by substituting the Payne rate as something almost sacred, although he voted against the conference report on the Payne bill and spoke against it. Well, now, you have got back again in the House and Senate, and you not only commence where you left off but you make it worse than it was before. There is a game played in which there is a phrase of "raising your opponent," and that is what you are doing now on your own record.

A MEMBER. What is it?

Mr. CLARK of Missouri. I have forgotten the name of the game. But these gentlemen have gone far afield in this debate here to-day. Brother FORDNEY harked back to the tariff on lemons in 1911 or 1912, or some where along there, and spent all of his time on that. Well, whatever happened then has gone. Macauley says that when Charles II came back from exile, or as Charles himself facetiously termed it, his travels, he had the greatest opportunity any man ever had of being the most popular King of England, for all he had to do was to do what was right. But he went back to his old wallow. The consequence was his brother, the ill-fated James the Second, was sent on "his travels." I have a great deal of respect for the gentleman from Michigan [Mr. FORDNEY]. He is the only one of the whole crowd of you who has the courage of his convictions and is willing to go the whole hog. [Laughter.] You new Members here do not know it, but I have stated on the floor of this House a half a dozen times that if you gave Brother FORDNEY carte blanche to write a tariff bill there would be but one sentence in it, and that would be that anything that can be produced in America and also abroad shall not be imported into this country at all. [Laughter and applause.] But now if the rest of you will go with Mr. FORDNEY you will have it fixed to the queen's taste. He said here the other day—and it seems strange to me that he or any other man of intelligence would state such a thing, and this has nothing to do with the tungsten bill any more than his speech had [laughter]—he said here the other day, in substance, that whenever the Republicans were in charge you had prosperity, and when we were in charge you did not.

Mr. KNUTSON. Is not that true?

Mr. CLARK of Missouri. No, sir; it is not; not a syllable of it is true. If you can remember 1873. Gen. Grant was Presi-

dent. There were hardly enough Democrats in the House to call the yeas and nays. The Senate was overwhelmingly Republican; the Republicans had had the Government for years and years, and a panic swept over this country which made men's teeth rattle from sea to sea and carried bankruptcy and ruin all over the land. You may be too young to remember, but——

Mr. LAYTON. Was it not due to the war?

Mr. CLARK of Missouri. No; it was not due to the war. I will give you a sample and let you see if it was due to the war. In 1907 Theodore Roosevelt was President. You had both Houses of Congress. You had had them for years, and there came a panic in September, October, and November of 1907 that as high a Republican authority as Senator Aldrich said was the severest panic that this country had ever known. No war produced that. Surely not.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LAYTON. Made to order in Wall Street?

Mr. CLARK of Missouri. Yes; and Wall Street is ordering this bill here to-day, too.

Mr. ROMJUE. Mr. Chairman, I ask unanimous consent that the gentleman have five minutes more.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that his colleague may have five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. CLARK of Missouri. Now, I want to tell you what I think about this debate. Like old Harper used to run horses in Kentucky, "from e'en to e'en"——

Mr. FORDNEY. I understood the gentleman to say that Wall Street ordered this bill. What evidence has the gentleman of that?

Mr. CLARK of Missouri. I have not anything but the regular evidence, that they order the Republican tariff bills.

Mr. FORDNEY. What evidence have you of that?

Mr. CLARK of Missouri. I have been here 25 years, and I have seen these fellows around these corridors, even in these committees, and I have never seen anybody come here to represent the great body of the American people. [Applause on the Democratic side.] It was always some fellow with an ax to grind.

Mr. FORDNEY. Does the gentleman know that there were laboring men before the committee recently asking for increased duties on articles produced in this country?

Mr. CLARK of Missouri. I did not know it.

Mr. FORDNEY. Of course the gentleman did not. He was not present and was not trying to inform himself. [Applause on the Republican side.]

Mr. CLARK of Missouri. I did not know who went before the committee as to this bill.

Mr. FORDNEY. The gentleman did not inform himself, did he?

Mr. CLARK of Missouri. Not on that particular point. Did you?

Mr. FORDNEY. The gentleman expressed that language when he was not really well informed, and said that we were catering to Wall Street.

Mr. CLARK of Missouri. Well, that is the gentleman's question. Does not the gentleman think that I am as well informed generally as he is? [Applause on the Democratic side.]

Mr. FORDNEY. My dear friend, I rather think you are, except on this subject.

Mr. CLARK of Missouri. The tariff is a subject that I have studied over more than any other subject. I will tell you what happened when both you and I were on the Ways and Means Committee when the Payne bill was under consideration. There were never but two men engaged in any protected industry that came in there and said that the tariff ought to be reduced—only two. And you folks had carried that election in 1908 on the proposition that you were going to reduce the tariff. There was a man who came in there, a tin-plate man, that seemed to me to be a very reasonable man——

Mr. FORDNEY. Will the gentleman yield?

Mr. CLARK of Missouri. I will.

Mr. FORDNEY. Is it not true that the Payne tariff law did reduce rates more than 25 per cent below the rates in the Dingley law?

Mr. CLARK of Missouri. No, sir. What happened was that the Payne bill raised the average tariff rate 1.71 per cent. I demonstrated that here on the floor of the House the day we discussed the conference report.

Mr. FORDNEY. If you will take the ad valorem rates under the Dingley bill you will find they average 26½ per cent and under the Payne law 18½ per cent.

Mr. CLARK of Missouri. On the day that we discussed the conference report on the tariff bill I proved that it raised the rates 1.71 per cent, and the Secretary of the Treasury adopted my figures. [Applause on the Democratic side.] That is just exactly what he did. You people had an army of experts, and I had one poor schoolmaster from Arkansas that outfigured the whole crowd of them, and the Treasury adopted my figures. There was a tinplate manufacturer who came before that committee, and he said we should take one-half of a cent a pound off of tin; that we did not need it any more, and that in a few years we ought to take another half a cent off and leave the American tinplate manufacturer a differential of one-half a cent; that that was sufficient. He said when they started in the tinplate manufacturing they needed the cent and a half in order to get the American markets. Outside of that man, who seemed to be a candid man and a fair man and a good American, there was a man who was engaged in the scrap-iron business. He said there was no sense in the tariff on scrap iron. Outside of those two, every blessed man that came in there to testify wanted a raise in the tariff.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. CLARK of Missouri. Yes.

Mr. CAMPBELL of Kansas. Did not Mr. Carnegie ask that steel products be put on the free list in the preparation of that bill?

The CHAIRMAN. The time of the gentleman has expired.

Mr. POU. Mr. Chairman, I ask unanimous consent that the gentleman have 10 minutes more.

Mr. CLARK of Missouri. Oh, no; I do not want it. Is my time exhausted?

The CHAIRMAN. Yes.

Mr. CLARK of Missouri. I would like two minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CLARK of Missouri. In answer to the question of the gentleman from Kansas, I do not know as to Mr. Carnegie. I think he was there one day when I was not there. Somebody inveigled me to go down to North Carolina to make a speech.

Mr. CAMPBELL of Kansas. He was on his feet for eight hours, and underwent one of the most severe cross-examinations I ever heard a witness subjected to, and was cross-examined by Republicans. He was not in favor of a tariff on his product. He wanted to put it on the free list.

Mr. CLARK of Missouri. I did not happen to be there that day. I agree with the gentleman from Texas [Mr. GARNER] that we should produce in this country, if possible, articles needed in war, and the production of such articles should be encouraged, but the pending tungsten bill is protection run mad.

I will give you my opinion about this debate. This is in some features a very futile debate, and I feel that I really ought to apologize to the House for having taken any time on it myself. We have certain things that should be done in this Congress. We ought to do what we can to cut down the high cost of living. [Applause on the Democratic side.]

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. CLARK of Missouri. Yes.

Mr. KNUTSON. Why did not the Democratic Party get busy in 1913 on the high cost of living? It was an issue in 1912. This is all poppycock.

Mr. CLARK of Missouri. Maybe it is; but I will tell you what kind of poppycock it is. It will put all you fellows out if you do not attend to it. [Laughter.] That is true, just as certainly as you are alive.

Mr. KNUTSON. The gentleman is speaking from experience? [Laughter.]

Mr. CLARK of Missouri. No. I am showing you what will happen to you. There will not be enough of you in the next Congress to demand the ayes and noes unless you cut down the high cost of living and relieve millions of men, women, and children from starvation. I think we ought to go to work and leave out the speech making and do what we can to relieve the distresses of the people of the United States. [Applause on the Democratic side.] It is bootless to indulge in crimination and recrimination about it. Everybody knows that there is more than one element entering into the high cost of living. One of those elements is the expansion of the currency. There is no sense in anybody lying about it. Another element is these trusts, that have fixed up the prices of everything. Still another is the profiteers, and I have stated it over again several times that every profiteer in America ought to be put in the penitentiary. [Applause.]

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. CLARK of Missouri. I will add one more sentence. I am in favor of quitting these extraneous debates and getting down to the work we are sent here to do. [Prolonged applause on the Democratic side.]

Mr. HAMILTON. I hope the gentleman will exercise his good offices among his colleagues on the other side to that end.

Mr. CLARK of Missouri. I will, and also with oratorical Republicans.

Mr. FORDNEY. Mr. Chairman, has only the first section of the bill been read, or have the first two sections?

The CHAIRMAN. The first section.

Mr. TREADWAY. Mr. Chairman, I desire to be recognized.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. TREADWAY. Mr. Chairman, far be it from me to enter into any line of parliamentary dispute with the distinguished gentleman from Missouri [Mr. CLARK]. Mr. Chairman, I do most heartily agree with him in the statement he makes that we had better get down to business and attend to the kind of business for which we are sent here. If I have sensed at all the sentiment of the times along that line, it is to do something for the American workingman. He can hardly from his day's pay make both ends meet, and that is one of the reasons for the passage of this very bill and for the passage of bills similar to it. [Applause on the Republican side.]

Every time there is a word said here about any increase of tariff the picture that the leading Member on the Democratic side painted the other day, of somebody trembling, is presented, and that applies to the whole Democratic Party. [Applause on the Republican side.]

Now, the gentleman from Missouri [Mr. CLARK] referred to an ancient game that is probably more common with the people of Missouri than with those of Massachusetts, and therefore naturally I plead great ignorance about the conditions under which that ancient game is played. But he said something about "raising" somebody else. He says that we are "raising" the duties provided for tungsten in the Payne-Aldrich bill, which was passed by the Republican Party when in the majority here. We are doing nothing of the kind. The Underwood bill came along and swept aside all duty on tungsten ore, and that is the condition that faces that industry to-day. There is no duty whatever on tungsten ore, and if we are raising the rate at all in this bill over the rate of the Payne-Aldrich bill, the reason for it is very clearly stated by Mr. F. C. Armstrong, the United States mineral surveyor, in his testimony at Denver. I am going to refer to this matter a moment later, but I want to refer to it particularly as applied to the statement of the gentleman from Missouri. Here is the reason, my friends, for this proposed increase in rates.

Mr. KITCHIN. What page?

Mr. TREADWAY. Page 82. I read:

> Mine labor, obtainable for $3 per day in 1914, now costs from $4.50 upward, and is not nearly so efficient.

There is the reason for any increase of rate in the present bill, namely, the rate of pay of the laborer has increased over 50 per cent, and we want to meet that increase. The Republican Party has always stood for proper wages for the workingmen.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Massachusetts yield to the gentleman from Texas?

Mr. TREADWAY. No. The gentleman from Texas takes a great deal more time on the floor than I do and I decline to yield to the gentleman from Texas.

The CHAIRMAN. The gentleman declines to yield.

Mr. TREADWAY. There is the reason, gentlemen, for the increase referred to in this bill.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. Certainly.

Mr. GARNER. The testimony there is to the effect that there is an increase of 50 per cent in labor. I ask the gentleman the question if the increase of 100 per cent in the Payne bill is not sufficient to meet that?

Mr. TREADWAY. Mr. Armstrong appeared before the United States Tariff Commission and estimated the actual increase in the cost of production from both of these causes at 100 per cent. That is the gist of his testimony. Similar testimony was given also by other witnesses. He says:

> In view of the increased cost of living, the higher wages are by no means unreasonable, but in connection with other elements of cost they are fast making a loss in the industry of mining.

That is the testimony of a United States official.

Mr. GARNER. Mr. Chairman, will the gentleman yield again?

Mr. TREADWAY. Certainly.

Mr. GARNER. If you increase the Payne-Aldrich rate 100 per cent, ought not that to reach the situation?

Mr. TREADWAY. No. We are faced by the situation left by the Democratic Underwood bill, with no tariff whatever on it.

Mr. GARNER. Yes; but I am taking the Payne bill rate and doubling it.

Mr. TREADWAY. You are talking about the Payne bill, which became a law in 1909, and this ore was not discovered in this country until 1900. Practically there was in this country no product at the time of the enactment of the Payne bill making the rate such as the gentleman from Texas is calling attention to now.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. TREADWAY. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

Mr. JOHNSON of Washington. Reserving the right to object, Mr. Chairman——

Mr. BLANTON. I object, if the gentleman can not yield to a civil question.

Mr. TREADWAY. Then I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. BLANTON. Mr. Chairman, a point of order. The gentleman was speaking on a pro forma amendment.

Mr. TREADWAY. No. I got unanimous consent to speak for five minutes. Now I move to strike out the last word.

Mr. JOHNSON of Washington. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JOHNSON of Washington. How much time remains for debate?

The CHAIRMAN. The debate upon this paragraph has been exhausted.

Mr. JOHNSON of Washington. The debate is proceeding by unanimous consent, is it not?

The CHAIRMAN. Debate has been exhausted on this paragraph and has been proceeding by unanimous consent.

Mr. BLANTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. The debate having been exhausted, the gentleman from Massachusetts is out of order.

Mr. TREADWAY. I have made a new motion.

Mr. BLANTON. The gentleman can speak only by unanimous consent, and I object.

Mr. TREADWAY. I can speak on my motion.

Mr. BLANTON. I raise a point of order against that, the debate having been exhausted——

Mr. TREADWAY. The debate has not been exhausted on that motion, because it has never been started on that motion.

The CHAIRMAN. The Chair is inclined to think that several gentlemen have spoken on that motion.

Mr. BLANTON. Yes.

Mr. TREADWAY. Then I move to strike out the paragraph.

The CHAIRMAN. The gentleman is recognized for five minutes.

Mr. BLANTON. I raise a point of order against that.

The CHAIRMAN. The point of order is overruled, and the gentleman from Massachusetts is recognized.

Mr. FORDNEY. Will the gentleman from Massachusetts yield?

Mr. TREADWAY. I yield to the gentleman from Michigan.

Mr. FORDNEY. In answer to the gentleman from Texas, I wish to call attention to the difference between an ad valorem duty and a specific duty. The gentleman from Texas said they were proposing to double the Payne rate. The Payne rate was 20 per cent on high-priced tungsten when valued at more than $200, 20 per cent ad valorem. When the price is what it is now, that amounts to $1.60 a unit; but when tungsten was selling at $90 a unit, it amounted to $1,800 a ton. Now, the ad valorem duty changes with the price of the article. A specific duty does not change. The duty provided for in this bill does not change, but an ad valorem duty changes as the price of the tungsten goes up or down. The ad valorem duty is unfair, because it fluctuates all the way from $1.60 a unit to $1,800 a ton.

Mr. TREADWAY. I think the gentleman from Michigan has several times explained that point, but naturally the gentleman from Texas [Mr. GARNER] does not wish to see it. There is no question about that. Now, I would like to get back to the consideration of the bill just for a moment. I commend to the members of the committee a careful perusal of the statement made by the gentleman from Colorado [Mr. TIMBERLAKE] and his colleague [Mr. VAILE]. The gentleman from Colorado [Mr. TIMBERLAKE] has already spoken, but if the members of the committee will read the statement and the memorandum which he submitted at the time of the hearing, and decide this question on its merits rather than on the false platform of what

may be or may not be regarded as party policy here, but on the merits of the industry itself, they will vote unanimously for this bill.

And further let me commend to your consideration the statement by Mr. VAILE, also found in the hearing. I want to read to you just a very few sentences from that:

It will be remembered that when the United States entered the war the production of these minerals was at a very low ebb. Many causes doubtless contributed to this situation, but it was attributed by the producers chiefly to the absence of a protective tariff adequate to meet the ever-increasing cost of labor and materials.

Mr. BLANTON. Mr. Chairman, I make the point of order that the gentleman is not speaking to the motion to strike out the last paragraph.

The CHAIRMAN. The point of order is sustained. The gentleman from Massachusetts will confine himself to the motion.

Mr. TREADWAY. I ask the gentleman from Texas [Mr. BLANTON] to read the statement made by the gentleman from Colorado [Mr. VAILE], found on page 80 of the hearings, if he thinks it advisable to strike out the paragraph. This is the statement of the gentleman from Colorado [Mr. VAILE]:

The tariff of 10 per cent ad valorem on tungsten had been removed prior to the war. In 1914 the United States had produced practically half of the tungsten consumed in this country, the imports coming chiefly from Australia, Portugal, and South America.

Mr. BLANTON. A point of order, Mr. Chairman. The gentleman is not speaking to his motion.

Mr. TREADWAY. I can make just as much noise as the gentleman from Texas can, and can speak just as long.

Mr. BLANTON. The gentleman is out of order.

Mr. TREADWAY. I will put my lungs up against his lungs at any time.

Mr. BLANTON. I raise the point of order that the gentleman should obey the ruling of the Chair and confine his argument to the paragraph.

Mr. TREADWAY. The gentleman from Texas [Mr. BLANTON] can not tell me what the ruling of the Chair is. He can impose on some people, but he can not impose on me.

Mr. BLANTON. Mr. Chairman, the gentleman from Texas is going to see that the rules of the House are obeyed.

Mr. TREADWAY. I was a Member of this House before the gentleman from Texas came here, and will try to be here after the gentleman from Texas has gone.

Mr. BLANTON. You may be left at home.

The CHAIRMAN. Gentlemen will suspend. The point of order is well taken. The gentleman must confine himself to the motion before the House. The gentleman will proceed in order.

Mr. TREADWAY. In reference to the motion to strike out the paragraph, I was reading from the statement of the gentleman from Colorado [Mr. VAILE], as follows:

Through the competition of labor earning 50 cents per day in those countries, American producers were unable to compete with the mines of other countries, and when those mines were closed to us by lack of ocean transportation the United States suddenly found itself impelled to feverish haste in the attempted revival of the production of minerals absolutely essential to the making of armor plate and high-speed tools.

The entire statement of the gentleman [Mr. VAILE] is illuminating upon the subject and expresses the case very concisely. Coupled with the two statements of our colleagues from Colorado, the brief of the United States Tariff Commission, as found on page 70 of the hearings, makes the case complete and proves the need of the passage of this bill. It was my purpose to read further from the committee hearings, but the frequent interruptions have consumed the allotted time.

Mr. BLANTON. I make the point of order, Mr. Chairman, that the gentleman is disobeying the ruling of the Chair.

The CHAIRMAN. The point of order is sustained.

Mr. KNUTSON. Why did not the gentleman from Texas make the point of order against his own side?

Mr. BLANTON. Because the gentleman from Massachusetts declined to yield to me.

Mr. KNUTSON. Oh, the gentleman from Texas should be fair.

The CHAIRMAN. Gentlemen will be in order. The time of the gentleman from Massachusetts has expired. [Laughter.]

Mr. KNUTSON. I ask unanimous consent that the gentleman from Massachusetts be given five minutes additional.

Mr. BLANTON. I object. He would not answer a civil question.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that the time of the gentleman from Massachusetts be extended five minutes. Is there objection?

Mr. BLANTON. I object.

The CHAIRMAN. Objection is made.

Mr. KNUTSON. We will not have any more Democratic speeches extended. I will promise you that.

Mr. BLANTON. You will have no more Minnesota speeches either.

Mr. FORDNEY. Mr. Chairman, I move that all debate upon this paragraph and all amendments thereto be now closed.

Mr. CALDWELL. A point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. CALDWELL. There was a motion made to strike out the paragraph, and I demand a vote on that motion.

Mr. TREADWAY. I withdraw the motion.

Mr. CALDWELL. I object to the withdrawal of the motion and demand a vote on it.

Mr. GREEN of Iowa. He can withdraw it at any time.

The CHAIRMAN. The question is on the motion of the gentleman from Michigan [Mr. FORDNEY]. Then the question will recur upon the motion of the gentleman from Massachusetts.

Mr. CALDWELL. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. CALDWELL. On the point of order, or, at least, a parliamentary inquiry. How can we go ahead and read the balance of the bill when a motion is pending to strike out the section?

The CHAIRMAN. A motion to close debate can be made at any time. After that motion is determined, then the question will recur on any pending motion as to the paragraph that has been read.

Mr. CALDWELL. I thank the Chair.

The CHAIRMAN. The question is on the motion of the gentleman from Michigan that debate on this paragraph be now closed.

The motion was agreed to.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Massachusetts [Mr. TREADWAY] to strike out the paragraph.

Mr. CALDWELL. Mr. Chairman, I now withdraw the objection that I had to the gentleman's withdrawing his amendment.

The CHAIRMAN. Does the gentleman from Massachusetts now withdraw the pro forma amendment?

Mr. CALDWELL. I withdraw the objection.

Mr. KITCHIN. I object to the amendment being withdrawn, Mr. Chairman.

The CHAIRMAN. The question then recurs upon the motion of the gentleman from Massachusetts to strike out the paragraph.

The question was taken; and on a division (demanded by Mr. KITCHIN) there were—ayes 61, noes 97.

Mr. KITCHIN. Mr. Chairman, on that I demand tellers.

Tellers were ordered, and the Chair appointed Mr. FORDNEY and Mr. KITCHIN to act as tellers.

The committee again divided; and the tellers reported—ayes 82, noes 90.

So the amendment was rejected.

The Clerk read as follows:

First. Crude tungsten, ores, and concentrates, $10 per unit of tungsten trioxide therein contained, a unit being herein defined as 1 per cent of tungstic trioxide in a short ton of 2,000 pounds.

With the following committee amendment:

Page 1, line 9, strike out the word "tungsten" and insert the word "tungstic."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. CLARK of Missouri. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TREADWAY. Mr. Chairman, I make the same request if the gentleman from Texas [Mr. BLANTON] is willing.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. BLANTON. I object. No; I withdraw the objection. I will not be so uncivil as that.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 1, line 10, strike out the words "tungstic trioxide."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 2, line 1, after the word "pounds," insert the words "namely, 20 pounds of tungstic tricoxide."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. KITCHIN. Mr. Chairman, I move to strike out the last word. I hope the membership of the committee will pay attention to what I am about to say. Day before yesterday in the discussion of the bill, and I repeated them again in my first remarks to-day, I made several statements with respect to this bill, and challenged denial then, and again repeated the challenge to-day. Not one of the statements I made has been denied, and I challenge again any Republican on the committee or in the House to deny a single one of them. We have had three or four speeches—I think four speeches—from members of the Ways and Means Committee, and not one member of the committee on the Republican side has disputed or denied a single one of those statements. The gentleman from Iowa [Mr. GREEN] arose, as it appeared, to accept the challenge, but instead of attempting a denial of any one of my statements proceeded in an attempt to show that I had misstated the facts with respect to another proposition. He said he wanted the Members of the House to consider "Mr. KITCHIN's statement after the hot air had been removed from it." I want to state exactly what the evidence shows. The gentleman said that I had asserted in my argument day before yesterday that producer after producer had demanded a tariff of $10 a unit on tungsten ore, and that, complying with such demand, $10 a unit tariff was put in. He then asked "why Mr. KITCHIN did not state the facts." He said that the truth is that only one interested person asked for a tariff of $10 a unit on the ore, and that that was Mr. McKenna, who, he said, was a manufacturer of ferrotungsten, not a producer of ore. I want to show that the gentleman from Iowa [Mr. GREEN] knows just as little about this bill and the evidence as the gentleman from Michigan [Mr. FORDNEY] or any other Republican on the committee or in this House [laughter], and how far from the fact he is.

Mr. Holmes, Mr. Bailey, and Mr. McKenna, all financially interested in the industry, appeared before the committee and demanded a tariff of $10 a unit. Look at the testimony—the gentleman has it in his hand—and if everyone that appeared of these interested manufacturers and producers did not demand $10 a unit, then I will vote for this bill.

Not only that, but turn to page 6 of the hearings and you will find there a brief prepared by the manufacturers for my friend, Mr. TIMBERLAKE, in which they demand $10 a unit. Yet he says that the only man financially interested who asked for a tariff of $10 a unit was Mr. McKenna. Turn to Mr. Holmes's testimany, pages 16 to 27. He is the secretary and treasurer of the Tungsten Products Co. He came here in the interest of this bill. Turn to page 10 and you will find a telegram addressed to Mr. TIMBERLAKE, which he introduced in evidence, signed by 21 corporation producers of tungsten ore, all, no doubt, controlled in the matter by the big four, demanding that we put in this bill a tariff of $10 per unit. Yet he says that nobody interested but Mr. McKenna asked that.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. For just a question. I have only five minutes.

Mr. GREEN of Iowa. The gentleman has not stated it strong enough. I said that Mr. McKenna was a consumer and user of the material, and these 21 people that you are talking about did not appear before the committee at all.

Mr. KITCHIN. No; but they sent this telegram for the committee and it was read to the committee. Turn to pages 16 and 17 and you will find a telegram from the Standard Tungsten Co., another from the Cooper-Chaley Co., another from the Pine Creek Tungsten Co., and another from the Tungsten Reef Mines Co., all asking for the tariff of $10 a unit. Yet the gentleman says that I did not state the fact when I stated that the producers of ore asked for the very tariff written in this bill, because, he says, only one man interested asked for it. So I repeat that the producers did demand before our committee the $10 a unit tariff and that the Republican members put their demands in the bill without dotting an "i" or crossing a "t."

Mr. GREEN in his speech declared that in preparing this bill instead of taking the testimony of interested witnesses they had the Tariff Commission report before them, that in preparing the bill they had Mr. Riddell's testimony before them, and that by such report and by such testimony they prepared the bill. Gentlemen, here is the bill and the report of the Tariff Commission. The Tariff Commission did not report until June 14. No Member saw it before then. Yet the bill carrying out to the letter the demands of its beneficiaries—the tungsten-ore producers—was introduced on June 2, 12 days before the Tariff Commission had even reported. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. KITCHIN. I ask unanimous consent for five minutes more.

Mr. KNUTSON. Mr. Chairman, I shall have to object, because objection was made to giving Mr. TREADWAY more time.

Mr. TREADWAY. I hope the gentleman from Minnesota will not object, so far as I am concerned.

Mr. KNUTSON. The gentleman from Texas sees now how it works out. Mr. Chairman, I withdraw my objection.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to speak for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. KITCHIN. Now, Mr. Chairman, they said in preparing this bill that they took Mr. Riddell's testimony. The bill was prepared and introduced with the exact rates which it now contains 10 days before Mr. Riddell appeared before the committee. [Applause on the Democratic side.] His testimony was given on June 13. Here is the bill, $10 a unit for ore, $1 a pound for the metallic tungsten, introduced on June 2, 11 days before they knew there was such a man living as Riddell. They only took disinterested testimony they say. Riddell's testimony shows that he took his opinion as to the rates from what the manufacturers wanted and what they told him they wanted. He said that is what the manufacturers claimed they ought to have to protect themselves.

The Tariff Commission's report does not justify this bill, nor is there a word or a line in the Tariff Commission's report that states that there should be $10 a unit on ore, or $1 a pound on the ferrotungsten; not one word. And yet they would have the House and country believe that this bill was proposed on the Tariff Commission's report and Riddell's testimony. The gentleman from Iowa [Mr. GREEN] said that he was going to answer the statements which I challenged the Republicans to deny. Not an answer or denial of any of them did he make, because he could not answer or deny them. Neither did Mr. FORDNEY. Instead of denying or answering what I said and letting this House know of the outrageously high and excessive rates in the bill, why, the gentleman from Michigan [Mr. FORDNEY] made a discourse of 31 minutes on the tariff on lemons and the lawsuit on lemons five years ago. What did lemons and the lawsuit have to do with tungsten ore and this bill? Both the gentleman from Michigan [Mr. FORDNEY] and the gentleman from Iowa [Mr. GREEN] talked about everything except the bill—not one word about the bill. Neither denied the statements I made though challenged day before yesterday and to-day to deny any one of them. Why? Because they could not answer or deny them. They did not want you Republicans here to know what is in their bill, so they talked on subjects not connected with the bill. Then Mr. MONDELL, the majority leader, recognizing that if these new Members knew what was in this bill, that if the Members on that side who did not know the old ring and machine were informed of these rates and their effect, if they were convinced that what I said of the bill was true, they could not vote for it, take the floor or to divert their minds from the bill, and without referring to a line or word on the bill, without mentioning what the rates are, without mentioning what huge increases the bill makes, or the monopoly it serves, delivered a beautiful declamation on Bourbonism for 20 minutes. [Applause on the Democratic side.]

I said in my remarks Tuesday that not a Republican member of the committee or of the House knew how much 60 per cent tungsten ore it takes to make a ton of tungsten or ferrotungsten. I paused to give them time to answer, and not one answered. I declared then, as I do now, that no man can tell whether a dollar a pound on tungsten or ferrotungsten is a proper or just compensatory duty unless he knows how much 60 per cent tungsten ore it takes to make a pound or ton of ferrotungsten, because that duty is supposed to be levied for the purpose of compensating for the duty levied on tungsten ore. But since Tuesday some one presuming to know more about it than the Republican members of the committee and the House has undertaken to tell them. So this morning they come in here and say that it takes 2½ tons of tungsten 60 per cent ore to make a ton of tungsten or ferrotungsten. This is not correct. According to Mr. McKenna's testimony, it takes 4,167 pounds of such ore to make a ton of ferrotungsten; that is a fraction over 2 tons. But where is the Tariff Board report? Turn to page 36 of the Tariff Commission's report. It states that it takes only 2 tons of 60 per cent tungsten ore to make 1 ton of ferrotungsten.

The Geological Survey, the War Industries Board, and the Department of Commerce agree on the 2 tons of ore for 1 ton

of ferrotungsten. So then, that being true, just as I said—I gave it the benefit of 100 pounds in my statement day before yesterday—if it takes 2 tons of tunsten ore to make 1 ton of ferrotungsten, then this compensatory duty, instead of being $2,000 a ton, ought only to be $1,200 a ton, or 60 cents a pound, and this bill with this joker of $1 a pound gives to the tungsten manufacturer a clear extra $800 a ton. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. FORDNEY. Mr. Chairman, I move that all debate on this paragraph and section be now closed.

Mr. KITCHIN. One minute; I desire to offer an amendment.

The question was taken, and the motion was agreed to.

The CHAIRMAN. Debate is now closed. The Clerk will report the amendment offered by the gentleman from North Carolina.

The Clerk read as follows:

Amendment by Mr. KITCHIN: Page 1, line 8, after the word "First," strike out the remainder of the paragraph and insert in lieu thereof "tungsten-bearing ores of all kinds, 10 per cent ad valorem."

Mr. KITCHIN. That is the exact language of the Payne-Aldrich Act.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. KITCHIN. Division, Mr. Chairman.

The committee divided; and there were—ayes 89, noes 97.

Mr. KITCHIN. Tellers, Mr. Chairman.

Tellers were ordered, and Mr. FORDNEY and Mr. GARNER took their places as tellers.

The committee again divided; and there were—ayes 102, noes 104.

So the amendment was rejected.

Mr. KITCHIN. Mr. Chairman, I have another amendment that I wish to offer there.

The CHAIRMAN. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KITCHIN: Page 1, line 8, after the word "First," strike out the remainder of the paragraph and insert in lieu thereof: "tungsten-bearing ores of all kinds, 20 per cent ad valorem."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. KITCHIN. Division, Mr. Chairman.

The committee divided; and there were—ayes 104, noes 109.

Mr. KITCHIN. Tellers, Mr. Chairman.

Tellers were ordered, and Mr. FORDNEY and Mr. GARNER took their places as tellers.

The committee again divided; and there were—ayes 113, noes 113.

So the amendment was rejected.

The Clerk read as follows:

Second. Metallic tungsten, tungsten powder, ferrotungsten (lump and pulverized), ferrotungsten powder, commercial tungstic acid, calcium tungstate, sodium tungstate, and all other salts of tungsten and other manufactured materials containing tungsten, including high-speed tungsten steel, all alloy steels containing tungsten, and all other compounds containing tungsten not specifically provided for in this section, $1 per pound of tungsten contained therein.

Mr. KITCHIN, Mr. FORDNEY, Mr. DEWALT, and Mr. GREEN of Iowa rose.

The CHAIRMAN. The Chair will first recognize the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. I have an amendment to offer, but I wish to offer it as a new section. If the gentleman from North Carolina has an amendment to the section, I will withhold my amendment.

Mr. KITCHIN. I have an amendment to this section.

The CHAIRMAN. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. KITCHIN: Page 2, line 3, after the word "Second," strike out all of the paragraph and insert:

"Tungsten, tungsten powder, ferrotungsten (lump and pulverized), and ferrotungsten powder, 20 per cent ad valorem."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. FORDNEY. Mr. Chairman, I move to strike out the last word. I want to debate that.

Mr. KITCHIN. I object to striking out the last word. The gentleman can talk on the amendment.

Mr. FORDNEY. All right. The amendment offered by the gentleman from North Carolina [Mr. KITCHIN] practically puts all grades of tungsten on the same basis and under the same rate of duty. That would in no sense be a fair provision of law. But any amendment offered by the gentleman from North Carolina is intended to destroy the effect of this bill reported by the Republicans. I warn you gentlemen of the House to that effect. He has no purpose whatever other than to destroy a Republican measure. But to put the same rate of duty on a low-grade ore that is imposed on high-grade ore is not common sense, let alone being just and equitable.

In committee the gentleman opposed any rate of duty on tungsten ore or on tungsten metal. I wish to repeat to the gentlemen of the House that tungsten is one of the most important metals in use in the land this minute, and most important because it is used in making high-speed steel, which steel makes it possible to speed up the work in constructing ships, locomotives, and machinery of every description.

Mr. KAHN. Will the gentleman yield?

Mr. FORDNEY. I yield to the gentleman.

Mr. KAHN. It is also used in the tools that are necessary for turning out the cannon and other war material that this country requires.

Mr. FORDNEY. Yes. High-speed tool steel is made possible only by the use of tungsten. The Government, recognizing the extreme importance of tungsten, encouraged its production in America during the war by proposing to use a portion of the $50,000,000 appropriation for the encouragement of the production of certain so-called war minerals that were much needed and which we could not get abroad. Let me say to some of you gentlemen, who may not have been here a few minutes ago and heard what I said about the fluctuating price of tungsten, that it was shown by an expert who appeared before the committee that tungsten ore, 60 per cent metallic content, can be and is now being furnished to the English Government from some of their colonies at $1.92 a unit, whereas the producers in this country who began the industry during the war to help out our Government, to help win this war, closed their mines and their factories when the price went down to $17 a unit. That indicates the difference in the cost of production in this country and abroad. The mines from which tungsten ore is taken to-day in the United States, as I now remember it, as expert testimony taken by our committee shows, contain tungsten in veins averaging about 4 inches thick, and a very large amount of rock must be taken from the earth to give space for the miners to work in and get that tungsten ore, whereas in China, whence a large portion of the tungsten ore comes now, it is picked up largely from the surface by unskilled labor.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. GREEN of Iowa. And as the gentleman is aware, the price for it now, put down in New York, is from $6 to $8 per unit, and this amendment of the gentleman from North Carolina would probably allow it to be sold for $8 per unit.

Mr. FORDNEY. Yes. Tungsten is sold in this country for $7 a unit. It was sold for $90 during the war, when we were obliged to go to foreign countries for what we needed.

Mr. MADDEN. Mr. Chairman, I have given very little consideration to the details of this legislation, but I think there is a misapprehension as to what the effect of the section before us will be on the industry. The gentleman from North Carolina [Mr. KITCHIN], if I understand his amendment correctly, proposes, instead of a specific rate of duty, that we shall have a 20 per cent ad valorem rate. Now, if I understand the effect of an ad valorem rate of 20 per cent on the price of the commodity, it would mean $1,800 a ton in some instances, whereas the specific rate proposed by the committee and carried in this section of the bill would not carry more than $1,000 a ton. I wonder if I am right?

Mr. GREEN of Iowa. Does the gentleman wish to inquire of the committee?

Mr. MADDEN. Yes.

Mr. GREEN of Iowa. The gentleman is right in one way and in another way he is not. The effect of this amendment, which is entirely inconsistent with the first paragraph of the bill, would be to wipe out not only the provisions of the second section, which he proposes to strike out, but it would also wipe out certain provisions of the first section. The first section levies a rate of about $600 per ton on tungstic trioxide. The gentleman is mixing up the ore and the concentrated product so much that it is impossible to state it in a few minutes.

Mr. MADDEN. At any rate, it would run it up as high as $1,800 a ton, whereas in no case would it run beyond $1,000 under the provision of the bill.

Gentlemen, let us understand the purpose of the gentleman from North Carolina. His purpose is to embarrass the situation. He is a free-trade Democrat. He does not believe in

protecting American industry for American workingmen or American capital. We believe that American industry should be protected and developed by Americans. [Applause on the Republican side.] He, on the other hand, believes in a tariff for revenue only, without any incidental protection whatever. He does not care where the material comes from, even though it may be produced by Chinese or Japanese labor at the expense of American labor. We do. We want to employ American labor at American wages. [Applause on the Republican side.] We want to develop American industry by American hands and American capital, and he would put into competition with these men in America the underpaid labor of India, of Japan, of China, anywhere in all the world.

Why, when we were considering the Underwood bill I asked Mr. UNDERWOOD, the able chairman of the Committee on Ways and Means then, if certain things happened what would become of American industry, and he said he was not concerned and neither was the Democratic Party concerned about American industry. They were concerned in opening the markets of America to competition with the world. We, as Republicans, are in favor of maintaining the American market for America and Americans. That is the difference. [Applause on the Republican side.]

So that you must not misunderstand the attitude of the gentleman from North Carolina. We must realize that we speak for one element of progress, and that element is America, while he speaks for an element represented by Woodrow Wilson, called "world humanity." We are not interested in it. [Applause on the Republican side.] We are interested in America and Americans, and we are for America first, and for the development of its industries and the maintenance of its prosperity and the happiness of its people. [Applause on the Republican side.]

Mr. DEWALT. Mr. Chairman, I desire to speak to the amendment.

Mr. KITCHIN. The gentleman favors the amendment.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for five minutes.

Mr. DEWALT. Mr. Chairman and gentlemen, of course we are all delighted, at all times, to hear gentlemen on the other side of the aisle proclaiming their great interest in the protection of American labor. Permit me to say that I come from a State having at least ten millions of inhabitants, largely industrial, and probably embracing as many laboring men to the square mile as any other portion of the United States.

Mr. BROOKS of Pennsylvania. And they vote for protection.

Mr. DEWALT. Permit me also to say that I yield to no man on either side of the House in my desire to protect American labor against unfair competition and the cheap labor of foreign climes. [Applause.] In so far as that goes, I am a protectionist, but I never will be a protectionist for a particular class and for a particular section. [Applause on the Democratic side.]

The great trouble in this proposition, at this time, seems to be that the gentlemen on the other side of the aisle are more concerned in the welfare of a paricular State and the mines in that State producing tungsten than they are concerned in the prosperity of the entire Union. [Applause on the Democratic side.] Is the reason for that concern this, that in 1920 that particular State will be a pivotal State, and they are now electioneering for the vote of that Commonwealth? [Applause on the Democratic side.]

Mr. SNYDER. We will get it all right.

Mr. DEWALT. Permit me to say that this is entirely, in my judgment, what you call local legislation. Let me show you. The very report in itself shows that there were 22 companies formerly producing this material; that they had $2,000,000 invested in tungsten mines and $1,000,000 in 21 concentrating mills; and that the entire revenue which could be obtained by this tariff would amount to only $1,800,000. I come from a district where there are in one manufacturing establishment of finished steel products 30,000 workmen instead of 5,000. [Applause.] I come from a district where there are at least 230,000 people working in the steel mills, the cement mills, and in the factories producing the other products which go into the prosperity of this country, and gentlemen on that side of the aisle propose now to legislate for a pocket-borough State, having a population less than one-fifth of that of Pennsylvania, and to protect an industry that is employing only 5,000 men. It seems to me then, my friends, that it comes with very poor grace on the part of the gentleman from Illinois [Mr. MADDEN] to proclaim his loyalty and his devotion to American labor. [Applause.] Why does he not talk about the American labor of Illinois? Why does he not talk about the American labor of Pennsylvania and its protection?

Mr. VAILE. Let me suggest to the gentleman that the Members on this side of the House believe in local legislation of a sort that can be supported in any part of the United States, not in local legislation that some Democratic Member may support for his own district. [Applause.]

Mr. DEWALT. I never saw a more flat contradiction of that statement than there is in this very bill itself. [Applause.] The very report shows that you are legislating for only 5,000 workmen, that you are legislating for only 22 manufacturing establishments, and that the revenue you get from it will be the meager sum of $1,800,000, while the tax you put on the steel industry, taking your own figures of 15 cents per ton, taking the thousands of millions of tons of steel products that are manufactured in this country, would amount to a thousand times more than your $1,800,000.

Mr. VAILE. Let me ask the gentleman if he is speaking for his side of the House, or only for himself, when he advocates the protection only of industries which are large?

Mr. DEWALT. I think I am speaking for the general public welfare, as I always try to do, against private interests and monopoly. [Applause.] And I assert here——

The CHAIRMAN. The time of the gentleman has expired.

Mr. DEWALT. I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. DEWALT. And I assert, after listening to the discussion on both sides of the aisle in reference to this bill, that it shows upon the face of it that it must have been conceived, promulgated, and used entirely for the interest of this particular industry. Now, if this was an infant industry, if this was an industry that spread its efforts all over the United States, if various portions of the country needed this particular protection, I would be glad to vote for a bill of this kind within reasonable limits; but when they propose to put a tariff tax upon a product of this kind, when it is shown clearly that only 5,000 people are engaged in it, and that only 22 manufacturing establishments are producing it, and that the revenue to be obtained by the tax on the foreign product will be only $1,800,000, and in the same breath they determine to raise this tariff to at least three times as much or twice as much as the Payne-Aldrich tariff, then I, as a citizen of Pennsylvania and as a citizen of the Union, protest against the iniquity and inequality thereof. [Applause.]

Mr. KITCHIN. Mr. Chairman, my fellow Republicans, the new ones especially [laughter], all those who do not know the old ring as well as I do, let me ask you, have you not got sense enought to know that Mr. FORDNEY and Mr. MADDEN and every other gentleman who has spoken on this floor against this amendment knows absolutely that this bill is without merit? Have you heard them mention this bill? Have you heard any of them discuss a single provision of this bill? Has any one of them told you of the huge increase of the tariff in this bill over any tariff that was ever written into a bill? Have you heard a single one of them tell what the equivalent ad valorem of these rates would be, or how it would increase the price, or whether the industry "protected" in the bill is a monopoly or not, or where a monopoly is going to get the whole benefit of this bill, or how much it will add to the costs of the steel tools, or how much money is going to be taken from the people by the bill and given to the "big four"? But as an argument on the merits of the bill Mr. FORDNEY says, "Fellow Republicans, you ought not to vote for this amendment because a Democrat offers it, and if you vote for this amendment you will be killing"—not a just bill, not a righteous bill, not a fair bill, but—"a Republican bill." [Applause.] And Mr. MADDEN tells you that this amendment comes from "Mr. KITCHIN, a free trader." Mr. FORDNEY and Mr. MADDEN tell you that the amendment is unjust without knowing what it is. They only know that a "Democrat offers it." They tell you that this amendment is unfair. Ah, gentlemen, I never expected to hear Mr. FORDNEY or Mr. MADDEN come before the House and denounce as unjust or unfair any part of the Payne-Aldrich Act. This amendment of mine is an exact copy of the Payne Act itself with respect to this industry. [Laughter.] Now, do you mean to say that the Payne Act provision was unjust, was unfair, was a sham, and that it ought to be voted out because Democrats now present it for your consideration and vote? [Applause on the Democratic side.]

Mr. MONDELL. Will the gentleman yield for a question?

Mr. KITCHIN. Yes.

Mr. MONDELL. Will the gentleman vote for this bill if this amendment carries?

Mr. KITCHIN. I will vote for this bill if this amendment and the others putting in the provisions of the Payne act pass. I will not vote for this bill with this amendment alone, but I propose, as I told you this morning, to offer amendments putting the Payne Act rates in every one of these sections in lieu of the rates now in them. Yes; I will vote for this bill if you restore the Payne Act rates. [Applause.] Because they are five times better than the bill as it is. Now, let me ask you, if this amendment and other amendments carry, which put back the Payne Act rates just as you then voted, just as Mr. FORDNEY voted, and just as the other Republicans voted when it was enacted, will you repudiate these rates and provisions of the Payne Act, or will you vote with me for them? [Applause.] What will you do? Approve or repudiate?

SEVERAL MEMBERS. Answer!

Mr. KITCHIN. I told you they did not know anything about the Payne tariff. I told you they did not know anything about this bill. They just took what the manufacturers wanted, in the Payne Act as in this bill. Mr. FORDNEY and Mr. MONDELL and Mr. MADDEN and these other Republicans did not know that my amendment was the Payne Act provision exactly. [Applause and laughter on Democratic side.] But it must be repudiated, however, because it comes from me, a Democrat. If it had come from Mr. Payne, they would say that it was a model of perfection. They did not know anything about the Payne Act when they voted for it. They did exactly as they are doing now. They did what the manufacturers throughout the country ordered them to do, just like they are doing what four corporations demand on this bill. [Applause and laughter on Democratic side.]

Mr. FORDNEY says that my amendment is unjust because it is an ad valorem rate. The Payne Act was an ad valorem rate exactly like this amendment, "20 per cent ad valorem." Mr. MADDEN says that an ad valorem rate puts a higher tax upon it than a specific tax. This ad valorem tariff of the Payne Act proposed in my amendment will put a tariff tax equal to $226 a ton, and the specific tariff proposed in this bill before you put a tariff tax of $2,000 a ton, and this in addition to the 15 per cent tariff. Here is a chance for you Republicans to do a fair and just thing. He says that you ought to vote against my amendment because it will raise the tax, and vote for their bill because it will lower the tax. You are asked, therefore, to vote for the lower tax. If you do you will vote for my amendment, for the rate, the tax in the bill, is over 800 per cent or over nine times higher than the rate or tax in my amendment, which is the Payne rate on tons. This tariff bill which they report is twice as high as any bill that was ever presented by a committee to this House since the very beginning of the Government, and I defy any Republican to deny it. [Applause on the Democratic side.]

Mr. FESS rose.

Mr. KITCHIN. Mr. Chairman, I ask unanimous consent that the gentleman from Ohio be permitted to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FESS. Mr. Chairman, the argument of the gentleman who has just left the floor [Mr. KITCHIN] is not only facetious but the inconsistency of the position that he took in 1909 and in 1913 with the position that he is taking now is sufficient to call attention to it. In 1909 he harangued the House with all of the power of his forensic ability against the Payne law. In 1913 he went upon the floor of the House with all of the power that he possessed, advocated superseding the Payne law by the Underwood law, which, of course, did away with all of the protection on this item that was in the Payne law, and now he comes on the floor of the House following the Republican idea and undertakes to cover it up by saying that because the Republican side of the House voted for it in 1909 and against the Underwood law in 1913 they ought now to accept it because he offers it in 1919. That shows the consistency of the position that he has taken. [Applause on the Republican side.]

The gentleman from Pennsylvania [Mr. DEWALT] says that he is for protection when it is nation-wide, but not for protection when it is local. Let me say to the gentleman that when he votes to protect an article, no matter how limited it is in its geography, in its production, which is used universally in its application, it ceases to be a local interest and becomes a nation-wide interest. The gentleman goes on to say that he will not stand for this bill because it applies to a small interest. Let me say to the gentleman——

Mr. DEWALT rose.

Mr. FESS. I can not yield now. Let me say to my good friend from Pennsylvania [Mr. DEWALT], speaking as he says he does for the steel industry of his famous district—one of the greatest districts in the United States—that the steel industry in the State for which he speaks is what it is now because of the genius of the protective tariff which put the steel industry on its feet in America. [Applause on the Republican side.] And he did not stand for it then. To-day when the steel industry has gotten to the position where it does not need any particular legislation to support it, the gentleman comes and admits that he would be for protection if it was for a large production like the steel of the country, but he will not be for it if it is for tungsten that comes from some particular locality. Let me say to my friend from Pennsylvania, speaking as he does, insinuating that this legislation is to win the State of Colorado for the Republican side of the House, that that job has already been done. [Applause on the Republican side.] There is no necessity for anything of that sort. I rise simply to say this, that the gentleman from North Carolina [Mr. KITCHIN] and the gentleman from Pennsylvania [Mr. DEWALT] specifically differentiate between the Republican policy and the Democratic policy by their speaking for tungsten in the interest of the labor of China, Bolivia, and Portugal, the countries that are in competition with America, and that we speak not for Colorado alone but for the United States of America, in order to maintain American standard of wages and American standard of living as against European competition. [Applause on Republican side.]

Mr. FORDNEY. Mr. Chairman, I move that all debate upon this amendment now close.

The motion was agreed to.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from North Carolina [Mr. KITCHIN].

The question was taken.

Mr. KITCHIN. Mr. Chairman, I demand tellers.

Tellers were ordered; and the Chair appointed Mr. FORDNEY and Mr. GARNER to act as tellers.

The committee divided; and the tellers reported—ayes 118, noes 140.

So the amendment was rejected.

Mr. GREEN of Iowa. Mr. Chairman, I have an amendment which I desire to offer.

Mr. KITCHIN. Mr. Chairman, I have another amendment.

Mr. GREEN of Iowa. Mr. Chairman, if the gentleman has another amendment, I will withhold mine until he can offer his.

The CHAIRMAN. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KITCHIN: Page 2, line 3, after the word "Second," strike out all of the paragraph and insert:

"Tungsten, tungsten powder, ferrotungsten (lump and pulverized), and ferrotungsten powder, 25 per cent ad valorem."

Mr. KITCHIN. Mr. Chairman, I ask unanimous consent to proceed for five minutes on this amendment. I did not know that debate was closed.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. KITCHIN. Mr. Chairman, since it appeared in the discussion of my last amendment that the Republican members of the Ways and Means Committee and of the House knew nothing about the Payne Act and its provisions and its rates, I want to inform them that the amendment now proposed by me, with the rate of the existing law, exactly doubles the Payne Act rate on ferrotungsten and tungsten. The existing law on tungsten and articles covered in section 2 is 15 per cent. I now offer an amendment to add to that 25 per cent, which makes 40 per cent, and that is twice as high as the Payne Act rate. Even this high rate is less than one-fourth as high as the rate or tariff in the bill before us. I am giving by this amendment a chance for the Republicans to show some respect for the general interest rather than bestow it all on the special interests.

I want to say if the Republicans of this House are willing to vote for a rate twice as high as the Payne rate, and the Republican leaders and machine here ask you to vote against it, they admit that the rate in the bill before you is, as I said, many times—over nine times—higher than the Payne Act rate. The rate of the bill, as I have frequently stated, is $2,000 a ton, plus the 15 per cent duty under existing law, while in 1911, 1912, and 1913, under the Payne Act, the rate was 20 per cent ad valorem, which made it, at normal prices prevailing, equivalent to $226 a ton, as against $2,169 a ton, being the $2,000 per ton specific duty—$1 per pound—plus the 15 per cent ad valorem, which equals $169 per ton. Now, I make the Payne rate double. This will be 40 per cent, or the equivalent, on basis of the normal price, of $452 per ton. I call attention again to the fact that no Re-

publican who has entered this discussion has referred to the provisions of this bill or to its rates or to its operation. But the House machine call in all of the old-time political war horses and snap the lash over the heads of these new Members and intimidate them into voting for this outrage. They had a committee, an able and distinguished committee, which ought to have been intelligent and patriotic enough to take care of this bill on the floor if it was worthy of being taken care of.

First they put the author of the bill up, and he is the only Republican who has discussed the bill. He made as fine an explanation of and argument for it as could be made for such a bill. Then they called upon the chairman, who is not interested in this one way or the other, the chairman of the Ways and Means Committee, one of the most influential Members here, one of the most partisan Members here, and he appealed to you on the ground not that this bill was right or just but that this was a "Republican bill" reported out by a "Republican committee," and that Republicans of the House ought not to let Democrats kill or amend it. Then they called upon the distinguished majority leader [Mr. MONDELL], who did not discuss the bill, and for good reasons—he knew absolutely nothing about the bill or any of its provisions. The only thing he knew was that it was a "Republican bill." That was not sufficient. After the speeches of Mr. MONDELL and Mr. FORDNEY a vote was taken on an amendment and it stood 104 to 102. They sent then over to the headquarters of the Republican congressional committee and brought in the gentleman from Ohio [Mr. FESS], the chairman of the Republican national congressional committee, and had him appeal to all Republicans to save a "Republican bill" from being destroyed or changed by a Democratic amendment. Not that my amendment was not right, not that my amendment was not just, not that my amendment was not the proper and patriotic thing, but that my amendment was proposed by a Democrat against a "Republican bill." Gentlemen, this amendment is twice as high as the Payne Act rate. Now, let us see how you will vote on that.

I desire to call attention to one remark of the gentleman from Ohio [Mr. FESS]. That remark was this: "Why," he said, "the difference between our party and the Democratic Party is that we have legislated for the American laborer, while they want to legislate for the foreign Chinese laborer," and so forth. Remember, my amendment, which called forth this partisan ebulition, was exactly the Payne Act provision. I will say to the gentleman that if my amendment legislates against American labor in favor of Chinese labor, then the Republican Party has the honor of preceding the Democrats 10 years in legislating against the American laborer in favor of the Chinese and foreign laborer when in 1909 it passed the very provision contained in my amendment. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent that I may address the House for five minutes.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent to address the House for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Chairman, in my remarks of a few moments ago gentlemen may have understood me to refer to the gentleman from North Carolina [Mr. KITCHIN] as a Bourbon. I referred to a Bourbon as one who never learns. Well, I shall have to modify that a little, if it is to be assumed I included the gentleman from North Carolina in my reference. The gentleman from North Carolina, it seems, is not such a Bourbon as I may have thought he was. He does learn a little. The truth is, he learns slowly and does not keep up with the progress of truth and the march of events. He was against the Payne-Aldrich bill and denounced all of its provisions as the sum of all iniquities. He has now advanced to the point where he at least offers an amendment for a tariff rate which he says is twice as high as the Payne-Aldrich rate, which, in his opinion, was anathema. So the gentleman has progressed. The Democratic leader has moved forward just a little. The trouble with him is that he has not come to a full understanding of the truth. In the days of the Payne-Aldrich bill we had not learned, any of us, of the importance of these key industries; we had not, any of us, realized the unfortunate condition of the country in time of war with a monopoly of essential elements in the hands of the enemy, and so in the Payne bill we placed on tungsten not a rate intended to develop the American industry to a point to make it commanding and Nation supplying but rather a small but somewhat encouraging rate. But we have learned something during the war, on our side, and I trust that the gentlemen on that side have, if their leaders have not, and that is that as to the essential elements and industries America must be made independent of all the world. [Applause on the Republican side.] We must prepare to protect ourselves from foreign monopoly and against the day when, if foreign nations shall withhold from us those things needful for our very existence, we shall have developed them within our own borders to an extent to enable us to become independent of all the world. [Applause on the Republican side.] That is what this rate means. Not what the comparatively low rate of the Payne bill meant, simply reasonable encouragement to an American industry to allow it to continue to exist in a limited way, but a rate, based on the judgment of those who know best of the conditions to be met, calculated to make America largely independent of all the world in these elements and in these lines of production as we hope before we conclude our labors to make her similarly independent in other essential lines. [Applause on the Republican side and cries of "Vote!" "Vote!"]

Mr. HENRY T. RAINEY. Mr. Chairman, I ask unanimous consent to address the House for five minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to address the House for five minutes.

Mr. FORDNEY. Mr. Chairman, I ask that all debate on this amendment be closed in 10 minutes.

The CHAIRMAN. Debate has already been closed.

Mr. FORDNEY. I ask unanimous consent that gentlemen on this side also have five minutes.

Mr. SNYDER. Mr. Chairman, I object to both requests; let us vote.

Mr. CLARK of Missouri. Do not do that.

The CHAIRMAN. Objection is made to both requests. The question is on the amendment offered by the gentleman from North Carolina [Mr. KITCHIN].

The question was taken, and the Chair announced that the noes appeared to have it.

Mr. KITCHIN. Division, Mr. Speaker. I ask for tellers.

Tellers were ordered, and Mr. FORDNEY and Mr. GARNER took their places as tellers.

The committee divided; and there were—ayes 120, noes 137.

So the amendment was rejected.

Mr. GREEN of Iowa. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

Mr. GREEN of Iowa. This is an amendment in the shape of a new section.

Mr. KITCHIN. I have another amendment I wish to offer.

Mr. GREEN of Iowa. I thought the gentleman was through. I withdraw my amendment for the present.

The CHAIRMAN. The gentleman from North Carolina [Mr. KITCHIN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KITCHIN: Page 2, line 10, strike out "$1" and insert in lieu thereof "62½ cents."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. KITCHIN. One minute, Mr. Chairman. Do the gentlemen want any explanation of that? [Cries of "No!" "No!"]

The CHAIRMAN. The question is on the amendment.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. KITCHIN. Mr. Chairman, a division; and I ask for tellers.

Tellers were ordered.

The committee divided; and there were—ayes 114, noes 138.

So the amendment was rejected.

Mr. GREEN of Iowa. Mr. Chairman, I offer an amendment in the form of a new section.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GREEN of Iowa: Page 2, after line 10, insert a new section, as follows:

"SEC. 2. That there shall be levied, assessed, and collected upon all tungsten ore and concentrates which have been imported prior to the passage of this act from any foreign country and held or kept within the United States, when such ore has been purchased by the owner thereof at a price less than $17 per unit of tungsten trioxide therein contained, a tax equal to the difference between the purchase price so paid by the owner and the price named above in this section."

Mr. GREEN of Iowa. Mr. Chairman, I desire to speak a word in explanation of the amendment. This amendment is satisfactory to the members of the committee on this side, and I think will be satisfactory to the members of the committee on the other side, although I have not heard them express any opinion with reference to it.

The committee will remember that there has been much said with reference to the amount of ore which was already held in stock at New York, especially by the gentleman from North Carolina [Mr. KITCHIN] with reference to $3,000,000 being made

by the owners thereof. I undertook to show, and think I did show, that the owners would not make anything, but might possibly recoup their loss. In any event, this amendment would take care of that situation.

And there is also another situation that should be taken care of. It will probably be some time before this bill will pass the Senate. Ore is coming in here now—at least offered for sale—at the rate of about $7 or $8, and I think there has been a claim that some ore has been offered as low as $6 per unit of tungsten trioxide laid down at New York. The effect of this bill, as the committee intended it, will be to bring the price up to about $17 per unit, which is the lowest price, under the testimony, at which the American operators could produce it. Under my amendment these men that have these large stocks on hand, if they bought it for less than $17 per unit, will be compelled to pay a tax on the difference between what they paid for it and $17, and there will be no object in trying to ship in, as doubtless otherwise there would be imported, large quantities of the ore at somewhere from $6 to $8 a unit, with the hope of making the difference between that and the rate in this bill during the time this bill was pending. That is the object of the amendment, and I think there will be no objection thereto.

Mr. HASTINGS. The gentleman states that it will probably be some time before this bill is passed by the Senate. How long does he think it will be before it is signed by the President?

Mr. GREEN of Iowa. It depends on whether the President adheres to his message, which he recently sent us, in which he called attention to matters of this kind—these war minerals—and said that they ought to be protected. I have high hopes that the President, as well as some of the gentlemen on the other side, is learning as the time goes on.

Mr. HASTINGS. The gentleman knows there is not any chance on earth of the President signing this bill, and, of course, the gentleman, as well as that side, knows it will not be passed by a two-thirds vote over his veto. So why are we consuming so much time in the consideration of these popgun bills when everybody knows there is not the slightest chance of any of them becoming law?

Mr. GREEN of Iowa. May I ask, then, why the other side is taking so much time?

Mr. LITTLE. Perhaps the gentleman from Oklahoma could tell us whether the President would sign the bill if we would double the Payne tariff rates?

Mr. GARNER. The testimony before us showed, so far as the consumption of this country is concerned, that there is only three years' supply in existence in this country.

Mr. GREEN of Iowa. The gentleman is simply making a statement. He is like the gentleman from North Carolina [Mr. KITCHIN], who said we did not deny certain statements, although it was proven over and over again in the hearings that they were not correct.

Mr. GARNER. I think the gentleman will find from the Bureau of Mines the testimony that the amount in sight now would be sufficient to run this country for three years, but that they hoped and believed in the course of the production of this ore a great deal more of it would be discovered. And I think that is a reasonable hypothesis. I think this Government itself ought to buy and own a certain amount of this ore in case of an emergency. I think it ought to have it in this country, and own it and have it laid away and stored in case of war or emergency, because it is just possible, if not probable, that in this country this tungsten ore will be exhausted, and unless we erect the industry ourselves and have some of that article in case of emergency we may be caught where we can not get this tungsten at all.

Mr. GREEN of Iowa. I do not think that will occur at all. In that connection I want to refer to a statement made by the gentleman from North Carolina [Mr. KITCHIN] repeatedly. He said that nobody denied that this bill would create a monopoly. His own statement shows that it could not create a monopoly. One firm have produced in the past 25 per cent, another 60 per cent, or something of that kind, but those concerns are not producing at that rate now. There are hundreds of little producers that make up a large proportion of what is produced, and if this bill passes we put the rate so low that at least one-half of it will come from abroad. And as to the Payne tariff rates one might as well talk about the rates before the Civil War, conditions are so different. [Applause and cries of "Vote!"]

Mr. KITCHIN. Mr. Chairman, I am very glad that the gentleman from Iowa offered this amendment. I shall not oppose this amendment, because I am certain that this bill will pass just as the manufacturers want it and just as the Republicans reported it out of the committee. This amendment would improve the bill. If we were not certain that you are going to pass the bill in this House this proposition standing alone would be a shame and injustice; but as the bill is, it betters it to some extent.

Here is the gratification that I have over the introduction of the amendment: It is an admission of the truth of what I said the other day. If my statement was not true it would not be necessary to have this amendment and the gentleman from Iowa [Mr. GREEN] would not have introduced it.

Dr. Hess, of the Geological Survey, testified before our committee, and it was not denied by anybody then, and it has not been denied by anybody since, that there had been imported by four firms in New York 4,500 tons of ore, most of it from China, and that it was stored and held there now; that the producers in this country had stored 1,500 tons. I said that if this bill were passed it would at once advance the price of that ore $600 per ton and would put into the pockets of these four importers by such advance $2,700,000; that it would increase the value or price of the 1,500 tons held by the producers $900,000 and they would pocket that amount extra. I challenged then and to-day a denial. No denial has been forthcoming, but an admission in the shape of this amendment.

The gentleman recognized that that would be the result of this bill, and this amendment is offered to keep those importers or other importers who imported at $8 or $9 or $10 per unit from making the extra $600 a ton which this bill otherwise would give. They would not have offered this amendment if I had not called their attention to that fact. [Applause on the Democratic side.]

The gentleman from Iowa [Mr. GREEN] asserted awhile ago that I had made statements that were "disproved by the hearings time and time again." It is mighty easy to make statements, gentlemen, but it is mighty hard to prove them when you are face to face with the other fellow and he has all the evidence in his hand. I challenge the gentleman right now to restate one statement that I made, and then point to one line or word in the Tariff Commission report, or one line or word in all the hearings, from any of the witnesses that disproves a single statement I made. I challenge him to do it. [Applause on the Democratic side.]

Mr. GREEN of Iowa. Why, the gentleman could not even state the rate of the Payne-Aldrich tariff bill correctly, and he can not state it now.

Mr. KITCHIN. What was the rate? Tell it if you know.

Mr. GREEN of Iowa. Twenty-five per cent on any under $200 and 20 per cent on any over $200.

Mr. KITCHIN. That was on tungsten and ferrotungsten. We were just discussing ore, but just think what a stickler the gentleman is! The Payne Act did read so, because the McKinley Act or the Dingley Act made such a distinction. It did read that all tungsten or ferrotungsten valued at $200 per ton or under would bear 25 per cent duty, and all valued at over $200 per ton should bear 20 per cent duty. Now, there has not been one single ton or pound of tungsten or ferrotungsten imported in this country in the last 20 years that was valued at less than $200 per ton. The gentleman should know it. He can not show me from the statistics where a ton or a pound of tungsten or ferrotungsten has come in at less than $200. If he can show that I will promise to vote for this bill. But it is not there.

As I said, the gentleman did not know that no tungsten or ferrotungsten was valued at $200 or less. He did not know that the 25 per cent on tungsten or ferrotungsten had been a dead and useless provision in the act ever since it was passed, because if he had it would be foolish in the face of a knowledge of the facts to have made such an assertion; but he did not know any better. [Laughter.] So that the real tariff rate under the Payne Act was just as I said it was, 20 per cent. [Applause on the Democratic side.]

Now, if the gentleman has any other instance wherein he is willing to allege that I made a misstatement, I challenge him now to declare it. I pause for him to do so. He declines because he knows every statement I made on Tuesday and I have made to-day in respect to this bill is absolutely true. [Applause on the Democratic side, and cries of "Vote!"]

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. That the provisions of this act shall not be deemed to repeal any tariff now existing upon any substances or materials mentioned in this act.

The CHAIRMAN. The Chair desires to call the attention of the gentleman from Michigan [Mr. FORDNEY] to the fact that the amendment just adopted was a new section and numbered 2. The section we are now considering in the bill is No. 2, and it is necessary, therefore, to change it.

Mr. FORDNEY. Mr. Chairman, I move that the present section be numbered 3.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FORDNEY: On page 2, line 11, after the word "Section," strike out the figure "2" and insert in lieu thereof the figure "3."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. KITCHIN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KITCHIN: Page 2, line 3, strike out all of section 3 and insert as section 3 "That the provisions of any act inconsistent with the provisions of this act are hereby repealed."

Mr. KITCHIN. Mr. Chairman and gentlemen, the amendment I propose strikes out the provision in the bill which makes the tariff rates in the bill an addition to the existing duty under the present law on tungsten and ferrotungsten, and so forth. The duty is now 15 per cent, and this provision is so written in the bill that that duty remains, and if the bill becomes a law we will have both the existing of 15 per cent and the exorbitant duties in the bill. That is, we will have the tariff of $2,000 a ton on ferrotungsten and tungsten provided in the bill, plus 15 per cent ad valorem. This amendment is to strike out section 3 containing the provision and insert in lieu thereof the usual section repealing the provisions of any law inconsistent with this bill, so as to give its beneficiaries only the $2,000 per ton robbery. This alone amounts to over 175 per cent.

Gentlemen of the committee, in a few minutes we are going to vote on this bill. It is going to pass. All Democrats shall vote against it. Before the vote on the bill I shall offer an amendment to recommit, striking out these rates and submitting the Payne-Aldrich Act rates, which will test your loyalty to that act. The day before yesterday and this morning I made the statement, and I repeat it now, that this bill gives $5,000,000 annually to four corporations which have a monopoly of the industry. Not a man has denied it and not one can deny it. I have dared one to deny it. I charged that this bill imposed a duty upon ore 1,100 per cent higher than the Payne Act—twelve times as high. I challenged them to deny it. They did not deny it. They could not deny it. They do not deny it now. I challenged that on tungsten and ferrotungsten the rate was over 800 per cent higher than the Payne rate—over nine times as high. I challenged the Republicans to deny it. Not one has denied or does deny it. I stated that this bill would give the importers of the 4,500 tons which are stored in this country, and the producers here who have 1,500 tons stored, a direct gift of $3,700,000. That statement has been partially admitted by the amendment of my distinguished friend from Iowa [Mr. GREEN].

I charged that this bill taxes all users of tungsten steel $5,000,000 a year, that it takes out of the pockets of the people and puts into the pockets of a monopoly of four enriched corporations $5,000,000 annually. I challenged denial. Not one has denied or does deny it. The Republicans to-day have to a man voted for it.

Gentlemen, we all vividly recall the memorable contest which took place on this floor a few weeks ago, a contest which, it seemed, unfortunately became a party or partisan one. The President in a veto message complained that Congress had not provided sufficient funds for the rehabilitation work for our disabled soldiers, and asked Congress for a larger appropriation than had been granted for this purpose. In quick response to the President's appeal and the needs of our crippled soldier boys, the Democrats proposed an appropriation of $12,000,000, the amount needed. The Republicans at once, almost to a man—every leader among them—protested against this amount as extravagant, and "in the interest of economy" proposed an appropriation of only $8,000,000. They preferred to make an "economy record" than to properly care for the needs of our helpless, disabled soldiers. Mr. FORDNEY, Mr. GREEN, Mr. MONDELL, the majority leader; Mr. MADDEN, Dr. FESS, chairman of the Republican congressional committee, and other Republicans, who to-day are moving heaven and earth to tax the people $5,000,000 a year for the benefit not of the Government but a commercial monopoly, together with practically every Republican in the House, protested against, fought against, and voted against giving the additional $4,000,000 to the poor, wounded, disabled, and crippled soldier boys to help them make their lives worth the living. [Applause.] That protest, that fight, that vote in the interest of "Republican economy!"

I am glad and proud to recall that while the Republicans lined up almost to a man against that appropriation for the disabled boys from the trenches the Democrats to a man voted for it.

Oh, yes; the Republican leaders and ringsters of the House, who are now swinging and popping the party lash in this Chamber, whipping into line every Republican Member for the pending bill, could not then "in the interest of economy" appropriate $4,000,000 to help our maimed and crippled hero boys—the boys who, while in the trenches struggling to maintain the rights and honor of our country, had their legs shot off, had their arms shot off, had their eyes shot out! [Applause on Democratic side.]

But to-day when the special interests demand that these same Republicans tax the people—take out of the pockets of the people $5,000,000 a year and put it into the pockets of this enriched monopoly—of four corporations, as this bill does—not a Republican voice is raised against it, but every Republican in the House, amid applause and cheers, is voting for that monstrous proposition. [Applause.]

Mr. WOOD of Indiana. Mr. Chairman and gentlemen of the committee, the gentleman from North Carolina has laid great stress upon the action of a number of Republicans in not supporting what he says was the recommendation of the President for $4,000,000 additional for the vocational training of the young men coming back from the war. The fact is the Republicans supported the President in giving the full amount of $8,000,000 recommended by him. No Republican opposed that appropriation because he was opposed to the system or because he wished in any degree to cripple that splendid undertaking. But the friends of that measure had said that we had already given them more money than they could use in the coming year, and knowing full well that Congress, being in session all the time, could supply any amount they wanted, they did not feel the necessity of voting more money than was necessary at that time. I wish to say to gentlemen that it is the purpose of the majority upon this side to provide some way whereby these boys who are coming back from the other side and taking their places in civil life again shall be protected in their honest endeavors against the cheap labor of Europe. [Applause.]

Mr. KITCHIN. Will the gentleman yield?

Mr. WOOD of Indiana. I do not yield. I have only five minutes. I wish to say that the same argument has been brought forward here to-day against this tungsten industry that was brought forward a few years ago when some enterprising and patriotic gentlemen sought to manufacture tin in the United States. It was said that it could not be manufactured, that it could not be found, that it would not benefit a thousand people in all the United States. That is what the gentleman from Pennsylvania [Mr. DEWALT] has said with reference to this tungsten industry. Yet the Republican Party under the leadership of that great protectionist and patriot, William McKinley [applause], put a tariff upon tin. And what was the result? We found we had plenty of it here within our own borders, and to-day we are manufacturing it more cheaply than any other country on the face of the earth, and to-day we are the greatest manufacturers of tin in all the world. [Applause.] That was due, if you please, to the protective-tariff policy of the Republican Party.

And I wish to call the attention of some of you southern gentlemen to the situation existing in your own country, where protection is needed for development more than in any other section of the United States. Before we got into this war a number of gentlemen, Members of this House, while in the State of Texas discovered that in all that country where previously there had been a great many sugar mills running only a few years ago, when the protective tariff was upon the sugar industry sufficient to warrant the manufacture of sugar, and where rice hullers were seen upon every side, every one of those sugar refineries was idle except one, every one of those rice hullers was idle. Why was it? You had only to ask the men who had raised cane and rice, and they would tell you that it was due to the damning influence of the Underwood bill, which had destroyed those industries.

In all of the country round about the one factory that was running at Sugar Land, in the State of Texas, they did not raise cane sufficient to satisfy one mill and they were importing it from Cuba.

I did not believe that I would ever see the day when the leaders of the Democratic Party would confess that there was any virtue in the Payne law. Yet we see them here to-day confessing that was a most virtuous measure; all of them denouncing it then, their leaders praising it now; and we have also lived to see the day when the President of the United States, who but a few years ago, when a private citizen, said that the protective policy of the Republican Party was a crime, advocates it—fresh, if you please, from the influences surrounding

him when abroad, seeing how detrimental it is to place American labor in competition, if you please, with the cheaper labor of Europe. We have lived to see the day when the Vice President of the United States, who has also denounced the protective policy of the Republican Party on every rostrum in Indiana, admits it is a virtue and confesses that he has been wrong all these years.

The Democratic Party on this proposition is like a man riding on the train with his back to the engine. He never sees an object until he gets past it. Now the leader on the Democratic side is confessing that protection is a good thing by asserting his willingness to afford here as much protection to tungsten as was provided for it in the Payne bill, but, still blinded by the Democratic prejudice against the protective principle, is not willing to go far enough to meet the changed conditions.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. FORDNEY. Mr. Chairman, I move that all debate close on the amendment and the bill in one minute.

The CHAIRMAN. The gentleman from Michigan moves that all debate on this paragraph and all amendments close in one minute.

Mr. CRISP. Mr. Chairman, I move to amend the motion by making it 15 minutes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia to the motion of the gentleman from Michigan.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question now recurs upon the motion made by the gentleman from Michigan.

Mr. CLARK of Missouri. Mr. Chairman, I move to amend it by making it 10 minutes.

The CHAIRMAN. The gentleman from Missouri offers an amendment that debate close in 10 minutes.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question now is on the motion of the gentleman from Michigan that debate close in one minute.

The motion was agreed to.

Mr. FORDNEY. Mr. Chairman, the gentleman from Illinois [Mr. HENRY T. RAINEY] is a member of the committee and has not spoken on this subject. I ask unanimous consent that he have five minutes.

Mr. BUTLER. How much more time is there of this debate?

Mr. FORDNEY. That will make six minutes.

Mr. BUTLER. Will the gentleman then ask for any more? It is pretty hard for some of us to sit here all day and listen to this. [Laughter.]

Mr. FORDNEY. Mr. Chairman, I amend my motion and ask unanimous consent that all debate upon this amendment and the bill close in six minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that all debate upon this amendment and the bill close in six minutes. Is there objection?

Mr. JOHNSON of Washington. Mr. Chairman, I object.

Mr. KEARNS. I object.

Mr. FORDNEY. Then I move that all debate close in six minutes.

Mr. BEGG. Mr. Chairman, a point of order. Did not the motion of the gentleman from Michigan that debate close in one minute prevail?

The CHAIRMAN. It did.

Mr. FORDNEY. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois [Mr. HENRY T. RAINEY], who is a member of the committee and who has not spoken to-day, be given five minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the gentleman from Illinois [Mr. HENRY T. RAINEY] be allowed to speak for five minutes. Is there objection?

Mr. JOHNSON of Washington. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The regular order is, Is there objection?

Mr. JOHNSON of Washington. I object.

The CHAIRMAN. One minute remains of debate upon this paragraph and the bill.

Mr. SANDERS of Indiana. Mr. Chairman, I do not think that the record of this debate upon this measure would be complete without having in it the views of a Cabinet member of the present administration with reference to protective measures on this particular mineral. When in the spring of 1918 we had up under consideration the bill to appropriate $50,000,000 to take care of the producers of tungsten and like minerals, and the hearings were being had, the Secretary of the Interior, Mr. Lane, made the following statement to the Committee on Mines and Mining with reference to these minerals and the need to protect the producers:

> What will be the use of the money that we have or the minerals that we have? * * *
>
> We know approximately what we have. We simply want to be able to say to the small man and to the large man, "Gentlemen, go farther in and find out what you have. Bring it out, and we will see that you are not ruined by competition of foreign countries. I think that is good Americanism; I think that is common sense."

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. FORDNEY. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The CHAIRMAN. There is an amendment pending. The question is on agreeing to the amendment offered by the gentleman from North Carolina.

The question was taken.

Mr. KITCHIN. Mr. Chairman, I demand tellers.

Tellers were ordered; and the Chair appointed Mr. FORDNEY and Mr. CRISP to act as tellers.

The committee divided; and the tellers reported—ayes 111, noes 135.

So the amendment was rejected.

Mr. FORDNEY. Mr. Chairman, I renew my motion that the committee do now rise and report the bill, with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GOOD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 4437 and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. FORDNEY. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en grosse. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. KITCHIN. Mr. Speaker, I move the following motion to recommit, which I send to the desk and ask to have read.

The Clerk read as follows:

> Mr. KITCHIN moves to recommit the bill to the Committee on Ways and Means with instructions to report the same back instanter with the following amendments:
>
> Strike out all of the bill after the word "namely" in line 7, page 1, and insert the following:
>
> a. Tungsten ores of all kinds, 10 per cent ad valorem.
>
> b. Tungsten, tungsten powder, ferrotungsten (lump and pulverized) and ferrotungsten powder, 20 per cent ad valorem.
>
> SEC. 3. That the provisions of any act inconsistent with the provisions of this act are hereby repealed.

Mr. FORDNEY. Mr. Speaker, on the motion to recommit I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the motion to recommit.

The question was taken.

Mr. KITCHIN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 138, nays 170, answered "present" 1, not voting 121, as follows:

YEAS—138.

Alexander	Byrns, Tenn.	Dickinson, Mo.	Harrison
Almon	Caldwell	Dominick	Hastings
Ashbrook	Cantrill	Doughton	Hayden
Aswell	Caraway	Drane	Heflin
Ayres	Carew	Dupré	Holland
Babka	Carss	Eagan	Howard
Bankhead	Clark, Fla.	Eagle	Huddleston
Barkley	Clark, Mo.	Ferris	Hudspeth
Bee	Cleary	Fisher	Hull, Tenn.
Bell	Coady	Gallagher	Igoe
Bland, Va.	Collier	Gard	Jacoway
Blanton	Connally	Garner	Johnson, Ky.
Box	Crisp	Garrett	Johnson, Miss.
Brand	Cullen	Godwin, N. C.	Jones, Tex.
Briggs	Davey	Goldfogle	Keller
Brinson	Davis, Tenn.	Goodwin, Ark.	Kincheloe
Buchanan	Dent	Griffin	Kitchin
Byrnes, S. C.	Dewalt	Hardy, Tex.	Lanham

Lankford	Mooney	Rainey, H. T.	Thompson, Okla.
Larsen	Moore, Va.	Raker	Tillman
Lazaro	Neely	Rayburn	Upshaw
Lee, Ga.	Nelson, Mo.	Robinson, N. C.	Venable
Lesher	Nicholls, S. C.	Romjue	Vinson
Lonergan	O'Connell	Rubey	Watkins
McClintic	O'Connor	Rucker	Weaver
McDuffie	Oldfield	Sanders, La.	Webb
McGlennon	Olney	Sears	Welling
McKeown	Overstreet	Sherwood	Welty
McKinley	Padgett	Sims	Wilson, La.
McLane	Park	Small	Wingo
Major	Parrish	Smithwick	Woods, Va.
Mansfield	Pell	Steagall	Wright
Mays	Phelan	Stedman	Young, Tex.
Mead	Pou	Stevenson	
Minahan, N. J.	Quin	Taylor, Colo.	

NAYS—170.

Anderson	Fuller, Mass.	Lufkin	Scott
Andrews, Md.	Glynn	Luhring	Sells
Andrews, Nebr.	Good	McArthur	Siegel
Anthony	Goodall	McCulloch	Sinclair
Bacharach	Goodykoontz	McFadden	Sinnott
Baer	Gould	McLaughlin, Mich.	Smith, Idaho
Barbour	Graham, Ill.	McLaughlin, Nebr.	Smith, Mich.
Begg	Green, Iowa	McPherson	Snell
Benham	Greene, Vt.	MacCrate	Snyder
Bowers	Hamilton	MacGregor	Steenerson
Brooks, Pa.	Haskell	Madden	Stephens, Ohio
Browning	Hawley	Mapes	Stiness
Burdick	Hays	Martin	Strong, Kans.
Burroughs	Hernandez	Mason	Strong, Pa.
Butler	Hersey	Merritt	Summers, Wash.
Campbell, Kans.	Hersman	Michener	Sweet
Cole	Hickey	Miller	Swope
Cooper	Hoch	Mondell	Taylor, Tenn.
Crago	Houghton	Moores, Ind.	Temple
Crowther	Hulings	Morgan	Thompson, Ohio
Currie, Mich.	Hull, Iowa	Mudd	Timberlake
Curry, Calif.	Hutchinson	Murphy	Tincher
Dale	Ireland	Nelson, Wis.	Tinkham
Dallinger	James	Newton, Minn.	Towner
Darrow	Johnson, Wash.	Newton, Mo.	Treadway
Davis, Minn.	Jones, Pa.	Nichols, Mich.	Vaile
Denison	Juul	Ogden	Vestal
Dowell	Kahn	Platt	Voigt
Dunbar	Kearns	Purnell	Volstead
Dyer	Kelly, Pa.	Radcliffe	Watson, Pa.
Edmonds	Kennedy, R. I.	Ramsey	Webster
Elliott	King	Ramseyer	Wheeler
Ellsworth	Kinkaid	Randall, Wis.	White, Kans.
Elston	Kleczka	Reber	White, Me.
Emerson	Knutson	Reed, W. Va.	Williams
Esch	Kraus	Rhodes	Wilson, Ill.
Evans, Nev.	Kreider	Ricketts	Winslow
Fairfield	LaGuardia	Robsion, Ky.	Wood, Ind.
Fess	Lampert	Rodenberg	Yates
Focht	Langley	Sanders, Ind.	Young, N. Dak.
Fordney	Layton	Sanders, N. Y.	Zihlman
French	Lehlbach	Sanford	
Fuller, Ill.	Little	Schall	

ANSWERED "PRESENT"—1.

Campbell, Pa.

NOT VOTING—121.

Ackerman	Evans, Nebr.	Linthicum	Rouse
Benson	Fields	Longworth	Rowan
Black	Fitzgerald	Luce	Rowe
Blackmon	Flood	McAndrews	Sabath
Bland, Ind.	Foster	McKenzie	Saunders, Va.
Bland, Mo.	Frear	McKinley	Scully
Boies	Freeman	Magee	Shreve
Booher	Gallivan	Maher	Sisson
Britten	Gandy	Mann	Slemp
Brooks, Ill.	Ganly	Monahan, Wis.	Smith, Ill.
Browne	Garland	Montague	Smith, N. Y.
Brumbaugh	Graham, Pa.	Moon	Steele
Burke	Greene, Mass.	Moore, Ohio	Stephens, Miss.
Candler	Griest	Moore, Pa.	Sullivan
Cannon	Hadley	Morin	Sumners, Tex.
Carter	Hamill	Mott	Taylor, Ark.
Casey	Hardy, Colo.	Nolan	Thomas
Chindblom	Haugen	Oliver	Tilson
Christopherson	Hicks	Osborne	Vare
Classon	Hill	Paige	Walsh
Copley	Humphreys	Parker	Walters
Costello	Husted	Peters	Ward
Cramton	Jefferis	Porter	Wason
Dempsey	Johnson, S. Dak.	Rainey, J. W.	Watson, Va.
Dickinson, Iowa	Johnston, N. Y.	Randall, Calif.	Whaley
Donovan	Kelley, Mich.	Reavis	Wilson, Pa.
Dooling	Kendall	Reed, N. Y.	Wise
Doremus	Kennedy, Iowa	Riddick	Woodyard
Dunn	Kettner	Riordan	
Echols	Kiess	Rogers	
Evans, Mont.	Lea, Calif.	Rose	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. GRAHAM of Pennsylvania with Mr. TAYLOR of Arkansas.

Mr. JOHNSON of South Dakota with Mr. FLOOD.

Mr. KENNEDY of Iowa with Mr. BLAND of Missouri.

Mr. CHRISTOPHER with Mr. SULLIVAN.

Mr. CHINDBLOM with Mr. ROWAN.

Mr. GREENE of Massachusetts with Mr. GANLY.

Mr. BLAND of Indiana with Mr. JOHN W. RAINEY.

Mr. BROWNE of Wisconsin with Mr. CASEY.

Mr. FREAR with Mr. WILSON of Pennsylvania.

Mr. WALSH with Mr. CARTER.

Mr. EVANS of Nebraska with Mr. SISSON.

Mr. FOSTER with Mr. HUMPHREYS.

Mr. KELLEY of Michigan with Mr. MCANDREWS.

Mr. JEFFERIS with Mr. SABATH.

Mr. LUCE with Mr. MAHER.

Mr. OSBORNE with Mr. GANDY.

Mr. PAIGE with Mr. MOON.

Mr. HARDY of Colorado with Mr. BRAND.

Mr. MAGEE with Mr. LINTHICUM.

Mr. MOORE of Pennsylvania with Mr. GALLIVAN.

Mr. KIESS with Mr. SUMNERS of Texas.

Mr. WOODYARD with Mr. BENSON.

Mr. WARD with Mr. BLACK.

Mr. WALTERS with Mr. BRUMBAUGH.

Mr. TILSON with Mr. CANDLER.

Mr. SMITH of Illinois with Mr. DONOVAN.

Mr. RODGERS with Mr. DOOLING.

Mr. RIDDICK with Mr. DOREMUS.

Mr. REAVIS with Mr. EVANS of Montana.

Mr. PORTER with Mr. FIELDS.

Mr. PETERS with Mr. FITZGERALD.

Mr. NOLAN with Mr. JOHNSTON of New York.

Mr. MORIN with Mr. KETTNER.

Mr. MOORE of Ohio with Mr. LEA of California.

Mr. LONGWORTH with Mr. MONTAGUE.

Mr. KENDALL with Mr. OLIVER.

Mr. HUSTED with Mr. RANDALL of California.

Mr. HAUGEN with Mr. RIORDAN.

Mr. GRIEST with Mr. SAUNDERS of Virginia.

Mr. GARLAND with Mr. SCULLY.

Mr. DUNN with Mr. SMITH of New York.

Mr. DEMPSEY with Mr. STEELE.

Mr. CRAMTON with Mr. STEPHENS of Mississippi.

Mr. COSTELLO with Mr. THOMAS.

Mr. CLASSON with Mr. WATSON of Virginia.

Mr. ACKERMAN with Mr. WISE.

On this vote:

Mr. WHALEY (for motion to recommit) with Mr. CANNON (against).

Mr. BOOKER (for motion to recommit) with Mr. WASON (against).

Mr. HAMILL (for motion to recommit) with Mr. HADLEY (against).

Mr. BLACKMON (for motion to recommit) with Mr. MANN (against).

Mr. MOORE of Virginia (for motion to recommit) with Mr. ROWE (against).

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. TIMBERLAKE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 171, nays 133, not voting 126, as follows:

YEAS—171.

Anderson	Fairfield	Knutson	Platt
Andrews, Md.	Fess	Kraus	Purnell
Andrews, Nebr.	Focht	Kreider	Radcliffe
Anthony	Fordney	LaGuardia	Raker
Bacharach	French	Lampert	Ramsey
Baer	Fuller, Ill.	Langley	Ramseyer
Barbour	Fuller, Mass.	Layton	Randall, Wis.
Begg	Glynn	Lehlbach	Reber
Benham	Good	Little	Reed, W. Va.
Bowers	Goodall	Lufkin	Rhodes
Brooks, Pa.	Goodykoontz	Luhring	Ricketts
Browning	Gould	McArthur	Riddick
Burdick	Graham, Ill.	McCulloch	Robsion, Ky.
Burroughs	Green, Iowa	McFadden	Rodenberg
Butler	Greene, Vt.	McLaughlin, Mich.	Sanders, Ind.
Campbell, Kans.	Hamilton	McLaughlin, Nebr.	Sanders, N. Y.
Campbell, Pa.	Haskell	McPherson	Sanford
Cole	Hawley	MacCrate	Schall
Cooper	Hernandez	MacGregor	Scott
Crago	Hersey	Madden	Sells
Crowther	Hersman	Mapes	Siegel
Curry, Calif.	Hickey	Martin	Sinclair
Dale	Hoch	Mason	Sinnott
Dallinger	Houghton	Merritt	Smith, Idaho
Darrow	Hulings	Michener	Smith, Mich.
Davis, Minn.	Hull, Iowa	Miller	Snell
Denison	Hutchinson	Mondell	Snyder
Dowell	Ireland	Moores, Ind.	Steenerson
Dunbar	James	Morgan	Stephens, Ohio
Dyer	Johnson, Wash.	Mudd	Stiness
Edmonds	Jones, Pa.	Murphy	Strong, Kans.
Elliott	Juul	Nelson, Wis.	Strong, Pa.
Ellsworth	Kahn	Newton, Minn.	Summers, Wash.
Elston	Kearns	Newton, Mo.	Sweet
Emerson	Kelly, Pa.	Nichols, Mich.	Swope
Esch	Kennedy, R. I.	Ogden	Taylor, Colo.
Evans, Nev.	Kleczka	Olney	Temple

Thompson, Ohio	Vaile	Welling	Winslow
Timberlake	Vestal	Wheeler	Wood, Ind.
Tincher	Voigt	White, Kans.	Yates
Tinkham	Volstead	White, Me.	Young, N. Dak.
Towner	Watson, Pa.	Williams	Zihlman
Treadway	Webster	Wilson, Ill.	

NAYS—133.

Alexander	Dent	Kincheloe	Pou
Almon	Dewalt	Kitchin	Quin
Ashbrook	Dickinson, Mo.	Lanham	Rainey, H. T.
Aswell	Dominick	Lankford	Rayburn
Ayres	Doughton	Larsen	Robinson, N. C.
Babka	Drane	Lazaro	Romjue
Bankhead	Dupré	Lee, Ga.	Rubey
Barkley	Eagan	Lesher	Rucker
Bee	Eagle	Lonergan	Sanders, La.
Bell	Ferris	McClintic	Sears
Bland, Va.	Fisher	McDuffie	Sherwood
Blanton	Gallagher	McGlennon	Sims
Box	Gard	McKeown	Small
Brand	Garner	McKinley	Smithwick
Briggs	Garrett	McLane	Steagall
Brinson	Goldfogle	Major	Stedman
Buchanan	Goodwin, Ark.	Mansfield	Stevenson
Byrnes, S. C.	Griffin	Mays	Thompson, Okla.
Byrns, Tenn.	Hardy, Tex.	Mead	Tillman
Caldwell	Harrison	Minahan, N. J.	Upshaw
Cantrill	Hastings	Mooney	Venable
Caraway	Hayden	Neely	Vinson
Carew	Heflin	Nelson, Mo.	Watkins
Carss	Holland	Nicholls, S. C.	Weaver
Clark, Fla.	Howard	O'Connell	Webb
Clark, Mo.	Huddleston	O'Connor	Welty
Cleary	Hudspeth	Oldfield	Wilson, La.
Coady	Hull, Tenn.	Oliver	Wingo
Collier	Igoe	Overstreet	Woods, Va.
Connally	Jacoway	Padgett	Wright
Crisp	Johnson, Ky.	Park	Young, Tex.
Cullen	Johnson, Miss.	Parrish	
Davey	Jones, Tex.	Pell	
Davis, Tenn.	Keller	Phelan	

NOT VOTING—126.

Ackerman	Evans, Nebr.	King	Rose
Benson	Fields	Kinkaid	Rouse
Black	Fitzgerald	Lea, Calif.	Rowan
Blackmon	Flood	Linthicum	Rowe
Bland, Ind.	Foster	Longworth	Sabath
Bland, Mo.	Frear	Luce	Saunders, Va.
Boies	Freeman	McAndrews	Scully
Booher	Gallivan	McKenzie	Shreve
Britten	Gandy	McKinley	Sisson
Brooks, Ill.	Ganly	Magee	Slemp
Browne	Garland	Maher	Smith, Ill.
Brumbaugh	Godwin, N. C.	Mann	Smith, N. Y.
Burke	Graham, Pa.	Monahan, Wis.	Steele
Candler	Greene, Mass.	Montague	Stephens, Miss.
Cannon	Griest	Moon	Sullivan
Carter	Hadley	Moore, Ohio	Summers, Tex.
Casey	Hamill	Moore, Pa.	Taylor, Ark.
Chindblom	Hardy, Colo.	Moore, Va.	Taylor, Tenn.
Christopherson	Haugen	Morin	Thomas
Classon	Hays	Mott	Tilson
Copley	Hicks	Nolan	Vare
Costello	Hill	Osborne	Walsh
Cramton	Humphreys	Paige	Walters
Currie, Mich.	Husted	Parker	Ward
Dempsey	Jefferis	Peters	Wason
Dickinson, Iowa	Johnson, S. Dak.	Porter	Watson, Va.
Donovan	Johnston, N. Y.	Rainey, J. W.	Whaley
Dooling	Kelley, Mich.	Randall, Calif.	Wilson, Pa.
Doremus	Kendall	Reavis	Wise
Dunn	Kennedy, Iowa	Reed, N. Y.	Woodyard
Echols	Kettner	Riordan	
Evans, Mont.	Kiess	Rogers	

The Clerk announced the following additional pairs:

On this vote:

Mr. WASON (for) with Mr. BOOHER (against).

Mr. CANNON (for) with Mr. WHALEY (against).

Mr. HADLEY (for) with Mr. HAMILL (against).

Mr. ROWE (for) with Mr. MOORE of Virginia (against).

Mr. MANN (for) with Mr. BLACKMON (against).

Mr. MCKINLEY with Mr. GODWIN of North Carolina.

Mr. CURRIE of Michigan. Mr. Speaker, I do not believe that I can qualify——

The SPEAKER. Was the gentleman in the Hall and listening when his name was called?

Mr. CURRIE of Michigan. I was not. If I were permitted to vote, however, I would ask to be recorded as "yea." Can I be recorded as "present"?

The SPEAKER. The gentleman can not be so recorded.

The result of the vote was announced as above recorded.

On motion of Mr. TIMBERLAKE, a motion to reconsider the vote by which the bill was passed was laid on the table.

PRESIDENT'S MESSAGE—METEOROLOGICAL CONFERENCE AT PARIS (H. DOC. NO. 197).

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying documents, referred to the Committee on Agriculture and ordered printed:

To the Senate and House of Representatives:

In view of the provision contained in the deficiency act approved March 4, 1913, that "hereafter the Executive shall not extend or accept any invitation to participate in any international congress, conference, or like event, without first having specific authority of law to do so," I transmit herewith for the consideration of the Congress and for its determination whether it will authorize the acceptance of the invitation and the appropriation necessary to defray the expenses incident thereto, a report from the Secretary of State with accompanying papers, being an invitation from the Government of the French Republic to that of the United States to send delegates to a proposed conference to be held at Paris on September 30, 1919, to consider questions relating to the reorganization of the service of the exchange of meteorological information, and for other purposes, and a letter from the Secretary of Agriculture showing the favor with which he views the proposed gathering, and recommending an appropriation of $1,500 to defray the expenses of participation by at least two delegates.

WOODROW WILSON.

THE WHITE HOUSE,
21 August, 1919.

CONTESTED ELECTION CASE OF TAGUE AGAINST FITZGERALD.

The SPEAKER. The Chair is in receipt of a communication from the Clerk of the House, transmitting papers in the election case of Tague against Fitzgerald. The letter, with the papers in the case, is ordered printed and referred to the Committee on Elections No. 2.

LEAVE OF ABSENCE.

Mr. STEVENSON, by unanimous consent, was granted leave of absence for 10 days, on account of campaign for good-road bonds and cotton organization.

GENERAL TO THE ARMIES OF THE UNITED STATES.

Mr. SANFORD. Mr. Speaker, I ask unanimous consent to present a minority report from the Committee on Military Affairs on the bill (H. R. 7595) relating to the creation of the office of general to the armies of the United States and authorizing the President to nominate to said office a general officer of the Army who within the United States and during the recent war has rendered especially distinguished service.

Mr. GARNER. What bill is that?

Mr. SANFORD. A bill to confer the grade of general on some general officer in the service within the United States.

The SPEAKER. Without objection, the request is granted.

There was no objection.

ADJOURNMENT.

Mr. FORDNEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 18 minutes p. m.) the House adjourned until to-morrow, Friday, August 22, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting schedules and lists of papers, documents, etc., on the files of the Treasury Department which are not needed in the transaction of public business and which have no permanent value or historical interest, submitted in conformity with the provisions of the act approved February 16, 1889, as amended (H. Doc. No. 194); to the committee on the Disposition of Useless Executive Papers and ordered to be printed.

2. A letter from the Secretary of War, transmitting request that authority be granted to the Director of Air Service to publish and circulate at Government expense a bulletin to be issued quarterly entitled "A Bulletin of the Air Medical Service" (H. Doc. No. 195); to the Committee on Printing and ordered to be printed.

3. A letter from the acting chairman of the Federal Trade Commission, transmitting report on the leather and shoe industries in part covering the period from 1914 to 1917, inclusive, and in part covering the period from 1914 to 1918 (H. Doc. No. 196); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. GRIGSBY, from the Committee on the Territories, to which was referred the bill (H. R. 7709) to authorize the in-

corporated town of Petersburg, Alaska, to issue bonds in any sum not exceeding $75,000, for the purpose of constructing and installing a municipal electric-light and power plant, and for the construction of a public-school building, reported the same with amendment, accompanied by a report (No. 245), which said bill and report were referred to the House Calendar.

Mr. KALANIANAOLE, from the Committee on the Territories, to which was referred the bill (H. R. 7632) to amend section 2 of an act entitled "An act to ratify, approve, and confirm sections 1, 2, and 3 of an act duly enacted by the legislature of the Territory of Hawaii relating to the board of harbor commissioners of the Territory, as herein amended, and amending the laws relating thereto," approved March 28, 1916, reported the same with amendment, accompanied by a report (No. 246), which said bill and report were referred to the House Calendar.

Mr. HAUGEN, from the Committee on Agriculture, to which was referred the bill (H. R. 8624) to amend an act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917, reported the same without amendment, accompanied by a report (No. 247), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 8361) granting a pension to Samuel C. Braden; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7862) granting a pension to Harry Wetmore Miller; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6119) granting an increase of pension to Reuben S. Parker; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GILLETT: A bill (H. R. 8610) authorizing the Secretary of War to donate to the town of Easthampton, Hampshire County, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 8611) authorizing the Secretary of War to donate to the city of Chicopee, Hampden County, Mass., three German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 8612) authorizing the Secretary of War to donate to the town of Enfield, Hampshire County, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MORGAN: A bill (H. R. 8613) to provide for the purchase of a site and the erection of a public building thereon at Perry, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8614) to provide for the purchase of a site and the erection of a public building thereon at Alva, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8615) to provide for the purchase of a site and the erection of a public building thereon at Newkirk, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8616) to provide for the purchase of a site and the erection of a public building thereon at Cherokee, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8617) to provide for the purchase of a site and the erection of a public building thereon at Ponca City, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8618) to provide for the purchase of a site and the erection of a public building thereon at Cherokee, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8619) to provide for the purchase of a site and the erection of a public building thereon at Fairview, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. BACHARACH: A bill (H. R. 8620) to restore to the colors and granting amnesty to soldiers, sailors, and marines, and to certain other persons; to grant additional pay to officers, enlisted men, and others who served in the armed forces of the United States in the war with Germany, and for other purposes; to the Committee on Military Affairs.

By Mr. GOULD: A bill (H. R. 8621) for the improvement of the Federal post-office building at Geneva, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. GOODALL: A bill (H. R. 8622) for the purchase of a site and the erection thereon of a public building at Sanford, Me.; to the Committee on Public Buildings and Grounds.

By Mr. NELSON of Wisconsin: A bill (H. R. 8623) for the relief of the St. Croix Chippewa Indians of Wisconsin; to the Committee on Indian Affairs.

By Mr. HAUGEN: A bill (H. R. 8624) to amend an act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917; to the Committee on Agriculture.

By Mr. ROWE: A bill (H. R. 8625) amending the shipping act approved September 7, 1916, and authorizing the sale, charter, lease, and operation of merchant vessels belonging to the United States, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. HUTCHINSON: A bill (H. R. 8626) to enable the Secretary of Agriculture to prevent deception with respect to cold storage and the shipment of cold-storage foods in interstate commerce, and for other purposes; to the Committee on Agriculture.

By Mr. LAGUARDIA: A bill (H. R. 8627) fixing the compensation of certain officials of the customs service; to the Committee on Ways and Means.

By Mr. KNUTSON: Resolution (H. Res. 253) providing for an additional messenger and assistant pair clerk for the House of Representatives; to the Committee on Accounts.

By Mr. CARSS: Resolution (H. Res. 254) requesting the President to furnish to the House of Representatives certain information; to the Committee on Interstate and Foreign Commerce.

By Mr. MAYS: Memorial of the Legislature of Utah, favoring the establishment of a league of nations; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of Utah, petitioning Congress to provide for the proper restraint, control, employment, and education of certain renegade Indians in the San Juan region of Utah; to the Committee on Indian Affairs.

Also, memorial of the Legislature of the State of Utah, favoring the passage of an amendment to the bill introduced by Senator BANKHEAD in the United States Senate on December 4, 1918, known as Senate bill 5088, etc., to provide more equitable application of Federal aid for post roads in sparsely settled States, etc.; to the Committee on the Post Office and Post Roads.

Also, memorial of the Legislature of Utah, petitioning the War Department of the United States to designate the Utah Agricultural College as a permanent site for a summer training camp of the Reserve Officers' Training Corps; to the Committee on Military Affairs.

Also, memorial of the Legislature of Utah, urging the passage of a bill relating to reclamation projects for benefit of returning soldiers and sailors; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 8628) granting an increase of pension to Joseph S. Marquis; to the Committee on Invalid Pensions.

By Mr. CRAGO: A bill (H. R. 8629) granting a pension to William H. Troxell; to the Committee on Pensions.

By Mr. COLE: A bill (H. R. 8630) granting an increase of pension to Daniel R. Garman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8631) granting an increase of pension to Thomas J. O'Harra; to the Committee on Invalid Pensions.

By Mr. COSTELLO: A bill (H. R. 8632) granting a pension to Christiana Hoffman; to the Committee on Invalid Pensions.

By Mr. FLOOD: A bill (H. R. 8633) granting an increase of pension to Roscoe Schutt; to the Committee on Pensions.

By Mr. GOODALL: A bill (H. R. 8634) granting a pension to Alice May Lewis; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 8635) granting a pension to Susie Pyle; to the Committee on Invalid Pensions.

By Mr. LEA of California: A bill (H. R. 8636) granting an increase of pension to Charles E. Kingsley; to the Committee on Pensions.

By Mr. MORGAN: A bill (H. R. 8637) granting a pension to Henry S. Palmer; to the Committee on Invalid Pensions.

By Mr. SCULLY: A bill (H. R. 8638) to utilize certain unexpended balances for the purchase of certain real estate for the Signal Service of the Army, and for the maintenance and operation thereof; to the Committee on Military Affairs.

By Mr. NEWTON of Minnesota: A bill (H. R. 8639) granting a pension to Harry L. Vining; to the Committee on Pensions.

Also, a bill (H. R. 8640) granting a pension to Wesley O. Dodge; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8641) granting a pension to Elizabeth Shufelt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8642) granting a pension to William H. Gross; to the Committee on Pensions.

Also, a bill (H. R. 8643) granting a pension to Rachel J. Harlan; to the Committee on Invalid Pensions.

By Mr. NEWTON of Missouri: A bill (H. R. 8644) granting a pension to Fritz Hintermeyer; to the Committee on Pensions.

By Mr. O'CONNOR: A bill (H. R. 8645) for the relief of Lawrence Bendich and Anthony Vezich; to the Committee on Claims.

By Mr. RAKER: A bill (H. R. 8646) granting a pension to Emma J. McCumsey; to the Committee on Invalid Pensions.

By Mr. ROWE: A bill (H. R. 8647) for the relief of the owners of the American schooner *William H. Sumner;* to the Committee on Claims.

By Mr. SHREVE: A bill (H. R. 8648) granting an increase of pension to Thomas Conley; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 8649) granting a pension to Hannah M. Chalmers; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 8650) granting a pension to F. W. Gerding; to the Committee on Invalid Pensions.

By Mr. TINCHER: A bill (H. R. 8651) granting a pension to Thomas E. Nichols; to the Committee on Invalid Pensions.

By Mr. WEBB: A bill (H. R. 8652) granting a pension to Guss Hughes; to the Committee on Pensions.

By Mr. WHITE of Maine: A bill (H. R. 8653) granting a pension to Laura M. Leach; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8654) granting a pension to Ellen A. Cain; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of Enterprise Rebekah Lodge, No. 46, of Plymouth, N. H., favoring the adoption of the league of nations; to the Committee on Foreign Affairs.

By Mr. ASHBROOK: Resolutions of Local No. 205, International Molders' Union, of Newark, in favor of House bill 3149 and Senate bill 1699; to the Committee on Reform in the Civil Service.

By Mr. FITZGERALD: Petition of postal employees of Boston, Mass., favoring immediate wage increase to postal workers; to the Committee on the Post Office and Post Roads.

By Mr. FULLER of Illinois: Petition of the women and girl workers of the Civil War, of Oakland, Calif., favoring an increase of pension for the widows of Civil War soldiers to $35 per month; to the Committee on Invalid Pensions.

Also, petition of Sioux City Live Stock Exchange, opposing enactment of the Kenyon bill, Senate bill 2202; to the Committee on Agriculture.

Also, petition of the clerks and carriers of the post office at Sycamore, Ill., and resolution of the Illinois Association of Postmasters concerning increase of compensation; to the Committee on the Post Office and Post Roads.

Also, petition of the Joint Conference on Retirement for the Civil Service of the United States, for the Lehlbach retirement bill (H. R. 3149); to the Committee on Reform in the Civil Service.

By Mr. GOULD: Petition of the postal employees of Canandaigua, N. Y., favoring the passage of Senate joint resolution 84, to increase the salaries of postal clerks; to the Committee on the Post Office and Post Roads.

By Mr. KAHN: Resolution by the Forum of the city of Paterson, N. J., indorsing and urging legislation for the national defense through universal training; to the Committee on Military Affairs.

By Mr. McLAUGHLIN of Nebraska: Petition of sundry citizens of Beatrice, Nebr., urging Congress not to adopt any form of universal military training; to the Committee on Military Affairs.

By Mr. ROWAN: Petition of Archbishop Plunkett Branch, Friends of Irish Freedom, urging Congress to recognize the Irish republic; to the Committee on Foreign Affairs.

Also, petition of W. H. Davidson, of New York City, N. Y., favoring Senate joint resolution No. 84, to increase the salaries of the postal employees 35 per cent; to the Committee on the Post Office and Post Roads.

By Mr. TINKHAM: Petition of postal employees of Boston, Mass., asking for an increase in salary; to the Committee on the Post Office and Post Roads.

By Mr. VARE: Petition of Shirt Manufacturers' Association of Philadelphia opposing formation of dye licensing commission to regulate dye imports; to the Committee on Agriculture.

By Mr. YATES: Petition of E. J. Brach & Sons, by Frank V. Brach, vice president and treasurer, Chicago, Ill., containing protest against House joint resolution 121 and Senate joint resolution 57; to the Committee on Labor.

Also, petition of Board of Trade of city of Philadelphia, by W. M. Coates, president, W. R. Tucker, secretary, protesting against Senate bill 810, entitled "A bill to establish an interstate market system, and for other purposes"; to the Committee on Agriculture.

Also, petition of Illinois Live Stock Association, by E. F. Keefer, secretary, Chicago, Ill., containing protest against the Kenyon and Kendrick bills; to the Committee on Agriculture.

Also, petition of the Traffic Club of St. Louis, Mo., urging the passage of the Esch-Pomerene and Poindexter bills; to the Committee on Interstate and Foreign Commerce.

Also, petition of Railton Stillwell, Chicago, Ill., containing protest against the Kenyon bill; to the Committee on Agriculture.

Also, petition of H. E. Bartlett, Chicago, Ill., urging the increase of salaries of the postal employees; to the Committee on the Post Office and Post Roads.

Also, petition of Free Sewing Machine Co., Rockford, Ill., containing protest against the Nolan-Kenyon bill; to the Committee on Agriculture.

Also, petition of Sioux City Live Stock Exchange, containing protest against the Kenyon bill; to the Committee on Agriculture.

SENATE.

FRIDAY, *August 22, 1919.*

Rev. John Paul Tyler, of the city of Washington, offered the following prayer:

Almighty God, judge of all the earth, God of our Fathers, command, we beseech Thee, upon us Thy servants this day Thy spirit of grace and wisdom, that in all that shall be done and said Thy name may be glorified. Hasten the day, we beseech Thee, when out of all the tumult and the shouting and the noise among the nations of the world the still, small voice of Thy love and wisdom shall be heard. Bless, we beseech Thee, our country, our President, the nations of the world, and grant that the day may soon come when the government of the world shall rest upon the shoulders of Him who is our Lord and King. Bless those who are sick and in distress of any kind. Bless every home in our land. Keep us true and faithful to Thee until the end, and then grant to us Thine own blessed well-done. For we ask it in Jesus' name. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

EXTERMINATION OF COTTON-BOLL WEEVIL.

Mr. RANSDELL. Mr. President, in view of the high cost of living which is being emphasized so much now, and the imperative necessity of working and saving, I wish to present a very brief report this morning on the cotton-boll weevil. I do not ask to read it, but will print it in the RECORD with a short explanation.

We all know that the cotton-boll weevil has done immense damage and probably reduced the production of cotton so greatly that the product is now bringing a much higher price than it would bring if there were a large supply of it on hand.

It is thought by those who have investigated the subject carefully, and I am one of them, that a remedy for the boll-weevil pest in cotton has been discovered through a poison known as calcium arsenate, which was developed in Tallulah, La., at an experiment station there conducted for the Department of Agriculture by Mr. B. R. Coad, an able scientist, under the auspices of the Bureau of Entomology. Mr. Coad has been working at

this very thoroughly and scientifically, and I may add successfully, for the past 8 or 10 years.

Some of the largest planters in the Mississippi Delta have tried it extensively. One of these gentlemen is Prof. J. W. Fox, of Scott, Miss., who is general manager of the largest cotton plantation in the world. There are 16,000 acres of cotton in cultivation on this big plantation under the management of Mr. Fox. He says in a letter addressed to me under date of August 15:

I am now ready to say unqualifiedly that this poison will control the weevil at a cost which is not prohibitive.

Another very large planter of Mississippi is Mr. Alex Y. Scott, who is the manager of several successful plantations at Rosedale. He indorses the poison in unqualified language in a letter of August 6 addressed to Mr. Coad, which I will print as a part of my remarks.

Mr. HARRISON. Will the Senator yield to me?

Mr. RANSDELL. I will be glad to yield to the Senator from Mississippi.

Mr. HARRISON. I will state that I am personally acquainted with Mr. Scott and Mr. Fox, both most estimable gentlemen, managers of very large plantations. I talked to Mr. Scott on the same proposition. They wrote me also that they were carried away with the system of eradicating the weevil and that the success of the experiments which they made was very great.

Mr. RANSDELL. I thank the Senator from Mississippi for his contribution. I was about to say that one of the largest cotton planters in Louisiana is Mr. George S. Yerger, of Mound, in Madison Parish. I will read a short paragraph from his letter addressed to Mr. Coad, under date of August 6:

I have been applying it—

That is, the calcium-arsenate poison—

according to your advice, and am delighted to report that in a number of fields where the infestation was as high as 47 per cent—

He means the infestation of the cotton-boll weevil—

I have been able to reduce it to around 3 per cent, and if weather conditions are at all favorable from now on I should make quite a bale per acre on the fields above referred to, which would have produced hardly anything had I not applied this arsenate; in fact, I know of a number of crops in this section that will not make a bale to 20 acres and had no more weevil than I had when I began poisoning.

There is a letter each from Mr. Alex Clarke, of Mound, La., and Mr. D. D. Ewing, of Mound, La., addressed to Mr. Coad on the same subject, which I shall print.

Then I have a letter from Mr. A. W. Barrett, of Albany, Ga., to which I call the attention of the Senator from Georgia [Mr. SMITH]. It is addressed to the drug firm in Vicksburg, Miss., which has been handling this poison under the auspices of Mr. Coad. This letter of Mr. Barrett seems to indorse the poison very strongly and calls the attention of the Georgia people to it.

Mr. Coad gives the results of experiments made by a gentleman in Louisiana, and I will make just a very brief reference to it. This gentleman is Mr. F. J. Venerable, of Jeanerette, La. He made a test last year on a small field of 5 acres of cotton, two fields rather of 2½ acres each in separate plats. One half of each plat was poisoned and the other half not poisoned. I will not attempt to give the details but just the results. Mr. Coad says in this report:

Average by yield per acre for the two varieties of cotton tested by Mr. Venerable was 159 pounds of lint cotton per acre in his untreated cotton—

That is, the cotton not poisoned—

and 463 pounds of lint cotton per acre in his poisoned cotton.
Thus showing a gain of 304 pounds of lint cotton per acre or a gain of 253 per cent on the poisoned cotton over the unpoisoned.

Anyone who is a cotton grower knows that that is a marvelous gain, that a yield of 463 pounds of lint cotton is a very satisfactory yield, and that 159 pounds is certainly not profitable.

Mr. President, without taking more of the time of the Senate I ask leave to publish along with my remarks this report of Mr. Coad addressed to Dr. L. O. Howard, Chief of the Bureau of Entomology, and the letters to which I have referred.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

ROSEDALE, MISS., *August 6, 1919.*

Mr. B. R. COAD,
Tallulah, La.

DEAR SIR: Having in mind our conversation with Senator RANSDELL, and his request for information in regard to poisoning boll weevils, I am writing you this letter thinking that you may forward it to him, with other data requested by the Senator.

The detailed operation of the poison, the amount of poison to be used, when and how it should be applied, and exact results, by check plats, you can give to the Senator.

I was first assured of the success of your poison on a trip to a plantation near Tallulah, where I saw 20 rows of cotton well fruited, white, and yielding a reasonable crop, and the cotton on each side of the 20 rows showing less than a bale to 10 acres. I estimated the 20 rows around a third of a bale to the acre, and I believe that it turned out a little in excess of that. This 20 rows was in an extremely poor state of cultivation, and practically all of the fruit was made at the top and on the ends of the limbs, showing that the fruit had been put on late in the year. I was informed that this 20 rows had been barred off in July, and the plant indicated that such was the case.

I saw several other things on that occasion that convinced me of the efficacy of the poison.

The following season I attempted early in the season to get you to secure some poison and machines for me, but this you declined to do. However, along the latter part of July the weevil destruction was so great on my Panther Forest plantation, in Arkansas, that I felt it afforded an opportunity for a reasonably large experiment in boll-weevil poisoning, not to make cotton but to save the bolls already set on the plant. With this in view, you secured for me poison, and it was sent by express from New York City. Some 300 acres of the worst infested cotton was poisoned, with a result of not only saving the cotton poisoned but preventing the spread of the weevil to other parts of the plantation, and it was estimated that by this process some 50 bales of cotton was added to the crop.

After this, the following summer, I purchased nine power machines and several thousand pounds of the poison, making an investment of some $20,000. Last year there was only a small amount of the poison used because of weather conditions and the little boll-weevil damage. This year, however, I am using the poison freely, and thus far with excellent results. There is not a doubt in my opinion but that you have discovered a means of controlling the weevil. Of course, details are yet to be worked out, dusting machines yet to be perfected, and machines for the small farmer as well as the large farmer to be developed.

The poison is way beyond the experiment of doubtful state, and is certain to give results.

I sincerely hope that Senator RANSDELL and Mr. WILSON will be able to secure for you the funds necessary to complete your work. I feel that the benefit which it will prove to the South and the whole country is inestimable.

Yours, very truly,

ALEX Y. SCOTT.

MOUND, LA., *August 1, 1919.*

Mr. B. R. COAD,
Tallulah, La.

DEAR SIR: I have just received your letter asking my candid opinion as to the merits or demerits, as per my observation, of the calcium-arsenate preparation that you are now using in this section in your campaign against the boll weevil.

I have been working with the boll weevil now about nine years and have always tried to carry out all the Government instructions. I have picked up squares, burned stalks, cleaned up around the edges of new ground, and done everything to try to keep them down, but I have never found anything that gave the results as this calcium arsenate. I have been trying it now, off and on, for about four years. The first time I tried it was on July 25 four years ago. I had a piece of cotton, 3 acres, and awfully in grass. I worked it out, got it clean and in good shape, poisoned half of it five or six times during the latter part of July and August—to the other half I didn't do anything, only kept it worked at the same time and in the same way as I did the other—and made close to half a bale of cotton to the acre on that I poisoned. I never got a bale on that I did not poison.

I am this year spending about $800 or $1,000 on a little place I have, and I surely would not do so unless I had the utmost confidence in it.

I have about 120 acres in cotton; some of it two weeks ago was about 60 per cent infested. I poisoned it twice and have it down now to about 15 per cent. I expect to poison it twice more and am expecting to make a good bale of cotton to the acre on pretty near my whole place.

Yours, truly,

ALEX CLARKE.

MOUND, LA., *August 1, 1919.*

Mr. B. R. COAD,
Tallulah, La.

DEAR SIR: Referring to yours of recent date asking that you be advised what conclusions I have drawn as to the value of the powdered calcium arsenate and the other preparations that your laboratory has been using in extensive field trials on a large scale through this section for the past three or four years.

The fact that your laboratory has hit upon what might be called a specific for the boll weevil was conclusively demon-

strated, to my mind, in 1915, as a result of the work done in that year on Algodon plantation, where a strip of cotton that had been abandoned to coco was barred off on July 25 of that year, all the fruit on the cotton up to that time having been destroyed by the boll weevil, and afterwards treated. When I saw this strip of cotton again in December it had not been picked, and I estimated that on stalks about knee high, or a little better, you had nearly one-fourth of a bale to the acre on the treated strip and practically nothing on the balance of the field.

I have seen and known in considerable detail of the work in Arkansas, the work on the Mississippi Delta Planting Co.'s properties, the Scott properties near Rosedale, and some of the work in Madison Parish each year since that time, and I feel sure that with proper machinery for the distribution of the poison, such as you are now using, it is entirely practicable to raise cotton in boll-weevil territory without regard to the degree of infestation, provided that the work of poisoning is handled by men competent to determine where, when, and in what quantity the poison should be applied.

There is, of course, much to be learned in connection with this work, which is still, to a considerable degree, in the experimental stage, and much care will have to be taken to see that the arsenical preparations used are properly compounded to avoid burning the plants; but if these matters are properly handled there can be no question in the mind of any unprejudiced observer but that the boll-weevil problem has been solved by the Delta laboratory since your assignment to the Tallulah station.

If any other information that I may have might be of service to you in any way it is entirely at your disposal at any time.

Yours, very truly,

D. D. EWING.

—

DELTA & PINE LAND CO. OF MISSISSIPPI,
Scott, Miss., August 15, 1919.

Senator JOSEPH E. RANSDELL,
Washington, D. C.

MY DEAR SENATOR RANSDELL: On May 27 I wrote you in reply to your inquiry in regard to our experience with calcium arsenate for boll-weevil control. Since writing you at that time we have had almost another full season's experience. We have used about 50 tons of this poison, and I am now ready to say unqualifiedly that this poison will control the weevil at a cost which is not prohibitive.

I feel that this method of weevil control is so enormously important to the entire cotton belt that the Bureau of Entomology, under which this method has been worked out, should have every facility extended it in the way of funds to carry on this work in order that every cotton planter in the South may have advantage of it.

As you are aware, there has been a lot of poison put on the market which has not been properly made, and if applied would have seriously damaged cotton. Up to this time Mr. Coad informs me that they have been fortunate enough to catch this poison and examine it at their laboratory at Tallulah, La., before any damage has been done. This will have to be continually watched, and, of course, an immense amount of educational propaganda will have to be done if the cotton planters of the South are to get the full benefit of this method.

I feel like you are in position to do more to help this particular work than anyone else, as you are using the poison and know from first-hand knowledge that it will control.

Yours, very truly,

J. W. FOX,
General Manager.

—

MOUND, LA., *August 6, 1919.*

Mr. B. R. COAD,
Bureau of Entomology, Tallulah, La.

DEAR SIR: Yours of the 28th ultimo, requesting my opinion of the use of calcium arsenate for the control of boll weevil, is before me.

The fact that I have, this season, purchased a carload of this material from Riches, Piver & Co., New York, for my own use is, I think, conclusive proof of my faith in it.

I have been applying it according to your advice and am delighted to report that in a number of fields where the infestation was as high as 47 per cent I have been able to reduce it to around 3 per cent, and if weather conditions are at all favorable from now on I should make quite a bale per acre on the fields above referred to, which would not have produced hardly anything had I not applied this arsenate; in fact, I know of a number of crops in this section that will not make a bale to 20 acres and had no more weevil than I had when I began poisoning.

The cotton producers of the South certainly owe a debt to you and the Bureau of Entomology that can never be repaid.

Wishing for you and the department continued success, I am,

Yours, very truly,

GEO. S. YERGER.

—

RICHES, PIVER & CO.,
Vicksburg, Miss.

GENTLEMEN: I inclose herewith check to cover invoice of calcium arsenate. I also inclose a clipping from the Albany Herald, which shows what I think of this plan of exterminating the boll weevil. I also inclose freight bill covering this shipment of calcium and have deducted same from this invoice, as per your instructions.

Yours, very truly, A. W. BARRETT.

[Extract from Albany Herald, Albany, Ga.]

"BARRETT PLEASED WITH BOLL-WEEVIL POISONING PLAN—BIG FARMER TRIES GOVERNMENT PREPARATION SUCCESSFULLY—BOTH EFFECTIVE AND INEXPENSIVE, HE SAYS.

"The Government preparation for spraying boll weevils is a success, according to the experiments made by Mr. A. W. Barrett, one of the largest farmers in this section.

"Mr. Barrett has sprayed 45 acres with the calcium-arsenate preparation, which the Department of Agriculture recommends, and is well pleased with the results, he told a representative of the Herald yesterday afternoon. Mr. Barrett has sprayed some of the cotton four times, another portion of it three times, and some only twice, doing the spraying in the early morning, when the dew is still on the cotton. The idea worked on in this method is that the dew becomes saturated with the poison, and when the boll weevil drinks the dew he becomes poisoned.

NO WEEVILS ON SPRAYED COTTON.

"Mr. Barrett stated that he has gone over the sprayed cotton very carefully and has been able to find only one boll weevil, while other tracts of cotton on the Byne plantation, where the spraying was not done, are literally eaten up with weevils, some untreated stalks having as many as four or five weevils to the bloom. The cotton that has been sprayed will make a half bale to the acre, Mr. Barrett thinks.

"Another pleasing feature of the experiment to Mr. Barrett is the comparatively low cost of the applications. He finds that an acre can be sprayed four times for $5. This, he says, is cheaper than having the squares picked up twice a week and produces more cotton per acre.

WILL SPRAY ALL NEXT YEAR.

"So well pleased is this farmer with his experience in poisoning boll weevils that he announces his intention of spraying all the cotton on his big plantation next year with this preparation.

"Numerous other tests of this preparation are being made in Dougherty County, and so far not an unfavorable report has been made. County Agent Cromartie is conducting experiments in different parts of the county, and he will make a complete report on the experiment in the next few days."

—

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF ENTOMOLOGY,
SOUTHERN FIELD CROP INSECT INVESTIGATIONS,
Tallulah, La., August 1, 1919.

Memorandum for Dr. Howard relative to request for information on the subject of weevil poisoning experiments.

I assume from the tone of the request received from Senator RANSDELL and Representative WILSON that they are desirous of securing more recent information on the results of our weevil poisoning work than that contained in our bulletins and circulars. Consequently, while I wish to sketch something of the progress of this investigation from its very beginning, I will deal only very briefly with the results of the early plat tests, as these are practically all contained in my bulletin, No. 731, a copy of which is inclosed herewith for reference in case more detailed information should be desired.

The first indication of possible success in poisoning the boll weevil developed during the course of biological investigations conducted in 1913 and 1914, but it was not until 1915 that I had an opportunity to test this in the field even on a very small scale. Briefly, the biological investigations mentioned demonstrated the extreme importance of water to the continued existence of the boll weevil, and it was quite obvious that they very frequently drank water from any source from which they could obtain it. Apparently the most important source under field conditions was the dew or rain droplets collected on the leaves of the plants. Owing to repeated failures in securing any considerable degree of control from poisons aimed at ingestion with the food the writer decided to attempt to devise a form of poison which could be ingested by the weevil during this drinking

process. Consequently a number of types of poisons were tested, and finally in 1915 a number of field experiments were inaugurated. For the purpose of these experiments of 1915 triplicate series of plats were surveyed on three different plantations near Tallulah. Each of these series consisted of five plats of about 1 acre each, as nearly uniform as possible in all conditions affecting their production of cotton. In each case the two end plats were given four, five, and six applications of poison, respectively. It was soon evident that this poisoning was exerting a very decided control on the weevils, as the weevil infestation was considerably reduced in the poisoned plats, and these plats continued blooming much later in the season than did the adjoining unpoisoned ones. When the cotton was picked from these plats rather surprising results were secured. Every poisoned plat yielded more than the untreated checks, but the most pronounced feature was the much greater increase in yield with the larger number of poisonings. With four applications a gain of about 15 per cent was secured; with five applications this gain was increased to about 35 per cent; while with six applications it was increased about 70 per cent. In other words, a single extra application over four more than doubled the gain, while two extra applications over four increased the gain between four and five fold. As all applications were started at the same time and the extra treatments consisted simply of a continuation that much later in the season this seemed to point out very significantly the importance of late-season applications.

The results of these experiments were certainly definite and significant, but it was considered possible that they might have been due to some peculiar conditions prevailing during that season and that they could not be duplicated during another year. Consequently the experiments during the season of 1916 were planned largely to check the results secured during 1915, with the important change that provision was made for a wider range in the periods of application. In 1916 the applications in the different experiments extended from the first appearance of the weevils in June until about the 1st of September. On the whole the results in 1916 were just as definite as were those of 1915, and the greater importance of the late-season applications were very plainly demonstrated. In this connection a detailed description of a few of the tests is of interest.

Probably the most spectacular test of the season, and the one which aroused the most interest, was conducted in a cut of abandoned cotton. Poor drainage and excessive rains during May and June had prevented cultivation of this cut, and on the 25th of July there were no prospects whatever of a crop. The plants were only about 10 inches high, and had been so heavily infested by the weevils that there had been no blooms since June. Thus an opportunity was afforded to determine what could be accomplished by poisoning under the most extreme conditions imaginable. An attempt was made to work the cotton out about the 1st of August, and a small plat in the center of the cut—only six-tenths of an acre in size—was poisoned. This poisoning was continued during the month of August, and surprising results were secured. The weevil infestation decreased rapidly in the poisoned plat, and the plants soon started blooming and continued to bloom practically until frost, in spite of the fact that all surrounding cotton was very heavily infested with weevils, and undoubtedly hundreds, if not thousands, were moving into the poisoned cotton daily. When the cotton matured a remarkable sight was presented. The unpoisoned cotton showed practically no open bolls, while the poisoned plat to the very last row was practically white with open cotton. When the cotton was picked it was found that the unpoisoned plats yielded 45 and 65 pounds of seed cotton per acre, respectively, while the poisoned plat yielded about 500 pounds per acre. This, of course, did not constitute a good yield of cotton, but was very remarkable in view of the opportunity which this cotton had had to produce a crop. This test was particularly interesting because of the severe conditions, which prevented the unpoisoned cotton from making any production, because the plants were so small and because it was possible to poison the last row of the treated plat effectively without allowing the poison to drift onto the adjoining check-row. For this reason the line of demarcation between the plats was much more pronounced than usually was possible.

Additional tests during the same season located in better cotton frequently gave larger gains in production per acre, but, of course, the percentage of gain was not so large. In one case of poisoning during the month of July a gain of about 600 pounds of seed cotton per acre was secured. Probably the most interesting feature of this test was the fact that there were 22 days of rain during the month when the applications were made. This seemed to indicate that successful results could be secured from poisoning in spite of excessively rainy weather, and tended to allay the fear that dry weather would be essential to successful results.

In another case a portion of a cut of new ground practically surrounded by heavy timber was poisoned. This was very heavily infested with weevils, but the poisoned plat yielded about 1,700 pounds of seed cotton per acre as compared with about 900 for the check. The treatments in this case were practically confined to late July.

In all, about 15 experiments were conducted during 1916, and the results showed definitely that it was possible to poison the weevils profitably under certain conditions. Again the increased value of late-season applications was obvious, for, as a general rule, the early-season applications gave only slight gains with a very doubtful profit, whereas the late-season applications all showed pronounced profits.

At the beginning of the season of 1917 it was recognized that the experiments to date had merely demonstrated the possibility of poisoning weevils successfully, and that all phases of the economic use of the poison remained still to be worked out. Consequently a very elaborate series of experiments was inaugurated in that season, and about 75 tests were started in the neighborhood of Tallulah, La., each one intended to determine some particular point of importance. These consisted of studies of the comparative efficacy of different poisons, the time of day of application giving the best results, the most profitable season of application, the proper interval between applications, the requisite amount of poison per acre, and many other similar questions, all of which would have to be answered before definite general advice as to the use of the poison could be given. The early studies had shown that under certain conditions poisoning was profitable, but it was apparent that any change in these conditions might easily result in a much lower gain, if not in an actual loss, and it was essential to determine thoroughly the possibilities and limitations of boll-weevil poisoning before releasing any information for public use. Unfortunately for the experimental work the season of 1917, in the vicinity of Tallulah, was most remarkable for the light degree of weevil damage. This was due to a peculiar combination of seasonal conditions and resulted in an almost complete absence of weevil damage in all of the cotton in which tests had been planned. In other words, the yield of cotton in these cuts was just the same as if no weevils had been present. Of course, weevil-control experiments could not be conducted under such conditions, and the majority of the Tallulah experiments had to be given up for the season. Nevertheless, a dozen or more cuts were located immediately adjoining timber, where a somewhat heavier degree of infestation was experienced, and in these cases the rule prevailed that the heavier the infestation the greater the gain due to poisoning.

In addition to the experiments just detailed, a number were conducted in the North Delta, in Chicot County, near Lake Village, Ark., and in Washington County, near Scott, Miss. At both of these points a heavier infestation was produced by different seasonal conditions, and pronounced results were secured from the poison. In every case the experiments were conducted on comparatively small areas, subject to a continual influx of weevils from surrounding untreated cotton, but in spite of this a very definite weevil control resulted from poisoning. The open cotton in every case showed a definite gain to the last row of treatment. The gains per acre ranged from 250 pounds to 1,007 pounds of seed cotton.

It is, of course, impossible to estimate how much larger these gains would have been if entire cuts or entire plantations had been treated and thus the inflow of weevils from unpoisoned cotton prevented; but it is clear that these gains secured on small plats were very conservative. In fact, this was brought out well by one large-scale treatment described below.

About the middle of August the writer was requested to attempt the control of the weevil on a large section of an Arkansas plantation. This cotton was on very fair land but had not been planted until well along in May. Weather conditions then retarded it greatly, and it did not start setting a crop until about the latter part of July. About the middle of August a fair crop of bolls was present, but the plants were large and leafy and the weevils had multiplied so rapidly that one of the heaviest infestations ever witnessed by the writer prevailed. Blooming had practically ceased, and the weevils had cleaned up the squares so thoroughly that they were attacking the bolls in enormous numbers, and all bolls, even to the largest present, were being riddled with punctures. It seemed probable that on one section no bolls would be left to open. It was, of course, too late to attempt to set a new crop by poisoning, but an effort was made to save the bolls then present on the plants. For this purpose large-scale treatments were continued from August 23 to about September 1, several hundred acres in all being treated. At the beginning of the work a series of counts showed that 86 per cent of the squares in the cotton which was to be poisoned had been weevil punctured. This cotton was given a single

poisoning, and about 10 days later it was found that the weevil infestation in those same cuts had been reduced so that only 36 per cent of the squares were punctured. During the same period the infestation in the adjoining unpoisoned cotton had been increasing steadily. Practically all of the poisoned cuts started blooming again at this time, and a number of them reached what is ordinarily termed the "flower-garden" stage of blooming, five to seven blooms per plant on a single day being not at all rare. In starting this treatment it had been anticipated that several applications would be necessary to produce the desired result, but the effect of the single application was so pronounced that it seemed unnecessary to repeat it. The weevils had been so reduced that only 36 per cent of the squares were punctured, and although thousands of weevils were being bred out from the squares on the ground or were coming in from other plantations every day, it was still obvious that the weevils would greatly reduce their attack on the bolls until they had caught up with the squares then present, and that this period would be long enough to allow the bolls to become sufficiently hardened to avoid weevil damage.

At the conclusion of these experiments during 1917 it seemed quite obvious that it was possible to poison the weevil profitably, at least under certain conditions, and, furthermore, it seemed worth while to test this method of control on a considerably larger scale. A number of planters in the Mississippi Delta had been following our work rather closely, and desired to try poisoning their entire crops. Consequently arrangements were made with two concerns, the Mississippi Delta Planting Co., of Scott, Miss., and the Charles Scott's Mississippi Delta plantations, of Rosedale, Miss., for treating their entire properties. The planters furnished poison, machinery, labor, and, in fact, covered all expenses of the operation except that of supervision. We provided the supervision and also detailed a number of men to the task of keeping up with the progress of the weevil infestation, and thus giving us an idea of the results secured. The property of the Mississippi Delta Planting Co., at Scott, Miss., consisted of 17 plantations in one block, and contained a total of about 16,000 acres of cotton. The property of the Charles Scott's Mississippi Delta plantations, of Rosedale, Miss., consisted of seven plantations, six of which were located in Bolivar County, Miss., and one in Chicot County, Ark., near Luna Landing. In all, these contained about 6,000 acres of cotton.

A little later in the season similar arrangements for poisoning were made at several other points, the principal one of these being the Maxwell-Yerger Co., with headquarters at Mound, La., and Argyle plantation of Putnam & Norman Co., located at Fordoche, La. In all, during the course of the season of 1918, between thirty and thirty-five thousand acres of cotton were included in our experimental work. Throughout practically all of this work careful records were kept of the weevil abundance by cuts throughout all of this area, and the poison applications were based entirely upon the apparent need of each particular cut. In this way a vast amount of very important and valuable information was secured; far too much, in fact, to even attempt to summarize for the present memorandum. Generally speaking, however, the results were quite satisfactory, even more so than had been anticipated in fact, and in every case where weevil poisoning was started at the outset of the season we were able to completely eliminate weevil injury from the treated plantations, in spite of the fact that in many cases a fairly high infestation prevailed at the outset. Probably the best proof of the results secured is the fact that in every case the planters concerned were so pleased that they invested still larger amounts in the spring of 1919 to provide for the treatment of their entire crop this year.

In conjunction with this practical control work a great number of more or less technical experiments were continued in order to aid in securing information to serve as a basis for developing the most efficient technique of weevil treatment.

During the midsummer of 1918 a progress report of our work was published, and attracted so much attention that thereafter our investigations were observed very closely by a great many planters, and the results were sufficiently striking that at the outset of the present season it was quite obvious that a considerable amount of commercial poisoning would be done this year. A practically new insecticide had been developed for this work, and up to the fall of 1918 only one company was manufacturing it commercially. However, the prospects for this year were so obvious that at least a dozen companies began producing this product and have been selling it all this season. We have not a complete report of the amount actually sold for use in boll-weevil control this year, but from the data on hand it is quite obvious that over 1,000,000 pounds have been sold so far, and it is quite apparent that practically all of this material in sight in the country will be disposed of very shortly. In fact, the limiting factor this year has been the supply of dusting machinery available for use. When we began our poisoning work we found that there was not a single machine on the market suitable for use on cotton. Consequently it has been necessary for us to devise special machinery throughout this investigation. Owing to rather limited facilities, we have had considerable difficulty in this work, but on the whole fairly satisfactory progress has been made, and several factories arranged to provide this special machinery during the season of 1919. However, their producing capacity was somewhat limited, and proved totally unequal to meet the demand. In all, probably four to five hundred large power machines, selling at from $400 to $600 each, were made, and these are all sold. In addition, apparently some six to eight thousand hand guns have been sold for this work. It is, of course, entirely too early yet to prophesy anything of the results secured in 1919, but, owing to the extreme lateness of the cotton crop and the rather unusually heavy weevil infestation prevailing in most parts of the cotton belt, this poisoning has been going on for some time, and so far very satisfactory results are being secured in every place where we have any record, and this probably includes something over 75,000 acres of cotton. The present status of the investigations is briefly as follows:

There is no longer any question that the boll weevil can be controlled very profitably by the use of calcium arsenate under certain conditions. However, it has proven to be a rather limited method of control and dependent on localized conditions. Owing to the complications involved, it has been impossible so far to develop this work to the point where definite rules for treatment can be promulgated. Furthermore, practically all of the experimental work up to the present year has been conducted under the peculiar type of conditions existing in the Mississippi delta, and it is quite obvious that while the same general methods may be followed elsewhere, it is going to take considerable study under different types of conditions before this method can be adapted to fit these varying conditions. Consequently at present the only advice we can give the farmers is more or less indefinite and conditional and leaves much to the discretion of the individual supervising the work. Owing to these facts we have generally advised the farmer to go rather slow in adopting this method of weevil control and to take it up only experimentally until we are able to carry the investigations to the point of issuing much more definite instructions. Unfortunately many farmers are not inclined to heed the conservative advice, and I am very much afraid there is going to be quite a number of failures this year, owing simply to the fact that they are attempting poisoning on a large scale under conditions where we have had no experimental work whatever and are unable to give them any definite advice. However, so far this season the reports reaching us have been very optimistic, and, generally speaking, the farmers seem quite satisfied with the early results secured.

As early as 1918 a few farmers undertook weevil poisoning on their own account, and while in the majority of cases it is very difficult to get definite records of the results secured, we have received these records from a few farmers. One of the most interesting of these is the case of Mr. F. J. Venerable, of Jeanerette, La. Mr. Venerable selected two cuts of cotton, each 2½ acres in size, and split them so that one half of each was treated with poison and the other half allowed to remain untreated as a check. Unfortunately Mr. Venerable was delayed somewhat by unavoidable circumstances in starting the treatment on this cotton, and it had reached a rather high degree of weevil infestation before the first application was made. Four applications were made, starting the middle of July, and repeated about every two weeks. Throughout this work Mr. Venerable kept separate records of percentage of squares punctured by weevils in poisoned and unpoisoned cotton, and the figures as forwarded to this office are shown in the following table:

Date.	Per cent infested.	
	Check.	Poisoned.
July 15	43.9	41.7
July 22	54.7	18.8
Aug. 3	72.0	18.8
Aug. 10	83.0	30.8

From this it is seen that Mr. Venerable started poisoning with practically the same infestation in the two cuts, namely, a little over 40 per cent. Immediately after the first treatment, however, the infestation decreased considerably in the poisoned cotton and remained fairly low throughout the remainder of the

season, while it continued to increase in the check plat. Mr. Venerable reported in detail on the results of this test some months ago, but a few days ago I wrote him for a summary of these results, and under date of August 2 he wrote as follows:

It is with pleasure that I furnish you with what data I have in hand relative to your 1918 boll-weevil poisoning experiment.

All data as to infestation count have been destroyed, as these records were kept on loose leaves.

But the final results are still at hand and are as follows: Two and a half acres planted to Cleveland big boll April 16, half of which was poisoned 4 times; one application we got little of any results on account of rain coming within 12 hours of application. Applications were made as near 14 days apart as weather would permit. The weights were:

Nonpoison area, 766 pounds of seed cotton.

Poison area, 1,997 pounds of seed cotton.

Two and one-half acres planted Express cotton, one-half poisoned and one-half not poisoned. Planted same day and received same care and cultivation as Cleveland big boll. Weights were:

Nonpoison area, 344 pounds of seed cotton.

Poison area, 1,320 pounds of seed cotton.

I wish to state that had I started poisoning 14 days earlier, when infestation was around 10 to 15 instead of 25 to 40, and continued 14 days later I would have most doubled the yield.

My opinion is, under normal season on our rich lands here, cotton planted on 6-foot rows will yield more than one bale per acre average, if poisoned.

Averaged by yield per acre for the two varieties of cotton tested Mr. Venerable reported 159 pounds of lint cotton per acre in his untreated cotton and 463 pounds of lint cotton per acre in his poisoned cotton, thus showing a gain of 304 pounds of lint cotton per acre, or a gain of 253 per cent over check.

Of all the men who have watched our results there are five who have undoubtedly had more experience than any others in this regard. They are Alex Scott, general manager of the Charles Scott's Mississippi Delta plantations; Prof. J. W. Fox, general manager of the Mississippi Delta Planting Co.; George S. Yerger, general manager of the Maxwell-Yerger Co.; Alex Clarke, a farmer located near Duckport, La., and Maj. D. D. Ewing, auditor and assistant manager of the Maxwell-Yerger Co. I have requested each of these gentlemen to write me his views and opinions of the work so far and am attaching these letters to the present memorandum in order that you may have an opportunity to note the opinions of disinterested planters who have had considerable experience with weevil poisoning.

Mr. W. C. Piver, of the Riches-Piver Co., Vicksburg, Miss., has just been in the office and handed me a letter and clipping received from Mr. A. W. Barrett, of Albany, Ga., which gives something of his results secured during the present season.

Another interesting case of results being secured this year is the report just made by Mr. L. C. Winterton, manager Sycamore Planting Co., of Ferriday, La. Mr. Winterton purchased a power machine and several tons of calcium arsenate and has been poisoning about three or four hundred acres of cotton for the past several weeks. This work has been entirely under Mr. Winterton's supervision, and the only instructions received from this office were those contained in our circular matter. Consequently we are especially pleased to have his report, as it represents the results of absolutely independent work. In outlining his poisoning Mr. Winterton arranged for two different check tests. In one case he divided a field so that the central portion remained unpoisoned, while the two ends were given regular treatments. Mr. Winterton made infestation counts in this very carefully at regular intervals and reports as follows: The poisoned cotton was 27 per cent infested at the time of starting the applications. This infestation gradually receded until on August 2 it was only 23 per cent. At the time the poisoning was started the unpoisoned portion of the cut was 23 per cent infested. This infestation increased rapidly until on August 2 it had reached 83 per cent, or practically a complete infestation. In other words, the treatment on the poisoned portion of this cut by August 2 had held the infestation from 83 to 23 per cent. In another case two adjoining fields slightly over 9 acres in extent were selected for comparison, one being poisoned and the other left untreated. On July 24 the field to be poisoned was 33.4 per cent infested and the first application was made that day. On July 29 this had receded to 8.6 per cent, and on August 2 the infestation in this cut was only 2 per cent. The other field, separated from this poisoned one by only a ditch, was 11.7 per cent on July 24, and increased to 18 per cent on July 29 and 25.6 per cent on August 2. In other words, during the period July 24 to August 2 the poisoned field was reduced in infestation from 33 per cent to 2 per cent, while the unpoisoned field increased from 11 per cent to 25 per cent.

Very truly, yours,

B. R. COAD.
In Charge Delta Laboratory.

Mr. SMOOT. Mr. President, I am delighted to hear what the Senator from Louisiana [Mr. RANSDELL] has said. It seems to me if the reports are true that the mission of the United States is through as far as further investigation and the discovery of a substance to do away with the boll weevil is concerned. That being the case, I look for the appropriation in the next Agricultural appropriation bill to be very much less than it has been for this particular work.

I am delighted to learn these facts, although I have received a number of letters, but not as many as the Senator has, with relation to this poison. I wish to ask the Senator if the Agricultural Department discovered this poison or was it discovered by some one outside the department?

Mr. RANSDELL. It was discovered by the Agricultural Department, acting through Mr. Coad, their entomologist, at a small station and a very inexpensive one, let me add, in Tallulah, Madison Parish, La. Mr. Coad has been in charge of it for several years and has done magnificent work.

Mr. HARRISON. Mr. President——

Mr. RANSDELL. I yield to the Senator from Mississippi.

Mr. HARRISON. My impression is that this experiment was carried on in the delta part of Mississippi, and Tallulah is in the delta part of Louisiana.

Mr. RANSDELL. It is in the delta part of Louisiana.

Mr. HARRISON. They have not tried it as they desire to try it in the hill section. In the last Agricultural appropriation bill, while the estimated appropriation was cut, they still have enough to carry on some experiments in the hill section.

Mr. SMOOT. But the experiments in Georgia proved to be exactly the same and gave the same results, I understand.

Mr. HARRISON. I do not think there is any doubt but it will give the same result, but they have not carried it to an extent in the hill section that they desire.

Mr. SMOOT. Of course, if it is a success it will be carried to every cotton field in the United States and perhaps in the world.

Mr. RANSDELL. I wish to thank the Senator from Utah for his interest in this matter. While the experiment has been pretty thoroughly tested, as was stated by the Senator from Mississippi, in the rich lowlands of the Mississippi Delta, where cotton grows very high and the vegetation is rank, it has not been tested experimentally so as to direct people how to carry on the poisoning in the hill section, and it is desired to have some additional appropriation for that purpose. I hope the Secretary of Agriculture will request it in his next recommendation to Congress and that he will be given whatever is required.

Before sitting down I wish to add that personally I am conducting this experiment myself on 400 acres of my cotton this year. My manager, Thomas H. Estes, and his assistant, Curtis Grayson, have written me a number of times in the last few weeks in the most encouraging manner telling me about how they have reduced the infestation of the boll weevil and how nicely the cotton is getting along under the poisoning process, much better than where it has not been poisoned. Hence I feel that I have derived very great personal benefit from the application of this poison and wish the people throughout the cotton belt could know about it.

LETTER OF GOV. CLEMENT, OF VERMONT.

Mr. PAGE. Mr. President, I have received from the private secretary of Gov. Clement, of Vermont, a letter reading:

I am directed by Gov. Clement to forward you the within inclosed letter, which the governor has written to-day to the governor of West Virginia.

The letter is certified, and I should like to have it go into the RECORD, if there is no objection.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AUGUST 13, 1919.

Hon. JOHN J. CORNWELL,
Governor of West Virginia, Charleston, W. Va.

MY DEAR GOVERNOR: Replying to your favor of August 5, I am utterly opposed to the confiscation of the railroad properties by the Federal Government for the benefit of railroad employees, and I agree with you that the demand of the railroad brotherhoods should be met with a firm refusal by all of the States of the Union.

Government operation of utilities is, in my opinion, unwise and fundamentally wrong. It is a centralization of power in the Federal Government, which is sure to bring trouble and disaster to the Nation. It will result in such a breakdown of transportation service as we have seen in the railroad operation during the last two years. Aside from these objections it is a serious

menace to the States of the Union in that it would deplete our revenues to such an extent that we should be obliged to increase our local tax rates upon property to an enormous extent.

I will join you in asking the proper committees of the Congress to be heard upon this most important question which has ever faced this country since its foundation.

Very sincerely, yours,

PERCIVAL W. CLEMENT,
Governor.

DEPORTATION OF ALIENS.

Mr. JONES of Washington. I present a resolution adopted by Hoquiam Post, No. 16, of the American Legion, urging legislation to deport aliens who made application for naturalization but who renounced their declaration in order to escape military service during the war. I move that it be referred to the Committee on Immigration, and I hope that the committee will give the bill which has been introduced and which is now pending before that committee due consideration.

Mr. KING. Mr. President, I have received a number of petitions of a similar character and also a large number of letters from various parts of the United States asking that the bill to which the Senator from Washington has just referred be extended and that there be deported from the United States not only aliens who were interned during the war and have been since released on parole, but that there also be deported from the United States aliens who belong to various so-called criminal organizations, such as the I. W. W. and the Bolshevist organizations, which seek the destruction of our Government by force and advocate resistance by violence to the enforcement of the law. I have not seen fit to bring all those letters and petitions here. Some of them I have referred and some I shall refer to the committee without presenting them to the Senate.

The VICE PRESIDENT. The resolution will be referred to the Committee on Immigration.

REPORT ON LEATHER AND SHOE INDUSTRIES.

The VICE PRESIDENT laid before the Senate a communication from the Federal Trade Commission, transmitting a report of the leather and shoe industries in part covering the period from 1914 to 1917, inclusive, and in part covering the period from 1914 to 1918, which, with the accompanying paper, was referred to the Committee on Manufactures.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a bill (H. R. 4437) to provide revenue for the Government and to promote the production of tungsten ores and manufactures thereof in the United States, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. SHEPPARD. I present a petition from approximately 2,000 retail grocers of Texas in behalf of the Kendrick-Kenyon bill to regulate meat packers. I move that the petition be referred to the Committee on Agriculture and Forestry.

The motion was agreed to.

Mr. McNARY (for Mr. GRONNA) presented a memorial from the Farm Bureau Federations of Iowa, Nebraska, Indiana, Ohio, and Illinois, relative to the causes of the high cost of living, etc., which was referred to the Committee on the Judiciary.

He also (for Mr. GRONNA) presented a petition of the Stanislaus County Farmers' Union (Inc.), of California, praying for the imposition of a tariff on the importation of beans into this country, which was referred to the Committee on Finance.

Mr. WALSH of Montana. I present a joint memorial from the Legislature of the State of Montana, which I ask to have printed in the RECORD and referred to the Committee on Interstate Commerce.

There being no objection, the joint memorial was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

Senate joint memorial 4.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Whereas prices of staple articles of trade, under the stimulus of the abnormal relationship of supply and demand existing during the war, advanced to abnormally high levels; and

Whereas speculators, in combination with producers and dealers in such staple articles of trade, are in many instances maintaining prices to those abnormally high levels by artificial means not based upon the economic laws of supply and demand, but made possible by sympathetic groups of such speculators possessed of large resources and in control of sufficiently large percentages of the total supply of such staple articles of trade as to arbitrarily fix the market prices of such articles; and

Whereas the aggregate profits being so exacted of the ultimate consumer of such staple articles of trade is unconscionable, unjust, and oppressive; and

Whereas it has long been accepted as within the province of liberal governments to prohibit the exaction of unconscionable profits on money loaned as the medium of trade: Now, therefore, be it

Resolved, That the Sixteenth Legislative Assembly of the State of Montana assembled in extraordinary session, does petition the Congress of the United States to prohibit by law the exaction of such unconscionable profits on staple articles of interstate commerce; that persons and corporations engaged in interstate business be licensed by the United States Government to carry on such interstate business that the annual net profits legally chargeable by such persons and corporations from such commerce be limited to a fair aggregate profit, based upon the reasonable and economic production cost of the article delivered to the ultimate consumer, as modified by the risk involved in the trade and prior losses of the trader in the business; and to this end that the Congress of the United States, either directly or through a commission to be by it created, fix the maximum aggregate profits legally chargeable by the producer, middleman, and retailer, upon the various classes of articles of such interstate commerce; be it further

Resolved, That the secretary of state be and he is hereby directed to transmit copies of this memorial, duly authenticated, to each of the Senators and Representatives in Congress from the State of Montana.

W. W. MCDOWELL,
President of the Senate.
O. W. DELDEN,
Speaker of the House.

Approved August 8, 1919.

S. V. STEWART, *Governor.*

Filed August 8, 1919, at 4.40 o'clock p. m.

C. T. STEWART, *Secretary of State.*
By CLIFFORD L. WALKER, *Deputy.*

UNITED STATES OF AMERICA,
State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the above is a true and correct copy of senate joint memorial No. 4, "Relating to the regulation of prices of staple articles of trade," enacted by the Sixteenth Session of the Legislative Assembly of the State of Montana, in extraordinary session assembled, and approved by S. V. Stewart, governor of said State, on the 8th day of August, 1919.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of Montana, at Helena, the capital, this 8th day of August, A. D. 1919.

[SEAL.]

C. T. STEWART, *Secretary of State.*
CLIFFORD L. WALKER, *Deputy.*

Mr. WALSH of Montana. I present a joint memorial from the Legislature of the State of Montana, which I ask to have printed in the RECORD and referred to the Committee on Public Lands.

There being no objection, the joint memorial was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

House joint memorial 3.

A memorial to the Congress of the United States to enact such legislation as may be necessary and effective for the purpose of enabling the several public-land States, or any duly constituted irrigation district organized under the laws thereof, to acquire rights of way upon, over, and across Government lands within national forests, for the construction of dams, reservoirs, and other necessary conveniences.

To the honorable Senate and House of Representatives in the Congress of the United States of America:

Your memorialists, the members of the Sixteenth Legislative Assembly of the State of Montana, in extraordinary session assembled, the senate and house concurring, respectively represent: That—

Whereas there exists an urgent need throughout the several western public-land States for the storage of flood waters, in order that they may be used for the purpose of irrigating vast areas of cultivated and irrigable lands at such seasons of the year as the regular flow of the rivers, creeks, and springs have either been diminished or entirely depleted; and

Whereas Montana has particularly suffered severely from drought during the years of 1917, 1918, and 1919; and

Whereas there exists within the boundaries of the State of Montana many valuable reservoir sites, capable of empounding millions of cubic feet of flood waters that otherwise would run to waste; and

Whereas in a great many instances such reservoir sites are located within the boundaries of the national forest: Now, therefore, be it

Resolved by the house of representatives (the senate concurring), That the Sixteenth Legislative Assembly of the State of Montana in extraordinary session assembled, do hereby petition:

That the Congress of the United States enact such legislation as may be necessary and effective to enable the several public-land States, or any duly constituted irrigation district organized under the laws thereof, to acquire rights of way upon, over, and across Government lands within national forests, for the construction, maintenance, and operation of dams, reservoirs, and other necessary conveniences for the storage and husbanding of waters for irrigation purposes on lands without said national forests; together with the right to store, divert, convey, and use in and by means of said dams, reservoirs, and other necessary conveniences waters rising within or passing through said national forests; and the further right to construct, maintain, and operate ditches and flumes and aqueducts within said national forests for the purpose of conveying said waters so accumulated, stored, and husbanded in said dams, reservoirs, and other necessary conveniences to suitable points of outlet from said national forests to places of intended use; be it further

Resolved, That a copy of this memorial be transmitted by the secretary of state of Montana to both Houses of the National Congress and to the Senators and Representatives in Congress from the State of Montana, with the request that they use every effort within their power to bring about the enactment of such legislation.

O. W. BELDEN,
Speaker of the House.
W. W. MCDOWELL,
President of the Senate.

Approved August 2, 1919.

S. V. STEWART, *Governor*

Filed August 2, 1919, at 3.50 o'clock p. m.

C. T. STEWART, *Secretary of State.*
By CLIFFORD L. WALKER, *Deputy.*

UNITED STATES OF AMERICA,
State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the above is a true and correct copy of house joint memorial No. 3, "A memorial to the Congress of the United States to enact such legislation as may be necessary and effective for the purpose of enabling the several public-land States, or any duly constituted irrigation district organized under the laws thereof, to acquire right of way upon, over, and across Government lands within national forests, for the construction of dams, reservoirs and other necessary conveniences," enacted by the Sixteenth Session of the Legislative Assembly of the State of Montana, in extraordinary session assembled, and approved by S. V. Stewart, governor of said State, on the 2d day of August, 1919.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Montana at Helena, the capital, this 2d day of August, 1919.

[SEAL.]

C. T. STEWART, *Secretary of State,*
CLIFFORD L. WALKER, *Deputy.*

Mr. WALSH of Montana. I present a joint memorial from the Legislature of the State of Montana, which I ask to have printed in the RECORD and referred to the Committee on Irrigation and Reclamation of Arid Lands.

There being no objection, the joint memorial was referred to the Committee on Irrigation and Reclamation of Arid Lands and ordered to be printed in the RECORD, as follows:

House joint memorial No. 4.

A memorial to the Congress of the United States urging the appropriating of $50,000,000 for work on Government irrigation projects in the West.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

We, the Sixteenth Legislative Assembly of the State of Montana, in extraordinary session assembled, do hereby urgently recommend that you promptly enact legislation appropriating the sum of $50,000,000 for work on Government irrigation projects throughout the West.

The long extended drought prevailing throughout Montana has rendered more storage and use of water for irrigation purposes a problem of grave importance, and as the projects undertaken by the United States Reclamation Service are entirely under Federal control the individual State is powerless to aid in their completion.

The farmers of Montana exerted their utmost efforts and staked their entire resources in response to every call of the United States Government for increased crop production and for the raising of funds for the different purposes required in the prosecution of the World War. And because of the unprecedented drought conditions during the last three seasons, and especially the season of 1919, the many farmers of Montana are faced with the disastrous effects of such drought clearly demonstrating the great need and necessity of said appropriation for the purpose of storing and retaining the vast quantity of the flood waters which flow to waste each year, which if made available would reclaim a vast acreage of the lands of the State and make them more certain and profitable for the raising of such crops as are necessary for the support of the Nation in time of peace or war.

For all of which reasons we urgently recommend the speedy enactment of the proposed legislation as embodying a sound business policy applied to a great national problem.

The Secretary of the State of Montana is hereby directed to transmit by wire and in writing copies of this memorial to the President of the Senate, to the Speaker of the House of Representatives, to the Secretary of the Interior, and to the Montana Senators and Representatives in Congress.

O. W. BELDEN,
Speaker of the House.
W. W. MCDOWELL,
President of the Senate.

Approved August 9, 1919.

S. V. STEWART, *Governor.*

Filed August 9, 1919, at 11.35 a. m.

C. T. STEWART, *Secretary of State.*
By CLIFFORD L. WALKER, *Deputy.*

UNITED STATES OF AMERICA,
State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the above is a true and correct copy of House joint memorial No. 4, "A memorial to the Congress of the United States urging the appropriating of $50,000,000 for work on Government irrigation projects in the West," enacted by the Sixteenth Session of the Legislative Assembly of the State of Montana, in extraordinary session assembled, and approved by S. V. Stewart, governor of said State, on the 9th day of August, 1919.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of Montana at Helena, the capital, this 9th day of August, A. D. 1919.

[SEAL.]

C. T. STEWART, *Secretary of State.*
CLIFFORD L. WALKER, *Deputy.*

Mr. WALSH of Montana. I present a joint memorial from the Legislature of the State of Montana, which I ask to have printed in the RECORD and referred to the Committee on Public Lands.

There being no objection, the joint memorial was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

House joint memorial 5.

Memorializing Congress of the United States for the passage of legislation for the relief of entrymen on the public lands of the United States under the homestead act.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Whereas a large portion of the sections of the State of Montana now stricken by drought are lands which have been filed upon by settlers under the homestead act of the United States; and

Whereas the crops in said sections have, by reason of the drought, been in most instances a total failure; and

Whereas the entrymen under said homestead act of the said public lands of the United States within the State of Montana are unable to borrow funds on their said lands to assist in the development of said lands or in maintaining the said entrymen and their families upon said lands; and

Whereas by reason of said drought an emergency exists in the said State of Montana affecting the said homestead settlers: Therefore be it

Resolved, That the House of Representatives of the State of Montana, in extra session assembled, the Senate concurring, does respectfully petition the Congress of the United States for the passage of some relief legislation shortening the period of residence required under the laws of the United States for acquiring title to public lands under the homestead act and for such proper legislation as may relieve the entrymen from some of the burdens incident to the period of residence in order to acquire title to their said lands under the homestead laws as the same now exist and for such further legislation as will assist the homestead entrymen within the State of Montana in perfecting their title to their said homestead entries and using the same commercially to assist the said entrymen in improving the said lands and providing sustenance for themselves and their families; and be it further

Resolved, That the secretary of the State of Montana transmit copies of this memorial to the President of the Senate and to the Speaker of the House of Representatives of the United States and to the Secretary of the Interior, the Commissioner of the General Land Office, and the Senators and Representatives from the State of Montana, with the request that they use every effort to secure the immediate passage of such legislation.

O. W. BELDEN,
Speaker of the House.
W. W. MCDOWELL,
President of the Senate.

Approved, August 9, 1919.

S. V. STEWART, *Governor.*

Filed August 11, 1919, at 10.40 a. m.

C. T. STEWART, *Secretary of State.*
By CLIFFORD L. WALKER, *Deputy.*

UNITED STATES OF AMERICA,
State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the above is a true and correct copy of house joint memorial No. 5, "Memorializing Congress of the United States for the passage of legislation for the relief of entrymen on the public lands of the United States under the homestead act," enacted by the Sixteenth Session of the Legislative Assembly of the State of Montana, in extraordinary session assembled, and filed in my office this 11th day of August, 1919.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of Montana at Helena, the capital, this 11th day of August, A. D. 1919.

[SEAL.]

C. T. STEWART, *Secretary of State.*
CLIFFORD L. WALKER, *Deputy.*

Mr. LODGE presented memorials of sundry citizens of Boston, Springfield, Newton, Littleton, Lawrence, New Bedford, Lowell, Charlestown, Worcester, and Medford, all in the State of Massachusetts, remonstrating against the ratification of the league of nations treaty, which were referred to the Committee on Foreign Relations.

He also presented telegrams in the nature of petitions from sundry Greek citizens of Haverhill, Worcester, and Fitchburg, all in the State of Massachusetts, praying that Thrace, Macedonia, Epirus, and Dodecanese be annexed to Greece, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of the State of Oregon, praying for reservations to the league of nations covenant which will safeguard the independence and sovereignty of the United States, which was referred to the Committee on Foreign Relations.

Mr. ROBINSON presented a petition of sundry citizens of Augusta, Ark., praying for the passage of the so-called Kenyon-Kendrick bill providing for Federal control of the meat-packing industry, which was referred to the Committee on Agriculture and Forestry.

Mr. TOWNSEND presented petitions of sundry citizens of Three Rivers, Albion, and Lenawee County, all in the State of Michigan, praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

He also presented a petition of Pomona Grange, No. 15, Patrons of Husbandry, of Lenawee County, Mich., praying for the return to private ownership of the railroads of the country, which was referred to the Committee on Interstate Commerce.

He also presented a memorial of Pomona Grange, No. 15, Patrons of Husbandry, of Lenawee County, Mich., remonstrating against the proposed plan of the Secretary of the Interior to reclaim desert and swamp lands, which was referred to the Committee on Public Lands.

He also presented a petition of the Federation of Labor, of Detroit, Mich., praying for the adoption of certain amendments to the vocational rehabilitation act, which was referred to the Committee on Education and Labor.

He also presented a petition of Local Union No. 1330, United Brotherhood of Carpenters and Joiners of America, of Grand Rapids, Mich., praying for Federal control of the food supply, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of Local Union No. 97, National Brotherhood of Operative Potters, of Mount Clemens, Mich.,

praying for the exemption of wines and beer from prohibition, which was ordered to lie on the table.

He also presented a petition of sundry postal employees of Hastings, Mich., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

Mr. PHELAN presented a petition of sundry citizens of Napa, Calif., praying for the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. COLT presented a memorial of sundry Polish citizens of Providence, R. I., remonstrating against unwarranted statements being made against the Polish Nation, etc., which was referred to the Committee on Foreign Relations.

He also presented a petition of the Employers' Association of the State of Rhode Island, praying for the return to private ownership of the railroads of the country, which was referred to the Committee on Interstate Commerce.

Mr. PAGE presented a memorial of Local Branch, Granite Cutters' International Association, of Barre, Vt., remonstrating against the prohibition of beer and light wines, which was ordered to lie on the table.

Mr. HARRIS. I present a resolution adopted by the Legislature of the State of Georgia concerning Federal pensions. I ask that the resolution be printed in the RECORD and referred to the Committee on Pensions.

There being no objection, the resolution was referred to the Committee on Pensions and ordered to be printed in the RECORD, as follows:

Whereas the losses sustained by the Southern States as a result of the War between the States were $4,000,000,000, value of emancipated slaves; $25,000,000, proceeds of captured and abandoned property of the South; and $68,000,000 of taxes collected for cotton tax of 1867 and 1868, which has been adjudged by the Supreme Court of the United States as an illegal tax, which sums of money were actually paid into the Treasury of the Government and paid out for its uses; and

Whereas these vast sums of money have actually been received and the damage done the South more than 55 years ago as a seeming indemnity held against a conquered province rather than States of the American Union for exercising a right that had previously been conceded; and

Whereas the generation of the South who actually sustained this great loss are fast passing away and the several States are burdened with the cost of making provision for them; and

Whereas the United States Government has by law provided a pension system for the soldiers of the North who enlisted in the Armies known as the Federal Army, which has been paid for the past 30 years by a tax levied on the whole country that has been paid by the South as well as by the North; and

Whereas the people of the Southern States have paid their part for the past 30 years, the annual sum of $50,000,000 or more, in support of the pension burden of the Government, and received no part of it in return; and

Whereas the people of the South now representing the business interests, and who have to carry this pension burden, are thus situated: When the people of the North pay the tax it goes into the Treasury of the Government, but annually it goes back to their section in payment of the pension; they get it back, put it into use in their upbuilding and prosperity; but when the South pays their part of this pension it never comes back, but goes all across the line to pay the pensions of the North and to add to their success and prosperity, which is an unjust burden carried by generations of loyal and pure Americans for the acts of their fathers of more than half a century ago; and

Whereas there should be some return made to the Southern States of this large sum of money obtained from the sale of captured and abandoned property and from the illegal cotton tax which was actually paid into the Treasury of the Government and used by them for the last 50 years; and

Whereas the only relief that can be suggested for the United States Government, through the Congress, the law making provision to provide for the payment of a sufficient sum through the Treasury Department for each State to amply provide for the old slaves who are now unable to work for a support, which his master was compelled to give him by the State, and to furnish a sufficient sum to each State, to be used to pay pensions fixed by the laws of each State to each Confederate soldier and to the widows of such soldiers as are now provided for by the States: Therefore be it

Resolved first, That the Southern States with the existing population ought to be by this present Congress now in session entirely relieved of the burden of pensions to Confederate veterans by its National Government taking that burden upon itself, preferably using the pension-law methods and officers of the different States as the best and already existing agencies for the correct discharge of this duty, and that the grading and classifying of the amount of pension should be made the same, and no less, for the Confederate veterans, widows of officers or privates, than in like cases to Union veterans.

Resolved second, That a fair and just pension should be made by the United States Government to each negro man and woman born and reared in slavery, the laws of every Southern State required the master to bestow upon him or her.

Resolved third, That a copy of these resolutions be without delay forwarded by his excellency the governor to His Excellency President Wilson, at Washington, and a copy to each Senator and to each Representative in Congress from Georgia, with request that appropriate legislation be enacted by the National Government without delay for carrying same into effect.

Mr. HARRIS. I present a resolution adopted by the Legislature of the State of Georgia, relative to an investigation into the high cost of living. I ask that the resolution be printed in the RECORD and referred to the Committee on the Judiciary.

The resolution was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

Whereas the high cost of living shows no tendency toward any reduction and steadily mounts higher and higher day after day; and

Whereas the price of all kinds of meat is at an exorbitant figure and is rapidly reaching a condition where the poorer classes can not buy it at all; and

Whereas it is charged by many well-informed persons that this is due to the control of the meat market by a few well-known packers, who are reaping an excessive amount of profit therefrom: Therefore be it

Resolved by the house of representatives, That we ask the Congressmen and Senators from Georgia to give their influence and support to all measures and movements in Congress proposing to investigate and correct all combinations in food products, and especially the packing industry.

Resolved further, That a copy of this resolution be mailed each Congressman and Senator by the clerk of the house of representatives duly attested under his official seal.

Mr. HARRIS. I present a resolution adopted by the Legislature of the State of Georgia, favoring the enactment of legislation providing six months' additional pay for all honorably discharged soldiers, sailors, and marines. I ask that the resolution be printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection, the resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Whereas there is pending in the Congress of the United States a bill which proposes to pay all honorably discharged soldiers, sailors, and marines, serving in the late European war, a sum of money equivalent to six months' pay; and

Whereas it is just and desirable that these discharged soldiers, sailors, and marines be provided with sum in order that they may tide over that period of time required to readjust themselves to civilian life: Now, therefore, be it

Resolved by the House of Representatives of the State of Georgia, That we indorse such a bill providing for six months' pay as aforesaid, and recommend to our Senators and Congressmen that they support the same.

Mr. HARRIS. I present a resolution adopted by the Legislature of the State of Georgia, relative to the passage of the so-called Fordney bill, the purpose of which is to place a high duty on potash. I ask that the resolution be printed in the RECORD and referred to the Committee on Finance.

There being no objection, the resolution was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

Whereas a bill is pending before Congress known as the Fordney bill, the purpose of which is to place a high duty on potash imported into this country; and

Whereas potash is a most essential ingredient for fertilizers, and the imposition of such a duty would tend directly to increase the cost of production of foodstuffs and cotton: Therefore be it

Resolved, That the House of Representatives of the State of Georgia memorialize Congress protesting against the passage of this bill, and the clerk of the house be, and he is hereby, instructed to send a copy of this resolution to the Speaker of the House of Representatives and the President of the Senate, the author of the bill, Hon. JOSEPH W. FORDNEY, and each of the Senators and Representatives from Georgia.

LAND IN THE CANAL ZONE.

Mr. SHEPPARD, from the Committee on Commerce, to which was referred the bill (H. R. 6222) to remove a certain tract or lots of land in Cristobal, Canal Zone, from the operation and effect of the Executive order of the President of December 5, 1912, pursuant to the act of Congress of August 24, 1912 (37 Stats., chap. 390, p. 565), asked to be discharged from the further consideration of the bill, and that it be referred to the Committee on Interoceanic Canals, which was agreed to.

REPORTS OF COMMITTEE ON MILITARY AFFAIRS.

Mr. WADSWORTH, from the Committee on Military Affairs, to which was referred the bill (S. 2733) to provide for the training of officers of the Army in aeronautic engineering and the issue of equipment and materials therefor, reported it with amendments and submitted a report (No. 156) thereon.

He also, from the same committee, to which was referred the bill (S. 2734) to authorize the transportation of civilians across the Atlantic Ocean upon Army transports under such rules and regulations and at such rates as the Secretary of War may prescribe, reported it with an amendment and submitted a report (No. 157) thereon.

Mr. SPENCER, from the Committee on Military Affairs, to which was referred the bill (S. 2497) to provide for the payment of six months' pay to the widow, children, or other designated dependent relative of any officer or enlisted man of the Regular Army whose death results from wounds or disease not the result of his own misconduct, reported it without amendment and submitted a report (No. 158) thereon.

DROUGHT SUFFERERS IN MONTANA.

Mr. SPENCER. From the Committee on Military Affairs I report back favorably, with amendments, the joint resolution (S. J. Res. 87) authorizing the President to distribute food supplies to drought-stricken territory, and I submit a report (No. 159) thereon.

Mr. WALSH of Montana. The joint resolution just reported from the Committee on Military Affairs by the Senator from Missouri [Mr. SPENCER] deals with a matter of very great urgency, and I should like to ask unanimous consent for its immediate consideration.

Mr. SMOOT. I will ask the Senator if it is going to lead to any discussion?

Mr. WALSH of Montana. If so, I shall withdraw the request.

Mr. KIRBY. What is the joint resolution?

The VICE PRESIDENT. The title of the joint resolution will be stated.

The SECRETARY. A joint resolution (S. J. Res. 87) authorizing the President to distribute food supplies to drought-stricken territory.

Mr. McKELLAR. Will the Senator from Montana explain the joint resolution?

Mr. WALSH of Montana. I ask that the joint resolution be read as proposed to be amended by the committee.

The VICE PRESIDENT. The Secretary will read the joint resolution.

The Secretary read the joint resolution, as amended, as follows:

Whereas an extraordinary and unprecedented drought resulting in almost total failure of crops in the State of Montana has occasioned great destitution therein: Therefore be it

Resolved, etc., That the President of the United States, under such rules and regulations as he may prescribe and to the extent that, in his judgment, at the time of distribution, the exigencies of the service require, is hereby authorized to distribute for the relief of families in Montana in 1919 who are in need, in consequence of total or partial loss of crop, occasioned by such drought, the whole or any part of such excess of food supplies now held by or under the control of the War Department as would otherwise be allotted to said State.

Mr. SMOOT. There are other States in the West that have suffered, I presume, just as much as has the State of Montana on account of the drought, and it seems to me that if we are going to begin the free distribution of food by the Government on account of the drought it ought to extend to more than that State.

Mr. WALSH of Montana. I recognize the justice of the suggestion made by the Senator from Utah, and I drafted the joint resolution accordingly, intending to make it applicable to all the States in a similar situation, but the committee in its wisdom has proposed the amendment. I shall be very glad if the Senate will disagree to the amendment in that regard proposed by the committee and leave the joint resolution as originally drawn, authorizing the President to make this distribution in any State in which destitution exists by reason of the extraordinary drought which has prevailed in many sections of the West. I know that the conditions are quite similar in the adjacent States of Utah, Idaho, Wyoming, and to some extent in Colorado and western North and South Dakota.

Mr. SMOOT. I know there are some districts in my State that have not produced one-third of a crop; and I know that there are districts in Idaho in the same condition; but I really do not feel justified in asking that Utah be included. I think the people of Utah can take care of those within her borders who are suffering because of the drought. I do not speak of this because of the State of Utah, for I do not want the Government of the United States to render assistance because of the drought that has stricken the people of that State; but I do think that if there is going to be legislation along this line it ought to be, as the Senator himself says, general rather than specific. I hope that the amendment reported by the committee will not be agreed to. If we are going to do this thing, let us do it right. In saying this, I wish it distinctly understood, even though the joint resolution passes in its original form, I do not wish it to apply to the State of Utah, because, I repeat, the people of Utah will take care of their own sufferers.

Mr. THOMAS. The difficulty is that if the joint resolution is not restricted to the State of Montana it will have to cover all of the States any portion of whose people may feel justified in claiming this relief. The difficulty then would be, first, the extent to which it should be made applicable, and, second, the establishment of a precedent which is bound to come home many times to plague us. I am perfectly willing, in view of the representations made to the committee this morning, to grant this relief to the people of Montana because of the unusually distressing plight in which they find themselves consequent upon drought conditions, but beyond that I am unwilling to go.

Mr. SMOOT. From what has been stated to me by Senators, the joint resolution is going to lead to discussion, and I will ask the Senator from Montana to withdraw his request at this time and take the matter up to-morrow.

Mr. WALSH of Montana. In that case I give notice that at the close of morning business on the next succeeding legislative day I shall ask for the consideration of the joint resolution.

The VICE PRESIDENT. The joint resolution will be placed on the calendar.

ENFORCEMENT OF PROHIBITION IN CANAL ZONE.

Mr. BORAH. From the Committee on Interoceanic Canals I report back favorably without amendment the bill (S. 1273) to prohibit intoxicating liquors and prostitution within the Canal Zone, and for other purposes. A similar bill passed the Senate last session, and in view of that fact I am going to ask unanimous consent for its present consideration.

Mr. KING. Permit me to inquire of the Senator if the bill could not be properly attached to the measure which was reported by the Judiciary Committee the other day by the Senator from South Dakota [Mr. STERLING], who was chairman of the subcommittee and is in charge of the bill?

Mr. BORAH. It is the same general subject, and perhaps it might go over.

Mr. KING. I have no objection to the present consideration of the bill. I merely invite the attention of the Senator to the bill reported from the Committee on the Judiciary.

Mr. BORAH. This is the same as the bill which passed the Senate at the last session, and that is the reason why I asked unanimous consent, but I will not urge it if anyone wishes to look into it.

Mr. JONES of Washington. Mr. President, I wish to confirm what the Senator from Arizona has said. I visited Panama last spring and the same state of fact was called to my attention to which the Senator from Arizona has referred. A similar bill passed the Senate at the last session without objection, and I hope there will be no objection to the passage of the bill now.

Mr. KING. Mr. President, I do not want the Senator to misunderstand me. We have the whole subject before us in a bill which will follow the leasing bill, and I merely suggested to the Senator from Idaho that it might be well to consolidate into one measure all this prohibition legislation. I have no objection to the consideration of the bill if Senators feel that they would like a separate measure instead of consolidating all such legislation into one great measure.

Mr. JONES of Washington. I did not understand that a bill was pending covering the Panama Canal Zone situation.

Mr. STERLING. I do not think it does in terms, and I was just about to say that I would be glad, as I think the Committee on the Judiciary would, to give consideration to the bill reported by the Senator from Idaho; but I have no objection to its passage at this time.

Mr. THOMAS. I have no objection to the bill, but I think that it had better go over for the present.

The VICE PRESIDENT. The bill will be placed on the calendar.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of South Dakota:

A bill (S. 2868) for the relief of Julia Dezera Stewart (with accompanying paper); to the Committee on Claims.

By Mr. FALL:

A bill (S. 2869) granting an increase of pension to Albert N. Hopkins (with accompanying papers); and

A bill (S. 2870) granting an increase of pension to John Kelly (with accompanying papers); to the Committee on Pensions.

By Mr. RANSDELL:

A bill (S. 2871) for the relief of the New Orleans-Belize Royal Mail & Central American Steamship Co., of New Orleans, La.; to the Committee on Claims.

By Mr. McNARY:

A bill (S. 2872) authorizing the Secretary of War to donate to the city of Pendleton, Oreg., a captured German cannon; to the Committee on Military Affairs.

By Mr. KING:

A bill (S. 2873) for the appropriation of additional funds for the purchase of a site and the erection of a Federal building at Spanish Fork, Utah; to the Committee on Public Buildings and Grounds.

By Mr. SMITH of Arizona:

A bill (S. 2874) granting to the State of Arizona the right to levy, assess, and collect from the United States of America a special, direct tax on all public lands included within the limits of forest reservations, national parks, and national monuments in the State of Arizona; to the Committee on Public Lands.

MAJ. GEN. E. H. CROWDER.

Mr. KNOX. I introduce a bill and, as it is very brief, I ask to have it read for the information of the Senate and referred to the Committee on Military Affairs.

The bill (S. 2867) to authorize the President, when Maj. Gen. Crowder retires, to place him on the retired list of the Army as a lieutenant general was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., That in view of the long and faithful services of Maj. Gen. E. H. Crowder, Judge Advocate General of the United States Army, and especially his conspicuous services as Provost Marshal General in conjunction with the various State and Territorial executives and the local and district boards in the execution of the selective service law, the President is hereby authorized, when that officer retires, to place him on the retired list of the Army as a lieutenant general, with the pay and emoluments of that grade, and to grant him a commission in accordance with such advanced rank.

Mr. KING. Mr. President, do I understand that the Senator from Pennsylvania has asked for the immediate consideration of the bill?

Mr. KNOX. Oh, no; I have merely asked that the bill be referred to the Committee on Military Affairs.

The VICE PRESIDENT. The bill will be referred to the Committee on Military Affairs.

OFFICE OF ALIEN PROPERTY CUSTODIAN.

Mr. CALDER submitted the following resolution (S. Res. 172), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Whereas the trading-with-the-enemy act passed by Congress, approved on the 6th day of October, 1917, provided for the office of Alien Property Custodian; and

Whereas under such authorization the President appointed A. Mitchell Palmer, who held the position until the 3d day of March, 1919, at which time he was succeeded by Francis P. Garvan; and

Whereas in the conduct of said office they have administered upon nearly 40,000 separate estates or trusts, having an aggregate value of nearly $1,000,000,000; and

Whereas under the provisions of said act they have exercised the right to make numerous appointments of lawyers, directors, supervisors, clerks, assistants, and accountants, and have exercised the right to fix, allow, and pay to the individuals so appointed by them such compensation as they might determine, and have exercised the right to designate numerous banks and trust companies as depositaries of the proceeds of sale of alien property which has come into their possession; and

Whereas the President, on or about October 12, 1917, vested in the Alien Property Custodian "the executive administration of all of the provisions of section 7 (a), section 7 (c), and section 7 (d) of the trading-with-the-enemy act," including, among other things, the power "to require the conveyance, transfer, assignment, delivery, or payment to himself at such time and in such manner as he shall prescribe of any moneys or other properties owing to or belonging to or held for, by, or on account of, or on behalf of, or for the benefit of any enemy or ally of an enemy which, after an investigation, said Alien Property Custodian shall determine is so owing, or so belongs, or is so held"; and

Whereas under the provisions of Subdivision C of section 7 of the trading-with-the-enemy act "no person shall be liable in any court for or in respect to anything done or omitted in pursuance of any order, rule, or regulations by the President under the authority of this act"; and

Whereas it is possible that after peace shall have been declared claims may be made against the United States for the recovery of moneys and for the value of property which it may be alleged have been taken by the Alien Property Custodian without authority; and

Whereas any bond which has been furnished by the Alien Property Custodian, if any such bond has been furnished, can under the circumstances provide for a penalty of not more than a nominal amount; and

Whereas said A. Mitchell Palmer has publicly declared his desire that his administration of the office of Alien Property Custodian be fully investigated: Now, therefore, be it

Resolved, That a special committee be selected by the Senate to consist of five Senators, three of whom shall be members of the majority party and two of the minority party, which committee is hereby directed to examine and audit the accounts of said A. Mitchell Palmer as Alien Property Custodian and of said Francis P. Garvan as Alien Property Custodian, and to investigate the administration by them of said office from the date of their respective appointments to the present time; and be it further

Resolved, That said committee be, and hereby is, authorized and directed to proceed with such investigation without unnecessary delay; to send for persons, books, and papers; to administer oaths; to employ a stenographer, at a cost not to exceed $1 per printed page, to report such hearings as may be had in pursuance hereof; to sit during the sessions or recesses of the Senate, and at any place, either Washington, D. C., or elsewhere, as may be deemed proper by the committee; to employ such counsel and expert and other assistants as may be deemed necessary by the committee; and to report its conclusions to the Senate as speedily as possible; the expenses thereof to be paid out of the contingent fund of the Senate.

HOUSE BILL REFERRED.

H. R. 4437. An act to provide revenue for the Government and to promote the production of tungsten ores and manufactures thereof in the United States was read twice by its title and referred to the Committee on Finance.

LEASING OF OIL LANDS.

The VICE PRESIDENT. Morning business is closed.

Mr. THOMAS obtained the floor.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Utah?

Mr. THOMAS. I yield to the Senator from Utah.

Mr. SMOOT. I ask unanimous consent that the Senate proceed to the consideration of Senate bill 2775, which is known as the oil-leasing bill.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2775) to promote the mining of coal, phosphate, oil, gas, and sodium on the public domain.

Mr. ASHURST. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Arizona?

Mr. THOMAS. I yield.

Mr. ASHURST. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hale	McKellar	Smoot
Ball	Harding	McNary	Spencer
Bankhead	Harris	Moses	Sterling
Borah	Harrison	Myers	Sutherland
Brandegee	Henderson	Nelson	Thomas
Calder	Hitchcock	Norris	Townsend
Capper	Johnson, Calif.	Nugent	Trammell
Colt	Johnson, S. Dak.	Page	Wadsworth
Culberson	Jones, Wash.	Phelan	Walsh, Mass.
Curtis	Kellogg	Phipps	Walsh, Mont.
Dial	Kenyon	Pittman	Warren
Fall	King	Poindexter	Watson
Fernald	Kirby	Pomerene	Williams
Frelinghuysen	Knox	Ransdell	Wolcott
Gay	La Follette	Robinson	
Gerry	Lenroot	Sheppard	
Gronna	Lodge	Smith, Md.	

Mr. GERRY. The Senator from Oregon [Mr. CHAMBERLAIN] is necessarily absent on public business. I wish also to announce that the junior Senator from North Carolina [Mr. OVERMAN], the Senator from Virginia [Mr. SWANSON], the Senator from Wyoming [Mr. KENDRICK], and the senior Senator from North Carolina [Mr. SIMMONS] are absent on official business.

Mr. FRELINGHUYSEN. I desire to announce the unavoidable absence of my colleague [Mr. EDGE] on account of illness in his family.

The VICE PRESIDENT. Sixty-five Senators have answered to the roll call. There is a quorum present.

PEACE TREATY—INDUSTRIAL CONDITIONS.

Mr. THOMAS. Mr. President, the acrimonious and widely prevalent controversy over the proposed league of nations, which has been waging in America since January last, has centered itself upon the 26 articles of part 1 of the pending treaty. A listening and attentive public have doubtless assumed, and justly so, that these articles comprise and cover the subject.

Everyone by this time who is familiar with the debates and press discussions must be fairly familiar with the structure of the league as outlined and embodied in the recitals of these articles, for it is quite natural to suppose that a subject of such vast importance and of so much strife has been discussed to tatters and that no part of it has been overlooked or ignored. It may therefore interest those who have not familiarized themselves with the contents of the treaty to be told that part 1 does not embrace the entire scheme of the league, but that part 13, comprising 42 articles, contains a portion, and a very essential portion, of that scheme. Everyone who has written or spoken upon the subject must have known this. Every Senator knows it. Only a few days ago we authorized the President by resolution to invite the delegates to the annual conference of 1919, which it creates, to meet in this city next October. Even that resolution failed to evoke any discussion of the subject.

It is perhaps pertinent to add, Mr. President, that since these words were written a discussion of the treaty has been held between the Committee on Foreign Relations and the President, in which no reference whatever was made to part 13. I can only account for this anomaly upon the theory that the Foreign Relations Committee craft was somewhat water-logged with presidential ballast and preferred the seclusion of the shore to a possible storm at sea.

We can not estimate either the wisdom or the expediency of the league of nations without a fairly complete understanding of all its essential elements, and no one will deny the far-reaching importance of the provisions of part 13, which by the express recitals of article 392 are a "part of the organization of the league."

My reflections upon the subject have, therefore, necessarily included the 41 articles of part 13 as essential integers of the plan. It is to that part of the treaty, therefore, that I invite the attention of the Senate.

It possesses one or two unique features. It is not the product of the international congress at Versailles, but of a labor commission of that conference, composed of delegates from nine nations—the United States, Great Britain, France, Italy, Japan, Belgium, Cuba, Poland, and Czechoslovakia. It was presented to the Versailles congress on April 11, which later made it an integral part of the treaty, with a few unimportant changes of phraseology.

On May 20 last the President cabled to Secretary Tumulty that—

> The labor program which the conference of peace has adopted as a part of the treaty of peace constitutes one of the most important achievements of the new day, in which the interests of labor are to be systematically and intelligently safeguarded and promoted. Amid the multitude of other interests this great step forward is apt to be overlooked, and yet no other single thing that has been done will help more to stabilize conditions of labor throughout the world and ultimately relieve the unhappy conditions which in too many places have prevailed. Personally I regard this as one of the most gratifying achievements of the conference.

This program, when given to the peace congress and to the public, was accompanied by an official introduction, to which I shall later have occasion to refer. It is of interest to note in passing that the French and Italian delegations sought, without success, to secure representation for agricultural interests, which many regard as of considerable importance in the arena of production.

Inasmuch as organized labor speaks, and correctly speaks, of itself as a class, it is entirely appropriate to say that by including this program in the treaty distinct recognition and separate organization are given to a class, doubtless because indispensable to the adjustment of a world controversy and to the establishment of a permanent and enduring peace. If it is so essential, it should be accepted for that reason if for no other. Yet it would seem to the casual thinker more or less familiar with history that such a policy would permanently accentuate, instead of removing, class distinctions, and that to do this is to challenge the doctrine of equality before the law, so long asserted and so successfully defended as the corner stone of a true democracy. It would also seem to encourage farmers, manufacturers, merchants, and the learned professions to demand similar recognition by the establishment of international bureaus and governing bodies equipped with authority to safeguard their welfare and secure their continued existence. I suggest this thought in all seriousness, for they are the weaker elements of modern society. Compared with the political and economic power of modern industrial organizations, they are collectively as Gulliver to his giants.

Classes to some extent exist, and always will exist in society, whatever its political institutions and however drastic the efforts to destroy them. They are inseparable from the differences and inequalities of man's physical and mental endowment. They may be disciplined, they may be controlled, they may be minimized, but they can not be eradicated. Lenin may butcher every suspected bourgeois and aristocrat and every member of the intelligentia; yet class will persist among his proletariat. He and his fellow butcher, Trotski, with the commanders of their armies and all in authority under them, are of a class separate and apart from their masses. They are a living and bloody example of the hopeless fallacy they proclaim and blindly follow. To enthrone a class, whether by revolution or by treaty, is but to estrange other classes and to sow the seed of new ones. Those formulating the great treaty now before us were far wiser than I, infinitely more familiar with the conditions confronting them and with the formulas for their alleviation. I challenge neither their judgment nor their statesmanship. No man hopes more fervently than I do that, should their great work be accepted by the nations and placed into practical operation, it may dissipate every doubt and confound every criticism which its details have inspired, including my own. But that prospect does not seem encouraging.

The objects to be subserved by part 13, which are of special and urgent importance, are specified in article 427. They are nine in number, "without claiming that they are either complete or final."

They are said to be "methods and principles for regulating labor conditions which all industrial communities should endeavor to apply, so far as their special circumstances will permit"; and it is expressly recognized "that differences of climate, habits, and customs of economic opportunity and industrial tradition make strict uniformity in the conditions of labor difficult of immediate attainment." Fairly construed this would seem to mean that strict uniformity in these conditions is the ultimate goal, as it is the immediate one in countries where the differences recited do not exist or are merely negligible. Excluding the first object, which is definition, the general principles are the right of association for all lawful purposes, the payment of a wage adequate to maintain a reasonable standard of life as understood in their time and country, the adoption of an eight-hour day where it has not already been obtained, a weekly rest of at least 24 hours, including Sunday wherever practicable, the abolition of child labor and limitations on the labor of young persons as will permit their mental and physical development, equal pay to men and women for work of equal value, application of a country's standards to all workers lawfully resident therein, and inspection systems in which women should take part to enforce laws and regulations for the protection of the employed. These, as far as enumerated, are properly asserted to be "well fitted to guide the policy of the league of nations."

Uniformity of laws, customs, requirements, and procedure has so far been unattainable within itself by any great nation with diversified population and industry. This is notably true of a federated Republic like ours, whose domestic concerns are ostensibly beyond the jurisdiction of the Federal authority. How they can be made to approximate a world-wide uniformity is a problem too vast and complex for my powers of comprehension. Its contemplation makes Utopia seem commonplace. Equal pay to the sexes, the right of association, eight hours for a day's work, are possible, and most of them are operative in America. But eight hours a day in sub-Arctic and Antarctic regions, wages, child labor, inspection laws, and "standards set by law" will swiftly set wage earners by the ears in many parts of the world before attempts at uniformity proceed very far. And this is true if we consider only countries differing so little as the United States and Canada with Great Britain and France. Between them wages and product per capita vary widely, as do standards of living. Yet we can not imagine the representatives of the two last countries accepting league terms less favorable than those enjoyed in the former, nor Poland and Italy accepting those less favorable than Great Britain and France, and so on down the line. And leveling upward will overburden industry to ruin on the one hand, while leveling downward will be forcibly resisted if need be on the other.

It is contended by the advocates of tariffs for protection that the higher wage of the American workman is due to the system without which the European level of wage would prevail. I dissent from this claim, although I concede that a high duty theoretically tends in that direction. But those who believe it must perceive that equality of labor conditions is not attainable without equality of tariff duties, or with none at all. The one is as unattainable as the other. The problem involves tariffs not only but production, exchange, and markets as well.

It may be possible to reach the goal of uniformity in the conditions of labor, but I question if it can be done otherwise than by making the standard of the lowest and leveling down to it. It is conceivably possible to bring the mountain crest to the level of the sea, from whose vast surface all heights and depths are measured. It is conceivably possible that the intellect of Mr. Lloyd-George may accommodate itself to the capacity of his dullest follower. But the sea can not clamber and cling to the mountain side, nor the everyday man acquire the comprehension and wield the power of Europe's leading statesman. Nature's processes are uniform and her laws unyielding, while her resources, her products, her domain, and her children abound in vast and everlasting inequalities. If this be so, and I am convinced that it can not be refuted, then strict uniformity, mediate or immediate, in world labor conditions can be attained only at the expense of the American wage earner. His superior skill, intelligence, productive capacity, and opportunities can avail him but little. These must be trimmed and attenuated and his faculties atrophied to a standard within the reach of all. He will not and should not submit to the lowering process. If he did, he would commit industrial suicide, and his country's material well-being would perish with him. I can not avoid the conclusion, therefore, that these articles designed for his physical and spiritual improvement may make him the equivalent of the continental wage earner.

It is asserted that wealth is the product of labor. If this assertion includes mental with manual labor it is largely true. Hence the subject of part 13 intimately concerns itself with industry in its manifold forms. Uniformity, strict or otherwise, in labor conditions can be obtained only by effecting many and radical changes in the methods and activities of production, distribution, and consumption. And this brings the economic and domestic concerns of the members of the league within the range of the machinery and procedure of the international labor office. They must either enact or ratify its recommendations and draft conventions to that end, or by rejecting them defeat the operations of the league and bring its beneficent purposes to naught. Such an alternative is not desirable. It is less alluring. But we shall confront it sooner or later when the treaty is ratified and the league becomes operative.

It is appropriate at this point to consider some of these articles in detail. The first chapter of the first section deals with organization, the second with procedure.

By article 387 the original members of the league of nations are made the original members of the organization, and later memberships of the former are equivalent to memberships of the latter.

By article 388 the permanent organization is made to consist of a general conference of representatives of the members and an international labor office controlled by a governing body.

By article 389 provision is made for an annual meeting of the general conference of representatives of the members. Each member shall have four representatives, two of whom shall be government delegates and two of whom shall represent respectively the employers and work people of each member; the latter to be nominated in agreement with the industrial organizations, if they exist. But the credentials of these delegates shall be subject to the scrutiny of the conference, which may, by a two-thirds vote of the delegates present, "refuse to admit any delegate or adviser whom it deems not to have been nominated in accordance with this article." The same right to reject appears in article 412, providing for the constitution of a commission of inquiry to try members cited for delinquency.

The reservation in a treaty of the right to inspect the credentials and character of the emissaries of foreign governments to be appointed thereunder is extraordinary. Exequaturs may be withheld from foreign ambassadors and ministers who are persona non grata for any satisfactory reason to the nation receiving them. But these delegates are not ambassadors nor ministers representing their governments abroad. They are delegates to a common body of which they are constituent units. By these articles their commissions are to be submitted to a sort of committee on credentials, which by a two-thirds vote may reject them. This is not a fanciful statement. The subject was recently called to the notice of the Secretary of State, when he appeared before the Senate Committee on Foreign Relations, by the Senator from North Dakota. I quote from the printed hearings:

Senator McCUMBER. Under that provision (article 412) if this Government sends a representative selected by this Government, this world labor union can say to the United States: "We refuse to recognize the delegate whom you have sent to us, because we doubt whether his views comport with ours upon certain things in the treaty." Is not that the meaning of it?

Secretary LANSING. So far as the commission of inquiry is concerned, I should say yes.

Senator McCUMBER. And this commission can veto the action of the Government in sending the delegate whom it sends if it sees fit?

The CHAIRMAN. Does that apply to Government delegates or only the other two?

Secretary LANSING. It relates entirely to a commission of inquiry, and all that is agreed is that each of the members agrees to nominate within six months of the date on which the present treaty comes into force three persons of industrial experience, of whom one shall be a representative of employers, one a representative worker, and one a person of independent standing, who shall together form a panel from which the members of the commission of inquiry shall be drawn.

Senator McCUMBER. Yes. Do you not think in a case of that kind that the Government should have a right to determine whom it should send, and that that representative should not be subject to repudiation by this general governing body? Is not that putting the Government in a rather abject position?

Secretary LANSING. Well, I am not sure. I do not know. As I say, I am not familiar with this question; I would have to think this over before answering your question.

Mr. President, I have thought it over, and my conclusion is that this power to revise and reject credentials is absolutely conferred upon the general conference in the matter of delegates to that conference and upon the governing body in the matter of selections to the panel from which the commission of inquiry is to be drawn.

Mr. BRANDEGEE. Mr. President——

Mr. THOMAS. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. I do not know whether or not the Senator has requested not to be interrupted.

Mr. THOMAS. I have not so requested. I would, of course, prefer that I should answer questions at the close of my remarks, but I am perfectly willing to yield to the Senator.

Mr. BRANDEGEE. I will accede to the Senator's desire not to be interrupted, if he wishes, because he is reading from manuscript.

Mr. THOMAS. No.

Mr. BRANDEGEE. I am called from the floor, and that is my only excuse for inquiring now.

Mr. THOMAS. The Senator is fortunate. [Laughter.]

Mr. BRANDEGEE. It is with great regret that I shall have to absent myself. I shall return as soon as possible.

In relation to what the Senator has called "Government delegates," or delegates appointed by the various Governments to this conference, has the Senator an accurate idea or opinion as to whether the action of these delegates appointed by the Governments of the various nations members of the league is to have any binding effect or influence upon governmental action in relation to the several matters considered by the conference?

Mr. THOMAS. An influence undoubtedly.

Mr. BRANDEGEE. They represent officially the Government as such?

Mr. THOMAS. Yes; but I shall later call attention to the fact that the article as it stands was finally accepted upon the theory that the delegates representing the employees would in all probability exercise a greater control upon the action of the Government delegates than the degelates representing the employers.

Mr. WADSWORTH. Mr. President, will the Senator yield again?

Mr. THOMAS. I yield.

Mr. WADSWORTH. The Senator has called attention to this proposal, which, if carried into effect, would permit this governing body to reject the delegates appointed by the Government of the United States. Is not that proposal in line with that provision of the special treaty with France which provides that the treaty, when ratified by the Senate, shall then be submitted to the executive council of the league for approval or disapproval?

Mr. THOMAS. Yes; although the one is a covenant under which nations as equals shall determine a subject, while the other is a delegation of authority to a conference or convention of men to pass upon the commissions of officials holding them from the Government of the United States among others.

Mr. WADSWORTH. But both proposals involve the creation of a supergovernment?

Mr. THOMAS. Well, that calls for a categorical reply, which I do not care at present to make. [Reading:]

Senator McCUMBER. Then let us take article 414 again: Do you understand this to mean that this governing body, after listening to the report of the commission, may determine that a boycott should be levied against the United States, if it failed to put its laborers, for instance, upon the same basis as the laborers of Germany or Great Britain or of Norway or of Sweden, or of any other country?

Secretary LANSING. Of course, it does not say any such thing. All it says is they are to report.

Senator McCUMBER. No; but it says further that they may report the measures, if any, of an economic character against a defaulting Government which it considers to be appropriate, and which it considers other Governments would be justified in adopting. Of course, they only report.

Secretary LANSING. That is all.

Senator McCUMBER. But do you think it an appropriate thing for a great Government to put itself in a position in which it should subject itself in honor or in any other way to be hauled up before a commission of this kind to answer as to what it should do with reference to its own labor?

Secretary LANSING. I do not think there is anything out of the way about that at all.

This innovation upon preestablished international rights and dignities may be essential to the purposes of part 13 of the treaty, but it is nevertheless a surprising one. Personally I do not like a covenant which subjects the selection of high officials by the Government of the United States for the discharge of important international functions to review and possible rejection by an external authority. Its adverse exercise would be an affront to the representative and a reflection upon the good faith and dignity of the Republic. It would be quite as appropriate and quite as necessary to endow the executive council, or the assembly of the league, with similar authority over its membership.

Without further and satisfactory information regarding the need for this extraordinary provision, I doubt the wisdom of making it a precedent by giving it sanction of our approval. Its exercise would breed resentments, culminating in friction and possible rupture.

Article 390 provides that if in accordance with the previous article the conference refuses admission to a delegation of one of the members, its provisions shall apply as if that delegate had not been nominated. This clearly means that the conference and not the appointing Government will seat or exclude the delegate as it may determine. The treaty thus makes the conference a substitute for or a supplement to the President and the Senate, as to all Executive appointments to the general conference, and to panels for commissions of inquiry.

By the terms of article 393 the international labor office is placed under the control of a governing body consisting of 24 persons, of whom 12 shall represent the Governments, 6 shall be selected by the delegates to the conference representing the employers, and 6 representing the employees. Their terms of office are limited to three years. Article 394 authorizes the governing body to appoint a director of the international labor office, who shall be subject to its instructions and responsible for the efficient conduct of the office.

Eight of the twelve members of the Government delegates shall be nominated by the members which the council of the

league of nations shall decide to be of chief industrial importance and the remaining four by the members selected therefor by the Government delegates to the conference, who are themselves excluded from their selection.

The official introduction to the labor program informs the public that much controversy developed in the commission over these articles, the contention being that "each party" should have equal voting power in the governing body. But the plan was finally accepted, among other reasons, because "it was likely, especially in the future, that the Government delegates would vote more often with the workers than against them. If this were so, it was obviously to the advantage of the latter that the Governments should have two votes instead of one, as it would render it easier for them to obtain a two-thirds majority," and so forth.

This admirably frank disclosure clearly indicates that labor expects and intends to influence or direct the selection of the governing body, to the end that they shall be in fact employees' delegates. We should not be surprised at this, nor should we too severely condemn it, for the facts could not be otherwise. No doubt the employers will be equally active in the other direction. Control of the governing body by controlling the Government delegates to the conference will therefore be a vital political element in the domestic discords, and policies of the appointing members and the selections will be made to accord with the interests of the victors at their polls.

We thus encounter the inevitable human equation, actively operating even among "high contracting parties moved by sentiments of justice and humanity." Within half a score of years after the adoption of this treaty the governing body of the international labor league will be as distinctively partisan as the body now honoring me with its attention. We shall either add to the tribunals created by man in his eternal gropings for millennial conditions or impose some of our distracting and insoluble problems upon another and a greater forum.

The functions of the international labor office are specific and general. Those specified are obviously desirable; those to be assigned it can not be classified, although some of them can be foreseen.

By article 399 each member is required to pay the traveling expenses and subsistence of its delegates and their advisers; also of its representatives attending meetings of the conference or governing body. All other expenses of the international labor office, whose staff shall be appointed by the director, and of these meetings shall be paid out of the general funds of the league. This prompts an inquiry as to cost, which thus far has been subordinated to more exciting but no more important considerations. The taxpayer has not up to this time been consulted; yet these subjects possess something more than passing interest for him.

We can not forecast the expense which the two establishments—that of the league proper and that of the labor office—will entail upon him, but it will be something, even in these wildly extravagant times, when a billion is shaken from the national plum tree every month and the multitude is clamoring for as much again. But "every little makes a mickle," as the old Scotch proverb runs, and it is quite conceivable that establishments dealing in world affairs, political and economic, will require tens of thousands of employees, distributed among many departments, bureaus, and commissions. These will organize, of course, and they must be paid; otherwise they will surely disturb the peace of the world. Our proportion must be forthcoming. We can not know in advance, but we may conjecture what it is to be.

I know it is said that as the league will make armaments unnecessary, save for purely defensive purposes, our post-league expenditures will decrease instead of expanding. I fervently pray that it may be so, and while I am in public life I shall vote, as I have always voted in times of peace, for modest military and naval appropriations. Thus far this vote has been of little avail. But we can not in any event show a balance to the profit side of the national ledger if we are to give billions to our returning soldiers and continue expending millions in river improvements, public buildings, transportation, reclamation, artificial harbors, influenza, cholera infantum, wolves, prairie dogs, beetles, boll weevils, and congressional investigations. Moreover, while the public may regard appropriations for internal expenditure with comparative unconcern, they may not be so passive as to those devoted to subjects of external concern. Hamilton said:

> There is perhaps nothing more likely to disturb the tranquillity of nations than their being bound to mutual contributions for a common object that does not yield an equal and coincident benefit, for it is an observation as true as it is trite that there is nothing men differ so readily about as the payment of money.

I perceive nothing the International Labor League could recommend that would by any possibility "yield an equal and coincident benefit" to the United States, where labor conditions are generally superior to those of any other class. And this is comparatively true of Great Britain, her colonies, and France, which are precisely the nations upon whom will fall the chief financial burden of supporting the permanent organization. I am now considering a very sordid but nevertheless a very essential element of the equation. It may be unworthy of notice. I may only betray the viewpoint of a mighty problem, discreditable to it and unworthy of myself. Yet the whole structure of the league requires financial support for its operation, as do all the plans of man, whether material, economic, social, political, or religious. And it is of special importance here, because all the nations of the league are to be assessed for the benefit of a class whose organized units among the principal nations possess treasuries free from taxation and overflowing with abundance. Continued and incessant inquiry concerning and the institution of world-wide covenants for changes in labor conditions will impose enormous burdens upon the revenues of the league, which must derive its funds from the contributions of its member nations. And it may be well in passing to add that article 25 of the treaty empowers the executive council of the league to "include as part of the expenses of the secretariat the expenses of any bureau or commission which is placed under the direction of the league." These must multiply as time advances, and it is well to consider them now lest future budgets comprise other fiscal affairs larger than our own. Taxation is even now so near the limit of endurance that those bearing the burden are prone to extend Sherman's famous aphorism on war to times of peace.

Chapter 2 of part 13 deals with procedure. I shall comment only upon its most important features, beginning with article 405, which consists of 11 paragraphs. This article provides that when the conference has decided on the adoption of proposals of an item in the agenda, it shall determine whether they shall take the form of a recommendation to the members to give it effect by national legislation or otherwise, or of a draft international convention for ratification by them; but in either case a majority of two-thirds of the votes cast by the delegates present shall be necessary on the final vote for the adoption of either by the conference.

I digress here for a moment to refer to article 407, which radically modifies this requirement by providing that "if any convention coming before the conference for final consideration fails to secure the support of two-thirds of the votes cast by the delegates present, it shall nevertheless be within the right of the members of the permanent organization to agree to such convention among themselves." This enables two or more members to agree upon and ratify a covenant, which as to themselves becomes operative. It may be in radical collision with other recommendations and covenants operative elsewhere, which must threaten strife and contention culminating in disputes, covered by articles 13 and 15 of part 1, or something graver. And it would very naturally encourage the proponents of such a covenant to urge its adoption by other members in the interest of peace, which might for that reason entertain it, however undesirable, as a rule of local economic operation. But its principal effect is to virtually destroy the force of the two-thirds rule provided in article 405. Returning to that article, it is provided that in framing a recommendation or draft convention of general application the conference shall have due regard to countries wherein climatic conditions, imperfect development of industrial organization, or other special circumstances make industrial conditions substantially different, and shall suggest appropriate modifications. A copy of the recommendation or draft convention, authenticated by the president of the conference and the director, shall be deposited with the secretary general of the league of nations, who will communicate a certified copy thereof to each of the members, and these undertake within one year from the closing of the session of the conference, and in any event within 18 months thereafter, to bring the subject "before the authority or authorities within whose competence the matter lies, for the enactment of legislation or other action." In the case of a recommendation the members will inform the secretary general of the action taken. In the case of a draft convention the member will, if it is lawfully ratified, communicate the fact to the secretary general, and will take necessary action to make the convention effective. If no legislative or other action on recommendation is taken to make a recommendation effective, or if the draft convention is not ratified, "no further obligation shall rest upon the member."

The next provision of this article applies peculiarly to the United States. I therefore quote it verbatim:

In the case of a federal State, the power of which to enter into conventions on labor matters is subject to limitations, it shall be in the discretion of that government to treat a draft convention to which such limitations apply as a recommendation only, and the provisions of this article with respect to recommendations shall apply in such case.

I need hardly remind my colleagues that our power to enter into conventions on labor matters is subject to all those limitations which inhere to the States of the Union. These have reserved to themselves such subjects of domestic concern. Their jurisdiction, save as modified by the commerce and emigration clauses of the Constitution, is practically absolute. In acknowledgment of this condition, the clause just quoted was inserted into the article.

The official report recites that—

the American delegation pointed out that the Federal Government could not accept the obligation to ratify conventions dealing with matters within the competence of the 48 States of the Union, with which the power of labor legislation for the most part rested. Further, the Federal Government could not guarantee that the constituent States, even if they passed the necessary legislation to give effect to a convention, would put it into effective operation, nor could it provide against the possibility of such legislation being declared unconstitutional by the supreme judicial authorities. The Government could not therefore engage to do something which it was not within its power to perform, and the nonperformance of which would render them liable to complaint.

The paragraph quoted from section 405 was devised to meet this situation. I shall discuss it later in connection with subsequent articles of the chapter, for it is of unusual importance to this country. But it is well here to emphasize the fact that for the reasons assigned by the report from which I have just quoted the United States must in many cases treat a proposed draft convention of the general conference as a recommendation and make it effective, if possible, by Federal and State legislation, principally the latter.

The last paragraph of the article provides that no member shall be asked or required, as a result of adopting any recommendation or draft convention, "to lessen the protection afforded by its existing legislation to the workers concerned." Compliance with this provision may be desirable, but it is difficult to reconcile it with the avowed object of establishing uniformity in labor conditions without shaping recommendations and covenants to the most advanced and liberal "existing legislation."

For some time I entertained a doubt whether article 405 did not invest the conference with a species of legislative or treaty-making power. This was due in some degree to press reports of the debates in the labor commission over its original provisions. But I am convinced, upon more mature reflection, that it does not. It vests the conference with power only to set the machinery in motion by adopting proposals to be submitted to members which may or may not accept them. But proposals for the extension of this power will probably soon follow the establishment of the permanent organization, if I correctly apprehend the purport of this extract from the official introduction.

The original draft of article 405 proposed that any draft convention adopted by the conference by a two-thirds majority must be ratified by every State participating unless within one year the national legislature should have expressed its disapproval of the draft convention. This implied an obligation on every State to submit any draft convention approved by the conference to its national legislature within one year, whether its own Government representatives had voted in favor of its adoption or not. This provision was inspired by the belief that although the time had not yet come when anything in the nature of an international legislature whose decisions should be binding on the different States was possible, yet it was essential for the progress of international labor legislation to require the Governments to give their national legislatures the opportunity of expressing their opinion on the measures favored by a two-thirds majority of the labor conference. The French and Italian delegations, on the other hand, desired that States should be under an obligation to ratify conventions so adopted whether their legislative authorities approved them or not, subject to a right of appeal to the executive council of the league of nations. The council might invite the conference to reconsider its decision, and in the event of its being reaffirmed there would be no further right of appeal. Other delegates, though not unsympathetic to the hope expressed in the first resolution printed at the end of the draft convention, that in course of time the labor conference might, through the growth of a spirit of internationality, acquire the powers of a truly legislative international assembly, felt that the time for such a development was not ripe. If an attempt were made at this stage to deprive States of a large measure of their sovereignty in regard to labor legislation, the result would be that a considerable number of States would either refuse to accept the present convention altogether or, if they accepted it, would subsequently denounce it, and might even prefer to resign their membership in the league of nations rather than jeopardize their national economic position by being obliged to carry out the decisions of the international labor conference. The majority of the commission therefore decided in favor of making ratifications of a convention subject to the approval of the national legislatures or other competent authorities.

Does not this indicate that the article is regarded by its authors as too restricted, and that its early advance to the dignity of an international legislative character is clearly comprehended? And when made will the proposal be rejected by nations whose governing authorities, anxious for the retention of political power, and whose opposing statesmen, equally anxious to succeed them, are in competition for a majority of the electorate? The answer is in the lap of time. But one may conjecture that the French and Italian delegates will change neither their views nor their purposes, which are doubtless shared by many of their fellow delegates from the other countries.

Mr. WOLCOTT. Mr. President, will the Senator yield?

Mr. THOMAS. With pleasure.

Mr. WOLCOTT. Following the line suggested just at that point, does the Senator know that the German Socialists who were in control of Germany, or of one of the revolutions in Germany, objected to the labor-draft article in the covenant of the league of nations because the council that was set up had no legislative authority to enact labor legislation for the separate Governments of the world? That being the case, as I recall it was the case, the sentiment in Germany as expressed by the rulers of Germany at that time would seem to have been in line with the sentiment of the French and Italian delegates as expressed in the conference.

Mr. THOMAS. I do not recall it, but I have no doubt it is a fact. Not only is Germany so disposed, but it is the assumption in many countries, regarding this feature of the league, that it is the beginning of a plan leading to the final establishment of an international legislature whose statute or convention, or whatever it may be called, will eo ipso be binding upon the constituents of the assembly.

I do not look for the early advent of the stupendous upheaval which must come to the structure of American Government before it could constitutionally assent to such a delegation of power, but I can well imagine how efforts to secure it would profoundly disturb our domestic peace, for the labor program points that way.

Article 408 requires each member to make annual report to the labor office of the measures it has taken to give effect to the provisions of conventions to which it is a party. The word "convention," as here and subsequently used in part 13, seems designed to include the recommendations provided for in article 405. Otherwise this and succeeding sections would not fully cover the subject matter with which they deal, since the conference may act both by proposing recommendations or draft conventions, the former being more adaptable to the structure of a federated republic.

A convention is defined in civil law to be "the agreement of several persons, who by a common act of the will determine their legal relations for the purpose either of creating an obligation or of extinguishing one." It is elsewhere defined as "an agreement between parties." It may therefore comprehend the two forms to either of which the labor conference may resort for making the items of its agend operative. Moreover the official introduction accompanying the delivery of the program to the peace congress, in discussing chapter 2, says: "These articles provide machinery whereby a State which fails to carry out its obligations arising under article 19 or which fails to enforce a convention which it has ratified," and so forth. The word "obligations" is broad enough to include every covenant provided for by article 19, which is article 405 of the treaty.

But conventions, like recommendations, are seldom self-executing. Hence legislation is required to make each effectual, and these are the "measures" to be taken and which must be annually reported to the international labor office. Complaints, therefore, against a member that it is not securing the effective observance of a convention which it has ratified must rest either upon the absence of legislation, upon incomplete legislation, or upon the nonenforcement of legislation "to give effect to the provisions of such covenants." The pertinence of my comments upon this chapter should not therefore require any strained interpretations of the term "convention."

Articles 409 and 410 require careful examination. They provide that—

In the event of any representation being made to the international labor office by an industrial association of employers or of workers that any of the members has failed to secure in any respect the effective observance within its jurisdiction of any convention to which it is a party, the governing body may communicate this representation to the government against which it is made and may invite that government to make such statement on the subject as it may think fit.

By article 410 it is provided that if no statement is received from such Government within a reasonable time, or when received is not satisfactory to the governing body, the latter shall have the right to publish the representation and the reply to it, if any.

It is quite apparent that section 409 gives unrestricted permission to industrial associations of employers or workmen, whether within or without the territorial jurisdiction of any

member, to make this representation concerning it. The right, broad as it would then be, is not restricted to nationalities. The Calkers' Union of San Francisco or a union of employers of that city may complain of the United States or it may charge Great Britain or Japan with failure to observe their covenants. And an association of employers or workers in Milan may similarly cite its own Government or the Republic of France to the bar of the governing body. What one association may do, all associations may do; and it is inevitable that whenever an association feels itself aggrieved at the manner its own or any other Government is observing a labor covenant or that its observance does not comply with that association's judgment as to the character or method of such observance, it will file its representation and demand action. It must also be remembered that the I. W. W. calls itself an association of workers. The opportunities here presented to such an organization for annoying and bedeviling the members of the league and the governing body as well are many and continuous, and we may be sure that full advantage will be taken of them. It is true that the governing body has no power to discipline a member failing to respond or respond satisfactorily beyond publishing the particulars of the incident, but we have, nevertheless, the statement of the official report that—

these articles (with succeeding ones) provide machinery whereby its obligations arising under article 19 (405), or which fails to enforce a convention which it has ratified, may be subject to economic measures.

I quote further from the official report:

This machinery is briefly as follows: An industrial association of employers and (or) workpeople may make representations to the industrial labor office, which the governing body may at its discretion communicate to the State complained of for its observations. If no satisfactory reply is received, the governing body may publish the correspondence, which in most cases will probably create sufficient pressure by public opinion to cause the complaint to be remedied.

The report then proceeds with an elucidation of succeeding articles regarding enforcement.

The spectacle of the United States of America cited to the bar of the governing body of the international labor office of the league of nations by an association of employers or of employees and invited to make a statement satisfactory to it or be "subject to the pressure of public opinion," not once or twice but continually, would be unthinkable did we not find warrant for it in these articles. The prospect of it is apparent. Can the most ardent advocate of the treaty contemplate it with complacency or accept it as an essential to the establishment of an enduring peace?

Article 411 confers upon every member the right to file a complaint against any other member with the international labor office if not satisfied that such other member is securing the effective observance of any convention which both have ratified in accordance with foregoing articles. The governing body may, in its discretion, communicate with the member complained of as provided in article 409, or it may apply for the appointment of a commission of inquiry to consider the complaint and to report thereon. And it may adopt this procedure of its own motion or on receipt of a complaint from any delegate to the conference. As stated in the official report:

The governing body also has the power, either on its own motion or on receipt of a complaint from a Government or from a delegate to the conference, to apply to the secretary general of the league of nations to nominate a commission of inquiry.

This subjects every member of the league to a commission of inquiry whenever any delegate to the conference, however insignificant the State he represents or however limited his vision or experience, or whatever his motive, may see fit to file a complaint against it. We may be very sure that if the representation of an association of employers under section 409 should come to naught it would soon crystallize in the form of a complaint by the governing body or some delegate to the conference.

Provision is also made by this article for representation in behalf of the member complained of while the complaint is under consideration. This is an obviously essential requirement which would doubtless be supplied by implication. For the accused, albeit a great nation, is entitled to a day in court under any system for the administration of justice worthy of the name.

It is of interest to inquire whether the governing body in preferring charges against a member will act by a majority or as a unit. Part 13 gives us no information as to the manner in which this somewhat important function is to be exercised. It is fair to presume that, in the absence of an express provision to the contrary, majorities govern the proceedings of all deliberative or governing bodies. This is true in Great Britain and America, and is the only method consistent with the due transaction of business. It must follow, then, that every State will be subject to the action of the governing body as reflected in the expressed judgment of 12 of its members, since the State complained of may not, and obviously should not, be allowed to vote in its own behalf. Of course, the governing body can, under article 393, regulate its own procedure, and may devise some other and fairer method of making complaint against members of the league. But it is paradoxical that a board created by these members for the effective organization of the international labor office should be clothed with authority to hale its creators into court and put them upon trial when and as it may determine.

It is provided by articles 417 and 418 that upon the application of the governing body the secretary general of the league of nations shall nominate three persons from those of the panel which shall have survived the scrutiny of the governing board, one from each of its three sections, which shall constitute the commission of inquiry to consider the complaint and prepare a report of its findings and recommendations and an indication of the measures if any of an economic character which it considers appropriate against a defaulting government and which it considers other governments would be justified in adopting. This is the diplomatic method of creating an international judicial tribunal and clothing it with authority to hear causes and pronounce judgment upon them.

The secretary general of the league shall communicate the report of the commission of inquiry to each Government concerned in the complaint, which shall within one month inform him whether or not it accepts the recommendations of the commission; and if not, whether it proposes to appeal to the permanent court of international justice of the league of nations. These articles are silent as to any judgment of acquittal which the commission of inquiry might return. It is therefore fair to assume that with such an outcome there will be an end to the controversy.

The permanent court upon the appeal may affirm, vary, or reverse any of the findings or recommendations of the court of inquiry, and shall also indicate the measures of an economic character it considers appropriate, and which other Governments would be justified in adopting against a defaulting Government, and its decision "shall be final."

The finality thus placed upon the controversy would seem to preclude its submission to the league of nations under the provisions of articles 11, 12, 13, and 15, although it might be one threatening to disturb international peace and likely to lead to rupture. Expressio unius est exclusio alterius is a maxim of construction applicable alike to statutes and treaties. It is equally true of each that their parts shall be construed together that effect may be given to the whole. I am aware that part 1, article 14, authorizes the creation of the permanent court, competent to determine any dispute of an international character which the parties thereto submit to it. But these disputes arising under the operation of part 13 may not originate between members of the league, although they may well disturb international peace. They may originate between a member and an industrial association, or a member and the governing body, or a member and a delegate to the conference. We may have power to legislate this contemplated authority by treaty, but the question is more than one of expediency and the discrimination is obvious.

Article 419 authorizes any member of the league to take against any member failing within the specified time to comply with the terms of the decision of the commission or of the permanent court—

the measures of an economic character indicated in the report of the commission or of the court as appropriate to the case.

Here, too, the procedure for compelling obedience to the ultimate decision seems to clash with that appropriate to controversies arising under part 1 of the league. Thus under article 16 resort to war by a member in disregard of its covenants shall ipso facto be deemed an act of war against all the other members which undertake to act in concert against it by the application of an economic boycott. The council will in such case recommend what effective military, naval, and air force the members shall severally contribute for the coercion of the offender.

But a member which ignores, or partly performs, or is tardy in performing the judgment of the commission of inquiry, or the permanent court, under the provisions of part 13, subjects itself to the economic discipline of any other member of the league which may determine to act, whatever its motive, and without regard to the attitude of other members. The defaulting member has not "resorted to war." Its offense is purely one of omission. Other members may be wholly disinclined to interfere. They may indeed be in sympathy with or justify the defaulting member. If the council of the league interferes at all in such a case it must be to sustain the policy of the member enforcing the penalty by levying the execution.

Such conditions are inevitable under the operation of these articles, if I properly comprehend them. One country finding the requirements of its covenants burdensome and unprofitable will surely be lax in observing them. Another country, prospering under their operation, will insist upon their continued and "effective observance" on the part of all by invoking the machinery of the permanent organization, and, the decision being secured, will mobilize its economic resources for its due enforcement. Nations in sympathy with the defaulter will at least remain quiescent. The situation must culminate in a crisis that may involve all members of the league. Class legislation is deplorable in domestic jurisdictions. It will prove intolerable when it becomes international.

But as regards America, an interesting constitutional question comes here to its relief, for it is now conceded that our broad treaty-making power can not transgress nor supersede the limitations of our organic charter. I have heretofore referred to that provision of article 405 which, applying to Governments like ours, in some instances will convert proposed draft conventions or treaty propositions into recommendations, and also that both recommendations and conventions must be made effective by legislation, which in many cases must be enacted by the States and in others by the Congress. In either case the legislation is local, and to be valid it must conform to organic requirements. Its validity and operation are questions which none but the judicial authority of the States and the Nation can determine. That authority is not subject to delegation, and certainly not to a foreign or international tribunal. No sovereign can permit any but its own authority to construe and enforce its laws, much less to require the enactment of specific ones.

Sovereignty abdicates the instant it transfers or shares this power. Differences over the meaning of treaty covenants may be submitted to outside arbitration, provided the difference be not a question of constitutional authority to make them, but statutes never. I am somewhat reluctant in these days of liberal and loose construction to express unqualified opinions upon questions of constitutional authority unless I feel very sure of my ground, for the courts have often reminded me, by a process of deduction, that my legal training and experience had taught me nothing. Yet I can not avoid the conclusion that articles 405 to 420, inclusive, of part 13 of the treaty, assume to vest international commissions of inquiry and the permanent court of international justice with jurisdiction of disputes involving the construction, sufficiency, and enforcement of Federal and State legislation enacted for the effectual operation of conventions, and recommendations proposed by the labor conference and accepted by the United States as a member of the league of nations. If this view is the sound one and my construction of these articles is sound, we have no power to ratify these articles; and if we did, our action would in the end prove but an idle ceremony.

I have not overlooked article 423, which provides that any dispute relating to this part of the present treaty, or any subsequent convention concluded by the members in pursuance of its provisions, shall be referred for decision to the permanent court of international justice. Here again is a most important feature designed to make part 13, although an integral portion of the treaty, a law unto itself. But unless the subsequent conventions which it includes are confined to amendatory covenants to part 13, to be adopted under the provisions of article 422, it only serves to emphasize my contention.

Otherwise article 423 would neutralize those portions of sections 411 to 419 creating the commission of inquiry and endowing it with authority to entertain and adjudicate complaints relating to conventions evolved from the operation of article 405. These are not to be "referred for decision to the permanent court"; they need not go there at all, and if they go, the procedure is then one of appeal from the decision of the commission of inquiry.

It will be observed that amendments to part 13 are to be made as required by the terms of article 422. They must be adopted by the conference by a majority of two-thirds of the votes cast by the delegates present, and then ratified by the States whose representatives compose the council of the league, and by three-fourths of the members. The so-called draft conventions come into being in pursuance of rather than as a part of the treaty, and article 406 expressly declares that such conventions shall bind only the members which ratify it.

It may be contended that the provisions of articles 405 to 420 relate to the enforcement and not to the interpretation of covenants. Such may have been the intention of the framers of part 13, but the common experience of every lawyer in the land teaches him that enforcement frequently involves, and therefore includes, interpretation.

Under these articles it involves a consideration of the structure and sufficiency of the measures enacted by the member government whenever the efficient observance by that government of its conventions shall be challenged. And it would be remarkable if it does not involve a construction of the convention as well.

Any item of the October agenda of the labor conference will serve to illustrate this contention. Take, for example, the question of preventing or providing against unemployment. I can not say what recommendation or draft convention may be proposed for the solution of this difficulty. But no man can conceive of any plan the operation of which will not require extensive domestic legislation everywhere, and particularly in democratic countries, with great numbers of officials to make them effective. These, however elaborate, can not function with uniform success. Complaints innumerable will flow from industrial associations, and conference delegates to the governing body and commissions of inquiry will increase and multiply. How can these tribunals hear and dispose of them, or recommend changes, or suggest methods of economic discipline, without examining and passing judgment upon the measures, the legislation, and the processes of the defaulting member? You might as well expect a physician to treat a malignant disease without acquainting himself with its causes and with the bodily condition of the patient.

And we must not forget that measures of an economic character to be prescribed and enforced against a defaulting member can be made effective only by a boycott from without and a strike within its territory. Both will be invoked and applied wherever a defendant State declines to accept the verdict of the final decree. Between the upper and nether millstones of these tremendous and cooperating pressures no nation, however powerful and independent, can successfully defend its right to make its own laws and live its own life without an appeal to the sword. I fear that the President's lofty and eloquent indorsement of this scheme for stabilizing conditions of labor throughout the world, and ultimately relieving the unhappy conditions prevailing in too many places, was not preceded by a dispassionate and exhaustive analysis of the program.

Of the high and human sentiments entertained by the labor congress I make no question. Of the need for improvement in the affairs of labor in many parts of the world I make no doubt. But these ends can not be effected overnight by covenants, nor the processes of its evolution upward by pressure from one direction. Mankind is better off to-day than it was half a century ago; far better then than half a century earlier. And the organized wage earners in all democracies, notably with us, do not confront conditions "involving such injustice, hardship, and privation to large numbers of people as to produce unrest so great as to imperil the harmony of the world," unless we apply the effect of such conditions to the remaining elements of society, for organized labor since its feeble beginnings of 50 years ago has waxed in numbers and in power. It has advanced from one victory to another, until to-day it holds the scales of authority. It dictates to legislatures and shapes the policies of administrations. It has demanded and obtained immunity from the processes of the courts, has been exempted from the penal and restrictive statutes against monopolies and combinations, identifies itself with every general scheme of legislation, fixes its own wage scales and hours of employment, and has become arrogantly indifferent to the rights of the unorganized and long-suffering public. It is now demanding a compensation for service in transportation, out of all proportion to its ability to pay, for ostensible relief from economic conditions it has largely but unconsciously aided in creating. It admits that the increases if granted will not relieve but surely aggravate the evil in whose name the demand is made. It knows the added sum must come from the depleted hoards of the overburdened taxpayer, but it answers by threatening to add to his miseries by paralyzing the whole system of transportation if the authorities are not prompt in responding to these requirements.

Less than a week ago 14,000 men paralyzed for two days the transportation system of 5,000,000 of people in the city of New York, which they had built at enormous cost and whose operation is indispensable to their daily activities. But their necessities were unheeded, their rights disregarded, their property rendered worthless, until the levy of tribute to the union was complied with.

All over the country, in every department of industry, these conditions prevail, albeit wages, salaries, and nearly every form of income to labor have reached undreamed of levels; and honest men who would relieve these conditions, who believe that in free America one may work or idle as he will without becoming a unit in some great association, is denied

that right and assaulted and beaten to death if he dares presume to exercise it. The closed shop is becoming organized labor's battle cry, and absolute domination of the industrial and political world its openly avowed objective. Unrest there is here in abundance, which imperils our peace and harmony. It is not due to labor conditions but because of them. They are tyrannous, unjust, and opposed to the fundamentals of American freedom.

Not the least sinister aspect of this grave situation is the contagion of unionism. It long ago absorbed Government employees. It is now active among gravediggers, actors, physicians, titled ladies in waiting, pupils, and policemen. The Association of Federal Employees announce a general convention for next month, when they will deliberate upon their own interests, agree upon a program of mutual demands, and then instruct the Congress what to do. The police of some of our great cities have organized and affiliated with the American Federation, and are preparing to do so in others. These officials are charged with the duty of enforcing obedience to the laws, apprehending offenders against them, protecting society from outlaws and marauders, preserving the peace, and maintaining order, for which they are compensated from the public revenues. They are assuming an attitude and propose to give an allegiance which sooner or later must come into collision with the performance of duties imposed upon them by law, and which are vital to the life of the social order. Here is a hyphenated loyalty far more corroding to the moral fiber of a citizen and an officer than any or all those we encountered before and during the war with Germany. For the union policeman confronts two codes of action, one directed by the law whose officer he is, and the other by the Federation whose authority he has accepted. The dire consequences threatened by this situation are reflected in the recent experiences of Winnipeg and Liverpool, where the guardians of the law ignored their duties, threw away their clubs, and passively cooperated with the unrestrained forces of pillage and disorder. Riot raged unrestricted, thieves plied their trade unmolested, the citizen was assaulted and plundered in the streets, shops were looted with leisurely impunity, women and children were not immune to plunder and outrage within their own homes, the citizen was compelled by the eternal law of self-preservation to abandon his own affairs, perform police duty on his own account, and finally the army was utilized to man the simple machinery of municipal government that the public might be saved from the wolves with which their watchdogs had become identified.

During the recent strike of street car employees in Cleveland the strikers stoned the occupants and demolished moving cars with rank impunity. They were filled with passengers having the right to use them, and manned by motormen and conductors having the right to operate them. I am credibly informed that these outrages were committed in the presence of union policemen, whose official eyes saw them but whose unionized hands were not raised in interference. They walked their beats, looked straight ahead, let the strikers work their will, and doubtless drew their regular pay from the city treasury. What sort of civic spirit or public opinion prevails in America that these things can be and pass unrebuked and unopposed? Is political support, however badly needed, to be purchased at the price of an acquiescence which means approval? Do not these conditions invite the criminal elements of society to prey upon it at their will whenever industrial disturbances occur to suspend the arm of civil authority? What is the end to be?

Justice to organizations of men requires the acknowledgment that they are imitations of organizations of capital, and were originally designed for protection against them. It was not the worker but the employer who started the Nation upon this descent toward Avernus. Combinations of industry, of transportation, of capital, preceded and accelerated combinations of men. These, with their fictitious capitalization and their constant march toward monopoly, are and have been quite as dangerous to our well-being and our institutions. They have sinned as recklessly as the workers, fully as unmindful of public needs, of individual right, of the restraints of law, of the rights of producer and consumer. They, too, have controlled Congresses and legislatures, dictated administrative policies, and selected judges for the bench. Labor may well say to capital, "The villainy you teach me I will execute. And it will go hard, but I will better the instruction." The promoters of these huge combinations are largely responsible for our present prevailing evils. They may not be able to retrace their steps, but they can change their direction. During the past 40 years, I have, with others, consistently warned my countrymen of the certain consequences of unchecked and unhindered industrial and financial combinations, but my voice and the voices of others have fallen upon unlistening ears. These have pursued their arrogant way, indifferent alike to public opinion and to the Nemesis which sooner or later must overtake them.

Now that the balance of power has shifted, and rests with organizations of men, which follow the same practices, utilize the same methods, aspire to the same ends, and threaten the same consequences, we must recognize the same perils and sound the same warnings. It is the danger and not the source of it with which we must concern ourselves, for if our political and social existence be menaced, if our institutions are to be altered or undermined, it is unimportant whether the destructive force be exerted by external violence or internal organism. The fate of nations is not more determined by their wars than by the distintegrating processes of internal elements charged with hate, ambition, and class contentions, to which a torpid public spirit becomes indifferent. Shall a timid Congress at such a crisis imitate a craven press which flippantly recites the multiplying instances of a national disorder while diverting attention to more commonplace affairs? Or shall we strive to arouse a true American sentiment to the responsibilities of citizenship and the instant need for their assumption?

Let us not forget that the French were driven to revolution by the combined oppressions of the nobility and the guilds, that they smote both to the earth, and banished both by the decrees of their immortal constitution. Here are conditions which part 13 of the treaty neither provides against nor catalogues among those requiring correction by international covenants.

You ask what can be done. I recognize the difficulty of making adequate reply. But since these conditions are the offspring of competing organized forces, we should certainly organize nonpartisan America for the preservation of the Union. A large majority of our wage earners are as good and loyal citizens as you and I. They deplore prevailing conditions as we do. They ring true to every test when their country calls. They are in the grip of an all-powerful system, and do its will and obey its decrees because they must. Ninety per cent of the employers are Americans also, and I use the word in no restricted sense. They love their country and perceive its needs. They, too, are in the grip of a system, equally conscienceless, equally exacting. Let Americans forget partisanship, forget sectional interest, forget class, and rededicate themselves to America. I include every man without regard to race, religion, or nativity whose first heartbeats are for the Nation, for the right of every man to live and work out his own lawful ends in his own way, freed from the tyranny and exactions of self-created overlords, for the continued union of liberty with laws recognizing and preserving the privileges of each, for the welfare of the vast public mass which are the producers, the consumers, the taxpayers, the defenders, and the final hope of the Republic; that mass upon which falls the huge burden of riot, of insurrection, and the manifold evils and oppressions of a society struggling against and torn asunder by fierce and insatiable demands of a small but well-disciplined section of itself. Unite everywhere, and the centers formed will be rallying points for every man of action. This seems to me imperative. You can not confront regulars with raw militia. What are cornstalks to cannon, or the vagrant winds of the sea to the magic power of steam?

Let us give to capital and to labor each its own, and to all our people the equal protection of the laws. This is a mighty task, but not too great for America, and we must bequeath the heritage of our fathers unimpaired to our children.

Mr. President, I have faith in the institutions of my country. I sometimes picture this great Republic as a majestic image, towering to the clouds from an eternal anchorage of justice and ordered liberty, its benignant features bathed in the eternal sunlight of heaven, its invincible arms extended above our continent-covering domain, shielding, protecting, encouraging. May such an image find sanctuary in the hearts of every man and woman and child under the national ensign, quickening their affection, stimulating their patriotism, and ministering to their sense of civic responsibility. No nation can perish whose people are thus inspired.

LEASING OF OIL LANDS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2775) to promote the mining of coal, phosphate, oil, gas, and sodium on the public domain.

Mr. KENYON. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Elkins	Henderson	Lodge
Bankhead	Fall	Hitchcock	McCumber
Brandegee	Gay	Johnson, S. Dak.	McKellar
Calder	Gronna	Kenyon	McNary
Capper	Hale	King	Nelson
Colt	Harding	La Follette	Norris
Curtis	Harris	Lenroot	Nugent

Page	Sheppard	Sutherland	Walsh, Mont.
Phelan	Smith, Ariz.	Swanson	Warren
Phipps	Smith, Md.	Townsend	Watson
Ransdell	Smoot	Trammell	Wolcott
Reed	Spencer	Wadsworth	
Robinson	Sterling	Walsh, Mass.	

Mr. CURTIS. I announce the absence of the senior Senator from Washington [Mr. JONES] on official business. I will let this announcement stand for the present.

Mr. TRAMMELL. I desire to announce the unavoidable absence of my colleague [Mr. FLETCHER] on account of illness.

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). Fifty-one Senators have answered to their names. There is a quorum present.

EXPORT TRADE WITH GERMANY.

Mr. FALL. Mr. President, some publicity has been given to certain questions which were propounded by myself in writing to the President of the United States a few days since, during the conference between the members of the Committee on Foreign Relations and the President, and to the answers to such interrogatories furnished me by the President. I may say that such publicity was given by the White House and not by myself.

As it appears from the public press that in answer to the eighth interrogatory which I presented to the President reference was made to the answer of the President to another Senator, I desire not only to clear the record in that matter, but to call the attention of the Senate to the fact that the President was not informed upon the particular matter in issue.

The eighth question, which is the one referred to, was as follows:

8. Are you issuing, or allowing to be issued, en bloc or otherwise, licenses to do business with those recently our enemies, and are you allowing ships and cargoes destined to ports of Germany or other recent enemy ports to clear from our ports?

To which the President answered:

I answered your eighth question in reply to a question asked me at our conference the other day.

Mr. President, a search of the record of the conference with the President will disclose that the only question asked upon that occasion dealing with the same matter was asked by the chairman of the committee, Senator LODGE. I have the record here before me. On page 53 it will appear that the chairman asked the President:

Are we not trading with Germany now, as a matter of fact?

The PRESIDENT. Not so far as I know, sir.

The CHAIRMAN. Licenses certainly have been issued. It is advertised in all the New York papers.

The PRESIDENT. We removed the restrictions that were formerly placed upon shipments to neutral countries which we thought were going through to Germany.

The President of the United States first stated, in answer to the chairman, that we are not dealing with the enemy in so far as he knew. For the purpose of illuminating the subject somewhat I shall place certain documents in the RECORD, premising, however, by stating that the suggestion of the chairman that licenses were being issued or business done with Germany was based upon the record and hearings before the committee, where the attention of one of the witnesses was called to advertisements of the sailing of vessels with cargoes destined for Germany, such advertisements appearing in the New York papers.

The President was evidently entirely uninformed upon the subject. On July 14, 1919, there was issued "for immediate release" the following:

(For immediate release.)

DEPARTMENT OF STATE,
WAR TRADE BOARD SECTION,
Washington, July 14, 1919.

RESUMPTION OF TRADE WITH GERMANY.

The War Trade Board Section of the Department of State announces that a general enemy trade license has been issued authorizing all persons in the United States, on and after July 14, 1919, to trade and communicate with persons residing in Germany and to trade and communicate with all persons with whom trade and communication is prohibited by the trading-with-the-enemy act; subject, however, to the following specific limitations and exceptions, to wit:

1. The above-mentioned general license does not authorize the importation into the United States from Germany or elsewhere of dyes, dyestuffs, potash, drugs, or chemicals which have been produced or manufactured in Germany.

2. The above-mentioned general license does not modify or affect in any respect present restrictions against trade and communication between the United States and Hungary or that portion of Russia under the control of the Bolshevik authorities.

3. The above-mentioned general license does not authorize trade with respect to any property which heretofore, pursuant to the provisions of the trading-with-the-enemy act as amended, has been reported to the Alien Property Custodian or should have been so reported to him, or any property which heretofore, pursuant to the provisions of said act, the Alien Property Custodian has seized or has required to be conveyed, transferred, assigned, delivered, or paid over to him.

On July 20 an amendment was made to the circular of instructions which I have just read, the only effect of which was to take potash out of the first exception and allow the free importation of potash into the United States. On August 7, 1919, the third paragraph was broadened with reference to the property in the hands of the Alien Property Custodian.

Mr. President, in the month of June, as shown from the Government reports, prior to the issue of the circular of July 14, 1919, it will be ascertained that in that month, prior to the issue of the order suspending entirely the trading-with-the-enemy act, the export trade between this country and Germany was $8,783,000.13. During the same month the export trade with Spain was less than the export trade of this country with Germany herself.

Mr. LODGE. If the Senator will pardon me, I ask if that was for the month of June?

Mr. FALL. That was for the month of June.

Mr. LODGE. Prior to the order?

Mr. FALL. Prior to the order suspending absolutely the trading-with-the-enemy act and allowing citizens to trade with Germany freely.

Mr. LODGE. So my question whether we are not now trading with Germany as a matter of fact was not answered.

Mr. FALL. Not only so. The reports are not here, but I will state to the Senator, not only the trade with Germany during the month of July, after the trading-with-the-enemy act was suspended, but prior to the suspension by the issue of the order on July 14, in the month of June the export trade of this country with Germany was $8,783,000, while for the same period exactly the export trade of this country with Spain was $8,685,000, or $100,000 less. In the month of June alone the export trade of the United States with Germany was double the entire export trade of this country with all the Central American States on this continent.

Mr. KING. Will the Senator permit an inquiry?

Mr. FALL. Allow me just a moment. The export trade during that time with the Central American States was $4,973,221, while for the same period the export trade with Germany was $8,783,000.

I now yield to the Senator from Utah.

Mr. KING. Does the report to which the Senator has referred indicate the character of those exports?

Mr. FALL. No, sir; and it was no purpose of mine to go into the details at this time. However, the Senator can easily ascertain it from the reports.

Mr. KING. The Senator has done so?

Mr. FALL. I have not specifically.

Mr. KING. I will ask the Senator, furthermore, if the report indicates whether those exports were landed in Germany or were transshipped?

Mr. FALL. I will satisfy the Senator. If he had waited a few moments, he would have avoided the necessity of his interruption.

Mr. KING. I am delighted to know that the Senator will cover the subject so comprehensively. It is very gratifying.

Mr. FALL. A little later I will go into the export trade since the trading-with-the-enemy act has been relieved. I am not prepared to do so at the present time, nor am I engaged in a general discussion of the proposition. I am referring to the answer of the President of the United States, and not to the details of the trade with Germany. The President of the United States says directly in answer to the Senator from Massachusetts [Mr. LODGE] that in so far as he knows we have not resumed trade with Germany. I am showing what the facts are of record; I am not accusing the President of the United States of dishonesty of purpose. I am bringing no charge whatsoever against him. I am producing the record. He said, "Not so far as he knew." I stated in the opening that he did not know, and I will prove it. I call to the attention of the Senate and place in the RECORD this fact:

Sailing from New Orleans to Liverpool on June 28 of the *Waukegan*, direct for Hamburg, which is a German port, with 22,710 bales of cotton. According to the Journal of Commerce and the Commercial Bulletin of Friday, August 22, 1919, the *Waukegan* sailed from Hamburg on July 27 after unloading her cargo of 22,000 bales of cotton.

Mr. President, at a later date I will go more fully into the trade relations between this country and Germany, and I shall undertake to the satisfaction of the Senator from Utah [Mr. KING] to show what has been the course of that trade in the month of July, and particularly since the order was issued, which could only be issued by the authority of the President of the United States, suspending the trading-with-the-enemy act, an act of Congress. At this time my purpose was simply to call attention to the fact that the President was mistaken in his statement to the Senator from Massachusetts [Mr. LODGE], and was therefore in error in his answer to the eighth interrogatory which I propounded to him. That was my purpose and my sole purpose at this time.

LEASING OF OIL LANDS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2775) to promote the mining of coal, phosphate, oil, gas, and sodium on the public domain.

Mr. SMOOT. Mr. President, at the close of yesterday's session we adopted certain committee amendments to the pending bill, and during the discussion of the bill yesterday reference was made to that part of section 1 on page 2 following the word "provided," which reads:

That no alien shall, by stock ownership or otherwise, own any interest in a lease acquired under the provisions of this act, except as hereinafter provided, and all certificates for stock hereafter issued in any corporation having such a lease shall specifically and clearly show this provision on the face thereof.

As I stated yesterday, I recognize the seriousness of such a provision, as does every member of the Committee on Public Lands; but the control of oil produced in this country is of such great importance that the committee decided that some legislation must be had in order to give that control to our Government.

Yesterday the Senator from New Mexico [Mr. FALL] thought that there should be an amendment made in a way that would give the control of our Government over the oil produced in this country and at the same time not prohibit an alien from becoming interested in the production of oil in the United States. It was feared that there would be retaliation on the part of other countries if such a provision were enacted into law.

Mr. FALL. Mr. President, the fear entertained by some of us was more that the legislation would be misunderstood in some countries and that through a misunderstanding some measures might be taken which would operate against the United States.

Mr. SMOOT. The Senator from New Mexico, after consultation with other Senators, has agreed to a provision by way of amendment to section 1 which I am going to offer at this time:

After the word "except" in line 4, page 2, insert the following:
"With a specific provision in such lease authorizing the President in his discretion to take over and operate such lease, paying just compensation to the owner for the use of tools, appliances, machinery, and products, or to acquire at the market price all or any portion of the products of such leased property. *And provided further,* That the Secretary of the Interior may require the sale for consumption in the United States of all or any portion of the products of any leased property in which it appears that any alien has an interest by stock ownership or otherwise."

So that the proviso in section 1, beginning on line 2, page 3, will, if this amendment is adopted, read as follows:

That no alien shall, by stock ownership or otherwise, own any interest in a lease acquired under the provisions of this act except with a specific provision in such lease authorizing the President, in his discretion, to take over and operate such lease, paying just compensation to the owner for the use of tools, appliances, machinery, and products, or to acquire at the market price all or any portion of the products of such leased property: *And provided further,* That the Secretary of the Interior may require the sale for consumption in the United States of all or any portion of the products of any leased property in which it appears that any alien has an interest by stock ownership or otherwise; and all certificates for stock hereafter issued in any corporation having such a lease shall specifically and clearly show this provision on the face thereof.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Utah.

Mr. KING. Mr. President, I sincerely hope my colleague will not press that amendment in its entirety. Indeed, I think it is unwise, in view of the large land holdings which Americans have in other countries, in view of the fact that they will have additional holdings, and that, because we are a creditor nation, we will have to capitalize the amount which is due us and invest that capital in holdings in other nations. As I was saying, I hope the Senator from Utah will not press his amendment, and I doubt the wisdom of the provision found in the bill itself.

However, the principal objection I have to the Senator's amendment is that it empowers the President of the United States to enter upon the work of operating oil wells within the United States. I think that is unwise; I think it is a species of landlordism and of governmental operation of properties that will prove very injurious and will establish a precedent that will be vexatious and, indeed, harmful. If the Senator desires to elaborate his statement, I shall pretermit any observations until he concludes.

Mr. SMOOT. I shall be glad to do so.

Mr. KING. But I do assert now that, in my opinion, the proposed amendment is a very unwise one. I think it would be a very mistaken policy to authorize the Executive to go out upon the public domain and operate oil wells and to justify their operation because some alien has an interest in the wells.

Mr. SMOOT. Mr. President, the seriousness of this situation can only be appreciated by Senators when they know the exact state of affairs existing not only in our own country but in all the world. My colleague will note that this provision only relates to the sale of oil for consumption in the United States. Unless there are discovered larger oil fields than we have today in the United States and unless they are multiplied in number it is going to be only a very short time until there will not be sufficient oil produced in the United States to take care of the requirements of this country. What that would mean in case of war I take it for granted every Senator will recognize.

This provision is not mandatory. I quite agree with my colleague that the original provision would no doubt bring retaliation from foreign countries; but if my colleague will carefully read the amendment he will see that it does not prevent a foreigner from owning stock in an oil well in this country; in fact, foreigners may own the whole of the stock of such companies and may produce oil from, perhaps, some of the greatest oil wells in the United States; but if the time comes when the United States in its own interest is compelled to use such oil it is proposed to give power to the President to take over and operate such wells. Unless that is done, it seems to me the only other way is to prohibit the exportation of oil entirely. I think that this is far better than going to that extent.

There is nothing in this amendment to which a foreign country can object. Remember, all of this oil is produced from public lands which are owned by the United States, and the President is given power here to operate the oil wells referred to only in case the oil is needed for consumption in the United States and——

Mr. KING. Will my colleague yield to me?

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). Does the senior Senator from Utah yield to his colleague?

Mr. SMOOT. I yield.

Mr. KING. I do not quite read the amendment as it was interpreted by my colleague. The words of the amendment are as follows:

With a specific provision in such lease authorizing the President, in his discretion, to take over and operate such lease, paying just compensation to the owner for the use of tools, appliances, machinery, and products.

It is not limited to governmental necessities; it is not limited to the exigency of war. It leaves it to the discretion of the President to take over and operate the lease at any time, under any circumstances, at the importunity of governmental ownership advocates who may insist that this step be taken as an entering wedge to governmental ownership and operation of other properties.

If my colleague will pardon me, I would not object to a provision that, in the event of governmental requirement—that is to say, if the Government itself needed the oil—there should be a provision in the lease that the owner of the field should give the option to the Government to purchase. Indeed, I do not think such a provision as that would be necessary; I think the Government, by condemnation, could take the oil supply of an alien or of an American to meet the demands of the Government.

Mr. SMOOT. I will say to my colleague in that connection that if it is confined to the limit just named by him, the President of the United States will have to be the judge whether or not the oil is necessary or required by the Government; and under this amendment that is exactly what the President would do.

Mr. FALL. Mr. President——

Mr. SMOOT. I yield to the Senator from New Mexico.

Mr. FALL. Mr. President, if an alien secures a lease upon valuable oil properties in this country we desire a provision which will compel him to work them or which will allow us to work them when the oil is needed. That is the prime object of this provision, as I understood it after conversation with my colleagues—that no alien should be allowed to acquire property and then refuse to work it, or in any way hamper the production or have the power to work it and take the oil out of this country if it were needed here. The discretion is given the President to remedy those well-recognized evils.

If the Senator from Utah will allow me for a moment, Mr. President, I desire to say that the oil question is the gravest question for consideration on this hemisphere at this time. It is something with which the Congress of the United States can not deal piecemeal. With one branch of the Government now engaged in dealing with this question with other nations of this hemisphere, not only on this continent but on the southern continent of this hemisphere, and engaged in very intimate communication with those countries from moment to moment in connection with this very proposition, it behooves the Congress of the United States, in considering the subject, and particularly with the question of alien ownership, to legislate with an eye to the best interest of the people of this country, first,

last, and all the time; but, second, to the interest of the trade and commerce of this country with the other countries on this hemisphere, at any rate.

The necessity for it could not be more clearly proven than by citing the situation of Italy during the present war. Italy had no oil fields; she had no coal fields; she was without the commonest necessities for carrying on war. We saw what disasters overtook her because we could not get coal or oil to her rapidly enough; we saw her gallant armies forced back and almost annihilated because her allies could not get supplies to her. I hope we will all look forward to the future of this country; that we will conserve our present oil resources; that we will encourage our citizens to go throughout the world and by their individual effort, without any assistance except the tacit encouragement of their Government and its protection behind them, acquire the inexhaustible resources that exist on this continent and the southern continent for the benefit of our people, so that this country may not find itself in the condition that Italy discovered herself to be in during the war with Germany.

Mr. KING. Will my colleague permit me to interrupt?

Mr. SMOOT. I yield.

Mr. KING. I think, if I interpret the Senator from New Mexico correctly, that I agree absolutely with all he has said.

Mr. FALL. I am satisfied of that.

Mr. KING. I think in this legislation the interests of our country should be of the first importance.

Mr. FALL. Exactly.

Mr. KING. But we must be careful in this legislation not to establish any precedent that will justify retaliatory legislation upon the part of other Governments.

Mr. FALL. Precisely.

Mr. KING. As the Senator has said, we want Americans to use their initiative and the splendid qualities that lead them into adventure and into progressive fields to go into other countries and discover oil fields, but we do not want retaliatory legislation from Mexico or from Colombia or other South American or other nations that will confiscate oil fields or other possessions of Americans.

Mr. FALL. No.

Mr. KING. Americans have oil fields in Mexico, in Colombia, in Cuba, in Panama, and in many other countries. We should proceed with the utmost caution in legislating now to establish no precedent that could be utilized justly by other nations to make a drive against the possessions and ownership of Americans in other countries, and I am afraid that this legislation, unless it is very carefully drawn and very carefully phrased, will be seized upon as an excuse, particularly by Mexico, to confiscate the holdings of Americans in that Republic.

Mr. FALL and Mr. PHELAN addressed the Chair.

The PRESIDING OFFICER. To whom does the Senator from Utah yield?

Mr. SMOOT. I yield first to the Senator from New Mexico; and then I should like to proceed.

Mr. FALL. Mr. President, I simply wish to state to the junior Senator from Utah [Mr. KING] that it was with an eye to that very purpose that this amendment was suggested by myself yesterday and has finally been agreed upon. If the Senator will note the amendment in its entirety, I think he will become satisfied that no retaliatory legislation of any kind or character will be justified or called for, or, in so far as we can prevent it, will be permitted after its adoption. We must realize of course that other countries have the sovereign rights which we maintain; we must realize and recognize that if Mexico or Colombia need oil for their own domestic consumption they should have the first call upon the product of their respective countries. Therefore, if they should adopt an exactly similar amendment in connection with any of their legislation, I think we would have no just right to make complaint. The amendment, however, refers, as their legislation to follow this would necessarily refer, to the property belonging to the respective Governments, and not in any way, either as we would adopt it or as it might be adopted elsewhere, could it refer to any private property now owned, or prior to this time acquired, or acquired hereafter, in any other way except by specific lease of the public properties of the Government. If retaliatory legislation were suggested, provided it followed the lines laid down by us, it would be perfectly legitimate legislation, as to which we would have no just cause for complaint.

Mr. PHELAN. Mr. President——

Mr. SMOOT. Mr. President, I desire to call the attention of my colleague to the fact that there was a shortage of 5,000,000 barrels of oil in the United States on the 1st day of June, 1919, as compared with the 1st day of June, 1918, notwithstanding the fact that great oil fields have been discovered in Texas and at the present time are in operation. The Texas oil fields are now producing about 250,000 barrels of oil a day. Suppose the Texas fields had not been opened, think of what our oil stocks would have been on June 1, 1919. I wish to impress upon the Senator the serious situation our country is in so far as oil is concerned.

I fully agree with the Senator from New Mexico [Mr. FALL] as to the provisions of the amendment. I believe that to the provisions of the amendment, if adopted as amended, no foreign country can take exception, and if any foreign country should in its legislation enact a similar provision, I can not see that we, in the United States, could object to it in any way. It is for that reason that I offer the amendment; and I am quite sure that my colleague will admit that it insures us against the likelihood of retaliatory legislation on the part of any country much better than the original provision did.

Mr. PHELAN and Mr. STERLING addressed the Chair.

The PRESIDING OFFICER. To whom does the Senator from Utah yield?

Mr. SMOOT. The Senator from California rose first, so I will yield to him, and then I will yield to the Senator from South Dakota.

Mr. PHELAN. Mr. President, I understand the amendment offered by the Senator from Utah, which I have not read, but have only heard——

Mr. SMOOT. I will give the Senator a copy.

Mr. PHELAN. I have a copy now. I understand that amendment provides that in case of national emergency the President may take over foreign-owned oil wells.

Mr. SMOOT. The President may do it at any time under the provisions of the amendment.

Mr. PHELAN. But in the meantime foreign corporations may acquire oil properties in the United States. The original provision which the Senator seeks to amend reads as follows:

Provided, That no alien shall, by stock ownership or otherwise, own any interest in a lease acquired under the provisions of this act, except as hereinafter provided, and all certificates for stock hereafter issued in any corporation having such a lease shall specifically and clearly show this provision on the face thereof.

The purpose of that provision, as agreed upon in the committee, was to prevent foreigners from acquiring under this proposed act the public lands of the United States for oil exploitation. I am advised by the State Department this morning that in the event of the enactment of this bill there will be no parallel between conditions in Mexico and in the United States; that Mexico has sought to confiscate lands which are in private ownership, while this is really an attempt on the part of the United States—I claim a belated attempt—to protect its public lands against ownership by foreign nationals.

Mr. SMOOT. The Senator does not believe for a minute that the act of the Mexican Government in confiscating those oil lands in Mexico in private ownership will ever stand, does he?

Mr. PHELAN. I do not believe that it will stand; but the fear of those who have interests in Mexico—although I did not understand that the Senator from New Mexico entertained that fear—was that Mexico would take this action, if taken by the Congress, as an excuse for interfering with the rights of American owners in Mexico. It is more a fear; but, as I inform you, the State Department is not of the opinion that the case is at all parallel.

Why was this matter brought up? It is because the United States has slowly realized, as Great Britain slowly realized up to the time of the war, that her natural resources were being taken by foreigners; and, with much foresight, England has now organized a bureau of the cabinet for the purpose of aiding her corporations in the acquisition of oil fields throughout the world.

I beg to call your attention in this connection to the report of the Chief of the Bureau of Mines, Mr. Van. H. Manning, under the heading of "Great Britain," on pages 3306-3309 of the CONGRESSIONAL RECORD. In answer to the question, "How are these Governments trying to control the situation?" he says:

(1) By creating a permanent governmental petroleum department (the petroleum executive under the war cabinet is to be made permanent) with powers and duties as follows: (a) To act as an advisor in petroleum matters to all other branches of His Majesty's Government; (b) to grant concessions for all oil development within the British Empire; and (c) to advise and assist British oil companies in securing concessions, carrying on work, and conducting trade in other countries.

(2) By debarring foreigners and foreign nationals from owning or operating oil-producing properties in the British Isles, colonies, and protectorates.

Prospecting for petroleum or working a petroleum property is lawful in the United Kingdom only for the board of trade or minister of munitions or person or persons authorized by them. (D. O. R. A., 2-A A A, Jan 31, 1919.)

(3) By direct participation in ownership and control of petroleum companies.

(4) By refusing permission to British oil companies to sell their properties to foreign-owned or controlled companies.
(5) By orders in council that prohibit the transfer of shares in British oil companies to other than British subjects or nationals.

Mr. President, with respect to the fears of retaliation, I desire to point out that already Great Britain has begun the acquisition on behalf of Great Britain of the oil supplies of the world, for the reasons which the Senator from Utah in his opening address stated—that oil has become the chief product necessary for the maintenance of both the merchant marine and the navy—so that is a matter of the greatest national importance.

I inserted in the RECORD on last Monday a statement from the London Times which will illustrate this very clearly to you.

It speaks of the concessions of the great companies just organized, called the British Controlled Oil Fields (Ltd.), and it is stated that—

These concessions stretch from the frontier of Mexico right away to Brazil, forming an almost uninterrupted chain of concessions and properties encircling approximately two-thirds of the Caribbean Sea, with numerous ports on the Atlantic and Pacific Oceans. The areas comprised in these great possessions already amount to over 18,000,000 acres, and will at the conclusion of satisfactory negotiations, now in progress with various Republics, exceed this figure many times over.

Now, here is the point: This gentleman, who was explaining to his stockholders the great possessions of this company and its policy, says that—

A voting trust has been created, which will be permanent, and the result of which will be that, no matter who may acquire controlling share interests, however financially powerful they may be (none of them) can ever divert a single barrel of oil from national or imperial requirements. For all time, in some instances, and in others for the full life of the concessions, adequate supplies of oil, we may confidently assume, should the fields develop at the ratio we are led to believe they will, will be at the disposal of either the Imperial Government or the nation.

I merely wish to emphasize the fact that we are not initiating this legislation. We find that Great Britain is controlling the oil fields of the world, and debars our nationals from participating in exploration or exploitation, so far as she can control them; and certainly she refuses to them the privilege of owning any stock in any foreign corporation. Therefore we are entirely within our rights when we pass a provision such as is contained in the bill reported from the committee, denying to the alien the right to stock ownership in companies organized under this act in the matter of the disposition of the public domain. I am informed by the State Department that there is little danger, as I informed you, in the Mexican situation, and I do not know where else we fear any danger.

If we confine our public domain to our own citizens, the worst that any other country could do would be to confine its public domain to its own citizens; but if Americans anywhere in the world can acquire private property and exploit it for oil there will be no parallel and therefore no reason for retaliation.

Mr. SMOOT. Mr. President, I hardly think any Senator could make a statement which would be more convincing to me that the amendment I have offered should be adopted than that which has just been made by the Senator from California.

There is no question in the world that there is a fight on between the different countries of the world to control the oil of the world. There is no question but that England has the start of all other countries. There are things that have been told me by the department that I can not repeat upon the floor of the Senate now—I do not think it would be wise; but I do believe that the President of the United States—and I do not care who the President may be or what time it may be in the future—when he finds that the oil produced in the United States is controlled by foreigners, should have the power to say that that oil so produced shall be sold for consumption in the United States. And, if all the reports be true, it may be but a very few years until most of the production of oil in this country is controlled by foreigners.

Mr. PHELAN. Mr. President, may I interrupt to ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from California?

Mr. SMOOT. Yes.

Mr. PHELAN. The Senator admits that there is a falling off in the supply; that is to say, that our consumption is pressing hard upon our production. Why, therefore, should a foreign corporation be allowed to take from the soil, say, of Texas or California, as they are doing, vast quantities of oil for export, if you please?

Mr. SMOOT. I will say to the Senator that American interests are also taking oil out of Mexico, and they are now interested in the development of some of the great oil fields in South America. I will say frankly to the Senator that I do not want to pass a provision in this bill that will give a foreign country an excuse for retaliating against this country in any way, shape, or form.

Mr. PHELAN. The Senator does not expect retaliation from England?

Mr. SMOOT. You can not word a provision here that will apply to England. In England there are no oil wells to speak of. This proposed amendment will not affect England as to the producing of oil outside of the United States; and, if I am correctly informed, England now controls the wonderful oil fields of Persia, of Roumania, and of other countries, and she recognizes the fact that control of the oil of the world gives her control of the commerce of the world.

Mr. PHELAN. I know that the Senator fully sympathizes with the intent of the amendment; but if England has initiated this policy and controls the oil of the world to a very great extent, should we fear England as a matter of retaliation? Not at all. She has initiated it. Then whom shall we fear?

Mr. SMOOT. I will say frankly to the Senator why I am afraid of it. I am afraid that we can not produce in years to come, and at a time very near at hand at that, enough oil in our country to supply the demands of the country; and I do not want any action taken by us that will be the means of causing retaliation against us on the part of any other country.

Mr. PHELAN. But in the meantime, if these English corporations and French corporations and others have the right to acquire oil lands—because the amendment which the Senator proposes does not forbid them—they will be extracting this oil all the time.

Mr. SMOOT. They have a perfect right to come here now under this proposed amendment, and, if they can secure a lease, they can work the oil fields; but under this amendment the President of the United States can take the leased oil well at any time he may desire to do so.

Mr. KING. Mr. President, will my colleague permit me to ask a question of the Senator from California?

The PRESIDING OFFICER. Does the Senator from Utah yield to his colleague?

Mr. SMOOT. I do.

Mr. KING. Does the Senator from California favor this Government taking such a course as would justify other nations—all nations, for that matter—in immediately passing legislation that would forbid an American from acquiring any oil holdings in those nations?

Mr. PHELAN. I certainly am not in favor of that, and it is very hard to eat your pudding and still have it. We want to protect our American fields. We are all agreed as to that. To-day in California I know and can name three corporations that are acquiring and have acquired many fields, like the Coalinga and the Kern River, and under the name of the Dutch Shell Co., which is a subsidiary of the Royal Dutch Shell, which is owned by the Persian Co., whose stock is entirely owned by Great Britain; so Great Britain owns in California to-day vast productive oil fields.

Now, I wish to prevent further acquisitions by foreign governments in the national domain. There is nothing in this provision to prevent them from acquiring proved oil fields to-day in private hands, but only in the public domain; and the only retaliation in kind that might be made would be in South American or Central American countries, where they might deny Americans the privilege of developing the public domain. Now, I do not know and I am not informed as to the extent of their public domain. I think most of their valuable lands are already in private ownership.

Mr. SMOOT. The Senator from California knows that the southern countries are not going to differentiate between privately owned land in the United States and the public domain. That question has been thrashed over time and time again. They will never differentiate between the two; and if we pass a law such as we think ought to be passed—and yet there is apprehension in the mind of every Senator as to whether it should be done or not—I am fearful, as I said yesterday, that there would be retaliation.

Mr. PHELAN. Under the "most-favored-nation" clause, assuming that we have treaties of that kind with all these countries, in the event that we denied their nationals the privilege of exploiting our public domain, they could only deny our nationals the privilege of exploiting their public domain. If they went further than that, we would be denied the privileges which we enjoy under the "most-favored-nation" clause.

Mr. SMOOT. Under the proposed amendment they are not denied the right of securing a lease or stock in a company that has a lease; but it does reserve the right to the President of the United States to take that oil whenever he sees fit, if in his opinion it is necessary for the interests of all the people.

Mr. PHELAN. Of course, the Senator has in view the emergency of war. In the piping times of peace he would not dare

to trespass upon the property of our esteemed allies and take their oil for merely commercial purposes, would he?

Mr. SMOOT. Mr. President, I think we ought to have that right. As I said before, the time may come, and I believe it will come, when there will not be enough oil produced in this country to supply the demands of this country; and then I would not hesitate to say that the President of the United States ought to have the right to see that American-produced oil is not sent to foreign countries.

Mr. PHELAN. I agree with the Senator there, but I think we can prevent any intervention on behalf of the President by flatly denying the privilege now without any fear of retaliation.

Mr. SMOOT. Of course we could deny it; I admit that; but the wisdom of such an action is what we are discussing at this time, and I believe it would be unwise to go that far at this time, knowing the situation as I do.

Mr. PHELAN. In view of the example set us by England, which is the great oil cormorant of the world?

Mr. SMOOT. I understand just exactly to what extent she is securing oil interests in the world, and I believe to-day it would be unwise to say that no foreigner shall own one share of stock in a corporation that produces oil in this country.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Colorado?

Mr. SMOOT. I do.

Mr. THOMAS. It seems to me that the position taken by the Senator from Utah is the wise one, not only from the standpoint of what our policy at home should be, but from a consideration of the interests in oil which American citizens now have in other countries, and particularly in Mexico.

We have been accustomed up to this time to regard the Standard Oil Co. of the United States as the cormorant among oil owners and oil producers, to use an expression of the Senator from California. We are now losing sight of that fact and propose to insert here a restriction upon ownership that is bound to result in retaliations from other countries, and will at the same time put us in a position of extreme inconsistence in our dealings with Mexico.

One of the difficulties which is becoming very acute between the United States and Mexico arises from the proposed exclusion of alien ownership in Mexico of any oil interest whatever; and we can not, it seems to me, whatever Great Britain may have done, place a restriction of this kind in our own oil law and at the same time insist with any degree of justice or consistency that Mexico shall abandon the same policy which we propose to enforce. She may well reply, "We are simply doing what you are doing," and our retort that our restriction refers only to the public lands is merely a qualified denial of the charge.

The Senator from California [Mr. PHELAN] suggests that at best this would only give ground for retaliation to the extent to which the leases are made on public lands in other countries. But, Mr. President, retaliation once started always goes much further than the act which provokes it. That is the danger of retaliation. There can be no such thing as satisfaction to a retaliatory spirit that only stops by an equal amount of resistance. So we must bear in mind the effect of this qualification upon our own demands in Mexico.

So far as Great Britain's restriction is concerned, it may or may not justify us in adopting similar legislation; but if we adopt it, it should not be, I think, from any retaliatory spirit or because Great Britain has taken the same course. We can easily at any time place an embargo upon the exportation from the United States of oils produced here, whether produced by alien companies or by home companies. The product itself is subject to the jurisdiction of the Government of the United States. We have always had an inhibition upon the location of public lands by aliens. Some States have gone further and carried the prohibition of ownership to patent, but it has always been found to work badly, and in many States, I think in my own State, the experiment made has been abandoned. I do not perceive, in other words, the danger which many apprehend from absence of such a clause. I do perceive the possibilities that it would embarrass us very seriously in our future dealings with Mexico.

Mr. SMOOT. I thank the Senator for his suggestion, and I approve of every word he has said.

Mr. STERLING. Will the Senator yield?

Mr. SMOOT. I will yield the floor, if the Senator desires.

Mr. STERLING. No; I merely wish to call attention to the amendment offered by the Senator. It seems to me that the amendment pretty effectually excludes any alien ownership in any of these mines, and that, possibly, was the intention; but it occurs to me that the provisions are pretty severe on American interests in any event, for it may by the power conferred upon the Secretary of the Interior operate to the disadvantage of American interests. The alien interest may be a very small interest, insignificant, in fact, and yet because there is that small alien interest the Secretary of the Interior is authorized to take possession and operate the entire leased property.

Mr. SMOOT. Let me ask the Senator a question there.

Mr. STERLING. Certainly.

Mr. SMOOT. If there are Americans owning 90 per cent or 99 per cent of the stock of a company which may have a lease, and if they are not loyal enough to their own country to see that the oil produced by them went to their country if it was needed, why should they not lose all claim upon the protection of this bill and have no more protection under it than an alien could claim?

Mr. STERLING. They should.

Mr. SMOOT. They would be in the same position; and the President never would act in a case of this kind unless he knew that it was absolutely necessary for the good of the country in order that the properties should be operated for the welfare of Americans.

Mr. STERLING. If that were the attitude of the American owners in part of the leases, that should be the case, but they might not be able to purchase or control the alien interest.

Mr. SMOOT. If they own the controlling interest in the company, they certainly can control the directors of the company and they can control also the policy of the company. Therefore it seems to me that it would apply only in case a foreigner held the control. I think if American citizens owned the control it would be an American corporation and the policies would be such that it would be operated for the advantage of the American people.

Mr. STERLING. I simply wanted to call attention to what on the face of it seemed to me to be the situation, namely, that a foreign-controlled interest, however small, might put the leased property under the control of the President of the United States for the purpose of operating the lease and against the will and good intentions and purposes of the American owners. They might protest against it and yet in the discretion of the President, because there was this small alien interest, he could take possession.

Mr. LENROOT. Mr. President——

Mr. STERLING. One further point, if the Senator will pardon me. The lines applicable to the amendment read as follows:

Provided, That no alien shall, by stock ownership or otherwise, own any interest in a lease acquired under the provisions of this act, except with a specific provision in such lease authorizing the President—

And so forth. Well, what about the original lease, which was a lease to American owners and the subsequent acquisition of one share of stock by an alien? Does it mean the cancellation of that lease and a rewriting of the lease with the specific provision in it to which the Senator's amendment applies?

Mr. SMOOT. There are no leases made under the provisions of the bill to date. Does the Senator mean after the lease is made?

Mr. STERLING. Yes. It would apply, I understand, to all time, so far as that is concerned.

Mr. SMOOT. Under the provisions of the bill, wherever there is a lease made it must specifically provide in such lease "authorizing the President in his discretion," and so forth.

Mr. LENROOT. If it does not, the alien ownership is unlawful.

Mr. SMOOT. Yes; if it does not so provide, as the Senator from Wisconsin suggests, the alien ownership is unlawful. In section 26 of the bill there is a provision that if it is unlawful it reverts back to the Government of the United States.

Mr. KIRBY. Mr. President, I offer a substitute to the bill.

Mr. SMOOT. As a substitute for the pending amendment?

Mr. KIRBY. A substitute for the whole measure. I ask that it be read.

The PRESIDING OFFICER (Mr. PHIPPS in the chair). The Secretary will read the amendment.

The SECRETARY. Strike out all after the enacting clause and insert the following:

The President of the United States is hereby authorized to mine and develop coal, oil, and gas in any lands belonging to the United States and to operate the mines and wells under the direction and supervision of the Secretary of the Interior when, in his discretion, the public exigency may require that it shall be done.

Mr. SMOOT. The substitute is not in order to be voted upon at this time. When the bill is perfected the Senator can offer the substitute.

Mr. KIRBY. I wish to offer it as an amendment at the proper time.

Mr. SMOOT. There is a pending amendment to the bill, and I have still another amendment to offer.

Mr. KIRBY. Very well; let it lie on the table.

Mr. PHELAN. Mr. President, one of the questions submitted to the Chief of the Bureau of Mines, who has made a special study of the question, was as follows:

What should be done to protect and encourage the American operator in his effort to get a fair share of the oil of the world for this country?

I think his answer should go in the RECORD. It is as follows:

(a) The Government of the United States should adopt a continuous, zealous, and effective policy of protecting the rights, properties, and lives of American nationals and citizens operating in other countries.

Fundamentally this policy is not altogether new. The Department of State has on more than one occasion made effective representations to other Governments relative to property rights of citizens of the United States.

(b) The fixed intent of the Government to follow this policy (a) should be made known to our own citizens and to foreign Governments.

This alone will do much to encourage and give assurance to American nationals to go abroad for production and to protect their rights and investments in foreign countries.

(c) The acquisition, ownership, and operation of oil-producing properties should be placed upon some basis of reciprocity internationally. Hence—

1. Representations should be made to those Governments which at present discriminate against or forbid the participation of American nationals within their boundaries or possessions on an equal footing with their own citizens to remove these restrictions; and if this endeavor fails

2. Companies organized or controlled in countries in which American companies are not permitted to acquire, own, or operate oil-producing properties should be prohibited from acquiring, owning, or operating such properties in the United States or its possessions.

It is believed that this last policy should be adopted only after failure of all ready means for securing equal participation by American nationals in the countries in question. Such a policy affords a precedent or justification to the less advanced countries, such as Mexico, which are neither able to develop their own natural resources or to participate in the development of ours, to discriminate against, to keep out, or to harrass American nationals.

(d) The control of American oil companies should be prevented from passing into foreign hands.

This is of immediate importance.

That is his final recommendation:

The control of American oil companies should be prevented from passing into foreign hands.

This is of immediate importance.

He points out in his report that American companies are now passing into foreign hands, and certainly to refuse to nationals of foreign countries the privilege of mining in our national domain under the provisions of this bill is a less offense than to deprive them of the ownership of their oil.

Mr. KING. Will the Senator permit an inquiry?

Mr. PHELAN. I yield.

Mr. KING. Does not the Senator see some incongruity in some of the recommendations contained in the document just read? As I understood, the statement contains a recommendation first that the rights of American citizens in other countries and their holdings in those countries, especially oil holdings, should be protected; that is to say, that our Government should vigorously assert the right of Americans to acquire and enjoy the peaceable possession of oil lands and other lands in other countries. Does not the Senator think that this recommendation is somewhat inconsistent with the last recommendation that we should deny the nationals of other countries the right to acquire oil lands in our country?

Mr. PHELAN. I do not know that the Senator followed the reading very closely.

Mr. KING. I think I did; at least I tried to do so.

Mr. PHELAN. Mr. Manning in his report very clearly says that this Government should protect its nationals in foreign countries, and it should endeavor by diplomatic means or by negotiation to remove all disqualifications against our nationals imposed by foreign countries; and then he says if this policy fails, if we can not get equal rights for our nationals in foreign lands, then it will be necessary for us to discriminate against the nationals of those foreign countries. So there is nothing inconsistent; it is in the alternative.

Mr. KING. I did not understand that it was alternative; but permit me to make this further inquiry of the Senator: Does Mexico discriminate against Americans? In other words, has Mexico forbidden Americans from acquiring oil or other lands in Mexico, unless section 27 of the new constitution which was adopted by the Carranza government constituted a prohibition? If the Senator will pardon me, I think he will be compelled to answer my question in the negative, that Mexico has not. And I might add that Cuba has not, Panama has not, Colombia has not, and no South American country so far as I know has legislated to prevent Americans from acquiring lands in those countries. If we should pass this bill in the form in which the Senator desires it, would it not prove to be an irritant and provocative of legislation by other nations aimed against Americans acquiring lands within their borders?

With the rather strained relations between the Mexican Government and Americans, I would regard any legislation upon our part which could be regarded as preventative of aliens from acquiring land in the United States as rather unwise. At least we should approach the subject with the utmost caution.

Mr. WALSH of Montana. May I make a suggestion that might serve to clarify the situation and possibly offer a solution? Would it not meet the views of the Senator from California [Mr. PHELAN] if an amendment such as this were incorporated after the word "alien," the last word in line 2, page 2 of the bill, "being a national of any country by whose laws or regulations citizens of the United States are denied the right to acquire or own oil lands or interest in companies or associations owning or operating such," so that it will read——

Mr. SMOOT. I will say to the Senator that we thought of that amendment time and time again and it will not reach the situation. I will explain to the Senator in private why it will not do so.

Mr. PHELAN. I was asked a question by the junior Senator from Utah [Mr. KING]. I am in a position to answer him. We have already shown what England has done in denying to foreign nationals the right to hold stock in petroleum or oil companies. France is continuing the control through the Commissariat General aux Essence et Combustibles and allied bodies that were set up during the war, and is seriously considering making a State monopoly of petroleum and petroleum products.

Mexico has been studying the question of a State monopoly of production and distribution. Article 27 of the Mexican constitution of 1917 states that "in the nation is vested direct ownership of petroleum and all hydrocarbons—solid, liquid, or gaseous"; also that "only Mexicans by birth or naturalization and Mexican companies have the right to acquire ownership in lands, waters, or their appurtenances, or to obtain concessions to develop mines, waters, or mineral fuels in the Republic of Mexico. The nation may grant the same right to foreigners, provided they agree before the department of foreign affairs to be considered Mexicans in respect to the same, under penalty, in cases of breach, of forfeiture to the nation of property acquired."

On February 19, July 31, and August 12, 1918, decrees were issued making it necessary, under penalties of confiscation, for all companies owning or leasing oil lands in Mexico to file new manifests of properties already duly registered, and so forth.

Senators will remember that our Government has protested and that the diplomatic situation is very unsatisfactory between Mexico and the United States by reason of this threatened legislation, which not only affects the new exploitation to which I am not referring at all, but the private ownership legitimately acquired by the holders of Mexican properties. The other countries are more or less awakening to the importance for their own protection of guarding their oil supplies. The United States is one of the great oil reservoirs of the world; there seems to be no limit to its potential production of oil. California produced about 300,000 barrels a day and held the ranking position until only a few weeks ago, when Texas forged to the front, and now yields more than California and has taken the ranking position. So, in the United States there are great reservoirs of oil; and it is clearly our national duty to preserve them for our own use, especially in view of the fact that such Governments as France and Great Britain are organizing to acquire, and have their agents in the field and have the ability and the means of acquiring, oil properties and oil fields in the United States right under our very eyes. In the last three weeks a great oil property was transferred to England by an English firm in California comprising a great area of oil bearing and proved land. This is going on all the time, and there is nothing to prevent it. All that is now asked by the committee, as the bill came to the Senate in the first instance, is to deny foreigners that privilege on the public domain. I am going to confer with the chairman of the committee in regard to the matter. I do not know any public reason why we should modify the original language of the bill. I therefore ask, if it is agreeable to the chairman of the committee, unless he intends to press the bill to a vote to-day, that this amendment be passed over, so that we may complete the bill and leave what is clearly a debatable question for consideration later this evening or to-morrow.

Mr. KING. Mr. President, before the Senator from California resumes his seat I should like to invite his attention to page 32 of the bill and to the language found in the section upon that page, beginning in line 6, which reads:

Such advertisement and sale shall reserve to the Secretary of the Interior the right to reject all bids and the right to require redelivery of the actual oil or gas or any refined product thereof——

Mr. PHELAN. If the Senator from Utah will excuse me, I should like to ask the chairman of the committee if he has not

proposed an amendment to section 35. The junior Senator from Utah is criticizing the language found on page 32.

Mr. KING. I am not criticizing it.

Mr. SMOOT. Mr. President, I will say to my colleague that there will be an amendment offered to section 35. That section has been rewritten.

Mr. PHELAN. So that it would be idle to discuss it now.

Mr. KING. Mr. President, I fancy there will be no material change made, however, in the language to which I am now calling attention, which is found in lines 6, 7, 8, 9, 10, and 11, on page 32. The Senator from Montana [Mr. WALSH] directed my attention specifically to those words a moment ago.

Mr. SMOOT. Will my colleague kindly read the language?

Mr. KING. It reads:

Such advertisement and sale shall reserve to the Secretary of the Interior the right to reject all bids and the right to require redelivery of the actual oil or gas or any refined product thereof whenever within his judgment the interest of the United States demands.

I will ask my colleague whether or not the proposed amendment will modify that language?

Mr. SMOOT. Not at all. What the Senator has read has reference to royalty oil, while the amendment has reference to all the oil that may be produced.

Mr. KING. I was going to ask the Senator from Montana——

Mr. WALSH. Mr. President, before we pass from that, I desire to say that I do not interpret the language of the amendment as now interpreted by the chairman of the committee.

Mr. SMOOT. Wait until I read over the proposed amendment, that is the change, and see if what I have stated is not correct.

Mr. WALSH of Montana. There is no change of that portion, as I understand, I will say to the chairman of the committee.

Mr. SMOOT. I call the Senator's attention to section 35 of the provision as amended. The original provision had reference to "all royalty oil and gas accruing or reserved to the United States under such lease."

Mr. WALSH of Montana. I think that I can not accept that interpretation. It does in fact read:

Upon granting any oil or gas lease under this act—

I read from the proposed amendment—

and from time to time thereafter during said lease the Secretary of the Interior shall, except whenever in his judgment it is desirable to retain the same for the use of the United States, offer for sale for such period as he may determine, upon notice and advertisement on sealed bids or at public auction, all royalty oil and gas accruing or reserved to the United States under such lease.

Now, that clearly deals only with royalty oil; but, Mr. President, the next sentence is the one to which our attention is now invited by the junior Senator from Utah [Mr. KING], which provides:

Such advertisement and sale shall reserve to the Secretary of the Interior the right to reject all bids and the right to require redelivery of the actual oil or gas or any refined product thereof.

Undoubtedly that refers to royalty oil.

Mr. SMOOT. Certainly; there is not any doubt about it, Mr. President.

The PRESIDING OFFICER (Mr. PHIPPS in the chair). The question is on the amendment proposed by the Senator from Utah [Mr. SMOOT].

Mr. KING. I desire to ask the chairman of the committee, following the request of the Senator from California [Mr. PHELAN], whether he would be willing to postpone the consideration of this section until other amendments are disposed of, if there should be any?

Mr. SMOOT. I understand that there is only one other amendment, I will say to the Senator; and if so, I will pass over the pending amendment temporarily and offer the other amendment at this time, and then recur to the one passed over.

Mr. KING. Mr. President, I regard this matter as so very important that I think we should have full opportunity to consider the amendment tendered by the committee, as well as the entire subject of aliens acquiring interest in the oil lands of the Government.

The PRESIDING OFFICER. The amendment offered on page 2 will be passed over.

Mr. SMOOT. Mr. President, on page 32 there was an amendment that was agreed to on yesterday; so I will ask for a reconsideration of the vote by which that amendment was agreed to.

The PRESIDING OFFICER. The question is on reconsidering the vote by which the amendment referred to by the Senator from Utah [Mr. SMOOT] was agreed to on yesterday, at the top of page 32. Without objection, the vote whereby the amendment was agreed to is reconsidered.

Mr. SMOOT. Now, Mr. President, on page 32 I move to strike out from line 1 to line 21, inclusive, and to insert what I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Utah will be stated.

The SECRETARY. On page 32 it is proposed to strike out from line 1 to line 21, both inclusive, as follows:

Upon granting any oil or gas lease under this act and at the beginning of each five-year period thereafter during said lease, the Secretary of the Interior shall offer for sale, upon notice and advertisement on sealed bids or at public auction, all royalty oil and gas accruing or reserved to the United States under such lease. Such advertisement and sale shall reserve to the Secretary of the Interior the right to reject all bids and the right to require redelivery of the actual oil or gas or any refined product thereof whenever within his judgment the interest of the United States demands; and in cases where no satisfactory bid is received or where the accepted bidder fails to complete the purchase, the Secretary of the Interior within his discretion may readvertise such royalty for sale, or sell at private sale for such period, or accept the value thereof from the lessee, in each case reserving the right to require redelivery of the oil or gas or any product being refined therefrom by such purchaser or lessee: *Provided, however,* That advertisement or sale as herein required may be dispensed with in specific cases upon a finding by the Secretary of the Interior that such course is in the interest of the public good.

And in lieu thereof to insert:

Upon granting any oil or gas lease under this act, and from time to time thereafter during said lease, the Secretary of the Interior shall, except whenever in his judgment it is desirable to retain the same for the use of the United States, offer for sale for such period as he may determine, upon notice and advertisement on sealed bids or at public auction, all royalty oil and gas accruing or reserved to the United States under such lease. Such advertisement and sale shall reserve to the Secretary of the Interior the right to reject all bids and the right to require redelivery of the actual oil or gas or any refined product thereof whenever within his judgment the interest of the United States demands; and in cases where no satisfactory bid is received or where the accepted bidder fails to complete the purchase, or where the Secretary of the Interior shall determine that it is unwise in the public interest to accept the offer of the highest bidder, the Secretary of the Interior, within his discretion, may readvertise such royalty for sale or sell at private sale for such period or accept the value thereof from the lessee, in each case reserving the right to require redelivery of the oil or gas or any product being refined therefrom by such purchaser or lessee: *Provided, however,* That pending the making of a permanent contract for the sale of any royalty oil or gas as herein provided, the Secretary of the Interior may sell the current product at private sale: *And provided further,* That any royalty oil or gas may be sold at not less than the market price at private sale to any department or agency of the United States.

Mr. WALSH of Montana. Mr. President, I think it was agreed that the words "at not less than the market price" should be stricken out.

Mr. LENROOT. They have been restored. The Senator from Utah suggested, in view of a share of the proceeds going to the States and into the reclamation fund, that those words ought to be retained.

Mr. WALSH of Montana. Very well.

Mr. PHELAN. Mr. President, if I may have the attention of the Senator from Utah, I think on line 14 the word "oil" should follow the word "royalty." I think it should read "royalty oil."

Mr. SMOOT. Mr. President, the provision has reference only to royalty oil, so that there is no need of inserting the word "oil" there. It reads:

May advertise such royalty for sale—

Of course, it means royalty oil, because the whole provision refers to royalty of oil and nothing else.

Mr. PHELAN. Of course, royalty is one thing and royalty oil is another.

Mr. SMOOT. I have no objection particularly to inserting the word suggested, but I think it is unnecessary.

Mr. PHELAN. We are not selling royalty; we are selling oil.

Mr. WALSH of Montana. Mr. President, if we do that we must also insert "gas." I submit to the Senator from California that no misconception could possibly arise in view of the whole purpose of the provision.

Mr. SMOOT. It will be impossible to misconstrue the wording. To insert the word suggested would only be a repetition that would be unnecessary.

Mr. PHELAN. Very well; if it is understood that we are not selling royalties under this provision.

Mr. SMOOT. The Senator has reference to the words "such royalty?"

Mr. PHELAN. Yes; to the words "such royalty."

Mr. SMOOT. That has reference to oil and gas.

Mr. PHELAN. I will leave it to the judgment of the chairman of the committee.

Mr. SMOOT. The amendment I have offered is the last one I have to present.

The PRESIDING OFFICER. The question is on agreeing to amendment submitted by the Senator from Utah.

The amendment was agreed to.

Mr. SMOOT. Now, I ask to recur to section 1 of the bill, on page 2, and take up the amendment that was pending before the amendment just agreed to was considered.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 2, line 4, after the word "except," it is proposed to insert:

with a specific provision in such lease authorizing the President, in his discretion, to take over and operate such lease, paying just compensation to the owner for the use of tools, appliances, machinery, and products, or to acquire at the market price all or any portion of the products of such leased property: *And provided further*, That the Secretary of the Interior may require the sale for consumption in the United States of all or any portion of the products of any leased property in which it appears that any alien has an interest by stock ownership or otherwise.

Mr. KING. Mr. President, just a word. Since the committee tendered the amendment which has just been laid before the Senate I have had an opportunity to give it more careful consideration. There are some provisions in it which are objectionable, and yet I think it is very much better than the provisions found on page 2 of the original bill. Believing that the results which will be obtained under the proposed amendment will be far better than those which will be realized under the original proposal, I shall interpose no objection.

Mr. WALSH of Montana. Mr. President, I am a little troubled about the concluding portion of the amendment. It reads:

Provided further, That the Secretary of the Interior may require the sale for consumption in the United States of all or any portion of the products of any leased property in which it appears that any alien has an interest by stock ownership or otherwise.

I put to the Senator from Utah the case of Americans who have secured a lease or a permit to prospect. The corporation is an American corporation.

Mr. SMOOT. The provision has no reference to permits, I will say to the Senator. It refers to leases, and, of course, oil will have to be discovered or the land will have to be within a geologic structure known to contain oil before the lease would be granted.

Mr. WALSH of Montana. Very well, then, take the case of a lease. An American corporation with stockholders all of whom are Americans secures a lease upon a property. They expend their money and develop it, are successful, and secure oil. They look for a market for their oil, find a foreign market, and sell their oil under contract to a foreign State or to the nationals of another country, as they are entitled to do. The law does not forbid them to do so at all, and they find an opportunity to make a profitable contract of that character, but some of their stock gets upon the market; it is dealt in on oil exchanges, and eventually a portion of that stock gets into the hands of a national of some other country. Thereupon the Secretary of the Interior sends a notice to them that they must not sell any more of their oil to the nationals of any foreign country and commands that they immediately break their contract with the foreigner. It seems to me that would be quite unfair.

Mr. SMOOT. Mr. President, there can be only one answer to that, it seems to me, and that is that the other owners of the stock, if such a thing as that happened, would have to buy the stock back at exactly what the foreigner paid for it, and that is what would happen.

Mr. WALSH of Montana. I do not understand the Senator.

Mr. SMOOT. If the owners put the stock upon the market and some of it fell into the hands of foreigners, if that fact were discovered—and it would have to be discovered under the provisions of the bill—the other stockholders of the company would have to buy the stock back, and undoubtedly would buy it, and I do not think they would pay any more than the foreigner paid for it.

Mr. WALSH of Montana. Of course that would be a solution, but the foreigner would be at liberty to sell or to hold it as he saw fit, and he might ask an exorbitant price. No possible delinquency could be assigned to the other stockholders of the company.

Mr. SMOOT. This proposed law gives notice to the stockholders of every producing American oil company and to those who intend or undertake to produce oil in the United States under acquired leases—and this is a leasing provision—that no foreigner shall purchase such stock unless the company itself shall comply with the provisions of the law.

Mr. WALSH of Montana. There is something in that suggestion.

Mr. SMOOT. That is all there is of it.

Mr. WALSH of Montana. That possibly may take care of the situation, but it would really in a way impel every American corporation to put a provision in its articles of incorporation or in its by-laws to the effect that no transfer of the stock of the corporation for any lease would be recognized as a valid transfer.

Mr. SMOOT. That would be in every lease, I will say to the Senator, and not only that, but this provision will require that—

All certificates for stock hereafter issued in any corporation having such a lease shall specifically and clearly show this provision on the face thereof.

That is in order to protect the United States; and if the company, after they have received notice from Congress, desire to go out and sell their stock to foreigners, they must take the consequences.

Mr. WALSH of Montana. The trouble about that is that stocks get upon the market in many ways. The stock of a stockholder might be seized under attachment and sold, and thus get out of his control. It also passes by inheritance; so that it might easily, without any delinquency whatever upon the part of other stockholders, pass into the hands of an alien. What occurred to me was that protection might be afforded by such a provision in the articles of incorporation and by-laws as I have suggested, but I fear very much that by-laws of that kind might be regarded as invalid, and I think we have treaties with quite a number of the countries of the world at least providing that their nationals shall be entitled to inherit property upon exactly the same terms and conditions as the citizens of this country.

Mr. SMOOT. There is a provision in section 26 of this bill allowing a foreigner to inherit such stock, but he can only hold it for the length of two years. It must be disposed of within a period of two years.

Mr. LENROOT. Mr. President, will the Senator yield to me for a moment?

Mr. SMOOT. Yes.

Mr. LENROOT. It seems to me that there can be no difficulty, because in any contract made with a foreigner, such as the Senator from Montana suggests, there would necessarily be incorporated in the contract this very provision, that if at any time the Secretary of the Interior should exercise this right it would determine the contract.

Mr. WALSH of Montana. Mr. President, I regret that the Senators do not appear to view the situation from the standpoint from which I desire that they should look at it. Of course, so far as the foreign purchaser is concerned, he gets only what he deserves. He buys it knowing this provision of the statute, and knowing that the contracts of the company with foreign nationals may be canceled, and he deserves his fate, because he buys in the face of the law. But I should like to have you consider the matter from the standpoint of the original American stockholders who went into the company. They are, let us say, 10 in number. They are all Americans. Their corporation is an American corporation. They get this lease. They put their money into the development of the property, and they get the property, and then they make the contract to sell, as they have a right to do under the law. Now, one of these stockholders dies, and his stock is thrown upon the market in some way. Another is unfortunate, and his property is seized under attachment, and it is sold. A third falls out with the rest of his associates, and he finds an opportunity to sell his stock to a foreigner. Now, as I say, the foreigner deserves his fate; but what about the seven original Americans?

Mr. LENROOT. How are they to be greatly injured? They have two remedies. If they can not buy any stock, the only injury to them is that they are compelled to sell in the domestic market.

Mr. SMOOT. Providing the Secretary of the Interior so states.

Mr. LENROOT. Providing the Secretary of the Interior so states.

Mr. SMOOT. Yes.

Mr. WALSH of Montana. I respectfully submit for the consideration of the Senators that that is not the only thing they have suffered. Their corporation has a contract under which they agree to deliver the entire product of their wells for a period of three years to a foreign national, and six months of that period has expired, and their contract is canceled, and they can not supply it, and their corporation is responsible in damages to the foreign company which has the contract with them which may possibly eat up their entire property.

Mr. LENROOT. Certainly not, because if this provision is incorporated in the contract, that whenever the Secretary of the Interior exercises this discretion it shall terminate the contract, they certainly can not be made responsive in damages.

Mr. SMOOT. And not only that, but the corporation certainly would not make any contract for three years unless it was dis-

tinctly understood in the contract under which they were operating the well. There is no doubt about that.

Mr. WALSH of Montana. I have said all I care to say about it, and I do not care to oppose the amendment.

Mr. SMOOT. I wish to call the Senator's attention to section 26, on page 26, which takes care of the question of will or descent, and other questions, too:

> Any interests held in violation of this act shall be forfeited to the United States by appropriate proceedings instituted by the Attorney General for that purpose in the proper United States district court, except that any ownership or interest forbidden in this act which may be acquired by descent, will, judgment, or decree may be held for two years and not longer after its acquisition.

Mr. WALSH of Montana. Yes; but, Mr. President, if the Senator will give me his attention for a moment I will show him that that does not affect the situation at all.

Mr. SMOOT. Only to a certain degree, I will admit; but it does seem to me, Mr. President, that as this law provides that this provision shall be made part of the lease, any corporation taking a lease under this provision certainly would not take the contract of any foreign country to deliver oil for three years without making an exception in the contract to cover the very provisions that they are required to accept in their lease.

Mr. WALSH of Montana. But, Mr. President, even if they did, that would not solve the difficulty. Here is the situation: Even if that were true, and even if they could make a contract of that character, so as to relieve themselves from damages, the situation would be this: The American corporation into which unfortunately a foreign stockholder was introduced would thereafter be restricted in the market for its product to the American market.

Mr. SMOOT. That is what we want.

Mr. WALSH of Montana. While its competitor on the other side of the field may sell anywhere it sees fit.

Mr. SMOOT. He may, unless the President thinks it is for the best interests of this country to direct otherwise.

Mr. WALSH of Montana. Both of them are subjected to that exigency; but the corporation and the stockholders that have been entirely innocent are restricted to the American market, while their competitors on the other side of the field are entitled to sell their product anywhere they may see fit.

Now, if the Senator will pardon me for saying another word, I have no purpose except to help make the bill so that it will be just and right.

Mr. SMOOT. I am well aware of that.

Mr. WALSH of Montana. The transfer to which the Senator referred is all right. If the foreigner gets that stock, he may hold it only two years, and proceedings are instituted by which he shall be eventually divested of it.

That takes it away from him; but in the meanwhile the corporation itself and the other innocent stockholders of the corporation are subjected to all the disadvantages accruing by reason of the section to which I have now called your attention. I was just hoping that the end could be attained by making some provision that would meet the difficulty to be overcome, and yet not do what seems to me to be a manifest injustice.

Mr. SMOOT. Does not the Senator think the Secretary of the Interior would take that into consideration? The provision is that the Secretary of the Interior may require the sale. It does not say that he shall, and I do not believe that any Secretary of the Interior in a case like that would ever cancel the lease because of the mere fact that it did go into the hands of a foreigner. All that could possibly happen is that when a foreigner purchased stock and the company found out that he was a foreigner, they could say, "Here, we do not want to transfer this stock to you. We will purchase it back from you at the price that you gave for it."

Mr. WALSH of Montana. Of course, I am not one of those who are not willing to trust any discretion whatever in the Secretary of the Interior. I believe that as a rule, in ninety-nine cases out of one hundred, in nine hundred and ninety-nine cases out of one thousand, it would be all right; but we can easily conceive that a Secretary of the Interior might desire to give to one corporation an advantage over another corporation, and he might seize this opportunity to confine one of them to the American market, while its competitor would have the whole world for its market.

Mr. LENROOT. Mr. President, of course, as the Senator is well aware, there is no case where a possible injustice can not be conceived of in the administration of a law; but, bearing in mind the purpose of this entire matter to prohibit, in so far as it is injurious to the interests of the United States, the domination or ownership by foreigners of the oil supply of this country, this provision does accomplish it, and no serious inequity or injustice can result, because, as I stated a little while ago, so far as a contract with foreigners is concerned, the lessee can protect himself by incorporating in the contract a provision that in case any stock of the lessee shall ever be held by an alien, and the Secretary of the Interior shall exercise his discretion requiring his product to be sold for domestic consumption, the contract shall be terminated. The only injustice that could possibly arise then would be to confine the lessee to the American market; that is all.

But it is not conceivable that the Secretary of the Interior would ever exercise that discretion except in cases where all of the oil produced in this country ought to be confined to the American market, because, as has been stated a number of times upon the floor to-day, the nation that controls the oil supply of the future controls the commerce of the future, and so far as the real beneficent provisions of this amendment are concerned it will prevent the acquirement and domination of oil wells in this country by foreign Governments or combinations of individuals of other nations so as to control the supply in the interest of their Governments, because with this amendment, if that is done, the Secretary of the Interior can at any time require that the sale be made for domestic consumption, and that every barrel of the product of these wells under alien ownership shall be used for the benefit of Americans.

Mr. KING. Mr. President, will the Senator permit an inquiry before he takes his seat?

Mr. LENROOT. Certainly.

Mr. KING. The Senator has stated that this bill will prevent aliens from dominating the oil situation in the United States.

Mr. LENROOT. No; I said to the detriment of the United States.

Mr. KING. Well, to the detriment of the United States, then. The bill itself prevents an alien from obtaining a lease, as I understand its terms.

Mr. LENROOT. Yes.

Mr. KING. Then the amendment which is now the subject of consideration provides that the Secretary of the Interior may require the sale for consumption in the United States of all or any portion of the products of any leased property in which it appears that any alien has an interest by stock ownership or otherwise. So that, first, with the provision that no alien may obtain a lease, and secondly, with the provision that if any alien acquires even a small stock ownership in a lease or in a corporation having a lease, the Secretary of the Interior may require the sale of the product of the property in the United States, I ask the Senator whether that will not have the effect of deterring any alien from acquiring any interest in a lease or in a corporation that may have a lease; and therefore will not the bill prohibit aliens from acquiring any interest in the oil lands of the United States?

Mr. LENROOT. It would not prohibit it. I wish it could, but it would not prohibit it; and it does avoid the objection that has been raised to the provision as reported by the committee, that it would lead to retaliation by Mexico and South America.

Mr. KING. Now, let me ask the Senator this question, because that was what I was leading up to: The Senator considers it desirable, as I understand his attitude, to prohibit any foreigner from acquiring any interest in any oil lands in the United States?

Mr. LENROOT. I do.

Mr. KING. If other nations took the same view and enacted legislation to accomplish that object, does the Senator think that in the long run we would be the beneficiaries? In other words, does not the Senator think that the oil fields of the future—and the immediate future, too—lie outside of the territorial boundaries of the United States and that Americans will be compelled to go into other lands in order to obtain the oil which is so essential in commerce and for other purposes? And, if I may add another question to that, Does not the Senator think that in dealing with this very important matter it is the part of wisdom to look beyond the immediate horizon, to look to the morrow instead of confining all of our attention to the present? I confess I am looking to the future welfare of our country as well as to its present welfare. I am seeking to anticipate what the future demands of our country will be; and I am afraid—I will speak very frankly—that this measure, guarded as carefully as the learned and able Senators have been able to guard it with a view to preventing the domination by foreigners of the oil in the United States, will be seized upon as a pretext, possibly a legitimate pretext, for other nations to put up the bars; and whereas we have put up one bar, they may put up two or three or four, and finally erect a tight fence, so that Americans will be precluded from getting oil or acquiring other properties in countries with whom our relations are now of a friendly character. We need many things which come from other lands. There is danger in erecting barriers against

others when they have the power to erect barriers against us. We need platinum, tin, rubber, pyrites, and many other articles and commodities. We want friendly relations with all nations and should avoid any act which may call for retaliatory measures. I am afraid that if we establish a precedent here that precludes the nationals of other countries from acquiring lands in the United States we will be the sufferers.

As I said a few moments ago, we are now the creditor Nation of the world. If we continue to export, of necessity we will be compelled to convert the interest upon our securities and the trade balances into capital for investment in other lands. They will become capital, and we are bound, if we trade, to become property owners in Europe, in South America, and in other countries, particularly those where the balance of trade is against them and in our favor. In this new day, when there is, I hope, a broader spirit of humanity, a feeling that we are in part our brothers' keepers, and that the world is being linked together with business and other ties, it seems to me that it is the part of wisdom to appreciate the fact that we may, by drastic legislation—by provincial legislation, if I may be permitted—bring upon our heads legislation that in the long run will be harmful to the American people.

Mr. LENROOT. Mr. President, I am very glad to reply to that. It is because I do think we should look to the future, instead of merely to the immediate horizon, that I believe this provision should be adopted. So far as the oil supply for America is concerned, we will not find it in Great Britain; we will not find it in Asia, nor will we find it anywhere in Europe. Outside of our own supplies, we must look for it in Mexico and in South America. Does the Senator think that the capitalists of Mexico are eager to get into the American oil fields, and that they are going to be deprived of something substantial because Mexican capitalists can not come and get a lease in the United States?

Mr. KING. No; but, if the Senator will pardon me, I am afraid that Mexico, with whom we are now having difficulty, may seize upon this legislation as an excuse to enforce article 27 of her constitution, and to adopt legislation such as this—that any oil produced in Mexico, whether by nationals or by foreigners, shall, at the option of the Government, be sold to the Government or sold in Mexico; in other words, that discretion be given to some executive in Mexico to seize the oil and sell it there whenever that official may deem that the public good of Mexico requires that it be sold in Mexico. That could easily be done by Mexico.

Mr. LENROOT. That is possible, but the danger that the United States has confronting it with reference to the oil supply is not from any action of Mexico; it is not from any action of any South American country; it is from the attitude of a certain great power, and I do not criticize it for looking to the future, for, as the Senator says, we should look to the future in attempting to dominate the commerce of the world by controlling the oil supply of the world. That nation can compete with the United States or any private capital in the United States in dominating the supply in Mexico or in South America, and if in addition to that you allow them to control the supply of the United States that nation has the United States at its mercy. We can at least protect our own supply, and then we can trust to the future to get a fair measure of justice for our capital in other countries.

Mr. WALSH of Massachusetts. I should like to ask the Senator from Wisconsin, whose desire to protect the public interests is well known, two questions with reference to the bill. First, I should like to ask him why there is not a provision in the bill permitting the Government to operate oil wells in case a lease is canceled for any reason by the Government; and, secondly, I should like to ask him, in view of the fact that this property is the property of the people of the United States, why some provision has not been made to fix a limit upon the price which the lessees who own this property can charge the consumers.

Mr. LENROOT. I am very glad to answer the Senator's questions. I will say that in the nearly 10 years in which I have been actively connected with this legislation, during which time Congress has been attempting to secure legislation with reference to the oil supply of the Government, we have had up many times the question of whether it would not be feasible to regulate the price of oil, but we have never found it so, because oil can not be used coming from the wells for domestic consumption. Oil must be refined. To fix the price of oil at the well and then let the Standard Oil Co. refining it charge all it may please to the consumer will simply add to the profits of the Standard Oil Co.

As suggested by the Senator from Utah, of course, a uniform price can not be fixed with reference to a reasonable profit upon each well because one well may cost $25,000 and on another location or claim a half million dollars may have been expended for exactly the same production that is being produced in another case by an expenditure of $25,000.

Mr. WALSH of Massachusetts. I can appreciate the impracticability of fixing a definite price. Of course, my question assumed that there would be some reviewing board of the Government which would fix the price, giving it that authority.

Mr. LENROOT. Of course, it would not be at all possible to compel the lessee to himself refine the oil from the market. If we could do that we might regulate the price.

Mr. WALSH of Massachusetts. May I ask the Senator to state whether he has any objection to an amendment giving the Government authority to operate a well where there is a lease in existence which the Secretary of the Interior has canceled?

Mr. LENROOT. Which he has canceled because of a violation of its terms?

Mr. WALSH of Massachusetts. Yes.

Mr. LENROOT. I have no objection to that.

Mr. SMOOT. I will say to the Senator that the bill already provides just how such a case as that shall be taken care of. I certainly do not want to inject that question now into the bill, and I will certainly object to any such amendment.

Mr. McKELLAR. May I ask what is the provision that covers it now?

Mr. SMOOT. The Secretary of the Interior can re-lease the property.

Mr. McKELLAR. Suppose the well was in operation?

Mr. SMOOT. The Secretary of the Interior is not going to take any action until he has provided somebody to take over the lease. I am quite sure of that.

Mr. LENROOT. I should like to suggest to both Senators that the Secretary of the Interior has no right or authority under the bill to cancel a lease. It can only be canceled by judicial procedure and a forfeiture, and in that case the Secretary either would have to operate it or it would have to be operated by a lessee.

Mr. SMOOT. There is no doubt in the world that that is true.

Mr. WALSH of Massachusetts. Mr. President, I desire to offer some amendments to the bill. I ask to have them read.

The PRESIDING OFFICER. There is an amendment pending. The question is on the amendment offered by the Senator from Utah.

Mr. PHELAN. Is that the main amendment that has just been discussed?

The PRESIDING OFFICER. It is the amendment to section 1.

Mr. WALSH of Montana. Mr. President——

Mr. PHELAN. I have the floor.

Mr. WALSH of Montana. I merely want to call the attention of the Chair to the parliamentary situation.

Mr. PHELAN. I yield to the Senator for that purpose.

Mr. WALSH of Montana. I understand the Senator from Massachusetts [Mr. WALSH] sent some proposed amendments to the desk, which he asks to have read.

Mr. WALSH of Massachusetts. That is my request.

Mr. PHELAN. It is true that the Senator from Massachusetts offered amendments, but it was while the other amendment was pending and had not been disposed of, and his proposed amendments did not purport to be amendments to the pending amendment. They are not amendments to the amendment?

Mr. WALSH of Massachusetts. They are not.

Mr. SMOOT. The Senator from Massachusetts merely wishes to have his amendments read.

Mr. WALSH of Massachusetts. Yes; and to lie on the table.

The PRESIDING OFFICER. The Secretary will read the amendments intended to be proposed by the Senator from Massachusetts.

The Secretary read as follows:

On pages 4 and 5, line 25, strike out the following: "nor more than 20 cents per ton."

On page 6, lines 17 and 18, strike out the following: "three hundred and twenty" and insert in lieu thereof the words "twenty-five hundred and sixty."

On page 13, line 7, strike out "not more than 25 per centum."

On page 14, line 23, strike out the word "twenty" and insert in lieu thereof "five."

On page 14, line 25, strike out the word "ten" and insert in lieu thereof the word "five."

On page 16, line 2, strike out the following: "not more than 25 per centum."

On page 20, lines 4 and 5, strike out the following: "not more than 25 per centum."

Mr. WALSH of Massachusetts. Mr. President——

Mr. PHELAN. I yield to the Senator for the purpose of a question.

Mr. WALSH of Massachusetts. I want to say briefly——

Mr. SMOOT. May I ask the Senator from Massachusetts if he will not allow the Senate to vote upon the pending amendment and then his amendments will follow?

Mr. WALSH of Massachusetts. Certainly.

Mr. PHELAN. Mr. President, I wish to address myself to the pending amendment. The Senator from Wisconsin [Mr. LENROOT] addressed the Senate a moment ago, but I was not quite sure whether he advocated the original provision in the bill, on page 2, or whether he accepted the amendment offered by the Senator from Utah [Mr. SMOOT], which radically changes the section.

Mr. LENROOT. I am in favor of the amendment proposed by the Senator from Utah solely for the reason that it does obviate retaliation and does at the same time, I think, protect the United States in that it can secure the entire product of the oil wells owned by aliens whenever——

Mr. PHELAN. But does the Senator not know that in practice this land will be acquired one way or another by, for instance, the Royal Dutch Shell, and the mines or wells will be operated and the oil will be taken out and diverted from the United States, and this will go on for an indefinite period of time, until some day we shall realize that we are at war, and there is a great emergency, and then the President, under the powers granted by this amendment, will act, but not until then?

Mr. LENROOT. The Senator will bear in mind that there are two separate provisions—one that the President at any time may take over and operate the wells, and, secondly, that the Secretary of the Interior may at any time require that the entire product of the wells shall be sold for domestic consumption. I agree with the Senator that it would only be in the case of an emergency that the President would act, but in the case of action by the Secretary of the Interior I would assume that the Secretary would act whenever there was an actual shortage in the United States and the oil was needed for domestic consumption.

Mr. PHELAN. The Senator rather begs the question. If it is our intention through the Secretary of the Interior not to allow this foreign corporation to enjoy the products of their toil, why not say so now, because there is an actual shortage of oil, which will probably grow to a greater shortage, and we will be in the business of interfering with this foreign corporation through the Secretary of the Interior and taking the oil which they have mined. I think it would be much more businesslike, certainly far more simple, less irritating, to act now in accordance with the practice of the world. The junior Senator from Utah [Mr. KING] spoke altruistically of our duty as brethren. There is a great deal of that going on just now, but while we are showing that altruistic spirit, other countries are taking advantage of our good nature—in Canada, for instance.

The question was put to Mr. Manning, of the Bureau of Mines, and his answer with respect to Canada is as follows:

Article 40 of the Canadian regulations for the disposal of petroleum and natural gas rights, the property of the Crown, in Manitoba, Saskatchewan, Alberta, the Northwest Territories, etc., provides:

"Any company acquiring by assignment or otherwise a lease under the provisions of these regulations shall at all times be and remain a British company, registered in Great Britain or Canada, and having its principal place of business within His Majesty's dominions, and the chairman of the said company and a majority of the directors shall at all times be British subjects, and the company shall not at any time be or become directly or indirectly controlled by foreigners or by a foreign corporation."

Says Mr. Manning:

Since these regulations are in agreement with what appears to be the Imperial policy, it is probable that similar regulations will be found to exist in other British possessions, were complete and up-to-date information available.

Mr. KING. May I ask the Senator one question?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Utah?

Mr. PHELAN. I yield for a question.

Mr. KING. As I understand the Senator's position, it is that he would forbid the nationals of any country from acquiring any mineral lands, particularly oil lands, in the United States?

Mr. PHELAN. We are discussing oil now.

Mr. KING. Would the Senator prevent the nationals of other countries from acquiring any property, real or personal, in the United States?

Mr. PHELAN. I would not as a general proposition, except in certain specified cases where there is an extreme objection, which has been expressed in the California alien land laws.

Mr. KING. Does the Senator believe that it makes to the advantage and prosperity of America for American citizens to acquire property in other lands?

Mr. PHELAN. I think not.

Mr. KING. Then the Senator would welcome a law by Germany, France, Russia, England, and the nations of the earth forbidding Americans from entering those lands, or at least from acquiring property in those lands?

Mr. PHELAN. No; the Senator can not construe my answer as involving anything of the kind. I am in favor of a world commerce, and I am pleading now in favor of the American Government protecting its nationals wherever they may go. But I find on examining the record that our nationals are barred from all these countries, and I do not see the sense nor the reason in opening our domain to these same foreigners. That is what we are doing.

Mr. FALL. Mr. President, will the Senator yield?

Mr. PHELAN. I yield.

Mr. FALL. Is there provision there that no American shall own an interest or stock in such Canadian company?

Mr. PHELAN. I will finish the reading. I was trying to abbreviate it. The rest of the law is as follows:

If the company which may acquire a location under these regulations shall at any time cease to be a British company or shall become a corporation under foreign control—

That is, American—

or shall assign any of the rights acquired under the lease without the consent in writing of the minister being first had and obtained, the lease shall be subject to immediate cancellation in the discretion of the minister. (Canadian order in council, Jan. 19, 1914.)

Mr. SMOOT. Does not the Senator know that the Imperial Oil Co. is controlled through stock owned by the Standard Oil Co. of New Jersey, which has refineries and marketing stations all over Canada and dominates the markets of the Dominion to-day?

Mr. PHELAN. I suppose they must have the permit of the minister, if that is true. I do not know as a fact that they have such power.

Mr. SMOOT. I will say to the Senator it is a fact, and not only that but I think the price of oil is controlled in Canada through the Standard Oil Co. of New Jersey more completely than in the United States.

Mr. PHELAN. Events are moving very rapidly. Mr. Manning says:

It has been reported of the Dutch-Shell—

That is the English company—

It has been reported that the Dutch-Shell has made an application to the Canadian Government for a 250-mile oil and gas concession in western Canada and that the application has been supported by the British Government.

So, ultimately, I suppose, if the Standard Oil is there it will be driven out.

Mr. FALL. Will the Senator yield for a moment?

Mr. PHELAN. I yield to the Senator from New Mexico.

Mr. FALL. If the Senator does not desire to be interrupted in the reading of this report now, of course I will wait until its conclusion, but I think, with a word or two, the Senator can understand the question.

Mr. PHELAN. I have no objection to the interruption.

Mr. FALL. In Canada the corporations which he speaks of are organized not under such rules and regulations as we have here, by which a few of us meet in a back room and agree that we form a corporation for building a railroad, and so forth, and proceed to build a railroad; but under the railroad laws of the Dominion of Canada as well as the laws of Latin America, as we are now referring to all countries, probably Mr. Manning, not being familiar with them, does not understand that the companies organized in Canada operate under a franchise granted by the Canadian Government or the Dominion as it may be; that any corporation organized in Mexico with a franchise—or, as it is ordinarily called, a concession—must have such franchise or concession from the General Government of Mexico through its Congress, and they have provided restrictions with reference to it. Therefore, in operating in foreign countries, American citizens, such as the Standard Oil Co., organize a Canadian company and the American company is the holding company. What they are prohibiting over there is the organization of an operating company of foreigners without special permits. That is prohibited by all countries except ours, because, instead of adopting the old incorporation system such as Great Britain remodeled hers upon in 1837, we allowed each one of our individual States to pass its own law. The consequence is, as the Senator of course knows, that we get together in a back room and organize what we call a corporation, and we take over the powers of eminent domain under the general law, while in these other countries they do not allow a thing of that kind to be done, but the corporation must be organized in a certain way provided by the General Government; that is, if it operates or holds any interest in the necessaries

of life. To-day in Great Britain you can not organize such a railroad company as we have here. You can not organize a railroad company in Canada to-day as we organize it here. You must have an act of the Canadian Parliament, and therefore you must be a citizen of Canada. Mr. Manning is not familiar with the law. They have a perfect right to provide these restrictions. They do not preclude the Standard Oil Co. or any other company from holding every dollar of stock in that Canadian company.

Mr. PHELAN. The United States, therefore, is at a disadvantage in acting in its Federal capacity.

Mr. FALL. Yes, sir; I think that is the great trouble. The difficulty right now in dealing with our railroad and other great transportation problems in the United States is that we have 48 States and that our railroad companies are organized under their laws. In Great Britain the Parliament can read into the articles of incorporation of any railroad company organized or operating in Great Britain anything that it chooses to read into its articles of incorporation, and therefore it can always control them. In the United States we can not do so.

Mr. PHELAN. Mr. President, the very interesting exposition of the law by the Senator from New Mexico, I think, only fortifies what I have said. The Federal Government ordinarily is not in the position to act, for under the laws of the States, as provided in the Constitution, corporations may be formed, and there is no uniform incorporation law. These foreign governments, however, have a uniform law. They do not always wait for an act of Parliament; they have orders in council. Hence it is very easy to disqualify the Americans, and I am simply showing that in all these countries they have been disqualified from holding oil property. Because it is more difficult for us to apply the same rules to the foreigner, it is no reason why we should not act when we clearly have the power in this leasing bill affecting the public domain.

Mr. FALL. Mr. President, of course the Senator from California and myself are both from the West; we have been familiar with the development of our resources, and are familiar with the necessity for the development of our resources. We have a mutual interest in subjects of this character. This is the first time that the General Government of the United States, since 1836, has sought to retain our interest in and control over property of this kind. It is abandoning the theory of granting the fee to individuals that it adopted in 1836. It is now holding the fee in itself and providing restrictions under which the property itself may be employed by individuals for the development of our western country.

In doing so it is distinguishing between the individual American and the alien; it is providing that as to the alien he can invest his capital, but the United States Government—through the President of the United States in one instance and through the Secretary of the Interior in the other—has the absolute authority to say how the product of the investment of that capital may be used, and that it shall be used first for the benefit of the people of the United States; and yet we allow aliens to invest their capital here.

If the Senator will permit me—for I am on the committee, in the first place, and then I have had something to do with this amendment—the purpose of the wording of the amendment is that we may not antagonize other countries in which American citizens are deeply interested. There is nothing here which will antagonize the Republic of Colombia, the Republic of Mexico, or any other country on this continent where oil deposits may be found. There is nothing here which would justify them in taking any action against the nationals of the United States going to their territories and developing properties unless they take it along this line; and they are perfectly justified in retaining to themselves the power to provide that the product of their own soil may be used first for the development of their own country. That is what we are doing now. There is nothing which would justify them in legislating against a citizen of the United States. If they legislate along the same line we shall welcome it, and have no objection whatsoever to their doing so. We hope that in this character of legislation we may assist in leading them into legislation to which all the world can agree and still show them that we have no desire to infringe in any way whatsoever upon their sovereign rights as sovereign States. This provision has been, I may say, drawn with some care for the very purpose of obviating these difficulties.

Mr. PHELAN. Mr. President, the nationals of the smaller countries in South America, where there are possible oil fields, have no desire whatever to enter into competition with our own people in the acquisition of oil fields upon the public domain.

Mr. FALL. That is true; but there are some things that we can not talk very frankly about now, because there are certain negotiations pending. If, however, the great nation of which the Senator has spoken is desirous of acquiring a monopoly of the oil of the world and through legislation adopted by the Congress of the United States sees an opportunity to monopolize the oil fields of other countries by leading such other countries to believe that the United States is legislating against them and their citizens, the object of the great country of which the Senator speaks may be well achieved, while if we give them no such opportunity whatever by enacting this general legislation, we can then take care of ourselves. If we set the example, Mexico or some other country will take advantage of it, possibly at the instigation of the very country to which the Senator has referred.

Mr. PHELAN. Mr. President, we do not seem to be acting like grown men in this matter. In treating with these South American countries we are disposed to regard them as children, and very often they become resentful without adequate cause.

Mr. FALL. Mr. President, I hope the Senator from California certainly will not undertake to place in my mouth any such expression. I think that the South American countries, whether large or small, are sovereign countries, with the same rights that this country has, great as it is; and it has been very often characterized as "the Colossus of the North," because of just such expressions as have issued from the mouth of the Senator from California. There is no man in the Senate, I am sure, that would for one moment insinuate that the smallest country on this continent or on this hemisphere has not exactly the same sovereign rights of legislation that this country has. My sole desire is to show to those countries that we welcome them as we hope they will welcome us; that we discriminate not at all against them; that we reserve to ourselves the right to protect our own natural resources, and that they, following the same line of legislation, have exactly the same power to reserve to themselves the same right.

Mr. PHELAN. Mr. President, I do not dispute for a moment that every independent country is sovereign and has a right to dispose of its natural resources as it sees fit, but we must deal with practical questions in a practical way. They are giving concessions, as I demonstrated earlier in the day by reading from the official reports, to the nationals of other countries. I have before me the case of India, which reads like this:

American oil companies are expressly excluded from doing business in Burma, and a blanket concession for 99 years was given the Burma Oil Co. (Ltd.) in 1889, protecting this company from all foreign competition.

In South America exploitation is now going on by the Royal Dutch Shell and by the British Oil Fields (Ltd.). It is probably a race between American oil men and those representing other countries to get concessions. The only fear is that if we enact this law, like Britain, for instance, giving to our citizens in our own country the exclusive right of developing our own public domain, these petulant countries will say, "there is discrimination; we are not permitted to enter the United States, and, therefore, we shall deny the nationals of the United States the right to enter our country"; whereas, as a matter of fact, there is no national of any South American or Central American State who is desirous of coming into this field or any other field. They are not, as Americans and Englishmen and Frenchmen, enterprising pioneers in the development of oil or minerals. They have left to foreign nationals the development of their countries, and it has brought wealth to them. There is no reason why we should grant this privilege to foreigners because in the earlier days of the Republic we sought foreigners for the reason that we required their money for the development of our land. Now, however, it seems all the money is in the United States; that the financial center has shifted from London to New York. So it is not a question of a need of foreign capital which induces us to give privileges to foreigners. There is no need whatever why we should do so while there is an imperative need for us to conserve our own resources.

I do not think the Senate is fully informed on the world movement in oil. It is the greatest thing that is now happening in the economic life of the world. Here is the first opportunity we have had to express ourselves with regard to the preservation of our public domain for our own nationals, something that all other countries are doing, and we hesitate to do it. I believe we should, through the States, go very much further, and, as we do not need foreign capital, deny to foreign corporations the right of acquiring the natural resources, the oils, and the minerals of this country. Ultimately that will come, and when the States individually act they will not be moved by considerations such as the Senator from New Mexico urged of offending the sus-

ceptibilities of other nations. Self-preservation, commerce, and the national defense will be their guide.

I am opposed to the amendment because I believe, as originally reported, it better accomplishes its purpose, and it is a declaration of sound national policy which should at this juncture be made.

Mr. SMOOT. I should like to have the pending amendment acted upon. I think the Senate is ready to vote upon it.

Mr. HENDERSON. I offer the amendment to the pending bill which I send to the desk, and ask that it be printed.

The VICE PRESIDENT. The proposed amendment will be printed and lie on the table. The question is on agreeing to the amendment offered by the Senator from Utah.

Mr. PHELAN. I ask for a division.

On a division, the amendment was agreed to.

Mr. SMOOT. Now, that that amendment is agreed to, I desire on line 5, page 2, to strike out the words "as hereinafter provided."

The VICE PRESIDENT. That is part of the committee amendment.

Mr. SMOOT. Then if that is a part of the amendment, I will withdraw the suggestion.

Those are all of the committee amendments.

Mr. PHELAN. Mr. President, I reserve the right to ask for a separate vote in the Senate on the amendment that has just been adopted.

Mr. KIRBY. Mr. President, I have offered an amendment as a substitute for the entire bill which I should like to have stated.

Mr. SMOOT. I will say to the Senator that other amendments have been offered to the bill; and as the Senator's amendment is a substitute for the whole bill, the proper way to do will be to perfect the bill and then offer the Senator's amendment as a substitute.

Mr. KIRBY. I have no objection to delaying it, although I think the amendment is in order at this time.

Mr. WALSH of Massachusetts. Mr. President, I move the amendments offered by me.

The VICE PRESIDENT. The amendments offered by the Senator from Massachusetts will be stated.

The SECRETARY. On pages 4 and 5, beginning on line 25, page 4, it is proposed to strike out the words "nor more than 20 cents."

Mr. WALSH of Massachusetts. Mr. President, all of the amendments offered by me refer to two features of this bill. They seek first to reduce the term of leases, and secondly to strike out the maximum royalties provided for.

If apology be needed for the offer of amendments by a Senator who does not reside in a State where there are public lands, I may say that in my opinion this is one of the most important pieces of legislation that will be before this body at this session, because it is dealing with the last assets in lands and minerals that the people of the United States possess. Practically all their resources have gone into the hands of private individuals, and we have very few left. In my opinion there is not a Senator here who would for one moment be considering such a piece of legislation if it were not for the mistakes of previous Congresses in passing legislation dealing with the public lands that have left complications and have left difficulties which now require some action such as that proposed by this bill.

This bill deals with land, oil, coal, phosphate, sodium, the very foundations of the prosperity of this country, and the very source, I might say, of civilization in this country. So we are dealing with some very, very valuable resources; and I must confess that I have very serious doubts as to whether I can support the bill at all, because unless the situation is more serious than has been pictured to me—namely, the complications that have arisen through past acts of Congress—I do not think we want to go so far as to pass this bill. In any event, however, I am seeking by these amendments to perfect the bill as far as possible, and to keep these properties still within the reach and grasp of the people of our country.

Mr. JONES of New Mexico. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from New Mexico?

Mr. WALSH of Massachusetts. I yield to the Senator.

Mr. JONES of New Mexico. I suppose the Senator recognizes that these lands which have not been prospected have no value now. Does not the Senator realize that there must be some inducement offered which will cause these lands to be explored and their value demonstrated? At the present time the lands have no value, and it is the merest chance if oil or gas is found in these lands. Does not the Senator believe that some very substantial inducement should be held out to the people of the country which would warrant their prospecting?

Mr. WALSH of Massachusetts. Mr. President, I can understand that an argument might well be made in that direction. I also can understand that the history of our country has shown that lands and minerals and oil wells are constantly and steadily increasing in value, and we owe something to future generations not to destroy all the properties that are left in the possesssion of the Government, or at least not to allow them to pass out of our hands.

I personally think we have reached a stage in our public affairs where the development of public lands and public properties should be done solely and alone by the Government. We have seen the mistake and the failure of private enterprise; and it is my opinion that if we pass this bill, and give the encouragement desired, it will not be very long before all of these remaining resources are in the possession of the few, although very careful efforts have been made—and I commend the committee for it—to prevent that occurring in this manner. I have been informed on reliable authority, however, that the prospecting that has been done in the past, that has been encouraged by the Government, has led invariably to all the properties getting into the hands of a few big interests in this country who control these resources.

Mr. KING. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Utah?

Mr. WALSH of Massachusetts. I yield to the Senator from Utah.

Mr. KING. The Senator certainly does not mean to contend, does he, that the liberal policy pursued by the Government with respect to the disposal of its public domain and with respect to the acquisition by private individuals of mineral lands has been unwise and has resulted disadvantageously to the Government? Take the great States of Wisconsin and Minnesota, the Dakotas, Montana, and the States in the West, including those of the Pacific coast. They were built up by the adventuresome sons of the East, who sought new fields for the development of their genius and strength. The great empire west of the Mississippi was regarded as of but little worth. Webster opposed any expenditures being made by the Government in surveys or exploration, and delivered the entire territory over to predatory animals and nomadic Indians. But the brave men and women of the East went into the sterile wilderness and the mountain fastnesses. They contended with the Indians, with nature in her most savage form, and they built up great Commonwealths that have contributed to the greatness and glory of this Nation. The heroic Argonauts, with rare courage and in the face of privations and almost insurmountable obstacles, subdued the soil, made the deserts blossom as the rose, and gave to the Nation millions of agricultural and mineral wealth. The mountains yielded up their treasures when struck by their giant hands and poured priceless treasures into the channels and arteries of trade and commerce. The people of Massachusetts and New York and the East received the benefit of the toil and labor and struggles of the people of the West.

I submit that the policy of the Government in dealing with its public lands aided the establishment of these commonwealths and contributed to the material enrichment of this Nation. If I understand the views of my distinguished friend from Massachusetts I submit with all kindness they are not the comprehensive ones possessed by the statesmen of the past in dealing with the public lands, and if they had been adopted in the beginning of our history and persisted in during the past life of this Republic its progress would have been arrested and its history greatly different. The error is made in assuming that those who settle upon the public lands and open the mines of our land receive the only benefit. With the reclamation of deserts and the building of towns and cities, wealth is created which becomes a part of the Nation's wealth and adds to the patrimony of all. The gold and silver taken from the hills is added to the circulation medium of the land. The miners profit from the working of the mines; the manufacturer and merchant and farmer are benefited, and the circle of advantages is widened until it embraces the entire land.

The leasing system has always proven a failure. It has its birth under tyrannous governments, and has been abandoned as liberty has increased. Governmental landlordism is a wrong system; it is an anachronism. We turn our faces to the past, not to the future, when we fasten it upon this Nation.

Mr. WALSH of Massachusetts. I am pleased to hear a Senator from a western State commend the method that I have often heard condemned, of eastern capitalists going into the

West and developing the resources of the West and spending their money in the East. If the western Senators have not any objection to that, I certainly have not.

Mr. FALL. Mr. President, will the Senator yield for just a moment for a suggestion along that line?

Mr. WALSH of Massachusetts. I certainly will.

Mr. FALL. If the Senator will go back a little in the history of the public lands he will find that the people who went West prior to 1837 bought and paid for lands, and that in that year, 1837, there were $24,000,000 of the proceeds of public-land sales in the Treasury of the United States, placed there by Andrew Jackson when the Bank of the United States was done away with. Upon the invitation of President Jackson various States of the Union applied for portions of this $24,000,000 to be deposited with them. The great State of Massachusetts secured a deposit of $4,000,000 and more out of the proceeds of public-land sales and never has returned a cent of the money nor paid a dollar of interest on it, and has it yet, derived from the public-land sales of the Far West.

Mr. WALSH of Massachusetts. Mr. President, I should like to ask the Senator if the public lands of this country did not come from the taxes of all the people of this country?

Mr. FALL. No, sir.

Mr. WALSH of Massachusetts. Were they not acquired either through war or purchase by annexation, and were not the expenses of the wars and the purchase price paid by all the people of all the States?

Mr. FALL. Oh, no; not at all. The Senator is entirely wrong historically.

Mr. WALSH of Massachusetts. Was it in part paid in such manner?

Mr. FALL. It was in part paid.

Mr. WALSH of Massachusetts. Then the Senator will agree that the States that had contributed their portion had a right to a return?

Mr. FALL. Yes; and if I had the eloquence of the Senator's predecessor, Daniel Webster, he would never again raise his voice in this chamber in advocating such a public-land policy as he is now advocating. While Daniel Webster maintained with all his eloquence that the public lands belonged to the people of the United States, and fastened that policy upon this country, he yet realized that those of us who were going West, building up this country, and continuing to expand it to the Pacific Ocean, had some rights; that while the public lands belonged to the people of the United States, and while the proceeds of those lands should be enjoyed by all the people of the United States in the handling of the lands and of the natural possessions of the United States, they should be so handled as to build up the individual States in which they were located. In his answer to Hayne, if the Senator will permit me further——

Mr. WALSH of Massachusetts. Does the Senator claim that I have advocated a different policy?

Mr. FALL. I think so.

Mr. WALSH of Massachusetts. Because I have asked to cut down the lease from 20 years to 5—because I have asked that the maximum royalty of 20 per cent be cut out, so that the maximum royalty can be 25 or 30 or 40 per cent, if these oil fields are so rich that they produce that?

Mr. FALL. I do not mean to say that the Senator has intended to do so, but I say that the Senator is now talking as though he would do so; that the speech which the Senator made is along that line.

Mr. WALSH of Massachusetts. I have said that I would save to the people of this country every single natural resource that they have left; that too much of value has gone into the hands of private individuals.

Mr. FALL. Exactly.

Mr. WALSH of Massachusetts. Does the Senator agree to that doctrine?

Mr. FALL. Had that policy been pursued, I say you would have had yet the Great American Desert that you read of in the schoolbooks a few years ago.

Mr. WALSH of Massachusetts. If the policy that has gone on has been all right, tell me why such a bill is here at all as a leasing bill.

Mr. FALL. I will tell the Senator very frankly that the people of the West who believe in building up the States never would have consented to such a bill had it not been provided that a portion of the proceeds of these royalties should go directly to the States, 45 per cent of it, because of the fact that you are taking away from them their sovereign power of taxation, through which they must sustain themselves as sovereign States on an equality with the State of Massachusetts. But in view of the fact that finally, after seven years' hard fight, we have engrafted in this proposed legislation the proposition that the States themselves shall be given a portion of the proceeds of the lease, we have agreed to it, and in that far we have followed the policy of the conservationists of the East.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. WALSH of Massachusetts. I yield; yes, sir.

Mr. SMOOT. I do not want the Senator from Massachusetts to get the impression, nor do I want the Senators who may hear the Senator from Massachusetts speak to get the impression, that in these great oil fields the royalties to be received from oil are limited to 20 per cent. There is no such provision in the bill as far as oil is concerned. There is a provision as far as coal is concerned that it shall be limited to 20 per cent.

Mr. WALSH of Massachusetts. Exactly.

Mr. SMOOT. Why? Because everybody knows that every cent of royalty that is put upon coal will be paid by the consumer. Not so with oil. I do not want to take up any more of the time of the Senator now, but I will explain why when the Senator is through.

Mr. KENYON. Mr. President——

Mr. WALSH of Massachusetts. I yield.

Mr. KENYON. May I ask the Senator from Utah whether the provision beginning at the top of page 16 does not relate to oil—"not less than 12½ per cent nor more than 25 per cent of all the oil or gas produced and saved"? Is not that a maximum limitation of the royalty?

Mr. SMOOT. That refers only to the men who have title to oil lands now and relinquish it to the Government; but in section 17 it is provided:

> That all unappropriated deposits of oil or gas situated within the known geologic structure of a producing oil or gas field and the unentered lands containing the same, not subject to preferential lease, may be leased by the Secretary of the Interior to the highest responsible bidder by competitive bidding under general regulations to qualified applicants in areas not exceeding 640 acres and in tracts which shall not exceed in length two and one-half times their width, such leases to be conditioned upon the payment by the lessee of such bonus as may be accepted and of such royalty as may be fixed in the lease, which shall not be less than 12½ per cent in amount of value of the production, and the payment in advance of a rental of not less than $1 per acre per annum thereafter during the continuance of the lease, the rental paid for any one year to be credited against the royalties as they accrue for that year.

There is a minimum there, but there is no maximum, I will say to the Senator, as far as the oil on the unappropriated lands of the United States is concerned; but section 18 applies to cases where a man is producing oil now on a nongeologic structure, and therefore he has to relinquish all of his rights to the Government of the United States, and takes a lease to it; and for that we thought he should not pay more than 25 per cent nor less than 12½ per cent.

Mr. THOMAS. He ought not to pay anything.

Mr. SMOOT. Of course, many people believe that he ought not to pay anything, and technically that is correct; but I will say to the Senator that it would be impossible to secure the passage through Congress of a measure of that kind, and it is partially assuaged by the fact that the State gets 45 per cent of the money.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. WALSH of Massachusetts. I yield.

Mr. LENROOT. There is one other case where a maximum royalty is provided—I know the Senator is familiar with it—and that is in the case of a prospecting permit, where he gets his one-fourth on a 5 per cent royalty as a reward.

Mr. SMOOT. That is section 14.

Mr. LENROOT. And then he is entitled to lease the remainder of the prospecting permit at a maximum of 25 per cent.

Mr. SMOOT. Yes; that is in the case where the man goes out on the public domain, not outside of a nongeologic structure.

Mr. LENROOT. Field.

Mr. SMOOT. Field, not structure—a field, mind you—and he is a wildcatter, as he is called, and goes and takes every chance in the world to produce an oil well where even the Geological Department of our Government has not thought there could be oil produced, and therefore the land has not been withdrawn from entry. In that case, Mr. President, we have said that that man ought to have some extra privileges granted him. We do not say that to the man who receives a lease within a known geologic structure, but we do say it to the wildcatter, who perhaps runs a chance of one out of a thousand of ever striking a well. We say, "If, through your energy, you have developed in the United States here an oil well unknown to anybody in this country or anyone in the world, you are entitled first to 640 acres of that 2,560 acres at a 5 per cent royalty." Then we give him a preferential right upon the other three-quarters of that 2,560 acres at a royalty of not less than 12½ per cent or more than 25 per cent.

Mr. WALSH of Montana. Mr. President——

Mr. WALSH of Massachusetts. I yield.

Mr. WALSH of Montana. I can not believe that the Senator from Massachusetts intends advisedly to contend that that is just or that the prospector ought to be required to pay more than 25 per cent on the oil that he finds. Nobody knows about the field; no department of the Government has any information that there is any oil there. If they had any information that there was oil there they would withdraw it, and it would become subject to the provisions of the existing law, but here is a region into which a man goes without the Government knowing anything about oil being there, and he takes his chances and discovers oil. He ought to have some reward for the energy and the enterprise that he displays. He occupies quite a different position from that of the man who takes a lease upon Government land which is known to contain oil.

Mr. WALSH of Massachusetts. That is true. We have heard two eloquent pleas—one from the Senator from Utah [Mr. SMOOT] and the other from the Senator from New Mexico [Mr. FALL]—about the early frontiersmen of the West. When the Government gave them a grant it was a small one to the individual alone who went out there and by his strength and energy built up that section of the country. At that time he was the pioneer. This bill proposes to give not a few acres of land to an individual, but is leasing thousands of acres of valuable land, no man knows of what value, to individuals, to companies, to corporations who have to sell and resell the products of the people. I ask that the people who own these lands be protected and that the bill be so drafted that if the lands become valuable the Government can make a new lease as quickly as possible. I know from the nature of the bill that the provision for re-leasing is to renew the lease, which means that if the property is found to be more and more valuable at the end of 20 years the same lease at the same rates and on the same terms will be renewed, and no opportunity will be given to the Government to provide for a new lease upon new terms, based upon new values. "Renew the lease" is the language used in the bill.

Mr. JONES of New Mexico. Mr. President——

Mr. WALSH of Massachusetts. I yield to the Senator.

Mr. JONES of New Mexico. I have been thrown in personal contact recently with what private parties have been doing with regard to the development of oil lands, and I can say to the Senator from Massachusetts that parties in New Mexico have recently entered into contracts giving to a prospector not 2,560 acres upon a single lease for the drilling or sinking of a well, but that prospectors are demanding that they shall have as much as 5,000 acres, and in one case 200,000 acres of land, and that the terms upon which they are permitted to enter upon 200,000 acres of land were simply a royalty of 12½ per cent for a period of time as long as oil or gas should be produced. All the leases contain that provision. They contain the definite period, but also the indefinite period "as long as oil or gas shall be produced," and the royalty in every case is only 12½ per cent, and there is no arrangement made for an increase of the royalty. Those are the usual terms under which these lands are leased, and the acreage runs up into manifold the acreage permitted by this bill to the prospector upon public lands. The only fear that I have is that we will not be able to get prospectors to go upon the lands and drill the wells under the terms of the bill. They are not favorable enough.

Mr. LENROOT. Mr. President, I am sure the Senator from Massachusetts wishes to be accurate as to the provisions of the bill. In the case of renewal, the renewal is not upon the old terms and conditions. The renewal is upon such terms and conditions as the Secretary of the Interior may impose, and he may double the royalty.

Mr. WALSH of Massachusetts. In the language of this bill, I take the word "renewal" to be a renewal of the same lease.

Mr. LENROOT. The language of the bill is as follows:

> Leases shall be for a period of 20 years, with the preferential right in the lessee to renew the same for successive periods of 10 years upon such reasonable terms and conditions as may be prescribed by the Secretary of the Interior.

Mr. WALSH of Massachusetts. That is the original lease.

Mr. LENROOT. It is a renewal of the lease. Certainly it relates only to renewals—

> Unless otherwise provided by law at the time of the expiration of such periods.

That applies only to renewals.

Mr. WALSH of Massachusetts. I think it is a fair question as to the meaning of the word "renewals."

Mr. JONES of New Mexico. Mr. President, I think I can straighten out the situation. The Senator from Massachusetts doubtless has in mind the provision regarding the prospector, and the Senator from Wisconsin the lease on a known geologic structure. The provision which the Senator from Wisconsin just read is the latter part of section 17, which relates to leases upon known geologic structures. The Senator from Massachusetts has in mind the provision in the prospecting part of the bill.

Mr. LENROOT. I shall be glad if the Senator will point to a provision of the bill that provides for renewal upon the old terms and conditions.

Mr. WALSH of Montana. Mr. President——

Mr. WALSH of Massachusetts. I yield to the Senator.

Mr. WALSH of Montana. The Senator from Massachusetts in the discussion of this matter, being actuated I am sure by the very highest purposes, labors under a want of familiarity with the subject. He has adverted to the fact that heretofore the Government has disposed of its lands in tracts of very limited areas and, as he expressed it, the bill contemplates disposition to one individual or one corporation of thousands of acres. The lease is limited in each case to 2,560 acres, which is 4 sections.

Mr. LENROOT. Six hundred and forty acres, except in the case of prospecting for oil.

Mr. WALSH of Montana. Of course; but I am speaking now about coal and phosphate. I think perhaps I am responsible for the provision in that respect, and I am quite willing to assume the entire responsibility for it.

I may say for the information of the Senator from Massachusetts that the first item dealt with in the bill is coal. Under the existing law one may enter 160 acres of coal land, or with a partner he may enter 320 acres, or any association may enter 320 acres. If $5,000 worth of work is done on that entry, the association may enter a section of land, which is 640 acres.

From the beginning it was found utterly impossible to develop the coal areas of the West upon any such limited area. No man could be induced to enter into the coal business upon such an area as the basis of his operations. I may say, in the first place, a plant is necessary, a tipple and other conveniences; that represents an expenditure of from $250,000 to $400,000, and no one was found in our shallow fields willing to go into the business of putting coal upon the market commercially upon any such area as was permitted to him under the act. The result was that the law was notoriously violated. Entries were made by what are known as dummy entrymen, and that practice went on for years. That is to say, one who desired to go into the coal business would secure a number of his neighbors and friends to make entries, which were to be immediately transferred to him, and thus he would acquire a block of land sufficient in area to justify him in making the expenditure necessary to carry on the work.

That was eventually determined, and very properly so, by the department and the courts to be in violation of the law and a crime. The consequence is that since it was so determined there have been no entries whatever of any consequence anywhere in the West on coal lands under the existing law, because nobody will go into the business on such an area. We were confronted with that situation of affairs.

So in the draft of the bill those who are responsible for it in its original form, as it took form some five or six years ago, concluded that it would be necessary to increase the area, and no one was heard to urge that anything less than 2,560 acres would justify any man of any business capacity whatever to undertake to establish himself in the coal-mining business. So far as the question of mines is concerned, I am entirely satisfied that it would be a fatal mistake to reduce that area by one acre. It can not be justified. If you do that, you may just as well not legislate upon the subject at all, because the very purpose of this act, in the first place, was to enable one, legitimately and lawfully and without having the penitentiary staring him in the face, to get an acreage of coal land which would justify the expenditure of the money necessary to establish the requisite plant.

Now, next comes the subject of oil. I must confess, sir, that I have no information nor had any of those associated in the original draft of the bill sufficient advice to form a good judgment as to how much ought to be embraced in an oil lease, and we adopted the same figure as that which I believe was just and right in the case of coal.

But following the matter up I learned that the Commissioner of Indian Affairs had been called upon to investigate this very subject, because he was charged and had been charged for years with the duty of making leases of Indian lands upon which it was believed oil existed, and he was called upon to establish a limit in his rules and regulations concerning the acreage that could be included in any lease of Indian lands. After an exhaustive inquiry upon the subject, he fixed 4,800

acres as the maximum limit, and all the Indian land leases are now executed upon that basis.

When those facts were revealed to me I came to entertain very grave doubts as to whether this is not altogether too small. You take an entirely unknown field and give a man a mere matter of two months within which he has the exclusive right of prospecting, and then after that it becomes subject to lease, and a lease can not be had for more than 640 acres of the 2,560 acres.

Mr. SMOOT. Mr. President, I simply wish to call the attention of the Senator to the fact that there has been no report made by any Secretary of the Interior stating that 2,560 acres of oil land were too much. The present Secretary of the Interior says it is not too many acres in a lease and particularly so in issuing permits, to which the Senator has referred. I believe any Secretary of the Interior who made an investigation of the situation would think that 2,560 acres are too small an area, rather than one too excessive.

Mr. WALSH of Montana. I am afraid that is the situation so far as the oil lease is concerned. I am able to speak from personal knowledge on the subject of phosphates, and the limit in the case of phosphates can not be reduced without fatally wounding the bill.

Mr. SMOOT. I will say to the Senator that in the case of phosphates we have a limit of 5,220 acres.

Mr. WALSH of Montana. That is all right.

Mr. SMOOT. Of course, Senators who know how phosphates in Utah, Idaho, and Wyoming are located in blanket formation with no telling how thick or how thin they may be, have no question but that 5,220 acres are an area as little as anybody could possibly put up machinery to operate.

Mr. WALSH of Montana. I think anybody who has given any attention to the subject will agree with the Senator from Utah. In order to put phosphate rock in commercial form so it can find market anywhere, it must be treated by an expensive process with sulphuric acid, and a very careful estimate is that it would cost something like $2,000,000 to put up a plant that will treat phosphate ore in such a way that it can be marketed.

It will be borne in mind that the market for this product is in the East, where agricultural cultivation goes on in an intensive way, and in Europe. We export phosphates in large quantities from Florida, South Carolina, and Tennessee, most of them finding their market in Germany, and we are obliged to transport the product over 2,500 miles of railroad before it finds a market. It is necessary to go into the business upon an enormously large scale in order to make it profitable at all. It is not a small man's proposition or a poor man's proposition in any sense of the word. You have got to make the lease large enough to justify the expenditure necessary to put the property in a commercial form.

Mr. SMOOT. Mr. President, I merely wish to say——

Mr. WALSH of Massachusetts. Mr. President, may I have the floor?

The VICE PRESIDENT. The floor is in the Senator's charge.

Mr. WALSH of Massachusetts. My little innocent amendments have caused a great deal of discussion. I should like to direct the attention of the Senate to the amendments I have proposed. I will yield to the Senator from Utah if he will discuss those amendments.

Mr. SMOOT. I was simply going to make a correction. I stated that for phosphates 5,220 acres are subject to lease. That is the amount that I included in the original bill, but the committee decided even in that case to cut it down to 2,560 acres, but it did provide for 5,220 acres of oil-shale land.

Mr. WALSH of Massachusetts. Mr. President, I have no amendment dealing with acreage. I have an amendment which provides that municipal corporations taking leases of lands may have the same right to the same number of acres as private individuals or corporations. I can not conceive of any distinction being made when a municipal corporation asks the Government for a lease and why it should receive only one-eighth the amount of acreage that a private individual or a private corporation may receive. My amendment seeks to control the valuation of this property, and I do not know of any better argument or illustration that I can present to the Senate than what is taking place in America to-day. In the hands of five men are all the coal fields in the eastern part of the United States. When the consumers of New England, New York, New Jersey, and Maryland want to buy coal a group of men of five or more sit down and determine how much the people shall pay. That is what is happening to our natural resources. That is why I have asked for care and caution in the leasing of our natural resources, the value of which no man knows. That is admitted here by the advocates of the bill. Nobody knows what value shall come out of the properties which shall be leased under the bill. So, in order to guard and protect the public interest and the Government itself, I propose, first, that the term of a lease shall be cut down from 20 years to 5 years, and, secondly, that the maximum royalty shall be eliminated. In the previous bill the maximum royalty was not mentioned, only the minimum royalty, and I can not conceive why the Government should not be in a position to get all the value it possibly can out of these leases.

No man can tell how the value of these properties will change during the succeeding years. So I ask that the bill be amended by striking out the maximum royalty provided, and, secondly, by cutting down the term of the lease from 20 years to 5 years, in order that if these properties increase in value the Government can take advantage of the increase in value and meet the situation speedily and not have to wait for 20 years.

Mr. SMOOT. Mr. President, it is evident that we can not dispose of the bill to-night, and therefore we shall have a session of the Senate to-morrow. Unless some Senator really desires to discuss the question, I shall move to adjourn.

Mr. JONES of New Mexico. Mr. President, I merely desire in this connection to call the attention of the Senator from Massachusetts [Mr. WALSH] to the fact that it is only on the prospecting land that the maximum royalty for oil is fixed. After it is ascertained that the land is within a known geologic structure, then there is no maximum royalty fixed in the bill. It is left open to adjustment, and may go up to any amount; but the prospector, the man who finds the oil, must be assured of some return for the amount of money which he has ventured in the enterprise, so the prospector is entitled to hold one-fourth of the land at a royalty of 5 per cent, and the other three-fourths at a royalty not to exceed 25 per cent. As I stated before, my only fear is that the terms of the bill are not liberal enough to induce people to spend their money in such a venturesome enterprise.

Mr. WALSH of Montana. Mr. President, before concluding the discussion this evening, I should like to call the attention of the Senator from Massachusetts [Mr. WALSH] to an evident misapprehension that he has concerning section 8, under which municipal corporations are entitled to get each 320 acres of land. He contrasts that with the 2,560 acres for which a private individual may obtain a lease. Section 8 does not deal with the general subject of leasing at all, but provides—

> That in order to provide for the supply of strictly local domestic needs for fuel, the Secretary of the Interior may, under such rules and regulations as he may prescribe in advance, issue limited licenses or permits to individuals or associations of individuals to prospect for, mine, and take for their use but not for sale, coal from the public lands without payment of royalty for the coal mined or the land occupied, on such conditions not inconsistent with this act as in his opinion will safeguard the public interest.

It is a concession made to the venturesome homesteader who goes out on the public domain and adjacent to his land upon the public domain finds a coal seam. He can go and take that coal without paying a dollar for it. The section proceeds:

> *Provided*, That this privilege shall not extend to any corporations.

Then:

> *And provided further*, That in the case of municipal corporations the Secretary of the Interior may issue such limited license or permit, for not to exceed 320 acres, upon condition that such municipal corporations will mine the coal therein under proper conditions and dispose of the same without profit.

That is to say, we make a present to the municipal corporation of a lease on the whole 320 acres. They do not pay a dollar, and all they have to agree to do is that they will sell it to the people who live in the town without any profit.

Mr. WALSH of Massachusetts. Upon what basis was it fixed at 360 acres?

Mr. SMOOT. I will say to the Senator that that is twice the area that has ever been allowed in any of the previous bills. The Secretary of the Interior fixed 160 acres in the beginning, but the bill makes it twice that amount; it provides for 320 acres.

Mr. WALSH of Massachusetts. Why should a municipal corporation not have the same area as an individual or private corporation?

Mr. WALSH of Montana. I will explain that to the Senator from Massachusetts. It is because a municipal corporation is not going into the business of selling coal everywhere all over the world where it can find a market for it. It is merely going to take out a small amount that is necessary for use right in its own town.

Mr. NUGENT. Mr. President, why should they not be permitted to do that, I ask the Senator from Montana?

Mr. WALSH of Montana. I know of no reason at all.

Mr. NUGENT. Why should not such a provision be included in the bill?

Mr. WALSH of Montana. Simply because this is an out-and-out gift. If you want to give the municipality 2,560 acres, I am perfectly certain that none of us who are in any way responsible for this bill will offer the slightest objection. Bear in mind, we will be only too glad to accept the amendment of the Senator from Massachusetts. If you want to give to our little towns and cities in the neighborhood in which there is a coal seam an opportunity to take coal from 2,560 acres of land, we will say "Thank you."

But I speak of this, Mr. President, to show that it is scarcely a just criticism of either the author of the bill or the Committee on Public Lands, which has given the matter such careful consideration. If the Senator from Massachusetts wants to give us 2,560 acres, why, of course, we shall be glad to take it.

Mr. SMOOT. I wish to discuss the question when we reach it to-morrow, and I hope the Senator from Massachusetts will then express his opinion as to what it is best to do in the matter; but the members of the committee who are from the West—and, in fact, as I have said, nearly all of them are from the West—did not want the Senator from Massachusetts to believe that we were going to hog 2,560 acres of land for every city in the West that may happen to want it and pay no royalty to the Government for it. There are two sides to the question and to-morrow we shall discuss it.

Mr. KIRBY. I should like to ask a question. Are 320 acres allowed to the municipality in a field where the coal is already known to be?

Mr. SMOOT. Certainly. A municipality can go out in almost any part of my State and immediately take 360 acres.

Mr. KIRBY. Where coal has already been discovered?

Mr. SMOOT. Yes; where there is no more doubt that there is coal than there is that we are in this Chamber. They can go and pick it out. Again, in the case of an individual who lives 30 or 50 miles from a railroad and knows that immediately adjacent to his home there are millions of tons of coal, do you think that to-day he can take a shovelful of it? If he does, he violates the law. This bill gives him the right without royalty to take enough coal to keep his family warm during the winter.

Mr. KIRBY. Then the bill does not give a lease for 2,500 acres of already proven coal lands, does it?

Mr. SMOOT. Mr. President, it is all proven coal land. There is no real danger of a man taking a lease upon any of the coal lands which have been withdrawn. There have been 47,300,000 acres of coal lands withdrawn. Talk about coal! The State of Utah has enough coal within her hills to furnish coal for the world for 300 years.

Mr. KIRBY. We also have coal in Arkansas, and that was the reason I could not see why it was proposed to give a man 2,500 acres of coal land.

Mr. SMOOT. That is not very much coal land.

Mr. LENROOT. Mr. President, like the Senator from Massachusetts [Mr. WALSH], I have been opposed to maximum royalties, and I wish to explain why, as a member of the committee, I have consented to the maximum-royalty provision still remaining in the bill.

If the Senator will examine the bill as originally introduced, he will find that it provided maximum royalties for every lease, and the most strenuous contest in the committee was upon that question. Finally, all maximum royalties were stricken out and leases were subjected to bid and to be sold to the highest bidder except in three classes of cases. The first is as to coal; and the maximum royalty as to coal remains, because in the case of coal the royalty is directly reflected in the price to the consumer.

I desire to say very frankly that I would not in any case ask that the Government make money out of its national resources if the people as a whole could get the benefit of them, but where they can not get that benefit through the money that comes into the Treasury they ought to have the fullest benefit possible. In the case of coal the higher the royalty the higher the price per ton the people must pay who burn the coal. That is not true in the case of oil. We might give the oil away and the price of gasoline and oil would remain just the same, so far as the consumer is concerned. So the maximum royalties are stricken out of this bill so far as oil is concerned, except in the re-lease section and except in the case of the prospecting permit. Why does it remain in the re-lease section?

The Senator will notice that relinquishments are required to be made within six months after the passage of the act. Unless the claimant knows the maximum royalty he must pay, it is not to be supposed that it would be fair to ask him to relinquish his valuable claim; but he does know with a maximum royalty that he may be required to pay as much as one-quarter, which I may say is as high a royalty as I know of being paid, except I was told the other day of a 50 per cent royalty, I think, in the Salt Lake field.

Mr. KIRBY. Mr. President, I should like to ask the Senator a question.

Mr. LENROOT. I yield.

Mr. KIRBY. Did I understand the Senator to say that the supply of oil has nothing whatever to do with the price of gasoline and oil?

Mr. LENROOT. No; I said the royalty upon oil. If we gave this oil away without any royalty the consumer would pay just as much for gasoline as if we charged a royalty. That is what I said.

Mr. KIRBY. Then I misunderstood the Senator. I understood the Senator to say that, regardless of the production of oil, the price of the oil produced would be the same.

Mr. LENROOT. No; I did not say that; I said that if there was no royalty coming into the Treasury we would pay just as much for gasoline, and therefore there is the strongest reason for a royalty for the fair value of what we are giving them. Therefore, in the case of reliquishments the maximum remains, so that in reliquishing the relinquisher will know that he will not be required to pay more than one-quarter, and in no case, of course, are the reliquishments subject to bidding.

The next and the only other case where a maximum royalty remains in the case of the prospecting permit, which has in it the element of reward to the prospector who goes entirely outside of a producing oil field, takes his chances, and spends perhaps hundred of thousands of dollars on a most hazardous kind of speculation. If he succeeds in getting oil and discovers a new producing field he ought to have a liberal reward, because the moment he does that every other acre of land in that geologic structure is subject to lease to the highest bidder, and the discovery that man makes of a new oil field is not only the source of a new and additional supply of oil to the people but affords revenue to the Government through the leases upon the other land that will be disposed of to the highest bidder. That was the reason that I, as a member of the committee, consented to the maximum-royalty provision remaining in the bill in the two particulars I have mentioned.

Mr. WALSH of Massachusetts. Will the Senator explain how the fixing of a maximum royalty will ever control the price of anything to the consumer?

Mr. LENROOT. Speaking of coal, the maximum royalty is 20 cents. Suppose there were no maximum and the producer of the coal were willing to pay 50 cents or $1, the person who bought coal to last him through the winter would pay in the price of that coal the difference between 20 cents and $1; that is what I mean by it.

Mr. WALSH of Massachusetts. Without competition or without any agency of the Government to control the price, the producer could sell the coal to the consumer at 50 or 100 per cent profit and only give the Government 20 cents.

Mr. LENROOT. I recognize that.

Mr. WALSH of Massachusetts. Then how, by fixing a maximum royalty, can the price of a commodity to the consumer be controlled without some agency of the Government to control the price?

Mr. LENROOT. The difference between oil and coal is that the producer of oil never sells to the consumer, either directly or indirectly. The oil has to go through other processes before any part of it is available to the consumer. That is not true in the case of coal. Coal only goes through one medium from the mine to the consumer, and perhaps none, for the retailer may be an agent of the coal producer. Then if, instead of 20 cents, there is $1 a ton imposed by way of royalty upon that coal, does not the Senator see that the consumer will be compelled to pay the difference of 80 cents per ton?

Mr. WALSH of Massachusetts. Mr. President, if there is $1 fixed by way of royalty I can see how the consumer can be charged $3, $4, $5, or $10 for a ton of coal if there is no agency controlling the price.

Mr. LENROOT. Certainly——

Mr. WALSH of Massachusetts. So that the fixing of a maximum royalty does not control and can not control the price of anything.

Mr. LENROOT. Let us see. Suppose there were a price-fixing agency, so that the producers could charge only a reasonable price. With such price-fixing does not the Senator see that if a dollar a ton royalty upon coal is charged instead of 20 cents the price-fixing body must permit a charge to the consumer of 80 cents per ton more than they would if the royalty were 20 cents?

Mr. WALSH of Massachusetts. I agree that a price-fixing body can control the price of coal, and such a body and not

maximum royalties is the important consideration, for without price fixing and Government regulation maximum royalties do not amount to anything, except to prevent the Government from getting, in the case of an article of extremely great value, the highest figure it can. When there is a law which prevents the Government leasing beyond a certain price it keeps the Government from securing an adequate return in the case of extreme and excessive value. The values in this instance may never reach such proportions, but no one knows when they will come.

Mr. LENROOT. When the Senator recognizes the fact that a price-fixing body must take into consideration the amount of royalty, the Senator at once must see that the royalty is paid by the consumer.

Mr. WALSH of Massachusetts. But we have no price-fixing body provided for; we have only a maximum royalty fixed——

Mr. LENROOT. We have not in this bill.

Mr. WALSH of Massachusetts. Which you agree will not and of itself can not control the price to the consumer.

Mr. LENROOT. Certainly not in this bill; but the Senator recognizes that that is a matter which each State may control for itself to a very large degree, and I apprehend, as I think the Senator from Massachusetts does, that the trend to-day is for price fixing of every commodity that is in any wise controlled by a monopoly or any organization that tends to monopoly.

Mr. WALSH of Massachusetts. Yet the Senator does not propose and would not vote for an amendment inserting a price-fixing clause in the oil and coal leasing provisions of this bill?

Mr. LENROOT. I certainly thought I explained quite clearly in the case of oil why it could not be done so that it would be of any benefit to the consumer, because oil as it comes from the well is not sold to the consumer.

Mr. WALSH of Massachusetts. Then there is one commodity beyond price-fixing control in the Senator's opinion—oil?

Mr. LENROOT. So far as oil coming from the well is concerned, it certainly is.

Mr. WALSH of Montana. Mr. President, if the Senator from Wisconsin will permit me, I submit to the Senator from Massachusetts that if he desires a price-fixing amendment be put in this bill, then he wants to limit the royalty, because if he does not limit the royalty under the price-fixing amendment a price could not be established; so that the two amendments could not stand. If you have a price-fixing amendment, then you should leave the royalty provision where it is; you certainly do not want the two.

Mr. WALSH of Massachusetts. Not necessarily.

Mr. SMOOT. Mr. President, the Senator from Massachusetts is a new Member of this body and has not heard this question discussed. Twelve years ago there was no man in the United States who would claim that he wanted royalty to the utmost extent that he could possibly get it out of the resources of this country. All that was wanted was to regulate the mining of coal and the production of oil, and all that was asked at that time was sufficient royalty to pay the expenses of the Government. How often have we heard the late Senator from Nevada, Mr. Newlands, known in years past as the "father of conservation," stand upon this floor and state that he would not support a measure requiring greater royalties than enough to pay the Government the cost of administration. That was his theory; that was what we all thought in the first place; that is what was taught to us; but now the Senator from Massachusetts comes in and wants to get every dollar that he can squeeze out of the people of the West who have to purchase coal.

Mr. WALSH of Massachusetts. Mr. President, I should like to ask the Senator from Utah if it is not a fact that the conferees in the last Congress took the position which I now take, that there should be no maximum royalties.

Mr. SMOOT. Yes; that may be; at the last session of Congress.

Mr. WALSH of Massachusetts. And I should like to ask the Senator, as my position is a new one, because I am a new Senator, if he has not pretty persistently and continuously in past Congresses opposed the leasing of public lands in bills of a somewhat similar character.

Mr. SMOOT. If the Senator had been in the Chamber yesterday he would have heard the Senator's position, because I frankly stated it. I do not hesitate a minute to say that I think the leasing system is not the best system to develop the resources of this country. There is no question about it, and yesterday I told the reasons why. I do not want to take the time now to go over that same ground.

Mr. President, it is evident that we can not dispose of any more amendments this evening.

THE WHITE HOUSE CONFERENCE.

Mr. KING. Mr. President, a few days ago the Committee on Foreign Relations had a conference at the White House with the President, at which conference the Senator from New Mexico [Mr. FALL] submitted a number of question to which the President was asked to reply. The Senator from New Mexico this morning called attention to a few of the questions and to one of the replies. In view of the fact that the former part of the interview has gone into the RECORD, I ask that all the questions and the replies thereto be printed in the RECORD.

Mr. SMOOT. If I am not mistaken, that matter has already been printed in the RECORD.

Mr. KING. I was advised that that had not been done. If so, of course, I shall withdraw the request.

Mr. SMOOT. If it has already been printed I should not want it to be again printed, but if it has not been printed I shall have no objection to its being printed.

Mr. KING. Certainly.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

"QUESTIONS ASKED BY SENATOR FALL AND REPLIES BY PRESIDENT WILSON.

"Senator FALL's questions given to President Wilson follow:

"1. In your judgment, have you not the power and authority, by a proclamation, to declare in appropriate words that peace exists and thus restore the status of peace between the Governments and peoples of this country and those with whom we declared war?

"2. Could not, in any event, the power which declared war—that is, Congress, joined by the President, as you affixed your approval of the declaration of war, by a resolution, or act of Congress—declare peace, as Germany did not declare war upon us?

"3. Is not the pending treaty, aside from the league covenant, merely a set of agreed rules and regulations to be observed after peace is established, and is not the state of war terminated merely by the filing of the first process verbal?

"4. The state of war being thus terminated by the filing of the process verbal, although we may not yet have ratified the treaty, Germany not having declared war upon us, could you not appoint or reappoint consular officers and agents in Germany, and by a proclamation of the status of peace authorize our citizens and without further delay resume governmental relations with Germany, and would we not then be off of a war basis as to business?

"ESTABLISHMENT OF THE LEAGUE.

"5. The agreement of the signatories to the treaty is that 'from the coming into force of the present treaty the state of war will terminate.'

"And under article 440 it is provided that as soon as the treaty shall have been ratified by Germany on the one hand and by three of the principal allied and associated powers on the other hand the first procès verbal of the deposit of ratification will be drawn, and 'from the date of this first procès verbal the treaty will come into force between the high contracting parties who have ratified it.'

"Am I correct in assuming:

"(a) That when three of the principal allied powers shall have ratified the treaty with Germany and the procès verbal is filed the league of nations is then established?

"(b) That all the other provisions of the treaty with Germany are in full force to such ratifying powers?

"(c) That as to the two remaining powers, should they not have ratified it (the one being the associated power, the United States), 'the state of war will terminate,' although the particular terms of the treaty itself will not be in force as to such nonratifying powers?

"(d) That such last powers will not be members of the league until and unless thereafter they have either ratified the treaty and the league articles or shall have been otherwise accepted into the league under the provisions of the league articles as they now stand or as they may be in force at the time of admission?

"6. However desirable it might be to have the treaty immediately adopted with the articles of the covenant of the league as written, by what process will this, in view of your statement as to largely increased export within the near future or within one or two more years, reduce in this country the rentals, cost of necessaries, etc.?

"LICENSES FOR EVERY TRADE.

"7. Have you heard from Norway, Sweden, Denmark, Holland, and Switzerland, or either, as to whether they will join the league, and when?

"8. Are you issuing, or allowing to be issued, en bloc or otherwise, licenses to do business with those recently our enemies, and are you allowing ships and cargoes destined to ports of Germany or other recent enemy ports to clear from our ports?

"9. Have you requested consular representatives of other countries to act for us in Germany?

"10. Among the documents forwarded on the 8th instant to the chairman of the committee, by yourself, under No. 6, following the final report of the commission upon the league articles, I find the following recommendation: '*Resolved*, That in the opinion of the commission the president of the commission should be requested by the conference to invite seven powers, including two neutrals, to name representatives on a committee (a) to prepare plans for the organization of the league; (b) to prepare plans for the establishment of the seat of the league; (c) to prepare plans and the agenda for the first meeting of the assembly.'

"Was this committee appointed, and have they reported tentatively to the commission or to yourself, and, if so, is a copy of such report available?

"QUESTIONS AS TO TERRITORY.

"11. Under article 18, of the peace treaty, Part IV, there is a general renunciation of all German rights to territory formerly belonging to herself or to her allies and a renunciation of all her rights, titles, and privileges outside of her boundaries as fixed by the treaty which she held as against the allied and associated powers. There is no cession, apparently, of the territory to any particular power or association of powers, but there is an understanding on the part of Germany to recognize and conform to the measures which may be taken 'now, or in the future by the principal allied and associated powers in agreement, where necessary, with third powers in order to carry the above stipulation into effect.'

"To what nation or nations or association of nations does the territory renounced under this article go, aside from such portions as are specifically assigned to certain nations or plebiscite commissions by the particular article of the German treaty, and by what character of title and what part, if any, does the United States take or has she taken with reference to the disposition of such property?

"12. Article 119, section 1, of Part IV, reads:

"'Germany renounces in favor of the principal allied and associated powers all her rights and titles over her overseas possessions.'

"This appears to be a direct cession of the German overseas possessions to the principal allied and associated powers; of course, the United States being an associated power, what character of title does the United States receive to any part of the overseas possessions ceded by Germany through article 119?

"SAAR BASIN'S DISPOSITION.

"13. Has there as yet been any agreement, tentative or otherwise, as to the disposition or the government of such overseas possessions or any part of same to which the United States is a party?

"14. Will you inform the committee whether, through an agreement between France and Great Britain, any disposition or agreement for the disposition of all or any part of the German overseas possessions in Africa has been arrived at; and if so, whether the United States has, tentatively or otherwise, consented thereto, and whether possession has been taken by either France or Great Britain of any such German territory by any such agreement or tentative agreement?

"15. Was it or is it now contemplated that, of the commission composed of five members to be chosen by the council of the league of nations for the government of the Saar Basin, one of said commission to be a citizen of France, one a native of the Saar Basin and not a native of France, and the three other members belonging to three countries other than France or Germany, there should be one American commissioner among the membership of five; and if so, why is it necessary that America should be represented upon this commission?

"16. Why should the United States be represented by one member of the commission for the settling of the new frontier lines of Belgium and Germany under articles under sections 34 and 35?

"17. As article 48 of the treaty provides for a boundary commission for the Saar Basin, to be composed of five members, one to be appointed directly by France and one directly by Germany, why was it not provided that the other three be nationals of other powers? Should each be named in the article to be appointed by some particular country, as is done with reference to the other two, rather than to leave the selection of such three to the council of the league of nations with the restrictive provisions that the said three should be selected from nationals of other powers than France and Germany?

"SETTLEMENT OF BOUNDARY DISPUTES.

"18. Why was it necessary to provide in article 83 that of the commission of seven members to fix the boundaries between Poland and the Czecho-Slovak state, one should be named by Poland, one by such Czecho-Slovak state, and the other five named by the five allied and associated powers, rather than that certain countries, specifically named, should nominate the five as well as the two?

"19. Has such commission been appointed, tentatively or otherwise, and has it proceeded to the performance of any of its duties, either in a temporary manner or otherwise?

"20. Why was it necessary to form a commission of four members, one to be designated by each the United States, France, the British Empire, and Italy, to exercise authority over the plebiscite area of Upper Silesia; that is to say, why was it necessary to name the United States as one of the powers which should appoint one of the four commissioners and then leave the decision of such commission to a majority vote?"

President Wilson's reply to Senator FALL's questions was as follows:

"MY DEAR SENATOR FALL: You left yesterday in my hands certain written questions which I promised you I would answer. I am hastening to fulfill that promise.

"I feel constrained to say in reply to your first question not only that in my judgment I have not the power by proclamation to declare that peace exists, but that I could in no circumstances consent to take such a course prior to the ratification of a formal treaty of peace.

"I feel it due to perfect frankness to say that it would, in my opinion, put a stain upon our national honor which we never could efface, if after sending our men to the battlefield to fight the common cause, we should abandon our associates in the war in the settlement of the terms of peace and dissociate ourselves from all responsibility with regard to those terms.

"I respectfully suggest that, having said this, I have in effect answered also your second, third, and fourth questions, so far as I myself am concerned.

"Permit me to answer your fifth question by saying that the provisions of the treaty to which you refer operate merely to establish peace between the powers ratifying, and that it is questionable whether it can be said that the league of nations is in any true sense created by the association of only three of the allied and associated governments.

"WOULD REDUCE COST OF LIVING.

"In reply to your sixth question, I can only express the confident opinion that the immediate adoption of the treaty, along with the articles of the covenant of the league as written, would certainly within the near future reduce the cost of living in this country as elsewhere, by restoring production and commerce to their normal strength and freedom.

"For your convenience, I will number the remaining paragraphs of this letter as the questions to which they are intended to reply are numbered.

"7. I have had no official information as to whether Norway, Sweden, Denmark, Holland, or Switzerland will join the league.

"8. I answered your eighth question in reply to a question asked me at our conference the other day.

"9. In February, 1917, Spain was requested to take charge of American interests in Germany through her diplomatic and consular representatives, and no other arrangement has since been made.

"10. The committee to prepare plans for the organization of the league, for the establishment of the seat of the league, and for the procedure of the first meeting of the assembly has been appointed, but has not reported.

"11. Article 118 of the peace treaty, Part IV, under which Germany renounces all her rights to territory formerly belonging to herself or to her allies, was understood, so far as special provision was not made in the treaty itself for its disposition, as constituting the principal allied and associated powers the authority by which such disposition should ultimately be determined. It conveys no title to those powers, but merely intrusts the disposition of the territory in question to their decision.

"TRUSTEESHIP FOR COLONIES.

"12. Germany's renunciation in favor of the principal allied and associated powers of her rights and titles to her overseas possessions is meant similarly to operate as vesting in these powers a trusteeship with respect of their final disposition and government.

"13. There has been a provisional agreement as to the disposition of these overseas possessions, whose confirmation and execution is dependent upon the approval of the league of nations, and the United States is a party to that provisional agreement.

"14. The only agreement between France and Great Britain with regard to African territory, of which I am cognizant concerns the redisposition of rights already possessed by those countries on that continent. The provisional agreement referred to in the preceding paragraph covers all the German overseas possessions in Africa as well as elsewhere.

"15. No mention was made in connection with the settlement of the Saar Basin of the service of an American member of the commission of five to be set up there.

"16. It was deemed wise that the United States should be represented by one member of the commission for settling the new frontier lines of Belgium and Germany, because of the universal opinion that America's representative would add to the commission a useful element of entirely disinterested judgment.

"SAAR BASIN UNDER LEAGUE.

"17. The choice of the commission for the Saar Basin was left to the council of the league of nations, because the Saar Basin is for 15 years to be directly under the care and direction of the league of nations.

"18. Article 83 does, in effect, provide that five of the members of the commission of seven to fix the boundaries between Poland and Czechoslovakia should be nominated by certain countries, because there are five principal allied and associated powers, and the nomination of five representatives by those powers necessarily means the nomination of one representative by each of those powers.

"19. No such commission has yet been appointed.

"20. It was deemed wise that the United States should have a representative on the commission set up to exercise authority over the plebiscite of Upper Silesia for the same reason that I have given with regard to the commission for settling the frontier line of Belgium and Germany.

"Sincerely, yours,

"WOODROW WILSON."

ADJOURNMENT.

Mr. SMOOT. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Saturday, August 23, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, *August 22, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite and eternal Spirit, Father of all our longings, fondest hopes, and purest aspirations, let the blessing of heaven descend copiously upon us, to clarify our minds, quicken our conscience, and lead on to noble deeds; that these, Thy servants, the Representatives of a great people, may meet the stupendous problems which confront them and solve them to our good and the good of all peoples. In the spirit of the Lord Christ. Amen.

ASCERTAINMENT OF A QUORUM.

Mr. BLANTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Yesterday I understood the Chair to rule that it was improper for a Member in making the point of no quorum to state any reason whatever therefor. In that connection I would like to call the attention of the Chair to the fact that there are frequently times when the membership of the House are perfectly willing to transact business without a quorum——

The SPEAKER. Well, the gentleman——

Mr. BLANTON. I am making this statement preliminary to my parliamentary inquiry. At other times situations arise when some Member, within his judgment, deems a quorum necessary——

Mr. CAMPBELL of Kansas. Mr. Speaker, I make the point of order that it is not proper——

The SPEAKER. The gentleman's point is well taken.

Mr. BLANTON. May I ask the Chair——

Mr. CAMPBELL of Kansas. I make the point of order.

Mr. BLANTON. Are there no occasions when a Member may state his reasons for asking for a quorum?

The SPEAKER. There are not.

Mr. CAMPBELL of Kansas. There is no occasion when this House can do business without a quorum.

Mr. BLANTON. Well, Mr. Speaker, the distinguished gentleman from Kansas certainly will not deny that of late it has been an awfully hard matter to keep a quorum here, and we ought to have one right now.

Mr. REAVIS. Is it in order to make the point of no quorum before the Journal is read?

The SPEAKER. Yes; any Member can at any time make the point of no quorum if he so desires.

Mr. BLANTON. I think we ought to have a quorum, and I make the point of order that no quorum is present.

Mr. GARNER. I suggest to the gentleman from Wyoming that he move a call of the House.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk proceeded to call the roll, when the following Members failed to answer to their names:

Ackerman	Flood	Kiess	Riordan
Anthony	Foster	Larsen	Rose
Bankhead	Frear	Lea, Calif.	Rouse
Benson	Freeman	Linthicum	Rowan
Black	Fuller, Mass.	Little	Rowe
Blackmon	Gallivan	Longworth	Sabath
Bland, Ind.	Gandy	Luce	Sanders, Ind.
Bland, Mo.	Ganly	McAndrews	Sanders, La.
Booher	Garland	McKenzie	Saunders, Va.
Britten	Goldfogle	McKinley	Schall
Browne	Goodall	Magee	Scully
Candler	Graham, Pa.	Maher	Shreve
Carter	Graham, Ill.	Mann	Sisson
Casey	Greene, Mass.	Mason	Slemp
Chindblom	Griest	Mead	Smith, Ill.
Christopherson	Hadley	Monahan, Wis.	Smith, N. Y.
Classon	Hamill	Montague	Steele
Connally	Hardy, Colo.	Moon	Stephens, Miss.
Copley	Hayden	Moore, Ohio	Stevenson
Costello	Hays	Moore, Pa.	Sullivan
Cramton	Hicks	Morin	Sumners, Tex.
Davey	Hill	Mott	Taylor, Ark.
Davis, Minn.	Huddleston	Nichols, Mich.	Tilson
Dempsey	Humphreys	Nolan	Vare
Dickinson, Iowa	Husted	Olney	Walsh
Donovan	Igoe	Osborne	Walters
Dooling	Jefferis	Paige	Ward
Doremus	Johnson, S. Dak.	Parker	Wason
Dunn	Johnston, N. Y.	Peters	Watson, Va.
Echols	Kahn	Rainey, John W.	Whaley
Evans, Mont.	Kelley, Mich.	Randall, Calif.	Wise
Evans, Nebr.	Kendall	Randall, Wis.	
Fields	Kennedy, Iowa	Reed, W. Va.	
Fitzgerald	Kettner	Riddick	

The SPEAKER. On this call 297 Members have answered to their names; a quorum is present.

Mr. REAVIS. I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

The Journal of the proceedings of yesterday was read and approved.

THE POSTAL SERVICE.

Mr. REAVIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a letter from six postal employees on matters pertaining to the service.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to extend his remarks in the RECORD by inserting a letter from certain postal employees relative to that service. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, I have never yet objected to the extension of remarks when any colleague requested the privilege, and probably will not object now, but yesterday the gentleman from Illinois [Mr. HENRY T. RAINEY], who is next to the ranking Democratic Members on the great Ways and Means Committee, meekly asked for five minutes to protest against the adoption of a monopolistic measure, upon which he had not been permitted to speak, but there was objection on the Republican side, and his voice in behalf of the people was thus silenced——

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask for the regular order.

Mr. BLANTON. If I can make a short statement, I shall not object, but if prevented by the gentleman from Kansas insisting on the regular order I shall object, merely to register a mild protest against such unfair Republican gagging, but will not object later on, when the gentleman from Nebraska [Mr. REAVIS] renews his request.

Mr. CAMPBELL of Kansas. Regular order, Mr. Speaker.

Mr. BLANTON. Then I object.

The SPEAKER. The gentleman from Texas objects.

Mr. BLANTON. If the gentleman will permit me to conclude my short statement, I will not object.

Mr. CAMPBELL of Kansas. I ask for the regular order.

Mr. BLANTON. I object, Mr. Speaker.

The SPEAKER. The gentleman from Texas objects.

PENSIONS.

Mr. FULLER of Illinois. Mr. Speaker, this being the day on which private pension bills are in order, I call up H. R. 8536, granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, and ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Illinois [Mr. FULLER], chairman of the Committee on Invalid Pensions, calls up the omnibus pension bill, H. R. 8536, and asks unanimous consent that it be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. FULLER of Illinois. I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Jane H. Larkin, widow of David H. Larkin, late of Company F, One hundred and thirty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Ione Stroud, former widow of John L. Girrard, late of Company C, Tenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Olive M. Kelly, widow of George Kelly, late of Company C, Eighty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Ezekiel P. Murdock, late of Company I, Forty-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Alice Swinford, former widow of John Swinford, late of Company C, Fourth Regiment Missouri State Militia Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Lizzie S. Williams, widow of Henry E. Williams, late of Company B, Thirty-first Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Mary E. Watson, widow of George M. Watson, alias Martin W. Moore, late of Company C, Sixth Regiment Missouri State Militia Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Daniel Kinnaman, late unassigned recruit Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Amanda C. Deal, helpless child of Henry Deal, late of Company B, Seventy-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Benjamin F. Kernodle, late of Company F, Thirteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Charles H. Slocum, late of Company A, Thirty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Margaret A. Guilliams, former widow of William Duerfee, late of Company G, One hundred and forty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $35 per month.

The name of James Hall, late of Company K, Twenty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Chauncey B. Knowlton, late of Company F, Seventieth Regiment, and Company I, Thirty-third Regiment, Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John M. Davidson, late of Company I, Ninety-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Thomas Culbertson, late of Company C, Fifty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Oliver N. Mowrer, late of Company D, One hundred and fifty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $35 per month in lieu of that he is now receiving.

The name of Elizabeth Walsh, helpless child of Michael J. Walsh, late of Company M, Tenth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Margaret Mabery, widow of William Mabery, late of Company A, Sixth Regiment Tennessee Mounted Volunteer Infantry, and Company F, Eighth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of William R. Boren, late of Company G, Thirty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John Small, late of Company K, First Regiment Indiana Volunteer Heavy Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James E. Cline, late of Company K, One hundred and thirtieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Eli E. Hann, late of Company I, Seventy-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Ambrose S. Uselman, late of Company C, One hundred and thirty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Alfred Woodrum, late of Company I, One hundred and fifteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Zalman Ruddell, late of Company C, One hundred and fifty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William H. Brock, late of Company I, One hundred and fourteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Albert P. Jackson, late of Company G, Ninth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Charles W. Price, late of Company F, One hundred and fifty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James T. Bell, late of Company H, Fifth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Myron E. Stowe, late of Company K, One hundred and twenty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of James A. Mahaffey, late of Company C, Seventh Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John L. Wheeler, late of Company I, Seventeenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of George W. West, late of Company G, Eighty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Nancy Bastin, former widow of Alonzo Kelly, late of Company K, Thirty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Fred Hauk, late of Company C, Fifty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Simon F. Johnson, late of Company G, Forty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John H. Rusie, late of Company E, Twelfth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William Norman, late unassigned private, Thirty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Israel Wilkie, late of Company H, Sixth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Barbara F. Hicks, widow of Francis M. Hicks, late of Company G, Twenty-third Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $37 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Allie Hicks, helpless and dependent daughter of said Francis M. Hicks, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Barbara F. Hicks, the name of said Allie Hicks shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the death of said Barbara F. Hicks.

The name of Elizabeth Jenkins, helpless child of William Jenkins, late of Company E, Sixth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of John A. Neff, late of Company G, One hundred and seventy-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James D. Reed, late of Company F, Fourth Regiment Provisional Enrolled Missouri Volunteer Militia, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Nelson Watkins, alias Nelson Garvin, late of Company M, Twelfth Regiment United States Colored Volunteer Heavy Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Aaron W. Kelley, late of Company H, First Regiment Maine Volunteer Heavy Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Josiah Swails, late of Company D, One hundred and thirty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Abner Elam, late of Company F, Seventy-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Mary Ann Ellis, former widow of Lewis Ellis, late of Company C, Sixth Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of $35 per month.

The name of Abner D. Rutherford, late of Company F, Sixth Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Cora Mitchell, widow of Levi Mitchell, late of Company A, Fifty-eighth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of George W. Snider, late of Company F, Thirty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John Bonhome, late of Company B, Fourteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Abraham A. Randles, late of Company G, One hundred and ninety-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Jacob Fishel, late of Company K, Ninety-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George Dettmer, late of Company K, Fifteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Robert T. Jellison, late of Company I, Thirteenth Regiment Kansas Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Katherine Hallbaugh, former widow of John Detrick, late of Company E, Ninth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Sarah J. Mackin, widow of William A. Mackin, late of Company G, One hundred and ninety-second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Martha Gibson, widow of John H. Gibson, late of Company G, Thirty-seventh Regiment, and Company E, Fifty-fifth Regiment, Kentucky Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Harrison H. Riddle, late of Company I, Fifty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Mary T. Barnard, widow of John Barnard, late of Company C, Fourth Regiment Arkansas Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Mary Sullivan, widow of Cornelius Sullivan, late of Company L, Thirteenth Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Anna E. Middleton, helpless child of James Middleton, late of Company H, Eighty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Andrew F. Welfley, helpless child of John Welfley, late of Company C, One hundred and seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Noah Ruhl, late of Company H, One hundredth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Levi L. Martz, late of Company A, Thirty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Earl W. Soper, late of Companies M and H, Eighth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Hannah J. Hester, widow of George W. Hester, late of Company C, Nineteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of John F. Thompson, late of Company F, Third Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John C. Kauffman, late of Company H, Seventy-ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Myra E. Chapman, widow of William H. Chapman, late acting third lieutenant, United States revenue cutter Joe Lane, United States Navy, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Elizabeth A. Burke, widow of Michael Burke, late of Company H, First Regiment Vermont Volunteer Cavalry, and Two hundred and forty-sixth Company, First Battalion Veteran Reserve Corps, and pay her a pension at the rate of $25 per month.

The name of Angeline Latty, widow of John Latty, late of Company C, First Regiment Alabama Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Mary A. Strome, former widow of Alfred Hunter, late of Company C, Fifty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Foster D. Brown, late of Company B, Forty-seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Sarah A. Surface, widow of Flavius S. T. Surface, late of Company G, Seventy-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Anna L. Surface, helpless and dependent daughter of said Flavius S. T. Surface, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Sarah H. Surface, the name of said Anna L. Surface shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Sarah H. Surface.

The name of Fidelia A. Baker-Boyd, former widow of Volney Baker, late of Company C, Thirty-fifth Regiment Kentucky Volunteer Mounted Infantry, and pay her a pension at the rate of $25 per month.

The name of Charles Ford, late of Second Battery, Minnesota Volunteer Light Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of David Rushlon, enrolled as David Rushton, late of Company C, Eighty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of George Bowen, late of Second Battery, Vermont Volunteer Light Artillery, and pay him a pension at the rate of $30 per month.

The name of Israel W. Gregg, late of Company H, One hundred and fifty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Elizabeth Shaffer, former widow of George W. Bennett, late of Company F, One hundred and Fifty-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Flora B. McCain, widow of Thomas J. McCain, late of Company L, Third Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Mary E. Cleveland, former widow of George A. Hull, late of Company C, First Battalion, Maine Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Adam Goodlive, late of Company C, Sixty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Spencer S. Sanders, late of Company G, Twenty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Gilbert Geslin, late of Company E, One hundred and ninety-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Harriet L. Cobb, former widow of Jedekiah Crocker, late of Company F, One hundred and twenty-first Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Andrew Sidlinger, late unassigned private, Seventh Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Reuben Marks, late of Company C, Twenty-first Regiment Pennsylvania Volunteer Infantry, and Company A, Twenty-fourth Regiment Veteran Reserve Corps, and pay him a pension at the rate of $50 per moth in lieu of that he is now receiving.

The name of Margaret Gress, widow of Adam Gress, late of Company H, Ninety-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Charles H. Johnson, late unassigned private, Sixteenth Regiment Maine Volunteer Infantry, and landsman, United States Navy, and pay him a pension at the rate of $40 per month.

The name of Sarah L. Little, former widow of Isaac Little, late of Company D, Ninety-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Levi G. Saffer, late unassigned private, Fifty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Andrew Wiend, late of Company A, Eleventh and One hundred and thirty-second Regiments Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Alonzo Spurgeon, late of Company A, One hundred and ninety-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Acel Lyons, late of Company C, Thirteenth Regiment Kansas Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Rhoda A. Hunnewell, widow of John B. Hunnewell, late of Company H, Fourteenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Meda E. Dodge, widow of Asa S. Dodge, late of Company G, Thirtieth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Martha Benefiel, widow of Hiram A. Benefiel, late of Company C, Fifty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Washington Akester, late of Company E, Twenty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charles Waide, late of Company I, Thirty-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Samuel T. H. Williams, helpless child of John Williams, late of Company G, Eighty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Mary J. Cooper, widow of James B. Cooper, late of Company D, One hundred and twenty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Sabina Wade, former widow of William G. Hutton, late of Company H, Thirty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Martha Jane Griffin, helpless child of George Griffin, late of Company K, One hundred and tenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Peter Wagener, late of Company I, Two hundred and ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Brigham Buswell, late of Company F, First Regiment United States Volunteer Sharp Shooters, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Eliza Hoffman, widow of Albert B. Hoffman, late of Company B, One hundred and eleventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Belle Grisamore, former widow of Lewis C. Good, late of Company C, One hundred and forty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Adelia M. Whitcomb, widow of Charles B. Whitcomb, late of Company C, First Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Osiah Attison, late of Company B, Seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Henry B. Pitner, late of Company F, One hundred and fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Newton S. Long, late of Company H, One hundred and sixty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Conrad Baker, late of Company M, First Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James S. Frizzell, late of Company H, Second Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Mary Lyons, widow of John Lyons, late of Companies H. and A, Seventy-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Samuel Lowery, late of Company B, One hundred and thirty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Rosanna Miller, helpless child of Joseph Miller, late of Company I, Second Regiment Connecticut Volunteer Heavy Artillery, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Torbet C. Canfield, late of Company K, One hundred and forty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John Ball, late of Company F, Forty-second Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Julia M. Ferry, former widow of David E. Ferry, late of Company D, Fifth Battalion Ohio Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Jackson Young, late of Company B, One hundred and ninety-third Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Augustus Gilmore, late of Company A, Seventy-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Edwin C. Albertson, late of Company B, Fifteenth Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Henry Neeley, late of Company E, Eighth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Mary Holmes, former widow of John O. Holmes, late of Company F, Forty-seventh Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Lizzie A. Logsdon, widow of William D. Logsdon, late of Company D, First Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Samuel Michael, late of Company F, One hundred and forty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Michael Fogarty, helpless child of Patrick Fogarty, late of Company G, First Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Horace B. Scoville, late of Company C, One hundred and fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Elizabeth Voneky, widow of Louis Voneky, late of Fifty-first Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Daniel Robb, late of Company I, Fifty-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Jesse Byerly, helpless child of Benjamin Byerly, late of Company E, One hundred and thirty-fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Constantine P. Berry, late of Company G, Fourteenth Regiment, and Company L, Eighth Regiment, Missouri State Militia Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Lillian M. Evans, widow of William W. Evans, late of Company C, One hundred and ninety-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Eva Shaw, widow of John J. Shaw, late captain and commissary of subsistence, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of John Coombs, late of Company H, Eleventh Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Nathan Lang, late of United States Marine Corps, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James C. Boyd, late of Company E, Thirty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Mary Boner, widow of Silas Boner, late of Company I, First Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of John Cyrus Rinehart, late private, unassigned, One hundred and eighty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Samuel M. Skelton, late of Company F, Ninety-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Harrison Welch, late of Company D, One hundred and fifty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Robert H. Calkins, late of Company E, One hundred and thirtieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Jane L. Hewitt, widow of Daniel C. Hewitt, late United States Navy, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Martha E. Timoney, widow of James D. Timoney, late of Company D, Fifteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of James N. Seip, late of Company M, Second Regiment Colorado Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Charles Apple, late of Company D, Sixty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Martha J. Morrow, widow of William W. Morrow, late of Company C, Thirty-third Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Isabella Kennedy, widow of Lewis N. Kennedy, late of Company B, Fifty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Mary J. Weddel, helpless child of William P. Weddel, late of Company A, Twelfth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Gideon J. Wire, late of Company A, Fourth Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Emma Bridgett, widow of Sylvanus Bridgett, late of Company D, Second Regiment Ohio Volunteer Heavy Artillery, and pay her a pension at the rate of $25 per month.

The name of Louesa T. Dillen, widow of Charles M. Dillen, late of Company A, Forty-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $35 per month.

The name of Verna Hanmore, helpless child of David Hanmore, late of Company G, Second Regiment New York Volunteer Mounted Rifles, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of William Lathrop, alias William Lapher, late of Company D, Fifty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James Reppeto, late of Company D, Second Regiment Ohio Volunteer Heavy Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George Hopper, late of Company K, Ninth Regiment New York Volunteer Infantry, and Company A, Twenty-first Regiment United States Colored Volunteer Troops, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Smith E. Hubbard, late of Company E, Twelfth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Rebecca J. Kohn, former widow of Obadiah Larimer, late of Company C, Sixty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Anna M. Ort, former widow of Peter Marcellus, late of Company D, One hundredth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of David M. Shepherd, late of Company K, Second Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Samuel B. Baker, late of Company I, Thirteenth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Henry W. Gray, late of Company H, Fifteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William Jones, helpless child of Uriah Jones, late of Company F, Fifty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Homer Hoover, helpless child of James Hoover, late of Company G, One hundred and seventy-third Regiment Ohio Volunteer Infantry, and pay him a pension of $20 per month in lieu of that he is now receiving.

The name of Asa Wren, late of Company I, Thirty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Grace M. Bacon, widow of Americus V. Bacon, late of Company B, Second Regiment Maine Volunteer Cavalry, and Company F, Eighth Maine Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Harriet S. Parker, widow of Charles Parker, late of Company G, Twenty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $35 per month.

The name of Sarah C. Wilson, widow of John Wilson, late of Company M, Third Regiment Pennsylvania Volunteer Heavy Artillery, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Walter J. Wall, late of Fourth Independent Company Ohio Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George Deland, late of Company I, One hundred and twenty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Louisa Jane Holmes, widow of Alfred D. Holmes, late of Company I, One hundred and twenty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Frances A. Boody, widow of Levi B. Boody, late of Company C, One hundred and fifteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Phoebe Williams, widow of Amos C. Williams, late of the United States ship Clara Dolson, United States Navy, and pay her a pension at the rate of $25 per month.

The name of Mary Ann Gettings, helpless child of Nelson Gettings, late of Company K, First Regiment Illinois Volunteer Light Artillery, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Lucinda J. Smith, helpless child of James T. Smith, late of Company A, Fortieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of William A. Harper, late of Company E, Ninety-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Haywood W. Weathington, late of Company C, Fourth Regiment Provisional Enrolled Missouri Militia, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Henry A. Pearce, late of Company G, Thirty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Nancy A. E. Shanklin, widow of John S. Shanklin, late of Company I, Ninety-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Sibba Miller, helpless child of Brice Miller, late of Company H, Third Regiment Missouri State Militia Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of James T. Best, late of Company E, Ninety-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John D. Lewis, late of Company I, Twenty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Catherine Varner, helpless child of Newton J. Varner, late of Company K, Eighteenth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of William P. Robbe, late of Company E, Forty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charles N. Bacon, late of Company C, Tenth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Silas W. Morris, late of Company B, Seventy-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Sarah E. McVay, widow of John H. McVay, late of Company F, Eighty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Hadley S. North, late of Company H, Seventy-second Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Anna E. Hudson, widow of Minor Hudson, late of Company F, Ninetieth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of John C. Sample, late of Company G, One hundred and sixty-eighth Regiment Pennsylvania Drafted Militia Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George W. Drummond, late of Company B, One hundred and seventeenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Albert Ullman, late of Company K, One hundred and fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Henry Piele, late of Company K, First Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Gideon C. Lewis, late of Company I, Eighteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Brittin Vanness, late of Company K, Forty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James C. Goldthorp, late of Company E, Thirty-fifth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Susan M. Drake, widow of Charles B. Drake, late of Company B, Ninety-fifth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

This bill is a substitute for the following House bills referred to said committee:

H. R. 576. Jane H. Larkin.
H. R. 707. Ione Stroud.
H. R. 756. Olive M. Kelly.
H. R. 819. Ezekiel P. Murdock.
H. R. 1256. Alice Swinford.
H. R. 1551. Lizzie S. Williams.
H. R. 1898. Mary E. Watson.
H. R. 1901. Daniel Kinnaman.
H. R. 1911. Amanda C. Deal.
H. R. 1915. Benjamin F. Kernodle.
H. R. 2477. Charles H. Slocum.
H. R. 2733. Margaret A. Guilliams.
H. R. 2755. James Hall.
H. R. 2780. Chauncey B. Knowlton.
H. R. 2784. John M. Davidson.
H. R. 2785. Thomas Culbertson.
H. R. 2791. Oliver N. Mowrer.
H. R. 2824. Elizabeth Walsh.
H. R. 3189. Margaret Mabery.
H. R. 3193. William R. Boren.
H. R. 3197. John Snell.
H. R. 3565. James E. Cline.
H. R. 3566. Eli E. Hann.
H. R. 3567. Ambrose S. Uselman.
H. R. 3568. Alfred Woodrum.
H. R. 3569. Zalman Ruddell.
H. R. 3573. William H. Brock.
H. R. 3801. Albert P. Jackson.
H. R. 3810. Charles W. Price.
H. R. 3811. James T. Bell.
H. R. 3836. Myron F. Stowe.
H. R. 4032. James A. Mahaffey.
H. R. 4052. John L. Wheeler.
H. R. 4135. George W. West.
H. R. 4324. Nancy Bastin.
H. R. 4327. Fred Hauk.
H. R. 4344. John H. Rusie.
H. R. 4347. William Noiman.
H. R. 4356. Israel Wilkie.
H. R. 4451. Barbara F. Hicks.
H. R. 4506. Elizabeth Jenkins.
H. R. 4520. John A. Neff.
H. R. 4526. James D. Reed.
H. R. 4530. Nelson Watkins, alias Nelson Garvin.
H. R. 4533. Simon F. Johnson.
H. R. 4555. Aaron W. Kelley.
H. R. 4556. Josiah Swails
H. R. 4557. Abner Elam.
H. R. 4969. Mary Ann Ellis.
H. R. 5207. Abner D Rutherford.
H. R. 5230. Cora Mitchell.
H. R. 5316. George W. Snider.
H. R. 5317. John Bonhome.
H. R. 5447. Abraham A. Randles.
H. R. 5449. Jacob Fishel.
H. R. 5456. George Dettmer.
H. R. 5487. Robert T. Jellison.
H. R. 5591. Katherine Hallbaugh.
H. R. 5594. Sarah J. Mackin.
H. R. 5659. Martha Gibson.
H. R. 5661. Harrison H. Riddle.
H. R. 5763. Mary T. Barnard.
H. R. 5770. Mary Sullivan.
H. R. 5774. Anna E. Middleton.
H. R. 5780. Andrew F. Welfley.
H. R. 5862. Noah Ruhl.
H. R. 5878. Levi L. Martz.
H. R. 5879. Earl W. Soper.
H. R. 5883. Hannah J. Hester.
H. R. 5884. John F. Thompson.
H. R. 6118. John C. Kauffman.
H. R. 6124. Myra E. Chapman.
H. R. 6126. Elizabeth A. Burke.
H. R. 6133. Angeline Latty.
H. R. 6178. Mary A. Strome.
H. R. 6204. Foster D. Brown.
H. R. 6212. Sarah A. Surface.
H. R. 6273. Fidelia A. Baker-Boyd.
H. R. 6283. Charles Ford.
H. R. 6302. David Rushlon, enrolled as David Rushton.
H. R. 6308. George Bowen.
H. R. 6316. Israel W. Gregg.
H. R. 6399. Elizabeth Shaffer.
H. R. 6458. Flora B. McCain.
H. R. 6465. Mary E. Cleveland.
H. R. 6593. Mary J. Cooper.
H. R. 6594. Sabina Wade.
H. R. 6611. Adam Goodlive.
H. R. 6612. Spencer S. Sanders.
H. R. 6613. Gilbert Geslin.
H. R. 6623. Harriet L. Cobb.
H. R. 6635. Andrew Siglinger.
H. R. 6636. Reuben Marks.
H. R. 6698. Meda E. Dodge.
H. R. 6700. Margaret Gress.
H. R. 6706. Charles H. Johnson.
H. R. 6821. Sarah L. Little.
H. R. 6845. Levi G. Saffer.
H. R. 6846. Andrew Wiend.
H. R. 6865. Rhoda A. Hunnewell.
H. R. 6878. Alonzo Spurgeon.
H. R. 6886. Acel Lyons.
H. R. 6917. Martha Benefiel.
H. R. 6918. Washington Akester.
H. R. 6921. Charles Waide.
H. R. 6931. Samuel T. H. Williams.
H. R. 7082. Martha Jane Griffin.
H. R. 7085. Peter Wagener.
H. R. 7139. Brigham Buswell.
H. R. 7188. Eliza Hoffman.
H. R. 7267. Belle Grisamore.
H. R. 7277. Adelia M. Whitcomb.
H. R. 7280. Osiah Attison.
H. R. 7281. Henry B. Pitner.
H. R. 7338. Newton S. Long.
H. R. 7369. Conrad Baker.
H. R. 7379. James S. Frizzell.
H. R. 7381. Mary Lyons.
H. R. 7392. Samuel Lowery.
H. R. 7397. Rosanna Miller.
H. R. 7459. Rorbet C. Canfield.
H. R. 7465. John Ball.
H. R. 7468. Julia M. Ferry.
H. R. 7529. Jackson Young.
H. R. 7530. Augustus Gilmore.
H. R. 7559. Edwin C. Albertson.
H. R. 7562. Henry Neeley.
H. R. 7574. Mary Holmes.
H. R. 7618. Lizzie A. Logsdon.
H. R. 7629. Samuel Michael.
H. R. 7664. Michael Fogarty.
H. R. 7669. Horace B. Scoville.
H. R. 7675. Elizabeth Voneky.
H. R. 7677. Daniel Robb.
H. R. 7680. Jesse Byerly.
H. R. 7685. Constantine P. Berry.
H. R. 7689. Lillian M. Evans.
H. R. 7696. Eva Shaw.
H. R. 7699. John Coombs.
H. R. 7715. Nathan Lang.
H. R. 7719. James C. Boyd.
H. R. 7720. Mary Boner.
H. R. 7721. John Cyrus Rinehart.
H. R. 7722. Samuel M. Skelton.
H. R. 7726. Harrison Welch.
H. R. 7735. Robert H. Calkins.
H. R. 7755. Jane L. Hewitt.
H. R. 7759. Martha E. Timoney.
H. R. 7762. James N. Seip.
H. R. 7763. Charles Apple.
H. R. 7765. Martha J. Morrow.
H. R. 7766. Isabella Kennedy.
H. R. 7770. Mary J. Weddel.
H. R. 7807. Gideon J. Wire.
H. R. 7808. Emma Bridgett.
H. R. 7809. Louesa T. Dillen.
H. R. 7811. Verna Hanmore.
H. R. 7819. William Lathrop, alias William Lapher.
H. R. 7821. James Reppeto.
H. R. 7825. George Hopper.
H. R. 7830. Smith E. Hubbard.
H. R. 7834. Rebecca J. Kohn.
H. R. 7835. Anna M. Ort.
H. R. 7846. David M. Shepherd.
H. R. 7850. Samuel B. Baker.
H. R. 7854. Henry W. Gray.
H. R. 7856. William Jones.
H. R. 7857. Homer Hoover.
H. R. 7870. Asa Wren.
H. R. 7890. Grace M. Bacon.
H. R. 7891. Harriet S. Parker.
H. R. 7895. Sarah C. Wilson.
H. R. 7946. Walter J. Wall.
H. R. 7950. George Deland
H. R. 7962. Louisa Jane Holmes.
H. R. 7963. Frances A. Boody.
H. R. 7966. Phoebe Williams.
H. R. 7968. Mary Ann Gettings.
H. R. 7969. Lucinda J. Smith.
H. R. 7985. William A. Harper.
H. R. 7987. Haywood W. Weathington.
H. R. 7993. Henry A. Pearce.
H. R. 8009. Nancy A. E. Shanklin.
H. R. 8013. Sibba Miller.
H. R. 8049. James T. Best.
H. R. 8052. John D. Lewis.
H. R. 8055. Catherine Varner.
H. R. 8102. William P. Robbe.
H. R. 8106. Charles N. Bacon.
H. R. 8110. Silas W. Morris.
H. R. 8146. Sarah E. McVay.
H. R. 8148. Hadley S. North.
H. R. 8149. Anna E. Hudson.
H. R. 8267. John C. Sample.
H. R. 8273. George W. Drummond.
H. R. 8312. Albert Ullman.
H. R. 8317. Henry Piele.
H. R. 8319. Gideon C. Lewis.
H. R. 8328. Brittin Vanness.
H. R. 8354. James C. Goldthorp.
H. R. 8453. Susan M. Drake.

During the reading of the bill the following amendments were severally offered, reported severally, and severally agreed to:

By Mr. FULLER of Illinois:

Page 18, line 7, strike out "$40" and insert "$50." (Being the pension of Acel Lyons.)

Page 19, line 17, insert the dollar mark before the figures "30." (Being the pension of Osiah Addison.)

Page 20, line 21, insert the dollar mark before the figures "50." (Being the pension of Henry B. Pitner.)

Page 21, line 1, insert the dollar mark before the figures "40." (Being the pension of Newton S. Long.)

Page 21, line 5, insert the dollar mark before the figures "50." (Being the pension of Conrad Baker.)

Page 33, line 11, strike out the word "Morris" and insert the word "Norris." (Being the pension of Silas W. Norris.)

By Mr. REED of New York:

Page 33, line 19, strike out the word "North" and insert the word "Horth." (Being the pension of Hadley Horth.)

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FULLER of Illinois, a motion to reconsider the vote by which the bill was passed was laid on the table.

MANN WHITE-SLAVE LAW.

Mr. SEARS. Mr. Speaker, I ask unanimous consent to address the House for three minutes.

The SPEAKER. The gentleman from Florida asks unanimous consent to address the House for three minutes. Is there objection?

There was no objection.

Mr. SEARS. Mr. Speaker, a few months ago the Federal grand jury for the southern district of Florida passed certain resolutions, a part of which is as follows:

Whereas during the session of the grand jury many cases of violation of the Mann white-slave law were considered; and

Whereas on the testimony produced before the grand jury it was apparent that the objects for which this law was passed are not being carried out, but that the said law is being used by unscrupulous men and women for blackmailing unsuspecting persons—

I shall not read all of the resolutions, but certain amendments are suggested. I understand the gentleman from Illinois [Mr. MANN] who introduced the bill known as the Mann White-Slave Act has repeatedly stated that he never intended the courts to place the construction upon the law that has been placed upon it. I also understand that it was not the intention of Congress to have the law so construed.

It has been repeatedly charged that blackmailers are constantly using this law for their own gain. I have mailed a copy of these resolutions to the chairman of the Committee on the Judiciary, and I earnestly request careful consideration of the resolutions by that committee, and trust that it will report out a bill to make such blackmailing schemes in the future impossible.

AMENDMENT TO THE FOOD LAW.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 8624, to amend an act entitled "An act to provide further for the national security and defense by encouraging the production and conserving the supply and controlling the distribution of food products and fuel," approved August 10, 1917.

The SPEAKER. The gentleman from Michigan asks unanimous consent for the present consideration of the bill H. R. 8624. Is there objection?

Mr. GRIFFIN. Mr. Speaker, I object.

The SPEAKER. The gentleman from New York objects.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a privileged report from the Committee on Rules, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 256.

Resolved, That immediately upon the adoption of this resolution the House shall resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 8624, being a bill to amend an act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917. There shall be two hours of general debate, one-half to be controlled by the gentleman from Iowa [Mr. HAUGEN] and one-half to be controlled by the gentleman from Georgia [Mr. LEE]. At the conclusion of general debate the bill shall be read for amendment under the five-minute rule, whereupon the bill shall be reported to the House with the amendments, if any, and the previous question shall be considered as ordered on the bill and all amendments to final passage without intervening motion, except one motion to recommit.

Mr. CAMPBELL of Kansas. Mr. Speaker, this rule makes in order the consideration of the bill amending the food act, as suggested by the President when he addressed the House a few days ago. I understand the bill is reported from the Committee on Agriculture by unanimous report of the committee. There is immediate necessity for its consideration. The rule is fair, and provides a method by which the bill may be considered and passed during this legislative day. Unless there are requests for time, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

The SPEAKER. Under the terms of the resolution the House will resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill.

Mr. GRIFFIN. Mr. Speaker, I ask that the resolution be reported.

The SPEAKER. The resolution has been once reported and it has been adopted.

Mr. GRIFFIN. I did not understand that the resolution had been read.

The SPEAKER. The gentleman is mistaken. The resolution was read.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 8624, with Mr. TEMPLE in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 8624) to amend an act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

Mr. GRIFFIN. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

The Clerk read as follows:

Be it enacted, etc., That the first paragraph of the act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917, be, and the same is hereby, amended so as to read as follows:

"That by reason of the existence of a state of war, it is essential to the national security and defense, for the successful prosecution of the war and for the support and maintenance of the Army and Navy, to assure an adequate supply and equitable distribution, and to facilitate the movement of foods, feeds, wearing apparel, containers primarily designed or intended for containing foods, feeds, or fertilizers, fuel, including fuel oil and natural gas, and fertilizer and fertilizer ingredients, tools, utensils, implements, machinery, and equipment required for the actual production of foods, feeds, and fuel, hereafter in this act called necessaries; to prevent, locally or generally, scarcity, monopolization, hoarding, injurious speculation, manipulation, and private controls affecting such supply, distribution, and movement; and to establish and maintain governmental control of such necessaries during the war. For such purposes the instrumentalities, means, methods, powers, authorities, duties, obligations, and prohibitions hereinafter set forth are created, established, conferred, and prescribed. The President is authorized to make such regulations and to issue such orders as are essential effectively to carry out the provisions of this act."

SEC. 2. That section 4 of the act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917, be, and the same is hereby, amended so as to read as follows:

"That it is hereby made unlawful for any person willfully to destroy any necessaries for the purpose of enhancing the price or restricting the supply thereof; knowingly to commit waste or willfully to permit preventable deterioration of any necessaries in or in connection with their production, manufacture, or distribution; to hoard, as defined in section 6 of this act, any necessaries; to monopolize or attempt to monopolize, either locally or generally, any necessaries; to engage in any discriminatory and unfair, or any deceptive or wasteful practice or device, or to make any unjust or unreasonable rate or charge in handling or dealing in or with any necessaries; to conspire, combine, agree, or arrange with any other person, (a) to limit the facilities for transporting, producing, harvesting, manufacturing, supplying, storing, or dealing in any necessaries; (b) to restrict the supply of any necessaries; (c) to restrict distribution of any necessaries; (d) to prevent, limit, or lessen the manufacture or production of any necessaries in order to enhance the price thereof; or (e) to exact excessive prices for any necessaries, or to aid or abet the doing of any act made unlawful by this section. Any person violating any of the provisions of this section upon conviction thereof shall be fined not exceeding $5,000 or be imprisoned for not more than two years, or both: *Provided*, That this section shall not apply to any farmer, gardener, horticulturist, vineyardist, planter, ranchman, dairyman, stockman, or other agriculturist, with respect to the farm products produced or raised upon land owned, leased, or cultivated by him: *And provided further*, That nothing in this act shall be construed to forbid or make unlawful collective bargaining by any cooperative association or other association of farmers, dairymen, gardeners, or other producers of farm products with respect to the farm products produced or raised by its members upon land owned, leased, or cultivated by them."

SEC. 3. That sections 8 and 9 of the act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917, be, and the same are hereby, repealed: *Provided*, That any offense committed in violation of said sections 8 and 9, prior to the passage of this act, may be prosecuted and the penalties prescribed therein enforced in the same manner and with the same effect as if this act had not been passed.

Mr. HAUGEN Mr. Chairman, I yield 15 minutes to the gentleman from Illinois [Mr. RODENBERG]. [Applause.]

Mr. RODENBERG. Mr. Chairman and gentlemen, I shall vote for this bill as reported by the Committee on Agriculture, but in doing so I want to say most emphatically that I do not regard this legislation as necessary to enable our inactive and incompetent Department of Justice to do that which they have so flagrantly and persistently refused to do during the last six years [applause on the Republican side], and that is to make an honest effort to break up food profiteering in this country. I heard the address of the President delivered in this Chamber two weeks ago to-day, and in my judgment that address was in effect a plea of confession and avoidance. With far less skill and adroitness in the use of language than he usually employs, the President made a feeble effort to establish some sort of connection between the present high cost of living and a league of nations. Painfully, and it struck me rather laboriously, he tried to create the impression in the public mind that the American people could not expect any relief of a permanent nature from the present excessive prices on necessaries until the treaty of peace, embodying his Utopian conception of a league of nations, was ratified by the Senate. You know the President once said he had a single-track mind. The public was convinced long since that that admission is well founded. [Laughter and applause on the Republican side.] He has given us abundant evidence of the fact that he is incapable of seeing more than one thing at a time.

Mr. OVERSTREET. I would like to ask the gentleman a question.

Mr. RODENBERG. I have got so many things; I am just beginning; I will give you something to worry about after a while.

Mr. OVERSTREET. Just one question.

Mr. RODENBERG. Very well.

Mr. OVERSTREET. I want to ask this question: The gentleman is a splendid speaker and he always makes a nice, pleasing address; but I would like to ask him why it is that he and all the Republicans, whenever they make a speech, attack the President? Why do you do that continually?

Mr. RODENBERG. Because there are times when he is deserving of attack. [Applause on the Republican side.]

Mr. OVERSTREET. You always make him the subject of attack.

Mr. RODENBERG. For the past nine months the President's mind has been completely absorbed by this idea of a league of nations. He thinks of it all day and dreams of it all night. In fact, in my judgment, it has become a sort of obsession with him. If there were a famine in China, a drought in India, a flood in the Mississippi Valley, an earthquake in Porto Rico, a volcanic eruption in Central America, or an epidemic of spinal meningitis in New York City, the President, by a process of reasoning that satisfies himself, at least, convinces himself that the sole contributing cause is the failure to adopt the league of nations. [Applause on the Republican side.]

Why, my friends, you remember—I wonder whether the President remembers—this question of the high cost of living was an issue in this country long before any notion of a league of nations ever found a lodging place in the imagination of any dreamer or idealist of this country. If the President has forgotten that, I think I owe it to him, as the duty of an American citizen, to refresh his memory. I have here a little volume labeled "Democratic Campaign Textbook" for 1912, and I wish to read one plank from the platform adopted at Baltimore by the Democratic Party in 1912:

The high cost of living is a serious problem in every American home. The Republican Party, in its platform, attempts to escape from responsibility for present conditions by denying that they are due to a protective tariff. We take issue with them on this subject and charge that excessive prices resulted in a large measure from the high-tariff laws enacted and maintained by the Republican Party and from trusts and commercial conspiracies fostered and encouraged by such laws, and we assert that no substantial relief can be secured for the people until import duties on the necessaries of life are materially reduced and these criminal conspiracies broken up.

I want to read also an extract from the speech of Woodrow Wilson accepting the Democratic nomination for the Presidency in 1912:

"HIGH COST OF LIVING" MADE TO ORDER.

We begin to perceive some things about the movement of prices that concern us very deeply and fix our attention upon the tariff schedules with a more definite determination than ever to get to the bottom of this matter. We have been looking into it, at trials held under the Sherman Act and in investigations in the committee rooms of Congress, where men who wanted to know the real facts have been busy with inquiry, and we begin to see very clearly what at least some of the methods are by which prices are fixed. We know that they are not fixed by the competitions of the market or by the ancient law of supply and demand which is to be found stated in all the primers of economics, but by private arrangements among the producers themselves. Those who buy are not even represented by counsel. The high cost of living is arranged by private understanding.

Mark you, in 1912 Mr. Wilson said that the high cost of living was due to "private understanding."

Now, in 1919 he tells you that it is due primarily to the fact that the Senate has not ratified something which was not even dreamed of in 1912. [Applause on the Republican side.] A single-track mind is a most wonderful institution. It makes a man very often say and do some very queer and inconsistent things. [Laughter.]

Oh, we remember the campaign of 1912. [Applause and laughter on the Democratic side.] We remember, because you gained that election through absolute misrepresentation, and you have since failed to keep your faith with the people. [Applause on the Republican side.] I remember the campaign of 1912, when our Democratic friends insisted that the paramount issue was the high cost of living. I recall how some Democratic spellbinders, some of them here in this audience now, traveled from the rock-bound coast of the Atlantic to the peaceful shores of the Pacific, and with tears of sympathy coursing down their brazen cheeks told the honest workingmen of this country, the horny-handed sons of toil, that if they elected Wilson President and got control of Congress they would reduce the tariff and bring about a reduction in the high cost of living. They said that they would once again put steaks and chops and wearing apparel, including socks and B. V. D.'s, in the reach of the workingmen. They elected Wilson; they got control of Congress; they reduced the tariffs; and up, up, steadily up, went the cost of living.

But here is a remarkable thing: From the day the Democrats got control of Congress a strange and mysterious silence has enveloped that side of the Chamber so far as the paramount issue of 1912 is concerned. We have not heard a single chirp or a murmur. Every Democrat has maintained a dignified silence and exercised a most masterly inactivity. [Applause on the Republican side.] And during all those six years there has not been a single, solitary attempt made by your Democratic Department of Justice to bring a single, solitary food profiteer to the bar of justice. [Applause on the Republican side.]

Oh, yesterday my distinguished friend, the minority leader of the House, for whom I entertain the most affectionate regard, expressed his deep lament that Congress had not yet done anything to take the people out of the clutches of the food profiteer. My good friend was Speaker of this House for eight years; for eight years he held the Democratic majority in the hollow of his hand; for eight years he exercised a potential influence in shaping the legislation of his party; and if congressional action is necessary now, as he mentioned yesterday, then why in Heaven's name, with his great ability, did he not start something along that line? [Applause on the Republican side.] I ask:

Where, oh, where, was Roderick then?
One blast upon his bugle horn were worth a thousand men.

[Applause.]

Oh, it will not do for any of our Democratic friends to resort to the plea that we have not sufficient law on the statute books to proceed and go after these profiteers. You know that you have. The Sherman antitrust law, which sprang from the brain of a Republican Senator, which was passed by a Republican Congress, and signed by a Republican President, is still upon the statute books. The very purpose of that law was to get after these combinations in restraint of trade, these criminal conspiracies that you speak of in your platform, these private understandings mentioned by Wilson, these combinations that are to-day robbing you and me and making it impossible for the workingmen of this country to live as American citizens have the right to live. [Applause on the Republican side.]

Mr. WELTY. Will the gentleman yield?

Mr. RODENBERG. No; I will not.

From the time that Mr. Wilson took the oath of office, from the day he took oath to enforce the laws of this country and to support the Constitution, there has not been a single effort made to apply the Sherman antitrust law to any of the scoundrels who are robbing you and me. [Applause on the Republican side.] You can not point to a single instance. It has been a dead letter. It has fallen into innocuous desuetude. Nothing has been done; nothing will be done. But now my distinguished and good friend from Missouri [Mr. CLARK] expresses some solicitude about the political complexion of the next Congress. I will tell him that he need not worry about the Republican side of the House, because when the sins of omission and of commission of the Democratic Party are brought home to the people next year, as they will be, there will not be enough Democrats elected to constitute pallbearers to carry the corpse of the Democratic Party to its last resting place. [Applause on the Republican side.]

Oh, my friends, I now appeal to our President to wake up and to get his mind back on the track of domestic duty. I ask him to transfer his thoughts from Europe and her intrigues to America and her necessities. [Applause on the Republican side.] I ask him to quit dreaming about a spiritual brotherhood and to devote his time to our own home problems, for the solution of which he was elected President of the United States. [Applause on the Republican side.] Oh, I beseech him; yes, I implore him, to forget for a while all about the provisions of article 10 and to instruct his Attorney General to take the necessary steps that will bring about a reduction in at least 10 articles of provisions that enter into the consumption of the household.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. RODENBERG. I would like about three minutes more.

Mr. HAUGEN. I yield three minutes to the gentleman.

Mr. RODENBERG. I know, of course, that the President has been away a long, long time. I know that he has lived for the last nine months in a palace in Paris, surrounded by every comfort and every luxury. I know he has not come in contact with the high cost of living as you and I have. But I want to say to him in all good faith that now where there is one man in a thousand who cares a rap about the league of nations there are nine hundred and ninety-nine who are vitally and distressingly concerned about the high cost of living. [Applause on the Republican side.] It is a question that is ever present; it has invaded every home and it haunts every fireside in this broad land of ours. It is a question that must be solved, and solved promptly, and the solution of that question lies not with Congress. It lies with the Department of Justice and with the Chief Executive of the United States, whose name is Woodrow Wilson. [Loud applause on the Republican side.]

Mr. LEE of Georgia. I yield 20 minutes to the gentleman from Texas [Mr. YOUNG].

Mr. YOUNG of Texas. Mr. Chairman and gentlemen of the committee, if there is one question which is uppermost in the mind of every citizen among the 110,000,000 of people in America it is this problem of how to meet the cost of living.

The gentleman who has just preceded me [Mr. RODENBERG] said that it was strange that the President of this Nation has only just now discovered that the cost of living is an acute subject. I want to say to the gentleman from Illinois and to his party on the Republican side of the House, who are now in control, that while you have been in power you have never done anything on the floor of this Congress to bring about relief, and you made no move until the President of the Nation came before you and called it to your attention. It took the burning message of the President to sear into your brain the all-absorbing question of the high cost of living and your duty in respect thereto—your party that has in this Congress shown itself lacking in vision to grasp the constructive problems that confront this Nation by reason of a World War; and your party, further showing its incapacity to handle these reconstruction problems, was in the act of adjourning for some weeks' recess when the burning message of the President brought you to your senses and forced you to abandon your recess and deal with the cost-of-living problem. [Applause on the Democratic side.]

Ah, when these things are pointed out you have not yet shown your capacity to remedy the evil, but all of you have done what the gentleman from Illinois did this morning; you have gotten up on the floor of this House and denounced the President of the United States of America, the leading citizen of the world to-day. [Applause on the Democratic side.] The people of this Nation want to know what you are doing to grant relief. That is the answer to your assault.

There is something in the proposition made by the President that as long as another body fails to give us peace when it has the power to give us peace the conditions in the world in a business way will remain unsettled. And let me say in passing that notwithstanding all your criticism of the league of na-

tions, your party is going to vote for every syllable of it. Mark my prediction. [Applause on the Democratic side.]

As long as the conditions are unsettled business is going to be deranged. Nobody knows what to do. No business man knows what steps to take. No farmer knows how to engage his attention as to what his products shall be next year in the unsettled condition of the world. Give us peace, and it will be a long step in returning us to the normal affairs of this country, and the responsibility is with your party to give us this peace. Make the most of it.

Now, the Committee on Agriculture has had under consideration for several days the suggestion made by the President as to amending the food-control law. We have had witnesses before us day after day, and we have tried to go as far as we could in the solution of the problems that confront us, and we have reported a bill here, and the country should know that when that bill comes before the House the first utterance made in reference to the legislation is not an utterance made by a member of the committee in advocacy of this bill, but it is an utterance, a political utterance, made by the gentleman from Illinois [Mr. RODENBERG], who is not a member of the committee and who does not refer to this bill and to the relief that we hope it may grant, and in all probability he has not read the bill. [Applause on the Democratic side.]

It is politics you are after. You are not giving your people relief at home, and they will get no comfort out of the speech made by the gentleman from Illinois as to how the cost of living is going to be reduced.

Now, then, what are some of the troubles? My friends, we have been in war nearly five years. Millions of men have been taken out of the productive avocations. Millions of them have paid the penalty of war and lie beneath the sod. Production has in a large measure been stopped. The nations of the world face starvation, and the only hope that saves European nations from starvation is the American farmer, God bless him—the hope that the American farmer will not fail them. [Applause on the Democratic side.]

He has raised a surplus. This Nation has a surplus. This Nation is called upon to feed not only itself, but to feed the world. The farmer lost much of his productive capacity because his boy went to the other side and fought, bled, and died, but the farmer nevertheless rose early in the morning and stayed at work later at night, and notwithstanding the fact that he had lost his son's labor he produced in abundance.

The question of an embargo has been suggested inferentially by another distinguished gentleman on the Republican side of the House, the gentleman from Iowa [Mr. GOOD]. He suggested the proposition of an embargo as one of the remedies in the present situation. Ah, my friends, put an embargo into effect in this Nation against the shipment abroad of food supplies and manufactured articles and against all the things that this great productive Nation produces, and you will bring anarchy and destruction to this beloved country of ours. It will be confusion worse confounded. Labor will be thrown out of employment. Factories will close down. Farming operations will cease to function. Squalor and poverty will reign supreme. Embargo means death as by a surgeon's knife, and yet this is the remedy suggested for the present situation by so eminent a leader on the Republican side of the House, Mr. GOOD of Iowa. Deliver us from such constructive leadership!

Mr. RICKETTS. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Texas. I will not have time to yield until I get through my main statement.

We considered that question before the Committee on Agriculture, and there was no sentiment for putting an embargo provision into this bill. It is a far-reaching proposition. Then what must you have? You have got to encourage production. That is what you have to do; more production on the farm, more production in the factory, more production in the mills, more production from the mines. Production and more production is the watchword. If you place on the statute books something that will hinder production instead of encouraging it, you will simply add more distress to the disturbed conditions that now confront this country.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Texas. Not until I get through my statement in chief.

The CHAIRMAN. The gentleman declines to yield.

Mr. YOUNG of Texas. Now in this bill we make two simple amendments to the food act; one as to the articles covered in the first section of that act, where we add the words "wearing apparel and containers." That is recommended by the President and the Attorney General.

Ah, the gentleman from Illinois [Mr. RODENBERG] again, in criticizing the President, says he has not suggested the proper remedy. If the President did not give you the right remedy why have you not got the constructive ability to bring in the proper remedy and write it into the law? You Republicans are in control of the legislative branch of the Government, and the responsibility is now yours.

Mr. BROOKS of Pennsylvania. I want to ask, Mr. Chairman, why you waited six years?

Mr. YOUNG of Texas. Yet you suggest nothing of your own. You follow line by line the recommendations made by the President and the Attorney General. Ah, but you answer back, "You have the Sherman antitrust law." Yes; and since the decision of the Supreme Court in the oil case and in the Tobacco Trust case, reading into that law "the rule of reason," that law, as every lawyer knows, and must know, has not been an effective agency or remedy to meet the situation that confronts us.

Mr. KNUTSON. Why did you not make it effective?

Mr. YOUNG of Texas. Why have you not done it? You are in power. You have been in control for several months, and you have not suggested a constructive policy for anything, and all you know how to do is to flyspeck. [Applause on the Democratic side.]

Mr. KNUTSON. You had eight years. [Applause on the Republican side.]

Mr. CLARK of Missouri. Mr. Chairman, I object to gentlemen sitting in their seats interjecting remarks into the speech of anybody. It is an exceedingly bad habit, and the gentleman from Minnesota [Mr. KNUTSON] is eternally at it. He does not know what he is talking about.

The CHAIRMAN. It is contrary to the rules of the House and should be avoided.

Mr. YOUNG of Texas. Under the war-time powers given in this food-control act there was a very drastic regulation that applied to practically everything under the sun; but the power given in that bill was exercised through the Food Administration, a piece of machinery that the bill authorized to be set up. It cost us $1,000,000 a month to keep that machinery in operation with the great force that it had. They used the licensing system in order to give control and hold down prices and make regulations. When the war ceased a demand came up from every section of the country that this piece of machinery go out of existence, and it did go out of existence last February, stopping the expenditure of a million dollars a month for these employees. Under that system if a merchant was selling at too high a rate, the fair-price committee would say to him, "You must stop that practice or your license will be taken from you." They reached the retailer by the method of licensing that they issued to the wholesaler. But that is gone. There is now no way of enforcing the law. You can not call back that great organization. Not a man on that side of the House and not a man on this side of the House wants to call it back into existence with that great expense account again. So, then, while you have these drastic powers you have no method of enforcement. So what was the practical suggestion, not made by the constructive statesmen on the Republican side of the House, but made by the President through his Attorney General and accepted by [illegible] side of the House as being a sane and righteous conclusion to be reached? It was to add a penalty, so that the Attorney General might have a penalty with which to reach the profiteers, and your Committee on Agriculture, Democrats and Republicans alike, reported the bill back with that penalty added.

Now, we did another thing to reach these profiteers. I want to say that publicity amounts to a whole lot in this entire situation. These voluntary fair-price committees are being set up in every county in the Nation. They look after high prices in their respective communities. They have no way to enforce their suggestions, but they simply get the information, and it becomes a matter of publicity in their respective communities, and very few men in those communities, if they are profiteering, would dare go up against the publicity that will be given if they persist in this profiteering process. If they do, this information is furnished to the Department of Justice, and it is then for the Attorney General to proceed against these profiteers after these facts have been given him. We provide the penalty in this bill, so that the Attorney General may proceed in an orderly way. I dare say there will be but few cases where there must be prosecution.

Now, my friends, there is another provision in this bill which will probably cause some debate. We exempted farmers and farm organizations from the provisions of this act for a very sound reason. This legislation is war legislation. It dies when the proclamation of peace is made. What we are attempting to do by this legislation is to make an effort, at least, to reach the high cost of living, in order that there may be a lowering

of the scale. But you will not reach that result if you write anything into this law that will discourage production, and the farmers are the producers. They have their cooperative associations and ought to have. I would to God they had more of them. The farmer never in his life named the price of any product that he sold, never. His eggs go to market, but he does not have anything to say as to the price of them. His hogs go to market, but he does not have anything to say as to the price of them. His cattle go to market, but he does not have anything to say as to the price of them. His cotton goes to the market, and while the farmer produced it in the sweat of his face, it is not for him to name the price.

Mr. EMERSON. Will the gentleman yield?

Mr. YOUNG of Texas. No; I do not think the gentleman will add anything intelligent to the discussion. The farmer has nothing to say about the price of any of his products. His marketing system is a false one. The distribution system for the farmer's products is rotten to the core. Here lies a productive field for constructive statesmanship. How about the manufacturer? Ah, he has a system of machinery by which he knows the business of the country and knows his customers. He can control his production, can make his market, and meet the situation. How about the manufacturer who makes the farming utensils and implements? They are rich corporations controlled by shrewd business men. They know the condition of the country and their customers and they can organize and control their own business. They can limit or expand production as conditions warrant, and thus control the price of their output. How about the packers? They are the shrewdest bunch of men unhung. They know their business. They know the situation in the entire country. They have the machinery to give it effect, and they know how to organize and meet conditions. They have a complete monopoly by which they name the price of the farmer's product and the price the consumer must pay. The farmer has no such machinery. Take the case of labor. Labor has had the foresight to organize and to inaugurate a collective bargaining system; if the farmer, in order to better his own condition, has the ability to organize and cooperate in an association, then if you subject him to prosecution and drive these organizations out of existence you stop production, and that is a thing we do not want to do. [Applause.]

That is the thing we must not do. Industrial centers have bid for farm labor, and by the thousands this labor has gone to industrial centers to obtain a higher wage scale. They are now consumers. Year by year this process continues. The farms are being abandoned. Remedy it by making farm life more attractive, more remunerative. Give him a better system of distribution. Make him more satisfied with his lot. The farmer does not strike. He has met every demand made of him in peace or war. The record made by the American farmer during the awful World War just ended will ever be a glory of our Republic. Do not hinder, but help by your legislation as it relates to the American farmer.

The CHAIRMAN. The time of the gentleman has expired.

By unanimous consent, Mr. YOUNG of Texas was given leave to revise and extend his remarks in the RECORD.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. FESS having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed without amendment the bill (H. R. 8076) authorizing the county of Montgomery, Tenn., to construct a bridge across the Cumberland River within 7 miles of Clarksville, Tenn.

The message also announced that the Senate had passed without amendment the bill (H. R. 8117) for the construction of a bridge across the Susquehanna River at or near Falls, Wyoming County, Pa.

The message also announced that the Vice President had appointed Mr. WALSH of Montana and Mr. FRANCE members of the joint select committee on the part of the Senate as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Treasury Department.

AMENDMENT TO THE FOOD LAW.

The committee resumed its session.

Mr. HAUGEN. I yield 10 minutes to the gentleman from Indiana [Mr. WOOD].

Mr. WOOD of Indiana. Mr. Chairman and gentlemen of the committee, the gentleman who just preceded me [Mr. YOUNG of Texas] said that in the discussion of this question upon our side nothing has been said with reference to this bill or with reference to the necessity for this measure, but that we content ourselves by trying to make politics out of it. If politics has been injected into this very serious question, the Republicans were not the first to do that in this Hall. The first gentleman to inject politics into this question of the high cost of living was the President of the United States when he delivered his speech here two weeks ago to-day, and I dare say that it was impressed on everyone who heard him at that time that what he said with reference to the high cost of living being attributable to the failure to ratify the peace treaty made at Paris was very far-fetched and that the cause assigned had nothing to do with the high cost of living. Had he gone further and said that it was because of his own intermeddling with the affairs of continental Europe, producing the distressed condition that is there existing, he would have come nearer to stating the truth than he did when he attributed the high cost of living to the failure to ratify the peace treaty.

I wish to call your attention to the opinion of one of the ablest editorial writers in the United States upon this proposition:

WILSON'S PRIVATE WARS KEEP FOOD SCARCE AND MEN STARVING.

As had been predicted, President Wilson has deliberately attempted to play politics with the food prices. In his message to the Congress on food profiteering he tells the country that the first necessity in the reduction of the high cost of living is to pass the peace treaty and the proposed league of nations.

Now, we do not like to say anything reflecting upon the good faith of the President of the United States. But when an intelligent man makes an important statement on an important matter which he knows is not true we can not, in pointing out the false representations in the statement, avoid the implication that the statement is made in bad faith.

If the present distressing situation in Europe is at all responsible for the high cost of living in America, then the President himself shares the responsibility for this high cost of living. Russia and Hungary and Roumania possess the great grain fields of Europe, and President Wilson, in violation of his most solemn promise not to interfere with the right of self-determination of the Russian people, is aiding and abetting in the continuance of the blockade of Russia, by which Russians are prevented from getting railroad supplies and other machine products with which the Russian people can produce grain which will aid to feed the world.

With the consent of President Wilson, Hungary is being blockaded and overrun by Roumanian and other reactionary forces under control of the only remaining landed aristocracy in eastern Europe. Her wheat fields are being devastated and her agricultural enterprises paralyzed, as in Russia.

This brutal war against the people of Hungary, and in support of an autocracy which the people of Hungary have sought to depose, is in violation of the right of self-determination solemnly pledged by President Wilson.

Both wars are being waged because President Wilson, Clemenceau, and Lloyd-George do not like the kind of democratic government that the people of Hungary and Russia have established.

So, these three arbitrary dictators starve all the plain people they can, while at the same time they recognize the brutal murderers, Mannerheim and Kolchak, who have destroyed democracy and plain democratic people werever they have found them. Furthermore, Assistant Secretary of State Polk has just announced that the United States Government proposes to aid, with supplies, Kolchak, the czarist reactionary, fighting the Russian people with the object of restoring the old Russian despotism.

If there is any condition in Europe which is responsible for the high cost of living it is the unofficial private war which these dictators of England, France, and America, in violation of every known principle of humanity, of international law, and of every one of their own personal professions and promises, are waging against Russia and Hungary.

Let President Wilson stop playing politics and attend to the high cost of living. The American people can not be stampeded into ratification of his dangerous, despotic, un-American league of nations by the pretense that the conditions in Europe will be cured by any such death knell to democracy.

That is from the Chicago Herald-Examiner. Here is an amazing proposition. The law conferring upon the President the right to prohibit hoarding and profiteering was given to him away back in the early part of August, 1917. This Congress anticipating that such a condition might arise, where men taking advantage of the war would seek to hoard, would seek to profiteer, would seek, if you please, to take every advantage peculiar to the situation, passed the act of August 10, 1917, which gave the President all of the rights that are included in the proposed bill, with the exception of very slight enlargements. What did the President do? What did the administration do when the prices were going higher and higher, when there was evidence of hoarding upon every hand, and when the Government of the United States became the chief hoarder? What was done by the President of the United States under this law? Absolutely nothing. Personally he was not here to do anything, and when appeals were made to his subordinates left in charge of the various departments the reply would come that we would have to wait until the Chief got back. That was not only so of the State Department, but it was so of the War Department and the War Trade Bureau, and I know that gentlemen on this side who were interested in seeing that the embargo that was then existing, and which in a measure yet exists, with reference to the transportation of cotton, should be lifted, when

for the purpose of getting relief they appealed to the authorities, were told that they would have to wait until the Chief got back from the other side. Merchants had been encouraged to establish new business relations across the seas, but were estopped from shipping their goods there by reason of the censorship, not of an officer of the United States, but by reason of the censorship of an officer of the Government of England being placed in the customhouses of the United States who determined what goods should and what goods should not be shipped out of this country, and when relief was asked from that condition they were told that they would have to wait until the Chief got back from across the seas. That was the situation.

Not until the 29th day of July, 1919, on which day a resolution offered by the special committee to investigate the expenditures in the War Department was passed, was this administration awakened to the fact that ample laws were upon the statute books that would do all the things that are contemplated in the measure presented for consideration to-day.

Under the resolution just referred to demand was made upon the administration to release from the control of the War Department more than $100,000,000 worth of provisions that were being hoarded by the Government itself. During the course of that debate, and by reason of the hearings of the committee upon which this resolution was based, it became perfectly patent that hoarding was going on throughout the country and that that hoarding was being done by the very sanction and connivance of the administration.

Public sentiment was so aroused by the facts thus made public that the Department of Justice then commenced for the first time to enforce the provisions of the act of August 10, 1917, since which time numerous suits have been instituted throughout the country to stop profiteering. Some convictions have already been had, millions and millions of dollars of property hoarded has been thrown upon the market and is tending, in some small degree, to reduce the high cost of living.

Had these same drastic measures been pursued from the time of the passage of the act of August 10, 1917, with the same vigor that seems now to be prompting the Department of Justice, I dare say that we would not find ourselves in the present distressed condition that we are in with reference to the high cost of living.

Under this act of August 10, 1917, the President was authorized to make such regulations and to issue such orders as might be necessary to effectively secure the following objects specified in the act, to wit:

> To secure an adequate supply and equitable distribution and to facilitate the movement of food, feeds, fuel, etc., including tools, utensils, implements, machinery, and equipment required for the actual production of foods, feeds, and fuel referred to in the act as necessaries; to prevent, locally or generally, scarcity, monopolization, hoarding, or injurious speculations, manipulations, and private controls affecting such supply, distribution, and movement; and to so establish and maintain governmental control of all such necessaries during the war.

This act also provided as follows:

> That the President is authorized, from time to time, to purchase, to store, to provide storage facilities for, and to sell for cash at reasonable prices wheat, flour, meal, beans, potatoes—

And so forth. It was made unlawful—

> For any person to hoard, as defined in section 6 of this act, any necessaries, or to make any unjust or unreasonable rate of charge in handling or dealing in or with any necessaries, to conspire, combine, agree, or arrange with any other person to restrict the supply of any necessaries, or to restrict distribution of any necessaries, or to exact excessive prices for any necessaries.

What greater power should the President want then, or now, to do the things which has been his duty all this time to be doing?

In addition, however, to the above act of August 10, 1917, this Congress passed an act on July 9, 1918, making provision for the support of the Army for the year ending June 30, 1919, which contained the following provision:

> That the President be, and he is hereby, authorized, through the head of any executive department, to sell upon such terms as the head of such department shall deem expedient, to any person, partnership, association, or corporation, or other department of the Government * * * any war supplies, material, and equipment, and any by-product thereof.

Instead of enforcing these laws and preventing the very things that are now menacing every section of our country, what was done by this administration through its various administration activities?

We find that the Secretary of War made an arrangement with the canners of vegetables whereby the supply of canned goods purchased by the War Department should be held and not disposed of to the public in the United States until this year's pack of canned vegetables could be canned, and I dare say that that arrangement would have been continued down to this goodly hour had it not been for the work of the committee on war expenditures, to which I have referred.

However, this is not all. The Food Administrator, with the sanction of the President of the United States, entered into an agreement with the packers of meats and meat products in the United States, whereby the supply of meats and fats in the hands of the War Department should be disposed of only so as to provide a steady flow and not to affect injuriously the market price on such commodities. In consequence of this agreement millions of pounds of meat were not only kept away from the people of the United States, hoarded by the Government through an unholy agreement with the packers, but these meats have been forever lost, for it has been discovered that carload after carload has spoiled, has been burned or buried by the Government, and in some cases they sought to keep this fact away from the public and away from this Congress.

Thus it is readily seen that by the action of this Government, in violation of the law that I have referred to and by reason of the compact that the Government entered into with the canning packers and with the meat packers, the supply of these very necessary products is greatly limited, and this, to my mind, is one of the chief reasons why the price of these necessities has soared so high.

In addition to all this the Congress voted $100,000,000 to relieve the hunger in continental Europe. That $100,000,000 is supposed to have been invested and no doubt was invested in food products of the United States and transported to Europe, and at the very time that this was done, millions of dollars' worth of Army provisions were in Europe that could have been utilized for this very purpose. But this was not done.

Is it any wonder that we have a food shortage in this country? Is it any wonder that the prices have been going higher and higher all the time when the Government has been the principal party in producing the conditions now confronting us?

The President, in his address to the Congress on the 8th day of this month, in discussing the high cost of living, used the following language:

> May I not call attention to the fact, also, that although the present act—food-control act—prohibits profiteering, the prohibition is accompanied by no penalty. It is clearly in the public interest that the penalty should be provided which will be persuasive.

In making this statement the President demonstrated his great anxiety to excuse himself for not having enforced the pure-food act, and of his great desire to pass the buck to the Congress. Again playing, if you please—as was stated in the Chicago Herald articles—politics and nothing but politics. The pure-food act to which the President referred is teeming with penalties, ample to cover every infraction of the act, and furnishing fit punishment for every violator of the same.

The penalties in the food-control act are:

Section 3 of the act provides a maximum *penalty* of a $10,000 fine or five years' imprisonment, or both, for anyone connected with the Government selling to the Government.

Section 5 provides for the license of manufacturers and storage houses, and provides a maximum *penalty* of a $5,000 fine, or two years' imprisonment, or both, for anyone who refuses to discontinue any unjust, unreasonable, discriminatory, and unfair storage charge, commission, profit, or practice, in accordance with the license regulation.

Section 6 provides a maximum *penalty* of a $5,000 fine, or two years' imprisonment, or both, for any person who willfully hoards any necessities, and defines the term "hoarding."

Section 7 provides procedure by the district attorneys to *prosecute* and institute libel proceedings against any such hoarders.

Section 8 provides a maximum *penalty* of a $5,000 fine, or imprisonment for two years, or both, for any person who destroys necessaries to enhance the price or restrict the supply thereof.

Section 9 provides a maximum *penalty* of a $10,000 fine, or imprisonment for two years, or both, for any person who conspires, combines, or agrees to limit facilities of transportation, production, manufacturing, supplying, or dealing in any necessities; or restricts the supply of any necessities; or prevents, or limits, or lessens the manufacture or production of necessities.

Section 13 provides a maximum *penalty* of a $10,000 fine, or imprisonment for four years, or both, for those violating any of the President's regulations about boards of trade, exchange, and so forth.

Section 15 provides a maximum *punishment* of a $5,000 fine, or imprisonment for two years, or both, for anyone violating any of the provisions in regard to the use of grain in the production of liquors and beverages.

Section 17 provides a maximum *punishment* of a $1,000 fine, or one year's imprisonment, or both, for any person who interferes with any United States officer in the execution of any duty imposed by this act.

Section 25 provides a maximum *punishment* of a $5,000 fine, or imprisonment for two years, or both, for anyone receiving higher prices than have been fixed by the President.

Section 26 is a blanket *penalty* provision for the whole act, which is as follows:

That any person carrying on or employed in commerce among the several States, or with foreign nations, or with or in the Territories or other possessions of the United States in any article suitable for human food, fuel, or other necessaries of life, who, either in his individual capacity or as an officer, agent, or employee of a corporation or member of a partnership carrying on or employed in such trade, *shall store, acquire, or hold, or who shall destroy or make away with any such article for the purpose of limiting the supply thereof to the public or affecting the market price thereof in such commerce, whether temporarily or otherwise, shall be deemed guilty of a felony* and, upon conviction thereof, shall be *punished* by a fine of not more than $5,000 or by imprisonment for not more than two years, or both.

I dare say that there is not a lawyer in this House who, after carefully reading the pure-food act and the penalties provided therein, will contend for one moment but that there is ample provision already made for the President to successfully prosecute every malefactor who is hoarding or profiteering in food stuffs.

Now that the President has come back home, we sincerely hope that he will take time to attend to the business of this country that is in such sore need of his attention and pay less attention to European political affairs, with which we should have nothing to do and from whose entanglements we should forever keep ourselves free. We also sincerely hope that he will give more time to informing himself as to what the laws of our country are, so that he may satisfy the needs of our people through the just enforcement of the same.

If he will do this, he will find this Congress ever ready to aid and abet him with any additional laws needed for the betterment of the conditions of the people of our own country.

While I am still of the opinion that everything that can be done under this proposed measure could have been done under the acts that I have referred to, yet we will pass this bill so that the President can have no excuse to say that he has not the authority with which to do it.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

By unanimous consent, Mr. WOOD of Indiana was granted leave to extend and revise his remarks in the RECORD.

Mr. HAUGEN. Mr. Chairman, I yield three minutes to the gentleman from New York [Mr. SNYDER].

Mr. SNYDER. Mr. Chairman, there is no man in the House more deeply interested in an endeavor to decrease the high cost of living than am I. I favor this bill simply because the limitation on it is only to the extent of the proclamation of peace. I would not favor it if it went beyond that, because of the fact that I am absolutely opposed to putting restrictions upon any greater number of people in the United States than are already under them. It is my belief as a business man that no definite reduction can come in the high cost of living by reason of the passage of this act. I am convinced that there will be no lasting reduction in the high cost of living until that time arrives when production overlaps consumption, and I do not expect that to come in this country until we are met by our competitors in the markets of the world and are unable to compete. Then this great balance of trade that is now in our favor will turn against us, our products will back up on us at home, and we will have no trouble about the reduction of the high cost of living. This can not be done, in my judgment, by any act that we create here. The question of profiteering is too generally in vogue. If every man in this House would search his own conscience and consider his neighbor along the line of that conscience he would readily understand why it will be impossible by these further restrictions that you are going to put on him to bring down the high cost of living.

I desire to extend my remarks in the RECORD by inserting an article written by me at its request for the Utica (N. Y.) Herald-Dispatch, as follows:

The Old Testament records the fact that some thousands of years ago the venerable Joshua demanded that the sun stand still, and it stood still. No one since that time has attempted to trifle with the laws of gravitation. It is exceedingly doubtful whether the present age has produced a man or set of men who could perform the same feat. The Railroad Brotherhoods have demanded that the high cost of living be immediately reduced. If there ever was a problem for a modern Joshua here it is.

By their demands the railroad employees have put this problem squarely up to the administration. The administration has seen fit to pass it on to Congress, evidently with the hope that some constructive legislation may be enacted that will tend to reduce the cost of living temporarily at least. One of the methods suggested is the abolition of profiteering. In my opinion there is at the present time a great deal of profiteering in business in the United States, which naturally tends to increase the legitimate selling price on all articles of consumption. If this profiteering were limited to any certain class of producers or merchants the question of restricting their methods would be comparatively simple. The President of the United States by right of the authority vested in him by the Overman Act still has the power to correct the evils which exist. It is not by any means a new problem which now confronts him or the country at large. The same problem existed while he was absent in France, and he still has the same power which he had then to attempt to remedy the difficulty. Under the Overman Act broad powers were given him for the period of the emergency and for a space of six months afterwards. Just why he feels that it is now necessary for him to go before Congress with the matter is a little difficult for me to determine.

However, profiteering is by no means confined to the packers or the larger business interests of the United States. Profiteering begins at the very basis of production in this country—the wage earner. During the war he obtained higher wages than ever before in the history of this country. Now that the war is over, he is continuing to receive these and higher wages. Not only that but he is using every bit of force at his disposal to obtain from his employer the highest possible wage and the fewest possible hours of labor. This same thing is true on up the scale. The retail merchant is no longer satisfied with the same percentage of profit on his sales as he was in the prewar period. The manufacturer and the farmer each in turn are demanding and getting a greater return on their investments. An attempt, therefore, to regulate the question of profiteering can be only a temporary expedient unless a method can be devised whereby the remedy can be applied throughout the scale.

In this connection it is also well for us to remember that the situation which is now forced upon us is affected to a very large extent by the "cost of high living." For instance, gasoline is retailing at 28 cents per gallon. To the average man, gasoline is not absolutely necessary. He can live without it. He did live without it successfully for a great many thousand years and yet with the price as it stands to-day he is continuing to buy it and use it. Some one has to pay for it. Naturally, as long as people are willing to pay 28 cents a gallon for it, the price will stay at 28 cents a gallon. What particular difference would it make to a man who has just paid $450 for a Ford automobile whether the average amount of flour used by the average family in the United States under the present prices costs 3½ cents per day or whether it costs 50 per cent less—1¾ cents per day?

I believe that the question of the high cost of living goes altogether too deeply into the plain fundamentals of economics to be handled by law. Any action that the President or Congress may take in seeking to solve the problem will be at the best only a temporary expedient and will never permanently correct the condition which exists. There is, in my opinion, one remedy, and only one. It is the old question of supply and demand which is as old as the history of trade and barter in the world.

The minute we produce more than we consume the cost of living will go down. How are we going to produce as much as we consume and more? Certainly not by the principle of limited output and a reduction of working hours. It is axiomatic that you can take out of a pail as much water as you put in it and no more. It does not matter from what angle you approach this subject of the high cost of living. Ultimately your argument must come back to the basic law which governs the cost—the law of supply and demand. Just so long as a man who produces either by the work of his brain or the sweat of his brow clings to the principle that the higher money return he gets for his efforts and the less he works at his production, whatever it may be, the better his economic condition is, just so long will the cost of living remain where it is or increase in spite of any attempts to regulate it by law. The farmer to-day has been led to believe that it is better to sell the milk from 40 cows at a higher price than to sell the milk from 100 cows at a lower price. The employee has been taught that it is better to produce 50 pieces at 10 cents apiece than 100 pieces at 5 cents apiece. This is all right if he is willing to pay that much more for his milk and the manufactured things that he uses, but he is not willing to pay more. He demands that the high cost of living be reduced. Just how it can be reduced he does not say.

If every producer in this country would make up his mind that the only logical method of reducing the high cost of living was to himself produce more per 24 hours than he is producing now, then with the resultant gain in wages to him would come unquestionably the ultimate decrease in the cost of living.

Mr. MONDELL. Mr. Speaker, we are glad to welcome the gentleman from Alabama [Mr. HEFLIN] from his extended vacation. We are delighted that he is back here in time to chide in their absence those Members on his side who still linger amid the delights of the seaside resorts. [Applause on the Republican side.] The gentleman returns in fine fettle. It is too bad they could not have had him in the splendid form in which he appears to-day when they started to turn the tide of war at the Battle of the Marne! [Applause on the Republican side.] We could not spare the gentleman, of course. But while he spends his time wrapping the flag about his portly form and weaving panegyrics on the soldier boys, Congress is proceeding deliberately and intelligently to enact legislation to protect those boys from the hoarders and profiteers that have been preying on them since they have returned home.

Mr. Chairman, in the President's recent message on the high cost of living he suggested certain specific amendments to the act of August 7, 1917, the food stimulation act, and the Attorney General prepared a bill intended to provide the remedies in the form of amendments which the President suggested. They have been carefully considered by the Committee on Agriculture, which committee has promptly reported the bill to Congress as requested by the administration.

By its action in this matter the Congress clearly indicates its desire to cooperate promptly and in good faith with the officials of the administration. Congress has done and Congress will do its duty, and though often disappointed, we still entertain the hope

that the administration and its departments and bureaus will do their duty under the extensive powers which Congress has granted. We still hope they will begin to realize the obligation that rests on them, and effectively exercise the tremendous powers that Congress has placed in their hands. [Applause on the Republican side.]

It must have been a good deal of a shock to the average citizen to have the President declare to Congress two years after the enactment of the food-stimulation act that that act was not sufficiently comprehensive and that one of its sections lacked an effective penalty.

We well remember the celerity with which the Congress enacted that legislation in the form suggested by the administration, and the assurances which were then given of its sufficiency and of its prompt execution. Two years and one day elapsed from the date of the signing of that legislation to the day when the President announced that the Department of Justice had just discovered faults and omissions in the legislation—two years during which, not only in war but in the period of peace since the armistice, prices have mounted higher and higher; two years during which various departments of Government have borne testimony to the prevalence of unlawful hoarding and the widespread practice of profiteering; two years during which the administration had made so little effort to effectively exercise the enormous war powers conferred by the act of August 7, 1917, that it had not discovered what the department now proclaims to be a fact—that the legislation is ineffective without further extension and additional penalties.

Congress is promptly supplying those alleged deficiencies. Will the administration do any better with this increased authority than it has with the tremendous war powers which it has so long possessed?

It is true that the President has not been on the scene the last few months; that he has considered the affairs of other peoples so much more important than those duties he was elected to discharge that he has absented himself during a large part of the period during which prices have mounted in spite of the cessation of hostilities. But even the absence of the President ought not to have resulted in a complete paralysis of the machinery of law execution. If the sworn official guardians of the law had been one-half as active in the enforcement of the laws which Congress has provided as they have been in proposing and suggesting new legislation it would be infinitely better for the country.

The Congress proceeds to do its duty now, as it has promptly at all times since the beginning of the war. Is it not about time that the administration and its agencies take some effective action in the enforcement of the laws which the Congress provides?

May we hope, reminded of the hope long deferred that maketh the heart sick—may we hope that at last, finally and eventually, this administration will be aroused to its duty and exercise toward the reduction of the high cost of living the powers which the Congress grants? [Applause on the Republican side.]

Mr. HAUGEN. Mr. Chairman, I yield seven minutes to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Chairman, I ask leave to revise and extend my remarks.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. MASON. Mr. Chairman and colleagues, of course in seven minutes I can hardly do justice to this subject; and, then, I come to you so terribly frightened by the political threat made by the distinguished gentleman from Alabama [Mr. HEFLIN] as to what they are going to do to us next year that in my temerity I should not have been able to take the floor at all if I did not remember the result in Kentucky a few days ago. With the league of nations as the issue, a Democratic district elects a Republican Congressman. [Applause on the Republican side.]

The high cost of living is shown by the editorial placed in the RECORD by the gentleman from Indiana [Mr. WOOD], written by a distinguished editor, and published in the Hearst newspapers in Chicago—papers that supported Mr. Wilson for election—and they say that when "an intelligent man makes an important statement upon an important subject which he knows is not true" it is their duty to call attention to his lack of good faith. This language is not mine. I have no disposition to use unkind or unpleasant language. I like to use pleasant language. But the time has come when this "halo," and the "Moses" business, and the "savior" business for one man ought to be brought to common earth. The President of the United States is entitled to the respect of the office he holds. He is my President, but I thank God every hour of my life that he is not my king. [Applause on the Republican side.] He has exceeded the powers of the President of the United States and usurped the powers of a king and "dictator," just as Mr. Hearst's papers say.

The gentleman from Alabama [Mr. HEFLIN] says that we are fighting the league of nations. He is mistaken. We are fighting the league of nations proposed by the President of the United States, who seeks to promote his ambition from President of the United States to the president of the whole world. [Applause on the Republican side.] That is the truth about it. I stood at this desk and for an hour's time defended the league of nations, because I supposed when he went over there he would stand by his 14 points of self-determination. I love peace. I have been branded as a pacifist because I love peace.

I believe he intended well. And now he comes back, and while he whispers to the man in the moon that he "gained all of his 14 points," his own Secretary of State testifies before the Senate committee that not one of those 14 points was even considered by the league of nations. [Applause on the Republican side.] Whom shall we believe?

And now what does he say to enforce his doctrine—not a league to promote peace but a league to promote war, a league to compel every American to go to arms whenever the league of nations shall call, as they have called us now in Siberia, where 4,000 boys from my State are fighting the "private" war of Woodrow Wilson without a declaration of war? They have been starving and freezing there, 4,000 from my district alone, and if those 4,000 boys had been allowed to come home they could have made enough food for us in Illinois to have helped reduce this high cost of living. They are kept there now, they say, to guard railroads. They are, in fact, kept there, as I shall show, as a collection agency, and they are trading American blood to help the money lenders of the world to gather the interest and principal upon the ancient Russian bonds. The fathers and mothers, wives, and brothers of these brave boys are here and you will hear from them later. For the President of the United States the "halo" time has gone, so far as I am concerned.

The war is over. Of course, we stood by him in the war. Of course, we know his sacrifices in his work. When our boys were in the front line at Chateau-Thierry he consented—the President of the United States drew forth his trusty fountain pen and consented—that his own son-in-law could bare his breast to the dangers of the Y. M. C. A. [Laughter.] And now he stands before the people and in this Chamber, or, at least, to the people he says, "Do you want cheaper shoes? Then you must stand by the rape of China by Japan and turn over 36,000,000 republicans to the worst autocrat in the world, the kaiser of Asia, the Mikado. Do that. Let us turn over the real democracy of Asia to the autocracy of Asia, and then I will get you cheaper bacon and will lower the price of ham and prunes."

Here is Great Britain. We must help her. She came over here and spoke to the President, and then to us, and then to the Senate, and shed tears at the grave of Washington, and then marched down to the Treasury and held out her hat for our money and our boys, and now her chief soldier says she won the war before our boys got there.

"And now do you want cheaper shoes? Do you want cheaper bacon? Then Great Britain must have five judges to our one in the settlement of international controversies." Potatoes, cabbages, tomatoes, and canned corn will be free if you will agree to furnish American blood and money to see that no new republic shall ever be born. Ratify the most wicked treaty ever negotiated and your Uncle Sam may occupy the island of Yap and become a wet nurse for Turkey.

Let us do away with this sanctimonious doctrine that we have been hearing about the President of the United States. He won his nomination in a convention when a majority had agreed upon another man. He was elected by a split in the protection party the first time, and the last time he was elected because he had convinced the people that he had kept us out of war, when the only people he kept out of war were Teddy Roosevelt and Gen. Leonard Wood. [Applause on the Republican side.]

And now to-day he is trying to fool the American people by telling them that he is going to keep us out of war again. It is the old trick, and the only question is whether or not the American people are hen-headed enough to be fooled twice by the same trick. [Applause and laughter on the Republican side.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. LEE of Georgia. Mr. Chairman, I yield six minutes to the gentleman from Oklahoma [Mr. FERRIS].

The CHAIRMAN. The gentleman from Oklahoma is recognized for six minutes.

Mr. FERRIS. Mr. Chairman and gentlemen of the House, it might be in order for me to make a few political remarks myself. [Laughter.] I scarcely think I will take the time of the House now. Four of the heavy guns of the Republican Party have just consumed their full quota of time bemeaning and denouncing the President while the world waits an opportunity to have something done about the food bill and the food-profiteering situation. That may be the best way to solve this problem. It may be. But in the minds of some people who are paying $18 a pair for shoes that cost $8.50, and in the minds of some of the people who are paying 500 per cent profit on groceries and the food and clothes that they use, those four political speeches made by the four principal and leading Republican Members of the House, no one of whom is on the committee, may or may not be euphonious. These speeches may or may not be euphonious to them. I do not know. They may or may not glorify your conduct in playing politics here to-day while men, women, and children are everywhere suffering from extortionate prices.

About two weeks ago it was the thought of the great Republican Party on that side of the aisle, and acceded to by most of us on our side, to take a five-weeks recess. It did not occur to the leaders of the Republican Party who have occupied time to-day that something ought to have been done about the food situation then. They had omitted to deal with it at all. They did not intend to deal with it at all. You started home with hat in hand, and President Wilson, whom you to-day bemean, who is yet the Commander in Chief of the Army and the Navy, who is yet our President, twice elected—not of your political faith, it is true, but our President—asked you to remain here, and do what? Do something about profiteering. He felt it to be his duty. It was his duty. You believed it your duty, because you are following him. From your remarks here to-day it would be the thought of those who heard you that you despised your President, that you despised the man who had asked you to remain here and deal with this situation. But I know it is not true, because every one of you abandoned your five-weeks vacation and remained here to do the things that the President asked you to do. [Applause on the Democratic side.]

You did what he asked you to do. You say he is not your leader. You denounce him. You oppose him. You obstruct him. You apparently hate and despise him, but nevertheless you do the things he asks you to do, and you are doing them this day. [Applause on the Democratic side.] If I denounced at every opportunity either President or private citizen I would not follow him. I would vote against him. I would not content myself to talk against him only.

I walked the streets of my district less than 10 days ago with a soldier who stopped at a grocery store to buy a head of cabbage. The grocer charged him 6 cents a pound for it. He grumbled at the price as he stepped out of the door, and I saw a farm wagon standing in front of the door with half a load of cabbage. The farmer did not know that my friend was a soldier, because my friend was in civilian clothes. I said to the farmer, "What are you doing with that load of cabbage?" He replied, "I am selling it to these merchants." "At how much?" I asked him. He replied, "One cent a pound." That soldier who served us so recently and so well was paying 500 per cent, which the farmer did not get, which the merchant was not entitled to, and I hope this bill will protect and defend not only our soldiers but our people from such extortion. I can not think such a course a just one. I can not think such extortion should be swept hurriedly aside. That is going on everywhere.

Mr. REAVIS. Mr. Chairman, will the gentleman yield?

Mr. FERRIS. I regret I can not. I have only a moment in which to conclude, and my remarks will not be the last word on the subject.

Again I talked with a soldier who had been discharged and was ready to doff his uniform. He set out to buy civilian clothes and again to introduce himself into society and become a full-fledged civilian. This was his story: He stepped into a store in Washington when he returned and asked for a pair of low-quarter shoes. He was asked $18 for that pair of shoes. He went home and had his own merchant order him a pair made of the same leather, the same last, the same size, and his own merchant charged him $8.75. I do not know what you are going to do here to-day.

Will any one of the six and one-half million farmers approve of such conduct? Will any one of the 20,000,000 toilers approve of such a condition? Will honest business men anywhere approve of any such unconscionable profits? Will the Congress sitting here as the representative of the 110,000,000 people allow this to go on? I am not for regulation of everything from Washington. I can not think that is the best way. What I do say is that such profits are vicious, unconscionable, and should be stopped, and stopped now.

Perhaps these Republican partisan speeches made here to-day will remedy that. I do not know, but it seems to me that somewhere along the line the Congress ought to do something about this condition. It seems to me the President and Attorney General are right in urging this. I want to congratulate the Agricultural Committee on bringing in this bill. Members of the committee are not making political speeches here to-day. They are really here trying to do something to meet this abnormal situation. Of course, as elections draw near it is so very natural to spar back and forth across the aisle, but I submit this is hardly the time or place to constantly be playing politics. This is most too serious a matter. It is very natural to try to make ourselves believe momentarily that we hate one another, but that is not the fact. We do no such thing. You do not hate your President. You are merely allowing partisanship to override your patriotism and your sense of justice. You are merely screaming out against him and each day voting with him.

The real truth is, you people over there on the Republican side, while you scold him and nag at him and hound him and try to belittle him, you uniformly follow him. You may hate to do it, but you do it. Now, one of two things must be true, either there must be virtue in what he stands for or you are unwilling to follow your own judgment. The only instance that stands out paramount where this Congress has not followed him is on the repeal of the daylight-saving law the other day, and we on the Democratic side, feeling it our duty, helped you to overturn him on that.

What law that we have enacted for the 20,000,000 toilers of this country have you repealed or will you repeal? What law are you ready to repeal that we have enacted for the business men of the country?

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEE of Georgia. I yield to the gentleman four minutes more.

Mr. FERRIS. What laws that the Democracy have passed and that Woodrow Wilson has advocated, other than some temporary war measure, will you repeal or do you intend to repeal? Will you repeal the $1 Sherwood pension bill passed for the soldier? Will you repeal the increase in the pay of the soldiers of the German war—increased both in peace and in war from $15 to $30 per month? No. Will you repeal the Federal reserve banking and currency act? No. Will you repeal the eight-hour law? No. Will you repeal the anti-injunction law? No. Will you repeal the good-roads law? No. Will you repeal the farm-loan law? No. Just let some one of the four Republican leaders who talked here this afternoon go down the catalogue of bills that we passed, and let him advocate their repeal. You could not hold your own side together—5 per cent of them—to do that. No; you are not for the repeal of our laws. No; you are not willing to declare any policy for their repeal. You merely complain. You merely play politics. You merely fiddle while Rome burns.

One word more. I do not know whether this bill is going to do all that we want it to do. I have confidence that that great arm of the Government, the Department of Justice, will do its full duty, as we are doing our full duty to-day, in trying to curb this unusual, abnormal condition and profiteering incident to the closing of the world's greatest war.

I do not believe in peace time in regulation far removed from the people. I do not believe this Congress can pass an act that will legislate more brains into one man's head than there are in the heads of 110,000,000 people. I am not in favor, now or in the future, of passing any law that will allow some one man to sit in Washington and regulate everybody everywhere on everything in peace times. Some one might very well criticize that statement by saying that we voted for it in the food act during the war. Yes; we all did that during the war, and I would do it again in the midst of the world's greatest war. I did not then, I will not in the future, hamper or refuse my Government during war times. It is not my province during war time to obstruct a Republic that is engaged in trying to conduct and win a war. It would be my province, if I could, in some way to help them and not to hinder them. But in peace times I think this bill does just about what it ought to do. It authorizes prosecution for breaches of the law. It exempts the farmer from all its operations. This is entirely defensible, as it encourages production. To curb it, to constantly be regulating it, is not justifiable, because the farmer is not a hoarder, is not a profiteer. He raises his own crops and sells them. He is in no sense a dealer. He is a producer; he is not a profiteer. It places in the hands of the prosecuting officers of the Government the power to prosecute men who profiteer and disobey the law. It deals with men who hoard and who viciously try to glean abnormal profits from the people, who are defenseless.

I have full faith in the Attorney General. He was long a Member of this House. He is able; he is patriotic; he will deal with the profiteer; he will let honest production alone; he will help the consumer; he will faithfully administer the law. The American people demand this much. They are going to have this much from these dealers who are taking toll from both producer and consumer. The trouble is not with the farmer. He is not an extortionist; he is not unpatriotic. He merely asks a fair chance to serve the world; yea, to feed the world.

Mr. REAVIS. Will the gentleman yield?

Mr. FERRIS. I have not much time, but I want to be courteous; I yield.

Mr. REAVIS. The gentleman cited the cabbage incident. There is nothing in this bill that would empower the General Government to handle a situation of that kind, is there?

Mr. FERRIS. If they were not hoarding. If that is not an abuse, I do not know one. If not, I would like to have that reached also. I make no effort to shield anyone who takes 500 per cent from the poor.

Mr. REAVIS. Is it not the duty of your State government to meet that situation?

Mr. FERRIS. I am not a member of the Agricultural Committee. Some member of the Agricultural Committee who is better versed than I can perhaps answer that better than I; but if the returning soldiers of the country and the law-abiding citizens of the country have to pay a 500 per cent profit on the necessaries of life I am opposed to that. This abnormal condition of war and reconstruction should not be the means of making a few men enormously rich at the expense of all the rest of us. Good men everywhere, whether they be producers or consumers, will, I am sure, help with this. [Applause.]

Mr. HAUGEN. Mr. Chairman, I did not intend to take any time in general debate to discuss the bill under consideration, which proposes to lower the "high cost of living," but in view of what has been said and in order to correct the RECORD, I believe it my duty, as chairman of the committee, to answer some of the statements made. The gentleman from Texas [Mr. YOUNG], a member of the Committee on Agriculture, has criticized this House for not taking action upon the President's recommendations sooner. He stated that we have accomplished nothing. If the gentleman will bear in mind all the things left undone by the Democratic Party when it was in control of the House and all the things done by that party that will have to be done over; if he will have patience with this side; if he will consider the tremendous task which the Republican Party has before it; if he will consider what the Agricultural Committee—of which he is an honored and valuable member—has had before it and what has already been accomplished by it, first, the $33,000,000 Agricultural appropriation act for the present year, containing so much new legislation thought wise to incorporate in it, as, for instance, the repeal of the absurd so-called daylight-saving law; the clause requiring the marking of the net weight on wrapped hams and bacon; the clause requiring the inspection and marking of horse meat; the amendment to the United States warehouse act; the extension of the Weeks Act; the authorization for agricultural exhibits at State, interstate, and international fairs; the provisions for the enforcement of Government regulations for handling the wool clip of 1918; and numerous other important provisions, all of which were carried in the Agricultural appropriation bill and passed by the House, and thus have already been disposed of this session.

Now, the Committee on Agriculture brings in this bill to correct another error in Democratic legislation.

Furthermore, as the gentleman knows, the Committee on Agriculture has been holding hearings for the past 10 days on the "high cost of living" and on "cold-storage legislation," so there seems to be no cause for alarm that nothing is being done by this side. Rest assured that the blunders made in Democratic legislation will, from time to time, be corrected, but also bear in mind the correction of the multitude of sins committed will require time.

The gentlemen from Texas [Mr. YOUNG] and from Oklahoma [Mr. FERRIS] have stated that in this bill we have accepted the recommendations identically as suggested by the President and the Attorney General. I am sure the gentlemen will withdraw that statement, especially as one is a member of the Committee on Agriculture and the other appeared before the committee in connection with this legislation. They surely must be familiar with the recommendations and with the provisions of this bill.

The suggestion of the Attorney General was to add a penalty clause to section 4, to penalize the farmer and the retailer.

Mr. YOUNG of Texas. Will the gentleman yield?

Mr. HAUGEN. Certainly.

Mr. YOUNG of Texas. He did not say anything of the kind. He said he had no objection to that.

Mr. HAUGEN. I am referring to the recommendations.

Mr. YOUNG of Texas. When his attention was called to it he did not object to it in the bill he had prepared.

Mr. HAUGEN. The recommendation of the Attorney General was to impose a penalty not exceeding $5,000 or imprisonment for not more than two years, or both, upon a farmer agreeing with any other person to limit the facilities for harvesting. Hence, if the recommendation of the Attorney General had been carried out, if the farmer should agree or arrange with his neighbor to limit the facilities for harvesting he could have been fined not exceeding $5,000 or imprisoned for not more than two years, or both. The other provision which the Attorney General proposed to include by attaching a penalty to section 4 would have made the farmer subject to the same fine and penalty for making any unjust or unreasonable rate or charge in handling or dealing in or with his farm products. That was the suggestion by the Attorney General. Still you say this bill comes to the House the same as recommended by the Attorney General. No; we have exempted the farmer.

Mr. YOUNG of Texas. Will the gentleman yield further and let me read what the Attorney General says?

Mr. HAUGEN. Read the message of the President.

Mr. YOUNG of Texas (reading)—

If the committee wants to exempt all of these farmers and all their associations and corporations it may not make the act unworkable.

I was going to read what he said. He said he had no objection——

Mr. HAUGEN. I will read the Attorney General's letter.

If you will turn to page 1 of the hearings, you will find his letter to the chairman, which reads:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., August 12, 1919.

Hon. GILBERT N. HAUGEN,
Chairman Committee on Agriculture,
House of Representatives, Washington, D. C.

MY DEAR MR. HAUGEN: I beg to inclose herewith draft of an act to amend the food-control act so as to enlarge the definition of "necessaries" and to provide a penalty for the unlawful acts described in section 4 thereof.

The only changes in existing law made by this draft are the addition of the words in italics. They have the effect of adding "wearing apparel" and "the containers in which foods, feeds, and fertilizers are sold" to the list of articles described in the act as "necessaries." The only other amendment is indicated on page 3, where a penalty is added to section 4 of the food-control act.

It will be extremely helpful in our effort to reduce the high cost of living if these amendments to the food-control act can be promptly passed.

Yours, truly, A. MITCHEL PALMER,
Attorney General.

I will also read section 4 of the food-control act to show the gentlemen to what the Attorney General desires a penalty attached:

SEC. 4. That it is hereby made unlawful for any person willfully to destroy any necessaries for the purpose of enhancing the price or restricting the supply thereof; knowingly to commit waste or willfully to permit preventable deterioration of any necessaries in or in connection with their production, manufacture, or distribution; to hoard, as defined in section 6 of this act, any necessaries; to monopolize or attempt to monopolize, either locally or generally, any necessaries; to engage in any discriminatory and unfair or any deceptive or wasteful practice or device, or to make any unjust or unreasonable rate or charge in handling or dealing in or with any necessaries; to conspire, combine, agree, or arrange with any other person, (a) to limit the facilities for transporting, producing, harvesting, manufacturing, supplying, storing, or dealing in any necessaries; (b) to restrict the supply of any necessaries; (c) to restrict distribution of any necessaries; (d) to prevent, limit, or lessen the manufacture or production of any necessaries in order to enhance the price thereof; or (e) to exact excessive prices for any necessaries, or to aid or abet the doing of any act made unlawful by this section.

The draft recommended by the Attorney General, adding a penalty to section 4, which would, if enacted into law, provide a maximum penalty of $5,000 or imprisonment for not more than two years, or both, for any farmer or for any retailer, even though the retailer's gross sales did not exceed $100,000 per annum, who made an unjust or unreasonable rate of charge in handling or dealing in or with any necessary, from which the farmer and retailer are now both exempt under section 5—the license section of the act. Section 5 provides a penalty for profiteering, except as to farmers and retailers doing a business of less than $100,000 a year, notwithstanding statements to the contrary. It authorizes the President to issue licenses and provides that whenever the President shall find that any storage charge, commission, profit, or practice of any licensee is unjust or unreasonable, or discriminatory and unfair, or wasteful, the President may order such licensee to discontinue the same and may also in lieu of any such unjust and unfair charge, commission, profit, or practice find what is a just, reasonable, nondiscriminatory and fair storage charge, commission, profit, or

practice. Hence there can be no question but that the President now has the power to fix prices.

As to the contention that—

while the act prohibits profiteering, the prohibition is accompanied by no penalty—

Section 5 of the act reads, further:

Any person who without a license issued pursuant to this section (sec. 5), or whose license shall have been revoked, knowingly engages in or carries on any business for which a license is required under this section, or willfully fails or refuses to discontinue any unjust, unreasonable, discriminatory, and unfair storage charge, commission, profit, or practice, in accordance with the requirement of an order issued under this section, or any regulation prescribed under this section, shall upon conviction thereof be punished by a fine not exceeding $5,000, or by imprisonment for not more than two years, or both.

If that does not provide a penalty for profiteering, will some one tell me what it does mean?

The exemptions under section 5 extended to the farmer and the retailer read:

Provided, That this section shall not apply to any farmer, gardener, cooperative association of farmers or gardeners, including live-stock farmers, or other persons with respect to products of any farm, garden, or other land owned, leased, or cultivated by him * * *: *Provided further*, That for the purposes of this act a retailer shall be deemed to be a person, copartnership, firm, corporation, or association not engaging in the wholesale business whose gross sales do not exceed $100,000 per annum.

As before stated, the adding of the penalty clause to section 4 makes all persons liable to a maximum penalty of $5,000 fine or imprisonment for not more than two years, or both, for profiteering. It would exempt no one. But, as stated, that is not all. The same penalty would apply to "conspiring, combining, agreeing, or arranging with any other person to limit the facilities for harvesting." As the law stands to-day, there is no penalty for agreeing or arranging to limit the facilities for harvesting, hence adding a penalty to section 4 without exempting the farmer would, under section 4, make the farmer making such agreement liable to a maximum penalty of $5,000 fine or imprisonment for not more than two years, or both.

So if a farmer should agree with his neighbor during harvest to take a day off or to help him butcher a hog, he might be liable to a maximum penalty of $5,000 fine or to imprisonment for not more than two years, or both.

As to hoarding, section 4, with the penalty attached, would also provide a maximum penalty of $5,000 fine or imprisonment for not more than two years, or both, for withholding the products of his farm, which he now has a right to do.

Section 6 exempts the farmer with respect to the accumulating or withholding of the products of any farm, garden, or other land owned, leased, or cultivated by him which is not deemed to be hoarding within the meaning of the section, but not so with section 4, with the penalty attached, if he is not exempted.

The Clayton law exempts farmers and labor in certain respects. Sections 6 to 20 of the Clayton law are quoted, as follows:

SEC. 6. That the labor of a human being is not a commodity or article of commerce. Nothing contained in the antitrust laws shall be construed to forbid the existence and operation of labor, agricultural, or horticultural organizations, instituted for the purposes of mutual help, and not having capital stock or conducted for profit, or to forbid or restrain individual members of such organizations from lawfully carrying out the legitimate objects thereof, nor shall such organizations, or the members thereof, be held or construed to be illegal combinations or conspiracies in restraint of trade under the antitrust laws.

SEC. 20. That no restraining order or injunction shall be granted by any court of the United States, or a judge or the judges thereof, in any case between an employer and employees, or between employer and employees, or between employees, or between persons employed and persons seeking employment, involving or growing out of a dispute concerning terms or conditions of employment, unless necessary to prevent irreparable injury to property or to a property right of the party making the application, for which injury there is no adequate remedy at law, and such property or property right must be described with particularity in the application, which must be in writing and sworn to by the applicant or by his agent or attorney.

And no such restraining order or injunction shall prohibit any person or persons, whether singly or in concert, from terminating any relation of employment, or from ceasing to perform any work or labor, or from recommending, advising, or persuading others by peaceful means so to do, or from attending at any place where any such person or persons may lawfully be for the purpose of peacefully obtaining or communicating information, or from peacefully persuading any person to work or to abstain from working, or from ceasing to patronize or to employ any party to such dispute, or from recommending, advising, or persuading others by peaceful and lawful means so to do, or from paying or giving to or withholding from any person engaged in such dispute any strike benefits or other moneys or things of value, or from peaceably assembling in a lawful manner and for lawful purposes, or from doing any act or thing which might lawfully be done in the absence of such dispute by any party thereto; nor shall any of the acts specified in this paragraph be considered or held to be violations of any law of the United States.

If the recommendation of the Attorney General had been carried out the farmer convicted of hoarding or arranging with any person to limit the facilities for harvesting, or making any unjust or unreasonable rate of charge for farm products produced or raised upon land owned, leased, or cultivated by him, would have been subject to a fine not exceeding $5,000 or imprisonment for not more than two years, or both. This bill now reported by the Committee on Agriculture exempts the farmer, in that no penalty is provided as against the farmer in this bill. It is believed that the farmer should be permitted to dispose of the products of his labor the same as other laborers are permitted to do.

Mr. QUIN. Mr. Chairman, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. QUIN. Did the Attorney General really mean to put the farmer in the penitentiary or fine him $5,000?

Mr. HAUGEN. He recommended attaching that penalty to section 4 without exempting the farmer.

Mr. QUIN. I am very proud that you gentlemen did not follow any such advice.

Mr. HAUGEN. We did not follow it. This bill provides for the exemption. We give the farmer the same exemption given the laborer in the Clayton Act, the same exemption given the farmer in the Clayton Act, the same exemption given the farmer in the food-control act as it now stands.

As to the question "Did the Attorney General mean to put the farmer in the penitentiary?" Not being a mind reader I am unable to say, but knowing the Attorney General as I do, having the highest regard for him, and recalling his distinguished service in this House, I, of course, feel certain that he would not do anything to embarrass or penalize any person pursuing his line of activity in an honorable way. But the Attorney General personally can not control or be held responsible for the hundreds, yes, thousands, of attorneys and agents under him. So the question is not what the Attorney General may have meant to do, but what might happen. What is the situation? What has taken place? What would be likely to take place? I refer you to the statements made by representatives of farm organizations before the Committee on Agriculture, printed in the hearings on "the high cost of living" before the committee on August 15, 1919. I will not take time to read statements by Mr. Miller and Mr. Ingersoll, but merely incorporate them in my remarks.

Extracts from statement of Mr. John D. Miller, New York City, representing the National Board of Farm Organizations, in hearings held on the high cost of living before the House Committee on Agriculture, August 15, 1919.

Mr. MILLER. My name is John D. Miller, and my business is located at 303 Fifth Avenue, New York City, which is the office of our farm organizations.

I appear here, Mr. Chairman, as representing the National Board of Farm Organizations, having affiliated with it about 2,000,000 of the organized farmers of America.

* * * * * * *

Mr. Chairman, as emphasizing the importance of having a clear right, a right that will be unchallenged, to make these collective sales, I am going to ask you to let me take a few minutes to tell you a story of things that have been done in the immediate past. The story will take you from California to New York. I am going to try to tell this story dispassionately; I am not going to express opinions on it, but will ask you to characterize it as, in your better judgment, you think it deserves, and if any remedy is needed that you will know what remedy.

If you find from the story that I tell you that there is any concert of action between the organized middlemen of this country and certain officials of our State departments of justice—for in this story you will find figuring milk dealers, organized middlemen; you will find State prosecuting attorneys, and in one or two instances Federal district attorneys—we are going to ask you to decide what these facts mean.

In June the organized farmers of California engaged in the business of making collective sales of their milk were arrested. The sensational newspapers of California branded them as criminals. They were indicted—for what? Not for profiteering; oh, no; but for simply making collective sales of farm products.

Mr. YOUNG. Was that in the State or the Federal courts?

Mr. MILLER. That was in the State courts, under the State law. They were tried, and on the 31st day of July were promptly acquitted. But that was an expensive trial. Farmers can not afford to be continually and perpetualiy fighting lawsuits to justify their right or defend their right to make collective sales. A few such victories will bankrupt that organization.

Let us next go to Chicago. In the fall of 1917 the organized farmers that supplied the Chicago district with milk were indicted. The investigations which led up to those indictments were oppressive in their character. They were indicted as having violated the State antitrust law.

About that time it became necessary, however, for Mr. Hoover, our able Food Administrator, to deal with farm organizations, and, where they were not organized, to see that they were, in order to help in the solving of the great and important problems with which he was wrestling.

And so this very organization in Chicago was called to his assistance. Well, they soon saw that it would be ironical to be trying those men over on Fifteenth Street for committing acts which, at the very time of the trial, over on Fourteenth Street they were doing with the acquiescence, by the consent, and with the cooperation of the Federal Food Administration. So the prosecution of the indictment under the State laws was postponed.

After the armistice, however, it was revived, and they commenced to get ready for trial. It was postponed from time to time for reasons which it is not necessary here to relate, and it is now fixed for the 15th of September.

In April, however, it was thought that that indictment would come on for trial in May; and by a method which seems to be largely peculiar to the city of Chicago and the city of New York, in order that those men, accused of having the temerity of agreeing with their fellow farmers as to the sales of their milk, there emanated from the office of the State

district attorney columns of interviews in the newspapers to the effect that they were going after those men—all of this, of course, in order that the prospective jurors who were to try that case might have full knowledge in advance of the iniquities of these accused men and might at the trial be prepared to do them exact justice.

And by what, I am sure, was a coincidence, just at that time, in April, the Federal district attorney of that district got busy and commenced investigations of the same men under the Federal antitrust act.

Mr. YOUNG. Under the Sherman law?

Mr. MILLER. Under the Sherman law; yes, sir; the Sherman and Clayton laws. The method of that I am going to relate to you; I am going to try to relate it dispassionately, and it is for you to characterize it.

At a given hour on a given day, say, 10 o'clock in the forenoon, there appeared in the office of the secretary of that farmers' organization two of the special agents—detectives, we assume—with a subpœna duces tecum, commanding them to appear forthwith before the Federal grand jury.

* * * * * * *

A subpœna duces tecum was served commanding them to bring forthwith a large volume of their records, books, and papers. At the same hour two sleuths appeared at the office of the president of the organization in the same building with a like subpœna.

* * * * * * *

Now, that was very carefully staged, for, at the same hour of the same day, at about 35 points in that great territory supplying Chicago with milk, the special agents subpœnaed the local officers of the local associations with a subpœna duces tecum to proceed forthwith to Chicago with all of the books, correspondence, and records in their possession.

* * * * * * *

Now, I am going to tell you one way in which what in police circles is sometimes called the "third degree" was applied. One of these men was taken to an upper room where two of the detectives were. They were questioning this man in regard to everything connected with the matter and many things not connected with it. By and by one of them, with a significant look at that farmer sitting there, with some ostentation pulled a revolver out of his pocket and laid it on the desk. He went on asking questions, and the man answered them the best he could. By and by the detective took the revolver up again, twirled the cylinder—twisted it around, or something like that. Does this make you nervous? No; that was not in Russia; it was in Chicago.

You can characterize that as you think best; I am not going to do so.

Let us go on to Ohio. As I told you at the beginning, this thing is extending from San Francisco to the Atlantic Ocean. In Ohio last week the officers of the farmers' milk-selling organization were indicted—not for profiteering, but for fixing prices and making collective sales. There was no claim that the price was too high; there can not be.

Mr. YOUNG. Was that under the State or the National law in Ohio?

Mr. MILLER. Under State law. Some of these gentlemen who were indicted learned of it by telephone message along the course of the evening. They telephoned the sheriff: "We hear we are indicted; we will be there in the morning and give bail." "All right," the sheriff said. "I am sorry that the deputies have already started to arrest you, but when they get there you tell them what I say, that you can come in to-morrow and give bail." Because the sheriff knew every one of those men; he knew they would never be fugitives from justice; every one of them was a man of repute in his locality; they were men of standing, occupying high positions in their localities, and sometimes holding positions of trust and confidence in their communities.

But when the deputy sheriffs came back and reported to the district attorney, he started them off again, late at night, in automobiles; and they went around over the country in automobiles, and reached some of the men in the middle of the night.

Those men finally reached the jail at Cleveland at 4 o'clock in the morning. They were taken into the warden's office; they were searched, and their personal belongings in their pockets were taken. One of them, Mr. Ingersoll, who is present here this morning, called the warden's attention to this. He said, "Mr. Warden, that bunch of keys that you are taking are the keys of the bank." Mr. Ingersoll is vice president of the local bank. He said, "Those are important keys, necessary to the bank." But they were all taken, nevertheless.

They thought they would spare these criminals the ignominy of placing them in cells, and they were told that they might have the use of a hospital ward. They were put into a hospital ward reeking with vermin. In the morning they had breakfast brought in that, both from its quality and from the containers in which it was brought, they could not taste or touch.

While they were there a photographer was introduced into the jail to take the pictures of these criminals in jail. They protested against the indignity; but it was insisted upon; and so they turned their backs and the photographer got an elegant view of the back of the heads of each one of those gentlemen.

Now, they were prepared early in the morning, as soon as they could reach their friends, to give bail; they could give any quantity of bail that might be required. It was not convenient, however, for the district attorney to arrange for bail to be taken until about noon.

They were kept in jail until about noon, and then taken into the courthouse; there they had to wait about half an hour or more—and if I am not stating the facts correctly, Mr. Ingersoll will correct me. There a photographer came into the court room and took a picture of the judge sitting on the bench with those six or seven men lined up in the prisoners' dock. They then gave bail.

Mr. Chairman, these men were not accused of murder, or bomb throwing, or anarchy, or treason. This did not happen in Russia or in the Middle Ages. These men were simply accused of combining with their fellow farmers to make collective sales of their milk.

Again, I am not going to express any opinion, but will ask you to characterize it.

Let us now turn to New York City, where we reach the Atlantic coast, and then I will take no more of your time upon this subject:

In January, 1918, under a State law, the officers of the farmers' organizaton there were indicted. The State law which it was claimed they had violated was the antitrust law and the penal code containing the same provisions. There were no acts of oppression or intimidation in the arrest of those men; they were treated courteously.

They gave bail. Incidentally it cost them—as soon as they found that they were indicted they sent to a surety company to look up these seven men and be ready to go their bail. Well, they did it; incidentally it cost the association two or three hundred dollars premium to the surety company. But that is a mere bagatelle; it cost them $15,000 to fight their way out of the trouble.

They immediately asked for a change of venue. That was refused by the Chicago people. But the judge in New York at once discovered that it would be almost a travesty upon justice to try those farmers brought in from the country charged with fixing milk prices—to have them tried by a jury of men buying that milk and consuming it in a city; and he very promptly directed a change of venue to up the State. They did not take the case to a dairying county or an agricultural county, but to a mixed county—Oneida County, in which the city of Utica is located, which is one of the largest up-State cities; a city which has a larger population than the rest of the county, and larger than any agricultural county.

The legislature was convened. The matter was called to their attention, and they immediately passed a law amending the antitrust law and the penal code of the State so as to permit collective bargaining by farmers. Thereupon the district attorney caused these indictments to be dismissed, stating as a reason that the law having been amended the farmers had a clear right under the State law to do what they were doing.

* * * * * * *

About the 1st of December last, however, a milk investigation was commenced in the office of the district attorney. Subpœnas were issued from time to time to the officers, clerks, and employees of this farm organization, commanding them to bring down to the district attorney large numbers of records, papers, minute books, checks, vouchers, expense accounts, and correspondence. More and more were called for from time to time; and they were held several months, although a part of them were material, or, at least, would have been very convenient to have in the office.

* * * * * * *

If we grant clearly their right to compel the production of those papers and to hold them, beyond all question the only purpose for which they should be used is in judicial proceedings. What has been done? They have been turned over to a sensational newspaper in New York City, photographed, and last week there appeared an article under a heading—I am not sure I remember the exact wording; but, anyhow, it was something about "The dairymen's league branch of the milk trust," and these checks, vouchers, telegrams, and letters are printed. Down under that is a picture of an emaciated baby and the words, "The victim."

The district attorney, if he is quoted correctly by the newspapers, has stated repeatedly during this investigation since last December that the dairymen's league had succeeded in obtaining a law which shielded them under the State law, but that they could still get them under the Federal law. We have heard nothing that indicates that the Federal district attorney in that State is investigating it at all; we do not know whether he is or not, but we have not heard that he is.

[Extracts from the statement of Mr. H. W. Ingersoll, of Elyria, Ohio, president Ohio State Dairy Association.]

Mr. INGERSOLL. Mr. Chairman, I have been asked to say a word, and I want to say first that I appreciate very much the opportunity to be heard on this matter.

I am one of the men who was indicted, as Mr. Miller has told you. What I say to you I say from personal experience. We have an organization known as the Ohio Farmers' Cooperative Milk Co., which is composed of farmers producing milk and delivering it in Cleveland, Ohio. We do not control 65 per cent of the milk that goes into the city. We have been meeting from time to time and laying before the various dealers the conditions under which we were producing milk, and we have asked them to advance our price. During the month of July we got 7½ cents a quart for milk, and it was sold in the city at 15 cents a quart. In August we have conditions which were so changed that we were compelled to pay about $25 a ton or more for all varieties of feed, and we have been paying as high as $100 a ton for oil meal.

About the 1st of August the wave of cutting down of the high cost of living spread over the country, and a special grand jury in Cuyahoga County, Ohio, was convened, and at that meeting some of the dealers appeared, and the producers' executive committee, of which I am chairman, were indicted. This news was spread abroad over the wires, and I at once got in communication with the sheriff and suggested that it was a physical impossibility to get in there on that day, and said that we would report at 9 o'clock the next morning, and I would see that all of the indicted men were present in his office. Deputies were sent out and notified us, and returned to the city without action except to notify us that we were wanted in the morning.

The deputy went back to his office in Cleveland, the one who gathered up four of us who lived west of Cleveland, and, as he expressed it, he got the most severe bawling out he ever got because he did not bring the prisoners in. He started back and called up Mr. Clark, in Medina County, about midnight, and he was caused to leave his family; and he came on and took one of the other men, and then he came on to Elyria, where I was taken, and we were all taken to Cleveland about half past 4 o'clock in the morning into what was known as the hospital ward of the jail, and there the conditions were certainly deplorable; and there were vermin in there and also insane, and we were associated with them. We were there from about half past 4 in the morning, the four I was taken in with; the other three were taken in there about half past 2 in the morning. We remained there until about half past 10 or 11 o'clock. Then, through the assistance of an attorney, we were allowed to be taken before the judge and allowed to give bail and came out.

These men, two or three of them, came from east of Cleveland, and they were taken out of the fields at 4 o'clock in the morning, and they are men of exemplary character, some of them township trustees, and holding other positions of trust, and they were taken to the city and not permitted to have food that night, and did not get anything until they got out the next day.

The families of all these men indicted and brought of course were heartbroken. We had one man, a county commissioner elect, taking his office in September. We had a deputy sheriff of the county and court bailiff, and that shows the character of the men.

The result is that the producers in that vicinity are simply up in arms, and I want to say right here that the rank and file of the producers are continuing to furnish their milk to the city of Cleveland, and the inhabitants of Cleveland as a class are not opposed to our organization or its workings.

We have never had costs of production at any time, and according to the best evidence we can get, according to the records that have been kept by our own producers, we are not getting them now. We did ask an advance for that reason and we have been indicted.

If you will turn to the hearings on cold-storage legislation now pending before our committee, you will find that exhaustive investigations on profiteering have been made. Several New

Jersey cities decided to go into the milk business in order to furnish cheaper milk. Milk was being sold as high as 20 cents a quart. The farmer was getting 7 of the 20 cents. The municipalities bought the milk at 7 cents and sold it at 11 cents. It resulted in the retailers reducing their prices to 16 and 18 cents a quart. A delegation of mayors appeared before the committee. I will quote from Mayor Gillen's testimony:

The CHAIRMAN. You said you purchased milk at 7 cents; where was it delivered?

Mr. GILLEN. Delivered at the creamery in the country.

The CHAIRMAN. Is there any profiteering so far in that, or do you consider the price charged by the farmer fair and reasonable?

Mr. GILLEN. I think at the present time that price could not be reduced very much.

The CHAIRMAN. Then, so far there is no profiteering in that. What is the fair and reasonable price for which milk should be sold in your city?

Mr. GILLEN. I think it ought to be sold at 14 cents a quart.

The CHAIRMAN. That would give a fair profit to the dealer?

Mr. GILLEN. Yes.

The CHAIRMAN. Is there any complaint that he is receiving more than a reasonable profit?

Mr. GILLEN I am not complaining about the farmer; I am complaining of the highway robber that is coming in between the farmer and me.

If you will turn to the President's message, the statement of the Attorney General, or the testimony recorded in the hearings, you will find no evidence as to the farmer hoarding, profiteering in farm products produced or raised upon his farm, or limiting the facilities for harvesting. You will find that the farmers have not only been prosecuted but persecuted. I take it that no fair-minded person will stand for such treatment. Certainly not after we have been to the enormous expense and sacrifice of stamping out autocracy and persecution in other sections of the world.

If the purpose of the Attorney General is to lower the high cost of living, I suggest that the profiteers already shown to be responsible for the high cost of living be prosecuted instead of enacting laws making it possible to prosecute those against whom no charge has been preferred. What is the situation? Who is guilty of profiteering? Who, if any, should be punished? Exhaustive investigations have been ordered and reports have been made. As before stated, there is no evidence of the farmer profiteering. According to the statement of Dr. Spillman, formerly Chief of the Office of Farm Management of the Department of Agriculture, before the committee on February 15, 1916, page 29, the farmer receives, on an average, only $402 in food, fuel, rent, and cash for his year's labor, which includes the services of his family, composed on an average of 4.6 persons. That statement was made some time ago, and of course the farmer is now receiving more. A more recent report is found in Bulletin No. 300, of March, 1919. The results of a survey of 60 farms are summarized in this table. The five-year average reports:

Farm area ---------- acres	148
Crop area ---------- do	80.7
Months of labor	22.5
Number of cows	16.9
Number of brood sows	6.9
Number of work horses	4.7
Investment	$17,692
Receipts	$2,300
Expense	$1,007

Deducting from the receipts the expenses and interest at 5 per cent on the investment, or $885, he receives $408. The report reads:

This gives none too cheerful an outlook for the farmer; even with such high prices as those of 1916 and 1917, the average labor income for the five years stands at $408. Who would count this too high? But who will guarantee the farmer as good an average for the next five years?

This county is one of the richest and most productive counties in the State, populated by intelligent and industrious people.

In addition to the $408 received by the farmer, his family is credited with receiving $211, which brings the total to $619 for the year's labor of himself and family. This is $217 more than found by Dr. Spillman a few years ago.

Here we have Government reports indicating in a measure the income of the farmer. As you will recall, the farmer was the only one to suffer from interference by Government regulation. He was made to sell his wheat for $2, when if left to the law of supply and demand he would have received $4, or, as Mr. Hoover indicated, probably $7, a bushel. Besides this, the ratio of corn and hogs was fixed at 13 bushels of corn to make 100 pounds of hog. When corn was selling at $2 a bushel, or $26 for 13 bushels, the price of hogs was $15.50. The farmer certainly was not benefited by the price fixed. Now, when the farmer is harvesting and selling his crop, comes the drive to reduce prices, under the pretext of lowering the high cost of living. Judging from results attained under Government regulations, the farmer will receive less and the packing and milling trusts will grow fat. The consumer will bow to the inevitable and pay the increased price. The farmer also suffered by the absurd so-called daylight-saving law, which caused him so much inconvenience and expense. I also wish to call attention to the President's message, page 6, which reads:

Wheat shipments and credits to facilitate the purchase of our wheat can and will be limited and controlled in such a way as not to raise, but rather to lower, the price of flour here. The Government has the power, within certain limits, to regulate that. * * * The price of wheat is lower in the United States than in Europe and can with proper management be kept so.

In view of the Government reports, statements made by the Attorney General and representatives of farm organizations, and what is stated in the President's message, will anyone seriously contend that the farmers should be denied the right to dispose of the products of their farms as they may see fit to do and as they are now permitted to do under the food-control and antitrust acts? Will anyone contend that large appropriations should be made to run down the farmer receiving less than $500 for his year's labor, when practically no attention has been given to those increasing their profits by hundreds of millions?

On July 3, 1918, in response to the President's direction to the Federal Trade Commission to investigate and report facts relating to the production, ownership, manufacture, storage, and distribution of foodstuffs and the by-products and to ascertain the facts bearing on alleged violations of the antitrust act, the commission reported, as printed on page 11995 of the CONGRESSIONAL RECORD of October 3, 1918, as follows:

Answering directly your question as to whether or not there exist "monopolies, controls, trusts, combinations, conspiracies, or restraints of trade out of harmony with the law and the public interest," we have found conclusive evidence that warrants an unqualified affirmative. * * *

It appears that five great packing concerns of the country—Swift, Armour, Morris, Cudahy, and Wilson—have attained such a dominant position that they control at will the market in which they buy their supplies, the market in which they sell their products, and hold the fortunes of their competitors in their hands. * * *

The combination has not stopped at the most minute integration, but has gone on into a stage of conglomeration, so that unrelated heterogeneous enterprises are brought under control. * * *

If these five great concerns owned no packing plants and killed no cattle and still retained control of the instruments of transportation, of marketing, and of storage, their position would not be less strong than it is. * * *

The producer of live stock is at the mercy of these five great companies, because they control the market and the marketing facilities, and, to some extent, the rolling stock which transports the products to the market.

The competitors of these five concerns are at their mercy because of the control of the market prices, storage facilities, and the refrigerator cars for distribution.

The consumer of meat products is at the mercy of these five because both producer and competitor are helpless to bring relief.

On June 29, 1918, the Federal Trade Commission, in response to Senate resolution of June 10, 1918, transmitted a report (Doc. 248, 65th Cong., 2d sess.) containing facts, figures, data, and information then in possession of the commission relative to profiteering. On page 7 it shows that—

Five meat packers—Armour, Swift, Morris, Wilson, and Cudahy—and their subsidiary and affiliated companies have monopolistic control of the meat industry and are reaching for like domination in other products. Their manipulations of the market embrace every device that is useful to them, without regard to law. Their reward, expressed in terms of profit, reveals that four of these concerns have pocketed in 1915, 1916, and 1917 $140,000,000. However delicate a definition is framed for "profiteering," these packers have preyed upon the people unconscionably. They are soon to come under further governmental regulation approved by Executive order.

On page 14 it states that—

Of the astounding figure of $140,000,000, $121,000,000 represents excess over their prewar profit, and that the profit taken by Morris & Co. for the fiscal year ending November 1, 1917, is equal to 263.7 per cent on its $3,000,000 outstanding capital stock.

The report refers to a number of evil practices—the padding of accounts, the paying of extraordinary salaries, as, for example, those paid by the American Metal Co. (Ltd.), of New York, the chief dealings of which are in zinc, where Mr. C. M. Loeb, president, received in 1917, $364,326.72; Otto Sussman, vice president, $221,596.04; J. Loeb, vice president, $147,930.69; and so forth.

On page 17 of the report, referring to flour millers, it states that in place of the 25 cents per barrel maximum by regulation, the average profit per barrel on 4,000,000 barrels, from September, 1917, to March, 1918, was about 45 cents, or over three times the normal profit per barrel for the four years ending June 30, 1916, reported to be only 13½ cents on each barrel.

The gentleman from Kansas [Mr. TINCHER] called attention to one miller in Kansas who made $282,000 profit in excess of the maximum profit fixed by the Government regulations. The claim was settled for $8,000. Another miller made $19,000. He settled for $402. Both claims were settled without reauditing the accounts. And now, two years after the approval of the food-control act containing section 5, under which the millers were licensed, and which contains a penalty of not exceeding $5,000 fine or imprisonment for not more than two years, or both—now, 13 months after the information was furnished, Congress is advised that "although the present food-

control act prohibits profiteering, the prohibition is accompanied by no penalty."

We have departments asking Congress to increase appropriations, for what? To send special agents over the country to locate profiteers. You have the information. Still you are endeavoring to find some farmer who, according to Government report, receives $402 a year, and to make it possible to fine him $5,000 or imprison him for two years, or both. Gentlemen, if you are going to reduce the cost of living, then go after the profiteers whom you have already found and who you know have made millions by profiteering. Instead of compromising fines, collect them. Imprison those whom you have already convicted or concerning whom you have sufficient information to convict. You know who they are. You have the report of the Federal Trade Commission. They have been pointed out. The commission has told you who the profiteers are, and it has told you what their practices are, and still you are asking for additional appropriations which will give a soft berth in the public crib to a number of deserving Democrats under the pretense of looking for the profiteer.

Mr. KNUTSON. How long has the gentleman been a member of the Committee on Agriculture?

Mr. HAUGEN. About 20 years.

Mr. KNUTSON. How long a time intervened between the inauguration of Woodrow Wilson in 1913 and the time the administration asked for legislation to curb the profiteer?

Mr. HAUGEN. I am glad the gentleman has brought that up. We can not forget the history of this legislation. The department suggested legislation, true enough.

The department's first proposition, section 16, provided for a lump-sum appropriation of $25,000,000, to be immediately available. The bill was referred back to the department with instructions to itemize. The department came back with House bill 4125, introduced by Mr. Lever on May 3, 1917, containing section 2, which made it unlawful for any person to hoard or to hold or to enter into any contract or arrangement for any necessary in excess of an amount reasonably needed, and so forth. The apparent aim of this section was to do away with evil speculation and manipulations, but no penalties were provided for. Of course, without a penalty clause it is even satisfactory to the gamblers. The committee amended the bill by inserting a penalty clause. The bill was reported. At the request of the department the bill was recalled, and House bill 4188, of May 7, 1917, was reported without the section making evil speculation and manipulations unlawful, and the appropriation was cut to $18,510,000.

The absurdity of the whole proposition was pointed out. The agricultural papers and people in general commented. It was suggested that rather than appropriate $18,000,000 to employ 11,000 people to travel over the country telling farmers how to farm, it might be better to put the 11,000 behind a plow; that the department could better furnish tractors and sulky plows to ride instead of automobiles for its agents, but the appropriation was made. Five thousand four hundred people were sent out under the supervision of the States Relations Service. Besides a large number of persons employed by other bureaus of the department were also sent out over the country. Two thousand employees of the Department of Agriculture were certified by the Secretary for deferred classification from military service.

We had the food-control bill up on the floor of the House for several days. An effort was made to add boots, shoes, and clothing to the list of necessaries. We were ruled out on points of order. The bill went over to the Senate at the other end of the Capitol, where it was enlarged. As the result of months of work we have the present law. Now comes the Attorney General, who suggests that we amend the bill by adding wearing apparel and the container in which foods, feed, and fertilizer are sold, the very things for which we were contending when the act was first passed.

Mr. WELTY. Did I understand the gentleman to say that the original law did not contain any penalty clause?

Mr. HAUGEN. As suggested by the department, it did not.

Mr. WELTY. Was not the gentleman from Iowa a member of that committee in the Sixty-fifth Congress.

Mr. HAUGEN. I was a member of the committee during that Congress, and I take some credit for putting the penalty clause in the bill. We fought for it for two weeks.

Mr. WELTY. The gentleman suggested the penalty clause?

Mr. HAUGEN. I did; we made a fight for it both in the committee and on the floor.

Mr. WELTY. And the opposition was on the floor of the House?

Mr. HAUGEN. Certainly.

Mr. WELTY. It was taken out of the bill?

Mr. HAUGEN. The bill was reported by the committee. The bill was recalled by the department and another bill submitted to the committee.

Mr. WELTY. Did the gentleman suggest a penalty clause after that?

Mr. HAUGEN. I did; and it went in.

Mr. LAYTON. Mr. Chairman, I ask for information. I am not acquainted at all with the provisions of the previous act, and what I would like to know is this: What power lies in this section to make any unjust or unreasonable rate or charge in handling or dealing in or with any necessaries? Is it your opinion——

Mr. HAUGEN. For profit?

Mr. LAYTON. Yes. I want to ask the gentleman this question: In his judgment, does he believe that with that provision the Attorney General of the United States would be able to meet the proposition of the gentleman who stated that cabbage in his town was grown by the farmer for 1 cent a pound and charged by the retailer at 6 cents a pound?

Mr. HAUGEN. Oh, my friend, they are reaching the farmer and retailer now. If the gentleman will read the hearings——

Mr. LAYTON. Would that enable a legal prosecution in case you could find that the farmer was holding his cabbage for 1 cent a pound and the retailer was selling it for 6 cents?

Mr. HAUGEN. Under the present bill the farmers are exempt. We propose to exempt them here in respect to products of the farm, as they are under the Clayton Act.

Mr. LAYTON. I mean the middleman.

Mr. HAUGEN. The retailer. A retailer doing business of less than $100,000 is exempt under section 5, but not in this bill. Why? The profits of a retail dealer doing $5,000, $10,000, or $50,000 business per year are small as compared with those making hundreds of millions of profits.

Mr. EMERSON. And he, most of all, who does less than $100,000——

Mr. HAUGEN. The exemption was increased to $100,000 under the food-control act.

Mr. ELSTON. Will the gentleman yield?

Mr. HAUGEN. I will.

Mr. ELSTON. Now, the gentleman said here that he has exempted the farmer from the penalties of section 4.

Mr. HAUGEN. Exactly.

Mr. ELSTON. And on a parallel with the exemptions that have heretofore been made to labor organizations——

Mr. HAUGEN. As to collective bargaining, in so far as it applies to the products of his farm.

Mr. ELSTON. This goes further than the matter of collective bargaining. All you said in here is this, that the provisions of this section 4 shall not be construed to forbid farmers from organizing and indulging in collective bargaining.

Mr. HAUGEN. Exactly; as to products from their farms.

Mr. ELSTON. Now you have gone further, and you say that the farmer may do all the things in section 4 that are prescribed against every other citizen of the United States.

Mr. HAUGEN. The farmer may do them with respect to the products of his own farm.

Mr. ELSTON. No, sir. You say, with respect to products of the soil on the farm, he may destroy, commit waste, he may hoard, he may monopolize, he may limit, and so on down the line. Now, why do you carry it so far—the products of the farm?

Mr. HAUGEN. They are the products of his own farm—raised by him—and surely he should have a right to do as he pleases with the products of his own farm, of his own labor, the right that he now possesses.

Mr. ELSTON. Now, do you mean to say that in addition to exempting him now from any inhibition in regard to association and collective bargaining, you permit him to do every unlawful act that you prescribe against every other citizen of the United States?

Mr. HAUGEN. We propose to let him continue to do anything he pleases with his own products, the products of his labor; that is what labor is exempted from.

Mr. ELSTON. He may hoard, he may destroy, he may waste——

Mr. HAUGEN. In so far as the products are produced or raised upon his farm.

In section 2 of the bill under consideration, which attaches to section 4 of the food-control act the penalty recommended by the Attorney General, the following proviso is added:

Provided, That this section shall not apply to any farmer, gardener, horticulturist, vineyardist, planter, ranchman, dairyman, stockman, or other agriculturist, with respect to the farm products produced or raised upon land owned, leased, or cultivated by him: *And provided further*, That nothing in this act shall be construed to forbid or make unlawful collective bargaining by any cooperative association or other association of farmers, dairymen, gardeners, or other producers of farm products with respect to the farm products produced or raised by its members upon land owned, leased, or cultivated by them.

I believe the language of the provisos clearly shows the intention of the committee.

Much has been said about the present high cost of living and its causes.

All agree that profiteering is one of the causes. If so, why spend time and money in prosecuting the farmer, who is not shown to be profiteering but who has been deprived of making profits? Why embarrass or try to prosecute him? Why wait 13 long months before commencing action against those reported by the Federal Trade Commission to be guilty of "embracing every device that is useful to them without regard to law," who have preyed upon the people unconscionably, whose profits have reached astounding figures? Now that they have been located for 13 months and the cause is known, why appropriate additional sums of money for the employment of attorneys and agents, or enact laws to embarrass those who come here with a clean bill of health? Rather than jail the farmers we had better encourage them to continue production. We will need every bushel produced. Can there be any question as to that? We know that about 40,000,000 participated in the war. Switching that number of people from their usual lines of activity—from farming, manufacturing, mining, milling, and various other industries—to the field of battle, thus transferring them from the field of production to that of consumption and destruction, it goes without saying that with the cessation of their former activities and the resulting increase of consumption and destruction, with the farmer consuming instead of producing, with the manufacturer manufacturing steel for guns instead of steel for local construction, naturally the world finds its bins swept clean and its warehouses empty.

In order to keep the people of the world from starving we loaned Europe approximately $10,000,000,000, all of it used to buy products from our farms and factories. As a result our exports of breadstuffs have increased from $165,000,000 in 1914 to $954,000,000 in 1919, the total export of all foodstuffs from $430,713,457 in 1914 to $2,504,895,554 in 1919. That, in part, explains the present scarcity, and practically all agree that scarcity is one of the causes of the high cost of living.

Increased cost of production and increased cost of living go hand in hand. Labor is one element of cost. Increase in wages adds to the increase of cost of farm products, their transportation, marketing, and distribution. So whenever the laborer receives an increase in wages he receives an increased price list quoting higher prices on shoes, clothing, rent, and foods which he must buy. A few years ago, for instance, potatoes, bread, and butter were usually served without charge with an order of steak. The farmer then received for his potatoes, wheat, and butter about half what he receives now; he at that time received about $1 a bushel for wheat; he now receives $2 a bushel. Four and one-half bushels of wheat make a barrel of flour. The farmer now receives $9 for the 4½ bushels of wheat. The wheat goes to the miller, who sells the middlings and bran back to the farmer for $2, leaving the farmer $7. The flour is sold to the baker, who makes it into five hundred and eighty-seven 8-ounce loaves of bread, and in turn sells it to the hotel keeper at 8 cents a loaf. The hotel keeper cuts each loaf of bread into 10 slices and serves 2 slices to each guest for 20 cents. So the hotel keeper receives $1 for each loaf of bread, or $587 for the bread made from the barrel of flour for which the farmer received $7. The consumers pay not only $587 for the bread which was formerly served free of charge but also pay from two to five times the price previously paid for the steak. At the restaurant in the Union Station, now operated by the Government, two shredded wheat biscuits and cream cost 40 cents; of that amount the farmer who produced the wheat and milk received about 1 cent. The waiter receives about 15 cents in addition to his regular wages. The producer receives 1 cent, the waiter receives in addition to his regular wages fifteen times as much as the producer, and the consumer pays fifty-five times the amount received by the farmer.

Send your shoes out and have them half-soled and you pay $2.50. The farmer who raised the steer and sold the hide receives less than 10 cents, hence a spread of $2.40, or 2,400 per cent.

Rents, transportation, and numerous other items for which the farmer receives nothing enter into the cost of living. Yet some people hold the farmer responsible for the present high cost of living. The increases referred to may or may not be due to profiteering.

One suggests prohibiting the exportation of wheat. The President states in his message that "the price of wheat is lower in the United States than in Europe, and can, with proper management, be kept so." If so, and if wages are not reduced, and if no effort has been made to reduce the alleged profiteering and the astounding profits referred to in the Federal Trade Commission's report, but little relief can be looked for as to bread. Cut the price paid to the farmer in two and the reduction in the cost of living would be practically nothing as compared with the wide spread between the farmer and the consumer. If the price of farm products is reduced below the cost of production, the farmer naturally ceases to produce. There is no law to compel him to produce at a loss. If so, we will be confronted with a scarcity, and if the law of supply and demand regulates, instead of prices coming down they will go up. If so, in order to accomplish results desired, profits and wages will have to be reduced.

The Department of Justice has power to regulate profits. As to wages, many suggestions have been made. One suggestion to increase the yield of the farms at a lower cost is to import help who will work at a moderate wage. The importation of Chinese and Japanese under contract has often been suggested. The contention is that they would work for a lower wage than the average hired man, but that does not seem practicable, certainly not at a time when many of our own people are out of work, and it, of course, would result in reducing the wage of the American laborer. Being a firm believer in a protective tariff, I can see no justice in depriving the wage earner of protection and giving protection to the manufacturer or producer. Our policy has been to restrict immigration rather than to encourage it. If it is the desire to reduce wages, that, of course, can be accomplished by carrying out the suggestion prohibiting exports of foodstuffs. Prohibiting exports would, of course, decrease the demand. If it reduced the price of products, it naturally would stifle production on the farm. Our experience has been that when we have business lagging on the farm we have crumbling banks and closed factories and mills in the cities. When we have closed factories the wage earner is, of course, out of employment. The result would be the same as a number of years ago when farm products were selling low; when wheat and corn were selling for less than one-tenth of what they are now selling. There was no scarcity of food then, but exceeding shortage of money with which to buy food; no complaint of high prices then, nevertheless many went hungry. Hence there is no relief in that. Instead of relief, it would result not only in starvation in Europe but hardship in this country as well. If exports of all foodstuffs were prohibited we would be cut off from $2,504,895,554 annually paid us for foodstuffs. Balances of trade are settled in gold. As exports are cut down, balances in our favor are cut correspondingly.

Whenever imports exceed our exports we have an adverse balance, which means the exportation of gold. Gold is the basis of currency. When gold is exported and if our supply should be exhausted we would be forced to go into the world's market to buy gold. The more gold we will have to buy the more bonds and certificates of indebtedness or currency we will have to issue. The further we travel in that direction the deeper we get into the hole. The American dollar has already depreciated 50 cents. The processes of depreciation have, I take it, been satisfactorily demonstrated in our recent experience. The Bureau of Engraving and Printing was enlarged. It has been running night and day to its fullest capacity printing bonds, certificates of indebtedness, war savings and thrift stamps of all denominations. According to the Treasury report we have in circulation upward of $3,000,000,000 in Federal reserve notes. According to the Treasury report our stock of money in circulation has increased from $3,477,368,000, or $35.12 per capita, in 1914, to $5,841,027,000, or $54.28 per capita July 1 1919. Our stock of money in the United States has increased from $3,775,464,000 to $7,588,474,000.

Paper currency in circulation in the United Kingdom has increased from $144,000,000 in 1913 to $2,058,000,000 in 1919, or from $3.18 to $45.50 per capita; in France, from $1,103,000,000 in 1913 to $6,757,000,000 in 1919, or from $27.85 to $170.62 per capita; in Germany from $617,000,000 to $9,815,000,000 in 1919, or from $9.50 to $151.17 per capita; in Italy from $441,000,000 in 1913 to $2,241,000,000 in 1918, or from $1.72 to $64.62 per capita.

It is generally considered that inflation in currency is due to the depreciation that has taken place. The American dollar has shrunk in two. According to recent quotations, rates of foreign exchange on France have depreciated about 33 per cent; Germany, 75 per cent; England, 12 per cent. So if the value of the American dollar has depreciated 50 cents and if German paper currency is worth only 25 per cent of the American dollar, it has depreciated to 12½ cents. If French currency is worth only two-thirds of the American dollar, its present value is only about 34 cents. The difference is accounted for in the fact that the United States has increased its currency only from $35.12 to $54.28 per capita. It has a supply of gold and has maintained its credit better than others. France increased the paper currency circulation from $27.85 to $170.62; Germany, from $9.50 to $151.17 per capita. They are practically without gold reserve, and evidently their credit is more materially impaired. With

the 15 principal countries of the world increasing the quantity of paper money from $8,000,000,000 to $30,000,000,000 in 51 months, with the Governments of the world paying $10,000,000,000 interest on national debts, as compared with $2,000,000,000 at the beginning of the war, with $180,000,000,000 issued in bonds and other forms of national obligations by the Governments of the world in the past four years, it is not difficult to understand the present value of a dollar.

Another suggestion made is to dispose of the stock of foods held in cold storage. According to the report of the Bureau of Markets, and Mr. Weld, of Swift & Co., the stock held in cold storage July 1, 1919, was:

Bureau of Markets reports on hand July 1, 1919.

	Amount.	Percentage of total production.	Would last—
			Days.
Eggs.....cases..	7,508,530	7	22
Butter.....pounds..	87,851,371	6	20
Poultry.....do....	48,895,000	3	10
Frozen beef.....do....	162,386,570	2	7
Pork products, including lard.....do....	1,047,808,000	10	35

About two-thirds of this quantity is in process of being cured in pickle and salt and is not ready for market.

By it it will be seen the amount on hand is only from 2 to 10 per cent of the total annual production of the various commodities, which, according to the report, would last only from 7 to 35 days, and that two-thirds of pork products is in process of being cured and not ready for the market. If disposed of and consumed now in a period of plenty or surplus, there would be a shortage later in the period of scarcity. The object of cold storage is to conserve foodstuffs, to carry them over from the period of plenty to the period of scarcity. The question is, then, "Shall we consume the surplus now and go hungry later?" Obviously it would be folly to do so.

It seems, then, that the principal causes for the present high cost of living are profiteering, scarcity, high wages, and inflation of currency. If a reduction in the high cost of living is to be brought about, all of the four causes must be readjusted. Profiteering can and should be speedily controlled and discontinued. The President has the information and power to do it. Scarcity can be prevented by encouragement and just treatment to the producer. The readjustment of wages is a matter for the wage earner to determine. As long as wages continue to increase, so long will the cost of living continue to increase. When wages are lowered, the cost of living will decrease correspondingly. The deflation of currency will require time. Obligations have been assumed. They must be met and redeemed. The world is on a credit basis, not on a cash basis. Hence, like a merchant or farmer without cash to redeem his obligations, who must renew or borrow from another. So with Uncle Sam. If he has not the cash, he must do as he is now doing, renew or borrow and issue evidence of indebtedness. If deflation of our currency is to be accomplished, if the obligations are to be redeemed, expenditures must be kept below the income. Now is the time to make use of the pruning knife. The question, then, is, Shall profiteering, scarcity, inflation, and high wages continue? Shall we continue extravagance? Shall we continue to appropriate and expend money beyond our income and to do business on a 50-cent dollar? Or shall we encourage production, practice economy, pay our debts, and return to the good old 100-cent dollar and normal conditions?

How much time have I left, Mr. Chairman?

The CHAIRMAN. The gentleman has two minutes.

Mr. HAUGEN. I yield those two minutes to the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Chairman, I want to digress for a minute from the talk feast and say a word relative to the high cost of living. I just want to call the attention of the committee to the fact that the hungry people of the cities should have something to say about this bill. When the hungry people of the cities learn what you are trying to put over on them, giving the country a bill of this kind and saying that you are going to stop hoarding, and you specifically exempt the farmer against that, it is nothing but a camouflage and a bluff. [Applause.] We passed a food-control bill in 1917. Let me say to the Democratic side of the House that you have had a food-control bill on the statute books since we declared war, and under that bill you had the power to take an inventory of all the food of this country, and you should know exactly how much we have in storage—how much meat we have, how much corn we have. That was the purpose of the law. You have authority to confiscate hoarded supplies and dispose of them. You seem now not to know what we have. You admit the power but confess to your failure to perform, and therefore you have been derelict in your duty.

Mr. TINCHER. Will the gentleman yield?

Mr. LAGUARDIA. I have only a minute; I refuse to yield. Bolsheviks are made by appeals through empty stomachs and not through empty heads. The stomachs of the farmers of this country are full, and the stomachs of the residents of the cities are empty. Now, the distinguished leader of the Democratic Party said that this is the President's bill, and that the Republican Party has followed his instructions. If that is all, if he asked them, then we look toward the Democratic administration and the Department of Justice, which is in your hands, and the Department of Agriculture, which is in your hands, and you have got to make good or we will call your bluff.

Mr. FERRIS. Congress is in your hands, too.

Mr. LAGUARDIA. The Department of Justice is in yours, and you have slept on the job. If there is any food hoarded, it is because you did not exercise the power the law gave you.

Somebody remarked the only profiteers were the Republicans, which proves that you shut your eyes to protect your own profiteers. I will tell you that any man who profiteered during this war is not a Republican or a Democrat. He has no country; he has no flag. His flag is the multicolored petticoat of the demimonde and his god is his dollar. He will soon be marked, and the scorn of his neighbors will drive him to other lands. Now, if your Department of Justice means business, let them get after these hoarders. Let us see if you mean what you say. I predict that you will fail in this as you have failed in the execution of the original law.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LAGUARDIA. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. HAUGEN. Mr. Chairman, I make the same request.

The CHAIRMAN. The gentleman from Iowa makes the same request. Is there objection? [After a pause.] The Chair hears none.

Mr. MACCRATE. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

Mr. ELSTON. Mr. Chairman——

Mr. MACCRATE. Mr. Chairman——

The CHAIRMAN. The gentleman from Georgia [Mr. LEE] is in control of the time.

Mr. ELSTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ELSTON. Will the bill be read for amendment?

The CHAIRMAN. It will.

Mr. LEE of Georgia. Mr. Chairman, I yield five minutes to the gentleman from Alabama [Mr. HUDDLESTON].

Mr. HUDDLESTON. Mr. Chairman, this bill we are considering is offered as an amendment to the "food-control" act. That act expires, by its terms, as contained in section 24, "when the existing state of war between the United States and Germany shall have terminated, and the fact and date of such termination shall be ascertained and proclaimed by the President." The pending bill does not change that provision of the food-control act. Therefore what we may do here will affect the cost of living only up to the time when the end of the war may be proclaimed by the President. If the treaty of peace should be ratified to-morrow, this law would be no longer in force, and then absolutely nothing would stand between the profiteers and the people of America.

I had hoped that the Committee on Agriculture might bring forward some bill that would adequately meet the situation. I had hoped that they would bring forward something that would extend for a reasonable time after the war, so as to protect the people and give some real relief against the high cost of living. That able committee has been holding hearings. We have read about them in the newspapers. They have brought forth their bill, and I find, to my utter amazement, that there is no attempt to deal with this question in any permanent or effectual way, but merely to extend the provisions of a law which may expire within the next few weeks. The President is urging upon the Senate that action upon the treaty of peace shall be speedily taken.

Mr. HAUGEN. Will the gentleman yield?

Mr. HUDDLESTON. I will.

Mr. HAUGEN. I think the gentleman will agree with me that there is no haste as to a permanent law, but that this is temporary in its nature and ought to be taken care of. We have devoted a great deal of our time to cold storage and other propositions, and there were a number of suggestions made.

Mr. HUDDLESTON. The prime and important question before the people to-day is the cost of living.

Mr. HAUGEN. And cold storage is one of the questions.

Mr. HUDDLESTON. That is merely a detail of the great question. Any measure that assumes to meet this situation and assumes to meet it only pending the ratification of the treaty of peace is wholly inadequate and will not answer the purpose. I will not use the word "camouflage," but some expression akin to that would well fit this bill. Profiteering will not cease with the ratification of the treaty; it will go on as long as conditions will permit it. We must legislate so as to deal with the situation.

We have had a great deal said in the papers, we have had moaning and groaning on the part of this great committee, and now we find that they have brought forth with much acclaim the veritable mouse we read about in the fable.

Now, it may be that some gentlemen think that Congress has not the constitutional power to deal with this situation. I had that idea myself at one time in the past. Perhaps if I had the rewriting of the Constitution I would fix it so that Congress would not have the power, but I can not do that. The Constitution is here. As construed by the Supreme Court it gives Congress the power to pass a law that will have effect long enough after the coming of peace to cure this system of profiteering, to remedy the high cost of living. There are several decisions of the court to that effect.

I imagine there are a good many gentlemen in the House who hold to the opinion I held until I had investigated the subject. I want to refer those gentlemen to several cases decided by the Supreme Court of the United States. Perhaps the leading case is the case of Steward *v.* Kahn (11 Wallace, 493), where the court undertook to construe a "stay" law passed by Congress during the Civil War. It was passed as a war measure and in exercise of the war powers of Congress. By its terms the law had operation for a period after the war—after the war period had passed. The court said, on page 506 of the report:

> The Constitution gives to Congress the power to declare war, to raise and support armies and navies. Congress is authorized to make all laws necessary and proper to carry into effect granted powers. The measures to be taken in carrying on war and to suppress insurrection are not defined. The decision rests fully in the discretion of those to whom the powers involved are confided by the Constitution. In the latter case the power is not limited to victory in the field and the dispersion of the insurgent forces. It carries with it the power to guard against the immediate renewal of the conflict and to remedy the evils which have arisen during its rise and progress. This act falls within the latter category. The power to pass it is really implied from its power to make war and suppress insurrection. It is a beneficent exercise of this authority.

The case of The United States *v.* Gettysburg Electric Railway Co. (160 U. S., 668) decided that the act of Congress approved March 3, 1893, creating the military park at Gettysburg, and the act approved June 4, 1894, granting the power of condemnation for the purposes of such park, were valid under the war power of Congress. These acts were passed 28 years after the close of the Civil War.

Justice Peckham, for a unanimous court, stated, at page 681:

> Upon the question whether the proposed use of this land is a public one, we think there can be no well-founded doubt; also in our judgment the Government has the constitutional power to condemn land for the proposed use. * * * Congress has power to declare war and to create and equip armies and navies. It has the great power of taxation to be exercised for the common defense and general welfare. Having such powers, it has such other and implied ones as are necessary and appropriate for the purpose of carrying the powers expressly given into effect. Any act of Congress which directly tends to enhance the respect and love of a citizen for the institutions of his country and to quicken and strengthen his motives to defend them, and which is germane to and intimately connected with and appropriate to the exercise of some one or all of the powers granted by Congress, must be valid. This proposed use comes within such description. The provision comes within the rule laid down by Chief Justice Marshall in McCulloch *v.* Maryland (4 Wheat., 316), in these words: "Let the end be legitimate and within the scope of the Constitution, and all means which are appropriate, which are plainly adequate to that end, which are not prohibited or inconsistent with the letter and spirit of the Constitution, are constitutional."

The second Legal Tender case of Knox *v.* Lee (12 Wall., 540) held that the war power of Congress warranted its legal-tender statutes, which were valid not only as to transactions before but after its enactment and after the conclusion of the war.

Mr. LEE of Georgia. Mr. Chairman, how much time remains?

The CHAIRMAN. Nine minutes remain.

Mr. KELLER. Mr. Chairman, I ask unanimous consent to extend my remarks on this subject.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. LEE of Georgia. Mr. Chairman, I yield nine minutes to the gentleman from Missouri [Mr. RUBEY].

The CHAIRMAN. The gentleman from Missouri is recognized for nine minutes.

Mr. RUBEY. Mr. Chairman and gentlemen of the committee, we are confronted to-day with the most remarkable situation I have ever seen in the consideration of a bill reported from the Committee on Agriculture. This is the first time in my eight years of service that I have seen a measure from our committee, affecting as this one does the people of the entire country, made the basis of a political discussion. More than a hundred million people are anxiously looking to the Congress to enact some sort of legislation which will in some degree at least reduce the high cost of living. So great was the demand that Congress should legislate upon this question that the President of the United States caused the Senate and the House to convene in joint session, came before them, and delivered his special message upon the subject, suggesting ways and means whereby it might be met. The Committee on Agriculture held extensive hearings, and after mature deliberation reported to the House the pending measure.

The membership of this House is entitled to a full and free discussion of this bill; they are anxious to know just what its provisions are and how it will affect the high cost of living. I say to you frankly, gentlemen on both sides, I doubt if there are a dozen of you, outside of the Members on the Committee on Agriculture, who know a single, solitary thing about this bill. This is not strange; the bill was only reported yesterday afternoon. It is brought up for consideration under a rule with a limited debate of two hours, one hour on a side. Now, what happens? Under the usual and customary proceedings the chairman of the committee would take the floor, open the discussion, and explain in detail the provisions of the measure. Did that happen? No. The members of the Committee on Agriculture, the majority members, who are supposed to take the lead in the debate, sat quietly in their seats. The chairman, the gentleman from Iowa [Mr. HAUGEN], able gentleman though he is, did not open the debate. He did not take the floor and attempt to tell you gentlemen what was in the bill. He could have done so; yet when he brings in here a measure of profound interest to all the people what does he do? He calls out upon the floor a gentleman who is always ready and willing, a gentleman upon whom that side can always rely when you are to have a political field day. He brings out the able and distinguished political orator from the State of Illinois [Mr. RODENBERG] to open the debate by making a political speech and abusing the Attorney General, our great President, and everybody and everything connected with the administration. He did not discuss the bill; he did not want to discuss it. Not being a member of our committee, I doubt if he knew what it contained. The gentleman from Illinois was followed by other distinguished gentlemen on that side, none of whom were members of the committee, and who followed the lead of their colleague [Mr. RODENBERG]. Practically the whole time on that side has been taken up in faultfinding and in criticism of the administration. This is no time to play politics; this is no time for vituperation and abuse. This is a time for sane, deliberative action which will bring relief to millions upon millions suffering untold hardships and deprivations because of the greed and avarice of profiteers, who, taking advantage of war conditions, are seeking to enrich themselves by charging extortionate prices for the necessaries of human life.

Mr. LAYTON. Mr. Chairman, will the gentleman yield for just a question?

Mr. RUBEY. No; I decline to yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. RUBEY. Now, then, what is in this bill?

Mr. LAYTON. That is what I intended to ask the gentleman.

Mr. RUBEY. And that is what your chairman of the Committee on Agriculture should have told you the very first thing when this bill was brought before the House.

Mr. LAYTON. Will you not tell me for my information?

Mr. RUBEY. I will yield to the gentleman.

Mr. LAYTON. I simply wanted to say that there are some Members of the House who would like to have this bill discussed, and if the gentleman does understand the bill I would like to hear him, and I promise I will stay here and hear him.

Mr. RUBEY. Well, I will discuss the bill. I have been calling the attention of the House and the country to the policy pursued in this discussion by Members on that side of the House, but since the gentleman is so kind as to ask me what is in this bill I shall not pursue that line of thought further. I will tell you what is in this bill. This bill provides for two amendments to the food-control act. If you will read the first paragraph of that act you will find that certain things are therein enumerated and designated as necessaries, such as foods, feeds, fertilizers, fuel, tools, implements, machinery, and

so forth. This bill inserts the words "wearing apparel and containers."

Now, in addition to giving the Government control over all these necessaries, including wearing apparel, we add a penalty clause on section 4 of the food-control act. Section 4 of that act as it was passed by the last Congress did not contain a penalty clause.

Section 4 of the food-control act is as follows:

SEC. 4. That it is hereby made unlawful for any person willfully to destroy any necessaries for the purpose of enhancing the price or restricting the supply thereof; knowingly to commit waste or willfully to permit preventable deterioration of any necessaries in or in connection with their production, manufacture, or distribution; to hoard, as defined in section 6 of this act, any necessaries; to monopolize or attempt to monopolize, either locally or generally, any necessaries; to engage in any discriminatory and unfair or any deceptive or wasteful practice or device, or to make any unjust or unreasonable rate or charge, in handling or dealing in or with any necessaries; to conspire, combine, agree, or arrange with any other person, (a) to limit the facilities for transporting, producing, harvesting, manufacturing, supplying, storing, or dealing in any necessaries; (b) to restrict the supply of any necessaries; (c) to restrict distribution of any necessaries; (d) to prevent, limit, or lessen the manufacture or production of any necessaries in order to enhance the price thereof; or (e) to exact excessive prices for any necessaries, or to aid or abet the doing of any act made unlawful by this section.

To that section we have added the penalty clause as follows:

Any person violating any of the provisions of this section upon conviction thereof shall be fined not exceeding $5,000 or be imprisoned for not more than two years, or both: *Provided*, That this section shall not apply to any farmer, gardener, horticulturist, vineyardist, planter, ranchman, dairyman, stockman, or other agriculturist, with respect to the farm products produced or raised upon land owned, leased, or cultivated by him: *And provided further*, That nothing in this act shall be construed to forbid or make unlawful collective bargaining by any cooperative association or other association of farmers, dairymen, gardeners, or other producers of farm products with respect to the farm products produced or raised by its members upon land owned, leased, or cultivated by them.

Mr. LAYTON. Mr. Chairman, will the gentleman yield?

Mr. RUBEY. I yield.

Mr. LAYTON. What I am chiefly interested in is this: My judgment is that the cost of living in this country to-day is not due to any excessive profits by the farmer, not due to any greatly excessive profits on the part of the packers——

Mr RUBEY. Do not take up too much of my time.

Mr. LAYTON. I will get at it.

Mr. RUBEY. Very well.

Mr. LAYTON. But it is due to the middleman; and the proposition that was advanced by the gentleman from Texas, I think—I am not familiar with all these gentlemen yet—in which the profiteer is found in the small dealer in the town and the village and the city, is perhaps correct.

Mr. RUBEY. I can not yield further.

Mr. LAYTON. I want to ask you whether this bill, in your judgment, will reach him?

Mr. RUBEY. I think it will. I will say this to the gentleman, that this bill is intended to reach primarily the profiteer, wherever he may be found.

Mr. LAYTON. Then it is a good bill.

Mr. MACCRATE. Mr. Chairman, will the gentleman yield for a pertinent question?

Mr. RUBEY. I regret I can not yield to the gentleman. I want to say of this bill that in my opinion it may not do a great deal of good in itself, but I am satisfied that the effect of this measure and the effect of the prosecutions that will come under it, when the authority is given, will be most wholesome and salutary throughout the country.

Mr. LAYTON. A moral effect?

Mr. RUBEY. Yes; a moral effect, as suggested by the gentleman from Delaware.

Mr. Chairman, I want very briefly to discuss the exemptions in the penalty clause, those provisions to which some of our city members have objected, claiming that it is class legislation in the interest of the farmer. It is not special legislation in the interest of the farmer, but if it were I would still be for it. If there is any class of people in our country that needs the encouragement and help of the Government it is the farmer. To him the entire Nation looks for its food supply. The farmer is not going to violate the provisions of section 4. He could not violate many of them if he wanted to. He toils early and late through all kinds of weather to produce his crop, and certainly after it is produced he is not going out willfully to waste or destroy it. He has a perfect right to hold the products of his labor until he gets ready to market them without being accused of hoarding, and certainly no one is going to accuse him of exacting excessive prices for his products.

The farmer has about as much to say about the price he shall receive for what he raises as the fabled man in the moon. He goes to market with his cattle and his hogs, his grain and his hay, his poultry, butter, and eggs, and in each and every case the purchaser fixes the price he shall receive. The farmer can not, in any sense of the word, become a profiteer. He can not fix the price at which this product may sell. Individually in this regard he is utterly helpless. The only possible way that the farmer can help himself and have something to say about the price of his own product is by cooperative organization.

Cooperative bargaining is the only method I know of that will bring relief to the farmer and keep him from being at the mercy of dealers in farm products. I hope the day will not be far distant when the farmers of this country may become thoroughly organized. Every other industry is organized; why not the farmer? Cooperative bargaining on the part of the farmers will give them a chance to have some little to say about what they shall receive for the fruits of their honest toil. We specifically exempt the individual farmer so that he may not be unnecessarily persecuted and annoyed, and we give him the right to unite with his neighbors in the sale of his products because it is right and proper that he should have that privilege. By placing these exemptions in the law we send a message of cheer to the American farmer, we encourage him to produce, we say to him, "The Congress of the United States is with you, not against you; continue to produce the food so necessary to the welfare of the Nation and you shall be protected in your rights."

Mr. Chairman, the high cost of living can not be charged against the farmer; the exorbitant prices paid by consumers are placed upon the products after they leave the farmer and go into the channels of trade. The high cost of living is not confined to food alone; it applies with equal force to clothing, shoes, furniture, lumber, farm machinery; in brief, to all those things which are absolutely essential to the happiness and comfort of our people. It has come upon us by reason of the war and conditions growing out of that awful conflict. It can not be cured in a day. It can not be cured by legislation.

After all is said and done, it will be the American people themselves who will finally put an end to the reign of extortion and greed now pervading the country. The people can be depended upon to cooperate with the authorities, both State and National, in the enforcement of this and other laws. The people will very soon make it not only dangerous but unpopular and finally unprofitable for men to deal unfairly with their fellow man. If we would return to normal conditions, it behooves us one and all during these days of reconstruction to stand up for the right, denounce the wrong, practice economy, frown down extravagance, encourage correct living, and work together for the good of all.

The CHAIRMAN. The time of the gentleman from Missouri has expired. All time has expired.

Mr. GRIFFIN. Mr. Chairman, there has been no presentation of any arguments here in opposition to this measure, which has a unanimous report, and I therefore ask unanimous consent to proceed for 15 minutes in opposition to this bill.

Mr. HAUGEN. I suggest that the first section of the bill be read before the gentleman does that.

Mr. McLAUGHLIN of Michigan. The time was fixed by the House.

The CHAIRMAN. The time for general debate was limited to two hours.

Mr. MACCRATE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MACCRATE. Did the rule provide for two hours' debate in favor of the bill or one hour in favor and one hour to those opposed to it?

The CHAIRMAN. It provided for two hours' debate, one half the time to be controlled by the gentleman from Iowa [Mr. HAUGEN] and the other half by the gentleman from Georgia [Mr. LEE]. The two hours have expired. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the first paragraph of the act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917, be, and the same is hereby, amended so as to read as follows:

"That by reason of the existence of a state of war it is essential to the national security and defense, for the successful prosecution of the war, and for the support and maintenance of the Army and Navy to assure an adequate supply and equitable distribution and to facilitate the movement of foods, feeds, wearing apparel, containers primarily designed or intended for containing foods, feeds, or fertilizers, fuel, including fuel oil and natural gas, and fertilizer and fertilizer ingredients, tools, utensils, implements, machinery, and equipment required for the actual production of foods, feeds, and fuel, hereafter in this act called necessaries, to prevent, locally or generally, scarcity, monopolization, hoarding, injurious speculation, manipulation, and private controls affecting such supply, distribution, and movement, and to establish and maintain governmental control of such necessaries during the war. For such purposes the instrumentalities, means, methods, powers, authorities, duties, obligations, and prohibitions hereinafter set forth are created, established, conferred, and prescribed. The President is authorized to make such regulations and to issue such orders as are essential effectively to carry out the provisions of this act."

Mr. BLANTON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. BLANTON. Did he ask for recognition?

The CHAIRMAN. He was on his feet.

Mr. HAUGEN. I suggest that we limit the time for debate on this section to 20 minutes. I ask unanimous consent to limit the debate on this section to 20 minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that debate on this section be limited to 20 minutes. Is there objection?

Several Members objected.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Texas is recognized for five minutes.

Mr. BLANTON. Mr. Chairman, I shall take up only a moment, although I have five minutes. I merely want to answer the inquiry of the gentleman from Delaware [Mr. LAYTON].

Mr. TREADWAY. A point of order, Mr. Chairman. The gentleman is not discussing his motion to strike out the last word.

Mr. BLANTON. The last word is "act."

Mr. TREADWAY. I insist that the gentleman confine himself to his motion.

Mr. BLANTON. Mr. Chairman, under this act which we are now discussing the contention of the gentleman from Delaware [Mr. LAYTON] is met.

Mr. TREADWAY. A point of order, Mr. Chairman. The gentleman is not discussing his motion to strike out the last word. I insist that he confine himself to his motion.

Mr. BLANTON. I am confining myself to the motion.

Mr. TREADWAY. I ask for a ruling by the Chair.

The CHAIRMAN. The gentleman must confine himself to his motion.

Mr. BLANTON. Mr. Chairman, under this act——

Mr. LAYTON. Does the Chair mean to say that the gentleman from Texas is confined to a definition of the word "act"?

The CHAIRMAN. The gentleman must confine his discussion to the motion.

Mr. BLANTON. Under this act the retail merchant doing business of $100,000 or less per year, who was exempted under the former law, is brought before the bar of the country.

Mr. TREADWAY. Mr. Chairman, the gentleman is not discussing his motion to strike out the last word.

Mr. BLANTON. Mr. Chairman, I am. The last word "act" covers the whole bill, and I am discussing the bill. It does reach the profiteer who by reason of doing a business of $100,000 or less has been making, if he sold the cabbages mentioned in Oklahoma, $86,000 profit in a year while doing only $100,000 worth of business.

Mr. TREADWAY. Mr. Chairman, the gentleman is not discussing his motion to strike out the last word.

The CHAIRMAN. The gentleman must confine himself to the discussion of his motion if the point of order is insisted upon.

Mr. TREADWAY. I insist on the point of order.

Mr. BLANTON. Mr. Chairman, I am discussing the last word, which is "act."

Mr. TREADWAY. The gentleman's motion was to strike out the last word. The gentleman is not discussing that motion.

Mr. BLANTON. I am confining myself to the last word, which is "act," and which word "act" covers this entire bill, and no reasonable expounder of the English language can justly contend otherwise.

The CHAIRMAN. The gentleman must confine himself to his motion.

Mr. BLANTON. I am doing so, Mr. Chairman, although the contentiously technical gentleman from Massachusetts [Mr. TREADWAY] could not have revised and extended his remarks yesterday if I had not kindly permitted him to do so, for he did so after asking for and obtaining my consent, which I gave even after he had refused to yield to me very abruptly.

Mr. TREADWAY. The gentleman from Massachusetts is quite able to take care of himself.

Mr. BLANTON. I am quite sure you are, even though you are certainly not very civil and grateful at times.

Mr. FERRIS. Mr. Chairman, a point of order.

Mr. BLANTON. I do not think all my time should be taken up by the gentleman from Massachusetts.

The CHAIRMAN. The gentleman from Texas will proceed in order.

Mr. FERRIS. My point of order is that one Member sitting in his seat and one standing on the floor should not address each other in the second person.

The CHAIRMAN. The gentleman's point of order is very well taken.

Mr. BLANTON. Now, after taking out the time occupied by the gentleman from Massachusetts, will the Chair advise me how much time I have left?

The CHAIRMAN. The gentleman has two minutes left.

Mr. BLANTON. And in that two minutes again I want the gentleman to know that under this "act"——

Mr. TREADWAY. A point of order, Mr. Chairman. The gentleman is not confining himself to his motion.

The CHAIRMAN. The point of order is well taken.

Mr. TREADWAY. The gentleman's motion is to strike out the last word. I insist that he confine himself to that motion.

Mr. BLANTON. Gentlemen, under the precedent established yesterday I made a motion to strike out the word "act" when I do not intend to strike it out. The gentleman from Massachusetts yesterday made a motion against which he and his whole Republican side voted strongly and unanimously. I am following the Republican precedent set yesterday by the gentleman from Massachusetts. I made a motion to strike out the word "act" when I want it left in; and I want it left in because it reaches the retailers of Massachusetts who, like the cabbage sellers of Oklahoma, have been making $86,000 a year profit on $100,000 worth of business. That is the only point I make.

Mr. TREADWAY. A point of order, Mr. Chairman. The gentleman is not confining himself to the motion.

The CHAIRMAN. The point of order is well taken.

Mr. QUIN and Mr. MACCRATE rose.

The CHAIRMAN. The gentleman from Mississippi.

Mr. MACCRATE. Did I understand the Chair to say he would recognize me after the gentleman from Texas had concluded?

The CHAIRMAN. The gentleman from Mississippi [Mr. QUIN] is recognized.

Mr. QUIN. Mr. Chairman, I think this House is proceeding in a very orderly manner on a very grave subject. In my judgment the real causes of the high cost of living have not been touched on in this debate at all, and this bill that we have before us, while I am going to vote for it with all of my heart, is not going to materially change the situation, because the high cost of living comes from fundamental causes. This profiteering is just a kind of surface matter. It does not reach the point. Here is this whole world practically without food. All of Europe is calling on the United States of America for food and clothing, and with the inflation of our money to-day, with two and a half billion dollars in reserve-bank notes and $34,000,000,000 in United States bonds and other evidences of debt, with the currency of the country inflated and the purchasing power of the dollar decreased, with the salaries of all people—Government employees, railroad employees, everyone engaged in activities—raised sky-high, and freight rates on railroads raised very high to in a measure pay increased expenses, after the world has been engaged for four or five years in destruction not only of human life but of human property, with the cessation of productive activities naturally there is a shortage of foodstuffs and wearing apparel and machinery of all kinds, and of all kinds of raw materials throughout the United States and Europe; and as long as we keep our goods going abroad as they are going to-day and have been going for three years we are going to have the high cost of living in this country, regardless of any legislation that this Congress can pass. We can not stop the law of supply and demand. The only way that we can reduce the price of foodstuffs and wearing apparel is to put an embargo on goods going abroad and keep them in this country. I would not approve of that, because it would bring destruction to Europe and serious disaster to all our own factories and farms.

Some men talk about sending the farmer to the penitentiary for profiteering. The farmer is no profiteer and never has been. I was surprised when the gentleman from Iowa [Mr. HAUGEN] said that the Attorney General of the United States suggested that the farmer should be fined $5,000 and put in jail, and so on.

Mr. RUBEY rose.

Mr. QUIN. I have not time to yield; but I just want to say that they all forget about the farmer. These people who live in the glare of the electric lights forget all about the farmer, and you can not throw a lasso and drag them out there to the farms.

Mr. RUBEY. Will the gentleman yield?

Mr. QUIN. No, thank you—excuse me. Old bossy is calling on these electric-light people to come out and feed her and milk her and to make butter, and the hogs are squealing for these people to come out and give them some corn, and the people of the cities are crying for bread, and they can not get it unless people go on the farm and produce it, and yet some people think that the farmer is a profiteer. They will not go out and work on the farm in the sun and rain, but they want to

sit under the shade all day, and then claim great big salaries for whatever work they do and expect the farmer to sell the product of his labor for nothing. The farmer is not getting too much for what he is raising. I want to tell you that I went through the hardships of a poor farm boy myself. The farmer is the only man that never has been getting what he deserves. While this war was on and now he is really getting a decent price for what he produces. It is not easy for Government officials to fool the American people on this subject. No kind of legislation that this Congress can pass can artificially reduce the cost of living. The only thing Congress can do, outside of preventing profiteering along certain lines, is to deflate the currency and to place an embargo on our American products being shipped abroad. We can not afford to deflate the currency, because this would bring about the greatest crisis and panic this country ever experienced. Neither can we afford to place an embargo on the products of our farms or of our factories and mines.

Practically all of Europe—the chief market of America—would be ruined and starvation would face her people. Commercially it would be a colossal blunder. As a great Nation we would be held up to ridicule and scorn. Our people must be told the truth.

The cost of living is bound to remain high till the farms and factories of Europe produce what they need; and, further, till normal conditions are established on the farm and in the factory production in our own country; and, still further, till after the currency of this country shall have been deflated through a gradual process unannounced to the public.

Gentlemen, these matters I have stated are fundamental. The real remedy lies in the hope that our people will stop talking about the high cost of living and thinking that Congress can lower the price of everything. There is too much extravagance all over the country. The people must practice economy and save both food and money. If necessary, we must tighten up the belt a notch or two. More people must go to working the lands of this country and produce more to eat. The shortage is world-wide, and this condition will last for a long time after the treaty of peace is signed.

The law of supply and demand is bound to control prices, and all values will be high until the production harmonizes with consumption. To-day consumption is greater than production. If I have stated a fact, can any act of Congress or any State legislature lower the prices of commodities, except the element of profiteering, which in reality is only negligible in the equation of high prices for life's necessities? Do you think there is anybody fool enough to believe this Government, that spent $47,000,000,000 within two years and raised everybody's salary and borrowed more money than there is in all the world, can, by a fiat of Congress, reduce the prices of the products of the farm and the factory of this land? It can not be done except in the regular, natural, normal way. We can in a measure stop some of the profiteering. Let us do that right now. Tell the people all soldiers must get back into active pursuits and that production must be increased and consumption decreased before there can be any real and permanent decrease in the cost of living. [Applause.]

Mr. MacCRATE. Mr. Chairman, I move to strike out the paragraph.

As a man who comes from a large city, I realize, as does every city man who thinks, that we depend ultimately upon the man with the hoe for our food and provisions. [Applause.] We know that if the farmer ceases to sow the seed and till the soil, if he will not watch and care for his crops, if he refuses to nurture his sheep and cattle, the great cities of the country will crumble. Wall Street and Broadway, our bright highways, our museums, our libraries, indeed, all that we believe makes cities great, would profit us nothing if the farmer stops producing.

But I say emphatically that honesty is known among the dwellers of the city as well as among the farmers of the country. Men of the city no less than men of the country prize a good name, love childhood, honor womanhood, and for right and for country stand ready to yield the full measure of devotion. Virtue finds a happy habitation in the motherhood of America, whether watching little feet play among the roses or stumble up the stairs of darkened tenements. Virtue cares not where men and women live. Neither does vice. In God's great sunlight, where birds sing and flowers bloom and the air is free from taint, as well as in the markets and amid the humming machinery of the metropolis, there are men whose hearts are the dwelling place of corruption and greed. It was in the garden called Eden that evil first came among men.

Therefore I must protest when you will declare by law that hoarders and profiteers and food destroyers are found only in the towns and cities. No honest farmer desires that we shall pass class legislation here. He knows that among the men about him are some moved by the greed of gain like that which moves the city food hoarder and profiteer.

Can right in the country be wrong in the city? Will you say that the place of abode shall determine whether a man is a food hoarder or a price fixer? We Members from the city have, and now are willing to vote, millions to help the farmer get old earth to increase her yield, for we have watched with concern our numbers grow larger from decade to decade, until to-day we who consume are more than you who produce the food of the Nation. Our very growth has made your labor greater. But will you now, against the dictates of American honor and justice, say that hoarders and profiteers and food destroyers are such only when they do not till the soil? You attempt more than the divine law has done. You do more than the founders of this Nation thought would be done. This Government extends equal protection of its laws to the humblest as well as to the mightiest; it guarantees life, liberty, and the pursuit of happiness to all, regardless of race, religion, or color. Will you ask that its condemnation of criminal conduct be less broad? You may; but I believe the honorable body of Americans for whom you seek to speak do not desire you to do so.

We have been asked to legislate to reduce the cost of living. We have been told existing law is insufficient. We are asked to vote the people's money in large sums. For two years we have had law and we have voted much money. What has that law and what has the expenditure of that money accomplished? Congress should be informed, for we must weigh well our acts. On this subject the Nation demands our wisest counsel.

I have therefore submitted a resolution calling on the Attorney General to state to Congress what he has done under existing food laws and how much help he has received from other executive departments in discovering violations of the laws from January 1, 1919, to June 30, 1919. The time has come when Congress must refuse to submit to graceful battering in its own meeting place to cover laxity and inefficiency of members of the Cabinet.

Congress, by the food-survey act passed in August, 1917, granted power to the Secretary of Agriculture to go into every packing house, cold-storage plant, food-hoarding spot, and retail store in America and demand to be informed as to the cost, production, and prices of foodstuffs. What has Mr. Houston, the Secretary of Agriculture, done with those powers? Congress voted $2,225,000 in November, 1918, to the Secretary of Agriculture to get and give to the people the facts about the production, storing, cost, and hoarding of food, and to that sum added $7,000,000 to stimulate meat and food production. In July, 1919, it gave him $1,157,970 to lay food facts before the people. He now asks for $500,000 additional. Congress demands to know what he has done with the powers and millions already voted before it blindly grants additional moneys and continues in peace times war measures. Has the Secretary of Agriculture, with the $3,250,000 which he had, in one year discovered food curbers, profiteers, and price fixers? Has he recommended prosecution of them by the Attorney General? How many have been convicted through the activity of Mr. Palmer, the Attorney General? If they have not been prosecuted the country demands the reason why.

The President chided Congress for not granting all moneys requested by the executive departments, and he asked that the hoarding of foodstuffs and fuel be made unlawful, yet for two years by the very first section of the Food Control Act, those subjects are stated to be necessaries and by section 6 a jail penalty is established for hoarding them, and by section 7 they may be sold by the courts. Since January of this year surely the food question has been sufficiently acute to have demanded action under the law as it is.

What prosecutions have been instituted by the Attorney General to get food hoarders, and how much of their hoarding has he sold to the public? The President also asked that a penalty for profiteering should be added to the law, yet the Attorney General suggests only one penalty amendment, which tends to cut in half the penalty already in the law against enhancing the price of foodstuffs. How many prosecutions have been instituted for willful destruction of foodstuffs by the Attorney General? By section 9 of the same food law passed in 1917 persons combining or agreeing to enhance the price of food may be sent to jail for two years. Are there in jail to-day any convicted under that section through the activity of the Attorney General?

Never in the history of the country has the executive branch of the Government received greater power or more money from Congress to hunt and punish food profiteers than it has to-day. Congress has gone the limit in giving the executive departments inquisitorial powers into the details of private business. The

President, under section 13 of the food law, for two years past, and to-day, has power to close every stock exchange in America if prices are manipulated, and four years in jail faces any person who violates the rules regulating stock exchanges laid down by him. The powers conferred are so great that the Attorney General and Secretary of Agriculture have submitted but a single amendment.

If with these powers and penalties under existing law the prices of life's necessaries have continued to increase, it is time to find whether failure to enforce the law is the cause or whether in spite of the strictest enforcement prices refuse to halt. If the Attorney General has prosecuted to the limit all violations reported and the Secretary of Agriculture has exercised all powers conferred upon him, let us look for remedies in other directions. With $2,000,000 last year and $1,600,000 voted in July of this year to the Attorney General, Congress has a right to demand of him an account of his activities before it votes the $2,000,000 additional which he now seeks.

All executive departments are publishing promises of a nation-wide hunt for hoarders and profiteers. The people are sick of publicity and promises. They want prosecutions pushed, if justified, and they want them dropped if they are unjustified. They demand to know what has been done before they will believe promises of performance. Let the Secretary of Agriculture and Attorney General show that conscienceless crooks have found their way to jail and that food prices have fallen under the laws on the books for two years, then the country will willingly give them additional millions. Prison and not publicity is the cure for profiteering. The place to attack price-fixers and food hoarders is not the rostrum of the House of Representatives but in the courts of the country before American juries. The thick hide of food manipulators can not be pierced by polished shafts of rhetoric hurled from high places. Prison fare is the only food that will nourish their almost dead sense of concern for their fellow men.

I ask you to consider the resolution which I have introduced, and which I add as a part of my remarks, as but an honest attempt to get information which will aid us to determine how effective is legislation in affecting the cost of living:

House resolution 248.

Resolved, That the Attorney General be, and he hereby is, directed to furnish forthwith to the House of Representatives the number of violations of section 2 of the food-control act, approved August 10, 1917, covering cost, prices, and supply of food reported to the Department of Justice by the Secretary of Agriculture from January 1, 1919, to June 30, 1919, the number of prosecutions instituted therefor, and the convictions obtained, with the names of the convicted.

Also the total number of violations of sections 4 and 6 of the food-control act, approved August 10, 1917, covering the willful destruction, hoarding, limitation of production, and unfair price-fixing of necessaries reported to the Department of Justice from January 1, 1919, to June 30, 1919; the number of violations of such sections reported by the Department of Agriculture, the Department of Labor, the Department of Commerce, and the Department of the Treasury, respectively; the prosecutions instituted therefor, and the number of convictions obtained, with the names of the convicted.

Also all violations of section 13 of the food-control act authorizing the President to prevent undue enhancement of prices and other evil practices reported to the Department of Justice from January 1, 1919, to June 30, 1919, and all prosecutions instituted therefor and all convictions obtained, with the names of the convicted.

Also the total amount of hoarded necessaries sold by the courts after proceedings instituted by the Department of Justice, in pursuance of section 7 of the food-control act.

Also the number of proceedings instituted by the Department of Justice, in accordance with the recommendation of the Federal Trade Commission in its report of May, 1918; the indictments found in such proceedings, the dates of such indictments, and the defendants named therein; and the convictions obtained thereon and the names of the defendants.

Also the number of applications made by the Attorney General to tht Federal Trade Commission for the investigation of corporations alleged to be violating the antitrust acts, as provided in section 5 of "An act to create a Federal Trade Commission," etc., approved September 26, 1914, together with the names of such corporations.

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield?

Mr. MACCRATE. Yes.

Mr. KINCHELOE. I have been trying to find out myself, and I have been unable to do so as yet; but will the gentleman explain to the House how a farmer can be guilty of profiteering in the sale of his products which he raises on land owned or leased by him, and when he sells in the open market and buys in the open market?

The CHAIRMAN. The time of the gentleman from New York has expired.

By unanimous consent Mr. MACCRATE was granted leave to extend and revise his remarks in the RECORD.

Mr. TINCHER. Mr. Chairman and gentlemen [applause], I hope that there will not be any misunderstanding between the Congressmen from the cities and the gentlemen who come from the country districts over this bill. There will not be if they understand the bill. We had two weeks' hearings on this and the cold-storage proposition before the Committee on Agriculture, and I think we have gone into the facts concerning the matter pretty thoroughly. I overheard a gentleman say that he was going to vote against this bill because it exempted farmers from prosecution for destruction of food products. Now, if you will stop and think a moment, we are not here to talk about something that we do not know anything about or be for or against something we do not understand. The farmers of this Nation are asked this fall to seed a large wheat crop. I happen to know just a little about that personally. I know that if a man knows that when he seeds that crop he can not destroy it if he wants to next spring instead of harvesting it, that no man can afford to plant it. I want to make that clear. When I left home this spring our wheat fields in my section of the State looked as if they were going to be a success, but there are thousands of acres of wheat by reason of charge of climatic conditions that did not bear a harvest. But they want to make every bushel, all that they possibly could, but no farmer could afford to go to the expense of harvesting that wheat and save that food; it would ruin him. Well, without the exemption of this law he would be guilty, if he did not harvest and plow it under or use it in some way, of destroying a food crop. I want you to understand another proposition, and that is that there is not any way in the world of comparing a farmer holding his own products that he raises himself until he is ready to market them with the middleman who traffics in his products. [Applause.] But I want to say this: That the object of the Agricultural Committee in reporting this bill was not to favor the farmer but to encourage production; and men like Mr. FERRIS, from Oklahoma, and other men who came before the committee, called our attention to the fact that we must not enact legislation that would enable the farmer to be harassed and be bothered, but that we must encourage production, and I want to say that coming from a farming district I am proud of the fact that not a single witness even intimated that the Department of Justice should take up the case of the farmer and not a witness said that the farmer of the United States had since this Great War in any way profiteered. [Applause.]

Mr. PLATT. Will the gentleman yield?

Mr. TINCHER. Yes; I will yield.

Mr. PLATT. Does the gentleman think anybody would hold that if the farmer planted a crop of rye in the fall and plowed it in the spring that that is destruction?

Mr. TINCHER. Before the Attorney General decided under the present law—the one we are amending today—before he decided that the farmer was exempt, as we are seeking to amend it to-day, I know the fact that administrators tried to have farmers put in jail for turning hogs in cornfields instead of gathering the corn. I say to you that it is not so much——

Mr. PLATT. But that does not answer the question.

Mr. TINCHER. No; I do not think it would. I do not think it was thought that would violate that law. Why should there be any misunderstanding with the farmer as to the attitude of this Congress toward him? Why not have it so that he will understand where we are? He is not accused of profiteering, and why have any misunderstanding about it?

Mr. REAVIS. Will the gentleman yield?

Mr. TINCHER. I will.

Mr. REAVIS. If the farmer in the case of a wheat crop had turned it under and planted another crop before the season is gone for wheat, it is with the understanding of increasing the production, is it not?

Mr. TINCHER. Absolutely. Though you might get a man from the congested districts of New York who would think he ought to be put in jail, and there have been some district attorneys in some of the States since this law was passed—I will tell you of an example; they put some milkmen over here in Ohio in jail and kept them there, denied them bail, because under collective bargaining they were selling their milk to a dealer at 7 cents a quart when the dealer or retailer of the milk sold it at 16 cents a quart and they were not doing anything with him. The district attorney put the farmers who produced the milk in jail and did not interfere with the middlemen; I do not know why.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. Mr. Chairman, after five minutes, can not we read another section, I ask unanimous consent——

Mr. STRONG. I desire five minutes.

Mr. WELTY. Mr. Chairman, I ask unanimous consent to speak for 10 minutes.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that debate conclude in 15 minutes; 10 minutes to go to the gentleman from Ohio.

Mr. CARAWAY. Mr. Chairman, reserving the right to object, I have an amendment to offer.

Mr. HAUGEN. Say 20 minutes.

Mr. CARAWAY. Three minutes will do for me.

Mr. HUDDLESTON. Mr. Chairman, reserving the right to object, I have an amendment, an important amendment, which I wish to offer to this section. It can not be offered to any other section, and I trust the gentleman will not foreclose this.

The CHAIRMAN. The amendment of the gentleman from New York is pending.

Mr. MACCRATE. I withdraw my amendment.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this section and all amendments thereto close in 20 minutes. Is there objection?

Mr. HUDDLESTON. Mr. Chairman, reserving the right to object, may I inquire who is to get the 20 minutes?

Mr. HAUGEN. The gentleman from Ohio is to have 10 minutes, the gentleman from Alabama 5 minutes, and the gentleman from Kansas [Mr. STRONG] 5 minutes.

Mr. BANKHEAD. Mr. Chairman, reserving the right to object, we do not know what is contained in these proposed amendments. It might be very important. It might be our duty to have some discussion, and for that reason I object.

The CHAIRMAN. Objection is heard.

The gentleman from Ohio [Mr. WELTY] asks unanimous consent to proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. WELTY. Mr. Chairman and gentlemen of the committee, I am just a trifle disappointed because the committee was not able to report a bill with a view of enacting permanent legislation to deal with the profiteers. The bill presented is simply an amendment to the war measures and can be in effect only during our transition from a war basis to peace times. I shall vote for this bill because it will give the Government added power to deal with the profiteers and send them to jail, where they can meditate. But I was disappointed to find that not one on the majority side saw fit to discuss the measure under consideration, but, instead, made this bill a vehicle for abuses against the administration.

Some few days ago, when the high cost of living became acute, there were Members who criticized the administration because the Sherman antitrust law had not been enforced, with a statement that there was no need of additional legislation. This morning the gentleman from Illinois [Mr. RODENBERG] opened the debate on this bill with a renewed attack on the administration, and contended that the Sherman antitrust law was all that was necessary, provided the Department of Justice would do its full duty. In the short time I have, I want to call the attention of the House to a few facts taken from the court dockets showing how the Sherman antitrust law has been working since the famous decision of the Standard Oil and Tobacco cases in May, 1911, at which time, it will be remembered, the Supreme Court held in these two cases that a reasonable restraint was not unlawful; that a trust or monopoly could not be found guilty so long as commerce was not unduly restrained. Just how much restraint is permissible under that decision no one knows; whether 5 per cent or 80 per cent is unlawful must be determined by the court. The Sherman antitrust law specifically declares that any restraint is unlawful, just as the law against stealing is declared unlawful. But since that famous decision we seem to have a new law. The court has usurped the power of Congress. Instead of passing upon acts of Congress it writes into law a new act, and thus makes the Sherman antitrust law of no effect unless the court at some future time sees fit to reverse itself and declare, as the law intended, that any restraint, no matter how small, is declared unlawful.

Mr. GOOD. Will the gentleman yield?

Mr. WELTY. Certainly.

Mr. GOOD. I understand the gentleman to say that the Sherman antitrust law has been a dead letter since 1912.

Mr. WELTY. Absolutely, unless the Supreme Court reverses itself in the Standard Oil and Tobacco cases and takes the rule of reason out of this act.

Mr. GOOD. And the Democratic Party has been in control of both branches of the Congress since 1910, I believe, and had the President since 1912.

Mr. WELTY. Since 1913.

Mr. GOOD. And do you mean to say that your great party had done nothing in all that time to correct the evils, and place upon the statute book a real live law to prevent the combinations and corporations from doing those things that the Sherman antitrust law attempted to prevent?

Mr. RUCKER. No party in six years can undo all of the wrongs you have done in 20 years. [Laughter.]

Mr. WELTY. Well, I hope that you will not expect to hold the Democratic Party responsible for the appointment of reactionary judges before 1912. The country has been patiently waiting since that time for this court to reverse itself. The only time that it did properly interpret the Sherman antitrust law was in the Hatters case, where the rule of reason did not enter, because a number of workmen saw fit to strike in order to maintain a union shop. In that case the Supreme Court approved a fine which exceeded the value of all of the property these workmen had. The Democrats did pass an antitrust law after that decision, by passing the so-called Clayton Act in 1914, which in part provides "That the labor of a human being is not a commodity or article of commerce. Nothing contained in the antitrust laws shall be construed to forbid the existence and operation of labor, agricultural, or horticultural organizations, instituted for the purposes of mutual help, and not having capital stock or conducted for profit, or to forbid or restrain individual members of such organizations from lawfully carrying out the legitimate objects thereof; nor shall such organizations, or the members thereof, be held or construed to be illegal combinations or conspiracies in restraint of trade, under the antitrust laws."

But the Congress had a right to believe that the Supreme Court would reverse itself in the cases of the rule of reason when passing upon acts of a monopoly, because of the sentiment in the country. Personally, I introduced a bill in the Sixty-fifth and Sixty-sixth Congresses providing a constitutional amendment making the judges appointive for a term of years instead of for life. It seems that the minute some of these judges are appointed for and during life, they withdraw themselves from the people and seem to cease to be in harmony with them and the Congress of the United States. However, I have been unable to procure any action from the Judiciary Committee on this bill. Because of the uncertain conditions that the court's decisions had placed the country in under the Sherman Act, the Department of Justice did not know what to do.

Mr. McPHERSON. Will the gentleman yield?

Mr. WELTY. No; I have not the time. If you will give me more time I will yield. I do not usually take the time of the House.

Mr. McPHERSON. I want to ask the gentleman——

Mr. WELTY. I will not yield, and the gentleman will please not interrupt me. I do not want to be discourteous, but I have some matters that I would like the House to know. To revert to my original intention, before I was interrupted by the gentleman from Iowa, who always attempts to interject politics and thus destroy much of his usefulness as a public servant. What I intended to call to the attention of the House was that since the promulgation of the rule of reason in the Standard Oil and Tobacco cases the Department of Justice nor anyone else knew what the Sherman antitrust law meant, regardless of its plain language. There would be just as much sense to a decision where the court would hold that a man can not be held guilty of stealing if he only stole a reasonable amount as to say reasonable restraint in commerce by a monopoly is not unlawful.

Permit me to give a history of the status of some of these trust cases and the action by the court as indicated from the docket since that famous decision. In the case of the United States against United States Steel Corporation and others, the petition was filed October 27, 1911, alleging a combination in restraint of interstate commerce in iron and steel and an attempt to monopolize the same. This case was argued before the circuit judges, under the provisions of the expediting act, during October, 1914. A decision adverse to the Government was handed down on June 3, 1915, and a decree dismissing the petition was entered September 10, 1915. From this decree an appeal was taken to the Supreme Court and is now pending. The same was argued in the Supreme Court in March, 1917, and restored to docket for reargument in May, 1917, and continued from time to time on account of war conditions.

Another case prosecuted by the Department of Justice was the case of the United States against Eastman Kodak Co. and others. In this case the petition was filed June 9, 1913, alleging that defendants have acquired a monopoly of all business of manufacturing, selling, and distributing photographic supplies. A decision favorable to the Government was handed down August 24, 1915, and a final decree was entered January 20, 1916. The defendants have appealed to the Supreme Court, and the same was docketed in May, 1916, but likewise continued, for some reason or other, from time to time.

Another case is the United States against American Can Co. and others, where the petition was filed November 29, 1913,

charging defendants with having monopolized the sale of tin cans. A decision was handed down February 23, 1916, and the form of decree to be entered is now under consideration by the court. This case was docketed in the Supreme Court in November, 1916, but continued from time to time for some reason or other.

Mr. CAMPBELL of Kansas. May I ask the date of the docket the gentleman is reading from?

Mr. WELTY. I am reading from entries and pencil notations in the Federal antitrust laws with amendments.

Mr. CAMPBELL of Kansas. The date these entries were made in the docket from which the gentleman is reading.

Mr. WELTY. The entries are pencil notations made a day or so ago after speeches were made on the floor claiming that no additional laws are necessary.

Mr. TINCHER. Will the gentleman yield for a question?

Mr. WELTY. Yes.

Mr. TINCHER. I thought that the gentleman before the committee, in speaking of those cases, said they were continued by agreement of counsel.

Mr. WELTY. I do not think that I specifically mentioned any agreement of continuance in these cases, for I do not know. When I appeared before the Committee on Agriculture those cases especially referred to, that I thought were continued, were the cases against the Plumbers' Trust. I presume that probably these cases were also continued by agreement, especially after we entered the war. I am not holding a brief for the Department of Justice, and no doubt some of this delay was due to agreement on the part of attorneys for the Government and attorneys of the defendants, because neither knew just what the Sherman antitrust law meant after that famous decision granting the Standard Oil Co. an absolute monopoly to place any price it sees fit on its oil and gasoline.

Permit me to give a history of these additional cases charged with being a monopoly for the benefit of Congress, with a hope of throwing some little light upon this subject and procure justice for the consumer against the profiteer.

In the case of the United States against United Shoe Machinery Co. et al. the petition was filed December 12, 1911, alleging combinations and conspiracies in restraint of interstate and foreign trade in shoe machinery. Trial had March 18, 1915; appeal taken to Supreme Court, where the Government lost the case in May, 1918. I might add that Congress recently passed a resolution to investigate the Shoe Trust, which is extracting millions from those who must wear boots and shoes.

Another petition was filed by the Government against the United Shoe Machinery Co. et al., February 8, 1913, under the antitrust law.

In the case of the United States against The Keystone Watch Case Co. et al. the petition was filed December 20, 1911, alleging combinations and conspiracies to monopolize trade in watch-cases and watches. A decision in part favorable and in part adverse to the contentions of the Government was handed down January 2, 1915. Both the Government and defendants appealed to the Supreme Court. This will be argued during the October term, 1919.

In the case of the United States against The Quaker Oats Co. et al. the petition was filed June 11, 1913, alleging a combination to restrain and monopolize interstate trade and commerce in oatmeal products and by-products. This case was argued before the circuit judges in March, 1916, and decided adversely to the Government. An appeal has been taken to the Supreme Court, and the case probably will be heard early this fall.

Two suits have been filed by the Department of Justice charging a number of railroads and coal companies with restraining and monopolizing the trade of coal. The first one was filed against the Reading Co. and others, known as the anthracite coal combination, September 2, 1913. The last one was filed against the Lehigh Valley Railroad Co. and others, March 18, 1914. This case was argued November, 1914, and petition dismissed December 21 of the same year. The entries in these cases are especially illuminating in the face of the high cost of living and attempts of Congress to solve the same. Case was argued in the Supreme Court October, 1916; restored to docket for reargument May, 1917; reargued November, 1917; restored to docket for reargument June, 1918; October, 1918, continued at the request of the Government on account of war conditions. It may be lese majeste to criticize the courts, but I think it is permissible to throw light upon their docket in order to prevent the running around in circles by those who are now trying to solve the high cost of living.

While in the Department of Justice I was assigned to prosecute the so-called Plumbers' Trust. Indictments were returned against 36, June 24, 1914, at Des Moines, Iowa, charging defendants with having entered into combinations of trade in plumbing supplies. They were found guilty February 24, 1915, 4 of them fined, and the case has been standing on motion for new trial as to 31 defendants pending decision on writ of error by court of appeals. This case was argued in court of appeals in January, 1916, and a decision is awaited.

Indictments were returned against 34 in Pennsylvania and 17 in Utah, and all of them convicted; but the cases have been continued from time to time waiting the decision in the court of appeals in the Iowa case. I might add other cases, but I do not care to encumber the RECORD further, for all are to the same effect, showing how natural it is for the Department of Justice to hesitate in the face of the decision of the Standard Oil and Tobacco cases.

About a year ago the Federal Trade Commission found that the five meat packers were a trust and monopoly. The Department of Justice at once sent the case to a district attorney at Chicago and employed a special counsel on this case, and since that time they have employed two additional attorneys who have been busy studying whether the restraint of the packers by keeping a billion and one-half pounds of meats in storage, for the purpose of boosting prices, is reasonable or unlawful.

It has been asserted repeatedly on the floor of the House that the United Fruit Co. has made 40 per cent profits during the last year after payment of all expenses, and that they had a complete monopoly in the sale of bananas and fruits. If this is so, this condition has been permitted because of the decision in the case of the rule of reason, even though children are starving because they are unable to pay the high prices for bananas and fruits.

I understand that all of these cases now on the docket will be up for consideration by the Supreme Court upon return from a prolonged vacation, but unless this court holds that the Steel Corporation, and the American Can Co., and the Eastman Kodak Co. are a monopoly, it would be asinine for the Department of Justice to incur additional expense with a hope of having the packers and the United Fruit Co. declared a monopoly under the Sherman antitrust law, as interpreted by the court in the case of the rule of reason.

Some months ago I prepared a bill which if enacted into law would drive the meats and foods out of cold storage because of the tax which they would be required to pay if the foodstuffs are held in cold storage after a certain period of time. Section 1 of the bill provides for a tax on "Beef, or the manufactures of or products thereof, after 6 months and less than 8 months in storage, 10 per cent of the selling price; longer than 8 months and less than 10 months, 15 per cent of the selling price; longer than 10 months and less than 12 months, 20 per cent of the selling price; longer than 12 months, 30 per cent of the selling price."

Section 8 provides a tax on "Eggs, or the manufactures of or products thereof, after 8 months and less than 10 months, 10 per cent of the selling price; after 10 months and less than 12 months, 20 per cent of the selling price; after 12 months, 30 per cent of the selling price."

The bill further provides that the date when the food goes into storage should be placed on the container and crate of the food so that we might know just how old the eggs are that we buy.

I do not know how long packers have stored meats in order to hold up the prices, but I remember distinctly that during the Spanish-American War these same food profiteers fed us on embalmed beef, which had a green, slimy appearance, and from the smell you would think that this meat was placed in storage shortly after they commenced business. It seems that this meat should have gone out of storage long before they had a chance to join our enemy in killing our boys who volunteered to maintain our country during that war.

It also seems that when eggs are in storage for 12 months they should come out of storage. I do hope that the Congress will pass some law to regulate our storage plants, but I am afraid that this amendment will have a tendency to postpone final action on these matters. You may play politics in this matter all you like, but I warn you that by doing so you will only repeat the acts of Nero when he fiddled while Rome was destroyed. Every nation in the past was destroyed because its people were crying for food and no food was in sight.

You may criticize the President of the United States, but the majority knows that they would have adjourned because they did not know what do, after they had repassed the appropriation bills which would have become a law during the Sixty-fifth Congress had they not been killed by a filibuster of a few Republicans in another Chamber. But when all is said and done you will find that Congress must grant some relief. No hope can

come from the courts under the Sherman antitrust law unless the Supreme Court overrules the rule of reason and interprets each case according to the law and the facts.

I was hoping that because of the war we would not longer need to enforce the Sherman antitrust law; that labor and capital would become mutually helpful, with a spirit of brotherhood, and have reached a time where people are willing to live and let live; but it seems that we must use this powerful weapon and enact other laws to send a few of these grafters to the penitentiary before we can merge and enjoy the brotherhood of man. [Applause.]

Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. STRONG of Kansas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Kansas.

The Clerk read as follows:

Amendment offered by Mr. STRONG of Kansas: Page 2, line 6, after the word "oil," insert the words "coal oil, gasoline."

Mr. STRONG of Kansas. Mr. Chairman, I do not want to take up any time on this matter, but it seems to me that coal oil and gasoline should be included in this bill. Those two articles have gone up 300 per cent in the last two years, and I think the Government should be given an opportunity to take action on those two articles that are used so much by our people.

Mr. FESS. I may be in error, but is not that a part of the original law?

Mr. STRONG of Kansas. I do not know. I would like to ask the chairman if they are in the original law.

Mr. FESS. I think they are in the original law.

Mr. STRONG of Kansas. I understood the chairman to say that they are not in it. I would like to ask the chairman a question. The amendment I have just offered includes coal oil and gasoline. Are those two articles included in the original bill?

Mr. HAUGEN. Not gasoline.

Mr. STRONG of Kansas. Then I think they should be included in this bill.

Mr. PLATT. Mr. Chairman, I want to ask a question of the chairman of the Committee on Agriculture. Are not coal oil and gasoline fuel? Fuel is in here. Does not that cover it?

Mr. BUTLER. Gasoline is not fuel.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. CAMPBELL of Kansas. I think we should proceed with some deliberation in a matter of this kind. Section 12 of the act——

Mr. HUDDLESTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HUDDLESTON. The time for debate on this question was limited to two minutes, was it not?

Mr. VENABLE. That was objected to.

Mr. HAUGEN. I will read to the gentleman the definition of "necessaries."

The CHAIRMAN. The gentleman from Kansas [Mr. CAMPBELL] has the floor.

Mr. CAMPBELL of Kansas. I yield to the gentleman from Iowa [Mr. HAUGEN].

Mr. HAUGEN. The bill reads:

To facilitate the movement of foods, feeds, and fuel, including fuel oil and natural gas, and fertilizer and fertilizing ingredients, tools, implements, machinery, and equipment required for the production of foods, feeds, and fuel.

It does not include coal oil or gasoline.

Mr. CAMPBELL of Kansas. In section 12 the President is authorized, if he finds it necessary, to secure an adequate supply of necessaries for the support of the Army and the maintenance of the Navy, or for any other object in connection with the public defense. He is authorized to requisition or take over for the use and operation of the Government any factory, packing house, oil well, mine, or other plant or any part thereof in or through which any necessary may be manufactured, produced, or prepared or mined, and operate the same.

Mr. HAUGEN. To commandeer for the use of the Army and Navy.

Mr. FESS. Would not the word "fuel" include gasoline?

Mr. HAUGEN. No.

Mr. GARRETT. Do I understand the gentleman from Iowa is about to accept the amendment?

Mr. HAUGEN. No; I am not accepting the amendment. We have carried out the suggestions of the Attorney General in so far as possible, with the one exception—that we exempt the farmer, with respect to the products of his farm, from the penalty of section 4, so that he may dispose of them in any way he desires. The question of including gasoline was thrashed out for days and days when the original food-control bill was enacted in 1917. The conferees discussed its inclusion until 3 o'clock or 4 o'clock in the morning on several occasions. An honest effort was made to include gasoline, but it was rejected. I would support the proposition under different circumstances, but it may delay the passage if it is included in the bill now, as I understand there would be considerable opposition to it; besides, it would scarcely be enforced before the act terminates by the President's proclamation.

Mr. CAMPBELL of Kansas. May I suggest to the gentleman from Iowa that the President issued a proclamation on September 16, 1918, in which he covered this very subject?

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. CAMPBELL of Kansas. Mr. Chairman, I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. CAMPBELL of Kansas. The proclamation of the President states, among other things, that "all persons, firms, corporations, and associations engaged in business as (b) manufacturers of fuel oil, gas oil, kerosene or gasoline," and so forth, are all put under the control of the Government.

Mr. GARRETT. And this bill does not change that?

Mr. CAMPBELL of Kansas. No; and this proclamation of the President will remain as long as the law stands on the statute books.

Mr. TREADWAY. May I ask if that proclamation does not refer to the commandeering for the use of the Government? This refers to the sale of supplies to the people. Is it not for the use of the Government that the commandeering is done?

Mr. CAMPBELL of Kansas. Oh, no.

Mr. TREADWAY. If I may be allowed to state it, an effort is being made now to describe fuel as including gasoline and coal oil, and it seems to me that anything in as general use as gasoline ought to be included.

Mr. CAMPBELL of Kansas. No; this proclamation is as follows:

Now, therefore, I, Woodrow Wilson, President of the United States of America, by virtue of the powers conferred on me by said act of Congress, hereby find and determine and by this proclamation do announce that it is essential in order to carry into effect the purposes of said act, to license the importation, manufacture, storage, and distribution of certain necessaries to the extent hereinafter specified:

All persons, firms, corporations, and associations engaged in business as—

(a) Importers of crude oil, fuel oil, gas oil, kerosene or gasoline;
(b) Manufacturers of fuel oil, gas oil, kerosene or gasoline;
(c) Distributors or marketers of crude oil, fuel oil, gas oil, kerosene or gasoline;
(d) Transporters of crude oil, fuel oil, gas oil, kerosene or gasoline (except those specifically exempted by said act of Congress).

It specifically includes gasoline.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from Massachusetts.

Mr. HOWARD. Mr. Chairman——

The CHAIRMAN. Debate on this amendment is exhausted.

Mr. HOWARD. I move to strike out the last word. I ask unanimous consent to address the House.

Mr. HAUGEN. I ask for a vote.

Mr. HOWARD. I ask unanimous consent to address the House for three minutes.

Mr. HAUGEN. Regular order!

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

Mr. MONDELL. I object.

The CHAIRMAN. Objection is made. The question is on the amendment.

Mr. HOWARD. Mr. Chairman, I move to strike out the last word of this amendment.

Mr. MONDELL. Mr. Chairman, that motion is not in order.

The CHAIRMAN. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. HAUGEN) there were—ayes 44, noes 40.

Mr. GARRETT. Mr. Speaker, I demand tellers.

Tellers were ordered, and the Chairman appointed Mr. HAUGEN and Mr. GARRETT.

The committee again divided; and the tellers reported—ayes 45, noes 61.

Accordingly the amendment was rejected.

Mr. HUDDLESTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. HUDDLESTON: Page 2, line 4, after the word "food," insert "dwellings and dwelling rooms held for hire."

Mr. HUDDLESTON. Mr. Chairman, the purpose of my amendment is to recognize the necessity for lowering the rental price of dwellings. A dwelling is a necessity of life. Profiteering in rents is just as oppressive as profiteering in food. [Applause.] It has occasioned and is occasioning great suffering on the part of our people. Rents are being ballooned to the sky. Every Member of Congress has suffered from extortionate rentals in Washington. We are suffering from it here in Washington and our constituents are suffering at home. The country is far behind in building. Very little, if any, building, except the most absolutely necessary, has been done for the past three or four years. Practically all of our cities are overpopulated. There are not places in the cities, especially in the industrial cities, where people may find shelter. Avaricious landlords are taking advantage of this situation to wring the very last penny that they can out of their tenants. One of the greatest causes for discontent, especially upon the part of the laboring people, who are in the main of the tenant class, is the extortionate prices demanded for a place for a man and his family to live. Rents have gone up until the man who works for a modest salary or for small wages can scarcely find a decent place to lay his head. It used to be that a man of small means could get a habitation for from $12 to $25 a month, but now the same kind of houses and rooms that he used to be able to get for from $12 to $25 have gone up to from $50 to $75. The people can not live with this extortion that is being practiced upon them. No wonder they are discontented. No wonder we find a loud outcry going up because of the extortion that is being practiced. Congress has it in its power to remedy this situation. Congress is now dealing with this subject—it is, perhaps, the last chance we will have. If we fail now the people will know where to place the blame.

Mr. CAMPBELL of Kansas. Does the gentleman seriously think Congress can regulate the price of rooms in Atlanta, Ga.?

Mr. HUDDLESTON. Certainly. The gentleman was not here this morning——

Mr. CAMPBELL of Kansas. Yes; I was.

Mr. HUDDLESTON. When I referred the House to a decision of the United States Supreme Court which held that in the exercise of the war powers of Congress we could pass laws which would be operative for a reasonable time after peace is proclaimed. Congress under its war powers may pass any law deemed to be needful and necessary in order to restore order in this country, to satisfy the people, and to heal up the wounds that they suffered on account of the war. We can limit rents just as well as prices on food.

Mr. CAMPBELL of Kansas. I am referring specifically to matters that are within the jurisdiction of municipalities.

Mr. HUDDLESTON. Congress has exactly the same right to regulate rentals that it has to regulate prices on flour and bacon.

Mr. CAMPBELL of Kansas. I confess that is a new doctrine.

Mr. HUDDLESTON. We can do it; we have done it. We can do it in the exercise of the war powers of Congress, and this morning I referred to the authorities. I did not amplify the matter by reading from the authorities for lack of time, but I referred to several authorities which demonstrate that this power of Congress does not end immediately with the proclamation of peace. It continues for a reasonable time thereafter until the effects of war have passed, until the country is pacified, until high prices which have arisen out of the peculiar conditions of the war have passed away.

Mr. GARD. Will the gentleman yield?

Mr. HUDDLESTON. I yield to the gentleman from Ohio.

Mr. GARD. Congress unquestionably has the power, not under the war power but vested in itself, to prescribe reasonable rentals for the District of Columbia, has it not?

Mr. HUDDLESTON. Undoubtedly.

Mr. GARD. And should do so.

Mr. HUDDLESTON. And should do so.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. HUDDLESTON. I do not yield. Congress has the undoubted power to do this in the District of Columbia. It has the undoubtable power to do it over the country, and if Congress fails to do this work, it is failing in a duty.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. HUDDLESTON. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

Mr. BLANTON. Mr. Chairman, I regret to do so, but I must object.

Mr. HAUGEN. Mr. Chairman, the life of this bill probably will not extend over a period of more than two or three months. The committee has had a number of suggestions under consideration. Many of the suggestions undoubtedly have merit, but the most important feature to be considered is to expedite the passage of the bill. It must be passed immediately if it is to be of any value whatever. If we undertake to amend this bill we might as well strike out everything after the enacting clause. It proposes to give relief to the country. It is believed that this bill will give the desired effect. If you do not wish to give the relief, then amend the bill, and in that way defeat it. Mr. Chairman, I ask for a vote.

Mr. HOWARD. Mr. Chairman, I move to strike out the last word of the amendment.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that debate upon this section and all amendments thereto close in 15 minutes.

Mr. CARAWAY. Mr. Chairman, I have a real amendment that I want to offer.

Mr. HAUGEN. In 15 minutes.

Mr. CARAWAY. Very well.

Mr. HOWARD. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate upon this section and all amendments thereto close in 15 minutes, 5 minutes to each gentleman [Mr. HOWARD and Mr. CARAWAY].

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this section and all amendments thereto close in 15 minutes. Is there objection?

There was no objection.

Mr. HOWARD. Mr. Chairman and gentlemen of the committee, I am indeed glad that the gentleman from Alabama [Mr. HUDDLESTON] has introduced this amendment and certainly hope that the conditions are such that it will soon be enacted into law. There is no class of profiteering in this country from which wage earners and people who are unfortunate enough not to own their own homes are suffering as the action of the rent hogs in the matter of renting dwelling places to those who are forced to rent. That thing is going on right under the dome of this Capitol, and I want to call the attention of the Congress and of the people to a concrete case of rent profiteering which has come to my knowledge. I brought with me when I came to Washington a young woman from Oklahoma to be my secretary. She was a young woman who had been bereft of her father and had her mother to care for. After having been in the city of Washington for about three weeks, although she had lived in a country where commercial conditions were good and where the cost of living was high, she was amazed when the only apartment that she could find in which to live with her mother in the city of Washington was a little three-room flat, with a kitchenette and a bathroom, for which she was charged the sum of $75 a month. She accepted it—she had to. She had to have a place to live. A few days ago she met the people who had occupied that apartment for six years previous to that time, and I have here the papers showing the methods by which the rent hogs in the city of Washington impose on the Government employees, setting out that these people who occupied that apartment for six years had done so at a rental of only $26 per month, and I ask that the Clerk read those papers in my time.

The Clerk read as follows:

WASHINGTON, D. C., *March 19, 1919.*

Mr. L. R. MEREDITH,
Apartment No. 22, No. 2164 Florida Avenue NW.,
Washington, D. C.

DEAR SIR: As we are desirous to have again and repossess the apartment and premises, which you now hold of us as tenant, known as apartment No. 22 in the Newport, No. 2164 Florida Avenue NW., Washington, D. C., we hereby give you notice to remove from and quit said premises on the 1st day of May, 1919.

Yours, very truly,

PERCY H. RUSSELL CO. (INC.)
By PERCY H. RUSSELL.

This is to certify that I occupied apartment No. 22, the Newport, 2164 Florida Avenue NW., Washington, D. C., from October 1, 1911, until November 1, 1917, at the rate of $25 per month, and from November 1, 1917, until May 1, 1919, at the rate of $26 per month.

(Signed) L. R. MEREDITH.

Subscribed and sworn to before me this 19th day of August, 1919.
My commission expires May 26, 1924.
[SEAL.]

W. G. BADEN,
Notary Public.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. HOWARD. Mr. Chairman, I asked for 10 minutes when I started.

The CHAIRMAN. The request of the gentleman from Iowa superseded that of the gentleman from Oklahoma.

Mr. HOWARD. Mr. Chairman, I ask unanimous consent that I may be permitted to proceed for three minutes.

The CHAIRMAN. Is there objection?

Mr. McLAUGHLIN of Michigan. Will that be taken out of the time allotted for the debate?

The CHAIRMAN. It will not. The Chair hears no objection.

Mr. HOWARD. Mr. Chairman, under the dome of the Capitol, a Government employee moved into that house on May 12, after these people had been ordered to move out on May 1, when they had been renting the house for $26 per month. By reason of necessity, because she had to have some place to live, the Government employee was compelled to pay a rental of $75 a month. I do not know to what extent that condition prevails in Washington. I would not even apply to these people the word "profiteers," because I have not made an investigation of the conditions surrounding the apartment in question. I do know, however, that we have been criticized for raising the salaries of Government employees. I do know that we have been criticized for passing bonus bills, and I do know that a Government employee or any other is entitled to more than even food, rent, and clothing; and if these rent hogs are to continue, such as this case evidences, no doubt we will be called upon to care for our employees again. I do not say that these people are profiteers, but I submit to this Congress that they were either philanthropists on May 1 and the six years before or are profiteers to-day. [Applause.]

Mr. CARAWAY. Mr. Chairman, I have an amendment to offer, but I presume we will first have to dispose of the amendment now pending.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama.

The question was taken, and on a division (demanded by Mr. HUDDLESTON) there were—ayes 76, noes 47.

Mr. HAUGEN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. HUDDLESTON and Mr. HAUGEN to act as tellers.

The committee again divided, and the tellers reported—ayes 79, noes 63.

So the amendment was agreed to.

Mr. CARAWAY. Mr. Chairman, I offer to amend, on page 2, lines 4 and 5, by striking out, after the word "feeds," the words "wearing apparel, containers primarily designed or intended for containing foods," and insert those same words after the word "fuel" in line 9.

The CHAIRMAN. The gentleman from Arkansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, lines 4 and 5, after the word "feeds," strike out the words "wearing apparel, containers primarily designed or intended for containing foods," and, in line 9, page 1, after the word "fuel," insert the words "wearing apparel, containers primarily designed or intended for containing foods."

Mr. HAUGEN. Mr. Chairman, I reserve the point of order.

Mr. CARAWAY. Mr. Chairman, I am just transposing the language. I want merely to clarify the statement. If the committee will look at the language, it reads thus, commencing in line 2:

To assure an adequate supply and equitable distribution, and to facilitate the movement of foods, feeds, wearing apparel, containers primarily designed or intended for containing foods—

And so forth. That language as it is now only permits the regulation of the containers for foods, feeds, and fertilizers and fuel, including fuel oil and natural gas and fertilizer and fertilizer ingredients, tools, utensils, and so forth.

Mr. RUBEY. Will the gentleman yield?

Mr. CARAWAY. I will.

Mr. RUBEY. I think the gentleman is right, in that the language there is very indefinite and confusing, but I believe that it can be removed by putting after the word "fertilizers" in line 5 a semicolon.

Mr. CARAWAY. If the gentleman will pardon me there, you can transpose the language from line 9 and put it after "fuel" and there will be no question about it, and it will read this way: "for the actual production of foods, feeds, and fuel, wearing apparel, containers"—I have struck out the words——

Mr. GARD. Will the gentleman yield?

Mr. CARAWAY. I will.

Mr. GARD. It seems to me that unless the gentleman qualifies the amendment he has in mind it does not benefit the bill, and it merely applies to implements required in the production of foods, feeds, and fuel.

Mr. CARAWAY. The gentleman from Ohio is correct; and the amendment ought to be inserted after "machinery" in line 7. The only desire I have is that you have the right to regulate the containers for all these things we really want to regulate.

Mr. GARD. By inserting it after the word "machinery," I think it will meet the object desired to be accomplished.

Mr. CARAWAY. I ask unanimous consent to modify the amendment by inserting those words after "machinery" instead of after "fuel."

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent to modify his amendment. The Clerk will report the amendment as modified.

The Clerk read as follows:

Amendment offered by Mr. CARAWAY: On page 2, line 4, after the word "feeds," strike out "wearing apparel, containers primarily designed or intended for containing foods"; and in line 7, after the word "machinery," insert the same identical language.

Mr. RUBEY. Will the gentleman yield?

Mr. ANDERSON. Mr. Chairman, I object to the modification. The language obviously does not apply there.

Mr. CARAWAY. Where would the gentleman suggest that it be applied? I have no kind of desire to interfere with the arrangement of the phrasing of the bill, except I want to enable the committee to say without any ambiguity the thing I know is in their mind.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent to modify the amendment as reported by the Clerk. Is there objection?

Mr. ANDERSON. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. CARAWAY. I withdraw my amendment and will offer it again.

Mr. McLAUGHLIN of Michigan. Mr. Chairman——

The CHAIRMAN. Without objection, the gentleman from Arkansas withdraws his amendment.

Mr. CARAWAY. I do not have to have unanimous consent to withdraw an amendment.

The CHAIRMAN. The gentleman from Michigan is recognized.

Mr. CARAWAY. Then I want recognition to offer an amendment, unless the gentleman wants to offer it himself.

Mr. McLAUGHLIN of Michigan. I was going to speak on the amendment, but if it is withdrawn——

Mr. CARAWAY. I want to reoffer the amendment.

The CHAIRMAN. The gentleman from Arkansas offers an amendment, which the Clerk will report.

Mr. ANDERSON. The original amendment is still pending.

Mr. CARAWAY. I withdrew it.

Mr. ANDERSON. The gentleman can not withdraw it without unanimous consent.

Mr. CARAWAY. I can do it without unanimous consent; I can not modify without unanimous consent, but I can withdraw it without it. I do not need the gentleman's help at all.

Mr. DAVIS of Tennessee. Now, I think it should be "containers containing foods, feeds, or fertilizers"; those three words.

Mr. CARAWAY. The amendment was withdrawn. I now wish to offer the amendment after the word "machinery," which was offered a minute ago.

The CHAIRMAN. The gentleman from Arkansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 4, after the word "feeds," strike out "wearing apparel, containers primarily designed or intended for containing foods," and insert, after the word "machinery," "wearing apparel, containers primarily designed or intended for containing foods."

Mr. ANDERSON. Mr. Chairman, I desire to be recognized on the amendment.

The CHAIRMAN. The Chair has recognized the gentleman from Michigan.

Mr. HAUGEN. I reserve one minute of time.

Mr. ANDERSON. Mr. Chairman, I do not know what the gentleman from Arkansas seeks to accomplish by his amendment, but the amendment which he seeks to have adopted clearly ought not to be adopted. It proposes to insert "wearing apparel, containers primarily designed or intended for containing foods, feeds, and fertilizers," after the word "machinery," in line 7. Now, in reading lines 7 and 8, it is as follows:

Tools, utensiles, implements, machinery, and equipment required for the actual production of foods, feeds, and fuel—

And so forth.

Now, of course, wearing apparel is not primarily designed and required for the actual production of foods, feeds, and so forth, and therefore it is perfectly clear that the language

ought not to be inserted in the position which the gentleman seeks to insert it.

Now, there is another reason why the language ought to be left exactly as it is. The committee reported the language exactly in the place and in the words which the Attorney General requested. It ought to be adopted that way, because the Attorney General ought to have what he asked for, and the committee endeavored to give him what he asked for, and the House ought to give him what he asked for. If we adopt the amendment proposed by the gentleman from Arkansas, neither the House or anyone else knows what he is getting.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. ANDERSON. I will yield.

Mr. LAGUARDIA. Did the Attorney General ask to exempt farmers from the provisions of this bill?

Mr. ANDERSON. He said he had no objection to doing so.

Mr. LAGUARDIA. Then I do not think much of the Attorney General's desire to cut down the cost of living.

Mr. DAVIS of Tennessee. I call the gentleman's attention to the fact that in your report of the bill as proposed by the Attorney General it uses the language "wearing apparel, containers in which foods, feeds, fertilizers are sold."

Mr. ANDERSON. The gentleman is simply jumping at conclusions, because he has not taken the trouble to read the report; and if he will take the trouble to read it he will find the Attorney General made no objection to the language. On the contrary, he thought it was better than the language which he proposed.

Mr. DAVIS of Tennessee. If this language was used, it would obviate the trouble.

Mr. ANDERSON. Whose language?

Mr. DAVIS of Tennessee. The Attorney General's.

Mr. ANDERSON. Not at all.

Mr. CARAWAY. Mr. Chairman, I ask unanimous consent for two minutes' time.

Mr. HAUGEN. Mr. Chairman, the time for the debate has been arranged. How much time is remaining?

The CHAIRMAN. One minute.

Mr. HAUGEN. I reserve one minute.

Mr. Chairman, I ask unanimous consent to insert a comma after the word "war," on line 1, page 2. It is a typographical error. Also, to insert a comma after the word "movement," in line 3, page 2.

The CHAIRMAN. Will the gentleman state his amendment again?

Mr. HAUGEN. I move to insert a comma after the word "war," in line 1, page 2. That is the punctuation used in the original act. It was overlooked.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HAUGEN: Page 2, line 1, after the word "war," insert a comma. And in line 3, after the word "movement," insert a comma.

Mr. LAYTON. You do not want a comma after the word "movement."

The CHAIRMAN. The question is on the amendment of the gentleman from Iowa [Mr. HAUGEN].

Mr. ANDERSON. Mr. Chairman, what became of the other amendment?

Mr. GARD. Surely you do not want a comma after the word "movement."

Mr. HAUGEN. It is in the original act.

Mr. GARD. It is all right after the word "war," but not after the word "movement."

Mr. HAUGEN. I withdraw it, and ask for the other amendment.

The CHAIRMAN. Without objection, the gentleman withdraws his amendment.

Mr. ANDERSON. The amendment of the gentleman from Arkansas [Mr. CARAWAY] is pending, is it not?

The CHAIRMAN. The question arises on the amendment offered by the gentleman from Arkansas [Mr. CARAWAY].

Mr. CARAWAY. Mr. Chairman, I ask unanimous consent that I may have two minutes.

Mr. BLANTON. Mr. Chairman, a parliamentary inquiry. I understood the gentleman from Iowa withdrew the last amendment, namely, to insert a comma after the word "movement," but he did not withdraw the amendment providing for a comma after the word "war," and that amendment is left undisposed of. It should be disposed of.

The CHAIRMAN. The gentleman withdrew his amendment.

Mr. BLANTON. He withdrew the latter part of it.

Mr. HAUGEN. The amendment of the gentleman from Arkansas [Mr. CARAWAY] has to be disposed of first.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas [Mr. CARAWAY] for recognition for two minutes? [After a pause.] The Chair hears none.

Mr. CARAWAY. Mr. Chairman, I want the attention of the gentleman from Missouri [Mr. RUBEY], because I thought he was desiring to make a suggestion. I got time as much for him as for myself.

Mr. RUBEY. I was going to simply suggest the putting of a semicolon after the word "fertilizers," in line 5. It would clarify the whole thing.

Mr. CARAWAY. Is that the gentleman's belief?

Mr. RUBEY. Yes.

Mr. CARAWAY. If the gentleman wants to offer that amendment, I will withdraw the one I have offered.

Mr. RUBEY. In my opinion that would clarify the whole matter.

Mr. CARAWAY. I am rather doubtful about it, but I am going to yield my judgment to the gentleman from Missouri, a member of the committee. I withdraw the amendment I offered, and the gentleman can offer his.

Mr. RUBEY. Mr. Chairman, I offer an amendment to insert a semicolon after the word "fertilizers," in line 5.

Mr. HAUGEN. I accept the amendment, Mr. Chairman.

The CHAIRMAN. The gentleman from Missouri offers a substitute for the amendment of the gentleman from Arkansas.

Mr. CARAWAY. And I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, the gentleman from Arkansas withdraws his amendment, and the question is on the amendment of the gentleman from Missouri [Mr. RUBEY], which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. RUBEY: Page 2, line 5, after the word "fertilizers," strike out the comma and insert a semicolon.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. NEWTON of Minnesota. Mr. Chairman, I have an amendment which I wish to offer.

Mr. HAUGEN. Mr. Chairman, the regular order.

The CHAIRMAN. The regular order is the second amendment. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. NEWTON of Minnesota: Page 2, line 4, after the word "apparel," insert "raw cotton."

Mr. HAUGEN. Mr. Chairman, I make a point of order on that.

Mr. CAMPBELL of Kansas. Mr. Chairman, it is not subject to a point of order.

The CHAIRMAN. The Chair will hear the gentleman from Iowa [Mr. HAUGEN] on the point of order. Does he insist on his point of order?

Mr. HAUGEN. At first I thought it was not germane, but perhaps it may be.

Mr. BLANTON. I make the point of order against it, Mr. Chairman. This bill certainly does not provide for anything except food and fuel.

The CHAIRMAN. The Chair thinks that the bill provides for foods, feeds, fuel, and wearing apparel.

Mr. BLANTON. Raw cotton is not wearing apparel, Mr. Chairman.

The CHAIRMAN. It is not, but——

Mr. BLANTON. Will the Chair hear me?

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. BLANTON. This bill seeks to control the price of foods and feeds and fuel and their containers, and clothing and shoes, but it does not in any way embrace raw materials, and especially raw cotton, which is merely an element of clothing. For instance, fuel could embrace gasoline and oil, and yet an amendment was offered to embrace gasoline and oil and was voted down by this committee.

Mr. LAYTON. Mr. Chairman, will the gentleman yield for a moment?

Mr. BLANTON. It is not germane, Mr. Chairman, to the purposes of this bill, and I make a point of order against it.

Mr. LAYTON. If the gentleman will yield to me for a moment, I want to suggest that a live hog is not food. It has to be killed first. Neither is a grain of wheat a loaf of bread. Cotton enters into clothing.

Mr. BLANTON. Raw cotton does not come within the purposes of this bill. It is not germane, and I make the point of order against it. One of the main purposes of this bill is to protect the producer and to encourage him in greater produc-

tion, and we want the actual producer to get all he can for his products. It protects him in that it speaks of the right of the farmers and producers of food and as producers of some products which go into wearing apparel, shoes, and clothing to engage in collective bargaining, the same right that the laborers of the land now have. My good friend would not think of taking that right away from the laborers of the land. The farmer is a laborer of the land and a producer of the country, and one of the prime purposes of this bill as reported by the committee is to encourage the producer, while this proposed amendment would discourage him, and raw cotton is one product of the producer. It is still in the hands of the producers, the farmers who raise it as raw cotton, and it would be inconsistent with the purpose of this bill to include it in one of the limitations.

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. LAGUARDIA. Do you raise any cotton in Texas?

Mr. BLANTON. Oh, yes; and you have collective bargaining among the laborers of New York, and the gentleman from New York would be very glad to protect them here. This proposed amendment is clearly subject to the point of order I have made against it, and I respectfully submit the question to the Chair for decision.

Mr. CAMPBELL of Kansas. Mr. Chairman, I submit to the Chair that there can be no question but that this amendment is germane to the provisions of this bill. It includes fuel and clothing, and it includes practically everything, fertilizer and rents, all the necessities of life. If room rent and fertilizer are germane to this bill—and they are, apparently—it seems to me that raw cotton, one of the very essentials, an essential in every home, would be. There is not a child in the United States to-day whose necessities do not require cotton every day, just as they require food.

Mr. YOUNG of Texas. Mr. Chairman, will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. YOUNG of Texas. Do children wear cotton or cotton clothes?

Mr. CAMPBELL of Kansas. Children do not use fertilizer, yet it is included in this bill. This bill is to insure an adequate supply of clothing. Clothing is made of raw cotton.

Mr. VENABLE. Mr. Chairman, will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. VENABLE. Has the gentleman any objection to putting in raw wool?

Mr. CAMPBELL of Kansas. None whatever.

Mr. VENABLE. And wheat?

Mr. CAMPBELL of Kansas. Wheat is already in.

Mr. VENABLE. And corn?

Mr. CAMPBELL of Kansas. No.

The CHAIRMAN. To the Chair the point of order is well taken and is sustained. [Applause.]

Mr. HAUGEN. Regular order, Mr. Chairman.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. That section 4 of the act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917, be, and the same is hereby, amended so as to read as follows:

"That it is hereby made unlawful for any person willfully to destroy any necessaries for the purpose of enhancing the price or restricting the supply thereof; knowingly to commit waste or willfully to permit preventable deterioration of any necessaries in or in connection with their production, manufacture, or distribution; to hoard, as defined in section 6 of this act, any necessaries; to monopolize or attempt to monopolize, either locally or generally, any necessaries; to engage in any discriminatory and unfair, or any deceptive or wasteful practice or device, or to make any unjust or unreasonable rate or charge in handling or dealing in or with any necessaries; to conspire, combine, agree, or arrange with any other person; (a) to limit the facilities for transporting, producing, harvesting, manufacturing, supplying, storing, or dealing in any necessaries; (b) to restrict the supply of any necessaries; (c) to restrict distribution of any necessaries; (d) to prevent, limit, or lessen the manufacture or production of any necessaries in order to enhance the price thereof; or (e) to exact excessive prices for any necessaries, or to aid or abet the doing of any act made unlawful by this section. Any person violating any of the provisions of this section upon conviction thereof shall be fined not exceeding $5,000 or be imprisoned for not more than two years, or both: *Provided*, That this section shall not apply to any farmer, gardener, horticulturist, vineyardist, planter, ranchman, dairyman, stockman, or other agriculturist, with respect to the farm products produced or raised upon land owned, leased, or cultivated by him: *And provided further*, That nothing in this act shall be construed to forbid or make unlawful collective bargaining by any cooperative association or other association of farmers, dairymen, gardeners, or other producers of farm products with respect to the farm products produced or raised by its members upon land owned, leased, or cultivated by them."

Mr. McCULLOCH, Mr. KELLY of Pennsylvania, Mr. NEWTON of Minnesota, and Mr. GRIFFIN rose.

Mr. McCULLOCH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. McCULLOCH: Page 3, line 1, after the word "person," insert "officer or public official."

Mr. McCULLOCH. Mr. Chairman, I have offered this amendment for the purpose of getting into the RECORD, in connection with the debate on this bill, facts which I regard as most important and which disclose a peculiar situation. The truth is, the President of the United States has now, and has had for months, the power to do practically all that is necessary to be done, according to his own statement, to take care of food profiteers, of food hoarding, and this high cost of living situation. [Applause on the Republican side.] The fact that he has that power is shown by the letter of the Attorney General in which he points out what they desire Congress to do in the way of extending further powers to the President. All they ask is that the powers be extended to cover wearing apparel, and containers of various kinds, and that the penalties be increased. It is admitted by the President, and everybody else, that the Executive branch of the Government has had the power all along to deal with food hoarders and food profiteers, and to punish all guilty of such offenses. The fact that these powers have not been exercised is not the fault of Congress.

If it is really necessary to have additional legislation in order to effectively prosecute those guilty of hoarding food and profiteering in the necessaries of life, I, of course, am in favor of such legislation. I am also in favor of invoking the criminal sections of Federal and State statutes in prosecuting such offenders, and I believe that prison sentences will be more effective than fines.

There are, however, certain phases of the program as announced by the Attorney General for dealing with the food situation with which I am not in accord. During the war it was probably necessary to centralize authority and to extend to the Executive branch of the Government the power to create agencies, not only to supervise, but to direct with autocratic authority the manufacture, purchase, sale, and transportation of certain products. As the result of legislation granting such authority we had a food director, a fuel director, a grain director, and many other directors. Sometimes they were called dictators, and their powers were supposed to be unlimited. Their orders disrupted and disorganized in a great measure the industries of the country. It stands to reason that arbitrary orders issued promiscuously are bound to disrupt to a greater or less degree. I believe that these artificial interferences should now be removed, the emergency having passed, and that we should strive to get back to normal as speedily as possible, rather than to add to the confusion by creating additional dictators and directors, continuing to interfere with the normal operation of the natural, fundamental laws of trade.

It seems to me that a careful analysis of the situation will disclose that present conditions are the natural result of certain well-defined and basic causes.

First. The abnormal conditions that resulted from the war, labor scarcity, great demand for products, disorganization of business, and all of the many temporary changes in our economic policy, which it will take some time to readjust, must be recognized as one of the basic causes. Second, the great demand for food by foreign countries and the large amount of food that was exported. The exports of bread materials increased 50 per cent in one year, exports of meat and dairy products increased almost 70 per cent in one year. Everyone who will stop and analyze the situation must conclude that this increased demand would necessarily affect American prices.

Third. The opportunity that the war offered for a getting together of the producers, wholesalers, and retailers, which could not but result in the fixing of prices and in agreements in restraint of trade, all of which were without a doubt in violation of the Federal antitrust laws and the antitrust laws of the various States.

We can take care of the first cause by removing these artificial interferences, eliminating the dictators and confining governmental supervision to a strict enforcement of regulatory laws enacted for the purpose of preventing unlawful practices, such as agreements in restraint of trade.

We can eliminate the second cause to a great extent, if necessary, by embargoes upon foreign shipments, by a policy of America first, which is contrary in every respect to the altruistic view expressed and put into force by the Executive branch of our present Government. That policy has been to look after Europe first and America afterwards. The solicitude of the Executive branch of the Government has been for foreign countries and an astonishing disregard has been evidenced for the welfare of America.

The third cause can be removed and taken care of by a ruthless prosecution of those who are guilty of profiteering and food hoarding, and putting into effective operation the Federal and State antitrust laws.

FOOD HOARDERS.

The President of the United States appeared before Congress urging legislation that would effectively prevent profiteering and food hoarding. If newspaper accounts can be relied upon, great activity is now being evidenced on the part of the Department of Justice in the prosecution of profiteers and food hoarders. A high executive official has recently been quoted as saying that if a few of the food hoarders and profiteers can be sent to jail all will be well. So they are going out into the highways and byways and they are seeking out the little merchant and they are preparing to make an example of him, but not one word has been said in criticism of the greatest food hoarder the world has ever known, if the testimony and the reports that are before this House at the present time are correct.

Now, the situation that I want to bring to the attention of the House is this: On July 28, 1919, the select committee investigating expenditures in the War Department submitted a report, signed by 10 members of the committee, in which a charge was made that the Secretary of War and the War Department were hoarding food, and in which it was directly charged that the War Department had entered into an agreement with the canners of the country for the purpose of keeping up the price of food products to the American people and to prevent the breaking of the market. I am going to read a few sentences from the report:

Actuated by this condition, Gen. Peyton C. March, Chief of Staff, on November 30, 1918 (19 days after the armistice), issued an order authorizing the declaration of a surplus on all perishable food products.

The next step was the declaration of surplus by the Quartermaster General; and the last step was the sale of the surplus supplies by the Director of Sales. Notwithstanding the authorization of surplus by the Chief of Staff on the 30th of November, no action was taken with reference to declaring a surplus until the month of May, 1919, or six months after the declaration was authorized. In the meantime the food was deteriorating and becoming of less value to the Government, and the high cost of living for the American people continued. This inexcusable delay resulted in the spoiling of millions of pounds of ham and bacon, to the great loss of the Government and the people, who were in need of the meat food products. The inactivity of the Government in the disposition of these food supplies was, and is, the result of a well-defined policy of the Secretary of War to withhold them from the domestic market and to protect the interests from which these products had been purchased, with the ultimate intention of disposing of them abroad so far as circumstances would permit.

This policy finds expression not only in the testimony given to the committee by the officers of the War Department but in documentary evidence as well. As an instance of such intention to prevent the American people from purchasing these products, the Quartermaster General's department, through Gen. R. E. Wood, Quartermaster General, entered into an agreement with the canners' association that some 200,000,000 cans of canned vegetables would be kept off the domestic market during this season; this agreement was subsequently extended by an order of the Quartermaster General adding these canned vegetables to the soldiers' ration in the expressed hope that they would be entirely consumed and that none would be left for sale. This order would have resulted in a loss to the Government of millions of dollars to be derived from the sale of this surplus, as well as depriving the American people of a large quantity of food.

The purpose, as shown by the testimony, was to protect the canners who had sold the produce from competition with the governmental surplus.

On July 8, 1919, the surplus food stored in the United States over and above the needs of the Army was as follows:

Corn beef	$24,000,000
Bacon	23,000,000
Hash, corn beef	10,000,000
Roast beef	20,500,000
Fresh frozen meats and poultry	20,000,000
Canned vegetables	23,000,000

This surplus is constantly growing larger because of the continued demobilization of the Army. In addition to these items, there is a surplus of millions of cans of fish and milk and tons of sugar, coffee, and tea. It is utterly impossible to estimate the exact value of the tremendous quantity of food supplies in the hands of the department, a large portion of which is deteriorating and becoming less valuable.

During the eight months which has elapsed since the signing of the armistice only $12,000,000 of food supplies has been sold by the War Department in the United States, and a very large quantity of that sold was spoiled and unfit for the general market; otherwise it would not have been placed on sale.

In the face of the emergency which called for a special message to Congress from the President of the United States, in which he recommended that food hoarders and profiteers be prosecuted, with this report before him containing the startling charge that the Secretary of War was holding and hoarding this immense amount of food, and that he had entered into an agreement with the canners of the country to keep the prices of food up, in the face of all this we have not heard a single word in criticism of the Secretary of War or his policy, and no action whatever has been taken by the President or anybody else, so far as the public has been advised, toward investigating the charge or disciplining the Secretary of War. What can be expected of the individual when an example is set by an Executive department of the Government of this kind. Is there anything in this bill that will prevent a Government agency from hoarding food? Is there anything in this bill that will prevent a Government official from doing what a private individual is and should be so roundly condemned for doing? Why has not the Secretary of War been called upon either to refute the charge that has been made and exonerate himself or tender his resignation? We are told that this food is now being distributed, but it is being distributed under the direction of an official who has been charged in a report, signed by 10 Members of this House, with having entered into an agreement to hold the food and not place it upon the market, in order that prices might be kept up. The Secretary of War should be either called upon to exonerate himself and his department from this charge or he should be replaced, and it is to say the least inconsistent for the President of the United States to demand the prosecution of individuals and to protect a member of his own Cabinet, who it is charged is engaged in the same practice, only on a mammoth scale. All who are guilty should be punished.

A committee of Congress finds, after extended hearings, that a Government department is the greatest food hoarder in the world; that charge is made upon the floor of the House in a report signed by 10 Members of Congress, but nothing is done about it.

PROFITEERS.

Not only have we an example of a Government department hoarding food in the face of an emergency that has no equal in the history of the Republic, but we find that a Government agency, acting under the authority vested in the President of the United States by Congress, has been profiteering at the expense of the consumers of bread. Some days ago I had printed in the RECORD correspondence which passed between the grain director, Mr. Julius H. Barnes, and myself, in which he admitted that his corporation, a Government agency, had added a profit each month for the corporation to the price of wheat. He admitted that during the month of April as much as 17 cents a bushel over and above the price paid to the farmer was added to the price of wheat as profit for a Government agency. This correspondence shows that this Government agency has been able to carry to earned surplus over $23,000,000, the net profit over and above all expenses of the corporation, including armies of inspectors going about over the country at Government expense, the expenses of a large organization, storage charges and interest, and a profit on turnover. Is there anything in this bill that will prevent this Government agency from profiteering at the expense of the producers and the consumers of the country?

Profiteering by a Government agency to any amount should be stopped at once. Food hoarding by the Government for the purpose of protecting the market for dealers by holding the price up should be stopped, and the official or officials should be punished who have been guilty of such an un-American act. Then let the President, through the Department of Justice, with the Government's own hands clean, go after the corporate and individual food hoarder and profiteer by exercising the powers granted by Congress months ago. If legislation and the putting into force of powers granted by legislation will relieve the high cost of living, then the President alone is responsible for the present situation, because he has had almost unlimited powers for many months.

The following letter and clipping referred to shows that the United States Grain Corporation carried to earned surplus $23,763,320.93 at their last meeting:

NEW YORK, *July 3, 1919.*

Hon. ROSCOE C. MCCULLOCH,
House Office Building, Washington, D. C.

MY DEAR CONGRESSMAN: In order that you may be promptly advised of the result of the 22 months of operation of the Food Administration Grain Corporation, which on July 1 became the United States Grain Corporation, and in order that the statement may be fully placed before you, I venture to inclose you clipping of the press release covering the result of the meeting of the stockholders and of the new directors.

You will note that the directors feel justified in carrying forward as earned surplus $23,763,320.93, which surplus, together with the original capital stock of $150,000,000, in addition to the appropriation carried in the act of March 4, 1919, will be used in administering the wheat guaranty.

You will recall that for the crop year 1917–18 the Grain Corporation was directed to stabilize wheat at the fair price recommended by the independent price commission, which it succeeded in doing, and for the crop year 1918–19 was directed to make effective the guaranty price for that crop, which it has succeeded in doing without loss. With these obligations rested also the duty of furthering the supply of necessary foodstuffs to our Allies and for our own Army and Navy, without domestic price disturbance, and also to so facilitate the equal distribution at home that the supplies available should be made to cover these home and foreign needs.

We lay especial emphasis on having planned the past operations of the Grain Corporation not with the primary purpose of profit earning, but to carry out these necessary national policies, and, at the same time, to conduct its business in a sound manner.

We shall need on your part a measure of sympathetic consideration in relation to our efforts in this coming year to make effective the national guaranty to the producer and to market the possible accumulations therefrom in a fair and just manner.

Yours, truly,

JULIUS H. BARNES.

[Clipping inclosed.]

GRAIN CORPORATION EARNS NET SURPLUS OF $23,000,000—ANNUAL MEETING HELD AT CORPORATION'S OFFICES—WAR UNDERTAKING CHANGES CORPORATE IDENTITY IN PREPARATION FOR HANDLING 1919–1920 WHEAT CROP—MADE PROFIT FOR UNITED STATES.

America's most gigantic war undertaking yesterday changed its identity as the Food Administration Grain Corporation and undertook the task of handling the 1919 wheat crop for the coming year under the new corporate title of the United States Grain Corporation, with a capital of $500,000,000.

At the annual meeting of stockholders with the president, Julius Barnes, United States Wheat Director, held in the corporation's offices, 42 Broadway, reports of work accomplished revealed the Grain Corporation not only as a war body which had paid all of its own expenses and operated at a small profit rather than a loss, but also as perhaps the greatest commercial undertaking in the world in regard to the volume of business handled.

Upon the suggestion of the executive committee of the Grain Corporation, the stockholders adopted the recommendation that the organization was justified in carrying forward as earned surplus the equivalent of 6 per cent on capital supplied by the United States of $10,191,666.64 and earnings of one-half of 1 per cent net on $1,800,000,000 worth of commodities handled, amounting to $9,000,000. This recommendation was made after setting aside a reserve for contingent liabilities, such as fire insurance, which the Grain Corporation carries on its own stocks, and the necessary adjustment of outstanding obligations in European relief.

A total of funds returned by mills as refund of excess profits over the regulated amounts of the 1917–18 crop year, amounting to $4,571,654.29, was also carried into earned surplus, making a total carried forward to net surplus earned amounting to $23,763,320.93.

Mr. McCULLOCH. Mr. Chairman, I desire to withdraw my amendment.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that debate on this section and all amendments thereto close in 30 minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that debate on this section and all amendments thereto close in 30 minutes. Is there objection?

Mr. GRIFFIN. Mr. Chairman, I have tried all day to get an opportunity to speak against the entire bill. I tried to get a copy of the bill yesterday, and while in the office of the gentleman from Iowa [Mr. HAUGEN] I found that it was not numbered. It is brought here to-day by a report from the Rules Committee.

SEVERAL MEMBERS. Regular order!

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that debate on this section and all amendments thereto close in 30 minutes. Is there objection?

Mr. VENABLE. I object.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that debate on this section and all amendments thereto close in 40 minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that debate on this section and all amendments thereto close in 40 minutes. Is there objection?

Mr. GRIFFIN. Reserving the right to object, may I ask if anybody opposed to this bill will have an opportunity to make a speech?

Mr. SEARS. I object to the request of the gentleman from Iowa.

Mr. HAUGEN. I move that all debate on this section and all amendments close in 40 minutes.

The CHAIRMAN. The gentleman from Iowa moves that all debate on this section and all amendments thereto close in 40 minutes. This motion is not debatable.

Mr. IGOE. I make a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. IGOE. Has there been any debate on this section?

The CHAIRMAN. There has.

Mr. GRIFFIN. I think not—on this section.

Mr. IGOE. I make the point of order.

Mr. ANDERSON. The gentleman from Ohio [Mr. McCULLOCH] has spoken on it.

The CHAIRMAN. The gentleman from Ohio [Mr. McCULLOCH] has spoken five minutes on this section. The motion is in order.

The question being taken, on a division (demanded by Mr. GRIFFIN) there were—ayes 94, noes 21.

Accordingly the motion was agreed to.

Mr. KELLY of Pennsylvania. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KELLY of Pennsylvania: Page 3, line 23, strike out the word "or" at the beginning of the line and insert the word "and."

Mr. KELLY of Pennsylvania. Mr. Chairman, I have offered my amendment to this food-control bill in order to make sure that every man convicted under it shall serve a term in prison. I believe that these traffickers who thrive on the sufferings of the people will not be kept from perpetrating their crimes against the common welfare by the imposition of a fine. I believe that the message which should be sent out by the passage of this bill is that Congress proposes prison bars for food profiteers. The bill itself provides a penalty of fine or imprisonment. I would make it both fine and imprisonment.

Mr. Chairman, I represent one of the greatest industrial districts in this country, and yet I can agree with most of the contentions made on this floor to-day by those who come from farming districts. The fact is that both producers and consumers are being robbed by conscienceless pirates, and the real task is to free them both from useless and parasitic toll takers. The situation has become intolerable and there must be no further delay in meeting it.

In a majority of American homes to-day the high cost of living is a tragedy. The people are not half as much interested in the league of nations as they are in a league of rations. Where the latest styles in "reservations" in the Senate worries one American, the latest styles of food profiteering worries a thousand. The grocery bill is more important to the people than any bill in Congress, except one which will help to make prices fit pockets.

We speak about cold figures; the figures of the retail price lists of food are flaming hot and gleam red in the eyes of the man to whom they mean privation and suffering both for himself and those dependent on him.

The United States is sailing into one of the biggest storms that every swept a sea. Unless something is done the ship of state will sail straight into that storm with all steam on and all lights out. I say all steam on, if the food monopolizers who have a hunger hold on the American people can not be compelled to let go. All lights out, if blind officials absolutely refuse to comprehend the gravity of the situation.

In one of his debates with Douglas Lincoln said "if we can first know where we are and whither we are tending, we can better judge what to do and how to do it." So it is of vital importance that we know the facts of the present situation and the reasons for it. That does not mean that there is need for everlastingly investigating the high cost of living and spending great sums to inquire whether prices are high. Every man and woman in America knows that prices have been skyrocketed until even the necessaries of life have become luxuries. There have been investigations enough to show the facts, and the people are not asking for light so much as lightning.

We know through reports of the Bureau of Labor Statistics that whereas six years ago a wage earner in Pittsburgh could purchase a year's supply of 22 staple food articles for $354.74, it costs him to-day for those same articles $654.36, or an increase of 88 per cent.

Every other city in the country shows approximately the same increase in the cost of food. That increase has now assumed the proportions of a national calamity.

There have been countless strikes and "labor victories," but the food bill still beats the pay envelope. Wage earners, with all their increases, are still suffering precisely the same as they would if they had suffered a reduction in pay. For them, in the last analysis, the high cost of living is but another name for low wages.

The rate of wages is of secondary importance. The real question is whether or not the pay a man receives will enable him to provide for the needs of himself and family.

If a man gets $100 a month and can buy the things he needs for $90 a month, he can get ahead. But if he gets $150 a month and prices are such that he must spend $160 a month to support his family, he is in an impossible situation.

Enlightened labor leaders see the futility of wage increases, which are followed by still greater increases in the cost of living. William G. Lee, president of the Brotherhood of Railway Trainmen, voiced this conviction most emphatically the other day in his address before the board of railroad wages. He said:

I will admit to you gentlemen that we are going the wrong way. I admit to you that it is time to call a halt, and I admit to you that until we commence together to stop this circle there will be hell in this country, and it is nearer than I ever knew it in my years of experience. Just let somebody drop a match in this country of ours and it will be a sorry day for all of us.

Unless my vision is most terribly obscured, then there is something coming to us pretty soon in this country that we had better take note of. We had something of peace in this country prior to the war conditions. We were getting along fairly well until profiteering became so noticeable everywhere and until the commodities that working people are compelled to pay for were permitted to be increased double and treble without any question and often seemingly with the approval of the Government.

We are nearer war in this world to-day, I believe, than when the Kaiser threw down the gauntlet. Our lawmakers are to blame, in my opinion, because the masses of the people would be behind them if they would attempt to correct it, and surely there is power to correct it; but, instead, they are playing politics, as some of these labor organizations are playing politics, and it is the same all down the line.

Mr. Chairman, the fact is that high wages mean nothing at all if prices keep step with them. If prices go up faster than wages, there is tragedy ahead. Then productive labor brings a decreased reward, and it is true—

That man should labor for his daily bread,
But not that he should toil for naught.

Here, again, the Bureau of Labor Statistics has compiled figures as to the actual relation between wages and the retail prices of food.

Taking 1913 as the basic year, these reports show that by July, 1919, wages had advanced 39 per cent, but retail prices of food showed an increase of 88 per cent.

That means that the man who received a dollar in wages in 1913 only receives 69 cents in real wages to-day. It means that the average wage earner receives less to-day than he received six years ago.

Such a situation is intolerable. Something must be done to break the vicious cycle under which labor compels an increase in wages on Monday only to find that increase taken, and more besides, in the grocer's and butcher's bills of Saturday night.

Mr. Chairman, of all the avenues of mastery of one man over another the command of bread is the most terrible. The dollar in the worker's pay envelope is the evidence of liberty in its most practical form, for it entitles the owner to a certain amount of bread and merchandise and leisure. Any person or any group of persons who deprive the worker of part of the value of that dollar takes from him a part of his liberty.

The facts show that the dollar is only half what it formerly was. The results can be measured in the things of life and liberty. There is a lower standard for the worker—less food, a poorer home, a drearier life. There is elimination of the bright things of life and humiliation and suffering for all the household.

There has followed industrial unrest, strikes, and disorder. There has come the fertilizing of fields for the elements that plot the destruction of American institutions.

But, more than all else, there has come loss of liberty for the children of America, those upon whom the future of Americn rests. They are being robbed of their right to a fair start in life. They are being dwarfed in development at life's threshold, when abundant food is essential to healthy growth.

Significant testimony concerning the relation between the high cost of living and the underfeeding of children is contained in "Standards of Child Welfare—A Report of the Children's Bureau Conferences, May and June, 1919."

Dr. William R. P. Emerson, of Boston, Mass., a distinguished authority, states that about one-third of all the American school children are so badly malnourished that it is impossible for the schools to reach reasonable standards of achievement. Dr. Emerson states that, "as a result, 20 to 40 per cent of those graduating from the elementary schools are physically unfit."

Dr. David Mitchell, of the Bureau of Educational Experiments, New York City, states that of the school children weighed and measured by his bureau during the last week of September, 1918, 30 per cent were 7 per cent or more underweight for their height.

Further evidence of the sinister importance of this situation was adduced by Dr. Thomas D. Wood, chairman, committee of health problems in education, National Council of Education. Dr. Wood states that "three-quarters of the 22,000,000 school children in the United States have health defects which are actually or potentially injurious to them as prospective citizens of the Republic." Dr. Wood says further that "20 per cent at least, or 4,500,000, are suffering from malnutrition."

Dr. Graham Lusk, of Cornell University Medical College, discussing the nutrition of adolescent children, said:

An adequate food supply is the first requisite of national existence. If too little food is available, the first to suffer are the old people, and then the children, although these are often fed with the food designed for the mother, who sacrifices herself for the well-being of her offspring.

Dr. Lusk states that during a long period great numbers of people have been in a state of undernutrition.

So far the evidence has been taken from contributions of medical authorities. Economists show the other side of the picture. Prof. William F. Ogburn, of Columbia University, from studies made for the National War Labor Board and the Bureau of Labor Statistics, arrived at the astonishing conclusion that, while the food actually consumed by a child in a Philadelphia working class family during the first 16 years of life would cost $1,750, a family was actually able to expend only $718 in purchasing the child's food. The difference between those figures, Prof. Ogburn stated, indicates the economies and the adjustments made in the family budget for food. That also suggests the reason for the malnutrition described by the physicians.

Miss Florence Nesbitt, institute director in dietetics, the American Red Cross, states that in cities such as Chicago and Cleveland, where she made investigations, the minimum cost of living for a family of five—father, mother, and three children—requires approximately $1,500 a year. Miss Nesbitt says further:

I asked two managers of Cleveland factories how that compared with the wages of their men. Each one of them said that not more than 25 per cent of their people earned as much as that.

She continued:

We are so in the habit of thinking about the rather abornmal high wages some people have received since the beginning of the war that we jump to the conclusion that the whole body of wage earners are earning a great deal more than they are. When it really comes down to figures, we find that there are large groups who have been affected very little by these raises. In the isolated communities where war industries have not penetrated there are no increases and wages can not begin to cope with the increased cost of living. If we could raise wages to meet the increased cost of living, we would be on solid ground; but there never has been a time when the ordinary wage of untrained labor covered adequate living. In 1914, when the unskilled wage was about $2 a day, it took at least $75 a month to cover the every-day requirements of decent living.

Special investigations in various American cities made by the Children's Bureau indicate the extent to which even babies are underfed because of the advance in prices of food. In Baltimore, for example, of children reported on between 2 years and 7 years of age, only 29 per cent are now—1918—having fresh milk to drink, as against 60 per cent a year ago. Less than 3 per cent of the children studied were having as much as three cups of milk a day, a desirable allowance for the average child. Investigation revealed that a general substitution of tea and coffee in the place of milk was occurring.

In Washington, also, it was found that babies and little children are not having enough milk to drink. More than half of those between 2 and 7 years of age studied by the public-health nurses were receiving no fresh milk to drink at all. The lack of fresh milk in a child's diet, medical experts state, is liable to have serious consequences. Not only is he deprived of the best of all foods for normal growth and development, but often he receives injurious substitutes in its stead. In the Washington families studied it was found that about 29.1 per cent of the babies and children who received no fresh milk to drink were receiving regularly tea and coffee as substitutes for milk. There is grave cause for concern in the fact that, among the children studied, the children between 2 and 7 years who last year were getting less than half the milk they should have are receiving this year—1918—only one-quarter of the desirable allowance, while fully one-third of the babies under 2 are receiving an amount insufficient for proper nourishment.

A study recently made—1918—by the Child Welfare Association of New Orleans, La., under the direction of the Children's Bureau of the United States Department of Labor, revealed that children in New Orleans are getting even less milk to drink than the children of Baltimore and Washington. In Baltimore 66 per cent and in Washington 45 per cent of the children 7 years old and younger in families visited by the nurses who made the study are not receiving any milk to drink. Of the New Orleans children under 8 years of age, 70 per cent are getting no fresh milk to drink, while only 31.7 per cent of those who are receiving some milk are getting as much as the three cups daily required for normal growth and development.

Of the New Orleans children visited it was found that 72.5 per cent of those getting no fresh milk were being given tea and coffee, or both, in its stead. There is ground for anxiety in the fact that 41.7 per cent of the New Orleans families studied are getting no milk at all for their children.

According to Dr. S. Josephine Baker, director of the bureau of child hygiene, department of health, New York, malnutrition has increased among the New York school children from 5 per cent in 1914 to 21 per cent in 1917. During 1917 there were estimated to be over 200,000 undernourished children in New York schools.

The malnutrition of children was, even before 1914, a serious national problem. Poverty and ignorance of dietary essentials have been constant factors in the malnutrition of the young. Post-war conditions, with the increasing advance in the cost of

commodities, have accentuated the difficulties of maintaining the health of the children of the Nation.

Mr. Chairman, is this intolerable situation due to the lack of food? Has the Almighty failed to provide subsistence for the sons of men? Is famine the lot of America because our fields and valleys and mountains and seas brought forth no increase?

To ask such questions in the light of the facts is folly. Never in the history of America have the harvests been so bountiful. Mother Nature has provided food for all in abundance, and the skimping which is forced upon the average American is due to man, not to nature.

For instance, last year's wheat crop was 917,100,000 bushels, while the estimate of the Agricultural Department on July 1 for this year's crop is 1,161,000,000 bushels.

Last year's corn crop was 2,582,814,000 bushels, while this year's crop will be above 2,815,000,000 bushels.

It is estimated that this year's net gain over last year in cereals will be 388,000,000 bushels, or an increase of almost four bushels for every man, woman, and child in America.

Last year there were 23,108,000 milch cows in the country, while now there are 23,467,000, or 350,000 more than a year ago.

There are 287,000 more cattle of other kinds than there were a year ago.

There are 1,260,000 more sheep in this country to-day than there were a year ago.

There are 4,609,000 more swine now than there were a year ago.

The official reports show that the production of meat is almost exactly the same per capita that it was 20 years ago, while at the same time prices have jumped 300 per cent and more in that time.

Other lines of food supplies show the same situation. Tremendous increases in production are shown, enough to supply every American with abundance at reasonable prices.

What, then, is the reason that food supplies have passed out of the category of necessities and become luxuries? Why is it that destitution stalks in many places and little children die for lack of food?

It is not because of lack of production. It is because of an infamous and indefensible system of distribution.

There are two phases in the food question. One is the raising of the crop. The other is the transfer from the farm to the pantry.

They are entirely different and require very different faculties. Raising foodstuffs requires skill and training and ability. Carrying food to the pantry of itself requires no particular cleverness.

To raise potatoes requires an enormous amount of trained effort. The ground must be prepared by painstaking application. The seed potatoes must be prepared and placed in the ground. When the plant appears it must be treated against the blight and insect pests. It must be cultivated with hoe or plow to exterminate weeds and secure healthy growth. Then, if weather conditions have been such that the crop matures, the potatoes must be dug, sorted, and packed in bags or barrels.

This is the production, and it is a process which requires great skill and application. To carry those potatoes from the farm to the pantry is in itself a menial service, which, to say the least, should not be regarded as more important than raising the food itself.

But everyone knows that it costs from two to ten times more to deliver foodstuffs to the consumer than it does to produce the food itself.

It takes 2 to 10 men to distribute the food supplies produced by 1 man..

There is the salient fact in the high cost of living. The multiplication of distributors and the consequent high cost in getting products from the producer to the consumer and the interference with free and direct distribution of foodstuffs from producer to consumer are in great part responsible for the high cost of living.

The number of distributors is out of all proportion in many lines to the actual volume of trade. Mr. Harry Tipper, a well-known marketing specialist, is authority for the statement that in 1914 there were 60,000 grocers in this country rated at $1,000 and over, and that there were 35,000 more who were rated at less than $1,000, which means that one-third of the rated retail grocers of the United States were struggling on a margin very narrow.

According to Mr. Tipper's figures there were in the decade of 1870 to 1880, 3.2 per cent of the entire population engaged in distribution, which meant that there was 1 distributor for every 31 people in the United States.

In the decade 1900 to 1910, 6.2 per cent of the entire population was engaged in distribution, or, in other words, there was 1 distributor for every 16 people.

Practically such a state of affairs means that every 16 persons in America supports another person to perform the task of getting supplies necessary for existence.

Of course there are countless parasites hanging on this chain of distribution. Many persons thrive on our present system but never put a helping hand to the task, never perform a single useful service.

For instance, as far back as last January, before the ice had melted from the rivers where salmon run, the salmon pack was bought up by speculators through options on fish that were still to be caught and canned. Sometimes these options change hands five or six times before the ice goes out of the rivers. After the salmon is caught, canned, and stored it frequently changes hands many more times.

The obvious result follows. Each man who comes into this spurious ownership, although in many cases he never physically possesses the fish, takes his profit, and it is in due course loaded on the bending back of the consumer.

This same course is followed in practically all canned goods, tomatoes, pickles, peaches, peas, corn, oysters, and so forth. It furnishes a picture of the most insane distributing system, one where parasites and helpful agent alike are lumped together, all taking toll on the consumer.

Mr. Chairman, look where you will along the line of distribution of foodstuffs and you will find the cost mounting to an intolerable point.

Before the Senate committee investigating the high cost of living, E. A. Calvin, of the Cotton States Advisory Marketing Board, told two weeks ago some personal experiences in buying articles of food.

Potatoes that averaged about $1.50 to the farmer were sold to the consumer at about $4.50.

Onions which brought the producer 5 cents a pound, cost the consumer 20 cents a pound.

Tomatoes were sold by the farmer for less than 5 cents a pound, but were sold to the consumer at 20 to 35 cents a pound.

Cabbage brought 2½ cents to the man who toiled to raise it; to the consumer it cost 12½ cents a pound.

Mr. Calvin stated that a barrel of flour makes 400 loaves of bread, each 12 ounces. Those loaves sold at 9 cents each, making $36 for the barrel. The producer received about $9 for the wheat, but when it reached the consumer, through miller and baker and distributor, it cost $36.

I have a report from a fruit growers' exchange that the same oranges which were sold by the producer for $1.60 a crate brought $4.80 when bought by the consumer. Here it cost $3.20 to deliver a product worth $1.60.

A friend writes that he harvested and cured 150 pounds of boneset, a popular home remedy for colds, which he sold for 3 cents a pound. It was sold at 80 cents a pound, which means that it cost 77 cents to deliver a 3-cent product.

This same friend tells me that his neighbors last summer raised sweet corn under contract with a local canning company for $18 per ton in the husk. The net weight of a ton of corn stripped for canning is 666 pounds. That amount of corn fills 540 No. 2 cans which retail at from 20 to 40 cents each. At this rate the ton of corn cost the consumer $108 to $216. It cost from $90 to $198 to market $18 worth of sweet corn. For each can the farmer's share was 3½ cents, marketing cost 16½ to 36½ cents per can.

Mr. Chairman, it seems to me that these figures will prove that our present system is most uneconomical, and puts excessive burdens on the man who must bear them all, the ultimate consumer.

What is the remedy? Surely a change in our system of distribution which will clear the channel of communication between producer and consumer would solve part of the difficulty.

There are three powerful weapons in the hands of food traffickers, who control the distribution of food and who thrive and fatten on the suffering of their fellows.

They are the stock exchanges, the storage houses, and the export trade.

On the grain and produce exchanges of this country gamblers are manipulating the necessaries of life in order to extort unholy profits. By a series of chalk marks on a blackboard in gambling dens they levy toll on every dining table in the land.

It is unnecessary to recount these operations, which have been exposed time and again before congressional committees. The fact is that a very few men in Chicago can, through this gambling system, fix prices for both producer and consumer and take profits both ways. A change of a single cent on a bushel of grain changes values more than $50,000,000, so that it can be seen what a weapon this is.

Many of these gamblers buy and sell immense quantities of grain, butter, eggs, and produce without ever handling the articles

at all. In one day on the Chicago Grain Exchange more wheat is sold than comes to Chicago in an entire year.

The remedy is to stop all gambling in foodstuffs. These traffickers merit complete extinction. They perform no useful service, but, like the pirates on the high seas, war against all honest business.

I saw on the Thames River below London last summer a place called Execution Dock. It was used in former times as the site for the scaffolds on which pirates were hung. In the old days there was always a line of pirates hung up so that the sailors might see them as they went down the river to the sea.

I would like to see that old custom revived for food gamblers. I have an idea that a few food pirates swinging at the end of a rope would have a wholesome effect on the high cost of living.

Mr. Chairman, the second weapon of those who control distribution of foods in this country is the cold-storage house.

Cold storage is valuable in preserving food, but it has been used by food monopolizers to create an artificial scarcity and thus raise prices. Butter, cheese, eggs, fruit, vegetables, meats, poultry, fish, and other food supplies are stored up in these reservoirs and kept from the people, who are in sore need of them.

Part of this system is the purchase of fruit in the orchards, potatoes in the ground, and so forth. With storage houses full, these products are allowed to rot on the theory that it is better to destroy than to let prices drop. But the consumer pays for every apple or potato that rots.

With this weapon in their hands food monopolizers absolutely nullify the good old law of "supply and demand." It matters not how great the production of food, if great quantities can be stored away or kept out of consumption while just enough is distributed to keep prices at the highest notch.

Take eggs, for example. If we could buy eggs at a reasonable price now, we could dispense with meats until prices come down.

But the food cornerers know that fact also, and they have their greedy hands on both eggs and meat. The consuming public can not escape being gouged, for a meal of eggs is as expensive as a meat diet.

How is this done? Through cold-storage weapon.

On July 15, this year, there were 230,428,890 dozen eggs in the storage houses reporting to the Department of Agriculture. Only July 15, last year, there were 188,771,400 dozen eggs in the same houses.

That means that there were 41,657,490 dozen more eggs at the same time this year than last year, and, of course, this only covers a small part of the actual storage of eggs in this country.

Now, here were larger supplies of eggs than ever before. The prices should be lower, naturally. This is the law of supply and demand. But the price of eggs in July, 1918, was 44 cents a dozen, while in July this year the price was 55 cents a dozen. These bursting storage houses did their work well for the food traffickers.

Then, there is butter. On July 15, 1918, there were 66,202,712 pounds of butter in storage in the houses reporting to the Department of Agriculture. On July 15 this year there were 108,486,022, or an increase of 59 per cent.

The supply of butter had tremendously increased, and the price should have been lower. But butter in July, 1918, sold at 55 cents a pound, while in July this year the price was 65 cents a pound. The law of supply and demand failed to work in face of this cold-storage weapon of food cornerers.

This situation, too, can be remedied. Congress can fix a time limit on cold storage, with regulations as to marking all containers with the price paid for the contents and the date when it was placed in storage. As to the destruction of foods, in storage or out of storage, it should be made a crime, punishable by a long penitentiary term. Any man who holds foods until they spoil or allows food to rot in order to keep it off the market is a criminal and should be treated as such.

Mr. Chairman, the third weapon of those who control food distribution is the export trade.

Never in the history of the world has there been such a transfer of foodstuffs as that shown in the reports of exports for the past six months.

The year ending June 30, 1919, saw exports of $2,500,000,000 in food supplies. That means $125 worth of food for every family in this country. There were food supplies exported during the year greater than our entire export trade in 1914.

But the last few months have been on a scale far larger than the yearly rate. In May of this year $229,197,024 worth of food supplies were sold in Europe. That includes 14,028,479 bushels of wheat; 878,341 bushels of corn; 2,736,273 barrels of flour; 313,016 bushels of potatoes; 5,669,232 pounds of corned beef; 68,957,465 pounds of bacon; 55,807,234 pounds of lard; 759,803 pounds of butter; and 76,387,474 pounds of condensed milk.

In June there were food exports of more than $300,000,000, and weekly reports since indicate that exports have been made at the rate of $4,000,000,000 a year.

While these immense stores of food were being shipped away from America, prices were being increased at home, even though they had already reached a point that meant privation in the average American family.

Such an unwarranted condition must stop. I yield to no one in my desire to see America help the other peoples of the world in every possible way. But I stop when it means starvation for Americans. The Bible command only says "Thou shalt love thy neighbor as thyself," not "better than thyself." It does not order any man to supply his neighbor while his own children starve. It does not command any nation to pour out its food supplies on every other nation on earth while its own citizens perish for lack of food at reasonable prices.

The situation becomes more bitter, however, in the fact that there is no brotherly love whatever in the shipment of these food stores abroad, but only a cold-blooded desire to get supplies out of the country so that the prices of the stocks that remain may be fixed at the highest point.

Mr. Chairman, the remedy for this evil is simple, and consists in a limitation of exports in foodstuffs until prices reach a reasonable level at home. The use of this weapon against the common good can be prevented easily, and action should be taken at once to curb this evil. Such action simply means that we propose to "feed America first."

These three things can be done at once: Prevent gambling in foodstuffs by prohibiting all fictitious sales. Open up the storage houses and allow the food held off the market to be distributed and at the same time provide that those who deliberately destroy food in or out of storage shall go behind prison bars. Limit exports of food until prices at home have reached a reasonable level.

Such action as this will have a splendid effect in clearing the channel of communication between producer and consumer. It will destroy many of the parasites who thrive on the necessities of the people.

But there must be still more fundamental action if permanent improvement in the task of getting products from the farm to the pantry with the least possible expense is to be carried out.

There is too much waste in distribution, even under the best conditions. In the olden days the buyer and seller came face to face in the market place and there dealt directly without toll taken between.

But the cities widened out, and now the producers live far away. Only a few of them bring their products to the city market and sell direct to the customers, and the time spent in selling the goods is an added cost to the products.

We must eliminate the distance which separates the producer in the country and the consumer in the city.

We need a scientific marketing system which will carry the product in a straight line from the farm to the pantry, from the producer to the consumer.

We must systematize and coordinate the job of carrying things which, as we saw in the case of the potatoes, is not in itself so great a task as the raising of foodstuffs.

Now, for the task of carrying things the Federal Government has an organization which is the greatest of its kind in the world. It is called the post-office service, and the charges are relatively inexpensive and can be made still lower and yet pay all expenses of operation.

Mr. Chairman, there is no essential difference between the delivery of a book by mail and a pound of butter or a bushel of potatoes. Already tons of foodstuffs are being carried direct from the farm to the pantry, even under all the handicaps which apply at present.

But I hear some Members of Congress declaring that the attempt to perform this service has failed to receive public support. I noted in a recent issue of the Washington Star a statement purporting to come from a Government official who voiced such an opinion. He is quoted as saying if the people wanted reforms in the distributing system and the transportation system they would have them. The men whose business it is to distribute and to transport foodstuffs would have seen to it that they did. The Government already has provided the parcel post, and the Post Office Department and the Bureau of Markets have cooperated to aid the people in purchasing direct from the farmers by this means. Experiments have been made in city marketing and in motor transportation from farm to consumer. But in spite of all this work, the people continue to purchase their foodstuffs as they desire from the nearest store, over the telephone, on credit, for delivery, and in other ways that add greatly to the cost.

There is an old saying that one man can lead a horse to water, but 10 men can not make him drink. The Government has shown the way and has provided facilities to aid the people in purchasing cheaply. They must go the rest of the way themselves.

Now, that statement is entirely unfair. The people have shown a wonderful eagerness to use the facilities of the Government in direct dealing by the parcel-post system of the Post Office Department, as is shown by the transportation of 2,300,000,000 parcels in the year ended June 30, 1919. A very large proportion of this stupendous number of packages was made up of food products.

But in almost every instance it was necessary for a city dweller to get into direct communication with the producer in the country and carry out a seperate business transaction for every package delivered.

Such a handicap means much to both producer and consumer. It means that the farmer must carry a multitude of small accounts with people whom he does not know personally. He must pack a large number of small cartons and see that they are mailed. He must get in touch with a sufficient number of persons to take his production. He must take the chance of bad bills, with consequent loss of profits.

The consumer is in as difficult a position. If he desires eggs, for instance, he must locate a farmer who will ship him eggs in parcel-post lots. He must purchase a container for frequent shipping which costs about $1. He must pay postage charges, which for a single dozen will cost him 10 cents. He must send letters in ordering and instructing and in paying his accounts.

Aside from the simple fact that the average city dweller does not personally know a farmer from whom he can buy and that the average farmer does not know the townsmen to whom he can sell, the expensive nature of this individual business is enough to prevent the use of the parcel-post system.

Mr. Chairman, what is the answer to that situation? It is to be found in wholesale shipments from producers to consumers. If one farmer or a number of farmers can sell their entire production and ship in bulk to the purchasers, we have done away with this tremendous obstacle.

Mr. Chairman, that brings us back to the suggestion of cooperative buying and selling.

At the hearings before the Senate committee on the high cost of living during the past few weeks every speaker has stressed the value of cooperative marketing. It is astonishing to see how all these experts on widely different lines come back at last to this one suggestion.

Mr. Calvin declared that his solution would be the publication of prices received by the producer and cooperative marketing.

Mr. Edward J. Ward, special community organizer of the bureau of education, pointed out that—

the most extraordinary and most successful handling of supplies in America is found in public cooperation in Alaska.

Dr. W. E. Mosher, director of the joint commission of the reclassification of salaries, said:

There has been no time like the present to acquaint the American people with the possibilities of the cooperative idea as applied to the purchase and distribution of common commodities. The cost of living has been greatly reduced in certain European countries because they have developed the ability to buy together and to sell together on a cooperative basis. We Americans, traditionally and naturally individualistic, have seen cooperative schemes come and go; we have not been schooled by a military system nor by want and privation to sacrifice our individualistic tendencies to such social processes as have developed, particularly in England and Germany. Cooperative associations are doing millions and millions of dollars' worth of business every year in these foreign countries. Goods are marketed at regular prices, the people profiting from the dividends that are declared from time to time on the stock which they have subscribed to the cooperative enterprise.

It appears to me that this committee might very well take the opportunity that it has of making specific recommendations concerning cooperative purchasing, marketing, and distributing on the part of the people of the city. It is to be hoped that the committee will make so worthy a report that it will command a widespread reading, so that the cooperative movement may be called to the attention of the American people as one of the chief means of reducing the high cost of living.

Mr. Royal Meeker, Commissioner of Labor Statistics, Department of Labor, said:

I have great hopes of the cooperative movement. I do not know whether the American people can be brought to realize the importance of doing things cooperatively instead of depending altogether upon private enterprise and private initiative or so-called enterprises. I do not know whether they can be made to see that or not, but I think it is well worth trying out—establishing great cooperative enterprises for the purpose of bringing the producer and the consumer together. That will mean legislation in order to prevent the private profiteer from getting in his work and taking all the economy that is effected by your more perfect distribution system.

Mr. Walter Y. Durand, special examiner, Federal Trade Commission, declared that—

very great reduction in the cost of living can be found through a reorganization of our marketing system in order to do away with unnecessary costs.

Dr. Carson Ryan, president of Local No. 2, Federal Employees' Union, urged strongly that Congress should assist by legislation the system of cooperation. He told of the difficulties experienced by the cooperative store in the Bureau of Standards which had to go to Delaware and pay $300 to be incorporated to do cooperative business. He said:

There are constructive things that can be done and no Member of the House or Senate should object to it. They are simply constructive measures to make possible cooperative buying.

Mr. E. M. Dawson, president of Local 89, Federal Employees' Union, said:

Were we not so individualistic here, we might perhaps be willing to get together and save money. I almost wish, from time to time, that prices would go so high that some sense would be pounded into our heads about cooperation. Why not have hundreds of motor trucks laden with goods move from the farming districts every day to the Nation's Capital and let Government employees and others get the benefit?

Mr. Charles A. Lynam, secretary of the National Board of Farm Organizations, said:

There are remedies for this situation. The farmers have got all they can do to handle their own case. They know that they must organize. We have these great farm organizations, some of which are educational in nature, like the grange and the farmers' union and the equity societies and the gleaners; and then there are other organizations that have come into line as a result of the education of these organizations, and they are organized around the marketing of some particular crop, such as oranges in California and milk around the cities, and live stock, and so on. They have got all they can do to take care of their own affairs and this propaganda has put them in an unfavorable light. But they are anxious to see the consumers properly and effectively organized.

There have been all kinds of attempts to start cooperative stores. That is not what we need so much as a movement starting from groups such as are represented here, that in a national way will point out the benefit of cooperative buying.

Hugh S. Jeffries, representing a large organization of soldiers, sailors, and marines, said:

Our experience with Government ownership has not been such as to make us highly enthusiastic about it, but I think that the soldiers have about come to the conclusion that if we must have a monopoly we would rather have it a Government monopoly than a privately owned monopoly. But between the two extremes of a Government owned monopoly and a privately owned monopoly there is an opportunity for cooperation; and unless cooperative effort is fostered and aided in every way by public institutions and through legislation those efforts will be at the mercy of the great organized forces whose interests are adversely affected by the success of the cooperative means of distribution of bringing the producer and the consumer close together.

Mr. Chairman, surely in this unvarying testimony as to the value of cooperation in the handling of food supplies we may find a pressing need for action.

But what plan shall we follow in organizing a cooperative marketing system?

Some enthusiasts point to the Rochdale system in England as the ideal plan for America.

Capt. Conner, retired, British Army, appeared before the Senate committee and painted a glowing picture of the possibility of such a system in this country. He stated that the Plymouth Society, of which he is a member, started in 1860 with 12 members and $15 and is now a society of 56,000 members with assets of $4,000,000.

This society and all others like it sell at current market prices and then declare dividends out of the savings, which this officer stated was about 12½ per cent.

Now, admitting that this cooperative plan has been splendidly successful in England, it does not follow that it would be successful here.

It is based on the theory that the Government is something above the people, and that Parliament is an enemy to be circumvented by outside efforts and agencies.

The American theory is that the people are the Government. They have organized certain agencies to perform their work. They desire to make use of their own agencies, not for a group of citizens but for all the citizens of the Republic.

The British plan benefits only those who are members and who pay the assessments. The American idea is that the very fact of citizenship carries with it the right to participate in common benefits.

The group idea is British, perhaps, and it seems to have filled every need in England. But the public idea is American, and special benefits to certain groups will not suffice in America.

How, then, shall we adapt this cooperative plan to America?

By community organizations instead of group organizations. There must be such union of the consumers that every resident of the community has a share in the benefits derived. There must be no assessments but common benefits based on American citizenship.

The community unit in America is the public-school district. In every community in the Nation, situated conveniently for all, is a public-school building. It is the logical center of any community organization.

My plan for cooperation, then, is to organize every city district into a community organization in the schoolhouse. The election of a community secretary by the people puts the responsibility into the hands of one individual, an essential to any plan of cooperation. What is everybody's business is nobody's business, and therefore there must be one person charged with the duty of acting as the agent of the people and subject to the people's directions.

With such an organization in the city it can be easily seen that orders for eggs, butter, vegetables, and other food products may be grouped into bulk orders. No longer does the individual have to find the farmer and make a separate deal with him.

All the families in the community may order through the community secretary and he can order cases of eggs instead of dozens.

The same thing applies in rural sections. The farmers organize in their logical community headquarters, the central public-school houses of the townships. They elect a community secretary who is charged with the responsibility of acting as agent for the people. He keeps records of each man's shipments and he deals direct with the elected representative of the people in the city districts.

Thus one representative deals with one representative. Gone is the multitude of individual transactions and instead is a system of wholesale dealing, the lack of which has prevented full success of the plan to secure direct communication between buyer and seller.

Then between these two cooperative societies runs the Postal Service. By motor truck, train, and other conveyance it carries the products at postal rates and nothing more.

The connection is made directly when the community secretary is made a postal agent, receiving exactly the same pay on the same basis as all other postal agents. Then we have linked up the local community and the National Government. We have brought about the thing which every great American has hoped for—joined the local community with the Federal Government.

In connection with the schoolhouse would be a building for the receiving of food supplies—a warehouse in the country district and a market house in the city district.

From the farm center would proceed the motor trucks of the Postal Service, carrying the food products directly to the market house of the city community. These foods would be packed in standard packages and graded according to standards of the Department of Agriculture.

At the community market house the community secretary postal agent would distribute the products direct to the consumers. He would be in daily touch with the producers in his territory and would know what kinds of foods were available and in what quantity. The postmaster in each city would receive reports from each postal agent in the city and a post-office official in each rural county would receive reports from all organizations in his county.

Thus a clearing house would be established for all foods, surplus as well as deficiencies. With direct communication between county agents and Washington, surplus foods could be mobilized wherever needed in quick and efficient manner.

Mr. Chairman, the essentials of this plan are not theory, but fact. Between the Park View School, in Washington, and the Mount Joy School, in Adams County, Pa., runs a postal motor truck every day, carrying farm products directly to the consumers.

Both communities are organized, all the people in each being members not through the payment of assessments but by virtue of their American citizenship.

In Park View the people elected the school principal as community secretary, and in Mount Joy the people elected the schoolteacher as community secretary. The Post Office Department made each of them a postal agent.

The farmers in Mount Joy Township have their produce classified and recorded by their agent, who is at the same time the agent of the National Government. The postal motor truck carries the daily shipments direct to the Park View schoolhouse in the city, where it is received and distributed by the agent of the people there.

Settlement is made by money order each week, and in eight months' operation there have been no difficulties on that score, although large quantities of food have been handled through this system. The farmers get more than they could through any other method of marketing, and the consumer gets his food at much lower prices. The only expense is the actual cost of carriage of the products.

Mr. Chairman, extend that service over the entire country and the cost of living would take a permanent drop. The problem of the economical distribution of foodstuffs would be solved. It would not involve price fixing, which never has succeeded in such matters and never will succeed. It will allow the law of supply and demand to operate, supplemented by an adequate system of transportation and distribution, and unhindered by selfishness and greed for gain on the part of parasites of business. It would remove present interferences and obstructions in the channel of distribution, which are the leading cause of the high cost of living.

Much of the equipment is at hand. It will take thousands of motor trucks on the highways of America. At this moment around 10,000 motor trucks are lying idle and useless at Camp Holabird, near Baltimore, rusting and rotting to destruction. There are many more thousands elsewhere. These trucks should be on the roads carrying food from the farm to the pantry. At parcel post rates the trucks could be paid for out of the profits of the service, even if we had not already passed a law providing for the turning over of these trucks to the Post Office Department without charge.

Sometimes when things have grown so old that they are almost forgotten they become new again and are adopted to meet modern needs. Transportation over the highways comes to us out of the misty past. Rome could never have attained her greatness without her highways. Her great military roads brought remote places within easy reach of the Eternal City and made the saying "All roads lead to Rome" a true one.

After years of neglect of our roads in America we are coming to realize that the highways and motor vehicles offer the proper solution for many of our problems of distribution.

Secretary Eggleston, of the highways transport committee of the Iowa State Council of Defense, reported that the trucks in Iowa alone for the year 1918 traveled 12,880,420 miles on the highways, hauling a tonnage of 488,400 tons, at a saving of $2,318,475.60 over the cost of horse-drawn vehicles. This included trucks only, and did not count the 365,000 automobiles owned by Iowa people.

Now, when you figure that there are 2,200,000 miles of highways in this country, seven times the mileage of all our railroads, canals, rivers, lakes, and coastal waterways, you begin to see the stupendous possibilities of full utilization of the highways by motor trucks and other conveyances.

Of course, the returns in mail transportation on these highways is immensely higher than under any other form of transportation. A ton of first-class mail matter brings in postal revenues of $2,000. That means that by carrying 15 pounds of first-class matter the entire expense of operating a 2-ton truck over 100 miles of highway can be met.

Food commodities carried at half the present rates will easily net a profit in the operation of these postal trucks on the roads of America.

For instance, a cannery recently offered to sell in one lot 1,200 cases of tomatoes, or 14,400 cans, at 15 cents a can, and pay the cost of delivery. If the people of one or several communities had been organized in the manner outlined they could easily have taken advantage of this saving.

The delivery task was simply to carry 48,000 pounds from the cannery to the community headquarters. It would require 12 two-ton trucks to move this entire order in a single day. On each case, weighing about 40 pounds, there would be paid 45 cents postage, making postal receipts of $490 for the entire shipment.

The entire expense of operating the 12 trucks over a route of 100 miles would be $316. That includes carrying the load one way and returning empty the other.

In other words, the Postal Service would make a clear profit of $173 in carrying these goods; the consumers would save $1,440 on this single order of tomatoes; the producer would dispose of his pack in a single order, without expense save charges for delivery.

Experimental motor-truck routes in the Postal Service have proved the efficiency of this system, not on sporadic instances, but on the test of many months.

Fourth Assistant Postmaster General Blakslee in a report of these routes cited the figures of that one known as the Washington-Rock Point-Scotland route.

For November, 1916, the amount of matter carried totaled 20,600 pounds. In November, 1917, the amount jumped to 49,649 pounds. In November, 1918, it reached a total of 73,318 pounds. In April, 1919, the total was 126,326 pounds.

The total gross earnings for 1918 were $96,561.70. Deducting one-third of this entire amount for war tax, which applied on first-class matter alone, leaves $70,409.92. Deducting 50 per cent of the balance to more than cover all other postal operations, there is still left receipts of $35,204.71.

The entire cost of operating this route for a year, with all direct and indirect charges included, was $14,382.27, which

means that the net earnings on this one route for one year were $20,822.44.

Mr. Chairman, this House recently adopted my proposal to direct the Secretary of War to utilize the Parcel Post Service in the distribution of the surplus Army food supplies. The plan was put into operation on Monday of this week, and in spite of the tremendous size of the task, the Postal Service, thanks to First Assistant Koons and Fourth Assistant Blakslee, handled it with notable success. These two men refused to be daunted by the difficulties, and backed by most of the postmasters and postal employees of the country, they showed that the Postal Service, at least, could meet an extraordinary task in efficient fashion.

I learned to-day that a few post offices have reported by telegram as to the business done in the first four days of this sale of Army foodstuffs direct to the people. San Francisco reports 2,058 orders with cash receipts of $24,004. New Orleans reports 1,590 orders and cash receipts of $25,266.69. Boston reports 2,400 orders and $36,000. Omaha, 1,235 orders and $14,936. St. Louis reports 3,561 orders and $56,256.52. Philadelphia, 8,016 orders and $100,570.

There have been failures at some points, due to inefficiency and a disinclination to cooperate, but I submit that these reports show the tremendous possibilities of this system of distribution of foodstuffs.

Here is the common-sense method of bringing the producer and consumer together in the solution of the bread and butter question of America. It is the only nation-wide system of distribution in existence. It belongs to all the people. I have heard protests against the complete use of the Postal Service from men who seem to base their opposition on the ground that this great service is the private property of the Postmaster General. They are simply allowing their feeling against an individual, however well founded it may be, to prevent them from helping in a great constructive effort to use the American-owned distributing system in the task of lowering the high cost of living.

Think of the situation. There are 60,000 star and rural route carriers in our Postal Service, traversing every day the food-producing sections of the country. Every one of them should be transporting a ton of foodstuffs each day. That would mean 120,000,000 pounds of food carried every day, and counting that the average individual consumes two pounds a day, would supply 60,000,000 people, more than the entire city population of America.

Why do they not do it? I have pointed out the difficulties of individual bargaining and they can be solved by cooperation. Other things stand in the way, such as the roads, the vehicles, and the rates. Each of them can be remedied. The roads can and in fact are being improved. The motor vehicle supplies the ideal carrier for this purpose. The rates, which are now $20 a ton for the first zone and $10 a ton for even local communities, can be greatly reduced and still be profitable.

Right now the Government is losing $70,000,000 a year on these rural and star routes, because they are not used to their full capacity. I would make them profitable agencies by making them a factor in the distribution of foodstuffs and return to the people many times the present loss in the reduction of the Nation's food bill.

Mr. Chairman, the fabled Sphinx propounded its riddle. Find the answer or be crushed. So on the path of time America has come to the present challenge. Answer this problem of making prices fit pockets or be destroyed.

We dare not refuse to act promptly and effectively. To neglect the infamous triumphs of those who prey on the people's needs means to shake the pillars of this Republic to their wreck. Let America perpetuate this hideous exploitation of her workers while parasites and drones flourish on the manipulation of a nation's bread, and we will face a more dangerous foe than the Imperial German Government.

I consider that the public official who stakes the welfare of the people in such a crisis on an outworn theory of government is as heartless as that Sultan who looked upon a painting of the head of John the Baptist and declared that it was incorrectly portrayed. "A man's head does not look like that when it is cut off," he declared to the painter. The artist took issue with him, and to prove his contention the Sultan, with one sweep of his scimiter, struck off the head of a faithful servant who stood at his side.

Here is a condition where hunger stalks abroad in a country where there are bumper crops, storehouses full to bursting, and ships carrying food from America to the Seven Seas.

Mr. Chairman, we must act at once. We must throw open these storehouses and prevent their use as artificial reservoirs to restrict distribution of foods and to increase prices. We must limit exports of foodstuffs until Americans have the necessaries of life at fair prices. And, finally, to secure permanent benefit, we must clear the channels of distribution of all parasites and useless toll takers and permit the producer of the food to deal directly with the man who consumes it.

Then we may see that bread and liberty are but different names for the same thing, and we may make sure that both are the possessions of American citizens.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Pennsylvania [Mr. KELLY]. I trust that the amendment will not be adopted. The section of the bill he proposes to amend provides for the punishment to be imposed upon those who are convicted of violation of the law. We have started out, and should continue as nearly as possible, to comply with the request of the Attorney General. The portion of the section providing for punishment of offenders was prepared by him and, in my opinion, should remain as it is. And it would, I believe, be unwise to make the punishment more severe. Crime is not best prevented by severe punishment. It is the certainty of conviction that yields best results in the prevention of crime. If a law provides a very severe penalty a prosecuting officer finds it difficult to secure conviction, and in this case, if we add to the penalty, we may embarrass the Attorney General in his effort to enforce the law.

Mr. McPHERSON. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I have not the time to yield. There is no way of getting an extension of time.

It may not be out of place for me to refer to and to some extent repeat remarks I made in the House last Thursday, the 14th instant, on the food-control act of August 10, 1917, the act to which this bill is offered as an amendment. At that time I used all the time permitted to me, but the time was too short to enable me to deal fully with the subject, because other matters were then pressing for attention. The food-control act, as you know and as the country ought to know, has been in force more than two years, but there is evidently lack of knowledge on the part of the House and by the country as to its important and far-reaching provisions. I wish again to call attention to some of those provisions, to tell you what they permit and authorize the administration to do with respect to the control of food, feeds, fuel, and so forth, and something of the work done under that law.

Everyone appreciates the seriousness of the food problem; that it is very serious, and for many months has been getting worse. Prices are high and going higher, and there is very insistent and entirely proper demand by the country that these unfortunate conditions shall be corrected by prompt and effective enforcement of laws now on the books, and by further legislation, if necessary, as far as laws and their execution will be helpful. It has been pointed out to us by the President in his message that the provisions of the food-control act as it now stands are not sufficient, and that additional legislation is necessary.

There is positively no disposition in Congress to withhold legislation or refuse to place in the hands of the administration any weapons that legislation can give to enable it in an effective way to carry on a campaign against high prices and evil practices that are exacted or indulged in by some business men, large and small, throughout the country. The Committee on Agriculture, to which the recommendations of the President were referred, after full consideration and unanimous action, has reported a bill designed to meet these recommendations in every respect.

And right here, I wish to speak briefly of the bill now before the House, and also of the law as it now stands, the law passed in August, 1917. The law now on the book includes everything now demanded by the President, except that he wishes to add clothing and containers in which food, feeds, fuel, and other things described as necessaries in the act are sold; and right here, I may say that the committee has gone even further than the President suggests, inasmuch as the amendment the committee presents contains the words "wearing apparel," instead of clothing, thus making the matter much broader than was suggested.

Under the food-control act the President organized the Food Administration and the Fuel Administration, and those organizations were, under the law, authorized to do everything—except as to clothing and containers—that any officer or any body of men acting under the authority of the administration will be able to do after these amendments are adopted. It is true that section 5, which authorizes absolute control of business relating to food, fuel, and other necessaries, contains a proviso which exempts retail dealers, and a retailer is described as one who is not engaged in wholesale trade and whose gross sales do not

exceed $100,000 per annum. But the licensing provisions of the section are so broad and comprehensive that the Food Administration and the Fuel Administration were able to, and as far as they wished did, reach retailers by having the licenses issued to large dealers contain a provision to the effect that they, the wholesale dealers, should not sell to or do business with retailers who made an unjust or unreasonable rate, charge, commission, or price for their goods, or who were guilty of any unfair or improper practice or method of business. This form of license was authorized under section 5, and its use was effective, or could be made effective, to influence and control the retail trade in necessaries.

The operations of the Food Administration and the Fuel Administration under the licensing system covered the entire country and should have been continued. The fact is, however, that a very large part of the licensing operation was stopped and its further operation forbidden by proclamation issued by the President, while he was in France, February 11, 1919. This proclamation canceled all licenses and forbade their further application to all engaged in the business of importing, manufacturing, storing, or distributing butter or eggs, or engaged in the business of operating cold-storage warehouses. Thus the strong hand of the Government was removed from any and all kinds of business in butter, eggs, meats of all kinds, fish, cheese, and lard. It seems to me it is only necessary for us to know the broad provisions of the law and the effectiveness with which it operated to enable us to determine whether or not the action of the President in giving up control and suspending operation respecting all these necessaries was wise or otherwise. And if I may be permitted to express an opinion, I should say that if licenses had been permitted to continue in force and if the agencies of the Government created for the purpose had been permitted to carry on their work under the license section, the business in food and other necessaries throughout the country might have been under reasonable if not perfect control, and that the present deplorable condition of extortion by high prices and unfair practices of the trade might have been prevented.

The licensing system having been laid aside and abandoned, it is demanded that the law shall be so amended as to permit of control of necessaries by arresting and prosecuting offending dealers, and it will be noticed that the only method available or to be used in attempting to effect this control is by way of arrest and prosecution. All other methods, some of them found very effective, have been abandoned, and the Attorney General, speaking for the administration, says they will not again be resorted to. It is sincerely to be hoped that the method to be pursued will be effective, because conditions are intolerable and the people of the country are entitled to relief if it can possibly be given.

I have no objection to the arrest of business men who are guilty of profiteering; in fact, I feel, as every one must feel, that some of them have offended most seriously and are deserving of severe punishment; nor do I overlook or minimize the effect and influence that arrests and prosecutions will have on offending dealers; but everyone must know that all arrests and prosecutions that can possibly be made will be very, very small in proportion to the total number of dealers that ought to be reached, and I regret exceedingly that it has been determined to lay aside all sections and features of the food-control act, except the section providing for arrests and prosecutions. I should permit these arrests to be made and permit vigorous prosecutions to follow, but in view of the seriousness of the problem and the immense extent of country over which the trouble exists, the administration ought not to refuse to adopt or make reasonable effort to put into effect some of the regulatory, corrective, or preventive measures so clearly set out in the food-control act as it now stands, many of which means and methods have heretofore been employed and have been found effective.

It has been urged by the Attorney General and by others who approve his demands that any method of regulation could be used only after a wide and complete price-fixing plan had been worked out, and they say that any kind of price fixing is obnoxious. We all agree that price fixing as attempted by some of the agencies of this administration during the war were obnoxious, and it may be added that much of their work was a failure; but unless arrests and prosecutions are to be made and carried on in a reckless and haphazard way, there must be some investigation and some determination as to prices, and I submit that any investigation as to prices that will justify arrest and prosecution will give all information necessary for the exercise of regulatory, corrective, and preventive measures.

I did not suggest to the Attorney General, nor has it been suggested by anyone, that he should be limited or restricted in any respect whatever in carrying on his campaign against the profiteers by means of arrests and prosecutions, but it has been suggested that a separate and additional means and method—that is, by regulatory and preventive measures—should be given to him, and it has been urged that, without interfering with arrests and prosecutions, a very large part of the existing trouble can be reached without harsh methods; that the vast majority of dealers are willing to comply with orders and regulations; and that while arrests may be necessary in some cases, perhaps in a large number a regulatory program ,authorized and outlined in existing law, might very well be put into operation.

After all has been said, it may possibly be that the proposed plan of issuing warrants and of taking offenders right into court may be the only effective remedy, and if it shall prove to be so I shall applaud and be willing to give full credit to those who carry it on, and I have heartily favored an amendment to the law that will permit them to do it; but I feel that a brass-band proceeding, with all the noise and publicity that goes with it, should not be the only plan of dealing with this serious and widespread trouble.

I have said that every request made by the administration has been promptly and cheerfully complied with by the Committee on Agriculture, which now presents its bill to the House, but I wish to say that the committee, by unanimous action, has recommended another amendment, one not asked for and not approved by the administration. It is an amendment that exempts from arrest and prosecution under section 4 of the act farmers, gardeners, and other producers of farm products respecting the business of handling and selling the products of their own farms, and that permits cooperative associations of farmers to carry on collective bargaining respecting farm operations and farm products of farmers composing the association. This amendment, as I have said, was not requested by officials of the administration who appeared before the committee, and it may be opposed by them, but it is offered after full consideration by the committee in the firm belief that it is proper and necessary and entirely fair and just to the farmers of the country.

Many newspapers tell us, and we hear it also from a few Members of Congress, that farmers are guilty of profiteering, and in support of the charge they point to high prices of farm products paid by consumers. The fact is, however, established by even a cursory examination of the situation that prices received by farmers for their products are a very small part of the prices paid by consumers. It is true that prices obtained by farmers for their products are higher than they were before the war, but the cost of production is very much higher. The prices farmers pay for labor on the farm and prices for machinery, tools, fertilizers, in fact everything they have to buy, are higher than ever before, and the increase in prices of these things has been much higher in proportion than are any of the prices actually received by farmers for their products.

In August, 1917, when the Committee on Agriculture was considering the food-control bill, it was realized that some of its provisions would permit the officers of the administration, or of agencies created by it, to control or influence the prices farmers were to receive for their products, and that if this control and influence were to be exercised, something should be done and some provision of law should be enacted that would enable the same officers or the same agencies to control prices of machinery, tools, equipment, fertilizers, and so forth, that farmers must buy, and in order to carry out this idea and to give proper protection to farmers, the first section of the food-control act provides that "fertilizers and fertilizer ingredients, tools, utensils, implements, machinery, and equipment required for the production of foods, feed, and fuel" shall be deemed "necessaries," and the act as a whole expressly provides and contains ample authority for the control of these things and for influencing the prices that farmers must pay for them.

And now, when the farmers are called profiteers and objection is made to any exception whatever in their behalf, it is interesting to know that, with the single exception of nitrate fertilizer, there has been absolutely no effort on the part of the administration, or of any of its officers or agencies, to control or influence in any manner the prices farmers must pay for any of the above-mentioned articles; and nitrate fertilizer was bought by the Secretary of Agriculture and sold exclusively, I believe, to cotton planters of the South.

Now, in view of what I have said, known to be true even by the casual observer, it is clear that the farmers of the country are not open to the charge of profiteering, and it is clear also, as we look again at the provisions of the food-control act and as we recall that absolutely nothing has been done to protect farmers against high prices, that the amendment by which they

will be secure against prosecution and arrest while carrying on their business of selling their own products and while associations composed entirely of farmers are attempting to assist them in carrying on their business, ought to be adopted and that they ought not to be subject to the drastic and penal provisions of the law.

On other occasions, in debate in this House and while speaking in other places, I have said, substantially as I say now, that farmers and farm business have not been protected, certainly have not been favored as a class, by any law the Congress has passed since the war began, but occasionally the correctness of my statements has been questioned, and the act by which Congress fixed the guaranteed price of wheat was referred to. It is evidently the belief of some of the people of the country that the Congress conferred a great favor on the farmers and offered them substantial protection by enacting a law by which they were guaranteed a minimum price of $2 a bushel for their wheat. This opinion is not held by anyone who knows the facts as they existed at the time the guaranty was fixed, or as they have existed from that time to the present.

When our country entered the European war the President of the United States issued an appeal to the farmers of the country, urging them to increase the production of wheat and other food products, and this appeal was echoed and repeated by patriotic societies all over the land. The need of a large supply of food was well known and very acute, because it was necessary for us not only to supply our own people but to furnish to the warring people of Europe with whom we were associated a large part of the food they must have to enable them to live and to carry on the war. In order to insure to farmers that a largely increased production of wheat would not result in a low price for that product, it was suggested that the Congress enact a law providing that the Government itself should guarantee to all farmers that they would receive not less than $2 a bushel for all the wheat they might raise. It was never suggested that a law should be passed, or that anything by way of administrative action should be done, to prevent or interfere with farmers in obtaining a higher price than $2 a bushel; that if war conditions creating a large demand for wheat should force the price in this country and in the markets of the world above $2 per bushel, it was thought that farmers would have the advantage of the increased prices; in other words, it was never suggested that the minimum price of $2 should be the maximum price also. The farmers of the country were to be permitted to have and enjoy a high price if conditions should bring about a higher price. At the very time the matter of fixing a $2 minimum price was under consideration the price of wheat on the Chicago Board of Trade was $3.45 a bushel, and at the same time Mr. Herbert C. Hoover, who later was made Food Administrator, said that if the price of wheat were not controlled by some action of our Government it might reach as high as $7 per bushel. In view of this condition and in view of this statement, no one thought—certainly had no right to think—that the fixing of a minmum price of $2 a bushel on wheat was a concession or a favor to the farmers of the country.

I may say that one thing that influenced Members of Congress interested in the welfare of the farmers to demand a law guaranteeing a minimum price for wheat was that Mr. Hoover, deeply interested as he evidently was in European food conditions, made numerous statements as to what he could do with the prices of wheat in this country if he were authorized by law to interfere with or control the wheat situation. One of the things he said was that he could easily put the price of wheat down to a dollar and a half a bushel, and that if necessary he could put it down to 75 cents a bushel. The Congress, after learning of these statements, determined that there should be a guaranteed minimum price, and determined that that price should not be less than $2 per bushel. As I have said, there was no intention of making this $2 per bushel a maximum price, it being the intention and prevailing idea that the market prices which might and evidently would be much higher than $2 a bushel would be permitted to prevail. The fact is, however, that the Food Administration under Mr. Hoover and the Grain Corporation under Mr. Julius H. Barnes so administered the food-control act and so controlled the market for wheat—the milling of it and the selling of wheat and flour—that the minimum price of $2.20 a bushel as fixed by the administration became not only the minimum price but the maximum price as well. The regulations of these organizations were so enforced that millers and other large buyers of wheat were subjected to large fines if they paid more than $2.20 a bushel, and millers in addition to fines imposed upon them were threatened with having their licenses revoked and their businesses closed altogether. It was with these things in mind, particularly the high-handed and unjustifiable action of Mr. Hoover and Mr. Barnes, that Congress tried to increase the guaranteed price of wheat. On two occasions when this matter was before the House I offered amendments; first, to make the minimum price $2.50 per bushel. That amendment, as you will remember, failed.

A little later, when the Agricultural bill was again before the House, I offered an amendment fixing the guaranteed price of wheat at $2.40 a bushel, and that amendment was adopted by the House and approved by the Senate. You remember the result: The President vetoed the bill and the guaranteed price remained as fixed by him at $2.20 per bushel, and the Food Administration and the Grain Corporation continued, as before, to make that price the highest price that farmers were permitted to obtain.

After the signing of the armistice, the wheat situation in this country seemed to change. An unusually large yield of wheat was promised, and it seemed likely that the Government, having fixed a guaranteed price of $2.26 per bushel, might suffer very serious loss. In order to meet this situation and to enable the Government to make good its guaranty to the farmers of the country, an act was passed directing the Government to carry out its guaranty, and to enable it to make good any loss it might sustain, an appropriation of $1,000,000,000 was made. But predictions as to an immense yield of wheat and forecasts as to market conditions and prices were not realized, and the result was that, the Grain Corporation having ceased to some extent to control prices, the price of wheat was and continued to be much higher than the guaranteed price of $2.26 as fixed by the President. And this higher price might prevail now but for the fact that Mr. Barnes, of the Grain Corporation, got busy and has been busy, and, as he did last year, has made the minimum price the maximum price.

If the facts I have cited and the bits of history I have recalled to your mind show anything, they show very clearly that the fixing of a guaranteed minimum price on wheat and the course pursued by Mr. Hoover and Mr. Barnes have not benefited wheat-growing farmers. And while I assume no authority to speak for farmers as distinguished from people engaged in other lines of business, I am sure I express the wishes of the farmers of the country when I say that if laws are to be enacted for the purpose of regulating prices of farm products, then laws ought to be enacted for the purpose of regulating prices of machinery, appliances, and other things farmers must buy in carrying on their work; and I will say also that, in my opinion, the farmers are not asking favors at the hands of the Government by way of price fixing or other regulatory provision; they are and have been willing that their products shall take their chances in the markets of the world if they can simply have the same chance and advantage that are enjoyed by men in other lines of business.

And in conclusion, I wish to say another word respecting the bill we are now considering. The Committee on Agriculture has unanimously decided that it should comply with the request of the Attorney General in the matter of amendments to the food-control act. It has reported his amendments just as he presented them. We wish to place in his hands every weapon that can be used and which he promises to use in his effort to reduce the high cost of living. I wish I had more faith in his promise that he will produce substantial results. In placing in his hands, and the hands of the President, additional weapons—if they are additional—we are going to remove every last excuse they offer for failure thus far to act, and from now on it will be up to them to produce results.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. KELLY of Pennsylvania. Mr. Chairman, I ask for a vote upon my amendment.

Mr. DYER. Mr. Chairman, I make the point of order that debate is exhausted on the amendment. I have an amendment to offer, as have some other gentlemen.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

Mr. KELLY of Pennsylvania. If this amendment passes, I shall move to strike out the words "or both" at the end of the line.

Mr. STRONG of Kansas. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

Mr. UPSHAW. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

The CHAIRMAN. The gentleman from Kansas and the gentleman from Georgia ask unanimous consent that the amendment be reported. Is there objection?

Mr. DYER. Mr. Chairman, I object.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Pennsylvania.

The question was taken; and on a division (demanded by Mr. KELLY of Pennsylvania) there were—ayes 16, noes 85.

So the amendment was rejected.

Mr. GRIFFIN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 3, line 23, after the word "both," strike out "*Provided*" and all of lines 24 and 25, and on page 4 strike out all of lines 1 to 9, both inclusive.

Mr. GRIFFIN. Mr. Chairman, we have listened to a great number of campaign speeches and orations for home consumption this afternoon. I say this without any reflection upon the gentlemen who have spoken. At the same time I offer the thought that when a matter of the importance of this measure comes before this House we ought to stick as nearly as possible to the subject.

Before proceeding further I wish to remark that the manner in which this measure is brought before the House is a glaring example of how legislation should not be considered in a deliberative body. The Agricultural Committee had their last hearing yesterday afternoon. The newspapers published a report yesterday that the bill had been introduced. I sent a page over to the office of the gentleman from Iowa [Mr. HAUGEN] to get a copy. Word came back that it had not been given its number—in other words, it had not been printed. A copy of it was not procurable until its consideration was asked for on the floor of this House this afternoon. I objected to its immediate consideration then until I had secured time to oppose it. With marvelous slight of hand, the Rules Committee brought forth from its sleeve a rule requiring its immediate consideration. And, of course, it was put through with lightning speed. Apparently there was no one to oppose it. The Agricultural Committee were unanimous! Democrat and Republican alike on the committee were pledged to its passage and parceled out the time among its friends. Common decency, it seems, should have prompted them to inquire whether anyone was opposed to the bill and give him some say in the disposition of the time. The result has been that, while Members were recognized to talk on the bill, they used their time to abuse the administration of the food law in the past and predicted its failure in the future. Verily the wish was father to the thought! In the few minutes that I have I will try to speak to the merits.

I ask you gentlemen to just gather around in this committee, and let us put our heads together. Take the bill in your hand and look at page 3, line 23, and see what was done with the recommendation of the Attorney General that certain legislation be enacted in order to give the administration power to enforce the food-control act. Has the Agriculture Committee complied with the request of the administration? I want to tell you that the committee has not complied with the request of the administration. If this bill becomes a law, I can see you gentlemen next year making campaign capital out of the fact that the administration has failed to reduce the high cost of living under the useless machinery you have here provided.

Mr. HERSEY. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. Pardon me, but I can not yield. Let us stick to the point. The administration requested that containers be introduced into the bill, and wearing apparel, and that the penalty be decreased. You did all of that. But at the bottom of the bill you insert a clause which cuts the very vitals out of the measure. Let us read it:

Provided, That this section shall not apply to any farmer, gardener, horticulturist, vineyardist, planter, ranchman, dairyman, stockman, or other agriculturist, with respect to the farm products produced or raised upon land owned, leased, or cultivated by him.

What does this mean? Let us look at the bill. What does it provide? It makes a criminal offense out of certain conduct.

It makes it a penal offense, felony, if you please, punishable by $5,000 fine and two years' imprisonment, for any person willfully to destroy any necessaries for the purpose of enhancing the price or restricting the supply thereof; makes it unlawful to permit waste or willfully to permit preventable deterioration of any necessaries in connection with that production, manufacture, or disposition. It makes it a criminal offense to hoard, as defined by section 6 of this act. It makes it a criminal offense to monopolize or attempt to monopolize, either locally or generally, any necessaries. It makes it a criminal offense to engage in any discriminatory and unfair or any deceptive or wasteful practice or device or to make any unjust or unreasonable rate or charge in handling or dealing in or with any necessaries of life. They are all criminal offenses, punishable by fine and imprisonment. Then you put this miserable, devitalizing proviso at the end of the section which emasculates it and takes the force and vitality out of it. Why, you might just as well have altered the whole section and provided that the farmer, the gardener, the agriculturist, the ranchman, the stockman may destroy property for such purposes.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRIFFIN. I ask unanimous consent to speak for five minutes. I can hardly get at the meat of this matter in the short time I have.

The CHAIRMAN. The time has been fixed under the agreement.

Mr. GRIFFIN. I am asking unanimous consent.

Mr. MACCRATE. Mr. Chairman, I ask that the gentleman have five minutes outside of the time fixed. The gentleman has stayed here all the afternoon in opposition to the bill, and I think he is entitled to have at least 10 minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that his colleague may proceed for five minutes, not to be included in the time already fixed.

Mr. HAUGEN. Mr. Chairman, the time has been fixed, and I think that should be adhered to.

Mr. MACCRATE. That was in the committee, and it can be changed in the committee.

The CHAIRMAN. Is there objection?

Mr. ELSTON. Mr. Chairman, I object.

Mr. GRIFFIN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. GRIFFIN. Last year when the dairymen's association in New York State were trying to gouge the people by forcing them to pay a further increase in the price of milk, and when thousands of infants were languishing because their parents were unable to provide them with this essential food, thousands of quarts of milk were fed to the hogs and cattle or ruthlessly dumped into the wayside ditches. Under this committee amendment the dairyman responsible for such wastefulness would be absolutely exempt from punishment. Time and again crops have been permitted to rot and fruit permitted to drop to the ground and decay simply because the word had been passed around that the putting of such products on the market would bring about a surplusage which would reduce prices. In the meantime the consumers, who could not afford to pay the high prices exacted by the conspirators, were obliged to take another hitch in their belt or substitute some other food not cornered by unconscionable devices.

The whole section seems very promising until we read down to the proviso which the Agricultural Committee has introduced exempting the farmer, the gardener, the horticulturist, the vineyardist, the planter, the ranchman, the dairyman, the stockman, or other agriculturist from the operation of the law. Others may not destroy the necessaries of life for the purpose of enhancing the price or restricting the supply. Others may not commit waste or deterioration of the necessaries of life. Others may not hoard the necessaries of life. Others may not monopolize such necessaries or engage in discriminatory, unfair, deceptive, or wasteful practices or devices or make any unjust or unreasonable rate or charge in handling or dealing with such necessaries. Others may not conspire, combine, agree, or arrange to limit the facilities for transporting, producing, harvesting, or dealing in such necessaries. Others may not restrict the supply of such necessaries or their distribution or exact excessive prices for such necessaries. And if they do they commit a criminal offense punishable by a fine not exceeding $5,000, or be imprisoned for not more than two years, or both. But the sainted farmer, the gardener, the horticulturist, the vineyardist, the planter, the ranchman, the dairyman, the stockman, and the whole brood of agriculturists may do all of these wicked things with absolute immunity. If this is not class legislation with a vengeance, I pray you to show me an example in the whole history of American legislation which comes nearer to being a violation of the principles which underlie our system of government. A crime, I have always thought, was just as heinous whether committed by a farmer, a barber, or a college professor; whether it was committed in the country or in the city, in the forest, the field, the mine, or in the mart. But, according to this new philosophy, the man in the country can destroy, waste, hoard, monopolize, cheat, and conspire with perfect impunity. What an outrage upon common sense and public decency.

But gentlemen say, when I talk to them outside of the precincts of this Chamber—for none of them have discussed it within—that the reason why the farmer is exempted from punishment for the commission of these crimes is that he is never guilty of such offenses. The farmer and his allies mentioned in the bill never destroy the necessaries of life for the purpose of enhancing the price; they never throw the milk to the hogs that ought to be furnished, at reasonable prices, to

starving babies, or dump it in the ditches; they never allow their crops to rot in the fields or fruits to decay in their orchards. Oh, no! They never do such things! Well, if they do not, why do they want to be kept free from punishment? If they never offend, they surely can never fear a penalty. Is it possible that you gentlemen of the Agricultural Committee only want to open the door to them out of politeness? Is it possible that you only want to provide sanctuary for your own preferred and privileged class, and that you never expect them to seek shelter for their misdeeds at the Holy Rail? No, gentlemen, I suspect that, since you are so intent to provide a special sanctuary for your friends, you must have some lingering notion or suspicion that sooner or later they will stand in need of salvation.

The title of this bill tells the whole story. It is a bill to encourage the production, to conserve the supply, and control the distribution of food products and fuel. Who produces food products? Why, the farmer, the gardener, the vinyardist, the planter, the ranchman, the dairyman, and the stockman. And yet every one of them is exempt from the penalties provided by this bill! They have carte blanche. They can do anything they please. They can commit any crime short of murder, and very often the denial of food through willful waste and unlawful combinations may mean murder; they may commit all of these crimes and have absolute immunity. If that is so, what is the aim, purpose, or utility of this bill? Camouflage—nothing more! It is not sincere. It is not honest. It is not intended to be of any use. You know, in your heart of hearts, that it is bound to be a failure; that no Attorney General or Food Administrator, were he gifted as the archangel himself, will be able to accomplish anything under this bill. You are only sowing the seeds of discord; planting mistrust in the hearts of the people who have their eyes centered, with longing gaze, upon this Congress to give them a modicum of relief. You are cheating them. You are deceiving them. They are crying for help, and you are throwing to them a life line loaded with lead.

Mr. DYER. Mr. Chairman and gentlemen of the committee, I want to say a word with reference to the amendment that has been offered by the gentleman from New York to show you gentlemen how unjust it is to put in the provision on page 3, line 23, exempting farmers, etc. And I desire to call your attention to a concrete example in reference to my own city of St. Louis. We get our milk supply from what is known as the Southern Illinois Milk Producers' Association. We are dependent upon them almost entirely for our milk supply. The Southern Illinois Milk Producers' Association fixes the price that the dairies of St. Louis must pay for the milk, and in effect also fixes the price that the consumers must pay. Now, in the last few months milk has been increased in price in the city of St. Louis. So that now it is almost impossible for the poor children, for the sick children, and for the poor people, for the sick in the hospitals, to get the milk that is necessary for the sustenance of their lives.

Mr. ANDERSON. Will the gentleman yield?

Mr. DYER. Here we are exempting those people. Why on earth should the Milk Producers' Association be exempted in fixing the price of milk which is necessary to the health of the infants of a great city like St. Louis as well as of other places? Gentlemen, there is no need for this. The provision on the opposite page is now law. I do not expect to argue against that, unjust though it is, but I urge you gentlemen not to put into effect this other provision on page 3, because if you do there is nothing on earth to stop the Milk Producers' Association of Southern Illinois, that consists of over 4,000 members, from fixing the price and increasing the price again next week to 18 cents a pint, and they can increase it the week after to 24 cents if they want to do so, because by this bill you are exempting them from the provisions of this act. Is there anything in the world that is more necessary for people, for the children, for the infants, for the sick in the hospitals, than good milk? I offer, Mr. Chairman, this suggestion with the hope that you gentlemen will strike out that provision.

Mr. TINCHER. Will the gentleman yield?

Mr. DYER. I want to offer as a substitute for the amendment of the gentleman from New York that the first provision beginning in line 23 with the word "provided" and ending on page 4, line 3, with the words "or cultivated by him," be stricken out. I offer that as an amendment, and I ask to have it reported as a substitute for the amendment offered by the gentleman from New York.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

Mr. DYER. As a substitute for the amendment offered by the gentleman from New York.

The Clerk read as follows:

Mr. DYER offers as a substitute for the amendment offered by Mr. GRIFFIN: On page 3, line 23, after the word "both," strike out all of the proviso down to and including the word "him," in line 3, page 4.

Mr. ELSTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ELSTON. The amendment of the gentleman from New York, as I understand it, strikes out 10 or 15 continuous lines containing two or three different subjects.

Mr. GRIFFIN. No; it strikes out two provisions.

Mr. ELSTON. Two provisions. Would it be in order as an independent amendment to propose to strike out merely the provision exempting the farmers and thereafter putting in an amendment to subject the associations named here to the provisions of this act?

The CHAIRMAN. The amendment offered by the gentleman from Missouri [Mr. DYER] is in order. The question is on the substitute.

Mr. ELSTON. Mr. Chairman——

Mr. SUMMERS of Washington. Mr. Chairman, I desire to speak in opposition to the amendment.

The CHAIRMAN. The gentleman from Washington is recognized.

Mr. SUMMERS of Washington. Mr. Chairman and gentlemen, I am opposed to the profiteer, whether he does a $10,000 or a $10,000,000 business annually.

I am in favor of this bill because it punishes the profiteer, be he great or small, who fattens his bank account on the blood of little children.

I am in favor of this bill because it has teeth and gathers in all profiteers, whereas the bill passed by the last Congress did not.

I am in favor of this bill because it will bring at least a partial measure of relief to 4,000,000 returned soldiers and their families and a hundred million other patriotic Americans who have sacrificed in their country's behalf.

I am in favor of this bill because it gives a degree of relief and hope to the masses of American people whose sense of right and justice has been outraged.

While considering this measure I shall also consider briefly the high cost of living.

RELENTLESS WAR ON PROFITEERS.

During my campaign in 1918 I declared for "relentless war on profiteers," and since hearing the report of the Select Committee on Expenditures in the War Department and having made some study of the report of the Federal Trade Commission regarding profiteers, like the Queen of Sheba, I must exclaim "The half has never yet been told." No, Mr. Chairman, the half has never yet been dreamed.

Far be it from me to in any way intimate or give the impression that every successful merchant is a profiteer. Such an insinuation against the vast majority of our smaller merchants would be wholly unjustified. Nevertheless while there are more milch cows, more beef cattle, more hogs, more sheep, more poultry, more butter, and more eggs in the United States to-day than ever before, while there are more foodstuffs and more clothing in the United States than ever before, these necessities of life have been locked in the cold-storage plants of the Big Five packers and in Army and other warehouses out of reach of the consumers, there to rot in the one instance and to be forced higher and higher in price in the other.

SUPPLY AND DEMAND—LABOR AND FINANCE AS CAUSATIVE FACTORS.

Greater food production and more complete utilization of all that is grown; greater production at the hands of labor along all lines; economy and the simple life, when practiced by the masses of our people, will all help to solve the high cost of living. Supply and demand are great and potent economic factors with which we must always reckon.

Another factor which must be taken into consideration is the food and clothing shortage in Europe, and the necessity for their coming into our markets and outbidding our own buyers, because they must have the foods and they must have the supplies.

But with all of these questions considered, there is in my opinion another great underlying cause of the excessive prices along all lines.

The civilized and responsible countries of the world have increased the amount of paper money in circulation during the last four years from 8 billions up to 36 billions of dollars. In other words, on an average, every man, woman, and child in all of these countries throughout the world now has $4.50 instead of $1. The withdrawal of this vast circulating medium can not be done in a month nor a year, but in all probability prices of labor and of all commodities will remain high until the finances of the world are readjusted.

WHEAT AND COTTON.

Argument has been made in this Congress against the farmers of our country. An effort has been made to show that the farmer is responsible for high food prices and living costs, but I want to repeat with emphasis what I have said before:

Two dollar and twenty-six cent wheat, in my opinion, is not responsible for the high cost of living and in reality has but little to do with excessive food costs. I make this statement regardless of the frequent retort from our southern friends, who seem to resent the fixed price on wheat and at times insinuate that the guarantee may be lifted at any time. As a matter of fact there is every reason to believe the guarantee on wheat "has guaranteed" to the wheat grower a lower price for 1917, 1918, and 1919, than he would have received on an open market.

Take the next great staple, cotton, as an illustration. It has not been regulated, but nevertheless has sold during the same period for 300 per cent of its normal value, and cotton lands which sold in 1917 for $60 an acre are now bringing $150 on a brisk market.

The farmer's bushel of $2.26 wheat comes on our tables in the form of biscuits and buns and costs the consumer $14.05 on an average throughout the United States, and this wide margin between the producer and consumer in the greatest necessity of life undoubtedly pulls heavily on the family purse strings.

ARMY FOOD STORES.

Another and a very important factor in the high cost of living is in the enormous Army food stores that were necessarily and properly placed in our warehouses in 1917 and 1918.

These were bought with the people's money, and on the signing of the armistice and as soon as the ink was well dried they should have been sold to the masses.

It is sad to note that during the time of soaring prices and the stress on every hand, millions and multiplied millions of cans of these foods have softened and become unfit for use. Three million five hundred thousand pounds of ham has deteriorated in two warehouses alone. Only three weeks ago we were informed in Congress that from the Government warehouse in Baltimore 16 men with wheelbarrows have been engaged since last February wheeling out and destroying foodstuffs that have spoiled in the plant, and which could have been given the public in good condition last December had the proper action been taken. There was enough of these foodstuffs to fill a large adjacent swamp. Day after day they wheeled these foods into the swamp and burned and destroyed them until the ground was so littered with cans that they could no longer haul over it, and then the whole mass was covered with a layer of dirt and the same process of food destruction continued. This has been going on for the past five months. Millions of cans have suffered the same fate in Chicago and warehouses at other points.

STAR-CHAMBER PROCEEDINGS.

Several months ago the War Department called a conference to decide on the disposition of these enormous food stores. It is interesting to learn that this conference was attended by seven generals and by representatives of practically every big packing company in America.

Wilson & Co., packers, were represented; Cudahy & Co., packers, were represented; Libby, McNeil & Libby, packers, were represented; Morris & Co., packers, were represented; Armour & Co., packers, were represented; Swift & Co., packers, were represented. In all, the "Big Five" or "Big Six" had 10 representatives present to look after their packers' interests while helping to outline a food policy for this country. No one else was present. Very naturally they decided that the disposition of these foodstuffs in America would demoralize their local markets and therefore decided that the foods should be sold in Europe.

INSIDE INFORMATION.

Mr. Chairman, during this debate a letter has come to me from one of my constituents, a wholesale grocer in the State of Washington. His letter throws much light on this subject of profiteering and food hoarding. He says:

The position of the Government is not understandable; it seems to be on both sides of the fence.

The Government itself has been the largest hoarder of foodstuffs. Even after it was evident that the Army would not need the enormous amounts of foodstuffs which the Government had purchased, they were not released, and the wholesale grocers of the country were assured that they would not be released under conditions which would tend to break the market and thereby reduce the cost of the commodities to the public. (See bulletin and special letters issued by the National Wholesale Grocers' Association, head office, New York City; especially see files since February 1, 1919.) The Government thereby aided in keeping up the cost of commodities.

It should be borne in mind that the big packers are now also the big canners and food hoarders of the country, and just here I wish to corroborate the statement of my wholesale grocer by reproducing a letter from the War Department which was read from this floor by the gentleman from Nebraska [Mr. REAVIS] a few days ago:

WAR DEPARTMENT,
PURCHASE, STORAGE, AND TRAFFIC DIVISION,
OFFICE OF THE DIRECTOR OF PURCHASE AND STORAGE,
Washington, March 17, 1919.

FRANK GERBER,
President National Canners' Association, Washington, D. C.

MY DEAR MR. GERBER: Your letter of March 15 to Maj. Gen. H. L. Rogers has been referred to me for reply.

I am glad to be able to relieve your mind on the subject of any surplus of canned vegetables to be dumped on the market.

Acting along lines suggested by you—

Suggested by the president of the Canners' Association, mind you—

canned peas, corn, squash, and string beans will be added to the ration list, which has always contained canned tomatoes. This will entirely dispose of our stock and eliminate surplus.

I trust this will relieve your mind and those of your associates in the Canners' Association.

Yours, very truly,
A. M. DAVIS,
Colonel, Quartermaster Corps, Director of Storage.

They would "relieve the mind" of the Canners' Association by denying food to hungry children.

The Government itself has been doing considerable profiteering; certain foodstuffs have been offered to the highest bidders in such large blocks that only large interests could afford to bid on them; i. e., bids would not be accepted on small quantities. The items in many instances came on a bare market, and big speculators and pools of speculators could and did bid very high prices for these goods, which gave them a practical corner on the market, and they in turn resold them to the jobbers and thereby greatly advanced prices, and naturally by the time they reached the consumer they were far above the Government's original cost. A few examples:

The Government asked for bids and sold to a Newark, N. J., broker 2,000,000 pounds of prunes, stored in Portland, Oreg., at 22½ cents per pound. These prunes cost the Government something like 11½ cents. The broker in turn sold them at 29 cents to jobbers, the jobbers added their profit and sold to the retailer, and on down the line. The concern purchasing these prunes were speculators and the Government turned foodstuffs bought with public money over to speculators. A short time ago another block of prunes was sold at 23 cents; both these lots came onto a bare market which again tempted speculators.

Dried peaches were practically unobtainable and in large demand. The Government in May and June sold by bid to James Dunbar, of Portland, Oreg., a block of 40,000 pounds of dried peaches at 19½ cents per pound; he in turn sold them to jobbers at 23 cents per pound, and in some instances possibly more. This was a pure speculation on Mr. Dunbar's part. These peaches cost the Government about 11 cents.

A large stock of canned peas, in storage at Mare Island, were sold to Mebius & Drescher, of Sacramento, Calif., at 97 cents per dozen cans. There were far more peas than this firm could ever use, but the market was bare of this grade and they knew they would have no difficulty in selling them to other jobbers at a profit, which they did, reselling for $1.20; this was pure speculation and the Government was a party to it.

If the Government was really sincere in wishing to reduce the cost of living, why were not these goods sold either to the jobber or direct to the retailer at a nominal amount above the cost of the goods, and why were they not sold in small blocks? The public would then have received the benefit of the reduced prices, but as it was handled a few of the select cleaned up a nice profit on public goods.

These are the observations of my wholesale grocer.

$30,000,000 WORSE THAN WASTED.

A few days ago these shocking revelations in regard to the handling of the surplus Army food were presented to Congress by a special investigating committee, and at that time a suggestion was made that the remaining vast quantities yet in storage at Boston, New York, Baltimore, Newport News, Atlanta, Chicago, St. Louis, New Orleans, Fort Sam Houston, El Paso, Omaha, and San Francisco should be disposed of direct to the people and delivered by parcel post.

This plan has appealed to the Secretary of War, and he has announced that he will, within a short time, carry out the program.

While accurate information is very difficult to obtain, it seems there is yet in storage approximately 500,000,000 pounds of well-preserved foods. To deliver this by parcel post will cost the consumer in postage alone $35,000,000, or if this is not collected as parcel post, then the equivalent amount must be paid from the taxpayers' pockets, since that amount represents the actual normal parcel-post costs.

The mails will be demoralized, city delivery will be almost impossible. To bring this 500,000,000 pounds of foodstuffs to the consuming public at the lowest possible cost and at the least inconvenience I have proposed to the War Department that these foods be shipped in carload lots by fast freight to all the larger cities in each State; transportation charges to be deducted from the receipts, and the sales to be made under the direction of the local postmasters, by the assistance of the Red Cross or otherwise, as the Secretary of War may direct in any given case.

This would enable the purchasers in large centers of population to buy and carry; would reduce the parcel-post charges to those living in near-by country sections; would prevent the demoralization of the Postal Service; and would save the consumer and the taxpayer at least $30,000,000.

It is interesting to note that it costs $410 to freight a car of canned goods from San Francisco, our nearest general warehouse, to the State of Washington, while it costs $2,432 to parcel post the same goods to the State of Washington in 25-pound packages.

The plan I have here outlined would bring the world's greatest food sale to the doors of the consuming public and would embrace every element of fairness and economy for the consumer and the Government.

The War Department admits that my plan possesses every advantage over the plan they are about to follow, but that they can not change; they must pursue their plan.

Mr. Chairman, to be firm and persistent in the pursuit of a policy is usually a good trait, but to be so bound up in red tape that you can not embrace a new but plain and simple business proposition that would save $30,000,000 to the poor people of this country, who are struggling to reduce the cost of living, is the essence of inefficiency.

Why not cut away $30,000,000 of red tape? Why not adopt business methods? Why not effect a real saving to the purchasers instead of an imaginary one?

There is yet an opportunity for mayors and other public officials to buy in carload lots and bring these foods to the frugal buyers with a great saving. Let us hope they will embrace the opportunity, so that the pantry of those who are forced to live the simple life may once more be well stocked without their paying heavy tribute to the packers, the hoarders, the profiteers, both great and small, whose unpatriotic practices we are trying to curb.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DYER. Mr. Chairman, I ask for a vote.

Mr. SUMMERS of Washington. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

Mr. ELSTON. Mr. Chairman——

Mr. DYER. Mr. Chairman, I ask for a vote on my amendment to strike out the first proviso.

Mr. SUMMERS of Washington. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none. The question is on the substitute offered by the gentleman from Missouri [Mr. DYER].

Mr. McLAUGHLIN of Nebraska. Mr. Chairman, I wish to speak in opposition.

The CHAIRMAN. All time is exhausted on the substitute.

Mr. ANDERSON. Move to strike out the last word of the substitute.

The CHAIRMAN. The question is on the substitute.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. DYER. I ask for a division, in order to see whether or not they want the little children of the country to starve.

The committee divided; and there were—ayes 26, noes 79.

So the substitute was rejected.

Mr. RAKER. Mr. Chairman——

Mr. ELSTON. Mr. Chairman——

The CHAIRMAN. The question is on the original amendment of the gentleman from New York [Mr. GRIFFIN].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. GRIFFIN. Division, Mr. Chairman.

The committee divided; and there were—ayes 25, noes 86.

So the amendment was rejected.

Mr. DYER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DYER. Can amendments be offered and voted upon at this time, or later?

The CHAIRMAN. The time has been fixed.

Mr. DYER. I do not want to take the time. The agreement as to time does not prevent the offering of amendments?

The CHAIRMAN. It does not. Amendments may be offered and voted on at the expiration of the time fixed.

Mr. DYER. Can I offer it now or will I be compelled to wait?

The CHAIRMAN. The gentleman from California [Mr. ELSTON] has been recognized, and offers an amendment, which the Clerk will report.

Mr. ELSTON. Mr. Chairman, I offer an amendment which I ask the Clerk to read, and I have another one, that I will offer later, which I would like also to have him read now.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. ELSTON: Page 3, line 24, after the word "provided," strike out the remainder of line 24 and all of line 25. And on page 4, all of lines 1 and 2 and that part of line 3 ending with the word "him."

And—

On page 4, line 9, after the word "them," strike out the period, insert a comma, and add the following: "but such association shall be subject to the provisions of this act."

Mr. ELSTON. Mr. Chairman, I submit two amendments. In addition to adding clothing, and so forth, the bill provides for practically one further thing, namely, a penalty in section 4 for certain acts which are therein prohibited. In the original act of August 10, 1917, of which this bill is amendatory, these acts specified in section 4 were prohibited as against all citizens, including farmers; and farmers were therein penalized for doing the very acts which now they are exempted from in the bill proposed by the committee.

When you passed the Lever Act a year ago you declared that all of the acts specified in section 4 were against public policy, against the interests of the people, and you provided that farmers as well as all other citizens should be punished for doing them. In section 6 of the original act you declared that the accumulation or storage or saving of products of their own farms by farmers should not be regarded as hoarding. That is in the act at the present time. The farmer can now hoard all he pleases. A year ago you said the farmer could not do any of these prohibited acts, except hoarding, and now you say he can do them.

In the language of section 4 you permit a farmer now to destroy the necessaries of life to enhance the price or restrict supply. You permit him knowingly to commit waste. You permit him to willfully permit preventable deterioration. You permit him to hoard, as you did before.

You permit him to monopolize. You permit him to engage in discrimination and deception and wasteful practices or devices. You permit him to make unjust or unreasonable rates or charges in handling or dealing with necessaries. You permit him to conspire or combine to limit facilities for transporting, producing, harvesting, manufacturing, supplying, storing, or dealing with necessaries. You permit him to conspire and combine to restrict the supply of any necessaries. You permit him to conspire or combine to restrict the distribution of any necessaries. You permit him to conspire or combine to prevent, limit, or lessen production in order to enhance prices of necessaries. You permit him to conspire or combine to exact excessive prices. You permit him to conspire or combine to aid or abet the doing of acts made unlawful by this section.

Every one of those acts is prohibited in section 4. By your exemption every one of them may under this bill be committed with impunity by the farmer. Is that fair? Can you look any honest farmer in the face and say: "We have passed a law forbidding everyone except the farmer from doing acts which are declared to be inherently against the public interest. We permitted you to do it because you are a farmer. The bill provides that these acts must be willful and criminal in their intent and contrary to the public interest. The guilty person must first have a criminal intent. He must willfully do these prohibited things. It is not right, it is not fair, to exempt the farmer from the consequences of such wrongdoing. This is a grave matter of policy with which we are dealing. This extraordinary preference to one class will rise to plague you in the future when other classes make similar demands. I am friendly to the farmer, and I can not believe that he wants this peculiar privilege to do wrong with impunity.

I believe, further, that the associations mentioned in section 2 of the bill, and which are rightfully permitted to exist, should be subjected to the provisions of this act, and should not be permitted to do the things that are prohibited here. That is the effect of my second amendment. Cooperative farmers' organizations should not be disturbed by this bill, but they should certainly not be permitted to commit the wrongful acts mentioned in section 4. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from California.

Mr. ELSTON. Mr. Chairman, I would like to have the first and second amendments read.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from California.

Mr. McLAUGHLIN of Nebraska. Mr. Chairman, I wish to speak in opposition to the amendment of the gentleman.

The CHAIRMAN. The gentleman from Nebraska is recognized.

Mr. McLAUGHLIN of Nebraska. Mr. Chairman and gentlemen of the committee, respecting these exemptions, to which some exception has been taken, I wish to call your attention to the fact that under the original act practically the same exemptions are found in sections 5 and 6. I also call your attention to the fact that the same exemptions are contained in the Clayton Act, copy of which I have here before me.

I would like to direct your attention to the wording of the bill as it pertains to these exemptions. On page 4, lines 1 and 2, you will note that these exemptions apply "with respect to farm products produced or raised upon land owned, leased, or cultivated by him"—the farmer.

Mr. VAILE. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Nebraska. With pleasure.

Mr. VAILE. Does the gentleman think that with respect to farm products, so owned or so raised on land owned or leased by the farmer, the farmer should be allowed to exact excessive profits for any necessaries?

Mr. McLAUGHLIN of Nebraska. I wish to say to the gentleman that, because of the very nature of the farmer's case under present conditions, such a thing is an impossibility.

Mr. VAILE. Does the gentleman think that the farmer should be permitted to prevent, limit, or lessen the production of necessaries in order to enhance prices?

Mr. McLAUGHLIN of Nebraska. I know that there are plenty of people who would avail themselves of an opportunity to attempt to put the farmer "in bad" when the farmer might

choose not to harvest a crop because of a yield so small that the crop would not even pay for the labor necessary to harvest it.

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Nebraska. I yield to the gentleman from Missouri.

Mr. DYER. Would the gentleman include dairymen as a combination where there are 4,000 of them combined to fix the price of milk?

Mr. TINCHER. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Nebraska. I yield to my colleague on the committee.

Mr. TINCHER. Is not the answer to that question to say to the gentleman that if the amendment is carried, for instance, and he does not allow the dairymen to combine to sell their milk, he will hinder production? The fact is that the dairyman is not charging excessive prices for his milk, but the profiteering is with the middleman?

Mr. McLAUGHLIN of Nebraska. Yes; the gentleman is entirely correct. The committee had a great many reports bearing on the subject of dairy products in our hearings, and we found, for example, down in Newark, N. J., that the mayor of Newark has engaged in the milk business to relieve Newark citizens from outrageous prices charged by a city milk trust. He found that he could buy milk from the farmers at 7 cents a quart and sell it at 11 cents, whereas the dealers were buying it at 7 cents from the same farmers and selling it at 18 cents. [Applause.]

Now, Mr. Chairman, the committee has found to its abundant satisfaction that there have been numerous efforts already in certain communities to take advantage of some law by wholesale food monopolists in an endeavor to persecute the farmer rather than prosecute him. There is no instance on record where the farmers have ever been guilty of profiteering.

As to the matter of profiteering and its application to the farmer, there was one incident that came to the attention of the committee to which I wish to call the attention of the House. Just a few days ago four gentlemen came down to Washington and took dinner with another gentleman, an expert of the Department of Agriculture, at one of the Washington hotels. Those five gentlemen had an ordinary dinner, consisting of meat and two or three vegetables, a cup of coffee, and dessert. Their bill was $11. These men, who were all farmers, together with the agricultural expert, figured out what the farmer received for the products constituting that meal, and they found that he received just 82 cents. The hotel charged $11. It is needless to say who was the profiteer in this instance.

Now, Mr. Chairman, if I may direct my remarks to the general provisions of this bill, let me say that the purpose of the proposed amendment to the act of August 10, 1917, is to give the executive department of the Government unrestricted opportunity to move against food profiteers by the shortest possible route. There are many gentlemen on both sides of the House who were laboring under the conviction that the act of August 10, 1917, gave the Executive and the Department of Justice all of the freedom and initiative necessary to proceed along any lines they might desire in their efforts to prosecute profiteers. I am among those who shared this opinion and interpretation of the law. However, the President and the Attorney General have requested amendments to section 4 of the act, so as to include wearing apparel and food containers, and also to provide a penalty for the violation of the section.

It is but fair to the Committee on Agriculture of the Sixty-fifth Congress to remind you that that committee, in addition to including severe penalties for the violation of sections 5, 6, 8, and 9 of the act, which sections include most of the provisions of section 4, also desired to include a penalty in section 4, but were advised by the Department of Justice not to do so.

There was no suggestion from anyone that further authority was needed until the recent request of the Department of Justice was brought to the attention of the committee and the Congress. Our committee has proceeded as rapidly as possible to recommend to the Congress the amendments now proposed by the Department of Justice, which the committee of the Sixty-fifth Congress desired to include when the original bill was first recommended.

In view of these facts, if any blame is to be attached to anyone for the failure of section 4 to have included a penalty for its violation prior to this time, that blame certainly rests with the Executive or the Department of Justice and not with the Congress. I say this in plain justice to the Members of the Sixty-fifth Congress, as well as to the present Congress.

Plainly every Member of the Congress is exceedingly anxious to see a reduction in the price of all necessaries, but all Congress can do is to place in the hands of the Executive such laws as will, when enforced, bring about the desired result. The remarks of some gentlemen on this floor, as well as many letters from constituents and editorials by newspaper men, would lead the public to believe that the whole welfare of the American people, living expenses included, rests wholly with Congress.

Is it necessary to remind Members on either side of this House or to remind the American people that this Government is composed of three branches—legislative, executive, and judicial—and that the only power that rests with Congress is that of legislation? The enforcement of law by provisions of the Constitution itself rests wholly with the executive department; and, in view of the fact that during the past six years, with prices constantly mounting higher and higher, and with no apparent effort of any kind on the part of the administration to enforce the laws with which the Congress has empowered it, is it any wonder that certain gentlemen question whether this slight amendment we are now debating, when enacted into law, will receive any more effective attention at the hands of the Executive than have the other laws that have been completely ignored?

Mr. Chairman, it is only fair to the Congress that these facts be stated. It is the height of insincerity and unfair play for gentlemen on the minority side of this House to rise and charge that the present Republican majority has it within its power to reduce the high cost of living, and to charge that during the three brief months that we have been in session here legislation of such a character should have been forthcoming. We have all, on both sides of the House, been laboring under the impression that an abundance of regulatory law, even drastic law, was already on the statute books; and if we will all be honest with ourselves we still believe that such was the case. The fact of the matter is that no king, prince, or potentate in the history of governments among men has ever had such complete and unrestricted authority placed in his hands as has our present Chief Executive. The people of this country have viewed with growing alarm for several years the vast powers that have been accorded the Executive by the Congress under the pretext of war necessity. The Sixty-fourth and Sixty-fifth Congresses, by the vote of Members on both sides of the House, acted almost without reservation in placing every power at the disposal of the President that he asked for.

I hope this Congress will now, in view of the seeming emergency that confronts us, pass this amendment substantially as recommended by the committee, in a faithful effort to correct the alleged defect that the Department of Justice believes will untie its hands for effective action. The few months that the original act will remain a law will give opportunity to the department to test out its theories; and while we all know that the real causes of present high prices are far-reaching and deep-seated and can not be very greatly or permanently affected by this stirring of the surface, let us hope and pray that at least some temporary relief may be given to a suffering public, of which we are a part.

Mr. Chairman, if I may express an humble opinion, it is to the effect that the present seeming converging of circumstances and conditions just at the time when that honorable body at the other end of this building is seeking to study and understand for the first time the most revolutionary and far-reaching document that was ever presented to any people, and to study this document entirely within its rights as a treaty-ratifying body, in an effort to safeguard the future of our Republic, that such converging of conditions and circumstances as now exist constitutes only a stage play in which one man is hoping to emerge as the hero, just as has been the case three or four other times during the present administration. The man who said "All the world is a stage and all the people are players" may have been only partly right, but that the present administration is constantly staging plays in an endeavor to feature one individual is clear to every Member of this House who is honest with himself in the light of facts extending over the past six years.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. McLAUGHLIN of Nebraska. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. ROBSION of Kentucky. Mr. Chairman, I ask unanimous consent to extend my remarks on this bill.

The CHAIRMAN. The gentleman from Kentucky makes a similar request. Is there objection?

There was no objection.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from California [Mr. ELSTON].

Mr. LAYTON. Mr. Chairman, what is the amendment?

The CHAIRMAN. Without objection, the Clerk will report it.

Mr. BLANTON. I object, Mr. Chairman.

Mr. O'CONNELL. I would like to hear what we are going to vote on.

The CHAIRMAN. Objection is made, and the Chair has no choice. The question is on the amendment offered by the gentleman from California.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question now is on agreeing to the second amendment offered by the gentleman from California [Mr. ELSTON].

The question was taken, and the amendment was rejected.

Mr. RAKER. Mr. Chairman, I offer an amendment.

Mr. VENABLE. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Mississippi moves to strike out the last two words.

Mr. VENABLE. Mr. Chairman, I move to strike out the last two words. I suppose that the House, generally, is in favor of the passage of this bill as being one step in the right direction. What I wish to discuss in the few minutes allotted to me is the necessity of further and other legislation.

This bill provides for the punishment of the profiteer and seeks thus to give relief to the people.

What is a profiteer? What is making an unreasonable profit which should subject one to punishment?

As I understand it, if I go into a store to buy a suit of clothes, the merchant is entitled to charge me a profit. What is the basis of this right? Why is he so entitled?

As I understand it, it is because he has rendered me an economic service in making the suit available, in bringing it within my reach from the place of manufacture, etc.

Therefore, in addition to the cost of the article and the expense incident to the transaction he is entitled to charge, and I must in justice pay the value of his service.

If this be the justification of profits, it follows that all he is entitled to charge and collect and all that I am in justice bound to pay is the reasonable value of his services.

If I do not so pay, I have received from him something for which I have given him no equivalent, and if he makes me pay more than the value he has taken from me money for which he has given me nothing. The seller is then entitled of right and in justice only to the reasonable value of the economic service he renders the buyer.

To the extent that he takes more, in an economic sense he is a profiteer, in my opinion.

Now, in America to-day this unjustifiable profit taking is well-nigh universal. It is not alone big business or little business. It is practically all business. Because half the world has not produced anything for four years and thus the world's supply of usable things have been reduced vastly in amount, a natural monopoly has been created in behalf of practically every one who has anything to sell with the result that he may put almost any profit he chooses upon his wares and find some one to give him his price. The result is that profits have now no sort of relation to the value of economic service rendered, but are based instead upon the extremity of the necessity of the buyer to have the things purchased, and since the world is buying from us and there is not enough to supply the world in plenty, we have a market where all the competition is between the buyers to get the articles and none between sellers to dispose of them, with the result that price levels have steadily climbed and the end is not yet in sight.

It is human nature to get as much for an article of sale as possible. Each man excuses himself on the theory that everything he buys costs him more; that others are profiteering at his expense; and that he must perforce in the mad competition make all he can. Each inspires the other, with the result that we run around in a vicious circle and the price levels continue to climb.

Let us assume that no one is particularly blameworthy—a violent assumption in many instances—yet the fact remains that all over the country the sellers of things are taking profits for which there is no justification from an economic standpoint, with the result that the people are actually suffering.

The wages and salaries of the great mass of Americans have not advanced in proportion to this ballooning of profits, and the citizen is suffering because in the process of distribution and sometimes in production the sellers of goods, because of the necessity of the world, are exacting profits out of all proportion to the services rendered. The people are demanding relief, and they are looking confidently to Congress for it. They are restless, and I fear the results if they be disappointed in their expectations.

Now, Mr. Chairman, I have said that unjustifiable profit taking is well-nigh universal, and I say that this bill, while very good in its way, is not adequate. It empowers the Attorney General to prosecute profiteers. But it ends with the declaration of peace, maybe in a month or two, and then what is the remedy? But even though it did not so end, how will it operate generally? It may result in the prosecution of a few business concerns which, because of their size, are conspicuous. But unlawful profit taking is universal, and the average citizen as a rule pays more toll to his local profiteer than to the concern of huge size. Can the Attorney General prosecute practically all business in the United States? To state the question is to answer it.

What is a reasonable profit is a question of many elements in each particular business, and since under the law this in each case is a question for the jury, the tedious, slow, and laborious work of preventing profiteering by this method is readily apparent.

But it is urged that prevailing profit taking is justifiable, because it is the result of the operation of the law of supply and demand; that the fact that people will pay the prices demanded is proof that the articles are worth the price; in short, that a thing is worth what it will bring.

In normal times this rough statement of the result of the normal operation of the law of supply and demand is accurate enough. It is true enough under normal conditions when there is a normal supply of usuable things in the world; that with sellers competing to sell and buyers with freedom to buy or not or to postpone purchase, this interaction of the forces of the desires of sellers to sell and buyers to buy results in a price which is the fair value of the economic service rendered by those engaged in production and distribution, but it is not a standard when freedom of action is taken away from either buyer or seller and he must perforce sell or buy, as the case may be, regardless of price.

If there were only one loaf of bread in Washington and nothing else to eat was obtainable and people were starving, no one would argue that because some multimillionaire resident of the city was glad to give a million dollars for it to keep life in his child it was worth it. The millionaire had no choice. He was as truly coerced by force of circumstances as he would have had physical force been used.

To a modified extent such a condition exists in the world to-day. There is such a scarcity that the competition is entirely between buyers, who must buy through necessity, and sellers may take advantage of this to charge what profit they please.

The mass of the people feel that they are in this situation and that advantage is taken of their necessities to take from them money for which they are given nothing in return, and the rumblings of deep indignation is heard and unrest grows each day apace. If we do not heed, I feel sure that strikes and lockouts will occur and that we will have social, industrial, and political upheavals that none of us desire and which will but aggravate an otherwise bad situation.

Mr. Chairman, I know that the world scarcity must needs produce a higher price level than existed before. I believe that it is sound policy to encourage production by permitting the farmer to get what he can for his produce and all those who engage in producing from the ground, unless they have a monopoly of the supply. Neither has it been my observation that the farmers are receiving unjustifiable profits, but I do say, Mr. Chairman, that the distribution, and in many instances the manufacture, of goods is filled with unjustifiable profit taking, with the result that by the time the goods have passed through the hands of the many who handle them between the field and factory and the purchaser their cost is much enhanced over what they would have been had only a reasonable profit been taken.

But permit me to say, Mr. Chairman, that I do not mean that the farmer or anyone else should be permitted to charge more than he is justly entitled to. Unjustifiable profit taking, trading upon the necessities of mankind, is indefensible, regardless of the occupation of the one guilty of the offense.

By virtue of the world scarcity, the inflation of our currency and credits, with our low denomination bonds circulating largely as currency, a higher price level must needs come. With Europe in her desolation buying and forced to buy from us at our prices, which the domestic buyer must needs meet, an advance in price over former times is inevitable. But this is one question and the regulation of the amount of profit to be taken by those engaged in the distribution and manufacture of the products of the earth is another. This should be the reasonable value of the economic service rendered—no more, no less.

But, Mr. Chairman, the question arises, assuming that my positions are well taken, What is proposed to remedy the situation?

It is hoped that good prices for farm products will increase production and the number of farmers. The Federal Reserve Board might do much in the gradual restriction of credits, and so forth, and yet we have the very practical question remaining as to how to regulate what is called profiteering.

I do not make pretensions to expertness, neither have I the privilege of serving on any of the committees having this matter within their jurisdiction, but several possible remedies have occurred to me as worthy of consideration.

As I have stated, by virtue of the world shortage we have a market where all the competition is between buyers and none between sellers, with the result that prices have steadily risen ever higher and higher.

It might be well to restore this competition somewhat if possible.

If all goods shipped in interstate commerce were required to be stamped or tagged with the price at which they were sold, the buyer would have some opportunity of knowing how much advance over cost he was being required to pay. The profiteer would be presented with the choice of charging a reasonable profit or else losing his business, for if he were unreasonable in his charges his business would certainly go from him.

It will be urged against this that goods cease to be interstate commerce as soon as they are delivered at destination and the profiteer could obliterate the stamp or tear off the tag.

This is true, but it is highly probable that it would not be done. This act of itself would almost be an express declaration that excessive profits were being taken and the purchasers after being acquainted with the law requiring the marking would hardly deal with a seller destroying them.

It would also be urged, doubtless, that many kinds of goods are not capable of being so marked. This is true, but the majority are, and it is submitted that enough would be to make the remedy efficacious.

Another possible remedy is the reinstitution of the food-regulation act, much extended in its scope. Prices were fixed and profits regulated during the war, and the same is possible again.

Again, the taxing power of the Government might be used.

A tax of 100 per cent on all profits above a certain amount on articles might well tend to lower profits while still producing revenues for the Government.

Permit me to say, Mr. Chairman, that I have not given these several suggested remedies critical study. I have not had the time or the opportunity as yet. There are many questions involving the powers of Congress under the Constitution that would require thought and study as well as the practical effect of the measures if adopted. I suggest them for what they are worth, believing them worthy of thoughtful consideration. Of this I am sure, that the Congress should use what power it has under the Constitution for the relief of the people.

It might be urged that it would take time to put some of these measures in operation, to determine what are reasonable profits, and so forth. This may be true, but the opportunity of the profiteer will continue for several years. The world scarcity, the fundamental cause of higher prices, and the opportunity of the profiteer will continue until Europe gets back to production. We know not when this will be, several years certainly. Are we to have no remedy because the efficacious ones take some little time to put them in operation?

Again, the inflation of currency and extension of credits will continue for some time also, and, with these conditions continuing, we may rest assured that unjustifiable profit taking will likewise continue unless it is in some way regulated.

It will be said that these remedies are drastic. Indeed, they are. But the situation is drastic.

Present conditions are making Socialists and Bolsheviki by the hundreds every day. A hungry stomach wants food, not theory. Discontent from bad conditions does not want a learned explanation of how the conditions were brought about. It wants the conditions remedied.

The man of wealth can well afford to curtail his profits lest his profits and his business be taken away from him.

The man of moderate means, desiring to take advantage of the present opportunity for profit taking to make himself wealthy, can well afford to curb his ambitions lest a political and industrial revolution and universal strike reduce him from competency to poverty.

The great question before the Congress is remedying unjustifiable profit taking, whether gentlemen recognize it or not, and the earnest and thoughtful and careful attention of the Congress should be given it.

If the Congress does not, then the people will hold us responsible.

Mr. Chairman, as a mere partisan, were I to indulge that feeling alone, I would be glad to see the Republican Party neglect its duty in this matter. You are in the majority, and the responsibility is yours. You control the committees and you control the House. You have said that you were efficient and that you were able. Now is your opportunity and this is your duty. Meet it or meet the condemnation of the people.

But we do not feel as partisans. We desire to assist you in every way possible for the relief of the people of this country, but we are more or less powerless to move unless you decide upon some plan or will turn the attention of the committees to the solution of these questions and the framing of appropriate legislation.

But it is urged that undertaking to regulate profit taking is new and novel.

Our law from its earliest days has condemned monopolies and combines in restraint of trade. Yes, even by the old common law. Why did the law take this position? What wrong was done by a monopoly? What was the thing which was sought to be avoided? Clearly, it was to prevent the creation by artificial means of a situation wherein the buyer had no choice but to buy at the seller's price. The offense was the taking advantage of the buyer's necessities. Now, in the world to-day there is a natural monopoly created in behalf of sellers by virtue of a great world scarcity. Why can not Government protect the citizen against the abuses of a natural monopoly as well as an artificial one? It seems to me that there can not be any distinction in principle.

I sincerely hope, Mr. Chairman, that the Congress will give this question the consideration it deserves. If it does not, I fear the consequences.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The Clerk will read.

Mr. RUCKER. I ask unanimous consent that the gentleman from Mississippi [Mr. VENABLE] may proceed for five minutes.

Mr. HAUGEN. The time has been limited.

Mr. ANDERSON. The time has been limited and everybody who has already spoken has been limited to five minutes, and therefore I object.

Mr. RUCKER. I should like to have five minutes in opposition to the amendment of the gentleman from Mississippi.

Mr. HAUGEN. The time has been limited.

Mr. KNUTSON. Will the gentleman from Minnesota withdraw his objection? The gentleman from Mississippi is presenting a line of argument here which is very interesting——

Mr. ANDERSON. I am very much interested in what the gentleman is saying, but in justice to gentlemen who have already spoken and who would like to speak, I think the time should not be extended.

Mr. RUCKER. It will not aid the cause of which the Committee on Agriculture are proponents to cut off debate on a measure in which everybody is concerned. It will not do any good for them to arrogate to themselves the sole right of discussion.

Mr. MONDELL. Regular order, Mr. Chairman.

Mr. VENABLE. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. HAUGEN. I desire to say to the gentleman from Missouri that the Committee on Agriculture do not desire to arrogate to themselves any sole right of discussion.

Mr. DYER. I ask for the regular order.

The CHAIRMAN. All time has expired.

Mr. DYER. I desire to offer an amendment to the section.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

Mr. DYER. I offer an amendment at the bottom of page 3, in the last line, to strike out the word "dairymen."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Missouri.

The Clerk read as follows:

Amendment offered by Mr. DYER: Page 3, line 25, and page 4, line 1, strike out the word "dairymen."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. DYER].

The question being taken, on a division (demanded by Mr. DYER) there were—ayes 16, noes 86.

Accordingly the amendment was rejected.

Mr. RAKER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. RAKER: Page 3, lines 1 and 2, strike out the words "willfully."

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The amendment was rejected.

The Clerk read as follows:

SEC. 3. That sections 8 and 9 of the act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917, be, and the same are hereby, repealed: *Provided*, That any offense committed in violation of said sections 8 and 9, prior to the passage of this act, may be prosecuted and the penalties prescribed therein enforced in the same manner and with the same effect as if this act had not been passed.

Mr. HAUGEN and Mr. RUCKER rose.

The CHAIRMAN. The gentleman from Iowa, chairman of the Committee on Agriculture, is recognized.

Mr. HAUGEN. I give way to the distinguished gentleman from Missouri.

Mr. RUCKER. Mr. Chairman, I appreciate the courtesy shown me by the chairman of the Committee on Agriculture. In the few minutes allotted me I want to congratulate the House upon the fact that we are to-day responding to a practically universal demand of the American people; and confiding in the wisdom, integrity, and patriotism of the great Committee on Agriculture, I have voted with that committee against all amendments, although I think the bill might be improved by amendment. A moment ago the eloquent and distinguished gentleman from Mississippi [Mr. VENABLE] asked the question, What is a profiteer? The war has fastened upon this Nation of ours a great many new conditions. It has also brought to us new words, phrases, and designations. A long time ago, down in the old State of Mississippi, a man who prevaricated was denounced as a liar. To-day the polite and approved way to speak of him is to say that he is a camouflager. Years ago when people in their greed and avarice took the public by the throat and held up the people of the country, honest men denounced them as robbers. Now you speak of them as profiteers. I like the old-time mode of expression. Such people are robbers, pure and simple, and ought not to be permitted to continue their extortionate methods. Gentlemen here have talked and some have offered amendments seeking to strike out the exemption of certain classes of people from the operation of the law, and yet while one gentleman eloquently recited all of the things which might be done and for which the farmer would not be amenable to the criminal section of this bill, I want to say to him that most all of the permissions referred to are related to things which the farmer could not do if he wanted to, and obviously would not do if he could. Therefore there is nothing in that argument.

Let me say one word more, and I want now to address myself largely to the head of the Committee on Agriculture, and especially to the distinguished chairman, the great leader of a great political party, having in his power the opportunity to scatter sunshine and joy into the homes of millions of people if he will but avail himself of the opportunity.

I hope this bill will become law and that it will bring more happiness and satisfaction and relieve more distress over the land than any man has predicted for it. I do not believe the remedies provided in this bill will remedy all the evils from which men suffer. I believe we can do it in other ways, and I want to suggest to the great and distinguished gentleman of this great and distinguished committee [Mr. HAUGEN] that there is one way by which it can be done to a large extent, or at least to an appreciable extent, to an extent that can not be laughed aside, which everybody knows will accomplish great good, and which affects a very essential and necessary article of food. I suggest to the distinguished gentleman who presides over this great committee that one way by which he can cheapen one item of food, universally used, is to take off the abominable prohibitory tax on colored oleomargarine, and let that valuable article go on the markets on its merits. That simple piece of legislation would undoubtedly reduce the cost of butter. Let the law of supply and demand regulate the use and price of butter and oleomargarine, too. If people want it, let them have it.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. RUCKER. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RUCKER. I have not the time to discuss this matter fully, but I throw out this suggestion now and will discuss it more at length at a future date. I challenge any man to show that oleomargarine is not as palatable, as nutritious, as wholesome, as clean, as any butter that can be made in any creamery in the land, or that it can not be sold much cheaper. Why not let the men who toil for day wages have oleomargarine if they want to use it? Why not let it be sold as oleomargarine, on its own merits, and permit consumers who desire to do so to use it? I know that certain interests in the country will start a propaganda and that the farmers in my district, as in the gentleman's district, will be told that the product of their cows will be ruined if we reduce the cost of butter by putting oleomargarine on the market upon its merits. I say to you, however, that the farmers in the section from which I come are generous people; they are brave-hearted and patriotic people; and that if it should lower the price of butter produced on the farm, even then, in the interest of the multitude of suffering people over our land, they are willing to bear the burden and pay the price. I hope this committee will proceed along that line, as well as many others.

Mr. HAUGEN. Mr. Chairman, the gentleman from Missouri [Mr. RUCKER] in his eloquent speech has referred to the subject of oleomargarine, but I fear if we undertook to discuss that we would not be through in a week. I suggest that we have had a good deal of debate and that it is getting late. [Cries of "Vote!" "Vote!"] I move that debate upon the bill and all amendments be now closed.

The motion was agreed to.

Mr. CAMPBELL of Pennsylvania. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. CAMPBELL of Pennsylvania: Page 4, line 14, after the numerals "1917," insert "and section 8, act of August 2, 1886, as amended by section 3, act of May 9, 1902."

Mr. HAUGEN. Mr. Chairman, I make the point of order that that is not germane.

Mr. CAMPBELL of Pennsylvania. Mr. Chairman, I ask unanimous consent to have an opportunity to explain the meaning of my amendment. [Cries of "Regular order!"]

The CHAIRMAN. Does the gentleman from Iowa insist upon the point of order?

Mr. HAUGEN. Yes.

The CHAIRMAN. The point of order is sustained.

Mr. CAMPBELL of Pennsylvania. Mr. Chairman, I ask unanimous consent to extend and revise my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HUDDLESTON. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. HUDDLESTON: On page 4, add a new section at end of bill:

SEC. 4. That section 24 of the said act approved August 10, 1917, be amended by striking out the word "when" where same first occurs in said section and inserting the words "at the end of two years after."

Mr. HAUGEN. Mr. Chairman, I make the point of order against the amendment. It is not germane.

The CHAIRMAN. It seems to the Chair that the point is well taken, and the point of order is sustained. The question is on agreeing to the amendment offered by the gentleman from Alabama.

The question was taken, and the amendment was rejected.

Mr. HASTINGS. Mr. Chairman, I offer the following amendment—to strike out the proviso in section 3, which is entirely useless.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 15, after the word "repealed," strike out the proviso which reads as follows:

"*Provided*, That any offense committed in violation of said sections 8 and 9 prior to the passage of this act may be prosecuted and the penalties prescribed therein enforced in the same manner and with the same effect as if this act had not been passed."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Oklahoma.

The amendment was rejected.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RUBEY. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SMITH of Michigan. Mr. Chairman, I make the same request.

Mr. DYER. Mr. Chairman, I think these gentlemen should make their requests in the House.

The CHAIRMAN. Is there objection to this request?

Mr. DYER. Mr. Chairman, I object for the present. Let the gentlemen make their requests in the House, not in the committee.

Mr. PLATT. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection to these requests?

Mr. DYER. Mr. Chairman, I object for the present.

Mr. HAUGEN. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TEMPLE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 8624, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. HAUGEN. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The SPEAKER. That is provided in the rule. So the previous question is ordered. Is a separate vote demanded upon any amendment? If not, the Chair will put the question on the amendments in gross.

Mr. HUDSPETH. Mr. Speaker, I demand a separate vote on the amendment offered by the gentleman from Alabama [Mr. HUDDLESTON] relative to regulating rents.

The SPEAKER. The gentleman from Texas demands a separate vote on the amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 4, after the word "foods," insert the words "dwellings and dwelling rooms let for hire."

The question was taken, and the Speaker announced the noes seemed to have it.

Mr. HUDSPETH. I ask for a division.

Mr. BLANTON. Mr. Speaker, upon that I ask for the yeas and nays.

The SPEAKER. The gentleman from Texas demands the yeas and nays.

Mr. DYER. Mr. Speaker, I make the point of order that the gentleman's motion is not in order while the House is dividing.

The SPEAKER. It is in order. Eight gentlemen in the affirmative have arisen, not a sufficient number, and the yeas and nays are refused. The question is on the amendment.

The question was taken; and there were—ayes 77, noes 132.

Mr. HUDDLESTON. Mr. Speaker, I demand tellers. I also make the point of order that there is no quorum present.

The SPEAKER. The Chair will count.

Mr. DYER. Mr. Speaker, I make the point of order the motion is dilatory, as the vote just taken shows a quorum present.

The SPEAKER. No; it is not. The Chair will count. [After counting.] Two hundred and twenty-five Members are present.

Mr. BLANTON. Mr. Speaker, I move that the House do now adjourn.

The question was taken, and the Speaker announced the noes seemed to have it.

Mr. BLANTON. Division, Mr. Speaker.

Mr. HUDDLESTON. Mr. Speaker, I ask for tellers on my amendment.

The House divided; and there were—ayes 1, noes 220.

So the motion to adjourn was rejected.

The SPEAKER. The gentleman from Alabama demands tellers on his amendment. Seventeen gentlemen have risen in the affirmative, not a sufficient number.

So the amendment was rejected.

The SPEAKER. The question is on the other amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read the third time; was read the third time.

Mr. GRIFFIN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. GRIFFIN. To offer the following motion to recommit.

The SPEAKER. Is the gentleman from New York opposed to the bill?

Mr. GRIFFIN. Yes; I am.

The SPEAKER. The gentleman from New York offers a motion to recommit, which the Clerk will report.

The Clerk read as follows:

Mr. GRIFFIN moves to recommit the bill with instructions to report the same immediately with the following amendments: Page 3, line 23, after the word "both," strike out the word "*Provided*" and all of lines 24 and 25; and on page 4 strike out lines 1 and 2; and on line 3 the words "or cultivated by him"; and on line after them strike out the period, insert a comma, and add the following: "but such associations shall be subject to this act."

Mr. HAUGEN. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken, and the Speaker announced the noes seemed to have it.

On a division (demanded by Mr. GRIFFIN) there were—ayes 24, noes 200.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. HAUGEN, a motion to reconsider the vote by which the bill was passed was laid on the table.

ADJOURNMENT UNTIL MONDAY.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that when the House adjourns this evening it adjourn until Monday next.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that when the House adjourns to-day it adjourn to meet on Monday next. Is there objection? [After a pause.] The Chair hears none.

Mr. DYER. Mr. Speaker, I move that the House do now adjourn.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Wyoming moves that the House do now adjourn.

Mr. MONDELL. Mr. Speaker, I withdraw that, in order to give the gentleman from New York [Mr. PLATT] an opportunity to submit a request.

Mr. DYER. Mr. Speaker, I ask unanimous consent that all Members have the right to extend their remarks on this bill for five legislative days.

The SPEAKER. The gentleman from Missouri asks unanimous consent that every Member have the right to extend his remarks on this bill for five legislative days. Is there objection? [After a pause.] The Chair hears none.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 8117. An act for the construction of a bridge across the Susquehanna River at or near Falls, Wyoming County, Pa.

H. R. 8076. An act authorizing the county of Montgomery, Tenn., to construct a bridge across the Cumberland River within 7 miles of Clarksville, Tenn.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill:

H. R. 6323. An act for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes.

LEAVE OF ABSENCE.

Mr. LARSEN, by unanimous consent, was granted leave of absence, indefinitely, on account of illness.

EXTENSION OF REMARKS.

Mr. UPSHAW. Mr. Speaker, I hold in my hand four memorials submitted by the governor of Georgia on bills now before the House, and I ask unanimous consent to insert them in the RECORD.

The SPEAKER. The gentleman from Georgia asks unanimous consent to insert in the RECORD certain memorials from the governor of Georgia. Is there objection?

Mr. MONDELL. To what do the memorials refer?

Mr. UPSHAW. One is a resolution concerning Federal pensions; another a resolution relating to the Fordney bill, the purpose of which is to place high duty on potash; another a resolution memorializing Congress to investigate the high cost of living; and another, indorsing a bill to provide six months' pay for all honorably discharged soldiers, sailors, and marines. As I have stated, all relate to bills now pending before the House.

Mr. MONDELL. Mr. Speaker, I shall have to object.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 6 minutes p. m.) the House, under its previous order, adjourned until Monday, August 25, 1919, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. KEARNS, from the Committee on Military Affairs, to which was referred the bill (S. 2622) to provide necessary commissioned personnel for the Army until June 30, 1920, reported the same with amendment, accompanied by a report (No. 255), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TAYLOR of Colorado, from the Committee on the Public Lands, to which was referred the bill (S. 276) to amend sections 4 and 5 of an act entitled "An act to provide for stock-raising homesteads, and for other purposes," approved December 29, 1916, reported the same without amendment, accompanied by a report (No. 256), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (S. 1729) permitting minors of the age of 18 years or over to make homestead entry of the public lands of the United States, reported the same without amendment, accompanied by a report (No. 257), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (S. 277) to authorize absence by homestead settlers and entrymen, and for other purposes, reported the same without amendment, accompanied by a report (No. 258), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SINNOTT, from the Committee on the Public Lands, to which was referred the bill (S. 2378) to authorize the issuance of patent to John Albert Thompson, and for other purposes, reported the same without amendment, accompanied by a report (No. 249), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 2128) for the relief of Albert N. Collins, reported the same without amendment, accompanied by a report (No. 250), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 8308) providing for an exchange of lands between the Swan Land & Cattle Co. and the United States, reported the same without amendment, accompanied by a report (No. 251), which said bill and report were referred to the Private Calendar.

Mr. STEAGALL, from the Committee on Claims, to which was referred the bill (H. R. 4927) for the relief of Nancy A. Parsons, C. M. Parsons, D. F. Staggs, Ollie Staggs, Roas Staggs, Lena Birchfield, Alice Birchfield, Bertie Gwin, Greely Gilbert, Linville Gilbert, and Nelson Gilbert, reported the same with amendment, accompanied by a report (No. 252), which said bill and report were referred to the Private Calendar.

Mr. ROMJUE, from the Committee on Claims, to which was referred the bill (H. R. 1791) for the relief of O. W. Lindsley, reported the same with amendment, accompanied by a report (No. 253), which said bill and report were referred to the Private Calendar.

Mr. VAILE, from the Committee on the Public Lands, to which was referred the bill (H. R. 6410) authorizing the city of Boulder, Colo., to purchase certain public lands, reported the same with amendment, accompanied by a report (No. 254), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 6119) granting an increase of pension to Reuben S. Parker; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8143) granting an increase of pension to George Henry; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SCULLY: A bill (H. R. 8638) to utilize certain unexpended balances for the purchase of certain real estate for the Signal Service of the Army, and for the maintenance and operation thereof; to the Committee on Military Affairs.

By Mr. MADDEN: A bill (H. R. 8655) to authorize the President, when Maj. Gen. Crowder retires, to place him on the retired list of the Army as a lieutenant general; to the Committee on Military Affairs.

By Mr. MAPES: A bill (H. R. 8656) to enlarge the powers of the Commissioners of the District of Columbia relative to the public health; to the Committee on the District of Columbia.

By Mr. CARAWAY: A bill (H. R. 8657) donating a captured German cannon or field gun and carriage to the American Legion of Woodruff County, Ark., for patriotic and decorative purposes; to the Committee on Military Affairs.

By Mr. WOODS of Virginia (by request): A bill (H. R. 8658) for the repeal of a certain joint resolution passed by the Senate and the House of Representatives in Congress assembled; to the Committee on the District of Columbia.

By Mr. FOCHT: A bill (H. R. 8659) authorizing the Secretary of War to donate to the county of Perry, Pa., to be placed in a public place in the village of Loysville, one German cannon or fieldpiece, with carriage and suitable number of shells; to the Committee on Military Affairs.

By Mr. KAHN: A bill (H. R. 8660) to provide funds for the care and maintenance of the graves on foreign soil of members of the military forces of the United States; to the Committee on Military Affairs.

By Mr. GODWIN of North Carolina: A bill (H. R. 8661) to authorize the Kingsdale Lumber Corporation to construct a bridge across Lumber River, near the town of Lumberton, N. C.; to the Committee on Interstate and Foreign Commerce.

By Mr. LEHLBACH: A bill (H. R. 8662) to amend an act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes, approved June 3, 1916; to the Committee on Military Affairs.

By Mr. MAPES: Resolution (H. Res. 257) to provide for the investigation by the Committee on the District of Columbia of the financial relations between the United States and the District of Columbia, and for other purposes; to the Committee on Rules.

By Mr. RHODES: Resolution (H. Res. 258) requesting the Secretary of War to inform the House of Representatives how long United States soldiers are to be kept in Siberia, how many Italian and Japanese soldiers are now in Siberia, and what the Siberian policy of Great Britain, France, Italy, and Japan is; to the Committee on Military Affairs.

By Mr. MASON: Resolution (H. Res. 259) requesting the Secretary of War to furnish information regarding number of men who have volunteered for service in Siberia; to the Committee on Military Affairs.

By Mr. FORDNEY: Joint resolution (H. J. Res. 182) to set aside September 30 of each year in memory of the deceased members of the military and naval forces of the United States; to the Committee on the Judiciary.

By Mr. KAHN: Concurrent resolution (H. Con. Res. 28) providing for a joint session of the Senate and House of Representatives on September 18, 1919, for appropriate exercises of welcome to John J. Pershing, general and commander in chief of the American forces in the World War; to the Committee on Rules.

By the SPEAKER: Memorial of the Legislature of the State of Montana for amendment of the act of Congress approved May 30, 1908, opening for entry and settlement, under the land laws of the United States, the Fort Peck Indian Reservation; to the Committee on the Public Lands.

Also, memorial of the Legislature of the State of Montana, relating to the production, sale, and distribution of live stock and live-stock products, poultry, and poultry products in commerce; to the Committee on Agriculture.

Also, memorial of the Legislature of Montana, urging enactment of Senate joint resolution No. 64 for the benefit of prospectors and owners of mining claims; to the Committee on Mines and Mining.

Also, memorial of the Legislature of Montana, urging enactment of legislation for the purpose of enabling the several public land States, or irrigation districts organized thereunder, to acquire rights of way upon, over, and across Government lands within national forests, and for the construction of dams, reservoirs, etc.; to the Committee on the Public Lands.

Also, memorial of the Legislature of Montana, urging appropriation of $50,000,000 for work on Government irrigation projects throughout the West; to the Committee on Appropriations.

Also, memorial of the Legislature of Montana, favoring House bill 7026, providing for appropriations to be expended under the reclamation act, and urging the necessity for its enactment; to the Committee on Appropriations.

Also, memorial from the Legislature of the State of Montana, urging the Congress of the United States to pass legislation for the relief of entrymen on the public lands of the United States under the homestead act; to the Committee on the Public Lands.

By Mr. BRAND: Memorial from the General Assembly of Georgia, relating to pensions now being paid to Confederate veterans by the Southern States; to the Committee on Invalid Pensions.

Also, memorial of the Legislature of Georgia, indorsing legislation to provide six months' pay for all honorably discharged soldiers, sailors, and marines; to the Committee on Military Affairs.

Also, memorial of the Legislature of Georgia, urging Congress to investigate the high cost of living; to the Committee on Agriculture.

Also, memorial of the Legislature of Georgia, protesting against the passage of the Fordney bill placing a duty on potash; to the Committee on Ways and Means.

By Mr. CRISP: Memorial from the Legislature of the State of Georgia, requesting Congress to pension Confederate soldiers; to the Committee on Invalid Pensions.

Also, memorial from the Legislature of the State of Georgia, protesting against the duty on potash; to the Committee on Ways and Means.

Also, memorial from the Legislature of the State of Georgia, protesting against the passage of the Fordney bill placing a duty on potash; to the Committee on Ways and Means.

Also, memorial from the Legislature of the State of Georgia, urging the President and Congress to prevent the intercepting of cotton cable messages to Germany; to the Committee on Interstate and Foreign Commerce.

Also, memorial from the Legislature of the State of Georgia, indorsing bill in the United States Congress to provide six months' pay for all honorably discharged soldiers, sailors, and marines; to the Committee on Military Affairs.

Also, memorial from the Legislature of the State of Georgia, urging the Congress of the United States to investigate the high cost of living; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 8663) granting an increase of pension to James C. Baker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8664) granting an increase of pension to Frances M. Venable; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 8665) granting an increase of pension to Edgar G. Abbott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8666) granting an increase of pension to Charles Knox; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8667) granting a pension to May Jennings Bunn; to the Committee on Pensions.

By Mr. CARAWAY: A bill (H. R. 8668) granting a pension to John H. Hollingsworth; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8669) granting a pension to L. E. Grogan; to the Committee on Invalid Pensions.

By Mr. COLE: A bill (H. R. 8670) granting an increase of pension to Henry Leedom; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8671) granting an increase of pension to John H. Eversole; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8672) granting a pension to Mary E. Tussing; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8673) granting a pension to Barbara Bippus; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8674) granting a pension to Mary E. Feenan; to the Committee on Pensions.

Also, a bill (H. R. 8675) for the relief of Harter H. Halderman; to the Committee on Claims.

By Mr. FOCHT: A bill (H. R. 8676) granting an increase of pension to Samuel Hess; to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 8677) granting a pension to Clara B. Plessner; to the Committee on Invalid Pensions.

By Mr. GARD: A bill (H. R. 8678) granting a pension to Robert B. Smith; to the Committee on Pensions.

By Mr. GOODALL: A bill (H. R. 8679) to amend and correct the military record of Alvah B. Doble; to the Committee on Military Affairs.

Also, a bill (H. R. 8680) to amend and correct the military record of Thomas Decker; to the Committee on Military Affairs.

By Mr. HERSEY: A bill (H. R. 8681) granting an increase of pension to Elden B. Maddocks; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 8682) granting an increase of pension to William C. Cowman; to the Committee on Invalid Pensions.

By Mr. RAKER: A bill (H. R. 8683) for the relief of Maude Browne Matkins, formerly Maude Browne; to the Committee on the Public Lands.

By Mr. SELLS: A bill (H. R. 8684) granting a pension to John E. Crum; to the Committee on Pensions.

Also, a bill (H. R. 8685) granting a pension to John J. Robinson; to the Committee on Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 8686) for the relief of William C. Chandler; to the Committee on Invalid Pensions.

By Mr. VAILE: A bill (H. R. 8687) granting an increase of pension to Everill J. Hill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8688) granting an increase of pension to David M. Hammond; to the Committee on Invalid Pensions.

By Mr. NELSON of Wisconsin: Resolution (H. Res. 255) for the relief of Jane A. Lewis, widow of Hugh Lewis, late an employee of the House of Representatives; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Petition of the employees of the Coshocton (Ohio) post office, in favor of Senate joint resolution 84; to the Committee on the Post Office and Post Roads.

By Mr. CALDWELL: Petition of employees of the Far Rockaway post office, Far Rockaway, Long Island, N. Y., favoring Senate joint resolution 84; to the Committee on the Post Office and Post Roads.

By Mr. RAKER: Letter from Mrs. A. A. Ramer, Corning, Calif., protesting against House bill 5941, which proposes to tax Mexican graphite $40 per ton; to the Committee on Ways and Means.

Also, telegram from C. E. Clinch, of Grass Valley, Calif., in regard to the price-fixing law; to the Committee on Ways and Means.

Also, letter from F. Ernest Grubb, A. C. A., Philadelphia, Pa., in regard to the high cost of living; to the Committee on Agriculture.

Also, petition of Michigan-California Lumber Co., of Camino; Little River Redwood Co., of Bulwinkle; Dwinnell Lumber Co., of Macdoel; Weed Lumber Co., of Weed; and Red River Lumber Co., of Westwood, all in the State of California, urging support of the Cummins bill, which provides for the return of the power to suspend rates to the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

SENATE.

SATURDAY, *August 23, 1919.*

Rev. John Paul Tyler, of the city of Washington, offered the following prayer:

Almighty God, Lord of all the earth, God of our fathers, send upon us, we beseech Thee, this day Thy Holy Spirit, that with Thy wisdom and with Thy grace we may so direct the affairs committed to our care that Thy name may be glorified; that with unselfish devotion to Thee and the coming of the day of Thy righteousness on the earth we may give ourselves to the tasks before us. Bless our President. Bless our country and every home in it. Bless our world. We ask it for Jesus' sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

A bill (H. R. 8536) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

A bill (H. R. 8624) to amend an act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 8076. An act authorizing the county of Montgomery, Tenn., to construct a bridge across the Cumberland River within 7 miles of Clarksville, Tenn.; and

H. R. 8117. An act for the construction of a bridge across the Susquehanna River at or near Falls, Wyoming County, Pa.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Jones, Wash.	Norris	Spencer
Brandegee	Kendrick	Nugent	Sterling
Calder	Kenyon	Page	Sutherland
Curtis	King	Phelan	Thomas
Fernald	La Follette	Phipps	Townsend
Gay	McCumber	Poindexter	Trammell
Gerry	McKellar	Reed	Wadsworth
Harris	McNary	Robinson	Walsh, Mass.
Harrison	Myers	Sheppard	Walsh, Mont.
Henderson	Nelson	Smith, Ga.	Warren
Johnson, S. Dak.	New	Smoot	Watson

Mr. GERRY. The Senator from Oregon [Mr. CHAMBERLAIN] and the Senator from Kentucky [Mr. BECKHAM] are detained on public business. I also announce that the Senator from Nebraska [Mr. HITCHCOCK], the Senator from Alabama [Mr. BANKHEAD], and the Senator from Nevada [Mr. PITTMAN] are detained on official business.

Mr. TRAMMELL. I desire to announce the unavoidable absence of my colleague [Mr. FLETCHER] on account of illness.

The VICE PRESIDENT. Forty-three Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. CAPPER, Mr. JOHNSON of California, Mr. SIMMONS, and Mr. SMITH of Arizona answered to their names when called.

Mr. POMERENE, Mr. MOSES, Mr. HARDING, Mr. WILLIAMS, Mr. SWANSON, Mr. KIRBY, Mr. KNOX, Mr. RANSDELL, Mr. LODGE, Mr. DIAL, and Mr. BORAH entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty-nine Senators have answered to the roll call. There is a quorum present.

INDIANS IN UTAH (S. DOC. NO. 78).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior transmitting, in response to a resolution of the 4th instant, certain information relative to the Indians in Duchesne and Uintah Counties, Utah, which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. McNARY. On yesterday, at the request of the Senator from North Dakota [Mr. GRONNA], who was detained in the Agricultural Committee, I presented a memorial from the State Farm Bureau Federations of Iowa, Nebraska, Indiana, Ohio, and Illinois, relative to the causes of the high cost of living, and so forth, and asked that it be referred to the Committee on the Judiciary. The Senator from North Dakota has since informed me that he desired to have the memorial printed in the RECORD. I ask that the Committee on the Judiciary be discharged from the further consideration of the memorial.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. McNARY. I ask that the memorial be printed in the RECORD and referred to the Committee on the Judiciary.

There being no objection, the memorial was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

STATEMENT ISSUED BY FARM BUREAU FEDERATION OFFICERS OF IOWA, NEBRASKA, INDIANA, OHIO, AND ILLINOIS IN THEIR CONFERENCE WITH PRESIDENT WILSON TO-DAY.

AUGUST 14, 1919.

The members of the State Farm Bureau Federations must now decide the extent of next year's food production on their farms.

Present agitation over the high cost of living attempts to saddle in large measure responsibility for high prices on the farmers who, while discerning their share, justly refuse to bear any great part of the blame.

In the present chaotic state of affairs the farmer says to him who wishes to arrive at the facts as they are, "Come, let us reason together."

In the whirl of affairs clear thinking is difficult, formulation of statements well-nigh impossible.

To-day, however, the Farm Bureau Federations of Ohio, Indiana, Illinois, Iowa, and Nebraska, potent factors for increasing production in the heart of the meat, milk, and grain producing sections of the United States, indorse through their authorized officers the statements following:

J. C. CROCKER,
President Nebraska Farm Bureau Association.
O. E. BRADFUTE,
President Ohio Farm Bureau Federation.
J. G. BROWN,
President Indiana Federation of Farmers' Associations.
D. O. THOMPSON,
Secretary Illinois Agricultural Association.
J. R. HOWARD,
President Iowa Farm Bureau Federation.

The high cost of living is not due to the original price of the farm product to the grower. The Government minimum price for wheat does not determine the cost of a loaf of bread. Fixing a resale price at $1.50 per bushel would affect, if reflected to the consumer, very little the cost of living for the average family. Average wheat consumption in this country is about 6½ bushels per year per person. Reduction in price to $1.50 per bushel would mean a saving of $4.94 per person, or $24.70 for a family of five. This is nothing at all compared with the reduction in wheat acreage and correspondingly small crop next season, which would result from discouragement of the producer.

The high cost of living is not due to the storage of meats, vegetables, fruits, eggs, and poultry in the season when these are produced in surplus against the season of short supply. Popular as is the hue and cry against storage of foodstuffs, it is a palpable fact that modern storage methods are the greatest food savers in the world, at one and the same time saving food in time of plenty and supplying it in time of scarcity, and, moreover, maintaining a steadier level of prices throughout all seasons for any given commodity. Indiscriminate restrictions on food storage will serve only to wastefully glut the market in the harvest season of meats, vegetables, fruits, eggs, and poultry at a price disastrous to the producer and create a dearth of these products out of season at a prohibitive price. Food storage for speculative purposes is intolerable.

The high cost of living is not due to exportation of food and clothing any more than it is due to our heavy exports of manufactured goods, machinery, etc., of which the farmer is a heavy purchaser. An embargo on foodstuffs to bring down the high cost of living will be as demoralizing to American agriculture as the embargo placed on foodstuffs was to French agriculture in the time of Louis XIV. Moreover, the high cost of living is not merely a local or national consideration. It is a world matter. Applying a first-aid remedy at home to create and foster anarchy and revolution abroad should not be the policy of the United States even at this critical juncture.

The high cost of living is not due to lack of desire or effort on the part of the farmers to produce to the limit of their physical ability. Not within the knowledge of the present generation have all the farmers of the country extended their every energy in a consecrated effort to produce to the last kernel and pound all the grain and meat products needed to feed a hungry world. The operation of the short-hour day in industrial centers and a talk of shorter hours and ever-advancing pay has made it well-nigh impossible for anywhere near the normal supply of help to be maintained on farms. The daylight-saving plan has mitigated against maximum production by reducing materially the practical working hours of the day on the farm, especially in so far as the hired man's labor is concerned. Following a beautiful promise of a bountiful wheat harvest, a most destructive attack of scab and rust cut the wheat yield very materially. Untimely heat and drouth shortened the oat crop and adversely affected the corn crop. The long hours and strenuous diligence of the farm operator have, in spite of these adverse circumstances, put the crop across; as he harvests and markets it he wonders somewhat if he, with his disregard of the time clock and his recompense based on a gambling game in which the natural elements deal the yield and the middle men deal the price, has not been pulling the short end of the hitch. The farmer has not struck, walked out, or otherwise slackened in production. He has increased his effort, extended his operations to the limit of physical ability and financial credit, and striven to feed the world, believing the world would fairly and gladly recompense him. Instead he finds in many prominent places those who, in their eagerness to find an answer where there is none, and to shun the real facts of the situation, point to him with scorn and malevolence, saying, "Thou art the culprit."

The high cost of living is due to a stagnation in production of manufactured goods and prepared foodstuffs. Every labor strike that shuts down any plant engaged in the preparation of foods or the making of clothing, that shuts down a mine or a mill, adds to the high cost of living. Shortly after a strike of the United States yards and packing plant employees the wholesale price of fresh meats advanced 15 to 35 per cent, directly due to the short kill and consequent small supply of fresh meats. In Chicago 100,000 men have been out of work for months, and all building operations have been at a standstill because the carpenters refuse to work for 92½ cents an hour. This strike tied up building operations in many small towns within a radius of 100 miles of the city, as well as in Chicago. Following the Chicago street car strike, a strike of the Aurora, Elgin & Chicago Electric Railway employees, which threw thousands out of employment on account of lack of electric power in the towns along this line, left the small Aurora meat-packing house without power to run its refrigerating plant. There were about 10,000 pounds of meat spoiling. It is said the manager appealed to the head of the union for power to keep this refrigerating plant running and prevent the spoiling of this meat, and the insolent reply hurled back was "I don't give a damn if all the meat in the United States rots." Such are a few, the daily press records the many, instances of premeditated stagnation in production which shortens supply and plays into the hands of those who fix the price to the consumer.

The high cost of living is due to price manipulation and extravagant profits of middle men. Referring again to a Chicago situation. A small group of milk-wagon drivers at one of the milk-distributing plants struck for $44 per week and regular commissions. All the other milk distributers at once declared a lockout against their drivers. After two or three days of sparring the employers agreed to meet the demands of the men, and announced a 1 cent per quart advance in the price of milk to the consuming public. Analysis of the arithmetic of the case shows that it took about four-tenths of that cent to pay the employees, and

that six-tenths of each cent was added to the profits of the distributers. Food on the table costs out of all proportion to the price to the producer. Part of the reason for this is due to the short hours and high wages for labor, part to the exorbitant prices of the several middle men between the producer and the consumer, and a considerable part to the extravagant practices of the consumer in methods of purchasing supplies. Without going into an analysis of who gets it, compare the difference in price of choice beef on the hoof at 18 cents per pound with that of a moderate meal for five at one of Washington's modest hotels, the meal consisting of steak, potatoes, corn, bread and butter, and coffee, and costing $11. Of this $11, the producer of the food, the farmer, got about as follows: Beef, 2 pounds, 36 cents; potatoes, 13 cents; bread, 2 cents; butter, 7 cents; coffee, cream, and sugar, 4 cents; corn, 20 cents; making a total of 82 cents. This is about 7 per cent of the total cost. A 50 per cent reduction in the price of these products to the producer would have lessened the total cost of the whole meal on the hotel table only 41 cents, smaller by half than the customary 10 per cent tip, which, by the way, is not included in the above price for the meal. This illustration shows the extremes of exorbitant profits of the middle men and of extravagant practices of the consumers in purchasing, including probably all the evils that are contributing in large measure to the high cost of living to the consumer. A reduction to the producer in the price of these foodstuffs to a point which would stagnate production of grains, produce, and meats would have an inconsequential effect upon final prices to the consumer.

The high cost of living is due to the failure of practically all folks to practice even ordinary economy in public and private life. A program of hard road building, contracted at almost twice prewar costs per mile, due to advance of price of material and labor, has been delayed and interfered with because of the fact that delivery of building material has been delayed by tying up of transportation facilities. This question of lack of economy in public spending was brought within the focus of the American public's attention early in July, when the railway brotherhoods demanded of President Wilson that he bring down the cost of living immediately, threatening a demand in wage increase amounting to a total of $800,000,000 a year, payable necessarily from one of two sources, revenues from increase of freight rates or from a deficiency appropriation, either of which would add to the cost of living. A lack of practicing economies in private life may be illustrated without end. Theaters and places of amusement, resorts, and watering places are crowded with beautifully gowned women and handsomely tailored men. The price of shoe shines has doubled and trebled, yet one must wait his turn, though he could shine his own shoes at home for less than 1 cent. So illustrations might be multiplied, all showing that lack of practicing plain economy is a great contributing factor in maintaining the high cost of living.

The high cost of living is due to shifting individual responsibility for the present state of affairs, and each component of the people of the Nation seeking self-satisfaction rather than the answer to the great world question. This is our national state of mind. Instead of doing our national and individual best to produce more goods, so that there will be enough for all at a reasonable price, each is trying to better his own condition at the expense of the other fellow. There is a limited supply in the world. Just now we are quarreling over the division of what we have. If we would stop quarreling and go to work, we would soon increase production, so that all would have plenty.

Under war pressure, when fighting a foreign foe, farm production was not shortened; it was increased tremendously. Upon the fair or unfair attitude and action of capitalistic monopolies and organized labor, upon the sanity of their next immediate pronouncements affecting national and international affairs, depends the decision of the American farmer in planning his next year's program of work. Now is the seeding season for wheat. Now is the time the farmer selects the gilts and brood sows that will give birth to the 1920 pig crop. Now is the time when the dairyman determines the number of cows he wants to milk twice daily for the next year. Now is the time the cattle feeder determines whether he will sell his corn as beef or as corn.

Now is the time silos must be filled, if feeding operations are to be engaged in. Now is the time the farm woman determines the size of next year's flock of poultry. Now is the time when the farmer plans the next year's corn acreage. In short, now is the season when the efficient farmer plans the whole 1920 program. Right now the American farmer holds in his hand the power to determine quite definitely the size of next year's crop of wheat, meat, milk, cheese, butter, poultry, eggs; in short, all foodstuffs, and with that to determine whether or not the world's table will be abundantly supplied next year. The American farmer, individually and in his organization, recognizes his responsibility in this matter, provided, however, that every other good American citizen or foreigner within our borders will let the scales drop from his own eyes and witness that he has an individual and an organized responsibility that can not be shifted. The American farmer does not sympathize with artificial or political quackery for befogging the real issues, but impotent in giving even passing relief. The American farmer is willing to squarely meet the issue. If prices cut to the bone all along the line—farm products, wages, manufactured goods, rents, wholesalers' and retailers' profits—will bring the desired result, which he rather doubts, he will go as far along that road as any, but he will not go alone. Let the whole brotherhood of man go the full route. If increased production will clarify the situation, the American farmer will jointly, with all of his fellow citizens, buckle his belt for a most strenuous campaign of production; but here again he is determined that he will not work alone.

If capitalistic monopoly wants enough food produced that it may be feasted, if organized labor wants food produced that it may be fed, if the do-nothing twaddlers want enough food produced so that they may occasionally eat, let them stand forth now at this time, when the farmer must determine his 1920 food-production program, and declare by deeds—cutting out of profiteering in goods and wages, going honestly to the business of preparing and purveying the necessities of life, going honestly to the job of doing a full day's work for a full day's pay—their willingness to cooperate. Failure of these forces to do this now will be a boomerang that ere the next cycle of the seasons will effect a condition of living now undreamed.

Mr. MYERS. I present a joint memorial of the Legislature of the State of Montana, which I ask to have printed in the RECORD and referred to the Committee on Indian Affairs.

There being no objection, the joint memorial was referred to the Committee on Indian Affairs and ordered to be printed in the RECORD, as follows:

Senate joint memorial 1.

A memorial to the Congress of the United States for amendment of the act of Congress approved May 30, 1908, opening for entry and settlement under the land laws of the United States the Fort Peck Indian Reservation.

Your memorialists, members of the Sixteenth Legislative Assembly of the State of Montana, in extraordinary session assembled, the senate and house concurring, respectfully represent:

Whereas under and pursuant to the provisions of the act of Congress approved May 30, 1908, opening to settlement and entry under the land laws of the United States lands formerly within the Fort Peck Indian Reservation, in the State of Montana, settlement and entry have been made by a large number of actual bona fide settlers, who have made the initial payment required under said act of Congress and have cultivated said lands as required by the land laws of the United States; and

Whereas said act of Congress, in opening for settlement and entry said lands, provides that entrymen of any of said lands shall pay to the Government the appraised value thereof in five equal annual payments, and that the full appraised value of said lands shall be paid before title can be obtained by the entryman; and

Whereas said settlers upon said lands, owing to extreme and unusual drought conditions existing during the past four years, have been unable to produce remunerative crops of grains or grasses, and all agricultural crops upon said lands have been practically a total failure during said period; and

Whereas settlers upon said lands, by reason of the aforesaid failures, are unable to pay the Government price for said lands and are unable to continue their residence upon the same, and unless relief is granted to them they will be compelled to abandon their homesteads, lose their improvements, and forfeit the payments heretofore made; and

Whereas, owing to said failures of crops and owing to the fact that title to said lands can not be acquired until the full appraised value thereof is paid, the settlers aforesaid are unable to obtain credit for the necessities of life, and because of lack of title, are unable to borrow money with which to sustain themselves; and

Whereas if said lands were subject to the provisions of the homestead laws, where title could be obtained without payment of the appraised value, these settlers could obtain credit and could readily borrow money with which to sustain life and continue the cultivation of their homesteads: Therefore be it

Resolved by the senate of the sixteenth legislative assembly in extraordinary session assembled (the house of representatives concurring), That we hereby petition the Congress of the United States to amend the act of Congress approved May 30, 1908, to the end that no payments be required from entrymen of lands within the territory formerly the Fort Peck Indian Reservation, and that settlers and entrymen upon said land be required only to comply with the homestead and desert-land laws of the United States; be it further

Resolved, That a copy of this memorial be forwarded to the Secretary of the United States Senate and to the Clerk of the House of Representatives of the United States and to each United States Senator and Member of the House of Representatives from the State of Montana.

W. W. MCDOWELL,
President of the Senate.
O. W. BELDEN,
Speaker of the House.

Approved August 6, 1919:

S. V. STEWART, *Governor.*

Filed August 6, 1919, at 2.50 o'clock p. m.

C. T. STEWART, *Secretary of State.*
By CLIFFORD L. WALKER, *Deputy.*

UNITED STATES OF AMERICA,
State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the above is a true and correct copy of senate joint memorial No. 1, "A memorial to the Congress of the United States for amendment of the act of Congress approved May 30, 1908, opening for entry and settlement under the land laws of the United States the Fort Peck Indian Reservation," enacted by the sixteenth session of the Legislative Assembly of the State of Montana in extraordinary session assembled, and approved by S. V. Stewart, governor of said State, on the 6th day of August, A. D. 1919.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Montana at Helena, the capital, this 6th day of August, A. D. 1919.

[SEAL.]

C. T. STEWART, *Secretary of State.*
CLIFFORD L. WALKER, *Deputy.*

Mr. MYERS. I present a joint memorial of the Legislature of the State of Montana, which I ask to have printed in the RECORD and referred to the Committee on Irrigation and Reclamation of Arid Lands.

There being no objection, the joint memorial was referred to the Committee on Irrigation and Reclamation of Arid Lands and ordered to be printed in the RECORD, as follows:

Senate joint memorial 2.

Memorializing the Congress of the United States for the passage of H. R. 7026, now pending in that honorable body.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Whereas there is now pending before the Senate and House of Representatives H. R. 7026, introduced by the Hon. CARL W. RIDDICK, Representative from Montana, providing for the appropriation of $50,000,000 out of any money in the Treasury in the United States not otherwise appropriated, to be expended under the provision of the reclamation act in the construction of irrigation projects and units thereon, especially in the arid land sections, the same to be reimbursed in accordance with the provisions of the reclamation act and providing, in the matter of employment in such construction, work shall be given, so far as practicable, to honorably discharged soldiers, sailors, and marines, and to needy farmers; and

Whereas the many citizens of the State of Montana are known to be greatly in need of employment where the crops of grain in many parts of the State of Montana are a total failure; and

Whereas the expenditure of a reasonable amount of money in the construction of dams, reservoirs, and irrigation canals and ditches would furnish employment for many needy farmers and others who are unemployed and who are ready, able, and willing to work; and the expenditure of a reasonable amount of money would be of material benefit in reclaiming arid lands and would be of material benefit to the State of Montana and to the Federal Government, and would conserve the waters from the mountainous regions for use at times when same would be of material benefit; and

Whereas an emergency exists and it is necessary that prompt action be taken, and it is the belief of this legislative assembly in special session assembled that it is the duty of the best citizenship of this State and the United States to help reclaim unproductive areas of the State of Montana and other States in the Northwest: Therefore be it

Resolved, by the Sixteenth Legislative Assembly of the State of Montana in extraordinary session assembled, That we earnestly petition the Congress of the United States to pass H. R. 7026; and be it further

Resolved, That the secretary of state of the State of Montana transmit copies of this memorial to the President of the Senate and to the Speaker of the House of Representatives of the United States, and to our Senators and Representatives of the State of Montana, with the request that they use every effort to secure the immediate passage of H. R. 7026.

W. W. McDOWELL,
President of the Senate.
O. W. BELDEN,
Speaker of the House.

Approved August 8, 1919.

S. V. STEWART, *Governor.*

Filed August 8, 1919, at 4.40 o'clock p. m.

C. T. STEWART, *Secretary of State,*
By CLIFFORD L. WALKER, *Deputy.*

UNITED STATES OF AMERICA,
State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the above is a true and correct copy of senate joint memorial No. 2, "Memorializing the Congress of the United States for the passage of H. R. 7026, now pending in that honorable body," enacted by the sixteenth session of the Legislative Assembly of the State of Montana, in extraordinary session assembled, and approved by S. V. Stewart, governor of said State, on the 8th day of August, 1919.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Montana, at Helena, the capital, this 8th day of August, A. D. 1919.

[SEAL.]

C. T. STEWART, *Secretary of State.*
CLIFFORD L. WALKER, *Deputy.*

Mr. MYERS. I present a joint memorial of the Legislature of the State of Montana, which I ask to have printed in the RECORD and referred to the Committee on Agriculture and Forestry.

There being no objection, the joint memorial was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

House joint memorial 1.

A memorial to Congress relating to the production, sale, and distribution of live stock and live-stock products, dairy products, poultry, and poultry products in commerce.

To the honorable Senate and House of Representatives in Congress assembled:

We, your memorialists, the Sixteenth Legislative Assembly of the State of Montana, in extraordinary session convened, respectfully represent and petition: That—

Whereas there is now pending before the Congress of the United States a bill known as Senate bill 2202, introduced by the Hon. W. S. KENYON, Senator from Iowa, providing for the licensing by the Federal Government of all persons engaged in the business of slaughtering live stock, preparing live-stock products for sale, engaged in the business in commerce of buying, selling, or shipping live stock for slaughter and live-stock products, conducting or operating stockyards in which live stock is handled in commerce, performing services in commerce with respect to live stock handled on a commission basis or in connection with stockyards, collecting in connection with stockyards and distributing in commerce live-stock market quotations or live-stock market news, buying, selling, and shipping dairy products, poultry and poultry products in commerce, and providing for the regulation and control thereof by the Federal Government; and

Whereas the legislative assembly is of the belief that all such industries and business should be subjected to Federal control and regulation; and

Whereas the legislative assembly is of the belief that the said Senate bill 2202 presents legislation effecting that object: Be it therefore

Resolved by the Sixteenth Legislative Assembly of the State of Montana (the House and Senate concurring). That we do respectfully petition and earnestly pray the honorable Congress of the United States for the passage of Senate bill 2202; and be it further

Resolved, That a copy of this memorial be forwarded by the secretary of state of the State of Montana to the Senate of the United States; that a copy of this memorial be forwarded by the secretary of state of the State of Montana to the House of Representatives of the United States; and that copies of this memorial be transmitted by the secretary of state of the State of Montana to the Senators and Representatives in Congress of the State of Montana with a request that they use every effort to bring about an accomplishment of the ends and purposes herein set forth.

O. W. BELDEN,
Speaker of the House.
W. W. McDOWELL,
President of the Senate.

Approved August 9, 1919.

S. V. STEWART, *Governor.*

Filed August 9, 1919, at 11.35 o'clock a. m.

C. T. STEWART, *Secretary of State,*
By CLIFFORD L. WALKER, *Deputy.*

UNITED STATES OF AMERICA,
State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the above is a true and correct copy of House joint memorial 1, "A memorial to Congress relating to the production, sale, and distribution of live stock and live-stock products, dairy products, poultry and poultry products in commerce," enacted by the sixteenth session of the Legislative Assembly of the State of Montana, in extraordinary session assembled, and approved by S. V. Stewart, governor of said State, on the 9th day of August, 1919.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of Montana at Helena, the capital, this 9th day of August, A. D. 1919.

[SEAL.]

C. T. STEWART, *Secretary of State.*
CLIFFORD L. WALKER, *Deputy.*

Mr. TRAMMELL presented a petition of sundry citizens of Tampa, Winter Haven, Brooksville, Auburndale, Plant City, Crystal River, Gainesville, and Orlando, all in the State of Florida, praying for the passage of the so-called Kenyon-Kendrick bills providing for Federal control of the meat-packing industry, which was referred to the Committee on Agriculture and Forestry.

Mr. PHELAN presented petitions of sundry citizens of Calestoga, Buenaventura, and Soldiers Home, all in the State of California, praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. KNOX presented a petition of Local Lodge No. 1079, Brotherhood of Railway Carmen of America, of Conemaugh, Pa., praying for the adoption of the so-called Plumb plan for the operation of railroads, which was referred to the Committee on Interstate Commerce.

He also presented memorials of sundry citizens of Pittsburgh, Philadelphia, and Antrim, all in the State of Pennsylvania, remonstrating against the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Rockford, Ill., praying for the early return to the United States of the Twnty-seventh and Thirty-first Infantry, now stationed in Siberia, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Chamber of Commerce and Commercial Club of Seattle, Wash., praying that the United States Patent Office be taken from the supervision of the Department of the Interior, etc., which was referred to the Committee on Patents.

He also presented a memorial of the Robert Emmet Branch, Friends of Irish Freedom, of Erie, Pa., remonstrating against the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Chamber of Commerce of Butler, Pa., and a petition of the Chamber of Commerce of Tyrone, Pa., praying for the return to private ownership of the railroads of the country, which were referred to the Committee on Interstate Commerce.

He also presented a petition of sundry postal clerks of East Pittsburgh, Pa., praying for an increase in salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

Mr. ROBINSON presented a memorial of sundry citizens of Charleston, Ark., remonstrating against the establishment of a department of education, which was referred to the Committee on Education and Labor.

Mr. JONES of Washington presented a petition of Pomona Grange, No. 22, Patrons of Husbandry, of Okanogan County, Wash., praying for the extension of Government insurance of all citizens of the United States, which was referred to the Committee on Finance.

He also presented a memorial of Pomona Grange, No. 22, Patrons of Husbandry, of Okanogan County, Wash., remonstrating against the sale to foreign countries or private parties of uncompleted vessels now under construction or those now in operation in the United States, which was referred to the Committee on Commerce.

He also presented a memorial of Pomona Grange, No. 22, Patrons of Husbandry, of Okanogan County, Wash., remonstrating against the formation of a national board of trade, which was referred to the Committee on Commerce.

He also presented a petition of Pomona Grange, No. 22, Patrons of Husbandry, of Okanogan County, Wash., praying for Government ownership and operation of the banking system of the United States, which was referred to the Committee on Banking and Currency.

He also presented a memorial of the Chamber of Commerce and Commercial Club of Seattle, Wash., relative to the construction of certain dredges on the Pacific coast, which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce and Commercial Club of Seattle, Wash., praying for the establishment of a national cemetery at Camp Lewis, Wash., which was referred to the Committee on Military Affairs.

Mr. PAGE presented a memorial of sundry citizens of the parish of St. Louis, of Highgate, Vt., remonstrating against the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. SMOOT. I present a joint memorial of the Legislature of the State of Utah, which I ask to have printed in the RECORD and referred to the Committee on Public Lands.

There being no objection, the memorial was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

THE STATE OF UTAH,
SECRETARY OF STATE'S OFFICE,
Salt Lake City, August 16, 1919.

Hon. REED SMOOT,
United States Senate.

DEAR SIR: Inclosed find resolutions and memorials passed at the last regular session of the Utah Legislature.

Copies of these were sent about the dates of their passage, and it is possible that some may have been already presented. If not, please handle these as may be necessary.

Very respectfully,

HARDEN BENNION, *Secretary of State,*
By JERROLD R. LETCHER, *Deputy.*

STATE OF UTAH, EXECUTIVE DEPARTMENT,
SECRETARY OF STATE'S OFFICE.

I, Harden Bennion, secretary of state of the State of Utah, do hereby certify that the attached is a full, true, and correct copy of House joint memorial No. 9 as appears on file in my office.

In witness whereof, I have hereunto set my hand and affixed the great seal of the State of Utah, this 16th day of August, 1919.

[SEAL.] HARDEN BENNION, *Secretary of State,*
By JERROLD R. LETCHER, *Deputy.*

House joint memorial 9.

Petitioning the Congress of the United States to create "The Temple of the Gods National Monument."

To the Senate and the House of Representatives of the Congress of the United States:

Your memorialists, the governor and the Legislature of the State of Utah, respectfully represent:

On the public domain within the boundaries of the Sevier National Forest, in the Pink Mountain region, near Tropic, Garfield County, Utah, there is a canyon popularly referred to as "Bryce's Canyon," which has become famed for its wonderful natural beauty. Inasmuch as the State and Federal Governments have indicated a desire that the natural attractions of our State and our country be protected and preserved for the enjoyment of posterity, therefore, your memorialists respectfully urge that the Congress of the United States set aside for the use and enjoyment of the people a suitable area embracing "Bryce's Canyon" as a national monument under the name of "The Temple of the Gods National Monument."

(Passed Mar. 13, 1919. Approved Mar. 13, 1919. In effect Mar. 13, 1919.)

Mr. SMOOT. I present a joint memorial of the Legislature of the State of Utah, which I ask to have printed in the RECORD and referred to the Committee on Public Lands.

There being no objection, the memorial was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

STATE OF UTAH, EXECUTIVE DEPARTMENT.
SECRETARY OF STATE'S OFFICE.

I, Harden Bennion, secretary of state of the State of Utah, do hereby certify that the attached is a full, true, and correct copy of senate joint memorial 2, as appears on file in my office.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of Utah this 16th day of August, 1919.

[SEAL.] HARDEN BENNION, *Secretary of State.*
By JERROLD R. LETCHER, *Deputy.*

Senate joint memorial 2.

Petitioning the Congress of the United States of America to make certain lands formerly within the boundaries of the Uintah Indian Reservation subject to homestead.

To the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the governor and the Legislature of the State of Utah, respectfully represent that:

Whereas certain lands located in Wasatch, Duchesne, and Uintah Counties, in the State of Utah, and formerly within the boundaries of the former Uintah Indian Reservation, are now held and set apart as Indian grazing lands; and

Whereas under the terms of the opening of said Uintah Reservation the lands so set apart as grazing lands were to be nonirrigable lands; and

Whereas said lands are mostly situated under irrigation canals and rivers and easily irrigated, and in order that our returning soldiers may obtain suitable farms and homes: Now, therefore,

The governor and Legislature of the State of Utah respectfully petition that the said lands so set apart as Indian grazing lands may be made subject to entry under the homestead laws, and that the Indians of said former Uintah Reservation shall receive $1.25 for each acre of said grazing land taken by homesteaders. The $1.25 per acre received for said land shall be paid by the homesteader.

(Passed Feb. 24, 1919. Approved Feb. 26, 1919. In effect Feb. 26, 1919.)

Mr. SMOOT. I present a joint memorial of the Legislature of the State of Utah, which I ask to have printed in the RECORD and referred to the Committee on Civil Service and Retrenchment.

There being no objection, the joint memorial was referred to the Committee on Civil Service and Retrenchment and ordered to be printed in the RECORD, as follows:

STATE OF UTAH, EXECUTIVE DEPARTMENT,
SECRETARY OF STATE'S OFFICE.

I, Harden Bennion, secretary of state of the State of Utah, do hereby certify that the attached is a full, true, and correct copy of House joint memorial No. 3 as appears on file in my office.

In witness whereof, I have hereunto set my hand and affixed the great seal of the State of Utah this 16th day of August, 1919.

[SEAL.] HARDEN BENNION, *Secretary of State,*
By JERROLD R. LETCHER, *Deputy.*

House joint memorial 3.

Petitioning the Congress of the United States to pass the necessary legislation to retain on the civil-service eligible list soldiers, sailors, or marines who have lost their preference right by reason of being in the military or naval service of the United States.

To the Senate and House of Representatives of the United States, in Congress assembled:

Your memorialists, the governor and Legislature of the State of Utah, respectfully represent that:

Whereas the civil-service laws require that one who has passed the examination and been placed upon the eligible list must accept service within one year thereafter, and, unless they do so, are dropped from the eligible list; and

Whereas many soldiers, sailors, and marines, who successfully passed such examination and were placed on the eligible list, have been unable to accept service within one year thereafter, by reason of being absent from their homes in the military or naval service of the United States; and

Whereas it is deemed unfair to such soldiers, sailors, and marines that they lost their place on said eligible list under such circumstances:

Now, therefore, the governor and the Legislature of the State of Utah respectfully petition that necessary legislation be enacted to extend the time in which such soldiers, sailors, and marines may accept service, and that they shall not lose their place upon the eligible list.

(Passed Feb. 13, 1919. Approved Feb. 17, 1919. In effect Feb. 17, 1919.)

Mr. SMOOT. I present a joint memorial of the Legislature of the State of Utah, which I ask to have printed in the RECORD and referred to the Committee on Pacific Railroads.

There being no objection, the joint memorial was referred to the Committee on Pacific Railroads and ordered to be printed in the RECORD, as follows:

STATE OF UTAH, EXECUTIVE DEPARTMENT,
SECRETARY OF STATE'S OFFICE.

I, Harden Bennion, secretary of state of the State of Utah, do hereby certify that the attached is a full, true, and correct copy of senate joint memorial No. 4 as appears on file in my office.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of Utah this 16th day of August, 1919.

[SEAL.] HARDEN BENNION, *Secretary of State,*
By JERROLD R. LETCHER, *Deputy.*

Senate joint memorial 4.

Petitioning the United States Government to authorize the building of a railroad into the Uintah Basin in the State of Utah.

To the President of the United States, and to the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the Senate and House of Representatives of the State of Utah, respectfully petition the assistance of Congress and the Federal Railroad Administration in securing the construction of a railroad into the Uintah Basin, which comprises a large section of the eastern part of Utah. The counties of Uintah and Duchesne, situated in this basin, contain the largest undeveloped resources of the State of Utah, and its potential possibilities are lying dormant awaiting transportation facilities.

This basin is more than 100 miles in length and more than 50 miles in width, with lands the fertility and productivity of which are not excelled in the State, a veritable Commonwealth capable of easily sustaining a population of 75,000 people in addition to the 25,000 now living there.

This valley has already been partially developed in anticipation of a railroad and in this condition answered the call of the Nation by the production of prodigious war crops. It is surrounded by mountains affording the best grazing lands for cattle and sheep and covered with the finest timber. Its oil shale deposits are said to be the largest in the world. Gilsonite, elatorite, ozokerite, asphaltum, and coal are found in large quantities, and these, with other minerals, are now mined to some extent, but await a railroad for full development.

The waters of this basin, now developed, irrigate 225,000 acres, no part of which is intensively cultivated for want of adequate transportation facilities to outside markets.

In addition to the irrigation water now used, figures of the United States Geological Survey show that 400,000 acre-feet of water annually run to waste from the Duchesne, the principal river of the basin, which if applied to the additional irrigable land available would produce annually $4,000,000.

Storage reservoir sites are available for conserving all of this water. Proposed projects by the Reclamation Service will irrigate 175,000 acres additional to that already under canals and 100,000 horsepower can be harnessed from the streams of the basin.

The development of this basin with the building of a railroad and the proposed reclamation projects will afford employment and opportunities for farm and home making for our returning soldiers, sailors, and marines, and our sons will not then be compelled to go to other States or foreign countries to earn a livelihood.

The Federal Government is the only source to which we can now look for assistance in constructing a railroad into the Uintah Basin, and we earnestly petition Congress to take such action as may be necessary to assist us in securing proper transportation facilities to develop the vast resources of this rich section of our State.

Resolved, That copies of this memorial be engrossed and forwarded one each to the President of the United States, the Senate, and House of Representatives of the United States, the Director of the Federal Railroad Administration, and to each of the Senators and Representatives from Utah in Congress, with a request that they use every legitimate effort to promote the objects of this memorial.

(Passed Mar. 10, 1919. Approved Mar. 11, 1919. In effect Mar. 11, 1919.)

Mr. JOHNSON of South Dakota. I present resolutions adopted by the Minnehaha League of Women Voters, with headquarters at Sioux Falls, S. Dak., which I ask to have printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

MINNEHAHA LEAGUE OF WOMEN VOTERS,
Sioux Falls, S. Dak., August 18, 1919.

To Senator ED. S. JOHNSON,
Washington, D. C.:

The following resolutions were unanimously indorsed at a recent meeting of the Minnehaha League of Women Voters:

"Whereas the war brought to a victorious close by the associated power of the free nations of the world was above all else a war to end war and protect human rights: Therefore be it

"*Resolved*, That we urge the ratification of the league of nations covenant by the United States. We believe that this covenant aims at promoting the liberty, progress, and orderly development of the world; be it further

"*Resolved*, That copies of this resolution be sent to the President of the United States, the Senators of South Dakota, at Washington, D. C., and to the Hon. William H. Taft, president of the League to Enforce Peace.

"MINNEHAHA LEAGUE OF WOMEN VOTERS,
"By Mrs. L. L. LEAVITT, *President.*
"Mrs. E. R. BUCK, *Corresponding Secretary.*
"Mrs. A. C. HINCKLEY, *Organizer.*"

CONDITIONS IN THE VIRGIN ISLANDS.

Mr. KENYON. From the Committee on Pacific Islands and Porto Rico I report back favorably, with an amendment, the joint resolution (S. J. Res. 69) appointing a commission to report on conditions in the Virgin Islands, and I submit a report (No. 160) thereon. I think every Senator will be in favor of doing something at least toward securing information about the Virgin Islands. I desire at this time to give notice that at some future day I shall move to take up for consideration the joint resolution and shall address the Senate in relation thereto. The report is short, and I should like to have it read.

The VICE PRESIDENT. The Secretary will read the report.

The Secretary read the report submitted by Mr. KENYON this day, as follows:

The Committee on Pacific Islands and Porto Rico, to whom was referred the joint resolution (S. J. Res. 69) appointing a commission to report on conditions in the Virgin Islands, having had the same under consideration, report thereon with the recommendation that the joint resolution do pass with an amendment as follows:

On page 2, line 7, strike out "$3,000" and insert "$2,500."

The following testimony is appended and made a part of this report:

The history of the acquisition of the Virgin Islands by the United States is well known. The government of these islands is now conducted under an act passed March 3, 1917, which provided a temporary government for them. Undoubtedly the United States would have paid more attention to the Virgin Islands had it not been that shortly thereafter we were precipitated into war, and these islands seem almost to have been forgotten.

The committee heard Mr. Francis, who had been selected at a mass meeting, held at St. Thomas, to come to Congress and present the situation in behalf of the working people of the islands. It is apparent from his testimony and from other sources of information that there is urgent need for the United States to pass laws for the government of the Virgin Islands. Danish customs, Danish laws, Danish methods of judicial procedure, are still in vogue in the islands. There is great need to Americanize them. The land question needs serious attention. According to the testimony of Mr. Francis, the natives own but 3 per cent of the land of the islands. The rest is owned by Danes or by those to whom the Germans have transferred title. Under their system of taxation, unoccupied land bears no tax. The owners of the land will not lease it or sell it. This is resulting in a condition where the inhabitants of these islands have no part in the sale of the land and no chance to make a living out of agriculture. Denmark had contemplated some kind of a homestead law shortly before turning the islands over to us, but the intention was not consummated into action.

Most of the food comes from the United States. On the island of St. Croix considerable sugar is raised. St. Thomas is famous for its port, but American ships pass by St. Thomas and coal at the Barbadoes. The reason of this the committee does not know, but presumably it is because of the high charges at the coal docks at St. Thomas, which are not the property of the United States. Some agricultural interests can be developed in the islands. On the island of St. John, bay leaves are prolific, and out of this comes the bay rum for which the islands are famous.

The people of the islands, at least many of them, believe that some form of government should be adopted instead of the present system of government under the Navy. The testimony before the committee showed that the judge of the islands was also a member of the council making the laws, a member of the city council, chief of police, and collector of taxes. This kind of government is not in keeping with American ideals. An income of $300 per year is required in order to exercise the right of suffrage. Under this only 321 people in the islands can vote. It puts a few men in control practically of the islands.

According to one witness, conditions were better 40 years ago than they are now. Originally the islands produced pineapples, sugar, and everything that grows in tropical countries. Now that the Danes and their friends have taken all the lands practically the islands have gone into a decline. The great necessity is some land law that will enable the people to acquire land. The Americans, since their occupation, have done considerable work along lines of sanitation. Apparently there has been no improvement as to education. The people of the islands feel that they have been neglected by the United States; that when the American flag went up in the Virgin Islands it should have been followed by American laws, customs, and ideals as soon as possible. These people are pleading to be Americanized. There are great possibilities in these islands. They should no longer be neglected. Congress is without sufficient information to act in these matters, and there would be great benefit in the opinion of the committee in having a small commission visit the islands for the purpose of studying conditions and reporting to Congress on a plan of action covering land laws, methods of taxation, and everything else that might be helpful in solving the problems.

This resolution provides for three Members of the Senate to be appointed by the Vice President and three Members of the House to be appointed by the Speaker. The expenses are limited to the actual expense of the members of the commission and limited to the sum of $2,500. Commissions of this character are ofttimes opposed, and rightfully opposed, as mere joy-riding expeditions. Such is not the purpose of this resolution or the purpose of the committee in recommending it. Its number is limited to a very few. The appropriation is limited to a very small sum, and appointments will undoubtedly be made by the Vice President and the Speaker of Members who are earnestly desirous of doing something for the people of the islands.

According to one witness, the people would greatly welcome the visit of a commission to the islands. He stated that the people were approaching a condition of starvation. There is not work enough for men to support their families and they can not secure land upon which to raise products for a family's support.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WARREN:

A bill (S. 2875) to amend section 7 of the act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes," approved March 1, 1919; to the Committee on Appropriations.

By Mr. HARRIS:

A bill (S. 2876) for the relief of the heirs of Richard Reynolds, deceased; to the Committee on Claims.

By Mr. PHELAN:

A bill (S. 2877) granting a pension to Heber R. Davis (with accompanying papers); to the Committee on Pensions.

By Mr. HARRISON:

A bill (S. 2878) to carry into effect the findings of the Court of Claims in favor of Dora Alexander Miller and Emma Alexander, in her own right and as administratrix of estates of Jennie Alexander, deceased, and of Charles T. Alexander, deceased; to the Committee on Claims.

By Mr. NORRIS:

A bill (S. 2880) to amend section 260 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary, as amended by section 6 of the act approved February 25, 1919"; to the Committee on the Judiciary.

THE MERCHANT MARINE.

Mr. JONES of Washington. At the hearing before the Commerce Committee with reference to the merchant marine the chairman of the Shipping Board submitted the policy or recommendation of the policy adopted by the board with reference to the building up of the merchant marine. I requested him to prepare a bill in concrete form to carry out this policy. He has sent me a bill prepared for that purpose, which I desire to introduce and have referred to the Committee on Commerce.

The bill (S. 2879) to authorize the operation or disposition of merchant vessels of the United States; to stimulate interstate and foreign commerce; to promote the welfare of seamen and navigators; to develop port, harbor, and terminal facilities; to encourage shipbuilding, marine insurance, and other agencies necessary to the development of the merchant marine of the United States, and for other purposes, was read twice by its title and referred to the Committee on Commerce.

PULP-WOOD RESOURCES.

Mr. WATSON. I introduce a joint resolution, which I ask to have read and referred to the Committee on Agriculture and Forestry.

The joint resolution (S. J. Res. 93) providing for a survey of pulp-wood timber was read the first time by its title, the second time at length, and referred to the Committee on Agriculture and Forestry, as follows:

Resolved, etc., That the Secretary of Agriculture be, and is hereby, authorized and directed to have made by the Bureau of Forestry a survey of the resources of pulp-wood timber in the northeastern part of the United States, and to make recommendations for the methods of use, conservation, and replacement of same.

SEC. 2. That the Secretary of Agriculture also be, and is hereby, authorized and directed to make a preliminary investigation of the approximate and possible available pulp-wood supply in central and western United States, with recommendations for its utilization.

SEC. 3. That the sum of $100,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of carrying out the above work.

Mr. WATSON. Mr. President, I ask permission to have printed in the RECORD, without reading, a statement having reference to the merits of the proposition.

The VICE PRESIDENT. Without objection, it is so ordered.

The statement referred to is as follows:

CONSUMPTION AND PRODUCTION OF PULP WOOD.

Annual consumption of pulp wood and total cost for specified years.

Year.	Consumption, cords.	Total cost.
1918	5,250,794	$73,167,118
1917	5,480,075	60,815,057
1916	5,228,558	[1] 45,783,682
1914	4,470,763	39,408,453
1911	4,328,052	.....
1910	4,094,306	.....
1909	4,001,607	34,477,540
1908	3,346,953	28,047,473
1907	3,962,660	32,360,276
1906	3,661,176	26,411,887
1905	3,192,123	17,735,665
1899	1,986,310	9,837,516

[1] Not including cost of "slabs and other mill waste" in Louisiana, Massachusetts, North Carolina, and Virginia.

"In 1918 there were 250 establishments manufacturing wood pulp, and they used 5,250,794 cords of wood for this purpose. The price of this pulp wood shows an increase of more than 200 per cent. In 1899 the average cost per cord was $4.95, in 1909 it was $8.62, and in 1918 it was $13.93 per cord. In 1917 the average cost of pulp wood increased from the 1916 average of $8.76 to $11.10 per cord, or 27 per cent. In 1918 it increased to $13.93, or 25 per cent. The increase in 1918 over the 1917 price was 37 per cent in Maine, 24 per cent in New York, 13 per cent in Wisconsin, 38 per cent in Pennsylvania, 31 per cent in New Hampshire. In 1918, 76 per cent of the total output of wood pulp was manufactured in Maine, New York, Wisconsin, New Hampshire, and Pennsylvania.

PULP WOOD AND NEWSPRINT SITUATION.

"Two-thirds of the newsprint paper used by American newspapers is imported or is manufactured from wood or pulp imported from Canada. One-third is made in the United States from wood grown in the United States. The former proportion is steadily increasing, the latter is steadily decreasing.

"Nearly all of the American newsprint manufacturing industry is located in the Northeastern States—half of it in New York. Forests of wood suitable for pulp making are being exhausted in the Northeastern States. At the present rate of depletion but a negligible quantity will be left at the end of 10 or 20 years.

"But in the Pacific Northwest—Washington, Oregon, and part of California—and the inland empire of northwestern Montana and northern Idaho are great forests that have been no more than touched by the few pulp mills in that section of the country.

"And in Alaska are enormous areas of forests, the annual growth of which would supply pulp enough for half of the newsprint paper used in the United States, but there are no pulp mills there.

"Few pulp mills have been established in the Northwest, and none have been established in Alaska, in part because of the disadvantage in freight rates in reaching the eastern markets. The Panama Canal is believed to have removed much of the reason for this disadvantage; but other obstacles, such as the disinclination of business to pioneer in new fields, remain.

"Development of newsprint production in these regions is also retarded, it is believed, by the lack of authoritative knowledge of the extent and character of the available supplies of forest material, their location and accessibility, available water power, and the general situation which confronts the industry.

"The practice of forestry, which is now the only possible means of a permanent supply of domestic pulp wood in the East, it is believed, would be greatly stimulated by such a survey, which would develop in detail the seriousness of the situation.

"The sum of existing conditions is that American newspapers are becoming more and more dependent upon foreign sources for the raw material from which newsprint paper is made, the raw material is being exhausted in the section where the domestic industry is concentrated, and mills are moving from this country to Canada; while at the same time the United States contains forest resources in the Northwest and in Alaska that promise abundant supply for many years and indefinitely under proper conservation if the industry can be built up in these regions.

"A condition of dependence upon foreign supplies of newsprint carries with it serious possibilities not only for consumers of newsprint—chiefly our newspapers—but also for other business interests and the public generally. It would afford a dangerous opening for covert interference with the freedom of the press and with untrammeled development of business through advertising. That such a danger is not imaginary has been evidenced abroad.

"A permanent domestic newsprint industry is therefore a matter of public importance. Its maintenance is believed to be entirely practicable if the proper public action is taken.

"The Forest Service of the United States Department of Agriculture, to prevent American newspapers from becoming totally dependent upon a foreign supply, recommends:

"First. An adequate governmental survey of American resources in this field.

"Second. To bring about the practice of forestry and the conservation of forests in the pulp-producing regions, to the end that the annual inroads upon the forests will be lessened and eventually will be no more than equal to the annual growth. This part of the program would require Federal and State legislation.

"Third. The development of the pulp-making industry in the Northwest and in Alaska at the earliest practicable time.

"The following resolution was recently adopted at a meeting of the Canadian Forestry Association:

"Whereas an accurate survey of all standing timber in Canada, showing the various kinds of timber, the quality, location, and accessibility, together with available means of transporting same to the nearest market, also a report of all cut-over lands which are suitable only for forest growth, with the extent and location of same, would be most valuable information not only to timber operators but to the various Dominion and provincial governments, enabling them to develop to the full extent a permanent forest policy, which would have the effect of conserving the great natural resources contained in Canada's forests: Be it

"*Resolved*, That the Canadian Forestry Association urge upon the proper governmental authorities to provide adequate financial assistance and clothe the commission of conservation with the necessary authority for the purpose of accomplishing the end in view.

"Similar resolutions have been passed by many organizations in the United States.

"Mr. R. S. Kellogg, secretary of the Newsprint Service Bureau, in his report of February 11, 1919, has this to say:

"* * * No other method of wood utilization approaches that of pulp and paper manufacture in the completeness with which the raw material is used, and no one can set a limit to the number of articles of daily utility that it is possible to manufacture from pulp and paper. These articles will be manufactured in greater quantity and variety as our knowledge increases and as higher values of forest products lead to more scientific utilization of the timber supply. Pulp and paper manufacturing is the one great industry using wood as a raw material in which there is much hope for the practice of forestry as a commercial undertaking upon privately owned land. The production of large-size timber is too long an undertaking, with too great hazards and too low a rate of return, to attract the investor or to appeal to the practical sense of lumber manufacturers. On the other hand, the production of pulp wood of rapid growing species under good conditions is a matter of much shorter time than the growing of saw timber, and the amount of capital invested in a pulp and paper mill is so great as to require a long period of return. Hence it is to the pulp and paper industry that professional foresters of the country turn most hopefully for the practical application of their principles, and it is gratifying to note that a number of members of the bureau have upon their staffs excellently qualified foresters, and that in addition to protecting their timberlands from fire these companies are engaging in large-scale timber-planting operations for the definite purpose of providing a future supply of pulp wood for their mills.

"The importance of a survey of the timber available for pulp wood can not be overstated, for the reason that it is absolutely necessary to know just what we have, as all methods of replacement, conservation, and general questions in connection with the solution of this problem must be based upon the present available supply and the probable time it will last.

"There was consumed in the United States during the year 1918, 5,250,794 cords of pulp wood. If these cords were placed end to end they would reach entirely across the Continent of North America and nearly to the middle of the Pacific Ocean; one-third of this made from timber cut in the United States, enough to make one long cord of wood reaching from Boston to Liverpool.

"The demand for pulp wood is increasing and the supply is diminishing. The requirements of wood are so many that the time has come to have an accurate survey made of this great natural resource, with recommendations for its conservation and replacement. If the invention of the printing press was the greatest factor for civilization, it is certainly high time that we awake to the situation we are facing."

AMENDMENT OF FOOD-CONTROL ACT.

Mr. HARRISON. On yesterday the House amended the food-control act by providing penalties against profiteering. I desire to submit an amendment to that bill providing against profiteering in rents in the District of Columbia, which I ask may be referred to the Committee on Agriculture and Forestry.

The VICE PRESIDENT. The amendment will be printed and referred to the Committee on Agriculture and Forestry.

LEASING OF OIL LANDS.

Mr. WALSH of Massachusetts. I submit an amendment to Senate bill 2775, which I ask may lie on the table and be printed. I desire to have the amendment read.

The VICE PRESIDENT. Without objection, the amendment will be read.

The Secretary read the amendment, as follows:

On page 24, line 23, strike out section 25 and insert in lieu thereof the following:

"SEC. 25. That the Secretary of the Interior shall reserve and upon the direction of the President shall exercise the authority to cancel any prospecting permit or lease upon failure by the permittee to exercise due diligence in the prosecution of the prospecting or development work in accordance with the terms and conditions stated in the permit or lease or whenever, in the discretion of the President, such cancellation shall be in the public interest, and shall insert in every such permit or lease issued under the provisions of this act appropriate provisions for its cancellation. Each permit or lease shall also contain a specific provision authorizing the President, in his discretion, to take over and operate such permit or lease, paying just compensation to the owner for the use of tools, appliances, machinery, and products on hand, or, in his discretion, purchasing the same at the actual physical value of such personal property."

BONUS FOR SOLDIERS.

Mr. THOMAS. Mr. President, I received on the 19th of August a letter from a soldier in the recent war, Pvt. Luke E. O'Toole, of 316 Fifteenth Street, Brooklyn, N. Y., referring to the proposition to provide a bonus of $180 each for the Army of the United States as constituted under the draft law. I ask to have it inserted in the RECORD without reading.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AUGUST 18, 1919.

Hon. CHARLES S. THOMAS,
United States Senator from Colorado,
Washington, D. C.

DEAR SIR: This letter is from one who saw service in the late war and who has a wife and two children dependent upon his weekly earnings, which amount to $25. I am one of the multitude of rent payers, have no income from any other source than my weekly salary, and feel, therefore, that principally for those reasons some consideration should be given to my views relative to your opposition to the "six months' bonus petition" which was recently presented to the Senate by Senator CALDER, of New York.

I enlisted in the Army because I was of the opinion that the Government had made adequate provision for the support of my dependents, and though I could have stayed home on their account, if I had so desired, I felt that, being a young man of 27 years and in excellent health, my place was serving my country in its time of need. I knew that in the event of my being disabled or killed my dependents would be taken care of, at least, until my children reached maturity, through the Government insurance.

I did my "bit" while in the service and was honorably discharged last December. The $60 bonus which the Government paid to me some time after my discharge was quite a help to me and my family at the time it was received; and it was appreciated. After being discharged I returned to my former occupation and am now supporting four on the $25 per week which I now receive.

I am not writing this seeking praise or commendation, for I do not deserve any. I am content with the knowledge that I have served my country in its time of need, and the only reward I wish for is that when my children grow older they may feel justly proud of the fact that when their country called their father responded.

You will admit that I, if anyone, ought to welcome the payment of the "six months' bonus," but I conscientiously feel that it would be very unreasonable on my part to expect it of the Government; more so because of the Government's intention to assist those who desire to secure a place in the country, which will in time be beneficial not only to those taking advantage of the opportunity but to the whole country in general.

I heartily approve of the stand you have taken in regard to the "six months' bonus petition" and indorse your reasons for objecting to same as stated in your letter of August 12 to Henry F. McCann, of New York City, and the majority of right-thinking ex-service men will also agree with your views on the subject, you will find.

It is not the industrious, everyday worker, intent upon earning his livelihood, who is advocating the "six months' bonus"; nor is it, on the whole, those who served their country when the need arose who are clamoring for this unjust payment. It is the cheap office seeker, the petty officeholder who can not win votes on his merits, the agitator who plays upon the money need of the shiftless ex-service man, and last, but not least, the notorious "yellow press." This applies not only to the "six months' bonus petition," but to all such movements which have for their object the dispensing of charity by the Government to all able-bodied men who were not disabled in the great conflict.

It is the Government's duty to take ample care of those who were disabled and the dependents of those who made the supreme sacrifice in this war, but it is not the duty of the Government to maintain a charitable institution for those who are able to work and earn a livelihood.

If the truth was known this monster petition was not signed by a majority of the ex-service men, nor by a large minority either, but by those people who thoughtlessly imagined that this enormous amount of money would not come out of their own pockets, but would be paid by "the Government," being ignorant of the fact just who constituted "the Government," evidently not realizing that "the Government" must secure its funds, either directly or indirectly, from them.

Neither I, nor did any of my relatives, sign this petition. It, as everyone in New York City knows, was originally conceived by a certain New York daily, noted for its frequent appeals to the emotions and passions of the class of readers who, on the whole, make up its medium of circulation. This same newspaper was more pro-German in its utterances before this country entered the war than most of the German-language press; it maintained an underlying sarcastic attitude while this country was engaged in the conflict, and since the termination of the war has adopted a "playing-to-the-gallery" policy toward the men returning home.

This newspaper has never fostered a public movement which has received the support of the better-thinking class of news readers in New York City.

In closing, permit me to add that I trust enough Members of the Senate and House will be found who will make it their duty to stifle this bonus petition and all similar bills which have for their object the dispensing of charity to those not entitled thereto. If the passage of these sort of bills was left to a referendum vote of the ex-service men an overwhelming majority would be found in opposition to them.

Trusting I have not occupied too much of your valuable time and begging to be excused for the use of pencil, I am, sir,

Very sincerely, yours,

LUKE E. O'TOOLE,
316 Fifteenth Street, Brooklyn, N. Y.

STRIKE OF RAILWAY EMPLOYEES.

Mr. THOMAS. Mr. President, I have also received a circular issued by the railway employees' department and dated Washington, D. C., August 5, 1919, addressed to the officers and members of certain railroad locals, outlining plans and methods to be followed in the strike which materialized in some degree on or about the 5th of August. This is so important, in my judgment at least, and so timely, in view of possible future troubles of the same sort, that I ask unanimous consent that the Secretary may read it from the desk.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

RAILWAY EMPLOYEES' DEPARTMENT,
Washington, D. C., August 5, 1919.

To the officers and members of the railroad locals of the International Association of Machinists; International Brotherhood of Blacksmiths and Helpers; International Brotherhood of Boiler Makers, Iron Ship Builders, and Helpers; Amalgamated Sheet Metal Workers' International Alliance; International Brotherhood of Electrical Workers; Brotherhood Railway Carmen of America, under control of the Railroad Administration and the Canadian War Board—greetings:

It is expected that the strike vote now before our membership will carry, thereby authorizing your officers to call a strike of the shopmen of all trades in the event a satisfactory adjustment of our demands are not conceded, and if it comes to that point it behooves all to be prepared to handle the situation in a businesslike way, and to the end that this will be done this letter of instructions is issued for your guidance.

First, you must recognize that the Railway Employees' Department and no one else is the official head of the movement, and to them and their subordinate parts alone you must look for advice and guidance. Unauthorized organizations, such as the so-called Chicago Council of Federated Shopmen, should be ignored entirely. They are responsible to no one, and their leaders, some of whom are questionable characters, are answerable to no one.

Keep in mind that in all movements of this kind there are forces at work to divide the workers amongst themselves, and organizations seeking to work independently of the Railway Employees' Department of the American Federation of Labor should be looked upon with suspicion.

If a strike is called the proper committees must be ready to assume their duties. There are three important committees, namely, picket service, finance, and publicity.

It is assumed that upon every railroad where a system federation exists you have an advisory board, elected in conformity with section 13 of the subordinate system federation constitution. This section provides for an advisory board not to exceed five members from each organization. We recommend that from this advisory board an executive committee not to exceed one man from each draft be elected to have direct supervision and be responsible for the work of the various committees.

Those in charge of picket service should be intrusted with the work of seeing that efficient picket duty is performed continuously and that this work is equally divided amongst all trades. Local conditions should be considered in determining the length of each tour of duty of the pickets.

PUBLICITY—LOCAL AID TO THE RAILWAY EMPLOYEES' DEPARTMENT.

The above is an important part of the conduct of a strike and should receive the most careful attention. Past experience has taught us that in order to keep our members encouraged and working properly it is absolutely necessary to maintain a close line of communication between the members on each system, as well as the headquarters.

We want to warn you against subscribing to or indorsing unauthorized publications purporting to speak for the strikers. There should be but one official bulletin recognized upon each system to disseminate the strike news as often as deemed necessary.

We would also recommend that the division officers establish a bulletin to distribute the news to their division members. The Railway Department should be furnished with copies of all bulletins issued either by system federations or divisions, and the department will issue a bulletin weekly giving the situation as it exists throughout the entire United States and Canada.

At points where there is no advisory board, one man should be designated as the correspondent, and he should report direct to the system publicity committee. The department will not recognize communications coming from anyone except the regular authorized correspondents.

FINANCE COMMITTEE.

The matter of finances is of vital importance to the proper conduct of any strike, and we recommend that every man employed on the railroads immediately contribute one full day's pay to the funds of the local federation, none of this to be returnable to the grand lodges, but to remain as a working fund for the local federation.

Too much care can not be exercised as to who is intrusted with the handling of local funds after they have been secured, as well as the manner of procuring them. Experience has taught us that during strikes very often funds are injudiciously handled, especially in the early stages of the strike. Some men are inclined to take advantage of local officers who often do not exercise care in guarding the funds that they should. The local executive committee should have supervision of the raising of funds, and no one should be permitted to inaugurate a movement to secure funds except upon the approval of the executive committee, and no general appeal will be authorized except after being approved by the president of the Railway Employees' Department. A complete statement of the amount of money procured from any source whatever by local systems or divisions should be furnished to the secretary-treasurer of the Railway Employees' Department.

On roads where crafts maintain general chairmen they will be considered the official of the crafts on those systems. On roads where no general chairman is maintained we suggest that some one be immediately designated as the official head of the system with whom we can transact business.

These instructions are laid down for your guidance, and we trust that you will take them as a basis to guide you in organizing your forces. To some it may seem that we are going into elaborate and unnecessary preparations, and to those we desire to say that with one or two exceptions we have always entered into strikes unprepared to handle the business, and the success of all movements depends largely upon preparation, and the better we are prepared and the more energetically the strike is handled the quicker our demands will be met. If it comes to a strike we want to make the tie-up complete and keep it in that condition until we get the proper recognition from those who can give it to us. Our success depends entirely upon how we can stop the transportation service of this country.

It is to be regretted that it is necessary to make such plans, but every honorable means have been exhausted in our effort to bring about a settlement without resorting to drastic measures. So if it comes to a strike we must make it the most effective one in the history of this country.

Urging you to adopt the suggestions made, and assuring you of our intense interest, we are,

Fraternally, yours.

WM. H. JOHNSTON,
Int. Ass'n of Machinists.
WM. ATKINSON,
Int. Bro. of B. I. S. B. and H.
J. P. NOONAN,
Int. Bro. of Electrical Workers.
FRED C. BOLAM,
Bro. Blacksmiths and Helpers.
J. M. BURNS,
Am. Sheet Metal Workers I. A.
MARTIN F. RYAN,
Bro. Railway Carmen of A.
B. M. JEWELL,
Actg. Pres. Ry. E. Dept., A. F. of L.

Mr. THOMAS. I merely wish to say, in comment upon this remarkable document, that it is a perfectly legitimate development of the action of Congress in 1914 in exempting organizations of men from the operation of the antitrust law.

HIGH COST OF LIVING.

Mr. WALSH of Massachusetts. I request the insertion in the RECORD of a portion of an article published in the Boston Evening Record of August 14, 1919.

In my opinion the letter of Mr. Hunneman in this news article deals with a very important factor in the cost of living, namely, the reckless exportation at the present time of food supplies, clothing, and other necessities of life with the controlling motive of money making by the exporter, when the controlling motive should be the relieving of distressed conditions in America due to the high cost of living.

I believe our people are entitled to have some vigorous and effective control over the exportation of the above-mentioned commodities, and that this control should be exercised at once.

As I am of the opinion that the article contains much information of value and importance on this subject which is of such widespread interest at the present time, therefore I ask that it be inserted in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE WAY TO REDUCE THE COST OF LIVING.

[From the Boston Evening Record, Aug. 14, 1919.]

["The citizens of every country have the first right to the consumption of what they produce and to the production of what they consume."]

To the EDITOR:

The following is an open letter to the United States Attorney General, Hon. A. Mitchell Palmer:

"DEAR SIR: In a press report of July 31 you are quoted as inviting suggestions for reducing the cost of living, and I want to submit one.

"It is that the United States place foreign countries on rations so far as the export of our products is concerned. So long as exports are allowed to go on under the sole control of money-making influences, products that are needed by all in this country will be shipped abroad for as much profit as can be obtained, either to provide for necessities in foreign countries or to be wasted in those countries. By waste I mean to include all forms of unnecessary or extravagant use of the products of American labor.

"The American people willingly and cheerfully submitted to a restriction on the consumption of food supplies, clothing, and other necessities during the war in order to defeat the enemy. Now that that object has been accomplished, and we face as great, if not a greater, scarcity and need of the necessities of life, the only right way and safe way is to place all foreign countries on rations of American products of all kinds, especially certain staple products.

"The necessity for this policy is so evident that it is not necessary to dwell on this point. You will find it being practiced now by Great Britain in the distribution of the British wool supply, which is practically the world's supply of that article. At the second series of London wool sales, which open in a few weeks, buyers from the entente countries, the United States, and neutral countries will be allowed to purchase under a rationing system fixed by the British Government. This is altogether right, a measure of safety and self-defense, and a practical example for the United States to follow in respect to the export of our products.

"Unless our exports are restricted, the reduction in the cost of living by purely domestic measures will present difficulties that may prove insuperable, and which may easily threaten the stability of our Government.

"I have pointed out to you what is the foundation of any successful scheme for reducing the cost of living in the United States. It is probably unnecessary for me to remind you that the execution of this plan will bring the administration into conflict with the most powerful financial forces in the country as represented by merchants and exporters, and last but not least, bankers.

* * * * * * *

"WILLIAM C. HUNNEMAN.

"BOSTON, *August 12.*"

COMMITTEE SERVICE.

Mr. GERRY, at his own request, was relieved from further service on the Committee on Immigration.

Mr. PHELAN, at the request of Mr. GERRY, was relieved from further service on the Committee on Pensions.

On motion of Mr. GERRY, it was

Ordered, That the Senator from California [Mr. PHELAN] be assigned to the Committee on Immigration and that the Senator from Rhode Island [Mr. GERRY] be assigned to the Committee on Pensions.

THE BOTANIC GARDEN.

Mr. PHELAN. Mr. President, there is on the table Senate resolution 165, affecting the acquisition of a site for the Botanic Garden. I ask that it be taken from the table and referred to the Committee on the Library; and in the same connection I ask that the report of the Fine Arts Commission on the subject be printed in the RECORD and referred to the Committee on the Library, to accompany the resolution.

The VICE PRESIDENT. Without objection, it is so ordered.

The report is as follows:

REPORT OF FINE ARTS COMMISSION.

"BOTANIC GARDEN.

"By act of Congress the memorial to Gen. Grant was located within the area now occupied by the Botanic Garden. The purpose of such location was to restore this area to the uses intended for it in the original plan of Washington. This space was set apart as a 'public walk, being a square of 1,200 feet, through which carriages may ascend to the upper square of the "Federal House" (Capitol).'

"The area now occupied by the Botanic Garden was granted in 1820 to the Columbian Institution for the Promotion of Arts and Sciences. At that time no attempt had been made to develop the Mall as a park connection between the Capitol and the White House, as was originally intended. The plan

of 1901 proposes a restoration of this space to the uses first contemplated, and the location of the Grant Memorial was the first step in this direction. In order to carry out the purpose contemplated by Congress, the removal and relocation of the Botanic Garden becomes necessary.

"On August 16, 1916, the chairman of the Committee on the Library of the House of Representatives requested the commission to furnish data 'with reference to the effect on the general plan for the development of the Mall and the ground around the Grant Monument of the bill recently passed by the Senate to continue the Botanic Garden on its present site.' The bill adverted to (S. 6227, 64th Cong., 1st sess.) provided for the enlargement of the Botanic Garden by attaching thereto two parcels of land to the west, commonly known as East Seaton Park and West Seaton Park. The commission reported adversely on November 28, 1916.

"On January 27, 1917, the chairman of the same committee asked for 'a comprehensive report as to what the Commission of Fine Arts regard to be the best solution of the Botanic Garden problem, including a review of the sites available for the Botanic Garden itself; and what area in the vicinity of the Capitol may be had at a minimum or no expense for a Capitol flower garden, together with such facts and figures as will assist the committee in its consideration of this subject.' The report made was accompanied by an appendix covering in detail the various matters adverted to in the main body of the text. The report of the commission follows:

"In your letter of January 27 last you ask the Commission of Fine Arts for comprehensive report on the Botanic Garden problem. You call for a discussion of sites within the District of Columbia available for the Botanic Garden itself, and ask what area in the vicinity of the Capitol may be had for a Congress flower garden, together with such facts and figures as will assist your committee in its consideration of this subject. The commission herewith places before you the information desired by you.

"STATEMENT OF THE PROBLEM.

"For reasons that will appear, the Botanic Garden must be removed from its present location. Congress, when it located the Grant Memorial in the garden area, forced the garden out. Such was the intention of Congress. The action was entirely logical. That space was designed by President Washington and Maj. L'Enfant as an open approach to the Capitol, and is so shown on the original plan of the city. It was proposed at that time that this area should be subject to ornamentation with memorials, fountains, and the like, but not shut off by walls and fences. Locating the Botanic Garden in this area was one of those serious mistakes made in the early part of the century whereby the great plan for the Nation's Capital suffered damage that has continued to this day. The location of the Grant Memorial was the first step toward repairing this damage. The subsequent location of the Meade Memorial in the same area is a further advance in the restoration of the original plan.

"In furtherance of its purpose to restore the Mall to its original status as a park connection between the legislative and executive departments, Congress paid the Pennsylvania Railroad $1,500,000 to remove its tracks from the Mall. The public plaza or square on the west front of the Capitol Grounds is a feature of this large plan. The New National Museum Building, the Agricultural Department buildings, and the gallery for the Freer collections all have been located with reference to the general plan. Slowly, but steadily, changes in conformity with that plan are now being carried out throughout the entire 2½ miles from the Capitol Grounds to the Lincoln Memorial. The removal of the Botanic Garden is essential to the development of the great composition.

"If Congress desires to continue a garden for the purpose of obtaining flowers for its Members and for growing shrubs to disseminate throughout the country, both of these purposes can be subserved quite as well by glasshouses and gardens in other accessible locations.

"The proposition to extend the present garden into the Mall to the west of its present location would be the perpetuation of an unfortunate condition of affairs which Congress has taken steps to end. Such an extension means continued confusion. To-day in a fenced-in area of less than 12 acres there are, first, the memorial to Gen. Grant, the base of which is arranged as a reviewing stand, and therefore requires an open space; second, the very large Bartholdi fountain; and, third, large greenhouses with shining high glass roofs, dominating and disturbing the appearance of both fountain and monument. In addition, a residence for the superintendent and other like buildings are found in this inclosure. To all these will shortly be added the large memorial to Gen. Meade, contributed by the State of Pennsylvania. This array of incongruous structures is absurd, confusing, and wholly impossible for a permanent establishment.

"Congress may readily bring order out of the present chaos by the removal of the iron fence and opening the entire area to the public by removing the glass houses and superintendent's quarters to a new location and by transferring the fountain to another section of the District.

"BRIEF HISTORY OF THE GARDEN.

"The establishment of the present Botanic Garden and its relation to the Joint Committee on the Library was the outgrowth of the Wilkes exploring expedition of 1838–1842, although there had been a Botanic Garden on this site for nearly two decades under congressional permission granted the Columbian Institute for the Promotion of Arts and Sciences, then extinct. The supposition is tenable that the primary reason for locating here was that there were still in existence some traces of the former garden. (The charter of the Columbian Institute established for the promotion of arts and sciences, approved by the President in 1820, was as follows:)

"*Be it enacted, etc.*, * * * That there be granted, during the pleasure of Congress, to the Columbian Institute for the Promotion of Arts and Sciences, the use and improvement of a tract of public land in the city of Washington, not exceeding 5 acres, to be located under the direction of the President of the United States, for the purpose of enabling the said Columbian Institute to effect the object of their incorporation: *Provided*, That whenever the said institute shall be dissolved, or cease to exist, or to employ the said tract of land for the purpose aforesaid, all right, title, and interest hereby granted to the same shall revert to and vest in the United States as completely as if such grant had never been made. (16th Cong., 1st sess. From Private Statutes at Large, U. S. A., 1789–1845, vol. 6.)

"Adverting to this institute and its connection with the then Botanic Garden, Richard Rathbun, assistant secretary of the Smithsonian Institution, in his monograph on the Columbian Institute for the Promotion of Arts and Sciences (Smithsonian Institution Bulletin 101, 1917) says: '* * * Ceasing to exist as an active organization in 1837, the fact that it had established and maintained a botanic garden for nearly two decades seems almost immediately to have been forgotten, and the selection of the identical tract for the United States Botanic Garden 13 years later would therefore appear, so far as shown by any of the records now available, to have had no relation to its former occupation by the Columbian Institute.'

"The naval appropriation act of May 14, 1836, authorized the President to send a surveying and exploring expedition to the Pacific Ocean and the South Seas in Government vessels.

"Congress granted $100,000 and authorized the use of any other moneys in the control of the Navy Department, not exceeding an expenditure of $150,000. After numerous delays the expedition, consisting of six Government ships under Lieut. Charles Wilkes, United States Navy, sailed from Hampton Roads August 18, 1838. The expedition returned to New York June 10, 1842, bringing a large collection of natural-history specimens.

"On August 26, 1842, the Committee on the Library requested Lieut. Wilkes to prepare a narrative of his voyage, and appointed the naturalist of the expedition 'to arrange and class the various objects of natural history,' later appropriating $20,000 for this purpose. The horticulturist and assistant botanist of the expedition was charged with the duty of preserving the horticultural and botanical specimens. (Up to 1852 sums amounting in all to $158,753 were appropriated for the salary of the scientific corps, caring for the collection and for preparing and publishing the works on the expedition. From 1844 to 1875 a series of appropriations for greenhouse and garden construction amounting to about $114,861 additional.) These objects were for a time on exhibition in that portion of the Patent Office Building then constructed and in greenhouses in the square behind the building, but upon extension of the Patent Office Building, begun in 1849, were in 1850 removed to the present area. (For a detailed account of the beginnings of the Botanic Garden on this site see Bulletin 101 of Smithsonian Institution, by Richard Rathbun, assistant secretary of the Smithsonian Institution, in charge of United States National Museum.)

"In May, 1850, Congress appropriated $5,000 for a new greenhouse and the removal thereto of the plants of the exploring expedition, and during the same month the present site, upon which the new greenhouse was built, was selected by the Joint Committee on the Library. This ground was thereafter commonly known as the "Botanic Garden," but the term was not officially applied to the location until August 18, 1856, when its maintenance was specifically placed under the direction of the Joint Committee on the Library.

"From 1851 to the present time approximately $387,977 has been appropriated for repairs and equipment of buildings and grounds. From 1857 to the present time there has been appropriated for trees, seeds, fertilizer, and so forth, approximately $228,550, and for salaries and labor from 1843 to 1916 approximately $426,607 more. Expense of lighting is included in that of the Capitol from 1876 to the present time. The total expenditures on the garden from about 1842 to 1917, including the original appropriation for the expedition, amounts to about $1,416,748. The present structures and equipment are anti-

quated and inadequate for a real botanic garden. Most of that which has value can be removed.

"THE NEED OF A REAL BOTANIC GARDEN.

"When comparison is made with the gardens of other cities and countries, the fact is disclosed that the United States Government has no real botanic garden in Washington. The present so-called Botanic Garden does not compare favorably even with gardens established in other cities in this country. The name is a misnomer. A national botanic garden in Washington was conceived in the early days of the century by broad-minded and far-seeing men. It was begun by the employment of Government vessels and a large appropriation for those days. The work was handled by a body of scientists. This garden, so wisely and adequately begun, now serves mainly as a distributer of plants and flowers.

"The present area of the entire establishment devoted to both Botanic Garden display and propagating purposes for congressional use is 12.47 acres. Of this 11.31 acres are included in the fenced area and 1.16 lie south of Maryland Avenue. Of the section lying south of Maryland Avenue a number of stables covering 0.10 acre is used for other purposes and need not be included. Of the area within the inclosure 1.15 acres only are covered by palm houses and other structures, while the remainder of 10.16 acres is used for outdoor display. This latter area has been diminished considerably by the location of the Grant Memorial, and when the construction of the Meade Memorial is begun the available space will be still further decreased.

"The famous Royal Botanic Gardens of Kew, formerly of 253 acres, of which 178 were in the arboretum and 75 in gardens devoted to economic and taxonomic work, had been increased to 288 acres in 1908. The 24 colonial botanical gardens of the British Empire are closely associated and identified with Kew. These associated gardens have opened up new industries in the British colonies, thus creating an increased demand for capital and labor; have introduced quinine, cocoa, and rubber from South American countries to colonies where it was theretofore unknown in culture, and tea into South Africa, where it had not been previously grown; and in many other ways have repaid a thousandfold by vastly increasing the trade of the Empire. This work became so pronounced as to have interested the German Empire to such an extent that Bismarck paid a special visit to Kew to ascertain just what influence this garden was having on the commerce of the British Empire. In this country economic work is done by the Agricultural Department, from whose activities those of a botanic garden should be distinctly separated.

"Berlin has 1,325 acres in its botanic garden, which was established at a cost of $4,000,000. Paris has 75 acres, Edinburgh has 58 acres, Glasgow 40 acres, Petrograd 54 acres, and Rio de Janeiro has 2,000 acres. In the appendix will be found descriptions of botanic gardens in various parts of the world. These gardens are all a source of pleasure as well as of profit to the nations in which they are located. Harvard University has given to the city of Boston the 220 acres comprised in the Arnold Arboretum, the maintenance of the roads being paid by the city and the teaching facilities being retained by the university. St. Louis has 80 acres in its Shaw Gardens. New York has 400 acres. Pittsburgh and some other cities have botanic gardens in connection with their park system.

"REMOVAL OF THE PRESENT GARDEN WILL BENEFIT THE PUBLIC.

"The removal of the Botanic Garden by no means implies that the public which now enjoys the present garden is to be left without such enjoyment in the immediate neighborhood of the Capitol. The enlargement of the Capitol Grounds on the north affords an area for gardens of great beauty and distinction, through which will pass all visitors to Washington and a large proportion of those persons who daily go to the Capitol and the Library of Congress. The present Botanic Garden is seen by an insignificant fraction of vistors or residents. The contemplated Congress gardens will be a feature of the city and will take their place among the means of daily enjoyment by all who approach Capitol Hill. The removal of the garden features from the west side of the Capitol to the north side simply makes such features more available than they now are.

"ALTERNATIVE SITE FOR TEMPORARY RELOCATION OF GARDEN.

"If Congress desires to find a temporary location to accommodate the propagating structures and equipment lying within the fenced-in inclosure, comprising the palm house, the superintendent's quarters, and some glasshouses, which in themselves cover an area of about 1.15 acres, there is available for their accommodation an old canal space, Government-owned, of about 2.72 acres at Second Street and New Jersey Avenue, between M and N Streets SE. The space immediately adjoining it on the north at Second Street between M and L Streets, of about 0.79 acre, is also available. Thus an area double the size of that now in use is available without land cost.

"A REAL BOTANIC GARDEN.

"The problem is only half solved when provision is made for flowers for Members of Congress and for the present limited output of shrubs and cuttings. There is a demand for a real botanic garden, in which the public may examine living specimens of the enormous varieties of trees, shrubs, vines, and herbaceous plants native to this locality or capable of being grown here, freely, out of doors. These plants should be classified, and the public should be made free of the grounds for recreation and study. The people not only get direct enjoyment, but also they benefit by reason of the help in making selection of trees, shrubs, and other plants for home grounds and for street planting.

"A large area is required to grow well-developed specimens of the different kinds of trees which are native to the District alone, to say nothing of showing the very different aspects of those trees when grouped as in a wood and when grown singly as lawn or street trees. The great numbers of native shrubs, the equally important and interesting trees and shrubs which have been introduced and will be introduced from all over the world, requires an outlying area running into some hundreds of acres. It presents a wholly different problem from that of a place limited primarily to the exhibition of garden flowers in the usual sense of the term. It calls not only for a large tract of land, but for one of diversified soil and varied exposure. (Dr. N. S. Britton, of the New York Botanic Garden, very aptly terms botanic gardens museums of living plants, which are treated as museum objects, labeled and installed to illustrate not only the objects themselves but their relation to other objects; highly specialized parks, which are immediate factors in public education, imparting visual information in a positive and direct manner while serving as places of public recreation.)

"SITES FOR AN ADEQUATE BOTANIC GARDEN.

"An exhaustive search has been made of areas available for garden purposes in the District of Columbia. The commission has sought a location on which a botanic garden might be established, with such area and such diversity of soils as would enable it to take rank as a great institution. Examinations were made of tracts at Rock Creek Park, Brightwood, Foundry Branch, Mount Hamilton, on the eastern side of the Anacostia River, and in Virginia.

"Rock Creek Park.—Of the sites suggested, the one at the head of Rock Creek Park is given first consideration, because it has frequently been mentioned as available at no cost for land.

"The entire park comprises 1,606 acres, most of which is in steep wooded hillsides.

"If Rock Creek Park shall be given up as a park and used solely for a national botanic garden and arboretum, much can be said in favor of this area, in spite of the predominance of excessively steep slopes. There are scattered areas of moderate slopes on the uplands and strips of level land subject to overflow in the bottom of the valley. There is a considerable variety of soils and exposures, and if every piece of land in the park physically adaptable to botanic garden purposes were to be regarded as available for such use, the total area would be ample. It is a serious practical objection, however, that the most available areas are so scattered and so separated from each other by deep ravines and steep hills as to make the layout and administration of a great botanic garden and arboretum on this site inconvenient, and in the long run unduly costly.

"Again, it is not possible to disregard the value of the land for other purposes. Congress did not authorize the acquirement of Rock Creek Park simply in pursuance of a general theory that a growing Capital City ought to have a large general reserve of land available for public recreation and for kindred uses, to be "improved" and made available from time to time as the need for various specific uses might become apparent.

"The land was bought because the valley of Rock Creek within the District of Columbia had certain peculiar and extraordinary characteristics which gave it a special value for one particular purpose, a value unattainable elsewhere, a value which would be destroyed if Congress did not act to preserve it, a value which if faithfully preserved would give incalculable enjoyment and healthful recreation to the people of the District in future generations. This special value was and is dependent on the peculiar beauty of the natural scenery of Rock Creek Valley.

"This is not the place to attempt any analysis of that beauty, but clearly it has its own distinctive qualities—very precious, very easily destroyed. It was primarily those qualities which justified the acquirement of the park, and nothing ought to be

permitted within its borders that will tend to subordinate or sacrifice them.

"The character of the native vegetation is one of the important factors in making this scenery what it is. In places the woods had been cleared before the park was acquired, the location of these clearings being wholly accidental as far as concerns their effect on the landscape. Some of these openings, left as simple green fields, are an advantage to the scenery. Others might better be restored in time to a woodland condition, but that woodland should be absolutely harmonious with the native forest.

"If the attempt shall be made to create an arboretum here, even without the glittering glasshouses and formal beds of a complete botanic garden, conflicts of purpose are certain to arise which will defeat in a measure the original purpose of Rock Creek Park. It is essential in any arboretum or botanical park worthy of the name to introduce many plants which not only are not native of the locality but which produce effects radically different from those which make the Rock Creek scenery what it it.

"The danger is strikingly illustrated for anyone who has an appreciation of the qualities of natural landscape by the planting which has actually been done on certain open lands in Rock Creek Park with the purpose of creating an arboretum. This planting, it is understood, was done by the Forestry Service under permission from the Board of Control of Rock Creek Park. It can be seen near Camp Good Will. It does not now, and it never will, look like a part of the natural scenery. It is distinctly out of harmony with it. The sort of thing that has here been done on an open field is liable to be done almost anywhere in the park if the purpose of creating a varied botanical collection is placed side by side with that of preserving the natural scenery as one of the prime objects of the park.

"A national botanic garden, arboretum, or botanical park worthy of the United States Government can never be created unless those in charge are enthusiastically devoted to its special purposes and ready to serve those purposes at the expense of the peculiarities of the local natural scenery whenever the two purposes unavoidably conflict. If the botanic garden is established in Rock Creek Park, the inevitable result will be the gradual frittering away of a priceless and self-consistent piece of natural scenery.

"It is not necessary to express an opinion as to whether the purposes of a national botanic garden are more or less important than those for which Rock Creek was acquired. The point is that both purposes can not dominate the management of one piece of ground without conflict, and this piece of ground was set apart by Congress for the preservation of its natural scenery. If the original intention of Congress in this instance is to be observed, the introduction of such a foreign element as a botanic garden is too dangerous to be ventured. Therefore, the use of Rock Creek Park for this purpose can not be recommended.

"The Mount Hamilton site.—The Mount Hamilton site is situated between the Bladensburg Road and the new Anacostia reclamation project, just south of the National Training School for Boys. The larger hill itself is shown on the park plan of 1901 as a desirable addition to the park system. It is now privately owned. It has three round-top peaks immediately adjacent to the Bladensburg Road which in themselves cover about 80 acres; nearly all wooded, mostly with oaks in good condition. The eastern slope of the hill has an outcrop of yellow sand which supports a vigorous growth of pine. The hill itself is of a heavier gravel soil. Immediately north of this hill there is a comparatively level area extending to Hickey Road, which is of rich farming soil. Connecting these two areas with the National Training School for Boys is another small hill, densely wooded, whose precipitous sides drop abruptly to the bank of the Anacostia River.

"The tract fronts on the Anacostia River for a distance of about 9,000 feet, and carries a large variety of soils in such condition that very little preparation for the uses of a botanic garden would be needed. Little grading other than that required for roads is required. It has north, south, east, and west slopes, and the level area between the hill and Hickey Road would work out well for greenhouses and herbaceous gardens, while the other areas would be ideal for shrub and small flowering-tree arboretum uses, especially as the northern and southeastern slopes of the hill form two amphitheaters which would display such exhibits on a large scale. An examination of the soil has been made by the Department of Agriculture, and its report may be found in the appendix. Briefly summarized, the investigation by that department indicates that it will be possible to grow plants of even the most exacting soil requirements, the diverse types of soil affording almost every variation which can be secured in this section of the country. According to this report practically any plant which can thrive in this climate can be grown in this area.

"The whole area contains about 483 acres. About 83 acres of it is to be acquired for the Anacostia Park reclamation, so that only about 400 acres need to be considered for purchase in connection with this project. It is on the main highway line between Baltimore and Washington. The Lincoln Highway, with little difficulty, could be brought along the shores of the Anacostia Park and thence by way of Maryland avenue to the Capitol Building, affording an entrance to Washington of unequaled beauty. As to accessibility, there is already an electric car line along the Bladensburg Road, and the junction of the Pennsylvania and Baltimore & Ohio Railroads is only about 2,000 feet away, while the Pennsylvania Railroad is about 800 feet from the excellent possible sites for the greenhouses and the herbaceous garden.

"For extension of the gardens the Anacostia Park is available. That portion of the park between the Pennsylvania Railroad and Benning Bridge contains about 503 acres, lowland and water, thus furnishing ample opportunity for expansion on land not subject to overflow for lowland and fresh-water exhibits.

"If in the future there should be added to this area that portion of the Anacostia Park between Benning Bridge and the Pennsylvania Bridge, there would be an addition of another 398 acres, including land and water, which could be used in connection with the proposed garden. This extension into the Anacostia Water Park would afford unlimited opportunity for beautiful aquatic gardens, with all the possibilities this implies.

"It will thus be seen that by extension into the Anacostia Park this undertaking that has been begun purely as a necessary sanitary measure can be made to so serve the Nation doubly, thus paying large dividends on the capital invested. At the assessor's valuation, according to the latest available data, the cost of the 400 acres in this tract would amount to $221,468, which is at the rate of $553.67 per acre.

"In point of physical availability, excellence of exposure, accessibility, distribution of essential parts, and capacity for enlargement without increase of cost after the initial purchase the Mount Hamilton location stands out preeminent among all the sites that have been examined. Here both the Botanic Garden and the Congress Propagating Gardens can be adequately accommodated permanently without conflicting in any way with the city's development. On the contrary, they could contribute their important share harmoniously and effectively to the upbuilding of the Nation's Capital.

"The Mount Hamilton tract, by reason of its location and topography, has been recommended in the plans for the development of the city as desirable in any event for park purposes and ultimately should be acquired. It affords vistas over the city comparable with those from the famous Pincian Hill over the city of Rome. Should Congress decide to retain the Congress Gardens in the vicinity of the Capitol, the Botanic Garden and arboretum ought in any case to be established at Mount Hamilton.

"SUMMARY OF COSTS.

"Comparative valuation of the three principal sites suggested for use as a botanic garden.

Location.	Acres.	Assessor's valuation.	Average cost per acre.	Remarks.
Mount Hamilton, northeast.	400	$221,468.00	$553.67	Reached by the Bladensburg electric line. Joins Anacostia River development, and has eastern, western, southern, and northern exposures. Can expand into Anacostia Park to produce garden of over 1,400 acres.
Brightwood, northeast.	312	185,885.00	595.00	Baltimore & Ohio Railroad, Metropolitan Branch. Has all exposures. Can not expand in the future except at cost of additional purchase.
Foundry Branch, northeast.	189	197,912.00	1,047.00	Wisconsin Avenue electrics. East, west, and south exposures. Can not expand in the future except at a cost of additional purchase.

"RECOMMENDATIONS.

"The Commission of Fine Arts recommends:

"First, that the Mount Hamilton tract be acquired for a national botanic garden and arboretum. By purchasing 400 acres of land, at least 800 acres of Government-owned lands will be made available. Also a park entrance to the city from the north will be provided.

"Second, that the public features of the present Botanic Garden be transferred from the west side of the Capitol to the north side and to lands already owned by the Government.

Also that the propagating gardens be accommodated temporarily on the James Creek Canal spaces owned by the Government, which spaces are of double the extent of the area now in use. Ultimately those features should become part of the new botanic garden."

HOUSE BILLS REFERRED.

H. R. 8536. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, was read twice by its title and referred to the Committee on Pensions.

H. R. 8624. An act to amend an act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917, was read twice by its title and referred to the Committee on Agriculture and Forestry.

DROUGHT SUFFERERS IN MONTANA.

Mr. WALSH of Montana. In accordance with the notice I gave on yesterday, I ask unanimous consent that the Senate proceed to the consideration of Senate joint resolution 87.

The VICE PRESIDENT. Is this a resolution coming over from yesterday?

Mr. SMOOT. No; it is a joint resolution that went to the calendar yesterday. It is Calendar No. 136.

The VICE PRESIDENT. Then it will require unanimous consent to take it up. Is there objection to the request of the Senator from Montana?

Mr. CURTIS. I ask that the title of the joint resolution be read.

The SECRETARY. A joint resolution (S. J. Res. 87) authorizing the President to distribute food supplies to drought-stricken territory.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution which had been reported from the Committee on Military Affairs with amendments.

Mr. SMOOT. Mr. President, I want to say just a word in relation to this legislation.

I think that passing this joint resolution is a very serious thing. Another very serious precedent will be established. In my opinion, the better way to do in cases of this kind is for the States themselves to take care of conditions brought about by drought, frost, or other conditions over which the people have no control.

For four years the fruit crop in the main fruit district of the State of Utah was virtually a failure on account of frost. I know that when the Uintah Indian Reservation was opened and the people were asked to homestead land upon the payment of $1.25 an acre within a five-year period I had an exceedingly hard time in securing the passage through Congress of a bill extending the time for the payment for those lands. The reason for the request was total loss of crops on account of frost. At the same time the Legislature of the State of Utah appropriated money for the purpose of buying seed wheat for the purpose of lending assistance to the people who had settled upon those lands. I doubt if many of them could have continued living upon the lands unless the State had adopted that policy.

This joint resolution is so broad that if there is a partial loss of crop aid is to be extended to the parties so affected. I do not care what year it may be, there never will be a time in the history of this country when some section of the West will not lose a part of its crop; or, in other words, I mean that the crop will not be up to standard. Perhaps it may not be on account of drought; it may be on account of too much water; it may be on account of hail; it may be on account of frost; and it seems to me that if we are going to enter upon this class of legislation there will be no end to it. As far as I am concerned, if we undertake to take care of the people enumerated in this joint resolution, why should we not take care of the poor and unfortunate in all parts of the country?

Mr. KENYON. Mr. President, that is just the question I was going to ask the Senator. When distress comes this winter in the cities, as it will, are we going to extend this principle? It may be that we should; I do not know; but we are certainly setting a precedent that will have a far-reaching influence.

Mr. SMOOT. That is exactly what I am calling attention to, I will say to the Senator from Iowa. In my opinion it is dangerous. I know that it is not very popular for a Senator to stand upon the floor of this Chamber and say that the Government of the United States should not assist people who are in distress.

Mr. KENYON. In view of the fact, however, that we voted $100,000,000 to send food abroad, or to keep food there for the distressed people of Europe, how can we well refuse to take care of our people at home?

Mr. SMOOT. The $100,000,000 was supposed to be returned to the United States. This resolution provides a gift.

Mr. KENYON. How much of it has been returned? Does the Senator know how the $100,000,000 has been spent?

Mr. SMOOT. No, Mr. President; and no other Senator knows.

Mr. SUTHERLAND and Mr. SMITH of Georgia addressed the Chair.

Mr. SMOOT. But I did make the statement upon the floor of the Senate when the bill was before this body that I doubted whether more than 25 per cent of the $100,000,000 would ever be returned to the United States.

Mr. SUTHERLAND. Mr. President, I call the Senator's attention to the fact that in addition to the $100,000,000 there is $100,000,000 worth of medical supplies absolutely donated to the stricken people of Europe.

Mr. SMITH of Georgia. Will the Senator yield?

Mr. SMOOT. Yes; I yield to the Senator.

Mr. SMITH of Georgia. Is there not to be a detailed statement with reference to those expenditures?

Mr. SMOOT. I hope there will be, Mr. President.

Mr. SMITH of Georgia. Is it not necessary? Does not even the Constitution require a detailed presentation to the public of all expenditures of public money?

Mr. SMOOT. No, Mr. President; I do not think the Constitution requires a detailed statement; but I think that in the joint resolution that was passed there was a provision requiring an itemized statement, and I hope there will be such a statement of the expenditure of that $100,000,000.

Coming now to this joint resolution, I do not care to say more. This is to benefit people who are neighbors of mine, people whom I know to be in distress; but I thought the best policy would be for the State of Montana to relieve the situation, just the same as I should expect Utah to relieve a similar condition if it were in Utah. I do not know whether the Legislature of Montana is in session at the present time or not. I doubt whether it is; but if the conditions are so serious and a great portion of the people of Montana are in distress, I see no reason why the governor of the State of Montana should not call an extra session and have the legislature make appropriations to relieve the situation.

Mr. SMITH of Georgia. Mr. President, may I call the Senator's attention to the provision to which I was referring—

> No money shall be drawn from the Treasury but in consequence of appropriations made by law, and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

Mr. SMOOT. Mr. President, that simply means a general statement. They never make an itemized statement under that provision of the Constitution. What I should like to see is an itemized statement of the expenditure of the $100,000,000.

Mr. SMITH of Georgia. Does not the Senator really think that under that provision it is necessary to account for this money and show what was done with it; that a mere general statement that it was spent abroad would not comply with the provision?

Mr. SMOOT. I will say to the Senator that it will comply with the practice.

Mr. SMITH of Georgia. Would it not require a statement and an account?

Mr. SMOOT. Really, an itemized statement ought to be made; and if I remember correctly the joint resolution did provide that an itemized statement of the expenditure of that money should be made to Congress within a certain time.

Mr. President, I simply felt it my duty——

Mr. SHEPPARD. Will the Senator from Utah allow me to make a suggestion?

Mr. SMOOT. Certainly.

Mr. SHEPPARD. Will the Senator from Georgia cite the particular article and clause to which he refers?

Mr. SMITH of Georgia. I read it a few moments ago.

Mr. SHEPPARD. The Senator did not state the number of the clause.

Mr. REED. Mr. President, will the Senator permit a statement?

Mr. SMOOT. Yes; I yield to the Senator from Missouri.

Mr. REED. The Senator may put in whatever he pleases about an itemized statement, but I am curious to know whether it will be complied with. I have been going through the reports made by the grain department of the Food Administration. We had an express provision in that bill, if I remember correctly, that itemized statements should be furnished; and you will find there such interesting items as "Voucher so-and-so, to John Smith, salary and expenses," and no mortal man can tell from

the papers I saw what is salary and what is expenses. I have been told that they have had men on their pay roll there drawing enormous salaries, but it is all covered up in the way of which I speak. So, while I am not objecting to the joint resolution, I think if you put in a limitation for itemization, you had better put in also a criminal penalty if it is not made.

Mr. SMITH of Georgia. I was asked a moment ago to call attention to the section to which I referred. It is article 1, section 9, paragraph 7. It uses the language "a regular statement and account." If that does not mean something more than a general statement that $100,000,000 were given abroad, I do not understand language. I do not think we could authorize the appropriation without requiring a "regular statement and account," and I think we ought to have it made in every case of expenditure.

Mr. SMOOT. Mr. President, in connection with what the Senator from Missouri [Mr. REED] stated, my attention has been called to the fact that not only did they pay these exorbitant salaries and enormous expenses, but they made a profit of nearly $23,000,000 upon the wheat that was handled last year.

I have before me the act appropriating $100,000,000 for the relief of the distressed people of foreign countries, and this is the proviso to which I referred:

> That a report of the receipts, expenditures, and an itemized statement of such receipts and expenditures made under this appropriation shall be submitted to Congress not later than the first day of the next regular session.

This calls specifically, I will say to the Senator, for an itemized statement.

I am not going to say anything more about this joint resolution at this time, other than this: I do believe that it is very dangerous legislation and another very dangerous precedent established by its passage.

Mr. WALSH of Montana. Mr. President, I quote from the report of the Committee on Military Affairs upon the measure under consideration:

> There is to-day in the State of Montana a drought unparalleled in the history of the United States. The drought of this year followed partial droughts during the years 1917 and 1918, and, coupled with the general high cost of living, has produced a situation in this part of the country that is most serious and that demands immediate relief.

The situation arises from something in the nature of a great elemental catastrophe.

Reference has been made to the precedent that would be set by this legislation. The precedents justifying legislation of this character are so numerous that argument on that line has ceased to have any particular force.

I hold in my hand a copy of an act passed by the Congress and approved on the 7th day of August, 1916, appropriating $540,000 for the relief of flood sufferers in the States of North Carolina, South Carolina, Georgia, Alabama, Florida, Tennessee, and Mississippi.

Also, a joint resolution approved February 15, 1916, authorizing the Secretary of War to loan, issue, or use quartermaster and medical supplies for the relief of destitute persons in the districts overflowed by the Mississippi and its tributaries.

Also, an act approved October 1, 1918, appropriating $1,000,000 for the eradication of influenza and other communicable diseases.

Also, the act, heretofore referred to, approved February 25, 1919, appropriating $100,000,000 for people rendered destitute by the war in Europe.

Also, an act approved May 13, 1902, for the relief of citizens of the French West Indies who suffered by reason of an earthquake in that region.

I have caused to be prepared, Mr. President, a schedule of legislation of this character dating back to the year 1802, which I shall ask to have printed in the RECORD. I refer to the fact, however, that as early as 1836 an act was passed for the relief of sufferers by fire in the city of New York.

As early as 1827 an act was passed for the relief of the sufferers from fire at Alexandria, Va.

On another occasion an act was passed for the relief of sufferers by fire in the city of Norfolk, Va.

A long list of these includes an act passed on the 1st day of September, 1890, for the relief of citizens of the State of Oklahoma rendered destitute by reason of drought.

Accordingly the precedent has already been established, be it good or evil.

I should like to say to the Senator from Iowa [Mr. KENYON] that I can scarcely consider legislation of this character as in the same category as legislation to relieve destitution not occasioned by some great climatic condition, such as a flood or an extraordinary drought of this character. I can not believe that it stands in exactly the same attitude as destitution that arises from ordinary or anticipatable economic conditions. Those we have always heretofore deemed might very properly be taken care of by the local government. But whenever a catastrophe of this character arises, not easily or readily to be anticipated, Congress has not been niggardly in extending Federal aid.

I desire to state to the Senator from Utah [Mr. SMOOT] that the Legislature of the State of Montana was convened in extraordinary session by the call of the governor to deal with the situation and has done everything that it felt itself able to do. We felt, however, that we might very properly appeal to the Federal Government for the meager aid that is provided in the joint resolution.

Mr. SMOOT. Mr. President, I want the Senator from Montana to know that my attitude toward this legislation is no different from my attitude toward the greater part of the legislation to which he referred, because I think the measures to which he particularly called the attention of the Senate were passed since I have been a Member of the Senate; and when they were up for consideration I took the same position—that it was a very dangerous precedent to establish. Every time that we pass a measure of this character it simply means fastening upon the United States the policy to a greater extent. I felt hesitancy in saying what I did, but I did not feel that I would be justified in not saying anything at this time.

Mr. THOMAS. Mr. President, the case presented to the Committee on Military Affairs is one which appealed very strongly to every sentiment of humanity and naturally created a desire to respond for the relief of the unfortunate people in some sections of the State of Montana. I do not know of any instance coming under my observation since I have been a Member of the Senate which justifies relief from the General Government more than the one under consideration.

It is difficult to entertain, much less to express, an objection to the enactment of such legislation because of such conditions, lest one be misunderstood or misconstrued. I therefore voted to report this measure favorably, because of the circumstances to which I have referred and also because we have already enacted similar legislation to meet cases with which we were not so directly concerned. I refer, of course, to the appropriation of $100,000,000 to be used in feeding the starving peoples of the European Continent. I voted against that measure, notwithstanding the appeal which was made to my sentiments of humanity, largely because I felt that it would be invoked inevitably as a precedent to justify similar appropriations which might arise both at home and abroad.

All such appeals to the Treasury of the United States are based upon the mistaken notion that it is the duty and the prerogative of the Government to come to the relief of those of its citizens who, by misfortune or by their own lack of judgment or for other reasons, are suffering for some of the comforts or necessities of life. We have been encouraging that tendency, more and more obvious, more and more pressing upon the Treasury, and more and more subversive of the real objects and purposes for which the Government is supposed to exist and function.

If this were a direct contribution from the Treasury, I should have voted against it, as I have voted against all of similar import, so far as my memory now serves me, that have been presented for consideration. I am able to justify my vote for a favorable report of this measure entirely upon the fact that the Government is now possessed, owing to the fortunate and abrupt termination of the war, with a large amount of surplus material, among which are many foodstuffs that are being disposed of, not only because it is just that the people should have them but for the purpose of lowering the levels of the cost of living. Montana is entitled, as a part of the Union, to its proportion of that surplus, and ordinarily should be required to pay into the Treasury the value thereof or the price fixed by the Government; but the people there are not at present in a condition to do so, as I understand the situation.

The purposes of the joint resolution being to furnish the people of Montana with part of the surplus which the Government now has and must get rid of, it presents a unique situation which enables it, I think without trenching upon those prerogatives or stretching its power, to comply with, and it is that feature and that feature only of the situation which I think justifies us in a favorable consideration of the measure. I know that it too will be used as a precedent. There is no question about it.

The drought which has affected Montana so sorely is not entirely local to that State. It prevails very largely throughout what are commonly known as the public-land States or the Rocky Mountain section of the Union, where dry farming, so called, has become an extensive occupation and one which in ordinary years is successful and adds very largely to the sum total of our annual agricultural production. This drought has visited its consequences upon the eastern part of Colorado, where the people are also engaged in dry farming, upon Wyoming, upon Utah, and doubtless upon New Mexico and Arizona. Fortunately we have not suffered so severely, and as far as my

State is concerned I think I can say with perfect safety that it is prepared to and will take care of its own. I should very much regret the exhibition of any other tendency or purpose on the part of my own people.

I make this statement, Mr. President, in explanation of the attitude which I have assumed upon this measure, and which differs so radically and materially from that which I have occupied upon those of the same character in the past.

Mr. DIAL. Mr. President, it is true there are precedents for this legislation, but I think it is time to stop this kind of legislation. The Government is in a worse condition financially now than it has been heretofore, and it would be impossible for it to contribute to every worthy cause that might be presented. We are suffering now in the South from the boll weevil; there is almost a total failure of the cotton crop in some sections, and those people would have an equal right to come here and ask for an appropriation. Suffering by drought is almost an annual occurrence in some parts of our country. I can see no end to this kind of legislation once entered upon, and I think it is time that we stop and kill the precedent.

Mr. TOWNSEND. Mr. President, there are some things which I would like to be informed upon with reference to this joint resolution which I do not understand now. I do understand, however, I think, that the food which is now on hand belongs to the Government and is to be distributed pro rata among the States. That food will go to the States to be disposed of by the States as they may see fit. This is a proposition, as I understand it——

Mr. WALSH of Montana. I think the Senator is not correctly advised as to that. The sales are made by the War Department, not assigned to the States at all.

Mr. TOWNSEND. They are not made to a State as a State?

Mr. WALSH of Montana. The War Department is now disposing of its excess food supplies, and in that disposition, so that it may be distributed throughout the country, it has allotted a certain amount to each State. What the basis of the distribution is I do not know. Then it sells in a State that amount.

Mr. TOWNSEND. It sells without regard to the State organization for the distribution of the food?

Mr. WALSH of Montana. There is no State organization for distribution. The food is put up for sale by the War Department in the State. It is put there for sale. It sold the other day in the District of Columbia a certain amount allotted to the District of Columbia. Anyone who wants to buy may come there and bid at the sale for the stuff.

Mr. SMOOT. I do not know whether there has been any shipped to Montana or not, but in the allotment to the State they are to pay the freight on whatever goods are ordered to Montana through whatever agency handles the goods there. In some States the governor has appointed a commission to handle the goods, but whoever orders them must be responsible parties or somebody back of them must be responsible. Then, whatever is the cost of the goods to the Government, plus the expense of getting the goods to the State, is the price at which the goods are to be sold in that State to whoever may purchase them.

Mr. WALSH of Montana. They are mere agencies of the War Department in making the disposition.

Mr. SMOOT. The War Department has the disposal of the food products on hand and makes the distribution.

Mr. TOWNSEND. But under all circumstances, whatever the arrangement, they are to be paid for by the people of the State or by the State itself.

Mr. SMOOT. Yes.

Mr. TOWNSEND. This joint resolution proposes that Montana's share, whatever it is, shall be donated to a certain class of people specified in the resolution.

Mr. WALSH of Montana. Only so much as the President shall decide is necessary.

Mr. TOWNSEND. A part or all of it is to be donated to certain people in the State of Montana, so that it makes an exception to the general rule of disposition. It is not supposed by the Senator or by anybody else that the goods will be paid for which are distributed under the joint resolution.

Mr. President, I am very much in favor of granting relief where it is needed. I think I am more in favor of doing it for people in the United States than I am in favor of sending it abroad, believing that charity begins at home. I am not clear, however, that this is an entirely proper request for the State of Montana to make at this time. It is provided in the joint resolution, as I read it and for the first time, that this relief shall be given in cases where there has been a total or partial loss of crops occasioned by drought. Of course, I suppose it would not be difficult to prove that there had been a partial loss of crops in many parts of Montana. There is always a partial loss of crops either from drought or freshet in every State in the Union. Michigan, for instance, has suffered severely this year on account of drought and on account of forest fires. Our State, however, has never come to the Congress and asked for relief under such circumstances, and yet the State has granted millions of dollars of relief, which has been met by our own people.

I have not understood the Senator to claim that Montana is not able to pay for her share of the food if she wanted to distribute it. I have not heard, but possibly there is some reason why Montana's Legislature can not act in the matter now. I do not know about that; but if there is no reason, it seems to me to be rather an improper request for the State of Montana or any other State to ask the Federal Government to donate to the citizens of one of the States what it is requiring the citizens of other States to pay for.

I agree also that it seems to me to be a precedent which may arise, and probably will arise, to plague us not only in the distant future but in the immediate future.

Mr. WALSH of Montana. May I inquire of the Senator whether he was in the Chamber when I called the attention of the Senate to innumerable instances where similar legislation has been passed and similar aid granted?

Mr. TOWNSEND. I was in the Chamber, but the Senator from Montana spoke so low that I could not follow him.

Mr. WALSH of Montana. Let me inquire: Was the Senator from South Carolina [Mr. DIAL], who thought this was a bad precedent, in the Chamber when I called attention to the fact that on the 3d day of August, 1916, an act was approved appropriating $540,000 for the relief of flood sufferers in various States of the Union?

Mr. DIAL. Yes; I was here.

Mr. TOWNSEND. I hardly think that is a parallel case with this, however. I believe we have been making some mistakes in the way we have been doing things, but there was an appropriation made out of the Treasury for the relief of certain flood sufferers in the United States. All States were included in that act where the flood extended. The Senator now proposes in the pending joint resolution to make an exception to the rule or proposition which has been laid down for the distribution of Army supplies. The Senator proposes that the people of Michigan and all the other States in the United States shall pay for what they receive, and there are probably just as great sufferers in other States as there are in Montana. The Senator proposes that they shall pay for what they get, but that this shall be given to the people of Montana, thus making a discrimination among the people who ought to be beneficiaries under the general proposition.

It seems to me that this is rather unwise legislation, and yet I hesitate greatly to interfere with granting relief if it is actually necessary in Montana. But I know if we do it we ought to grant relief in all the States whose people are suffering equally with those in Montana.

Mr. WALSH of Montana. If the Senator will pardon me, I had a word to say about the matter, and gave the Senate my own views upon it a little while ago. I imagine perhaps the Senator from Michigan was not in the Chamber at the time.

Mr. TOWNSEND. I was in the Chamber, but the Senator speaks so low, and there was so much confusion in the Chamber, that I was unable to follow him. I regret that exceedingly, because I am always interested in what the Senator has to say.

Mr. WALSH of Montana. I called the attention of the Senate to a long list of acts passed by Congress under circumstances substantially like these, dating away back to 1802, cases in which cities were visited by great fires; the city of Baltimore, for instance, and the city of Boston. The city of San Francisco, on the occasion of the great earthquake there, was extended aid by the Federal Government in various ways. I called attention to specific instances in which legislation was enacted for the relief of those who had suffered by flood. I am utterly unable to distinguish in principle between those who suffer by reason of an extraordinary flood and those who suffer by reason of an extraordinary drought. I called attention to the fact that in 1880 we passed an act for the relief of people in the then Territory of Oklahoma who suffered by reason of an extraordinary drought.

In the list which I sent to the desk, and which will be incorporated in the RECORD, there is a reference to acts that were passed for the relief of people in the Western States who suffered by reason of the devastation of grasshoppers and various acts of that character.

Let me say in answer to the Senator from Michigan that I am not responsible for restricting this relief to the State of Montana. I drafted the resolution and it was presented so that every public-land State that had suffered by reason of this extraordi-

nary drought should equally participate in the advantages and the beneficences of the Federal Government.

Mr. TOWNSEND. Why public-land States?

Mr. WALSH of Montana. Because there has been no such extraordinary drought anywhere else in the United States that I have heard of. The report says that this is the most extraordinary drought that has ever occurred in the history of the United States, following upon two years of partial loss of crops by reason of unusual drought. So the condition which confronts us is one that is brought about by elemental causes that would not ordinarily be anticipated, and it stands upon an entirely different footing from cases of destitution that exist simply by reason of economic conditions that are always with us, as a matter of course. This, as I take it and as I feel it ought to be considered by the Senate, is something in the nature of a catastrophe, like an earthquake or a great fire or an extraordinary flood or something of that kind. As a matter of course, there are floods in many sections every year, but when there is an extraordinary flood, such as occurred in the State of Ohio in the year 1913, in the State adjacent to his own, the Senator will recall that considerable loss of life followed and property of very great value was destroyed; destitution prevailed throughout a very great region there. The War Department went to work and extended aid without any authority whatever from Congress. My recollection is the appropriateness of extending relief under those circumstances appealed to every Member of Congress so strongly that Congress subsequently passed a curative act relieving the War Department and ratifying and confirming whatever had been done in the premises. The condition simply became public when the Secretary of War directed a general of the Army to go there to issue rations, and that kind of thing, for the purpose of relieving the destitution which there existed. There was not then on the floor of the Senate—I was here at the time—any such opposition as is voiced to this measure. I dare say the Senator from Utah is correct, that he voted against it; but I am perfectly certain that there was no opposition voiced upon the floor such as is now evidenced here in opposition to this measure, and I really can not understand it.

Mr. TOWNSEND. Mr. President, the Senator from Montana has partially answered, at least, the question which I was going to ask him; in other words, he has answered why this was confined to Montana alone. I was going to ask him why that was so; but I still can not understand why it should be presumed that the public-land States are the only ones which have severely suffered from drought, because it is not the fact; other States in the Union have likewise suffered. It seems to me that it would be right or more nearly right to let this legislation be general, although I do not like its principle. Michigan is not asking for it; the people of Michigan are perfectly willing to pay for the goods which they receive, and if it is shown that there are people who are not able to pay for them the State will take care of them, and the help will be extended as, it seems to me, it ought properly to be extended.

Mr. SMOOT. Let me suggest an amendment to the Senator from Montana and see if he will not feel that it ought to be agreed to. I suggest, in line 1, page 2, to strike out the words "total or partial loss" and to insert the words "the loss of the greater portion," so that it would read:

In consequence of the loss of the greater portion of crop.

There is no need of saying "total loss" so long as the word "partial" is inserted, because one is included in the other. I think that the Senator will agree that unless people have lost a greater portion of their crops they can get along very well. I simply suggest the amendment to the Senator from Montana for his consideration.

Mr. WALSH of Montana. I have not the slightest objection to the change; but perhaps I should have stated to the Senator from Michigan [Mr. TOWNSEND], who made the criticism of the language, that it seems carefully guarded. Even those who lose all their crops do not become entitled to any relief under this joint resolution unless they are in need. The language is:

Who are in need in consequence of total or partial loss of crop.

If a man is well fixed, although he has lost his entire crop, he is not entitled to any relief under this proposed legislation, and if a man has really thrashed 3 or 4 bushels of grain and he is still in need, he gets the relief under it. However, I have no objection to the amendment suggested by the Senator from Utah.

Mr. SMOOT. The Senator will admit that under the language of this bill if the crop should have been 20 bushels per acre and it turned out to be only 19 bushels, that would be a partial loss; and I do not think the Senator would want to take care of such a case.

Mr. WALSH of Montana. Of course that was not my purpose.

Mr. SMOOT. If the Senator will accept the amendment I have proposed, inserting the words "the loss of a greater portion," I think that would be very much better than the present wording of the joint resolution.

Mr. WALSH of Montana. I am quite willing to accept that amendment.

Mr. SMOOT. I offer the amendment.

The PRESIDING OFFICER (Mr. PHELAN in the chair). The amendment proposed by the Senator from Utah will be stated.

The SECRETARY. On page 2, line 1, it is proposed to strike out the words "total or partial loss" and to insert the words "the loss of a greater portion," so that it will read:

In consequence of the loss of a greater portion of crop.

Mr. WALSH of Montana. I suggest that it should be "the whole or greater portion."

Mr. SMOOT. That will be all right; let it read "the whole or a greater portion," although I think if such sufferers are really entitled to relief on account of the loss of a greater portion of the crop they certainly would be entitled to relief if they lost the whole of it. However, it makes no difference.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Utah.

The amendment was agreed to.

Mr. MYERS. Mr. President, I think the need and justification for the enactment of this proposed legislation is very great and urgent. Congress has been very liberal in times past in voting appropriations of money to sufferers, in different parts of the country, from flood and fire; and I can see no distinction whatever, in principle, in voting relief to sufferers from flood or fire and sufferers from drought. Each is an act of Providence, a providential calamity that nothing could prevent; such that the individuals who suffer from it are powerless to remedy it. They must look to some higher and greater source from which to obtain a remedy, and that source in most instances of a serious nature has been the Congress of the United States. It is not only just but human to take care of our own.

I can not agree with those who say that, while there is plenty of precedent for such legislation, we should now stop it, because our expenses during the war have been very great. It may be that we should be more cautious than heretofore about extending this sort of relief and about voting money directly out of the Treasury of the United States, but I think each case should be judged by its urgency and the necessity of the occasion. In this case I know the necessity to be very great.

This proposed legislation, however, is not to vote money out of the Treasury of the United States; it is merely to put in the discretion of the President the power to donate to Montana sufferers from drought such portion of the allotment of Montana's quota of surplus Army food as he may deem expedient and proper. It can not interfere with the quota of any other State. It does not call for the donation to drought sufferers of all of Montana's quota of such supplies. If enacted, the President may order donated all or any part of Montana's quota, or none of it, as he may see fit. It is quite different from voting money directly out of the Federal Treasury.

In response to the inquiry as to why this proposed legislation is confined to Montana, and the further inquiry as to why it should extend at most only to the public-land States, I will say that I have heard of no drought of any consequence this year anywhere in the United States except in the upper Rocky Mountain States, all of which are public-land States. There is where the drought is. There is where the suffering exists.

Mr. HARRISON. Will the Senator from Montana yield to me?

Mr. MYERS. With pleasure.

Mr. HARRISON. I note that this joint resolution, as introduced by the Senator's colleague [Mr. WALSH of Montana], confined the relief not to one State, but extended it to the region of certain public-land States.

Mr. MYERS. It did, as introduced.

Mr. HARRISON. I was going to ask the Senator if he and his colleague would not let the resolution be passed so as to embrace the whole region that is affected, instead of applying it only to one State? I recall that the Senator from Montana [Mr. MYERS] recently came before a committee of which I happen to be a member and made a very splendid speech portraying the unfortunate condition prevailing in Montana, but it seems to me if we confine it to one State, then from other States that might be affected in the West there would be a call on their Senators to obtain similar legislation, and those Senators might feel that they ought to do as the Senators from Montana have done. In

order to take care of that possibility, we might embrace the whole region and not confine this legislation to any one State.

Mr. SMOOT. Mr. President, I want to say to the Senator from Mississippi that I do not desire the State of Utah to be included in this bill.

Mr. HARRISON. But there may be other States in that region which might desire to be inserted in the bill.

Mr. SMOOT. I doubt whether there are.

Mr. WADSWORTH. Mr. President, let me interpolate here that the Senator from Wyoming [Mr. WARREN], who is a member of the committee, says that he does not want Wyoming included.

Mr. HARRISON. If that be true, there would be no use of putting in the other States; but in order to avoid appeals being made to Senators representing other States adjacent to Montana in the near future, and likewise demands being made by them, the joint resolution ought to embrace the whole region.

I might say in this connection, if the Senator will permit me, that I am in full sympathy with the purposes of the joint resolution. I recall time and again when suffering has occurred in my section of the country that Congress has come to our relief. I remember a few years ago that $250,000 was appropriated by Congress, I think, to take care of some sufferers from a cyclone in my State. I also recall, I think four years ago, when there was a fire in Salem, Mass., that we passed an appropriation carrying, I believe, $250,000 for those sufferers. I think that we ought to pass this legislation, but if there is any other section than Montana affected, we ought also to take care of that section.

Mr. MYERS. Mr. President, personally I would have no objection to that. The resolution was drawn and introduced in that form, but the Senate Committee on Military Affairs saw fit to restrict it to Montana. To that I make no objection; either form is acceptable to me. It makes no difference to me so long as Montana sufferers get needed relief.

I am sorry to say that the terrible drought which prevails this year in the Rocky Mountain country is far worse in Montana than in any other State, and has hurt Montana more than any other State in the Union. Montana is the chief sufferer. Conditions are peculiar there; they are not like conditions in South Carolina, Michigan, and other old States. I believe most of the drought sufferers in Montana, or at any rate a very large proportion of them, are homesteaders who have not yet obtained title to their homesteads. Consequently they have no land to mortgage in order to raise money to meet their needs. They have no title to land to offer as security for money. They are nearly all poor people. They are struggling. They came to Montana poor. They have but little personal property—usually a few horses, a few milch cows—and, of course, such domestic animals as they may have they need to keep. Doubtless all of their personal property is under mortgage. As a rule they have had to mortgage everything they own. Homesteaders who have not obtained title to their land, as a rule, have no credit at the stores, because they have exhausted it in the last few years of drought. They are unable to obtain money at the banks, because they have no security to offer. Those conditions are peculiar to public-land States, and they are not like the conditions found in South Carolina and Michigan or any other old State.

There is no dispute about the great need and want existing in Montana. That is not questioned at all; the committee which examined into the pending resolution established that beyond question. Now, let us face this fairly and squarely. Are we willing to treat our own suffering people as well as we treat foreigners?

Last fall Congress voted $100,000,000 to people in Europe who were said to be suffering and in want. It was ostensibly loaned, but I do not think anyone expects to get back much of it. I regarded it as a donation at the time and so characterized it.

In addition to that, we have made an absolute donation of $100,000,000 worth of medical supplies to the people of Europe, to relieve reputed want and suffering there. Surely we can afford to give some old Army supplies and surplus food on hand to sufferers in our own country. If we can not do that we are taking better care of the people of foreign countries than of our own people. If we are to be generous, let our generosity begin at home. If we would be just, let our justice begin at home. I am for America first. I say, let us put Americans before all others. Let us take care of our own first. That is patriotism. Thousands of poor, unfortunate people in Montana, mostly homesteaders, after three years of withering drought, this year the most awful of all, are without food, subsistence for man or beast, money, or credit. They are in dire distress. They are suffering to-day from want of food. They are good American citizens. We have the food on hand. It belongs to the United States Government. These sufferers helped to pay for it. We have been good to others. Let us be good to our own. I earnestly hope the joint resolution may be adopted.

Mr. DIAL. Mr. President, I wish to suggest that I can conceive of conditions justifying the Government appropriating money to help the unfortunate, and I do not wish to be understood as being totally opposed to such action in some cases that may arise. It seems to me, however, that we should be very careful and go very slowly; otherwise we will have to establish a commission to roam all over the United States to provide for people who do not make as much as they think they ought to make. They will be coming to Congress at all times. In this matter it seems to me that we might supply a remedy by selling to the State of Montana certain supplies on time, giving them time in which to pay for them. I believe that would answer the purpose; but I do not want to be altogether out of harmony with the trend of the day. I do say, however, that I think it is high time for this Government to go very slow about making appropriations for anything.

The PRESIDING OFFICER. The Secretary will state the committee amendments.

The first amendment of the Committee on Military Affairs was, on page 1, line 4, after the word "prescribe," to insert "and to the extent that, in his judgment, at the time of distribution, the exigencies of the service require."

Mr. WADSWORTH. I move to amend the committee amendment by striking out the word "require," in line 6, and substituting the word "permit."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 1, line 7, after the word "families," to insert "in Montana in 1919, who are"; on page 2, at the beginning of line 2, to insert the word "such"; and in the same line, after the word "drought," to strike out "in any State in which such conditions prevail."

The amendment was agreed to.

The next amendment was, on page 2, line 5, after the word "to," to strike out "and sold in such" and insert "said."

Mr. WADSWORTH. I ask that the Senate disagree to that amendment and restore the original language.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was rejected.

Mr. WADSWORTH. I now move to strike out the word "such," in line 5, on page 2, and substitute the word "said," so that it will read:

As would otherwise be allotted to and sold in said State.

The amendment was agreed to.

Mr. SMOOT. Was the amendment offered by me agreed to?

The PRESIDING OFFICER. The amendment offered by the Senator from Utah, striking out the words "total or partial loss" and substituting the words "the loss of the whole or a greater portion," was agreed to.

The joint resolution was reported to the Senate as amended and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was amended so as to read:

Whereas an extraordinary and unprecedented drought, resulting in an almost total failure of crops, in the State of Montana has occasioned great destitution therein: Therefore be it.

Mr. WALSH of Montana. I send to the desk and ask to have printed in the RECORD the schedule to which I have referred.

The PRESIDING OFFICER. Without objection, it is so ordered.

The schedule referred to is as follows:

Relief granted by Congress to sufferers on account of fires, floods, earthquakes, etc.

United States Statutes at Large.	Page.	Date of approval.		Amount.
2	730	May 8, 1812	Earthquake in Venezuela	$50,000.00
3	211	Feb. 17, 1815	Earthquake in New Madrid, Missouri Territory—authority to select a like quantity of public land, etc	.....
5	6	Mar. 19, 1836	Relief of sufferers from fire in New York City, to be relieved from paying certain duties	.....
5	131	Feb. 1, 1836	Rations to be given sufferers from Indian depredations in Florida	(1)

[1] Indefinite.

Relief granted by Congress to sufferers on account of fires, etc.—Contd.

United States Statutes at Large.	Page.	Date of approval.		Amount.
6	49	Feb. 19, 1803	Sufferers from fire at Portsmouth, N. H., to be relieved from paying duties on merchandise	
6	53	Mar. 19, 1804	Sufferers from fire at Norfolk, Va., given extension of time within which to pay certain duties	
6	356	Jan. 24, 1827	Relief of sufferers from fire at Alexandria, Va	$20,000.00
9	207	Mar. 3, 1847	Authority to use U. S. ship Macedonian for transportation of supplies to sufferers in Ireland	
12	652	Feb. 16, 1863	Relief of persons damaged by Indian depredations in Minnesota	200,000.00
13	416	July 4, 1864	Relief of sufferers from explosion in cartridge factory at District of Columbia Arsenal	2,000.00
14	304	July 4, 1866	Admission free of duty of articles for relief of sufferers from fire at Portland, Me	
14	351	Mar. 17, 1865	Relief of sufferers from explosion at District of Columbia Arsenal	2,500.00
14	369	July 27, 1866	Relief granted in payment of taxes of citizens who suffered from fire at Portland, Me	
14	567	Feb. 22, 1867	Authority given to use public vessels in transportation of supplies to Southern States	
15	24	Mar. 29, 1867	Authority given to charter vessel for the transportation of supplies to Southern States	
15	28	Mar. 30, 1867	Secretary of War authorized to issue supplies of food to sufferers in the South	
15	28	.....do.....	Purchase of seeds for distribution in Southern States	50,000.00
15	246	Jan. 31, 1868	Authority given Secretary of War to distribute certain food supplies to sufferers in the South	
16	596	Feb. 10, 1871	Authority given to use naval vessels for the transportation of supplies to the destitute and suffering people of France and Germany	
17	51	Apr. 5, 1872	Relief of fire sufferers at Chicago, Ill	(1)
17	646	Mar. 12, 1872	Relief of the postmaster at Chicago, Ill., on account of loss due to fire	
18	34	Apr. 23, 1874	President authorized to issue supplies of food and clothing to Mississippi River flood sufferers	
18	45	May 13, 1874	Relief of Mississippi River flood sufferers	190,000.00
18	303	Jan. 25, 1875	Purchase of seeds for sufferers from ravages of grasshoppers	30,000.00
18	314	Feb. 10, 1875	Supplies and food to sufferers from ravages of grasshoppers	150,000.00
21	1	Apr. 18, 1879	Refrigerating ship for disinfection of vessels and cargoes on account of yellow fever	200,000.00
21	66	Mar. 5, 1880	Articles for relief of colored immigrants to be admitted free	
21	303	Feb. 25, 1880	Secretary of the Navy authorized to use naval vessels for transportation of supplies to Ireland	
21	306	May 4, 1880	Secretary of War authorized to send 4,000 rations to sufferers from cyclone at Macon, Miss	
22	44	Apr. 11, 1882	Purchase of seeds for Mississippi River flood sufferers	20,000.00
22	378	Feb. 25, 1882	Rations for relief of destitute sufferers from Mississippi River floods	100,000.00
22	378	Mar. 10, 1882	Secretary of War authorized to use hospital tents for flood sufferers of Mississippi River	
22	378	Mar. 11, 1882	Secretary of War authorized to use Government vessels for transportation and distribution of rations to Mississippi River flood sufferers	
22	379	Mar. 21, 1882	Furnishing food to flood sufferers of Mississippi River	150,000.00
22	379	Apr. 1, 1882	Purchase and distribution of subsistence stores to Mississippi River flood sufferers	100,000.00
23	267	Feb. 12, 1884	Purchase and distribution of subsistence stores, clothing, etc., for Ohio River flood sufferers	300,000.00
23	268	Feb. 15, 1884	Relief of Ohio River flood sufferers	200,000.00
25	630	Sept. 26, 1888	Prevention of cholera and yellow fever	200,000.00
25	631	Oct. 12, 1888	Eradication of yellow fever	100,000.00
25	623	May 24, 1888	Recognition of kind treatment of Japanese crew	5,000.00
26	33	Mar. 31, 1890	Purchase of tents for people driven from their homes on account of floods in Arkansas, Mississippi, and Louisiana	25,000.00
26	671	Apr. 21, 1890	Relief of sufferers from Mississippi River floods	150,000.00
26	679	Sept. 1, 1890	Certain unexpended balances of appropriations made available for relief of citizens of Oklahoma rendered destitute by drought	
28	909	Feb. 15, 1895	Removal of ice from Potomac River	5,000.00

(1) Indefinite.

Relief granted by Congress to sufferers on account of fires, etc.—Contd.

United States Statutes at Large.	Page.	Date of approval.		Amount.
28	932	Mar. 2, 1895	Payment to heirs or legal representatives of persons killed in Ford Theater disaster	$125,000.00
29	273	June 8, 1896	Payment to employees on account of Ford Theater disaster	131,550.00
29	701	Feb. 19, 1897	Authority to transport supplies to the poor of India	
30	219	June 1, 1897	Use of vessels authorized to aid suffering poor of India	
30	219	Apr. 7, 1897	Relief of Mississippi River flood sufferers	200,000.00
30	220	May 24, 1897	Relief of citizens of the United States in Cuba	50,000.00
30	346	Mar. 30, 1898	Payment to sufferers on account of the destruction of the Maine	
30	1,390	Feb. 28, 1899	Prevention of the spread of contagious diseases in the District of Columbia	50,000.00
34	827	Apr. 19, 1906	Relief of sufferers from earthquake at San Francisco, Calif	1,000,000.00
34	828	Apr. 24, 1906	.....do.....	1,500,000.00
35	572	May 11, 1908	Relief of sufferers from cyclone in States of Georgia, Alabama, Mississippi, Louisiana, Texas, Arkansas, and Tennessee	250,000.00
35	584	Jan. 5, 1909	Relief of citizens of Italy	800,000.00
36	873	Jan. 19, 1910	Removing ice gorges in the Ohio River	10,000.00
36	883	June 25, 1910	Protection of lands and property in Imperial Valley, Calif	1,000,000.00
36	919	Feb. 18, 1911	Relief of sufferers from famine in China	50,000.00
37	633	May 9, 1912	Relief of sufferers from floods in the Mississippi Valley	1,239,179.65
37	78	Apr. 3, 1912	Maintaining and protecting against floods the levees of the Mississippi River, between the Head of the Passes and Cape Girardeau, Mo	353,000.00
37	85	Apr. 16, 1912	Maintaining and protecting against impending floods the levees of the Mississippi River and rivers tributary thereto	300,000.00
37	633	Apr. 30, 1912	Authorizing for repair and strengthening levees of Mississippi River and its tributaries	1,500,000.00

LEASING OF OIL LANDS.

Mr. SMOOT. I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 127, being Senate bill 2775, known as the oil leasing bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2775) to promote the mining of coal, phosphates, oil, gas, and sodium on the public domain.

Mr. KENYON. I should like to ask the Senator from Utah if he expects to secure a vote on this bill this afternoon?

Mr. SMOOT. I will say to the Senator that I expect to secure a vote on it to-day.

Mr. KENYON. Would the Senator have any serious objection to the matter going over until Monday? All Senators, I assume, are very busy. A number of Senators have been tied up the whole week in the Committee on Agriculture and Forestry in connection with hearings on what are known as the packer bills. I have been amongst those Senators, and I have not had an opportunity to study this bill. It may be that it is my own fault, but I do not think so. It is, as stated by the Senator from Massachusetts, a bill of tremendous importance. We have had, year after year, bills on this subject before us. I do not mean to impute anything to anybody, and I hope that will be thoroughly understood; but there is a feeling upon the part of some men that in a few years, under these bills, we are going to find all the oil lands of the United States in the hands of the Standard Oil Co., and a few men and a few monopolies controlling the whole thing. I want to be confident that that can not be done under this bill; and not having had the advantage of hearing the Senator from Utah or the Senator from Montana, in whose judgment I have great confidence, I am just in that condition. I do not think the Senator ought to insist upon a vote this afternoon. I think it should go over until Monday, and give us a chance between now and then to make a more thorough study of this bill.

Mr. SMOOT. If the Senator will take my word for it, I will assure him that neither the Standard Oil Co. nor any other corporation nor any other individual can ever, under this bill, secure control of the oil deposits of the United States. It is limited in every possible way to 2,560 acres of land. I will say to the Senator that a violation of it, even in the holding of a share of stock in a corporation that has more than that, immediately forfeits the lease that the company may have or that the individual may own.

Mr. WALSH of Massachusetts. Mr. President, will the Senator kindly tell the Senate when this bill was first reported to the Senate and printed—on what day?

Mr. SMOOT. August 15, I think.

Mr. WALSH of Massachusetts. Does the Senator think it is an unreasonable request that a bill of this magnitude and importance, presented to the Senate for the first time on August 15, should be continued for a vote until Monday next?

Mr. SMOOT. I will say to the Senator from Massachusetts that the committees to which the Senator from Iowa has referred will be in session on Monday. I thought that Saturday afternoon was the very best day in the week to have the Senators who are interested in this most vital legislation in the Chamber.

Mr. KENYON. There are 13 Senators now in the Chamber.

Mr. SMOOT. That is about three or four more than we generally have.

Mr. NUGENT. Mr. President——

Mr. SMOOT. We have had this bill before the Senate as the unfinished business since a week ago yesterday. We made it the unfinished business at that time.

Mr. KENYON. But there is no other important business before the Senate next week, is there?

Mr. STERLING. Mr. President——

Mr. SMOOT. I will let the Senator from South Dakota answer that question, or I can name a number of measures to the Senator from Iowa myself.

Mr. STERLING. I will say to the Senator from Iowa that several days ago I gave notice that immediately on the disposal of the oil-land leasing bill I should move the consideration of the prohibition bill.

Mr. KENYON. That is a drought bill, too? [Laughter.]

Mr. STERLING. Yes; and I sincerely hope that the oil-land leasing bill may be voted upon and finally disposed of this afternoon. It is not in the immediate interest of the oil-land leasing bill that I urge this action, but in the interest of the prohibition bill, which I hope to bring on at an early date; and I hope to be able to move the consideration of the bill this afternoon, in order that it may be the unfinished business when the Senate convenes next Monday.

Mr. SMOOT. I will say to the Senator from Iowa that there have been no amendments offered by Senators to the bill as yet. I felt that on Saturday afternoon, when we began the offering of amendments, we ought to have the Senators here, and then these disputed questions, if there are any, would be discussed not in a long speech, but in short, concise statements as to the particular amendment, and I wish the Senators were here to hear both sides of the case and then vote upon the matter.

Mr. KENYON. If a quorum can be kept here this afternoon, and the discussion of these matters can take place in the presence of a quorum, I would not have the serious objection that I have now.

Mr. SMOOT. Then, Mr. President——

Mr. KENYON. I have no authority to speak for others than myself; but if we are only to have 10 or 12 Senators here on this important bill, practically disposing of what is left of the public domain, and, as I have feared, turning it into the hands of great interests, I do not think the bill will be voted on this afternoon.

Mr. SMOOT. I can not say that it will be voted on this afternoon.

Mr. NUGENT. Mr. President, I desire to add my request to that of the Senator from Iowa to the effect that the bill go over until next Monday. It is one of exceeding importance. I consider this bill one of the most important now pending in this Congress, for the reason that it provides for the disposition of the comparatively little that remains of certain of the natural resources of this country, more particularly coal and gas and oil.

The bill was reported to the Senate on the 15th of this month. There was no written report accompanying it, according to my information. Therefore we have no means of knowing, so far as writing is concerned, the particular reasons that actuated the committee in placing particular provisions in this bill. There are a number of us who are exceedingly desirous of giving this bill a further and a more critical examination than we have had the opportunity to do heretofore, and under those circumstances I ask in all fairness—and I think it is a reasonable request—that the further consideration of the bill be deferred until Monday.

Mr. SMOOT. I wish to say to the Senator from Idaho that I can take him over to the Public Lands Committee and show him not one ton but tons of documents in the way of hearings upon a leasing bill. Report after report has been made. For 10 long years this subject has been before Congress.

Mr. NUGENT. Mr. President, the Senator will bear in mind, I hope, the fact that there are a number of us in this Chamber who are new or comparatively new Members, and that we are not as familiar with the reports to which the Senator refers as are those who have sat here for years, and we are seeking information in respect to these matters.

Mr. SMOOT. That is true; but I think the bill has been before the Senate once or twice since the Senator from Idaho has been a Member of this body.

Mr. NUGENT. On a conference report only, to the best of my recollection.

Mr. SMOOT. Oh, I will say to the Senator that we could not have a conference report before this body unless the bill had passed both Houses of Congress.

Mr. NUGENT. That may have been, but I do not know but that the bill had passed or was considered by the Senate prior to the time the conference report was considered during my membership.

Mr. SMOOT. Yes; I will say to the Senator that during his service the bill passed through the House, and the conference report was made and defeated in the last days of the last session of Congress.

Now, Mr. President, I want to be perfectly reasonable. I do not want to ask of any Senator an unreasonable thing, but I do think we ought to proceed now with amendments and see how far we can go to-day. Then if we can not get through to-day it seems to me the only thing to do is to give notice that beginning on Monday we will resume the consideration of the bill and hold the Senate in session as long as possible in the evening, and take recesses from day to day until the bill passes.

When I asked for consideration of the bill last Wednesday it was requested then that I should not force the bill through that day. I told them certainly not; there was no such intention. On Thursday the same thing happened, and I said no; certainly not. I fully expected that the bill would be passed yesterday, but it was not, and I did expect that before we adjourned to-day we would have the bill passed; but evidently there seems to be an impression here that it ought to go over until Monday. I do not want to be placed in the position of having it said that I forced action upon the bill, but here it is, not 2 o'clock to-day. We have four hours left, the balance of this day.

The junior Senator from Massachusetts [Mr. WALSH] has offered a line of amendments to the bill. I do not know of a better day than Saturday to take up those amendments and consider them. Every Senator ought to be as free to speak to-day as he would be on Monday, because I think the amendments are all of a general character, and when a policy is adopted more than likely the same thing will be adopted all the way through the bill. I am quite sure the Senator from Massachusetts has no objection to beginning the consideration of his amendments at this time.

Mr. WALSH of Massachusetts. Mr. President, I have very strong objection. I consider the amendments to be of a character that affects the very heart of the bill, and I will ask to have a roll call on them, and I do not believe it is possible to have enough Senators here to organize a quorum of the Senate to-day.

Mr. SMOOT. In order to test that, Mr. President, I suggest the absence of a quorum.

Mr. WALSH of Montana. Mr. President, before the Senator presses that suggestion, I should like to say a word.

Mr. SMOOT. I will withdraw the suggestion.

Mr. WALSH of Montana. Mr. President, if this were the first that the Senate of the United States had ever heard of this legislation there would be some force to the suggestion that further consideration of it ought to be deferred until next week. It is not, however, the first that the Senate has heard of it. This legislation, in practically the form in which it is now before the Senate, has been pending before this body for five years. A bill in every essential particular like the one now before the Senate had the elaborate consideration of the Senate during the month of January, 1918, at which time my recollection is that the Senator from Idaho was a Member of this body.

Mr. NUGENT. Mr. President——

Mr. WALSH of Montana. If the Senator will pardon me just a moment further, the bill passed, as my recollection is, about the last of the month of January, and remained pending the action of the House of Representatives, which occupied several months of the succeeding summer in the consideration of the legislation, and then went to the conference committee of both Houses and remained before the conference committee of both Houses for something like eight months, when it was reported to this body, and was before this body at least three weeks before the adjournment last spring, and was extensively discussed upon the report of the conference committee at that time.

Mr. NUGENT. Will the Senator yield?

Mr. WALSH of Montana. I yield.

Mr. NUGENT. I am advised that the bill to which the Senator refers passed the Senate on January 7, 1918. If I remember correctly I was sworn in as a Member of this body on the 28th day of January, 1918. I was appointed on the 22d, if my recollection serves me right. Consequently, I was not a Member of this body at the time the matter was being discussed and prior to the passage of the bill. I do remember, however, that there was a discussion with respect to a conference report, which, if my recollection serves me right, occupied about three or four hours a day or two prior to the adjournment of the last session. I have not had an opportunity to read any of the reports which have been submitted by the committee with regard to the bill that passed the Senate in 1918 or with respect to this bill; and no report has been submitted to the Senate, as I understand, with regard to this measure. Therefore I again say that it appears to me to be a reasonable request, in view of the fact that there are other Senators here who are in the same situation that I am so far as information is concerned; and as this bill is one of tremendous importance, I should be glad if it could be permitted to go over until Monday.

Mr. WALSH of Montana. Mr. President, the bill is of tremendous importance to the State represented by the distinguished Senator who has just addressed the Senate. It affects 1,286,687 acres of land in his State, and, of course, he ought to have every opportunity to inquire into it. Undoubtedly there is no item of legislation pending before the Congress that compares with it in importance so far as his own State is concerned.

Take the matter of phosphates, dealt with in the bill: 1,015.717 acres of land believed to contain deposits of phosphates, in the State of Idaho, have been withheld from public entry, actually standing there undisposed of and not yielding any revenue, and not contributing in any way to the resources of the State now for some five or six years, at least. It is a matter of very profound importance to the Senator from Idaho; and so, Mr. President, abundant time ought to be given to consider it. It does seem to me that since the Senator has been here now for nearly 18 months, with this legislation pending before the Senate, and affecting such vital interests of his own State as it does, he ought to be fairly well advised by this time concerning at least the general features of the legislation.

Mr. FALL. Mr. President——

Mr. WALSH of Montana. I yield to the Senator from New Mexico.

Mr. FALL. Of course, many of us realize that what the Senator is saying is correct in every way. The enormous importance of this legislation is recognized, and many of us have been interested in it for years. We have differed as to how these oil and phosphate lands should be developed, but the necessity, particularly now, for developing them in some way so that the people may have the product is apparent to everyone, and must be.

In my State recently I think I am safe in saying that over 5,000,000 acres of land have been located under the placer law, which is the only method by which you can secure even any rights at all on the public domain with reference to petroleum—I mean 5,000,000 acres which have not been reserved. In coal areas over 5,000,000 acres have been reserved, which we have not been able to handle at all for years, while we needed coal in the United States. The same thing may or may not be true with reference to petroleum, but at any rate the people think there is petroleum there. They are ready to put in their money to develop it. They have sought to secure some character of title. Consequently they have made locations under the placer act. They have been told that it was very doubtful whether any location was good until after the discovery was made, although we have local statutes which attempt not to contradict but to run along with the United States laws; so there is the legal question, and when there is a legal question you can not raise the money, so that everything is at a standstill. Now, some of us who have held entirely different views as to the proper legislation have finally agreed to conform to the views as embodied in this bill; and I think those of us who have been working along those lines are entitled to ask that an early settlement of the question may be made, in order that our States may be developed.

I thank the Senator for permitting this interruption.

Mr. WALSH of Montana. Mr. President, I was going to say a word further. This, I believe, is the third day this measure has now been before the Senate, and I would be indisposed myself to yield to any request for a postponement of further consideration of it in order that a further study of it might be made by Senators were it not for the remark made by the Senator from Iowa [Mr. KENYON], for whose attention I should be quite thankful, namely, that he is advised, or at least certain persons are filled with apprehension lest under the operation of the bill all the oil lands of the country would pass to the Standard Oil. I regret that the Senator from Iowa should have thought suggestions of that character of sufficient importance to dignify them by repeating them upon the floor of the United States Senate. Of course, I can not understand such a reference as signifying anything except that those who have been endeavoring to secure the passage of this legislation are either actuated by a desire to promote the ends of the Standard Oil Co., or that they are not capable of recognizing the purpose which he says it is reported to him the Standard Oil Co. has to appropriate these lands. That is so serious a charge that for myself, and I have been somewhat identified with the legislation from its inception, I should like to give the Senator from Iowa every opportunity to satisfy himself upon that point, and I hope he will come before the Senate when he has satisfied himself upon the point and give us the benefit of his judgment about it.

Mr. KENYON. Mr. President, I am not making any such charge. What I say is that it has been suggested to me that under the terms of the bill within a few years we will find the Standard Oil Co. in possession of practically all of these lands, and I am not at all certain that they are not correct. That is all.

Mr. WALSH of Montana. In view of the statement repeated by the Senator from Iowa, I am going to ask the chairman to give the Senator from Iowa every reasonable opportunity to present his views.

Mr. SMOOT. I will say to the Senator from Montana that the Senator from Arizona [Mr. ASHURST] desires to speak for a few moments at this time, and at the conclusion of what he has to say I am going to ask the unanimous consent of the Senate that a vote be taken upon the bill not later than 6 o'clock on Monday, August 25.

Mr. WALSH of Montana. I shall agree to that if the Senator from Iowa has complied with my request.

Mr. SMOOT. The Senator from Iowa has no objection to it whatever.

Mr. KENYON. I have no objection at all.

Mr. SMOOT. The Senator from Massachusetts [Mr. WALSH] is agreeable to it.

Mr. WALSH of Massachusetts. Mr. President, I shall welcome consent to have a vote taken at 6 o'clock on Monday, because that will give time to those Senators in the Chamber who have not had an opportunity to study the bill and who should receive all the information possible. I am disposed to agree to it, because between now and Monday they will have had that opportunity.

I want to repeat, if I am correctly informed by Senators in the Chamber, that the bill deals with properties of countless value, of which no human being knows the value to the Government and the people of this country. I propose to see that the public interests are protected as far as possible, and that is not a reflection upon the committee, because I think they have inserted many wise safeguards. I want to say also that for one week thus far has the bill been under consideration before the Senate dealing with this gigantic undertaking. I do not object to the request for unanimous consent.

Mr. SMOOT. I think the members of the Committee on Public Lands are just as much interested in guarding the interests of the United States in the public lands as can possibly be any other Senator in this Chamber.

Mr. WALSH of Massachusetts. Yes, sir; and you have had many months to do it, while we have had only a week to do it; and that is why we want more time.

Mr. ASHURST. Mr. President——

Mr. FALL. Will the Senator yield for just a statement?

Mr. ASHURST. Certainly.

Mr. FALL. I simply want to make a statement with reference to the bill, in view of the suggestion made by the Senator from Iowa [Mr. KENYON]. The purpose of some of us yesterday in insisting that the first section should be amended so as to allow, under certain restrictions, alien ownership was for the very purpose of putting the one great competitor of the Standard Oil Co. in the world in a position where it could compete in the American market.

Mr. ASHURST. Mr. President, I have received within the past three weeks a large number of letters, petitions, and telegrams from citizens of the State of Arizona, and some letters and telegrams from other States, the signers of which urged me to vote against the pending leasing bill. I have not seen fit to place in the RECORD any of those letters and telegrams, but the truth is a wide misapprehension prevails as to what is the situation throughout the United States with respect to coal, oil, phosphate, and shale.

I have no doubt that the able Senator from Massachusetts [Mr. WALSH] is earnestly anxious to conserve the public weal

and save such natural resources as may remain. I have no doubt that the able Senator from Iowa [Mr. KENYON] desires the same. But, Mr. President, those of us who live in Arizona, Montana, New Mexico, Utah, Nevada, Colorado, California, and other Western States know whereof we speak. We are dealing with practical things, and I say to those who are opposing the bill that if they prevent all legislation on this subject they are doing the very thing the Standard Oil Co. wants.

Some years ago Mr. Gifford Pinchot and other "conservationists" stirred up the country and made it believe that we should abandon the old mining laws which built the West, the old mining system that furnished the gold to pay the Federal soldiers, the old system of homesteading, where the man with strong arm and courageous heart could go upon the land and build a home, and the false conservationists made many persons believe that we must adopt the German system and the system England has imposed upon Ireland. Thus the alleged conservationists propose to make a preserve out of the entire West and subject millions of American citizens to a system of "absentee landlordism." For 10 years it has been utterly impossible for a man of modest means to get an oil claim or a coal claim. It has been utterly impossible for a man, unless he were a millionaire, to get hold of any oil land, and why? A citizen goes out upon the public domain and locates a claim with his strong arm, puts up his monuments, and begins work. It now costs $60,000 to drill an oil well, and one-third of the holes drilled even in proven ground are failures. Moreover, when the citizen locates a claim and complies with the law the Executive power withdraws the land. President after President seem to fall under the same baleful view that we must conserve the resources of the country by taking them from our people.

What built the great West? What built that splendid State of Iowa, so well represented here? The homestead law, under the operation of which a man could go out with his wife and his children and by hard labor make nature bring forth bountiful crops. That system made the State of Iowa great. What made the State of Colorado? The mining law, whereby the miner with nothing but a pick, a shovel, and perseverance could smite the hard ledge and make nature pour forth her golden streams into the veins and channels of commerce.

The Western States have been under stagnation instead of conservation. Of course the Standard Oil and their kindred associations want more of this kind of conservation, because the kind of conservation that we now have produces nothing, makes a scarcity in the market, and allows these great corporations to take advantage of the scarcity of coal and oil and charge what they please for these necessaries.

Who is interested in keeping competing companies from getting oil on the market? The Standard Oil Co.

What made the State of Nevada, a State that has not much humidity? It was not agricultural resources which made that State. It was the gold which the miner took from the bowels of the earth; it was the silver. And it was not the strong arm of the Government that mined the metal; it was the sturdy miner. It was that law which gave to every man of courageous purpose and industrious habits the opportunity to go out and obtain a claim, develop it, and become part and parcel of the taxpaying citizenry of his country.

Mr. President, I repeat, and I assert here, if the Standard Oil Co. is taking any position on this proposition it is taking the same position it took several years ago in advocating a continued conservation, so that these locked-up resources could never reach the people.

I do not like a leasing system. I do not believe there is a single western Senator here who will rise and say he likes a leasing system. Is there a western Senator here who desires to depart from the great mining law of the past that built our States? Comes now the conservationist. I have great respect for the conservationist, but his spectacles are rainbowed. He has dreams that do not function and that will not work in the ordinary practical affairs of life. The "conservationist" has a purpose as lofty as the stars. His idealism is noble and grand, but he usually knows but little of the practical side of the question. Under the old system the idealist, if he wished to, could take his pick and put on a pair of overalls and go out and smite nature and get wealth therefrom, but he let "George do it."

I am not going to vote against this leasing system, because it is the best bill I can get, and it is poor at that.

I regret and the country will soon regret the day when we reached a leasing system. The leasing system makes it difficult for men of modest means to get a coal claim or an oil claim; but under the present situation he can get neither, because the prospector, the poor man, can not arrange the financial details of a million-dollar corporation, and under the present system unless you have a million-dollar corporation you can not get a coal claim or an oil claim. I call upon any western Senator here to deny what I am saying.

I repeat I do not like a leasing system; but I know that when you go into legislation and into diplomacy you are like a man on roller skates, you go partly where you want to go and partly where the skates take you. If I had my way we would not disturb the great law of 1872, which, I repeat, built up the West and built up all our country. Had I my way I would continue to allow the man of modest means to develop the coal claims and the oil claims.

Mr. THOMAS. Mr. President——

Mr. ASHURST. I yield to the Senator.

Mr. THOMAS. The Senator will, of course, remember that the beneficent law of 1872, to which he has very properly referred as being at the basis of our development in the West, has been so restricted and fettered by departmental machinery and bureaucracy and the tendency to place as many obstacles as possible between the prospector and these lands as to render it entirely nugatory in past years, with the result that our output of gold and silver, so badly needed—perhaps more badly needed than ever before in the history of the country—has been very largely circumscribed and reduced.

Mr. WALSH of Massachusetts. May I ask the Senator if there has not been a scientific investigation of the natural resources of the country carried on by the Government itself at enormous expense?

Mr. ASHURST. We have spent much Government money in making scientific investigations. We have had reports so numerous that the Senator and I, if we had a large basket, could not carry them. We know how much coal we have—several hundred billions of tons——

Mr. THOMAS. Mr. President——

Mr. ASHURST. I yield to the Senator.

Mr. THOMAS. I interrupt merely to suggest to the Senator that, notwithstanding we have this very complete method of scientific investigation, it is the truth now more than it ever was that a prospector has frequently found an oil field in sections of the country where the official geological scientific investigation declared it never was.

Mr. WALSH of Massachusetts. I dislike to interrupt the exceedingly eloquent and able remarks of the Senator from Arizona——

Mr. ASHURST. I yield.

Mr. WALSH of Massachusetts. But I understood the Senator to say that there was a time in the early history of the leasing bill when it was very apparent that the Standard Oil interests or their friends were promoting it. Is that true?

Mr. ASHURST. It was true to this extent: The Standard Oil Co., through its agents in the West, some years ago at least, tried to encourage and stimulate among some senatorial candidates a sentiment favorable to a leasing bill, knowing that the leasing bill could not pass and that the company could thereby create an impasse, because the Executive had withdrawn all oil and coal land from exploration and development. That left the Standard Oil and its kindred friends an absolute monopoly of the market.

Mr. WALSH of Massachusetts. In the Senator's opinion, this bill is the very best leasing bill that has been presented?

Mr. ASHURST. I think so.

Mr. WALSH of Massachusetts. It safeguards individual and the public interests better than has any other bill?

Mr. ASHURST. I think that is true. I do not like a leasing bill. This is possibly a better leasing bill than the one which was before the Senate at the last session. When the vote is taken on a leasing bill I may hold my nose and vote for it. That is a poor statement to make, but the passage of a leasing bill is better than allowing powerful corporations to continue to exploit the people; it is better than allowing oil corporations to retain a monopoly. You can not stop monopoly except by putting an article of competition into the market with them. This leasing bill will at least permit a man of modest means to take a lease and to develop oil and coal.

Mr. KING. If the Senator will pardon me, I desire to say that in many of the mining properties before one can ship a pound of ore he has to expend from $1,000,000 to $15,000,000. That is notably true with respect to large copper properties.

Mr. WALSH of Massachusetts. My amendment only applies to oil, reducing the time of the lease from 20 years. I am informed—I do not know whether correctly or not—that the life of an oil well has been found to be not more than 20 years. Therefore a 20-year lease is practically a grant in perpetuity.

Mr. ASHURST. That may be true as to oil. I am not so well informed as to oil.

Mr. WALSH of Massachusetts. That is the only amendment which I have to offer as to oil.

Mr. ASHURST. I have said this because I have been so much importuned by letters and telegrams for a statement of my position on the leasing bill. The sentiment of the State which I, in part, represent is practically unanimous against a leasing bill, and my constituents are utterly unable to see why I have been inclined to look upon this bill with some favor. I repeat, it is because I must either vote for a leasing bill or to continue to keep oil and coal lands away from the people.

Mr. THOMAS. Mr. President——

Mr. ASHURST. I yield to the Senator from Colorado.

Mr. THOMAS. What is true of Arizona is largely true of the State which I, in part, represent. We take this bill because it is this or nothing.

Mr. SMOOT and Mr. WALSH of Montana addressed the Chair.

The PRESIDING OFFICER. To whom does the Senator from Arizona yield?

Mr. ASHURST. Mr. President, I yield the floor.

Mr. SMOOT obtained the floor.

Mr. WALSH of Montana. If the Senator from Utah will permit me, I should like to say a word.

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Montana?

Mr. SMOOT. I yield.

Mr. WALSH of Montana. Mr. President, lest my remarks, taken in connection with those of the Senator from Arizona [Mr. ASHURST], in reference to this matter may be misunderstood, I desire to say that I have no apology to make for my support of this measure. As is well known by those who apologize, I am in favor of the principle of this legislation. I have repeatedly declared my opposition to the policy heretofore pursued of conveying away in fee, alienating in perpetuity, lands which are the sites of water-power development and of coal, for coal and water power become the bases of all industry. For much the same reason, Mr. President, I am in favor of retaining by the General Government the title to lands containing deposits of phosphate, sodium, and other nonmetallic minerals of that character. I make a very clear distinction, which I hope the Senator from Arizona will note, between metalliferous mineral lands and nonmetalliferous mineral lands. I see no reason for changing the law of 1872 as it applies to metalliferous mineral lands. That it never was intended to apply to lands containing deposits of phosphate, sodium, nor to deposits of oil and gas, any student of the question is obliged to admit.

Mr. ASHURST. Will the Senator yield to me at that point?

Mr. WALSH of Montana. Yes.

Mr. ASHURST. What the Senator says is true; but it is also true that oil claims in California and other States that have been producing oil for 20 years were acquired under the law of 1872.

Mr. WALSH of Montana. I agree with the Senator from Arizona; but I insist that when the law of 1872 was enacted the matter of oil claims never was thought of, and the placer-mining law, I insist, is entirely inapplicable to the appropriation of lands containing deposits of oil. I took occasion before the Committee on Public Lands three years ago to express at some length my view concerning this matter and to point out the distinction which, as I thought, existed between nonmetallic mineral lands and mineral lands that are metalliferous. I think there is a good reason why we should make a distinction between them, and we have endeavored to make it.

Some possible criticism might be made, as it seems to me, of an act which would contemplate the complete alienation of these lands, by which they were to pass entirely out of the ownership and control of the Government of the United States, that by reason of legislation of that character they might possibly get into the hands of some great interest—the oil lands, for instance, getting into the hands of the Standard Oil Co. That was one of the considerations moving us to feel that in all probability the leasing system was more applicable to the disposition of oil lands that was the old system of complete alienation. I must confess, Mr. President, some astonishment, however, at this time to hear it suggested that it operates to the contrary, and shall wait with some degree of curiosity the elucidation of that idea.

Mr. THOMAS. Mr. President, does the Senator from Utah prefer to present his request for unanimous consent now? If so, I will defer my remarks until that is done. It might be difficult to get a quorum later in the afternoon.

Mr. SMOOT. I prefer at this time to present the request for unanimous consent; but before doing so I wish to say that I have numerous telegrams and many letters from known conservationists from all parts of the country congratulating me most heartily upon reporting this leasing bill to the Senate. Therefore I wish at this time frankly to state that, so far as I am advised, to-day the leading conservationists of the United States have little, if any, objection to the passage of this bill. There may be some; but I only speak of those who have sent me word.

I simply say that because of the statement made by the Senator from Arizona referring to the conservationists.

Now, Mr. President, I send to the desk a proposed unanimous-consent agreement and ask to have it read.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

It is agreed by unanimous consent that at not later than 6 o'clock p. m. on the calendar day of Monday, August 25, 1919, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the bill, Senate bill 2775, a bill to promote the mining of coal, phosphate, oil, gas, and sodium on the public domain, through the regular parliamentary stages to its final disposition; and that after the hour of 3 o'clock p. m. on said calendar day no Senator shall speak more than once or longer than 10 minutes upon the bill, or more than once or longer than 5 minutes upon any amendment offered thereto.

The PRESIDING OFFICER. The Secretary will call the roll, under the rule.

Mr. LA FOLLETTE. Mr. President, I presume it is in order when a suggestion of that sort is presented to proceed at once to call the roll. If it is not too late, I should like to say that I shall interpose an objection to concluding debate at any time upon this bill. If it will save time and avoid the calling of the roll, I make the suggestion now to that end.

Mr. SMOOT. Did I understand the Senator to say that he would object to concluding debate at any time?

Mr. LA FOLLETTE. Yes; at any time.

Mr. SMOOT. Then I withdraw the request for unanimous consent.

Mr. LA FOLLETTE. I thought the Senator would.

Let me add, Mr. President, while I am on my feet, that my only purpose in making that suggestion now is in order that time may be given to the consideration of the bill that might otherwise be taken up by the call of the roll and in other ways. I think great progress has been made in the consideration of this subject, and that we have before us a bill here that gives promise of legislation at this session. This bill is a wide departure from the position taken by the advocates of the legislation at the conclusion of the Sixty-fifth Congress, and I am encouraged by the improvement which has been made during the time since March in the direction of a better protection of the public interests over the measure that was presented at that time by the committee, the personnel of which is almost entirely the same as it was then—I think there are only four new members upon the committee—to hope that a day or two more given to the consideration of this measure may work out some further improvements.

I wish to commend the committee for the excellent provisions the bill contains. I have, however, some amendments which I wish to offer and which I hope to have considered by the Senate. I understand perfectly well, Mr. President, and everyone ought to understand, that no one at this time of the session would propose amendments or suggest delay in the legislation for a day or for two or three days with any other purpose than that of perfecting the legislation. That is, I want Senators who may have in their minds the thought that perhaps I was the one on this floor who was responsible for the defeat of the bill embodied in the conference report in the closing days of the last session, to understand that my suggestion made at this time is only with the view of getting before Senators all of the facts and all of the arguments that ought to be considered in connection with legislation so far-reaching in its consequences as this proposed measure.

I do not know its significance; but I am just in receipt of a telegram signed by several people in Los Angeles. I know none of them, but they say that the whole West is ablaze against this legislation, and they want time to make protest and to be heard. I repeat, I do not know any of the individuals who signed that telegram, which I will present on the floor, and in regard to which I wish to make some little investigation if I can. They say that there are provisions in this bill that are in the interest of foreign ownership and control of mines. I know that there has been some effort made to guard against that very thing in the bill; but I can not see that we shall especially suffer by not fixing a time for disposing of this [illegible] now, as suggested by the chairman of the committee.

I have always favored leasing legislation in regard to the natural resources of the country, and I only want to see this bill made just as good as it can be made in the public interest, and in saying "in the public interest" I mean in the public interest of the West as well as of the East, looking at it in the largest and broadest way. That is all I want; and I shall be glad to see this measure, when it is perfected, written into law. I say this merely in explanation of the fact that I do not believe the time is at hand just now for putting up the bars on the debate on this bill.

Mr. THOMAS. Mr. President, speaking for myself I have not the slightest desire even to seem to want to push this bill to an undue conclusion. I rather hoped that we might be able to agree on some definite time for voting upon it without preventing full discussion by so doing, for two reasons: In the first place, the whole subject has been intermittently before Congress even since I have had the honor of a seat in this Chamber. I do not believe that any one subject has been so thoroughly debated from every conceivable angle as the so-called leasing policy proposed to be established by the Government and applied to large portions of the public domain. Hence, with the exception of new Members, like my friend the junior Senator from Massachusetts [Mr. WALSH] and some others, I think practically everything has been said that can be urged for and against the proposed method of dealing with the public lands.

In the next place, the experiences which a similar bill encountered during the Sixty-fifth Congress have warned those of us who want to see some legislation effected of the danger of procrastination. In the month of January, 1918, the Senate passed an oil-leasing bill. It went to the House and was there properly referred to the House Committee on the Public Lands, which held hearings for months upon its various provisions and finally reported to the House a measure which, after being passed with amendments, ultimately reached a committee of conference consisting of Members of both Houses, and there it remained without a seeming hope of agreement until the Congress itself was drawing to its statutory end. The conference report reached the Senate, and here a point of order was made against it, which was very properly sustained by the Chair, requiring another conference meeting and another report. That report was presented to the consideration of the Senate during its expiring hours, and it failed of passage because the Senator from Wisconsin [Mr. LA FOLLETTE] and others were not satisfied with its provisions and exercised their constitutional right of opposing it, and did oppose it successfully.

That experience, I think, justifies the reflection that if we are to have any legislation by this Congress upon this subject we should heed the experiences of the last Congress and try to secure its enactment as early as possible during the life of the Congress. Hence I am very much in hopes that we may be able early in the week to vote affirmatively upon this bill or to determine its fate, and its final fate, at this time at least by its rejection. Of course, two or three days will make comparatively little difference, and I am sure from what the Senator from Wisconsin has said that we may be able to consider his amendments and secure a final vote upon the bill before the coming week shall have expired.

Mr. President, while I have the floor let me say a few words upon the general subject of the bill, which I had not intended discussing at all. I have exhausted myself and unquestionably exhausted the patience of my colleagues in previous speeches relating to the policy of the department and of the administration, not alone concerning the subject matter of this bill, but concerning its general policy with regard to the public domain. But the Senate is now honored with a different membership, consisting largely of Senators whose experiences regarding this subject have been academic, if they have had any at all; and it is their attitude upon the subject and their desire for changes in the bill as reported by the committee that must constitute my justification for submitting some additional observations upon it.

Mr. President, I went to the city of Denver in the month of December, 1871. Colorado was then a Territory, comprising less than 40,000 whites, the city of Denver having an estimated population of 7,500. The Territory comprised over 100,000 square miles of domain, practically all of which was public land and most of which was unsurveyed. The pioneers of that day had been drawn to that section of the West largely by the lure of gold and silver, which has been the active cause of community settlements in inhospitable and unknown regions ever since man has had a recorded existence upon the globe. We had no mining law of any consequence then, the act of 1866 being concededly deficient and furnishing comparatively little, if any, inducement to the prospector to ply his vocation.

The next year Congress enacted the law of 1872, which threw all mineral lands of the Government open to exploration by citizens of the United States and those who had declared their intention to become such and provided that the discoverer of a lode should have the right to 1,500 feet of the vein discovered and a piece of ground not exceeding 600 by 1,500 feet in dimensions, together with all other veins, lodes, or ledges apexing within that territory, and conferring upon the States and Territories the power to diminish the size of the location not exceeding 50 feet on each side of the center of the vein. That piece of legislation has contributed more to the settlement of the Rocky Mountain West and of the Pacific West than all the other statutes and policies of the General Government affecting that country combined.

In the first place, it told the citizen of the United States to go upon the public domain and hunt for treasure, and assured him the right to locate and enjoy that treasure should he be successful; and emigration began from all sections of the United States to the great West. It was, Mr. President, a population comprising the best brains and the best blood of the older settlements, and therefore gave us a population alert, intelligent, enterprising, and patriotic. The vast flood of emigration following the successful miner peopled our cities, spread over our plains, conquered all of the adverse conditions of nature, added great Commonwealths to the Union, and contributed and is contributing enormously to the general wealth and prosperity of the country.

This law, Mr. President, was abused, as are all laws which are designed to protect and to benefit honest men and women. Fraudulent mining locations were made by the score and by the hundred and by the thousand, and in some instances patents were issued for such fraudulent locations; but, speaking by and large, the restrictive provisions of that law, coupled with its rigid enforcement, reduced the successful perpetration of these frauds to a minimum. During the course of the progress of the mining history of the West many aggregations of claims were formed, and corporations owned and operated them. In some places like Butte, Mont., and Cripple Creek, Colo., perhaps at Bingham, Utah, and other mining sections of the West, these combinations became very large in size, and, generally speaking, very profitable in operation. Frequently they wielded an industrial and political power not entirely healthful to the communities; but they were the necessary consequence of that physical and geologic condition requring large operation in order to produce profitable results; and, notwithstanding their deficiencies, the general sum of their benefits not only to the West but to the Republic very greatly outweighs the evils and abuses to which they gave rise.

We would have avoided those conditions had it been possible; but it is the order of progress of modern times that combinations will be formed not only by those engaged in manufacture and development, and generally known as capitalists, but also by farmers and workmen in all conditions of life. I never have viewed that tendency with anything but apprehension; but it is here, and it has been here for many years, and as far as I am able to perceive it is likely to remain as a feature of economic and industrial progress, however much we may rail against it, and however needful it may be to impose restrictions upon these combinations.

Mr. KING. Mr. President, will the Senator permit a suggestion here?

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from Colorado yield to the Senator from Utah?

Mr. THOMAS. I yield.

Mr. KING. Does not the Senator think that the view which was finally expressed by Mr. Roosevelt may be the correct economic view, and, so far as it may be so denominated, the correct political view, in dealing with these corporations and big industrial activities? It seems as though, as the Senator has said, the tendency of the times, the economic conditions of this and other countries, lend themselves to large business enterprises. Where you have an income tax, an excess-profits tax, and the system of taxation which obtains in this country and in England and in other European countries, does not the Senator think you can deal pretty effectually with large corporations? And then when in addition to that you have measures such as the Sherman antitrust law, and supervisory measures such as we find in the Federal Trade Commission bill, does not the Senator think that in that way you can curb monopolies and trusts, and prevent the evils which otherwise might exist from unrestrained monopolistic opportunity?

Mr. THOMAS. Well, it may be, Mr. President. My purpose in referring to that situation was not to discuss it, but to admit the fact as the basis of an intelligent consideration of conditions which this bill will encounter no matter what its provisions may be.

These combinations, Mr. President, and especially those affecting other divisions of the public domain—railroad companies, coal companies, land companies, and so forth—have unques-

tionably sinned against the land laws of the United States, and sinned most grievously. They have not only taken advantage of liberal provisions, but they have perverted them; and in times past, either by tacit or by express understandings and agreements between themselves and the officials of the Government in the city of Washington, they have robbed the public domain and acquired to themselves thousands upon thousands of acres of land of great value, and which should have been restored because of these things to the people of the United States. I do not defend them at all. On the contrary, I was among the first to denounce these conditions and call the attention of the public to the fact that they could not exist without an understanding between the robber and the robbed or the representatives of the robbed, and that unless the laws of the United States as they existed were arbitrarily enforced and their violators properly punished a reaction of public sentiment would be bound to set in, and when it came we would go to the other extreme, to the infinite injury and annoyance of the innocent citizen of the United States who, in obedience to the law, was seeking to obtain the benefits which that law gave him from the public domain. That is precisely what occurred. We have gone to the other extreme, with the result that the little fellow, the prospector, the homesteader, the small coal miner, the modest locator of oil lands, has for some time been regarded as prima facie a scoundrel and a thief, and has been so treated by pretty nearly every division of the Department of the Interior. The result is that it is about as difficult for a man, however upright and honest he may be, to obtain from the Government of the United States any sort of a claim as it is for a camel to go through the eye of a needle.

I can illustrate that by the experience of two women schoolteachers in the city of Denver, who some years ago made their locations upon agricultural lands near the Utah boundary upon the supposition that they could acquire lands of substantial value by complying with the statutes concerning residence. Those two women have been driven from pillar to post; they have been sent from bureau to commission and from commission back to bureau. They have tried to comply with every requirement only to be confronted with others. They began their unfortunate attempt in 1913, and are to-day further away from a recognition of their claims than when they started.

They are honest, hard-working women. They expected to secure this land simply by living upon it; but the various obstacles which bureaucracy has placed between them and their title have caused them to incur an expense of over $4,000 up to this time, and now they write me that they propose to abandon their efforts, being conscious of the fact, and made painfully conscious of it by the action of the Government officials, that their Government exists to prevent instead of to permit its citizens to acquire title to the public lands.

Mr. SMITH of Arizona. Will the Senator permit me to inquire for what purpose the department wished to conserve the land which these poor women wanted?

Mr. THOMAS. In this particular class of lands the virus of conservation has not yet actually entered. It is there indirectly because of the nonoperation of department machinery.

Mr. SMITH of Arizona. I did not know but that they were conserving it for the great-grandchildren of these claimants.

Mr. THOMAS. It is certain that unless conditions change these ladies will not receive their patent from the Government until their grandchildren are themselves parents of children.

This, of course, may not be a typical instance, but I know that the experience of every western Senator here will bear me out in the statement that one of the most difficult things now confronting the homesteader is the obtaining of a patent, and, I might add, one of the most expensive things. It is due more to the reaction from the profligate extravagance and robbery of the public domain by the railway and coal companies and other combinations during the last decade of the last century and the first three or four years of the present century than to anything else.

Mr. KING. Mr. President——

Mr. THOMAS. I yield to the Senator.

Mr. KING. I think the Senator ought to state and put into the RECORD in connection with the illustration which he has just given that in all probability the arid land to which these two women were trying to obtain title, if a person had the title, would not at the time they entered upon it have brought in the market more than two or three dollars per acre.

Mr. THOMAS. No one acquainted with values in the West would pay that much for it. Of course, all the best lands have been secured, and a homesteader now acquiring a piece of land, even when he gets a patent, is at the beginning and not at the end of his troubles, because he must then make it cultivable, which is an extremely complicated problem, especially where irrigation is necessary.

The conditions to which I have referred also gave birth to what is popularly called the policy of conservation, a policy which sanely and wisely directed should commend itself to every thinking man and woman in this country—a policy which, through laws enacted for its wise operation, would unquestionably receive the support, and the enthusiastic support, of the vast population now occupying the States of Montana, Colorado, New Mexico, Arizona, Nevada, Utah, Idaho, Washington, and Oregon. I should perhaps say that during the first stages of its consideration it was as popular there as it was anywhere else. No man haled its advent more enthusiastically than myself, no man followed it more faithfully, until it became plain that its purpose was not conservation, unless that term was the equivalent of a denial of the right of private ownership by the people of the United States of the public domain, and unless it meant also an approval of the reservation of countless millions of acres of public land under the theory of a conservation which assumes that the withdrawal of lands from public entry is a benefit and not a detriment to the people of the United States.

When you consider that in the States of Utah, Colorado, Arizona, and New Mexico from 35 to 45 per cent of our territory under existing regulations and reservations never can pass into private ownership; that it is under the dominion of a central power represented here in Washington, thousands of miles away; that it is not subject to local laws and regulations; that it contributes not a dollar to the support of State and municipal governments; and that it must so remain until public opinion changes in this country, one can easily understand why the people of the West, with here and there an exception, are opposed to conservation. One can well understand why people in the East, living in States unburdened by such conditions, States which were once public-land States also, but whose lands have passed entirely into private ownership, can not appreciate the conditions which confront us. It is all very easy to understand how a Senator from Massachusetts, whose ancestors drove the Indians from that country and possessed themselves of all their land, it is very easy to understand how a Senator from some other eastern State whose ancestors were not at all concerned about their well-being and who were, nevertheless, better off because of such unconcern, can insist upon imposing on the people of the West, upon the theory that all the people own all of the public land in the country, conditions which are obnoxious to us and in some instances intolerant.

Mr. President, did you ever see the forestry book of regulations which are made applicable to the administration of our forest reserves? It is about twice as big and bulky as the pending treaty, and it contains provisions covering all conceivable conditions, with the compliance of every one of which every man must content himself when he enters that sacred domain. It is the quintessence of modern bureaucracy and has as much to do with the creation and continuance of a feeling of discontent and outrage as any other one element of land administration.

Mr. SMITH of Arizona. Will the Senator permit me to give one little illustration along the line he has been speaking?

Mr. THOMAS. Certainly.

Mr. SMITH of Arizona. In my State in particular the forest reserves are something over 11,000,000 acres, three are four times the size of the State of Massachusetts. A man living quite a little distance from a city had some horses to dispose of and he wanted to sell them. Having to go 50 or 60 miles to find the manager of the forest reserve, he took the dangerous liberty of driving his horses through the forest reserve over the trail to get to the nearest town, and suffered considerable inconvenience in the prosecution that resulted over a violation of the rules and regulations of the forest reserves.

Not only that, but in the county of Graham, several years ago, the department made the greater part of that great county a forest reserve, the celebrated Graham Peak, a great mountain, being included therein. Some miners had been working on that mountain side for years before the reservation was created. They built their little cabin and had their kitchen and their bed. The forest reserve rangers came along and thought they needed it. Therefore, without consulting the miners, they simply told them to get out of there. They threw all their things out of the house. I believe they kept the stove, because they needed that. They proceeded to drive those men out of the mine they had been working in for years because it was in a forest reservation, and the ground upon which they had built their little cabin to conveniently work their mine in that particular location was more valuable for timber than it was for occupancy by those miners. I may say in justification of the authorities at that time that I brought the matter with some unction before them and did succeed in having the trespassing gentlemen removed, but that is the only case where it has been done that I have known in the whole management of the forest reserves in the Western States.

Mr. THOMAS. And the Senator, to get relief for his constituents, had to apply to the head of a bureau 3,000 miles away from home.

Mr. SMITH of Arizona. Yes; and who knew nothing about it.

Mr. THOMAS. Conservation and reservation are synonymous terms evidently in the minds of the average eastern conservationist. Of course, these men had it in mind that it should be kept for the benefit of some citizen in the year 2149, or perhaps his most remote descendant, who, of course, is entitled to some but not to all consideration in our administration of the public lands.

If it had not been for the law of 1872 I am satisfied that the Great American Desert, as it was called in the geographies when I was a boy, would be a desert still. I am confident that if the modern policy of conservation had been inaugurated in the early seventies, or immediately after the war, its paralyzing and depressing and retrogressive effect upon the great West would have made it extremely difficult for America either to be able to protect herself or to have rendered such efficient aid in the Great War of the World, because it is not the Geological Bureau of Washington, it is not the other bureaus which perform efficient service here which should be credited with the discovery of the enormous deposits of minerals of all kinds, but the individual who, armed with a hope of profit and sustained by the statutory promise of his Government, risks all his money, his life, his family, his health, everything in those inhospitable wilds of nature where all her great mineral resources are for the most part deposited, has discovered them, wrested them from their hiding places, and compelled their contribution to the general wealth of mankind. And so with oil.

Mr. President, the so-called placer mining law—also a part of the act of 1872, and which gave the right of location to not to exceed 20 acres per man of all placer mineral ground in the West—has been made applicable to other forms of deposit which the energy and the industry of the prospector has also discovered, but which can not be included under the provisions of the act. That placer law, as the Senator from Montana [Mr. WALSH] has said, was not applicable, strictly speaking, to any such locations as those with which this bill must deal, but under an act of Congress it has been made especially applicable thereto. Some years ago certain men of experience in the matter of oil deposits and oil formations became convinced that oil existed in certain parts of the United States which up to that time, while producing many other things, had produced no oil. Those men were particularly impressed with the apparent geologic conditions in California and in Wyoming and they went to those sections of the country and made investigations, followed by locations, first in California.

I do not know, Mr. President, whether you have ever been in the section of California where oil in quantity was first discovered, but a coyote has to carry his rations with him if he expects to stay overnight anywhere upon the Mojave Desert and that section of California lying immediately to the east of it. These men, however, went there—that was some years before the universal automobile age—and carried with them everything essential to the preservation and continuance of animal existence, built roads, laid water pipes, then sunk their shafts and discovered oil. What geologic bureau, what paid Government prospector—if such a thing can be imagined—what impulse or influence except the impulse or influence of gain, encouraged, and properly encouraged, by the Government, would ever have driven men into such inhospitable regions, impelled them to expend their money and their time, and incur all of the dangers which inhere in such climatic conditions, except that they knew and were told by the Government that their successful exploitation would be followed by a recognition of their locations?

About that time the principle of conservation became very popular, and in some sections of the country extremely fashionable. In 1907, 1908, and 1909 the same class of individuals, going through hardships not quite so extreme, accomplished the same results in Wyoming. Immediately, the Government of the United States, through President Taft, issued a withdrawal order by which practically all known oil lands were withdrawn from location. The President himself said he did not think he had the power to do it, or at least that there was a question as to his power. I might add that the Supreme Court subsequently sustained him. But the fact is that from that good day on limitations were placed upon oil development which if permitted would have solved the problem of the oil supply of this country, as the people if permitted to-day to continue oil development under some sort of legislative restrictions and conditions would give us all the oil that we need.

In 1910 the so-called Pickett bill was enacted, recognizing the validity of the reservation of President Taft and going a little further and giving some validity and standing to bona fide locations made between that time and the date of the bill. Of course, the law was designed—it may not have been so construed afterwards, but it was designed—to be in harmony with the existing law relating to the discovery and location of oil claims.

Of course, a great many dishonest men, adventurers, speculators, and the unscrupulous joined in the tide of immigrants to these places, and they plied their trade as best they could. That is an unavoidable condition in all departments of human endeavor, especially such as promise big returns. The way to guard against it, of course, is the enactment and the enforcement of stringent regulations. But, Mr. President, every man making a location, no matter how much money he may have expended upon it, whatever his bona fides may have been, almost without exception has been treated and sometimes has been branded as a scoundrel, the modern theory being that no honest man will or can have anything to do with an oil location on the public domain. All proposed legislation of the departments—the Department of the Interior, perhaps, excepted—has been based upon that hypothesis.

The result has been that many a man has been ruined—men just as honest and upright as the most honest and upright conservationist in the world—by the negative operation of a governmental policy toward him and in defiance of rights to which he was entitled under the statutes of his country. It is that class of men with which I am concerned, and I know that there are multitudes of them; I know that they are in the great majority; and I think every person will agree with me that the Government of the United States should be the last agency to brand any honest citizen owing allegiance to it with even the suspicion of fraud or dishonesty.

The locator, however, who has been trying to get a patent, and whose location antedates Mr. Taft's order of September, 1909, has been subjected to an ordeal much worse, and far more difficult to escape without injury to himself, than the ancient one which forced the accused or suspected person through a passage lined with red-hot pieces of iron.

I am trying to give a history—an imperfect one, if you please—of the change of conditions as they were and ought to have been to those which now confront us. About the time of the Taft withdrawal order two naval reserves were created, the purpose being to conserve oil for the Navy. They were carved out of the country with cheerful disregard of the rights of locators within them, naval reserve No. 1 being conspicuously inclusive of a large number of bona fide, profitable locations containing oil. Of course, the reserve would not have been made otherwise. That injected the Navy into the general situation, although it should not have had that effect.

No man has a higher opinion of the Secretary of the Navy than I; no man has defended him upon the floor of the Senate in times past more earnestly than I; no man believes more thoroughly in his uprightness and conscientiousness than I; but the Secretary of the Navy, because of these reservations, long ago identified himself with the opponents of this character of legislation, and was able, with the cooperation of the former Attorney General of the United States, to usurp and exercise the functions of the Interior Department. I am not questioning their good faith or the integrity of their views, but the result has been that a combination of great departments has been exercised to prevent the recognition up to this time of any sort of right on the part of these people, who have been asking for nothing but justice for years and years.

One result of this unfortunate condition has been the practical loss to the Government of the United States of naval reserve No. 1. I wish the Navy no harm, but I can not help saying that it served them right, for time after time propositions of compromise were made by those who were interested in bona fide locations within that district which, through the exchange of other lands for the lands there involved, would have given them free title and conserved the oil reserves for the use of the Navy; but the obstinacy of the department made that impossible, with the result that the court has sustained the bona fides of the locators, and the title of the Southern Pacific Railroad Co. to large portions of land has also been judicially confirmed.

Whether the same thing will happen to the other two reserves, one of which is in Wyoming, I do not know; but I do know—at least I am creditably informed—that oil taken from the reserve in Wyoming will cost about three times more to lay down on either the Atlantic or the Pacific coast than oil which can be obtained from private sources for supplying those localities. It may be well to preserve it until the year 7894, when perhaps the use of oil as a fuel for the Navy will be supplanted by some synthetic compound which the genius of man in the interval will have devised; I do not know,

Mr. President, it is said that we must conserve the interests of the people of the United States; be it so. It is said we must safeguard the patrimony of posterity; be it so. But in doing that let us consider two fundamentals: First, justice to the men whose only offense is a compliance with the law, and, second, consideration for the interests and welfare of the people who are now on earth and who are suffering from discontents and difficulties innumerable, not the least of which is the enormous cost of an essential element in our modern life which this bill when enacted, if it ever is, will serve to relieve.

I am not in favor of this bill. I can not give my sanction to a single section of it. I am utterly—I was going to say irreconcilably, but I can not help myself, in view of the recent decision of the Supreme Court of the United States—I am utterly and irretrievably, in so far as my mental faculties of protest are concerned, opposed to the system. I do not like to think of Uncle Sam as a great big landlord, an absentee landlord at that, doling out leasehold interests to his children, collecting rent from them, and providing for its collection by the appointment of another multitude of officeholders to examine their books, to keep tab upon their activities, to watch their bank accounts, and to invoke the law or the regulations against them whenever any one of such officeholders shall come to the conclusion that the terms and conditions of the lease are not being strictly observed. I do not believe in landlordism, whether it manifests itself in private affairs or in public affairs.

We entered upon the leasing system in the early days of the Republic, about 100 years ago. We applied it to the lead mines along the Mississippi River on either side. The people rebelled against it, and properly so. It became not only unpopular but extremely unsuccessful, and was abandoned for that reason, as, in my judgment, this scheme will be abandoned. But it is all we can get; it is this or nothing.

Every locator under this bill, however sound his title, is required to surrender and abandon his location as a condition to his acquiring a lease to the thing that he equitably owns, and he must himself pay tribute to the extent of not less than 12½ per cent and not to exceed 25 per cent—and if the amendment of the Senator from Massachusetts [Mr. WALSH] is adopted, probably 75 per cent—of the proceeds of an oil well in a deposit of oil which he is entitled to the credit of having discovered.

When I was a boy I heard a story of a woman who was always afraid of burglars, and one night she woke up her husband and in a frenzied whisper informed him that a burglar was under the bed. "Well," the old man said, "he will come out in a few minutes, honey; then we will let him hunt, and if he finds anything we will take it away from him." [Laughter.] That is about the policy which has been followed by the departments and by administrations, Democratic and Republican, since the good year of our Lord 1905; and, to use a common expression, it is the people of the West who get it in the neck every time.

A most fortunate public-land State is Texas. Texas came into the Union as the owner of all the public lands in her dominions; and, fortunately for her, the Secretary of the Navy and the Attorney General of the United States can not interfere and place shackles upon her power of development or the enjoyment of her resources by her citizens. The result is that the great oil activities of the day are now centered in Texas and in those portions of California represented by land grants from the old Mexican and Spanish Governments, recognized in the treaty of Guadaloupe Hidalgo. That is a hard thing to say of the Government, Mr. President, but it is the fact nevertheless; and the only decent policy, the only really successful policy, the only equitable policy, in my judgment, which the United States could follow with regard to its public domains is to convey them to the respective States of the Union. I know it would break the hearts of about 100,000 faithful employees in the city of Washington and distributed over the country, now thoroughly organized and demanding increases of pay, but it would subserve the purposes of the communities where these lands are located far better than any other system that could be devised by the wit of man, and, Mr. President, would at once do away with that system of bureaucracy which has grown up in these departments and whose rules and regulations have become so rank and luxuriant that no man now, however good his claim, can get a patent without waiting for years, and then expending a great deal more money than he can afford to expend.

Why, I think 5 or 10 per cent of my correspondence comes from poor people in my section of the State who for years have had claims in Washington for land entries and applications for patents, and who are despairing of obtaining that relief or those rulings which are necessary, and which must precede the making of the entry and the securing of a certificate of purchase. Those things would not take place, or at least they would not immediately occur, if the public lands in the State of Colorado and in the State of New Mexico and other States were conveyed, under proper conditions regarding monopoly, to the different States of the Union; but that, Mr. President, is out of the question.

The average conservationist—I will not say it applies to all of them—is very much concerned about conserving other people, but when it comes to a personal application of the doctrine he is not so enthusiastic. I believe the gentleman who claims to be the great progenitor, the father of conservation, is the Hon. Gifford Pinchot, at one time chief adviser to President Roosevelt, forester of the United States, and one of the founders and leaders of the late lamented Progressive Party. He it was who discovered that the way to conserve was to reserve, and that the way to develop was to keep everything petrified and stagnant. To him, so far as his actions are concerned, the American Indian, in the days preceding or accompanying the pioneer life of the United States, was the ideal conservationist of the world, for he not only preserved everything for future generations, but he did not care a picayune about it himself.

Mr. President, we should imagine that a gentleman inspired by such lofty altruism, so sincerely devoted to the cause of posterity, and so abhorrent of anything that would even smack of exploitation would be in a class by himself, and until a comparatively recent date I have pictured men like Mr. Gifford Pinchot as being holier than myself and being possessed of a loftier citizenship and more thoroughly devoted to the principles of the Progressive Party than I could hope to be. During the discussion of the Saulsbury bill, however, a little incident occurred which gave me a good deal of sorrow, and which indicated that, so far as this gentleman's personal belongings and opportunities were concerned, they were exempted from his general doctrines of conservation. We all recall the scene in Richelieu where the great cardinal draws the charmed circle of the church around his niece for her protection and thereby gives her immunity. I am afraid that the Hon. Gifford Pinchot has attempted to fulfill the rôle both of cardinal and of niece and has drawn that sort of a circle around himself and some of his property belongings. I am impelled to that conclusion by some letters, copies of which were some time ago placed in my hands, and I have determined, after prayerful consideration, to take advantage of the first opportunity offering itself to read them into the RECORD.

During the consideration of the joint resolution (S. J. Res. 152) to prevent rent profiteering in the District of Columbia the name of Gifford Pinchot was brought into the discussion in a colloquy between Senator Saulsbury, who was addressing the Senate, and Senator THOMAS, who inquired if Mr. Pinchot was referred to by Senator Saulsbury, who had not named him. The discussion occurred on May 6, 1918, and will be found on page 6101 of the CONGRESSIONAL RECORD (65th Cong., 2d sess.).

An investigation of the subject discloses that Gifford Pinchot, on November 24, 1915, rented, through his agent, Horace H. Westcott, to Rev. Walden Myer, a dwelling house at 1622 N Street NW., Washington, D. C., for 10 months from the 1st of December, 1915, at $200 per month. This lease was drawn on a printed form, and a clause was typewritten into the lease giving the tenant the privilege of renewing for one year from the expiration of the lease at $2,400 per year.

The lease was renewed July 27, 1916, for one year on the same terms except as to renewal. On June 1, 1917, the lease was further extended for one year from October 1, 1917, on the same terms and conditions except as to renewal, and with the following proviso:

> And that the party of the first part shall have the privilege of canceling the within lease, should the within-described premises be sold, by giving three months' notice from the next succeeding rent day to the party of the second part.

This condition was signed by Westcott, the agent, and Myer, the tenant.

Miss Myer, who represented her brother in matters of correspondence with Mr. Pinchot, stated that Mr. Pinchot attempted to put them out "without legal foundation." Now, the Senate should be reminded, or perhaps it is not necessary, that it was just about that time when the dollar-a-year men invaded the city of Washington, and were very anxious to secure quarters for themselves and families during their stay in Washington; that these gentlemen were, speaking largely, men of independent means and incomes, capable, therefore, of paying generous rentals, and awfully good picking for the landlords and house-owners of the city of Washington.

The trouble over the house began when the secretary to Mr. Westcott wrote to Rev. Myer on September 1, 1917, that Mr. Pinchot was going to exercise his option to cancel the lease. To this letter Miss Myer replied for her brother, under date of September 4, 1917, asking the name of the purchaser. This was before Miss Myer received a letter from Gifford Pinchot,

dated at Washington, D. C., September 3, 1917, which letter was addressed to her at Bar Harbor, Me., and is as follows:

WASHINGTON, D. C., *September 3, 1917.*

MISS GERTRUDE MYER,
Edgemere, Bar Harbor, Me.

MY DEAR MISS MYER: Mr. Westcott may have written you that I have given him notice that I desire to take advantage of the clause of the lease which permits me to take possession of the house now leased to you upon three months' notice in case of sale. The circumstances are these:

In order to get additional money for war relief, Mrs. Pinchot and I have decided to rent the house we are living in now.

That is a great, big house, you know. If I owned a house like that and were able to run it and maintain it, I might be a conservationist myself. [Laughter.]

A number of offers have been made, and I am told by the real estate people there will be no difficulty whatever in carrying out this part of the plan. We desire to spend the winter in the house you now occupy.

Just here I am informed that the tenant was a man by the name of Vanderlip, who was expected to take the large house, and who, in popular estimate at least, is supposed to be able to pay a very fair and generous rental if he wants to.

I realize perfectly that the right to terminate the lease is dependent on sale, and if necessary, in order to be legally correct, I have arranged to sell the house to Mrs. Pinchot for cash.

[Laughter.]

All this is the formal part of the matter. What I am writing now to say is that I regret exceedingly the inconvenience we shall be causing you in making this decision, and that I should be glad to do anything I can to minimize that inconvenience. It is possible, under the circumstances, you would be willing to allow us to cancel the lease and have possession of the house earlier than December 1, when the lease would legally terminate, and it would be a very great convenience to us if you could manage to do so. We are planning to make certain alterations in the house, and it would naturally assist us very greatly if you would permit us to do so. In case you should be willing and yet should find it inconvenient to move your furniture, would you permit us to guarantee its safety and assemble it under lock and key in certain rooms of the house, where it would remain safe and untouched?

I want to say how sorry I am that circumstances make it necessary for us to inconvenience you and how greatly we should appreciate any help you may be willing to give us toward getting settled as early as possible.

Sincerely, yours, GIFFORD PINCHOT.

Strange to say, that affecting appeal was not sufficiently persuasive to get satisfactory results, because the lady at once replied from Bar Harbor, on the 6th of September, as follows:

BAR HARBOR, ME., *September 6, 1917.*

GIFFORD PINCHOT, Esq.,
Washington.

MY DEAR MR. PINCHOT: I have received your letter written September 3.

My brother, Rev. Walden Myer, had received a letter from Miss Harriet Holther, secretary to Mr. Westcott, saying that you wished to cancel the lease of 1622 N Street, to which he replied that he could not surrender the house or allow the cancellation of the lease. My brother's views are mine.

I appreciate that in writing to me you desire to explain the matter and give me, as the woman of the house, some reason for taking away from me a place I regard as my home. I assure you it is impossible for me to find at this late time a suitable home, and this is why my brother and I took the precaution of securing 1622 N Street last November for the coming year, as well as to make some improvements for our own comfort. At the time I inquired of Mr. Westcott the significance of some words, which I seem to recall were afterwards embodied in the signed renewal, relating to a termination of the lease in case of sale. He stated that the need for some clause of the kind was that our occupancy of the little house might block the sale of the entire square, adding that it was a proposition involving over $4,000,000, and that we need have no anxiety about being compelled to move out. It was upon this understanding that we relinquished houses we then had in view and which we can not now obtain. I have spent much time, thought, and money in making this house a home for my brother and myself. We certainly never would have consented to the renewal of the lease of the house upon the understanding you might take it back for whatever purpose you might wish.

Even were a sale of the entire square to take place, three months would be a very short time for us to find a home and furnish it. In this connection I may add with reference to your suggestion to cancel the lease and let you have possession before December 1 that such a course, with its attendant anxiety and nervous strain, its effort of finding another house and furnishing it, and the fatigue of moving out of this one, would seriously impair my health. This I know my physician would confirm.

Last spring, and, in fact, for three years, I have been actively engaged in war relief, which I wish to continue this winter, and which the burden you propose to lay upon me would utterly prevent.

I feel when you realize what you have asked you will be considerate enough not to pursue the matter further.

My brother unites with me in hoping this letter fully explains why we can not comply with your request.

Sincerely, yours,
GERTRUDE WALDEN MYER.

P. S.—My brother has read this letter, and he wishes me to say that the above are his views. He does not agree that there is any clause in the lease or its renewal that under the circumstances would enable you to cancel it, and he can only affirm his statements made in his letter to Mr. Westcott's secretary of September 4.

G. W. MYER.
O. K.: WALDEN MYER.

Miss Myer had consulted Walter C. Clephane, a prominent attorney in Washington, as shown by the following copy of a letter from Mr. Clephane to her. Mr. Clephane advised Miss Myer that Mr. Pinchot had no legal right to put them out.

[Cable address, Clephane, Washington.]

WALTER C. CLEPHANE,
ATTORNEY AND COUNSELLOR AT LAW,
Wilkins Building, 1512 H Street, Washington, D. C., May 17, 1918.

MISS GERTRUDE MYER,
Washington, D. C.

MY DEAR MISS MYER: When your controversy with Mr. Gifford Pinchot was brought to my attention last fall and you submitted to me the correspondence, together with the lease and extension thereof relating to your tenancy of 1622 N Street NW., I then advised you that in my judgment you had an absolute right to remain in possession of the property leased from Mr. Pinchot, and that Mr. Pinchot had no rights, legal, equitable, or moral, to dispossess you. I have never seen any reason to change my opinion as then expressed.

Yours, very sincerely,
WALTER C. CLEPHANE.

On the 25th of September the sale to Mrs. Pinchot having evidently failed for some reason, possibly because they could not agree upon terms, Mr. Pinchot addressed Miss Myer, as follows:

WASHINGTON, D. C.,
September 25, 1917.

MISS GERTRUDE W. MYER,
1622 N Street, Washington, D. C.

MY DEAR MISS MYER: After very full consideration of the matter of your house, and with the knowledge that Mrs. Pinchot and I would have had the complete and unassailable legal right to do as we had contemplated doing, we came to the conclusion that such action would not be fair to you in view of what you had expected when you signed the renewal of the lease. Accordingly we have decided for this reason not to rent our house for this year, since it would not be possible to find another place than the one you are in. The decision has only just been reached, and I hasten to notify you.

Sincerely, yours, GIFFORD PINCHOT.

I find here a note that this gentleman owns three dwelling houses on a triangular-shaped lot bounded by Rhode Island Avenue, Seventeenth and N Streets, and Scott Circle, as follows:

Nos. 1615 and 1617 (lot 800) Rhode Island Avenue is Pinchot's residence, and is assessed at	$82,600
No. 1619 Rhode Island Avenue (lot 801) is assessed at	37,300
No. 1622 N Street (lot 802) rented to Rev. Myer, is assessed at	21,600

Mr. President, it was perhaps very ungracious and very unladylike for Miss Myer to have intruded a successful legal objection to the wish entertained by this gentleman that he might increase his revenues in order to increase those of the Red Cross and other commendable enterprises, but it would indicate that perhaps that was not the entire and controlling reason for the desire to change. Milking a rich New York banker to the tune of $2,500 a month, or such a trifle, for a larger house in one sense is conservation, because it requires the expenditure of the money of an outsider in the city of Washington, helps local business, and encourages landlords; but, without pretending to know the truth of it, my information is that the big house was let just the same. I have no knowledge with regard to what was done with the money, but I am willing to venture the opinion that it has been conserved.

Mr. President, this may seem trifling in connection with the importance of this bill, but I confess when I think of so many good, honest people in my State who, instead of violating any statute, have sought to comply with their every requirement, who have incurred obligations, who have secured possession of valuable property, who are entitled to the consideration of the Government as a mere matter of justice, and when I hear them condemned by the conservationists of the city of Washington as fraudulent, dishonest, and unconscionable, I must be pardoned if I show sufficient ordinary human feeling to call attention to the conduct of some men who seem to have violated the good, safe, old maxim that one should not throw stones who himself lives in a glass house.

I have talked, Mr. President, much longer than I had intended upon the bill, and perhaps I have said as little about it as is customary in senatorial discussion. I certainly have not attempted to discuss it in detail. I am for the bill because I can not help myself. I am for the bill because it is the only thing that justice can wring from this Congress. It is the only thing the approval of which we can expect upon the part of the Executive. It is the only thing which stands between a good many honest people of the West and bankruptcy. It is the only thing under whose provisions the oil reserves of the West can be developed and the oil itself added to the constantly increasing stream of demand. It is the only source, in fact, to which we can look for an increasing supply of an element which in these days is perhaps more essential to the material well-being and progress of the Nation than anything else, unless it be the item of coal.

We have been defeated in every attempt heretofore to secure some sort of legislation under which measurable terms of relief could be vouchsafed to those who need it and who must have it very soon if it is to be of any benefit to them. It is the only thing, Mr. President, about which both Houses may be able to agree, if the experiences of the last Congress be any guide whatever. The Government virtually says, "Take this or take nothing." The Supreme Court of the United States has sustained

the power of withdrawal and has gone so far in recognizing the power of the Government of the United States over the disposition of its public domain as to make the whims of the departments, crystallized into legislation, its governing basis.

I am free to say that I do not believe the bill will yield as much relief as many of its advocates hope for. I am greatly afraid they will be disappointed. I know that it will require a large number of employees to make its provisions effective, or at least to go through the motions of trying to make it effective.

I know that its administration will be burdened with a very large item of expense. But, knowing all these things, having asked for bread, we are in a position where we must either take a stone or go unrelieved.

Mr. FALL. Mr. President, I have not had the opportunity and it has not been my good fortune to listen to all the able address of the Senator from Colorado, but I was in hopes that he would emphasize one of the reasons why we people of the West, who have had experience in these lines, object to the bureaucratic administration of the leasing system. Is not the objection of the Senator based largely upon the objection which I entertain, founded upon experience, that it is not so much or not at all, I may say, that the people of the West object to paying to the United States Government a portion or a percentage of whatever may be gotten out of the ground as it is the reservation under bureaucratic administration that we object to? As must necessarily be the case so long as there is discretion left in the handling of these resources to the Department of the Interior here in Washington, without respect to who may be the Secretary of the Interior at the time, it is worth almost as much as a man's life is worth to attempt to deal with the department or to develop those resources.

Mr. THOMAS. I did refer to some of the bureaucratic aspects of the situation. I did not treat it, however, along all the lines suggested by the Senator from New Mexico. I think it is perfectly true, as he has suggested, that it is not the payment of the tribute that galls, but the fact that it is required and will be enforced under conditions that are peculiarly irritating.

Mr. FALL. If the Senator will allow me a moment, I had in mind a recent experience which the people of the West have had, where the Congress of the United States sought to give us some relief in the disposition of the surface of the land so that people might live on it. Under the old homestead law of 160 acres the department was finally persuaded to a realization, to some extent at any rate, of the fact that 160 acres of land in the remaining portion of the public-land area are not sufficient for a homestead for anyone; and therefore the Congress of the United States passed the 640-acre grazing-land homestead act. I had in mind the administration of that act as it is going on now in my State, in which there are some twenty-odd million acres of land belonging to the public domain, and, as we supposed, subject to homestead entry under the 640-acre act. When the act came to be administered we found this interpretation placed upon it by the department in Washington.

I think I am safe in saying that two-thirds of the applications, numbering something like 5,000, in my State for homestead entry of 640 acres were rejected upon the ground that it was impossible to make a living on the 640 acres, and the applicants were sent back. They were qualified homestead entrymen, and they were sent back to the 160 acres under the old law upon the same land and were notified that while their application for 640 acres was rejected because they could not make a living on it, they could select 160 acres out of the 640 and get a title to it by complying with the law.

Mr. THOMAS. I was not aware of that fact, but it does not surprise me a particle. Of course that is an instance, perhaps an extreme instance, of the liberty which the departments and bureaus take with statutes of the United States when it comes to their administration.

Mr. FALL. It illustrates the difficulty we always find in that respect.

Mr. THOMAS. And the probabilities are that the same experience will confront this bill when it becomes a law.

Mr. FALL. Precisely; I have no doubt of it in the world.

Mr. THOMAS. I am prepared to believe that every remaining yard of red tape, and God knows there are lots of it left in the city of Washington, will be wrapped around this bill, that it will be so swathed with construction and regulation and destruction and application and misapplication and reference of lessees and applicants to first one and then another official, until the man who finally gets his lease will not be able to recognize its features. I am afraid so.

Mr. FALL. I have no doubt of it. I entertain the same fear.

Mr. THOMAS. I hope it will not be the case. I want to say that my statement is not intended to be any reflection whatever upon the present Secretary of the Interior. I recognize the limitations under which he has been trying to operate. I recognize the fact that he has, at times at least, been only the nominal head of the Interior Department, its functions being directed and dictated by the late Attorney General of the United States and the Secretary of the Navy. We have a new Attorney General now, or I hope we will have very soon duly confirmed, and I indulge the hope that the Secretary of the Interior will be permitted to execute this law if he wants to do so. If he does, then I feel reasonably sure that, while it will not be free from all the bureaucratic applications to which all leases are subject, it will be fairly well administered.

Mr. FALL. Let me state another instance of our experience. During the last two or three sessions of Congress there has been before this body, in one form or another, proposed legislation such as has been suggested for the last 25 years, and has often passed one or the other branch of Congress, to throw open on the Indian reserves in the United States the mineral lands which the Indians themselves will not use.

Mr. THOMAS. That is conservation.

Mr. FALL. Exactly. The department, of course, knowing that this legislation was pending, that it had been passed by one branch or the other of Congress repeatedly during the last two or three years, apparently took no notice of it whatsoever. It finally became a law, possibly two months ago, and as yet no regulations have been adopted nor can the department be persuaded under insistence to adopt any regulations of any kind or character under which that law can be put into effect, although it is specific in its terms.

Mr. KING. Mr. President, will the Senator yield?

Mr. FALL. I yield.

Mr. KING. Will it not be a good idea to append an amendment to this bill compelling the Secretary of the Interior, within 30 days, to promulgate regulations under which mineral lands on Indian reservations may be thus thrown open?

Mr. THOMAS. If you do, it will be construed out of existence.

Mr. FALL. Yes; it would be either construed out of existence or it would receive such opposition in the House or in the White House that I am afraid we would not even get what is provided in the pending bill. So I do not know what we are to do. We people of the West are simply taking what we can get, and hoping in some way that we may be allowed to handle for the benefit of all the world as well as for ourselves the resources which are lying dormant in our States.

Mr. THOMAS. There must be a change in these conditions; otherwise we will be compelled, or our posterity will be compelled, to conclude that this last war was fought to make the world safe for bureaucracy.

Mr. KING. I have been greatly interested in the strong presentation made by the Senator from Colorado regarding the development of the West and the obstacles interposed by Government officials and departments and bureaus to the acquisition by bona fide citizens of agricultural as well as mineral lands. His historical narrative is illuminating and, as I believe, correctly states the facts.

It is to be regretted that there has been and still is so much misapprehension in various parts of the country with respect to the public lands of the United States and the manner by which titles to portions of the same have been obtained. The great West before settlement was divided between deserts and mountains. Shifting sands and alkali plains and unwatered and sterile wastes constituted a great part of the public-land States west of the Missouri River. Mountains upon which there is scarcely any vegetation and which in the main are devoid of timber constitute the most of the territory acquired by the United States through the treaty of Guadaloupe-Hildago. A great portion of the lands of the Dakotas, Montana, and Wyoming are of a similar character.

As the result of a propaganda which ignored the facts and resulted from a frenzied hysteria, many people of the United States were led to believe that the people of the West were trespassers, and had fraudulently obtained title to the lands which they occupied. These propagandists knew that they were misrepresenting the patriotic and industrious people who were reclaiming by their sacrifices and struggles the desert wastes and were building prosperous towns and cities and preparing Commonwealths for the glories of statehood and competent to assume their share of the responsibilities incident to the maintenance of the Union and the principles of this great Republic. Upon desert lands possessing no value, men and women, with a courage rarely equaled and never surpassed, entered, and after lives of toil and struggle they built modest homes and transmuted

the deserts and refractory lands into fertile fields and productive farms. To develop mines and obtain gold and silver and other metals found in the earth was an undertaking that called for sacrifice of the severest character. The absurd view is entertained by many who reside in the East that the public lands of the West are an inexhaustible fountain of wealth; that without effort or toil or the expenditure of money millions and, indeed, billions of dollars are to be found; that the precious metals can be shoveled from the surface of the mountains; and all other classes of minerals and metals can be obtained without cost or labor. The facts are that perhaps more money is put into the ground in efforts to discover minerals than is taken from the ground. For every mining property that has yielded dividends, I feel safe in asserting there are a thousand that not only produced no dividends but involved losses to the owners aggregating millions of dollars. For every oil-producing claim found upon the public domain there are hundreds, if not thousands, that were barren, and resulted in serious financial losses, blasted hopes to hundreds of individuals, and in many instances penury, wasted lives, and death. Unfortunately, as the Senator from Colorado has so clearly indicated, too often there has been an administration of the public-land laws that was oppressive and hateful to liberty-loving and independent and self-respecting people. There is some sort of an influence that takes possession of many who find places in departments and bureaus and other Government agencies that leads them to tyrannous and oppressive conduct and to the adoption and enforcement of bureaucratic methods that are harsh and arbitrary and utterly at variance with the spirit and genius of republican institutions.

Many of the officials who have held places in the Interior Department, and many of the representatives and agents of this department who have operated in the public-land States, have treated the West as if it were a stepchild, and they have interposed every possible obstacle to efforts made by bona fide applicants to obtain title to public lands. Instead of encouraging locations of the mineral lands and the settlement of the agricultural lands and the development of the West and the building up of the sterile and waste places, they have sought to prevent titles passing; indeed, they have endeavored to prevent the occupation for legitimate and proper purposes of any part of the public domain.

The Senator from Colorado has alluded to two women from his State, who have for years been seeking title to homestead entries made by them. The lands which they entered were worthless when they made their entries. Doubtless they have made improvements thereon, and if title had been obtained would have made the lands valuable and productive. They have, as the Senator has stated, expended thousands of dollars and now in despair at the treatment accorded them by the Interior Department they are abandoning their entries. That policy is not conservation, it is destruction. The Government would have benefited, the local community would have been benefited, and the Nation would have profited if these women had obtained title to their homesteads. If gold is discovered, or silver or lead or coal, it benefits the local communities and adds to the general wealth of all of the people of our land. What we need in this country is greater production, greater production of agricultural products, increased production of coal and lead and copper and all other minerals.

I have upon several occasions denounced the autocracy of some of the executive departments and agencies of the Government. The executive agencies of some monarchial governments have exercised less power and authority than executive officials have exercised in this Republic. I am somewhat familiar with the administration of the laws in other countries. I believe that we have a more tyrannous bureaucracy in some departments and bureaus of our Government than can be found in some of the nations of the Old World. The West has been the victim of a deadly paternalism and a most oppressive bureaucracy.

Several years ago, when I was in the House, I offered a bill to cede to the States the public lands therein. There was a very strong sentiment among the leaders of both political parties, not only in the House but in the Senate, in favor of a cession to the States of all public lands found therein. The original thirteen States owned all the lands within their borders. Texas was not under the authority of the Federal Government with respect to the lands within her borders. There is no question but what the States owning the public lands within their limits disposed of them to a better advantage than the Federal Government through its officials has been able to dispose of lands owned by it. It has been some time since I examined the figures, but my recollection is that the Interior Department is costing the Government more now than at any time in the history of the past, although the public lands are diminishing in quantity the cost of administration is mounting year by year. If this bill now before us is passed it will call for hundreds if not thousands of more employees. A friend of mine called this bill a measure to "keep jobs for persons now in the Government service, and to furnish thousands of jobs for hungry office seekers." There is no question but what its administration will be exceedingly costly to the Federal Government, and I have no hesitancy in saying that the returns will not be commensurate with its expenditures. The leasing system is not a democratic system; it is not in harmony with democratic institutions. It is a relic of mediævalism. Spain imposed the leasing system upon the Western Hemisphere.

The King and the nobles of Spain thought that it would enrich the Crown and bring a golden stream into the treasury of the Spanish Kingdom; but they were disillusioned. The costs of administration were greater than the revenues. Moreover, the application of the leasing system retarded development, led to frauds and various evils, and, of course, superimposed upon the people an oppressive and tyrannous system. It is hateful to think of a Republic being a landlord. Rules and regulations relating to the use and occupancy of property promulgated by executive officials and enforced by an army of Federal employees will cause resentment and prove harmful to the people of the United States.

President Polk combated the leasing system and struck it down after it had been enforced for nearly 40 years. Benton and other great statesmen denounced it as vicious, as un-American, and as a reactionary contribution from the discredited nations of the Old World.

Mr. SMOOT. Mr. President, will my colleague yield to me?

Mr. KING. I yield to my colleague.

Mr. SMOOT. I think the Senator ought to say, however, that it was not abolished until it had proven itself an absolute failure.

Mr. KING. What my colleague says, Mr. President, is true. The leasing system was a failure. Mr. Polk's message to Congress recited the fact that it had proven a great loss in administration; that it had not only been an irritant and had prevented the development of lead and the other mineral properties of the Government but that it had proven an expense to the Federal Government.

In the Sixty-fifth session of Congress I offered a bill which called for a cession of the public lands to the States. I offered the same bill at the beginning of this session. I purpose offering it as a substitute for the pending measure. I shall at this time content myself with the request that it be printed and laid upon the table to be brought to the attention of the Senate when we shall further consider the bill now before us.

I know, Mr. President, that most of the Senators from the West are opposed to this leasing bill. No doubt most of them, however, will support it. They will support it for the same reasons stated by the Senator from Colorado; not because they approve of its provisions but because the West is in the grasp of forces which are preventing its development and are therefore injuring the entire country. Rather than continue the present policy, which is so iniquitous and so intolerable, I presume a majority of the Senators from the West will reluctantly give their assent to this measure.

RECESS.

Mr. SMOOT. Mr. President, I expect on Monday to have the pending bill taken up at once and to keep it before the Senate until it is passed. No Senator desires to proceed this afternoon with the consideration of the bill, and it being late on Saturday afternoon, I think, perhaps, it would be better not to insist upon going on with it. I therefore move that the Senate take a recess until 11 o'clock next Monday.

The motion was agreed to; and (at 4 o'clock and 25 minutes p. m.) the Senate took a recess until Monday, August 25, 1919, at 11 o'clock a. m.